## Congressional Record

### PROCEEDINGS AND DEBATES

OF THE

FIRST SESSION OF THE SIXTY-SEVENTH CONGRESS

OF

THE UNITED STATES
OF AMERICA

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# Congressional Record.

#### PROCEEDINGS AND DEBATES OF THE SIXTY-SEVENTH CONGRESS FIRST SESSION.

#### SENATE.

THURSDAY, May 5, 1921.

(Legislative day of Wednesday, May 4, 1921.)

The Senate met at 12 o'clock meridian, on the expiration of

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 2373. A bill to authorize association of producers of

agricultural products;
H. R. 4586. A bill to amend the act entitled "An act to establish a code of law for the District of Columbia, approved March 3, 1901," and the acts amendatory thereof and supplementary

H. J. Res. 82. A joint resolution ratifying the reestablishment of the boundary line between the States of Pennsylvania and

#### ENROLLED JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the joint resolution (S. J. Res. 30) to authorize the President of the United States to appoint a representative of the Executive to cooperate with the Joint Committee on Reorganization, and it was thereupon signed by the Vice President.

#### CALL OF THE ROLL.

Mr. PENROSE. Mr. President, I suggest the absence of a

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators

answered to	their names:	3 3 3	
Ball Brandegee Broussard Bursum Calder Cameron Capper Caraway Culberson Curmins Curtis Dial Dillingham Elkins Fernald Fietcher	Harris Harrison Heflin Hitchcock Johnson Jones, Wash. Kellogg Kendrick Kenyon Keyes King Knox Ladd La Follette Lenroot Lodge	McLean McNary Moses Myers Nelson New Nicholson Norbeck Norris Oddie Overman Penrose Phipps Pittman Poindexter Pomerene	Shortridge Simmons Smoot Spencer Stanfield Stanley Sterling Sutherland Townsend Trammell Underwood Wadsworth Walsh, Mass. Warren Watson, Ga. Watson, Ind.
Gerry	McCormick	Ransdell	Weller
Gooding	McCumber	Reed	Willis
Hale 'Harreld	McKellar McKinley	Robinson Sheppard	Wolcott

Mr. CURTIS. I wish to announce that the Senator from Kentucky [Mr. Ernst] is absent, owing to illness in his family.

The VICE PRESIDENT. Seventy-nine Senators having answered to their names, a quorum is present.

#### PETITIONS AND MEMORIALS.

Mr. WILLIS presented a petition of sundry members of the Curtis Branch of the American Association, of Columbus, Cardington, Marion, Springfield, New Lexington, Lima, Newark, Sugar Grove, and Nevada, all in the State of Ohio; Watertown, N. Y.; O'Neill, Nebr.; and Flint, Mich., praying for the enactment of legislation for the recognition of the Irish republic,

which was referred to the Committee on Foreign Relations.

Mr. CAPPER presented a resolution of the Central Labor
Union, of Kansas City, Kans., favoring the enactment of legislation providing adequate relief for disabled ex-service men,
which was referred to the Committee on Finance.

He also presented a memorial of Division No. 708, International Brotherhood of Locomotive Engineers, of Kansas City, Kans., remonstrating against the enactment of legislation imposing a sales or turnover tax, which was referred to the Committee on Finance.

He also presented a memorial of Local Union No. 66, International Brotherhood of Blacksmiths, Drop Forgers, and Helpers, of Rosedale, Kans., remonstrating aganst the enactment of legislation repealing the excess profits tax law and substituting therefor a sales or turnover tax, which was referred to the Committee on Finance.

He also presented a resolution of Coffey County Rural Letter Carriers' Association, of Burlington, Kans., favoring the enactment of legislation to pay rural letter carriers compensation of \$50 per month for upkeep and maintenance of their equipment for handling the mails, which they now furnish themselves, which was referred to the Committee on Post Offices and Post Roads.

Mr. LADD presented a resolution of the North and South Dakota Wool and Warehouse Association, adopted at a meeting held at Lodgepole, S. Dak., April 14, 1921, favoring the enactment of the so-called Fordney emergency tariff bill, which was ordered to lie on the table.

He also presented a resolution adopted by the State-wide convention held at Devils Lake, N. Dak., favoring the enactment of the emergency tariff bill, which was ordered to lie on the

He also presented resolutions of the Minot Rotary Club, of Minot; Grand Lodge Ancient Free and Accepted Masons, of Fargo; and Knights of Columbus, of Grand Forks, all in the State of North Dakota, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which were referred to the Committee on Finance.

He also presented a resolution adopted at a mass meeting of citizens of Fargo, N. Dak., favoring the enactment of legislation for the recognition of the Irish republic, which was referred to

the Committee on Foreign Relations.

Mr. TOWNSEND presented a memorial of the Michigan Milling & Beverage Co., of Detroit, Mich., remonstrating against the enactment of legislation imposing a 50 per cent higher tax on cereal beverages, which was referred to the Committee on Finance.

He also presented resolutions of the Kiwanis Club, of Jackson; Albert V. Braden Post, No. 58, the American Legion, of Ishpeming; and the Chamber of Commerce of Traverse City, all in the State of Michigan, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which were referred to the Committee on Finance.

He also presented petitions of sundry citizens of Grand Rapids, Mich., praying for the enactment of legislation providing adequate relief for disabled ex-service men, which were re-

ferred to the Committee on Finance.

#### REPORTS OF COMMITTEES.

Mr. SPENCER, from the Committee on Claims, to which was referred the bill (S. 158) for the relief of certain estates, reported it with an amendment, and submitted a report (No. 33)

He also, from the same committee, to which was referred the bill (S. 906) for the relief of Reuben R. Hunter, reported it without amendment and submitted a report (No. 34) thereon.

Mr. POINDEXTER, from the Committee on Naval Affairs, to which was referred the bill (H. R. 4803) making appropriations which was referred the bill (H. R. 4305) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes, reported it with amendments and submitted a report (No. 35) thereon.

Mr. KING. I reserve the right to submit a minority report in regard to the bill which has just been reported. I do not

assent to many of its provisions, and when I have time I shall prepare a minority report.

The VICE PRESIDENT. The bill will be placed on the cal-

#### RICE PRODUCTION, MILLING, AND MARKETING.

Mr. CALDER. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably with amendments Senate resolution 56, submitted by the Senator from Arkansas [Mr. Robinson] April 25. I call the attention of the Senator from Arkansas to the resolution.

Mr. ROBINSON. Mr. President, I ask unanimous consent for the present consideration of the resolution.

The Senate, by unanimous consent, proceeded to consider the resolution.

resolution.

The amendments were, in line 3, after the word "respecting," to strike out "agricultural industries, products, and pursuits, the production, manufacture, and market conditions affecting products, particularly"; in line 8, after the words "United States," to insert "to employ stenographers and accountants"; and in line 14, after the numerals "1922," to insert "the expense of said investigation to be paid out of the contingent fund of the Senate and not to exceed \$10,000," so as to make the

resolution read:

Resolved, That the Committee on Agriculture and Forestry, or any subcommittee thereof, is hereby authorized and directed to investigate conditions respecting the production, milling, and marketing of rice. Said committee or subcommittee shall be empowered to hold hearlings in Washington or elsewhere in the United States, to employ stenographers and accountants, to examine witnesses, and to issue subpenas to compel the attendance of witnesses and the production of books, papers, documents, memoranda, and correspondence. Said committee or subcommittee shall report from time to time its findings and recommendations to the Senate and shall make its final report on or before January 1, 1922, the expense of said investigation to be paid out of the contingent fund of the Senate and not to exceed \$10,000.

The amendments were agreed to.

The resolution as amended was agreed to.
Mr. ROBINSON. I ask leave to insert in the Record state-

ments and telegrams relating to the resolution just agreed to.

The VICE PRESIDENT. Without objection, they will be printed in the RECORD.

The matter referred to is as follows:

LONOKE, ARK., April 29, 1921.

Hon. Joe T. Robinson, Washington, D. C.:

Rice farmers urge that action of rice mills be fully investigated. Farmers have been paid only about one-fifth of cost of production, and many are ruined. No reason why prices have been manipulated as they have. Go to the bottom of matter while at it.

H. A. CYRIER.

DE WITT, ARK., April 26, 1921.

Senator J. T. Robinson,

Washington, D. C.

My Dear Senator: I noticed an account of the resolution you introduced asking for an investigation in agricultural matters, and particularly rice.

It certainly needs it. It may be too late to help these bankrupt people, but may do good in the future. One of my neighbors turned a lot of rice to the mills last fall on toll mill (good rice) and a few days ago received a draft amounting to 2 cents per bushel. Another received 11 cents on 9,000 bushels of good rice. I heard of another who got \$18 for a car of rice. You can find such as this in many cases, and they have never made the advance agreed upon and do not very often settle with the farmers until possibly months after their rice is sold.

I have never heard of such an outrage before. The country is crip-

rice is sold.

I have never heard of such an outrage before. The country is crippled beyond repair. Children are in rags and without sufficient food. Honest men can not pay interest on their debts, can not borrow a dollar, or get credit for supplies. They are feeding rice to their stock and breaking land, but the question of getting fuel is unsolved. About 50 per cent of a crop will be planted, but much of that may not be cultivated on account of inability to get fuel to run the pumps.

I am glad you are taking the step you are and trust that good may come of it. If there is any earthly way to get some relief for our people it should be done, and done quickly.

Sincerely, yours,

J. M. Henderson, Jr.

J. M. HENDERSON, Jr.

ALMYRA, ARK., April 28, 1921.

Hon. Jon T. Robinson, Washington, D. C.

Washington, D. C.

My Dear Sin: I sure feel proud that you as our United States Senator have not forgotten us poor rice farmers, for we need something done for us on our last year's steal. The rice crop was all taken up in storage, milling, and freight. I had 2,000 bushels sold, milled, and it netted me \$547.50, about 25 cents per bushel. The balance of my crop I sold for 50 cents. I averaged 80 bushels to the acre, and when the crop was all disposed of it left me \$3,000 behind on the actual running expenses, and can't obtain one dollar to make this crop. There are numbers of rice farmers in this section who did not get enough out of their crops to pay for the seed they planted. Can't see how we are ever to get out of debt; most of us have lost all we have been year making. If you can help us in any way, it will surely be appreciated. The banks will not help us to even pay our taxes. Say they can't get the money, and our taxes are doubled on us on these hard-surfaced roads. I wish you much success as Senator and a long life in that benorable position.

Your constituent,

T. T. Hasty.

AMERICAN FARM BUREAU FEDERATION, ARKANSAS COUNTY, Stattgart, Ark., April 26, 1921.

Senator Joseph Robinson, Washington, D. C.

DEAR SIR: As a rice grower I want to thank you for the interest you have taken in behalf of us. If you can push this investigation far enough to get the right parties, you will have the everlasting gratitude of every grower in the rice belt.

Very respectfully.

B. E. Swim.

JONESBORO, ARK., April 27, 1921.

Mr. JOSEPH T. ROBINSON. DEAR SIR: I want to thank you for the resolution you introduced in the Senate appointing a committee to investigate the rascals who are ruining the rice growers. I hope you will push it to the bitter end. I am inclosing a clipping from the Democrat so you may know what I have reference to. Doubless you have read it already. I again thank

J. L. BURNS.

HUNTER, ARK., April 26, 1921.

Senator Joseph T. Robinson, Washington.

Senator Joseph T. Robinson,

Washington.

Dear Senator: I see in this morning's Commercial Appeal quotations from your remarks on introduction of move to investigate rice and other farm conditions. I was at the Stuttgart meeting when Mr. Eigner, for the Southern Rice Growers' Association, presented this milling proposition. I made a talk at the close of that meeting, telling them the proposition was impractical, and why, and that it could result only in failure. This Hunter neighborhood shipped thousands of bushels under written agreements with the mills, strictly conforming with the conditions and agreement between the mills and the association. To my certain knowledge the neighborhood has received just \$250 under those contracts. One of my neighbors has accepted under a partial sale of his crop by the mill 39 cents per bushel for as nice a sample of rice as was ever grown in Arkansas. The balance of his crop is in the mill eating itself up, as he has no means to pay milling charges, and the result will be, as he concludes, to lose it all.

Another neighbor who has rice in that mill sent in an order for 22 pockets, to be shipped shipper's order, the mill to collect and apply on his milling, at a price twice what the mill claims his rice is worth. The mill informed him the order was too small to fool with.

Another neighbor, in dire distress, has just sold a lot of rough rice at 25 cents per bushel. It cost him more than twice that amount to thrash and warehouse his rice.

The rice situation is simply appalling. Men here who were considered well fixed for life one year ago have been bankrupted in growing last year's crop. The cotton and rice for the Hunter neighborhood will lose its people half a million of dollars.

But, Senator, none of you are telling us how this thing happened and why? What is the way out, if there is a way? Congressman Fiss says it was inevitable, but should have happened two years earlier. Senator Carawar tells me thinks it should not have happened until next year's crop. The cotton and r

JONESBORO, ARK., April 26, 1921.

Hon. Senator Robinson,

Washington, D. C.

Dear Mr. Senator: The writer read with great pleasure in to-day's Commercial Appeal that you introduced a resolution demanding inquiry with regard to the most unfair treatment that we "rice farmers" ever experienced in the production, milling, and marketing of our great rice crop in 1920.

I therefore hasten to extend to you hearty congratulations and many thanks for your interest taken in behalf of the rice farmer especially.

Around this vicinity we were really obliged to ship to Memphis rice mill. For example, we shipped for the accounts of three tenants and self seven cars of rice during November and December, 1920, and received about one-third less for all of them than for one car of rice shipped in 1919. Unfortunately we suffered with severe loss in 1919, due largely to the constant rains and floods during the spring and fall of that year.

We received from 1½ cents a pound to about 4 cents a pound after first paying the excessive freight charges of from \$82 to \$92 per car, a distance of 78 miles from my shipping point to Memphis. The mill in addition also deducted \$1 per barrel for milling, 8 cents per barrel to valuation committee, 5 cents per barrel to advertising, or a total of \$1.13 per barrel; also 8 per cent interest for any advances made from date of receipt at the mill, and 10 cents drayage for every bag when sold in small lots, delivered.

Granted that the farmer has but one pay day in the year, we received absolutely "nothing," not even one lota, for our whole year's work and effort to raise food and feed for man and beast. It is the very worst that the farmer has but one pay day in the part work and effort to raise food and feed for man and beast. It is the very worst that the farmer has but one pay day in the part work and effort to raise food and feed for man and beast. It is the very worst that the farmer of the farming in United States of America.

On the other hand, in addition to the mill charging us the ruinous price of \$1 per barrel, while dur

necessary to raise and irrigate the rice (which commodity is still in its infancy to-day), will have to lay idle and a very small percentage of acreage will be planted in consequence.

I have also taken the pleasure of communicating with Senator Caraway, who understands fully the many hardships we have already encountered of developing and going through these pioneer stages in this great State of Arkansas.

Again thenking you for your splendid rations taken in our healt.

this great State of Arkansas.

Again thanking you for your splendid actions taken in our behalf, I beg to remain, wishing you further success and good result for the future welfare of all farming interests, and especially the rice farmer.

Very respectfully,

MORRIS LEVY.

#### Resolution.

Be it resolved by the rice farmers of the State of Arkansas in convention at Stuttgart, Ark., on the 26th day of January, 1921, as follows:

That a committee, composed of members hereinafter named, be, and is hereby, appointed for the purpose of discharging the following

That a committee, composed of members hereinafter named, be, and it is hereby, appointed for the purpose of discharging the following duties:

For a period of three months from and after this date said committee shall investigate and study the condition of the rice market, both general and local, employing all available and proper means of securing accurate information concerning sales, quotations, and activities of the rice market generally; and said committee shall report at least twice a month by publication in newspapers of the rice-growing communities of Arkansas the result of its investigation, such report showing the prices which market conditions seem to justify, and containing such other recommendations as the committee may deem proper. All millers and rice-selling organizations are requested to cooperate with such committee shall also investigate the possibility of improving the present selling organization of rice growers, and will report the result of its investigations in this respect.

The committee shall have the authority to call a meeting of the farmers adopting this resolution at any time deemed desirable.

Said committee is also instructed to send delegates of this convention, to be selected by it, to various other rice-growing communities of this State, for the purpose of urging the farmers of such communities to join in the selling agreement this day executed by farmers attending this convention.

Said committee shall be composed of—

H. D. Dilday, Yoder, Ark.; Ed Herron, Lonoke, Ark.; J. M.

Seward, Ulm, Ark.; Fred Burnett, Prairie County; T. L. Brown, Craighead County, Ark.; Bert McCuskey, De Witt, Ark.; W. D. Bohnert, Gillett, Ark.; B. E. Chaney, Bayou Meto, Ark.; Will Dickson, Woodruff County, Hunter, Ark.; George Prange and R. E. Short, St. Francis County, Ark.

The member first named shall be chairman.

LONOKE, ARK., February 1, 1921.

Mr. Joe T. Robinson, Washington, D. C.

Mr. Joe T. Robinson,

Washington, D. C.

Dear Senator: We hand you herewith a copy of the contract entered into by and between the millers and the Southern Rice Growers' Association; also a copy of note signed by the farmers who received advancements under said contract, the said note being made to the mill; also inclosed find a blank the farmers were required to sign, whether they got advances or not, in order to get the rice milled.

All the rice growers in this country are very hard hit, and, in fact, disabled to such an extent that quite a number of them will be unable to farm this year. The situation has become very serious, and no producer knows anything about where he stands.

Notwithstanding rice was delivered as early as the 1st of October and milled shortly afterwards, no producer can receive any report upon his rice whatever. He only receives vague rumors that it is selling as low as 3\(^2\) cents per pound, which means about 40 cents to 50 cents per bushel net to him.

You will notice clause 10 of this contract, which provides that out of the first sales the mill is to be paid the amount of the advancements, and as soon as said advancements are liquidated in full the additional amount shall immediately be paid to the producer.

Clause 11 provides that the plant, premises, books, accounts, samples, bins, and warehouses of the mill shall be open for the investigation of the duly authorized agents of the association.

The producer can not get a report on his rice. The mill refuses to permit the officers of the association to examine its books and accounts and refuses to make any report either to the producers or the agents of the association.

It looks very much to us like the head of the association is owned and controlled by the mill, because we know the officers or the agents of the association for the producer or the agents of the association is reported authoritatively that a great many merchants who handle rice have refused to purchase because the mill invariably shoves off on them last year's cr

letters out in which they are claiming that they can not ship them this year's crop.

At the time the farmers delivered their rice to the mill they were led to believe that the rice would net them \$5 per barrel for Nos. 1 and 2 and inferior grades accordingly. At that time labor was exceedingly high. The milling charge of \$1, as set forth in paragraph 7 of this contract, was considered unreasonable and excessive, but on account of conditions the farmers finally agreed to same, thinking they would maintain the prices represented to them but not set forth in the

We understand that the price for the rice has been cut about one-half without consulting either the farmers or the Southern Rice Growers' Association. The members of the Rice Growers' Association here state that they have never been advised or agreed to any cut whatever, and if said cut was made it was done at the head office, without the knowledge of these men here.

It looks very rotten to us, and if the Rice Growers' Association have agreed to this reduction of prices without requiring a reduction for milling, we believe the officers higher up have formed a combination with the rice mills. The by-products at this time will pay the milling expenses, as they are selling them high.

For your information the charge heretofore for milling rice, when labor was as high or higher than it is now, was not exceeding 40 cents per barrel and the by-products, and the farmer was receiving a much better price then than at the present time. We might further

state that the mills in Lonoke and Carlisle will in all probability mill 350,000 barrels of rice, both mills being owned by the same company. Thus you will readily see that they will realize 300 per cent profit on their investment, while the producers are being pauperized, and the rice industry is being absolutely killed in the State of Arkansas.

They might have sold a great deal of rice on the highest market, and yet if they reported sale on the lowest market the farmer could never know the difference and there is no way, for him to find out.

You will note under the contract that the mill agreed to make advancements to the farmers upon delivery of the rice, but a short while after these deliveries were made they advanced on not more than one-half the rice delivered, and they then claimed that they could not make further advancements. They have not advanced any since along in December, and never have, except on a few lots, advanced the amount agreed upon under paragraph 5 of the contract.

On account of their refusal and failure to report and their refusal to advance, there are many rumors of the very low price for which rice is selling, and the rice country is absolutely demoralized. The banks nor the merchants can afford to extend any credit, and all business in this territory is suffering at the present by reason thereof.

While we don't know of our own knowledge, conditions indicate that the farmers will not be satisfied until the full truth is known concerning the matter, and if you can accomplish this result we believe it will be one of the best steps you have ever taken for the producer.

Very truly, yours,

Chas. G. Millers,

E. R. Herbero.

CHAS. G. MILLER. E. R. HERRON. R. S. BOYD. THOS. C. TRIMBLE. Jr.

TRIMBLE & TRIMBLE, LONOKE, ARK., February 7, 1921.

Senator Joe. T. Robinson, Washington, D. C.

Senator Joe. T. Robinson,

Washington, D. C.

Dear Sir: [I am in receipt of your telegram.] A committee has been organized with a view of protecting the farmers as far as possible, and they have adopted the resolutions inclosed herewith. This committee recently met in Stuttgart and called before it Mr. Paul Daniels, who is on the valuation board located at New Orleans, said valuation board being selected by both the millers and the association, who are to fix the price on all rice sold according to grade.

Daniels says that the rice mills absolutely ignore the prices fixed by the valuation committee and is also against them as to the sale of the rice, and that the rice mills are selling last year's crop owned by the farmers in order to get rid of their rice, and thereby sacrificing the farmer's interest, and invariably where samples of the farmers' rice are sent out separately of this year's rice they send samples of last year's rice at a much lower price. They are using the farmer's rice to dispose of their individual holdings.

We think the investigation should be started at once, and the officers of the Rice Growers' Association as well as the mills should be investigated. From what Daniels says the mills are operated independently and absolutely and entirely ignore the association and have broken their agreement.

This is very important to the farmer, and he should have the information as early as possible and determine whether or not he should decept the sales of the rice that have been made and whether or not he should defend or repudiate his contract for advancements, because they have reported that the advancements are really more than what the rice sold for, in many instances, and at the same time the advancements are less than they actually agreed on.

We understand that there are a number of places in the North where rice has never been placed on the market, and they are not endeavoring to dispose of the farmers' crop. We again call your attention to the fact that while all the farmers understood the

FEBRUARY 8, 1921.

Mr. E. R. Bagnes, Beaumont, Tex.

DEAR SIR: The rice farmers in this section are very much dis-couraged at the manner and methods pursued by the mills and the Southern Rice Growers' Association in the disposition of their crop of

Southern Rice Growers' Association in the disposition of their crop of rice.

At the time this agreement was entered into between the association and the mills the association led the farmers to believe that their rice was to be sold for \$5 per barrel for Nos. 1 and 2 Blue Rose, and from what we are informed, that was the tacit understanding between the mills and the Southern Rice Growers' Association.

At the time of the making of the contract labor was very high, and although the farmers felt that a charge of \$1 per barrel and by-products was exceedingly high, yet they thought if in order to sell the rice the valuation board agreed to a reduction in price of same, there would be a like reduction in the expense of milling and handling said rice.

We understand—through rumors, but not authentic information—that the farmers' rice is being sold for as low as \$3 or 4 cents per pound and that the same price is being maintained for the milling of the rice, notwithstanding labor is reduced in this section of the country at least 65 per cent.

The writer was a director in the Lonoke Rice Milling Co. and they made money milling rice at 40 cents per barrel and by-products, when labor was higher than at present. At this time we think it would be safe to say that the by-products would pay for the operation of the mill, thereby leaving them an opportunity to clear more than 100 per cent on their investment in this section, without any risk or parting with any money whatever except some advancements, which have not been made according to contract.

Although this rice has been milled as early as December and shipped out, the producers have not been able to receive any information concerning same. The producers, in effect, have employed and paid the Southern Rice Growers' Association to keep them advised concerning

this matter, but those who are in the work in this section receive no information from headquarters and seem to be regarded by headquarters as mere figureheads. While we believe they desire to serve the farmers, they, of course, have to receive their authority from headquarters. We do not know whether it is the desire of the mills to destroy the association or whether it is the desire of the millers and the head officers to destroy the association; we do know that the course now being pursued will accomplish this more efficiently than any other course that could be pursued.

In the first place, we think if the Southern Rice Growers' Association has decided to reduce the price to lower than \$5 per barrel such proposition should be submitted to the farmers, through the said association, that they may be given some consideration in the handling of their own products.

Products.

Second, if the mills are selling this rice at a lower price than agreed upon according to the contract, then they have committed a breach of their contract, and farmers could not be required to pay more than a reasonable charge for the milling of the rice, and the farmers should be advised of this fact before closing up any deal with the rice mills for selling same.

In order that we may be able to do our bit to prevent all unjust and unfair criticism toward the association, we would like to hear fully from you concerning this matter, as we represent a number of the largest farmers in this section, and if we do not hear from you at an early date we can not do otherwise than take for granted the rumors we are hearing are true and will immediately take such steps as we think advisable to protect the farmers.

Very truly, yours,

WEINER, ARK., May 1, 1921.

Senator JOE T. ROBINSON,

Washington, D. C.

Washington, D. C.

Dear Sir: I notice you have introduced a bill asking for an investigation of the Southern Rice Growers' Association and the rice mills in the rice district of the United States.

I believe I can say to you that there are very few, if any, rice farmers in the district who would not approve of this investigation, and this move should put them under lasting obligations to you, as we rice farmers didn't even get the "three spot" in this deal.

It is useless for me to go into detail, as you are from the rice district and are fully aware of the detail.

I just want to express my appreciation to you for this move and to assure you that all rice farmers appreciate it.

Yours, truly,

W. P. Downing.

W. P. DOWNING.

#### BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as

By Mr. KENYON:

A bill (S. 1607) to establish a department of public welfare, and for other purposes; to the Committee on Education and Labor.

By Mr. POINDEXTER:

A bill (S. 1608) for the relief of Frederick W. Seidell; to the Committee on Claims.

A bill (S. 1609) providing for the survey and reclamation of arid, swamp, and logged-off lands within the continental limits of the United States, and the sale of same upon a system of deferred payments to soldiers and other citizens; to the Committee on Irrigation and Reclamation.

By Mr. LODGE:

A bill (S. 1610) to remit the duty on a carillon of bells to be imported for the Church of Our Lady of Good Voyage, Gloucester. Mass.; to the Committee on Finance.

A bill (S. 1611) to carry out the findings of the Court of Claims in the case of George T. Sampson, survivor of the firm of George T. & Augustus Sampson, against the United States; to the Committee on Claims,

By Mr. CAPPER:

A bill (S. 1612) to regulate the sale of bonds, stocks, and other evidences of interest in or indebtedness of corporations or associations in interstate commerce, and to amend an act approved October 15, 1914, entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes"; to the Committee on Interstate Commerce, By Mr. ELKINS:

A bill (S. 1613) authorizing the Secretary of War to loan tents and other camp equipage to recognized organizations of World War veterans, and for other purposes; to the Committee on Military Affairs. By Mr. McKELLAR:

A bill (S. 1614) to reinstate Samuel Cleage Field as a mid-shipman in the United States Naval Academy; to the Committee on Naval Affairs.

A bill (S. 1615) to amend section 13 of an act known as the

Federal reserve act, approved December 23, 1913; to the Committee on Banking and Currency.

By Mr. BALL (by request):

A bill (S. 1616) for the repression of prostitution in the District of Columbia; to the Committee on the District of Columbia. By Mr. KING:

A bill (S. 1617) to fix the dates for the regular sessions of Congress: and

A bill (S. 1618) to amend section 24 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; to the Committee on the Judiciary.

By Mr. PHIPPS:

A bill (S. 1619) to authorize the Secretary of War to transfer certain material, machinery, and equipment to the Department of Agriculture; to the Committee on Military Affairs.

A bill (S. 1620) granting to the State of Colorado 2,000,000 acres of public land to aid in the maintenance of a system of public roads; to the Committee on Public Lands and Surveys.

By Mr. CALDER:

A bill (S. 1621) for the relief of estate of Anne C. Shymer: to the Committee on Claims.

By Mr. HARRISON:

A bill (S. 1622) granting a pension to Lavinia L. Tagert; and A bill (S. 1623) granting an increase of pension to Malcom C. Rogers; to the Committee on Pensions.

By Mr. WILLIS:

A joint resolution (S. J. Res. 50) to authorize the Secretary of War to loan cots to the Ohio State encampment, Grand Army of the Republic (with accompanying papers); to the Committee on Military Affairs.

By Mr. KNOX:

A joint resolution (S. J. Res. 51) ratifying the reestablishment of the boundary line between the States of Pennsylvania and Delaware (with an accompanying paper); to the Committee on the Judiciary.

#### WILLIAM J. BOYD AND OTHERS.

Mr. LODGE submitted the following resolution (S. Res. 66), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he is hereby, authorized and directed to pay from the contingent fund of the Senate to William J. Boyd, Joseph B. D. Boyd, Mary Jane Saunders, and Margaret A. Raum, brothers and sisters and next of kin of George H. Boyd, late superintendent of the document room of the Senate of the United States, a sum equal to one year's salary at the rate he was receiving by law at the time of his demise, said sum to be considered as including funeral expenses and all other allowances.

HEARINGS BEFORE COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS.

Mr. McCORMICK submitted the following resolution (S. Res. 67), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Expenditures in the Executive Departments, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers, administer oaths, and to employ a stenographer and an accountant to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate and at such time and place as it may deem necessary, the expenses of travel incident to the sessions of said committee or any subcommittee thereof to be paid from the contingent fund of the Senate; for this purpose there is appropriated from the contingent fund of the Senate \$10,000, or as much thereof as may be necessary.

#### HOUSE BILLS REFERRED.

The following bills and joint resolution were severally read twice by title and referred to the Committee on the Judiciary: H. R. 2373. An act to authorize association of producers of agricultural products;

H. R. 4586. An act to amend the act entitled "An act to establish a code of law for the District of Columbia, approved March 3, 1901," and the acts amendatory thereof and supplementary thereto; and

H. J. Res. 82. Joint resolution ratifying the reestablishment of the boundary line between the States of Pennsylvania and Dela-

#### PORT OF CHARLESTON, S. C.

Mr. DIAL. Mr. President, I desire to have inserted in the RECORD a short statement from the Wall Street Journal of recent date with respect to the advantages of Charleston, State of South Carolina, as a port.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

"A BIG FUTURE FOR CHARLESTON—'HOLLAND' WRITES IN WALL STREET JOURNAL OF OUR DEVELOPMENT AS A PORT.

"['Holland' in the Wall Street Journal.]

"Norman B. Ream a few months before his death spoke of the construction of the railroad which he promoted from the Clinchfield coal district to Spartanburg, S. C., where connection was made with a railroad whose terminal is at Charleston, Mr. Ream said the Charleston terminal especially appealed to the men of finance who were building the Clinchfield Railroad,

because in their opinion Charleston possessed natural advantages which would in time make that city one of the most im-

portant ports upon the Atlantic coast.

"In earlier days Charleston was a highly cultivated social community, which depended chiefly for its prosperity upon agriculture, especially cotton. Not until long after the Civil War was ended did the citizens of Charleston realize that the city and its vicinity were in possession of facilities which could be followed by such growth as would enable it to compare favorably with any port upon the Atlantic coast south of Baltimore, and, in fact, with any upon the Gulf coast, except New

"The railroad was constructed with very large terminal facilities at Charleston for handling all the coal it could carry from the Clinchfield district. The presumption was that much of this coal would be exported, and in this presumption the promoters of the railroad were correct. Charleston already had one industry, for men of capital had established large fertilizing factories there, chiefly because of an abundant supply of phosphate rock.

Now another industry whose plant, almost completed, will rank as the largest new plant of that kind in the United States, is established at Charleston, and operation has already been

begun. This is an oil refinery.

#### "WHY CHARLESTON WAS SELECTED.

"It is to the capital, energy, and foresight of Walter Clark Teagle, A. C. Bedford, and their associates in the Standard Oil Co. of New Jersey, that the establishment of the great refinery at Charleston is due. President Teagle and his associates made choice of Charleston as a place to establish the largest modern refinery because in their opinion the city and its vicinity furnish a strategic point for supplying a very large area which heretofore has been supplied with petroleum products from Baltimore and from Bayonne.

"Mexico furnishes most of the crude oil which is of especial value in producing asphalt and road oils. Therefore, it is Mexican oil exclusively which will be brought to this great refinery and converted into asphalt, road oils, and fuel oils. The location is not upon the harbor front. It is about 2 miles from the business section of Charleston. It was chosen because the Cooper River on the one side and the Ashley River upon the other give adequate deep-water facilities and convenient ap-

proach to the outer harbor and to the sea.

"In the summer of 1919 the Standard Oil Co., having purchased all the land that was needed, began construction work. The hope was that it would be completed by January of this There was some disappointment because January 1 passed without an announcement that the work had been completed. But it was substantially completed, and before the end of this year this greatest of new refining plants in the United States will be in full operation.

"WHEN THE CRUDE OIL FIRST CAME.

"The plan was, however, so far completed in November of last year that it was possible to receive the first cargo of Mexican crude oil. This amounted to 68,000 barrels and the stills which were already completed were charged with this oil on Christmas Day. Probably within another year many ships whose occupation it is to carry fuel oil to the markets will put in at Charleston for supplies. The belief is that Charleston will within a year or two be recognized as one of the most important points for bunkering ships.

It is only a short distance from this plant to the terminals where now is established one of the largest coal bunkering plants on the Atlantic seaboard. This plant represents the energy and foresight of Norman B. Ream and his associates. It is equipped with the latest apparatus which makes it possible to load, by hoisting and tipping machines which are the largest in use anywhere, a carload at a time into the bunkers or holds

of a vessel.

"These two enterprises will speedily bring Charleston to a preeminent position in certain forms of industry and her fine harbor will be alive with vessels passing up to the refineries and to the coal elevators and passing out to South America and the West Indies."

ORDER OF BUSINESS.

Mr. PENROSE. Mr. President, I am informed that it is the purpose of several Senators to address the Senate upon matters in no way relating to the unfinished business before the Senate. I desire to call attention to the fact that yesterday the Senate was compelled to take a recess early in the after-noon and those speeches might well have been delivered then, the Senate remaining in session.

In view of the widespread sentiment in this body for the prompt passage of the tariff measure and the urgent demand, I

particularly from the southern and the western sections of the country, from the agricultural sections of the country, for the prompt passage of the bill, I hope that any Senator who has a purpose to address the Senate upon matters in no way relating to this measure of paramount importance will weigh the matter very carefully as to its urgency so that it may not unduly delay the bill.

Several hours were left yesterday for academic discussion about other matters which were not taken advantage of, and now I am informed that at the beginning of the session this morning a delay unestimated is about to be incurred. Of course, under the rules of the Senate it is impossible to restrict a Senator as to what he may say. I simply wish to call the attention of the Senate and of the farming interests of the country at large to the situation.

#### MIDSHIPMEN AT NAVAL ACADEMY.

Mr. POMERENE. Mr. President, I am greatly obliged to my distinguished friend for the curtain lecture I have received, but I have a matter that I expect to present to the Senate very briefly, because if any relief is to be granted it is necessary that action should be taken promptly. I refer to Senate resolution 65, submitted by me yesterday.

recognize the interest that some gentlemen have in the pending emergency tariff bill and some gentlemen are urging its speedy enactment who are no more interested in it and have

no higher regard for it than have I.

I may say that I stated on yesterday that I expected this morning to make some observations upon the resolution, and I then called the attention of the ranking Republican member of the Finance Committee to the fact that I expected to discuss the resolution briefly this morning. I am not in the habit of filibustering or of delaying proceedings, and I would not discuss this matter if I did not think it was of some moment to the country.

On yesterday I submitted Senate resolution No. 65, asking that the Committee on Naval Affairs be instructed to investigate

and report

(1) What, if any, further legislation is advisable regulating the examinations of midshipmen at the United States Naval Academy.

(2) What, if any, relief should be extended to the midshipmen who were required to submit their resignations as midshipmen because of their failure to pass certain required reexaminations held during the month of March, 1921.

There are two terms in the academic year at the Naval Academy. The one ended this year on Saturday, January 29; the second term began on January 31. At the examinations held at the end of the first session 286 midshipmen failed. Of this number there were 19 in the first class, 76 in the second class, 41 in the third class, and 150 in the fourth class.

A reexamination was held later under a statute which was

passed and approved on June 5, 1920. As a result of that re-examination there were 110 failures. Sixteen midshipmen were not reexamined because they were in the hospital; 1 man in the first class failed, 24 in the second class failed, 8 in the third class failed, and 77 in the fourth class failed.

The reexamination was held in pursuance of an amendment which was added to the deficiency appropriation bill approved June 5, 1920, which reads as follows—and Senators who are in-terested will observe that it is rather obscure and somewhat

involved-

That until otherwise provided by law no midshipman found deficient at the close of the last and succeeding academic terms shall be involuntarily discontinued at the Naval Academy or in the service unless he shall fail upon reexamination in the subjects in which found deficient at an examination to be held at the beginning of the next and succeeding academic term, and the Secretary of the Navy shall provide for the special instruction of such midshipmen in the subjects in which found deficient during the period between the academic terms.

Senators will observe that this provision requires the Secretary of the Navy to provide for the additional instruction, and it says "between the academic terms"; but in this case between the first term and the second term there were only two days. The first term ended on Saturday, January 29, and the second term began on the following Monday. The academy authorities, however, did provide for instruction, which was taken during the second academic term; but, as those Senators who are familiar with the conditions at the Academy will know, these young men have about all the work they can do without taking on extra work during the term.

Mr. President, prior to the adoption of the amendment to the deficiency bill which I have read, section 1519 of the Revised Statutes seemed to control. That section provides;

Cadet midshipmen found deficient at any examination shall not be continued at the academy or in the service unless upon the recommendation of the academic board.

The rule which has prevailed in the academy has been that under section 1519 when young men failed at their examinations

they have been, as a rule, dropped back into the next lower class and given an opportunity to continue their studies. As we all know, sometimes the result of an examination is not the boy's fault. It may be due to the condition of his health, or it may be due to the incompetency of the instructor or examiner as well as to the incompetency of the boy.

The academy authorities were very much opposed to the amendment of June 5, 1920, which gave an opportunity for further instruction and for further examination. It seemed that; instead of following the rule which had theretofore prevailed that midshipmen when they failed to pass an examination would be permitted to drop back into the next lower class the academy authorities were not pleased with the amendment which gave an opportunity for further instruction and a second examination, and so, while these boys were given further in-struction during the term and not at the end of the academic year, those who failed were instantly required to hand in their resignations, or, failing so to do, they would be dropped. On March 21, in the evening, notice was sent to the boys who had failed that if their resignations were not in by the following morning, they would be immediately dropped.

Mr. ROBINSON. Mr. President, will the Senator yield for

an inquiry

Mr. POMERENE. I yield, Mr. ROBINSON. Was that notice sent to all the students who had failed to pass the examinations?

Mr. POMERENE. I so understand, although I am not fully

advised as to that.

Mr. ROBINSON. Does the statute to which the Senator has referred require that all students failing in the examination shall be given a second opportunity-that is, an opportunity to drop back into the next lower class?

Mr. POMERENE. No; that is the difficulty. It simply provides for instruction and a second examination in order that they may have an opportunity to continue with their class.

Mr. ROBINSON. But that requirement applies to all students who fail in the first examination?

Mr. POMERENE. It applies to all students who fail in the

first examination.

Mr. ROBINSON. The Senator, of course, realizes that by the process of examination a number of students who gain admission to the academy in the first instance demonstrate their unfitness to continue as students.

Mr. POMERENE. Undoubtedly so.

Mr. ROBINSON. Undoubtedly there is a necessity for a weeding-out process

Mr. POMERENE. Undoubtedly so.

Mr. ROBINSON. It being the policy of the Government to admit into the naval service only men of first-class character and mentality.

Mr. POMERENE. Yes; and the percentage of failures is comparatively small, as I understand.

Mr. ROBINSON. Will the Senator state approximately what

the average is?

Mr. POMERENE. I can give that information to the Senator

in just a moment.

Mr. ROBINSON. My impression is that in some of the classes the percentage of failures has been very high, indicative of the fact that the students are lacking, at least in some instances, of the mental or physical capacity to finish the course.

Mr. POMERENE. I can give the Senator some information on the subject. Of the student body the percentage dropped for deficiency in studies during the year 1918-19, including those dropped after examination, was 4.5; in 1919-20 the percentage dropped was 6.3; and in the year 1920-21 at the end of the first term the percentage so far dropped is 5.1. But the matter about which I am complaining most is not the result of the examination, but because, while boys who have failed heretofore in the classes above the fourth class have been permitted to drop back into the class below, that privilege has been taken away from these boys, and they have been dropped after having been given notice to hand in their resignation. Under the rules now prevailing the boys who have failed were not even permitted to telephone to their parents or their friends, and when one of these boys asked the privilege of telephoning-I think to his Representative in Congress, as I remember the facts-before he handed in his resignation, he was peremptorily

Mr. ROBINSON. Of course the only purpose he could have had in telephoning his Representative in Congress was to secure political influence.

That may or may not be so.

Mr. ROBINSON. I assume that if he telephoned his Representative in Congress that would be his purpose.

Mr. POMERENE. He may have felt that he wanted to consult with some one.

Mr. ROBINSON. In the case of a student who had been dropped back into a lower class and given a second opportunity, the Senator would not think that he ought to be given a third opportunity if he failed the second time, would he?

Mr. POMERENE. That depends upon the circumstances; it depends upon whether or not they have the right kind of in-

structors in some of the departments of study.

Mr. SPENCER. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Missouri?

Mr. POMERENE. I yield.

Mr. SPENCER. Will the Senator be kind enough to tell me whether or not it is a fact that the large majority of the midshipmen who were dropped were dropped because of failure in one particular study?

Mr. POMERENE. Mr. President, that is true; and the

branch of study was electricity.

Mr. SPENCER. Does not that suggest to the Senator the possible conclusion that where there are a large number of men who are passing in every subject except one, the fault does not lie with the men but lies with the instruction which they have received in that department?

Mr. POMERENE. Unquestionably so; and I think I can say that even among the faculty in the Annapolis Academy it is commonly understood that in this particular branch of the curriculum some of those instructors do not measure up to the

standard.

Mr. Président, it is understood that after this amendment was passed, on June 5, 1920, immediately there was opposition to it among the faculty; and it is commonly whispered about that they are going to try to enforce the repeal of this amendment which provides for additional instruction and subsequent examination. I should find no fault with this if these young men had had the opportunity to drop back into the next lower class and go on. But this is what has occurred:

I have in mind one young man who received a grade of 2.48. The grading is on a scale of 4. The passing grade is 2.50; so that this particular young man was two one-hundredths of 1 per cent below the passing grade. Under the rule as it had prevailed before and as it was enforced by the academic board, this young man would have been permitted to drop back into

the next lower class.

Mr. POINDEXTER. Mr. President-

Mr. POMERENE. Pardon me a minute. He was not permitted even to continue his studies until the end of the year. however, but at the end of the first semester he was given his second examination, and his second examination was a few onehundredths of 1 per cent below the 2.48, and immediately he was dropped.

I now yield to the Senator from Washington.

Mr. POINDEXTER. Has the Senator any objection to giving the name of the young man to whom he refers?

Mr. POMERENE. I do not feel that I should like to do that now. I have no objection to giving the information to the com-

mittee later on, if it is so desired.

Now, Mr. President, I desire to call the attention of the Senate briefly to the feeling which seems to prevail over there as against this new legislation and the insistence on their part that they shall have absolute control without respect to the wishes of Congress. I agree that this new section should be amended so as to make it perfectly clear and not admit of any possible misconstruction. I think everyone must see that the purpose of Congress in passing this amendment was to give these boys an opportunity for a second examination-a rule which prevails in nearly every institution of learning that I know anything about—so that they may continue with their class, and in the event that they do not do that they may drop back into the next lower class.

Admiral A. H. Scales on June 24, 1920, wrote a letter to the Secretary of the Navy. Now, bear in mind, please, that the mid-shipmen had just had their annual examinations the last week in May, and this law was passed on June 5. Some of these young men were dropped. He wants the views of the department. He

It is requested that a decision be obtained from the Judge Advocate General of the Navy on the following points in connection with the above references:

First. In view of the provision of the Revised Statutes, sections 1519—1525, which says: "Midshipmen found deficient shall not be continued at the academy or in the service unless upon the recommendation of the academic board"; and in view of its intent, is the act of Congress referred to in reference (a) valid as against the provision of the Revised Statutes above noted?

Second. Provided it is—

What is provided in the provision of the Revised Statutes above noted?

That is, provided this new statute is valid-

can the academic board drop a deficient midshipman at the close of the semiannual examinations without failure on a reexamination?

It indicates clearly their determination to get rid of these young men.

Third. Having recommended certain midshipmen to be dropped on account of being deficient at the annual examinations in 1920, can the academic board change that recommendation and turn those midshipmen back into the next lower class?

Fourth. Having instructed the deficient midshipmen and reexamined them after instruction, according to the clause contained in the deficiency bill, can the academic board turn them back if they pass satisfactorily, in view of the fact that other better and more qualified midshipmen have already been turned back from the same class?

In other words, notwithstanding the fact that it was the intention of Congress that they should be given an opportunity for instruction and a second examination, he wants to know, even if they pass satisfactorily, whether they can be turned

Fifth. Since the act of Congress referred to in reference (a) rescinds action which was taken by the academic board under the provisions of the Revised Statutes, sections 1519-1525, prior to the enactment of the clause contained in the deficiency bill, a decision is requested as to its validity in view of its possible retroactive provision.

I have here the letter which was written in answer to this by Admiral R. E. Coontz, Acting Secretary, and I ask permission to incorporate it in my remarks without reading.

The VICE PRESIDENT. Without objection, it will be so ordered.

The matter referred to is as follows:

DEPARTMENT OF THE NAVY, Washington, 12 July, 1920.

Washington, 12 July, 1920.

To: The Superintendent of the United States Naval Academy.

Subject: Midshipmen found deficient in the annual examinations, 1920, disposition of under deficiency appropriation act, approved 5 June, 1920.

Reterences:

(a) Department's letter N-46D-G of 9 June, 1920.

(b) Superintendent United States Naval Academy letter M-S-GS, 8-91-2 of 18 June, 1920.

(c) Bunay's letter N-4 PW-G of 22 June, 1920.

(d) Superintendent United States Naval Academy letter S-M-S-118-2 of 24 June, 1920. Approved by Secretary of the Navy, 25 June, 20

(c) Bunav.'s letter N-4 FW-6 72 June, 1920.

(d) Superintendent United States Naval Academy letter S-M-S-118-91-2 of 24 June, 1920. Approved by Secretary of the Navy, 25 June, 1920.

(e) Deficiency appropriation act, approved 5 June, 1920.

(f) Revised Statutes, section 1519.

1. (a) Under the provisions of reference (f) midshipmen found deficient at any examination may not be continued at the Naval Academy or in the naval service except upon the recommendation of the academic board that said midshipmen may be so continued. In the absence of a favorable recommendation of the academic board, therefore, such midshipmen, as fall to pass any examination at any time during their continuance at the academy are dropped ipso facto from the academy and from the service.

(b) Under Chapter XVI of the Regulations of the United States Naval Academy of 1 June, 1920, as approved by the Secretary of the Navy and authorized by law, the academic year begins 1 October of each year and ends 31 May of the following calendar year. The academic year is divided into two terms: From 1 October to the Saturday nearest to 31 January of the next calendar year, constituting the first term, and from the close of the first term on the Saturday nearest to 31 January to 31 May of the same calendar year, constituting the second or last term thereof. It is noted that under the arrangement no period is provided for between the first and last academic terms, and none, in fact, exists.

(c) Although the provision of reference (e) affecting the discharge of midshipmen from the Naval Academy and from the naval service, which was not drafted in this department, has been so poorly drawn that it is necessary to read into it a number of words which have been omitted therefrom, and to omit therefrom others which have been inserted, in order to give it the meaning which Congress apparently intended to convey, in the opinion of the department the purpose of said provision is to prevent the discharge of midshipmen from the Naval Academy was not drafted in th

interpretation would render said provision incapable of administration.

2. In view of the foregoing the queries set forth in reference (d) are answered seriatum as follows:

First. The provision of reference (e) affecting the discharge of midshipmen from the Naval Academy and from the naval service is valid regardless of reference (f), and prevents the discharge of midshipmen on account of having been found deficient in their studies at the examination held at the close of the academic year, except after special instruction, during the period intervening between said academic year and the academic year next thereafter following, in the subjects in which found deficient and their failure to pass a reexamination in said subjects held at the close of said period.

Second. This query is answered in the affirmative and to that extent reference (f) remains in full force and effect. Any other interpretation renders said provision of reference (e) inoperative.

Third. This query is answered in the affirmative, reference (e) having left said recommendation incapable of execution, but said reference has in no wise affected the power of the board to turn such midshipmen back into the next lower class where such action is necessary for

the good of the service.

Fourth, This query is best answered in this manner: Although the board undoubtedly has this power and it should be exercised if the good of the service requires such action, such action is not deemed proper or advisable where said reexaminations have been passed satis-

proper or advisable where said reexaminations have been passed satisfactorily.

Fifth. In view of the fact that said midshipmen had not been dropped either from the academy or the service prior to the enactment of reference (e) they can not now be dropped therefrom for failure to pass their annual examinations, except as therein provided, but they may be turned back to the next lower class and the special instruction provided for during the period between the academic years may be dispensed with.

R. E. COONTZ, Acting.

Mr. WATSON of Georgia. Mr. President-

Mr. POMERENE. Pardon me a moment.

Mr. MOSES. Will the Senator state the substance of the letter to which he has just referred?

Mr. POMERENE. It is pretty difficult to state the substance of this without giving the whole of it. If the Senator desires, I shall be very glad to have it read; but I will give the sub-

stance of only a part of it.

It suggests that the purpose of the Congress was to have this instruction given during the vacation, so that the midshipmen would have a proper opportunity to pursue their studies and an opportunity to be reexamined. In other words, Admiral Coontz points out that it is impossible to give effect to what was the intention of the Congress if you try to construe the act of 1920 literally. In other words, it speaks here of instruction between the academic terms. There is only the Sunday between the end of the first term and the Monday which is the beginning of the second term.

Mr. WATSON of Georgia. Mr. President, will the Senator

permit me to ask him a question?

Mr. POMERENE. Yes.

Mr. WATSON of Georgia. Has the Senator found, in his investigation of the dropping of these young men from the academy, apparently captiously, arbitrarily, without giving them a fair show, any traces of discrimination, either political or religious?

Mr. POMERENE. Oh, Mr. President, I have found nothing that would give either a political or a religious slant to the results over there. Nothing of that kind has been brought to my attention; but I think I may say that the principal difficulty is that they have determined that they are going to ignore this last act of the Congress of the United States if they can,

Mr. WALSH of Massachusetts. Mr. President—
The PRESIDING OFFICER (Mr. Sterling in the chair). Does the Senator from Ohio yield to the Senator from Massachusetts?

Mr. POMERENE. I yield to the Senator.

Mr. WALSH of Massachusetts. Will the Senator state, if he knows, the practice of the Military Academy at West Point?

Mr. POMERENE. I am not entirely clear as to that, but I understand that opportunity is given for full instruction.

Mr. WALSH of Massachusetts. And that they are dropped

back to a lower class?

Mr. POMERENE. Yes; they are usually dropped back, and that was the practice here in the Naval Academy until this act was placed on the statute books; and I have a suspicion that while it is an offense for midshipmen to haze one another, there is an attempt here by the academic board to haze the Congress of the United States.

Mr. McKELLAR. Mr. President-

committee bearing upon this subject.

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Tennessee?

Mr. POMERENE. I yield. Mr. McKELLAR. I just wanted to inquire if the Senator had considered or prepared any bill that he thought would remedy this situation? It seems to me it would have to be done by a bill; and I hope the Senator will take into consideration the fact that a number of the boys who were dismissed have already arrived at the age of 20 years, which is the limit when boys can be admitted under the law and under the rules and regulations, so if they were appointed again I am told that, even though they may have served for more than two years, they could not be allowed to enter under the law as it is. In preparing a bill I hope the Senator will take that into consideration.

Mr. POMERENE. Mr. President, I presented this matter in the form of a resolution asking the Naval Affairs Committee to investigate and ascertain what, if any, additional legislation there should be and what, if any, relief should be granted to these young men. I think we ought to have a report from the

Mr. President, the opinion of Admiral Coontz was somewhat modified by the opinion of the Attorney General, given under date of September 2, 1920, and I should like to have both of these opinions incorporated in the RECORD for the information of Congress

The PRESIDING OFFICER. Without objection, it is so

ordered.

The opinion of the Attorney General is as follows:

DEPARTMENT OF JUSTICE, Washington, September 2, 1920.

The honorable the SECRETARY OF THE NAVY.

The honorable the Secretary of the Navy.

Six: It appears by your communication of August 26, 1920, that a number of midshipmen were found deficient at the annual examinations at the close of the academic term, held May 24-29, 1920, and were not recommended by the academic board to continue at the academy or in the service. The finding of the academic board was approved by the Secretary of the Navy on June 1, 1920, and in conformity with existing policy those midshipmen recommended to be discontinued were notified that their resignations would be accepted if tendered immediately. Each midshipman so affected submitted his resignation and the acceptance thereof signed prior to June 5, 1920.

In the meantime, and prior to the mailing of acceptance by the Secretary of the Navy, an act of Congress was approved by the President on June 3, 1920 (Public, No. 264), which provided, among other things, as follows:

"That until otherwise provided by law no midshipman found deficient at the close of the last and succeeding academic terms shall be involuntarily discontinued at the Naval Academy or in the service unless he shall fall upon reexamination in the subjects in which found deficient at an examination to be held at the beginning of the navy shall provide for the special instruction of such midshipmen in the subjects in which found deficient during the period between academic terms."

Section 1519 of the Revised Statutes of the United States provides as follows:

"Cadet midshipmen found deficient at any examination shall not be continued at the academy or in the service unless upon the recommen-

as follows:

"Cadet midshipmen found deficient at any examination shall not be continued at the academy or in the service unless upon the recommendation of the academic board."

In view of the foregoing, you request an opinion on the following questions:

(a) In view of the above section of the Revised Statutes (1519), are midshipmen who were found deficient at the annual examinations held Manday to Saturday inclusive 24-29 May 1990 and were not

continued at the academy or in the service unless upon the recommendation of the academic board."

In view of the foregoing, you request an opinion on the following questions:

(a) In view of the above section of the Revised Statutes (1519), are midshipmen who were found deficient at the annual examinations held Monday to Saturday, inclusive, 24–29 May, 1920, and were not authorized by the recommendation of the academic board to continue at the academy or in the service, said finding having been approved by the Secretary of the Navy I June, 1920, entitled to the benefits of the provisions of the act approved 5 June, 1920, above quoted?

(b) In case your answer to the above question is in the affirmative, is the Secretary of the Navy, under said provision of Public No. 264, Sixty-sixth Congress, bound to provide special instruction for such midshipmen in the subjects in which found deficient at the last annual examinations, when said midshipmen have not been dropped from the rolls at the academy or from the service but have been turned back into the next lower class? In other words, is the Secretary of the Navy bound to furnish the special instruction provided for under said act under any circumstances other than prior to dropping such midshipmen from the rolls of the academy or from the service as have been found deficient at the annual examinations?

(c) Has section 1519 of the Revised Statutes been repealed by the provisions of Public No. 264, Sixty-sixth Congress, above quoted, or does said section continue applicable to the case of a midshipman found deficient at the semiannual examinations? In other words, will midshipmen found deficient at the semiannual examinations be dropped from the rolls of the academy or the naval service as provided by section 1519 of the Revised Statutes if they are not recommended by the academic board from turning midshipmen found deficient at any examination back into the next lower class for the purpose of requiring said midshipmen to pursue said course for another year, as no

(b) The preceding question being answered in the negative, it is unnecessary to answer this question.

(c) The quoted provisions of Public No. 264, in so far as they are not retroactive, are amendatory of section 1519, United States Revised Statutes, and provide for a second examination of the midshipmen found deficient at the examination at the close of the term, before the academic board shall pass upon the question of whether they shall be continued at the academy. It applies equally to the annual and semi-annual examination, for the expression "term" and not "year" is used in the act.

Section 116, Regulations of the United States Naval Academy, 1920, provides as follows:

"The academic year shall begin October 1 and end May 31, consisting of two terms; the first term from October 1 to the Saturday near-

est to January 31, and the second term from the close of the first term to May 31."

The period intervening between the first term and second term this year amounts to one day, which is Sunday, so that the amount of special instruction which could be imparted to midshipmen found deficient at the semiannual examination would be practically negligible, but an interpretation of the act requires that they be allowed to take a second examination. However, as there will be another session of Congress before the next semiannual examinations occur it is possible that remedial legislation can take place in the meantime.

(d) The act, in its retroactive scope, was intended to affect only those midshipmen found deficient at the examination whose retention had not been recommended by the academic board. At the time that the act took effect the academic board had already recommended that those midshipmen who were turned back into the next lower class be continued at the academy and in the service.

I have the honor to be,

Respectfully,

A. MITCHELL PALMER,

Attorney General.

A. MITCHELL PALMER, Attorney General.

Mr. POMERENE. Mr. President, one of these boys who failed, as I understand, failed in French by a few hundredths of 1 per cent. After having been in the academy several years, as most of these 33 boys were—some one year, some two years, some three years—the Government has an investment in these It seems to me that when the academic board heretofore thought that it would be a wise thing to drop the boys back, if they failed, into the next lower class, and when the Congress was of the opinion that if they failed in an examination it would perhaps operate more justly if these boys could be given an opportunity for further study and reexamination so as to continue with their class, it was wholly unjust, in view of the relief which Congress sought to give these boys, that the academic board should put them in a worse position than they were without this relief measure.

In other words, while the act of June 5, 1920, was intended as a shield for the proper protection of the boys, it has been

used as a sword for their undoing.

Mr. ROBINSON. Mr. President-

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Arkansas?

Mr. POMERENE. Certainly.

Mr. ROBINSON. The Senator has studied this question, and I take it that he has reached a conclusion as to whether it was the intention of Congress that students failing in their examination should have the right to a second examination, and also the right to be turned back to their former classes.

Mr. POMERENE. My thought about it is that the Congress must have had in mind what the practice was theretofore, that they could be brought back into the next lower class, but that the Congress thought perhaps that was not sufficient, and that, in addition to the privilege of dropping into the next lower class, they should have an opportunity for reexamination, so as to continue and complete their education. That is my judgment about it.

Mr. ROBINSON. That purpose, however, does not appear clearly expressed in the measure the Senator has referred to as the act of 1920. Does it or does it not?

Mr. POMERENE. I think it does not. I think we can only take into consideration what had been the practice there, and then look to this relief measure. It was not intended as a repeal of the former method or a restriction upon the former

method. Otherwise, the Congress would have so said.

Mr. ROBINSON. Mr. President, I do not care to antagonize the viewpoint expressed in that particular by my friend the Senator from Ohio, because I have not had an opportunity of studying this subject; but it does seem to me that there is at least room for the construction of the matter called for in the document he has read. Manifestly, if a second examination were given and the student should fail in that, it would be going a long way to say that, in addition to having had that opportunity, he should also have the opportunity to go back into the lower class.

We all realize that it is the policy of the Government, in making these appointments and affording the extraordinary opportunities for education and training that are given to students at Annapolis, to secure first-class men, both physically and intellectually; and it occurs to me that if the practice of granting a student who fails in his examinations an opportunity to drop back into the lower class is not based upon an express authorization of law, and Congress, with that practice existing, passed a statute securing to the student the right to a second examination, the question might very well be raised as to whether it was not intended to supersede the prevailing prac-

As to the statement made by the Senator that there are incompetent instructors at the academy, if the Senator has investigated that matter and reached a conclusion concerning it, I shall accept his conclusion. But we all know the course these

matters take. I recall an instance where I appointed a young man to the Naval Academy; he failed in his first examination, was permitted to pass back into the former class, failed again, and then applied for another opportunity. I declined to submit any request for another opportunity for him. I thought had had his chance, had failed to make good, and that it was right and fair to grant the opportunity to a man who was coming along, and who could meet the reasonable requirements of the institution.

It is not every young man of good character and of fair ability who can meet the tests required in making the course prescribed by this academy. It requires a young man of somewhat exceptional ability. Very naturally the parents of the what exceptional ability. Very naturally the parents of the young men who fail, and the Congressmen who have appointed them, are quick to believe that they have been mistreated in

some way.

If my friend the Senator from Ohio, after a full investigation, states to the Senate that in his opinion in that particular case the student has been unfairly treated, or denied a fair opportunity to make his record and enjoy his career, I shall accept the Senator's statement. But in the course of his remarks I have been driven to the conclusion that the mere fact that the academic board, and others in authority at the Naval Academy, have not seen fit to grant students both the right to a second examination and the right to a second chance in the lower class, is not convincing that the institution is not being properly conducted. I shall be obliged to reach a contrary conclusion if those are the principal facts upon which the question is to be determined.

Mr. POMERENE. Mr. President, I am something of a martinet myself when it comes to matters of examination. I believe in vigorous discipline, and the experience which the Senator from Arkansas has just related is not very different from the experience I had with one young man over there, and when I got the facts I felt that the academic board had done the right thing, and I refused to go on with the matter further.

But let me give the Senator the facts as they were given to me by one young man, not his own case, as I understood it. One of those boys fell a few hundredths of 1 per cent below the passing grade. There was some discussion, as I understand, and his papers were gone over by other members of the faculty and, as I was told, two of the members of the faculty graded his papers at 2.50, the passing grade, while two other members of the faculty graded them something below 2.40. They struck an average which was below 2.50, and the boy was dropped. The result of that examination, if those are the facts, and I do not doubt they are, demonstrated that at least two members of that faculty were not capable of properly grading those papers.

Of course, I recognize the fact that there is not any hard and fast rule. My learned friend from Arkansas might grade one

paper, and I grade it, and we would differ.

Mr. ROBINSON. Mr. President—
The PRESIDING OFFICER. Does the Senator from Ohio yield further to the Senator from Arkansas?

Mr. POMERENE. I yield. Mr. ROBINSON. No doubt the Senator will recall that during his college days some one of his instructors-and, I might suggest the instructor in "math." especially—was a menace to every member of the class with the approach of an examination. Every student in the class wondered day and night whether he was going to make the requisite marking, The Senator also no doubt remembers that instructors in other subjects were looked upon with complacency, the students having a feeling of assurance that they would be able to make the required grade.

The mere fact that there is no hard and fast rule by which an instructor can grade examination papers presents a difficulty which I do not think is solved by the suggestion of the Senator from Ohio. I call his attention to the fact that the highest grade which was given by two of the instructors was just exactly the passing grade, and that the other instructors gave him a grade of 2.40. In all probability the proper way to determine his standing was by taking an average, taking it for granted that the instructors were competent men. I do not think the fact that they differed in some degree about the grade would establish that any of them were incompetent instructors.

Mr. POMERENE. No, Mr. President, I agree with the Senator entirely, and I want to suggest that the boy who is passing the examination ought to be graded accordingly, and I am not saying that eventually he ought not to be dropped; but my contention simply is that after he has been there for two or three years, as the case may be, and receives this instruction at the

expense of the Government, it seems to me that under the circumstances he ought to have an opportunity to drop back into

the next lower class. That is my contention.

Mr. ROBINSON. Mr. President, of course the Congress has the power, by express provision of statute, to give him that right; but with that condition before me I would not favor such a statute. There are cases which arise at the academy, where, through a general knowledge and observation of the student, his instructor comes to know that he has in him the material to make an officer in the Navy of the United States. There are cases where a student has had unlimited opportunities, the best of advantages, before he entered that institution, and his mental attributes and character may be such that from an intimate acquaintance with the student his instructor knows that he ought to go out and give way to somebody who can

My opinion is that you are making a mistake if you undertake by law to take away from those in charge of that institution the discretion that is necessary in order to enable them to carry out the fundamental purpose of the United States in

maintaining the academy at Annapolis.

Mr. POMERENE. Mr. President, if I could be persuaded that this academic board would not under any circumstances have permitted these boys to continue in the academy because of deficiency, I would feel somewhat differently about it. But heretofore the practice has been to let them drop back, and now, in view of this statute, they are not even granted that permission. The subject of electricity is a continuous study for In the mid-year examination some of them have been found deficient to the extent of a few hundredths of 1 per cent and are dropped, not even permitted to go on to ascertain whether or not at the end of the year they could make up the deficiency. I do not think it is quite the right thing, and I am satisfied that though the section of the statute to which I have referred is obscure in construction, the intention was that this extra instruction should be given during the period of vacation, and that is denied to these boys under the rule they have adopted. I recognize that they have difficulty in construing that language in determining what ought to be done. It seems to me, however, that whatever doubts there were should have been resolved in favor of the boys and not against them.

Mr. ROBINSON. May I ask the Senator whether he thinks, in view of the practice which has prevailed heretofore at the academy, and in view of the statute to which he referred, namely, the act of 1920, that students failing in their examinations ought to have the right to take a new examination, and also the right to drop back into the lower classes? It seems to me the authorities there were confronted, when the act was passed, with the question whether that was in lieu of the custom

that had prevailed before.

Mr. POMERENE. No, Mr. President; this is the difference, if the Senator will pardon me, between the two: The one goes to his right to continue with his class, whether he has scholarship sufficient to continue with that class. The other goes to the question as to whether he has scholarship or capacity enough to remain in the institution and drop in the lower class.

Mr. ROBINSON. Then the Senator thinks if he elects to take the second examination and fails in it that he also ought to have an opportunity to drop back? That was the intimation.

Mr. POMERENE. I do say that, when he has not had oppor-

tunity to get instruction during a time when he is burdened with studies or occupied nearly all his time.

Mr. MOSES. Mr. President-

The PRESIDING OFFICER. Does the Senator from Ohio vield to the Senator from New Hampshire?

Mr. POMERENE. I yield the floor.

Mr. MOSES. I do not wish the Senator to yield the floor. because I wish to ask him a question. I have no desire to broaden the scope of this discussion when the country is clamoring for the passage of the emergency tariff bill, as the Senator from Pennsylvania [Mr. Penrose] has so earnestly told us this morning. But I think that the Senator from Ohio has not gone far enough with his investigation into the subject.

The method of admitting midshipmen to the academy has been radically changed recently. The boys no longer come there under the old rigid system of examination which once prevailed and which produced the picked ...en for the Navy to whom the Senator from Arkansas has referred. The boys are now admitted by certificates from high schools, and all of us who have gone through the public or preparatory schools or colleges and universities know that the marking system in vogue in the high schools of the country is very different from the rigid marking system that obtains at West Point or Annapolis.

The boys are admitted there on certificate in large number and they are, as the Senator from Ohio intimates, unprepared to go on with the rigid course at Annapolis. It is unfair to them under those circumstances of selection that the boys should not have an opportunity to go forward with the course in which they have embarked.

My understanding of the act of June 5, 1920, at the time it was passed was that the purpose of Congress was not to deprive any midshipman of any privilege which he then had, but to broaden the privileges which he possessed at the academy so that under all the circumstances of his admission and his progress in the institution he could be certain of going through the course which the academy provided and receiving his commission in the Navy.

Mr. GERRY. Mr. President-

Mr. POMERENE. I yield to the Senator from Rhode Island. Mr. GERRY. That method of admitting applicants or students in colleges has been in vogue for quite a few years past and has been adopted in nearly all the great universities of the country. I know it was considered for Annapolis by the members of the Board of Visitors last year. This board has many of the members selected from the faculties of our universities and colleges. It was urged that that system of admitting students from recognized schools by certificate was better on the ground that the students now entered the academy after too much of a cramming system; that they went to certain cramming schools and were primed on particular subjects and were then able to pass the entrance examinations, and that after they had passed the examinations they did not have enough fundamental knowledge to carry on the work they were required to do in the academy.

Mr. POMERENE. Just one word further and I shall conclude. This matter was taken up by the Secretary of the Navy. His position is that the academic board has absolute control; that there is no relief whatever for the boys at the present time unless the Congress sees fit to give it, or unless there is a change of heart in the academic board. The Secretary of the Navy said, with reference to the midshipmen thus found de-

ficient:

Their resignations having therefore been accepted in accordance with the law, there is only one way in which any of them can be reinstated, and that is by reappointment in the usual way, if within the age limit. Several have already been reappointed to reenter the next class. Unfortunately those who are beyond the age limit of 20 years are ineligible to reenter and can not, therefore, reenter.

In other words, some of the boys can be reappointed and reenter the service. However, the resignations were forced resig-They were given from one afternoon until the next morning to present their resignations, otherwise they would be dropped; in other words, they would be subjected to a species of ignominy. I submit that neither the good of that institution, the good of the Government, nor the good of the boys is subserved by this arbitrary action on the part of the academic board.

Mr. POINDEXTER. Mr. President, the provision in the deficiency bill of last year referred to by the Senator from Ohio was an amendment to the existing law, or legislation, reported to the Senate by the Committee on Appropriations of the Senate. It was a usurpation of jurisdiction by the Committee on Appropriations undertaking to legislate in regard to naval affairs. I do not know how much consideration the Committee on Appropriations gave the matter or how familiar the members of the Appropriations Committee were with the examinations at the Naval Academy, or what reasons they had for recommending to the Senate the passage of that amendment. It was not discussed in the Senate. The Senate was not advised in regard to the subject matter at the time the bill was enacted into law. It went through as a rider upon an appropriation bill, practically without notice and without information on the part of the Senate. I am informed that the origin of it was the dissatisfaction of some individual because a relative of his at the academy had been flunked in one of his examinations and dropped from the academy roll.

The Attorney General, to whom the measure was referred for an opinion, stated last year that there was no time between terms in which a reexamination could be held and extra study allowed midshipmen as required by the amendment; that there was no such lapse of time between the end of the first and the beginning of the second term and it was not practicable to give such extra study, and that consequently it was physically impossible to comply with the literal language of that provision; but the academic board decided to carry out the spirit of the law and did give the boys one month of extra study notwith-standing the opinion of the Attorney General, although, of course, it could not be done between the two terms on account of the fact that there was no such time intervening.

Those who were deficient badly, so that the board did not think it could continue them in the class, notwithstanding their second examination, were then recommended to be dropped. and this was done.

The Senator from Ohio and other Senators who have been appealed to by young men of the academy who have suffered the consequences of this action have insisted that the academic board should continue to give them examinations and to carry them on until they were finally able to pass the examinations and be retained upon the roll of midshipmen at the academy. Below the fourth class there is no class to which they could be turned back, as there is no lower class, so that the young men in the fourth class, or the plebe class, as it is called, the first-year term of the academy, could not receive the benefit that is proposed by the Senator from Ohio of being put back a year and carried on in the succeeding class unless they should receive reappointment. Of course, any young man, this young man that the Senator from Ohio speaks of, or any other young man, if he complies with the requirements for entrance to the Naval Academy, can reenter the academy upon reappointment.

I observed very closely the statement of the particular case that the Senator from Ohio made. It seems to be a case where a young man failed to make the required grade at an examination. He was given a reexamination in compliance with the provision of the law to which I have referred. On his reexamination he again failed to make the required grade. He has appealed to the Senator from Ohio, and there have been many, cases in the experience of practically all Senators, I imagine, in the bitterness and disappointment of young men whose hopes have been blasted by failing at their examinations. The Senator from Ohio insists that some further opportunity should be given them. Of course, it involves the lowering of the entire standard of the Naval Academy if any such course should be adopted.

The Senator from New Hampshire [Mr. Moses] makes an argument which it seems to me rather difficult to follow, that because of the lowering or liberalization of the conditions under which young men are received at the academy, we should lower the standards of the academy in order to enable them to graduate there. I do not agree with him in that respect. I am not in favor of lowering the standards at the academy.

If the Senator from Ohio, or any other Senator, or any other person, has a case that can be substantiated by even prima facie proof that the system at the academy is a bad system, that there is unfairness or discrimination, that there is not a reasonable opportunity given to young men to comply with the requirements for graduation, I should say it ought to be investigated, but there was no such showing made and no such claim made by the Senator from Ohio.

Mr. POMERENE. Mr. President— Mr. POINDEXTER. I yield to the Senator from Ohio.

Mr. POMERENE. The Senator evidently has misconceived what I said or I was unhappy enough not to make myself clear. I had no special interest in any one young man. I am in-terested in a change in the system over there, so that justice can be done to young men. That is my position. I think there was one Ohio boy connected with this matter, but he was not

my appointee. Mr. POINDEXTER. The Senator from Ohio described a particular case—and I supposed he was interested in that case in which the young man failed by a very narrow margin. As I recollect it, he failed by a larger margin on his reexamination than he did upon his first examination. As the Senator from Arkansas [Mr. Robinson] has very well said, there are many other elements which enter into the fitness of a midshipman at the academy to become an officer in the United States Navy, besides the particular paper mark that he makes upon his examination; and as to the question whether or not he shall be given another opportunity to go back and take over again in the succeeding class the course in which he has failed, there is discretion vested in the academic board to determine upon all the qualifications of the midshipman as to whether the academy would be justified in imposing that expense upon the people of the United States in the effort to make a naval officer out of such a midshipman.

Mr. President, the resolution which has been introduced is

entitled to consideration, and I ask that it be referred to the

Committee on Naval Affairs.
Mr. POMERENE. Mr. President, that was the request that was going to make.
The PRESIDING OFFICER. Without objection, the resolu-

tion will be so referred.

AMENDMENT OF THE RULES-OPEN EXECUTIVE SESSIONS.

Mr. HARRISON. Mr. President, I shall not delay the consideration of the emergency tariff bill, because I know how very anxious the Senator from Pennsylvania [Mr. Penrose] is to have the legislation passed and placed upon the statute books, but there is another matter which I desire to bring to the notice of the Senate; a matter of very great importance to the people, I believe, touching a change in the rules of the Senate.

We have witnessed in the last few years a growing sentiment in this country against closeting ourselves behind closed doors for the consideration of nominations by the President to high offices and also the consideration of important treaties. people of the United States, in my opinion, are coming to believe that they have a right to know what is being said regarding nominations and also treaties into which this country enters with foreign nations, and that they should know as much about the men and the treaties as do the Senators who discuss the matters behind closed doors.

The sentiment to-day, in my opinion, in the United States is to abolish executive sessions of the Senate touching nominations and the consideration of treaties. That sentiment has found its way into this Chamber. Two great treaties have been considered in the open sessions of the Senate. The treaty of Versailles and the Colombian treaty were both, by unanimous consent of Senators, considered and voted upon in the open sessions of the Senate. Recently a nomination came to the Senate of which I was not in favor, and of which quite a substantial minority of the Senate were not in favor. I tried at that time to have that nomination discussed in open executive sea sion. I accordingly made a request and also a motion that that be done, but the request was objected to, and the motion was voted down. I believe it would have been better, however, for the interests of the country if that nomination had been considered in the open sessions of the Senate.

If newspaper reports are to be believed, there are nominations coming in now, in which the people are vitally interested, which should be considered in the open. If there is anything against men who are nominated for high office, the people should know all about it, about their character, about their training, about their fitness, and their qualifications to fill the high offices for which they have been nominated.

· So I say that, in my opinion, there is a substantial sentiment in this country in favor of the consideration of presidential nominations in open sessions of the Senate as well as for the consideration of treaties in open session; in other words, in favor of abolishing the old system. It is in the interest of that being done, and to test out the Senate on the proposition, that I desire now to give a notice to the Senate.

Mr. ROBINSON. Will the Senator yield to me for a moment? The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Arkansas?

Mr. HARRISON. I yield. Mr. ROBINSON. The Senator from Mississippi also knows that the proceedings of the Senate under no circumstances are actually secret, but that by some process, which has never yet been made known, whatever the Senate does in executive session is given the widest and greatest publicity.

Mr. HARRISON. Yes.

Mr. ROBINSON. So that the change proposed by the Senator from Mississippi would not result in any detriment to the Senate itself, since the proceedings in executive session are actually made public under the present method of considering such

Mr. HARRISON. And very often what we believe to be secret finds its way out, and is changed in some respects, is modified or magnified and exaggerated, and a wrong impression is given

Mr. ROBINSON. In such cases the true facts can not become known unless the Senate chooses to make an issue of the matter and present the facts to the public.

Mr. PENROSE. Will the Senator from Mississippi permit an inquiry on that subject?

Mr. HARRISON. Yes; I yield. Mr. PENROSE. I am curious to know why the Senator from Mississippi did not raise this quite moss-grown point during the recent administration, when the nominations of notoriously inefficient men were sent to this body, and there was no demand whatever to consider such nominations in open session. Fortunately for their reputations the sessions were then secret.

Mr. HARRISON. Well, there was no objection made at that time to any of the men who were nominated; and it matters not what may have been the character of the men, how bad they were, their reputations did not compare to those of some

of the men who are now being nominated by the present administration.

Mr. President, I now give in writing the notice to which I have referred, as follows:

Notice is hereby given in accordance with the provisions of Rule XL of the Standing Rules of the Senate, that upon the next calendar day of the sessions of the Senate a motion will be made to amend Rules XXXVII and XXXVIII of the Standing Rules of the Senate so that the same shall read as provided in the attached copy of the resolution which I propose to offer and ask to have printed in the RECORD as a part of this notice.

The resolution proposes to smead clause 3 of Rule XXXVII so that

art of this notice.

The resolution proposes to amend clause 3 of Rule XXXVII so that treaties, except by concurrence of two-thirds of the Senators present and voting for the consideration of same in executive session, shall be considered in open or legislative session of the Senate.

The resolution further proposes to amend Rule XXXVIII of the Standing Rules of the Senate by amending clause 2 and inserting a new clause 7, so that nominations made by the President shall be considered in open or legislative session of the Senate, unless by concurrence of two-thirds of the Senators present and voting for the consideration of same in executive session.

Amend clause 3 of Rule XXXVII to read as follows:

"3. Unless it is agreed to consider a treaty in executive session by the concurrence of two-thirds of the Senators present, all treaties shall be considered and acted upon by the Senate in its open or legislative session."

Amend clause 2 of Rule XXXVIII to read as follows:

Amend clause 2 of Rule XXXVIII to read as follows:

"2. All information communicated or remarks made by a Senator when acting upon nominations in executive session concerning the character or qualifications of the person nominated, also all votes upon any such nomination, shall be kept secret. If, however, charges shall be made against a person nominated, the committee may, in its discretion, notify such nominee thereof, but the name of the person making such charges shall not be disclosed. The fact that a nomination has been made, or that it has been confirmed or rejected, shall not be regarded as a secret."

Add at the end of Rule XXXVIII the following new clause:

"7. Unless it is agreed to consider a nomination made by the President in executive session by the concurrence of two-thirds of the Senators present, all nominations shall be considered and acted upon by the Senate in its open or legislative session."

So, Mr. President, the only proposed change is, in substance, that presidential nominations shall be considered in the open session of the Senate, unless by a concurrence of two-thirds of the Senators present and voting they should desire to go into secret executive session to consider nominations, and that the same rule shall also apply to the consideration of treaties.

The PRESIDING OFFICER. The notice that the Senator

from Mississippi has presented will be received.

Mr. HITCHCOCK. Mr. President, if the Senator will permit me, I desire to suggest to him that an executive session may be either open or closed; that it is not necessary to consider nominations and treaties in legislative session; in fact, it is not proper to consider them in legislative session. I think the Senator really intends to provide that executive sessions, which are the only sessions in which nominations and treaties may be considered, shall be open instead of closed.

Mr. HARRISON. I will say to the Senator from Nebraska that I had the cooperation of members of the committee in

drafting the notice and tried to follow, so far as possible, the wording of the present rules.

Mr. HITCHCOCK. I think the Senator will find that all treaties and all nominations which have not been considered behind closed doors have been considered in open executive session and not in legislative session. I ask the Senator from Massachusetts whether that is not correct?

Mr. LODGE. Such matters must be considered in executive session; they constitute executive business.

Mr. HITCHCOCK. They constitute executive business and must be considered in executive and not in legislative session. So that, if the Senator will simply provide for open executive sessions in place of "legislative" sessions, he will accomplish what he desires.

Mr. HARRISON. The proposed amendment provides for

open executive or legislative sessions.

Mr. HITCHCOCK. But the use of the words "legislative session" is incorrect, because the matters referred to are executive busines

Mr. HARRISON. Then the Senator would suggest that the word "legislative" be stricken out.

Mr. HITCHCOCK. I suggest that the word "legislative" be omitted and that it should read in each instance "in open executive session."

Mr. HARRISON. "In open executive session." I ask unanimous consent that the notice I have given and the resolution be modified in that respect.

The PRESIDING OFFICER. Without objection, the notice

will be so modified.

The notice submitted by Mr. HARRISON as modified is as fol-

NOTICE OF PROPOSED AMENDMENT BY MR. HARRISON.

Notice is hereby given, in accordance with the provisions of Rule XL of the Standing Rules of the Senate, that upon the next calendar day of the sessions of the Senate a motion will be made to amend Rules

XXXVII and XXXVIII of the Standing Rules of the Senate so that the same shall read as provided in the attached copy of the resolution which I intend to offer to-morrow and ask to have printed in the RECORD as a part of this notice.

The resolution proposes to amend clause 3 of Rule XXXVII so that treaties, except by concurrence of two-thirds of the Senators present and voting for the consideration of same in executive session, shall be considered in open executive session of the Senate.

The resolution further proposes to amend Rule XXXVIII of the Standing Rules of the Senate by amending clause 2 and inserting a new clause 7, so that nominations made by the President shall be considered in open executive session of the Senate, unless by concurrence of two-thirds of the Senators present and voting for the consideration of same in executive session.

Resolved, That clause 3 of Rule XXXVIII of the Standing Rules of the Senate be amended so as to read as follows:

"3. Unless, by the concurrence of two-thirds of the Senators present, it is agreed to consider a treaty in executive session, all treaties shall be considered and acted upon by the Senate in open executive session.

Resolved further, That clause 2 of Rule XXXVIII of the Standing Rules of the Senate be amended so as to read as follows:

"2. All information communicated or remarks made by a Senator when acting upon nominations in executive session concerning the character or qualifications of the person nominated, also all votes upon any such nomination, shall be kept secret. If, however, charges shall be made against a person nominated, the committee may, in its discretion, notify such nominee thereof, but the name of the person making such charges shall not be disclosed. The fact that a nomination has been made or that it has been confirmed or rejected shall not be regarded as a secret."

Resolved further, That Rule XXXVIII of the Standing Rules of the Senate be amended further by adding at the end thereof a new clause, as follows:

"7. Unless, by the con

"7. Unless, by the concurrence of two-thirds of the Senators present, it is agreed to consider a nomination made by the President in executive session, all nominations shall be considered and acted upon by the Senate in open executive session."

Mr. LODGE. Mr. President, I do not wish to interfere with the debate on the emergency tariff bill, which I am very anxious to have passed, but I desire to say that whenever the resolution submitted by the Senator from Mississippi is taken up I shall desire to discuss it. I think there are very serious objections to the change which he proposes, and that it is most undesirable.

Since I have been a Member of the Senate I have heard it stated constantly that there is no use of executive sessions because all that happens in executive sessions becomes public. That is a mistake. Nine-tenths of what happens in executive sessions never become public. There is no report of executive sessions, which makes a very great difference in the discussion of treaties. The rumors of a newspaper can never be taken by a foreign government as the action of any part of the Government of the United States.

There is a rule to which I think the Senator from Mississippi omitted to refer to which I desire to call attention. I refer to paragraph 4 of Rule XXXVI, which provides:

4. Any Senator or officer of the Senate who shall disclose the secret or confidential business or proceedings of the Senate shall be liable, if a Senator, to suffer expulsion from the body; and if an officer, to dismissal from the service of the Senate, and to punishment for

Those portions of the proceedings in executive session which become public and are printed come now and always have come from the indifference or the carelessness of the Senators themselves. Comparatively little gets out; but I have known one or two occasions when accounts of executive proceedings have been given out which obviously ought never to have been given out, and must have been given out deliberately. The paragraph of Rule XXXVI which I have read, however, shows the seriousness which the Senate for many years has attached to this question

As to treaties, it is open to the Senate, if they think fit, to discuss them in open executive session. That action has been taken when it has been thought necessary; but it is much better not to discuss the mass of treaties in open executive session, because it is quite possible, in fact, it is very probable, that things will be said which would then become authoritative and be reported in the RECORD that might give great and unnecessary offense not only to the country with which we are negotiating but to other countries.

As to nominations, I earnestly hope that they will never be discussed in open session. The Senator from Mississippi appears to think that it is going to be for the benefit of the country to have them discussed openly. I think the result would be just the opposite. Now and then there will be a Senator who may wish to make in the open a personal attack on some nominee; but the general effect of such a rule as is now proposed would be that there would be no freedom whatever in the discussion of nominations. All Senators, all men, shrink from making an attack on a man's character which may be unsustained and unsupported when the facts are all known, but which will be blazoned across the country and perhaps

cast a stigma on a perfectly innocent man. The result will be that we shall have no proper discussion of nominations which ought to be discussed, because Senators will very naturally be extremely reluctant to carry on personal discussions of that kind in the open Senate.

I am not going to say any more at this time. I merely desire to say that when that rule comes up at the proper time I shall move to have it referred to the Committee on Rules, and I shall wish to discuss it further.

Mr. PENROSE. Mr. President, while the Senator from Massachusetts is on his feet I should like to ask him a question. In his opinion, does the rule of the Senate protecting the secrecy of executive sessions on nominations apply also to the proceedings of a committee to which a nomination has been referred? I ask because important nominations continually come up before committees-I know they do before the Finance Committee—and requests are numerous that the proceedings be open; and as far as I am concerned I do not care whether the proceedings are open or closed. I only want to know, from the Senator's great experience, what his opinion is as to the rule in its application to committee proceedings.

Mr. LODGE. The provision with regard to committees is simple. This is a part of the paragraph providing for secrecy:

If, however, charges shall be made against a person nominated, the committee may, in its discretion, notify such nominee thereof, but the name of the person making such charges shall not be disclosed.

That, I think, distinctly implies that committees follow the usual practice, and do not have their hearings public. In fact, I do not see how they can under that language, because they can not disclose the name of the person making the charge Mr. PENROSE. That was my own thought in the matter.

#### EMERGENCY TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2435) imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenue; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes.

Mr. PENROSE. Mr. President, in view of the performance this morning, in which the grievances of midshipmen at the academy-shrinking violets, mollycoddles, and others who were unable to pass their examinations-and the moss-grown topic of secret sessions has been raised, I will ask the leader of the minority whether, in view of the possibility of a repetition of these delays, we can not agree on some day to vote on the emergency tariff bill? While the agricultural interests are anxiously waiting and the farmers are confronted with ruin Senators are compelled to remain in their seats while these tedious topics are under discussion.

Mr. SIMMONS. Is the Senator addressing his remarks to me?

Mr. PENROSE. Yes, sir. Mr. SIMMONS. I wish to say to the Senator in all frankness that I am very anxious that we shall as soon as possible agree upon a day. I hoped that I might be able to indicate to the Senator this morning the earliest day that we could agree upon, but I find that I am not able to do that. I feel quite sure, however, that by to-morrow I shall be able to give the Senator some answer to his inquiry. Meantime, of course, a failure to fix the time of voting to-day, instead of to-morrow or the next day, will not delay the passage of the bill, because under any conditions there is bound to be and will be considerable discussion of the measure.

I hope to be able to answer the Senator to-morrow. Mr. PENROSE. Mr. President, I sincerely trust that the Senator from North Carolina will be able to carry out his suggestion to agree on a day certain to-morrow. I do not know of any lengthy debate on the side of the majority on this emergency tariff measure. No true friend of the bill wants to prolong the discussion in a way which will delay the enactment of the bill, neither do I believe there is any intention to filibuster against it; but certainly everyone ought to be interested in its disposal as promptly as possible.

As for myself, Mr. President, I have no very long speech to make to the Senate. The tariff features of this measure are identical with those of the bill which passed the Senate and the House in the last Congress and was vetoed by the President. They have not been changed in any particular. tariff bill is under consideration in the Ways and Means Committee, and it is expected that it will embrace manufactures as well as agricultural and live-stock products. The measure will

be taken up in the House of Representatives early in the present month, and it is hoped that it will reach this body some time not late in June. Consequently, it is sincerely hoped that unnecessary delay will not be incurred by Senators attempting to amend the tariff features of the present bill. Such amendments can not be entertained by the majority. To do so would be to delay the bill beyond any limit and tend to make it a permanent tariff measure. The urgent feature would be entirely The bill arises out of the dire necessities of the agricultural interests, and for their relief should be passed immediately.

I do not pretend that the measure in all its parts is allembracing or sufficiently comprehensive, or in all cases entirely logical; but it is an emergency measure, and it is only for a very limited period. The original bill which passed the last Congress was to endure for 10 months. This measure will last but six months, or until a new law is enacted; and it is hoped and expected with every reason that long before the expiration of that period the permanent bill will become a law, so that every Senator will have an opportunity in a very short time to present amendments, if need be, to the permanent bill. This measure, to be of any use whatever, should be passed at

The Government actuary estimates that the customs duties imposed in this bill would yield during a 12-month period \$211,-000,000, or \$105,000,000 for a 6-month period. The total revenue from the articles subject to tax under this bill during the calendar year 1920 was almost \$121,000,000, or about \$60,500,000 for a 6-month period. This bill will, therefore, yield an additional revenue of \$45,000,000 to the Government for the six months in which it will be in effect. To that extent, therefore, the measure operates in the direction of increasing the much-needed revenues of the Government at the present

In addition, however, to the protective features of the original bill, there were very properly added in the House provisions relating to dumping and valuation of imports. Both parties are agreed as to the desirability of dumping legislation, and I take it there is no serious division of opinion on this question. Ordinarily in tariff legislation it would be consistent and logical to provide definite and adequate compensatory duties for the manufacturers dependent on raw materials for the base of their fabrics. While this bill imposes compensatory duties on certain cotton and wool manufactured articles, it is impossible, however, to provide adequate and logically framed compensatory duties on the manufactured products. It is hoped, therefore, that the antidumping provision and the valuation provision will to some extent relieve our manufacturing interests, sufficiently at least to permit them to survive if their establishments shall be opened again during the brief period of six months.

When the bill came to the Senate the Finance Committee largely revised the dumping and valuation provisions of the House bill in a way to which I think there can be no substantial objection. I ought to say that the committee had the advantage of the information and the advice of the Tariff Board and a judge of the customs court, and the Board of General Appraisers, men experienced in these matters, and of some very intelligent expert gentlemen from the New York customhouse. These experts sat with the committee a large part of the time. and after a very prolonged study of the question they were unanimous in recommending to the committee for their consideration the phraseology and language embodied in the Senate amendment. It is therefore the unanimous result of the best expert knowledge in the Government service on this question, regardless of party or political affiliations.

Mr. WATSON of Georgia. Mr. President—
The PRESIDING OFFICER (Mr. Broussard in the chair).

Does the Senator from Pennsylvania yield to the Senator from

Mr. PENROSE. I yield. Mr. WATSON of Georgia. Is there anything in the Senator's bill which prevents the manufacturers of his own great State of Pennsylvania, notably the Steel Trust, from dumping their surplus goods on South America, for instance?

Mr. PENROSE. No; there is not.

Mr. WATSON of Georgia. And selling their goods at a lower price in South America than the prices their goods are sold for

in the Southern States in this country?

Mr. PENROSE. No; Mr. President, there is nothing whatever in this measure of that kind, and if the Senator from Georgia had been longer in this body he would realize that that is a separate question and has been the subject of exhaustive discussion on this floor. That is for Canada and the South American countries to determine for themselves, and our

nearest neighbor which would be affected by this antidumping provision, Canada, has a very stringent antidumping law, after which we have largely modeled this bill.

Mr. WATSON of Georgia. Then, how does the Senator reconcile our allowing the surplus population of Europe to be dumped on this country, in the form of cheap labor, and not allowing the products of that cheap labor to be dumped on us?

Mr. PENROSE. Mr. President, I do not want to interrupt the continuity of my remarks by an academic discussion about the selling of certain American products in South America at prices which are below the cost in the home market. The practice has its defenders and there are those who object to it. Each side can put up, in my opinion, a very strong argument, and doubtless before this revenue discussion is over the practice referred to by the Senator from Georgia will be fully discussed. It certainly has no bearing here, except in a remote, academic way.

The dumping provisions, as I said, are the unanimous verdict of the Treasury experts and are, I think it will be generally admitted, an improvement on the House provisions, which were necessarily somewhat hastily passed upon. The provisions, as I said, are largely modeled after the Canadian antidumping.

A salient feature of the Senate amendment to the House provision is that which leaves to the Secretary of the Treasury the decision as to whether there is dumping. Under the House provision the dumping law applies to all importations, and the very onerous duty was imposed on the customs administrative officers to watch every article which came into the country to ascertain whether it was the product of a dumping process. Now, the imports are accepted at the port, and unless on complaint and proof and an order from the Secretary of the Treasury these questions are not entered into. If, however, any home manufacturer discovers that he can not sell his own product or can not start a manufacturing concern of his own on account of this so-called unfair competition, he can complain to the Secretary of the Treasury, who can make the necessary investigation and order. This amendment is certainly a long stride in the direction of simplicity and economy of administration, and I think will be found entirely satis-

The Finance Committee also made a very important amendment in striking out the differential conversion of currency That would have imposed an enormous increase of duties on at least the products from Germany, and I want to correct an impression, Mr. President, that these amendments in any way will tend to greatly increase the duties. I have heard asserted by Senators that the Senate amendment raised the duties to an unconscionable extent. On the contrary, the abolition of the differential very materially and radically reduces any possible soaring rate of duty on foreign products and has eliminated a cause of offense to certain foreign nations.

Of course, it is only fair to state at the same time that the valuation appraised, either on the foreign home value or the export value, whichever is higher, will increase the basis value of many articles for the assessment of duties, and to that extent will increase the duty; but, on the whole, not to any unreasonable extent. It is fair to state that, taking everything into consideration, the possibilities of a very great and unreasonable rise in duties are very much diminished under the Senate amendments.

In connection with that statement I had Mr. Fix, special agent in charge of the comparative valuation report bureau of the New York customs office, send me some statistics showing the differences between the foreign home consumption prices and the foreign export prices in countries wherein the currency had been depreciated more than 66% per cent, and I ask to have them inserted in the RECORD as a part of my remarks.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

TREASURY DEPARTMENT, UNITED STATES CUSTOMS SERVICE, New York, N. Y., May 3, 1921.

Mr. O. Fix, Special Agent in Charge C. V. R. Bureau.

Sin: In compliance with your request for information as to the differences between the foreign home consumption prices and the foreign export prices in countries wherein the currency has been depreciated more than 665 per cent, you will find inclosed herewith a list of merchandise and the percentages of difference which I hope will be satisfactory to your needs. If you require further information, command me.

Respectfully,

Thos. J. Burns, Deputy Appraiser.

List of merchandise and percentages of differences.

Class of merchandise.	Country of exportation.	Percentage increase over home market prices for exporta- tion to the United States.
Paper and manufactures of paper	Germanydo Germany, Czechoslovakia, Bohemia.	20 - 25 25 - 50 30 - 60
Clocks. Beads, all kinds. Beggiano cheese Roman cheese Confectionery (Pourres)	Germanydo	15 - 20 50 144 581 187]
Aluminum, flatware, spoons, forks, ladles, etc. Surgical instruments Jewelers' tools Artificial flowers Artificial horsehair Lighting fixtures	do do	10 - 50 335- 50 10 - 50 50 120
Lighting fixtures Wood rules Incandescent electric light bulbs Drawing instruments Machine needles Lead pencils	Germanydo.	100 -250 15 - 25 5 - 25 75 -135 25 - 75 10 - 30
Rifles Musical instruments Ocarinas. Cotton table damask Cotton hosiery. Fabric gloves.	Austria Germany Austria Czechoslovakia Germany	50,-100 25 - 30 30 20 4 - 11 2½ 36
Do. Chinaware: Dimer ware. Faner goods	Czechoslovakia	25 21-25 100 -150 50 -200
Dinner ware. Fancy goods. Earthenware: Dinner ware. Fancy goods. Do.	Germany	30 - 80 (¹) 50 -100 (²) (¹)
Baskets Woodenware House furnishings Wire cloth. Steel halls	Germany	30 50 -100, 100 10 50
Piano wire. Chrome steel tubes Enameled steel ware. Vacuum bottles. Gold leaf. Books and music.	dododo	10 14½- 29 11 - 30 50 - 54 150
Pharmaceuticals Chemical glassware. Photographic cameras. Glass eyes. Chloride of magnesium	do	38 -139 40 39 62½ 105}

1 Net to 50 per cent.

\* Net to 25 per cent.

Mr. PENROSE. Then another feature of the dumping amendment which originated in the Finance Committee, Mr. President, was that providing for an opportunity to examine the books of the exporter. It is recognized that the great mass of honest exporters have no objection to examination of their books by the American officials, but there remains a very small percentage of exporters who have objected to such examination, resulting in a very reasonable assumption that there is something to conceal.

On the other hand, it is only reasonable to state that the exporter argues that to have an inspector of another country go into his books might place him at a disadvantage with his competitors. The committee has therefore curtailed the original draft of the provision which was under consideration so as to make it apply only to the market value of the merchandise. In my opinion—and I think the opinion is shared by the customs officials—this limitation will seriously diminish the effectiveness of what the committee was after, the prevention of fraud. But in view of the protests which in past years have come from the State Department regarding such a provision, and in view of very recent protests and criticisms from foreign Governments called to the attention of the Finance Committee, it was thought wiser to be moderate in this respect. Therefore, the amendment stands as it does. Those amendments, Mr. President, largely comprise the changes made.

One point, however, I would like to lay stress on. Whether rates are raised or not, the antidumping provision is not intended to produce much revenue. It is a preventive. The mere fact that the provision exists on the statute books tends to prevent dumping. I have here a report from the United States Tariff Commission containing some information concerning

dumping and unfair foreign competition in the United States and Canada's antidumping law, and I refer to page 29, where the statement is made:

As evidence that the antidumping clause serves as a check on dumping rather than as a revenue producer, Canadian customs officials point to the following table—

Which shows that in the 11 years from 1907 to 1918, inclusive, the Canadian dumping duties have averaged less than one-tenth of 1 per cent of the total duties collected. I will ask to have the table inserted in my remarks.

There being no objection, the table referred to was ordered to be printed in the Record, as follows:

Total duties and dumping duties—A comparison of latter to former collected on articles shipped to Canada, fiscal year ending Mar. 31.

Year.	Dumping duties collected.	Total duties collected.	Dumping duty per cent of total duty.
1907 1908 1909 1910 1911 1912 1913 1914 1915 1916 1917	\$94, 649 52, 688 47, 722 54, 796 53, 912 86, 354 88, 963 92, 426 68, 296 69, 143 91, 715 58, 476	1 \$40, 290, 172 58, 331, 075 48, 059, 792 61, 024, 239 73, 312, 368 87, 576, 037 115, 063, 688 107, 180, 578 2 79, 205, 910 2 103, 940, 101 2 147, 631, 455 2 161, 595, 629	0.23 .09 .10 .09 .07 .10 .08 .09 .09

<sup>1</sup> Nine months ending Mar. 31, 1907. <sup>2</sup> Includes war tax of the following amounts: 1915, \$2,638,493; 1916, \$25,255,788; 1917, \$37,830,427: 1918, \$45,018,562.

Mr. PENROSE. Finally, Mr. President, there was submitted to the committee an amendment for the control of dye importations. I shall not detain the Senate by going into any lengthy statement or argument as to the supreme importance of that industry or the fact, which was deeply impressed on the committee, that entire ruin would confront the industry in this country unless it was protected immediately from prospective competition, particularly from Germany.

I need not lay stress on the vast amount of capital invested in that industry during the war, which would have some claim on the Government for protection, including the high grade of employees engaged in the business. But I was only laying stress on the supreme importance of the industry in furnishing the basis for not only the arts and sciences in the manufacture of woolen goods and other similar articles, but in the manufacture of munitions of war and in a score of interesting and important ramifications which I could go into and which, during this debate, I will leave to others to explain.

The fact remains that the Senate and the House have carefully considered the necessity of doing something in connection with the dye proposition, and whether that part of the bill should be amended or not, I sincerely hope that something effective will remain in the measure between the present and the time it goes to the conference committee to protect the industry.

Mr. President, I have here three tables. The first one shows the estimated revenue collections for a 12-months period under Title I; that is, the tariff title of the emergency tariff bill.

The second table shows the revenue collected during the cal-

endar year 1920 from articles subject to tax under that bill.

The third table shows the rates upon articles contained in the

The third table shows the rates upon articles contained in the bill under the acts of 1900 and 1913 and under House bill 2435.

I think these figures will be found extremely interesting and instructive, and I ask to have them added to my remarks, and I

invite the careful attention of the Senate to them.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

#### APPENDIX A.

Estimated recenue collections for a 12-month period under Title I of H. R. 2435, the emergency tariff bill.

ARTICLES AND ESTIMATED REVENUE COLLECTION FOR A 12-MONTH PERIOD.

1. Wheat 2. Wheat flour and semolina 3. Flaxseed 4. Corn or maize 5. Beans 6. Peanuts or ground beans 7. Potatoes 8. Onions 9. Rice:	\$35,000 16,000 6,000,000 450,000 1,200,000 750,000 250,000 400,000
Cleaned Uncleaned Flour and meal and broken rice Paddy, or rice having the outer hull on	400, 000 437, 500 15, 000 3, 000

10.	Lemons	\$1,000,000	APPENDIX B.	les suffeet t
	Peanut	520,000	Revenue collected during the calendar year 1920 from artic tax under H. R. 2435, the emergency tariff bill.	les subject t
	Cottonseed	520, 000 20, 000 1, 000, 000 10, 000, 000		
	Coconut Soya bean	1, 000, 000	1. Wheat	\$9, 70
	Olive—	10, 000, 000	2. Wheat flourSemolina	200 500
	In bulk	800, 000	3. Flaxseed	4, 923, 40
1	In containers of less than 5 gallons	750, 000	3. Flaxseed	
12	. Cattle	900, 000	5. Beans 6. Peanuts or ground beans	510, 40 803, 70 5, 90 363, 70
10.	Sheep:	100,000	7. Potatoes	5, 900
	One year old or over Less than 1 year old	30, 000	1 8 Onions	363, 700
14	Fresh or frozen:	a supposed lie	9. Rice:	
	Beef	200, 000	CleanedUncleaned	215, 400 178, 500
	vear	40, 000	Uncleaned Flour and meal and broken rice Paddy, or rice having the outer hull on	2, 800
	Mutton_} Lamb}	240,000	Paddy, or rice having the outer hull on	2, 800 1, 400
	Doub	10 000	10. Lemons	542, 000
	Meats of all kinds, prepared or preserved, n. s.		11. Oils: Peanut	760, 600
	p. f	1,000,000	Cottonseed	
15.	Animals imported for breeding purposes:		Coconut	
	Cattle		Soya beanOlive, edible:	
	Sheep			491, 000
40	Other	10 200 000	In containers of less than 5 gallons	484, 900
16.	Cotton having a staple of 13 inches or more in length_ Manufactures of which cotton having a staple of 13	12, 000, 000	12. Cattle	
**	inches or more in length is the component material		14 Frash or fragen boof real mutten lamb and nork	
	of chief value	210,000	14. Fresh or frozen beef, veal, mutton, lamb, and pork, and meats of all kinds, prepared or preserved,	
18.	Wool, commonly known as clothing wool; including		n. s. p. f	
-	Wool, commonly known as clothing wool; including hair of the camel, Angora goat, and alpaca, but not such wools as are commonly known as carpet		15. Animals imported for breeding purposes 16. Cotton having a staple of 1g inches or more in length	
	such wools as are commonly known as carpet		17 Manufactures of which cotton baying a stanle of 13	
	wools:	15, 000, 000	17. Manufactures of which cotton having a staple of 13 inches or more in length is the component material of chief value	
	UnwashedWashed	300,000	of chief value	(1)
1	Scoured	45,000	18. Wool:	
19	Clothing wool and hair when advanced in any manner		Hair of the Angora goat, alpaca, and other like	351, 400
20.	or by any process of manufacture beyond the		19. Clothing wool and hair when advanced in any manner	001, 100
	washed or scoured condition, and manufactures of		or by any process of manufacture beyond the	
	washed or scoured condition, and manufactures of which clothing wool or hair is the component ma- terial of chief value	2, 100, 000	washed or scoured condition—	*
20	Sugar	118 000, 000	Manufactures of which clothing wool or hair is the component material of chief value	(1)
20.	Molasses testing—		90 Curron	78, 170, 300
	Molasses testing—  Not above 40° Above 40° and not above 56°———  Above 56°————————————————————————————————————	720,000	Molasses testing Not above 40° Above 40° and not above 56° Above 56°	450 000
	Above 40° and not above 56°	35, 000	Above 40° and not above 56°	472, 900 34, 300
01	Above 56	120, 000	Above 56°	500
22.	Butter and substitutes therefor	1, 150, 000	Above 56°	940, 700
23.	Milk, fresh	40, 000 50, 000	22. Cheese and substitutes therefor	1, 047, 800
	Cream	50, 000	23. Milk, fresh	
24.	Milk, preserved or condensed or sterilized by heat-	100, 000	24. Milk, preserved or condensed or sterilized by heating	
	ing or other processesSugar of milk	1,250	or other processes	
	Sugar of milk	1,200	Sugar of milk	
25.	Wrapper tobacco, and filler tobacco when mixed or packed with more than 15 per cent of wrapper tobacco, and all leaf tobacco the product of two		packed with more than 15 per cent of wrapper to-	
	tobacco, and all leaf tobacco the product of two	37,5-1		
	or more countries or dependencies when mixed or		more countries or dependencies when mixed or	
	or more countries or dependencies when mixed or packed together, if— Unstemmed	14 100 000	more countries or dependencies when mixed or packed together, if— Unstemmed Stemmed	10 027 100
	Stemmed	14, 100, 000	Stemmed	12, 857, 400
	Evillar tabacca n s n f if-		Filler tobacco, n. s. p. f., if—	
	Unstemmed	14, 000, 000	Filler tobacco, n. s. p. f., if— Unstemmed Stemmed	12, 520, 300
	Filler tobacco, n. s. p. f., if— Unstemmed Stemmed Apples	5, 000, 000	1 26 Annieg ·	
26.	Apples	90,000	Green or ripe	38, 200
21.	Cherries.		Dried, desiccated, etc.	8, 200
	Preserved in brine or otherwise		Green or ripe	(1)
28.	Olives	1,000,000	20. Unives	629, 300
11/1			Total for 12-month period ending Dec. 31, 1920	120, 732, 000
	Total for 12-month period Total for 6-month period	211, 227, 820	Total for 12-month period ending Dec. 31, 1920 Estimate for a 10-month period upon the above basis	60, 366, 000
	Total for 6 month period	105 612 910	<sup>1</sup> Not separately stated.	

#### APPENDIX C.

Rates upon articles contained in H. R. 2435, the emergency tariff bill, and under the acts of 1909 and 1913.

	Rates of duty	Rates of duty proposed	
Article.	1909	1913	under H. R. 2435.
1. Wheat 2. Wheat flour Semolina 3. Flaxseed 4. Corn or maize 5. Beans 6. Peanuts or ground beans: Not shelled Shelled 7. Potatoes 8. Onions 9. Rice: Cleaned Uncleaned Flour and meal and broken rice Paddy, or rice having the outer hull on 0. Lemons 1. Oils: Peanut Cottonseed Coonut Refined and deodorized Not refined and deodorized Soya bean	do.	do.² do.³ do.³ 20 cents per bushel. Free	35 cents per bushel. 20 per cent. Do. 30 cents per bushel. 15 cents per bushel. 2 cents per pound. 3 cents per pound. 40 cents per bushel. 2 cents per bushel. 2 cents per bushel. 2 cents per pound. 1 cents per pound. 2 cent per pound. 2 cent per pound. 2 cent per pound. 2 cents per gallon. 20 cents per gallon. Do. Do. Do.

Rates upon articles contained in H. R. 2435, the emergency tariff bill, and under the acts of 1909 and 1913-Continued.

Period Constitute a language production	Rates of duty u	Pot 11	
Article.	1909	1913	Rates of duty propose under H. R. 2435.
. Olls—Continued.		The state of the s	EVER SEE SOME
Olive—	ACCUPATION OF THE PARTY OF THE		
In bulk	40 cents per gallon	20 cents per gallon	40 cents per gallon.
In bulk. In containers of less than 5 gallons	50 cents per gallon	30 cents per gallon	50 cents per gallon.
Cattle	(6)	20 cents per gallon	30 per cent.
Sheep:			oo ber cent.
I year old or over	\$1.50 per head	do	\$2 per head.
i year old or over. Less than i year old.	\$1.50 per head	do	\$1 per head.
Fresh or frozen:	To come per monat.		er per neset.
Beef	11 cents per pound	do	0
Beef. Veal.	do	do	2 cents per pound.
Mutton	do	do	Do. Do.
Lamb.	do	An	
Pork	do	do	Do.
Pork. Meats of all kinds, prepared or preserved, n. s. p. f	25 per cent	do	Do.
Animals imported for breeding purposes:	so per continue		25 per cent.
Cottle	Trees	The day of the same of the sam	
Cattle. Sheep. Other.	40		Free.
Other	4-		Do.
Cetter begins a stanta of 13 '		00	Do.
Cotton having a staple of 13 inches or more in length	do	d0	7 cents per pound.
Manufactures of which cotton having a staple of 18 inches			Do.
or more in length is the component material of chief			
walue, in addition to existing rates of duty.  Wool, commonly known as ciothing wool, including hair of the camel, Angora goat, and alpaca, but not such wools as are commonly known as carpet wools:		the standard of the standard o	
Wool, commonly known as clothing wool, including			
hair of the camel, Angora goat, and alpaca, but not		to the support of the control of the	
such wools as are commonly known as carpet wools:			
Unwashed	Various	Free	15 cents per pound.
Washed	do	do	30 cents per pound.
Seoured	do	do	45 cents per pound.
Clothing wool and hair when advanced in any manner			Do.
or hy any process of manufacture havond the washed			
or scoured condition, and manufactures of which			
clothing wool or hair is the component material of		the second of the second second	STORY OF STREET
or scoured condition, and manufactures of which clothing wool or hair is the component material of chief value, in addition to existing rates of duty.		to real lights many to all an all me	
Sugar, 96° Molasses testing— Not above 40°. Above 40° and not above 56°	1.685 cents per pound?	1.256 cents per pound 8	2 cents per pound.9
Molasses testing—		And the state of t	- come per pounds
Not above 40°	20 per cent	15 per cent	24 per cent.
Above 40° and not above 56°.	3 cents per gallon	21 cents per gallon	31 cents per gallon.
Above 56°	6 cents per gallon	41 cents per gallon	3) cents per gallon. 7 cents per gallon.
Rutter and substitutes therefor	6 cents per pound	21 cents per pound	6 cents per pound.
Cheese and substitutes therefor	do	15 per cent. 22 cents per gallon. 43 cents per gallon. 24 cents per pound. 20 per cent.	23 per cent
Milk, fresh			23 per cent. 2 cents per gallon.
Cream	5 cents per gallon	do	Do.
Milk, preserved or condensed or sterilized by heating or	2 cents per pound	do	2 cents per pound.
other processes.			a certe her Louner
7 7 7	5 cents per pound	do	5 cents per pound.
Wrapper tobacco, and filler tobacco when mixed or	F F		o comes ber horner
packed with more than 15 per cent of wrapper tobacco,			
and all leaf tobacco the product of two or more coun-			
tries or dependencies when mixed or packed together,	Traffic and the second second		
if—			
Unstemmed	\$1.85 per pound	\$1.85 per pound	\$2.35 per pound.
Stemmed	\$2.50 per pound	\$2.50 per pound.	\$3 per pound.
Filler tohogon n e n f if-	4 ber hounger	emo per pound	so her borner.
Filler tobacco, n. s. p. f., if— Unstemmed	35 cents per pound	35 cents per pound	25 cents per pound
Stemmed	50 cents per pound	50 cents per pound	50 cents per pound
Annles	50 cents per pound	35 cents per pound	35 cents per pound. 50 cents per pound. 30 cents per bushel.
Apples	20 comes per busiles	to comes per busher	ao cents per busner.
Cherries.	do	do	Oto non-mound
In a raw state	Free.	Free.	3 cents per pound.
Preserved in brine or otherwise	£100	F100	Do.
Olives:	CON	15 conta non collen	Of contamon callen
In solution	(10) (10)	15 cents per gallon	25 cents per gallon.
Not in solution	(**)	do	3 cents per pound.

But 10 cents per bushel when imported, directly or indirectly, from a country, dependency, or other subdivision of government which imposes a duty on wheat or wheat flour or semolina imported from the United States.

But 45 cents per barrel of 196 pounds when imported, directly or indirectly, from a country, dependency, or other subdivision of government which imposes a duty on wheat or wheat flour or semolina imported from the United States.

But 10 per cent when imported, directly or indirectly, from a country, dependency, or other subdivision of government which imposes a duty on wheat or wheat flour or semolina imported from the United States.

But 10 per cent when imported, directly or indirectly, from a country, dependency, or other subdivision of government which imposes a duty on such articles imported from the United States.

Paragraph 220 of section 1 of the revenue act of 1913 imposed the following rates of duty upon lemons: In packages of a capacity of 1½ cubic feet or less, 18 cents per package; in packages of a capacity exceeding 1½ cubic feet and not exceeding 2½ cubic feet, 35 cents per package; in packages 2½ and not exceeding 5 cubic feet, 70 cents per package; in packages exceeding 5 cubic feet or in bulk, one-half of 1 cent per pound, of The revenue act of 1909 imposed the following rates of duty upon cattle: Less than 1 year old, \$2 per head; 1 year old or over, valued at more than \$14 per head, \$7.75 per head; 1 year old or over, valued at more than \$14 per head, \$7.75 per head; 1 year old or over, valued at more than \$14 per head, \$7.75 per head; 1 year old or over, valued at more than \$14 per head, \$7.75 per cent.

The act of 1909 imposed a duty upon sugar testing by the polariscope, not above 75°, ninety-five one-hundredths of 1 cent per pound, and for every additional degree shown by the polariscopic test, thenty-six one-thousandths of 1 cent per pound additional.

The act of 1909 imposed to in conference imposes a duty upon sugar, testing by the polariscope not above 75°, of one-sixte

Mr. PENROSE. Mr. President, I do not know that at the hope that both sides of the Chamber will cooperate to get the present time I have anything further to say. I shall be glad measure out of the way. at any period of the discussion to explain any detail in relation to the Senate amendments. They all speak for them-

The report filed by the Finance Committee is unusually complete and comprehensive. Nothing that I could add to it would be more than a repetition of the statements contained therein and would be tedious and uninteresting. Therefore I shall close, again expressing my willingness to make any explanations or reply to any questions, and feeling that to continue the dis-cussion is to unnecessarily delay the bill, and with the sincere

measure out of the way.

Mr. SIMMONS obtained the floor.

Mr. UNDERWOOD. Mr. President, I suggest the absence of

quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Borah	Capper	Fernald	Gooding
Brandegee	Caraway	Fletcher	Hale
Broussard	Curtis	France	Harris
Calder		Gerry	Harrison
Cameron	Dillingham	Glass	Heflin

McCumber McKellar McLean McNary Nelson Nicholson Pomerene Ransdell Robinson Swanson Townsend Trammell Johnson Jones, N. Mex, Jones, Wash. Kellogg Kendrick Sheppard Shields Shortridge Underwood Walsh, Mass. Watson, Ga. Watson, Ind. Kenyon Keyes King Ladd La Follette Oddie Overman Simmons Smoot Williams Willis Wolcott Penrose Spencer Stanfield Phipps Stanley Lodge Poindexter Sterling

The VICE PRESIDENT. Sixty-six Senators having answered to their names, a quorum is present. The Senator from North

Carolina will proceed.

Mr. SIMMONS addressed the Senate. After having spoken,

with interruptions, for nearly two hours, he said:

Mr. President, I wish to inquire of the Senator from North Dakota [Mr. McCumber] who, I assume is in charge of the bill in the absence of the chairman of the committee, whether he requires us to go on longer this afternoon. I have been much interrupted and I have not objected to the interruptions, because I think they have been helpful. What we are trying to do is to understand the bill, and we can understand it very much better by colloquies than by set speeches. Therefore, I have invited interruptions and am glad to have them. But it has taken most of my time and I am not anywhere near through with the matters that I wish to discuss in connection with the bill. It is my purpose not only to discuss the amendments of the Senate committee, which include the valuation amendment as well as the ant: Jumping amendment, but to discuss the general provisions of the bill and the emergency provision, so far as it applies to agriculture, and that will take some time. I might have finished in half an hour or three-quarters of an hour if I had not had this last interruption, but the last interruption has been somewhat prolonged, and I do not feel now that I wish to go on to-night unless the Senator from North Dakota insists upon it.

Mr. McCUMBER. The Senator would not be willing to go on

until 5 o'clock?

Mr. SIMMONS. I would rather not continue to-day. I am rather tired.

Mr. McCUMBER. I do not wish to impose upon the Senator, but may I ask him if there is not some one else on the other side who desires to speak to-day and who can take up the balance of the time until 5. o'clock?

Mr. SIMMONS. I do not; but I think I might go on.

Mr. McCUMBER. I do not wish to insist if the Senator feels

Mr. SIMMONS. I do not know of anyone on this side who wishes to speak to-day.

Mr. McCUMBER. I thought possibly the Senator could suggest one who could take up some of the time remaining this afternoon.

Mr. HARRISON rose.

SIMMONS. The Senator from Mississippi may have something to say.

Mr. HARRISON. I merely rose to say that it would be rather unfair to the Senator from North Carolina for some one else to speak right in the midst of his remarks.

Mr. McCUMBER. I do not think it could be so considered,

because we have been doing that right along.

Mr. HARRISON. He should be allowed to finish his speech, Mr. UNDERWOOD, I will say to the Senator from North Dakota, as I am sure the Senator from North Carolina has already assured the other side of the Chamber, that there is no desire on this side to delay the bill, and I wish to state to him the fact that the Senator from North Carolina stands on this side of the aisle in the attitude of the chairman. sents this side on the pending measure. If he is not prepared to present his views further this evening, it seems to me that he ought to be allowed to wait until to-morrow.

Mr. McCUMBER. I am going to move to take a recess unless there is some one on the other side or this side who desires to speak on the bill to-day. That is the purpose of my inquiry. If there is, I would rather go on until 5 o'clock and let the Senator from North Carolina rest. If there is no one who desires tó speak I shall not impose upon the Senator from North Carolina by insisting that he shall speak all the afternoon.

Mr. UNDERWOOD. I will say to the Senator that so far as I am concerned I expect to make a short statement on the bill before its consideration is concluded. I have no doubt some other Members may do likewise; but the Senator from North Carolina represents our side of the Chamber on this particular measure, and we prefer to have him conclude and to hear his remarks through before we start to debate the bill.

Mr. McCUMBER. That is satisfactory. I hope that by tomorrow we shall be able to fix some time at which we can vote

at a very early period.

Mr. SMOOT. If we take a recess to-night, as I hope we shall, then let us all object to any morning business to-morrow and go to the consideration of the emergency tariff bill the first thing to-morrow. Then we will not have to hold so long a session. It was nearly 2 o'clock to-day before we got started upon the consideration of this bill, and we have been considering it for only about two hours. I think we can make progress by objecting to morning business to-morrow if we take a recess to-night.

Mr. HARRISON. Why not adjourn to-night? Mr. SMOOT. Oh, no. The bill should have been brought up last Monday. Here it is Thursday night, and we have not had more than four hours' discussion on the bill this week,

Mr. HARRISON. I do not know whether the Senator was present when I served notice that I was going to call up a motion to change the rules, which I expect to do at the very first opportunity. Under the rules the notice must lie over for one

calendar day.

Mr. SMOOT. That will have to go to the Committee on Rules. Mr. HARRISON. If we recess to-day I do not know what the ruling of the Chair would be and whether I could call it If we recess to-day I do not know what up to-morrow if I should desire to do so. For that reason I hope the Senate will adjourn.

Mr. SMOOT. Does the Senator wish to introduce it to-

Mr. HARRISON. It has been already introduced.

Mr. SMOOT. It will have to go to the Committee on Rules. Mr. HARRISON. No: it does not, under the action of the Senate recently on the resolution of the Senator from Connecticut [Mr. Brandegee], when it was held that such a motion does not have to go to the Rules Committee.

Mr. FLETCHER. Mr. President, before we take a recess I desire to have printed in the RECORD, as bearing on the pending bill, though I shall not take the time to read it, a communication from the New York Fruit Exchange relative to the proposed duty on lemons, and also a communication from a correspondent in Cuba with reference to the proposed duty on tobacco.

Mr. SMOOT. I think the first letter has already been put in the RECORD. I think I read it.

Mr. FLETCHER. But this is a letter to me.

Mr. SMOOT. I had a similar letter, and I think every other Senator had.

Mr. FLETCHER. Of course, if the letter has been placed in the RECORD, I shall not ask to have it printed again. The other letter to which I refer bears on the duty on tobacco proposed in the bill. I ask that that letter may be printed in the RECORD. It is a letter from Tampa, Fla., showing the effect of the extraordinary increase proposed in the duty on wrapper and filler tobacco. I ask to have them both printed in the RECORD unless a similar communication from the New York Fruit Exchange to some other Senator has already been inserted in the

The VICE PRESIDENT. Is there objection? It not, it is so ordered.

The communications are as follows:

NEW YORK, April 30, 1921.

DUNCAN U. FLETCHER, United States Senate, Washington, D. C.

DEAR SIR: Your attention is called to the fact that if a prohibitive duty is placed upon foreign lemons in the emergency or permanent tariff bills, it will create a monopoly that will have the entire country in its clutches. Outside of California, Italy, and Sicily, no lemons are grown to any extent.

The duty demanded by the California interests, 2 cents per pound, approximately \$1.50 per box, with freight and other charges, will make the cost of bringing a box of lemons from Sicily to this country about \$2.25 per box. This will make the expense of importing lemons so great, to say nothing of the cost of the lemons themselves, that the business will be very hazardous and will result in very few, if any, lemons being brought here.

The freight on a box of lemons from California to New York via all rail is about \$1.40 per box. Recently several cargoes of California lemons have come here via all-water route through the Panama Canal, demonstrating the practicability of this route, at a total cost of less than \$1 per box. Even at the present rate of duty this gives California an advantage over Sicily, so far as the cost of bringing the fruit to New York is concerned.

fornia an advantage over Sicily, so far as the cost of bringing the fruit to New York is concerned.

The California Fruit Growers' Exchange controls the marketing of about 85 per cent of the crop of lemons. With the Sicily fruit out of the way there will be nothing to prevent the exchange from making such prices on lemons as they see fit, and you can rest assured there will be no effort made to give the public "cheap" lemons, as Mr. Powell said would be done in his testimony before the House Ways and Means Committee. About 35 per cent of the lemons sold by the exchange are disposed of at auction in the large eastern cities, and it is claimed that the buyer makes the price at these sales, it being governed by the demand and supply. This is true, but the exchange will see to it that the supply is at no time large enough to break the market,

The price of the 65 per cent sold at private sale will be arbitrarily fixed.

There is no disposition on the part of those engaged in the foreign lemon business—and they are numbered by the thousands—to evade the payment of duty or to ask for free entry of lemons, which could very properly be done, as lemons have become a very necessary food article.

We recognize the fact that the Government is under extraordinary expense and a huge revenue must be raised, and it is only fair that imported lemons should furnish part of this revenue. No objection would be made to a duty of, say, 70 cents per box, which is double the present duty, but to impose a duty of 2 cents per pound, about \$1.50 per box, would be prohibitive and result in no revenue, as no lemons would be imported. There is also the danger of reprisals by Italy. The brief submitted by the New York Fruit Exchange to the House Ways and Mcans Committee—hearings on schedule G—contains considerable detailed information regarding imported lemons.

We hope you will give this matter your careful attention and do what you can to prevent the exclusion of the foreign lemons, which will deprive the large body of consumers in the country from obtaining a very essential article at reasonable prices and placing them at the mercy of one producing section only, which could then dictate prices.

A large number of dealers in various parts of the country prefer the foreign lemon to the California fruit, and to prevent them having it would be a grave injustice. Foreign lemons are sold exclusively at auction, each cargo, without regard to size or market conditions, being disposed of on arrival.

Respectfully,

New York Fruit Exchance,

W. A. Camp, President.

NEW YORK FRUIT EXCHANGE, WM. A. CAMP, President.

P. S.: Your attention is called to the fact that the laws of Florida prohibit the entry of California lemons into your State.

HABANA, CUBA, April 26, 1921.

Hon. Duncan U. Fletcher, United States Senate, Washington, D. C.

United States Senate, Washington, D. C.

MY DEAR SENATOR: You will recall that during January of this year I had some correspondence with you with reference to the Fordney emergency tariff bill as it affected the duty on Cuban tobacco. My letter was written to you in the interests of the Tampa Cigar Manufacturers' Association. At that time I covered the subject as well as I could and I do not know that I now have anything to add to what I said then. I prepared a brief for the Ways and Means Committee of the House, which I sent to Mr. Drane, and he had it inserted in a report of the committee hearings on the permanent tariff bill. I happened to be in Habana on business to-day, and Mr. Morris, vice president of Lykes Bros. (Inc.), has called my attention to the inclosed form of letter that is being issued by the American Chamber of Commerce of Habana, in which the situation is very effectively and concisely summed up.

pened to be in Habana on business to-day, and Mr. Morris, vice president of Lykes Bros. (Inc.), has called my attention to the inclosed form of letter that is being issued by the American Chamber of Commerce of Habana, in which the situation is very effectively and concisely summed up.

If the United States Congress wishes to destroy the Habana cigar manufacturing interests in the United States and practically put out of business the tobacco growers of Cuba they can adopt no more appropriate method than to raise the existing tariff on leaf tobacco. As pointed out in the brief I filed with the Ways and Means Committee, an increase in tariff on wrapper tobacco will automatically force the manufactured product into the higher-priced grades, which will in turn make the same llable to an increase of \$3 per thousand internal revenue tax under the existing internal revenue law.

Cuba for the past six months has been in the midst of a serious crisis. The United States owes this country a very real duty. Legislation that will further embarrass these people in the sale of their two chief products—sugar and tobacco—is little short of barbarous and entirely unworthy of the United States Government, which has assumed a guardianship over this little Republic. Therefore, from the standpoint of moral obligation to the Cuban Republic, as well as the protection of the interests of our own manufacturers, the proposed increase in tariff—and especially on tobacco, in which I am directly interested—would seem to be the worst kind of bad faith and at the same time inexcusable folly. I hope something can be done to prevent the increase of 50 cents a pound on wrapper tobacco, that was provided for in the Fordney emergency bill, being carried into the permanent tariff measure when it is adopted, and also that some relief may be given to American importers of tobacco against the arbitrary rule of assessing wrapper duty on all bales of tobacco containing as much as 15 per cent wrapper. There should be a discretion given the appraiser to f

K. I. McKax, Tampa, Fla.

Dear Sirs: In view of the tariff revision now under consideration by the Congress at Washington, we beg to call your attention to the fact that the exportations from the United States to Cuba will be materially reduced if our products must find a market in the United States hereafter under less favorable conditions than they do at present. When Cuba sells less sugar, less tobacco, and less of all other products of its soil, the ability of the country to import goods from you will be diminished to a considerable extent.

Cuba bought during the last calendar year (1920) from the United States merchandise to the value of \$515,082,549. The only other countries which bought more than this amount from the United States were the United Kingdom, Canada, and France. Argentina, Brazil, and Mexico together, with over 50,000,000 inhabitants, bought \$578,-320,546, or only slightly more than Cuba, the population of which is 2,700,000. Cuba is recognized as having the world's largest per capita trade. Over 75 per cent of our importations now come from the United States, whereas when the Republic was established the percentage was only about 40.

In Cuba we do not have cheap labor. Our export articles—sugar, tobacco, and others of less importance—are produced at present under costs as high on the average as similar articles in the States. This places us in the same position as the United States, in that we can not sell our articles to countries where the cost of production is relatively low, and can not compete with the products of those countries in the markets of the United States, unless we enjoy'a substantial reduction in the tariff duties. In the case of sugar, for instance, Cuba

has, during the last decade supplied a large part of the deficiency in your production, but under higher tariff rates it would be increasingly difficult for Cuba's sugars to compete with those from other parts of the world, where production costs are lower and which now enjoy a privileged situation because of the rate of exchange. Our currency is United States currency or Cuban gold coins of the same value as yours. We are not therefore benefited by the difference in the rates of exchange, as are many countries now selling sugar to the United States. It would not be possible to maintain, much less increase, the volume of the exportations of the United States to Cuba, unless we can sell our sugar, our tobacco, and other products of our soil as we have been doing. Trade consists of the exchange of products, and in order that a country may be able to buy from others, it must also be able to sell to others. Cuba has its natural and almost its sole market in the United States, to which we sell 85 per cent of our products. If the opportunities for selling in this market are reduced, our ability to buy will be reduced to the same extent.

In addition, it seems only logical that it should be the policy of the United States to extend an effective protection to Cuba, as by far the greater part of the capital invested in Cuba and many of the largest business concerns are American. In this respect there is little difference between Cuba and one of the States of the Union. American capital controls over 55 per cent of the sugar mills of the island, and American incrests are predominant in shipping, commerce, banking, insurance, in public services, like docks and warehouses, telephone, water supply, electric lighting, etc., and very considerable in railroads, tobacco, mining, and other fields. Whatever injures the prosperity and development of Cuba therefore works harm to American interests. Commercially and industrially Cuba is to all intents and purposes a part of your economic system. To legislate against the products of

#### EXECUTIVE SESSION.

Mr. McCUMBER. I move that the Senate proceed to the consideration of executive business,

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

RECESS.

Mr. LODGE. I move that the Senate take a recess until to-morrow noon.

The motion was agreed to; and (at 4 o'clock and 20 minutes p. m.) the Senate took a recess until to-morrow, Friday, May 6, 1921, at 12 o'clock meridian.

#### CONFIRMATION.

Executive nomination confirmed by the Senate May 5 (legislative day of May 4), 1921.

COMMISSIONER OF PATENTS.

Thomas E. Robertson.

#### HOUSE OF REPRESENTATIVES.

THURSDAY, May 5, 1921.

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our heavenly Father, Thou hast given life and Thou hast spared life, and in it Thou art plenteous in mercy. May we lovingly accept Thy will and follow Thy purpose, that our thoughts may be right and our words wise. May we not boast in our strength, but rather be humble in our weakness. Hear the prayers that can not be heard, for they are too sacred for words. Be with those who are withdrawn from duty because of affliction. Bind up their wounds with many balms, and be with them in their solitude and pain. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### LEAVE OF ABSENCE.

Mr. BYRNS of Tennessee. Mr. Speaker, my colleague, Mr. PADGETT, continues ill. I ask unanimous consent that he be excused from attendance for the remainder of the week.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that his colleague, Mr. Padgett, be excused for the remainder of the week. Without objection, it will be so ordered.

There was no objection.

#### PARLIAMENTARY INQUIRY.

Mr. WALSH. Mr. Speaker, in the reading of the Journal I noticed it stated that Mr. Wingo made the point of order that the motion to recommit was not germane. It seems to me that the point of order which the gentleman made was that the amendment proposed in the motion to recommit was not germane. I do not think the statement should be journalized that a motion to recommit was not germane.

I think the germaneness of a motion to recom-Mr. WINGO. mit is tested by the germaneness of the amendment that it offers. If the amendment is not germane, then the motion is not germane. I do not care how it is stated-whichever is the

customary way

The SPEAKER. The real question, of course, is whether the

amendment itself was germane.

Mr. BLANTON. It had the effect of killing the motion, any-

way.

The SPEAKER. The Chair thinks it was correctly journalized.

#### COMMITTEE APPOINTMENTS.

Mr. GARNER. Mr. Speaker, I offer the resolution which I

send to the Clerk's desk.

The SPEAKER. The gentleman from Texas offers a resolution, which the Clerk will report,

The Clerk read as follows:

#### House resolution 82.

Resolved, That the following Members be, and they are hereby, elected members of the standing committees of the House:
Accounts: Mr. Hampton P. Fulmer, of South Carolina, and Mr. Joseph T. Deal, of Virginia.
Irrigation of Arid Lands: Mr. William B. Bankhead, of Alabama.

The SPEAKER. Without objection, the resolution will be agreed to.

There was no objection.

#### COMPETENCY OF WITNESSES,

Mr. GOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the budget bill.

The SPEAKER. The Chair thinks that the previous question having been ordered on H. R. 2376, that should be completed first. The question is on the passage of that bill.

Mr. MOORES of Indiana. Mr. Speaker, I ask unanimous consent to proceed for two minutes out of order.

The SPEAKER. The gentleman from Indiana asks unanimous consent to address the House for two minutes out of order. Is there objection?

Mr. MONDELL. Mr. Speaker, if the gentleman is going to address the House on the merits of the bill, some one should be given an opportunity to reply. In the absence of the gentlemen in charge of the bill, I think I shall have to object. The gentlemen who are in charge of the bill would probably object if they were here, unless they were given an opportunity to reply to what the gentleman may have to say.

Mr. MOORES of Indiana. They ought to be here. Mr. Speaker, a parliamentary inquiry. Mr. WALSH.

The SPEAKER. The gentleman will state it.

Mr. WALSH. The Record shows that during the considera-tion of this bill yesterday the gentleman from Minnesota [Mr. VOLSTEAD], chairman of the Judiciary Committee, who is in charge of the bill, moved the previous question, and that the previous question was ordered. Does the previous question operate to the final passage of the bill?

The SPEAKER. The Chair thinks so. It is customary perhaps it is an unfortunate habit-instead of moving the previous question on the bill and amendments to the final passage, simply to move the previous question, but the Chair thinks that

is the intent.

Mr. WALSH. But, Mr. Speaker, two hours of debate had

not been had on the bill.

Mr. STAFFORD. That was not necessary. It is a House Calendar bill, and the previous question can be ordered at any

The SPEAKER. The previous question can be ordered at any time.

Mr. WALSH. But, Mr. Speaker, if during the debate on a House Calendar bill on Calendar Wednesday a simple motion for the previous question was made and agreed to, my inquiry is whether that operates to the final passage without being so stated in the motion?

The SPEAKER. The Chair thinks so. Does the gentleman from Wyoming [Mr. Mondell] object to the request of the gen-

tleman from Indiana [Mr. Moores]?

Mr. MONDELL. I think I shall have to object.

The gentleman objects. The question is on The SPEAKER the passage of the bill, which the Clerk will report.

The Clerk read the title of the bill (H. R. 2376) to further amend section 858 of the Revised Statutes of the United States.

The SPEAKER. The question is on the passage of the bill. The question being taken, the Speaker announced that the ayes appeared to have it.

Mr. VAILE and Mr. MOORES of Indiana demanded a divi-

The House divided; and there were—ayes 85, noes 21.

Mr. HILL. Mr. Speaker, I make the point of no quorum present.

The SPEAKER. The gentleman from Maryland makes the point of no quorum present. There is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll. As many as favor the passage of the bill will as their names are called vote "yea," those opposed "nay."

The question was taken; and there were-yeas 286, nays 66,

not voting 77, as follows:

Andr

Bach

Beedy Bland

Burdi Burto Canno Chano Chino

Conne

#### YEAS-286.

1.			
Ackerman	Fenn	Kreider	Ricketts
Almon	Fess	Kunz	Riddick
Arentz	Fish	Lanham	Roach
Aswell	Fisher	Lankford	Robertson
Atkeson	Fitzgerald	Larsen, Ga. Larson, Minn.	Robsion
Bankhead	Flood	Larson, Minn.	Rodenberg
Barbour	Focht	Lazaro	Rose
Barkley	Fordney	Leatherwood .	Rosenbloom
Beck	Foster	Lee, Ga.	Rossdale
Bell	Frear	Lee, N. Y. Lehlbach	Rouse
Benham	Free	Lehlbach	Rucker
Bixler	Freeman	Lineberger	Ryan
Black	Frothingham	Linthicum	Sanders, Tex.
Blakeney	Fulmer	London	Sandlin
Blanton	Funk	Lowrey	Schall
Boies	Gallivan	Luce	Scott, Mich. Scott, Tenn.
Bond	Garner	McClintic	Scott, Tenn.
Bowling Box	Garrett, Tenn. Garrett, Tex.	McCormick*	Sears
Brand	Gensman	McDuffie McFadden	Shelton
	Glynn	Morandell 313	Shreve
Brennan		McLaughlin, Mc	ch.siegei
Briggs Brinson	Goldsborough Good	McLaughlin, Mi McLaughlin, Ne McLaughlin, Pa	er.Sinciair
Proples III	Goodykoontz	McPherson	Slemp
Brooks, Ill. Brooks, Pa.	Groom Town	McSwain	Smith
Buchanan	Green, Iowa	MacGregor	Smithwick
Bulwinkle	Greene, Mass.	Magee	Snell
	Griest Griffin	Maloney	
Burroughs Burtness	Hadley	Mansfield	Speaks
Butler	Hammer	Mapes	Sproul
Byrnes S C	Hardy, Tex.	Martin	Steagall Stedman
Byrnes, S. C. Byrns, Tenn,	Harrison	Mason	Stephens
Cable	Hawes.	Mead	Stevenson
Campbell Kone	Hawley	Michaelson	Summers Week
Campbell, Kans, Campbell, Pa.	Hayden	Michener	Summers, Wash, Summers, Tex.
Cantrill	Hays	Miller	Swank
Carew	Herrick	Mills	Sweet
Carter	Hersey	Mondell	Swing
Chalmers	Hickey	Moore, Ill.	Taylor, Colo.
Christopherson	Hicks	Moore, Ohio	Taylor N A
Clague	Himes	Moore, Va.	Taylor, N. J. Taylor, Tenn.
Classon	Hoch	Morgan	Temple
Clouse	Houghton	Mott	Ten Eyek
Codd	Huddleston	Murphy	Thompson
Collier	Hudspeth	Nelson, A. P.	Tillman
Collins	Hull	Nelson, J. M.	Tincher
Colton	Hutchinson	Nolan	Towner
Connell	Ireland	Norton	Tyson
Cooper, Ohio Cooper, Wis, Coughlin	James, Mich.	O'Brien	Underhill
Cooper, Wis.	Jefferis	O'Connor	Voigt
Coughlin	Johnson, Kv.	Orden	Volk
Crisp	Johnson, Ky. Johnson, Miss.	Oldfield	Volstead
Cullen	Jones, Pa. Jones, Tex.	Olpp	Walters
Curry	Jones, Tex.	Osborne	Ward, N. C.
Dallinger	Kearns	Overstreet	Wason
Davis, Minn. Davis, Tenn.	Keller	Paige	Watson
Davis, Tenn.	Kelly, Pa. Kendall	Park, Ga.	Weaver
Deal	Kendall	Parks, Ark.	Webster
Dickinson	Ketcham	Parrish	White, Kans.
Dominick	Kiess	Patterson, Mo.	Williams
Dowell	Kincheloe	Peters	Williamson
Drane	Kindred	Petersen	Wilson
Drewry	King	Porter	Wingo
Driver	Kinkaid	Quin	Woodruff
Dupré	Kirkpatrick	Radeliffe	Woods, Va.
Dyer	Kissel	Raker	Woodyard
Echols	Kleczka Klina N V	Rankin Ransley	Wright
Edmonds Elston	Kline, N. Y. Kline, Pa.		Wurzbach
Evans *	Knight	Rayburn Reece	Wyant
Fairfield	Knight Knutson	Reed, N. Y.	Young
Favrot	Kopp	Rhodes	
Lariot	2506277		
	VA	78-66	

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ews arach y l, Ind. d, Va. ick on on dler, N. Y.	Dale Denison Dunbar Elliott Ellis Faust French Gernerd Graham, Ill. Graham, Pa.	Husted Johnson, S. Dak, Johnson, Wash, Kahn Kraus Lawrence Layten Little Lufkin Luhring	Milispaugh Montague Montoya Moores, Ind. Mudd Parker, N. J. Pringey Purnell Reavis Riordan
ally, Tex. olly, Pa.	Greene, Vt. Hardy, Colo. Hill	McArthur McKenzie Merritt	Rogers Sabath Sanders, Ind.

Stanord Steenerson Strong, Kans. Tilson	Timberlake Tinkham Treadway Vaile	Vestal Walsh Wheeler White, Me.	Wood, Ind. Zihlman
	NOT V	OTING-77.	
Anderson Ansorge Anthony Appleby Begg Bird Bowers Britten Brown, Tenn. Browne, Wis. Burke Chandler, Okla. Clark, Fla. Clarke, N. Y. Cockran Cole Cramton Crowther Darrow Dempsey	Doughton Dunn Fairchild Fields Fuller Gahn Gilbert Gorman Gould Haugen Hogan Hukriede Humphreys Jazoway James, Va. Kelley, Mich. Kennedy Kitchin Lampert Langley	Lea, Calif. Logan Longworth Lyon Madden Mann Morin Newton, Minn. Newton, Mo. Oliver Padgett Parker, N. Y. Patterson, N. J. Perkins Perlman Pou Rainey, Ala, Ramseyer Reber Reed, W. Va.	Sanders, N. Y. Shaw Sisson Snyder Stiness Stoll Strong, Pa. Sullivan Tague Thomas Upshaw Vare Vinson Ward, N. Y. Winslow Wise Yates

So the bill was passed.

The following pairs were announced:

Until further notice:

Mr. MANN with Mr. KITCHIN.

Mr. NEWTON of Missouri with Mr. Sisson.

Mr. Browne of Wisconsin with Mr. Padgett.

Mr. Crowther with Mr. Sullivan. Mr. Anthony with Mr. Cockran.

Mr. Longworth with Mr. Clark of Florida.

Mr. HUKRIEDE with Mr. LOGAN.

Mr. CHANDLER of Oklahoma with Mr. LEA of California.

Mr. Winslow with Mr. Pou.
Mr. Reber with Mr. Fields.
Mr. Patterson of New Jersey with Mr. Lyon.

Mr. Morin with Mr. Thomas. Mr. LAMPERT with Mr. JACOWAY.

Mr. MADDEN with Mr. TAGUE.

VARE with Mr. OLIVER. Mr. DUNN with Mr. GILBERT.

Mr. Begg with Mr. RAINEY of Alabama.

Mr. Strong of Pennsylvania with Mr. Vinson.

Mr. APPLEBY with Mr. DOUGHTON.

Mr. LANGLEY with Mr. HUMPHREYS.

Mr. Ansorge with Mr. Wise,

Mr. Burke with Mr. James of Virginia.

Mr. CRAMTON with Mr. UPSHAW.

Mr. SNYDER with Mr. STOLL.

The result of the vote was announced as above recorded.

A quorum being present, the doors were opened.

#### IMMIGRATION

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 4075, with a Senate amendment, disagree to the amendment, and agree to the conference asked for.

The SPEAKER. The gentleman from Washington asks unanimous consent to take from the Speaker's table the bill H. R. 4075, disagree to the Senate amendment, and agree to the con-Is there objection?

Mr. LINTHICUM. Reserving the right to object, I ask leave to have a telegram read.

Mr. WALSH. I object to any telegrams being read. Mr. LINTHICUM. Then, Mr. Speaker, I ask unanimous consent for one minute to address the House.

The SPEAKER. The gentleman from Maryland asks leave

to address the House for one minute. Is there objection?

Mr. WALSH. Mr. Speaker, I demand the regular order. The SPEAKER. The regular order is demanded. Is there objection?

Mr. LINTHICUM. Mr. Speaker, I object.

#### THE SLACKER LIST.

Mr. JOHNSON of South Dakota. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by inserting the names of the so-called slacker list which has been prepared by the Army and to insert those names from time to time as they come out from the War Department.

The SPEAKER. The gentleman from South Dakota asks unanimous consent to extend his remarks in the Record in the

manner indicated. Is there objection?

Mr. McCLINTIC. Mr. Speaker, reserving the right to object,

I want to ask the gentleman a question—
Mr. SNELL. Mr. Speaker, I demand the regular order.
The SPEAKER. Is there objection? [After a pause.]

Chair hears none.

#### IMMIGRATION.

Mr. JOHNSON of Washington. Mr. Speaker, I move to take from the Speaker's table the bill H. R. 4075, an act to limit the immigration of aliens into the United States, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER. The gentleman moves to take from the Speaker's table the bill H. R. 4075, the immigration bill, with

a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate. The Clerk

will report the Senate amendment.

The Clerk proceeded to read the Senate amendment, Mr. GARRETT of Tennessee. Mr. Speaker, I rise to a question of order.

The SPEAKER. The gentleman will state it.
Mr. GARRETT of Tennessee. Has the gentleman from

Washington made a motion?

The SPEAKER. The gentleman has moved to disagree to the Senate amendment and agree to the conference.

Mr. GARRETT of Tennessee. Mr. Speaker, I do not think that is in order at this time.

The SPEAKER. Why not? The Chair understands that it is a House bill with a Senate amendment, not requiring to be considered by the House in Committee of the Whole.

Mr. STAFFORD. Mr. Speaker, as I heard the reading of the Senate amendment from the Clerk's desk, it strikes out all of the House bill and incorporates in lieu one Senate amendment.

The SPEAKER. In the confusion the Chair was unable to hear the amendment.

Mr. STAFFORD. That is the way I got it from the Clerk's desk. My impression was that it was an amendment that did not require consideration in the Committee of the Whole and so advised the gentleman from Washington, who asked to take the

Mr. JOHNSON of Washington, Mr. Speaker, we are very anxious to get this bill to conference.

Mr. GARRETT of Tennessee. Mr. Speaker, I have no objection to its going to conference, and I hope the gentleman from Maryland will withdraw his objection and let it go to conference.

Mr. LINTHICUM. Mr. Speaker, I have a very important telegram which I desire to have read.

Mr. WALSH. It is not more important than the sending of this bill to conference.

Mr. LINTHICUM. Mr. Speaker, I shall withdraw my objection to the request for unanimous consent.

Mr. JOHNSON of Washington. Then, Mr. Speaker, I shall

put it in the form of a request for unanimous consent. The SPEAKER. Is there objection to the request of the gen-

tleman from Washington to take the bill from the Speaker's table, disagree to the Senate amendment, and agree to the conference asked by the Senate? [After a pause.] The Chair hears none.

The Chair appointed the following conferees on the part of the House: Mr. Johnson of Washington, Mr. Siegel, Mr. Tay lor of Tennessee, Mr. Sabath, and Mr. Raker. Mr. LINTHICUM. Mr. Speaker, I now ask unanimous con-sent for one minute in order that I may have this telegram

read.

The SPEAKER. The gentleman from Maryland asks unanimous consent to address the House for one minute. Is there objection?

Mr. WALSH. Mr. Speaker, I object. The SPEAKER. The gentleman from Massachusetts objects. THE BUDGET.

Mr. GOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (S. 1084) to provide a national budget system and an independent audit of Government accounts, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 1084, with Mr. Burton in the chair.

The Clerk reported the title of the bill.

The CHAIRMAN. When the committee rose two amendments were under consideration, an amendment offered by the gen-tleman from New York [Mr. Rossdale] and an amendment to the amendment offered by the gentleman from Illinois [Mr. WILLIAMS]. The Clerk will report the amendments.

The Clerk read as follows:

Amendment by Mr. Rossdale: Page 7, line 4, strike out "\$5,000" and insert "\$3,000."

Amendment by Mr. Williams to the amendment by Mr. Rossdale: Strike out "\$3,000" and insert "\$2,000."

Mr. GOOD. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in five minutes

The CHAIRMAN. Is there objection.

Mr. MURPHY. Mr. Chairman, I object. Mr. GOOD. Mr. Chairman, I move that all debate upon this paragraph and all amendments thereto close in 15 minutes.

The CHAIRMAN. Debate has been had upon the paragraph. The question is on the motion of the gentleman from Ohio that all debate upon the paragraph and all amendments thereto close in 15 minutes.

The motion was agreed to.

Mr. WOOD of Indiana. Mr. Chairman and gentlemen of the committee, I confess that my faith in the efficacy of the civil-service reform has been considerably shaken since I have been a Member of this Congress. I had long been in favor of civilservice reform. I do not know how best to substitute an improvement for the present régime, but I do know, and I believe every Member of this Congress who has been here for any considerable length of time knows, that the civil-service reform as now administered is a disappointment. [Applause.] One of the men at the head of one of the greatest departments of this Government, who has been occupying his present position for many years, who is a close observer of the practical enforcement of the civil service as applied to his branch of the Government, declares without hesitation that he could get along with at least one-third less men in his division if it were not for the civilservice appointees.

This seems to be the situation generally. Men and women get these places by reason of examination, and after they get them they feel that they are secure so far as the position is concerned; that all they have to do is to do just simply enough work to get by and not violate the regulations sufficiently to be discharged. The result is a destruction of the morale in all departments and an inefficient force of employees, out of which not more than 50 per cent of efficiency is obtained. The question is how to remedy this condition. I confess that I do not know, but I believe that one of the best strokes in favor of a more positions than it is absolutely necessary to make them apply to.

Mr. RAKER. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana, Not now. I would hate to go back to the old system of spoils, to which the Government service was subjected years ago, but something should be done about re-forming the so-called civil-service reform. We are paying \$100 out for \$50 worth of service to the Government of the United States under the system as now administered. What is true in the department to which I have called your attention is likewise true, I dare say, with reference to every department of this Government.

Now, then

Mr. BURROUGHS. Will the gentleman yield?

Mr. WOOD of Indiana. For a brief question.
Mr. BURROUGHS. Is it not true, whether under civil service

or not under civil service?

Mr. WOOD of Indiana. No; it need not be true. I believe that if we had some system whereby the head of a bureau, who is responsible for the output of the work of a given department, would have some latitude, who could say to the people who are working under him, "You shall do a dollar's worth of work for every dollar paid or I will strike you from the list," that would be efficacious. But he can not do it. Criticize them as he may, there is but one way he can get rid of them, and that is to prefer charges of inefficiency, and we all know how hard it is to get rid of them in that way, unless the misconduct is most flagrant. Frequently Government employees are heard to say, I am under the civil-service protection of this Government; get me out if you can." That is the position they occupy; so I say instead of enlarging the thing we should restrict and confine it, if you please, to the smallest possible number. Some may think I am speaking in this vein because of the fact it is more difficult under the classified service to get political appointments than otherwise. That has never entered the equa-tion as far as I am concerned. In the examinations that occur every year before the committee having charge of the legislative, executive, and judicial appropriation bills of this Government witness after witness advise us that the bane of the civil service as it applies now is because of the fact that they can not get the work out of these men and women that they ought

to get out of them. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAKER. Mr. Chairman and gentlemen of the committee,
I am surprised by the remarks of my distinguished friend who has just taken his seat in regard to the civil service. Some

six years ago when the head of one of the departments changed there was an effort then to have those who could not do the work retired. There were some four cases of old men in the service down at the building then on Seventh Street who were retired in the course of about a month. Three of them committed suicide and the other one came back and threatened to do the same. He was retained. A howl went up by the various Members opposed to the department at that time that the civilservice rules were not being complied with and that men and women who had given their life service to the Government were being discharged. The department head said he had not been discharging others because these old men-

Mr. WILLIAMS. Will the gentleman yield?

Mr. RAKER. Not for the present. Now we pass a retirement bill so as to relieve that situation, for those who had given a sufficient amount of service to the end that they might be in a partial way provided for, that only those who were competent and capable of doing the work under the civil service should remain there. Can it be possible now that any head of a department permits it, if the statement by the gentleman from Indiana, my distinguished friend, is correct, that only half service is given, and that the law is violated, and that the department will not exercise its proper function and relieve from the service because of inefficiency men or women who fail to do their work and only do one-half the proper amount? But the trouble is that we find those people now in the civil service who are doing their work and doing it efficiently and properly. There are some who have gone in lately who want to beat out or turn out those who are in the service because they are doing effective and efficient service for the Government.

Mr. WOOD of Indiana. Will the gentleman yield?

Mr. RAKER, I will.

Mr. WOOD of Indiana. It was said in support of the retirement bill that if this became a law it would result in a reduction of the civil-service employees of the Government. has been disclosed that it has not resulted in the discharge of a single person or the retirement or a reduction of the classified force of the Government. In other words, we have a retirement bill now and we have the full quota of clerks.

Mr. RAKER. I will answer that in a moment. I now yield

to the gentleman from Illinois.

Mr. WILLIAMS. The argument the gentleman was making that the civil service tended to induce suicide is the best argu-

ment I have ever heard for this bureau. [Applause,]
Mr. RAKER. I am surprised to hear gentlemen on the other

side clap their hands in favor of a statement like that when a person, man or woman, has given 25 or 30 years of the best of their life to the Government service and no arrangement has been made to take care of them, and they are turned out either on the street or have to go to the poor house. Why, suicide is a thousand times preferable to the hospital or the poor house. What else can the poor devil do except commit suicide?

Mr. ROSSDALE rose.

Mr. RAKER. I want to call attention to the fact that in inquiring of the departments you have to take some of their statements or reduce their force, but they can not reduce the force and do the enormous amount of work that is being done, and I think it is unjust without an inquiry or investigation to say of these splendid young men and young women who are giving this service to the country and the department in which they are working that they are only doing half service in the department. It is not the fact.

Reduction is all right when it can be properly done. not criticize and belittle, though, those who are faithful and are needed. Weed out the ones not needed or who are not working if any such there be, but do not make the general statement that these employees of the Government are only giving half of their time when they are being paid for full This is a very unjust statement. I can not bring myself to believe that the head of any of the Government departments or bureaus are so far forgetful of their duties to permit any such conditions to exist as described by the gentleman from

Indiana.

Mr. GOOD. Mr. Chairman, I fear that some Members of this House fail to comprehend the meaning of the verdict of last November. If that verdict meant that this Congress should legislate a system of economy that would be a great revenue producer, then we must give to the executive branch not a spoilsman's bureau but a bureau that will enable the President of the United States to reach out and call in the experts whom he must have to assist him in making up the budget. [Applause.] This is not the place nor the time for a spoilsman. We are trying to enact a bill that will permit the President of the United States to obtain the very best organization irrespective of the political forces that may be seeking appointment.

Mr. MURPHY. Will the gentleman yield?

Mr. GOOD. For a brief question,

Mr. MURPHY. The gentleman has made the statement that he is trying to have a bill that would place in the hands of the President the power to do certain things, and yet in the bill, in the very first clause, almost, he gives to a \$10,000 man a right to snap his fingers in the face of the President. [Applause.]

Mr. GOOD. The bill provides that the President shall ap-

point the budget officer.

Mr. MURPHY. And he can not remove him, either.

Mr. GOOD. When a man wants to be a spoilsman, the first thing he wants to do is to violate the law. What we are trying to enact here is a law that will give the President of the United States a competent force. I will say to the gentleman that every man that came before the Committee on the Budget, without a single exception, said that unless we made this force one that would be developed and trained under the director and assistant director and would become familiar with the duties of the bureau, we might just as well not attempt to do anything in the way of budgetary reform. Now, Mr. Chairman, how will this force be created? The President will appoint, without regard to the civil service, the director of the budget and the assistant director. The President will then cause to be prescribed rules with regard to an examination that will permit him to get the kind of men he wants, and the kind of men the President wants are the men who have been making a study of State budgets and of the National Government, not men who have been able to control a ward or a county or a State politically, but men who are students of economy. And then it is proposed to offer something to those men so that they will stay in the service and enable them to become really efficient in this bureau.

Mr. ROSSDALE. Mr. Chairman—
The CHAIRMAN. The gentleman from New York is recognized for a question.

Mr. ROSSDALE. I rise in opposition to the substitute to my amendment.

Mr. GOOD. Mr. Chairman, the time for debate is fixed.

Mr. ROSSDALE. But you are taking all the time. [Laughter.]

Mr. GOOD. I am going to exercise my right.

Mr. ROSSDALE. First you fix the time, and then you take

Why do you not give us a chance?

The CHAIRMAN. The 15 minutes provided by the motion have expired. The question is on the adoption of the amendment by the gentleman from Illinois [Mr. WILLIAMS] to the amendment offered by the gentleman from New York [Mr. Rossdale], which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. WILLIAMS to the amendment offered by Mr. Ross-DALE: Strike out "\$3,000" and insert in lieu thereof "\$2,000."

The CHAIRMAN. The question is on the amendment to the amendment.

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. GOOD. Division, Mr. Chairman.

The committee divided; and there were-ayes 26, noes 124. So the amendment to the amendment was rejected.

The CHAIRMAN. The question now recurs on the amendment of the gentleman from New York [Mr. Rossdale], which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. Rossdale: Page 7, line 4, after the word "of," strike out the figures "\$5,000" and insert in lieu thereof the figures "\$3,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.
The CHAIRMAN. The Clerk will read.
Mr. COOPER of Wisconsin. Mr. Chairman, I wish to offer an amendment to the section that we have been considering.

The CHAIRMAN. The gentleman from Wisconsin can offer

the amendment. The Clerk will report it.

The Clerk read as follows:

Amendment by Mr. Cooper of Wisconsin: Page 6, line 17, strike out the word "such," and in line 18 strike out the word "such," and after the word "cffice," in line 22, strike out "as Congress may from time to time provide" and insert, after the word "office," the following: "within the appropriations made therefor."

The CHAIRMAN. The question must be submitted without debate. The Clerk will read the paragraph as it would read if amended.

The Clerk read as follows:

SEC. 208. (a) The director, with the approval of the President, shall appoint and fix the compensation of attorneys and other employees and make expenditures for rent in the District of Columbia, printing,

binding, telegrams, telephone service, law books, books of reference, periodicals, stationery, furniture, office equipment, other supplies, and necessary expenses of the office within the appropriations made therefor.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wisconsin [Mr. Cooper].

The question was taken, and the amendment was agreed to. Mr. ROSSDALE. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD. I want to say those things in the RECORD that I would like to have said if the gentleman from Iowa [Mr. Good] had not said so much.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the Record with a view of setting forth that which he was prevented from saying on

the floor.

ne floor. Is there objection?

Mr. McCLINTIC. Mr. Chairman, reserving the right to ob-

Mr. SNELL. Regular order, Mr. Chairman.
Mr. GOOD. I hope the gentleman will not object.

Mr. SNELL. Mr. Chairman, I demand the regular order. Mr. McCLINTIC. You have a Member on that side of whomwould like to ask a question. So I object, without asking it. The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

The Clerk read as follows:

SEC. 209. The bureau, when directed by the President, shall make a detailed study of the departments and establishments for the purpose of enabling the President to determine what changes (with a view of securing greater economy and efficiency in the conduct of the public service) should be made in (1) the existing organization, activities, and methods of business of such departments or establishments, (2) the appropriations therefor, (3) the assignment of particular activities to particular services, or (4) the regrouping of services. The results of such study shall be embodied in a report or reports to the President, who may transmit to Congress such report or reports or any part thereof with his recommendations on the matters covered thereby.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I approve this bill and shall support it, but I have no hesitation in risking my reputation as a prophet as to results from legislation by saying it will not accomplish all, or anywhere near all, that is being expected of it. This bill will not stop deficiency appropriations, which are the great evil in our governmental expenditures, nor will it stop the department heads from grasping at all that they think they want for their particular divisions. Years ago, when the question of the resumption of specie payments was before this House, somebody said: "The way to resume is to resume." The way to economize is to economize, and not merely to theorize; and that will not be done until this House resumes its prerogative of controlling the expenditures of this Government. This House has that power under the Constitution, and it ought to exercise it, but I venture to predict that after the bill has become a law there will be the same old story of Congress trying to hold appropriations down and the department chiefs trying to keep them up, and this bill will not help us in the contest.

The department expenditures have been controlled largely by the department heads since the European war broke out. This bill will fix some responsibility upon the Executive, and to that extent I think it will be productive of some good. But it will not hold down the department heads; it will not prevent them from going ahead with expenditures which necessitate deficiency appropriations, nor will it strengthen the laws which now forbid the creation of deficiencies. Those laws appear to be insufficient, but if we are to have any real economy these

matters must be controlled by this House.

Let me say this with reference to deficiency expenditures, and I challenge any Member of this House to refute the statement, that in nine cases out of ten if the department heads had been willing to come to Congress and ask for additional appropriations they could have done it in plenty of time to have avoided their deficiency estimates if they were necessary, and this fact shows that the department heads have been deliberately going over the head of Congress instead of coming to Congress when they had the time and opportunity, before the necessity arose for the extra expenditures, to ask for additional appropriations. They have spent the money first and then asked Congress to approve their action, as in almost all cases it became absolutely necessary for us to do. There was nothing else that could be done.

Now, what is necessary? A necessity arises for a general limitation of appropriations, and, in accordance with this budget system, the President and the administration in the first instance must fix and recognize the total amount to be expended. So far I agree with the bill and so far I agree that it will be productive of much good. But unless these men are held down and Congress maintains its right which it has under the Con-

stitution little will be accomplished. Mr. HUSTED. Mr. Chairman, will the gentleman yield? Mr. GREEN of Iowa. Yes.

Mr. HUSTED. Does the gentleman think it is practically

possible to eliminate all deficiencies?

Mr. GREEN of Iowa. Not in time of war, but it would be possible in time of peace to eliminate all of them. In fact, they would be eliminated if the law was complied with. We got so accustomed to the law not being enforced during the war that department heads have since been violating it with impunity. The law forbidding the creation of deficiencies should be enforced, and if it is not strong enough to stop this pernicious practice, which has been costing the Government hundreds of millions of dollars every year, then there is no subject for which there is so much need of congressional action.

The CHAIRMAN. The time of the gentleman from Iowa

has expired.

Mr. STEVENSON. Mr. Chairman, I rise in opposition to the pro forma amendment.

The gentleman from South Carolina is The CHAIRMAN.

recognized.

Mr. STEVENSON. Mr. Chairman, the gentleman who has just spoken [Mr. Green of Iowa] has spoken of the excessive expenses of the Government being largely chargeable to the heads of departments. I think in view of our experience here we should charge some of it elsewhere. For instance, last week we passed the Naval appropriation bill, under considerable protest, carrying \$396,000,000. I note in this morning's paper that on yesterday in another body \$100,000,000 was added to that bill, and I make the prediction here that at least \$75,000,000 of it will stick to the bill when it goes to conference and we finally adopt the conference report.

There are other places where additions are made to these matters besides the heads of departments, and this House frequently lies down and allows another body to add very materially to the burdens of this Government. I hope in this instance it is going to show in conference the backbone not to

submit to it.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. STEVENSON. Yes. Mr. GREEN of Iowa. The gentleman will admit that that \$100,000,000 is not being added without the absolute insistence of the department?

Mr. STEVENSON. Yes; but this House has not yielded to the insistence of the department, while the other body has,

and if we do not look out we shall yield to it.

I notice by the comprehensive statement of the Secretary of the Treasury the other day that we were expected to see expended in the next fiscal year \$1,100,000,000 by the War Department and the Navy Department. We are endeavoring to appropriate for those two departments in this House \$750, 000,000, in round numbers. Now, where are they going to get the money to expend on those two departments if Congress does not provide it? And where will it be added? If we follow the precedents which I have noticed since I have been in the House we are going to submit to the enlargement of the expenditure. It seems to me that when we begin to make these moral lectures here about the heads of departments, we had better apply a little bit of them to the legislative department.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman

yield?

Mr. STEVENSON. Yes. Mr. GREEN of Iowa. I think the gentleman has always

found me cooperating with him along those lines,

Mr. STEVENSON. Yes. But the difficulty is that we merely moralize and do not cooperate in carrying out the moral lessons that we inculcate here. I hope the committee will cooperate [Applause.]

The CHAIRMAN. The time of the gentleman from South

Carolina has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I move to strike out the last two words of the section.

The CHAIRMAN. The gentleman from Tennessee moves to

strike out the last two words of the section.

Mr. BYRNS of Tennessee. Mr. Chairman, everyone must recognize the fact that no law can be passed regulating the manner in which estimates shall be submitted to Congress and considered by Congress and be effective in bringing about economy unless there is behind it the good faith and the earnest intent of the executive department and also of Congress to effect economy.

The gentleman from Iowa [Mr. GREEN] says that Congress must be in earnest in behalf of economy in order that this or any other law may become effective. This bill certainly is an improvement over the existing method of submitting estimates and making appropriations, because now there is absolutely no responsibility fixed by law, with the proper machinery to carry out that responsibility on the part of the Executive or any Cabinet head. This law undertakes to fix upon the President of the United States the responsibility of submitting these estimates in the first place, and I agree with the gentleman from Iowa that unless, after these estimates come forward, Congress itself shows an economical spirit, there will be no economy

I think the departments are not to be altogether blamed for the era of extravagance under which we are laboring. Congress is at fault also, for I remind the gentleman from Iowa that in the last analysis Congress is responsible for all the appropriations that are made. Only on Monday of this week we had an illustration here of duplication and extravagance on the part of this House, and that was with reference to the Reorganization Committee. That Reorganization Committee proposes to reorganize the executive departments. It was called to the attention of the House at that time that this budget bill, which it was proposed to adopt, provided for the regrouping and reorganization of the departments, and that it would work

a duplication.

And yet the joint resolution which was before the House at that time, providing among other expenses for a position paying \$7,500 a year, to be filled by the President of the United States, and to be, as it were, a part of the congressional committee to reorganize the departments, received the support of the gentleman from Iowa [Mr. Green], who now undertakes to criticize the House on account of its extravagance. I submit, gentlemen, that in passing upon these propositions for appropriations, Congress, as the gentleman says, should exercise greater scrutiny and greater economy, and it should be careful not to increase the duplications and to create useless and unnecessary offices at high salaries. I want to emphasize what the gentleman had to say with reference to the importance of Congress scrutinizing these appropriations and exercising greater economy than it has in the past, regardless of whatever law may be passed.

Mr. REAVIS. The Committee on Reorganization, to regroup the activities within the departments, was organized under a resolution passed by the last Congress, for which the gentleman

voted.

Mr. BYRNS of Tennessee. I beg the gentleman's pardon. I did not vote for it. It was passed in December by unanimous consent, and there was no vote. I made no objection to it. I do not know whether I was present in the House at the time. I am inclined to think I was in committee.

Mr. REAVIS. There was no objection on the part of the gentleman, and if there were duplications they came by the

passage of that resolution in the last Congress.

Mr. BYRNS of Tennessee. But the gentleman will recall that he brought up the same resolution in the closing days of the session which ended in June, and that the gentleman made a motion to suspend the rules and pass the resolution, and I made a very active fight against it and the House voted it down at that time. It was called up subsequently in December. I do not know how many Members were present at the time, but it was passed without objection on the part of anybody and within two or three minutes, and without debate, as the record will show.

Mr. ANDREWS. Mr. Chairman, I am opposed to the proforma amendment. Let me call attention to this fact: In the subsequent parts of the bill some important provisions are proposed in regard to an independent accounting system. In that part of the bill we will find the instrumentality for the accomplishment of the things we are complaining about. How can deficiencies arise? Of course, they are overdrafts on appropria-If an appropriation is inadequate to meet a public need a deficiency is bound to follow if the need exceeds the provision. But it is the duty of the accounting officers of the Government to stop payment the very minute the appropriation made by Congress has been exhausted. Mark you, gentlemen, that is one of the important duties of the accounting system. The accounting officers, however, in times past may have yielded to the executive demand for the statement of accounts beyond the limits of appropriations. If they did, they violated their duty under the law. If there is in the law a standing provision authorizing the incurring of an indebtedness, an auditor may state an account to be submitted to Congress for an appropriation to liquidate that obligation. If the appropriation, however, fixes the limit to the incurring of indebtedness, it is the imperative duty of the accounting officer to stop at that limit. Now, when we make provision for an independent accounting system the accounting officers will be emancipated from the executive demand, and right there you will find one of the strong commendations for

Mr. GREEN of Iowa. Will the gentleman yield? Mr. ANDREWS. I yield to the gentleman.

Mr. GREEN of Iowa. The gentleman from his experience no doubt states the law correctly and as I have always understood it; but I am at a loss to understand how all of these deficiencies could be incurred if that provision of the law was followed. It seems to me the law has been evaded or overlooked or not complied with.

Mr. ANDREWS. If the committee will pardon a personal reference, I could cite you to several years of fierce encounters in the department upon this proposition. For a long period of time it was the common practice of many executive branches of the Treasury Department to certify accounts after the appropriation had been exhausted. When that was called to my attention incidentally one day, I called up the whole record in that line of business. I went to the Secretary's office and called attention to the necessity of stopping the payment at that point. Then instructions were issued to the clerks in the office of the Auditor for the Treasury that whenever an appropriation had been exhausted any proposed account in excess of the appropriation should be returned to the Secretary's office or to the branch of the service whence it came with the information that the appropriation set apart by Congress had been exhausted and that there was no further authority on the part of the auditor to state an account. Then the administrative office was left to pursue its own course and assume its own responsibility. If upon its own motion and responsibility it expended more money it would have to come to Congress and make the explanation. That ruling stopped accounts of that character.

The CHAIRMAN. The time of the gentleman has expired. Mr. ANDREWS. May I have five minutes more?

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. HUDSPETH. Will the gentleman yield? Mr. ANDREWS. I yield to the gentleman from Texas.

Mr. HUDSPETH. According to the gentleman's statement the law has been evaded in the past. What assurance can the gentleman give at this time that this law will be observed if the law we already have upon the statute books has not been observed?

Mr. ANDREWS. The Comptroller of the Treasury Department is the officer primarily responsible for every overdraft of that character. There is no escape from that responsibility. I charge here and now that the Comptroller of the Treasury could have stopped every one of those bills if he had been disposed to do it. With an independent accounting system there will be no chance for executive pressure behind him. On the other hand, if he overreaches, Congress can call him to account and pass its concurrent resolution and dispose of him and get somebody who will obey the law.

Mr. STEVENSON. Will the gentleman yield? Mr. ANDREWS. I yield to the gentleman from South Caro-

Mr. STEVENSON. Suppose in cutting off expenditures of that kind he angers Congress. Will he not be in great danger

then of having Congress put him out?

Mr. ANDREWS. Oh, well, we will have to take our chances on that, and so will he; but I venture the prediction that you will not find many men declining the appointment at \$10,000 a year. He will take the risk. But the point is that this bill as we propose it now with an independent accounting system of officers in control of the audit of public accounts will be free from executive authority that in the past has pressed them over the line. That is one of the most practical features of this bill.

But before concluding my remarks I desire to refer to another rovision of the bill. The Senate bill proposes the establishprovision of the bill. The Senate bill proposes the establishment of a bureau of the budget in the Treasury under the general supervision of the Secretary of the Treasury and the specific direction of the President. The House bill proposes an independent budget bureau under the immediate supervision and direction of the President. Under the terms of the House bill the President will be required to give his personal con-sideration to the organization, direction, and work of the bureau.

It is argued by the chairman of the committee that it would be unwise to place the bureau under the Secretary of the Treasury, because of the vast amount of work imposed upon him by the Customs Service, the Internal-Revenue Service, the Public Health Service, the Bureau of War Risk Insurance, and all the other agencies of the Treasury Department. For those reasons it is asserted that the Secretary of the Treasury would find it impossible to give proper time and attention to the bureau of the budget. It is a frightful flight of imagination to assume, however, on the other hand, that the President has

more time to superintend the work of the budget than the Secretary of the Treasury could find. It will be recalled that the Secretary of the Treasury has only one department to superintend, while the President has all the departments of Government under his supervision and then many other things beside.

I am confident that the budget bill could be administered just as efficiently under the Secretary of the Treasury, with the general direction of the President, and that it would be far more economical than it would be as an independent bureau.

For these reasons I earnestly hope that in the final decision of the conferees the Senate plan will be adopted and that the bureau will be established in the Treasury under the supervision of the Secretary of the Treasury.

Mr. STEVENSON. Mr. Chairman, I withdraw my pro forma

amendment.

Mr. BLANTON. Mr. Chairman, I offer the following amend-

The Clerk read as follows:

Amendment offered by Mr. Blanton: Page 7, line 14, after the word "changes," strike out the language "With a view of securing greater economy" and insert in lieu thereof the following: "economy is a thing impossible with Congress."

Mr. BLANTON. Mr. Chairman, when the President of the United States sent word that he was going to stop deficiencies and directed that the most rigid economy be practiced, I had some hope that there would be economy. But after reading the headlines in the Washington newspapers this morning I think that we who hoped for economy may as well throw up

our hands and stop working for it.

When I took up the Post this morning about the first thing I saw in big headlines was "Focht would give city \$100,000,000." As soon as I saw that I said, "Bully for Focht, he is the most generous, magnanimous man I have heard of in a long time." Then I picked up the Herald and learned that it was not his own money he was going to give, but some one else's money. In the Herald it quotes our friend, Mr. Focht.

With me the sky is the limit to make Washington the greatest city in the world, and I would spend \$800,000,000 to make it surpass the olden cities of the Nile, the famous metropolis of Egypt and India, and rival ancient Nineveh.

Then I discovered that the \$800,000,000 was coming not out of his own pocket but out of the Public Treasury, out of the people's money. I turned back to the Post again and read more of what the gentleman said. You remember the old saying "before and after taking," and "Phillip drunk and Phillip sober"; that is what I was reminded of. Because our friend from Pennsylvania, chairman of the District Committee, when he was undined the papers quoted him as saying that there was no \$5,000,000 surplus in the Treasury to the credit of the District, but that same was a myth.

But after the banquet last night and after being dined, if not

wined, as reported by the Post, he says this:

The sky is the limit, so far as I am concerned. I come from Pennsylvania where we are accustomed to spend money. Representatives from Pennsylvania are not in the same position with people who come from the jack-rabbit sections of the South and some parts of the West, where there is not much money.

[Laughter.]

He says that he is used to spending money and therefore he would give the District \$100,000,000 for schools and spend \$800,-000,000 here in a way that would make the Babylonian king if he could rise up envious of the hanging gardens he would place in Washington. [Laughter.] But why should he jump on the jack-rabbit sections of the South and West? Why, a short time ago the people of my home city, with officers of the Christian Church, matched dollar for dollar and raised a substantial sum to build a magnificent Christian college there. Years ago the enterprising business men of my home city helped the officers of the Baptist Church raise a substantial sum of money to build a magnificent Baptist college in my home city. A few weeks ago these same citizens of my home town matched dollar for dollar with the officers of the Methodist Church, and raised the required sum of money, and they are to build a magnificent Methodist college in my home city. But it was their money that they donated, and they took it out of their own pockets. They were spending their own money.

The CHAIRMAN. The time of the gentleman from Texas

has expired

Mr. BLANTON. Mr. Chairman, I ask for three minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection. Mr. BLANTON. He says that the Representatives from Pennsylvania are used to spending money, but that the people from the jack-rabbit sections of the South and West are not used to

it, and yet less than six months ago a splendid young man from my district, Mr. C. M. Caldwell, of Breckenridge, Tex., who is younger than the gentleman from Pennsylvania, and who when he started out at 21 years of age was not worth \$500, out of his own money, every dollar of which he made himself, he contributed in one lump sum \$100,000 cash to a school in his district. And yet they are not used to spending money in the jack-rabbit sections! [Laughter.] Why, you could take the whole State of the gentleman from Pennsylvania, who is willing to spend \$800,000,000 of the people's money from the Public Treasury so readily and easily, with the blue sky as his limit, you could take his great State and hide it in the great jumbo district of Texas, which I used to represent, but which is now represented by my friend from Texas, Mr. Hudspeth. [Laughter.] Oh, they are big-hearted people who live out there. But they spend their own money. There may be jack rabbits there, but listen; these jack rabbits are not bad at all; there are other animals over the country, even in Pennsylvania, where they raise some almost as long eared as these jack rabbits. [Laughter.] I will tell you, gentlemen, why he is used to spending money so freely. Now, he is my friend, and I like him. I am glad to serve under him on the committee. He presides over it with great dignity, but I will tell you he has been sucking the public teat in public office for 19 long years. It is public money that he has been spending and not his own private We fellows from the jack-rabbit districts of the South and West are used to spending our own money freely and generously, but when we spend the people's money out of the Public Treasury we are very careful about it. We do not handle it in \$800,000,000 lots. [Laughter and applause.]
The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman

from Texas, which the Clerk will report.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent to

withdraw the amendment.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection. The Clerk read as follows:

SEC. 302. There shall be in the general accounting office a comptroller general of the United States and an assistant comptroller general of the United States, who shall be appointed by the President, with the advice and consent of the Senate, and shall receive salaries of \$10,000 and \$7,500 a year, respectively. The assistant comptroller general shall perform such duties as may be assigned to him by the comptroller general, and during the absence or incapacity of the comptroller general, or during a vacancy in that office, shall act as comptroller general.

The CHAIRMAN. The Clerk called the attention of the Chair to the fact that there is an obvious error in line 24 on page 10. The language reads "with the advice and consent to the Senate." Evidently the word "to" should be "of."

Mr. GOOD. Mr. Chairman, I ask unanimous consent that the word "to" be stricken out and the word "of" be inserted in

lieu thereof.

The CHAIRMAN. Is there objection?

There was no objection. The Clerk read as follows:

The Clerk read as follows:

SEC. 303. The comptroller general and the assistant comptroller general shall hold office during good behavior, but may be removed at any time by concurrent resolution of Congress after notice and hearing when, in their judgment, the comptroller general or assistant comptroller general has been inefficient, or guilty of neglect of duty, or of malfeasance in office, or of any felony or conduct involving moral turpitude, and for no other cause and in no other manner except by impeachment. Any comptroller general or assistant comptroller general removed in the manner herein provided shall be ineligible for reappointment to that office. When a comptroller general or assistant comptroller general attains the age of 70 years he shall be retired from his office.

Mr. JOHNSON of Mississippi. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. Johnson of Mississippi: Page 11, live 6, after the word "office." strike out "during good behavior" and insert in lieu thereof the following: "for seven years."

Mr. JOHNSON of Mississippi. Mr. Chairman, every student of political economy and every business man of this country realizes the need of a budget system by this Government. The waste and extravagance practiced in the past has shocked the country. I am anxious to see a budget system adopted by this Government, but I am unwilling to violate the spirit of this Republic and the spirit of these times by creating an office carrying a salary of \$10,000 a year and giving life tenure to the officer. That is what this bill provides among other things. My amendment proposes to strike out "during good behavior,"

which means a life tenure for the officer, and insert in lieu thereof "seven years."

When this Government was established and our Constitution adopted, the makers of the Constitution provided that the

Federal judges should hold office during good behavior. reading of the history of the Constitution will disclose the fact that such a provision was incorporated by agreement. The real sentiment of the convention was against giving any man office for life, but in order to bring about the adoption of other provisions of the Constitution, the opponents of the life tenure for Federal judges agreed to accept, by way of compromise, the provision which made the Federal judges appointive during good behavior. Never since then has the Congress of the United States given life tenure to any officers.

It has been argued that unless we make this office appointive for life, or during good behavior, that the officer will be subject to undue influence—that he will not do his duty. My answer to that is if a man is dishonest, life tenure in office will not make him honest. If he will not do his duty holding office for seven years, he will not do his duty if he is allowed to hold office for Under the provision of my amendment, the appointee to the office you are about to create will hold all during this administration and three years of the next administration, which would give the administration succeeding this administration opportunity to learn of the efficiency of the occupant of

We, as the servants of the people of this country, should voice their sentiments in passing upon this important question. You know that there is not a man in this House whose constituency would approve the creation of an office that would allow any man to hold it for life. Let us vote the will of the people. Let us adhere to the teachings of that great leader of Democracy, Thomas Jefferson, who did not believe in special privileges and who was unalterably opposed to life tenure for officers.

I trust you Congressmen will have the courage to vote your sentiments and the sentiments of your constituents, and ignore

the party bosses. [Applause.]

Mr. GOOD. Mr. Chairman, this provision as carried in the bill is the same provision carried in the bill vetoed by the President. Although the last Congress was Republican in political complexion it brought out a bill that permitted the President of the United States, who was then of the opposite political faith, to appoint this official, and he would have been appointed for life. Every man who came before the committee pointed to the fact that this office is a semijudicial one, that to execute it well would require a man who was familiar with the laws of the United States, familiar with the decisions of the Comptroller of the Treasury, and a man who had an intimate knowledge to some extent of the accounting in the departments. Simply because there has been a change in the political complexion of the Executive seems to be no good reason to change the situation with respect to this office.

Mr. JOHNSON of Mississippi. Mr. Chairman, will the gen-

tleman yield?

Mr. GOOD. In a moment. I am afraid that the gentleman's amendment would very seriously hamper efficient execution of

Mr. JOHNSON of Mississippi. I want to say to the gentleman that I voted against this bill for the reason that I have given for voting against it to-day. If this provision stays in the bill, I am opposed to it, whether it be advocated by a Democratic or a Republican House. This is a matter that ought not to be political or partisan.

Mr. GOOD. I agree with the gentleman, and for that reason we believe that the office is something like that of a judge of a Federal court. In order to attract a man to take this office, we must hold out something more than a tenure of office of four or

seven years and then retirement.

Mr. CONNALLY of Texas. Mr. Chairman, will the gentleman yield?

Mr. GOOD.

Mr. CONNALLY of Texas. We have heard a great deal about the benefits that are to accrue from this bill and the economy to be effected. Has the gentleman from Iowa ever heard anything against the present Comptroller of the Treasury on the ground that he had paid claims that ought not to be paid? Has not all of the complaint been that he failed to pay claims that somebody thinks ought to be paid?

Mr. GOOD. I do not know about the complaints that have been made about him. I think he has been a very efficient man. I think under the present law you could not find a man who would have executed that office more strictly than he has. think, however, if you will go to the present Comptroller of the Treasury and ask him whether or not under the present system embarrassments do not come to him right along, that he will be forced to admit that that is true; that the system is wrong; and I say that without reflection upon anybody who has ever held the office.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. KNUTSON. Is it not a fact that if the amendment offered by the gentleman from Mississippi be adopted it would defeat the very thing that he is trying to accomplish?

Mr. JOHNSON of Mississippi. Why?

Mr. KNUTSON. The amendment would throw the office into

politics rather than to take it out of politics.

Mr. JOHNSON of Mississippi. I provide tenure of office

which takes it over the present administration.

Mr. KNUTSON. Whereas if we keep him in during good be-

havior

Mr. GOOD. The framers of the bill, I think, without a single exception were convinced that the assistant comptroller would grow into the position of comptroller when the latter retired. The office would then be filled by a man who would know the statutes and who is familiar with the very numerous decisions under them. I hope the amendment will not be agreed to.

Mr. NORTON. Mr. Chairman, I am very much in favor of this amendment. You have a bill here that will give general Mr. Chairman, I am very much in favor of satisfaction throughout the country with one single exception, this section. Why is it now, for the first time since the adoption of the Constitution, that anybody has the nerve, I will say, to propose a perpetual office? It has never been done before in any Congress, and now you have reached the point when the American people will not stand for it. It is well known that every organization in the United States that ever questioned the matter is unanimously opposed to perpetual office, they are against life office. Even life tenure for members of the Supreme Court would not be adopted if the people could vote on it to-day, and you know it.

Mr. WILLIAMSON. Mr. Chairman, will the gentleman yield? Mr. NORTON. I can not now; my time is too limited. If it had not been for Jeffrey, it would never have gone into our Constitution, but it went in for the reason that the people wanted to make the judiciary independent. They were afraid of Jeffrey. I want to say to you gentlemen the time has not come for a change. A few people appeared before this committee and said so, but I have no hesitancy in saying at least 19 men out of 20, and I believe 99 out of 100, if they had a chance to vote on this, would vote no. The people of the country are against perpetual office, and everybody knows it. Why, every labor union and every other class of people are opposed to it all over the country. I tell you people from the country you do not hear from them, but I want to say to you they are unanimously against it. You can not find a man from the city who is in favor of it, or among the general class, nor laboring men, and even the farmers are opposed to these things. Gentlemen, the time has not come for this kind of legislation. You are all anxious to get your name in the Record under extension of remarks. I will ask what man under extension of remarks will put in his speech the fact that he is for perpetual office in the United States? You are all getting in on the budget system. You all want to be economical, and you speak five minutes and get a speech a half an hour long in the RECORD and send them out by the hundreds and thousands. That is the economical part of it. I want to say to you gentlemen not a single man extending his remarks will ever do such a thing as to say that he is for perpetual office in the United States.

The people even went so far as to change the election of Senators so that even the legislatures could not elect them. state you want to fix the responsibility on the President, and for that reason you substituted this bill as a substitute for the Senate bill. It was right and proper. Somebody should be responsible, and the man who should be responsible is the President of the United States and the substitution of the bill was right. But it is not right to say that somebody shall hold this office eternally. The time has not come for it, and I want to say to the gentlemen on the other side of the House, if they did not know that this is going to be Republican legislation they would take the same position that their President took and say, "We will not make any office perpetual." They know the Republicans are going to be responsible for this legislation. They know that they have got to go to the public with it and have to be responsible for it, hence they can all vote for it now; but I want to say to you one and all, you men who are Republicans, everybody on this side of the House, you have come here with a bill that the people want, a budget system, and every-body is in favor of it, yet with that one paragraph you have done more to kill the bill and make it the worst legislation that can possibly be passed by this Congress.

The CHAIRMAN. The time of the gentleman has expired. Mr. HUSTED. Mr. Chairman, I move to strike out the last

word. Mr. Chairman, I rise to ask the chairman of the committee a question, if he will be so kind. The life tenure propo-

sition in this bill would not worry me any if we could be sure of getting the right sort of man to execute this office. It occurred to me there might be some danger if we were unfortunate enough to have a man in office under a life-tenure provision who was not quite equal to the job. It might be difficult to get rid of such a man. I suppose that has been carefully considered?

Mr. GOOD. It has. I will say to the gentleman that that was one of the things we considered perhaps as much as any one proposition in the bill. Now, it is not a life tenure. He can not hold office after reaching the age of 70 years. He can not hold office a moment after Congress has by concurrent resolution determined that he has been inefficient or guilty of neglect of duty, or of malfeasance in office, or of any felony or conduct involving moral turpitude. This officer is to be the arm of the Congress. When he fails to do that work in a strong and efficient-way, in a way the Congress would have the law executed, Congress has its remedy, and it can reach out and say that if the man is not doing his duty, if he is inefficient or guilty of any of these other things, he can be removed.

Mr. HUSTED. I realize that, but you have to make out a pretty good case against the man in order to get rid of him. This has occurred to me. Suppose some man was developed in the country with peculiar qualifications for this kind of work and we would like to avail ourselves of his services because he possessed special fitness for it. I wondered if under this life-tenure provision it would not be very difficult to get rid of the man we had in this department unless he demonstrated decided

Mr. GOOD. On the contrary, I think the man who executes this office will at all times have to demonstrate considerable fitness for the job. Suppose you have the office for seven

Mr. HUSTED. I was not speaking of the 7-year provision. Mr. GOOD. Take the alternative. Suppose the man who is appointed is unfit for the work altogether. Are you going to hold him there for seven years? Not at all. He ought not to be permitted to stay there at all, but if you put in a term, what will happen?

The Presidents would always treat the place as a political appointment, and that is exactly what we try to get around. It

ought not to be considered a political place at all.

Mr. HUSTED. I quite agree with that. Mr. KNUTSON. Mr. Chairman—

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn.

Mr. KNUTSON. Mr. Chairman, I move to strike out the last two words

The CHAIRMAN. The gentleman from Minnesota is recog-

Mr. KNUTSON. Mr. Chairman, I voted for this bill in the Sixty-sixth Congress, and it contained identically the same provision as does this one. I was willing that President Wilson should appoint the comptroller general, as I am willing that President Harding shall do now. I believe the committee in drafting this bill was actuated by a desire to remove this office from politics; but if the amendment proposed by the gentleman from Mississippi [Mr. Johnson] is adopted, we are going to throw it into politics and you can not get away from it. The gentleman says that no man should hold this position for more than seven years. It will take him four years to familiarize himself with

Mr. JOHNSON of Mississippi. If it will take him four years to become competent, where will this Government be in four

Mr. KNUTSON. I mean to thoroughly familiarize himself with the duties of this office. I am not speaking of competency, but of his becoming thoroughly familiar and knowing exactly what to do.

Now, take the clerk of the Committee on Appropriations, Mr. Shields. He holds over, no difference whether the Democrats are in control or the Republicans. Why? Because he is efficient and knows his business. [Applause.] We have taken the clerk of the Appropriations Committee out of politics, and why should we not keep this position out of politics? There is no justification at all for the amendment proposed by the gentleman from Mississippi. The adoption of the amendment will defeat the very thing that the gentleman is trying to avoid. Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. KNUTSON. For a question.
Mr. JOHNSON of Mississippi. The gentleman compares the Appropriations Committee clerk to this place. Does not the gentleman know that the Appropriations Committee clerk can be removed by a word from the chairman? Mr. KNUTSON. Absolutely. I am aware of that.

Mr. JOHNSON of Mississippi. Then you do not think that is an analogous case, do you?

Mr. KNUTSON. Very much so.

Mr. BLANTON. Will the gentleman from Minnesota yield for a question?

Mr. KNUTSON. I think it is very similar. Mr. BLANTON. Will the gentleman yield for a question?

Mr. KNUTSON. I yield if the gentleman wishes to ask a

Mr. BLANTON. If the amendment of the gentleman should be adopted, why, the seven-year period would expire when the President would be out of office; and, according to the gentleman's idea, he would reappoint-

Mr. KNUTSON. Seven years from now Mr. Harding will be President, and he doubtless would reappoint the same gentle-

Mr. BLANTON. I say he would reappoint him for another seven years. Then, why should the gentleman object to seven years?

Mr. KNUTSON. He may appoint him for another 7 years, and in 14 years there might be a Democratic President, although I do not apprehend we will have a Democratic President for 50

Mr. BLACK. Mr. Chairman, I agree with the statement, as I am sure we all agree, that the comptroller general should not be a political office. I do not think the proposed comptroller general should be any more of a political office than membership on the Federal Reserve Board should be a political office. Both classes of officials have very important duties to perform, which are strictly nonpolitical, and they should be entirely removed from politics. But while that is true, we have not given the members of the Federal Reserve Board a life tenure in We have limited their term to 10 years, and I am not sure but that a term of 7 years would be better. There is now a bill before the Banking and Currency Committee which seeks to lengthen the term to 12 years. As a member of that committee, I do not mind saying that I am irrevocably opposed to the lengthening of the terms of office of the members of the Federal Reserve Board. I think these strictly nonpolitical officials should be appointed for a reasonably long term of office, but I do not think the term should be so long as to practically amount to a life tenure.

Now, suppose we adopt this bill as now written? We say that the comptroller general shall hold office during good behavior, and that he can be removed only in one way, and then only for certain specified causes. The way is by a concurrent resolution of Congress

Now, we very well know that frequently the Senate has one mind about a thing and the House of Representatives has another mind about the same thing. Now, suppose after the comptroller general gets in office, and after he has served a while, the Committee on Appropriations of the House of Representatives should become convinced that he is inefficient and would like to remove him; suppose the Committee on Appropriations of the Senate thinks that he is doing good work and is efficient and opposes removing him, how will you get rid of him? Looks to me like in a situation of that kind he would be a permanent fixture.

Mr. LONDON. Does it not lie within the power of Congress to deny an appropriation for the salary of a man at any time? Mr. BLACK. Yes. The gentleman from New York is right about that; but we do not want to adopt that method of dealing with the situation. A resignation could probably be forced in the manner that Mr. London suggests. But a better way is to have a term of office reasonably limited, and then if the official proves to be competent and efficient reappoint him. In my judgment, a man who is afraid to do his duty because he is afraid of public opinion or political influence would be just about as afraid of that influence in a permanent tenure of office as he is in an elective tenure of office. In other words, if a man has the backbone to make a good official, he will make it regardless of public opinion or political influence. If he has not got it, he will not do much good, regardless of how long you keep him in office.

Mr. Chairman, I think it is a serious departure for us to undertake to create offices to hold during good behavior, even in unusual cases, such as we are now considering.

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. BLACK. I yield to my good friend.
Mr. CONNALLY of Texas. Would not the fact that this officer holds his tenure practically at the will of Congress make him susceptible to the very influences which the gentleman from Iowa [Mr. Good] says he is susceptible to now, and that Members of Congress would be pleading with him to pay claims that he would not otherwise pay? Would he not do things and accede to them because he knew that Congress could remove him whenever it wanted to?

Mr. BLACK. Yes; he would do that very thing, in all probability, if he should turn out to be a man susceptible to political influences; but as a further answer to that inquiry, I will repeat just what I said a little while ago: My belief is that if a man is an honest official, if he is an official with backbone, he will do his duty regardless of the length of his term of office, and he will not need life tenure to bolster him up in doing it; and if he is not that kind of material he will make a failure, and under the terms of this bill might be very hard to get rid Therefore I will vote for the amendment by Mr. Johnson limiting the term of office of the comptroller general to seven years.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I am as much opposed to life tenure in office as any man in this House, and I do not think there is any other position which could be created. certainly none that I now can think of, for which I would vote for a term of office such as is provided in this bill.

Let me emphasize the fact that this is not a life tenure. Under the terms of this bill the comptroller general is appointed to serve during good behavior unless he is removed by concurrent resolution of Congress, after notice and hearing, for inefficiency or neglect of duty or malfeasance in office or any felony or conduct involving moral turpitude, so that it is not,

strictly speaking, a life tenure.

The gentleman from Texas [Mr. Black] says that we do not give the members of the Federal Reserve Board a life tenure of office. That is true, and I agree with him. I am not in favor of increasing their term of office. But this is an entirely different proposition, and I hope gentlemen will distinguish this particular office from that of the director of the budget, who serves the President and who is the personal representative of the President. The comptroller general is the representative of Congress. He does not represent the Executive in any sense of the word, and the whole idea of the Budget Committee was to make him absolutely and completely independent of the Executive, [Applause.] The idea was to make him independent of the appointing power of any Executive who may hereafter follow

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. BLACK. I have a question I wish to ask the gentleman, The question I propose to ask is, Would this be very different

from the removal of a Federal judge?

Mr. BYRNS of Tennessee. Of course, this official, even under the terms of this act, would be subject to impeachment. But that is another process, and we felt that this man should be brought under the sele control of Congress, so that Congress at any moment when it found he was inefficient and was not carrying on the duties of his office as he should and as the Congress expected, could remove him without the long, tedious process of a trial by impeachment.

Mr. CLOUSE. Mr. Chairman, will the gentleman yield?
Mr. BYRNS of Tennessee. Yes.
Mr. CLOUSE. The gentleman being a member of this committee, I would like to ask him whether or not the language used in this act which relates to the removal of this officer means that he can be removed only by a concurrent resolution of Congress for certain acts of misconduct involving moral turpitude, or for malfeasance in office, or inefficiency, and for no other cause, and in no other manner except by impeachment? Should the House and Senate fail to agree in his removal, would any of the causes enumerated here as sufficient grounds for Congress to remove him be available under an impeachment proceeding?

Mr. BYRNS of Tennessee. Yes. I think clearly they would be, if in the judgment of the Senate it felt that the evidence presented by the House was sufficient to remove him by way of impeachment. In other words, I do not think the Senate would be estopped in event of impeachment proceedings.

Mr. CLOUSE. That is, if the House should not concur with the Senate, the Senate would nevertheless have the power to impeach him, and for the same reason that the House advanced?

Mr. BYRNS of Tennessee. The House, of course, would have to originate the impeachment proceedings and present them to the Senate, and then it would rest with the Senate whether or not he should be removed, just as in the case of any other impeachment trial.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield for

brief question?

Mr. BYRNS of Tennessee. Certainly.

Mr. ANDREWS. If I understand the gentleman's contention correctly, it is this: That the removal by the concurrent resolution is by no means intended to destroy the power of impeachment?

Mr. BYRNS of Tennessee. By no means. But it gives a quicker and less expensive method to get rid of an inefficient servant if the comptroller general should prove inefficient or be guilty of malfeasance or other acts justifying his removal.

Now, the comptroller general, under the terms of this bill, does not expend appropriations, as was suggested by a colleague a few minutes ago. He has absolutely nothing to do with the expenditure of the appropriations made by Congress. He audits the expenditures. He acts as the auditor for Congress, to see that the appropriations made have been expended properly and honestly and in accordance with the intent of Congress as expressed in the appropriating act.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield

Mr. BYRNS of Tennessee. Yes, Mr. ANDREWS. At that point would not the comptroller general be necessarily, as the head of an administrative establishment, the administrative officer for the payment of the officials in his establishment?

Mr. BYRNS of Tennessee. Yes; the gentleman is entirely

correct in that.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent for three minutes more.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to proceed for three minutes more. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. Now, Mr. Chairman, whenever you undertake to limit the term of the comptroller general as suggested and to provide that he shall have to be reappointed by the President in seven years, you do that which the committee hoped would not be done. You deprive him of independence and make him subject, to some extent at least, to influence on the part of the Executive. In other words, if he knows that he has got to come to the Executive for his reappointment there will necessarily arise in his mind the necessity of not "getting in bad," so to speak, with these departments, and his usefulness may be impaired. The committee hoped to make him independent of that sort of influence, so that when he came to audit the expenses he would be free in the fullest sense to audit them in accordance with the intent and purpose of Congress, and would know that in this way he would guarantee his tenure in office for the time stated in this bill. That was the whole object that the committee had in mind, and I hope the House will vote down this amendment,

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Certainly.

Mr. KNUTSON. The object of the committee was to so fix the law that it would not be necessary for the comptroller general to cater to the executive departments?

Mr. BYRNS of Tennessee. Yes; the gentleman has stated it in a nutshell. It was to take this office out of politics. You will not take it out of politics, you will not protect him from political influence, unless you adopt the provisions in this bill.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. CANNON rose.

The CHAIRMAN. The gentleman from Illinois is recog-

Mr. CANNON. Mr. Chairman, efficiency in important places is and ought to be a reason for permanency of service. I doubt if we would ever be called upon to pass a concurrent resolution where a man was efficient. I want to detain the House for just a few minutes. When John D. C. Atkins was made chairman of the Committee on Appropriations, in 1878, we then had an A 1 efficient clerk to that committee, who had held the position for nearly 20 years. He was aging, and Mr. Atkins brought from the State of Tennessee a young man by the name of Courts and made him assistant clerk, or rather the committee made him assistant clerk at the request of Mr. Atkins. In the course of time the old clerk died and Mr. Courts was appointed his successor, and he was so efficient and satisfactory that although the majority in Congress changed from one side to the other every few years, he remained the clerk of the Committee on Appropriations for many years, until he finally died in office. I will not mention any name, but in 1880 a man became chairman of the Committee on Appropriations, and he brought down a man and wanted to appoint him as clerk to the committee. I antagonized his appointment. I had no objection

to his being assistant, but I objected to his appointment as clerk, because I knew of the efficiency of James C. Courts. made the contest that we would elect the clerk. Although he was a Democrat, we did elect him by a majority. Later on in his life, when Mr. Courts's health was beginning to fail, Mr. Tawney brought down a young man from Minnesota and appointed him assistant, and on the death of Mr. Courts he was appointed clerk; and I want to say that there never was a more valuable clerk or a more valuable public official than the present clerk of the Committee on Appropriations, Mr. Marcellus C. Sheild. Since that time the Democrats have come in and gone out, but if then or at any other time any man had proposed a new name for clerk of that committee he would not have had any success. At one time William S. Holman brought here a young man and appointed him assistant clerk, when he was chairman of the Committee on Appropriations. In the fullness of time the Senate needed an assistant to the efficient clerk who had been there for a quarter of a century, and when he died the assistant who had been taken from the House committee, Mr. Kennedy F. Rea, was appointed clerk of the Senate Committee on Appropriations. He is there to-day, and his efficiency is so well known and well recognized that no matter whether the Senate is controlled by Democrats or Republicans, he will retain that clerkship as long as he remains efficient, which I hope

may be for a very long time.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. CANNON. In a moment I will yield. I recollect that once during an exciting session of the House a gentleman whose name I will not recall obtained the floor late one night and made an attack upon myself. He said the clerk of the Committee on Appropriations had made the reputation of every chairman of that committee, whether he was a Democrat or a Republican, and I just replied in a single sentence and said, "That is so. The clerk is efficient. I wish to God somebody would hire an equally efficient clerk for the gentleman who has just made the attack on me." [Laughter.] Now, I believe that

a man who becomes efficient in a place like this ought to have a long tenure.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. KNUTSON. I ask unanimous consent that the time of

the gentleman from Illinois be extended five minutes.

The CHAIRMAN. Unanimous consent is asked that the time of the gentleman from Illinois be extended five minutes. Is there objection?

There was no objection. Mr. CANNON. I want to say that seven years is too long for an inefficient man and is not long enough for a man to remain in office who is efficient to start with. A man would have to be fairly efficient to start with before he could hold this position, and whatever party may be in power in Congress, if the comptroller has proved his efficiency by his service, there will be no necessity for a concurrent resolution; but if from disease or otherwise he becomes inefficient, the removal will be made and we will get an efficient man. Now I am glad to yield to the gentleman from Mississippi.

Mr. JOHNSON of Mississippi. The gentleman has stated practically what I wanted to ask him, but does he not recall that the Ways and Means Committee has retained a Democrat as clerk, at a salary of \$6,000 a year, because of his efficiency?

Mr. CANNON. Precisely. Mr. JOHNSON of Mississippi. Now, does the gentleman think it is necessary to appoint a man for life or during good behavior in order to get an efficient man, and keep him after you get him? I have great respect for the gentleman's opinion, and that is the reason I ask the question.

Mr. CANNON. There are times when the American people might demand the removal of some man holding this position, but I doubt if he would be removed by concurrent resolution,

provided he had made good.

Mr. JOHNSON of Mississippi. Who is to say whether he has made good or not? If this House should decide that they wanted him removed he would be removed. There is no doubt about that. The Constitution provides for impeachment and that the Senate shall try the impeachment charges. The House might vote impeachment, to be tried by the Senate, or they might pass a concurrent resolution. Suppose the Senate should not agree to the concurrent resolution, or suppose the Senate should want to put him out and the House did not? In such a The House would not pass case the Senate would be helpless. the concurrent resolution, and the House would not pass the resolution of impeachment.

Mr. CANNON. There have been many Federal judges impeached by the House, but rarely has a conviction been had in the Senate. It takes a long time to try a man in impeachment,

with the Chief Justice presiding. The passage of a concurrent resolution by the House and Senate is a more speedy remedy to get rid of an incompetent or inefficient man, whether he becomes inefficient through age or otherwise. [Applause.]
Mr. DENISON rose and was recognized.

Mr. GOOD. I ask unanimous consent that the debate on this amendment close in five minutes.

The CHAIRMAN. Unanimous consent is asked that the debate on this amendment close in five minutes. Is there objec-

There was no objection.

Mr. DENISON. Mr. Chairman, I am opposed to the amendment, and am in favor of this part of the bill as reported by the committee. I think it as desirable that we have an independent comptroller general as it is that we have one who is honest and competent. If we are to have an independent comptroller general, it seems to me it is necessary to let him hold his office during good behavior and be entirely inde-

pendent of the political prejudices of anyone.

Mr. Chairman, I believe the gentleman from Ohio [Mr. NORTON], in speaking a while ago on this proposition, made the statement that there was no one in the House who would be willing to state here that he is in favor of life tenure for any official at this time. He also made the statement that if the Constitution of the United States were to be rewritten no one would now favor the provision for life tenure of judges. also made the statement, I think, that that provision of the Constitution was long since out of date. For fear that some one might take that statement of the gentleman from Ohio seriously and that if no one replied to it it might be taken as an acquiescence in the accuracy of his statement, I want to say, for one, that I believe one of the soundest provisions of the United States Constitution is that of life tenure for Federal [Applause.] And if the Constitution were to be rewritten to-day I think it should be written in that particular just as it has always been. I think if the Republic is to be preserved there is no provision in the Constitution that will contribute more to insuring its preservation than the provision for an independent judiciary whose tenure of office is during their good behavior. [Applause.]

But there is one provision in this part of the bill about which I want to ask the chairman of the committee a question. Section 303 provides that the comptroller general may be removed at any time by concurrent resolution of Congress, and so forth, when he has been inefficient or guilty of neglect or malfeasance in office. I have been wondering whether or not if the one who is appointed comptroller general for life or during good behavior should become incapacitated from performing his duties properly by reason of ill health-whether that would be included in the term "inefficient." I think there ought to be some provision for removing him where he has become unable to perform the duties of his office by reason of ill health. He ought not to be allowed to continue to hold the office and draw the large salary if he should become permanently incapable of performing the duties of the office by reason of ill health. Would the word "inefficient" cover a case of that kind?

Mr. GOOD. It was the opinion of the committee that it would; that in case he could not perform the duties of his office in an efficient way, whether by ill health or lack of ability or anything amounting to inefficiency in the performance of his duty-in our opinion that would embrace the situation.

Mr. DENISON. I am glad to know that the committee gave consideration to that, but it seems to me the most efficient man that could be found might be in ill health and unable to go on properly with his duties, even though his mental efficiency was unimpaired.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. GREENE of Vermont. Do you not want the word "incapacitated" added to the word "inefficient"?

Mr. DENISON. Yes; I think it should be.

Mr. GREENE of Vermont. They are words of dissimilar meaning. He might be incapacitated and yet efficient, or he might be efficient and yet incapacitated.

Mr. DENISON. That is what I had in mind. I can conceive of a man, efficient in the public service, becoming incapacitated

and yet not becoming inefficient.

Mr. GOOD. As far as I am personally concerned, I would not object to an amendment putting in the words "permanently incapacitated."

The CHAIRMAN. The time of the gentleman from Illinois has expired. The question is on the amendment offered by the gentleman from Mississippi.

Mr. JOHNSON of Mississippi. Mr. Chairman, I ask that the amendment be again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection. The Clerk read as follows:

Page 11, line 6, after the word "office," strike out the words "during good behavior" and insert "for seven years."

The CHAIRMAN. The question is on the amendment. The question was taken; and on a division (demanded by Mr. Johnson of Mississippi) there were—yeas 35, nays 83.

So the amendment was rejected.

Mr. DENISON. Mr. Chairman, I move to amend the bill on page 11, line 10, by inserting after the word "has" the following words: "become permanently incapacitated or has."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. DENISON: Page 11, line 10, after the word "has," insert the words "become permanently incapacitated or has."

The CHAIRMAN. 'The question is on agreeing to the amend-

The question was taken, and the amendment was agreed to. Mr. NORTON. Mr. Chairman, I move to strike out the entire section 303

Mr PARKER of New Jersey. Mr. Chairman, I have a preferential amendment to the section.

The CHAIRMAN. The Clerk will report the amendment

offered by the gentleman from New Jersey.

The Clerk read as follows:

Amendment by Mr. PARKER of New Jersey: Page 11, lines 7 and 8, strike out the words "by concurrent resolution of Congress after notice and hearing when in their" and insert in lieu thereof the words "by the President after notice and hearing when in his."

Mr. PARKER of New Jersey. Mr. Chairman, I am thoroughly in sympathy with all the purposes of the committee, and with their purpose to appoint an officer during good behavior who is really a judge. They propose to get rid of the difficulties and delay of impeachment by allowing removal by a concurrent resolution. I have had my experience with impeachments both here and in the State legislature. The delay is such and the difficulty of hearing is such that it is almost impossible to get action.

But I want to point out to the committee that a concurrent resolution of both Houses of Congress after hearing is still more tedious, and involves still more delay, because there are no means provided by law by which a hearing can be had except a hearing in each House. Not only may the two Houses disagree, but such a hearing would be interminable. The time could not be given by this House and by the Senate for two hearings. There is no provision without a new law for having the hearings had anywhere else. Congress would first have to pass a resolution for a hearing to be heard before a committee and print the case, and the officer would not have a fair hearing

because every Member would not study the case.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. PARKER of New Jersey. In a moment. My proposition is that the removal shall only be for cause and after hearing, but that the responsibility for that removal shall be put upon the President instead of attempting a concurrent resolution of Congress. I believe we can trust our Presidents. If they are told they shall only remove after hearing for cause, being permanently incapacitated, inefficient, or guilty of malfeasance in office sufficient for removal, I think we can trust our Presidents, and we can get a decision. Under the present arrangement you would never get a decision if the Houses disagreed in politics, and you would not get it for a long time if they did, because there is no machinery provided by law by which hearing can be had. The President may, and he does now under the civil-service rules, remove after hearing. He provides how the hearing shall be held. In a great office like this it would be a formal hearing. He would see to it that there was a real hearing, because he can only remove for these causes, but let us have somebody with responsibility in this matter and not leave it to a concurrent resolution without any machinery except to have a hearing in each House, and therefore a double impeachment.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?
Mr. PARKER of New Jersey. Yes.
Mr. KNUTSON. The gentleman says that we can always trust our Presidents. Can the gentleman assure the House that we will always have a President who will not play politics?

Mr. PARKER of New Jersey. I can assure the House that

when the President is given the responsibility of acting as a judge at the hearing, we can trust him, and you can get some sort of prompt action. You will never get any prompt action from a concurrent resolution.

Mr. KNUTSON. May I ask the gentleman where he has been during the last eight years.

Mr. PARKER of New Jersey. I have been under the President of the United States, of whatever politics, and I never fail in that respect. [Applause.]

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman

yield?

Mr. PARKER of New Jersey. Yes. Mr. GREENE of Vermont. The gentleman realizes that if Mr. GREENE of Vermont. The gentleman realizes that if there is one great issue that distinguishes the politics of the English-speaking people for centuries it has been the struggle for the Commons to get control of the purse, to take it away from the Executive and have absolute authority over it. Does the gentleman not think that this legislation is exactly in line and spirit with the philosophy of that centuries-old struggle, that the Commons shall control the purse, that there shall be no intermediary of the Executive who can prevent their control of it or who by some intervention may prejudice their administration of it?

Mr. PARKER of New Jersey. Mr. Chairman, my answer to that question is this: I will trust the President. If we can not do that, then appoint some court, some means, by which you have a reasonable court to determine these questions of inefficiency, and do not leave it to be done by a concurrent resolution.

Mr. FESS. Mr. Chairman, the amendment of the gentleman from New Jersey [Mr. PARKER] attempts to write into the law the very thing that we are trying to prevent. If we would avoid any legislation on the independent budget and leave it as it is, we would still have a better degree of independence than we would have if we were to adopt the gentleman's amendment. In other words, this amendment makes it worse than it is now without any change of law whatsoever. It seems to me that everyone is convinced that the independent audit is probably It seems to me that the most decisive demand that we have in budgetary legislation. I think all will agree that this departure is the real improvement in this legislation. I know how Members of the House feel about life tenure. I am quite aware that they prefer not to favor that, but as has been said this is not life tenure, technically, but whether it is or not, this is a peculiarly important item, expressive of the duty of an officer in administration. The genius of American political life is short terms and quick responsibility in all matters that are policy determining. That is fundamental in legislation—short terms and quick responsibility. This is not policy determining, it is not a function of that sort whatever. This is in a sense administrative. An administrative officer does not deal with the determination of For that reason we care not so much for the short term and the quick responsibility in a purely administrative function. But this is not even purely administrative. While it has an element of the judicial in it, the comptroller here is simply to be a guard or a check on authority that might be above him, to influence him to make a decision to permit an outlay of the Treasury which if he were independent he would not permit. In that sense it is not even administrative; it is simply a check upon what otherwise would be administrative, and it strikes me that the independent budget here demands that the tenure of office be not contingent upon the caprice of some higher officer; in fact, dependent only upon his conduct, upon his good behavior.

If there is anything that we want to do, it is to take this man from under the influence of the executive, who is the spending department of the Government, and put him under the legislative, which is the authorizing department of the Government, Otherwise there is no independence at all.

Mr. PARKER of New Jersey. Mr. Chairman, will the gentle-

man yield?

Mr. FESS.

Mr. PARKER of New Jersey. I have not objected to the legislation, if it could be worked out, but can the gentleman suggest any means that will be at all practical which will work, short of a joint resolution, after hearing of both Houses?

Mr. FESS. I think that what the distinguished ex-Speaker, the gentleman from Illinois [Mr. Cannon], said a moment ago will apply generally here. This is a position of great responsibility, and the man who holds the office has within his grasp the permitting or the refusing of a claim, and carries with it as much power as any other man in the machinery of gov-There is not much danger of his going wrong when he has such a sense of responsibility upon him, but if he should go wrong, then the quick way to get rid of him will be by concurrent resolution of the House and Senate. There is no danger, as I see it, in the bill as written, and I think the amendment should be defeated.

Mr. GOOD. Mr. Chairman, I move that all debate upon this section and all amendments thereto do now close.

Mr. NORTON. Mr. Chairman, I object.

The CHAIRMAN. There having been debate, the motion is in order. The question is on the motion of the gentleman from Ohio.

The motion was agreed to.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from New Jersey.

The amendment was again reported.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The gentleman from Ohio [Mr. Norron] rose to make a motion to strike out the entire section 203. That motion is now in order.

Mr. STEVENSON. Mr. Chairman, before that motion is put I have an amendment which I desire to offer, which is to perfect the section, which I have sent to the Clerk's desk.

The Clerk read as follows:

Amendment by Mr. Stevenson: Line 8, page 11, insert, after the word "Congress," the words "passed by a two-thirds vote."

Mr. FESS. Oh, no; that would make it still harder.

Mr. STEVENSON. Mr. Chairman, do I understand debate

has been closed on this whole section?

The CHAIRMAN. The Chair is in doubt, but the Chair understood the gentleman from Iowa to move that debate be closed on the amendment.

Mr. GOOD. On the section and all amendments to it. But

I have no desire unduly to curtail debate.

Mr. STEVENSON. Mr. Chairman, in order that there may be no difficulty, I ask unanimous consent to discuss my amendment for five minutes.

Mr. LONGWORTH. Mr. Chairman, the question determined by the committee was that debate on this paragraph and all amendments be closed. And I make the point of order that there is no further time for debate.

Mr. STEVENSON. I ask unanimous consent for five min-

Mr. GARRETT of Tennessee. Mr. Chairman, I presume it was the intention of the gentleman from Iowa to move that debate on the section and all amendments thereto close, but, if I heard the motion correctly, the gentleman did not make that motion. He made the motion that debate on the section close, but did not include the words "and all amendments thereto." What the effect of that is I do not know, but that is the motion which the gentleman made.

The CHAIRMAN. The Reporter states that the motion was

on the whole section and all amendments thereto.

Mr. STEVENSON. Mr. Chairman, I ask unanimous consent

to proceed for five minutes.

Mr. LONGWORTH. Mr. Chairman, I withdraw my point of order, and I ask unanimous consent that the gentleman from South Carolina be permitted to debate his amendment for five minutes, and my colleague from Ohio [Mr. Norron] be per-

mitted five minutes to debate his amendment.

The CHAIRMAN. Gentlemen, you have heard the request that the gentleman from South Carolina be allowed five minutes

and the gentleman from Ohio also be allowed five minutes for the discussion of amendments. Is there objection?

Mr. GREENE of Vermont. Reserving the right to object, will there be some allowance of time in opposition to either amendment or only the affirmative of each amendment?

The CHAIRMAN. Of course, that question must be met when it arises. Is there objection? [After a pause.] The

Chair hears none.

Mr. STEVENSON. Mr. Chairman, we are establishing a new procedure here, a new procedure in congressional action. not, however, new in a great many of the States. In the State of South Carolina in 1828 an amendment to the constitution was adopted providing for the removal of judges in the courts of South Carolina on an address after a hearing, almost in the language of this, by the legislature. But it was limited there that the hearing must be had and the vote must be by a two-thirds majority. That has worked very well for nearly 100 years. Once or twice it was invoked. Once it was invoked in a case of great passion in the State that arose through some passionate political passages before 1860, and the provision for two-thirds prevented the removal of a very distinguished judge who was conceded by everybody afterwards not to have been deserving of any such procedure at all. In other words, you are providing here for the removal of an officer, who is charged with official duties, who is charged with duties that will run him counter to the demand and wishes of a great many of the con-stituents of Members of Congress, and the time might arise when he might conceive it to be his duty to do that which would

raise a storm of anger in the House of Representatives and sweep away a great many men and cause him to be removed unjustly, whereas if you put the bridle on and say they must have two-thirds vote you are not liable to stampede two-thirds of the House of Representatives or two-thirds of the Senate. I think you had better go carefully about your new method here of removal of an officer of such power and the unpopularity which this officer is going to have. I think we ought to provide in a conservative way for an official determination of whether he is right or whether he is wrong in his decision. That is all I desire to say about it. You are adopting a precedent here which will probably run very smoothly for awhile, but in some time of national paroxysm, in some time of great national excitement, when you need to have the brakes on, you are going to have the brakes off, and the best officer you have in this position will be likely to be humiliated, not because of any wrong he has done but because he has done his duty.

Mr. NORTON. Mr. Chairman, a gentleman rose and took exception to the remark I made that I did not think the people at the present time would be in favor of establishing judges for life and said he himself would be. Let us recall since our Con-stitution has been adopted there have been many constitutions adopted in the United States in the individual States, but have we one favoring life judges? If the people favored life judges, why did not they put it in their constitutions? Why do not we amend our constitutions to-day by calling constitutional conventions? Why, you never hear men say, "we will establish ventions? Why, you never hear men say, "we will establish judges for life." It is not done, and will not be done, because if you gentlemen go home to your people and talk to them about life judges or life officers not a man will say that they want it as in this bill.

Mr. JOHNSON of Mississippi. Will the gentleman yield?
Mr. NORTON. In a moment. The gentleman from Ohio said that this was an official office, partly judicial, partly executive, and this the greatest of all offices; I do not pretend to say that is the exact language. Here you are establishing a man in office with more power than any other man outside of the President, even more than a member of his Cabinet, and that man has in his power the control of the expenditures after they have once been appropriated.

You are putting something into that bill that will make it impossible for you to go home to your constituents and say that you are not in favor of a life job. You say it does not create it.
What did the chairman of the committee say? When asked the question he said that the concurrent resolution mean, the same as a joint resolution, to be passed both by the House and the Senate, and then requiring the signature of the President. How many times in our history have men been removed by requiring these things to be done? It never has been done in the past, and the time will never come when you can remove any man

from office that has once been appointed for life.

How often are judges impeached in the United States? How many of you know of occasions where they should be impeached? Talk about having a man impeached! They may have had hearings, but he was not impeached. You can not impeach a man, and you know it. This joint resolution means the same as impeachment, and you are creating an office here for life. Two or three years ago you heard a man who was President talking about making the world safe for democracy, and yet you gentlemen now want to go back to royalty. I say to you, gentlemen on the other side, that you are going square back on the principles of your party, from the first organization of the party, in which it said the power should remain in the people. And you know, as I said in the first place, you are doing it for the only reason that the Republican Party will be responsible for this legislation. You go to the men in the cities and towns and in the country and read them that, and how can you explain it to them, this joint resolution passed by the House of Representatives and the Senate and then to be signed by the President? The impeachment proceedings would mean perpetual retention in office. Gentlemen, you can not afford to do it. No Republican can afford to stand on the Republican platform and favor such an appointment. It never has been done since the adoption of the Constitution. [Applause.]
The CHAIRMAN. The question is on the adoption of the

amendment of the gentleman from South Carolina [Mr. Stevenson], which the Clerk will report.

The amendment was again reported.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The gentleman from Ohio [Mr. Norton] offered an amendment to strike out section 303. The question is on the amendment.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 304. All powers and duties now conferred or imposed by law upon the Comptroller of the Treasury or the six auditors of the Treasury Department, and the duties of the Division of Bookkeeping and Warrants of the office of the Secretary of the Treasury relating to keeping the personal ledger accounts of disbursing and collecting officers, shall, so far as not inconsistent with this act, be vested in and imposed upon the general accounting office and be exercised without direction from any other officer. The balances certified by the comptroller general shall be final and conclusive upon the executive branch of the Government. The revision by the comptroller general of settlements made by the six auditors shall be discontinued, except as to settlements made before July 1, 1821.

Mr. GOOD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

The Clerk read as follows:

Amendment offered by Mr. Good: On page 12, after line 7, insert as a new paragraph the following:

"The administrative examination of the accounts and vouchers of the Postal Service now imposed by law upon the Auditor for the Post Office Department shall be performed on and after July 1, 1921, by a bureau in the Post Office Department to be known as the bureau of accounts, which is hereby established for that purpose. The bureau shall be under the direction of a comptroller, who shall be nominated by the President and appointed by him, by and with the advice and consent of the Senate, and shall receive a salary of \$5,000 a year. The comptroller shall perform the administrative duties now performed by the Auditor for the Post Office Department and such other duties in relation thereto as the Postmaster General may direct. The appropriation of \$5,000 for the salary of the Auditor for the Post Office Department for the fiscal year 1922 is transferred and made available for the salary of the comptroller, bureau of accounts, Post Office Department. The officers and employees of the office of the Auditor for the Post Office Department engaged in the administrative examination of accounts shall become officers and employees of the bureau of accounts at their grades and salaries on July 1, 1921. The appropriations for salaries and for contingent and miscellaneous expenses and tabulating equipment for such office for the fiscal year 1922, and all books, records, documents, papers, furniture, office equipment, and other property shall be apportioned between, transferred to, and made available for the bureau of accounts and the general accounting office, respectively, on the basis of duties transferred."

Mr. BLANTON. Mr. Chairman, I make a point of order

Mr. BLANTON. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman will state the point of

Mr. BLANTON. That it is not germane to either the bill or

the paragraph.

The CHAIRMAN. This is a bill providing for the framing and presentation of estimates and for the auditing of accounts. The Chair is inclined to think that this section is in line with the general purpose, and therefore in order.

Mr. BLANTON. Will the Chair hear me on that?

The CHAIRMAN. Yes.

Mr. BLANTON. Mr. Chairman, the bill is to provide a budget system for the entire Government. It is a bill general in scope. The amendment attempts to provide a different auditing system for the Post Office Department, over which the general auditing system has no surveillance at all. This amendment provides a separate and distinct auditing system for a certain department, irrespective of the general provisions of the bill. It does not provide that it shall be under the jurisdiction of the comptroller general, as all other departments are provided for in this bill, but provides a separate and distinct auditing system for that department and provides for certain machinery for this separate department. I do not see how this amendment, providing for such a separate department, can be considered germane to a general bill providing a budget system intended to cover all departments of the Government.

Mr. CARTER. Will the gentleman yield?
Mr. BLANTON. I yield.
Mr. CARTER. I call the gentleman's attention to the fact that this section which we have just reached undertakes to transfer to this accounting department the six auditors in the Treasury Department, one of whom is the Auditor for the Post Office Department. Now, the amendment, as I understood it, presented by the gentleman from Iowa [Mr. Good] simply diverts that office to another channel instead of including it in the bill. It seems to me that it is germane. It deals with one of the six offices which has been included in the paragraph, but simply transfers that to another part of the Government rather than transferring it into this accounting

Mr. BLANTON. But from the reading of it, Mr. Chairman, it is not under the direct supervision of the comptroller general.

The CHAIRMAN. Suppose circumstances should exist which would render it desirable that some department or bureau should not be under the comptroller general, might not a bill be framed providing a separate system for making estimates and audits and providing for them?

Mr. BLANTON. It may be, but I call the Chair's attention to the rule which has been sustained by many Chairmen, holding to the effect that concerning such a piece of legislation as this, while it would have been proper in the first instance for the chairman and his committee to have incorporated such an amendment in the bill which they report out and bring before the House, yet after they report the general bill to the House and the House has notice of what they are going to pass upon, it is improper for the committee to propose such a piece of special legislation by amendment on the bill, which otherwise would have been proper when reported by the committee in the

The CHAIRMAN. It is stated here that this shall be under the direction of the comptroller. Would the gentleman from Texas deny that in such a bill as this provision should be made for two comptrollers, providing for the work of the two de-partments? Suppose that we find that two were required. Should not the bill provide that two persons should perform the

Mr. BLANTON. This bill intends to provide an independent auditing system for all departments of the Government. The amendment proposed by the gentleman from Iowa [Mr. Good] seeks to provide a separate system for the Post Office Department and destroys the general purposes of the bill. In other words, the amendment would leave an independent auditing system for all the departments of the Government except the Post Office Department, concerning which it is to have a separate set of auditing machinery.

The CHAIRMAN. Has the gentleman concluded his state-

ment?

Mr. BLANTON. Yes.

Mr. GOOD. Mr. Chairman, a parliamentary inquiry. Has the Chair ruled?

The CHAIRMAN. No. The Chair will be glad to hear from the gentleman from Iowa.

Mr. GOOD. Mr. Chairman, it will be observed that section 304 provides that-

All powers and duties now conferred or imposed by law upon the Comptroller of the Treasury or the six auditors of the Treasury Department and the duties of the Division of Bookkeeping and Warrants of the office of the Secretary of the Treasury relating to keeping the personal ledger accounts of disbursing and collecting officers, shall, so far as not inconsistent with this act, be vested in and imposed upon the general accounting office and be exercised without direction from any other officer. The balances certified by the comptroller general shall be final and conclusive upon the executive branch of the Government. The revision by the comptroller general of settlements made by the six auditors shall be discontinued, except as to settlements made before July 1, 1921.

It is to be observed that this section deals with the transfer of these duties. Now, what the gentleman from Nebraska [Mr. Andrews] said is not quite correct. The gentleman, I am afraid, has not carefully followed the reading of the amend-The amendment provides that only the administrative examination of the accounts and vouchers of the Postal Service shall be transferred to the Post Office Department. this situation, and I am frank to say it was a matter that had not been called to the attention of the committee. We did not know and had not realized when we were drawing the provision as to the transfer of all of these duties relating to the final audit over to the accounting office that for one department of the Government—the Post Office Department—the auditor made not only the administrative audit but the final audit.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield? The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from Nebraska?

Mr. GOOD. Not now.

The CHAIRMAN. The gentleman declines to yield.

Mr. GOOD. Now, all of the other departments make the administrative audit. It would be a crime to take from a department its administrative audit. It would result in greater extravagance than we can conceive of.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes; I yield to the gentleman.
Mr. ANDREWS. Does the gentleman understand that the Postmaster General now makes an administrative audit of the accounts in his department?

Mr. GOOD. The Auditor for the Post Office Department makes an administrative audit of such accounts.

Mr. ANDREWS. Therefore the department must be given the clerical force which the Postmaster General would otherwise have.

Mr. GOOD. And that is all we are giving him.

Mr. ANDREWS. That is all right, providing the other por-tion of your amendment, which would carry over and leave everything to the Postmaster General, would apply.

Mr. GOOD. The amendment does not carry everything. The appropriations for 1922 for the Auditor for the Post Office Department total \$1,121,020.

Of that sum \$986,750 will go to the Post Office Department for the administrative examination by the bureau of accounts and \$134,270 will go to the general accounting office for the final audit. We propose to put the administrative audit in the Post Office Department, but the final audit, as in every other department, will go to the general accounting office. Here is what will happen if we do not pass this amendment: The final audit of all other departments will have been transferred to the general accounting office; but as far as the Post Office Department is concerned we will also have transferred not only the final audit but the administrative audit. No one intends to do that. It would be unwise to do it. This amendment will simply place the Post Office Department on the same footing as all the other departments of the Government so far as the audit is concerned. When the matter was brought to our attention the question was as to what was the best thing to do. When I found out what the situation was I personally and the other members of the committee believed that we ought not to come before this House and present a piece of legislation that was going to do the very thing that we did not want done, and then come back a little later and say that we had to amend this law in order to make it workable. I will say to the gentleman from Texas [Mr. Blanton] that it was not with any desire to bring before the committee something new or something that he did not have an opportunity to read, but the only purpose of the amendment is to deal with the Post Office Department with regard to the administrative audit just as the law now fixes the administrative audit of the other departments. present law does not fix the administrative audit in the Post Office Department, but provides that the auditor for the Post Office Department shall make the administrative audit as well as the final audit.

Mr. BLANTON. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. BLANTON. The gentleman contends, then, that after this administrative audit in the Post Office Department the final audit will be made in the office of the comptroller general.

Mr. GOOD. Absolutely.

Mr. BLANTON. Will the gentleman point out the provision either in the bill or the amendment that proposes that that be done?

Mr. GOOD. The amendment only provides for the administrative audit and nothing else. Then we provide that the office of the Sixth Auditor shall be abolished.

Mr. BLANTON. This does not prevent the final audit being made under the provisions of this bill?

Mr. GOOD. Not at all.

Mr. BLANTON. I withdraw the point of order.

The CHAIRMAN. The gentleman from Texas withdraws the point of order.

Mr. ANDREWS. Will the gentleman permit another suggestion?

Mr. GOOD. Certainly.

Mr. ANDREWS. I concur fully in the wisdom of the amendment providing a force for the Postmaster General to make this audit. He ought to do it, but I fear that the wording of the amendment would leave the final audit with the Postmaster General, and to that extent interfere with the later provision of the bill for the transfer of the final audit to the accounts of the comptroller general.

Mr. GOOD. If the gentleman will examine the provision he

will find that it does not do that.

Mr. ANDREWS. A reading of the amendment of course will bring that out.

Mr. GOOD. I have several amendments to follow this one. The CHAIRMAN. The point of order having been withdrawn, the Chair will hear discussion on the amendment. The gentleman from Minnesota [Mr. Steenerson] is recognized.

Mr. STEENERSON. Mr. Chairman, I have listened very carefully to the explanation by the chairman of the committee as to why this exception should be made as to the Auditor for the Post Office Department, but I am not able to agree with what he says. It seems to me that department should be treated like all the other departments. There is no reason whatever why it should not.

Mr. ANDREWS. Will the gentleman yield?

Mr. STEENERSON. I yield to the gentleman from Nebraska. Mr. ANDREWS. Does not this amendment place the Post Office Department on the same plane with all the other departments, and give to it the necessary clerical force to make the administrative examination as the other departments now do?

Mr. STEENERSON. Then, why do you make this special amendment as to the Auditor for the Post Office Department?

Mr. ANDREWS. Simply because heretofore, as I understand, the Postmaster General has not been supplied with the administrative force to make the examination. This will result in a reduction of the expenditures for the office of the Auditor for the Post Office Department and will carry it over to the Postmaster General.

Mr. STEENERSON. I think the last remark of the gentleman is probably correct, that it will result in increasing the

expenditures for the Post Office,
Mr. ANDREWS. No. That is not what I said. It would

decrease them.

Mr. STEENERSON. But increase the expenditure for the Post Office. The Appropriations Committee seem to treat the Auditor for the Post Office Department as a very favored child. Against my objection the expenditures for that office have been increased in the last five years. By the establishment of the central accounting system for the different post offices he was relieved of nearly half of his work. He represented to the committee that there would be a great saving in his office. But expenditures there have constantly increased. Now, I think the only reason why this amendment is proposed is that they want to take care of the auditor and of his present organization. It is legislating them out of the office they are now in and legislating them into another, and it is treating them in an exceptional-way over and above the forces in all these other departments. Now, the Auditor for the Post Office Department has been the most expensive official of this Government, measured by what he was spending five years ago and what he is spending to-day, when we take into account that he has been relieved of nearly half of the work he used to do by the central accounting system for post offices. Instead of saving there has been increase in expenditures.

Mr. ANDREWS. Will the gentleman yield?
Mr. STEENERSON. Just wait a minute. It is true that the expenditures of the Post Office Department are paid out of postal funds, and it is only when there is a deficit that they draw any money from the Treasury, and that is the only distinction there is between the administration of that office and of the other departments. Now, why they should make an exception of this department and legislate the auditor and all his force into this budget system has not been explained.

Mr. ANDREWS. Will the gentleman permit a question?

Mr. STEENERSON. Yes; just a question.

Mr. ANDREWS. Do the Auditor for the Post Office Department and his clerical force receive their salaries out of the postal revenues?

Mr. STEENERSON. The Auditor for the Post Office Department is supposed to be an official of the Treasury Department.

Mr. ANDREWS. And paid out of appropriations from the Treasury?

Mr. STEENERSON. His salary is paid out of the Treasury. Mr. ANDREWS. And his force is paid out of the Treasury? Mr. STEENERSON. It comes out of the United States any-

Mr. ANDREWS. But out of the general funds, and not out of the postal funds?

Mr. STEENERSON. I do not say they are paid out of the postal funds, but the expenditure has been increased in the last few years under the management of this auditor, and for that reason it seems to me it would not be wise to take him bodily by this amendment and legislate him into a new position. I think he should be taken care of the same as the auditors in the other departments.

Mr. GOOD. That is the purpose of the amendment.

The CHAIRMAN. The time of the gentleman from Minne-

sota has expired.

Mr. TEMPLE. Mr. Chairman and gentlemen of the committee, the situation with regard to the audit and administrative examination of accounts in the Post Office Department has been different from that of any other department. We want to make such a change that it will hereafter conform to all the rest of the departments. At present there are 650 persons working at the examination of accounts and the auditing of accounts in the Post Office Department. These are nearly all, with the exception of 10 or 12, employees of the Treasury Department. We propose to create what has hitherto been lacking in the Post Office Department, a bureau for the administrative examination of accounts of that department and to transfer to the Post Office Department 556 of the employees who are now engaged in the work of that department though they are employees of the Treasury Department. We wish also to transfer

to the general accounting office 94 employees who are engaged in actual auditing after the administrative examination of the accounts has been made. The Auditor for the Post Office Department, and all the auditors for other departments, will then be employees of the new general accounting office. That is

precisely what this amendment proposes to do.

The Auditor for the Navy Department is not a Navy Department employee; he is an employee of the Treasury Department. The Auditor of the State Department is not an employee of the State Department, but an employee of the Treasury Department. We take all these auditors out of the Treasury Department and put them into the new comptroller's office. We transfer to the Post Office Department 556 employees of the Treasury Department who are now doing the work of the Post Office Department. So it will no longer be an exception. It has been an exception hitherto.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Iowa.

Mr. ANDREWS. Mr. Chairman, may we have the amendment again reported?

The amendment was again reported.

The question was taken, and the amendment was agreed to. The Clerk read as follows:

SEC, 305. Section 236 of the Revised Statutes is amended to read

SEC. 305. Section 236 of the Revised Statutes is amended to read as follows:

"SEC. 236. All claims and demands whatever by the United States or against them, and all accounts whatever in which the United States are concerned, either as debtors or creditors, shall be settled and adjusted in the general accounting office."

The CHAIRMAN. The Chair desires to call the attention of gentlemen to the fact that the use of the words "United States" as a plural is not according to modern usage.

Mr. GOOD. Mr. Chairman, in doing that we are not changing existing law; we are simply reenacting existing law. Section 236 of the Revised Statutes reads as follows:

All claims and demands whatever by the United States or against them, and all accounts whatever in which the United States are concerned, either as debtors or creditors, shall be settled and adjusted in the general accounting office.

We have simply substituted general accounting and have taken the exact language of that section.

The CHAIRMAN. In drafting the earlier statutes the practice was not uniform, but in the later statutes it has invariably been used in the singular.

The Clerk read as follows:

SEC. 306. All laws relating generally to the administration of the departments and establishments shall, so far as applicable, govern the general accounting office. Copies of any books, records, papers, or documents, and transcripts from the books and proceedings of the general accounting office, when certified under its seal, shall be admitted as evidence with the same effect as the copies and transcripts referred to in sections 882 and 886 of the Revised Statutes.

Mr. SANDERS of Indiana. Mr. Chairman, I move to strike out the last word for the purpose of calling attention of the chairman to the fact that there is nothing to indicate who is to authenticate these records. Section 886 of the Revised Statutes, referred to, has been amended at two different times. I do not know whether I have found the last amendment or not, but the specific officers are named in this statute. In the last amendment I am able to find the certificate is to be made by the Secretary or Assistant Secretary of the Treasury under the seal of the department. This section merely says that

Copies of any books, records, papers, or documents, and transcripts from the books and proceedings of the general accounting office, when certified under its seal, shall be admitted as evidence with the same effect as the copies and transcripts referred to in sections 882 and 886 of the Revised Statutes.

There is nothing in the bill that specifically confers upon anyone the authority to authenticate the records. I suggest that, after the word "seal," in line 20, the officer or officers be named who are to authenticate it.

Mr. GOOD. I call the gentleman's attention to section 306,

which says:

All laws relating generally to the administration of the departments and establishments shall, so far as applicable, govern the general accounting office.

Mr. SANDERS of Indiana. That does not cure it, because these records will not be certified by the particular officers mentioned in the section. It seems to me that the record should be certified either by the controller general or his assistant.

Mr. ANDREWS. Will the gentleman yield?

Mr. ANDERS of Indiana. Yes.
Mr. ANDREWS. The furnishing of such copies in court proceedings under existing law and practice would go under seal of the Secretary of the Treasury. The transcript is prepared and the document is certified to by the Secretary under seal of the department. It would appear that if the bill does

not provide that the auditor or the controller general shall have a seal for the purpose it ought to be provided for, Mr. GOOD. The bill provides for it.

Mr. SANDERS of Indiana. These sections referred to in the bill provide specifically for an officer of the Treasury Department to authenticate it, but the provision in the bill leaves it entirely blank. I do not like to offer an amendment, because the gentleman in charge of the bill knows more about who ought to make the authentication than I de.

Mr. GOOD. If the gentleman will refer to page 15, under

paragraph (e), he will find it says:

All official acts performed by such officers or employees specially designated therefor by the comptroller general shall have the same force and effect as though performed by the comptroller general in person.

Mr. SANDERS of Indiana. That does not cover it.

Mr. SANDERS of Indiana. This section says that they "shall be admitted as evidence with the same effect as the copies and transcripts referred to in sections 882 and 886 of the Revised Statutes." There is nothing to indicate who is to make the authentication or who is to certify to it. May I ask the chairman, in his opinion, what officer would certify to those records?

Mr. GOOD. The comptroller general or the assistant comptroller general, or such officers as may be designated by the

comptroller to perform those duties.

The CHAIRMAN. The time of the gentleman from Indiana

Mr. JOHNSON of Mississippi. Mr. Chairman, I ask unanimous consent that the time of the gentleman be extended for one minute in order that I may ask him a question.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. JOHNSON of Mississippi. Under the law in my State you could not introduce this transcript from the records up here, it makes no difference who would certify to it, so long as the books exist, because the books would be the best evidence. This would be incompetent. If a man in my State were indicted in the Federal court on a charge of embezzlement you could not try and convict him under this rule, because this transcript would not be admissible. The rule in my State is that the books are the best evidence. I merely call the gentleman's attention to that fact.

Mr. SANDERS of Indiana, Mr. Chairman, I shall not offer

the amendment if the gentleman from Iowa desires to do so.

Mr. GOOD. Mr. Chairman, I have no objection to inserting after the word "seal," in line 20, page 12, the words "by the comptreller general or assistant comptreller general," and I offer that as an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. Goop: Page 12, line 20, after the word "seal," sert "by the comptroller general or the assistant comptroller gen-

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 310. The offices of the six auditors shall be abolished, to take effect July 1, 1921. All other officers and employees of these offices shall become officers and employees in the general accounting office at their grades and salaries on July 1, 1921. All books, records, documents, papers, furniture, office equipment, and other property of these offices, and of the Division of Bookkeeping and Warrants, so far as they relate to the work of such division transferred by section 304, shall become the property of the general accounting office. The general accounting office shall occupy temporarily the rooms now occupied by the office of the Comptroller of the Treasury and the six auditors.

Mr. GOOD. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. Good: Page 13, line 24, after the word "offices," sert "except as otherwise provided herein."

Mr. GOOD. Mr. Chairman, this is simply to have this fit in with the amendment in regard to the administrative audit in the Post Office Department.

The CHAIRMAN. The question is on agreeing to the amend-

The amendment was agreed to. The Clerk read as follows;

The Clerk read as follows;

Sec. 311. (a) The comptroller general shall appoint, remove, and fix the compensation of such attorneys and other employees in the general accounting office as may from time to time be provided for by Congress.

(b) All such appointments, except to positions carrying a salary at a rate of more than \$5,000 a year, shall be made in accordance with the civil-service laws and regulations.

(c) No person appointed by the comptroller general shall be paid a salary at a rate of more than \$6,000 a year, and not more than four persons shall be paid a salary at a rate of more than \$5,000 a year.

(d) All officers and employees of the general accounting office, whether transferred thereto or appointed by the comptroller general, shall perform such duties as may be assigned to them by him.

(e) All official acts performed by such officers or employees specially designated therefor by the comptroller general shall have the same force and effect as though performed by the comptroller general in person.

force and enect as the second of the second of the comptroller general shall make such rules and regulations as may be necessary for carrying on the work of the general accounting office, including rules and regulations concerning the admission of attorneys to practice.

Mr. ROSSDALE. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. ROSSDALE: Page 14, line 14, after the word "than," strike out "\$5,000" and insert "\$3,000."

Mr. ROSSDALE. Mr. Chairman, this amendment is not intended to do away with the present established civil service nor to curtail it. It refers to that class of men in the civil service who happily, I might say, are not many. It refers to the higher-priced specialists or executives, the men who occupy very responsible positions. It has nothing to do with the great army of employees in the civil service throughout the United States. It refers to a class of men who receive large salaries, and whom this measure would include in a protective class with the rank and file of ordinary employees. I do not mean to do away with those who really deserve the protection of the civil service, but I do object to the further extension of the civil service to that class of men who get these positions by political preferment and then install and perpetuate themselves and their friends further through the medium of the civil service.

A great many of the Members of the House are familiar with the type to which I refer. They are Democrats when the Democrats are in power and Republicans when the Republicans are in power. They never lose and always are on the winning side. When we go to them they assume a lofty attitude and pretend that they are above politics. Underneath the highly polished departmental veneer which they assume they are in reality hard-boiled gentlemen, men who lack the element of human kindness and seldom have any sympathy with their employees or with those with whom they come in contact, except the few who can be of direct use and benefit to them. They have developed the fine art of refusing to a very high degree. When we go to them for something for a constituent they refuse us in such an exquisitely refined way that we almost thank them, and we do not realize that they are actually refusthank them, and we do not realize that they are actually refus-ing us. These men come here and they want to be protected by the civil service. So far as I am concerned, I would not protect them at all. They are well able to take care of them-selves, and they generally do, and I object to increasing their tribe any further. The civil service was not intended to in-clude \$5,000 men. The protection that my amendment gives is ample as far as the \$3,000 class are concerned. If this is car-yied further and to its logical conclusion, why we might change ried further and to its logical conclusion, why, we might change the Constitution and extend the civil service to the members of the Cabinet, and if we persist and carry the thing further we might just as well bring the civil service in here to apply to the Members of Congress. Does anyone suppose that any civilservice examination could be conceived or devised that would give anyone a fair idea of how to choose an executive or of how to choose a high-priced specialist by any such test? Does the mere knowledge of arithmetic, of spelling, or geography entitle a man to be selected by some such scheme, or is there any other method of examination by which an expert or an executive could be chosen without considering his fitness and ability for the place? I do not think so; and this thing is the usual method to perpetuate departmental executives and their friends still further and to prevent any political party ever having anything to say about it. [Applause.]

Mr. COOPER of Wisconsin. Mr. Chairman, yesterday or the day before the gentleman from Illinois [Mr. Williams] spoke

in a very humorous way about the examination now required of candidates for appointment as rural mail carriers, and what he said met with great applause. Afterwards I heard gentlemen in the lobbies say they did not think there ought to be any examination of these employees; that they could not pass the examination; that it took a scholar to pass it. Now, last year there were 19,000 candidates examined for rural free delivery carriers and 11,000 of them passed the examination. Facts like these are potent arguments when you come to discuss a question of this kind. There is a physical examination of applicants to determine whether they are free from disease, either contagious or of a character that will incapacitate them for the perform-

ance of their duty. This morning, immediately after the gentleman from Indiana [Mr. Wood] made his most remarkable statement, I looked up the utterances of some of our public men on the subject of the evils of the old system. I could not get opportunity to reply to him then, but he began by saying that the civil-service system is a failure as administered to-day. Now, let us see what kind of a system it supplanted. I read from the words uttered in debate in the Senate of the United States by a very distinguished Democrat, Senator Vest, of Missouri.

When I entered the Senate I became chairman of the committee to examine the several branches of the civil service, and for two years I was engaged with the rest of that committee in taking testimony on the subject of civil-service reform. That very great evils exist there can be no sort of question—evils so monstrous, so deadly in their effect, that men of all political parties have come to the conclusion that some remedy must be applied. \* \* \* That evils exist there can be no sort of question. Money has become the great factor in the politics of the United States.

Garfield said on this subject on March 4, 1870:

We press such appointments upon the departments: we crowd the doors; we fill the corridors; Senators and Representatives throng the offices and bureaus until the public business is obstructed; the patience of officers is worn out, and sometimes, for fear of losing their places by our influence, they at last give way and appoint men, not because they are fit for their positions but because we ask it.

Here is what Gen. Grant said in 1870, and I read this as an appeal to Republicans on this side of the Chamber:

The present system does not secure the best men, and often not even fit men, for the public places. The elevation and purification of the civil service of the Government will be hailed with approval by the whole people of the United States,

Senator Bayard, of Delaware, an illustrious Democrat, said in the Senate:

And so things went on until the offices generally were filled under that system, which was false and dangerous in the extreme—a system which, as my friend from Ohio said, is absolutely fatal to the integrity of republican institutions, I care not what party nor under what name it may be organized and carried on.

The CHAIRMAN. The time of the gentleman has expired. Mr. COOPER of Wisconsin. Mr. Chairman, I ask for three minutes additional

Is there objection to the request of the The CHAIRMAN. gentleman from Wisconsin? [After a pause.] The Chair

hears none Mr. COOPER of Wisconsin. I wish the gentleman from Indiana would consult the report signed by two men worthy of the respect of Republicans and Democrats-Daniel Webster and John C. Calhoun. They agreed in that report, and said that unless something was done to do away with the old system that some gentlemen have advocated within the last two days, the doom of republican institutions was not difficult to prophesy. Under that system Senator Vest, a great Democrat, said money had become a controlling factor in the politics of the United

States. Mr. LAYTON. Will the gentleman yield for a moment?

Mr. COOPER of Wisconsin. Just a moment. I can not yield, as I have only one more minute. There is only one other thing I wish to say. The gentleman from Indiana [Mr. Woop] said that the civil-service system as now administered is a failure. I deny that. That is an extreme statement. It is not accurate. I was for a year upon the committee which about a year ago concluded its investigation of the whole civil service of this city, except the post office and the navy yard. We examined many scores of witnesses, officials, bureau chiefs, department heads, and a great number of employees. The difficulty to-day is not with the entering into the civil service under the examinations, which now have become practical in character and adapted to the respective positions for which the candidates apply, but it is in the treatment accorded the employees after they get into the service.

The CHAIRMAN. The time of the gentleman has expired. Mr. MONDELL. Mr. Chairman, I ask unanimous consent

To-day there is not really any system of employment which can be called an employment system of the United States. To-day there is the greatest inequality of payment for the same service. We were told of one man who got \$1,400, another one \$1,800, another one \$2,600, and one over \$3,000 for performing the same service. Lump-sum appropriations have resulted in scandalous favoritism in the service in this city and throughout the coun-

The civil-service system has been so administered as to put countless numbers of employees into blind-alley jobs, where they thought that by laborious service they could secure the promotion which they deserve. But they can not. There is nothing like a regular system of promotion. Man after man, and woman after woman, work like slaves, and when they get to a place in the employ of the Government that appeals to them they find that somebody at the head of some bureau puts another into the place which they have earned. [Applause.]

The fault of the civil-service system is not in the admission of persons into the employ of the Government by the taking of examinations. There used to be too much attention paid to literary subjects and to history. Now the examinations have become really practical. That is proven by the instance I gave of 11,000 who passed the examination for rural carriers out of And I do not know how many of the 19,000 may have failed because they had one or the other of the physical defects which are sufficient to bar them under the examination required.

So let us reclassify the positions in order that a person who is appointed as a clerk will know what his duties are. found as a result of our examination more than 130 different titles for persons who are performing practically the same service. Every conceivable kind of title is given to persons in order to get them a salary. There is not anything like certainty as to what are the duties performed by a clerk. When you look at the title "Clerk of class 1," you do not know what duties he is performing. You do not know what a clerk of class 4 is performing. Change that, reclassify the positions, and reorganize the departments, and then you will have a proper civil-service

system. [Applause.]
The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. Rossnale], which the Clerk will report

The amendment was again reported.

The question was taken, and the amendment was rejected.

Mr. SANDERS of Indiana. Mr. Chairman, I offer an amendment, in line 8, page 15, to add, after the word "practice," the words "before such office."

Mr. GOOD. There is no objection to that. The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Amendment by Mr. SANDERS of Indiana; Page 15, line 8, after the word "practice," insert the words "before such office."

The CHAIRMAN. The question is on agreeing to the amend-

The question was taken, and the amendment was agreed to. Mr. COOPER of Wisconsin. Mr. Chairman, I move to strike out the word "Congress," in line 12, page 14, and insert the word "law."

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report,

The Clerk read as follows:

Amendment by Mr. Cooper of Wisconsin: Page 14, line 12, strike out the word "Congress" and insert in lieu thereof the word "law."

Mr. COOPER of Wisconsin. Congress can not provide by law for expenditures

The CHAIRMAN. The question is on agreeing to the amend-

The amendment was agreed to.

The Clerk read as follows:

Mr. MONDELL. Mr. Chairman, I ask unanimous consent that the gentleman be given five additional minutes.

The CHAIRMAN. Unanimous consent is asked by the gentleman from Wyoming that the gentleman from Wisconsin be allowed to speak for five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. COOPER of Wisconsin. Mr. Chairman, I thank the gentleman from Wyoming. In reply to the statement made by the gentleman from Indiana [Mr. Woop] I desire to say that the administration of the civil service is not a failure.

Mr. ROSSDALE. Mr. Chairman, will the gentleman yield?

Mr. ROSSDALE. The gentleman has five minutes,
Mr. COOPER of Wisconsin. I can not right now.
Mr. ROSSDALE. The gentleman has five minutes,
Mr. COOPER of Wisconsin. Mr. Chairman, the great difficulty with the civil-service system to-day, as was demonstrated, and more than amply demonstrated, by our investigation, is with the way the employee is treated after he gets into the service.

The Clerk read as follows:

SEC. 312. (a) The comptroller general shall investigate, at the seat of government or elsewhere, all matters relating to the receipt and distursment of public funds, and shall make to the Precident when requested by him, and to Congress at the beginning of each regular session, a report in writing of the work of the general accounting office, containing recommendations concerning such other matters relating to the footened by him, and to Congress at the beginning of each regular session, a report in writing of the work of the general accounting office, containing recommendations concerning such other matters relating to the very containing recommendations concerning such other matters relating to the government of public funds, and shall make to the Precident when request and it of government of public funds, and shall make to the Precident when request of any accounts and concerning such other relating to the general shall shall investigate, at the seat of government of public funds, and shall make to the receipt a

Mr. GARRETT of Tennessee. Mr. Chairman, I move to strike cut the last word for the purpose of making an inquiry of the chairman. I notice that paragraph (b) provides for such investigation and report as shall be ordered by either House of Congress or by any committee of either House having jurisdiction over revenue, appropriations, or expenditures. Is it contemplated that that shall in any way take the place of the Tariff Commission?

Mr. GOOD. No.

Mr. GARRETT of Tennessee. There is no conflict?

Mr. GOOD. The report will not be on subjects of that kind. It will be on the subject of expenditures in the various departments, and it has generally been provided that the committee having to do with the raising of revenue will use all the information that any agency such as this might have at its disposal. I think the general accounting officer will be called upon very, very frequently by the Committee on Appropriations, and seldom by the Committee on Ways and Means.

The CHAIRMAN. Without objection, the pro forma amend-

ment is withdrawn, and the Clerk will read.

Mr. LUCE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 15, line 11, after the word "receipt" strike out the word "and," and after the word "disbursement" insert the words "and application." Also, likewise amend line 18 by striking out the word "and" and, after "disbursement," insert the words "and application."

Mr. LUCE. Mr. Chairman, before addressing myself to the amendment I would add my word of recognition of the very great services rendered to the country by the chairman of this committee, the gentleman from Iowa [Mr. Good], in the perfecting of this law. In these days when we give so many honors, decorations, and awards to military heroes it is worth while for an instant to recall that "peace hath her victories no less renowned than war." We regret that the chairman of this committee may soon leave us, but we rejoice that he will carry with him the satisfaction of having attached his name to a piece of constructive legislation desired by all the people, and that shall bring honor to him and to us. [Applause.]
Mr. Chairman, my amendment is very brief, and yet it is

vital. It may be that the amendment will receive the approval of the committee, but in any case it will be worth while to take time to set down in the Record the meaning of this section. I speak with earnestness in the matter, because I come from a State that has been wrestling with this problem for years and has at last reached a solution which I hope in point of success

may be followed in the law before us.

The problem of efficiency in the administration of government is one of the most serious problems confronting the American people. To solve it in my own State we provided first for a commission that should serve in a censoring capacity. After a few years it proved wise to replace the commission by a single commissioner, and we now have one man in Massachusetts whose sole occupation it is to study the efficiency of government administration.

In this bill, if I understand aright the purposes of the committee, it is contemplated that the comptroller general shall perform the same functions; and if I seem to you to have given a superfluous explanation in the matter, it is solely in order that we may get clearly in the RECORD our expectation that this man shall make it his duty, his constant, unremitting dutyfrom which he can not escape by any recourse to the language of the bill-his constant, unremitting duty to search for methods

of economy in saving for the Government.

It is in this particular section that we can make this clear. The section was worded, I fear, in a way that might have led some occupant of this office to imagine that his functions were purely clerical; that is, the functions implied by the word "accountant." The words used have the savor of the bookkeeper, of the cashier, of the treasurer, not of the investigator of the way the money is spent, not of the man who goes out and looks for trouble, not of the man who attempts of his own initiative to find places to save money. Therefore I make the suggestion that we add to the words of the cashier and the treasurer and the accountant, namely, "receipt and disburse-ment," the word "application." If there ever was presented on this floor a single word of amendment which might have a wider extent of usefulness to the people, it has not come to my knowledge.

I hope, sir, that if this is satisfactory to the committee, the chairman may supplement what I say, in order that there never may be any question that we did not mean this man to be simply a bookkeeper, simply a cashier, simply an accountant,

but that we meant him to be our will, our eyes, and our ears, to study and determine and enforce economy. [Applause, ]

Mr. GOOD. Mr. Chairman, I thank the gentleman from Massachusetts [Mr. Luce] for his words of commendation in re-

gard to my work.

When we prepared this bill we thought we had included the idea which the gentleman has incorporated in his amendment. We provide in the latter part of that section, lines 19 to 22, that in the regular reports or in special reports made to Congress from time to time he shall make recommendations for greater economy and efficiency. I have no objection to the words which the gentleman's amendment inserts in this section. It was the intention of the committee that the comptroller general should be something more than a bookkeeper or accountant; that he should be a real critic, and at all times should come to Congress, no matter what the political complexion of Congress or the Executive might be, and point out inefficiency, if he found that money was being misapplied—which is another term for inefficiency—that he would bring such facts to the notice of the committees having jurisdiction of appropriations. Therefore I have no objection at all to the gentleman's amendment. I

think it will subserve a useful purpose.

Mr. COOPER of Wisconsin. Mr. Chairman, I would like to ask the gentleman from Massachusetts [Mr. Luce] just what the word "application" means, as distinguished from "dis-

bursement "?

Mr. GOOD. The application of the disbursement, how the money was used, the uses to which it was put, I suppose that is the intention of the gentleman from Massachusetts [Mr.

Mr. COOPER of Wisconsin. It does not mean that he himself can direct the application? He reports how it was ap-

plied?

Mr. GOOD. No; it does not mean that he can direct the application. He reports whether it was applied efficiently, whether it was wisely spent. He has no power to direct expenditures

Mr. COOPER of Wisconsin. He does not suggest anything

outside of the law?

Mr. LUCE. The purpose, Mr. Chairman, is to make it sure that the comptroller general shall concern himself not simply with taking in and paying out money from an accountant's point of view, but that he shall also concern himself with the question as to whether it is economically and efficiently

The CHAIRMAN. The Clerk will again report the amendment of the gentleman from Massachusetts.

The Clerk read as follows:

Amendment offered by Mr. Luce: Page 15, line 11, after the word "receipt," strike out the word "and," and after the word "disbursement" insert the words "and application." Also likewise amend line 18 by striking out, after the word "receipt," the word "and" and inserting after the word "disbursement" the words "and application."

Mr. LUCE. My amendment should have included the inser-

tion of a comma after the word "receipts" in each case.

Mr. STEVENSON. The word "and" followed the word receipts." It should come after the word "disbursements.

The CHAIRMAN. The Clerk will report it again, including the comma. It was presented to the Clerk in that form.

Mr. LUCE. Mr. Chairman, my meaning in both cases, in order that there may be no question, was to say "receipt, disbursement, and application."

Mr. CAMPBELL of Kansas. Mr. Chairman, may I ask that the Clerk read the clause as it should read?

The CHAIRMAN. The Clerk will report the amendment as it was intended to read.

The Clerk read as follows:

The Clerk read as follows:

Amendment offered by Mr. Luce: Page 15, line 11, after the word "receipt," strike out the word "and" and, after the word "disbursement," insert the words "and application." Also likewise amend line 18 by striking out the word "and" after the word "receipt" and inserting after the word "disbursement" the words "and application," so that as amended the section will read:

"Sec. 312. (a) The comptroller general shall investigate, at the seat of government or elsewhere, all matters relating to the receipt, disbursement, and application of public funds, and shall make to the President when requested by him, and to Congress at the beginning of each regular session, a report in writing of the work of the general accounting office, containing recommendations concerning the legislation he may deem necessary to facilitate the prompt and accurate rendition and settlement of accounts and concerning such other matters relating to the receipt, disbursement, and application of public funds as he may think advisable. In such regular report, or in special reports at any time when Congress is in session, he shall make recommendations looking to greater economy or efficiency in public expenditures."

The CHAIRMAN. It should be borne in mind that there is

The CHAIRMAN. It should be borne in mind that there is a comma in both instances after the word "receipt." tion is on the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 315. (a) All appropriations for the fiscal year ending June 30, 1922, for the offices of the Comptroller of the Treasury and the six auditors are transferred to and made available for the general accounting office.

office.

(b) During such fiscal year the comptroller general, within the limit of the total appropriations available for the general accounting office, may make such changes in the number and compensation of officers and employees appointed by him or transferred to the general accounting office under this act as may be necessary.

(c) There shall also be transferred to the general accounting office such portions of the appropriations for rent and contingent and miscellaneous expenses, including allotments for printing and binding, made for the Treasury Department for the fiscal year ending June 30, 1922, as are equal to the amounts expended from similar appropriations during the fiscal year ending June 30, 1921, by the Treasury Department for the offices of the Comptroller of the Treasury and the six auditors.

(d) During the fiscal year ending June 30, 1922, the appropriations and portions of appropriations referred to in this section shall be available for salaries and expenses of the general accounting office, including payment for rent in the District of Columbia, traveling expenses, the purchase and exchange of law books, books of reference, and for all necessary miscellaneous and contingent expenses.

Mr. GOOD. Mr. Chairman, I offer an amendment. The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. Good: Page 17, line 4, after the word "office" insert a comma and the words "except as otherwise provided herein."

Mr. GOOD. Mr. Chairman, this amendment is simply to fit in with the amendment with regard to the new offices created by the amendment relating to the administrative accounts in the Post Office Department.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Iowa.

The amendment was agreed to.

The Clerk read as follows:

SEC. 316. The general accounting office shall not be construed to be a bureau or office created since January 1, 1916, so as to deprive employees therein of the additional compensation allowed civilian employees under the provisions of section 6 of the legislative, executive, and judicial appropriation act for the fiscal year ending June 30, 1922, if otherwise entitled thereto.

Mr. GOOD. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. Good: Page 18, line 3, after the word "office" sert "and the bureau of accounts."

The amendment was agreed to.

The Clerk read as follows:

SEC. 318. This act shall take effect upon its approval by the President: Provided, That sections 301 to 315, inclusive, relating to the general accounting office, shall take effect July 1, 1921.

Mr. GOOD. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. Good: On page 18, line 16, strike out "315" and insert "317"; and in line 17 after "office" insert "and the bureau of accounts."

The amendment was agreed to.

The CHAIRMAN. This completes the reading of the bill. The question is upon agreeing to the text of the House bill as amended, as a substitute for the text of the Senate bill; to strike out all after the enacting clause of said Senate bill and insert in lieu thereof the text of the House bill as amended by the committee.

The motion was agreed to.

Mr. GOOD. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. Burron, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (S. 1084) to provide a national budget system and an independent audit of Government accounts, and for other purposes, had directed him to report the same back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. GOOD. I move the previous question on the bill and amendment to the final passage.

The SPEAKER. The rule orders the previous question. The previous question is ordered. The question is on the amend-

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. JOHNSON of Mississippi. I have a motion to recommit. The SPEAKER. That will come later.

The bill was ordered to be engrossed and read a third time."

and was accordingly read the third time.

The SPEAKER. The gentleman from Mississippi [Mr. Johnson] offers a motion to recommit, which the Clerk will report.

The Clerk read as follows:

Mr. Johnson of Mississippi moves to recommit the bill to the Select Committee on the Budget, with instructions to report the same back forthwith with the following amendment: On page 11, line 6, after the word "office" strike out "during good behavior," and insert in lien thereof "for seven years."

Mr. GOOD. I make the point of order that the motion to recommit that has been offered is not in order.

The House has already agreed to the amendment which the gentleman from Mississippi seeks to strike out of the bill.

Mr. GARRETT of Tennessee. Mr. Speaker, I suggest this for the consideration of the Speaker: I think that probably under the holdings, if this was an ordinary procedure, the Chair might be well taken. But I direct the attention of the Chair to the fact that the rule as reported from the Committee on Rules expressly provides that a motion to recommit should be in order. The report of the Committee on Rules contemplated precisely the course that has been taken, namely, that the House bill was to be substituted for the Senate bill, but notwithstanding that fact it also provided that the motion to recommit should be in order.

The SPEAKER. There can be no doubt but a motion to re-

commit would be in order.

Mr. GARRETT of Tennessee. But the gentleman from Iowa makes the point of order.

The SPEAKER. On the ground that it seeks to strike out

an amendment already adopted by the House.

Mr. GOOD. It strikes out an amendment already agreed to by the House, and the gentleman from Tennessee knows by the well-established rules that never is in order.

Mr. CAMPBELL of Kansas. Mr. Speaker, may I suggest that while the rule provided for one motion to recommit, that motion to recommit must be a motion otherwise in order to the bill?

Mr. JOHNSON of Mississippi. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. JOHNSON of Mississippi. Can I strike out the 7 years and insert 10 years?

That would not change the parliamentary The SPEAKER. situation. The Chair thinks that under the decisions the point that the gentleman from Iowa makes is unquestioned. The language that the gentleman seeks to strike out has been agreed to as an amendment and that can not be now amended. The gentleman from Tennessee apparently recognizing that fact makes the point that this is different from the ordinary case, because the special rule provides that a motion to recommit should be in order. The Chair assumes that that was done, as it is always done in the special rule, because it is compulsory on the Committee on Rules to put it in, inasmuch as the rules themselves make that provision. It was put in in order to comply with the rule. And the motion to recommit would be in order now.

Mr. WINGO. A parliamentary inquiry, Mr. Speaker.
The SPEAKER. The gentleman will state it.
Mr. WINGO. I do not recall the rule, but, as I understand, the rule made the Senate bill in order, and the Committee of the Whole adopted as one amendment the House bill amended. Is that the status?

The SPEAKER. The rule provided that the House bill should be considered in lieu of the Senate bill as an amendment and should be allowed to be amended. The Chair assumes that the reason of that was that it would prevent the reading of the Senate bill.

Mr. WINGO. That is the point I want to suggest. The rule did not provide, as it might have done, for the consideration of the Senate bill, and then leave it as it might under the rules of the House to an amendment in the nature of a substitute; but the rule provided that the Senate bill should be considered in a certain way-that is, by the consideration of the House bill. I am inclined to think that the Chair is right, although it occurred to me at first that it might make some difference. On reflection I do not think that it would.

The SPEAKER. The Chair sustains the point of order.

Mr. JOHNSON of Mississippi. Mr. Speaker, I move to recommit the bill.

Mr. GOOD. And on that I move the previous question.

Mr. LONGWORTH. Is the gentleman from Mississippi opposed to the bill?

Mr. JOHNSON of Mississippi. I am opposed to the bill. The SPEAKER. The question is on the previous question. The previous question was ordered.

The SPEAKER. The question now is on the motion of the gentleman from Mississippi to recommit the bill.

The question was taken, and the Speaker announced that the

noes seemed to have it.
Mr. JOHNSON of Mississippi. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The gentleman from Mississippi makes the point of no quorum. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were-yeas 59, nays 297, not voting 73, as follows:

	114	as-00.	
Almon Aswell Bell Black Blanton Bowling Briggs Brinson	Drane Drewry Driver Flood Fulmer Goldsborough Hammer Hardy, Tex.	Larsen, Ga. Lee, Ga. London Lowrey McClintic McDuffle McSwain Montague	Rouse Sabath Sanders, Tex. Sears Smithwick Stedman Stevenson Sumners, Tex.
Buchanan Bulwinkle Carew Carter Connally, Tex. Cullen Davis, Tenn.	Huddleston Hudspeth Johnson, Miss. Jones, Tex. Kunz Lanham Lankford	Norton Overstreet Park, Ga. Parks, Ark. Pou Quin Rankin	Swank Tyson Upshaw Weaver Wingo Wright

#### NAYS-297.

Ackerman	Fenn	Lazaro	Rodenberg
Andrews	Fess	Lee, N. Y.	Rogers
Anthony	Fish	Lee, N. Y. Lehlbach	Rose
Arentz	Fisher	Lineberger	Rosenbloom
Atkeson	Fitzgerald	Linthicum	Rossdale
Bacharach	Focht	Little	Ryan
Bankhead	Foster	Longworth	Sanders, Ind.
Barbour Barkley	Frear	Luce	Sanders, N. Y.
Beck	Free French	Lufkin	Sandlin Schall
Beedy	Frothingham	Luhring McArthur	Scott Mich
Benham	Funk	McCormick	Scott, Mich. Scott, Tenn.
Bixler	Gallivan	McFadden	Shaw
Bland, Ind.	Garner	McKenzie	Shelton
Bland, Ind. Bland, Va.	Garrett, Tenn. Garrett, Tex.	McLaughlin, Mich	Shreve
Boies	Garrett, Tex.	McLaughlin, Nebr McLaughlin, Pa.	Siegel
Bond	Gensman	McLaughlin, Pa.	Sinclair
Bowers	Gernerd	McPherson	Sinnott
Box	Glynn	MacGregor	Slemp
Brand Brennan	Good	Madden	Smith
Brooks III	Gorman Graham, Ill.	Magee Maloney	Snell Speaks
Brooks, Ill. Brooks, Pa. Brown, Tenn.	Green, Iowa	Mansfield	Sproul
Brown, Tenn.	Greene, Mass.	Mapes	Stafford
Burdick	Greene, Wass, Greene, Vt.	Martin	Steenerson
Burroughs	Griest	Merritt	Stephens
Burtness	Griffin	Michaelson	Strong, Kans.
Burten	Hadley	Michener	Summers, Wash
Butler	Hardy, Colo. Harrison	Miller	Sweet
Byrnes, S. C. Byrns, Tenn. Cable	Harrison	Mills	Swing
Byrns, Tenn.	Hawes	Millspaugh	Taylor, Colo. Taylor, N. J. Taylor, Tenn.
Canille Comphail Kana	Hawley	Mondell	Taylor, N. J.
Campbell, Kans. Campbell, Pa.	Hayden Hays	Montoya Moore, Ill.	Temple
Cannon	Herrick	Moore, Ohio	Ten Eyck
Cantrill	Hersey	Moore, Chio Moore, Va.	Thompson
Chalmers	Hickey	Moores, Ind.	Tillman
Chandler, Okla.	Hicks	Morgan	Tilson
Chindblom	Hill	Mott	Timberlake
Christopherson	Himes	Mudd	Tincher
Clague	Hoch	Murphy Nolson A B	Tinkham
Clarke, N. Y. Classon	Houghton Hull	Nelson, A. P. Nelson, J. M.	Towner Treadway
Clouse	Humphreys	Newton, Minn,	Underhill
Cole	Husted	Nolan	Vaile
Collier	Hutchinson	O'Brien	Vestal
Collins*	Ireland	Ogden Oliver	Vinson
Colton	James, Mich.	Oliver	Voigt
Connell	Jefferis Jehren V	Olpp	Volk
Connolly, Pa. Cooper, Ohio Cooper, Wis.	Johnson, Ky. Johnson, S. Dak. Johnson, Wash,	Osborne	Volstead
Cooper, Unio	Johnson, S. Dak.	Paige Parker N T	Walsh
Coughlin	Jones, Pa.	Parker, N. J. Parker, N. Y.	Walters Ward N V
Crisp	Kearns	Parrish	Ward, N. Y. Ward, N. C.
Curry	Keller	Patterson, Mo.	Wason
Dale	Kelley, Mich. Kelly, Pa.	Patterson, Mo. Patterson, N. J.	Watson
Dallinger	Kelly, Pa.	Perlman	Webster
Darrow	Kendall	Peters	Wheeler
Davis, Minn,	Ketcham	Petersen	White, Kans.
Deal	Kiess	Porter	White, Kans. White, Me.
Denison	Kincheloe	Pringey	Williams
Dickinson Dominick	King	Purnell Radcliffe	Williamson
Dowell	King Kinkaid	Raker	Wilson Winslow
Dunbar	Kirkpatrick	Ramseyer	Wood, Ind.
Dyer	Kissel	Ransley	Woodruff
Echols	Kleczka	Reavis	Woods, Va.
Edmonds	Kline, N. Y. Kline, Pa.	Reece	Woods, Va. Woodyard
Elliott		Reed, N. Y.	Wurzbach
Ellis	Knutson	Rhodes	Wyant
Elston	Kopp Kraus	Ricketts Riddick	Young Zihlman
Evans Fairfield	Larson, Minn.	Roach	Monday
Faust	Lawrence	Robertson	A Description of
Favrot	Layton	Robsion	

Roach Robertson Robsion Layton

Anderson Ansorge Appleby Begg

ird lakenev	Burke Chandler, N. Y.	Codd
ritten	Clark, Fla.	Cramt
rowne, Wis.	Cockran	Crowt

empsey oughton unn upré airchild ields ordney reeman uller ahn	Hogan Hukriede Jacoway James, Va. Kahn Kennedy Kitchin Knight Kreider Lampert	Mann Mason Mead Morin Newton, O'Connor Oldfield Padgett Perkins Rainey, A
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ordney	Kitchin	
reeman	Knight	Padgett
uller	Kreider	Perkins
ahn	Lampert	Rainey, A
ilbert	Langley	Rayburn
oodykoontz	Lea, Calif.	Reber
ould	Leatherwood	Reed, W.
raham, Pa.	Logan	Riordan
augen	Lyon	Rucker
and the same		

ann ason ead forin ewton, Mo. 'Connor ldfield adgett erkins ainey, Ala. ayburn eber ced, W. Va. iordan ucker	Sisson Snyder Steagall Stiness Stoll Strong, P Sullivan Tague Thomas Vare Wise Yates

So the motion to recommit was rejected. The Clerk announced the following additional pairs: Until further notice:

Mr. LANGLEY with Mr. CLARK of Florida.

Mr. Graham of Pennsylvania with Mr. Riordan. Mr. Newton of Missouri with Mr. Sisson.

Mr. Blakeney with Mr. Dupré. Mr. FORDNEY with Mr. COCKRAN.

Mr. KNIGHT with Mr. STEAGALL. Mr. KREIDER with Mr. LYON. Mr. YATES with Mr. MEAD.

Mr. Strong of Pennsylvania with Mr. RAYBURN. Mr. VARE with Mr. Lea of California.

Mr. Bird with Mr. O'Connor.
Mr. Kahn with Mr. Tague.
Mr. Reed of West Virginia with Mr. Rucker.
The result of the voice was announced as above recorded.

The question is on the passage of the bill. Mr. GOOD. Mr. Speaker, I demand the yeas and nays. The yeas and nays were ordered.

The question was taken; and there were-yeas 344, nays 9,

Ackerman	Davis, Minn.	Hutchinson
Almon	Davis, Minn. Davis, Tenn.	Ireland
Andrews	Deal	James, Mich
Anthony Arentz	Denison	Jefferis
Aswell	Dickinson Dominick	Johnson, Ky
Atkeson	Dowell	Johnson, S. Johnson, W.
Bacharach	Drane	Jones, Pa. Jones, Tex.
Barbour Barkley	Drewry	Jones, Tex.
Beck	Dunbar Dyer	Kearns Keller
Beedy	Edmonds	Kelley, Mich
Bell	Elliott	Kelley, Mich Kelly, Pa.
Benham Bixler	Ellis	Kendall
Black	Elston Evans	Ketcham Kiess
Bland, Ind.	Fairfield	Kincheloe
Bland, Ind. Bland, Va.	Faust	Kindred
Blanton	Favrot	King
Boies Bond	Fenn Fess	Kinkaid Kirkpatriok
Bowers	Fish	Kirkpatrick Kissel
Bowling	Fisher	Kleczka
Box	Fitzgerald	Kline, N. Y. Kline, Pa.
Brand	Flood	Kline, Pa.
Brennan Briggs	Focht Foster	Knutson Kopp
Brinson	Frear	Kraus
Brooks, Ill. Brooks, Pa. Brown, Tenn.	Free	Kunz
Brooks, Pa.	French	Lanham
Brown, Tenn.	Frothingham	Lankford
Buchanan Bulwinkle	Fulmer Funk	Larsen, Ga. Larson, Min
Burdick	Gallivan	Lawrence
Burroughs	Garner	Lazaro
Burtness	Garrett, Tenn. Garrett, Tex.	Leatherwood
Burton Butler	Gensman	Lee, Ga. Lee, N. Y. Lehlbach
	Gernerd	Lehlbach
Byrnes, S. C. Byrns, Tenn.	Glynn	Lineberger
Cable	Goldsborough	Linthicum
Campbell, Kans.	Good	Little
Campbell, Pa. Cannon	Gorman Graham, Ill.	London Longworth
Cantrill	Green, Iowa	Lowrey .
Carter	Greene, Mass.	Luce
Chalmers	Greene, Mass. Greene, Vt.	Lufkin
Chandler, N. Y.	Griest	Luhring
Chandler, N. Y. Chandler, Okla. Chindblom	Griffin Hadley	McClintic McCormick
Christopherson	Hammer	McCormick
Clague	Hardy, Colo.	McDuffie
Clarke, N. Y. Classon	Harrison	McFadden McKenzie
Classon Clouse	Hawes Hayden	McLaughlin
Cole	Hays	McLaughlin
Collier	Herrick	McLaughlin
Collins Colton	Hersey Hickey	McPherson
Connoll	Hickey Hicks	McSwain
Connolly, Pa. Cooper, Wis. Coughlin Crisp Curry Pole	Hill	MacGregor Madden
Cooper, Wis.	Himes	Magee
Coughlin	Hoch	Magee Maloney
Crisp	Houghton	Mansfield
Dale	Huddleston Hull	Mapes Mead
Dallinger	Humphreys	Merritt
Darrow	Husted	Michaelson

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Moore, Ill.
Moore, Ohio
Moore, Va.
Moores, Ind.
Morgan
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Mudd
Murphy
Nelson, A. P.
Nelson, J. M.,
Newton, Minn,
Nolan
O'Brien
Ogden Ogden Oldfield Oliver Olpp Osborne Osborne
Overstreet
Paige
Park, Ga,
Parker, N. J.
Parker, N. Y.
Parks, Ark.
Parrish Patterson, Mo. Patterson, N. J. Perlman Peters Petersen Porter Porter Pou Pringey Purnell Quin Radcliffe Raker Ramseyer Rankin Ransley Reavis Reece Reed, N. Y. Rhodes Ricketts Ricketts
Riddick
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Scott, Mich. Scott, Tenn. Sears Shaw Shelton Shreve Siegel Sinclair Sinnott	Stephens Stevenson Strong, Kans. Summers, Wash. Sumners, Tex. Swank Sweet Swing Taylor, Colo.	Tinkham Towner Treadway Underhill Upshaw Vaile Vestal Vinson Voigt	Webster Wheeler White, Kans, White, Me. Williams Williamson Wilson Wingo Winslow
Slemp Smith Smithwick Snell Speaks Sproul Stafford	Taylor, N. J. Taylor, Tenn. Temple Ten Eyck Thompson Tillman Tilson	Volk Volstead Walsh Walters Ward, N. Y. Ward, N. C.	Wood, Ind. Woodruff Woods, Va. Woodyard Wright Wurzbach Wyant
Stedman Steenerson	Timberlake Tincher	Watson Weaver	Young Zihlman
Carew Connally, Tex. Cullen	Hardy, Tex. Hudspeth	Johnson, Miss. Montague	Norton Tyson
	NOT VO	TING-76.	at sympations
Anderson Ansorge Appleby Bankhead Begg Bird Blakeney Britten Browne, Wis. Burke	Driver Dunn Dupré Echols Fairchild Fields Fordney Freeman Fuller Gahn	James, Va, Kahn Kennedy Kitchin Knight Kreider Lampert Langley Layton Lea, Calif,	Perkins Rainey, Ala. Rayburn Reber Reed, W. Va. Riordan Rucker Sisson Snyder Steagall
Clark, Fla. Cockran Codd Cooper, Ohio Copley Cramton Crowther Dempsey Doughton	Gilbert Goodykoontz Goodd Graham, Pa. Haugen Hawley Hogan Hukriede Jacoway	Logan Lyon Mann Martin Mason Morin Newton, Mo. O'Connor Padgett	Stiness Stoll Strong, Pa. Sullivan Tague Thomas Vare Wise Yates

So the bill was passed.

The Clerk announced the following additional pairs:

On the vote:

Mr. Graham of Pennsylvania (for) with Mr. Yates (against). Additional pairs

Mr. Cooper of Ohio with Mr. BANKHEAD.

Mr. Freeman with Mr. Driver.

Mr. COPLEY with Mr. RIORDAN.

Mr. Echols with Mr. Logan.

Mr. HAWLEY with Mr. MABTIN.

Mr. HAWLEY. Mr. Speaker, is this on the motion to recommit?

The SPEAKER. No; on the passage of the bill. Mr. HAWLEY. I did not hear the bell; I was not in the Hall.

The result of the vote was announced as above recorded.

Mr. GOOD. Mr. Speaker, I move that the House request a conference with the Senate on the amendment to the bill.

The SPEAKER. The gentleman from Iowa moves that the House request a conference with the Senate on the amendment to the bill. Is there objection?

There was no objection.

The SPEAKER announced the following conferees on the part of the House:

Mr. Good, Mr. CAMPBELL of Kansas, Mr. Madden, Mr. Byrns of Tennessee, and Mr. GARNER.

# LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows

To Mr. Perkins, for three days, on account of illness in family. To Mr. Bird, indefinitely, on account of sickness in family.

To Mr. Lea of California, for five days, on account of illness. To Mr. Ramseyer, for two days, on account of important business

To Mr. Browne of Wisconsin (at request of Mr. Frear), in-

definitely, on account of sickness.

To Mr. Sisson, indefinitely, on account of illness.

# WITHDRAWAL OF PAPERS.

Mr. Fess, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of George C. Jenkins, H. R. 3609, Sixty-fifth Congress, and H. R. 15661, Sixty-fourth Congress, no adverse report having been made thereon.

# ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now

The motion was agreed to; accordingly (at 5 o'clock and 25 minutes p. m.) the House adjourned until Friday, May 6, 1921, at 12 o'clock noon.

# EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

100. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation in the sum of \$1,000 required for the payment of a judgment against the District of Columbia (H. Doc. No. 66); to the Committee on Appropriations and ordered to be printed.

101. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation in the sum of \$4,050 required by the Treasury Department in connection with the handling of surety bonds (H. Doc. No. 67); to the Commit-

tee on Appropriations and ordered to be printed.

102. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation in the sum of \$41,820 required by the Post Office Department for salaries in the office of the Postmaster General in connection with the distribution, sale, and keeping of accounts of war-savings certificates and thrift stamps, fiscal year 1922 (H. Doc. No. 68); to the Committee on Appropriations and ordered to be printed.

103. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation in the sum of \$65,000 required by the Department of the Interior for repairs to the old General Land Office Building, fiscal year 1922 (H. Doc. No. 69); to the Committee on Appropriations and ordered to be printed.

104. A letter from the Secretary of the Treasury, transmitting a paragraph of proposed legislation authorizing the pay-ment of certain bills for advertising incurred by the Public

Health Service; to the Committee on Claims. 105. A letter from the Secretary of Labor, transmitting draft of proposed legislation for the relief of Louis Weinberger; to the Committee on Expenditures in the Department of Labor.

### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follow

Mr. McCORMICK, from the Committee on the Public Lands. to which was referred the bill (H. R. 2428) granting certain lands to Converse County, Wyo., for a public park, reported the same with an amendment, accompanied by a report (No. 45), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SUTHERLAND, from the Committee on the Territories, to which was referred the bill (H. R. 5222) to provide for the retention by the Government of the property in Seward, Alaska, known as the Alaska Northern Railway office building, and its use for court purposes, reported the same without amendment, accompanied by a report (No. 46), which said bill and report were referred to the House Calendar.

Mr. WEBSTER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 3018) granting the consent of Congress to H. H. Haynes to construct a dike across Mud Slough, on Isthmus Inlet, in section 23, township 26 south, range 13 west of Willamette meridian, in Oregon. reported the same with an amendment, accompanied by a report (No. 47), which said bill and report were referred to the House Calendar.

# PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials

were introduced and severally referred as follows:

By Mr. ANTHONY; A bill (H. R. 5823) providing for establishing shooting grounds for the public, for the establishing of game refuges and breeding grounds, for protecting migratory birds, and requiring a Kederal license to hunt them; to the Committee on Agriculture.

By Mr. KAHN: A bill (H. R. 5824) to vacate and close certain streets and alleys within the area known as the Walter Reed General Hospital, District of Columbia; to the Committee

on Military Affairs.

By Mr. HUDSPETH: A bill (H. R. 5825) to amend section 12, paragraph 7, of the act approved July 17, 1916, known as the Federal farm loan act, and also to permit the Secretary of the Treasury, in his discretion, to use not to exceed in the aggregate \$100,000,000 of the net earnings to be derived by the United States from the Federal reserve banks during the years 1921, 1922, and 1923, the same being the earnings accrued and accruing during the years 1920, 1921, and 1922, as hereinafter provided, said sums to be deposited in the various Federal loan

banks to be loaned upon agricultural products, live stock, wool, and mohair; to the Committee on Banking and Carrency.

By Mr. BRITTEN: A bill (H. R. 5826) authorizing the construction of airplane carriers for the Naval Establishment of the United States and revoking authority for the construction of certain other vessels; to the Committee on Naval Affairs.

By Mr. KAHN: A bill (H. R. 5827) to authorize the Secretary of War, in his discretion, to make available for exchange, with foreign nations desiring same, certain samples of arms and equipment in use by the Army of the United States; to the Committee on Military Affairs.

By Mr. KINCHELOE: A bill (H. R. 5828) to increase the limit of cost for the United States Public Health Sanatorium at Dawson Springs, Ky.; to the Committee on Public Buildings and Grounds

By Mr. REECE: A bill (H. R. 5829) to provide for the erection of a public building at Erwin, Unicoi County, Tenn.; to the Committee on Public Buildings and Grounds.

By Mr. SMITH: A bill (H. R. 5830) to provide for the extension of the Federal building at Pocatello, Idaho; to the Committee on Public Buildings and Grounds

By Mr. MASON (by request): A bill (H. R. 5831) to regulate the payment of fares to licensed drivers of public vehicles operated for hire in the District of Columbia; to the Committee on the District of Columbia.

By Mr. McLAUGHLIN of Nebraska: A bill (H. R. 5832) to amend paragraph 10 of section 127a of the act entitled "An act to amend an act entitled 'An act for making further and more effective provisions for the national defense, and for other purposes," approved June 4, 1920; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 5833) authorizing the construction of an airplane carrier for the Navy of the United

States; to the Committee on Naval Affairs.

By Mr. BRINSON: A bill (H. R. 5834) to enlarge and extend the post-office building at Goldsboro, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. J. M. NELSON: A bill (H. R. 5835) to increase the limit of cost for the proposed new Federal building at Madison, Wis., and the site thereof; to the Committee on Public Build-

By Mr. MURPHY: A bill (H. R. 5836) providing for the purchase of a site and the erection thereon of a public building at Toronto, in the State of Ohio; to the Committee on Public Buildings and Grounds.

By Mr. FESS: A bill (H. R. 5837) to establish a department of public welfare, and for other purposes; to the Committee on Education.

By Mr. CABLE: A bill (H. R. 5838) to create an emergency board, consisting of the comptroller general, the chairman of the Appropriations Committee of the Senate, and the chairman of the Appropriations Committee of the House, to pass upon all emergency appropriations; to the Committee on the Judiciary.

By Mr. LEHLBACH: Resolution (H. Res. 81) providing for investigation in connection with the installing in the House of Representatives of electrical apparatus for registering roll calls and votes; to the Committee on Accounts.

By Mr. KAHN: Joint resolution (H. J. Res. 105) to provide for appropriate military records for persons who, pursuant to orders, reported for military duty, but whose induction or com-mission into the service was not, through no fault of their own, formally completed on or prior to November 11, 1918, and for other purposes; to the Committee on Military Affairs.

By Mr. CABLE: Joint resolution (H. J. Res. 106) authorizing the Secretary of War to loan cots and blankets for the use of the Grand Army of the Republic at the Ohio State encamp-ment, to be held in Greenville, Ohio, in June, 1921; to the Committee on Military Affairs,

By Mr. KINDRED: Joint resolution (H. J. Res. 107) declaring that a state of peace exists between the United States and Germany; to the Committee on Foreign Affairs,

# CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 1717) granting an increase of pension to Agnes B. Earl, and the same was referred to the Committee on Invalid Pensions.

# PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions

were introduced and severally referred as follows:
By Mr. CABLE: A bill (H. R. 5839) to renew and extend certain letters patent; to the Committee on Patents.

By Mr. CAMPBELL of Kansas: A bill (H. R. 5840) granting a pension to Martin L. Ames; to the Committee on Pensions.

By Mr. DALLINGER: A bill (H. R. 5841) granting an increase of pension to M. Isabel Peirce; to the Committee on Invalid Pensions.

By Mr. DRANE: A bill (H. R. 5842) granting an increase of pension to Emma C. Blackshear; to the Committee on Pensions. By Mr. EDMONDS: A bill (H. R. 5843) for the relief of Raymond A. Parsons; to the Committee on Claims.

By Mr. FISHER: A bill (H. R. 5844) for the relief of the legal representatives of Enoch Ensley, deceased; to the Committee on War Claims.

Also, a bill (H. R. 5845) to carry out the findings of the Court of Claims in the case of Thomas J. Hunt, surviving partner of Mosby & Hunt; to the Committee on Claims,

Also, a bill (H. R. 5846) to carry out the findings of the Court of Claims in the case of W. W. Goodwin, receiver of the Bank of West Tennessee; to the Committee on Claims. By Mr. FOCHT: A bill (H. R. 5847) for the relief of George

W. Bard; to the Committee on Military Affairs.

By Mr. FORDNEY: A bill (H. R. 5848) authorizing the Secretary of War to donate to Belding, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GOLDSBOROUGH: A bill (H. R. 5849) for the relief

of William J. Harris; to the Committee on Military Affairs. By Mr. HAYDEN: A bill (H. R. 5850) granting an increase of

pension to Mary L. H. Brodle; to the Committee on Pensions

By Mr. KIESS: A bill (H. R. 5851) for the relief of John Webster Haynes; to the Committee on Military Affairs.

By Mr. KING: A bill (H. R. 5852) for the relief of James M. Winston; to the Committee on Military Affairs.

By Mr. KNUTSON: A bill (H. R. 5853) authorizing payment to certain Red Lake Indians, out of Chippewa Indian funds, for garden plats surrendered for school-farm use; to the Committee on Indian Affairs.

Also, a bill (H. R. 5854) granting an increase of pension to Carrie Smart; to the Committee on Invalid Pensions.

By Mr. LANKFORD: A bill (H. R. 5855) authorizing the Secretary of War to donate one German cannon to certain cities in Georgia; to the Committee on Military Affairs.

By Mr. MACGREGOR: A bill (H. R. 5856) granting a pension to Emma M. McIntyre; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5857) to provide for the retirement of Thaddeus B. Glover, now chief clerk in the Quartermaster Corps, as a warrant officer in the Army; to the Committee on Military Affairs.

Also, a bill (H. R. 5858) granting a pension to Julia B. Leibrich; to the Committee on Invalid Pensions.

By Mr. MASON: A bill (H. R. 5859) granting a pension to

Dan Henry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5860) authorizing the Secretary of the Treasury to pay war-risk insurance to the mother of Harry G. Healy; to the Committee on Claims.

By Mr. MEAD: A bill (H. R. 5861) granting a pension to Josephine Walker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5862) granting a pension to Emily Wilson: to the Committee on Invalid Pensions. Also, a bill (H. R. 5863) granting a pension to Jane N. Ashley;

to the Committee on Invalid Pensions. By Mr. MICHAELSON: A bill (H. R. 5864) for the relief of

Soren Jensen; to the Committee on Claims. By Mr. MORGAN: A bill (H. R. 5865) granting a pension to

Laura C. Kinney; to the Committee on Invalid Pensions. Also, a bill (H. R. 5866) granting an increase of pension to

Elizabeth H. Williams; to the Committee on Invalid Pensions. By Mr. MURPHY: A bill (H. R. 5867) granting an increase of pension to Annis Lavera Hastings; to the Committee on Invalid Pensions.

By Mr. REECE: A bill (H. R. 5868) granting a pension to Hugh G. Smelcer; to the Committee on Invalid Pensions

Also, a bill (H. R. 5869) for the relief of George B. Robinson; to the Committee on Military Affairs.

Also, a bill (H. R. 5870) granting a pension to Benjamin Hammonds; to the Committee on Pensions,

By Mr. ROSENBLOOM: A bill (H. R. 5871) for the relief of

Barbara Kurner; to the Committee on Claims.

By Mr. ROSSDALE: A bill (H. R. 5872) authorizing the Secretary of War to donate to the Salvation Army Training College, Morris Heights, New York City, two German cannons or field-pieces; to the Committee on Military Affairs.

By Mr. ROUSE: A bill (H. R. 5873) for the relief of Marion Banta; to the Committee on Claims.

By Mr. STRONG of Pennsylvania: A bill (H. R. 5874) granting an increase of pension to Carrie Lourenia Briney; to the Committee on Invalid Pensions.

By Mr. VOIGT: A bill (H. R. 5875) granting a pension to Edward Kirchen; to the Committee on Pensions.

Also, a bill (H. R. 5876) granting a pension to Edward

Frank; to the Committee on Pensions.

Also, a bill (H. R. 5877) granting an increase of pension to George W. Brasure; to the Committee on Pensions.

Also, a bill (H. R. 5878) granting an increase of pension to Daniel Smith; to the Committee on Pensions.

Also, a bill (H. R. 5879) granting a pension to Catherine Bishop; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5880) granting a pension to Irene Sullivan Kehrmeyer; to the Committee on Pensions.

Also, a bill (H. R. 5881) granting a pension to Oscar Neu-

meister: to the Committee on Pensions.

By Mr. WALSH: A bill (H. R. 5882) granting an increase of pension to Mary J. Beard; to the Committee on Pensions,

# PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid

on the Clerk's desk and referred as follows:
486. By Mr. CULLEN: Petition of the Sisterhood of the Progressive Synagogue, against the expenditure involving war; to the Committee on Expenditures in the War Department.

487. By Mr. DARROW: Resolutions of the Women's Auxiliary, William P. Roche Post, No. 21, the American Legion; the Women's Auxiliary, James J. Barry Post, No. 83; and the Louis Howard Fielding Post, No. 41, Philadelphia, Pa., in behalf of legislation for the relief of disabled soldiers; to the Committee on Ways and Means.

488. By Mr. FUNK: Petition of the Bloomington (Ill.) Automobile Dealers' Association and McLean County Automobile Club, protesting against further burdening of the industry with new tax program which demands doubling of war tax, placing 50 cents per horsepower tax on automobiles and 2 cents per gallon tax on gasoline, which would mean increased tax burden of \$290,000,000 annually and would offer such sales resistance that progress of the automobile industry would be seriously retarded: to the Committee on Ways and Means.

489. By Mr. GALLIVAN: Petition of the George Park Custis Council, American Association for the Recognition of the Irish Republic, by William P. Costello, 11 Chelmsford Street, Dor-chester, Mass., protesting against the treatment of the people in Ireland by the British Government and urging the recognition of the Irish republic by the United States Government; to the Committee on Foreign Affairs.

490. By Mr. GARRETT of Tennessee: Petition of citizens of

Alton Park, Tenn., protesting against the passage of the sales

tax law, etc.; to the Committee on Ways and Means.

491. By Mr. GILLETT: Petition of the Unity Center of New Thought, Springfield, Mass., against the present naval bill; also

large standing Army; to the Committee on Naval Affairs.

492. By the SPEAKER (by request): Petition of Mrs. R. J.
Wondra and numerous other citizens of Massachusetts, favoring recognition of Ireland; to the Committee on Foreign Affairs.

493. By Mr. GRIEST: Petition of Chester L. Deichler and others, urging the adoption by Congress of the resolution providing the enforcement of the marriage and divorce laws; to the Committee on the Judiciary.

494. Also, petition of S. H. Kitch and others, urging the enactment of legislation protecting Sunday in the District of Columbia from commercialism; to the Committee on the District

of Columbia. 495. By Mr. KISSEL: Petition of I. G. Jennings, Glass Coniner Association, New York City, opposing the passage of

H. R. 4981; to the Committee on Agriculture.

496. By Mr. MacGREGOR: Petition of Nicholas Trojanosky and others, regarding the case of East Galicia; to the Commit-

tee on Foreign Affairs.

497. By Mr. MORGAN: Petition of the Lemert Post, No. 71, Grand Army of the Republic, Felix R. Robertson, commander, 35 Boner Street, Newark, Ohio, asking minimum pensions of \$72 per month for every surviving Civil War soldier and a minimum pension of \$50 per month for Civil War widows; to the Committee on Invalid Pensions.

498. By Mr. MORIN: Petition of the Emory Brotherhood Bible Class, Emory Methodist Episcopal Church, A. B. Brown, secretary, of Pittsburgh, Pa., urging all honorable means be used to prevent the change or nullification of the Volstead Act; to the Committee on the Judiciary.

499. By Mr. NEWTON of Minnesota: Petition of sundry citizens of Minneapolis, urging the Congress of the United States to take the necessary action toward recognition of the republic of Ireland; to the Committee on Foreign Affairs.

500. Also, resolution of the Minnesota State Young Men's Christian Association, on behalf of disabled soldiers, sailors, and marines; to the Committee on Interstate and Foreign Com-

501. Also, petition of Mrs. Sophie Kenyon on behalf of sundry citizens of Minneapolis, Minn., opposing passage of Sheppard-Towner maternity bill; to the Committee on Interstate and

Foreign Commerce.

502. By Mr. RAKER: Resolution of the Northern California Hotel Association, indorsing the McFadden gold excise bill and urging its passage; to the Committee on Ways and Means. Letter from Lillie Archer, chairman United Spanish War Veterans' Auxiliary, indorsing Senate bill 4596, to pension soldiers, sailors, and nurses of the War with Spain and their dependents; to the Committee on Pensions. Letter from F. E. Booth Co., of San Francisco, Calif., urging a high protective tariff to protect the California fish-oil industry; to the Committee on Ways and Means

503. By Mr. SINCLAIR: Petition of the Brotherhood of Locomotive Engineers, Minot, N. Dak., protesting against the sales tax; to the Committee on Ways and Means.

504. By Mr. SNYDER: Petition of Kinkaid Division 150, Order of Railway Conductors, Utica, N. Y., against the repeal of the excess-profit tax; also the substitute therefore of the sales tax; to the Committee on Ways and Means.

505. By Mr. TEMPLE: Petition of the Glass Bottle Blowers' Association No. 55, McDonald, Pa., against the enactment of a

sales tax; to the Committee on Ways and Means.

506. By Mr. TINKHAM: Petition of the Congregation Shara Tfilo, Roxbury, Mass., protesting on restriction of immigration, etc.; to the Committee on Immigration and Naturalization.

507. Also, petition of the New England Evangelical Association, convening at Lowell, Mass., urging the passage of the Smith-Towner bill; to the Committee on Education.

508. Also, petition of the Mid-City Citizens' Association of Boston, Mass., urging the passage of House bill 2249; to the Committee on the District of Columbia.

509. Also, petition of the convention of the Diocesan House, Boston, Mass., urging disarmament; to the Committee on For-

510. By Mr. THOMPSON: Petition of the Edward C. Smart Post, No. 223, American Legion, Hicksville, Ohio, urging appropriate legislation for the relief of disabled soldiers; to the Committee on Interstate and Foreign Commerce.

511. By Mr. YATES: Petition of John H. More, Chicago, Ill., urging the early passage of House bill 28, providing for the payment of certain longevity claims to United States Army officers; to the Committee on the Judiciary.

# SENATE.

# FRIDAY, May 6, 1921.

(Legislative day of Wednesday, May 4, 1921.)

The Senate met at 12 o'clock meridian, on the expiration of the recess

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the

The reading clerk called the roll, and the following Senators answered to their names:

Harrison
Heflin
Hitchcock
Johnson
Jones, Wash,
Kellogg
Kendrick
Kenyon
Keyes
King
Knox
Ladd Simmons Ashurst Smoot Spencer Stanfield Stanley Myers Nelson New Nicholson Broussard Bursum Calder Capper Sterling Sutherland Swanson Townsend Trammell Norbeck Norris Oddie Overman Caraway Caraway Culberson Cummins Curtis Dillingham Fernald Fletcher Penrose Phipps Pittman Underwood Wadsworth Walsh, Mass. Walsh, Mont. Warren La Follette Poindexter Lenroot McCormick McCumber McKellar McKinley Pomerene Ransdell France Gerry Glass Gooding Watson, Ind. Williams Reed Robinson Sheppard Shields Willis Hale Shortridge Harris

Mr. CURTIS. I wish to announce that the Senator from Kentucky [Mr. Ernst] is absent on account of illness in his

The PRESIDENT pro tempore. Seventy-eight Senators have answered to their names. A quorum is present.

LOANS TO FOREIGN GOVERNMENTS.

Mr. NORRIS. Mr. President, I submit an amendment intended to be proposed by me to the bill (S. 506) to provide adjusted compensation for veterans of the World War, and for other purposes.

I ask after it is read that it be ordered printed and referred to the Committee on Finance.

The amendment was read, ordered to be printed, and referred to the Committee on Finance, as follows:

Add a new section, as follows:

"SEC, 705. The Secretary of the Treasury is hereby directed to collect the interest due on the various loans made by the Government of the United States to foreign Governments during the war, and said sum so collected, together with all other interest payments on said loans subsequently collected, are hereby set aside as a separate fund, and the same are hereby appropriated for the purpose of carrying out the provisions of this act."

#### MESSAGE FROM THE HOUSE,

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed a bill (H. R. 2376) to further amend section 858 of the Revised Statutes of the United States, in which it requested the concurrence of the Senate.

The message also announced that the House had passed with an amendment the bill (S. 1084) to provide a national budget system and an independent audit of Government accounts, and for other purposes, requested a conference with the Senate on the bill and amendment, and that Mr. Good, Mr. Campbell of Kansas, Mr. Madden, Mr. Byrns of Tennessee, and Mr. Garner were appointed managers of the conference on the part of the

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 4075) to limit the immigration of aliens into the United States; agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Johnson of Washington, Mr. Siegel, Mr. Taylor of Tennessee, Mr. Sabath, and Mr. Raker were appointed managers of the conference on the part of the House.

#### CHANGE OF REFERENCE.

Mr. McKELLAR. Mr. President, on April 12 I introduced a bill (S. 327) to amend an act entitled "An act relating to navigation of vessels, bills of lading, and to certain obligations, duties, and rights in connection with the carriage of property," approved February 13, 1893, which was referred to the Committee on Interstate Commerce. It should have been referred to the Committee on Commerce. I ask that the proper reference be made

The PRESIDENT pro tempore. Without objection, the Committee on Interstate Commerce will be discharged from the further consideration of the bill and it will be referred to the Committee on Commerce.

# PETITIONS AND MEMORIALS.

Mr. TOWNSEND presented concurrent resolutions adopted by the Legislature of the State of Michigan, which were referred as indicated below

To the Committee on Interstate Commerce:

House concurrent resolution 7, requesting Congress to repeal the Esch-Cummins Act.

Cummins Act.

Whereas the so-called Esch-Cummins Act, enacted by Congress at the last regular session, places an unjust burden of taxation and transportation charges upon the people of the State of Michigan.

Resolved by the house of representatives (the senate concurring), That we earnestly and urgently petition the Congress of the United States to repeal the Esch-Cummins Act.

Resolved, That copies of this resolution be mailed by the clerk of the house of representatives and the secretary of the senate to the United States Senators for Michigan and to the Michigan Members of the National House of Representatives.

States Senators for Michigan and to the Michigan Members of the National House of Representatives.

House concurrent resolution 8, memorializing Congress to restore to the States control of intrastate railroads.

Whereas the Congress of the United States has, by the Interstate commerce act as amended by the transportation act of 1920, attempted to control the capital securities of railroad corporations organized under State sovereignty whose lines are built wholly within the State, thereby depriving the State of its control thereof and indirectly placing under the control of the Interstate Commerce Commission all matters of improvements, extensions, betterments, abandonment and discontinuance of railroad lines and facilities, and has attempted to deprive the State of its control over capital securities of corporations created under its laws; of its control over extensions, betterments, abandonments, and discontinuances of railroad lines wholly within the State; of its control of train service wholly within the State; of its control of train service wholly within the State; of its control of train service wholly within the State; of its power over police regulations, grade separations, safety appliances, and sanitary terminals; and has established rates for intrastate commerce, and the Interstate Commerce Commission has assumed to set aside State freight and passenger rates for intrastate traffic, and has sought to deprive shippers and travelers of the right to complain of the confiscation of their property by the extortion pursuant to the orders of the Interstate Commerce Commission of rates and fares "substantially and unreasonably in excess of a fair return upon the value of the railway property held for and used in the service of transportation"; and such action upon the part of

the Congress of the United States, as construed by the Interstate Commerce Commission, has crippled manufacturing industries, destroyed the value of farms and of farm products, placed an unreasonable burden upon the public, enabled the railroads to pay extortionate and unreasonable costs of operation, crippled transportation, and impaired the general welfare of the people: Now, therefore, be it

and impaired the general welfare of the people: Now, therefore, be if Resolved by the house of representatives (the senate concurring). That the Legislature of the State of Michigan urge upon all Members of the Congress of the United States, and particularly the Members thereof representing the State of Michigan, the amendment of the interstate commerce act as amended by the transportation act of 1920 so as to restore to the States the control of the capital securities of all railroad corporations created under the sovereignty of the States and operating railroads wholly within the territorial limits thereof; the control by the States of intrastate rates over intrastate traffic; and the authority of the States to compel service by railroads in the transportation of persons and property on the basis of a fair return upon the fair value of the used and useful property of the railroad company.

To the Committee on Commerce:

House concurrent resolution 20, memorializing Congress to amend the La Follette Act so as to alleviate burdens now carried by Great Lakes shipping.

La Follette Act so as to alleviate hurdens now carried by Great Lakes shipping.

Be it resolved by the House of Representatives of the State of Michigan (the Senate concurring), That the existing laws of the United States governing the operation of vessels upon the Great Lakes and connecting waters are unreasonable to an extent that makes their continued operation a grievous burden and in many cases an impossibility. The conditions on the Great Lakes are vastly different from those on the high seas; runs are comparatively short and steamers are seldom out of sight of land, and then only for a comparatively short time. The laws in question give vessels too little authority in times of danger; vessels plying on short runs are unnecessarily required to operate under the three-watch system; the operating season is too short, unnecessary men are required, thus adding to the expense and forcing the already high passenger and freight rates to a still higher and almost prohibitive level. These severe and inelastic regulations are totally unnecessary upon the Great Lakes. Neither necessity nor safety has counseled them. They have well-nigh paralyzed the passenger traffic and made the freight traffic an insupportable burden to the public. In view of these facts the Congress of the United States is respectfully requested to so amend and modify the La Follette Act, so called, as to alleviate these restrictive and burdensome conditions, and to do so as quickly and speedily as possible: And he it further

Resolved, That a copy of these resolutions be transmitted by the clerk of the house of representatives to each of the Senators and Representatives from this State in the Congress of the United States, and they are hereby respectfully requested to use their utmost endeavors to secure the amendments to the said law.

Mr. TOWNSEND also presented petitions of sundry citizens

Mr. TOWNSEND also presented petitions of sundry citizens of Grand Rapids; Evans Swanson Post, No. 123, American of Grand Rapids; Evans Swanson Post, No. 123, American Legion, of Kent City; auxiliary of Carl O. Weaver Post, No. 194, American Legion, of Petoskey; Patrick Leo Hanlon Post, No. 55, American Legion, of Albion; Benton Harbor Post, No. 105, American Legion, of Benton Harbor; Knights of Columbus, of Kalamazoo; and William Regan Post, No. 127, American Legion, of Marine City, all in the State of Michigan, praying for the energy post, No. 126, September 1981, Se for the enactment of legislation providing adequate relief for disabled ex-service men, which were referred to the Committee on Finance.

He also presented a memorial of Richter Beverage Co., of Escanaba, Mich., remonstrating against the enactment of legislation imposing a 50 per cent higher tax on cereal beverages, which was referred to the Committee on Finance.

Mr. CAPPER presented resolutions of the Women's Auxiliary, Hobson Langdon Post, No. 38, American Legion, of Burlington; Lincoln Post, No. 165, American Legion, of Lincoln; Chamber of Commerce of La rence; Argonne Post, No. 180, American Legion, of Great Bend, all in the State of Kansas, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which were referred to the Committee on Finance.

He also presented resolutions of Wells Creek Local, No. 1611, Farmers Union, of Belvue; Local No. 188, International Brotherhood of Blacksmiths and Helpers, of Newton; and Division No. 300, Order Railway Conductors, of Dodge City, all in the State of Kansas, protesting against the enactment of legislation repealing the excess-profits tax and substituting therefor a sales or turnover tax, which were referred to the Committee on Finance

Mr. MYERS presented a petition of Ronan Lodge, No. 131, Ancient Free and Accepted M. sons, of Ronan, Mont., praying for the enactment of legislation providing adequate relief for disabled ex-service men, which was referred to the Committee

REPORTS OF COMMITTEE ON PUBLIC LANDS AND SURVEYS.

Mr. SMOOT, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 594) for the relief of certain ex-service men whose rights to make entries on the North Platte irrigation project, Nebraska-Wyoming, were defeated by intervening claims, reported it without amendment and submitted a report (No. 36) thereon.

He also, from the same committee, to which was referred the bill (S. 809) to give preference right of employment on construction work on United States reclamation projects, and pref-

erence right of entry on the public lands, to honorably discharged soldiers, sailors, and marines, reported it with amendments, and submitted a report (No. 37) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows

By Mr. ROBINSON:

A bill (S. 1624) to relieve Congress from adjudication of private claims against the Government; to the Committee on

By Mr. JONES of Washington:

A bill (S. 1625) granting a pension to Isola Foster; and

A bill (S. 1626) granting an increase of pension to M. Cecelia Allen; to the Committee on Pensions.

By Mr. KELLOGG (by request):
A bill (S. 1627) to regulate the operation of and to encourage the development of radio communication in the United States; and

A bill (S. 1628) to regulate radio communication and to foster its development; to the Committee on Interstate Commerce.

By Mr. SHIELDS: A bill (S. 1629) for the relief of Nathaniel F. Cheairs; to the Committee on Claims.

A bill (S. 1630) to provide for the erection of a public building at Knoxville, Knox County, Tenn.; to the Committee on Public Buildings and Grounds.

A bill (S. 1631) authorizing the Secretary of War to donate to the State of Tennessee two brass cannons, with carriages;

A bill (S. 1632) for the relief of Charles M. Gourley; and A bill (S. 1633) to provide for the preparation and report to

Congress by the Chief of Engineers of the Army, under the direction and through the Secretary of War, of a preliminary plan for a system of improved national highways, and to provide for the payment of the expenses of said report; to the Committee

on Military Affairs.

A bill (S. 1634) granting a pension to Tide Owens;

A bill (S. 1635) granting an increase of pension to Harvey Day

A bill (S. 1636) granting a pension to Robert L. Zell;

A bill (S. 1637) granting a pension to John H. Smith; and A bill (S. 1638) granting an increase of pension to William R. Miller; to the Committee on Pensions.

A bill (S. 1639) to amend an act approved March 4, 1915, abolishing the jurisdiction of the Court of Claims in certain cases involving claims against the United States for property destroyed or appropriated by the Federal Army during the Civil War; and

A bill (S. 1640) to amend section 162 of the act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911; to the Committee on the Judiciary.

A bill (S. 1641) for the relief of the trustees of Hobson

Methodist Church, of Davidson County, Tenn.;

A bill (S. 1642) for the relief of the estate of Eli Pettyjohn;

A bill (S. 1643) for the relief of the Tennessee Deaf and Dumb School, of Knoxville, Tenn.;

A bill (S. 1644) for the relief of Alice Evelyn Mabry Hazen, Lawrence C. Mabry, Herbert S. Mabry, Churchwell Mabry, and

William Deaderick; and
A bill (S. 1645) for the relief of the city of Knoxville, Knox
County, Tenn.; to the Committee on Claims.
By Mr. FERNALD:

A joint resolution (S. J. Res. 52) authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to employees of the United States Department of Agriculture who died in the war with Germany; to the Committee on Public Buildings and Grounds.

# AMENDMENTS TO EMERGENCY TARIFF BILL.

Mr. NEW submitted an amendment intended to be proposed by him to House bill 2435, the emergency tariff bill, which was read, ordered to lie on the table and to be printed in the RECORD, as follows:

Add to page 18, after line 24, a new subdivision, as follows:

"(d) If it is established to the satisfaction of the appraising officers, under regulations established by the Secretary, that the foreign market value of airplanes, or airplane motors, parts, and accessories therefor, is wholly or partly based, not upon cost of production or ordinary trade conditions of supply and demand, but is based upon unusual excess stocks procured or accumulated through artificial or abnormal conditions, then the foreign market value of such airplanes, or airplane motors, parts, or accessories, for the purposes of this section shall not be less than the cost of production."

Mr. JONES of New Mexico submitted an amendment intended to be proposed by him to House bill 2435, the emergency tariff bill, which was ordered to lie on the table and to be printed in the RECORD, as follows:

On page 3, after line 11, insert the following:
"Hides of cattle, raw or uncured, whether dry, salted, or pickled,
15 per cent ad valorem: Provided, That upon all leather exported, made
from imported hides, there shall be allowed a drawback equal to the
amount of duty paid on such hides, to be paid under such regulations
as the Secretary of the Treasury may prescribe."

#### NITROGEN AND NITROGENOUS MATERIALS.

Mr. SHIELDS submitted the following resolution (S. Res. 69), which was referred to the Committee on Printing:

Resolved, That 1,500 copies of the report of the Secretary of Agriculture concerning ammonia, nitrogen, and nitrogenous materials manufactured, imported, and used in the United States, transmitted to the Senate on April 8, 1918, in pursuance of Senate resolution 137 of the first session of the Sixty-fifth Congress, be printed for the use of the

ADDITIONAL CLERK FOR DISTRICT OF COLUMBIA COMMITTEE.

Mr. BALL submitted the following resolution (S. Res. 68), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on the District of Columbia be, and it is hereby, authorized to employ an additional clerk at the rate of \$1,600 per annum, to be paid out of the miscellaneous items of the contingent fund of the Senate, during the first session of the Sixtyseventh Congress.

#### HOUSE BILL REFERRED.

The bill (H. R. 2376) to further amend section 858 of the Revised Statutes of the United States was read twice by its title and referred to the Committee on the Judiciary.

#### REMOVAL OF SOLDIER DEAD FROM FRANCE.

Mr. WALSH of Massachusetts. Mr. President, I have here a letter from an ex-service man and brother of one of the dead heroes of the World War, in which he asks me to have inserted in the Record some resolutions recently adopted by a post of Veterans of Foreign Wars, in reference to the removal of the bodies of dead soldiers from France. I ask unanimous consent to have the letter and resolutions entered in the RECORD.

The VICE PRESIDENT. Without objection, it will be so

ordered.

The letter and resolutions are as follows:

NEW YORK, May 5, 1921.

Hon. David I. Walsh. Scrate Chamber, Washington, D. C.

DEAR SENATOR WALSH: My attention has been called to an extract from the Congressional Record of April 26, 1921, in which appear a letter from the Rev. Dr. Harlan and the letters of Owen Wister and Thomas Nelson Page protesting the removal of our soldier dead from

Thomas Nelson Page protesting the removal of our scale.

My brother was Maj. James A. McKenna, jr., of the One hundred and sixty-fifth Infantry (the old Sixty-ninth New Yerk). He was killed at the Battle of the Ourcq July 28, 1918. I personally buried him and know that it was his wish that he be put to final rest in this his own country, for whose cause he gladly gave the last full measure of devotion.

The post of the Veterans of Foreign Wars, which has taken his name, has passed the inclosed resolution.

Would you see to it that it be published in the Congressional Record? I know it would give great comfort to many mothers, who after all, are the real heroes, for while we fought they watched and waited and suffered.

Sincerely,

Resolutions.

W.M. F. McKenna.

At a regular meeting of the Major James A. McKenna. jr., Post, 199, Veterans of Forcian Wars, held in Brooklyn, N. Y., April 29, 1921, the letters of Owen Wister and Thomas Nelson Page, as printed in the New York Times of April 15, 1921, were read, whereupon the following resolution was unanimously adopted:

resolution was unanimously adopted;

"Whereas upon the entry of the United States of America into the World War this Government promised to its people that the remains of such of its citizeus who might make the supreme sacrifice upon the altar of its cause in a foreign land would be returned for final interment in this country upon the request of the next of kin; and

"Whereas our Government is fulfilling this promise in an eminently satisfactory manner; the utmost tenderness, respect, and devotion being shown to our heroic dead; and

"Whereas the right of the next of kin transcends any considerations or claims upon the part of strangers; and

"Whereas the exercise of that right is peculiarly a private and sacred privilege: It is

"Resolved, That the aforementioned letters have produced and have

"Resolved, That the aforementioned letters have produced and have caused only additional sorrow and pain, where it should be the desire of all true Americans to give comfort and solace. They unjustly reflect upon the integrity of our Government. They are un-American and barbaric; it is further "Resolved, That the circulation of any propaganda which has for its solject, even though indirectly, the retarding of our Government's sacred work in fulfilling its promise to bring home the soldier dead is unreservedly condemned."

# EMERGENCY TABIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2435) imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenue; to regulate commerce with foreign countries; to prevent the dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes.

Mr. FLETCHER. Mr. President, I desire to have printed in the RECORD the telegram which I send to the desk.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

QUINCY, FLA., May 5, 1921.

Senator DUNCAN U. FLETCHER, United States Senate, Washington, D. C.:

United States Senate, Washington, D. C.:

At a meeting our association was instructed to wire urging you reconsider your position with reference to tobacco schedule in the emergency tariff measure. Position of our farmers is that farmers far outnumber manufacturers in Florida, and it is decidedly more worthy to assist the farming end of the tobacco business. By investigation you will find very little wrapper tobacco imported from Cuba at high duty used by Florida manufacturers. We grow in Florida 3,000,000 pounds wrapper tobacco. Farmers are at row's end unless tariff is raised on imported tobacco. Sumatra importers are bringing in double the quantity here-tofore imported, and with favorable rates of exchange prevailing can destroy domestic growing business. Please do not oppose tobacco schedule. stroy do

FLORIDA AND GEORGIA TOBACCO GROWERS' ASSOCIATION.

Thursday, May 5, 1921.

Mr. SIMMONS. Mr. President, it may be worth while in connection with the discussion of the bill as it now presents itself to the Senate to review very briefly the course of the legisla-

Something near six months ago the House began the preparation of a measure which it was claimed was intended and would relieve the farmers of the country from the competition of alleged excessive importations of like or similar foreign commodities to those produced in this country. At that time a very different situation existed from that which exists to-day, as I propose to show, or attempt to show, before I finish.

At that time it was claimed by the proponents of this bill that agricultural products were selling at prices but little, if any, above the cost of production, and that this situation had been brought about by excessive foreign importations of these products, and that a tariff prohibiting or restricting further importations would restore agricultural prices to a fair level, if not to the high level which obtained during and immediately after the war. It was declared that it was distinctively a farmers' emergency bill; that the recognition it gave to manufactured products was incidental and inconsequential. This was the contention when the bill first came to the Senate during the last regular session of the Sixty-sixth Congress.

Almost immediately after the bill was reported to the Senate from the House opposition on the Republican side of this Chamber of a serious character developed, more especially from the representatives of the great industrial centers of the East and North, who, while feeling sure that many of the duties imposed would not affect at all, or, if at all, not to any appreciable extent, prices, they greatly feared that certain of these duties, such as those imposed upon sugar and meats,

would tend greatly to increase the cost of living.

The House had demanded that the bill be passed without amendment. It was authoritatively stated that if amended it would not be accepted by that body and legislation would fail. In these conditions it was for a time doubtful whether the bill would be favorably acted upon by the Senate, and it probably would not have been but for the fact the Finance Committee decided to disregard the injunction of the House and to amend it, and did so amend it as to make it less objectionable to the opposition element of the majority party, but still by no means satisfactory.

This feeling of opposition did not grow less as the discussion proceeded. While the Republican vote was cast almost solidly for the bill, that vote, it is well known, did not really reflect the sentiment of many members of the majority, and it is generally believed it would not have received enough votes in this Chamber to have passed if it had not been for the fact that it was known beyond peradventure that if it passed it

would be vetoed by the President.

I charged in closing the debate on the bill that this was the situation, and I challenged denial. I went further than that, and I then stated that in my judgment, if the President vetoed the bill, it would not be reintroduced and passed in its then form at the extra session and sent to President Harding for his signature.

Mr. President, I have no idea that this bill would be here to-day, embracing substantially everything that was in the bill that passed at the last session, but for the amendments that have been added to it and which materially change its Indeed, it was announced from the White House and proclaimed to the country after a conference between President Harding and Republican representatives of the Finance and Ways and Means Committees that the farmers' emergency tariff bill would be dropped, and undoubtedly that course would have been pursued if a way had not been devised

venient vehicle to tack on by way of amendment provisions which would convert it in effect into a protective measure of general application more efficacious in many instances than would be the Payne-Aldrich tariff rates in restraining and excluding competing importations of all kinds.

From the Republican standpoint this scheme of using the alleged farmers' emergency bill as a vehicle to extend, in effect, the vaunted benefits of protection to the industrial products of the country until a general revision of the tariff could be accomplished was an inspiration and it quickly resulted in bringing about a change in attitude with respect to this measure. The antidumping and the foreign currency valuation provisions of the House bill were intended to accomplish this purpose, and will accomplish it, and it is to get the benefit of these two amendments that this bill is now before the Congress. doubtedly it was expected that the House dumping bill provision at the time it was agreed upon and when it was written into this bill would impose heavy penalties at the customhouse upon importations of all kinds coming from a large section of the world, which penalties it was thought would be sufficient to restrain and in many cases prohibit these importations. formation which has since been obtained through inquiries made by the Senate Finance Committee tending to show that this will not be the case was not then known, and the facts which were developed with respect to dumping at the hearings before the Senate committee was a surprise to the proponents as well as the opponents of this bill. If this provision of the House bill would accomplish the purpose in this respect it was thought it would and intended it should accomplish it would undoubtedty operate as a substantial and far-reaching protective tax upon importations not only now upon the dutiable list but some now upon the free list.

The foreign currency valuation provision as originally agreed upon and written into the House bill, if enacted into law, would operate as an embargo upon importations from a large part of the world. It was the decision to add these two provisions to the original farmers' emergency tariff bill that brought about the change in the purpose of the administration and the Congress with respect to this measure. But for these two provisions the farmers' emergency tariff bill would have been dropped. as at one time it was announced it would be, and we should have heard nothing more about it. This bill is before Congress now because it is no longer chiefly a farmers' emergency tariff bill, but because it is, in potential effect, a protective-tariff measure, which in many cases will operate more effectively to that end, as I have before said, than would the high and repudiated rates of the Payne-Aldrich bill. With these amendments changing, as I have stated, the scope and character of the measure, the opposition to the bill on the part of certain powerful elements on the Republican side of the Chamber disappeared. It is true the Finance Committee have changed the foreign currency valuation clause of the House bill by substituting for it a new rule for the valuation of imports, but I believe a careful investigation will show and that results will show, if this bill as amended by the Senate becomes a law, that this change will be broader in its scope and be more universal in its application than the House provision, and will probably be as effective in increasing the taxes to be paid at the customhouse upon foreign merchandise.

Mr. President, the bill is back here for the reasons that I have assigned. The bill will be passed. It will get the solid vote of the other side of the Chamber, not because of its so-called farmers' emergency features but because of these added provisions, which will make it, in effect, a tariff measure of wide application and imposing a high rate of taxation.

Now, Mr. President, let us examine for a few minutes the provisions of the bill as it came from the House. I am going to discuss the House dumping and valuation provisions as well as the substitute, because I know perfectly well that the House is very much wedded to the bill as it passed that body. I know that its Members are resentful, if not incensed, because the Senate has modified it in material particulars; these provisions will probably reduce somewhat the changes. When this measure gets into conference I am apprehensive that the Senate conferees will be forced-if they do not voluntarily do so-to compromise these differences and accept with modifications the vicious currency scheme of the House bill. Therefore I feel impelled to discuss at some length the House bill. That is the bill that the Republican Party framed in pursuance of the agreement to revive this bill after it had been agreed to scrap it, and that bill showed they want not protection, but an embargo upon merchandise of certain kinds and from certain

Let me refer first to the antidumping provision of the House to use this, the so-called farmers' emergency bill, as a con- bill. That, Mr. President, is one of the most remarkable propo-

sitions ever presented to Congress for enactment into law. Under that provision every article of foreign merchandise brought into this country, without an exception, without any question being raised as to whether it was brought in to be dumped, without reference to whether such importation would injure an American industry or tend to prevent the establishment of an American industry, without any qualifications as to the purpose and the effect of these importations, would become the subject of investigation by the appraisers to ascertain whether there was any element of dumping.

It was not then known as it is now known that practically all

imports to this country are now sold in our markets at prices far above the home market price of the country of origin. That was not known or believed until it was developed in the hearings of the Senate Finance Committee by the testimony of certain appraisers and inspectors and members of the Court of Customs Appeals who appeared before that committee. They did not know that when they passed this dumping provision.

The country had been led to believe otherwise.

The House bill was based and written upon the theory that dumping was rampant in this country. Undoubtedly, following the war, there was more or less dumping here by reason of the fact that we had ourselves dumped an enormous quantity of war supplies then in Europe upon the allied countries of Europe at almost give-away prices, and the fact that each of the warring countries, having no further use for the vast war accumulations, had sold those upon the markets of their respective countries and elsewhere where they could at whatever they could get for them, that produced a condition which led to dumping on this country for a time.

Mr. McCUMBER. Mr. President-

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from North Dakota?

Mr. SIMMONS. I do.

Mr. McCUMBER. The Senator has just said that immediately following the war there undoubtedly was dumping into Now, as much as I believe in an antidumping this country. law, I do not think that is the fact. I should like to have the Senator state some things that were dumped into this country at figures lower than the cost of production, using the term "dumping" as we understand it—that is, as referring to products sold in this country for a less price than the producing cost in the country of production.

I think the public possibly have a little different idea as to what dumping is from legislators and lawyers who study that question. They think if a thing is put into this country at a very cheap rate it is dumping it, if it is below what they can produce it for themselves; but, speaking from the technical standpoint of what we understand by "dumping," I do not know of anything that has been dumped into this country by these foreign countries, even of their war supplies, for less than the cost of production. I admit that we sold things in France for 20 per cent or less of what it cost us to produce them, but I do not know of anything that was sold in the United States in return for less than its cost.

Mr. POMERENE. Mr. President, I am not sure that I have any reliable knowledge on the subject, but judging from my correspondence one of the complaints, for instance, is that automobiles and automobile supplies of American manufacture, which were sold by the War Department in France, are brought over here, and the automobile people say they were dumped in here at such extremely low prices that it is interfering with their business. I was wondering whether that was the class

of articles the Senator had in mind.

Mr. SIMMONS. Mr. President, I was speaking then with reference to the war supplies that were sold by this Government in Europe, and by the different European Governments to their own citizens, for a purely nominal sum, and of course the amount of such goods being far in excess of the requirements of those countries, they were anxious to dispose of them at any prices they could get, and while I am not prepared to offer any specific case, I am advised that many of these surplus war supplies were exported and sold here at what might be called sal-The Senator from Ohio mentions automobiles. He might have included airplanes, because I heard talk here of the necessity of special legislation to protect the airplane industry from utter annihilation by the dumping of war planes

Mr. McCUMBER. Mr. President, I do not like to interrupt the Senator, but we generally get some information by these cross-questions, and I have yielded to the Senator, so that I think he will be willing to yield to me, to clear up this situation.

Mr. SIMMONS. I am glad to yield to the Senator from

North Dakota.

Mr. McCUMBER. I know it was claimed last year, and is

into this country the old airplanes that were used in the late war, and there may be something in it. I can not speak with authority, but I know those who were manufacturing are desperately in earnest in the belief that great danger will follow. I think the case the Senator from Ohio [Mr. POMERENE] referred to was probably in regard to the importation of some trucks which the French had brought into this country. understand that about 70 of the trucks which we sold to France for from 10 to 20 per cent of their cost were reshipped by France and sold on our western coast. But I do not understand that even in that case they were sold at a figure below the cost of production in the foreign country.

Mr. POMERENE. Mr. President, the information I had came from automobile sources, and they complained generally of the imminent dumping of automobiles and automobile supplies. am not prepared to say that it may or may not have been trucks; I do not know. I also recall that I have had some very earnest representations made with regard to airplanes, and so on, by

those who are interested in the manufacture of them.

Mr. McCUMBER, Mr. President, I am asking my questions just for information.

Mr. WATSON of Indiana. I would like to ask the Senator

from Ohio how extensive those imports were?

Mr. POMERENE. I do not think any statement was made to me as to that in any of the letters I have received. They simply referred to that as one of the ominous clouds appearing in the East which confronted the industries. I of course took the representations with a good many grains of allowance, as I do all of this legislation advocated by men inspired by a purely selfish interest

Mr. WATSON of Indiana. Before the Finance Committee the testimony was that there might be some of this impending, but it was not extensive, here and there an isolated instance, but not sufficient for us to base legislative action on.

Mr. SIMMONS. Is the Senator from Indiana talking about

the recent hearings?

Mr. WATSON of Indiana. Yes; our recent hearings.

Mr. SIMMONS. But we were talking about what happened with reference to the war supplies that were dumped.

Mr. WATSON of Indiana. Precisely; that is what I was talking about, the automobiles and trucks coming back to this country from France, after having been sold there by our Government, and sent back here for sale. There is very little of

that being done. Mr. SMOOT. Mr. President, no doubt every Senator received letters similar to those received by the Senator from Ohio from the automobile makers in the State from which he comes. received similar letters, and I had an investigation made by the Treasury Department. I think the basis of the complaint was that there were 70-odd trucks shipped and delivered at Los Angeles, and they were put on the market there at a lower price than that at which the same trucks made to-day in the United States could be sold.

They thought that was the beginning of a flood of trucks and automobiles into this country, but up to the present time there have been no automobiles brought in, unless it was after the report I got from the Treasury Department was submitted to me. But there were those 70 trucks which were imported into this country, trucks of American make, and they were sold to France at a very low price. However, I know of nothing else that has come into this country under similar circumstances.

I may add, however, that I am told there are about 500 air-planes which are being held up at the ports of the United States, not allowed to enter the United States on account of a patent dispute, and until that dispute has been decided they can not enter the United States. I do not know how long it will take.

Mr. POMERENE. What provision of law is there which pre-

vents their entry?

Mr. SMOOT. It is a question of the infringement of a

patent. Mr. POMERENE. Am I to understand that because there

may be an infringement case pending the article which is the subject of that infringement may not be imported? Mr. SMOOT. That is as I have been told, Mr. President.

Mr. POMERENE. I would be delighted to see the provision of law under which it is done. I have never come in contact with it.

Mr. SIMMONS. Mr. President, I think the interruption is going too far.

Mr. SMOOT. I was just about to close. I was going to say to the Senator that that only came to my attention the other

Mr. SIMMONS. If the Republican leaders of the House Mr. McCUMBER. I know it was claimed last year, and is still claimed, that there is danger of other countries dumping credited as without justification and as even absurd, as Senators now seem to regard these complaints of dumping, why, I ask, did the House leaders insert this antidumping provision in the House bill and upon what ground is it proposed to retain it in the Senate substitute, which only amends it in respect to its administrative features?

If there is no dumping now and was none, when all the markets of the belligerent countries of Europe were congested by the vast accumulations of war supplies design and sacrifice prices far in excess of domestic requirements, why was sacrifice prices far in excess of domestic requirements, why was the vast accumulations of war supplies dumped upon them at this antidumping provision inserted by the House? Why was it retained in the Senate substitute? And should it not be stricken out of the bill now?

Mr. SMOOT. Mr. President, I hardly know how to answer

the question

Mr. SIMMONS. I did not desire to embarrass the Senator from Utah, and I would not have addressed my question directly to Senators over there if I had thought it was going to embar-

Mr. SMOOT. It is not answering that is embarrassing. is rather embarrassing to undertake to answer a question that has been put in two forms. But I will assure the Senator it is not going to embarrass me in the least. The Senator asks why we struck the dumping provision out when the House put it in.

Mr. SIMMONS. I did not ask that question. You did not

strike it out. I asked why you did not strike it out.

Mr. McCUMBER. We did not insert it, because it was already there.

Mr. SMOOT. The Senator asked why the antidumping provision was put in the bill if there was no dumping.

Mr. SIMMONS. Yes; I would like to know.

Mr. SMOOT. Mr. President, it will be some time before the regular tariff bill is passed, and this country and some of the countries of Europe are getting back to normal, and the goods the Senator has referred to as sold to those other countries at such low prices have been consumed, to a large extent; they are getting to work in the old countries, and the fact that they have not been dumping in the past is no reason for supposing that they will not dump in the future, and with the depreciated currency in all of the countries of the world, when conditions get back to normal and the people begin to produce goods, as Germany is producing to-day, dumping could be carried on to a great extent in this country, and without an antidumping provision it will be carried on, and that is why we put that clause in there

Mr. WATSON of Indiana. Mr. President— The VICE PRESIDENT. Does the Ser Carolina yield to the Senator from Indiana? Does the Senator from North

Mr. SIMMONS. Yes; I yield to the Senator and any other Senator on that side. I want information.

Mr. WATSON of Indiana. My understanding is that the Ways and Means Committee incorporated the antidumping clause, not because of dumping that was going on at the time of the passage of this act through the House-

Mr. SIMMONS. You should not put it in an emergency bill,

Mr. WATSON of Indiana. Merely as an insurance policy a guaranty against future dumping, something that might happen.

Mr. SIMMONS. If that is so, I want to ask the Senator this

question-

Mr. WATSON of Indiana. Will not the Senator permit me to finish?

Mr. SIMMONS. I thought the Senator was through.
Mr. WATSON of Indiana. When the bill came over to our committee in the Senate, speaking only for myself, I would have been entirely willing to have stricken out the antidumping feature, but upon investigation on the House side which satisfied me, I found out they would not stand for it. Therefore, inasmuch as it had to be put in or have this legislation fail, we thought we would perfect it, and therefore we have changed it, and, I think, very greatly bettered it. Does the Senator think so?

Mr. SIMMONS. I think you have bettered the dumping feature, undoubtedly, in respect to its administrative features, but

otherwise it is substantially the same.

Then we have this situation, Mr. President, at a time when it is admitted there is no dumping now, was none before the war, and has been none since, although post-war conditions were more favorable to dumping than present conditions or any conditions likely to arise during the life of this emergency bill, as a matter of insurance against the future; as the Senator from Indiana put it, it is deemed expedient in a six months' emergency bill to insert and retain an antidumping clause instead of waiting for the general tariff revision, now in process

of framing, when you can provide for a possible future condition. An emergency tariff ought to address itself to conditions which exist at the time and not to conditions which may possibly, but not probably, arise in the future.

Mr. McCUMBER. Mr. President—

Mr. SIMMONS. If that is the only reason for putting this

provision in an emergency tariff bill it is a reason which shows your bad faith. I yield to the Senator from North Dakota.

Mr. McCUMBER. Does not the Senator believe, irrespective of whether there is any dumping going on now, that the permanent tariff bill at least should contain an antidumping provi-

Mr. SIMMONS. Oh, Mr. President—
Mr. McCUMBER. That is a fair question.
Mr. SIMMONS. Oh, perhaps, with conditions and qualifications in a permanent tariff bill, but only then to provide against a well-grounded expectation based on facts and conditions, not mere speculation as to possibilities. If the statements made by the Senator are accepted there is no ground for any apprehen-

Mr. McCUMBER. I think the Senator is mistaken when he says that even the House Members believed at the time that dumping was going on. The Senator is in error in that respect. But let me say that the Senator is in error if he thinks the House put the antidumping provision in because they believed there was dumping at the present time. It reaches only to the future, and if it is put in a general tariff bill when there is no dumping going on to protect us against a future condition, while it may not be necessary in a temporary bill it certainly is not

Mr. SIMMONS. I have no doubt in the world that the House believed at the time that they passed it that there was a great deal of dumping. I believed it myself. I was of the opinion the members of the Finance Committee believed it was going on until they heard the statements of the customs officials.

Mr. McCUMBER. I for one did not believe it, and I have

not believed for years that it was going on.

Mr. SMOOT. I think the Senator voted in the Finance Committee to report the dumping bill that I introduced in the Senate and which was on the calendar at the last session of Con-

Mr. SIMMONS. No; the Senator is mistaken about that. I

have not voted for your bills at all.

Mr. SMOOT. The antidumping bill that I have referred to the committee was approved in the committee, and I do not know of a vote against it, and it was then put on the calendar. Mr. SIMMONS. Very frequently I have not voted in the committee. That is a very different thing.

Mr. SMOOT. It contained very different provisions with reference to dumping as amended by the Senate committee.

Mr. SIMMONS. The point, and the only point I am seeking to make now, is that when this was incorporated in the bill it was incorporated because it was believed it would materially advance the exactions that would be laid upon foreign imports into this country and would reach the free list and would be a great benefit to that class of our industries that had heretofore been the beneficiaries of tariff protection. A mere apprehension as to the future would not justify such legislation in an emergency bill.

Mr. WATSON of Indiana. Mr. President, if I recall correctly, as the so-called Underwood Tariff Act passed the House in 1913 and came to the Senate it contained an antidumping provision very much like that we have incorporated in the pending

Mr. SIMMONS. No.

Mr. WATSON of Indiana. That is my recollection. Mr. SIMMONS. No. The provision of that law, if the Senator will pardon me, was that where there was underselling going on on the part of foreign producers or exporters for the purpose and with the intent of injuring or destroying an American industry it should be penalized.

Mr. WATSON of Indiana. Let me ask the Senator if the basis of the provision is not the same in this instance, because

Mr. SIMMONS. No; the element of intent was involved in the other bill. The provision at that time was intended to cover just such a case as that of the dye industry. It was said that deliberately, purposely, and intentionally the German dye monopoly was pursuing a course with the purpose and the intent and with the certain effect of destroying the establishment of the dye business in this country.

Mr. McCUMBER. It had to be systematically followed. Mr. WATSON of Indiana. I recall the provision very indistinctly, I will say to the Senator.

Mr. SIMMONS. The provision was to meet a case like that, where a foreign monopoly or a foreign industry was selling its products in this country, not for the purpose of profit, not in the ordinary course and way of business, but with a view to destroying an industry already established in the United States or so as to prevent the establishment of a business in the United States. That was entirely different from the situation as we find it in connection with this bill.

Mr. WATSON of Indiana. The basis of the pending antidumping provision is that the Secretary of the Treasury must find that the dumping, whatever the article may be or in whatever quantities it may come, is not necessarily for the purpose of destroying an American industry, but that it may destroy an American industry or is likely to destroy it or to prevent the

establishment of an American industry.

Mr. SIMMONS. Yes. There is a provision of that kind in the antidumping clause of the pending bill, but the provision as to that in the act of 1916 is wholly different—that law is predicated on the intent and purpose of the exporter-the merchandise must have been brought in with the intent and purpose to destroy or injure an American industry, and so on.

The Senate committee provision is altogether different from the antidumping law of 1916. The Senate amendment simply provides that before the appraisers look for dumping the Secretary of the Treasury must have declared that importations were being brought into this country which were likely to injure an American industry or which would tend to prevent the establishment of an American industry. His finding is in no way conditioned on intent or purpose, while the intent and purpose is the predicate upon which action under the law of 1916 must be based.

Mr. President, under this bill it is not Mr. HITCHCOCK. even necessary that there should be in existence an American

industry competing with the foreign product.

Mr. SIMMONS. Under the House provision, the Senator

Mr. HITCHCOCK. No; even under the provision as reported

by the Senate committee.

Mr. SIMMONS. Oh, no; it is not necessary that the industry should be in existence. If importations are being brought in for the purpose of preventing the establishment of an industry, or of an industry that is likely to be established, the provision applies.

Mr. HITCHCOCK. Let me call the attention of the Senator to the following language of the provision as reported by the

Senate committee:

That whenever the Secretary of the Treasury, \* \* \* after such investigation as he deems necessary, finds that an industry in the United States is being or is likely to be injured, or is prevented from

Mr. SIMMONS. Exactly.

Mr. HITCHCOCK. So that, while we may not even have an industry of a given character, somebody may agree that importations of a certain commodity may prevent such an industry being established.

Mr. SIMMONS. That is true, but that differs from the House provision very broadly. The House did not require any finding of that sort; but, on the other hand, the House required that there should be an investigation by the appraisers of every importation that came into this country, with a view to ascertaining whether it came within the definition of dumping.

The Senate amendment just read authorizes an investigation into dumping charged in any case only and when and after the Secretary makes the findings required by the language the

Senator has just read.

The provision in question would unquestionably lodge in the Secretary of the Treasury a very broad and sweeping discretion. If the Secretary's findings call for an inquiry the only effect would be that the appraisers would investigate with a view to ascertaining whether the imported merchandise in question was subject to the penalty imposed upon dumping. In other words, to make the matter entirely clear, the finding of the Secretary simply starts an investigation, that is all. The House bill did not require any finding. It arbitrarily directed the appraisers to look for dumping in every case though there was no complaint or suspicion of that practice. The Senate provision would limit these investigations to cases where the Secretary finds that there is probable cause to suspect or believe there is dumping, and that that dumping would likely result in the injury to an American industry, or in preventing the establishment of an American industry. His finding simply starts the investigation, but the finding of dumping would not exclude the merchandise from this market. It would simply result in the Government assessing against it the dumping tax.

Mr. SMOOT. The difference, the Senator means. Mr. SIMMONS. Yes; the difference between the charged by the exporter and the market price in the country of

origin. That is right.

Mr. UNDERWOOD. Mr. President, if the Senator will allow me to make a suggestion, I think the criticism of the Secretary's investigation does not lie in the fact that as a result of his investigation he may discriminate by levying a duty, because in the end the fact must be found that the customary market value in the country of export is greater than the selling price on American soil. If this power is abused—and I do not say that it will be abused, but, of course, the Secretary will detail the power to subordinates—the danger would come, it seems to me, if there should be an attempt to play favorites in the matter. The opportunity is in the negative way. As I understand the bill there is no power to apply the dumping clause until the Secretary, through his agents, investigates the fair market value and the fact, is ascertained that a condition exists where the sales in this country of a foreign product are below the customary sales at home. There is, however, no appeal from the Secretary's decision; there is no power to force him to act; and, of course, if there were discrimination it would give the opportunity to use that power exercised by the Secretary of the Treasury to apply the dumping clause in A's case and withhold it in B's case arbitrarily, because he did not proclaim that the idea of a fair market price had been violated.

I do not know whether I make myself clear to the Senator

or not.

Mr. SIMMONS. I think the Senator does. The Senator, as I understand him, means that the Secretary might withhold the investigation in favor of one industry and order it against an-

other industry

Mr. UNDERWOOD. Undoubtedly. In other words, it gives that arbitrary power. I do not say it will be abused, but I think it puts it in the dangerous position that all laws do where you leave to the discretion of individuals the finding of a great fact, whether it is an economic fact or a moral

Mr. McCUMBER. Mr. President, if the Senator from North Carolina will allow me

Mr. SIMMONS. I yield.

Mr. McCUMBER. We are face to face, however, with the counterproposition. As the bill came over from the House it was necessary to investigate in every instance whether or not the facts constituted dumping, and in addition to that the House bill required a bond if there was even a suspicion on the part of the collector that the goods were being sold for export to this country for a less price than they were sold for con-

sumption in the home country.

That was considered an enormous hardship upon the importers, and the importers naturally complained of that, and I suppose it is entirely satisfactory to them that the bill was so changed that we would not impose this enormous duty and require the bond unless there was some suspicion or some evidence to the effect that it was a case of dumping. I think the Senator would necessarily find that there was just as much danger of a subordinate making his own complaint in one instance in favor of the proposition and in another instance against it as there would be in the case of the Secretary. This provision is simply made so that we will not make an investigation of every one of the imports into the United States, and look for dumping, and impose a penalty, and cause delay, unless there is reasonable ground to believe that there is that danger. The power to determine that reasonable ground must be lodged somewhere, and it seemed that the proper place to lodge it was in the Secretary of the Treasury

Mr. UNDERWOOD. I do not think the Senator is right about that. I realize that the determination must be lodged somewhere, but I do not think you have put your finger on the right place. I do not want to interrupt the Senator from North

Carolina in his speech if he desires to go on now. Mr. SIMMONS.

No. Mr. UNDERWOOD. If I am not disturbing the Senator, I will put this in.

Mr. SIMMONS. The Senator is not disturbing me at all.

Mr. UNDERWOOD. My experience in legislation is that where you can follow a track that has already been made, and you know how it works, it is safer to keep in the original

This dumping proposition is nothing new. Some eight years ago I spent some time in giving it study and thought; and although I am not as fresh on the matter now as I was at that time, at the time the present law was sent to the Senate it contained an antidumping clause relating to the tax value of goods that were on the taxable list and not on the free list. This bill extends it to the free list, but the provision in the House bill as it came to the Senate eight years ago, to a large extent, followed the Canadian antidumping clause. That is an antidumping clause that has been tried for years, and we know what it can do. That has been in operation, and we know from practical experience what can be accomplished by it; and it may be just as well, if the Senator from North Carolina does not mind, to let me read that clause right here and have it in the RECORD.

I am reading from H. R. 3321, Sixty-third Congress, first session, a bill to reduce tariff duties, to provide revenue for the Government, and for other purposes, that passed the House on May 8, 1913, and came to the Senate. Of course, this provision was afterwards stricken out in conference; but on page 220 of that bill, under section R, the antidumping clause reads as fellows:

That whenever articles are exported to the United States of a class or kind made or produced in the United States, if the export or actual selling price to an importer in the United States, or the price at which such goods are consigned is less than the fair market value of the same article when sold for home consumption in the usual and ordinary course in the country whence exported to the United States at the time of its exportation to the United States, there shall, in addition to the duties otherwise established, be levied, collected, and paid on such article on its importation into the United States a special duty (or dumping duty) equal to the difference between the said export or actual selling price of the article for export or the price at which such goods are consigned, and the said fair market value thereof for home consumption, provided that the said special duty shall not exceed 15 per cent ad valorem in any case, and that goods whereon the duties otherwise established are equal to 50 per cent ad valoren shall be exempt from such special duty.

"Export price" or "selling price" or "price at which such goods are consigned" in this section shall be held to mean and include the exporter's price for the goods, exclusive of all charges thereon after their shipment from the place whence exported directly to the United States

Mr. WATSON of Indiana. Mr. President, is not that practically section 202 of this bill?

Mr. UNDERWOOD. Oh, no.

Mr. WATSON of Indiana. Substantially?

Mr. UNDERWOOD. Not substantially at all, except that your provision relates to dumping and this provision relates to dumping; but the machinery of the two provisions is entirely dif-

In the first place, the machinery of your provision relates to every article which may come into the United States. You make it relate to those articles on the free list which, by your own legislation, you say there should be a tax on; but you say that for the benefit of the American people they should have them free of taxation, such as fertilizer and some classes of raw material. You also say, when you put them on the free list, that there is no danger from foreign competition; that your markets should be open to the world, and the domestic producer is in no danger from the importation of those articles. Yet, through a machinery set up by individuals, you can put that price, not only on the American consumer, but on industry, so as to hamper your industry in the future. I think it is most unwise to extend these provisions to the free list.

But that was not the proposition I intended to discuss. Under this provision and the Canadian dumping clause, which is the same, the man who is suffering from the fact that goods are taken into the country and threatening his business immediately complains, naturally. If he makes no complaint, there is no use bringing on the antidumping clause. But he is sure to be on guard. He will sound the alarm the minute he begins to feel that dumping is done, and then there is just one thing to be inaugurated, and that is for the collectors and the appraisers to find the fact as to whether the goods are being dumped here at prices below the normal, fair-value price in the home market, and that arbitrarily takes effect; that is the law. It is the law for all. But in your provision you do not make it the law for You put it in the power of one individual to withhold the law if he wants to or exercise the law if he wants to.

I am not charging that your Secretary of the Treasury will improperly use this law. Of course, he will not exercise his power under it personally; but I say you unnecessarily put into this bill a provision under which you leave the discretion, even where dumping takes place, to the arbitrary power of an individual, instead of putting in the law the conditions which shall govern as to whether the antidumping clause shall take effect

or not. I beg the pardon of the Senator from North Carolina for interjecting these remarks, but I thought it might be well to have this clause discussed in that connection.

Mr. President, in the main I agree with the Mr. SIMMONS. Senator from Alabama. The machinery set up by the House bill would not only entail enormous expense, requiring a multi-

tude of officers, but it would be impossible of administration. because the necessary facts would not in many instances be accessible or ascertainable. On the other hand, while the Senate amendment is a great improvement on the House provision. it is subject to the criticism made by the Senator from Alabama as well as that made by other Senators to the lodgment of arbitrary power in an administrative officer who would ordinarily act in the premises through his subordinates. It would probably be better to simply confine the investigations to cases where complaint is made and based on verified statements showing a reasonably grounded opinion that dumping was being practiced in the particular case.

Mr. CUMMINS. Mr. President-

The PRESIDING OFFICER (Mr. WILLIS in the chair). Does the Senator from North Carolina yield to the Senator from

Mr. SIMMONS. I yield. Mr. CUMMINS. If it will not disturb the Senator from North Carolina, there is one matter I would like to have him, or somebody, make clear to me. I am wondering whether the phrase, "fair value," in section 201, is the equivalent of the phrase "foreign-market value" as used in section 202, which provides:

That whenever the Secretary of the Treasury \* \* \* \* after such investigation as he deems necessary, finds that an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation into the United States of a class or kind of foreign merchandise, and that merchandise of such class or kind is being sold or is likely to be sold in the United States or elsewhere at less than its fair value.

What does the term "fair value" mean as used in that sectien? Is it the fair value in the United States, or the fair value in some foreign country? I am moved to make this inquiry because when we come to section 202, which is the section under which the antidumping provision is to be enforced, and which follows the finding of the Secretary of the Treasury, we find that the additional tax can only be levied where the purchase price, or the exporter's sales price, is less than the fereign market value. I would like to know whether those two phrases were used synonymously, or whether they were used to express a difference between the application of section 201 and the application of section 202.

Mr. SIMMONS. My attention had never been directed to that language in the way in which the Senator now calls it to my attention. I would assume, however, that the construction which would necessarily be placed upon that, taken in connection with the rule which obtains in ascertaining whether a product is dumped in this country, would be that the phrase "fair value" used in this connection there had reference to the relation between foreign market value and the price charged by the exporter, because the investigation which the Secretary is to inaugurate as the result of that finding is for the purpose, not of ascertaining whether the value is fair as compared with the American price, but whether it is fair considered in connection with the price with which it is to be compared and considered in order to determine and decide the question of dumping. The purpose of inquiry which the finding inaugurates to determine is whether there is a dumping—and the American market value has nothing to do with that.

In ascertaining whether there is dumping, you have to consider the export price and the market price in the country of the origin of the product, and only those two things have to be considered. If the export price is less than the market price in the country of origin, then there is dumping; otherwise there is no dumping. So it would seem that you would have to interpret "fair price" with reference to that definition and the objective of the investigation.

Mr. SMOOT. It says "importation into the United States"; so it must refer to foreign goods.

Mr. CUMMINS. The Secretary of the Treasury must first act and find that a particular commodity is coming into this

country at less than its fair value. What is the fair value?

Mr. SIMMONS. There is nothing in that section which defines "fair value." There is nothing anywhere in the bill which defines "fair value." The point I am making is that by content of the section of struction that language would seem to refer to the value which enters into the determination of the question of whether there is dumping or no dumping.

Mr. CUMMINS. Then it ought to be "fair foreign-market value," or "foreign-market value."

Mr. SIMMONS. The question is whether the value is a fair one, determined by the price at which the article is exported to this country, as compared with the home-market price.

Mr. CUMMINS. What does the Senator from North Dakota say about that?

Mr. McCUMBER. If the Senator from North Carolina will allow me, I think when you use the words "fair value" it prac-

tically means the cost of production in the foreign country; that is, a fair cost.

For instance, for the purpose of taxation, outside of the antidumping clause, an article may be manufactured for \$1. It may be sold in the foreign country for \$2, and there is a good, big profit made upon it. Yet, that is the foreign sales value. But in the case of the antidumping provision, if we want to determine whether it is sold for less than a fair value, then we do not take as the basis the market price for which the thing is sold; but if the Secretary finds that it is really being sold for exportation at a price less than it really cost to produce it and still at a reasonable profit in the country of production, it would come under the antidumping provision; and there should be that clear distinction between the foreign market value for the purpose of levying your tariff and a fair value for determining whether or not an article is being dumped into this country for the purpose of destroying an industry.

Mr. CUMMINS. If you mean a fair value as determined by the cost of production in the country which produces it, with a fair profit added, I think you ought to say so. I do not think the fair value necessarily means the cost of production with a profit added. Oftentimes the fair value of an article may be much less than its cost of production or without regard to profit. It seems to me that, in order to enable the Secretary of the Treasury to perform the duty which he is charged with under this section, you ought to make his duty somewhat clearer than it now is.

Mr. SIMMONS. I agree with the Senator that the language needs definition. I had not noticed it. I think it is very obscure

and should be clarified by amendment.

Mr. SMOOT. Under Title II, section 203, the rule is laid down for finding out the purchase price, and they follow that section in determining what the purchase price shall be.

Then, as the Senator from North Dakota said, in the antidumping provision all we can say is what is a fair price based

upon the purchase price as laid down in the bill.

Mr. CUMMINS. In section 201 the term "fair price" is not used.

Mr. SMOOT. Yes; we say "fair value." Mr. CUMMINS. Neither section 202 nor section 203 can be put in operation until the Secretary of the Treasury, under section 201, has performed his function. His function is to say whether a given commodity coming in is likely to come into this country at less than its fair value. Looking at it, not from the standpoint of a Treasury expert, because I do not know much about these things, but from the standpoint of a lawyer, I express the opinion that the Secretary of the Treasury would find it impossible without a good deal of legislative interpre-tation to determine what his duty is.

Mr. SMOOT. Under section 201 it is simply an investigation. The question of the foreign market value is to be determined when the special dumping duty is imposed, but in this investigation-and that is all there is to it, to see whether a special dumping duty is to be imposed—if such a special dumping duty is to be imposed, then we have to find out the foreign market

value.

Mr. CUMMINS. Precisely. I have no objection to either section 202 or 203, but the duty of the Secretary of the Treasury under section 201 is something more than mere investigation. He must investigate and then issue an order. He publishes an order to the effect that a given commodity, naming it, or series of commodities, naming them, is or are coming into this country at less than a fair value. I should like to know where that fair value is to be ascertained and by what rules it is to be I think it would not be difficult to do it.

Mr. SMOOT. I can only say that, taking a case just as it would come up if the bill were enacted into law, there might be some producer of a certain article in the United States complain that goods of a similar character that were being imported into this country were being imported at less than a fair value,

Mr. CUMMINS. Fair value ascertained in Great Britain or fair value ascertained in Germany or in France, or in what country, or in our own country?

Mr. SMOOT. In whatever country it came from.

Mr. CUMMINS. It does not say so.

Mr. SMOOT. But it must be, because the complaint would be that the goods from France or the goods from England or the goods from Germany that came in here were coming in at less than a fair value, and therefore the investigation is made, and section 201 authorizes that investigation.

In that investigation it is found from the testimony that is given that the goods came in at less than a fair value. if that thing happens, immediately they commence to make an investigation as to what the foreign market value is, so as to impose the dumping duty.

Mr. CUMMINS. I understand; that is section 202.

Mr. SMOOT. Yes.

Mr. CUMMINS. But, as I repeat, section 201 has first to be complied with before section 202 can be operative. thing I have in mind is this: It seems to me quite possible that under section 201, with its somewhat, I think, inaccurate expression, the Secretary of the Treasury could raise the duties upon every article and commodity that comes into the United States, even though there is nothing like the dumping which we have ordinarily in mind when we speak of dumping.

Mr. SMOOT. Before that could be done there would have to be complaint and investigation made, and I do not think there is any Secretary of the Treasury or any appraiser in the Government service who would for a moment make such a decision after fair investigation and fair value had Leen established. But I will say to the Senator there are many goods that will be shipped into this country where we will know upon the face of them that there is not a fair value.

Mr. CUMMINS. I wish to reach those cases.

Mr. SMOOT. If we put in the fair market value, every investigation would lead the Secretary of the Treasury, as the law provides, to an investigation of the foreign market value. This is the only place where we say "fair value." Every other place in the bill it says foreign market value, and that is the reason we did not want to go to the foreign market to find that out. We can find it out here.

Mr. CUMMINS. Every place in the bill, so far as I am able to see, other than this section, where the words value or market price have been used, they have been carefully defined, so that really the work of application is made easy. This is the only place in which there is no definition, and the latitude, I venture

to say, is very great.

Mr. SMOOT. I think it ought to be. I think in this particular case, where investigation is to be made, the Secretary of the Treasury ought to have latitude, because there are instances of goods coming in here which, upon examination of the goods and comparison with goods coming from other foreign countries, show that there is not a fair market value given. In such cases as that we would not have to go to the foreign country to make an investigation, but we would know upon the face of the situation that it was not a fair value, and we would then put the machinery in operation. After that, when the special dumping duty applies and the purchase price must be established, section 202 and section 203 go into minutest detail and we say whether it is the home price or American price or whether it is the foreign price and what constitutes the purchase price, either in the foreign country or in this country.

Mr. CUMMINS. I apologize to the Senator from North Caro-

line for interrupting him in this way.

Mr. SIMMONS. I have been very glad to yield to the Senator from Iowa. Undoubtedly the language used is obnoxious to the criticism the Senator makes. The only guide the Secretary would have in finding the fair price would be, as it appears to me, the objective of the investigation his findings would start, and as the result of that would be determined by whether the price charged by the exporter is below or above the market price in the country of exportation the standard would have to be the foreign market value.

[At this point Mr. SIMMONS yielded the floor for the day.]

# Friday, May 6, 1921.

Mr. SIMMONS. Mr. President, the Senator from Iowa [Mr. CUMMINS] on yesterday, in the course of certain colloquies in interruptions made in my speech, called attention to the uncertainty of the phrase "fair value" as used in the antidumping provision of the bill in connection with the required findings of the Secretary of the Treasury antecedent to investigation to determine whether or not there was dumping. I stated then that I thought that language would have to be construed in connection with the context and the purpose of the inquiry, and that in that sense it would probably be construed to mean the "fair market price" in the country of exportation. While I think that is true as a legal proposition and is the construction that should be given to this language, I feel after reflection that in a matter of such importance the obscurity should be removed, if it can be done without handicap to the purpose in view by clarifying emendation.

Mr. President, I spent a great deal of time yesterday in discussing dumping. I did it deliberately and purposely. For months and months my patience has been, if not exhausted, severely tested and taxed by the never-ceasing cry of "Dumping!" "Dumping!" I could hardly open my mail, morning or afternoon, without having to read letters from somebody telling me about some countries dumping in this country the character of goods they produce or in which they

deal. I could not undertake the reading of the House hearings on the tariff without having to wade through all sorts of longdrawn-out stories of the ruin threatened or being inflicted upon this and that industry by the wholesale dumping of like foreign goods into this country-stories about the Danes dumping butter into this country, Dutch dumping cheese into this country, France dumping elives, Egypt dumping cotton, China dumping peanuts, Germany dumping a part of almost everything she produces into this country, all to be sold at sacrifice cost prices, greatly to the injury of the complaining industry. The atmosphere of the Committee on Finance and of the Committee on Ways and Means, when hearing the testimony of these people who came here seeking special favors through tariff duties, reeked with the odor of dumping. The House committee wrote this bill and inserted this antidumping clause in it under the influence of the sentiment generated and nourished in that atmosphere. In all this and the other propaganda out of which this bill with this antidumping clause had inception and birth there was no suggestion of relatively high prices of imported merchandise; the talk was low prices and competition with goods produced by pauper and underpaid wages and offered here at starvation prices.

When the bill came to the Senate some of us ventured to suggest that this provision and the currency valuation clause would establish a system of customs taxes not only unequal in application and uncertain in amount, but in many cases exorbitantly high, resulting in injustice to the American consumer and the serious disturbance of our foreign trade.

Under these circumstances the Senate committee met, called experts, supposed by reason of official knowledge, observation, and experience to be informed as to the essential facts upon which these provisions were necessarily predicated, and as a result of their testimony, and possibly a change of policy resulting therefrom, when the bill gets into the Senate and is taken up for discussion the whole line of argument is changed and we are assured by the other side of this Chamber through its spokesman upon the Finance Committee that the provision is practically innocuous; that there is no dumping going on here now, and that there never has been any dumping here in the sense of the definition in the bill, and that the provision was inserted in the House bill and had been retained in the Senate substitute because of a fear or of possibility that the unexpected might happen and that what has not happened in the past may peradventure happen in the future.

Mr. President, it was this situation that moved me in my remarks on yesterday to endeavor to test out the facts and grounds of the attitude of the majority upon this provision. In view of the statement made by the Senator from North Dakota [Mr. McCumber], in his opening speech of the day before, the apparent attitude of the other side of the Chamber with respect to this matter was somewhat confusing and I wanted to try out the thing. I wanted to get the facts. The people had undoubtedly been led to believe that there was a great amount of dumping going on in this country. The Senator from North Dakota [Mr. McCumber] in his speech had said there was no dumping. I wanted to see what the other Republican Senators, especially those on the Finance Committee, had to say with respect to this provision of the bill. I wanted to present the dumping question in such a way that they would express themselves if the Senator from North Dakota did not reflect the real opinion of the other side of the Chamber with reference to this question.

Again, the Senator from North Dakota in his speech had confined himself largely to the situation with respect to Germany, and I wanted to find out if there was no dumping from Germany whether there was anyone on the majority side who claimed there was dumping here from anywhere else, so I asked yesterday if there was no dumping from Germany was there any from Great Britain or any other European country. I was solemnly assured by Senators on the other side that there was none. I inquired if it was claimed that there was dumping from any part of the world. I wanted no doubt about the record in respect to this matter. I wanted the record made clear and unmistakable. And so, Mr. President, when hereafter we hear these charges of dumping, when we hear these complaints of the people, we shall be able to say that it has been openly admitted by the party in power upon the floor of the Senate, in the face of the American people, that there is no dumping which the antidumping measure they will soon enact in response to the demand of the people for effective protection against dumping will reach and remedy.

Mr. President, I wanted also to find out why, since they claimed there was no dumping, the majority party had put this antidumping provision in the House bill it was proposed

to keep after they discovered it was innocuous. The answer was that there may be dumping in the future, and if it does no good it will do no harm.

Again, I sought to learn why it was thought necessary or expedient under these circumstances to put this provision in a six months' emergency bill when a general and permanent measure was in preparation. To this definite question no answer was forthcoming or could be obtained. I took up a good deal of time yesterday in discussing these phases of the antidumping clause, and I think it was time well spent.

Let us consider briefly the several positions as developed in these discussions of the majority with respect to this antidumping provision of the bill.

Does the situation show an emergency? Surely it does not, There is no emergency. First, because it is confessed there is no case where any foreign country is or has been selling us goods for less than the price charged in its own markets, and that is the kind of dumping defined in the bill and which is penalized—no other dumping comes within its provisions.

There is no emergency in this case because there is no dumping-just as there is no emergency in the case of the agricultural products embraced in the bill, because in the case of many of these products, such as corn, there are practically no imports and no amount of duty could affect the domestic price, because in cases where the importation, as in the case of peanuts and vegetable oils, the alleged influx claimed at the time this measure was first determined upon—if it then existed—has ceased, and importations in every such case have in recent months not increased as the proponents of the bill claimed, but on the contrary have rapidly and continuously decreased until to-day they are comparatively negligible. In other words, the assumption of facts upon which the necessity and emergency is predicated do not exist—in some cases never did exist-and in others if they ever existed have ceased to exist.

Mr. FLETCHER. Mr. President-The PRESIDING OFFICER (Mr. HARRELD in the chair). Does the Senator from North Carolina yield to the Senator from Florida?

Mr. SIMMONS. In just a moment. In the case of dumping, Mr. President, people who complained from one end of the country to the other came to the Congress and asked the Republican Party to help, and instead of giving them bread the Republican Party, as frankly admitted upon this floor, has given them a stone. The farmers throughout this country have come here complaining of the situation and asking relief from this Congress, and, as in the case of dumping, they offer them relief which is utterly ineffective to cure the evil. In the case of the farmer, as in the case of the complainant against dumping, the Republican Party has nothing to offer him except a

Mr. HITCHCOCK. Mr. President, I would suggest a "gold instead of a stone.

Mr. SIMMONS. That is more descriptive of what it is, far

more descriptive, and I thank the Senator for the expression.

I now yield to the Senator from Florida.

Mr. FLETCHER. Mr. President, I am examining the hearings before the Committee on Finance, and I find the testimony of Mr. Doherty at page 98, and I am wondering how the committee regarded Mr. Doherty's attitude and what value they placed upon his statements.

Mr. SIMMONS. My recollection is that Mr. Doherty gave about as illuminating and as clear and as full testimony as anybody who appeared before the committee. He is now engaged in some private business, but for 18 or 20 years, I think, he had been connected with the Customs Service.

Mr. FLETCHER. I find the following on page 98:

Senator Reed. Do you know of any instances where they are seiling abroad cheaper than they are at home?

Mr. Dohery. I do not. But on that point the gentleman will recall the testimony of one of the Government witnesses, Mr. Davis, who said there is no dumping at the present time. There could not be under present conditions. It reminds me very much of that chapter on Snakes in Ireland. There are no snakes in Ireland. In the matter of antidumping, there is no dumping going on now at alk.

Then Senator SIMMONS asked him:

Can you give the committee, from your investigations, any idea about how much these prices have increased over prewar prices, measured in percentage?

That is, the foreign price. Mr. Doherty answered:

I do not know whether we have reduced these to percentages, gen-

Senator SIMMONS, Give them approximately.

Mr. DOHERTY, Approximately, from 25 per cent up to 400 and 500 per cent in some instances. For example, these gloves that I have mentioned advanced from \$2 to \$3.68. That would be pretty near 80 per cent increase.

Then, on page 103, the following occurred:

Senator Reed. As a matter of fact, you claim, then, that this bill, if it is passed, will operate distinctly in favor of Germany and Austria and those countries, or against them?

Mr. Doherty. It will close our markets to those countries. It will be an embargo, in effect, against the goods from Central European countries, from Poland, Austria, Jugoslavia, Germany, Rumania—Senator Simmons. It applies only to countries where there has been a depreciation in the value of the currency?

Mr. Doherty. Yes.

That seems to bear directly on that question, both as to the increase of prices in foreign countries and also on the question

of dumping.

Mr. SIMMONS. Mr. Doherty is right. Germany is selling her goods and merchandise in our markets for prices higher than she sold them to us before the war; so are most other foreign countries. Germany sells here in some cases 100 per cent higher than similar goods are sold in the German home There is no dumping in her case, because the bill defines dumping to be the selling in our own markets of foreignmade goods at less than goods of a similar character are habitually sold in the market of the country of production. So there is no technical dumping in the case of Germany, or possibly any other foreign country. We are probably the only country that dumps, according to that definition, and so dump habitually.

But it is not of technical dumping the people complain. As much harm may be done by selling only slightly above a low foreign market price as slightly below. What the people demanded was relief against either practice. This bill denies that relief. It provides against a condition which Senators say does not exist and refuses relief against a condition which the people claim does exist and which it would seem may be

equally hurtful.

The Republican majority are apparently preparing to say to these complainants, "We did the best we could; we passed an antidumping law," just as they are preparing to say to the farmers, "We did our best; we put a duty on your products," though they know a duty will be futile in accomplishing what they ask, namely, to establish a remunerative price for his

products. The Senator from North Dakota [Mr. McCumber] said if this antidumping clause would do no good it would do no harm. They may say the same thing about the duty this bill puts on corn and some other articles it includes which tariff duties can not possibly help. But is it true in either case that such fake remedies can do no harm? I think the practice to promote partisan purposes discredits legislation, shows its bad faith, and that can not be other than hurtful.

Is there any justification for this fear-this alleged apprehension-now practically admitted to be the only reason or excuse for retaining this provision penalizing a kind of technical

dumping admitted not to exist at this time?

The proponents of this provision claim that the reason there is no dumping now is because the bill defines dumping to be the selling of foreign goods by the exporter in this country at a price below the prevailing price in the country of production for home consumption and that the standard of prices in this country are and always have been higher than in any other country in the world. In these conditions naturally the foreign exporter wants to get the benefit of these higher prices and so places upon the goods sent to this country a higher price than he could get in the home market-and for that reason though he sell here below the American level he is not chargeable with dumping. But they say this situation may change, and because of their apprehension that it will or may they have retained and insist upon retaining this provision in the bill. Do Senators believe we are in danger of losing our primacy of maintaining the highest level of prices in the world? I do not believe it. Our prices, whether high or low, have always been relatively higher than those of other countries. They may fall here, but if so they will also fall elsewhere—the relative range will remain in our favor.

If our present higher prices cause the foreign exporter to invoice his goods to us at prices above those prevailing in his own country, he will by the same token continue to do the same thing as long as our prices remain relatively higher than those

of his own country, and there will be no dumping.

I have already spoken too long upon the subject, but before I leave it I want to say just one thing more about it. Mr. President, the thing we condemn in this statute and penalize if done to us we ourselves have done and have long done systematically and habitually to every nation in the world. Indeed, our great and growing export trade has been built up through systematic dumping as a national policy; especially is this true with respect to our great organized and monopolized industries. We have, as we always have had and will continue to have, the high- 1.60 cents per mark, in excess of the prices at which she sold us

est standard of prices in America that obtains in the world. these conditions it must be apparent we could not and can not successfully compete in the open markets of the world and sell our surplus there unless we are willing to sell below the American level. The price level of every country on the globe is below ours, and when we enter their markets in world competition we must come down to their price level or get out of the contest. That would in present conditions mean national disaster. not suggesting retaliation. I am simply suggesting the inexpediency and unwisdom, not to say foolhardiness, of the great dumper nation of the world denouncing and penalizing other nations for doing to us what we habitually, as a supposedly necessary business policy, have done and continue and must continue to do to them, and that for no reason except a vague and apparently ungrounded fear that at some time in the future dumping here, which it is admitted does not exist, may develop.

It is a course which, in my opinion, will inevitably make a bad impression abroad-which will be of doubtful good from a business standpoint and may, from an international standpoint, do positive harm, as well as subject us to the suspicion and

charge of national uncharitableness and selfishness

Mr. President, it may be that the dumping provision in this bill is innocuous. If it is innocuous, it ought to be stricken out, and if some real remedy is needed, a substitute ought to be offered which would cover the case, and not a bill which is so restricted by definition that it includes nothing.

But, however that may be, with reference to the dumping clause, the foreign currency valuation clause in the bill as it passed the House, and in the Senate amendment to that bill, is a provision which will operate to increase, and increase to a very large extent, the amount of taxes which the ultimate consumer in this country will have to pay upon all articles of merchandise on the dutiable list in one bill from certain countries of Europe, South America, and Asia, possibly; but in the

other as to merchandise from any part of the globe.

Under the bill as it passed the House, Mr. President, we have a scheme of determining the value of foreign coin by legislative enactment. We arbitrarily fix that value which in effect, in its actual application, as to importations to this country, in many instances, notably in the case of Germany, will increase from three to four times the valuation basis upon which tariff duties are to be collected. Of course, Mr. President, there is no change in the present tariff duty; that is not necessary under this scheme. Under this scheme there is a different method of valuing foreign imports from that which obtains under the present law.

Mr. WALSH of Massachusetts. Mr. President-

The PRESIDING OFFICER. Does the Senator from North

Carolina yield to the Senator from Massachusetts?

Mr. SIMMONS. In just a moment. So that the present tariff rates in their entirety are retained as to everything not specially provided for in the tariff emergency provisions of this bill, but a different basis of valuing foreign goods for applying customs taxes is provided, namely, a legislative fixing of the gold value of the paper currency of a foreign country selling us merchandise and invoicing them at prices expressed in the currency of their country. This price is converted into gold not at the market exchange price but at this arbitrary legislative rate.

Now, I yield to the Senator from Massachusetts. Mr. WALSH of Massachusetts. I ask the Senator to give at some time a concrete illustration of how this valuation works

Mr. SIMMONS. I shall try to do that. Mr. President, that is the bill as it passed the House. Under this provision defining the basis of valuation and changing it, in answer to the question of the Senator from Massachusetts, it is fair to say that only those countries will be affected seriously by this provision of the bill as it passed the House whose currency is depreciated.

Mr. WALSH of Massachusetts. That means nearly all countries in Europe now.

Mr. SIMMONS. Nearly all countries of Europe and probably some other countries. In that respect the Senate committee amendment differs. The provision contained in the Senate committee amendment will have a broader application.

Mr. President, the bill as it passed the House does not change the method of valuation at the customhouse. It only defines the value of foreign currency converted into gold; foreign currency valuation will be converted on the basis of exchange rate fixed in the bill.

According to all the testimony, Germany is to-day importing goods to this country and selling them upon the American market, at prices estimated in gold on the conversion basis of similar products before the war, and in many instances, according to the testimony of the witnesses, approximately as high as the prices that obtain in the American market for American goods. German goods which are coming in now pay on this basis of currency exchange on a higher valuation at the customhouse than the valuation on which they paid before the war. The amount of revenue this Government is getting from them under the present law is more than it was getting from them before the war under the present law.

Yet the House says that, in order to further restrict importations into this country hereafter, the German mark, for the purpose of determining the value of these German goods in the customhouse, shall be estimated at not less than onethird of the face value of the paper mark. Now, the face value of the paper mark is something over 23 cents; I forget the exact fraction. One-third of that would be the customhouse basis of calculation for the purpose of conversion under this House bill provision, so that hereafter in converting the marks into gold to ascertain the price on which German goods would be taxed, instead of calculating a mark as worth 1.6 cents, it would be calculated as worth about 7.5 cents, over three times as much as at present exchange rate. Automatically that would have the effect of greatly raising the valuation of the German goods for the purpose of customs taxation.

Mr. WALSH of Massachusetts. So that if an American purchaser invested a thousand gold dollars in German goods that had been imported to this country, those goods would be valued at over \$3,000 for the purpose of taxation at the customhouse in New York.

Mr. SIMMONS. That is my understanding. The goods are invoiced in paper marks and converted into gold on the basis of 7 cents per mark instead of 1.60 per mark. Of course, that would not be so glaring in many other cases as it is in the case of Germany. Her currency is enormously depreciated. It is worth almost nothing at this time.

The House provision is an absolute legislative monstrosity. There is no explanation of its inclusion in the bill by that body except that they intended that this should be not a protective levy, but that it should operate as an absolute and complete embargo against importation of all products coming from countries having greatly depreciated currency. The Senate substitute is not so bad. It has a broader application, it is true, but it is not so bad. The Senate substitue eliminates the currency valuation provision as proposed by the House and substitutes for it a different method of valuation of foreign imports, as I have before explained.

Under the existing law the imports are valued at the customhouse for purposes of taxation at the price at which those goods are ordinarily sold in the markets of the country of origin. The testimony was that in many cases, especially goods from Germany, exporters and importers were selling here at from 25 to 100 per cent more than the home market price. The Senate substitute provides that for the purposes of levying duties upon imports from all countries the valuation shall hereafter be fixed either at the market price of the merchandise in the country of origin or the exporter's sales price, whichever is the higher of the two in the law.

Mr. WALSH of Massachusetts. Is there any precedent in previous tariff legislation for that system of valuation?

Mr. SIMMONS. None in this country. Some Senator said that was a just provision—that is, that in his opinion it furnished the proper basis for valuation for the levying of tariff

The answer to that is that while it may possibly be defended in principle, yet in many instances it will operate very harshly against imports from one country and bear very lightly upon imports from another country.

Mr. NORRIS. Mr. President—
Mr. SIMMONS. Just permit me to conclude this thought,

and then I will yield.

However that may be, it is a very late day for the Republican Party to discover that in all the years during which they have been passing tariff bills in this country it has never occurred to them heretofore that it would be just or expedient to value imports upon the basis of the exporters' sales price rather than upon the basis of the market value in the country of exporta-There is not a tariff law upon the statute books, and the Republicans have put many there, that varies this general principle of valuation. They all recognize the selling price in the market of origin as the fair and proper measure of value for the purpose of taxation.

I now yield to the Senator from Nebraska.

Mr. NORRIS. I wish to ask the Senator if the difference between the export price and the selling price in the country of origin has varied to any great extent prior to the currency difficulties that now exist.

Mr. SIMMONS. I think it has varied in different markets. Mr. McCUMBER. How much?

Mr. SIMMONS. I do not know. I am not prepared to answer that question.

Mr. NORRIS. I was wondering if there was any material

Mr. SIMMONS. Let me answer that in this way: Senators on the other side when we were discussing the question said that it is perfectly natural that Germany should be valuing these products for purposes of export twice as high as the price at which they can be sold in Germany, because naturally Germany wants to get the full benefit of the high prices that obtain in the American market, and therefore she sends her goods here valued and to be sold at higher prices than they sell for in her own country; otherwise she would not get the benefit of our high prices, and naturally she wants to get the benefit of those high prices.

If that is the reason why Germany is doing this thing, can the Senator tell me why that reason should not apply hereafter

as well as now, when things have become normal?

Mr. NOPRIS. He would charge the highest price he could, but the point is, without discussing the propriety of those two prices, which I presume is a fact and seems to be undisputed, that I am not asking the Senator to explain the difference in It seems to be an existing fact. The point on which I was tryin, to get light was whether that kind of condition ever existed before. If it did not, then of course there would have been no reason for changing the basis of the relations.

Mr. SIMMONS. I presume in some countries it did exist. For instance, Egypt raises 1,500,000 bales of long-staple cotton. That is not enough to supply the demands of the world. By reason of the fact that she is the only country that produces it, except about 60,000 bales which are produced in this country, she has a monopoly of long-staple cotton. There is an active market everywhere. The price in the British market, There is an the price in the American market, the price everywhere is very high. Great Britain and America are in competition for that cotton and their competition makes the foreign price very high. But I imagine there has been a time, if it does not exist now, when the home market for this cotton in Egypt was very low compared with the price in other countries.

Mr. NORRIS. It seems to me, if the Senator wishes to discuss the reason for that difference in price, that it must be that wherever there is a difference in price there is no very great competition between purchasers for home consumption and purchasers for export. In the case of Egypt, to which the Senator refers, whoever owned the cotton would sell it wherever he could get the most money for it, and if there was a demand and a shortage in the world of that product the exporters, if they were paying a higher price, would get it all, and there would be none left for home consumption. In other words, the point I wish to make is that if there were free and unrestricted competition the domestic price and the export price would be somewhere about the same.

Mr. SIMMONS. To a large extent that would be 50, but not always. The illustration I gave with reference to Egypt is more strikingly brought out and emphasized by the situation that exists in China and Japan, but especially in China. China is a great producer of peanuts, which is an essential article of food in China. China consumes enormous quantities of peanuts. She has to import very frequently many million bushels, but notwithstanding that she sells to foreign markets every year a large amount of peanuts and buys from other countries where she can get them cheaper. The price of peanuts in the markets of that country is materially lower than the price they are invoiced and sold at here, and when those peanuts arrive in this country they are sold but little below the domestic price. I mean by that the exporter's sales price is very little below the prevailing American price and very much more than the domestic market price in China.

Mr. McCUMBER. Will the Senator allow me to ask him a perfectly fair question upon the real matter at issue, and he can answer it in any way he sees fit?

Mr. SIMMONS. Certainly.
Mr. McCUMBER. Leaving out of consideration the wickedness of the Republican Party and the equally satanic impulses of the Republican members of the Finance Committee—

Mr. SIMMONS. They are fine fellows, all of them.

Mr. McCUMBER. And getting right down to the simple proposition, suppose that an article is produced in Germany and sold for 25 cents. The same article is sold for export in Germany for 50 cents. The American price of the same article is \$1. The importer pays 50 cents for that article. He can get \$1 for it in the United States, making a good, fair remuneration and profit. If he gets the American price and can sell at that profit, ought he not to pay the Government a tax based upon the 50

cents, rather than a tax based upon the 25 cents? In other words, should not the Government have that benefit rather than put it into the pocket of the importer, at the same time leaving

sufficient for the importer to make a good profit?

Mr. SIMMONS. Mr. President, I am not saying that the principle upon which the proposed system of valuation is based is not defensible. There is the viewpoint which the Senator now suggests. It is very strange, however, that the idea has never before occurred to the Republican Party. As a matter of policy, we could adopt it in this country, and possibly, although it would work hardship upon some countries and would be discriminately favorable to other countries, it could be defended in principle; if we wanted to adopt that standard in a tariff bill we could do so, and I do not think it would be the subject of any very serious controversy.

Mr. McCUMBER. It has not been adopted heretofore, let me say to the Senator, because the invoice price has practically at

all times corresponded with the foreign selling price.

Mr. SIMMONS. Mr. President, I am not complaining of the principle which has been applied in this provision for the first time in the history of this country. What I am complaining of is that it is a device adopted at this particular juncture in an emergency tariff bill, not for the purpose of changing the method or standard of valuation-that is not the essential thing which Senators have in mind-but they have put this provision into the bill for the purpose-and it will accomplish that purposeof increasing at an indefinite and uncertain rate the amount of taxes which will have to be paid at the customhouse under the present tariff act upon every article of merchandise which comes from certain countries of the world.

Mr. President, if it is desired to put this provision into the general tariff bill, let it be done, and then let the taxes be levied upon that foundation. I want to say to Senators now that upon the proposed basis of valuation the amount of taxes which we shall collect at the customhouse from imports from more than half of Europe—indeed, from nearly one-half of the world, for the law applies to other countries besides the countries of Europe-the taxes which will be collected at the customhouses under the present law will be very much higher in many instances than those which would be collected under the old valuation if the Payne-Aldrich law were in force, and in some

instances they will be 100 or 200 per cent greater.

This provision should not be adopted as a tax provision except in connection with a general revision of tariff duties, because in fixing tariff duties the valuation basis of importation is an important factor and element for consideration in determining the just and proper rate of duties. The present rates were fixed with reference to the lower basis of valuation, and if you change that standard to the higher basis of the exporter's selling price you automatically and unequally increase the amount of the taxes to be paid. Logically, you would not levy as high a tariff rate to accomplish your purpose, whether it be revenue or protection, on the higher valuation as on the lower. Hence I say this basis of valuation can not with fairness to the consumer as well as to the exporter be fixed except in connection with a general revision of the tariff schedules

It is proposed through this provision of the bill, Mr. President, to levy a tax upon the people-an indirect, hidden, indefinite, and unequal tax-the amount of which is unascertained and which it will take time to investigate and ascertain, by applying the present tariff rates to a different and much higher basis of valuation than the one they were fixed and enacted to be

applied to.

When a tariff duty is levied the people know what taxes are being put upon them; they are written upon the face of the Every man knows what burdens the Government has asked him to assume, but here it is proposed to levy a tax upon all the people of this country, with slight information in advance as to how much present taxes will be increased. This is a dangerous precedent in imposing taxes, and one which, Mr. President, ought not to be resorted to except in connection with a readjustment of tariff rates.

Mr. President, I wish to put into the Record a statement furnished me by certain tariff experts, some of whom testified before the Finance Committee, who have addressed themselves to the study of this question, giving as approximately as they can within the time for investigation the increases in valuations of certain articles of foreign merchandise if the valuation provision reported by the Senate committee is adopted.

It will be seen, taking Germany, for instance, that on all kinds of beads the increase in valuation will be over 50 per cent; on certain cheeses coming from Italy the valuation will be increased 144 per cent; on certain other classes of cheese coming from Italy the increase will be 581 per cent; on confectionery of a certain kind coming from Austria the valuation will be increased 1872 per cent; on surgical instruments from Ger-

many the valuation will be increased from 833 to 50 per cent; artificial horsehair from Germany is increased in valuation 120 per cent; lighting fixtures from Czechoslavakia, from 100 to 150 per cent; drawing instruments from Germany, from 75 to 135 per cent; rifles from Austria, from 50 to 100 per cent; china-ware from Germany, from 100 to 150 per cent; fancy goods, from 50 to 200 per cent; dinner ware from Czechoslavakia, from 30 to 80 per cent; earthenware of a certain kind from Germany, from 50 to 100 per cent; and so on, the rates increasing to a greater extent on commodities imported from some countries than in the case of other countries.

Mr. McLEAN. Mr. President, the list which the Senator is reading was inserted in the RECORD yesterday by the Senator

from Pennsylvania [Mr. Penrose].

Mr. SIMMONS. Very well; then I will content myself with the reference to the articles to which I have called attention.

Mr. President, I desire to insert in the Record a comparison in parallel columns in connection with the alternative-valuation methods proposed by the Senate committee substitute. The comparison shows the method of measuring the foreign market value—that is, country of origin—and the export value; that is, the price at which the exporter sells the merchandise.

The VICE PRESIDENT. Without objection, the comparison

will be printed in the RECORD.

The comparison referred to is as follows:

Rules prescribed in Title III, sections 302 and 303, for ascertainment of value for the purpose of assessing ad valuem duties.

FOREIGN MARKET VALUE.

Pointies Market values.

Price at which such merchandise is sold or freely offered for sale to all purchasers in the principal markets of the country from which exported in the usual wholesale quantities and in the ordinary course of trade for home consumption (if not so sold or offered for sale, then for export to countries other than the United States).

This price shall include:

1. Cost of all covering or con-

2. All costs, charges, and ex-penses incident to placing in con-dition, packed for shipment to United States.

Time: Price at time of such exportation, or as of date of such purchase or agreement to purchase.

EXPORT VALUE.

Price at which similar merchandise is sold or freely offered for sale to all purchasers in the principal markets of the exporting country, in the usual wholesale quantities and in the ordinary course of trade for exportation to the United States.

This price shall include: 1. Cost of all covering or con-

tainers.

2. All costs, charges, and expenses incident to placing the merchandise in condition, packed for shipment to the United States.

3. Amount of any export duty by exporting country.

This price shall not include: 1. Costs, charges, United States import duties and expenses incident to bringing from place of shipment to place of delivery in United States.

Mr. SIMMONS. It will be seen from this statement that the two methods of value differ in two respects: First, market value is based upon the price for home consumption; and, second, the export value is based upon the price of exportation. value does not include the tax imposed upon the exportation of the article, while the export valuation includes any export tax that may be imposed by the country of production.

Thus, Mr. President, if we adopt the higher export price we not only levy a tariff tax upon the merchandise but we levy a tariff tax upon the export tax, which export tax also operates as a protective-tariff duty for the benefit of the American producer. So the American producer in his competition gets the benefit of the export tax, and then the amount of that export tax is actually required to pay a tariff tax in this country for his further protection. I will not discuss that further.

Mr. President, I have been examining the report made by the Finance Committee upon this bill. In that report they bodily copy the report of the Ways and Means Committee of the House, drafted, I suppose, by Mr. Young, whose name that bill bears. In that report I read as follows:

There is now a large surplus of farm products in this country caused partly from under consumption, but chiefly by the dumping here of great quantities of foreign products. This surplus will continue to increase so long as present world conditions exist.

Mr. President, I can see how a man might have said that six months ago with some show, at least, of justification, when temporarily imports to this country were inflated, largely, as I said yesterday, as the result of the enormous war supplies of the various allies and the Central Powers which had been thrown upon the market and had to be absorbed, and were seeking a market anywhere it could be found, at any prices which could be obtained; but it passes my comprehension how any man with reasonable knowledge of the facts as they exist to-day with reference to importations could make that declaration in a solemn document, and assert that the assumption of those facts furnishes the foundation and the basis of legislation imposing enormous tax burdens upon the people of this country.

Mr. President, the trouble about this agricultural emergency tariff is that it is based upon a false assumption of fact.

should be evident to every one at all familiar with the facts as to the domestic production and consumption of some of the agricultural products embraced in this bill that no amount of tariff duties can affect the American price one way or the other.

For instance, take corn. We raise about 3,000,000,000 bushels of corn annually in this country. During the last eight months of the present fiscal year we imported only 500,000,000 bushels of corn. We exported during the same period 24,000,000 bushels, nearly five times as much as we imported, and our imports bore to our production the relation of 5,000,000 to 3,000.000,000. Yet, Mr. President, the corn farmers of this country are told that the importation of 5,000,000 bushels, an amount less than is raised in some counties in the Central West, is the chief cause of their present distressful condition. They are told that these 5,000,000 bushels of corn imported here from abroad have broken the price of corn in this country and reduced it from \$10 a barrel to about \$3.50 to \$4 a barrel.

Is-it possible with the boasted initiative and constructive ability of the Republican Party the only thing it can think out and do in response to the appeal of the millions of corn producers of the country for relief from present deplorable conditions is to place a tariff tax of 15 cents a bushel on 5,000,000 bushels of corn imported into this country during the past eight

Is there a man of ordinary intelligence who has investigated the matter as you have on the other side of the Chamber, and who understands the effect of the duty you are giving him, who does not know that that is a fake? Why do you want to try

to deceive the farmer in that way?

I could follow that up with illustrations from the bill, but, Mr. President, I do not intend to go into that at this time. What I desire to do now is to file some tables for the purpose of showing that importations have been for many months past, and are still, rapidly decreasing, and that importations in general, taking those from the world as a whole, are not excessive; that they are probably not as large as we might expect them to be under the conditions that exist now. And especially that agricultural importations are not increasing as the majority would have the farmer believe, but have for months been rapidly decreasing and with respect to many articles embraced in this bill have practically ceased as the case of peanuts and many of the vegetable oils will illustrate.

Mr. President, I have here a table of imports from different groups of countries for February, 1921—the present year—and for February, 1920. First let me take European importations:

In February, 1920, the imports from Europe taken as a whole, in round figures, were \$106,000,000. In the month of February, 1921, just one year afterwards, the total imports from Europe were \$55,000,000, or just about one-half.

Take the Central American States. In February, 1920, the imports were \$4,770,000; in February, 1921, they were \$2,352,-000-about one-half.

In the case of Cuba, in February, 1920, the imports were \$72,000,000; in February, 1921, only \$28,000,000.

The total for North America in February, 1920, was \$136,-

000,000; in February, 1921, only \$78,000,000.

Argentina: We have heard a great deal of talk about the flood of importations from Argentina, especially agricultural imports. Attempts have been made to frighten the farmers with the predictiou of rapidly growing imports from Argentina and Brazil, both great agricultural countries. In February, 1920. our imports from Argentina were \$15,000,000; in Febru-In February, ary, 1921, only \$5,000,000, or one-third.

Bolivia: \$951,000 last year, as against \$379,000 now.

Brazil: Another country from which we are said to be in danger of importations. Brazil's exports to this country in February of last year were \$17,000,000; in February of this year, \$9,000,000.

Chile: Last year, in February, \$12,000,000; this year, in February, \$4,000,000.

Colombia: Last year, \$4,000,000; this year \$2,000,000.

All the other States of South America are in about the same

Mr. President, I come now to Asia. We have heard more about the dangers of Asiatic competition than about the dangers from imports from any other section of the world, I presume.

In my section of the country the farmers have been led to believe that in all probability in a few years Japan and China will come over here and take charge of our markets, as far as agricultural products are concerned. Some of them have been led to believe that those conditions are to be precipitated upon us right now. These facts about China are that in February, 1920, our imports from China were \$20,000,000; in February, 1921, they were only \$7,000,000 in round figures.

Our imports from British India in 1920 were \$14,000,000, in round figures; in 1921, this year, they were \$8,000,000, in round figures.

Japan has been held up to the farmers of this country as one of the greatest menaces, to agriculturists especially. We imported from Japan last year, in February, \$43,000,000, and in February of this year only \$11,000,000, stated in round figures. Taking the whole of Asia last year, in February, we imported \$117,000,000, and this year in that month we imported \$42,000,000.

We have heard much in these tariff discussions and propaganda about African invasion of our markets. In February, 1920, we imported from Africa \$27,000,000, and this year in February we imported \$3,000,000.

Now, Mr. President, I have certain tables here brought up to date. These tables show the importations of various specific articles included in the present emergency tariff bill, in one column is given imports during the months of January and February, 1920 and 1921, respectively, and in the next column the imports are given for the eight months ending February 28, 1920 and 1921, respectively. I want to call attention to only one or two of these schedules. These tables were prepared for me by the Actuary of the Treasury, an expert, and are, I am sure, correct.

We have heard a great deal from the Senator from North Dakota [Mr. McCumber] about importations of Canadian wheat to this country, and I discover from these tables that the entire importations of wheat into this country during the eight months of this fiscal year ending February 28, 1921, were 41,-

775,965 bushels.

Now, let us see, Mr. President, about the exportations during that period. The exportations of wheat from this country during the eight months ending February 28, 1921, were 209,857,400 bushels, and of the 41,000,000 which came in during those eight months of the present fiscal year ending February 28, 1921, there were exported from this country during the two months of January and February of this period 39,813,584 bushels, or there were exported during two months of this year within 2,000,000 bushels of as much wheat as came in from Canada during the first eight months of the present fiscal year. Yet we are legislating here upon the assumption that the American wheat market is being destroyed by the importation of wheat from Canada. Nearly as much was exported in two months as was imported in eight months, and five times as much was exported as was imported during the eight months ending February 28, 1921.

Mr. President, I have already extended this discussion beyond the time I expected to take, and, as much as I am tempted to do it, I will not take up the various items covered in this bill as I intended to do. But I do want to refer to one other fea-

ture of it.

There is a fear on the part of some of the peanut growers of my State with reference to importations of peanuts from abroad. They have been told, just as the woolgrowers have been told. that the importations of peanuts from abroad have been enormous; that there are ships loaded with them on the way; and that when they get here they will take charge of our markets. A great many of the people in my State have believed that and have been writing to me about it. I have the statistics here for the months, first, of January and February of last year and of this year, expressed in dollars and also in pounds.

I find that in January and February, 1920, there were imported into this country 25,520,246 pounds of peanuts. There were imported during the same months of 1921, only 3,959,917 pounds, or only about one-sixth as much. Peanuts run from 22

to 25 pounds to the bushel.

During the eight months ending February 28, 1920, there were imported of peanuts 47,000,000 bushels, in round figures, as compared with 12,000,000 bushels in 1921, or just about one-fourth as much. Importations have progressively declined from month to month.

The same outcry is made against the importations of peanut

Mr. SMOOT. Mr. President——
The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from Utah?

Mr. SIMMONS. I do.

Mr. SMOOT. I think the Senator made a rather poor comparison when he drew a comparison between peanuts and wool, Mr. SIMMONS. I was only comparing them with reference

to the amount alleged to be coming in. I was not making the

comparison in any other sense.

Mr. SMOOT. I say that the Senator was unfortunate in his comparison, because up to December 259,617,641 pounds of wool arrived in America from abroad. That is according to a report just received from the Department of Commerce.

Mr. SIMMONS. Will the Senator let me have that memo-

Mr. SMOOT. Certainly. That was for the year ending December, 1920.

Mr. SIMMONS. I was speaking of 1921. I have later figures than those.

Mr. SMOOT. For 1921 the figures are even worse than those for 1920.

Mr. SIMMONS. The Senator is mistaken.

Mr. SMOOT. I have a statement here showing that I am correct.

Mr. SIMMONS. The Senator can put whatever statement he has in the Record, and I will change my statement if it is found incorrect to conform to the facts.

Mr. SMOOT. That is all I care about.

Mr. SIMMONS. I think the Senator is mistaken, but I may be mistaken.

Mr. SMOOT. The Senator is not stating any figures of his own. He is taking his figures from reports furnished by the United States Department of Agriculture and the Department

Mr. SIMMONS. Yes; in the statement I made about wool a little while ago I was not reading. I was stating it from memory. I was reading from the books as to the other matters. The correct figures for the fiscal year 1921 will be found in the tables I have referred to and which I will attach to my remarks in the RECORD.

There is a statement made in the report of the committee on this bill to which I wish to call attention. The report says:

From the standpoint of the public it is believed the costs of retail will not be materially affected by reasonable duties on farm products. Under our present very faulty distribution system, which is sadly in need of reformation, the prices paid to farmers seem to bear little relation to the final sales price. For instance, we have seen the price of wheat reduced in half during recent months and the cost of bread remains at the same exorbitant price in most, if not all, the cities, Onions and some other products which are now unsalable on the farm excepting at far below cost of production are selling in the stores at about the same price as formerly.

Mr. President, there we have the whole thing. We have the farmer, with no protection, getting only one-half the cost of his onions when he sells them in this market. He is told that is because he has no protection; that if he had protection he could get a bigger price. Here is the dealer and the storekeeper, who buy these onions from the farmer, who sell them in the same market with no other protection than the farmer had, and yet

he gets for them twice what the farmer got.

Mr. President, how can it be that the absence of tariff has destroyed the farmer's market for his onions and makes them practically worthless in his hands, but that same lack of tariff does not affect the price which the dealer and the storekeeper can command in the same market for the very same onions they bought from the farmer at below the cost of production? I would like very much to have that matter clarified. Why is it that the tariff, from the Republican standpoint, beats down the price of a product in the hands of the farmer to below cost and yet does not affect the price of that article when it goes out of the hands of the farmer and into the hands of the dealer and the merchant and the speculator? That is what Mr. Young says in this article has happened and is happening, and we know it is happening every day.

	A take		APPENDIX A.					
		Imports	by countries.			Exports	by countries.	
	February, 1920.	February, 1921.	8 months end- ing February, 1920.	8 months end- ing February, 1921.	February, 1920.	February, 1921.	8 months ending February, 1920.	8 months ending February, 1921.
Belgium. Germany. France. Italy. Netherlands Spain. United Kingdom: England.	\$2,565,881 3,881,559 12,678,431 8,241,507 11,545,546 2,941,429 45,711,353	\$2,665,100 4,952,278 11,578,252 2,060,506 2,912,272 1,131,468 16,560,974	\$12, 559, 418 18, 232, 918 113, 803, 363 66, 155, 668 70, 113, 194 33, 916, 751 277, 553, 854	\$30, 471, 886 63, 298, 348 101, 386, 387 36, 303, 979 49, 499, 535 25, 281, 070 198, 522, 481	\$28, 145, 902 18, 598, 807 65, 520, 607 26, 083, 505 17, 153, 302 8, 295, 853 157, 036, 616	\$12, 137, 993 39, 619, 713 20, 432, 178 28, 198, 613 17, 880, 925 8, 051, 109 86, 042, 893	\$217, 062, 562 117, 216, 556 494, 563, 713 262, 144, 392 201, 624, 360 69, 113, 815 1, 414, 490, 626	\$153, 219, 848 281, 685, 484 376, 850, 010 228, 493, 139 198, 000, 902 104, 315, 681 933, 216, 493
Total in Europe	106,655,718	55,005,226	732, 179, 927	676, 587, 289	384, 052, 168	241,793,255	3, 354, 639, 150	2,682,593,291
Canada	39,645,627	32, 874, 301	358,661,736	417, 506, 187	63, 316, 091	45, 178, 874	546, 448, 357	592, 237, 016
Total, Central American States	4,770,757	2,352,677	27,650,640	30, 564, 354	6, 808, 834	6,926,691	43,084,398	57, 893, 932
Cuba	72,746,700	28, 183, 409	301, 418, 638	300, 526, 380	31, 434, 027	25, 503, 646	214, 947, 725	344, 816, 937
Total, North America	136, 970, 447	78,798,001	837, 269, 238	901, 582, 862	124,817,922	111,383,993	968, 633, 995	1,273,905,936
Argentina Bolivia Brazil Chile Colombia Ecuador Uruguay Venezuela	15, 104, 410 951, 483 17, 324, 752 12, 537, 633 4, 830, 347 1, 434, 470 4, 908, 973 2, 721, 425	5,315,980 379,879 9,289,131 4,902,757 2,464,509 433,332 1,593,170 1,017,780	177,034,495 3,533,775 193,395,116 59,240,516 37,517,999 7,482,596 34,630,406 22,244,175	101,626,078 5,033,974 116,373,119 60,820,242 31,122,684 6,699,716 10,036,017 7,764,632	11,612,237 222,266 10,443,023 3,708,364 4,664,546 737,187 2,329,857 2,431,256	16, 441, 443 502, 585 6, 240, 074 4, 551, 534 1, 844, 340 333, 884 2, 675, 962 945, 523	104, 672, 390 2, 055, 458 69, 206, 018 25, 755, 850 23, 959, 234 6, 086, 939 16, 644, 979 13, 278, 978	166, 304, 429 3, 730, 804 110, 268, 303 41, 857, 672 27, 541, 688 6, 852, 555 23, 839, 691 14, 757, 367
Total, South America	67, 763, 247	26, 509, 107	567, 414, 593	379, 024, 708	40, 440, 955	38, 804, 180	285, 399, 946	438, 582, 488
China	20, 446, 340 14, 736, 716 43, 224, 813 2, 200, 528 1, 349, 112	7, 255, 371 8, 322, 433 11, 711, 304 129, 092 2, 355, 028	136, 315, 431 110, 287, 555 367, 033, 569 8, 933, 526 20, 365, 849	78, 213, 750 95, 279, 488 175, 882, 012 3, 478, 387 15, 016, 120	7,124,643 8,239,591 34,884,168 8,583,796 946,839	12,768,893 7,816,774 22,028,530 3,613 1,000,142	67, 880, 388 44, 518, 517 244, 914, 167 27, 990, 892 4, 703, 842	102,779,106 72,799,626 131,349,112 498,054 6,821,010
Total, Asia	117, 012, 930	42, 122, 790	877, 961, 788	636, 432, 676	68, 585, 025	58, 490, 578	455, 028, 029	410, 541, 029
Total, Africa	27, 622, 703	3, 147, 856	115, 580, 629	40, 264, 085	9, 666, 981	12, 199, 374	61, 630, 294	110, 958, 005
Grand total (world)	467, 402, 320	214, 525, 127	3, 235, 079, 829	2,757,338,312	645, 145, 225	489, 297, 067	5, 230, 213, 254	5,126,069,108

# APPENDIX R

		APPEN	DIX B.	100		San all		Billi
	United States imports.				United States exports.			
Articles.	January and February.		Eight months ending Feb. 28.		January and February.		Eight months ending Feb. 28.	
Side of all all and the second of the second	1920	1921	1920	1921	1920	1921	1920	1921
Wheat flour four dollars.  Wheat flour dollars.  Corn foushels.  Gollars dollars.  Peanuts four dollars.	1,280,920 3,411,669 56,373 600,025 565,238 564,316 25,520,246 2,427,716	9,908,568 15,062,259 422,767 3,746,443 11,482 17,965 3,959,917 207,346	3,129,425 7,440,977 65,257 689,149 8,623,106 8,374,058 47,272,703 4,156,665	41,775,965 83,048,011 1,073,383 10,698,321 5,624,583 6,836,409 12,813,386 897,836	13,418,194 32,608,391 2,097,099 23,407,490 4,012,296 6,014,513 1,506,496 213,777	39, 813, 584 82, 214, 422 2, 303, 611 19, 978, 79, 964 12, 150, 699 2, 503, 793 180, 524	87,605,400 210,973,935 12,003,421 132,467,810 9,871,755 15,838,624 11,263,082 1,360,256	209, 857, 400 551, 392, 339 10, 411, 964 112, 936, 889 22, 742, 917 24, 620, 950 7, 488, 857 702, 352

APPENDIX B-Continued.

	United States imports.				United States exports.			
Articles.	January and February.		Eight months ending Feb. 28.		January and February.		Eight months ending Feb. 28.	
	1920	1921	1920	1921	1920	1921	1920	1921
Fresh meat (beef, veal, mutton, lamb, and pounds.pork). dollars  Wool, Classes I and II. pounds. dollars  Sugar dollars  Butter founds. dollars  Cheese. dollars  Milk (preserved, etc.). dollars  dollars  dollars	7, 069, 794 1, 207, 137 58, 599, 628 29, 878, 311 1, 340, 693, 043 129, 716, 263 1, 429, 948 827, 805 1, 822, 775 679, 921 4, 601, 412 693, 249	24, 255, 954 2, 764, 538 55, 653, 988 12, 641, 402 860, 387, 968 44, 207, 325 5, 708, 943 2, 699, 591 2, 557, 439 885, 081 391, 748	297, 768, 762 7, 657, 221 4, 121, 885 11, 768, 019 4, 039, 200	141, 337, 815 18, 004, 483 114, 547, 458 36, 556, 584 4, 279, 189, 112 541, 332, 635 28, 619, 329 13, 723, 360 10, 522, 726 3, 723, 448 16, 512, 302 3, 904, 030	44, 990, 938; 9, 796, 935 872, 906 677, 114 229, 913, 809 18, 632, 430 6, 193, 556 3, 735, 669 2, 504, 598 904, 890 89, 527, 727 13, 860, 444	44, 008, 352 7, 843, 317 428, 831 126, 124 96, 513, 032 7, 218, 693 1, 544, 401 685, 202 2, 128, 617 008, 451 52, 785, 989 7, 369, 687	132, 732, 938, 30, 194, 858 3, 361, 330 2, 568, 949, 908, 608, 251, 73, 206, 417, 18, 397, 011, 10, 523, 917, 9, 132, 834, 3, 406, 727, 518, 208, 564, 76, 127, 351	78, 536, 426 14, 945, 407 4, 771, 858 2, 010, 79, 194 256, 359, 194 24, 898, 417 4, 079, 757 2, 124, 771 5, 670, 224 1, 778, 363 185, 183, 577 30, 017, 048

United States trade in oils and wrapper tobacco.

The transfer of the property of the con-	8 months ending Feb. 28, 1920 and 1921.				February, 1920-1921.			
Articles.	Imports.		Exports, domestic.		Imports.		Exports, domestic.	
	1920	1921	1920	1921	1920	1921	1920	1921
Oils:  Peanut.	13, 469, 920 15, 493, 920 17, 615, 472 2, 353, 224 196, 707, 181 26, 564, 865 138, 595, 739 17, 711, 065 5, 220, 529 11, 153, 385 167, 812 257, 433	2, 281, 848 2, 204, 025 1, 032, 590 121, 873 127, 985, 418 16, 647, 306 33, 563, 896 3, 372, 208 2, 368, 618 7, 662, 200 20, 302 38, 464	14, 892, 001 1, 188, 312 94, 975, 703 21, 331, 750 130, 932, 812 27, 130, 770 35, 569, 047 7, 828, 628	*1,140,130 183,682 192,771,960 24,044,617 4,171,842 656,991 4,780,593 739,409			172, 178 45, 146 20, 318, 254 4, 515, 952 4, 317, 729 559, 385 5, 767, 610 1, 275, 017	

<sup>14,892,001</sup> pounds equal 652,267 gallons. 11,140,130 pounds equal 152,017 gallons.

<sup>3</sup> 172,178 pounds equal 22,957 gallons. <sup>4</sup>27,219 pounds equal 3,629 gallons.

Mr. FLETCHER. Mr. President, when this measure, so far as its tariff features are concerned, was before the Senate, toward the close of the last Congress, I had occasion to express my views regarding it. Nothing has occurred to cause me to modify or change them. It would be unnecessary to repeat them now.

The fact is, on account of the situation in reference to the rates of exchange, the disorganized markets, demoralized credits, and the advantages possessed by the United States over other countries at this time, there is no need for tariff legislation. Conditions are rapidly changing, readjustment is taking place, a stricken world is gradually recovering, and in the unstable, unsettled conditions prevailing everywhere no permanent tariff laws should be enacted at this time.

The outstanding fallacy in connection with the pending bill is the claim that its enactment would benefit those engaged in agricultural pursuits in the United States.

If the bill was confined entirely to agricultural products, there would be at least an appearance of good faith in such claim, but since it embraces manufactured goods, for which the farmers and other consumers must pay prices increased far beyond the duties, if the measure accomplishes what its proponents claim, it is made clear, beyond question, that it is not even intended to be of real benefit to the farmers of the country. If it becomes a law, the producers of agricultural products will be sorely disappointed, in so far as they may expect it to operate to their advantage.

Since it is to remain in effect only six months, it may not work any serious harm. It will, however, accomplish no good result and its pretensions will be exposed by experience.

I have always felt very great sympathy for every effort put forth that might make for a sound and healthy agriculture. Whatever would encourage and stimulate those who produce the Nation's food, it has been my hope and purpose to favor and advocate.

The fundamental industry of the country is agriculture. If that languishes and suffers depression, all the people must feel the painful effects. No country can enjoy permanent prosperity if farms are abandoned, if agriculture is made unprofitable, and the conditions of rural life are hard and uninviting. In the United States there are 6,449,242 farms. Of these, 3,924,851 are operated by owners, 68,512 by managers, and 2,455,879 by tenants. Nearly one-third of our population are interested, directly or indirectly, in agriculture: This is a sufficient statement to indicate the importance of that industry, but it is not all that might be said. Every man, woman, and child in the country who has to have food and wear clothes is concerned. What we sometimes hear mentioned as the "farmer's problem" is equally the problem of every citizen. Whether we are farmers, or merely consumers, we must all move forward or backward, suffer or prosper, along with those engaged directly in agricultural pursuits.

engaged directly in agricultural pursuits.

It becomes, therefore, appropriate when we are considering any measure that is put forward as having a bearing on any of those problems to refer to and urge any real, substantial, helpful proposal which might be advanced as a solution of any of the problems and offer any relief against any of the difficulties which confront those engaged in agriculture.

# SOMETHING WORTH WHILE-REAL PINANCIAL HELP.

The Federal farm loan act constitutes the firm foundation for agricultural growth and development. It provides the only financial system ever devised in this country to meet the financial need of the farmer. Under that law some \$426,000,000 have been been found for those actually engaged in farming, for the wholesome purposes set forth in the act, at an interest rate of 5½ per cent, with amortization and other privileges of incalculable benefit to those who have long been burdened with excessive interest rates and charges, and in many instances unable to obtain any financial accommodation. No industry in existence could have survived these burdens and difficulties and deprivations which agriculture has been obliged to endure through all the years to July, 1916.

The amount mentioned has been made available to the farmers of the country since then, notwithstanding the case of Smith against Kansas City Title & Trust Co., recently decided by the United States Supreme Court, which was pending for some 18 months, during which time the Farm Loan Board practically ceased to function. The effect of the suit paralyzed the operation of the system. Happily the validity of the act

was fully sustained by the Supreme Court, and operations have

Under that act the money which is loaned to farmers for the purposes set forth in the law is obtained by the sale of farmloan bonds to the public. The law provides that the borrower can be required to pay to the Federal land bank only the same rate of interest which the bonds bear, the proceeds of which are loaned to borrowers, plus the cost of administration, which shall not exceed 1 per cent. This cost has not heretofore exceeded one-half of 1 per cent. As the business increases and the transactions multiply this cost will be still further reduced. The bonds are offered at 5 per cent, so that the borrower can not be called on to pay more than 5 per cent plus the cost of administration, which has heretofore not exceeded one-half of 1 per cent.

It is plain, therefore, that the lower rate of interest which the bonds bear the lower rate the borrowers will pay. It was for this reason these bonds were made exempt from all taxation-municipal, State, and Federal. A bond exempt from all taxation can be sold more readily and at a lower rate of interest than one that is not. Whatever will increase the demand for these bonds enhances their use and promotes their sale, will be advantageous to the system, to the borrowers, and therefore to the real farmers of the country.

With this in view I have proposed a bill, and I sincerely hope the committee will report it favorably and that it will be enacted into law, to amend second and third paragraphs of sec-

tion 27, farm loan act, to read as follows:

That any bank of the Federal reserve system may buy or sell farm-loan bonds; any member bank of said system may accept time drafts against a deposit of such bonds as security; acceptances of a member bank thus made, or the direct obligation of such bank, maturing within 60 days, when accompanied by farm-loan bonds as collateral security not less in face value than the amount of such direct obligation, shall be eligible for discount by any Federal reserve bank.

I submitted this bill to Mr. W. W. Flannagan, who is thoroughly familiar with the farm loan act, the Federal reserve act, and our financial systems generally. He has been a banker, a student of finance, and has been connected with the move-ment and the hearings and the actual framing of the farm loan act, and knows it thoroughly. He is in full accord with the originators of the whole scheme and most desirous of serving the agricultural interests. He was secretary of the Farm Loan Board until their activities were stopped by the suit referred to, and I have great confidence in his judgment on any financial question. I adopt his views in every detail with regard to the merits of this bill, and I desire to insert here as a part of my remarks his letter to me on the subject.

The PRESIDENT pro tempore. Without objection, it is so

ordered.

The letter is as follows:

NATIONAL UNION OF FARM LOAN ASSOCIATIONS, Washington, D. C., April 15, 1921.

Hon, DUNCAN U. FLETCHER, United States Senate, Washington, D. C.

DEAR SENATOR FLETCHER: I have examined with a great deal of interest the provisions of your bill (S. 4994, 66th Cong.; S. 620, 67th Cong.) and highly commend its purposes and the effective method thereby provided to secure capital for the farmer at a low rate of interest, while preventing the farm loan system from becoming an annual charge against the revenues of the Government, in the form of forced purchases of farm loan

Your prominent connection with the rural credit movement from its very inception as chairman of both of the commissions which were sent abroad to gain information and make a study of the subject, as author of the first rural credit bill introduced into Congress, as member of the Senate Banking and Currency Committee of the Sixty-third Congress, which secured a great amount of valuable testimony on the subject through the hearings it held, as member of the same committee of the Sixty-fourth Congress, which considered and reported the bill that afterwards became the farm loan act, as member of the conference committee which gave final effect to this work, and your consistent advocacy of every public measure which has had for its purposes the advancement of the welfare of the American farmer entitles any measure proposed by you on this subject to the most favorable consideration from the American people.

I concede that the business of agriculture is fundamental and that its prosperity is a necessity for the continuation and advancement of our civilization, and that it is the duty of the Government to provide, if necessary, the means, at the expense of all of the people, whereby this prosperity is assured to those who are worthy and willing to engage in this fundamental industry, but I think it would be a mistake to make any system of finance dependent for success upon annual appropriations from the Treasury, even if such appropriation results in an undoubtedly sound investment yielding in normal times a

profit on such investment.

In other words, while it is sound from an economic viewpoint in a democratic government to tax all the people in order to be certain that those engaged in the production of the necessaries of life find it sufficiently attractive to continue that pursuit so that the adherents of agriculture remain contented and happy, and its development keep pace along other lines of human endeavor, it is not necessary to adopt this procedure, if other means can be found, justified by our experience, wholly in keeping with our system of finance, whereby the farm-loan system may be made independent of receiving recurrent Government aid, dependent upon the changing views of each succeeding Congress. To make it so dependent is to leave the system incomplete in itself as a system of finance, and invites continual criticism, if it does not spell failure.

I think you have found "the other means" in your bill, the merits of which I purpose to discuss in this letter as I see

them.

The ultimate success of the farm loan act in serving its avowed purpose "to provide capital for agricultural develop-ment" must, of course, depend upon the ability to sell readily farm-loan bonds bearing a low rate of interest at not less than The restrictions thrown around the issuance of these bonds under the provisions of this act leave no doubt as to the security they offer as far as human foresight can make them secure, and it is not necessary to discuss here the nature and value of such security.

The experience of the world in the collection of debts from the time debts were first known and interest charged for their deferred payment, demonstrates beyond question that productive real estate is the surest and safest of all security, never failing except with the government which defends the title thereto, and

not always then.

The very meaning of the word "real" indicates the permanence and safety of the security which real estate affords.

Now, in order that these bonds shall sell readily, there must be a constant and continued demand. Demand comes from human desire, a state of mind, a wish to be benefited. benefit offered for the loan of capital is profit in the form of interest, and though it is a recognized economic fact that the higher the interest rate the lower the security, periods in financial history occur-especially following the great destruction of capital which every war causes—that irrespective of security, capital, because of its scarcity, demands and commands higher rates of interest than often the business of the borrower can afford to pay. Especially is this the case when Governments become borrowers in large amounts to meet the devastation of

We have just this condition which confronts us to-day in the case of farm-loan bonds. The markets are flooded with offerings of high-class securities issued by governments, railroads, industrial and mercantile establishments, every form of human endeavor, all seeking the use of capital at higher rates of interest than the business of farming will justify, more than the farmers can pay and properly live. Yet he must live and prosper, yea, more than that, he must be satisfied and contented, or American civilization dies in a supreme reign of chaos.

In finding a market for farm-loan bonds we can not compete on the basis of profit derived from the rate of interest offered, and the demand must therefore come from some other right, benefit, or advantage which they offer. The genius of Salmon P. Chase solved a similar problem for the Government, when during and at the close of the Civil War the necessity of floating large volumes of United States bonds arose, in order to fund the indebtedness caused by the war, at a lower rate of interest. United States bonds were selling far below par; there was no demand to justify a large issue; greenbacks were at a heavy discount and gold was selling at a premium. Chase saw some other inducement than high interest was necessary, that he could not compete on this basis, so he gave to United States bonds the circulating privilege. He allowed national banks to deposit with the Comptroller of the Currency United States bonds and the privilege of the issuance of circulating notes against such deposit. He utilized the bank function of note circulation to supply the pressing necessities of the Government, and later, by taxing State-bank notes out of existence, gave us a uniform currency, circulating at par throughout the whole country, which continues to this day. The result of this advantage or benefit was that United States bonds bearing 2 per cent interest have commanded a premium on the market, while similar bonds bearing a much higher rate of interest sold for less than par. This shows conclusively that advantages or benefits may be given under the law which will create a demand for

bonds, irrespective of the rate of interest they bear; or, in other words, the security of the principal being assured, the rate of interest the bonds bear is not always the governing factor in

creating a demand and establishing the market price.

The Federal reserve law has now changed this collateral benefit held by national banks and practically given a monopoly of the circulating privilege to the Federal reserve banks. Under the operation of this law, the bank function of discount is interwoven with the bank function of circulation or note issue, so that no circulating notes can be obtained as a medium of exchange unless preceded by a discount of commercial paper at a Federal reserve bank.

Such discounts create reserves for the other member banks, so that in order that circulating notes may be had for the purposes of trade the banks must draw against their reserve balances with the Federal reserve banks. They can not count the circulating notes thus drawn as a part of their lawful reserve, nor can they restore their reserve by a redeposit of these notes, so that in order to obtain circulating notes to meet their customers' requirements for this medium of exchange the banks must convert "reserve funds" in the form of bank balances or credit with the reserve bank into "nonreserve funds" and replenish the same by another discount. These balances are created by discounts, as stated; they are called rediscounts, and must consist of paper previously discounted by a member bank of a particular nature—that is, such paper must represent a debt incurred by the sale and transfer of a commodity, or, in other words "commercial paper." The Federal reserve act is based on the theory that there never can be any excess of commercial paper, and is intended to afford the means whereby such paper can always be readily converted into cash, thus encouraging and facilitating business.

But observe that the business thus intended to be facilitated is the business of trading—the buying and selling of commodities on time, the extension of credit for short periods. It is the merchant who is intended to be and who is benefited. He is the man who is afforded the credit facilities whereby he can extend

to his customer time for deferred payment,

Now, the farmer is not a trader nor a merchant. He does not buy and sell his products for profit. Through utilizing the forces of nature he creates the products which the merchant buys and sells for his own profit. The farmer must sell when his product is ready for market, and he sells such product usually once a year.

What your bill does is to give the farmer some of the indirect benefits of the Federal reserve act. It affords a point of contact between the Federal reserve act and the farm loan act whereby the benefits of the former, now held exclusively by the trader, may be shared by the producer. And in extending this benefit to the producer it does not lessen but increases the benefit to the trader. The benefit to both is increased through the medium of the commercial banks, which in turn are also benefited through the additional facilities they are thus enabled to

extend to all classes of business interests.

This benefit comes to the farmer through the farm loan act by creating a constant and broad market for farm loan bonds, It comes from creating a demand for such bonds from the banking and commercial interests of the country. Every national bank and indeed every member bank of the Federal reserve system will want to hold constantly some of these bonds as a secondary reserve, an asset that is always convertible into cash under your bill, irrespective of the maturity, and always bearing a reasonable rate of interest until so converted. It is not an idle or noninterest bearing reserve, as is the case with money in the vault or balances with the Federal reserve banks. Every country banker will readily appreciate the advantage of having such an asset. He may not have the oppor-tunity in his locality to keep on hand at all times "commercial paper" to meet the requirements of the Federal reserve bank when he needs a rediscount. His "average balance," which the city bank requires him to keep in order to entitle him to a discount, may not have been "satisfactory" to the city bank, Indeed, having farm-loan bonds among his assets removes the necessity of "keeping balances" for the purpose of obtaining discounts, and they pay him a better rate of interest than he can get on such balances. He will need such balances only for the purpose of supplying "exchange." He will have a feeling of comfort and independence which he can not have when dependent upon the convenience or necessities of his city bank correspondent or perhaps the will or the whim of some officer thereof. The rate of interest he will have to pay on his rediscounts with farm loan bonds as collateral is public knowledge, fixed beforehand, and not dependent upon market fluctuations in interest rates caused by stock-exchange dealings or otherwise.

The city bank or banker, the big insurance and trust companies, indeed all dealers in securities or traders in debts (and banking is but another name for trading in debts), will find it most convenient to have always available a security which, under any and all circumstances, may readily be converted into cash.

Nor will this demand come alone from the banking fraternity, whose business is the buying and selling of debts, but from large and small investors as well. As soon as it is understood that farm-loan bonds will always command a banker's acceptance, and that these acceptances under the Federal reserve act entitle the holder to the lowest rate of discount at the Federal reserve banks, such bonds will be sought for by savings banks and by big industrial and mercantile establishments whose business requirements are such that only at certain seasons of the year must they have ready cash. They will not find it necessary to keep large bank balances idle or bearing a nominal rate of interest, for farm-loan bonds will then be a most desirable substitute for such balances, yielding a greater profit.

A small investor will also find these bonds a profitable substitute for time deposits, being in convenient denominations and yielding a better rate of interest, yet always available to produce

cash.

The privilege or benefit your bill asks for farm-loan bonds is now enjoyed by United States bonds and is no new experiment in finance.

# OBJECTIONS CONSIDERED.

You are sure to have used as arguments against your bill, if not urged as fatal objections which should defeat it, (1) that it amends the Federal reserve act, and (2) the claim that it is not in keeping with the principles of that act, which is based upon having quick assets held by the Federal reserve banks in the form of "self-liquidating" commercial paper of short maturity.

These objections, when analyzed, have no real force, as I shall endeavor to show. It is true that your bill amends the

Federal reserve act, and it should be so amended.

The Federal reserve act was made for the banker in order to enable him to extend short credits to the merchant or trader in commodities. It does not provide directly for the farmer, because it deals in liquid capital, while the farmer must have credits of long duration. But it does not follow that the trader should have a monopoly of the benefits of the use of liquid capital. If the farmer can put his capital, which is his land, in a form whereby it becomes liquid—as between the traders—i. e., capable of being transferred rapidly, then he becomes the indirect beneficiary of such trading.

An illumination of this thought is shown in the case of a banker who issues a circulating note for value. The note passes from hand to hand effecting transfers of property indefinitely, but the banker who originally issued it is the beneficiary, and continues so, as long as the circulating note

remains outstanding.

To make a constant and steady market for farm-loan bonds as your bill will do is to make the farmer's capital liquid, and thus enable him to share indirectly the benefit of the Federal reserve act, now enjoyed by the merchant.

# SELF-LIQUIDATING PAPER.

The theory on which the Federal reserve act is constructed, with reference to the issuance of circulating notes, is that the security for such notes must be commercial paper, because such paper is "self-liquidating," meaning by such expression that it is paid at maturity from the proceeds of the commodity which changed ownership when the paper was given.

If this were true in practice, the theory would be all right, but every banker knows it is not true, either in theory under the definition given for commercial paper by the Federal

Reserve Board nor in practice, by his own experience.

Under our practice there is no such thing as "self-liquidating" paper. No banker attempts to follow the proceeds from the sale of a commodity which has been purchased with so-called commercial paper, unless the commodity so purchased is specifically pledged, as in the case of a bill of lading or a warehouse receipt attached, and then it is not treated as commercial paper, but as collateral secured paper.

Again, where transfer and delivery of a commodity is made upon the execution and delivery of a promissory note in settlement, no retention of title to such commodity is made by the seller and no legal obligation exists on the part of the buyer to use the proceeds of the commodity in payment of the note, except in cases of commodities or property sold on the installment plan; and in such cases no one would have the temerity to offer such paper for rediscount at a reserve bank.

I sell you a horse or a bale of cotton or an automobile for \$500, and you give me your note at three months. I take the

note to my bank and discount it, and my bank rediscounts it with the Federal reserve bank. In 30 days you have an offer from another Senator to give you his note for \$600 at three months for the same horse, which you accept in settlement, and discount the note with your bank, which in turn rediscounts it. This Senator, feeling he would rather have an automobile, and having an offer from another buyer, after 30 days' use, to give him a note for \$500 payable in three months for the horse, concludes to sell, and discounts the buyer's note at his bank, which also rediscounts.

Now, the Federal reserve bank has \$1,600 in commercial paper, three notes due at intervals of 30 days, and there is one horse worth \$500 with which the self-liquidating process is to be effected. A "reductio ad absurdum." The truth is that this "self-liquidating" idea is a "catchpenny" phrase and does not exist in our banking methods. The nearest approach to it is in the case of international bankers who require payment under commercial credits which they issue against the delivery of "documents" which represent the title to imported goods; but even in these cases "trust receipts" are substituted for payment more frequently than otherwise.

Self-liquidation or payment at maturity of commercial paper as the basis for rediscounts and note circulation is a myth, and the recent experience of the Federal reserve banks and member

banks proves this assertion to be true.

If the rediscounted "commercial" paper was self-liquidating there would have been no call for deflation of credit by the Federal Reserve Board, as the discount line of the member banks would have been automatically reduced, giving place for new rediscounts by the Federal reserve banks without any increase in the aggregate amount of such discounts.

It is because of the fact that the so-called commercial paper held by the Federal reserve banks is indirectly renewed and continued in force by the member banks, and is not self-liquidating, that the demand comes for deflation or reduction of the ever-increasing amount of "bank credit" represented by "bills and notes discounted" on one side of the bank's ledger as assets, and on the other side by "deposit or rediscounts" as liabilities.

It is apparent therefore that the liquidity of assets demanded for the reserve banks comes only from the short maturities of their discounted paper, the opportunity thus being afforded to require payment at short intervals, and not from so-called selfliquidation. Your bill provides for paper of short maturity. It is provided that the paper which the Federal reserve banks may rediscount with farm-loan bonds as collateral security shall be the obligation of a member bank, and that the maturity shall not exceed 60 days.

It should be noted that farm-loan bonds can not come into existence until they have behind them actual productive property, double in value the face amount of such bonds, and there is in consequence a limit to the amount which may be issued, while there is no limit to the amount of so-called commercial paper that may be issued; nor is there any means of preventing an unlimited amount of such paper from being issued with each transfer of the same identical property, thus duplicating paper as the representative of the full value of such property, with each transfer and issuance.

Now, which class of paper is likely to be most liquid in the hands of the reserve banks? That made by a member bank with farm-loan bonds as collateral security attached, or that made by a customer of the member bank with the bank's indorsement with no collateral attached? In both cases the member bank is the one to bear the burden in times of deflation, or when the reserve bank feels it necessary or desirable to reduce the amount of its circulating notes. In one case the member bank is limited to the maker and indorsers as the only source from which to collect. In the other case the member bank has the whole commercial world from which to collect, by a sale of the collateral; and it must be remembered that the privilege of rediscount which is asked will cause such a constant and general demand for these bonds that they will find a ready market at par, or at a premium, whenever offered. Yours, very truly,

W. W. FLANNAGAN.

Mr. FLETCHER. To say, as we have said by law, that it is safe and advisable to authorize Federal reserve banks to rediscount paper of six months' maturity arising out of foreign-trade transactions, and contend that it is unsafe and inadvisable to authorize the rediscount of 60-day paper secured by farm-loan bonds attached as collateral, is ridiculous. The farmers' assets can be, in this way, safely and effectually made just as liquid as any strictly commercial paper. Here is the place to do something of real and permanent benefit to the farmers of the country.

I understand there will be opposition to the proposal, but I can see no justification for it.

It must be remembered the Supreme Court of the United States has held:

(a) That the Federal land banks were legally created as a part of the banking system of the United States; and

(b) That the bonds issued by the banks are instrumentalities of the United States Government and are exempt from Federal, State, municipal, and local taxation.

THE CHARACTER OF THIS SECURITY.

The 12 Federal land banks were organized by the Government with an original capital stock of \$9,000,000, which has since increased through the operation of the system to over \$24,000,000. The Government owns over \$6,700,000 of this capital stock of these banks, the remainder of the stock being owned by the national farm loan associations, organized and provided for in the law. The United States Treasury has purchased over \$183,000,000 of these Federal land-bank bonds. The banks are under the direction and control of the Federal Farm Loan Board, a bureau of the Treasury Department of the United States Government. These bonds are made lawful investments for all fiduciary and trust funds under the jurisdiction of the United States Government. They are eligible, under the laws of many of the States, for investment of all public and private funds, and in 37 States are eligible by law for investment by savings banks. They are acceptable by the United States Treasury as security for Government deposits, including postal-savings funds. They are obligations of the Federal land banks, all 12 of which are primarily liable for interest and ultimately liable for the principal on each bond. They are secured by collateral consisting of an equal amount of United States Government bonds, or mortgages on farm lands, which must be

(a) First mortgages to an amount not exceeding 50 per cent of the value of the land and 20 per cent of the value of the permanent improvements as appraised by United States ap-

praisers

(b) Limited to \$10,000 on any one mortgage.

(c) Guaranteed by the local national farm loan association, of which the borrower is a member and stockholder; this stock carrying a double liability.

(d) Reduced each year by payment of part of the mortgage

It would be difficult to devise or create a better or safer security.

Why, then, should negotiable paper with these bonds as collateral not be eligible for rediscount by any Federal reserve bank? It seems to me there can be no argument to the contrary.

If it is made eligible for rediscount by Federal reserve banks new markets will be opened up for them, new demands will be created, there will be no difficulty about selling them, and that means there will be no difficulty about finding the money which the farmers of the country may need for their operations under this law.

OPPOSITION.

Strange as it may seem, there are people who would like to cripple this system. That is evidenced by this suit which was brought for that purpose. In fact, if the plaintiffs in that suit had won, they would have destroyed the system, and it is doubtful if Congress could have devised one that could take its place. In other words, there would have been no way to revive, reinforce, or patch up the farm loan act by legislation. tunately, they did not win, but their purpose is manifest, and if they can in any way interfere with the operation of the system they will do so. Not only that, but there are other people who would like to keep up the rates of interest for their own benefit, realizing that one effect of this system has been to cause a lower rate of interest, not only to farmers but all other borrowers, and they may be expected to exert themselves in attacks upon the farm loan act.

The Farm Mortgage Brokers' Association are moving in that direction. Not a little propaganda has been put forth in the nature of attacks upon the system, and especially the joint-stock land banks and the exemption features carried in the

law.

There have been some 25 amendments offered to the farm loan act. I have no fear that anyone will propose a repeal That would not only be hopeless but almost of the act. criminal. There are other ways of accomplishing such a purpose as these enemies of the act have in mind. One of ways will be through the process of amendments. A slight amendment here and one yonder and one somewhere else, ap-parently innocent, each in itself, might be offered and might be passed by Congress before it was fully realized what it all meant.

I refer to this by way of insisting that it is important that the friends of the farm loan act shall stand on guard to protect and preserve it.

The farm loan act has proven itself. It has been found in

principle sound and in operation practical.

It is dangerous to tinker with its structure. Some amendments heretofore proposed have been wild, some merely unsound, and some positively vicious. It must be guarded in its integrity as a cooperative, workable, agricultural, financial, and banking scheme.

Its administration should be characterized by broad vision, clear understanding, good judgment, considerations of the common good, and a genuine abiding interest in agriculture. Bureaucratic methods should be studiously shunned.

It is necessary that its friends shall be diligent, watchful, and shall carefully scrutinize and cautiously examine every proposal to amend the act.

COOPERATION.

In view of this situation, I felt disposed to favor any cooperative effort on the part of the farmers of the country to establish some agency that would serve them in this direction. I believe in cooperation. I think many of the problems which

face the farmers could be solved through cooperation.

One of their chief obstacles is a lack of some economic system of distribution. By developing a system of cooperation and organizing it seems to me they could devise a plan for orderly marketing of infinite benefit both to producers and consumers. Cooperation in the purchase of their supplies, their fertilizers, and all the things they have to buy, and cooperation in mar-keting their products is most desirable, if, indeed, it is not essential to their prosperity. I will not dwell upon that thought, but it leads to this: One of the compelling ideas in the minds of those who framed the farm loan act was that the local national farm loan associations should be a real, fundamental feature and factor in the system. It was thought these farm loan associations would develop this spirit of cooperation and that they would be most useful in every community in bringing together the people of each community, having them familiarize themselves with the business carried on by the association, become better acquainted, and form the nucleus of varied cooperative efforts. It was believed-and I still believe-that out of these farm loan associations would come for each community, through this sympathetic touch and common interest, better roads, better schoolhouses, better churches, telephones, postal facilities, and all the things which would make more attractive rural life.

People cooperate to obtain higher wages from employers. Commission men and retailers manage to keep up and obtain higher retail prices from consumers. Why can not farmers cooperate to obtain fair values for their products and other-

wise promote their interests?

It is not difficult to point out unsatisfactory conditions. We can even specify the causes in many instances, but it is quite a different matter to present and put into operation a remedy.

For instance, we know the producer is receiving less than he should receive and the consumer is paying more than he should pay for farm products. We know the cost of transportation is too high. We know the method or lack of system in distribu-tion is wasteful and too costly. Too many tolls by too many people pile up costs to the consumer, which go neither to the producers or to the carriers.

This is not the time to discuss those questions and we pass from them conceding the wisdom of Portia's observation:

If to do were as easy as to know what 'twere well to do, all the chapels would be churches and all the poor men's cottages princes' palaces.

It will be remembered that the temporary organization of these Fede. at land banks was effected by the Farm Loan Board and the farm loan associations in that preliminary step had no voice in the selection of the directors of such banks. thereafter the assaiations were to elect six of the directors (section 4)

It is with keen regret that there is noted a disposition to ignore and set aside these farm loan associations by the Farm

Loan Board.

The temporary organization of the Federal land banks was, as proposed by that board, continued "so long as any farm loan bonds purchased from it under the provisions of this amend-ment shall be held by the Treasurer and until the subscriptions to stock in such bank by national farm loan associations shall equal the amount of stock held in such bank by the Government of the United States.'

Congress authorized the purchase by the Secretary of the Treasury of farm loan bonds under the amendment of January 18, 1918, and the provision I have quoted was inserted in that

amendment. At present, therefore, the national farm loan associations are not permitted to vote for the local directors in these land banks as originally provided in the act

The Farm Loan Board seems to regard the national farm loan associations as a sort of fifth wheel and more or less of

an incumbrance.

This spirit is manifested by the attitude of the Farm Loan Board toward the efforts of these farm loan associations to get together for the purpose of creating a central agency of their own choosing and under their direction to represent them in all matters affecting their rights and interests, which include the rights and interest of their members, who are borrowers, under the system, and watching and guarding the farm loan act against the insidious attacks, which, as I have indicated, they have reason to believe may be attempted.

These national farm loan associations conceived the idea of forming what they call a "National union of farm loan associations," with headquarters here in Washington, and their purposes and objects are stated in the printed circular which they have issued. I ask that the circular be printed in the RECORD

without reading.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The circular referred to is as follows:

NATIONAL UNION OF FARM LOAN ASSOCIATIONS, Washington, D. C., April 25, 1921.

To all NATIONAL FARM LOAN ASSOCIATIONS:

This is to report to you the results of the meeting held in Washington, D. C., April 20 and 21, 1921, to effect a permanent organization of the National Union of Farm Loan Associations.

Two hundred and forty-two national farm loan associations were represented at the meeting either by delegate, by proxy,

or by written authority.

A constitution and by-laws were adopted, a full set of officers and an executive committee were elected, and the selection of an advisory council was provided for, the constitution providing that the members of the Farm Loan Board shall be

ex officio members of the advisory council,

A public meeting was held, which was attended by more than 500 farmers, which meeting was addressed by Senator ARTHUB CAPPER, of Kansas; Senator Duncan U. Fletcher, of Florida; Master John A. McSparran, of the Pennsylvania State Grange; and Madame Agresti, former secretary to the late David Lubin, American delegate to the International Institute of Agriculture at Rome, Italy; and others. Letters and telegrams of indorsement were read from Hon, W. G. McAdoo and Hon. Gifford Pinchot and from former United States Senator Henry F. Hollis, whose well-known connection with the Federal farm loan act is familiar to you.

Following this public meeting, the National Farmers' Union and the National Board of Farm Organizations passed, unanimously, resolutions indorsing the National Union of Farm Loan Associations and requesting the Federal Farm Loan Board to withdraw its opposition to the formation of this organiza-

tion.

The National Union of Farm Loan Associations, by resolutions unanimously adopted at its business meeting on April 21, is committed to the following program and purposes:

is committed to the following program and purposes:

1. To support the Walsh bill (S. 273), which (a) authorizes national farm loan associations to form a national organization and to support the same by appropriation from their general funds, and which bill also (b) restores to the national farm loan associations the right to elect permanent directors of the Federal land banks, as originally provided for in the farm loan act.

2. To support the Fletcher bill (S. 620), which gives the right of rediscount with the Federal reserve banks of notes which have farm loan bonds pledged as collateral security, the effect of which will be to create a broad and steady market for farm loan bonds among all the commercial banks of the country.

3. To work for the passage of bills making farm loan bonds eligible as investment for the funds of the postal savings banks, and war-risk insurance reserve, thus providing an additional market for many hundreds of millions of farm loan bonds.

4. To work for the passage of a bill to increase from \$10,000 to \$25,000 the maximum loan which a Federal land bank may make.

Now that the purpose of this organization is clearly defined,

Now that the purpose of this organization is clearly defined, and you are fully apprised of the character and the nature of the work it is proposed to do, will you join with us in this sincere and carefully considered plan for preserving the fundamental principles of the farm loan system, and for improving and perfecting its operations so that its benefits may be available to every American farmer who has need of them?

If you desire further and more detailed information as to what occurred at the several meetings, you may secure the same by ordering a transcript of the stenographic report of the proceedings, in whole or any part, from the Law Reporting Co., of 17 East Thirty-sixth Street, New York City, the said company having reported these proceedings at its own expense.

Feeling sure that you are in full accord with the purposes of this organization, and that you recognize the necessity for immediate and concerted action, we are,

Very respectfully, yours,

EXECUTIVE COMMITTEE OF THE NATIONAL UNION OF FARM LOAN ASSOCIATIONS,

By M. ELWOOD GATES, President.

N. B.: The constitution provides that the executive committee shall be composed of two members from each district, but in order to give new membership opportunity for representation only one member from each district was selected at the meeting last week.

Mr. FLETCHER. Strange to say, the Farm Loan Board, immediately after steps were taken to form this union, notified the officers of these farm loan associations that "no business will be permitted to be done by the Federal land bank of your district with the national farm loan associations which join this union."

It was claimed by the Farm Loan Board that the directors of a national farm loan association had no right to appropriate \$10 as its membership fee, or toward such a union, and they cited a decision of the Atterney General to that effect. It was then proposed to assess the members of the farm loan association which desired to become a member of this union for the purposes stated a small amount each-25 cents in one case-but the Farm Loan Board objected to that, and they apparently hold that the members of any association can not contribute individually as much as \$10 a year in the aggregate toward an association or union which they feel is important as an agency to look after their interests and serve them in every way which they may lawfully ask and feel they require.

The Farm Loan Board advises each of these associations to

the effect that it will refuse to recognize them; that the bank of the district in which they exist, respectively, is to have no transactions with them, and they threaten to direct that new associations be formed to take their places, and, in effect, they propose to take away the charters of these associations so far as future business is concerned and thus effectually destroy them. It seems to me that is a most remarkable position to

A typical case is presented in the affidavit and papers which I have here from Oregon. Without referring to numerous letters and communications from other portions of the country, I ask to have the affidavit and attached papers inserted as a part of my remarks, as illustrating what has been going on in connection with this matter which seriously affects some 4,000 national farm loan associations regularly organized and actively performing their work under the law.

The PRESIDENT pro tempore. It is so ordered, without

objection

The affidavit and attached papers are as follows:

AFFIDAVIT.

STATE OF OREGON, county of Jackson:

I, E. H. Hurd, residing at Medford, Jackson County, Oreg., of lawful age, being duly sworn, depose and say that I am new and have been ever since the organization of the Rogue River National Farm Loan Association, April 18, 1918, charter No. 346, dated July 2, 1918, secretary-treasurer of said farm loan association.

That at the regular adjourned meeting from January 11, 1921, held at the Odd Fellows' Hall, Rogue River, Oreg., Saturday, February 5, 1921, the attached resolution, marked "Exhibit A," and made a part hereof, was adopted by a unanimous vote of said stockholders, a quorum being present and veting.

That a certified copy of said resolution, duly signed by the president of said association and the undersigned secretary-treasurer, was sent to W. H. Joyce, member and acting secretary of Farm Loan Board, Washington, D. C., February 14, 1921; also a letter of the same date, a copy of which letter is hereby attached, marked "Exhibit B," and made a part hereof.

That we received acknowledgment of said letter and inclosures therein. That no objection at that time was made to this resolution or to the \$10 membership fee to the National Union of Farm Loan Associations ar to the \$5 fee to the Oregon State Association of Farm Loan Association, as shown by the report of G, A. Z. Harris, national farm loan association examiner, on the audit of books of above association, dated January 9, 1921, and the said resolution fully ratified the acts of the board of directors in the payment of above fees.

That the annual report of said association, together with said audit report, was approved. The resolution in regard to the initial charges for new members, the secretary-treasurer's salary, and fees for the annual and quarterly report were approved and a voucher issued for the payment of \$5 for said annual report to the undersigned secretary-treasurer.

treasurer.

That not until after the reappointment of W. H. Joyce by Presidentelect Harding as a member of the Farm Loan Board was sent to the
United States Senate and the informal call issued for a meeting of the
proposed National Union of Farm Loan Associations at Washington,
D. C. April 20, 1921, was anything further said or done about the said

D. C. April 20, 1921, was anything further said or done about the said \$10 fee.
That at said annual meeting of stockholders of Rogne River National Farm Loan Association February 5, 1921, herein referred to, the attached resolution, marked "Exhibit C" and made a part hereof, were duly adopted by the stockholders of said Rogne River Association.
That in accordance with said resolution the undersigned secretary-treasurer of said association forwarded a copy of same to Senators

C. L. McNary and G. E. Chamberlain, also to Congressmen W. C. Haw-Ley, "Par" McArthur, and N. J. Sinnott, Washington, D. C., also an additional copy to Senator McNary, with a request that the same be presented to President-elect Harding on or about February 28, 1921. Senator McNary acknowledged receipt of said resolution marked "Exhibit C" herein, in which letter he states he would be glad to present the resolution inclosed to President-elect Harding.

March 17, 1921, we received from the Farm Loan Board the attached letter, marked "Exhibit D" and made a part hereof, which letter, as may be noted, was a general form letter made personal to myself as secretary-treasurer of the Rogue River Association; an identical copy of said letter was made personal to each of the seven directors of said association, to wit: A. R. Brashear, Frank H. Adams, J. C. Williams, J. M. Carlfon, A. E. Dennis, A. B. Evans, E. E. Dimick. Each of said members received the said letter at the same time as the undersigned. The undersigned, for and in behalf of said association, under date of March 17, 1921, replied to said letter; a copy of said reply is herewith attached, marked "Exhibit E" and made a part hereof.

That under date of March 23, 1921, W. H. Joyce, as member and acting secretary of said Farm Loan Board, replied to said letter to the undersigned, a copy of which is attached hereto and marked "Exhibit F" and made a part hereof.

That the said Joyce did not extend to the undersigned the courtes of inclosing a copy of the letter written to the directors of Rogue River Association. A copy of letter referred to in "Exhibit F" is hereto attached, marked "Exhibit G" and made a part hereof. An identical copy of attached letter, marked "Exhibit G," was mailed to each of the directors of said association mentioned herein and received by them about March 29, 1921. All of which is true as I verily believe and know.

E. H. Hurd.

E. H. HURD.

Sworn and subscribed before me this 14th day of April, 1921. [SEAL.] W. E. PHIPPS, Notary Public for Oregon. My commission expires October 2, 1923.

#### EXHIBIT A.

A. B. Evans presented the following resolution and moved its adoption;

adoption:

"Whereas sponsored by the National Board of Farm Organizations there is being organized a National Union of Farm Loan Associations; and

"Whereas the purpose of the national union is to present to Congress, the Farm Loan Board, and such other interests as may be necessary constructive efforts for the perpetuation of the Federal farm-loan system and to stimulate a more cooperative effort on behalf of the farm-loan organization; and

"Whereas through legislation the right of representation of farm-loan associations in the Federal land banks has been taken away; and

"Whereas the farmers, through their holdings in the national farm-loan associations, now own approximately \$17,649,265 of the capital stock of the Federal land banks, and the Government's interest in said banks is only \$6,832,680; and

"Whereas the organization of a national union is a benefit to the farmers through their national farm-loan associations; and

"Whereas there is in Gregon a State association of national farm-loan associations, which has been of inestimable benefit to the associations; and

associations, which has been of inestimable benefit to the associations; and Whereas the board of directors of this association did, at a meeting of the board held November 29, 1919, unanimously vote to join the Oregon Association of National Farm Loan Associations, and authorized the secretary-treasurer to pay the membership fee of \$5, and said fee was paid by said secretary-treasurer, and this association did become a member of said State association; and Whereas the board of directors of this association did, at a meeting of the board held October 27, 1920, unanimously vote to join the National Union of Farm Loan Associations, and did authorize the secretary-treasurer to pay the membership fee of \$19, and said fee was paid by the secretary-treasurer, and this association did become a member of the National Union of Farm Loan Associations; Now, therefore, be it "Resolved, That we hereby ratify the said acts of our board of

tions: Now, therefore, be it

"Resolved, That we hereby ratify the said acts of our board of directors in joining said associations and paying the membership fees therein in every particular, and further authorize our secretary-treasurer, in behalf of our association, to perpetuate our membership in said State Association of National Farm Loan Associations and National Union of Farm Loan Associations, and that the secretary-treasurer be authorized to pay such fees or dues or incidental expenses as may be necessary upon the order of the board of directors."

The foregoing resolution, being duly seconded by A. R. Brashear, was adopted.

By E. H. Hurd: I certify that the above is a true and correct copy of a resolution unanimously adopted by the stockholders of said association at its annual regular adjourned meeting, from January 11, 1920, to February 5, 1921, held at Rogue River, Oreg.

E. H. Hurd.

Secretary-Treasurer Rogue River

National Farm Loan Association.

# EXHIBIT B.

FEBRUARY 14, 1921.

In re Rogue River National Farm Loan Association, No. 346.

W. H. JOYCE,

Member and Acting Secretary Farm Loan Board,

Washing Washington, D. C.

Dear Sir: In accordance with your letter of December 10, 1920, with inclosures, I am herewith sending you duly certified amendment to the by-laws to the Rogne River Association, section 2, article 6, the annual report of said association, report of the annual election of directors and officers, also resolution in regard to payment of membership fees in State and national farm-loan associations.

In accordance with your letter of December 30, 1920, I am herewith inclosing you certified copies of resolution adopted by the board of directors of the above association in regard to initial charge for new members, also the fixed charges for secretary-treasurer's compensation as outlined in the forms you inclose. You will note that the board

has fixed a charge of \$3 for transfer of membership in the association; also that the matter of deposits by new applicants to cover withdrawai charge made by the land bank of this section, which amount is left blank until we get the amount fixed by the land bank. We presume you will retain one copy of said resolution and return one to us with your approval of same or as approved by you. We trust that the associations will be receiving applications by the time this reaches you or soon thereafter.

Yours, very truly,

E. H. Hurd, Secretary-Treasurer.

E. H. HURD, Secretary-Treasurer.

# EXHIBIT C.

The following resolutions were unanimously adopted at the stock-holders' meeting of the Rogue River National Farm Loan Association held February 5, 1921, which association has a membership of 26:

"Whereas on account of the pending litigation in the United States Supreme Court, which has been holding up the closing of many loans; and

Supreme Court, which has been holding up the closing of many loans; and

"Whereas on account of the large number of unfinished loans on hand by this association, as well as practically every other farm loan association in the United States; and

"Whereas there is great need on the part of the applicants for the money for which they have applied; and

"Whereas there is a tremendous demand for money among the farmers and a great deal of loss will come unless these funds can be supplied; and

"Whereas the emergency act passed by Congress to relieve the situation only took care of all uncompleted applications up to and including February 29, 1921; and

"Whereas it is generally understood that there are several millions of dollars still unused which had previously been appropriated by Congress for the purchase of Federal land bank bonds for the purpose of relieving the situation; and

"Whereas the time that the United States Supreme Court will render its decision is uncertain and the need for funds on the part of the farmers is imperative at the present time; and

"Whereas the farmers through their farm loan associations now own \$17,649,265 of the \$24,579,225 of the capital stock of the 12 Federal land banks, and the Government now owns only \$6,832,680 of the stock of the 12 Federal land banks are not now represented on the directorate of any of the 12 Federal land banks are not now represented on the directorate of any of the 12 Federal land banks are not now represented on the directorate of any of the 12 Federal land banks or on the Federal Farm Loan Board; and

"Whereas by an amendment approved January 18, 1918, the right was

the 12 Federal land banks or on the Federal Farm Loan Board; and

Whereas by an amendment approved January 18, 1918, the right was taken away from the farm loan associations to elect directors of the Federal land banks as was authorized by law, and that this amendment was passed without consulting the farm loan associations, and that the farm loan associations were not notified of the amendment until July, 1920; and

Whereas there has been incurred a considerable expense on the part of our associations and all other associations in connection with pending applications; and

Whereas by threats of prosecution and other intimidations in their circular letters to the associations, trying to stop the associations from forming themselves into a voluntary cooperative organization known as the National Union of Farm Loan Associations, which has been sponsored by the National Board of Farm Organizations and associations and associations and associations and associations she only voluntary means of the farm loan associations the only voluntary means of the farm loan associations expressing themselves to Congress or otherwise; and

Whereas by various rulings and restrictions the Federal Farm Loan Board is hampering the free action of the farm-loan associations and the cooperative feature of them; and

Whereas by numerous other restrictions and rulings of the Farm Loan Board it is shown that to a very large extent the great cooperative feature which was intended in the enactment of the Federal farmloan act is denied to the farmers who are now the principal owners of the business, and which business has been brought to a standstill through no fault of their own: Therefore be it

"Resolved, That we urge upon our Representatives and Senators in Congress the following special legislation:

loan act is denied to the farmers who are now the principal owners of the business, and which business has been brought to a standstill through no fault of their own: Therefore be it

"Resolved, That we urge upon our Representatives and Senators in Congress the following special legislation:

"First. That the amendment approved January 18, 1918, taking away from farm-loan associations the right to elect six out of nine directors of each Federal land bank be immediately repealed.

"Second. That pending the decision of the United States Supreme Court relative to the constitutionality of the Federal farm-loan act, the United States Secretary of the Treasury be authorized and directed to purchase bonds issued by the Federal land banks.

"Third. That any legislation tending to restrict the directors and officers of farm-loan associations in the exercise of their duties as now prescribed in the Federal farm-loan act be resisted.

"Fourth. That to provide a better market for farm-loan bonds the provision which passed the Senate of the Sixty-fourth Congress which enacted the present Federal farm-loan act, but which failed the conference committee, be enacted into law:

"Any bank of the Federal Reserve System may buy or sell farm-loan bonds; any member bank of said system may accept time drafts against a deposit of such bonds as security; acceptances of a member bank thus made or the direct obligation of such bank maturing within 60 days when accompanied by farm-loan bonds as collateral security not less in face value than the amount of such direct obligation shall be eligible for discount by any Federal reserve bank.

"Fifth. That their influence be used with the Farm Loan Board to see that the right already given to farm-loan associations under the law to receive deposits to be used in the purchase of farm-loan bonds be put in operation.

"Sixth. That they support any legislation which will tend to give the agricultural interests more direct representatives of the National Board of Farm Loan Associations, are very muc

"Resolved further, That a copy of these resolutions be sent to our Senators and Representatives in Congress, to President-elect Harding, to Gov. Olcott, to representatives of different farmers' organizations at Washington, D. C., to Mr. W. W. Flannagan, secretary of the National Union of Farm Loan Associations, and that our secretary be authorized to present a similar set of resolutions for ratification and adoption by the next annual meeting of the Oregon State Association of National Farm Loan Associations."

#### EXHIBIT D.

TREASURY DEPARTMENT, FEDERAL FARM LOAN BURBAU, Washington, March 11, 1921.

Mr. E. H. HURD.

E. H. HURD, Secretary-Treasurer Rogue River N. F. L. A., Rogue River, Oreg.

Secretary-Treasurer Rogue River N. F. L. A.,
Rogue River, Oreg.

My Dran Sir: I am directed by the Farm Loan Board to acknowledge receipt of your answer to our letter of inquiry of some days since relative to the use of national farm loan association funds for purposes other than those authorized by law.

We regret to know that your association has used \$10 of its funds for the initial expense of joining the so-called National Union of Farm Loan Associations. We inclose you herewith a copy of the opinion of the Attorney General on this subject.

The Farm Loan Board does not question the good faith of you or of your associates, but the board can not evade its responsibility, and it must be governed, as must you, by the interpretation of the farm loan act by the highest legal authority of the Government, the Attorney General of the United States.

As you have been advised through the press, the Supreme Court on Monday, February 28, rendered its decision in our case which is a complete vindication of the constitutionality of the law under which we are organized. This, the board trusts, will make it possible, if farm loan bonds can be marketed in the present market, to renew active loaning operations in the near future.

The Farm Loan Board wishes it distinctly understood that no business will be permitted to be done by the Federal land bank of your district with national farm loan associations which refuse to obey the law as given to us by the Attorney General of the United States, and unless we are advised by April 1 that the resolutions authorizing this expenditure of \$10 shall be rescinded in the proper manner and the \$10 restored to the association funds, the Federal land bank of your district will be notified to cease doing business with you and to proceed at once to organize in the territory covered by the charter of your association a new association, or to recommend the extending of the territory of some other association of the community to take in the territory covered by your charter, in order that the

JAMES B. MORMAN, Assistant Secretary Farm Loan Board.

# EXHIBIT E.

MARCH 17, 1921.

In re Rogue River National Farm Loan Association; paying of \$10 membership fee to National Union of Farm Loan Associations. JAMES B. MORMAN,
Assistant Secretary Federal Farm Loan Board,
Washington, D. C.

Assistant Secretary Federal Farm Loan Board,
Washington, D. C.

Dear Sir: We have your letter of the 11th instant, together with a printed copy of a letter written by former Attorney General A. Mitchell Palmer, dated December 21, 1920, to the former Secretary of the Treasury. We are glad to note that we have a new administration, which gives us a new Attorney General and a new Secretary of the Treasury. Your letter makes no reference whatever to our letter of the 14th ultimo in regard to above association. With this letter was inclosed a copy of a resolution adopted by the stockholders of the Rogue River Association at their annual adjourned meeting of February 5, 1921, which resolution we ask your honorable board to carefully consider before issuing an order to the Federal land bank of Spokane to suspend the Rogue River Association.

We can not conceive of such a condition of affairs that your honorable board would arbitrarily, without warrant and authority of law, suspend the Rogue River Association. For your consideration we are inclosing you a copy of opinion of Hon. W. G. McAdoo, former Secretary of the Treasury and head of the Farm Loan Board, in regard to the question of the right of the farm loan associations to pay out of their general funds membership fee in the National Organization of Farm Loan Associations, December 29, 1920; also a copy of letter written by Hon. W. G. McAdoo to Hon. D. U. Fletcher, United States Senate, Washington, D. C., on the 7th instant.

It is not conceivable that the actions of the Farm Loan Board as indicated in your letter of the 11th instant has any purpose other than to act as a scare to the farm loan associations of the United States—to prevent the proposed organization of a national union of farm loan associations, delegates to which are called to meet in Washington, D. C., April 20.

We wish again to call your attention to the resolution sent you under date of the 14th ultimo. We have your letter acknowledging receipt of same, and no objection was made to it; neither

reserve, in any way that it may see fit for the benefit of the association and its members, especially when same has been fully ratified by its stockholders, as was done in this case.

Yours, very truly,

E. H. HURD, Secretary-Treasurer.

#### EXHIBIT F.

MARCH 23, 1921.

E. H. Hurd, Secretary-Treasurer, Rogue River N. F. L. A., Medford, Oreg. Mr. E. H. HURD,

My Dear Sir: We acknowledge receipt of your letter of March 17 and have only to say that we have this day fully advised the officers of your associations of the position of this board, and further correspondence with you touching this particular matter is therefore unnecessary.

unnecessary.

Very truly, yours,

Member and Acting Secretary Farm Loan Board.

#### EXHIBIT G-1.

DEPARTMENT OF JUSTICE, Washington, December 21, 1920.

Department of Justice,

Washington, December 21, 1920.

My Dear Mr. Secretary: I beg to acknowledge receipt of your letter of November 18, 1920, requesting an expression of my opinion upon the question whether the board of directors of a national farm loan association has the power to use the funds of the association for the purpose of contributing to the expenses of the promotion and upkeep of another voluntary association, including salaries of paid representatives in Washington.

A national farm loan association is one of the agencies through which, under the Federal Farm Loan System, the capital of the Federal land banks is loaned to bona fide cultivators of the soil. Under the provisions of the Federal farm loan act such associations may be organized by 10 or more natural persons who are owners or about to become owners of farm land qualified as security for a mortgage loan and who desire money on the farm-mortgage securities (sec. 7). None but borrowers on farm-land mortgages can be members of such associations (sec. 8). Every member of such association must also be a shareholder and is liable for the debts of the association to the extent of the amount of stock owned by him at par in addition to the amount represented by his shares (sec. 9).

No loan can be made through a national farm loan association without the unanimous approval of the association's loan committee (sec. 10). If the bank makes the loan, the money is paid to the borrower through the agency of the national farm loan association, which becomes liable to the bank for the payment of the loan (sec. 11).

From this statement it is quite clear, I think, that the only purpose for which a national farm loan association can be formed is for the purpose of acting as an agency through which loans are made by Federal land banks to its members. All of its assets constitute a guarantee fund for the liabilities of its members and can be diverted from that purpose only so far as authority to do so is granted by the act. These associations have not been

A. MITCHELL PALMER,
Attorney General,
The honorable the Secretary of the Treasury.

EXHIBIT G.

TREASURY DEPARTMENT, Washington, March 23, 1921.

Mr. A. B. EVANS,
Director Rogue River National Farm Loan Association,
Rogue River, Oreg.

Director Rogue River National Farm Loan Association,
Rogue River, Oreg.

My Dear Sir: The Farm Loan Board has had considerable correspondence with your secretary-treasurer, E. H. Hurd, relative to the action of your association in using association funds in the amount of \$10 in payment of your association's initiation-fee to the so-called national union of farm loan associations. The Attorney General of the United States has held that the use of association funds for purposes of that kind is without authority of law. His opinion is herewith inclosed for your information. This board, as well as officers of the banks and of associations, have no alternative than to follow the law as interpreted to us by the chief law officer of the Government. The fact that lawyers without official standing or persons unconnected with the Department of Justice hold views contrary to those expressed by the Attorney General does not alter the case.

In a letter to Mr. Hurd, under date of March 11, the board pointed out very distinctly to him the consequences to your association if it should continue to refuse to abide by the opinion of the Attorney General, and we did this in the following language:

"The Farm Loan Board wishes it distinctly understood that no business will be permitted to be done by the Federal land bank of your district with national farm loan associations which refuse to obey the law as given to us by the Attorney General of the United States, and unless we are advised by April 1 that the resolutions authorizing this expenditure of \$10 shall be rescinded in the proper manner and the \$10 restored to the association funds, the Federal land bank of your district will be notified to cease doing business with you and to proceed at once to organize in the territory covered by the charter of your association a new association, or to recommend the extending of the territory of some other association of the community to take in the territory of some other association of the community to take in the territory of some othe

ing farmers may be her, or the first you, as an officer of your association, are fully advised of the situation, and before we issue directions to the Federal land bank to cease doing business with you and to proceed at once to organize another association in the territory now covered by your charter or to extend, if that is feasible, the territory of some other association to take in your community, we felt it only just to you that you should be advised fully of the situation. The board has a very distinct duty to perform and it is going to do it without any hesitation,

and such associations as are not willing to conform to the law as it is given to us by the Attorney General will not be permitted to do any further business through the system. If, therefore, it is your desire to participate in the business which we hope soon again to resume, we would suggest that you put your association in position to do so and that we be notified of that fact at the earliest possible date.

Copy of letter sent to Mr. Hurd to-day is herewith inclosed.

Yours, very truly,

W. H. Lover

W. H. JOYCE, Member and Acting Secretary Farm Loan Board.

Mr. FLETCHER. Such action as is threatened by the Farm Loan Board would mean the destruction of the farm-loan associations arbitrarily and at will-in effect, the confiscation of their property rights, the enforced forfeiture of all their interests and privileges, some of which I will enumerate, as well as the similar results as to the rights and interests of their shareholders-simply because they saw fit to establish an agent which they considered would be helpful to them in connection with their business and affairs. Such action would be indefensible, such an attitude untenable, such a threat preposterous.

Of course, the Farm Loan Board is absolutely without any authority or power to do what they threaten, and it is most unfortunate that they should take the position which they do take in this matter. This union is not antagonistic to the Farm Loan

Board. It desires to cooperate with the board.

These national farm-loan associations are an essential part of the system, their members are vitally interested, involved financially and otherwise, and they look upon this farm loan act almost as a sacred thing, and they want to see it executed, its provisions administered in the broadest, most energetic, and efficient way. They want to be helpful. Why the Farm Loan Board should undertake to arbitrarily trample upon these farmloan associations is beyond my comprehension.

Let us see what they are:

(1) Each farm-loan association is a corporation. Its articles of incorporation are executed and filed, and it is duly chartered. It has a board of five directors-president, vice president, and loan committee of three. It has a secretary-treasurer, who is entitled to compensation. It has duties and responsibilities prescribed by law-not by any regulation of the board, but by

(2) It holds stock in the Federal land bank of the district in which it exists. Each association shall be entitled to one vote

for each share of stock held by it.

(3) Upon receipt of its charter it is authorized to receive sums to be loaned to its members. It must take stock to the amount of 5 per cent of each loan in the land bank, and it is entitled to receive dividends on that stock.

(4) The members of each national farm-loan association must subscribe for stock to the amount of 5 per cent of his loan, in the association, each member must be a borrower, and each borrower is entitled to dividends on the stock.

(5) Each association must provide for the increase of its capital stock, and is entitled to one-eighth of 1 per cent semi-annually upon the unpaid principal of loans.

(6) The shareholders in these associations are held, under the law, individually responsible, equally and ratably, and not one for another, for all contracts, debts, and engagements of such association to the extent of the amount of stock owned by them, at the par value thereof, in addition to the amount paid in and represented by their shares.

(7) The law further provides that the reasonable expenses of the secretary-treasurer, the loan committee, and other officers and agents of national farm-loan associations, and the salary of the secretary-treasurer shall be paid from the general fund of the association, and the board of directors is authorized to set aside such sums as it shall deem requisite for that purpose

and for other expenses of such association.

(8) The powers of national farm-loan associations are expressed in section 11 of the act.

SEC. 11. That every national farm loan association shall have

power—
First. To indorse, and thereby become liable for the payment of, mortgages taken from its shareholders by the Federal land bank of its district.

district.

Second. To receive from the Federal land bank of its district funds advanced by said land bank, and to deliver said funds to its shareholders on receipt of first mortgages qualified under section 12 of this

holders on receipt of first mortgages queened act.

Third. To acquire and dispose of such property, real or personal, as may be necessary or convenient for the transaction of its business.

Fourth. To issue certificates against deposits of current funds bearing interest for not longer than one year at not to exceed 4 per cent per annum after six days from date, convertible into farm loan bonds when presented at the Federal land bank of the district in the amount of \$25 or any multiple thereof. Such deposits, when received, shall be forthwith transmitted to said land bank, and be invested by it in the purchase of farm loan bonds issued by a Federal land bank or in the first mortgages as defined by this act.

The third paragraph of this section has been amended, but

The third paragraph of this section has been amended, but the language given remains.

In the face of the express provisions of the law creating these associations, separate, corporate entities, with rights and privileges, it is a bald assumption of authority to ignore them or, in effect, take away their charters. They have express authority to acquire and dispose of such property, real and personal, as may be convenient or necessary for the transaction of their business. They have express authority to select officers and agents and to pay them and other expenses of such associations.

To assert that these associations can not create an agent, such as a union of farm loan associations, and incur the expense of \$10 toward its maintenance, in connection with their business and their work, and in furtherance of their rights and interests, is to misconstrue the law. When they have power to acquire and dispose of property, real or personal, which may be necessary or convenient for the transaction of their business, it is absurd to say they can not appropriate \$10 out of their general fund, or raise it by special assessment, or any other reasonable sum, for purposes which they deem helpful and beneficial in their work or business.

These associations can meet once a month if they like, and appropriate money for the purpose of having a picnic, or for the purpose of hiring a boat and going fishing. It would be all the better for them if they did this. That would be in accordance with the spirit of the law. These farm loan associa-tions should be on the order of community centers.

Another important matter for consideration is the rights of the members of these associations. They can not be taken away by the Farm Loan Board. All the power the Farm Loan Board has is provided in section 17, namely supervisory powers. They have the same power over the banks as they have over farm loan associations. Who would contend that the Farm Loan Board can abolish one of these district land banks, close it up and declare it shall do no more business?

The law in section 4 gives these farm loan associations the right to elect six out of nine directors of these Federal land banks. That has been changed by the amendment to which I have referred, but that is not intended to be a permanent change. This right is suspended for a while longer. That is all. This right ought to be restored to them, and will, I believe, in due course. With the power to name three of these directors by the Farm Loan Board, the Government's interest is fully protected; and certainly the stockholders, owning \$17,000,000 out of the \$24,000,000 of capital stock, ought to have the right to elect the other six directors.

The position of the Farm Loan Board as set out in the Oregon case mentioned and also in the letter from Mississippi, which I ask to insert, is absurd, and I trust they will recede from that position and without question, but with real enthusiastic welcome, accept the offers of this agency, lawfully and properly created by the farm loan association, as expressed in the letter of President Gates to the commission, dated April 26, which I also ask leave to place in the RECORD. So far as I am advised,

there has been no reply to this letter.

The VICE PRESIDENT. Without objection, the letters will be printed in the RECORD.

The letters are as follows:

CHARLESTON, MISS., April 4, 1921.

Senator DUNCAN U. FLETCHER, Washington, D. C.

Washington, D. C.

Dear Sir: I am in receipt of your letter of the 31st, and I certainly appreciate the interest you are taking in the organization of the National Union of Farm Loan Associations. I have been trying to get the associations in this State to join this organization, but have been up against a hard proposition on account of the Farm Loan Board and the Federal land bank being against it, and making all kinds of threats against associations that joined. I have just received a telegram from the Farm Loan Board stating that it would instruct the Federal land bank of my district not to accept any more applications from my association unless I complied with their wishes in this matter. I realize the great importance of the associations joining this organization, but I do not want to do anything that will keep the farmers in my territory from getting loans, as they need it worse than they have ever needed it before. Can not Congress give us some relief from the power that the Farm Loan Board is using and are taking all the rights away from the associations? The secretary-treasurers of the local farm loan associations are the men who get the business for the Federal land banks. I will be glad to hear from you in this matter, and again thanking you for the fight you are making in the interest of our farmers. of our farmers.
Yours, very truly,

JOHN N. SULLIVANT, Secretary-Treasurer Tallahatchie National Farm Loan Association.

APRIL 26, 1921.

Hon, CHARLES E. LOBDELL,

Commissioner Farm Loan Board,

Washington, D. C.

Dear Sir: The constitution of the National Union of Farm Loan
Associations provides for an advisory council in the following words:

"Arr. X. There shall be an advisory council selected by the executive committee which shall consist of well-known prominent men identified with the welfare of the farming interests of the country and friendly toward the farm loan act.

"The members thereof shall be consulted at all times available by the members of the board of delegates and of the executive committee and their friendly advice sought, especially with reference to legislative matters. Any member thereof shall be entitled to a seat at all meetings of the board of delegates and at the annual and special meetings of the national union. The individual members of the Federal Farm Loan Board shall be ex officio members of the advisory council."

In pursuance thereof, on behalf of the executive committee and under its instructions, I beg to express the hope that you will accept membership on the advisory council and give us the benefit of your counsel and advice.

An impression seems to prevail among the members of the Farm Loan Board that the purpose of the national union is to antagonize said board and question its supervisory authority under the farm loan act.

I beg to assure you that such is not the case, but that, on the contrary, it is the earnest desire of the members of the national union to encourage the most friendly relations with said board and to support it in the exercise of all its legal functions to the fullest extent.

We believe that we can be of service in furthering legislation to perpetuate and increase the great benefits conferred upon the agricultural interests of the country by the farm loan act by supporting and encouraging the cooperative spirit of that act as expressed through the organization of the national farm-loan associations, and it shall be our earnest purpose to cooperate with the Farm Loan Board with that end in view by all proper and legal means in our power.

Yours, truly,

M. Elwood Gates, President,

M. ELWOOD GATES, President.

Mr. FLETCHER. It has not been my intention to criticize, much less reflect upon, the Farm Loan Board. Most of its members I am proud to regard as my warm personal friends, for whom I entertain the highest respect and esteem. Their faithful and effective public service in other fields is well recognized and worthy of all praise. I must believe they have misconceived or misjudged the purpose and character of this proposed agency of the national farm-loan associations.

They must know by this time that the people behind the movement to establish the National Union of Farm Loan Associations as their representative in the matters with which they have cooperated to charge it and those directing its activities are sincere friends of the farm loan act and earnestly desire the most harmonious relations with the Farm Loan Board. They may be assured that the union hopes to act in full accord with the board, but if that is not possible as to every detail such honest difference as may arise shall be openly considered in order that rational conclusions shall be reached in the best interest of all concerned. Any antagonism or conflict should be avoided and would be deplorable, because, if for no other reason, that would bring joy to the enemies of the farmloan system.

The responsibility for any such consequences must rest with the Farm Loan Board, since there are rights and interests of the farm-loan associations, as corporate entities, and of their members or shareholders which can not be taken away by any

orders or action of the board.

These associations can not be crushed by a course of procedure which would render them dormant and inactive. That would be in violation of the law and would be based on a perversion of the power of supervision and an assumption of authority never granted.

I hope and believe the Farm Loan Board and the farm-loan associations will work in complete agreement, with the spirit and determination to make the farm loan act serve in full measure the beneficent purposes intended and accomplish the vast benefits which the pronounced success already experienced should adequately guarantee.

In the Farmers' National Magazine of April, 1921, is an article by Dr. Paul Wilkie entitled "Farm-loan system has given service," which is a very conservative, intelligent, and admirable statement. I ask to make it a part of my remarks. The VICE PRESIDENT. Without objection, it will be so

The matter referred to is as follows:

[From the Farmers' National Magazine.]

"FARM LOAN SYSTEM HAS GIVEN SERVICE—AGRICULTURE NEEDS FUNDS—PRESENT FARM LOAN SYSTEM HAS GIVEN VALUABLE SERVICE—FARM MORTCAGE BANKERS ARE PRINCIPAL OPPONENTS—AMENDMENTS AND CHANGES SHOULD BE MADE BY FRIENDS OF SYSTEM TO INCREASE ITS POWER OF SERVICE—UNITED EFFORTS WILL PROTECT AGAINST IN-JURIOUS CHANGES. [By Paul Wilkie.]

"Word comes from Washington to the effect that certain Republican leaders in Congress have said that the Federal farm

lean act is to be rewritten.

"For more than a year threats of changes in the law have been heard, but the attacks upon the system have been so much in the nature of a scattering fire that it has been difficult to tell

just what provisions of the act are to be first assailed. "However, friends of the farm loan system never have been deceived as to the chief objective of the enemy. Though the

farm-mortgage bankers have attacked first one part of the system, then another part—concentrating at one time on the Federal land banks, at another time on the national farm loan associations, and at still another time on the joint-stock land banks-all friends of the law now see clearly that the attackslike those of the Germans on the eastern front-have been shifted from time to time merely in an effort to find the weakest point in the line of defense and that the real object of the farmmortgage brokers is to destroy the farm loan system as a

"FRIENDS OF SYSTEM UNITED.

"Accordingly friends of the act are now prepared to present a united front in defense of all parts of the system, realizing that if the mortgage brokers succeed in killing off any part of the system they will then proceed at once to destroy whatever

"The nature and purpose of the attack upon the farm loan system and the attitude of the friends of the system were aptly described in a story told by Charles A. Lyman, secretary of the National Board of Farm Organizations, at a recent meeting of a group of friends in Washington. Mr. Lyman told of the testimony of Knute Knudson in a suit brought by the widow of Ole Oleson against a railroad company to recover damages for the death of her husband. Asked to describe just what happened, Knute said, 'Vell, ve all ver valking down der drack dalking aboud the crops, ven I heard a derrible noise and den a train whistled, and I looked around and yumped just in time to get off the drack. The train went by but I didn't see Ole anywhere. I called to him, but he did not answer. I walked up the drack a ways and I found Ole's foot. A little further on I found Ole's arm. By and by I found Ole's head. Then I said, "By golly, something has happened to Ole,"'

This story seems to have a very pat application to the present attack upon the farm loan system by the farm mortgage bankers, and the fate of Ole seems to forecast the fate which the farm mortgage bankers intend to mete out to the farm loan

system.

"Mr. Lyman seemed to give voice to the general judgment of those present that when it was found first that the mortgage bankers were attacking the Federal land banks and a little later that they were attacking the national farm loan associations and that finally they were attacking the joint stock land banks, the conclusion was inevitable that something was about to happen to the farm loan system.

# " REASONS FOR OPPOSITION.

"There is no question about the intent of the farm mortgage bankers, and viewed from their standpoint there is no doubt that the old-style mortgage men have a very sufficient reason for their opposition to the banks of the farm loan system. During the three years that these land banks-Federal land banks and joint stock land banks-have been in actual operation farmers have borrowed almost half a billion of dollars on the long-term amortized plan, at low rates of interest and without paying a single dollar in commissions. It has been estimated by those operating these banks that the farmers of America already have been saved more than \$10,000,000 in interest and as much as \$10,000,000 in commissions. And, of course, the money that has thus been saved to the farmers in interest and commissions has been lost to the farm mortgage bankers. This is the concrete reason for their opposition, no matter what high-sounding phrases they may use as the excuse for their attacks upon the law and the banks.

# "FEATURES OF FARM LOAN SYSTEM.

"If the friends of the farm loan system are to put up a united front against the common enemy the various parts of the system must get together and find a common basis for friendly cooperation.

The farm loan act provides for two plans of borrowing-one known as the cooperative plan, the other known as the direct-

borrowing plan.
"Under the cooperative plan farmers who desire to borrow are required to form cooperative associations and buy stock in the Federal land banks. These farmer stockholders have a voice in the management of the banks and participate in the

"Under the plan of direct borrowing, the farmer may secure his loan by applying directly to a joint stock land bank, without the necessity of forming a cooperative association. The stock of these banks is subscribed by private individuals who may be borrowers but are not required to be borrowers.

"None but the stockholders, of course, have a voice in the management of a joint stock land bank and none but the stock-

holders participate in the profits.
"Under both plans the rates of interest are limited by law (the same limitation applying to the banks of direct borrowing that apply to the cooperative banks) and commissions are prohibited. In other words, under either plan of borrowing provided by

the farm loan act the borrower is protected against usurious rates of interest and against commission charges in every and

"NO INJURIOUS COMPETITION.

"The Farm Mortgage Bankers' Association of America has expended considerable energy and much money in an effort to make it appear that the banks under the direct-borrowing plan are in competition with the cooperative banks. And as a matter of fact there is a mild degree of competition between the banks of these two plans. However, it has not been and need never be injurious to the banks operating under either plan. On the contrary, a little competition may be good for the esprit

de corps of both kinds of banks.

"It will be recalled that the Federal land banks are not permitted to lend more than \$10,000 to a single individual and that the joint stock land banks are permitted to lend as much as \$50,000 to a single individual. The suggestion has been made—and has some merit—that the Federal land banks should be permitted to lend as much as \$25,000 to a single individual. A suggestion also has been made that there should be a dividing line as to the size of loans which each type of bank could make, so that there would be no overlapping and, therefore, no real competition. In other words, if the Federal land banks are not to be allowed to lend more than \$10,000, then the joint stock land banks should not be allowed to lend below that amount.

"This is not a matter that is difficult to adjust, and doubtless is one which could be readily disposed of at a conference between the presidents of the Federal land banks and the joint stock land banks, the conference to be presided over by the members of the Farm Loan Board.

"FIELDS OF SERVICE DISTINCT.

"However, there are distinct fields of service for each kind of bank, the distinction arising from the differences in the preferences of farmers as to the plan of borrowing they desire

"In a general sense there need be no competition between the joint stock and the Federal banks, because neither type of bank has been able to furnish one-half the loans for which farmers have applied, and both banks have had to refuse loans on

account of lack of funds.

"Agriculture needs and will need all the funds that can be supplied for many years to come. Farmers should guard against the loss of any agency that can make loans on the long-term amortized plan at low rates of interest. Therefore the friends of the various parts of the farm loan system will do well to pool their interests and present a united front to the common enemy. With the friends of the system united, there is little danger that any injurious amendment to the farm loan act will pass either House of Congress."

Mr. NEW. Mr. President, a parliamentary inquiry. Is a amendment to the bill under discussion in order at this time-

not a committee amendment?

The VICE PRESIDENT. It is in order to offer the amendment; then it can be moved at some future time.

Mr. NEW. In that case, Mr. President, I send to the desk Mr. NEW. In that case, Mr. President, I send to the desk an amendment, with the request that it be printed and lie upon the table until it is in order.

The VICE PRESIDENT. That order will be made.

Mr. MOSES. Mr. President, a parliamentary inquiry. Has any committee amendment been disposed of?

The VICE PRESIDENT. It has not. The question is on the

amendment reported by the committee.

Mr. HARRISON. Mr. President, I suggest the absence of a

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to

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Borah	Harrison	McKellar	Shields
Broussard	Heflin	McKinley	Simmons
Bursum	Johnson	McLean	Smoot
Calder	Jones, N. Mex.	McNary	Spencer
	Jones, Wash.	Moses	Stanfield
Capper	Kellogg	Nelson	Stanley
Caraway	Kendrick	New	
Curtis			Sterling
Dillingham	Kenyon	Nicholson	Sutherland
Elkins	Keyes	Norris	Swanson
Fletcher	King	Oddie	Trammeli
Gerry	Ladd	Overman	Underwood
Glass	La Follette	Phipps	Wadsworth
Gooding	Lenroot	Poindexter	Walsh, Mass.
	McCormick	Pomerene	Warren
Hale	McCumher	Shennard	Willis
Llarria	Metumner	Speppara	WIIIIS

The VICE PRESIDENT. Sixty Senators having answered to their names, a quorum is present. The question is on agreeing to the committee amendment.

Mr. HARRISON. Mr. President, is not some one on the other side of the aisle going to discuss this very important bill?

There have been only two speeches made on the majority side in defense of this proposed legislation, both very short. Is no

one going to explain its provisions this afternoon?

Mr. McCUMBER. Mr. President, everything has been fully explained as to the additional matters that have been added to the bill. The agricultural schedule was discussed for about a month last winter, and that schedule has not been changed in a single item or a single expression. Inasmuch as that has been so fully covered, and the Senator from Mississippi discussed it so long, especially the provision relating to sugar, during the last session, we have felt that it was unnecessary to go over and rehash what it had already taken us two months to go over. I do not know of anyone on this side who wishes to discuss the other provisions of the bill.

Mr. HARRISON. Of course, I can understand why Senators on the other side of the aisle do not want to discuss and defend

the agricultural section of the bill.

Mr. McCUMBER. We have done it once; there is no need

of doing it twice

Mr. HARRISON. The Senator from North Dakota at the last session of Congress was the only one who attempted to defend the proposition at all, and he discussed only the wheat item. It is so iniquitous that I congratulate the Senators on the other side of the aisle on the policy they have adopted of trying to let the measure go through without saying anything

But, Mr. President, the Senator from Rhode Island [Mr. GERRY 1 is prepared to discuss the bill this afternoon.

Mr. McCUMBER. We shall be very glad to hear of the iniquity of the measure from the Senator from Rhode Island.

Mr. JONES of New Mexico. Mr. President, I understand it has been announced that there will not be any amendment made to the tariff features of the bill, but notwithstanding that statement I propose an amendment placing a duty upon hides. I ask that it be printed and lie on the table.

The VICE PRESIDENT. That order will be made.

Mr. GERRY. Mr. President, during the last session of Congress I discussed in detail the different provisions of the socalled emergency tariff bill and went into the subject matter of it very thoroughly, and gave rather exhaustive statistics.

Under these circumstances I do not intend to again consider those features of the bill in that way. It would be a mere repetition and unnecessary, as the bill we now have before the Senate is in the provisions relating to a tariff on agricultural products identical with the bill considered at the last session.

The difference between this bill and the former one lies in

the antidumping provision, and also in the addition of a provision prolonging the present regulation as to dyes and chemicals. The bill is such a hodgepodge and so unsound in every principle of scientific tariff legislation that it is hard to know where to begin to attack it.

As originally conceived in the House the measure was very much shorter and dealt with a much smaller number of industries. After it was rushed through there, with practically one day's debate, it came over to the Senate and hearings were held by the Finance Committee, and for the obvious purpose of ob-taining more friends for this bill additional duties on other commodities were added, thrown together, I might say, and the

result was the present monstrosity.

I am very sorry that the majority did not deem it wise to abandon this legislation, at least temporarily, and take up what the country was really expecting, namely, a revision of the revenue laws. There can be no doubt that it is for the best interests of business communities and the country as a whole that the present revenue laws should be revised, and revised as soon as possible. The legislation was war-time legislation, passed with war conditions in mind, and with the idea that it would be amended as soon as the war was over.

The Democratic Party made some revision before it went out of power, against the opposition of our friends on the other side. and proceeded to reduce the taxes in certain important particulars. When the present majority party came into power it was with the understanding that they would revise that legislation. They had control of both Houses of Congress, and it was for them to take the situation in hand and do what was unquestionably for the best interests of the community. President Wilson advocated the revision of the law, but no heed was paid to his request. It was evidently the idea of the majority party that it was better politics to leave the present high taxes on the statute books. Probably politically they were wise, but as to the statesmanship of such a course there can be but one conclusion.

Now that it is proposed to revise the revenue legislation later, I say that I regret it is not to be taken up immediately and considered before the tariff, so that the country could have an opportunity as soon as possible to receive the help that would

come to business from such action. The folly of the present policy is more than ever brought out and emphasized when we realize the difficulties of drafting any tariff legislation at this time. Heretofore when a tariff bill has been considered America has always been a debtor Nation. Now we are a creditor Nation, with a great supply of gold in our Treasury; in fact, there is so much gold in this country that we do not desire to increase it.

To-day Europe owes us something like \$10,000,000,000, which she must either pay us in gold or in commodities. either export commodities to us and in that way help change the balance of trade, or she must pay us in gold, which she can not do. The proposition is perfectly simple, and every banker in the country knows that there is no other way to remedy the present condition than to stabilize foreign exchange. Apparently our friends upon the other side are still of the belief that a tariff is the panacea for all ills, and that it will immediately commence to cure business conditions and make the country once more prosperous. In fact, at the other end of the Capitol one of the Republican leaders has even gone so far as to intimate that he would be willing to forego the debt owed us by our allies if by so doing he would be able to keep America a high-protection country. It seems to me that no better example than that could be given of the extreme to which the friends of protection are willing to go, but of course such a policy will not be followed, and our debts will be paid us by our allies, for the political leaders and the country at large would not be satisfied with any other course.

The pending bill places duties that are really prohibitive, duties higher than those in the Payne-Aldrich tariff bill, on practically all the necessities of life, the food we eat, and the clothes we wear. If we glance through the bill for a moment and look at the articles enumerated we will see that there are duties on wheat, corn, beans, potatoes, onions, rice, cattle, sheep, even frozen meats, "meats of all kinds," as well as cotton, wool, sugar, butter, cheese, milk, condensed milk, and tobacco, so that from the time the consumer sits down to the time he leaves the table and has his smoke everything is to

pay an additional tax.

In other words, if the theory of the bill is correct, the American people are to pay the losses, which the western farmer is now suffering because of the world condition. The manufacturer, the ordinary individual in business, is not to be reimbursed for what he is losing on account of the war with Germany, but the farmer must be taken care of, so he is to have special legislation and the rest of our people are to pay for it.

As I called attention in my former speech, this is an appalling conditions of affairs, especially to those of us who come from New England and the Eastern States. To-day there are To-day there are 3.000.000 to 5,000,000 people out of work in the country. own State of Rhode Island the Government statistics show that something like 21,000 people are out of employment. My own information is that there are a great many more than that who are not working anything like full time. One can not pick up a financial paper without reading comments on the condi-tion that exists to-day, and then the hope is expressed that it will improve, followed by long articles telling how this can be accomplished, and general statements made evidently with the idea of trying to keep a good face with a deplorable condition. But how can we expect conditions to improve, how can we expect the laboring man to look with any satisfaction or degree of acquiescence upon the situation or without a strong feeling that injustice is being done him when his wages are being reduced and his cost of living is attempted to be increased?

The only way that it will be possible with any degree of fairness to reduce wages will be also to do everything possible to reduce the high cost of living. Just as soon as the last election was over wages were reduced pretty generally throughout my State. What the connection was between the two I leave to the workingman to decide. However, the fact remains that all through the industrial centers there has been a reduction in wages that is continuing and will probably continue for some time to come. and yet the first important financial bill that is brought in for the consideration of the Senate is a bill to place duties on the necessities of life and to increase the already high cost of living which must naturally follow if the theory of the bill is

I do not believe that the bill will work out as its proponents think it will. I do not believe that we are going to regulate very easily the price of these commodities and that we are going to obtain revenue from commodities which we export in tremendously greater quantities than we import. I am inclined to think, although I can not speak with the authority of a western man, that the reason there were some large importations of Canadian wheat into this country last fall was because the Canadian farmer was advised to sell at the then market price and the American farmer was advised to hold his wheat. The result was that the miller had to obtain wheat, and he naturally bought it from the people who were willing to sell. The Canadian surplus of wheat was disposed of, and the American farmer had his wheat left on his hands.

Wheat is only one of the many articles that are covered in the bill which we export in tremendous quantities and whose prices are really determined in foreign markets. The price of wheat is determined in Liverpool, not in Minneapolis. Corn is one of America's greatest agricultural staples, and it seems as absurd to place a duty upon it as it does to place a duty on some of the other commodities enumerated. But the framers of the bill were not satisfied with protecting the farmer and went a step further and put a duty on frozen beef and a duty In my opinion, the people who are really going to profit from this legislation are not going to be the farmers, but the middlemen, the Beef Trust, and the Sugar Trust. Thousands and thousands of carcasses of sheep are already stored in our warehouses, and yet the public has received very little benefit from this increased supply. If an increase in supply does not bring about a lowering of price, the middleman must be having something to say about what shall be the retail price. It seems to me that he, and that these great trusts like the Sugar Trust and the Beef Trust, are going to see that if there is any opportunity of raising prices on account of the new tariff that they will get the first and full advantage of it, and if the farmer gets anything it will, indeed, be a matter of surprise.

There is another fact to be considered in connection with this proposed legislation, and that is that as we are taxing all raw materials we are really lowering the tariff on the manufactured products. The result is that we are not only hitting the necessities of life, but we are also changing the duties on the finished product, doing so without any scientific consideration or upon any sound basis.

There is no question that a measure such as this is very apt to produce retaliation in foreign countries that are good customers of the United States. Canada is a very good customer of ours and her exports of wheat to this country have been small, compared with the things which she purchases from us. The Argentine is already talking of retaliation, and, as the matter has been reported in the press, attention is called to the fact that, while our President has been expressing his faith in the Monroe doctrine, and emphasizing our regard for our neighbors to the south of us, one of the first things we do is to place a high protective duty upon the statute books that can not fail but react on the exports they wish to send us.

Mr. President, there is also the danger that, if this tariff bill works out as its proponents contend, the consumers of the country will continue what they commenced after the recent war, namely, a strike against buying, which can not fail to have a retarding influence upon our return to prespective.

have a retarding influence upon our return to prosperity.

But enough of the agricultural features of the bill. I now wish to turn for a few moments to the provisions of the measure which are contained in the antidumping sections. This is a new feature of the bill, and was apparently added in order that it might afford a new method of extending protection, probably with a hope that it reight attract support from other sections of the country.

The mere fact that the little amount of dumping from which we suffered directly after the war is now over does not apparently appeal to the framers of the bill. The statistics show that to-day we are not suffering at all from commodities being dumped into this country. In spite of that section 201 gives the Secretary of the Treasury the power, which he can delegate, to investigate, and if he finds that any industry in the United States "is being or is likely to be injured or is prevented from being established"—even if an industry does not exist here—if he has an idea that one might be established and is prevented "by reason of the importation into the United States of a class or kind of foreign merchandise" or likely to be sold here "at less than its fair value," he is then directed to make such findings public, describe the merchandise, and give certain instructions to the appraising officers at our ports how to proceed.

In section 202 the bill sets forth that—

If the purchase price or the exporter's sales price is less than the foreign market value (or, in the absence of such value, than the cost of production) there shall be levied, collected, and paid, in addition to the duties imposed thereon by law, a special dumping duty in an amount equal to such difference.

Roughly speaking, this duty is the difference between the export purchase price and the price at which the commodity sells in the market of production.

But the extraordinary feature of this proposed legislation is that it applies not only to dutiable articles but to commodities that are on the free list. Why there should be any objection to admitting to this country commodities that are on the free list, no matter how low the price at which they are sold, is difficult to conceive, for, if I understand the theory of the free list at all, the idea is that certain articles shall be allowed to enter this country without any duty, because by so doing a benefit accrues to us. This special dumping duty simply does away, in part, with the free-list provisions of the existing tariff law.

For the purpose of determining whether in the case of importations there is dumping certain definitions are given. I think that possibly it may be of some interest to the Senate to consider them somewhat in detail, as this section of the bill is novel, and I do not believe it has been very thoroughly studied by many Senators.

The purchase price as defined in section 203 is the price for which an article "has been purchased or agreed to be purchased, prior to the time of exportation," by the importer or his agent. This price shall include "the cost of all containers and coverings"; "all other costs, charges, and expenses incident to placing the merchandise in condition, packed ready for shipment to the United States less the amount, if any, included in such price attributable to any costs, charges, United States import duties, and expenses incident to bringing the merchandise from the place of shipment in the country of exportation to the place of delivery in the United States"; the amount of any export duty imposed by the exporting country; the amount of any import duties imposed by the country of exportation which have been rebated or not collected; the amount of taxes imposed in the exporting country "upon the manufacturer, producer, or seller, in respect to the manufacture, production, or sale, which have been rebated, or which have not been collected, by reason of the exportation of the merchandise to the United States."

The next important definition is the exporters' sales price, which is the price for which the goods are sold or agreed to be sold in the United States before or after the time of importation by the exporter or his agents. This price shall include "the cost of all containers and coverings and all other costs, charges, and expenses incident to placing the merchandise in condition, packed ready for shipment to the United States"; the amount of any import duties imposed by the exporting country which have been rebated or which have not been collected because of exportation to the United States; the amount of any taxes imposed in the exporting country "upon the manufacturer, producer, or seller in respect to the manufacture, production, or sale, rebated, or not collected." This price shall not include any export tax imposed by the exporting country on exportations to the United States or the costs, charges, United States import duties, expenses incident to bringing the goods from the place of shipment in the exporting country to the United States, commissions paid for selling in the United States, and generally expenses incurred by the exporter or agent in the United States in selling identical or substantially identical merchandise.

Then, the foreign market price is the price at which such merchandise is sold or freely offered for sale to all purchasers in the principal markets of the country from which exported, in the usual wholesale quantities and in the ordinary course of trade for home consumption; or, if not, then for exportation to countries other than the United States. This price shall include the cost of all coverings or containers and all other costs, charges, and expenses incident to placing the merchandise in condition, packed for shipment to the United States. The price at the time of such exportation, or the date of such purchase or agreement to purchase, is to be considered the time at which the price is to be computed.

If we take into account these conditions regarding the purchase price, the export sales price, and the foreign market price of the commodities, it will be seen that theoretically the duty imposed under the dumping clause may possibly be reached. Undoubtedly, if there were any large extent of dumping in this country, it would entail enormous expense to arrive at conclusions under all these technical and difficult enumerations. The expense entailed and the number of appraisers that would be required would undoubtedly be very large; but to my mind one of the iniquities of the provision lies in the fact that the Secretary of the Treasury-and not only the Secretary, but the person upon whom he can confer these powers and duties-is given such very wide discretion as to what shall or shall not be inves-Naturally the Secretary, with all the work that he has do, will be unable to attend to this matter personally, and will have to delegate it. It seems to me most unwise in any case that Congress should allow such wide latitude to any Cabinet

official, or to any official, no matter how able. It is unsound in peace times to grant such extensive powers as are contained in this section of the bill.

If a dumping clause is to be considered, the plan of the Underwood tariff bill as it passed the House, but which was rejected in the Senate, should be carried out, and Congress should determine what imports are subject to such dumping duties and what are not; and unquestionably the entire free list should not be included.

Section 403 of the bill relates to the currency provisions, so that there may be a standard for determining the value of the goods in American money; and naturally, in the depreciated condition of European currency, this is an important section. It provides for quarterly estimates by the Director of the Mint, and that if these vary as much as 5 per cent from the value measured by the buying rate in the New York market at noon on the day of exportation, then such latter rate shall govern.

Title V has for its object the continuing of the present legislation on dyes and chemicals. It provides that the license power now exercised by the War Trade Board section of the Department of State shall cease and shall be turned over to the Treasury Department, and continued for six months longer. The reason for turning it over to the Treasury Department is because this was a war measure that was passed in 1918, before the close of the war, and will cease to be in effect if the joint resolution declaring a state of peace to exist, which passed the Senate the other day, is finally passed by the other House and signed by the President.

Personally I believe that it is a mistake to continue these war powers in times of peace. This provision will work hardship to many manufacturers who will be unable to obtain the dyes that they need of the quality they need, and especially it will do harm to the consumer, which is more important, because he will receive clothes dyed with inferior dyes.

Mr. President, I have covered in this very general way my objections to this bill, because, as I said in my introductory remarks, I had already gone very thoroughly into its agricultural features in a speech that I made in the previous Congress. I know the bill is absolutely unscientific. I believe that it is inexcusable, and can not fail to do harm and injustice not only to my own State but to all the people of America who are now going through a period of depression.

As I said before, with between three and five million men out of work, with not very much light appearing, our friends on the other side of the aisle, after coming in on a platform of reducing the high cost of living, are now proceeding in their very first legislation to show how filmsy these promises that were made, what scraps of paper they were. They are repeating their former history, when they were elected on a pledge to revise the tariff, and then passed the Payne-Aldrich bill and revised it upward instead of downward.

For my part, I can but voice my opposition to this measure and vote against it.

The VICE PRESIDENT. The question is on the amendment of the committee.

Mr. HARRISON. Mr. President, does any Senator on the other side wish to speak on this bill?

Mr. McCUMBER. No; we are ready to listen to the Senator from Mississippi.

Mr. HARRISON. Are you ready to adjourn? Mr. McCUMBER. No; I wish the Senator would go on for a little while.

Mr. UNDERWOOD. Mr. President, I suggest the absence of

The VICE PRESIDENT. The Secretary will call the roll. The roll was called, and the following Senators answered to their names:

Ball	Harris	McKinley	Sheppard
Borah	Harrison	McLean	Shortridge
Broussard	Heflin	McNary	Simmons
Bursum	Johnson	Myers	Simmons
			Smoot
Calder	Jones, N. Mex.	Nelson	Spencer
Capper	Kellogg	New	Stanfield
Caraway	Kendrick	Nicholson	Sterling
Cummins	Kenyon	Norbeck	Swanson
Curtis	Keyes	Norris	Trammell
Dillingham	King	Oddie	Underwood
Elkins	Knox	Overman	Wadsworth
Fernald	Ladd	Penrose	Walsh, Mass.
Fletcher	La Follette	Phipps	Warren
Gerry	McCormick	Pittman	Watson, Ind.
Glass	McCumber	Ransdell	Williams
Clonding	MaKallan	Dood	W/1111-

The VICE PRESIDENT. Sixty-four Senators having answered to their names, a quorum is present.

NATIONAL BUDGET SYSTEM.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives requesting a conference with the Senate on the bill (S. 1084) to provide a national budget system and an independent audit of Government accounts, and for other purposes, and the amendment of the House thereto.

Mr. McCORMICK. I move that the Senate disagree to the House amendment, agree to the request for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. McCormick. Mr. Moses, and Mr. Underwood conferees on the part of the Senate.

EMERGENCY TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2435) imposing temporary duties upon certain agricultural products to meet present emergencies. and to provide revenue; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes.

Mr. PENROSE. Mr. President, I desire to submit the following unanimous-consent agreement, which I ask to have read; and I call the attention of the Senator from North Carolina [Mr. SIMMONS] to the same.

The VICE PRESIDENT. It will be read.

The Assistant Secretary. The Senator from Pennsylvania asks unanimous consent that at not later than 3 o'clock p. m. on the calendar day of Wednesday, May 11, 1921, the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon the bill (H. R. 2435) imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenue; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes, through the regular parliamentary stages to its final disposition; and that after the hour of 12.30 o'clock p. m. on said calendar day no Senator shall speak more than once or longer than 10 minutes upon the bill, or more than once or longer than 10 minutes upon any amendment offered thereto.

Mr. REED. Mr. President, the difficulty which I have always felt existed in regard to agreements of the character now before the Senate is found in the fact that if an amendment, however meritorious it may be, is not voted upon before the hour fixed, there is no time to present the amendment or discuss it. If this proposition could be changed so that after 3 o'clock any amendment brought forward could be discussed under a 5 or 10 min-

ute rule, I would make no objection to it.

I have no desire to delay the passage of the bill. I want to discuss it, but I can not be ready to discuss it as I want to do before Monday. If the Senator from Pennsylvania could modify his request so that it would permit discussion of amendments not to exceed 10 minutes by any one Senator, it would be agreeable to me.

Mr. PENROSE. Mr. President, according to that we would be here, perhaps, until midnight.

That is entirely possible, but it is not likely. Mr. REED.

Mr. PENROSE. I think anything is likely. The Senate has been adjourning or taking a recess at 3 or 4 o'clock in the afternoon because no Democratic Senator was ready to speak. hours yesterday were wasted in a tedious discussion about matters which never should have consumed the time of the Senate, but which should have been ventilated in committee, While I want to defer to the wishes and convenience of Senators having a desire to debate this question, I feel it to be my duty to keep the Senate in session, so far as I am able, and to keep the bill before the Senate, unless we can have some distinct understanding as to when this measure can come to a vote.

I have no assurance, if this request is modified, according to the suggestion of the Senator from Missouri, that we can hold a quorum in the evening. This great debate on the so-called emergency tariff bill has been listened to by about three Members of the Senate and one occupant of the correspondents' gal-Does the Senator from Missouri expect a larger audience

when he addresses the Senate?

Mr. REED. Mr. President, I shall have to take my chances upon an audience. Of course, I do not expect to change the views of the chairman of the committee; I perhaps shall not change the views of a single Member of the Senate; and it may be regarded as an utter nuisance that I say anything upon the bill; but, in so far as I am concerned, I intend to say some things, if not to the Senate, at least to the country, and I do not know whether the country will pay any attention to them or not,

Mr. PENROSE. They will not.

Mr. REED. The Senator may be correct about that; but that is not the question I am discussing. I am discussing the mere reservation of the right of any Senator who sees fit to present an amendment, and to discuss it after 3 o'clock, to have 5 or 10 minutes to call the attention of the Senate to the purpose of the amendment. I have seen amendments defeated when offered the reason for which did not appear until the last moment, and the Senator offering them and other Senators were barred from That is the sitthe opportunity to explain them to the Senate. uation I have in mind.

I repeat, anything I may say may be utterly immaterial and be listened to neither by the country nor the Senate, but that is not the question I am discussing. There is plenty of time reserved under this proposed agreement to allow me to make the speech, which will be a weariness to the flesh of the chairman of the committee and everyone else, perhaps. I am entirely content with 3 o'clock on Wednesday, provided the right is reserved to a Senator offering an amendment to have at least five minutes to explain it to the Senate, and any other Senator ought to have the right, of course, to take the other side.

Mr. CURTIS. Mr. President, I suggest to the chairman of the committee that in order to reach an agreement we meet at 11 o'clock on Wednesday and apply the five-minute rule at 12 o'clock. That would give from 12 to 3 for debate on amend-

ments.

Mr. REED. If I understand the Senator, that means a modification of this proposed agreement so that after 12 o'clock on Wednesday no one shall speak more than five minutes, and that

we shall vote at 3 o'clock.

Mr. CURTIS. That is the suggestion.

Mr. REED. Make it 10 minutes, and with that modification I shall agree to it.

Let the Secretary read the unanimous-con-Mr. PENROSE. sent agreement as modified.

The VICE PRESIDENT. The Secretary will read the agreement as modified.

The Assistant Secretary read as follows:

UNANIMOUS-CONSENT AGREEMENT.

It is agreed by unanimous consent that at not later than 3 o'clock p. m., on the calendar day of Wednesday, May 11, 1921, the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon the bill (H. R. 2435) imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenues; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes, through the regular parliamentary stages to its final disposition; and that after the hour of 12 o'clock meridian, on said calendar day, no Senator shall speak more than once or longer than five minutes upon the bill, or more than once or longer than five minutes upon any amendment offered thereto. offered thereto.

Mr. McCUMBER. I thought it was to be 10 minutes.

Mr. SIMMONS. Let it be made 10 minutes.

Mr. REED, Make it 10 minutes.

Mr. PENROSE. A much more preferable speech can be made

in 5 than in 10 minutes.

Mr. REED. Mr. President, I know the impatience of the Senator from Pennsylvania to save the farmers of the country, and that 5 or 10 minutes difference in time will make a very great difference to him. However, I believe there ought to be enough time given for an intelligible explanation of any amendment which may be offered by a Senator. I am speaking of it now not only with reference to this measure but to the general

Mr. PENROSE. The Senator prefers 10 minutes?

Mr. REED. I do.

Mr. PENROSE. If that will give the Senator a greater feeling of freedom, I will agree to it. I hope the Chair will put

Mr. SIMMONS. The roll must be called.
Mr. PENROSE. The roll was called, and I thought that com-

plied with the rule. However, I am not sure of it.

Mr. UNDERWOOD. I will state to the Senator that I think to make it entirely binding it will be safer to call the roll, because other legislative business was laid before the Senate, and the Senator from Illinois [Mr. McCormick] moved a conference. To make it entirely within the rule we had better have the roll called.

The unanimous-consent request was sub-Mr. SIMMONS.

mitted after the roll was called and not before.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Capper Caraway Cummins Curtis Ball Borah Broussard Calder

Dillingham Elkins Fernald Fletcher

Glass Gooding

McKellar McKinley McLean McNary Myers Nelson New Nicholson Norback Phipps Pittman Poindexter Ransdell Harrison Heflin Sutherland Swanson Trammell Underwood Wadsworth Walsh, Mass, Warren Watson, Ind. Johnson Jones, N. Mex. Kellogg Kendrick Kenyon Reed Sheppard Shortridge Keyes Simmons King Knox Ladd Norbeck Norris Oddie Smoot Spencer Stanfield Williams La Follette Overman Penrose Stanley Sterling McCumber

The VICE PRESIDENT. Sixty-four Senators having an-

swered to their names, a quorum is present.

The Senator from Pennsylvania proposes the unanimousconsent agreement, which will be read.

The Assistant Secretary read as follows:

# UNANIMOUS-CONSENT AGREEMENT.

It is agreed by unanimous consent that at not later than 3 o'clock p. m., on the calendar day of Wednesday, May 11, 1921, the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon the bill (H. R. 2435) imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenues; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes, through the regular parliamentary stages to its final disposition; and that after the hour of 12 o'clock meridian, on said calendar day, no Senator shall speak more than once or longer than 10 minutes upon the bill, or more than once or longer than 10 minutes upon the fered thereto.

The VICE PRESIDENT. Is there objection? The Chair

The VICE PRESIDENT. Is there objection? The Chair hears none, and the unanimous-consent agreement is entered into.

Mr. PENROSE. Mr. President, I am informed that no Senator desires to address the Senate to-day on the pending measure, or any other measure, and I therefore move that the Senate take a recess until 12 o'clock to-morrow.

Mr. UNDERWOOD. I ask that the Senator withhold the

motion a moment.

Mr. PENROSE.

Very well; I withhold it.

N. Will the Senator not move an adjourn-Mr. HARRISON. ment instead of a recess until to-morrow?

Mr. PENROSE. Does the Senator prefer an adjournment? Mr. HARRISON. I prefer an adjournment. Mr. PENROSE. If we adjourn, it means that we shall stay

here later in the day to-morrow.

Mr. HARRISON. That may be; but to-morrow there will be before the Senate a resolution I served notice that I would call up at the first opportunity, and under the rule I can not call up the resolution to-morrow unless we take an adjournment.

Mr. PENROSE. I shall move an adjournment, but I will withhold it until after a brief executive session for action on

certain nominations.

Mr. HARRISON: Very well.

# EXECUTIVE SESSION.

Mr. PENROSE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 4 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Saturday, May 7, 1921, at 12 o'clock meridian.

# NOMINATIONS.

Executive nominations received by the Scnate May 6 (legislative day of May 4), 1921.

# APPRAISER OF MERCHANDISE.

Samuel W. George, of Haverhill, Mass., to be appraiser of merchandise in customs collection district No. 4, with headquarters at Boston, in place of Joseph T. Lyons.

# COLLECTOR OF CUSTOMS.

Willfred W. Lufkin, of Essex, Mass., to be collector of customs for customs collection district No. 4, with headquarters at Boston, in place of Edmund Billings.

# COLLECTORS OF INTERNAL REVENUE.

# DISTRICT OF KENTUCKY.

Robert H. Lucas, of Louisville, Ky., to be collector of internal revenue for the district of Kentucky, in place of Elwood Ham-

# DISTRICT OF MINNESOTA.

Levi M. Willcuts, of Duluth, Minn., to be collector of internal revenue for the district of Minnesota, in place of Edward J. Lynch.

# UNITED STATES MARSHAL.

Peter H. Miller, of Florida, to be United States marshal, northern district of Florida, vice James B. Perkins, resigned. (Mr. Miller is now serving in that position under appointment by court.)

# GOVERNOR OF PORTO RICO.

E. Mont. Reily, of Missouri, vice Arthur Yager, resigned.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES.

### QUARTERMASTER CORPS.

Capt. James Lester Allbright, Infantry, with rank from July 1, 1920.

#### AIR SERVICE.

Lieut. Col. Theodore Anderson Baldwin, jr., Infantry, with

rank from July 1, 1920.

Maj. Harold Aron Strauss, Coast Artillery Corps, with rank from July 1, 1920.

# CORPS OF ENGINEERS.

First Lieut. Volney Archer Poulson, Coast Artillery Corps, with rank from July 2, 1920.

# COAST ARTILLERY CORPS.

First Lieut. Joseph Edwin McGill, Infantry, with rank from July 1, 1920.

# CONFIRMATIONS.

Executive nominations confirmed by the Senate May 6 (legislative day of May 4), 1921.

### POSTMASTERS.

#### KANSAS.

Cecil F. Smith, Burns. Rollin J. Conderman, Chetopa. Jacob W. Wright, Elk City. Lulu E. Perkins, Gardner. Victor H. Hoefer, Inman. LeRoy F. Heston, Kanorado. Albert Woodmansee, Kiowa. Ethel I. Lounsbury, Long Island. J. Raymond E. Simmons, Wellsville.

Rudolph M. Cutting, Plainfield.

# HOUSE OF REPRESENTATIVES.

# FRIDAY, May 6, 1921.

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Heavenly Father, may every heart have its hymn as we come before Thee with memories that make life sweet. But as it is an expanding quantity, give us the joy of being unsatisfied; then it shall have a continual growth. We bless Thee for Thy rule and standard of conduct, and may we have delight in Thy statutes, and keep before us the end of the commandment, which is, "Now abideth faith, hope, charity; these three; but the greatest of these is charity." Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

# ARMY APPROPRIATION BILL.

Mr. ANTHONY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 5010) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes.

The SPEAKER. The gentleman from Kansas moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 5010, making appropriations for the support of the Army.

# QUESTION OF CONSTITUTIONAL PRIVILEGE.

Mr. TINKHAM rose.

The SPEAKER. For what purpose does the gentleman rise? Mr. TINKHAM. I rise to offer a resolution on a question of high constitutional privilege.

The SPEAKER. Does the gentleman claim that it is of higher privilege than the motion of the gentleman from Kansas? Mr. TINKHAM. I do.

The SPEAKER. The Chair will hear the gentleman.

Mr. TINKHAM. I am going to suggest—
Mr. MADDEN. Mr. Speaker, I ask that the resolution be

reported.

Mr. TINKHAM. Mr. Speaker, I suggest the absence of a quorum, inasmuch as the matter is of a great deal of importance

The SPEAKER. The gentleman from Massachusetts makes the point of order that there is no quorum present. Evidently there is no quorum present.

#### CALL OF THE HOUSE.

Mr. MONDELL. Mr. Speaker, I move a call of the House. The SPEAKER. The gentleman from Wyoming moves a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed

to answer to their names:

Anderson	Focht	Lampert	Rossdale
Appleby	Free	Langley	Rucker
Begg	Fuller	Lea, Calif.	Schall
Bird	Gilbert	Logan	Siegel
Bond	Good	London	Sisson
Britten	Gould	Longworth	Slemp
Brown, Tenn.	Graham, Pa.	Lyon	Snyder
Browne, Wis.	Haugen	McDuffie	Steenerson
Burke	Hawley	Mann	Stiness
Cantrill	Hogan	Mansfield	Stoll
Chandler, Okla.	Houghton	Mason	Strong, Pa.
Clark, Fla.	Hukriede	Merritt	Sullivan
Clarke, N. Y.	Jacoway	Michaelson	Tague
Cockran	James, Va.	Overstreet	Thomas
Cramton	Kahn	Padgett	Towner
Crowther	Kelley, Mich.	Perkins	Vaile
Dickinson '	Kennedy	Perlman	Vare
Doughton	Kiess	Porter	Voigt
Dunn	Kincheloe	Pou	Volk
Dupré	Kindred	Pringey	Ward, N. Y.
Edmonds	Kitchin	Reber	Winslow
Fields	Kraus	Reed, W. Va.	Wise
Flood	Kreider	Riordan	

The SPEAKER. On this vote 338 Members have answered their names. A quorum is present. Mr. MONDELL. Mr. Speaker, I move to dispense with

further proceedings under the call.

The SPEAKER. The gentleman from Wyoming moves to dispense with further proceedings under the call.

The motion was agreed to.
The SPEAKER. The Doorkeeper will open the doors.

# QUESTION OF CONSTITUTIONAL PRIVILEGE.

Mr. MADDEN. Mr. Speaker, I ask that the resolution of the gentleman from Massachusetts [Mr. Tinkham] be reported. The SPEAKER. The gentleman from Massachusetts offers a resolution, which he claims is so privileged as to have precedence over the motion of the gentleman from Kansas [Mr. ANTHONY] that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the Army appropriation bill. The Clerk will report the resolution for information.

The Clerk read as follows:

# Resolution.

The Clerk read as follows:

Resolution.

Whereas the fourteenth article, in addition to and amendment of the Constitution of the United States, section 2, provides:

"When the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof is denied to any of the male inhabitants of such State, being 21 years of age and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens 21 years of age in such State," and

Whereas it is generally and commonly alleged and is susceptible of proof that in many States of the United States the constitutions thereof and the laws enacted by their legislatures have, in effect, denied or abridged to large numbers of citizens qualified under the Constitution of the United States the right to vote in such States, and that such alleged nullification of the Constitution of the United States the direct or indirect, constitutes flagrant and persistent disregard and violation of the fundamental law of the land and is subversive wholly of law and of liberty itself; and Whereas no greater political discrimination could exist between the several States of the Union and of their citizens than the general conference upon each of the States alke of the power to prescribe qualifications for electors (subject alone to the inhibitions of the fifteenth and nineteenth amendments to the Constitution of the United States) upon a basis of population, and the coexistence of an extensive and evasive unconstitutional denial of the exercise of the franchise to some citizens by some States, resulting in disproportionate political power, accentuated and enlarged by the recent enfranchisement of females; and

Whereas the House of Represen

Resolved. That the Committee on the Census or any subcommittee thereof is hereby authorized and directed to proceed forthwith to make diligent inquiry respecting the extent to which the right to vote is denied or abridged to citizens of the United States in any State in violation of the Constitution of the United States; and said committee is authorized to send for persons and papers, to administer oaths to witnesses, to conduct such inquiry at such times and places as the committee may deem necessary, and to report its findings and recommendations to the House at the earliest possible moment, either separately or together with such report as said committee may submit in connection with proposed legislation providing for a reapportionment of Representatives in Congress, to the end that such reapportionment shall be constitutional in form and in fact.

Mr. MONDEUL. Mr. Speaker, I make the point of order

Mr. MONDELL, Mr. Speaker, I make the point of order against the resolution that it is not privileged under the rules and not privileged under the Constitution, and does not present a question of privilege before the House; and further, if it were privileged, in the present situation of affairs the motion made by the gentleman from Kansas [Mr. Anthony] takes precedence as a privileged question. If the resolution were held in order it would remain for the House to decide whether or not it would take up the Army bill.

The SPEAKER. The Chair will hear the gentleman from

Massachusetts [Mr. Tinkham].

Mr. Tinkham. Mr. Speaker, Rule IX of the House, entitled "Questions of Privilege," says:

Questions of privilege shall be, first, those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of Members individually in their representative capacity only; and shall have precedence of all other questions, except motions to adjourn.

Under that rule, on page 284 of the Manual and Digest, under section 656 the following words, decisions, and references ap-

It is evident, therefore, that a question of privilege takes precedence over a matter merely privileged under the rules (Hinds' III, 2526-2530; 6454). So also certain matters of business, arising under provisions: the Constitution, mandatory in nature, have been held to have a rivilege which supersedes the rules establishing the order of business. privilege

And here are the illustrations-

as bills providing for census or apportionment (Hinds' I, 305-308), bills returned with the objections of the President (IV, 3530-3536), propositions of impeachment (III, 2045-2048, 2051, 2398), and questions incidental thereto (III, 2401, 2418; V, 7261), matters relating to the count of the electoral vote (III, 2573-2578), and resolutions relating to adjournment and recess of Congress (V, 6698, 6701-6706).

All of these decisions, Mr. Speaker, establish the great constitutional legislative doctrine that where there is devolved upon the House of Representatives a duty or a function man-datory in character by the use of the word "shall" in the Constitution, as distinguished from the exercise at its will of a power to legislate where the word "shall" is used in the Constitution, legislation introduced to perform a duty or function mandatory in character as a matter of high constitutional privilege takes precedence over ordinary legislation or over a matter merely privileged under the rules. That is what those cases in Hinds' establish, and that is the great legislative constitu-tional doctrine of this House, and has been the great constitutional legislative doctrine of this House time out of mind.

Such high constitutional privileges relate to legislation, Hinds has said, concerning the census or apportionment. Why? Because Article I, section 2, of the Constitution provides in relation to the census the following:

The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of 10 years, in such manner as they shall by law

This is a mandatory injunction upon Congress that a census be taken every 10 years. It is a thing to be done by Congress. Congress has no option and no discretion.

Section 2 of Article XIV in addition to and amendment of

the Constitution-and that is the section which involves this resolution that I have offered-provides that-

Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But—

In the same paragraph, with the connective "but" as the only condition upon the making of that apportionment—and there is no other interpretation possible, except as a connective, vital part of that apportionment of Representatives-

But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State being 21 years of age and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens 21 years of age in such State.

This is a mandatory injunction upon Congress that an apportionment of Representatives "shall" be made after the census has fixed the number of inhabitants in the several States,

and that there shall be a reduction of the basis of representation where disfranchisement exists. Congress has no option or discretion. Those directions under the Constitution, Mr. Speaker, are mandatory. No apportionment can be made unless if disfranchisement exists the Constitution is carried out in relation to the mandatory section which says that there must be a reduction in representation. Article I, section 7, paragraph 2, of the Constitution provides that the President if he approve a bill shall sign it, but if not he shall-

return it with his objections to the House in which it shall have originated, who shall enter the objections at large on their journal and proceed to reconsider it.

This is a mandatory injunction upon Congress to proceed to enter the objections at large on their journal and proceed to reconsider the veto of the President. Congress has no option or discretion.

Article XII, in addition to and amendment of the Constitution in relation to the electoral count, provides:

The President of the Senate shall, in the presence of the Senate and House of Representatives, open all certificates and the votes shall then be counted.

This is a mandatory injunction upon Congress to proceed to count the votes of the electoral college. Congress has no option or discretion.

Article I, section 2, of the Constitution provides:

The House of Representatives shall have the sole power of impeachment.

Although this section is not mandatory in the sense that the House of Representatives must act in the same way that it is mandatory upon it to have the census taken and an apportionment made, and a reduction of representation, and to reconsider a veto of the President, and to count the electoral votes, it gives the House of Representatives the exclusive constitutional power of impeachment, and it has always been held that this power drew to itself high constitutional privilege in relation to presentation of matters of impeachment in the House of Representatives. Although that section is not mandatory, telling Congress it must impeach, the great legislative doctrine for the enforcement of the Constitution is applied to that section, and it has always, from time immemorial, been the right of any Member of this House to stand upon the floor of the House, no matter what business the House might have under consideration, and impeach an officer of the United States for high crimes and misdemeanors.

Mr. GARRETT of Tennessee. Mr. Speaker, I make the point of order that the gentleman is not arguing the point of order. The point of order is directed against the particular proposition before the House. The gentleman is not arguing the question of his resolution. He is talking about matters of legislation.

The SPEAKER. The Chair thinks the gentleman is arguing the question of constitutional privilege, and that it is so connected that the gentleman's argument is in order.

Mr. TINKHAM. Mr. Speaker, there is involved in the decision of this question-

Mr. GALLÎVAN. Mr. Speaker, a parliamentary inquiry. I should like to ask how much time my colleague from Massachusetts has.

The SPEAKER. That is in the discretion of the Chair. Mr. GALLIVAN. I want to vote with my colleague, but if he

Mr. GALLIVAN. I want to vote with my coneague, but if he takes too long a time, he may lose my vote. [Laughter.]
Mr. TINKHAM. Mr. Speaker, there is involved in the point of order made against my resolution the question of high constitutional privilege which I claim for it, and it is perfectly relevant for me to discuss the whole doctrine of high constitutional privilege. tutional privilege and what it includes, its limits, and its philosophy, whether the honorable Representative from Tennessee realizes it or not. It is impossible that a charge can be made of wasting time on a matter of this character when there is a possibility that decisions which have given strength and force to legislation under the Constitution are in jeopardy.

Article I, section 5, of the Constitution provides that the House shall be judge of election returns and qualifications of its own Members. This gives exclusive constitutional power to the House of Representatives over election cases. always been held that this power drew to itself the high constitutional privilege in relation to the presentation of election The existence of the doctrine of high constitutional privilege has been laid down in decisions vital, sweeping, living decisions by Carlisle (4 Hinds, 3532), Randall (3 Hinds, 2575, 2578, 3577), Keifer (Hinds, 308), Reed (1 Hinds, 307), and Henderson (1 Hinds, 306). The three latter decisions relate to apportionment bills.

There was a decision by Speaker Henderson in the second session of the Fifty-sixth Congress, which will be found in the CONGRESSIONAL RECORD, page 520, and in Hinds', volume 1, page

305. That decision, Mr. Speaker, was a sweeping decision of the right of such a resolution as I have introduced to have attached to it the high constitutional privilege. Let me read the decisions. This is in exact point, because the resolution I have offered I have drawn purposely in conformity with the resolution upon which Speaker Henderson ruled. What was Speaker Henderson's ruling just 20 years ago upon such a resolution as mine?

The SPEAKER. The matter seems to the Chair clearly settled by Article XIV, section 2, of the Constitution. This is a most important section, and gravely touches the very vitals of the Republic as such, and makes mandatory upon Congress certain things that shall be done by Congress if certain conditions exist. This resolution alleges that certain things exist—

And so does mine-

expressly provided for by the section just read by the Clerk. The resolution and the preamble must be considered together. What is the object of the resolution providing for the investigation to be made by the Committee on the Census? It is to ascertain the truth of these facts and lay them before Congress so that proper action may be taken by this body.

My resolution proposes the same thing. There is soon to be made an apportionment of Representatives under the census of 1920 by the Committee on the Census. It is mandatory under the Constitution. It is also mandatory by the Constitution to reduce representation, or the base of representation, in accordance with any disfranchisement. To ascertain what disfranchisement exists so that the Committee on the Census can act in accordance with the Constitution, my resolution has been offered.

Speaker Henderson then said:

Can any wiser course be suggested for carrying out the clear mandates of the Constitution than by the provision of this preamble and the resolution? The grave charges are made and the resolution to carry out the proper investigation and the treatment is before us.

It is here now before us on the Speaker's desk:

The whole matter, waiving all discussion of the rules of this House, comes under the higher rule than our rule, the constitutional rule which is here absolutely mandatory, and the Chair is unable to see why we should wander even among the precedents, which the Chair has looked over to some extent and which are all one way, when we have the plain language of the Constitution before us. The resolution is evidently carefully drawn in pursuance of the language of the Constitution. The Chair only hopes that he will never have occasion to settle a more difficult question than this, which seems to him so simple. The Chair therefore overrules the point of order.

It was the same point of order 20 years ago that has just been made by the leader of the Republican Party here.

Mr. MONDELL. Mr. Speaker— Mr. TINKHAM. Mr. Speaker, I have not finished.

Mr. MONDELL. I beg the gentleman's pardon. Mr. TINKHAM. The honorable Representative from Wyoming is granted his pardon; and now I request him not to interrupt me again until I have finished. In the decision of Speaker Henderson, Mr. Speaker, you have the complete and exact precedent for the action I have taken this morning; and the decision, to be found in First Hinds' Precedents, 307, is the first decision and the cornerstone in the great legislative edifice entitled high constitutional privilege.

Now, let me read to you, Mr. Speaker, your general duty to sustain any previous decisions, which has become a precedent

of this House.

Hinds, volume 2, 1317, states that the Chair is constrained in his ruling to give precedence its proper influence. On January 10, 1842, Chairman George W. Hopkins, of Virgin 1, in the course of a ruling made in Committee of the Whole,

A chairman does not sit here to expound rules according to his own arbitrary views. A just deference for the opinions of his fellows should constrain him to give to precedent its proper influence; and until the House should reverse them, to give them all the consideration which is due to cases heretofore settled by a solemn decision of

Mr. Speaker, there is a solemn decision of this House on a resolution such as I have offered that it has high constitutional privilege. That is the Henderson decision. Again, to remind the Chair of its duty to maintain precedents and the absolute vital necessity of doing so for the good order of the House and for proper legislative procedure by precedent, to which Members may look for guidance and direction and for the protection of their rights, I want to read an extract from section 1 of Jefferson's Manual of Parliamentary Practice, contained in the Digest and Manual, page 93, immediately after the Constitution of the United States:

SECTION I. IMPORTANCE OF ADHERING TO BULES.

Mr. Onslow, the ablest among the speakers of the House of Commons, used to say, "It was a maxim he had often heard when he was a young man, from old and experienced members, that nothing tended more to throw power into the hands of administration, and those who acted with the majority of the House of Commons, than a neglect of,

or departure from, the rules of proceeding; that these forms, as instituted by our ancestors, operated as a check and control on the actions of the majority, and that they were, in many instances, a shelter and protection to the minority against the attempts of power." So far the maxim is certainly true, and is founded on good sense, that as it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons by which the minerity can defend themselves against similar attempts from those in power are the forms and rules of proceeding which have been adopted as they were found necessary, from time to time, and are become the law of the House, by a strict adherence to which the weaker party can only be protected from those irregularities and abuses which these forms were intended to check, and which the wantonness of power is but too often apt to suggest to large and successful majorities.

And whether these forms be in all cases the most rational or not is really not of so great importance. It is much more material that there should be a rule to go by than what that rule is; that there may be a uniformity of proceeding in business not subject to the caprice of the speaker or captiousness of the members.

Mr. Speaker, I want now to direct the attention of the House

Mr. Speaker, I want now to direct the attention of the House and the Speaker to the fact that there is no authority on earth to which an appeal can be made if the House of Representatives does not exercise the mandatory powers which have been devolved upon it by the Constitution. No court, no authority, can compel the House to review, to reconsider, a veto of the President. No power outside of this House can compel this House to count the electoral vote. No authority is there outside of this House itself that can compel a census or an apportionment to be made. Therefore the House, in relation to the mandatory powers that it has, should have the widest latitude given to its membership that those powers may be enforced, Otherwise the Constitution would be nullified. If the Henderson decision is overruled a long and vital step has been taken for the nullification of the Constitution, not only in relation to the enforcement of the fourteenth amendment but a general precedent established.

If the resolution now before the House is sent to a committee

it may be stifled there.

You have a Committee on Rules which can make anything in order it desires and anything out of order. To-day as a new creation you have a committee which is known as the steering committee. They are all-powerful. With their action, the action of seven men, unless the constitutional right of a Member to rise here to impeach or raise any question concerning the mandatory sections of the Constitution be recognized, you have nullified the Constitution, so far as the membership of this House individually is concerned. The law as it stands, the precedents as they stand, are that when there is a mandatory section of the Constitution a Member of this body may rise and invoke the operation of that mandate, as I am now doing. Nullification itself follows unless that is so. It is the duty of the Speaker not to take any backward step or close any door in relation to constitutional enforcement, and the doctrine of high constitutional privilege is a great gateway for constitutional enforcement as it applies to the mandatory parts of the Constitution, to take no course which in any way can look to nullification. Not from Massachusetts ever should such leadership come, and yet if the Henderson decision is overruled nullification must inevitably follow. What difference does it make whether the use of this privilege may be used for purposes of delay in the legislative proceedings? That is trifling compared to the fundamental power of each Member in relation to the mandatory sections of the Constitution, which are a vital part of it—its heart, its essence, its soul. If constitutional high privilege is abolished or curtailed by any decision of this House, it will be greeted by applause by those who desire nullification and as little power as possible be given to the supreme law of our land.

The question involved in the resolution is one pertaining to equal representation among the several States of the Union and equal political power among the citizens of the United States. It pertains also to the most colossal electoral fraud the world has ever known. On this question moral cowardice and political expediency dominate the Republican leadership of this

The SPEAKER. The gentleman will confine himself to the point of order.

Mr. TINKHAM. Mr. Speaker, in closing I desire to direct the Speaker's attention to the precedent, which is complete and sweeping, in such a resolution as I have presented. I desire to direct his attention to the fact that the mandatory part of the fourteenth amendment pertains not only to the apportionment where it uses the word "shall" but also to the words "shall reduce representation." Both are vital parts, and being vital parts, one of the other, each of the other, therefore this doctrine of high constitutional privilege applies to it, not only by the law of this House and the Henderson decision but by com-I mon sense and by the right of those who believe in the enforcement of the Constitution in full measure and vitality. [Ap-

Mr. MONDELL. Mr. Speaker, before I proceed with the discussion of the point of order I desire to call the attention of the House to some of the language used by the gentleman who has just taken his seat. I shall not demand that it be stricken from the Record as under the rules I have the right to do. I desire to have it remain in the RECORD as indicating the character of the gentleman's alleged argument. In his closing statement he said

On this question-

and just what question he had in mind is not at all clear-On this question moral cowardice and-

The SPEAKER. The Chair will suggest to the gentleman that the only question before the Chair is the point of order. The

gentleman should confine himself to that. Mr. MONDELL. Certainly the Speaker is not going to deny me the right to read two lines of a statement made by the gentleman from Massachusetts [Mr. TINKHAM] who has just taken his seat, after allowing him to make the statement.

The SPEAKER. The Chair has heard the statement. Mr. GALLIVAN. Mr. Speaker, I ask for the regular order. The SPEAKER. The Chair thinks the gentleman should con-

fine himself to the point of order.

Mr. MONDELL. The gentleman has just said that moral cowardice and political expediency dominate the Republican leadership of this House. I just wanted to emphasize the fact that the gentleman had made that statement in making what was supposed to be an argument on a point of order, and before anyone, so far as I know, had expressed any opinion as to the point of order. In fact, the gentleman had written that into

his manuscript before he offered his resolution.

Mr. Speaker, we have had a most amazing exhibition of what might occur here daily if gentlemen were allowed to extend the rule as to questions of privilege. I am glad the Speaker has allowed the gentleman from Massachusetts such wide latitude. I am glad that he has given him an opportunity to discuss everything that appealed to his fancy during the period in which he was supposed to be discussing, and did discuss to a very limited extent, the question before the House. I am glad that the Chair has given the gentleman opportunity to thus run afield and make a stump speech, because in so doing he has emphasized the danger that confronts the House in even considering these alleged questions of privilege under the Constitution. I am glad that the gentleman has quoted from Jefferson, because his quotation condemns the position he takes. His quotation from Jefferson's Manual is in favor of the rules and the enforcement of the rules, and he himself admits that there is no rule of this House under which this resolution is privileged. It is an amazing thing to me that in presenting a proposition that is privileged under no rule or any possible construction of any rule of the House, the gentleman should appeal to a statement as forceful as any ever made as to the wisdom, propriety, and necessity of adhering to the rules laid down to guide and govern legislative bodies.

Mr. TINKHAM. Does the gentleman deny the existence of

the Henderson decision?

Mr. MONDELL. One sparrow never made a summer, particularly so thin and discredited a sparrow as I shall attempt to point out in just a moment, if the gentleman will allow me. I did not interrupt the gentleman from Massachusetts.

Mr. TINKHAM. Only once.

What I want to emphasize is that there is no rule of this House which by any possible construction made or urged at any time by anyone which would make this resolution privileged. If it is privileged at all, it must be privileged outside of, beyond, and in spite of the rules, and I am at a loss to understand why the gentleman invokes in defense of his contention, which offends all the rules, an argument in favor of the maintenance of the rules.

Mr. Speaker, the gentleman presents this as a question of constitutional privilege. I shall not argue that there are not questions of constitutional privilege not provided for in the rules, but I insist that this resolution does not present such a privilege. If by merely invoking or referring to or calling up a provision of the Constitution and alleging that somewhere it has not been enforced, if by so doing a gentleman may have a resolution held to be privileged, we may expect a crop of such resolutions every morning of the session. [Applause.] Some might be presented relative to the nonenforcement of the eighteenth amendment of the Constitution of the United States. [Applause.] Some might be desirous of presenting a resolution relative to the enforcement or nonenforcement of the nineteenth

amendment to the Constitution of the United States, and so on, through the Constitution from beginning to the end. If a resolution simply reciting a constitutional provision and containing a claim or argument to the effect that it is violated or nonenforced presents a question of privilege, then, Mr. Speaker, good-by to the consideration of measures in this House under the rules, for then gentlemen might do every day of the session as the gentleman from Massachusetts has done. Without suggesting to anyone on this side, as far as I know, what he purposed, without giving anyone a moment's notice or opportunity by any act of his, he suddenly presents here an important ques-tion under the claim that it is privileged under the Constitution. If gentlemen may prepare at their leisure long typewritten arguments in support of resolutions, present them without the Members of the House having had any knowledge or intimation or suggestion that they are to be presented, without the Members having an opportunity to learn what is contained in the resolution except by its reading-I have not been able to get a copy of this resolution, and I have learned what it contains only by hearing it read and by going to the Clerk's desk and reading it—if questions of alleged constitutional privilege may be brought into the House under those conditions and gentlemen given unlimited time to argue and discuss them, why, there is an end to orderly business in the House. I invoke the words of Speaker Onslow, quoted from the manual by the gentleman from Massachusetts, when he said that minorities found their only protection in the rules, and that majorities could only legislate intelligently in accordance with them. Mr. Speaker, as I have said, there is no rule of this House that by any possible construction could be held to make this resolution in order, and the gentleman from Massachusetts makes no such claim.

Mr. TINKHAM. It is not so, Mr. Speaker. Mr. MONDELL. The gentleman made no claim under the The gentleman made his claim as a matter of constitu-

tional privilege outside the rule.

Mr. TINKHAM. Yes; the highest rule in this body.

Mr. MONDELL. Well, why does the gentleman challenge my Mr. MONDELL. Well, why does the gentleman challenge my statement and in the next breath admit that what I said is an exact statement of the truth?

Mr. TINKHAM. The constitutional rule is a part of the rules

of this House

Mr. MONDELL. I say again there is no rule of this House that has been invoked or can be invoked in support of this resolution, and further than that, Mr. Speaker, there is but one decision in the whole history of the Congress that can be invoked in support of it. The gentleman has invoked that decision, and I want to refer to it briefly. I was in the Congress at the time that decision was made, and having hurriedly read the debate, after the gentleman offered his resolution, I recall, somewhat dimly, it is true, but I still recall some of the facts concerning that decision and the action of the House following it. Let me again emphasize to the Speaker that, first, there is no privilege for this resolution under the rules; second, there is no place for it under any decision made since the first Congress convened save one, and that one flies in the face of all the practice and decisions of the House. Now, let us see what that decision was and how it came to be made. The gentleman from Massachusetts has referred to it. The gentleman from Pennsylvania, Mr. Olmsted, on January 3, 1901, presented a resolution somewhat in the form of the resolution now before us, not in the exact form; as a matter of fact, I have not had time to compare the two to learn in what respect they differ, but evidently the gentleman from Massachusetts has no new idea or thought in the matter, and he has evidently attempted to copy Mr. Olmsted's resolution. That resolution was offered in the Fiftysixth Congress, second session, which had a large Republican majority. The gentleman from Iowa, Mr. Henderson, was in the chair. A point of order was made against the resolution. There was some debate, not very much. The matter was not argued at length, but at the end of a rather brief argument the Speaker overruled the point of order and held the resolution in order. Then what happened? And I call the Speaker's attention to what happened, as indicating the attitude of that House touching that wide departure from the established rules and practice of the Congress. That was a Republican House with a goodly majority. Immediately after the decision the question of consideration was raised. Remember, this was a Republican House with a Republican Speaker

Mr. TINKHAM. Who raised the question of consideration?

The gentleman from Alabama.

Mr. MONDELL. Mr. TINKHAM. Alabama!

Mr. MONDELL.

Mr. TINKHAM. The Democratic leader?

Mr. MONDELL. Yes.

Mr. TINKHAM. I know all the facts.

Mr. MONDELL. Yes; leaders have responsibilities. Sometimes other gentlemen do not recognize that they have, [Laughter and applause.]

The SPEAKER. The Chair does not wish-

Mr. MONDELL. I assume we are not deciding the point of order on the question of whether the point was made by a man from Wyoming or from Alabama or from Maine or from

The SPEAKER. The Chair does not wish to curtail the gentleman's argument, but the Chair does not see what effect it has on the point of order. If the gentleman thinks it has, the Chair will listen to him.

Mr. MONDELL. The Chair will agree with me that the action of the House of Representatives touching and affecting, and following a decision-a decision at variance with a long line of decisions and at variance with the general rule—is a very important matter. The question of consideration was raised. On that, in this Republican House, the yeas were 80 and the nays were 83. A point of no quorum was made. Whereupon an effort to secure a quorum was made. A motion was then made to adjourn, and the House adjourned. And, so far as I know

The SPEAKER. The Chair thinks that has no bearing on

the point of order.

Mr. MONDELL. So far as I know, no action was taken by the House on the matter. I submit that has some bearing on

While the vote was not squarely on the decision, the House refused to act on the resolution, and adjourned, and took no

further action in the matter.

Now, Mr. Speaker, just one word more. I do not want to try the patience of the Chair and the House. This is a tremendously important matter, as the gentleman from Massachusetts [Mr. Tinkham] suggests. That is the question as to whether or not by merely invoking a provision of the Constitution a gentleman may present a privileged question and interrupt the orderly processes and discussions of the House. It is an important matter. The question involved in the inquiry which he proposes and suggests is also important, but it is a question that can be taken care of and provided for under the rules of the House in due course. A resolution of this kind would be referred to a proper committee; in due course that committee could be compelled by the House to report if it did not report on its own motion and volition; in due course the matter could be taken up and passed upon. There is no situation now different from the situation that has existed for years, There is no special urgency; there is nothing before us that has not been before us for years. So that, important as the question involved in the resolution may be, the question can and will be passed upon in an orderly and proper way under the rules of the House. On the other hand, the question of privilege is an important question that must be settled now. If, Mr. Speaker, in the early days of the Republic, when the volume of business was limited, when the questions before the Congress were few and comparatively simple, the fathers saw the necessity of providing rules for the procedure of the House with a view of preventing the presentation of questions that had not been considered by committees and presented to the House in an orderly way, if in those days it was necessary to protect the House, its committees, and its procedure, as to the questions that could be brought directly to an issue by limiting the rule as to privi-lege, how much more important in this day, when the volume of business is almost overwhelming and its importance infinitely greater than most of the business of former days. If in these days, when Congress must remain in session eight or nine months in the year to transact its business, compared with three or four months of the early days, if the bars are let down to privileges which may be established by a mere reference to the Constitution of the United States, then we might just as well admit that we can not and do not expect to dispose of the Government's and the people's business.

Mr. WALSH. Will the gentleman yield for an inquiry?

Mr. MONDELL. I will.

Mr. WALSH. If this resolution is in order, would not a motion be in order to refer it to a committee?

Mr. MONDELL. Even if this resolution were in order just at this time there is another resolution before the House entitled to consideration by the House, namely, to go into Committee of the Whole House on the state of the Union to consider the Army bill. But, Mr. Speaker, whatever may be the answer to the gentleman's question, it does not matter. What I am arguing against are decisions that would encourage gentlemen every day of the year, and every day of the session, to present, under

one pretext or another, certain questions as questions of constitutional privilege, when they can be provided for and cared for and disposed of under the ordinary rules of the House.

Mr. WALSH. Mr. Speaker, I desire to point out to the Speaker one or two aspects of the gentleman's argument. suggests that the question of privilege being interjected into the proceedings of the House interrupts the orderly procedure of the House and stops the business under consideration, and that because nobody has had an opportunity to examine a resolution offered under a claim of privilege that therefore a

point of order should lie against it.

As I understand, the rules of the House pertain to questions of privilege, and a Member is under no obligation to notify any other Member that he desires to raise that question, and that therefore that can not have any bearing upon the point of order. Now, further, he alludes to the fact that a certain action, taken after a decision upon a point of order, expressed the opinion of the House as to whether the matter was in order or not. Mr. Speaker, that has nothing to do with it. If an appeal had been taken from the decision, certainly that would express the view. But, Mr. Speaker, I think the Chair will find that the gentleman who offered the resolution in the previous Congress made a very learned argument upon that point of order. As I recall-

Mr. LINTHICUM. Mr. Speaker, a parliamentary inquiry. Mr. WALSH. I do not yield for a parliamentary inquiry.

Mr. LINTHICUM. Regular order, Mr. Speaker.
Mr. GALLIVAN. Mr. Speaker, I make the point of order
the gentleman is not discussing the question of a point of

Mr. WALSH. I do not think the gentleman knows whether

am discussing it or not. [Laughter.]
The SPEAKER. The Chair will yield to the gentleman from

Maryland to present a parliamentary inquiry.

Mr. LINTHICUM. Mr. Speaker, I raise the point of order the gentleman from Massachusetts [Mr. Gallivan] made, that the gentleman is not discussing the question before the House.

The SPEAKER. The Chair overrules the point of order.

The gentleman from Massachusetts will proceed.

Mr. WALSH. Mr. Speaker, as I understand it, in order to present a question of privilege a Member must do it on his responsibility as a Member of this House, and it must affect either his own rights and privileges or those of the House; and I think the only question for the Chair here to decide is. notwithstanding the absence of any specific rule under which the House is operating, whether, when a Member upon his own responsibility rises in his place and presents a resolution setting forth the existence of certain facts, that resolution is privileged, can be repealed by the House and referred or acted upon, or proceeded with under the ordinary rule.

Mr. GARRETT of Tennessee and Mr. TINKHAM rose.

The SPEAKER. The Chair will recognize the gentleman from Massachusetts [Mr. Tinkham] first.
Mr. Tinkham. Mr. Speaker, I desire to respond first to the statement of the honorable Representative from Wyoming [Mr. Mondell]. He stated that he had not seen the "resolve except for a moment or two at the Speaker's desk, and he said that he was not very well acquainted with the question. Let the House value his opinion by his own confession of his ignor-

ance of this matter.

Again he said, "One swallow does not make a summer."
[Laughter.] I understand, Mr. Speaker, he said in fact "one sparrow," but the classic version is "swallow," notwithstanding

the eighteenth amendment. [Laughter.]

Let me say in response to that suggestion that one decision of the Supreme Court makes the law of this land, and one decision in this House makes the supreme law of this House, and

we have a supreme decision in this matter.

Again, Mr. Speaker, he stated that there are a great number of measures under the Constitution which could be raised at any time by the doctrine I contend for. There are only, as I pointed out, and as appears in section 656 of the Manual and Digest which I have read, a very few matters of constitutional mandatory character to which this high constitutional privilege appertains and each is sustained by full decisions.

The honorable Representative from Wyoming states that the House refused to act 20 years ago after the Henderson decision. Suppose they did refuse to act. Does that mean that they could not have acted or that they should not have acted? Read the Constitution and the fourteenth amendment, which is manda-tory in character, and which says they should act. Read the Constitution and see if this Congress is not now under the oaths which its Members took to support the Constitution compelled

to enforce the mandatory section of the fourteenth amendment.

Mr. MONDELL. Mr. Speaker, will the gentleman yield right there?

Mr. TINKHAM. I will.

Mr. MONDELL. The gentleman is arguing that unless the House acts now on this matter it can not be acted upon. It can be acted upon at the proper time and in the proper way under the rules

Mr. TINKHAM. Mr. Speaker, I introduced under the rules of the House in the last Congress this very resolution, not knowing of its high constitutional privilege. It was referred to a committee controlled by the honorable Representative from Wyoming, and I could not even open the door of the room to

see the resolution. [Laughter.]

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. TINKHAM. Mr. Speaker, I have had my experience under the rules of the House, and I now invoke my sovereign rights under the Constitution and the invoke my sovereign. rights under the Constitution and the decisions in this House and the high constitutional privilege which attaches to my reso-

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

TINKHAM. I will.

Mr. MONDELL. The gentleman does me altogether too much I control no committees, and I never discussed this particular matter with any member of the committees he refers to.

Mr. TINKHAM. The honorable Representative from Wyo-

ming is altogether too modest. [Laughter.]
Mr. BUTLER. Mr. Speaker, will the gentleman yield for a minute?

The SPEAKER. The gentleman from Massachusetts must confine himself to the point of order.

Mr. BUTLER. Mr. Chairman, will the gentleman yield to

Mr. TINKHAM. I will.

Mr. BUTLER. I am greatly interested in having recalled to this House the argument made by Mr. Olmsted 20 years ago-one of the most learned lawyers ever produced by the State of Pennsylvania. I heard it, and I am sorry I can not recall it

Mr. TINKHAM. I will ask the honorable Representative from Pennsylvania if he agreed with the argument of Mr. Olmsted when he made it? [Laughter.]

Mr. BUTLER. Of course, he knew so much more than I did

about it that I agreed with him. [Laughter.]

The SPEAKER. The gentleman from Massachusetts will

confine himself to the point of order.

Mr. TINKHAM. Mr. Speaker, there is one more authority I would like to read to you, and then I will rest my case with the Speaker-a Representative from Massachusetts. Volume 3 of Hinds' Precedents, section 2553, says:

A proposition involving a question of constitutional privilege may supersede a pending motion to suspend the rules. On March 2, 1877, Mr. David Dudley Field, of New York, from the Select Committee on Privileges, Powers, and Duties of the House of Representatives, in counting the vote for President and Vice President of the United States, reported a bill (H. R. 4698) to provide an effectual remedy for a wrongful intrusion into the office of President and Vice President of the United States.

Mr. Omar D. Conger, of Michigan, made the point of order that the bill could not be reported or considered pending a motion to suspend the rules, which motion he claimed to have made before the bill was read.

The Speaker held the report made by Mr. Field from the committee be first in order, a question of high constitutional privilege being

I rest my case. [Applause.]

Mr. GARRETT of Tennessee rose.

The SPEAKER. The Chair does not wish to suggest any indifference to the suggestions of the gentleman from Tennessee [Mr. GARRETT], and if he urges it, the Chair will hear him; but the Chair is ready to rule.

Mr. GARRETT of Tennessee. I do not care to be heard.

The SPEAKER. The Chair at the outset wishes to acknowledge the courtesy and consideration which have been shown him by his colleague, the gentleman from Massachusetts [Mr. TINKHAM], in bringing this matter to his attention in advance, and telling him frankly his position, so that the Chair has had ample opportunity throughly to investigate the precedents, and if the Chair's decision is erroneous, it is not because of lack of time, or for lack of courtesy on the part of the gentleman from Massachusetts.

The Chair also suggests that of course this decision is entirely independent of the merits of the resolution. It is strictly and exclusively a matter of parliamentary law, and that has been recognized in the arguments, and the Chair recognizes it in his decision.

The Chair thinks that if this question were brought up as an original question, and there were no precedents upon it. every Member of the House would at once say, "Why, of course this can not be admitted as privileged," because it would give the right to any Member of the House at any time to bring forward a resolution affecting some constitutional provision and to claim that his individual resolution can at once set aside all the regular business of the House, and must be considered by the House in preference to anything else. That puts it above the rules of the House and allows one man, and one after another if filibustering is desired, to bring before the House a question that he has in advance prepared, and insist that his individual will and preference shall change the regular order which the House itself has established just because a clause of the Constitution is affected. So the Chair thinks that if this were a matter of first impressions, there would be no question about it. The Chair at any rate would have no question about it. But there is an exact precedent for this which has been followed by the gentleman from Massachusetts, and that has much embarrassed the Chair in coming to his decision. This whole question of a constitutional privilege being superior to the rules of the House is a subject which the Chair has for many years considered, and thought unreasonable. It seems to the Chair that where the Constitution orders the House to do a thing, the Constitution still gives the House the right to make its own rules and do it at such time and in such manner as it may chose, and it is a strained construction, it seems to the Chair, to say that because the Constitution gives a mandate that a thing shall be done, it therefore follows that any Mem-ber can insist that it shall be brought up at some particular time and in the particular way which he chooses.

If there is a constitutional mandate, the House ought by its rules to provide for the proper enforcement of that mandate, but it is still a question for the House how and when and under what procedure it shall be done, and a constitutional question, like any other, ought to be decided according to the rules that the House has adopted. But there have been a few constitutional questions-very few-which have been held by a series of decisions to be of themselves questions of privilege above the rules of the House. There is the question of the President's veto, and to the Chair that seems to be the only one to which there is any good reason to give a privileged status, because the Constitution says that when the President sends a veto to the House the House shall "proceed to" consider it; and that is apparently a definite order which can fairly be interpreted to mean that it shall be done at once, and that has been the practice of the House, and it has been held that without a rule in obedience to the Constitution a President's veto should be acted

upon not immediately but within a day or two.

Another subject which has been given constitutional privilege is impeachment. It has been held that when a Member rises in his place and impeaches an officer of the Government he can claim a constitutional privilege which allows him at any time to push aside the other privileged business of the House. To the Chair that does not seem rational. Although impeachment is a matter of constitutional privilege, yet there is no reason why it should not be introduced like any other matter, go into the basket, and be reported by a committee. But inasmuch as the long line of precedents has given it a privilege, the Chair would not think of overruling them; but the Chair can see no intrinsic reason for the privilege. It is simply a matter of precedent.

Then have come the two questions of the census and of apportionment. The Constitution provides that a census shall be taken every 10 years, and that after the census is taken there shall be an apportionment, and there is a line of decisions holding that because of that constitutional provision, although the rules of the House have not given the Committee on the Census a privileged status, they can come in ahead of other questions of privilege, although the House will remember that a few years ago the theory that a constitutional privilege was higher than the rules of the House received a damaging blow when it was attempted to bring up a census bill on Calendar Wednesday.

Speaker Cannon held that it was in order to do so, but the House overruled that decision and sustained the sanctity of Calendar Wednesday, and held that a census bill could not come up on that day, thereby deciding that the rule of the House which sets aside Calendar Wednesday is of higher authority than the constitutional privilege of the census bill.

But these questions of impeachment and others came up in the early days of the Congress, when the relative value of a privilege made little difference. In the first half century of our existence the House was not crowded with business. thing that came before the House had ample opportunity to be heard and decided, and the question whether a subject was privileged or not was not of the same moment that it is to-day. when our calendars are crowded, when it is impossible to

transact a tenth part of the business which is presented to the House, and when it is of vital importance to the House that it shall be able to determine an order of business and to consider those bills which it considers of the greatest importance. And apparently recognizing that in 1880 the House for the first time adopted a rule defining questions of privilege. It was found necessary to check the tendency to claim the floor by alleging that a matter was privileged, and so Rule IX was adopted, which says:

Questions of privilege shall be first, those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of Members individually in their representative capacity only; and shall have precedence of all other questions, except motions to adjourn.

It is fair to say that when that rule was adopted a motion was made that no other questions except those specified should be questions of privilege; and by that undoubtedly it was intended to shut out those questions of constitutional privilege which by long practice had become established. But that was voted down. The House obviously thought that it was not safe to say that there should be no questions of privilege except these described in Rule IX. That was in 1880, and the House had then recently, in the Hayes-Tilden contest, had a very vivid experience how important a question of privilege might be when Speaker Randall, in a turbulent House and in a great emergency, when an element in his own party was endeavoring to filibuster against the counting of the vote, held that the law of Congress and the necessity of determining the election was above the rules of the House, and insisted that there should be a vote. The Chair thinks it quite natural that Members who had had that recent experience should feel that it was not safe to decide that there should be no other questions of privilege than these described.

But this Rule IX was obviously adopted for the purpose of hindering the extension of constitutional or other privilege.

If the question of the census and the question of apportionment were new questions, the Chair would rule that they were not questions of constitutional privilege, because, while of course it is necessary to obey the mandate of the Constitution and take a census every 10 years and then make an apportionment, yet there is no reason why it should be done to-day instead of to-morrow. It seems to the Chair that no one Member ought to have the right to determine when it should come in in preference to the regular rules of the House, but that the rules of the House or the majority of the House should decide it. But these questions have been decided to be privileged by a series of decisions, and the Chair recognizes the importance of following precedents and obeying a well-established rule even if it is unreasonable that this may be a government of laws and not of men.

Now comes the decision by Speaker Henderson which stands alone on all fours with the present case. Shall it be followed? If you will notice the ruling of Speaker Henderson, you will see that it was not a carefully reasoned opinion. It seems to have been an impulsive, offhand opinion. He says:

The Chair is unable to see why we should wander even among the precedents, which the Chair has looked over to some extent and which are all one way, when we have the plain language of the Constitution before us.

He does not consider it necessary to consider precedents, but relies on the plain language of the Constitution. But, as I have already indicated, I do not agree that the language of the Constitution gives any privilege superior to the rules of the House. The plain language of the Constitution simply provides for equal representation. But this resolution and the resolution upon which Speaker Henderson ruled did not provide that at all, it did not pretend to carry out the mandate of the Constitution. This resolution simply says the Committee on Census is directed to proceed forthwith to make diligent inquiry. An inquiry is all the resolution provides, and the Chair finds it difficult to see why on a new question Speaker Henderson ruled as he did if he had given the matter careful investigation. He himself said within a year of that time in passing on the question of the constitutional privilege of the census:

If this were an original question, the Chair would be inclined to hold that if the House adopts rules of procedure and leaves out any committee from the list of committees whose reports are privileged, that that committee would be remitted to those rules of procedure adopted by the House for its guidance.

He agrees with the present occupant of the chair that, except for precedent, the Committee on the Census could not claim the constitutional privilege.

Therefore it seems to the Chair, there being this one precedent, and no others, and the claim of the gentleman from Massachusetts [Mr. Tinkham] being directly hostile to the control of the House over its own business, it being an attempt to broaden the figment of constitutional privilege, which in 1880 the House started to limit, and which it seems to the Chair for the orderly

prosecution and control by the House of its business ought to be narrowed rather than broadened, the Chair sustains the point of order.

Mr. TINKHAM. Mr. Speaker, I most respectfully appeal from the decision of the Chair, and on that I ask for the yeas and nays.

Mr. MONDELL. Mr. Speaker, I move to lay the motion on the table.

Mr. TINKHAM. I hope the gentleman will withdraw that motion and have a straight vote of the House on the matter overruling a previous decision.

The SPEAKER. The Chair thinks it would be for the advantage of the House for the future to have a straight vote on the appeal. The Chair recognizes that this is a matter for the House to determine, and an appeal is entirely proper, and the Chair would be glad to have the gentleman from Wyoming withdraw his motion and have the vote come directly on the question.

Mr. MONDELL. Very well, Mr. Speaker, I withdraw the motion.

The SPEAKER. The question is, Shall the decision of the Chair stand as the judgment of the House? and on that the gentleman from Massachusetts demands the year and nays.

The question was taken; and there were—yeas 286, nays 47, not voting 96, as follows:

YEAS—286.

	LIVA	280.	
Ackerman	Dominick	Kline, Pa.	Danel
Almon	Drane	Knutson	Roach
Andrews	Drewry	Kunz	Robertson
Anthony	Driver	Lanham	Robsion
Arentz	Echols	Lankford	Rogers
Aswell	Elliott		Rose
Atkeson	Elston	Larsen, Ga.	Rouse
Bacharach	Evans	Larson, Minn. Lawrence	Rucker
Bankhead	Fairfield	Lazaro	Sanders, N. Y. Sanders, Tex.
Barbour	Faust	Leatherwood	Sanders, Tex.
Barkley	Favrot		Sandlin
Beck	Fenn	Lee, Ga.	Scott, Mich.
Beedy	Fisher	Lee, N. Y. Lehlbach	Scott, Tenn.
Bell	Flood -	Lenibach	Sears
Benham	Focht	Lineberger	Shaw
Bixler	Fordney	Linthicum	Shelton
Black	Foster	Longworth	Shreve
Blakeney	Frear	Lowrey	Sinclair
Bland Ind	Free	Luce	Sinnott
Bland, Ind. Bland, Va.	French	Lufkin	Slemp
Blanton	Frothingham	McArthur	Smith
Boies		McClintic	Smithwick
Bond	Fulmer Funk	McKenzie	Snell
Bowers		McLaughlin, Mich McLaughlin, Nebr	. Speaks
Powling.	Garner Conn	McLaughlin, Nebi	Stafford
Bowling	Garrett, Tenn. Garrett, Tex.	McLaughin, Pa.	Steagall
Box	Garrett, Tex.	McSwain	Stedman
Brand	Gensman	Magee	Steenerson
Briggs	Gernerd	Mapes	Stevenson
Brinson	Glynn	Martin	Strong, Kans.
Britten	Goldsborough	Mead	Summers. Was
Brooks, Ill.	Gorman	Merritt	Summers, Was Sumners, Tex.
Brooks, Pa.	Graham, Ill.	Michener	Swank
Buchanan	Green, Iowa	Mondell	Sweet
Bulwinkle	Greene, Vt.	Montague	Swing
Burroughs	Griest	Montoya	Taylor, Colo.
Burtness	Griffin	Moore, Ill. Moore, Va.	Taylor, N. J. Taylor, Tenn.
Burton	Hadley	Moore, Va.	Taylor, Tenn.
Butler	Hammer	Moores, Ind.	Temple
Byrnes, S. C.	Hardy, Colo. Hardy, Tex.	Morgan	Ten Eyck
Byrnes, S. C. Byrns, Tenn.	Hardy, Tex.	Morin	Tillman.
Campbell, Kans.	Harrison	Nelson, A. P.	Tilson
Campbell, Kans. Campbell, Pa.	Hawes	Nelson, J. M.	Timberlake
annon	Hayden	Newton, Minn.	Tincher
Cantrill	Herrick	Norton	Towner
Carew	Hersey	O'Brien	Treadway
Carter	Hickey	O'Connor	Tyson
Chalmers	Hicks	Ogden	Underhill
Chindblom	Himes .	Oldfield	Upshaw
Thristopherson	Hoch	Oliver	Vestal
Christopherson Clark, Fla. Clarke, N. Y. Classon	Houghton	Olpp Osborne	Vinson
Harke, N. 1.	Huddleston	Osborne	Voigt
Todd	Hudspeth Hull	Paige	Volstead
Codd Collier		Park, Ga.	Walters
Collins	Humphreys	Parker, N. J. Parker, N. Y.	Ward, N. C.
	Husted	Parker, N. Y.	Watson
Colton	Hutchinson	Parks, Ark.	Weaver
Connally, Tex.	Ireland Jefferis	Parrish No.	Webster
	Johnson V.	Patterson, Mo.	White, Kans.
Cooper, Wis.	Johnson, Ky, Johnson, Miss. Johnson, S. Dak, Johnson, Wash.	Patterson, N. J.	White, Me.
Copley	Jornson, Miss.	Peters	Williamson Wilson Wingo
Coughlin	Johnson, S. Dak.	Petersen	Wilson
risp	Tonos Do	Porter	Wingo
Cullen	Jones, Pa. Jones, Tex.	Pringey	Winslow
Curry Dale	Forms	Purnell	Wood, Ind.
Darrow	Kearns Kendall	Quin	Woods, Va. Woodyard Wright
Darrow Davis, Minn, Davis, Tenn,	Ketcham	Raker Rankin	Woodyard
Davis Tenn	Kiess		Wanabeah
Deal	Kincheloe	Ransley Reece	Wurzbach
Domnsov	Kinkaid	Reed. N. Y.	Wyant
Dempsey Denison	Kissel	Riddiek	Young
Dickinson	Kleczka	Riordan	ST SHE WAR
- Carneon		Mortan	

NAYS-47.

Greene, Mass. Hill

James, Mich, Keller Kelly, Pa.

King

Kraus

Little McCormick McPherson MacGregor Madden

Ansorge Cable Cooper, Ohio Dallinger Dowell Dyer Ellis

Fairchild Fish Fitzgerald

Gallivan

Maloney	Newton, Mo.	Ryan	Vaile
Miller	Ramseyer	Schall	Walsh
Mills	Reavis	Sproul .	Wheeler
Millspaugh	Rhodes	Stephens	Woodruff
Moore, Ohio	Ricketts	Thompson	Yates
Murphy	Rossdale	Tinkham	
Butter	NOT V	OTING-96.	
Anderson	Fields	Kreider	Rainey, Ala.
Appleby	· Freeman	Lampert	Rayburn
Begg	Fuller	Langley	Reber
Bird	Gilbert	Layton	Reed, W. Va.
Brennan	Good	Lea, Calif.	Rodenberg
Brown, Tenn.	Goodykoontz	Logan	Rosenbloom
Browne, Wis.	Gould	London	Sabath
Burdick	Graham, Pa.	Luhring	Sanders, Ind.
Burke	Haugen		Siegel
Chandler, N. Y.	Hawley	McDuffie	Sisson
Chandler, Okla.	Hays	McFadden	Snyder
Clague	Hogan	Mann	Stiness
Clouse	Hukriede	Mansfield	Stoll
Cockran	Jacoway	Mason	Strong, Pa.
Cole	James, Va.	Michaelson	Sullivan
Connolly, Pa.	Kahn	Mott	Tague
Cramton	Kelley, Mich.	Mudd	Thomas
Crowther	Kennedy	Nolan	Vare
Doughton	Kindred	Overstreet	Volk
Dunbar	Kirkpatrick	Padgett	Ward, N. Y.
Dunn	Kitchin	Perkins	Wason
Dupré	Kline, N. Y.	Perlman	Williams
Edmonds	Knight	Pou	Wise
Fess	Kopp	Radeliffe	Zihlman
ress	корр		

So the decision of the Chair was ordered to stand as the decision of the House.

The Clerk announced the following pairs:

Until further notice:

Mr. Mann with Mr. KITCHIN. Mr. LAYTON with Mr. KINDRED.

Mr. GRAHAM of Pennsylvania with Mr. Cockban.

Mr. HUKRIEDE with Mr. LOGAN.

Mr. KIRKPATRICK with Mr. JACOWAY. Mr. LAMPERT with Mr. MANSFIELD.

Mr. MUDD with Mr. PADGETT. Mr. Appleby with Mr. Lyon. Mr. Burke with Mr. Wise.

Mr. Connolly of Pennsylvania with Mr. Pou. Mr. Good with Mr. Tague.

Mr. RADCLIFFE with Mr. DOUGHTON. Mr. SANDERS of Indiana with Mr. STOLL

Mr. STRONG of Pennsylvania with Mr. FIELDS.

Mr. Volk with Mr. Thomas. Mr. Edmonds with Mr. Lea of California.

Mr. CROWTHER with Mr. DOMINICK. Mr. Brennan with Mr. Dupré.

Mr. Dunn with Mr. Rainey of Alabama, Mr. Kreider with Mr. Griffin.

Mr. LUHBING with Mr. RAYBURN. Mr. CRAMTON with Mr. GILBERT.

Mr. Begg with Mr. Overstreet. Mr. Chandler of Oklahoma with Mr. Sabath.

Mr. LANGLEY with Mr. SISSON. Mr. REBER with Mr. SULLIVAN. Mr. PERKINS with Mr. LONDON.

Mr. Browne of Wisconsin with Mr. McDuffie.

Mr. WILLIAMS with Mr. JAMES of Virginia.

Mr. DUNBAR. Mr. Speaker, I desire to vote "yea," I was present listening, but was called out and unfortunately was out of the room when my name was called.

The SPEAKER. The gentleman does not bring himself

within the rule.

The result of the vote was announced as above recorded.

## LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted Mr. Brennan until May 10, 1921, on account of official business.

# ARMY APPROPRIATION BILL.

The SPEAKER. The question is on the motion of the gentle-man from Kansas that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 5010) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Army appropriation bill, with Mr. Tilson in

The Clerk reported the title of the bill.

The CHAIRMAN. When the committee rose an amendment had been offered by the gentleman from Iowa [Mr. Hull], and a point of order had been reserved against the amendment. Mr. WALSH. Mr. Chairman, I ask that the amendment be

again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection, and the Clerk again reported the amendment, as follows:

Amendment offered by Mr. Hell: Page 16, line 10, after the word "is," strike out the words "authorized in his discretion" and insert "directed under such reasonable regulations as he may prescribe"; in line 12, after the word "men," insert "serving in the continental United States"; line 13, after the word "discharges," insert the words "until the number in the Army has been reduced to 150,000 enlisted men, not including the Philippine Scouts."

Mr. WALSH. Mr. Chairman, a parliamentary inquiry. The CHAIRMAN. The gentleman will state it.

Mr. WALSH. What was the point of order made against the amendment that has just been reported?

The CHAIRMAN. As the Chair now recalls it, it was that it is not germane to the paragraph.

Mr. WALSH. Has there been a discussion on the point of

order?

The CHAIRMAN. There had not been any discussion. The point of order had not been made, it was reserved, so that debate was going on by unanimous consent.

Mr. HULL. Mr. Chairman, the point of order was reserved by the gentleman from Illinois [Mr. McKenzze]. Mr. WALSH. Mr. Chairman, is the point of order still re-

served?

The CHAIRMAN. If nobody wishes to make it.

Mr. WALSH. I reserve the point of order.

The CHAIRMAN. Does the gentleman from Iowa wish to

be heard upon his amendment?

Mr. HULL. Mr. Chairman, I spoke on Saturday in regard to it. I do not see how the point of order can be made against the amendment. The amendment is germane to the language of the bill. No point of order has been made against the language contained in the bill. My amendment simply changes the language that is in the bill, and it is surely germane. It changes it from an authorization to the Secretary of War to a direction to the Secretary of War.

Mr. JOHNSON of Washington. After all is said and done,

one set of words will amount to the same as the other.

Mr. HULL. The same language exactly. One is a direction.

Mr. JOHNSON of Washington. It is not a direction; it is in his discretion.

Mr. HULL. One is mandatory in a way. It is more manda-

tory than it was in the original language.

Mr. McKENZIE. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. McKENZIE. Mr. Chairman, there has been considerable discussion about the matter of the discharge of enlisted men from the service, and I have here a letter written by the Secretary of War to Mr. Kahn, the chairman of the Committee on Military Affairs, and I ask unanimous consent that that letter be read in my time. The CHAIRMAN.

Is there objection?

There was no objection. The Clerk read as follows:

WAR DEPARTMENT, Washington, May 2, 1921.

Was Department, Washington, May 2, 1921.

Hon. Julius Kahn,
Chairman Committee on Military Affairs,
House of Representatives.

My Dear Mr. Kahn: I have observed in the debate in the House of Representatives last Saturday some discussion on the power and authority of the Secretary of War to grant discharges to enlisted men of the Army on their own application.

Concerning this matter, I desire to say that I had gone into it after taking charge of the office of the Secretary of War, and I found that in the Digest of Opinions of the Judge Advocate General, 1912, page 441, the opinion stated: "Discharges by favor are illegal." As the opinion of the Judge Advocate General was not concurred in by certain Members of Congress, on April 21, 1921, I called again for a review of the matter by the office of the Judge Advocate General and asked the specific question, "In the absence of legislation, has the Secretary of War the power to discharge enlisted men by favor?"

The Acting Judge Advocate General, in an opinion rendered April 28, 1921, reviews the history of discharges and refers specifically to section 4, act of June 16, 1890 (26 Stat., 158), in which Congress permitted enlisted men to purchase discharge from the Army, and section 30, act of February 2, 1901 (31 Stat., 748), in which discharge on account of dependency is anthorized. The Judge Advocate General quotes from a former opinion of his office, as follows:

"Prior to the passage of the act of June 16, 1890, it has been held by this office that the fourth article of war gave an unrestricted power to the President, the Secretary of War, and the commanding officer of a department to grant discharges. The purpose of the act of June 16, 1890, was evidently to restrict the authority granted by the fourth article of war to discharges by purchase only, except, of course, as to discharges for the benefit and convenience of the Government, not involving the distinction in principle that this law apparently established between discharges by favor and those by purchase,

struction to be placed upon these laws, as it must be quite clear that it could not have been intended as an enlargement of power, as the statutes in the more extensive power already granted naturally included that conveyed by the acts of 1890 and 1901. Then it must have been intended as a restrictive, if it is to be given any meaning at all.

"These two laws have been restated, with certain rules prescribed for carrying them into effect, in General Orders, 90, War Department, June 30, 1911, with a provision, as to that of June 16, requiring completion of one year's service before a discharge by purchase will be granted.

"2 \* It is my opinion \* \* that the law on the subject

granted.

"" \* It is my opinion \* \* \* that the law on the subject of discharges by favor is correctly stated in paragraph 8, General Orders, 90, 1911:

"Discharges by favor as distinguished from purchase are illegal and will not be granted, except under the conditions set forth in paragraph 9 of this order."

He reviewed at length the administrative application of this decision during the past 10 years, and gives his opinion as follows:

"That under the statute law and the long-established interpretation thereof and practice thereunder, the Secretary of War is not warranted in granting discharges by favor, except as specially authorized by Congress."

in granting discharges by favor, except as specially authorized by Congress."

This interpretation of the statutes was recognized also by Congress itself in the act making appropriations for the Army, which failed of approval by the President of the United States in the Sixty-sixth Congress, since it was therein stated:

"And the Secretary of War is authorized in his discretion to grant applications for discharge of enlisted men without regard to the provisions of existing law respecting discharges."

Clearly, if the Secretary of War had the power to grant any applications of enlisted men for discharge, the enactment of such legislation would be unnecessary and useless.

Furthermore, this same language appears in the present Army appropriation bill, page 16, line 10, which was under discussion last Saturday, and confirms me in my belief that my legal advisers have been correctly interpreting the law in this matter.

I also have noted the case of Pvt. Patrick Dominic, which was discussed upon the floor of the House by Mr. Dowell. In this case the law is mandatory and provides for discharge on account of dependency only for such disability as occurs "by reason of death or disability of a member of the family of the enlisted man occurring after his enlistment." The statement of Mr. Dowell was that the death of the mother of this man had occurred before enlistment, and clearly the case could not be approved under the law.

Sincerely, yours,

JOHN W. WEEKS, Secretary of War.

Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.
Mr. MONDELL. Has the point of order been reserved
The CHAIRMAN. Yes. The gentleman from Massachusetts

[Mr. Walsh] reserved the point of order.

Mr. ANTHONY. Mr. Chairman, in connection with the letter just read from the Secretary of War, and perhaps with a view of tending to clarify the point at issue, I ask that the Clerk read a copy of article 108 of the Articles of War, as enacted on

June 4, 1920, that it may go into the RECORD.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

ART. 108. Soldiers—Separation from the service: No enlisted man, lawfully inducted into the military service of the United States, shall be discharged from said service without a certificate of discharge signed by a field officer of the regiment or other organization to which the enlisted man belongs or by the commanding officer when no such field officer is present; and no enlisted man shall be discharged from said service before his term of service has expired, except by order of the President, the Secretary of War, the commanding officer of a department, or by sentence of a general court-martial.

Mr. ANTHONY. Mr. Chairman, I make the point of order on the amendment offered by the gentleman from Iowa that it is new legislation.

The CHAIRMAN. The Chair would call the gentleman's attention to the fact that the paragraph which this amendment seeks to amend is entirely legislation.

Mr. ANTHONY. It is not germane.

The CHAIRMAN. The question of germaneness, in the opinion of the Chair, is the only question which can be raised at this time.

Mr. MONDELL rose.

The CHAIRMAN. Does the gentleman from Wyoming desire

to be heard upon the point of order?

Mr. MONDELL. I desire to be heard upon the merits of the

matter, if I may.

Mr. ANTHONY.

Mr. Chairman, I reserve the point of order.

Mr. MONDELL.

Mr. Chairman, I do not think the gentleman from Iowa [Mr. Hull] when he offered his amendment could have understood what its effect would be. He certainly does not want to make the Army of the United States a mere mob, he certainly does not want to render ineffective the Articles of War, and I am sure he does not want to create a condition under which a garrison could ground its arms at almost any moment and demand a discharge, and yet that might easily be the effect of his amendment.

And that is exactly what would be likely to happen if this mendment were adopted. The amendment provides, as I amendment were adopted. understand it—and the gentleman from Iowa will correct me if I am not correct-that the Secretary of War is directed to grant all applications for the discharge of enlisted men within

the continental United States without regard to the provisions of existing law. In other words, he must, he is called upon, he is compelled forthwith to discharge every man who asks a dismarge. Is not that the effect of the gentleman's language?
Mr. HULL. Why, certainly not.
Mr. MONDELL. Then, what is it?

Mr. HULL. Under such rules and regulations as the Secre-

tary of War may prescribe.

Mr. MONDELL. Well, the gentleman from Iowa certainly does not intend the committee to believe that he offered a mandatory provision and at the same time expects the Secretary of War under the guise of rules and regulations to deny the mandate of the provision he offers. The provision now in the bill gives the Secretary of War full and complete authority, in his discretion, to discharge men on their request. The gentleman is not satisfied with that. He would direct the Secretary of War to discharge them on their application.

Mr. GREENE of Vermont. Will the gentleman yield? Mr. MONDELL. If Congress directs the Secretary to discharge on application, the Secretary has no right, under any pretense of rules and regulations, to retain men in the service, and the gentleman knows it. If all the gentleman wants to do, all he desires to do, is to have the Secretary discharge men who apply for discharge when, in his discretion, they can be discharged without injury to the service, full authority for that is contained in the bill now.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. MONDELL. I yield.
Mr. GREENE of Vermont. Under the effect of the amendment, as the gentleman from Wyoming has stated it, if an enlisted man is under charges which would lead to his courtmartial, and if pending the holding of that he would ask to receive his discharge, he would escape all penalty?

Mr. MONDELL. That is true; or if a company were ordered to duty, or a regiment or a command, and were lined up ready to march, they would have to be discharged on their application. Oh, the gentleman shakes his head, but if that is not the intent of the amendment, then, in Heaven's name, what is it offered for? If it is not a mandatory provision-

Mr. HULL. Will the gentleman allow me to answer?
Mr. MONDELL. What is it offered for? Under a strict interpretation of that direction no man could be court-martialed for refusing to disobey an order that might be issued after he had filed his request to be discharged.

The bill now gives the Secretary full authority to discharge men who apply for discharge when they can be discharged without detriment to the service, in the following language:

And the Secretary of War is authorized, in his discretion, to grant applications for discharge of enlisted men without regard to the provisions of existing law respecting discharges.

Mr. HULL. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. HULL. In the Articles of War read by the Clerk full authority is given to the Secretary of War to discharge. At the present time they are not doing it.

Mr. MONDELL. And the gentleman proposes to put in the law a mandatory provision under which every enlisted man in the Army of the United States could file his application for discharge and thereupon and thereafter refuse to obey orders. Gentlemen, it is all right-

Mr. JOHNSON of Washington. Will the gentleman yield?
Mr. MONDELL (continuing). For us to proceed reasonably in reducing the size of the Regular Army. No man on this floor, no man anywhere, has worked more earnestly and faithfully than I have to that end, in season and out of season, and at all times I have been endeavoring to reduce military expenditures. But, gentlemen, let us not make the Army of the United States a mockery and a mob. I will go as far as it is possible without injury to the service to reduce these expenditures. For two years I have been laboring with the House and the committees to reduce them, and we have reduced them far below the estimates, to a sum less than half of the estimates, but you can not overnight reduce a Military Establishment from 235,000 to 150,000 men without absolutely wrecking it and destroying its usefulness. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. Mr. GARRETT of Tennessee. Mr. Chairman, it seems to me that the apprehensions of the gentleman from Wyoming [Mr. MONDELL] are not well founded, and it seems to me further that this amendment is a very proper corollary, though it may not be a wholly necessary one, to the amendment offered by the gentleman from South Carolina [Mr. Byrnes] adopted by the Committee of the Whole House on the state of the Union when this bill was last under consideration. The Byrnes amendment reduced the appropriation. This amendment is designed to give direction for a reduction, a direction that it is in the power of the Congress to give. Now, gentlemen of the committee, particularly those of you who voted a reduction of the Army, I trust I may address you calmly and without any sort of politi-

The late Secretary of War, Mr. Baker, has been very much criticized on the floor of the House and elsewhere because he indorsed the action of the General Staff in enlisting men far beyond the amount of the appropriation, thereby creating a defi-There has been no suggestion from any source that Secretary Baker or the General Staff violated any law in doing this, But the suggestion has been that they violated the will of Congress, because Congress had manifested its will by limiting the appropriation to an amount sufficient for an Army of 175,000

I called attention to the fact when the Army appropriation bill was being discussed in the last session of the last Congress, that an amendment was offered here last May when the bill was up at that time limiting the size of the Army permanently to 185,000 men, and that that was voted down in the House by a vote of 222 to 115. And I suggested that the Secretary of War and the General Staff might find in that expression of the House at that time some justification at least for proceeding with the enlistments beyond the number that was appropriated for, to wit, 175,000; in that the Congress itself, although limiting the appropriation to 175,000 men, had refused to limit the Army

What is the practical situation confronting the Congress now in this matter? The Committee of the Whole by a very decided majority, with an unusually large vote, when this bill was last under consideration, adopted an amendment which cut the appropriation to 150,000 men, thereby evidencing the desire of this Congress at this time unquestionably to limit the Army to that size for the next fiscal year. Now, what is the situation, gentlemen? The present Secretary of War is not in sympathy with the position of Congress.

The CHAIRMAN. The time of the gentleman from Tennessee

has expired.

Mr. GARRETT of Tennessee. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to proceed for five additional minutes. Is there objection?

Mr. MONDELL. Mr. Chairman, I do not want to object, but the gentleman has used five minutes, but not on the point of order, and it seems as though that were a reasonable length of time to discuss the general proposition. The gentleman has not been discussing the matter under consideration at all.

Mr. GARRETT of Tennessee. I am endeavoring to reach the

situation.

The CHAIRMAN. Is there objection? [After a pause.]

The Chair hears none.

Mr. GARRETT of Tennessee. I will say to the gentleman from Wyoming that personally I would prefer the point of order should be disposed of before I talk on the merits at all. But the gentleman himself was talking on the merits of the amendment and not upon the point of order when he spoke.

Mr. MONDELL. It seems to me, as the gentleman has not discussed matters relating to the point of order in five minutes,

we should get to the discussion of the point of order.

The CHAIRMAN. The point of order was reserved to allow the gentleman from Wyoming to speak.

Mr. MONDELL. And I did speak for five minutes.

Mr. GARRETT of Tennessee. Mr. Chairman, I am perfectly willing to yield the floor if the point of order will be taken up.

Mr. ANTHONY. Let the Chair rule on the point of order and then we can proceed. Will the Chair rule on the point of order?

Mr. TOWNER. Mr. Chairman, I wish to discuss the point

The CHAIRMAN. The Chair will hear the gentleman from Iowa.

Mr. TOWNER. Mr. Chairman, the whole paragraph is subject to a point of order, as the Chair suggests. However, that point of order was not made. Therefore it becomes a part of the bill proper for consideration. Now, the point of order with regard to this particular amendment is that it is not germane. It seems to me that clearly it is germane. The particular sentence in the original bill is as follows:

The Secretary of War is authorized in his discretion to grant applications for discharge of enlisted men without regard to the provisions of existing law respecting discharges.

The amendment is as follows, so that that particular paragraph will read:

And the Secretary of War is directed under such reasonable regula-tions as he may prescribe to grant applications for discharge—

And so forth. So it will be seen, I think, clearly, by the Chair, that there is no question but what the amendment refers to the particular matter directly. In effect it only changes "is authorized in his discretion," and "directs" him. To say that is not a germane provision it seems to me is going altogether too far. So it appears that as far as the question of germaneness is concerned the amendment of the gentleman from Iowa [Mr. HULL] is clearly within the rule.

Mr. MONDELL. Mr. Chairman, I admit that the question is a rather close one, yet I am rather inclined to be and am of the opinion that the amendment is not germane. If it is germane, it is germane to the sentence, "The Secretary of War is authorized, in his discretion, to grant applications for discharge of enlisted men, notwithstanding the provisions of existing law." That is an extension of the discretion of a departmental officer under which, notwithstanding the provisions of the existing law, he may during the period that this bill is in force grant these dis-It does not permanently amend the law. It enlarges, greatly enlarges, discretion within the law. What is now proposed is to change the law, at least while this bill is in operation, if not permanently, directing the Secretary of War to discharge enlisted men within certain limitations, and that is an amendment to a provision under which we simply enlarge his discretion.

I do not find in hurriedly examining the precedents one absolutely in point, but a number very similar.

A specific subject may not be amended by a provision general

in nature.

To a bill for the admission of one Territory into the Union, an amendment providing for the admission of several other Territories is not in order.

Two subjects are not necessarily germane because they are related.

To a proposition relating to the terms of Senators, an amendment changing the manner of their election is not in order.

To a bill relating to commerce between the States, an amendment relating to commerce within the several States is not in order.

To a proposition for the appointment of a select committee to investigate a certain subject, an amendment proposing an inquiry of the Executive on that subject is not in order.

To a bill giving a right of way to a railroad, an amendment providing for the purchase of the railroad by the Government would not be germane, and so forth.

To a general tariff bill, an amendment creating a tariff board

would not be germane, and so forth.

In the case before us the subject is not identical, and under the rule, even if the subject were identical, it is not necessarily in order because it treats the subject matter in an entirely different way.

I think that under the practice and decisions as to germaneness the amendment offered by the gentleman from Iowa is not

Mr. GREENE of Vermont. Mr. Chairman, the argument is made in favor of the amendment of the gentleman from Iowa [Mr. Hull] that matter on the same general subject being included in the bill as presented by the committee, and no point of order lying thereto, although plainly subject to a point of order, an amendment that relates to that general subject must in itself be in order because no objection was made to the original text of the bill.

It seems to me that is straining at the effect of words in rhetoric rather than a consideration as to the effect of things really intended to be indicated by words as parts of language. The House may waive its right to object to the original text in respect to certain activities of government because it is clearly in sympathy with the purpose embodied in the language, but I doubt if it would be logical to hold that then a man, by simply seizing upon the face of these words relating to an activity or establishment or an institution, may introduce matters of a different effect and may hang his hat, as it were, on the text of the bill simply because the words seem to be of like effect. The House would waive its jurisdiction because it was satisfied with the meaning of the text.

Now, this amendment seeks to take the same words and put a different construction upon them, a construction not to the same intent, and uses arbitrarily certain words and forms in the bill as presented as the hook upon which the mover of the amendment can hang his own amendment, which will mean another thing. I doubt if that will come within the restriction of

The CHAIRMAN. The Chair is ready to rule. This is a general appropriation bill. The paragraph beginning at the bottom of page 15 and ending on line 13 of page 16 is clearly legislation, and would have been subject to a point of order had anyone raised that point of order. That point of order, however, was not raised. Now comes the gentleman from Iowa [Mr. HULL] and offers an amendment, to which a point of order is made on the ground that it is not germane to the paragraph

It is not within the province of the Chair to decide as to the merits of the proposition. Personally, as a Member of the House, the present occupant of the chair would be opposed to the adoption of such an amendment and therefore does not approach the consideration of it with any predilection in favor of holding the amendment to be in order. The question is, Is it germane under paragraph 7 of Rule XVI? This paragraph of the rule

And no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

This question of germaneness has been considered in a great number of decisions, all turning upon this one point: When is a proposition or subject different from that under consideration? The subject under consideration in this paragraph is, in the first part of it, the discharge of men under 18 years of age. If it stopped there, then this paragraph might be held out of order as introducing a new subject. But it does not stop there. It The Chair will read the last clause of the para-

And the Secretary of War is authorized in his discretion to grant applications for discharge of enlisted men without regard to the provisions of existing law respecting discharges.

What is the subject of consideration in this part of the paragraph? It is the discharge of men from the Army. It provides a method; that is, that the Secretary of War is authorized in his discretion to grant applications for discharge, and so on, without regard to the existing law. The amendment proposes a somewhat different way, and yet in the opinion of the Chair it clearly relates to the same subject, in that the Secretary of War is directed, under such reasonable regulations as he shall prescribe, to grant applications for the discharge of enlisted men, without regard to the provisions of existing law respect ing discharges, until the number has been reduced to 150,000 enlisted men.

The Chair is unable, after a review of a number of decisions, to discover such difference in subject matter as would warrant the Chair in holding that this amendment is not germane to the paragraph. Therefore the Chair overrules the point of order.
Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman from Kansas [Mr. Anthony] yield me five minutes?

Mr. HULL of Iowa rose.

The CHAIRMAN. The Chair will first recognize for five minutes the gentleman from Iowa [Mr. HULL], who offered the

Mr. Chairman and gentlemen of the House, I trust no one thinks I am trying to convert the United States Army into a mob. I have been on the Committee on Military Affairs for some six years, and have tried as best I could to study military problems. I know that this amendment will not hurt the United States Army at all. In the first place, it only calls for a reduction of the Army to the number that you have appropriated for, 150,000 men. That is the first thing; and the next thing is that it simply, instead of authorizing the Secretary of War directs the Secretary of War to discharge these men.

Mr. MONDELL. Mr. Chairman, will the gentleman yield right there?

Mr. MONDELL. The gentleman did not intend that contradiction in terms, I am sure. He said it directs the Secretary of War in his discretion. Just how do you direct an officer in his discretion?

Mr. HULL. Under such rules and regulations as he may pre-ribe. That is his discretion.

Mr. MONDELL. When you direct an officer to do a thing and then say it shall be under rules and regulations in his discretion it is not a direction.

Mr. HULL. That, I will admit, if the gentleman from Wyoming wants to know, is not as strong as I wish it were.

Mr. MONDELL. How can you make it stronger?

Mr. HULL. You are dealing with the General Staff, not with the Secretary of War; and I know the General Staff.

Mr. MONDELL. You are dealing with the defense arm of this Government. That is what you are dealing with.

Mr. HULL. And I am perfectly amazed at the way in which the General Staff has gassed, camouflaged, and used poison gas on the gentleman from Wyoming. [Laughter.]

Mr. MONDELL. That pleases the gentleman from Iowa and

does not worry me.

Mr. HULL. I understand that nothing worries the gentleman from Wyoming. But I call the gentleman's attention to the fact that whereas he says he has been trying to get the Army reduced, instead of being reduced since we came into power last December the Army has been increased. Now, I propose to get it decreased in a sane and sensible way by discharging the men who want to get out. Do you know what the General Staff wants to do?

Mr. MONDELL again rose.

Mr. HULL. I can not yield all my time, but go ahead. I will ask for five minutes more.

Mr. MONDELL. The gentleman wants to be accurate?

Mr. HULL. Certainly I do. Mr. MONDELL. He says "since we came into power in December." Do I understand him to mean that Mr. Wilson's term ended in December, and that the term of the late unlimited Secretary Baker ended in December? He increased the Army until by a mandatory resolution we compelled him to desist; but the Army has been reduced steadily and as rapidly as it could be-

Mr. HULL. Not since the 1st of December. Mr. MONDELL. Since the 4th of March.

Mr. HULL. Oh, yes; but it is only down 2,000, which is a great reduction in 60 days!

Mr. BARKLEY. The General Staff did not go out of office

on March 4, did they?

Mr. HULL. When I speak of those who want to reduce the Army, I understand that gentlemen on that side are just as anxious as we are to reduce the Army; but if we had passed a resolution on the 1st of December last stopping enlistment, as should have been done, your Army would have been down to-day to less than 175,000 men. [Applause.] We all know that. But they are still paying a bonus, and they are still not letting the men out who ought to get out, men who are needed at home; and I simply propose to direct the General Staff to let those men out, provided they can be spared. Their rules should govern that point.

Mr. McKENZIE and Mr. JOHNSON of Washington rose. The CHAIRMAN. Does the gentleman from Iowa yield; and if so, to whom?

Mr. HULL. I yield to the gentleman from Washington. Mr. JOHNSON of Washington. I want a little information. Mr. HULL. I shall be glad to give it to the gentleman if I

Mr. JOHNSON of Washington. Suppose the gentleman's amendment should become a law, and suppose three-quarters of the men in the Army ask to be let out, how would the selection be made as to those who should go out?

Mr. HULL. They would let out those who could best be

Mr. JOHNSON of Washington. But suppose they should all want to be spared.

Mr. HULL. The officers of the Army would be the best

judges of that.

Mr. JOHNSON of Washington. If I was in the Army as a private and wanted to be let out, and they decided that I could not be spared and that my colleague could be spared, would not I be a little sore about it? Mr. HULL. That is the only way it can be done. You should

let out the men who want to get out, provided they can be spared from their organizations.

Mr. JOHNSON of Washington. Would not that in the very nature of things make trouble?

Mr. HULL. No; it would not.

Mr. JOHNSON of Mississippi. The gentleman's amendment provides that it shall be done under such reasonable rules as may be prescribed.

Mr. HULL. Yes. We all understand that the rules are to be reasonable.

Mr. McKENZIE. Will the gentleman from Iowa yield?

Mr. HULL. I yield to the gentleman from Illinois. Mr. McKENZIE. The gentleman from Iowa is opposed to discharging a man from the Army before the expiration of his

enlistment, is he not? Mr. HULL. Certainly, unless he wants to be discharged.
Mr. McKENZIE. How many applications has the gentleman received from his district of men who want to get out of the

Army? Mr. HULL. When that same question was asked me the other day I thought I had about 25. I think probably in my

district there are about 200. If there are 200 men in every district in this country who want to get out of the Army, you will have provided for all the discharges you can afford under this amendment, and it will bring your Army down to 150,000, and the men whom I want to see get out of the Army are the men who are writing to you and appealing to you for the sake of their families to let them go home. I think we should let them go, provided, of course, they can be replaced.

Mr. BLANTON. Will the gentleman yield?

Mr. HULL. Yes.

Mr. BLANTON. The gentleman from Iowa has well spoken of the fact that there are men on both sides of this House who want the Army reduced. I want to ask him if it is not a fact that the reason the Army has not been reduced is because there are men in the House who do not want it reduced, but want to keep it up in accordance with the wishes of the General Staff?

Mr. HULL. Oh, yes; that is true, and we all know that the General Staff controlled the Democratic administration and that they put it up too high. [Laughter.] We are trying to

cut it down.

Mr. BARKLEY. Will the gentleman from Iowa yield for a question?

Mr. HULL

Mr. BARKLEY. Has there been any easing up of the regulations of the department since we passed our resolution here in December with reference to reducing the size of the Army? In other words, has it been any easier to get a man out than it was in the winter?

Mr. HULL. Not one bit easier.

The CHAIRMAN. The time of the gentleman has expired. Mr. FISH. I ask unanimous consent that the time of the gentleman from Iowa be extended five minutes.

Mr. ANTHONY. I shall have to object to that.
The CHAIRMAN. The gentleman from Kansas objects.
Mr. ANTHONY. Mr. Chairman, I think the amendment of the gentleman from Iowa [Mr. Hull] would be an exceedingly dangerous proposition to put into this bill. The amendment by the gentleman from South Carolina [Mr. Byrnes] to the bill provides that the amount for pay shall be reduced to that required for 150,000 men, and the Borah amendment then directs that the Secretary of War shall reduce the Army to conform to the amount of money which we appropriate in this bill. By the amendment of the gentleman from South Carolina you cut the appropriation to \$73,000,000. The language is very positive and plain that the Secretary of War shall not maintain an Army of a size larger than the amount of money appropriated will provide for. There is no necessity of the amendment offered by the gentleman from Iowa [Mr. HULL], because the language in the bill will carry out practically that same purpose. But the language that the gentleman proposes to put in the bill is dangerous, as the gentleman from Wyoming [Mr. Mondell] has pointed out. Our provision in the bill authorizes the Secretary of War in his discretion to grant discharges. It is necessary that the Secretary of War shall have that discretion. If you do as is proposed in this amendment and direct the Secretary of War to discharge every man who makes a direct application, our Army will degenerate into a mob. You are liable to have men stationed at some of the most critical points in the service suddenly decide that they want to go home en masse, and under the language of the gentleman's amendment the Secretary of War would be compelled to grant them their discharges. gentleman from Iowa [Mr. HULL] says he does not mean that the privilege shall be exercised in that arbitrary manner, but he means that the Secretary of War shall still have discretion. We provide that the Secretary is authorized to grant discharges in his discretion.

If there is to be no change in purpose what is the use of offering such an amendment as that offered by the gentleman from Iowa? That there is a purpose in the amendment you may gather by the language used by the gentleman on Saturday last. On page 856 of the RECORD, speaking to his amendment, the gentleman said:

This simply allows them to get out on their own request, but the Army is not forced to discharge the men unless the men ask to be discharged. You are going to bring the Army down to 150,000. Let the men select themselves—those who want to get out and let them go out;

That is the Russian soviet system, and we are not yet ready to adopt that sort of system in the American Army. [Ap-

Mr. COOPER of Wisconsin. Mr. Chairman, I move to strike out the last word. I rise simply to say that I can not understand the interpretation which gentlemen seek to put on the amendment offered by the gentleman from Iowa [Mr. Hull]. It is impossible for me to understand any such interpretation

as being a legitimate construction of the language of the amendment:

And the Secretary of War is directed under such reasonable regulations as he may prescribe to grant applications for discharge of eulisted men serving in the continental United States, without regard to the provisions of existing law respecting discharges until the number in the Army has been reduced to 150,000, not including the Philippine

The gentleman from Kansas has just said that if a body of men wanted to leave the Army they would force their discharges and make the Army a mob. Now, I do not understand that to be true at all. For this amendment provides that they are to be discharged under rules and regulations to be prescribed in advance by the Secretary of War. He will prescribe that so many applications from this place shall be considered, and so many from another place 500 miles away, and from another 1,000 miles away; there would not be a forced wholesale discharge en bloc because the Secretary of War himself would make the rules and regulations under which discharges are to be made. We have appropriated only a sufficient amount of money to pay for the support of an Army of 150,000 men, and we shall by the amendment offered by the gentleman from Iowa bring the Army down to that number. And in my judgment it is time for the Republicans on this floor to show by their vote whether they mean or do not mean to carry out the wishes of the taxpayers of the United States and reduce to a reasonable number the Army of the United States. [Applause.]

Mr. HUSTED. Will the gentleman yield?

Mr. COOPER of Wisconsin. I will,

Mr. HUSTED. The gentleman will admit that under the reasonable rules and regulations, first, that the Secretary of War can not discharge at his discretion, and second, that the reasonableness of the rules might be made a question of law. Mr. COOPER of Wisconsin. No; there is a fallacy in the

gentleman's statement. The Secretary of War would make reasonable rules and regulations, and then entirely in his discretion select the men to be discharged. Certainly he would not leave it to them to say that because they had filed applications they had an absolute right to be discharged. Not at all. But he would pick out so many here and so many there, and in this way select men so as to not cripple any branch of the Army, and do all this wholly in his discretion.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. COOPER of Wisconsin, Yes.
Mr. JOHNSON of Washington. The Congressman who could reach the ear of the Secretary of War would get his man out, and the Congressman who did not reach the ear of the Secretary

of War would not get his out.

Mr. COOPER of Wisconsin. Well, so long as human nature is constituted as it is, there might possibly be some favoritism, but I would not impute it in advance to the Secretary of War. I think he would make reasonable rules and regulations and then exercise his authority and discretion honorably. The fact is that some of you gentlemen propose that the Army shall not be reduced in size, and some of us propose that it shall be. [Applause.] So far as I am concerned I shall vote with great pleasure to help enact into law the amendment offered by the gentleman from Iowa, with a view to a partial redemption of the promise of the Republican Party that wherever reasonably possible there shall be disarmament. [Applause.]

Mr. GARRETT of Tennessee. Mr. Chairman, there is no use mincing words about this matter and no use trying to deceive Those who are opposed to the reduction of the Army to 150,000 men are not going to vote for the Hull amendment. But the majority in this Committee of the Whole by a very decisive vote on Saturday last, when this bill was under consideration, evidenced its intention that the Army be reduced to 150,000 men. I regard the amendment of the gentleman from Iowa as a very proper, if not a wholly necessary, corollary to the amendment offered by the gentleman from South Carolina [Mr. Byrnes] and adopted by the Committee of the Whole. What has occurred? Let me repeat for the benefit of gentlemen who came in since I spoke a few moments ago. Last May an amendment was offered to recommit the Army bill that was then up so as to provide that the Army should not consist, except in case of emergency, of more than 185,000 men. That was voted down, 222 to 115. The late Secretary of War, Mr. Baker, approved the action of the General Staff when it continued to enlist men beyond the 175,000, payment for which was appropriated for. He had the clear right to do it. He violated

Gentlemen on the Republican side of the House have criticized the late Secretary of War because he did that. They, have insisted that they fixed the Army at 175,000 because they merely appropriated for that number, and we have refrained from criticism of the Secretary of War, and it was natural that we should do so. But, gentlemen, you have the same General Staff now that you had then. You know that the present Secretary of War is opposed to the reduction of this Army to 150,000 men. Congress, representing the people, has voted its desire for its reduction to 150,000 by cutting the appropriation, and now you have it within your power to bring about that which you have said you desired by the adoption of this Hull amendment, and I submit that it ought to go in: [Applause.]

Mr. BLANTON. Will the gentleman yield? Mr. GARRETT of Tennessee. If I have time.

Mr. BLANTON. I want to ask the gentleman if he does not believe that even if our friend from Iowa [Mr. HULL] or our friend from South Carolina [Mr. BYRNES] were now Secretary of War that the General Staff would be able, through the power that they usually exert on Secretaries of War, to seduce

him into being in favor of a large Army within a week?

Mr. GARRETT of Tennessee. I can not say, but I remember distinctly that the gentleman from Illinois [Mr. Mann] said in substance in the last Congress when Secretary of War Baker was being assailed, "I do not know how long before the General Staff will get our Secretary of War, it may be three months or longer, but eventually they will get him." [Laughter.]

Mr. HUMPHREYS. Mr. Chairman, I have an amendment to

the amendment.

The CHAIRMAN. The Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. Humphreys to the amendment offered by Mr. Hum.: Page 16, line 11, strike out the words "grant applications for," and in line 12 strike out the word "of," so that the paragraph as amended will read: "of acceptance for enlistment; and the Secretary of War is authorized in his discretion to discharge enlisted men without regard to the provisions of existing law respecting discharges."

Mr. HUMPHREYS. Mr. Chairman, that would obviate the objection which has been urged that we would create a soviet in the Army by permitting any man who wished to get a discharge to violate any of the regulations that he chose to, knowing that he could not be punished, because he would be entitled to a discharge upon application; but it would direct that the Army be reduced to the figure fixed by Congress. I am in favor of a small Army, and have always been. I do not know whether it ought to be 150,000, 175,000; or 168,000, and I do not think that Congress has any very fixed opinion on the subject. At the last session we passed a resolution fixing it at 175,000; and then we passed the Army bill fixing it at 156,000. It is now reported out at 168,000, and by an amendment which we agreed to the other day we made it 150,000. I do not know just which one of those figures is correct, but our last guess is 150,000. Whatever the reduction is to be, it ought to be in an orderly way, not by the summary process which we are providing here. We have 232,000 men in the Army, and it is proposed to reduce that to an average of 150,000. It was said that the Secretary of War could, if he would, reduce it to 150,000 by the 1st of July. In my opinion, that would be utterly impossible, if he had any sort of regard to intelligent selection among the men to be discharged. That would mean from two to three thousand men a That can not be done with any regard to the efficiency of the Military Establishment. In my opinion, it will take at least six months to muster out the 82,000 men in the Army which would reduce it to the 150,000 provided for, properly to allocate those discharges in all the various branches of the service, as the units are distributed about the country.

Mr. MOORE of Virginia, Mr. Chairman, will the gentleman

yield?

Mr. HUMPHREYS. In a moment, when I finish this thought. If we are to have an average of 150,000 for the next fiscal year, that means that for the first six months we will have much more than 150,000 and for the last six months very much less than 150,000, so that at the end of the next fiscal year we will probably have 100,000 men, or possibly 110,000. As soon as that is done, if we are to have 150,000 men in the Army, the Secretary of War will immediately have to begin to recruit the Army back to the figure we have fixed on-150,000 men.

Of course, whenever a man is discharged he is entitled to travel pay, commutation, and so forth, and when he is enlisted, our experience shows that it costs \$100 each to enlist new men. If we are to reduce the Army below 150,000 down to 100,000 or 110,000, we will then have to reenlist 40,000 or 50,000 men at a very considerable cost. I submit that is not the wise or the economical way to proceed. We ought to provide that the Secretary of War shall reduce the Army in an orderly way, intelligently, with discrimination, with a view to the efficiency of the force, until it gets to the figure where we think it belongs, 150,000, or 168,000, or 175,000, or whatever is finally fixed upon, and when it gets there to stop-not to proceed as we do in the various departments here in Washington,

discharge men every day and hire others-discharge forty or fifty thousand men and then proceed at once to enlist that many more. It is said that we have to take that unwise course because it is the only way that we can control the Secretary of War. I do not believe that myself. I hold no brief for the Secretary of War: He is a Republican, and I am a Democrat. He served in this House many years, and all of us, or at least all the older Members, know him. I know nothing in his record that indicates that he is touched with the spirit of militarism, and I do not believe there is any warrant for the statement that he can or will be dominated by the General Staff. It is a confession of weakness, a confession of inefficiency on the Republican side of the House, to say that you can not write a sensible law to direct the Secretary of War to reduce the Army to the point to which you think it ought to be reduced. You have a majority of 170 here in the House, twenty-odd majority in the Senate, and the President in the White House, yet you say you can not pass a law that will intelligently reduce the Army down to the figure where you think it belongs unless you hamstring the Secretary of War. What kind of a political organization was it which came into power on March 4 if this be true?

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. HUMPHREYS. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HUMPHREYS. I do not think I shall take the five min-It occurs to me, first, to avoid the danger suggested just now, that you could not enforce discipline in the Army if a man knows that he can get a discharge upon application, that we should adopt the amendment that I have suggested. will accomplish the result you have in mind by directing the Secretary of War to reduce the Army to that point to which you think it should be reduced, be that whatever you may finally conclude, 150,000, 156,000, or 168,000, or what not, and still permit him to proceed with some intelligence. Instead of going to the extraordinary expense, \$100 each, of reenlisting 40,000 or 50,000 men, you will have an Army of 150,000, if that is the figure you fix on, and you will have done it in an orderly way, in an intelligent, and in a discriminating way.

Mr. BARKLEY. Mr. Chairman, will the gentleman yield? Mr. HUMPHREYS. I yield first to the gentleman from Vir-

Mr. MOORE of Virginia. Mr. Chairman, I am in sympathy with the general proposition which the gentleman has advocated. I merely wanted to get his view as to why the action proposed to be taken by the Secretary of War should be confined to soldiers in the United States.

Mr. HUMPHREYS. As I was told the other day in response to exactly that same question, it would not do to require him to muster out men who are in the Philippines or in the Canal Zone

or in Alaska for reasons that I think are patent.

Mr. BARKLEY. Mr. Chairman, will the gentleman yield? Mr. HUMPHREYS. Yes.

Mr. BARKLEY. If I understand the effect of the gentle-man's amendment, it is that the Secretary of War is directed to discharge men without regard to whether they apply for a discharge?

Mr. HUMPHREYS. That is correct.

Mr. BARKLEY. Would not that result in men being retained who would like to be out and other men being discharged who would like to be in?

Mr. HUMPHREYS. Undoubtedly; but when a man in time of peace deliberately enlists in the Army he ought to do it seriously; and when the Government trains that man at great expense and he becomes learned in some technical branch of the service and so becomes efficient and is able to train other men and to do things necessary to have an efficient Military Establishment I can see no reason for discharging him simply because he says that he would like to get out.

Now, there may be some other men in the Army who are less efficient but who like the job, perhaps because they can do better in the Army as a private than anywhere else, yet the Secretary of War, if given the opportunity, if given time, if not forced to proceed in a summary manner, might be able to segregate those and pick out the men who ought not to be in and who could best be spared, even if they wanted to stay in, and turn them out.

Mr. OLIVER. Will the gentleman yield?

Mr. HUMPHREYS: I will:

Mr. OLIVER. Does the gentleman think the Congress has the right to authorize the Secretary of War to violate a solema contract made between the Congress and the enlisted man if he does not wish to leave the service and we direct that he shall leave the service?

Mr. HUMPHREYS. I do not think there is any question

about that.

Mr. OLIVER. What is the authority the gentleman refers to

as granting that right?

Mr. HUMPHREYS. I refer to the statement of the chairman of the committee here the other day who read the statute, and the reservation, as I understood him, is in every enlistment, that a man may be discharged at the discretion of the Government.

Mr. OLIVER. Unquestionably the legal authorities have advised us we have not the right, and the gentleman is assuming

that the legal authorities who gave the opinion were in error?

Mr. HUMPHREYS. If we have not the right to do it, of course, we are wasting time here talking about reducing the Army. If these 232,000 men have been fixed upon us for all time to come or until their enlistment expires there is no use discussing the matter at all. I was proceeding upon the accuracy of the statement the chairman of the committee made the other day that there was no question that we had the lawful right to muster out men whenever, in the opinion of the Secretary of War, it was desirable to do that.

Mr. BLANTON. Will the gentleman yield?

Mr. HUMPHREYS. I will.

Mr. BLANTON. We will not have any trouble about reducing because there will be enough men who will want to go out, who will make application for it, if the Hull amendment passes.

Mr. HUMPHREYS. I do not think it should be limited to

It will necessarily require time in which to reduce these forces intelligently, but if we instruct the Secretary of War to dismiss every man who applies wherever he may be, regardless of the expense we have been to in equipping him for the particular position he now holds in the Army, and of the particular and may be imperative need for his services at the time, no man can tell just what confusion will be created or what the disaster to the efficiency, to say nothing of the morale, of the Army will be.

Of course, there are many cases which will arise, as they have always arisen, which will justify an enlisted man in asking for his discharge ahead of time. Conditions may have arisen since his enlistment which would make it vitally necessary for him to return to civil life. These exceptional cases, of course, should all be dealt with upon their peculiar merits, and the man given his discharge in spite of the inconvenience or loss to the Army of his services, but I do not think we could justify a law which would direct the Secretary of War to discharge every man who makes application therefor and without showing any reason whatever except his own desire to leave the service.

It occurs to me that this summary process would be penny-wise

and pound-foolish.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ANTHONY. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto be closed in 10 minutes.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that all debate on the paragraph and all amendments thereto be closed in 10 minutes. Is there objection?

Mr. CONNALLY of Texas. Reserving the right to object Mr. HULL. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Mississippi.

Mr. JOHNSON of Mississippi. Mr. Chairman, regular order.

Mr. ANTHONY. Mr. Chairman, I move that all debate on this paragraph and all amendments thereto close in 10 minutes. The question was taken, and the motion was agreed to.
Mr. GOOD. Mr. Chairman—
The CHAIRMAN. The gentleman from Iowa.

Mr. GOOD. Mr. Chairman, when the estimates for national defense for next year, which were made by the former adminis-tration, came before the Congress they were for \$1,411,000,000. A Republican Congress reduced those Democratic estimates by bills we have put through to \$735,000,000. I do not like to see my side of the House put in the position of being incapable of comprehending the game that is being played by our Democratic friends. Now, what have we done? We have put in this bill three things that will restrict the Secretary of War as to the size of the Army. One is the provision in relation to the size of the Army. The next is the provision that you are trying to amend, and the third is the Borah amendment, and I say to you if we pass this bill in my opinion we will do much to nullify the Borah amendment, which is one thing which we must look to for a reduction in the Army. If you will turn to page 22 of the bill you will find this language:

That the Army shall be reduced by the Secretary of War so that the sum herein appropriated shall defray the entire cost of the pay of the officers and enlisted men of the line and staff during the fiscal year ending June 30, 1922.

How can you employ language more plain than that, and those of us who know John W. Weeks, the Secretary of War, by his service in this House know that he will do what the former Secretary of War failed to do, and that is to obey the law. The former Secretary of War, authorized by the appropriation law to employ in the service only 175,000 men, increased the size of the Army to 235,000 men, in violation of that law and the antideficiency act, and yet there was not a man on that side of the House who dared to arise and ask that be impeached for that unlawful act; not a man, and yet we all knew we could not put through any impeachment proceedings unless it came from that side of the House. Now, I will say to this side of the House, because that side of the House will vote almost to a man for this proposition, here is a bill that has been well considered, here is a proposition that has been well considered, and I want to tell you that whatever you do this afternoon, let us unite and maintain the integrity of the Secretary of War. Let us give him a provision so that by his execution of the law he can reduce the size of the Army to the size required by Congress in his own way so that he brings it within that of the appropriation. [Applause,] Lets give him a chance to bring about the reduction without injury to the Army. Lets give him a fair chance, and this amendment takes from him the opportunity to administer his office in a businesslike way. This amendment will please the Democratic side of the House if it is agreed to, but it will certainly not bring joy to this side of the House. When these matters first came before the Committee on Appropriations I asked the Committee on Military Affairs to reduce the size of the Army, if possible, to 150,000 men. I did not then know the former Secretary of War would increase the size of the Army as he did. Personally, I think that is enough, but I fear the present Secretary of War will have great difficulty to so undue the wrongful acts of his predecessor as to permit it, but you should not by this action or by this proposed amendment punish the present Secretary of War for all the sins of his predecessor.

Mr. BLACK. Will the gentleman yield? Mr. GOOD. Yes; for a question. Mr. BLACK. We now have a law providing that the Army shall be reduced to 175,000 men, have we not? Can the gentleman tell me

Mr. GOOD. No; we have no such law. We have an appropriation act and we have a deficiency law which provides that the Secretary of War is confined to the expenditure contained in that act.

Mr. BLACK. But did not the gentleman say that Secretary

Baker violated the resolution— Mr. GOOD. No; I said he violated the law which was the appropriation act of last year and the antideficiency act. We only appropriated for 175,000 men and he enlisted 235,000 in violation of law.

Mr. BLACK. Working upon that same fiscal year, what has

Secretary Weeks done toward reducing the Army?

Mr. GOOD. We are passing another law. He stopped enlistments, and Secretary Baker was going on and on every day enlisting men as far as he could do so, until prevented by the passage of a resolution, and was sending out advertisements that were as false as printer's ink could make them, trying to get these boys into the service. We should now give the present Secretary of War a chance to bring order out of chaos by permitting him to reduce the Army to the size required without doing a positive injury to the Army.

Mr. BYRNES of South Carolina, Mr. JONES of Texas, Mr. QUIN, Mr. CONNALLY of Texas, Mr. WINGO, Mr. HULL, Mr.

GREENE of Vermont, and Mr. FISH rose.

The CHAIRMAN. The gentleman from South Carolina [Mr. Byrnes], a member of the committee, is recognized. Mr. BYRNES of South Carolina. Mr. Chairman, I intend to

say but a few words.

The genfleman from Iowa [Mr. Good] can always be depended upon to arouse considerable enthusiasm, and whenever those in charge of a bill are in trouble I think he is a good man to call to the rescue. But it does well to call attention to the facts as The facts are that by joint resolution this Conwe go along. gress provided-

That the Secretary of War be, and he hereby is, directed and instructed to cease enlisting men in the Regular Army of the United States until the number of enlisted men shall not exceed 175,000.

Now, the fact is, while we were debating that resolution the War Department went ahead enlisting men as fast as they could. Unlike the gentleman from Iowa, I am not claiming all

the virtue in the world for the Secretary of War who happened to be of my own political persuasion. In direct violation of what he certainly must have understood to be the intent of the Congress, he continued to enlist men while it was being debated. But not after it became law, as the gentleman from Iowa says. After the resolution passed over the veto of the President, he did nothing of the kind. The gentleman is misinformed. He is called in as a pinch hitter and has not had such opportunity to familiarize himself with conditions as have gentlemen on the subcommittee. The truth is, the Secretary carried on enlistments until the day we passed the joint resolution over the veto of the President. Then he had to cease it, and he did cease it.

The gentleman says that no man rose to criticize the Secretary of War. That, of course, is said in order to arouse a little feeling on the Republican side in the consideration of the question. What is the fact? The resolution passed this House; it went to the Senate; it went to the President, our President, and

he vetoed it.

It came back to this House, and if you will look at the RECORD you will see that about 90 per cent of the Democratic Members on this floor voted to override the veto of the Democratic President and voted for the adoption of this resolution calling for 175,000 men. It then went to the Senate, and, as I recall, practically every Democratic Senator voted to override the veto of the Democratic President. So my friend can not, in order to save what appears to be a sinking ship, come in here and arouse political and partisan feeling over the question that has been raised by the amendment of the gentleman from Iowa [Mr. Hull]. Now, what is the fact? Since March 4 my good friend, ex-Senator Weeks, now Secretary of War, has come under the influence of the General Staff. Let me show you the report of the gentleman from Kansas [Mr. Anthony]. Look on page 3, and you will see a letter from the present Secretary of War, John W. Weeks, in which he says:

The scheme marked No. 1, alternative A, is the one which I recommend for adoption.

Let us see what it does. It provides for an average enlisted strength for the next fiscal year, not of 150,000 men, which this Congress has said should be the enlisted strength; not of 175,000 which the Congress by resolution directed should be the number for the fiscal year ending July 1, but of 185,009 men. He even wants 9 over the 185,000 as the average enlisted strength for the next year. He exceeds in his estimates, just as his predecessor did in his views, what the Congress says shall be the enlisted strength for the next fiscal year. And you therefore are called upon to say whether you are going to let this department dictate what the Congress under the Constitution should do, because it is our duty, and the power is vested in the Congress, to fix the enlisted strength. They do not come into court with clean hands when they ask for an increase on the ground that they are unable to reduce as required by Congress, because the facts show they have made no effort to reduce, and the estimate shows that they do not want to reduce. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

All time has expired. The question is on agreeing to the amendment to the amendment offered by the gentleman from Mis-

sissippi [Mr. Quin].

The question was taken, and the amendment to the amend-

ment was rejected.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Iowa [Mr. HULL].

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. ANTHONY. Division, Mr. Chairman, The committee divided; and there were—ayes 82, noes 75. Mr. ANTHONY. Mr. Chairman, I ask for tellers.

Tellers were ordered; and Mr. Anthony and Mr. Hull took their places as tellers.

The committee again divided; and there were-ayes 108,

So the amendment was agreed to. The CHAIRMAN: The Clerk will read. Mr. HULL. Mr. Chairman, I have another amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 16, after line 13, insert a new paragraph, as follows:

"No portion of the appropriations contained in this act shall be used to pay, in accordance with the provisions of section 27 of the Army reorganization act, approved June 4, 1920, an enlistment allowance to any soldier who enlists or reenlists after the approval of this act."

Mr. WALSH. Mr. Chairman, I reserve a point of order on that. Does it change the provisions of section 27?

reenlist. Now, we are trying to find a way to reduce the Army and at the same time, unfortunately, we are paying \$90 for reenlistment for men we do not want, and that to-morrow we may have to discharge. This is an amendment to strike out the payment of the bonus. I think it is clearly

Mr. GRAHAM of Illinois. Mr. Chairman, I ask unanimous consent that the amendment may be read again. There was so

much confusion we could not hear it. The amendment was again reported.

The CHAIRMAN. The question is on agreeing to the amendment. All debate on this paragraph and all amendments thereto has closed.

Mr. WINGO. But this is a new paragraph.

The CHAIRMAN. It has been held by numerous decisions in the House that a new paragraph offered to a pending paragraph after debate is closed can not be debated. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For pay of enlisted men of National Guard, \$100. For pay of enlisted men of the Enlisted Reserve Corps, \$100.

Mr. WINGO. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Arkansas moves to strike out the last word.

Mr. WINGO. Mr. Chairman, I would like to have the atten-

tion of the gentleman from Iowa [Mr. HULL].

Mr. Chairman, will the gentleman from Iowa advise me whether or not if a man is discharged under his amendment, say to-day, and he reenlists after the 1st day of July, under the gentleman's amendment that has just been adopted with reference to a bonus, will he be entitled to reenlistment bonus?

Mr. HULL. Certainly not.
Mr. WINGO. He would be without your amendment?
Mr. HULL. I think he would, unquestionably. I doubt, however, whether a man accepting his discharge could reenlist.

do not think he could reenlist.

Mr. WINGO. That is my understanding. My understanding has been that these reenlistment bonuses applied only to men who followed up their discharge by immediate reenlistment, but I was not sure. Does that apply to a man who comes back to the Army after being out for a time, or only at the expiration of his enlistment?

Mr. ANTHONY. This does away with the bonus, and in normal times it would save about \$1,800,000.

Mr. WINGO. But the gentleman did not catch the point. Say a man's service expires to-day. If he reenlists to-day he would get the bonus. If he is out six months and comes back and reenlists could he get the bonus?

Mr. ANTHONY. No. He could get a furlough of 30 days

and then reenlist at the end of that time.

Mr. WINGO. That is what I wanted to know.
Mr. RAKER. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from California moves to strike out the last two words.

Mr. RAKER. Mr. Chairman, I ask unanimous consent to proceed slightly out of order.

The CHAIRMAN. The gentleman from California asks unanimous consent to proceed out of order. Is there objection?

Mr. WALSH. What does the gentleman propose to speak about?

Mr. RAKER. It is in regard to the Army, but it really is not germane to this particular amendment.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. RAKER. Mr. Chairman, I have received the following letter:

PLACERVILLE, CALIF., March 9, 1921.

Hon. John E. Raker, Member of Congress, Second Congressional District California, Washington, D. C.

Dear Sir: El Dorado Post, No. 119, of this county, is preparing a big celebration for the coming Fourth of July. Part of our program includes a Sunday memorial service, and we wish to dedicate upon that day a war trophy to our departed members.

We would prefer a German machine gun if it is possible to get one. Any trophy that you may get for us will be certainly appreciated.

Thanking you for any favors, I remain,
Yours, respectfully,

L. J. Anderson,
Chairman Committee

L. J. ANDERSON, Chairman Committee.

This is from the war veterans. I took the matter up with the Secretary of War, and received the following letter, and I want to call this to the attention of the House, because I find on file hundreds of bills relating to this matter, and no action Mr. HULL. It simply prohibits the payment of a bonus for has been taken, although the armistice occurred on the reenlistment. The Army is at present paying \$90 for a man to of November, 1918. The Secretary's letter is as follows: has been taken, although the armistice occurred on the 11th

WAR DEPARTMENT, Washington, March 17, 1921.

Hon. John E. Raker,

House of Representatives, United States,

Washington, D. C.

Washington, D. C.

Mr Dear Mr. Rakku: I desire to acknowledge receipt of your letter of March 15, with reference to securing a trophy of the World War for the El Dorado Post, No. 119, of Placerville, Calif.

In reply, you are advised that the bill as presented in conference vests within Congress power for the distribution of all captured enemy material, and it is understood that the distribution will be made by either the governor of the State or by members of the State delegation made up of Senators and Representatives. The War Department, therefore, will be without authority to specify the cities or individuals to whom shipments are made. whom shipments are made.

Now the point:

As the major portion of this material is stored in the open and is rapidly deteriorating, any action that you may take toward expediting the passage of this bill will be appreciated by the War Department and will be the means of placing these articles in the hands of the States and municipalities while some intrinsic value still remains.

Cordially, yours,

JOHN W. WEEKS. Scentage of War

JOHN W. WEEKS, Secretary of War.

Mr. CAMPBELL of Pennsylvania. Mr. Chairman, will the gentleman yield?

Not for just a minute. Mr. RAKER.

Two years and practically six months have passed since we have had these materials in our possession, and I want to call the attention of the committee to the fact that these trophies which the World War veterans desire and which their friends desire are stored in the open and are rapidly deteriorating. There are dozens of bills-no, not dozens, but hundreds of them—on file providing that these trophies be distributed to these posts and others who want them. The Secretary of War is requesting that they be distributed while some intrinsic value still remains to them. I am in hopes that this legislation may be accomplished before all of the value of these trophies is destroyed.

Mr. WINGO. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Yes. Mr. WINGO. It has been two years and six months since the armistice?

Mr. RAKER. Two years and not quite six months, but pretty

Mr. WINGO. What about the Fordney bonus bill for the relief of the soldiers? They have been playing football with that bill for a long time. Does not the gentleman think they should bring that out?

Mr. RAKER. I want to discuss this one matter at this time.

Mr. Chairman, will the gentleman yield? Mr. FISH.

Mr. RAKER. Yes.

Mr. FISH. I understand the gentleman yields for a question?

Mr. RAKER. Yes. Let the gentleman state it.

Mr. FISH. I think I can give the gentleman information.

Mr. RAKER. No; you can not give the gentleman informa-on. These guns are stored in the open. They are rusting and deteriorating and being destroyed.

Mr. FISH. Is it not a fact that the Committee on Military

Affairs of the Senate has reported out a bill?

Mr. RAKER. My dear sir, what has been done? Two years and six months have passed. These cannon and this material are still out in the open and are being destroyed, and the country is getting no credit.

Mr. FISH. Mr. Chairman, will the gentleman yield for a

question?

Mr. RAKER. I regret I can not. What we want is that these trophies shall be placed in the hands of the people who want them. We want these soldier boys to have them in their home towns and home cities and home villages.

The CHAIRMAN. The time of the gentleman from California

has expired

Mr. MONDELL. Mr. Chairman, from this time on I shall make a point of order on any extension of time in the considera-We have discussed every possible question tion of this bill. during this debate.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

For aviation increase, to enlisted men of the Air Service, \$150,000: Provided, That this appropriation shall not be available for increased pay on flying status to more than 500 enlisted men.

Mr. RAKER. Mr. Chairman, I ask the privilege to insert as a part of my remarks one other letter, of half a page, on the same subject from the post at Susanville, Calif., which is desiring the same thing.

Mr. FISH. I object.

The CHAIRMAN. Objection is made.

Mr. WALSH. Mr. Chairman, I move to strike out the last

amiss after the exhibition which we have witnessed in the last few moments. The gentleman who apparently is in need of information is now sitting where he can get information at any time, and I refer to the gentleman from California [Mr. RAKER], who has come over to the side of the House where information is always available. I desire to say in reference to this pitiful complaint that no action has been taken by Congress with reference to war trophies, that he can sleep the sleep of the just and cease to worry his impetuous soul if he will turn to the RECORD of May 2, in the proceedings of the coordinate branch, for there he will find that Senate bill 674, providing for the distribution of war trophies, passed that body, and is now presumably in the custody of the Military Affairs Committee of the House. Since that time there has been no opportunity to have the measure considered, because we have had other privileged measures up for consideration in the House, but the Suzanna Post-

Mr. RAKER. Oh, no; Placerville.

Mr. WALSH. Which is waiting for these trophies will, when action is had on this measure, undoubtedly have been taken care of.

Mr. RAKER. Mr. Chairman, will the gentleman yield? Mr. WALSH. Yes. Mr. RAKER. I find that on April 14, 1921, a bill was introduced in the House covering this matter. Then I find that the Senate bill-

Mr. WALSH. I yielded for a question. Mr. RAKER. This is the question.

Mr. WALSH. Yes; I recognize it, Mr. RAKER. A bill in the Sixty-sixth Congress passed, but when the Congress died the bill died. Is the bill to which the

gentleman refers going to have the same course?

Mr. WALSH. The bill has passed the Senate and is now before the Committee on Military Affairs. The gentleman knows there has been no opportunity to take up that bill, even though it had been reported; but the gentleman knows that his distinguished colleague, the chairman of the Committee on Military Affairs [Mr. Kahn], announced here on the floor of the House the other day that there would be action upon such a measure, and that provision will be made for disposition of these trophies. This bill, unfortunately for the gentleman from California [Mr. RAKER], provides that the distribution shall be made by the governor of the State. Of course, that may somewhat affect the popularity of the gentleman with the Suzanna Post, or whatever its name is, but possibly he may be able to get it amended so that he will have something to say as to where these deteriorating trophies that are now outside in the open air can be transferred and located somewhere else outside in the open air to continue their deterioration.

The CHAIRMAN. Without objection, the pro forma amend-

ment will be withdrawn, and the Clerk will read.

Mr. HARRISON. Mr. Chairman, I move to strike out the last word. I wish to say in regard to the tables put into the RECORD the other day

Mr. MADDEN. Mr. Chairman, I make the point of order that the discussion is not on the bill. I believe the time has come now when the discussion should be confined to the bill. I shall object to any further discussion out of order on this bill, for it ought to pass. The time has come when we ought to have an orderly consideration of the bill.

The CHAIRMAN. \*The gentleman from Virginia will pro-

ceed in order.

Mr. HARRISON. What I wish to say is bearing on the subject of aviation, and it is a matter that is passed on in this bill. It is a question that will come before the House.

Mr. JOHNSON of Washingon. Mr. Chairman, I make the point of order that the gentleman is not discussing his amendment.

The CHAIRMAN. The gentleman has not proceeded far

enough to have the Chair determine.

Mr. HARRISON. The subject of aviation is now under consideration. I do not desire to violate any of the rules of the House. I just want to simply explain to the gentleman exactly the subject matter about which he has made some criticism. The papers which I put into the RECORD were official reports made by the division of aviation.

Mr. JOHNSON of Washington. I make the point of order

that the gentleman is not speaking to his amendment.

Mr. HARRISON. By the liquidation committee. The CHAIRMAN. The gentleman will suspend The gentleman will suspend. tleman from Washington makes the point of order that the gen-tleman is not debating his amendment. The paragraph under consideration is one beginning at line 17, on page 16, for aviatwo words. I think that some information might not come tion increase. It provides for enlistment in the Air Service,

\$150,000. Under the customary practice of the House any debate that applies to that particular paragraph is usually in order under the pro forma amendment.

Mr. HARRISON. Mr. Chairman, I move to strike out the

paragraph.

The CHAIRMAN. The gentleman from Virginia moves to strike out the paragraph. The Clerk will report the amend-

The Clerk read as follows:

Amendment by Mr. HARRISON: Page 16, line 17, strike out the paragraph.

Mr. HARRISON. Mr. Chairman, in regard to these tables, I simply desired the committee to have the benefit of the information which the official investigation showed. I am not in any sense

Mr. FREAR. Will the gentleman yleld? The gentleman has taken an article from the Aviation Journal which was

not the official report.

Mr. HARRISON. The Aviation Journal published an official report of the table, or at least professed to do so, of the liquida-tion division of the aircraft section of the War Department, and my only object was to enable the Members of this House to see what the facts were.

Mr. HICKS. Mr. Chairman, I make the point of order that

the gentleman is not discussing his amendment.

The CHAIRMAN. The Chair sustains the point of order. The gentleman is discussing a matter that has been discussed some time during the afternoon, but it is not a discussion of the paragraph now before the House.

Mr. HARRISON. I just desire to conclude by saying, if the

gentleman can succeed in finding any information about this air-

craft, nobody will welcome it more than I would.

Mr. JOHNSON of Washington. I make the point of order that the gentleman is not discussing his amendment.

Mr. HARRISON. I ask unanimous consent to withdraw my

Mr. WINGO. Mr. Chairman, I make the point of order that you can discuss any past expenditure of a department when an item for appropriation for that department is under consideration.

The CHAIRMAN. The Chair will hold that any debate upon a subject involved in the particular paragraph—that is, the pay of aviation, increase to the enlisted men of the Air Service

Mr. WINGO. It has been held that when you are discussing an appropriation for any branch of a department the discussion of past expenditures of that department is in order, but I do not care anything about it

The CHAIRMAN. If there is any objection, it seems to the Chair the gentleman would have to confine his remarks to the particular matter contained in this paragraph.

Mr. CARTER. Mr. Chairman, a parliamentary inquiry. The CHAIRMAN. The gentleman will state it.

Mr. CARTER. The gentleman from Virginia is discussing the subject of extravagance in the Aviation Service in the past. Now, we have before us an appropriation for aviation. is not in order, then what would be in order in the discussion of an item appropriating money for aviation?

Mr. JOHNSON of Washington. Mr. Chairman— The CHAIRMAN. For what purpose does the gentleman rise? Mr. JOHNSON of Washington. To discuss the point of order. The gentleman from Virginia has been insisting on discussing the matter he inserted in the RECORD several days ago. nothing to do with his amendment-

The CHAIRMAN. So the Chair held. The gentleman from Virginia asks unanimous consent to withdraw his amendment. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

For additional pay for length of service of enlisted men, \$3,500,000. PAY OF PERSONS WITH RETIRED STATUS.

Mr. LINEBERGER, Mr. Chairman, I offer the following

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. LINEBERGER: Page 17, line 3, after the words "Pay of persons with retired status," insert: "That all persons who have served as officers of the United States Army during the World War and who have incurred physical disability in line of duty shall be eligible for retirement under the same conditions as now provided by law for officers of the Regular Army who have incurred physical disability in line of duty."

Mr. ANTHONY. Mr. Chairman, I reserve a point of order.
Mr. MONDELL. I make the point of order.
The CHAIRMAN. The Chair sustains the point of order.

Mr. LINEBERGER. Will the gentleman withhold his point

Mr. MONDELL. Mr. Chairman, it is clearly-

The CHAIRMAN. The Chair has sustained the point of order, and the Clerk will read.

The Clerk read as follows:

Chief clerk, \$2,500; clerks—1 \$2,250, 6 at \$2,000 each, 8 at \$1,800 each, 13 at \$1,600 each, 21 at \$1,400 each, 24 at \$1,200 each, 26 at \$1,000 each; chief messenger, \$1,000; messengers—3 at \$840 each, 10 at \$720 each; laborer, \$720; in all, \$147,590.

Mr. GRIFFIN. Mr. Chairman-

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. GRIFFIN. Mr. Chairman, I move to strike out the paragraph. Mr. Chairman and gentlemen of the committee, I move to strike out this paragraph for the purpose of emphasizing the point I raised the other day with reference to the employment of civilians in various bureaus of the Army. We all know that it grew to be a great evil in the bureau for the sale of surplus war material, but it is particularly reprehensible in the office of the General Staff of the Army, for there is no branch of the Army where greater safeguards for secrecy ought to prevail. It is a confidential office in the very highest degree, and if the Army can not procure among its trained officers and enlisted men officials who are capable of performing the duties of clerks, then our Army has been reduced to a very sorry condition. This section, as you will notice, provides for 100 clerks, 14 messengers, and 1 laborer. Now, I do not intend to insist upon the amendment at this time, because there was no opportunity to consider it in the committee, but I do hope that the suggestion will be taken to heart by the committee and that something will be done to discontinue the expensive and dangerous custom of employing civilians for military work in the Army.

This morning I received in my mail, as doubtless every other Member of the House did also, a circular, sent out by the Director of Sales, announcing that there is on hand for disposal 953,000 pounds of brass and bronze rod. This has probably just been declared as "surplus war material," and the Director of Sales proposes to sell it in large lots, distributed at points throughout the United States. Can this bronze and brass deteriorate? What overwhelming necessity is there requiring our Government to sell this metal at a sacrifice, as they will doubtless do, under the restraints with which they bind the bids? What is the sense of the United States Government selling this metal now, and then perhaps buying it again in two or three months in ingot form from the very contractors

perhaps who purchased it?

We are laboring under a disadvantage in this House to some extent, as was made manifest on several occasions here to-day.

The practice in the English Parliament of interpellation I think might be very well imitated here. A member there may call attention to some infraction of duty on the part of a member of the cabinet or of the ministry as a matter of right, whereas here we are tied up and bound by parliamentary rules that prevent our calling to the attention of the House and of the country certain things which really clamor for rectification

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRIFFIN. Or at least explanation.
The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For commutation of quarters and of heat and light for field clerks, Quartermaster Corps, \$75,000: Provided, That said clerks, messengers, and laborers shall be employed and assigned by the Secretary of War to the offices and positions in which they are to serve: Provided further. That no clerk, messenger, or laborer at headquarters of tactical divisions, military departments, brigades, service schools, and office of the Chief of Staff shall be assigned to duty in any bureau of the War Department.

Mr. McKENZIE. Mr. Chairman, I move to strike out the last word. I do this simply for the purpose of calling atten-tion to an abuse that has grown up in the War Department, and which I think ought to be abolished in the interest of economy. Some years ago a law was passed providing for commutation of quarters for officers in the Army when stationed away from an Army post. During the war we extended that for the benefit of married men and those who had dependents to the field, so that all officers were entitled to commutation. Some years ago the field clerks insisted that they, too, should have this commutation when in the field, and it was given to them. It has come to my notice that that law has been applied in the city of Washington, where they have seen fit to employ many women as field clerks, giving them the salary, the bonus in addition, and \$33 a month commutation for quarters here. I understand that most of these ladies have been discharged. However, there are a few still employed.

I simply make this short statement for the purpose of calling the matter to the attention of the Secretary of War and those under him, in the hope that they will see that it is cut out.

The CHAIRMAN. Without objection the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

The Clerk read as follows:

All the money hereinbefore appropriated for pay of the Army and miscellaneous, except the appropriation for mileage to commissioned officers, warrant officers, members of the Officers' Reserve Corps when ordered to active duty, contract surgeons, expert accountant, Inspector General's Department, Army field clerks, and field clerks of the Quarter master Corps, when authorized by law, shall be disbursed and accounted for as pay of the Army, and for that purpose shall constitute one fund: Provided, That so much of the unexpended amount of the appropriation for pay, etc., of the Army for the fiscal year 1919 as may be necessary to permit payment for the adjustment and settlement of claims of officers, members of the Nurse Corps, and enlisted men for pay and allowances growing out of service in the World War from April 6, 1917, to June 30, 1919, inclusive, shall remain upon the books of the Treasury to the credit of that appropriation until June 30, 1922: Provided further, That the Army shall be reduced by the Secretary of War so that the sum herein appropriated shall defray the entire cost of the pay of the officers and enlisted men of the line and staff during the fiscal year ending June 30, 1922.

Mr. HULL. Mr. Chairman, I offer an amendment.

Mr. HULL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. Hull: Page 22, line 1, after the word "That," strike out "the Army shall be reduced by the Secretary of War so that"; in line 3, after the word "appropriated," insert "for officers' pay"; in line 3, after the word "officers," strike out "and enlisted men."

Mr. ANTHONY. Mr. Chairman, I make a point of order against that.

Mr. HULL. Does the gentleman reserve the point of order?

Mr. ANTHONY. No; I make it.

Mr. HULL. It certainly is not subject to a point of order. It simply changes the language so that you would limit the pay to enlisted men. You limit it to both officers and enlisted men now. My amendment simply permits the enlisted man to receive his pay. I limit the officers, because we know what the officers It is not subject to a point of order.

Mr. ANTHONY. The gentleman is really trying to destroy

an amendment which the House has just adopted.

Mr. HULL. I am not. I will explain that. It certainly is not subject to a point of order. I will submit it to the Chair. He understands the rules of the House so far as a point of order

The CHAIRMAN. Will the gentleman from Kansas state

what his point of order is?

Mr. ANTHONY. Will the Chair have the amendment again read?

The CHAIRMAN. The Clerk will again report the amendment.

The amendment was again read.

Mr. ANTHONY. Mr. Chairman, I withdraw the point of

The CHAIRMAN. The question is on agreeing to the amend-

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. HULL. Mr. Chairman, I ask for a division.

The committee divided; and there were-ayes 13, noes 44.

So the amendment was rejected.

Mr. GRAHAM of Illinois. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to

strike out the last word.

Mr. GRAHAM of Illinois. Mr. Chairman, in connection with this, I believe there is an error in the phraseology of this bill. I ask unanimous consent to return to lines 8 to 14 on page 20. do not want to discuss it.

Mr. ANTHONY. I object to returning to that paragraph, but I have no objection to the gentleman stating what he thinks

Mr. GRAHAM of Illinois. I will do that. I suppose the gentleman wants his bill to be right. If anybody can explain to me just what that paragraph from line 8 to line 14 on page 20 means, I shall be glad. It provides:

For payment of exchange by officers serving in foreign countries and when specially authorized by the Secretary of War, by officers disbursing funds pertaining to the War Department when serving in Alaska, and all foreign money received shall be charged to and paid out by disbursing officers of the Army at the legal valuation fixed by the Secretary of the Treasury, \$5,000.

Mr. WINGO. I will say to my friend, if he will permit, that

that is not the only error.

Mr. GRAHAM of Illinois. It does not mean anything as it is. It is rambling and disconnected. It ought to read, "For payment of exchange by officers serving in foreign countries and when specially authorized by the Secretary of War, by officers disbursing funds pertaining to the War Department when serving in Alaska, \$5,000, and all foreign money received shall be

charged to and paid out by disbursing officers of the Army at the legal valuation fixed by the Secretary of the Treasury.

Mr. ANTHONY. I will say to the gentleman that the amounts carried for the different items are uniformly carried at the end of the paragraphs.

Mr. GRAHAM of Illinois. I do not care; but you have pro-

ceeded with a different subject matter.

Mr. ANTHONY. It may be a little strained to have it read that way, but that has been the method.

Mr. WINGO. Mr. Chairman, will the gentleman yield? Mr. ANTHONY. Yes.

Mr. WINGO. Why is it that at all foreign points, instead of our having to lose on foreign exchange we do not gain, when our dollars are worth a great deal more?

Mr. ANTHONY. That is the case generally at the present

time, but it has not been so heretofore.

Mr. WINGO. Has the gentleman had any experts before him on that subject?

Mr. ANTHONY. Yes; we have. Mr. WINGO. Can the gentleman say that there is any hope that any country on earth will come up in its currency to par with our dollar?

Mr. ANTHONY. There have been numerous instances in the last year where our disbursing officers have been compelled to pay rates of exchange to their disadvantage, and we have to allow for that.

I suggest that they ought to be in St. Eliza-Mr. WINGO.

beths if that be true.

Mr. ANTHONY. No. In China the rates of exchange have been very much to the disadvantage of this Government, and we have had to resort to shipping silver bars over there in order to pay our troops, and we had to pay our money for doing it.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

The Clerk read as follows:

SUBSISTENCE OF THE ARMY,

Purchase of subsistence supplies: For issue as rations to troops, including warrant officers of the Mine Planter Service, enlisted men of the Enlisted Reserve Corps and retired enlisted men when ordered to active duty, civil employees when entitled thereto, hospital matrons, nurses, applicants for enlistment while held under observation, general prisoners of war (including Indians held by the Army as prisoners, but for whose subsistence appropriation is not otherwise made). Indians employed with the Army as guides and scouts, and general prisoners at posts; for the subsistence of the masters, officers, crews, and employees of the vessels of the Army Transport Service; hot coffee for troops traveling when supplied with cooked or travel rations; meals for recruiting parties and applicants for enlistment while under observation; for sales to officers including members of the Officers' Reserve Corps while on active duty, and enlisted men of the Army; Provided, That the sum of \$12,000 is authorized to be expended for supplying meals or turnishing commutation of rations to enlisted men of the Regular Army and the National Guard who may be competitors in the national rifle match: Provided further, That no competitors in the national rifle match: Provided further, That no competitors in the national rifle match: Provided further, That no competitors shall be entitled to commutation of rations in excess of \$1.50 per day, and when meals are furnished no greater expense than that sum per mapper day for the period the contest is in progress shall be incurred. For payments: Of commutation of rations to the cadets of the United States Military Academy in lieu of the regulation allowances of commutation in lieu of rations to enlisted men on furlough, enlisted remains in kind can not be economically issued, including warrant officers of the Mine Planter Service, enlisted men selected to active duty, and when traveling on detached duty where it is impracticable to carry rati

Mr. BYRNES of South Carolina. Mr. Chairman, I offer an amendment

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. Byrnes of South Carolina: Page 24, line 9, after the word "all," strike out the figures "\$29,350,000" and insert in lieu thereof the following: "\$27,500,000."

Mr. BYRNES of South Carolina. Mr. Chairman, may I ask a question of the gentleman from Kansas?

Mr. ANTHONY. Yes.

Mr. BYRNES of South Carolina. Is the gentleman in favor

of this amendment, in view of the action of the committee?

Mr. ANTHONY. I do not think it would be safe to cut the

arbitrarily fixed the future cost of the ration at 37 cents, although the present-day cost is about 41 cents. The committee took a gamble on the price of the ration going down; and even with a reduction of the Army to the point indicated by the gentleman's amendment, I believe there will be barely enough money in the bill as it is, \$29,500,000, to pay the subsistence of the Army

Mr. BYRNES of South Carolina. Is it not a fact that when the bill was reported before, for an Army of 150,000, you appropriated only \$27,500,000 under this item? I will say to the gentleman that the figures I have offered in this amendment are the exact figures that the gentleman had in his bill in the last Congress when he provided for 150,000 men. I am only relying on the accuracy of the gentleman's own figures in

placing that figure in his bill.

Mr. ANTHONY. I still think it would be unsafe to reduce it below this figure. As I say, the committee took a large chance.

Mr. BYRNES of South Carolina. Then, I desire to be heard on this. I am satisfied that the amendment ought to be adopted. This committee, after considering the question for a month, fixed the ration, and then on the basis of an Army of 150,000 men carried in the bill this amount of \$27,500,000. Now, cermen carried in the bill this amount of \$27,500,000. tainly nothing has happened since that time to cause us to increase the amount for subsistence. If anything, the tendency in the price of foodstuffs is downward. Then, why should we fail to provide the same amount that the committee only 60 days ago said was sufficient for an Army of 150,000 men? When we get back into the House, if it shall be decided that the Army shall not be reduced to 150,000 men, then this figure for subsistence ought to be changed, but where is the sense in providing for an Army of 150,000 men and failing to make the corresponding reduction for subsistence? Let me show you what this committee did. After this bill originally passed the House providing \$27,500,000 for subsistence for 150,000 men, in conference we agreed to 156,000 men, and on that basis this amount for subsistence was correspondingly increased, and very properly so. In this session we have come in with a bill providing for an Army of 168,000 men, and the amount for subsistence is again increased to \$29,000,000. That was proper. But the Committee of the Whole has voted to reduce the Army to 150,000 men. Why should we hesitate to reduce correspondingly the amount for subsistence? The gentleman from Kansas says they propose to spend the same amount for the ration, and that being so we can make this reduction, and it ought to be made. If you do not make the reduction you are simply increasing the ration, providing the gentleman's committee was right in the first instance. If the committee was right in putting \$29,350,000 for 168,000 men, certainly that is more than is necessary for 150,000 men. If it is only enough for 150,000, then it would have been too little for 168,000 men.

Mr. BLANTON. Will the gentleman yield?

Mr. BYRNES of South Carolina. I yield to the gentleman from Texas.

Mr. BLANTON.' I will tell the gentleman what is in contemplation. If I understand correctly, there is an effort now on the part of the "big Army" men to whip certain people into line and try to get this provision changed, and if that should happen, of course certain gentlemen would expect a larger

appropriation for rations for the Army.

Mr. BYRNES of South Carolina. I do not know whether that is true or not, but I submit to the committee that if when we get back in the House, the House in its wisdom shall say that the Army should be 168,000 men, manifestly the amount carried for subsistence should be made to correspond. If the House, however, decides that the Army should be 150,000 men, we have no excuse whatever for refusing to make the change in the amount for subsistence correspond to the reduction in the number of enlisted men, and we ought to put it just where the committee had it in the last bill, which provided \$27,500,000 for subsistence for 150,000 men. I think the chair-

man of this committee ought to agree to this.

Mr. MONDELL. Mr. Chairman, no matter how much or how little we appropriate in this item, the men will have to be fed at the market cost of the ration, whatever it may be. The law provides the character of the ration. Each man is entitled to a certain ration, so that the amount expended will be the market cost of the ration as provided for the number of men in the Army. If the Army should be 120,000 men, the expenditure would be for rations for 120,000 men. If the Army should be 150,000 men, the expenditure would be for rations as provided by law for 150,000 men, no more and no less. Certainly, we do not want to go on record as disposed to starve the Army of the United States or as trying to reduce unduly the appropriation for the subsistence of the Army. The ration is now costing 43 cents. It may possibly be reduced in price, but that is question-

able. In making up this estimate the ration is estimated at 5 cents below the present cost per ration. In my opinion the sum carried is very low.

Mr. BYRNES of South Carolina. Will the gentleman yield for a question?

Mr. MONDELL Yes

Mr. BYRNES of South Carolina. If the limit of 168,000 men had remained in the bill, manifestly it would have resulted in starying the boys to have carried this amount.

Mr. MONDELL. I was inclined to think, and I said to members of the committee that I thought this item was low. I

have the same view now.

Mr. BYRNES of South Carolina. The gentleman did not

offer an amendment to increase it.

Mr. MONDELL. I am trying to keep these appropriations down, and I am trying to keep them down in good faith, and

not for political purposes. [Applause.]
Mr. BYRNES of South Carolina. If the gentleman has any reference to my action, I will say that time after time he has asked me to help him keep appropriations down. I am doing it, and yet oftentimes he does not stand by me in the effort I am trying to make.

Mr. GRAHAM of Illinois. Mr. Chairman, I move to strike out the last word. I want to ask the chairman of the committee a question. You have estimated the rations at 41 cents?

Mr. ANTHONY. Thirty-seven cents, and the cost to-day is 41 or 42 cents. We figured that the cost would go down.

Mr. GRAHAM of Illinois. Mr. Chairman, that presents a very unusual situation. In the Navy the commutation of rations to-day is figured at 68 cents. That is the sworn testimony before the committee of which I am a member. It is to the effect that the Navy ration is commuted at 68 cents. The Lighthouse Service, the Coast Guard, and other subordinate arms of the Navy Department are asking and all getting, except the Lighthouse Service, 68 cents a day for rations. I would like to ask further, is the Navy ration the same as the Army ration?

Mr. ANTHONY. That is a matter that was discussed before the full Committee on Appropriations, and it was brought out by the gentleman from Michigan [Mr. Kelley] that the Navy ration called for much larger portions of food than did the Army ration, and therefore it cost more. My information is that we feed the men of the Navy more liberally than we do the

Mr. GRAHAM of Illinois. I am convinced from the testimony that 41 or 45 cents is not enough to feed the men in the Army. and that the appropriation which covers only that amount will lead to deficiencies.

Mr. ANTHONY. We thought that would be sufficient, and for that reason I am opposed to the amendment of the gentleman from South Carolina. We did not want to take any

chance.

Mr. GARRETT of Tennessee. Will the gentleman yield.

Mr. GRAHAM of Illinois. Yes.

Mr. GARRETT of Tennessee. While discussing the question of rations, has the gentleman heard of the fact that there was a sale of \$1,000,000 pounds of beef purchased during the war at a cost of 24 cents a pound and sold at the price of 61 cents a pound?

Mr. GRAHAM of Illinois. No; I have not had it called to my

Mr. GARRETT of Tennessee. I will say that that occurred. The gentleman will recall that there was quite a little criticism of the last administration about the sale of the surplus food in the War Department. This was sold to one firm in Philadelphia and it was one of the first acts of the new administration.

Mr. ANTHONY. Mr. Chairman, I move to strike out the last I think the House ought to have some information in regard to the sale which the gentleman from Tennessee has just referred to. One of the first acts of this administration was to dispose of about 81,000,000 pounds of meat, as the gentleman says, which was found by the last administration to have been kept for two years until a lot of it had spoiled on its hands. We were compelled to sacrifice it at this price, when if it had been sold as it should have been, right after the armistice, by the former administration we would have realized 20 cents a pound.

Mr. GARRETT of Tennessee. Mr. Chairman, that illustrates the bunk that there was in the criticism of the last administration.

Mr. ANTHONY. The gentleman is criticizing this adminis-

Mr. GARRETT of Tennessee. No; I do not propose to criticize this administration. I do not know anything about it. The fact that this was foodstuff that was found unmarketable for the general retail trade; that is my information about it. think, perchance, it is quite likely that the firm that bought it, even at that very low price, may make very little money by the transaction. I say that in fairness, but I did desire to bring out the amount of bunk that was indulged in during the last administration.

Mr. ANTHONY. The gentleman must admit the fact that the War Department kept the meat for two years without disposing of it and that that is sufficient criticism.

Mr. GARRETT of Tennessee. The War Department could not dispose of it except at such a price as would bring it under the criticism that was constantly being made by the Members

Mr. GRAHAM of Illinois. The reason they did not dispose of it was that they had a hard and fast agreement with the people of whom they purchased, and they would not do it. was not until we got into power that somebody saw the light, and they ordered that sale.

Mr. GARRETT of Tennessee. Accepting that as a basis, let me say that the War Department sold it at 61 cents when the price of meat in the hands of the packers to-day is 24 cents. am willing to give credit of good faith to the administration.

Mr. ANTHONY. The former administration kept it until it

Mr. CARTER. Does the gentleman say that the administration sold spoiled meat to the American public?

Mr. ANTHONY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. Tilson, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 5010, the Army appropriation bill, and had come to no resolution thereon.

ADJOTTRNMENT OVER

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Monday next. I do this for two reasons: First, the business of the House is not so pressing but that we may properly give the committees an opportunity to consider the measures before them, and Members an opportunity to catch up with their official business. The second reason is that to-morrow is an important anniversary-the eighty-fifth birthday of Uncle Joe Cannon. [Loud and long applause.]

The SPEAKER. The gentleman from Wyoming asks unanimous consent that when the House adjourns to-night it adjourn until Monday next. Is there objection?

There was no objection.

## ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now

The motion was agreed to; accordingly (at 5 o'clock and 11 minutes p. m.) the House, under its previous order, adjourned until Monday, May 9, 1921, at 12 o'clock noon.

# EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

106. A letter from the Assistant Secretary of the Navy, transmitting a tentative draft of a bill to amend the act authorizing the Secretary of the Navy to settle claims for damages to private property arising from collisions with naval vessels, and for other purposes; to the Committee on Claims.

107. A letter from the Secretary of the Treasury, transmitting a supplemental estimate of appropriations, in the sum of \$1,744,910, required by the Treasury Department to provide additional facilities at quarantine stations (H. Doc. No. 70); to the Committee on Appropriations and ordered to be printed.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. MAPES, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 82) to extend the time for the construction of a bridge across the Red River of the North, at or near the city of Pembina, N. Dak., reported the same without amendment, accompanied by a report (No. 48), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DOWELL, from the Committee on the Territories, to which was referred the bill (H. R. 4598) to provide for the exchange of Government lands for privately owned lands in the

Territory of Hawaii, reported the same without amendment, accompanied by a report (No. 49), which said bill and report were referred to the Committee of the Whole House on the state of the Union

Mr. ALMON, from the Committee on the Territories, to which was referred the bill (H. R. 2499) to provide for the acquisition by the United States of private rights of fishery in and about Pearl Harbor, Hawaii, reported the same with an amendment, accompanied by a report (No. 51), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

## REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (H. R. 962) for the relief of the heirs of Robert Laird McCormick, deceased, reported the same without amendment, accompanied by a report (No. 50), which said bill and report were referred to the Private Calendar.

## CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 4665) granting a pension to Lewis E. Phillips, and the same was referred to the Committee on Invalid Pensions.

# PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HUDSPETH: A bill (H. R. 5883) to amend the act entitled "An act to pension the survivors of certain Indian wars from January 1, 1859, to January, 1891, inclusive, and for other purposes," approved March 4, 1917; to the Committee on Pen-

By Mr. JOHNSON of South Dakota: A bill (H. R. 5884) providing for a review of court-martial cases; to the Committee on Military Affairs.

By Mr. KING: A bill (H. R. 5885) making appropriation for the improvement of Quincy (III.) Bay; to the Committee on Appropriations.

By Mr. MILLS: A bill (H. R. 5886) to amend the act entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States," approved June 29, 1906, as amended, and for other purposes; to the Committee on Immigration and Naturalization

Also, a bill (H. R. 5887) to exempt admissions the proceeds of which inure to the benefit of persons who served in the military or naval forces of the United States between April 6, 1917, and November 11, 1918, and are in need, from tax on admissions; to the Committee on Ways and Means.

By Mr. WALSH: A bill (H. R. 5888) to authorize the Secretary of the Treasury to create in the United States Coast Guard the rank or grade of chief gunner, electrical, and to transfer thereto the present incumbent supervisors and assistant supervisors of telephone lines in the Coast Guard; to the Committee on Interstate and Foreign Commerce.

By Mr. WHITE of Maine (by request): A bill (H. R. 5889) to regulate radio communication and to foster its development; to the Committee on the Merchant Marine and Fisheries.

By Mr. WOODRUFF: A bill (H. R. 5890) regulating and restricting the sale of tickets to public amusement performances, and for other purposes; to the Committee on the District of Columbia.

By Mr. GILLETT (by request): A bill (H. R. 5891) to confer jurisdiction upon the United States Court of Claims, to determine the rights and equities contested for by certain persons designated in the bill in equity filed in the Supreme Court of the District of Columbia in 1915, styled and numbered as H. N. Johnson, Rebecca Bowers, C. B. Williams, and Mamie Thompson, and all other persons similarly interested in the subject matter, No. 33573 on the docket of that court; and also the same action determined in the Court of Appeals of the District of Columbia, No. 2918 on the docket of the said court of appeals; to the Committee on Claims.

By Mr. BUTLER: A bill (H. R. 5892) to correct the status of

certain enlisted men of the Navy and Naval Reserve Force, and for other purposes; to the Committee on Naval Affairs.

Also, a bill (H. R. 5893) to establish rates of pay for enlisted men of the insular force of the Navy; to the Committee on Naval Affairs.

By Mr. HILL: A bill (H. R. 5894) to safeguard newspapers from suits for damages arising from publication of errors in authorized slacker lists; to the Committee on the Judiciary

By Mr. BUTLER: A bill (H. R. 5895) to increase the efficiency and provide for the proper organization and administration of the Naval Reserve Force; to the Committee on Naval Affairs.

Also, a bill (H. R. 5896) to establish the commissioned warrant and warrant grades of chief electrician, electrician, chief radioelectrician, and radioelectrician in the United States Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 5897) to repeal certain provisions of the deficiency act approved June 5, 1920; to the Committee on

Naval Affairs

By Mr. SMITH: A bill (H. R. 5898) granting certain lands to the city of Blackfoot, Idaho, for a public park; to the Committee on the Public Lands.

By Mr. WILSON: A bill (H. R. 5899) making appropriation for continuing the improvement of the Ouachita River, Ark, and La.; to the Committee on Appropriations.

By Mr. LEE of New York: A bill (H. R. 5900) to provide for an additional judge of the District Court for the Eastern District of New York; to the Committee on the Judiciary.

By Mr. MOORE of Virginia: A bill (H. R. 5901) to permit the Soldiers' Institute (Inc.) to occupy the Government property at Bluemont, Loudoun County, Va., known as Mount Weather, in connection with its work for the care, education, and rehabilitation of soldiers, sailors, and marines of the late war, and for other purposes; to the Committee on Agriculture.

By Mr. OSBORNE: A bill (H. R. 5902) authorizing the

erection of a sanitary, fireproof hospital at the National Home for Disabled Volunteer Soldiers at Santa Monica, Calif.; to

the Committee on Public Buildings and Grounds.

By Mr. TINKHAM: Resolution (H. Res. 83) directing an investigation as to the extent to which the right to vote is denied certain citizens of the United States; to the Committee on Rules.

By Mr. VOLK: Joint resolution (H. J. Res. 108) amending the act regarding the loan of Army tents to veterans of the dif-

ferent wars; to the Committee on Military Affairs.

By Mr. KINDRED: Joint resolution (H. J. Res. 109) concerning conditions in Ireland; to the Committee on Foreign Affairs.

By Mr. MORIN (by request): Joint resolution (H. J. Res. 110) proposing an amendment to the Constitution of the United States: to the Committee on the Judiciary

By Mr. KELLEY of Michigan: Memorial of the Legislature of Michigan, requesting Congress to repeal the Esch-Cummins Act; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of Michigan, memorializing Congress to amend the La Follette Act so as to alleviate burdens now carried by Great Lakes shipping; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of the Legislature of Michigan, memorializing Congress to restore to the States control of intrastate railroads;

to the Committee on Interstate and Foreign Commerce.

# PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions

were introduced and severally referred as follows:
By Mr. BEGG: A bill (H. R. 5903) authorizing the Secretary of War to donate to the town of Haskins, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BLAND of Indiana: A bill (H. R. 5904) granting a pension to Mary A. Wallace; to the Committee on Invalid

Also, a bill (H. R. 5905) granting a pension to Emeline Weir; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5906) granting a pension to Paul Hubner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5907) granting a pension to Susan F. Tol-

son; to the Committee on Invalid Pensions. By Mr. BRITTEN: A bill (H. R. 5908) granting a pension to Anna Claude Howard; to the Committee on Pensions.

By Mr. BURTON: A bill (H. R. 5909) for the relief of William Dall; to the Committee on the District of Columbia.

By Mr. BYRNS of Tennessee: A bill (H. R. 5910) granting a pension to Hester Lindsay; to the Committee on Invalid Pen-

By Mr. CHALMERS: A bill (H. R. 5911) to carry out the findings of the United States Court of Claims in the case of Isaac R. Sherwood; to the Committee on War Claims.

By Mr. DUNBAR: A bill (H. R. 5912) granting an increase of pension to Alice D. Knight; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 5913) granting an increase of pension to Fannie M. Wilson; to the Committee on Invalid

By Mr. GREEN of Iowa: A bill (H. R. 5914) granting an increase of pension to Jonathan Wise; to the Committee on Invalid Pensions.

By Mr. HAMMER: A bill (H. R. 5915) granting a pension to Mary E. Jennings; to the Committee on Invalid Pensions.

By Mr. McARTHUR: A bill (H. R. 5916) to correct the military record of James McMullen; to the Committee on Military Affairs.

Also, a bill (H. R. 5917) granting a pension to Frederick J. Young; to the Committee on Invalid Pensions.

By Mr. MADDEN: A bill (H. R. 5918) for the relief of the Michigan Boulevard Building Co.; to the Committee on Claims. By Mr. MEAD: A bill (H. R. 5919) granting a pension to Menora Sweetland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5920) granting an increase of pension to

Mary Barnett; to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 5921) granting a pension to Robert Petritz; to the Committee on Pensions.

By Mr. NEWTON of Missouri: A bill (H. R. 5922) granting a pension to George C. Emmert; to the Committee on Pensions. By Mr. NOLAN: A bill (H. R. 5923) for the relief of the

Rolph Navigation & Coal Co.; to the Committee on Claims. By Mr. PATTERSON of Missouri: A bill (H. R. 5924) for the relief of Thomas F. Jessup; to the Committee on Military Affairs.

Also, a bill (H. R. 5925) to remove the charge of desertion from the military record of Daniel Powell; to the Committee

on Military Affairs. By Mr. ROACH: A bill (H. R. 5926) granting a pension to

John B. Hopkins; to the Committee on Invalid Pensions. Also, a bill (H. R. 5927) granting a pension to Hugh Creach;

to the Committee on Invalid Pensions.

Also, a bill (H. R. 5928) authorizing the Secretary of War to donate to the town of Meta, Mo., one German cannon or field-piece; to the Committee on Military Affairs.

By Mr. SANDERS of Indiana: A bill (H. R. 5929) granting an increase of pension to Joseph H. Glover; to the Committee on Pensions.

By Mr. SHAW: A bill (H. R. 5930) granting an increase of pension to Mattie J. Clark; to the Committee on Invalid Pen-

By Mr. SINNOTT: A bill (H. R. 5931) granting a pension to

Susan E. Becker; to the Committee on Invalid Pensions. By Mr. UPSHAW: A bill (H. R. 5932) for the relief of the widow of John A. Zachary; to the Committee on Claims.

Also, a bill (H. R. 5933) for the relief of Alexander Mattison; to the Committee on Claims.

By Mr. VESTAL: A bill (H. R. 5934) to remove the charge of desertion against Israel Brown and to grant him an honorable discharge; to the Committee on Military Affairs.

Also, a bill (H. R. 5935) granting an increase of pension to Marietta Nichols; to the Committee on Invalid Pensions.

By Mr. WALSH: A bill (H. R. 5936) for the relief of William Befuhs, alias Charles Cameron; to the Committee on Military Affairs.

By Mr. WHITE of Maine: A bill (H. R. 5937) granting a pension to Sarah H. Adams; to the Committee on Invalid Pen-

# PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

512. By the SPEAKER: Petition of the Massachusetts Society, Sons of the American Revolution, urging that Congress change the name of the Panama Canal to the Roosevelt Canal; to the Committee on Interstate and Foreign Commerce.

513. Also (by request), petition of citizens of the fifth congressional district of Minnesota, urging the recognition of the Irish republic; to the Committee on Foreign Affairs.

514. By Mr. ARENTZ: Petition of the Reno (Nev.) Chamber of Commerce, favoring the passage of Senate bill 1072; to the Committee on Roads.

515. By Mr. BURTNESS: Petition of the Parent-Teachers' Association of North Dakota, urging the passage of the Smith-Towner bill; to the Committee on Education.

516. By Mr. BYRNS of Tennessee: Papers to accompany H. R. 5910, granting a pension to Hester Lindsay; to the Committee on Invalid Pensions.

517. By Mr. CRAMTON: Resolution of William Regan Post, No. 127, American Legion, Marine City, Mich., indorsing the pro-

gram of legislation asked by the American Legion of the Sixty seventh Congress in the interest of disabled veterans of America; to the Committee on Interstate and Foreign Com-

518. By Mr. DALLINGER: Petitions of citizens of Cambridge, Mass., and citizens of the eighth Massachusetts district, favoring the recognition of the Irish republic; to the Committee on Foreign Affairs.

519. Also, petition of Bay State Division, No. 413, Order of Railway Conductors, favoring the repeal of the excess-profits tax, etc.; to the Committee on Ways and Means.

520, Also, petition of Sons of Veterans Club of Massachusetts indorsing H. R. 2882; to the Committee on Invalid Pensions.

521. By Mr. FROTHINGHAM: Petition of the Women's Auxiliary Post, No. 79, Weymouth, Mass.; the Dedham Post, No. 18, Dedham, Mass.; the Brockton Post, No. 35, Brockton, Mass., and the Norwood Post, No. 70, Norwood, Mass., all of the American Legion, favoring relief for the disabled soldiers; to the Committee on Interstate and Foreign Commerce.

522. By Mr. FUNK: Petition of the Young Men's Christian Association of Pontiac, Ill., urging the passage of the bill for the relief of disabled soldiers; to the Committee on Interstate

and Foreign Commerce.

526. By Mr. KENNEDY: Resolution of Winona Council, No. 1, Junior Order United American Mechanics, of Woonsocket, R. I., favoring passage of House bill 7, the Towner bill; to the Committee on Education.

527. By Mr. KISSEL; Petition of Austin Nichols & Co., food products, New York City, N. Y., urging the passage of House bill 2888; to the Committee on Agriculture.

528. By Mr. LINTHICUM: Petitions of the Greenwald Packing Co., Baltimore, opposing House bills 232 and 14, and the Maryland Glass Corporation, Glass Container Association, Buck Glass Co., and Columbia Specialty Co., all of Baltimore, relating to House bill 4981; to the Committee on Agriculture.

529. Also, petitions of the Grand Lodge of Maryland and Miss Elizabeth Rumpf, both of Baltimore, favoring House bill 7; to

the Committee on Education.

530. Also, resolutions of the Woman's Christian Temperance Union of Mayland, Baltimore, opposing any attempt to repeal the Volstead Act; to the Committee on the Judiciary

531. Also, petition of Oscar A. Ferguson, Baltimore, Md., favoring House bill 172; to the Committee on Military Affairs. 532. Also, petition of Miss Rose V. Quinn, Baltimore, favoring Irish recognition; to the Committee on Foreign Affairs.

533. By Mr. MEAD: Petition of the Patrick Henry Council, American Association for the Recognition of the Irish Republic, Niagara Falls, N. Y., urging freedom for Ireland; to the Committee on Foreign Affairs.

534. By Mr. MERRITT: Petition of organizations of Americans of Ukrainian ancestry, and Ukrainian residents of Stamford, Conn., praying that the Government of the United States recognize East Galicia, along with northern Bukowina, as an independent State, etc.; to the Committee on Foreign Affairs.

535. By Mr. MORGAN: Petition of Johnstown Post, American Legion, No. 254, E. J. Higgins, commander, for relief of disabled veterans; to the Committee on Interstate and Foreign

536. By Mr. NEWTON of Missouri: Petition of over 1,000 citizens of St. Louis, Mo., urging amendment to the Volstead Act for the manufacture of beer and light wines; to the Committee on the Judiciary.

537. By Mr. PARKER of New York: Petition of citizens of New York, favoring reduction of taxes on tobacco; to the Committee on Ways and Means.

538. By Mr. RIORDAN: Petition of citizens of the eleventh district of the State of New York, urging that Congress recognize the Irish republic; to the Committee on Foreign Affairs.

539. By Mr. THOMPSON: Petition of the Women's Auxiliary, American Legion Post, No. 208, Convoy, Ohio, urging legislation in behalf of soldiers' relief; to the Committee on Interstate and Foreign Commerce.

540. By Mr. TINKHAM: Petition of the Celtic Association, of Boston, Mass., urging legislation that will assure American ships the right of free passage of toll through the Panama Canal; to the Committee on Interstate and Foreign Commerce.

541. Also, petition of citizens of Boston, Mass., and over 1,000 citizens of Roslindale and Forest Hills, Mass., urging recognition of the Irish republic; to the Committee on Foreign Affairs. 542. By Mr. YATES: Petition of Robert P. Vall, Decatur,

Ill., protesting against House bill 156; to the Committee on the Judiciary.

# SENATE.

SATURDAY, May 7, 1921.

The Chaplain, Rev. J. J. Muir, D. D., offered the following

Our father's God, and on the eve of what is nationally known as Mothers' Day, we bless Thee as our mothers' God. We thank Thee for these hallowed influences which have been following us through the years, for those sacred moments we recall when we learned our first lessons of truth and duty at our mother's knee and learned, too, our first evening prayer, and lisped Thy name as she taught us. We pray for the mothers of our land. We pray for our homes, that out of those homes new inspiration shall go forth and give to us a larger patriotism and a greater sense of devotion to Thee and to the interests which bind us to Thee and to Thy throne. We ask in Jesus Christ's name.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Wednesday, May 4, 1921, when, on request of Mr. Curtis and by unanimous consent, the further reading was dispensed with and the Journal was approved.

NATIONAL FOREST RESERVATION COMMISSION.

The VICE PRESIDENT. Pursuant to the provisions of the act approved March 1, 1911, entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," the Chair appoints the Senator from Tennessee, Mr. Shields, as a member of the National Forest Reservation Commission to fill the vacancy occasioned by the resignation of the Senator from Rhode Island, Mr. GERRY.

#### PETITIONS AND MEMORIALS.

Mr. SHORTRIDGE. Mr. President, I beg leave to present Senate joint resolution No. 26 of the Legislature of the State of California relative to immigration and particularly oriental immigration. I ask that it be printed in the Record and referred to the Committee on Foreign Relations.

The joint resolution was referred to the Committee on Foreign

Relations, as follows:

LEGISLATIVE DEPARTMENT, STATE OF CALIFORNIA,
FORTY-FOURTH SESSION,
Senate Chamber, April 27, 1921,
To the President of the United States, the honorable Secretary of State
of the United States, and to each of California's Senators and Representatives in Congress;

Pursuant to the provisions of senate joint resolution No. 26, adopted by the Legislature of the State of California at the forty-fourth session, I am sending you herewith a copy thereof, reading as follows:

Chapter 36, senate joint resolution 26, relative to immigration Chapter 36, senate joint resolution 26, relative to immigration.

Whereas the Japanese Exclusion League of California, representing officially such organizations as the American Legion, War Veterans, Native Sons and Native Daughters of the Golden West, State Federation of Women's Clubs, State Federation of Labor, and various other patriotic, civic, and fraternal bodies, have adopted a statement of policy recommended for adoption by the Government of the United States as urgently required in protection of the Nation's interest against the growing menace of Japanese immigration and colonization; and

Whereas said declaration of principles has been approved by the organizations affiliated with the league—the Los Angeles County Anti-Asiatic Association and the Japanese Exclusion League of Washington; and

ton; and
Whereas said declaration of principles is in words and figures as fol-

Thereas said declaration of principles is in words and figures as follows, to wit:

First, Absolute exclusion for the future of all Japanese immigration not only male but female, and not only laborers, skilled and unskilled, but "farmers" and men of small trades and professions, as recommended by Theodore Roosevelt.

Permission for temporary residence only for tourists, students, artists, commercial men, teachers, etc.

Second, Such exclusion to be enforced by United States officials, under United States laws and regulations, as done with immigration, admitted or excluded, from all other countries; and not, as at present, under an arrangement whereby control and regulation is surrendered by us to Japan.

Third, Compliance on the part of all departments of the Federal Government with the Constitution, and the abandonment of the threat or attempt to take advantage of certain phrasing of that document as to treaties, which it is claimed gives the treaty-making power authority to violate plain provisions of the Constitution in the following matters:

matters:

(a) To nullify State rights and State laws for control of lands and other matters plainly within the State's jurisdiction.

(b) To grant American citizenship to races of yellow color, which are made ineligible for such citizenship.

Fourth. For the Japanese legally entitled to residence in California, fair treatment, protection in property rights legally acquired, and the privilege of engaging in any business desired, except such as may be now or hereafter denied by law to all aliens, or to aliens ineligible to citizenship; and provided particularly that they may not hereafter buy or lease agricultural lands: Now, therefore, be it

Resolved by the senate and assembly, jointly, That the Legislature of the State of California hereby indorses said declaration of principles and urges that the President, the Department of State, and the Congress of the United States adopt and observe the policy therein stated; and be it further

Resolved, That the secretary of the senate be, and she is hereby, directed to transmit copies of these resolutions to the President and the Secretary of State of the United States and to each of California's Senators and Representatives in Congress,

MARTIN C. MADSEN.

Congress,
MARTIN C. MADSEN,
Private Secretary to the Governor.
FRANK C. JORDAN,
Secretary of State.
C. C. YOUNG,
President of the Senate,
HENRY W. WRIGHT,
Speaker of the Assembly.

And hereby certify that the same was duly filed with the secretary of state on April 27, 1921.

GRACE S. STOERMER, Secretary of the Senate.

Mr. SHORTRIDGE. Also I present and ask that it be printed in the Record senate joint resolution No. 24 by the Legislature of the State of California, relative to the protection of the almond industry, and that it likewise be referred to the Committee on Finance.

The joint resolution was referred to the Committee on Finance, as follows:

LEGISLATIVE DEPARTMENT, STATE OF CALIFORNIA, SENATE, Sacramento, April 16, 1921.

To the Secretary of the Senate of the United States, to each member of the Committee on Ways and Means of the House of Representatives, to each member of the United States Tariff Commission, and to each of California's Senators and Representatives in Congress:

Pursuant to the provisions of senate joint resolution No. 24, adopted by the Legislature of the State of California at the forty-fourth session, I am sending you herewith a copy thereof, reading as follows:

Senate joint resolution 24, relative to the protection of the almond industry.

industry.

Whereas the production of almonds constitutes one of the basic industries of the State of California, which State has demonstrated that she is capable of producing almonds in sufficient quantities to meet all the demands of the United States;

Whereas in order to properly protect this industry a tariff on almonds which are principally imported from the cheap labor sections of Europe, Asia, and Africa is necessary if this industry shall not perish;

Whereas the present tariff on almonds is wholly inadequate for such protection: Now, therefore, be it

Resolved by the senate and assembly jointly, That the Legislature of the State of California hereby memorializes Congress to provide such a tariff on imported almonds as will equalize the cost of production and marketing between the home grown and imported product; and be it further

further

Resolved, That California's Senators and Representatives in Congress be, and they are hereby, urged to use all honorable means to secure the adoption of such a tariff; and be it further

Resolved, That the secretary of the senate be, and she is hereby, instructed to forward copies of these resolutions to the Secretary of the Senate of the United States, to each member of the Committee on Ways and Means of the House of Representatives, to each member of the United States Tariff Commission, and to each of California's Senators and Representatives in Congress.

MARTIN C. MADSEN.

MARTIN C. MADSEN,
Private Secretary to the Governor,
FRANK C. JORDAN,
Secretary of State.
C. C. YOUNG,
President of the Senate.
HENRY W. WRIGHT,
Speaker of the Assembly,

And hereby certify that the same was duly filed with the secretary of state on April 16, 1921.

GRACE S. STOERMER, Secretary of the Senate.

Mr. SHORTRIDGE. Also I beg leave to present and to have printed in the RECORD senate joint resolution No. 28, by the Legislature of the State of California, relative to a tariff on I ask that it be referred to the Committee on Finance.

The joint resolution was referred to the Committee on Finance, as follows:

LEGISLATIVE DEPARTMENT, STATE OF CALIFORNIA, SENATE, Sacramento, April 16, 1921.

To the President of the Senate and the Speaker of the House of Representatives of the United States, and to each of our Senators and Representatives in Congress:

Pursuant to the provisions of senate joint resolution No. 28, adopted by the Legislature of the State of California at the forty-fourth session, I am sending you herewith a copy thereof, reading as follows:

Senate joint resolution 28, relative to a tariff on olives. Whereas the olive industry is one of the great and important enterprises of this State and materially contributes to the upbuilding thereof;

and
Whereas the rate of duties on olives should equalize the difference in
cost of production between the United States and foreign countries;

Whereas the continuation of the existing low rate of duty upon the importation of olives will seriously hamper and retard the growth and development of the State of California: Now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That we respectfully memorialize the Congress of the United States to impose a tariff upon olives and olive products which shall be adequate to cover the difference in the cost of production of olives and olive products in the United States and foreign countries; and be it further

Resolved, That our Senators and Representatives in Congress be, and they hereby are, urged and requested to use every honorable means to accomplish this object; and be it further Resolved, That copies of these resolutions be transmitted to the President of the Senate and the Speaker of the House of Representatives of the United States and to each of our Senators and Representatives in Congress.

MARTIN C. MADSEN,
Private Secretary to the Governor
FRANK C. JORDAN,
Secretary of State.
C. C. YOUNG,
President of the Senate.
HENRY W. WRIGHT,
Speaker of the Assembly.

And hereby certify that the same was duly filed with the secretary of state on April 16, 1921.

GRACE S. STOERMER. Secretary of the Senate.

Mr. SHORTRIDGE. Mr. President, while on my feet I wish to give notice that hereafter I shall crave the indulgence of the Senate to discuss particularly the matter of immigration referred to in the resolutions which I have just submitted.

Mr. BROUSSARD presented a resolution of the Crescent City Branch, United States Civil Service Retirement Association, of New Orleans, La., favoring the enactment of legislation amending the civil service retirement act so as to increase the annuities; to decrease the contributions exacted of employees; granting annuities to employees who become disabled in the line of duty without regard to length of their term of service; making the retirement of employees who have served 30 years optional irrespective of their ages and granting such employees the maximum annuity on retirement, which was referred to the Committee on Civil Service.

He also presented petitions of John R. Drackett, James J. Le Bout, John J. Greenwood, Linus J. Adams, Louis R. Blakemen, J. M. Huff, Lawrence Bonner, C. A. Blanchard, H. J. Bourgeois, C. C. Degrelle, and W. W. Breaux, all of Morgan City, Learning for the congruence of legislation for the recognition. City, La., praying for the enactment of legislation for the recognition of the Irish republic, which were referred to the Committee on Foreign Relations.

Mr. CAPPER present resolutions of the Woman's Auxiliary, American Legion, of Perry; Chamber of Commerce of Great Bend; Auxiliary to Russell Blackburn Post, American Legion, of Strong City; Kiwanis Club, of Lawrence; Woman's Auxiliary, American Legion, of McLouth; and American Legion Post, No. 78, of Cottonwood Falls, all in the State of Kansas, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which were referred to the Committee on Finance.

He also presented a petition of Antelope Local, Farmers' Union, of Potter, Nebr., praying for the enactment of legislation to prohibit gambling in grain products, which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of sundry citizens of Americus, Kans., remonstrating against the enactment of legislation repealing the excess-profits tax law and substituting therefor a sales or turnover tax, which was referred to the Committee on Finance.

Mr. McLEAN presented resolutions of the Kiwanis Club, of Bridgeport; Women's Auxiliary, Seicheprey Post, No. 2, of Bristol; Seicheprey Post, No. 2, American Legion, of Bristol; and Board of Education, of Waterbury, all in the State of Connecticut, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which were referred to the Committee on Finance. to the Committee on Finance.

He also presented a resolution of East Canaan Grange, No. 136, Patrons of Husbandry, of East Canaan, Conn., protesting against the enactment of a daylight saving law, which was referred to the Committee on Interstate Commerce.

He also presented memorials of the Woman's Club, of Norwalk, and the Mount Carmel Book Club, of Mount Carmel, both in the State of Connecticut, remonstrating against the enactment of legislation to commercialize the national parks, which were referred to the Committee on Commerce.

He also presented a resolution of the Norwich Central Labor Union, of Norwich, Conn., favoring the immediate resumption of trade with soviet Russia, which was referred to the Committee on Foreign Relations.

He also presented a telegram in the nature of a memorial from Howard Bossa Post, No. 653, Veterans of Foreign Wars, of New Canaan, Conn., remonstrating against the conclusion of any peace treaty with Germany until Grover Cleveland Bergdoll is delivered to the American authorities, which was referred to the Committee on Foreign Relations.

Mr. TOWNSEND (for Mr. NEWBERRY) presented a concurrent resolution of the Legislature of Michigan, favoring the repeal of the Esch-Cummins Act, which was referred to the

Committee on Interstate Commerce.

He also (for Mr. Newberry) presented a concurrent resolution of the Legislature of Michigan, favoring the amendment of the interstate commerce act, as amended by the transportation act of 1920, so as to restore to the States the control of the capital securities of all railroad corporations created under the sovereignty of the States and operating railroads wholly within the territorial limits thereof; the control by the States of intrastate rates over intrastate traffic, and the authority of the States to compel service by the railroads in the transportation of persons and property on the basis of a fair return upon the fair value of the used and useful property of the railroad company, which was referred to the Committee on Interstate

He also (for Mr. Newberry) presented a concurrent resolu-tion of the Legislature of Michigan, favoring the amendment and modification of the so-called La Follette Act so as to alleviate restrictive and burdensome conditions relative to the operation of vessels upon the Great Lakes and connecting waters, which was referred to the Committee on Commerce.

[See yesterday's proceedings, page 1096, where the above resolutions appear when presented by Mr. Townsend.]

REMOVAL OF SOLDIER DEAD FROM FRANCE.

Mr. KNOX. Mr. President, several days ago the senior Senator from Massachusetts [Mr. Lodge] had printed in the RECORD a communication from Rev. Richard D. Harlan, and also what purported to be a news item indicating the views of Mr. Owen Wister on the subject of bringing home the soldier dead. I have a letter this morning from the Bring Home the Soldier-Dead League of the Pittsburgh area, in which they take exceptions to many of the statements of fact made by Rev. Mr. Harlan and by Mr. Owen Wister. I ask permission to have the communication printed in the RECORD.

There being no objection, the letter was referred to the Committee on Military Affairs and ordered to be printed in the

RECORD, as fellows:

BRING HOME THE SOLDIER-DEAD LEAGUE, Pittsburgh, Pa., May 4, 1921.

Hon. P. C. KNOX,

United States Senate, Washington, D. C.

MY DEAR SENATOR: My attention has been directed to a letter addressed to Senator Longs by the Rev. Richard D. Harlan, of New York City, dated April 15, which was printed in the Con-GRESSIONAL RECORD of April 26; incorporated with this letter was a purported news item by Owen Wister.

The subject had to do with the Government's work in returning those soldier dead from foreign burial places whose next of kin have advised the War Department they desired such return for interment in the home land. Mr. Harlan writes in part:

There seems to be good reason for suspecting that some people connected with the undertaking profession are, for their own financial advantage, making merchandise of the natural desires of many of our American soldiers whose bodies are now resting in the American ceme-

As chairman of the Pittsburgh area of the "Bring Home the Soldier-Dead League of the United States," composed exclusively of about 1,000 parents and near kin of those dead whose bodies are desired returned to America, I want to brand this statement as not only untrue but a slur on every member of this league which has insisted that the Nation redeem its promise to us and to our sacrificed dead that, in case our loved ones gave their lives to their country, their bodies would be returned to us.

I have had some experience with the actions of undertakers who have had charge of funerals of some of these returned dead; in no case has there been any disposition to be extortionate; to the contrary, some have assumed a large part of the expense, saying that the little they could contribute in honoring these dead could not measure up to the sacrifices made by our heroic sons and brothers and husbands. Men in the undertaking business more nearly approach the depths of sorrow we mourners have than such as the Rev. Harlan and others, who dare to intrude themselves into our personal desires with their unsolicited and presumptuous opinions. these self-appointed arbiters expect us to heed their officious meddling into our sacred determination to have our loved dead? It is the height of impudence to infer, as this Harlan does, that the parents of nearly 45,000 of these soldier dead are not "thinking straight on this sacred subject." We are not suppliants to the Government for our dead; they were promised to us and the Nation has returned probably 16,000 by this time, and we have no fear that the work will not be completed and our sons be entombed in the home cemeteries where we may pay tribute of love and respect to their memories. This league has no fear that the Congress will fail to return our boys by providing ample appropriation for the purpose.

The letter of Owen Wister, addressed to the American Legion, under a Paris date line, is insulting to every parent of all soldier dead; none but a ghoul would have the effrontery to write and have printed where the eyes of a loving mother would read them the declarations he made, affecting, as his letter does, those bodies to be left in France as well as those to be brought to the United States. None but a tainted mind would conjure up the vision he has dared to; his province is fiction at its worst.

Regardless of the views of these self-appointed and notorietyseeking intruders, we know the Government will redeem its promise to us parents; we know the sentiment of the Members of Congress too well by our pilgrimages to Washington, in behalf of our dead, to have any other thought but that all our dead will be returned to us during this year. We have no quarrel with those who want their loved ones to remain in France—these will be the hostages for help in the wars against that country in the years to come; let them remain there—but those of us who believe otherwise are determined that nothing this side of hell will prevent the fulfillment of America's sacred pledge to our dead and to us.

I am sure you will agree that our viewpoint has the same standing as that of Richard D. Harlan, and that space will be

accorded us in the RECORD.

With best wishes, I remain, dear sir,

Very sincerely,

J. D. FOSTER, Chairman Pittsburgh Area Bring Home the Soldier-Dead League of the United States.

EXCHANGE OF ARMS AND EQUIPMENT.

Mr. WADSWORTH, from the Committee on Military Affairs, to which was referred the bill (S. 1574) authorizing the Secretary of War to exchange, with foreign nations desiring the same, samples of arms and equipment in use by the Army of the United States, reported it without amendment and submitted a report (No. 38) thereon.

RELIEF OF WATER USERS ON IRRIGATION PROJECTS.

Mr. McNARY. From the Committee on Irrigation and Reclamation I report back favorably without amendment the joint resolution (H. J. Res. 52) to authorize the Secretary of the Interior, in his discretion, to furnish water to applicants and entrymen in arrears for more than one calendar year of payment for maintenance or construction charges, notwithstanding the provisions of section 6 of the act of August 13, 1914. The joint resolution passed the House a few days ago, and I ask unanimous consent for the immediate consideration of the measure.

Mr. CURTIS. Let it be read before unanimous consent is granted.

The VICE PRESIDENT. The Secretary will read the joint resolution.

The reading clerk read as follows:

Resolved, etc., That in view of the financial stringency and the low price of agricultural products, the Secretary of the Interior is hereby authorized, in his discretion, after due investigation, to furnish irrigation water on the Federal irrigation projects during the irrigation season of 1921 to water-right applicants or entrymen who are in arrears for more than one calendar year for the payment of any charge for operation and maintenance, or any construction charges and penalties, notwithstanding the provisions of section 6 of the act of August 13, 1914 (38 Stat., p. 686): Provided, That nothing herein shall be construed to relieve any beneficiary hereunder from payments due or penalties thereon required by said act.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. UNDERWOOD. I shall not object to its immediate consideration, but I hope the Senator from Oregon will explain to us who are not from States containing arid or semiarid lands what change of law will result from it.

Mr. McNARY. I can explain it to the Senator, as I had intended to do, in a very few words.

The reclamation act which was passed in 1902, with the terms of which the Senator is no doubt familiar, was amended in 1916, requiring water users to pay annually the water rates for maintenance and construction. The time fixed for the payment of maintenance was the 1st day of March of each year. This year the farmers on some of the irrigation projects were unable to pay the charge on account of inability to dispose of their farm products

In the arid regions a great deal of land is used in the raising of alfalfa. On account of the low price of sheep and cattle hay has not moved and probably 3 per cent of the 40,000 water users are unable to meet these arrearages. It is not the purpose of the joint resolution to amend the act or any of the acts amendatory thereof, but to permit the Secretary of the Interior, after an investigation, to let the water users employ the water

this year in order that they may raise a crop, and in the fall they will be able to meet their delinquencies which have accrued this spring.

Mr. CURTIS. I understand that it is wholly within the dis-

cretion of the Secretary of the Interior and is limited to this

year. Is not that true?

Mr. McNARY. That is it exactly. It does not cancel any indebtedness to the United States, but simply gives the water users an opportunity to raise their crops this year. The water is available; it has been impounded-

Mr. NORRIS. Mr. President, will the Senator yield? Mr. McNARY. Certainly.

Mr. McNARY. Certainly.
Mr. NORRIS. I should like to say to any Senator who may feel inclined to question the wisdom of this measure that, in the first place, it does not forgive any debt. The farmers on the new irrigation districts, like all other farmers, have had to meet a great loss. A few of them, and it does not apply to very many compared to the whole number, have been unable to pay under the law for the use of water.

It does not cost the Government anything. The Government simply postpones the payment of the debt until they can move the crops they have or until they can raise another crop. The water is there just the same, and if we do not let them use it, it will go to waste. So there can be, it seems to me, no question whatever, under all the circumstances, that the authority ought to be given to the Secretary to extend the time of payment.

That is about all the joint resolution means.

Mr. McNARY. I tried to say as much as the distinguished
Senator from Nebraska has said. In concluding I wish to state
that this is the first time in the 18 years in which the irrigation has been practiced by the Federal Government in cooperation with the States where a similar request has been made These projects have shown their ability to take care of all their charges, but on account of the peculiar situation which obtains throughout the country by reason of the dislocation of business it is necessary to enact this piece of emergency legislation.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered

as in Committee of the Whole,

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ODDIE:

A bill (S. 1646) granting a pension to Maude Gillock;

A bill (S. 1647) granting a pension to Thomas W. Bath; and A bill (S. 1648) granting a pension to J. E. Peters; to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 1649) to provide for the disposal of certain waste and drainage water from the Rio Grande project, New Mexico-Texas; to the Committee on Irrigation and Reclamation.

A bill (S. 1650) for the relief of Sam E. Harwell; and A bill (S. 1651) for the relief of Prairie View State Normal and Industrial College, Prairie View, Tex. (with accompanying papers); to the Committee on Claims.

By Mr. McKINLEY:

A bill (S. 1652) to provide for the purchase of a site and the erection of a public building at Bloomington, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. HARRIS:

A bill (S. 1653) providing for the appointment of an additional judge for the northern and southern districts of Georgia; to the Committee on the Judiciary.

By Mr. ROBINSON:

A bill (S. 1654) for the relief of Walter I. Whitty; to the Committee on Military Affairs.

By Mr. CARAWAY:

A bill (S. 1655) for the relief of Orin Thornton; to the Com-

mittee on Military Affairs.

A bill (S. 1656) for the relief of Grover Ashley; to the Committee on Claims.

By Mr. SPENCER:

A bill (S. 1657) granting a pension to Ellen Knefler Taussig;

to the Committee on Pensions.

A bill (S. 1658) to correct the military record of the officers and enlisted men of the Enrolled Missouri Militia and all other militia organizations of the State of Missouri that cooperated with the military forces of the United States in suppressing the War of the Rebellion who served 90 days or more; to the Committee on Military Affairs.

By Mr. WARREN:

A bill (S. 1659) authorizing the acquirement of a site and the construction of a building for a post office at Lovell, Wyo.; A bill (S. 1660) authorizing the acquirement of a site and the construction of a building for a post office at Greybull, Wyo.;

A bill (S. 1661) authorizing the acquirement of a site and the construction of a building for a post office at Kemmerer, Wyo.; A bill (S. 1662) authorizing the acquirement of a site and the

construction of a building for a post office at Wheatland, Wyo.; A bill (S. 1663) to increase the limit of cost of the public building at Buffalo, Wyo.;

A bill (S. 1664) to increase the limit of cost of the public

building at Cody, Wyo.;

A bill (S. 1665) to provide for the erection of a public build-

ing at Green River, Wyo.; and

A bill (S. 1666) authorizing the acquirement of a site and the construction of a building for a post office at Powell, Wyo.; to the Committee on Public Buildings and Grounds.

By Mr. McKELLAR:

A bill (S. 1667) authorizing the Secretary of War to donate to the town of Waverly, Tenn., one German cannon or fieldpiece; and

A bill (S. 1668) authorizing the Secretary of War to deliver to the town of McMinnville, Tenn., two condemned bronze or brass cannons or fieldpieces and suitable outfit of cannon balls; to the Committee on Military Affairs.

By Mr. SMOOT:

A bill (S. 1669) to establish in the Treasury Department a veterans' bureau and to improve the facilities and service of such bureau, and further to amend and modify the war risk insurance act; to the Committee on Finance.

#### AMENDMENT TO EMERGENCY TARIFF BILL.

Mr. ASHURST. Mr. President, I wish to offer an amendment to the emergency tariff bill. On page 3, line 15, I move to amend by striking out the numeral "7" and inserting in lieu thereof "20," so as to read:

Cotton having a staple of 19 inches or more in length, 20 cents per

I shall avail myself of an early opportunity to submit some observations upon the subject. While it is very important and there is a vast deal of data on the matter I believe I can cover it in 10 minutes. I shall crave the indulgence of the Senate for 10 minutes on Monday to explain the amendment.

The VICE PRESIDENT. The amendment will be printed

and lie on the table.

## CAPT. EDMUND G. CHAMBERLAIN.

Mr. SHEPPARD submitted the following resolution (S. Res. 70), which was referred to the Committee on Naval Affairs:

Resolved, That the Committee on Naval Affairs is authorized and directed to investigate the facts leading to the court-martial as well as the court-martial proceedings, and all the findings in the case of former Capt. Edmund G. Chamberlain, United States Marine Corps, and report to Congress.

## HEARINGS BEFORE INTEROCEANIC CANALS COMMITTEE.

Mr. BORAH submitted the following resolution (S. Res. 71), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Interoceanic Canals, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh
Congress to send for persons, books, and papers, to administer oaths,
and to employ a stenographer, at a cost not exceeding \$1.25 per
printed page, to report such hearings as may be had in connection
with any subject which may be before said committee, the expenses
thereof to be paid out of the contingent fund of the Senate, and that
the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

# AMENDMENT OF THE RULES.

Mr. McLEAN submitted the following resolution (S. Res. 72), which was referred to the Committee on Rules:

Resolved, That Rule XIV of the Standing Rules of the Senate be amended by adding thereto a new paragraph, as follows:

"6. Every bill and joint resolution which seeks to amend an existing law shall, when offered, definitely state the changes and additions proposed, and the law as it will read when amended."

# EMERGENCY TARIFF.

Mr. HARRISON addressed the Senate. After having spoken for some time

Mr. CURTIS. Mr. President, the morning hour having expired, I ask that the unfinished business be laid before the Senate.

The PRESIDING OFFICER (Mr. McNary in the chair). The Chair lays before the Senate the unfinished business, which will be stated.

The Legislative Clerk. A bill (H. R. 2435) imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenue; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate

the value of foreign money; and for other purposes.

The PRESIDING OFFICER. The bill is before the Senate as in Committee of the Whole, and the Senator from Mississippi

will proceed.

Mr. HARRISON. Mr. President, I had intended this morning to take up and move the present consideration of the resolution heretofore submitted by me proposing to change the rules of the Senate by providing for open executive sessions of the Senate for the consideration of treaties and presidential nominations. The senior Senator from Massachusetts [Mr. Lodge], the leader of the majority, however, expressed a desire to be here when that resolution is taken up and to express himself in opposition to it. He is unable to be here this morning, and, consequently, I shall not press the resolution at this time. I am going to avail myself of this opportunity, however, to discuss the bill pending before the Senate, namely, the emergency tariff

Of course, all one need do is to look at the empty seats upon the other side of the aisle to be convinced of the total lack of interest upon the part of Republican Senators in considering the proposed so-called emergency tariff legislation.

Mr. CURTIS. Mr. President—
Mr. HARRISON. I yield to the Senator from Kansas.
Mr. CURTIS. I think the Senator ought to make his remark concerning empty seats applicable to both sides of the Senate Chamber this morning. The fact is, however, that the Committee on Finance is in session and members of that committee are in attendance upon it. Had there been a roll call I should have stated that fact. The Committee on Commerce is also in session, and members of that committee are in attendance

Mr. HARRISON. Yes; and Democratic Senators are on the Finance and Commerce Committees as well as Republican Senators

Mr. CURTIS. And they are in attendance upon the committees, too.

Mr. HARRISON. It is quite true that, since the new gag rule was adopted by the majority of taking so many more places on the committees than are accorded to the minority, the Republicans have many more Senators, of course, on the committees than we have; but, just scanning the Chamber, the number of Democratic Senators present is evidently from two to ten times greater than the number of Republican Senators.

Mr. NORRIS. Mr. President, will the Senator yield? Mr. HARRISON. Yes; I yield to the Senator. Mr. NORRIS. I join with the Senator in regretting the absence of so many Senators from the Chamber, but if he will count the Senators present in the Chamber at this moment he will find that there are several more Republicans here than there are Democrats.

Mr. HARRISON. The Senator can not count; that is why he

makes that statement.

Mr. NORRIS. Then, Mr. President, let me ask the Senator to count them himself. If he wants the RECORD to show the truth and if he wants the people to believe the statement he has made, let him count the Senators present. He is educated; he is a mathematician; he knows how to count. I suggest that he count aloud and let the RECORD show the number on either

Mr. ASHURST. There are more Democrats present than Re-

publicans, by three or four times, I think.

Mr. HARRISON. Of course, after the Senator from Kansas made his statement and word was sent out into the Republican cloakroom the number on the other side has been augmented. [Laughter.

Mr. NORRIS. Now, if the Senator will make another count, he will find the Republican Senators considerably in the ma-

jority.

Mr. ROBINSON. If the Senator from Mississippi will yield to me, I call attention to the fact that a large number of Re-

publican Senators are rushing into the Chamber.

Mr. NORRIS. If the Senator will count the Democratic Senators that came in out of the cloakroom, he will find that there are more Democrats who came in than there were Republicans.

Mr. ROBINSON. Will the Senator from Mississippi yield?

Mr. HARRISON. I yield to the Senator from Arkansas. Mr. ROBINSON. I note the statement of the Senator from Nebraska to my astonishment, for a larger number of Senators on the other side than on this side came rushing into the Chambe ..

Mr. NORRIS. I observe that the Senator from Arkansas came in.

The VICE PRESIDENT. Senators will address the Chair. Mr. ROBINSON. Mr. President, will the Senator from Mississippi yield to me?

Mr. HARRISON. I yield to the Senator. Mr. ROBINSON. The Senator from Nebraska might have observed me retiring from the Chamber to attend a meeting of

Mr. NORRIS. Will the Senator from Mississippi now yield to me before the Senator from Arkansas goes out?

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Nebraska?

Mr. HARRISON. I yield to the Senator. Mr. NORRIS. I will ask the Senator from Arkansas if he is not one of the Democratic Senators who just came in from the cloakroom?

Mr. ROBINSON. I was just attending an informal meeting of the subcommittee which the Senator from Nebraska appointed to make an investigation into the condition of the rice industry, and I started to return to an informal meeting of that subcommittee, if I may do so, with the permission of the Senator from Nebraska, while he continues his very illuminating and valuable remarks.

Mr. NORRIS. The Senator has not answered my question. Mr. President, if the Senator from Mississippi will yield

further

Mr. HARRISON. I yield for a question.

Mr. NORRIS. I want to say to the Senator that at the time the Senator first made his allusion to empty seats and between the time he made the allusion and now there were more Republican Senators in the Chamber than there were Democratic Senators, and the Senator who interrupted me and has gone out again was one of the Senators who came in from the Democratic cloakroom.

Mr. HARRISON. Of course there should be many more

Republicans here than Democrats.

Mr. NORRIS. Of course, and that is the reason why they are here.

Mr. HARRISON. I am glad to have seen so many rush in from the cloakroom when they heard sounded the clarion note, and I hope that more will come in from time to time as we lay bare the iniquities of the pending tariff proposal that is pro-jected upon the Senate. Especially do I hope that the new Senators who became Members of the Senate on the 4th of March will stay here so that we may discuss the subject to some extent.

Mr. BORAH. Mr. President—
Mr. HARRISON. I yield to the Senator from Idaho.
Mr. BORAH. Do I understand the Senator is going to proceed with his discussion?

Mr. HARRISON. I am going to proceed with the discussion

of the emergency tariff bill.

Mr. BORAH. Then the Senator is not going to discuss his resolution.

Mr. HARRISON. I made the statement immediately before the Senator came in that I intended to call up my resolution proposing to amend the rules, but the senior Senator from Massachusetts [Mr. Lodge] expressed a desire to be here and to oppose it, and word has come to me that the Senator from Massachusetts can not be present this morning, as he is not well. Therefore, I did not feel justified in pressing the motion in his absence. That is the only reason why I have not pressed

it this morning. Is there something else the Senator desires to say?

Mr. BORAH. No. I was simply going to conduct myself according to which subject was before the Senate.

Mr. HARRISON. I understand.

Mr. President, it is a remarkable bill that is now before us and a most interesting debate is taking place in connection with its consideration. I do not know whether or not this measure has any champions among the majority members of the Senate. I read in this morning's paper a very illuminating statement issued by the chairman of the Finance Committee, who has made one of the two speeches that have been made by the majority on the pending bill.

As I remarked yesterday, I congratulate the majority side for their silence on this measure, because the more they discuss the bill and try to defend its provisions the more will the country condemn them for attempting to pass it. It should be silently ushered through, if possible. Your action reminds me of a funeral, anyway. It may be that this marks the death knell of the Republican Party. The statement of the senior Senator from Pennsylvania [Mr. Penrose], prepared by him and issued to the country on yesterday and appearing in the morning papers, I now read. This is from the New York World. The Senator from Pennsylvania says:

My own opinion is that the American people are just now more concerned in getting revenues revised and taxes reduced and the shcriff retired to the background than they are in academic discussions of disarmament. They want a restoration of prosperity.

That is a remarkable statement to be made by one of the leaders of the Republican Party, and especially by the chairman of the committee that reported out this proposed legislation and who is one of the two champions or advocates of the measure upon the floor of the Senate, for the measure contradicts in every word, in every line, and in every clause the statement issued and the wish therein expressed by the chairman of the Committee on Finance. He says that the people are interested in having taxes revised and the burden of taxation reduced to them. This bill proposes to increase the taxes upon the people. How do Senators on the other side expect the country to have any confidence in their action when the chairman of the Finance Committee speaks for this bill one day and the next day utters such a statement to the people as that to which I have referred?

But such expressions are not confined to the distinguished chairman of the Committee on Finance. The pending emergency tariff bill was reported out of the Ways and Means Committee of the other House by Representative Young, of North Dakota. In the last session it was presented by Representative Fordner, of Michigan, a most charming and estimable gentleman, a man for whom I have the very highest respect, and association with whom is really most bewitching; but he has always advocated the highest kind of protection on everything. Indeed, it has been his proud boast that protection can not be put too high to suit him. So it was Mr. Fordner who introduced the bill at the last Congress and handled it upon the floor of the other House. However, by some strange legerdemain, at which the present Republican leadership are past masters, the policy was changed. That organization in the House took the bill away from Mr. Fordner and evidently said to Representative Young, who comes from a farming State, "Let this measure bear your name."

However, mind you, that was not done until March of this year. Mr. Young is on the Ways and Means Committee of the House. Here is a statement that he issued to the country on January 14 of this year, just a few weeks before he offered this bill. I do not know whether or not he was given authorship of the bill in order to soothe his apparently ruffled feelings and bring him back into line. I know what adepts the Republicans are, both in the other House and in the Senate, in smoothing out the differences within their party and bringing all kinds of elements together within the organization. They will stoop to unfathomable depths to accomplish that. However, here is what Representative Young, the author of the pending bill, said to the American people in January:

It is time somebody put on the brakes. Here and new I serve notice I shall oppose any such duties as these witnesses are asking.

The witnesses to whom he referred were asking for high duties.

They are pleading, with crocodile tears in their eyes, for import duties ranging from 100 per cent to 400 per cent above the Payne-Aldrich rates. I am going to fight with all the power I have against this penalization of the consumer. The war is over, and the consuming public is asking why those prices also are not gone.

So says the author of this bill. He continued:

If we grant the rates most of these interests are seeking we will simply be licensing a continuation of profiteering, filling the pockets of the manufacturer, who gets the protection, with the involuntary contributions of the consumer.

So there is the author of the bill in the other House saying that the consumer must be considered; that he will oppose with all the power that he possesses increased tariff rates of from 100 to 400 per cent; and then we see the strange acrobatic performance of Mr. Young introducing this bill at the instance of the Republican organization in the House and championing it, when every construction of it will impose additional burdens on the consuming millions of 100 to 1,000 per cent.

Strange ways you have of bringing your Republican brethren into line! You employ flattery or give a little supposed protection, so that deception might be practiced upon constituencies. And then the chairman of the committee of the Senate [Mr. Pernose], as I have just stated, gives a statement to the country last night saying that taxes upon the consumers must be reduced!

What must the American people believe? How have you the right to ask them to have any confidence in you, when the author in the House and the Senator in charge of the measure in the Senate talk about reducing taxation, when in every page of the bill you propose to increase the taxes upon the people?

Here is what Mr. FORDNEY, then in charge of the bill, said at the last session of the Congress. He was not going to offer this measure this session. In his speech, he said:

This bill is intended only as a relief measure, an immediate relief measure. I hope at the extra session of Congress, which will undoubtedly be called very shortly after the 4th of March, to see the Congress substitute for this bill a relief measure to remain in effect while we are preparing and passing a scientific revision of our tariff laws. As I say, it is my hope that very shortly after the beginning of the extra session of Congress the Congress will adopt as a relief measure, to prevent great importations of foreign goods coming into this country before we can prepare a tariff bill, either the Payne or the Dingley tariff law as such relief measure.

He advocated not this legislation being introduced again and burdening the American people by its provisions but, as high a protectionist as he was—having boasted, as I say, that you could not get a tariff wall too high for him—he said that he believed we should pass as an emergency measure the rates in the Payne law or in the Dingley law until a scientific revision of the tariff could be considered and placed upon the statute books.

And so it is, Mr. President. Strange changes have taken place; but it is in keeping with the majority party leadership—changing not only on tariff measures but changing in foreign affairs every day.

Why, that suggestion brings to my mind the fact that here the other day we saw the Senate of the United States pass a resolution providing for a separate peace with Germany, descriing the Allies, with whom our boys fought side by side so gloriously-offering practically an insult to them-and then about the next day we see the United States tendering its good offices as a mediator to settle differences between Germany and the Allies—aye, between our enemy and our friends—acting, so to speak, as the compromise "fellow"; and then we see extended to us by the allied nations an invitation to join them in their council and on the Reparations Commission. Why, Mr. President, in view of our inglorious action one can hardly believe they offered it to us as a compliment. It was a left-handed international jab, a soft insult. It was rubbing it in on us to extend that invitation after we had deserted them by passing a joint resolution providing for a separate peace; and yet the Republican leadership of the present administration did not accept it in that spirit. They thought we were being complimented. They accepted it, and the morning papers tell us that President Harding has sent as his personal representative the new ambassador to the Court of St. James, a man who has criticized and condemned practically every policy of the last administration for six years. But it is amusing after your torrents of criticism—amounting almost to abuse—of the foreign policies of President Wilson and the last administration to see you now hour by hour accepting them as wise and necessary. Oh, you are out looking for the footprints of your predecessors, so that the shoes that are worn by those who now control the affairs of the Government can be placed in them. I am afraid you will find in a little while difficulty in finding a shoc large enough to fill it. But I am glad to see you opening your eyes and appreciating the position and the conditions that are confronting this coun-It is, however, worse than an insult to them for the President to send there as its personal representative one whose views have conflicted so constantly with those of the Allies and who has so often criticized and, I might say, insulted the representatives of these nations. He is, of course, a most undesirable person to send and can not and will not represent the ideals of America.

Mr. NEW. Mr. President-

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Indiana?

Mr. HARRISON. I yield to the Senator.

Mr. NEW. If it will afford any relief to the distress of the Senator from Mississippi ever that proposition, I should like to call his attention to a London dispatch of this morning which appears in the papers carrying the Associated Press reports, in which it speaks of a banquet held in London yesterday, at which Mr. Colby, the Secretary of State under the Wilson administration, spoke in most complimentary terms of the gentleman to whom the Senator has just made reference and against whom he directed a very caustic speech the other day. He spoke of him in the highest terms. He referred to the new American ambassador as "an accomplished and cultivated gentleman."

Mr. HARRISON. Yes; I read that.

Mr. NEW. I thought it might afford the Senator's ruffled feelings some relief.

Mr. HARRISON. I read that this morning—that Bainbridge Colby, in speaking to some Britishers, had said that this man was a very accomplished and—he did not say "most suited and well fitted," I think; what was the other expression?

Mr. NEW. I quoted it with accuracy-" an accomplished and cultivated gentleman.

Mr. HARRISON. Yes; "accomplished and cultivated gentleman."

Mr. STANLEY. Mr. President-

The VICE PRESIDENT. Does the Senator from Mississippl yield to the Senator from Kentucky?

Mr. HARRISON. One moment. That kind of a compliment reminds me, Mr. President, if the Senator from Indiana should be told of the beauty and charm and attractiveness of some estimable lady, and he should speak of her charms in response and say, "Yes; she is a nice girl," I fear she would accept it only as a mild compliment; and so the most that Bainbridge Colby could say about this gentleman who has been designated to represent us in the high Court of St. James is that he is "an accomplished and cultivated gentleman." No one has ever said he was not accomplished. None has ever remarked that he was

not cultivated. His being a gentleman has not been questioned.

Mr. STANLEY. Mr. President, if I may ask both Senators a
question, could it not be said of Lord Chesterfield and Aaron Burr alike that they were cultivated and accomplished? And if you will excuse treason, perfidy, or ingratitude, you may apply to all three the term "gentleman."

Mr. HARRISON. The Senator is right. So there have been enstant changes. Why, there was a change upon the part of constant changes. the administration touching the Colombian treaty. be soon a change about the League of Nations. Of course, we did not know exactly what you were going to do touching the League of Nations from utterances in the last campaign, but you will gradually come to it. I am glad to see that the new Secretary of State is leading the Republican Party back "to normalcy," so that we will arrive at a state of normalcy on the League of Nations proposition. Of course, when it is done, it is going to arouse the ire of the distinguished Senator from California [Mr. Johnson] and the distinguished Senator from Idaho [Mr. Borah] and those irreconcilables in this country who allowed themselves to be deceived in the last campaign, but all of that will adjust itself. They, as well as the country, in time will appreciate its necessity. The sentiment in the country is growing stronger day by day, and it will grow stronger, until finally the present administration will be forced to accept almost in detail what the past administration has done in the conduct of our foreign affairs.

It would have been impossible for you to have changed front on more propositions and to have realized the wisdom of the policies of President Wilson in so short a time more than you have. As suggested by the Senator from Ohio [Mr. Pomerene], the present President has notified the Senate to keep hands off, so you must. Of course, you know there must be no Executive encroachments. You can not break with him. You must just let him have his way, and then you will come back to what you did a year or so ago, when all of you over there, except about 12, were for the ratification of the treaty with some reservations and some amendments. You will come to that in just a little

while.

Mr. President, the distinguished chairman of this committee, the Senator from Pennsylvania [Mr. Penrose], in speaking the other day, said that the other side of the Chamber could not accept any amendments to this bill. He said, "We will not stand for it. If we do, it will degenerate into a general tariff bill." If the general tariff bill that is to be fostered by If the general tariff bill that is to be fostered by you and fastened upon the country is going to be worse than this, then the Lord knows what will be left of the people when you get through with them. "Degenerate into a general Republican tariff bill!" And so you know, Senators, you have the word of the chairman of the Finance Committee, that no amendments will be considered. You must take this bill just as it is prepared for you. Employing the same gag-rule tactics

that has always blighted the history of the Republican Party. But here are the real views of the Senator from Pennsylvania on this measure. I read from the Protectionist, a Republican organ, of February, 1921. Here is what it says:

PENROSE CHANGES FRONT.

The bill had hardly reached the Senate when the announcement came over from Philadelphia that Senator Penrose, chairman of the Com-mittee on Finance, would run over to Washington for the purpose of opposing it.

You read it in the papers. It was flashed in big headlines everywhere that it was not satisfactory to Senator Penrose; and the article goes further, and says:

He came in a special car, with nurses accompanying him, and opened headquarters in Wardman Park Inn, the largest hotel in the city. On the day the hearings began, Senator Penrose set Congress by the ears with the declaration that he would give the measure his support. Politics unquestionably influenced this remarkable decision. The Senator desired first to keep peace in the Republican Party, as Fordner had wisely done in the House.

It may be that the way Mr. FORDNEY did it over there was to retire from the authorship of the bill and allow Mr. Young, who had denounced high tariffs and espoused a reduction in the high cost of living, to become the author of the bill. article continues:

Besides, he desired to hold in line for the next tariff bill the low tariff Republicans and the Democrats who are inclined to support this one. The Pennsylvania Senator knew, moreover, that the bill would stand little chance of enactment, and he was therefore the more willing to give it nominal support.

Yet one of the two speeches that has been made by the proponents of this legislation was made by the chairman of the committee, who at first opposed the bill, and came to Washington on a special train to exert his powerful influence against the measure.

Mr. President, the Washington Post is a splendid newspaper, a newspaper of powerful influence, considered now and has been since March 4, as the administration paper-the paper that represents the views of the administration on public questions that arise. Here is what that paper said about this bill in an editorial in January this year:

The truth is, the more this proposal is discussed, the weaker it becomes, for discussion emphasizes that it is an example of favoritism, that it is a movement tending to keep up the prices of necessaries of life in order that the producers may be saved from financial loss.

Yet that paper which condemned the bill in such terms in those days, has since the 4th of March, in its editorials, come to espouse the passage of the emergency tariff bill. It is now a wise, a great constructive piece of legislation. So it looks as if there has been a complete change all around over there. How do you expect the country to be able to keep up with you, and your newspapers in your vacillating policies and your constant legislative and administrative acrobatic performances?

The Senator from North Dakota [Mr. McCumber] has been faithful to the bill. He has remained by it from the begin-Of course, he had to discuss the provision relating to wheat, because that affected him and his constituents more than any other proposition in the bill. But he was ready at all times to defend the wheat schedule in this bill, and has sponsored the proposition. Yet about 3 o'clock yesterday, when no one was here to speak, and you were going to press it for passage, and we asked you if no one on that side would defend the provisions of it, you heard what he said, that "We are not going to discuss it over here," meaning that the word had been sent down the line to Republicans to keep qu'et, not to attempt to defend the provisions of this bill. He said in defense of that assertion that the agricultural rates of the bill had been sufficiently discussed at the last session, and alluded to the fact that I had discussed it pretty fully at that time. I am glad

But he overlooked the fact that certain States in this country have a right to be heard through their Representatives in the United States Senate, that the men who are sent here by those States can not be bound hand and foot and gagged, even though they belong to the majority party; that they are not expected to follow the instructions of Republican leadership at all times, and remain quiet when the interests of their respective States

He overlooked the fact that there are 17 new Members of the Senate here to-day, with as much right to express themselves touching legislation, to take care of their constituents by vote and voice, as those who have been here many years. Seventeen new Senators are in this body, and now part and parcel of it, who were not here when this bill was discussed at the last ses-Yet the Senator from North Dakota [Mr. McCumber] said that these distinguished men are expected to take the hook as handed to them and swallow it, without even being told some of the defenses of the measure, which they might take back to their people in explanation of their action.

So, Mr. President, I am not talking to those hardened sinners-of course, I am speaking about political sinners-who were here at the last session, because I know that no amount of logic, no appeal, could be made strong enough to melt their stone hearts. But I want to make my appeal to the distinguished Sen-

ators who were not here at that time.

I appeal to the new Senator from New Mexico [Mr. Bursum]. He was not here then. Of course, he has not expressed himself touching this bill; neither have the Republican leadership told him or expressed anything which he might take back to his people as an excuse for voting for this infamous piece of legislation.

I appeal to the new Senator from Arizona [Mr. CAMERON],

who was not here last session.

The new Senator from Kentucky [Mr. Ernst] was not here. I believe the new Senator from Idaho [Mr. Gooding] came in just in time to vote upon the iniquitous proposition. was not permitted to hear the discussion of the bill, because at that time he had not arrived. He is entitled to hear some explanation upon the part of the Republican leadership of the provisions and of the character of this bill.

The new Senator from Oklahoma [Mr. HARRELD] was not

The new Senator from North Dakota [Mr. LADD] did not hear the discussion at that time.

The new Senator from Illinois [Mr. McKinley] was not here.
The new Senator from Colorado [Mr. Nicholson] was not here. Did the people in the great State of Colorado expect him to come here and, by bowing to gag rule, accept everything the Republican leadership handed to him? If he follows that policy, then, sir, mark the day, because it will not be far off, when the progressive electorate of Colorado will rise up and condemn that policy. They would not approve—indeed they had not heard the slogan of the Republican majority of the Senate, as expressed by the senior Senator from Connecticut [Mr. Brande-GEET when he said:

The steam roller is prepared and ready, so get out of the way.

I do not see in the Senate Chamber now the new Senator from South Dakota [Mr. NORDECK]. He was not here then. Perhaps, too, the Senator from North Dakota [Mr. McCumber] thinks that all he has to do is to tell his colleague from the sister State just to the south of his, "You vote this way. need no explanation from me, but you vote this way. The word has gone out from Penrose down, and has been accepted." Perhaps the Senator from North Dakota [Mr. McCumber] knows exactly what the Senator from South Dakota [Mr. Norbeck] will do under those circumstances. But I hope he will resent such reflections upon the independence of his action.

Then there is the new Senator from Nevada [Mr. ODDIE]. It was not his pleasure to be here when all the injustices that are written in the pages of this bill, which place additional burdens on the consuming masses, were discussed. He is here now. He is entitled, and his people are entitled, to know the reasons why an attempt is made to force this measure upon them. If I were he, I would rise up and say to the Republican leadership, 'I want you to show me before you can gag me and vote me

for this proposition."

Then there is the new Senator from California [Mr. Short-RIDGE]. He was not here at that time. What if he had told the people of California when he was a candidate before that progressive citizenship that he would allow a reactionary Republican leadership to compel him; without discussion, to accept this bill as prepared by them, without explanation or justification? Do you believe he could then have won the victory he did in that progressive Commonwealth?

Then there is the new Senator from Oregon [Mr. Stanfield]. He was not here at that time, and he is told by the distinguished Senator in charge of this legislation that he has to accept this proposition. He is told, more than that, "that no amendments will be considered."

Then there is the new Senator from Maryland [Mr. Weller] and the new Senator from Ohio [Mr. WILLIS]. All of these distinguished new Senators are forced to accept this proposition and told that no amendment will be considered; that they must take it just as it is prepared for them. If I were a member of that party over there, I would not stand such gag-rule tactics. I would rise up in revolt and insurge, even if for only a few minutes, and break away from the bonds of parliamentary slavery with which this reactionary crowd are trying to bind the new organization of this body. But, sirs, the longer you stay here the wiser you will become, and you will eventually lose confidence in the crowd who prepared this bill and now propose to gag you by compelling you without explanation to support it.

Mr. President, let me bring back to the attention of the Senate the years from 1912 to 1919. It was a great period. It is good to think about it. It was a time when our country blossomed in prosperity like the rose. As the distinguished Senator from Iowa [Mr. Cummins] knows, the railroads did not have enough freight cars to carry the wheat and the corn from the far western country to the market. The Representatives from his section were vying and competing with the Representatives from my section and from the East before the Interstate Commerce Commission to procure additional cars, so that the products of the farms and the output of the factories could find their

way over the railroads to market.
Wages were higher, Farmers were receiving higher prices for their products, and business men greater profits than ever before in the history of the country. New farms were being cultivated; new fields were being opened up. Labor was theroughly contented and happy. The tired workmen could leave their places of employment and go home in the afternoon in perfect happiness and bask in the association of their wives

and little ones. All of this was made possible by the wholesome legislation passed by the Democratic administration. was presperity and contentment in those days. There were

no men out of employment. Employers were standing in line. It is good to think about it. It was a time when every avenue of approach to the markets of the world was cleared, when every channel through which our trade and commerce might flow was opened up. Hundreds of agents from the various departments of the Government were sent into every foreign field to study trade conditions and to advise the industrial, commercial, and agricultural interests of America of the opportunities offered.

Every policy upon the part of the Government was adopted with a view to building up our export trade. Commercial agents were provided for by law. Commercial attachés were stationed at all our consular stations, as well as elsewhere throughout the world. National banks were permitted by law and encouraged to locate branch banks in foreign countries. Our great corporations, under the sanction of the war, were permitted to coordinate and to cooperate in order to obtain trade in foreign countries. Our merchant marine was given the greatest encouragement and millions of increased tonnage was provided that the products from our farms and factories sold to foreign purchasers might not be dependent for delivery upon foreign carriers. American diplomacy was lifted to a high standard and instructions went out to all our foreign representatives to perform every act that might bring the nations of the world into closer trade relations with us.

Why, sirs, it was during this period that our exports increased from 1912 to 1920 approximately \$6,000,000,000. It was a period when the farmers received higher prices for their products, working men and women higher wages for their labor, and business men greater profits on their investments than ever

before in the history of America.

Why, sirs, during that period not only did the farmers increase their deposits in the banks, but they opened up new fields and added to their wealth through enormous increased valuation of their farms. Labor was never more employed, contented, and happy. Not only was he permitted during that period to receive such wages that he could in many instances lay some aside "for a rainy day," so to speak, but he was enabled under the wholesome and beneficent legislation passed by the party then controlling the Government, because of shorter hours of employment, to spend more time in his home with his wife and children.

Why, sirs, during that period the hum of prosperity from every mill and factory could be heard from one end of the country to the other and the red flare from our furnaces lighted every corner of the heavens. Bank resources increased by the billions and the wealth of the resources of America reached a figure of which the wildest optimist never dreamed.

Thousands of employers stood in line awaiting their turn at

the offices of employment bureaus to procure labor.

The representatives in this Chamber and in the House from the West and East, the North and South, were daily competing with each other in making appeals to the Interstate Commerce Commission for additional cars that the products of their respective sections might be transported to market.

Why, sirs, during that period the country was basking in such a whirlpool of prosperity that a propaganda was set on foot to restrain such enormous profits from being made and so

much wealth being accumulated.

But how different it is now. Beggars at almost every door. Tramps riding the blind baggage on every railroad train. million persons out of employment and unable to feed and clothe themselves and families. Wages in every calling have been cut and the cost of the necessaries of life still high. Hundreds of mills and factories closed, shopkeepers going into bankruptcy, banks failing, and thousands upon thousands of empty box cars lying idle on sidetracks throughout the country. trade is falling off, our ships are lying idle, the warehouses in every section are filled with the products of farm and factory. without value and no market in which to sell them. The present presents a dark and gloomy day to this once prosperous and contented people. And why is it? The answer is easy. In November, 1918, the prejudice of the majority of the American people was aroused because Republican leadership made them believe that President Wilson went too far in his appeal to the country for the election of a Democratic Congress. In that appeal he told the American people that in the great work of reconstruction following the war that he felt sure a Democratic House of Representatives and a Democratic Senate would cooperate with him, and that he would be able to carry out his policies to the best interests of the country. His appeal fell upon deaf ears and a Republican House of Representatives and a Republican Senate were inducted into office to criticize, hamper, and embarrass him from the first day they took control to the last minute he left the White House. Every appeal he made to the Republican Congress in 1919 to meet conditions as they arose was turned down, and from the time he and his party met defeat in the congressional campaign in 1918 a well-organized and adroitly conducted propaganda of misrepresentations and faultfinding was carried on from one part of the country to the other. In the next campaign—the one of 1920—in campaign literature, campaign speeches, and their campaign textbook they promised the people if they would give them complete control of the Government they would make the tax burden lighter and reduce the high cost of living.

The high cost of living argument and promises made more votes for your candidates and did more to defeat the Democratic Party in November than any other one proposition that you advocated. And yet, with these promises still fresh in your minds and ringing in the ears of the electorate, the very first bill that your party forces through Congress as a part of the legislative program, in December of last year, was to increase

the high cost of living as carried in this legislation.

You say that you are trying to help the farmers by imposing these additional and increased tariff rates. Then, if your theory is correct, that these increased rates will result in benefit to the American farmer, whatever benefits are to come to him must be borne by the consumers of the country who will be compelled to purchase the products upon which the tariff is levied in this measure.

There can be no question where we do not produce a sufficient amount of a given product that is needed for consumption in the United States, and are forced to import from abroad the difference in the amount of production and consumption in the United States, that whatever tariff is imposed will result in a benefit to those who produce or hold the product. But it is likewise true, sirs, that where we produce in the United States a surplus of a given product and we sell that surplus in foreign markets the tariff, no matter how large, will have no effect upon the price. The United States has almost grown to be a "world a "world farm." There is hardly anything that is produced upon the American farm that we do not now produce more of than is needed for our home consumption and the sale of which surplus is dependent upon the markets of the world.

We export more wheat than we import. We export more corn than we import. And we export millions upon millions

more bales of cotton than is imported.

But if the theories of the proponents of this legislation are true and the tariff rates are imposed as carried in the bill, then flour will be increased 20 per cent; rice, 2 cents a pound; meats will be increased 30 per cent; fresh or frozen beef, veal, mutton, lamb, and pork will be increased 2 cents and 21 cents a pound.

Mr. McCORMICK. Mr. President—
Mr. HARRISON. I yield to the Senator from Illinois.
Mr. McCORMICK. The Senator from Mississippi is almost as sanguine as the Senator from North Dakota, it seems to me. Mr. HARRISON. As sanguine? I am sanguine that it is

going to increase the cost of living in this country.

Mr. McCORMICK. To the extent that the Senator has just indicated?

Mr. HARRISON. If what the Senator from North Dakota [Mr. McCumber] and the Senator from Pennsylvania [Mr. Pen-ROSE] and I take it the Senator from Illinois too, because he voted for it, believe is true, it will certainly increase the cost of living. If it does not add to the price of the product, there is no use imposing the tax, because what you say you are trying to do is to help the farmers of the country.

Mr. McCORMICK. The Senator from Illinois is not a chronic optimist or a chronic pessimist. He does not believe that the increase in prices or in the cost of living will be as great as the Senator from Mississippi or the Senator from North Dakota

Mr. HARRISON. May I ask the Senator from Illinoiscan get together on this proposition. He represents one of the great cities of the country.

Mr. McCORMICK. We could get together, possibly, if there

were none to disturb us.

Mr. HARRISON. Well, for a while no one will disturb us. The Senator's State has a great city, the second in the United States, and there are over a million consumers there. Does the Senator believe that the tariff on wheat and on corn and on frozen meats and on wool and on hides will increase those things to the farmers or live-stock men of the country?

Mr. McCORMICK. The Senator hopes that there may be

some relief to the farmer, but, as he said a moment ago, he is not a chronic optimist. He is less sanguine than the Senator from North Dakota and less pessimistic than the Senator from

Mississippi.

Mr. HARRISON. To whatever extent it helps the farmers, is it not the opinion of the Senator that the consumers must

Mr. McCORMICK. The Senator hopes the middlemen will

bear the burden. To that extent he is an optimist.

Mr. HARRISON. Before the Senator takes his seat may I propound another question? Then the Senator does not believe that any part of the tariff will come out of the consumer, from which tariff the farmers are going to get the benefit?

Mr. McCORMICK. Let the Senator hope. He would not

venture a positive opinion.

Mr. HARRISON. Does the Senator think any part of it will be paid by the consumers?

Mr. McCORMICK. No. Mr. HARRISON. I will ask specifically about sugar. cent a pound tax on sugar certainly the consumers would have to pay. Does not the Senator think that? Does not the Senator think the 1 cent a pound on sugar will have to be paid by the consumers? It is pretty generally agreed by all Senators that that is true.

Mr. McCORMICK. It is agreed, perhaps, among the Senators from the sugar States.

Mr. HARRISON. Then the Senator from Utah [Mr. Smoot] would agree to it.

Mr. McCORMICK. 'He is from a sugar State, like the Sen-

ator from Mississippi.

Mr. HARRISON. No; the Senator from Mississippi is not from a sugar State. They are very sweet people down there, but there is no sugar there.

Mr. McCORMICK. I was mistaken on that point. Mr. HARRISON. So the Senator does not know whether or not this will increase the price of sugar to the people?

Mr. McCORMICK. The Senator hopes not. Mr. HARRISON. What does he think about frozen meats?

Mr. McCORMICK. He is not an expert on frozen meats. Mr. HARRISON. Mr. President, I will proceed; and, as I stated before, if the contention of those who proposed this legislation is true, namely, that the amounts of the tariff on the products upon which the tariff is imposed will help to that extent the farmer, cotton goods will be increased by virtue of the provisions of this bill, as well as wool and woolen goods, in many instances over 500 per cent; sugar will be increased 1 cent a pound, butter 8 cents a pound, milk 2 cents a gallon and cream 5 cents a gallon, condensed milk 2 cents a pound. And just think of it, the tired workman and the poor old fellow who smokes to drive away his cares and bring back dreams of better days is forced to pay an additional tax that will increase the cost of his tobacco.

Hides that go into the shoes that are manufactured in this country are increased 15 per cent. I need not tell you that that will necessarily raise the already too high price of every pair of shoes that is purchased by the consumers of the

There are many other increases in the bill, every one of which is on the necessaries of life.

So the Senators who have the matter in charge owe it to the Senate to discuss the provisions of this bill, and they owe it to the American people to explain and defend the consequences that will flow from its outrageous and indefensible tax levies.

There have been some changes in the bill, it is true, but there are no changes, as stated by the Senator from North Dakota. respecting the tariff rates imposed on importations. And the antidumping clause, the valuation feature, and the licensing provisions are intended to increase the rates and add to the burden of the consumers rather than to lessen them.

Every amendment that has been added to this bill since it passed the House and the Senate at the last session has tended to increase still more the rates on the consuming masses. Nothing has been added that would tend to relieve them in the slightest degree. The antidumping feature has been fully discussed in the very able and elaborate address by the distinguished senior Senator from North Carolina [Mr. SIMMONS]. It was likewise ably discussed by the Senator from Rhode Island [Mr. Gerry], and Senators on both sides of the aisle agree that so far as the antidumping feature of the bill is concerned it is intended under certain circumstances to increase the rates. The worst part about the antidumping proposition is that it is not confined to agricultural products, the subject proposed to be considered in the pending legislation, but it applies to every article included in the general tariff law. It leaves nothing out. It takes them all in, and in some instances, as was stated by the Senator from North Dakota [Mr. Mc-CUMBER] in charge of the bill, the valuation feature and the antidumping feature might increase the tariff upon certain articles from 300 to 400 per cent.

So the bill is worse than it was before, and those few Democrats who supported it in the last Congress should remember that, whatever excuse for their action then, there is none now, in view of the antidumping provision and the valuation provi-

sion and the licensing provisions added to it.

The action of the majority party is very different from that of the minority party. Here you are burdening the consumers of the country by deceiving the farmer and trying to make him believe that you are giving him some great benefits through the provisions of this legislation. I will tell you what the farmer is interested in. He is interested in obtaining some loans from the farm loan banks. He is interested in having his land appraised on which he has made application for loan, and the application hastened for approval. During the last Congress helpful amendments to the farm loan act were offered from this side of the aisle. You will remember that when the case was pending in the Supreme Court wherein the farm loan system was attacked and its constitutionality assailed and no bonds could be sold, and all the agents and appraisers were laid off, and the offices closed, that it was from this side of the aisle that the suggestion was made that the Treasurer of the United States purchase \$100,000,000 of the bonds so that the system might be revived and the farmers obtain some of the benefits. You saw and I saw the other side of the aisle oppose it and cut it down to take care of only those applications which had been made and which had been approved. Then we saw later in the closing days of the last Congress the introduction of an amendment to one of the general appropriation bills authorizing the Secretary of the Treasury to take over \$100,000,000 of the farm loan bank bonds. It passed the Senate, but it was stricken out either in the House or in conference and did not become a law. If that legislation had passed, there would not be as much trouble to-day among the farmers as there is. The responsibility for the failure to pass that amendment is upon you. Your leaders directed that it be eliminated.

Those applications for loans could have been taken care of, and that system would to-day be functioning if that amendment had prevailed. So those are some of the ways in which you could have helped the farmers, but you failed to do it. I saw, too. Senators on the other side of the aisle opposing an amendment to one of the general appropriation bills to appropriate \$100,000,000 to carry on the work of building good roads in cooperation with the States, and that legislation was defeated.

Mr. President, if the antidumping clause in this bill prevails, it will undo the work which this side of the Chamber did in The Senator from Wisconsin remembers that, because he voted for the legislation and championed it over on the other side of the aisle. Under the leadership of the distinguished Senator from Alabama, who was then the leader of the ma-jority in the House of Representatives, we saw the condition of the farmers of the country; we knew that the great burdens upon them were caused in part by the fact that they had to pay too high prices for the things which they needed in order to work and produce their crops. While everything they produced was sold in the open competition of the world, practically speaking, on everything they bought-fertilizers, farming implements, and so forth-they had to pay a high protective tariff. So we wanted to relieve that situation, and we passed what was known as the farmers' free list bill. The articles that we placed upon the free list at that time in order to help the farmers of the country are still on the free list due to that legislation, removed from any tax and any tribute to certain overgrown protected interests. If the antidumping clause of the pending bill prevails, it may, if the circumstances arise—and the probabilities are they will arise—take from the free list every one of those articles and impose a tariff or a tax upon them, thereby increasing the costs of these necessary farming articles to the farmers of America.

Sirs, let me just cite to you some of the things that are embraced in that free-list schedule which really helped the farmers of the country. I see first in order antitoxins to cure the children from attacks of diphtheria. If the antidumping provision of the bill prevails, the time may come when there would be imposed a protective tariff against the mothers of the land buying at a reasonable price antitoxin and other medicines to relieve the suffering and cure the sickness of their children. Next, Bibles are on the free list, but if this provision in the pending bill should prevail it might be, if the circumstances should arise, that even those who desire to purchase a Bible made abroad and imported into the United States would have to pay a higher price for it. You want to prevent the sick from being cured and the godless from being Christianized.

Fertilizers of every kind, including Chilean nitrates, are now on the free list, but under the pending bill the time may come and circumstances may arise that a tax be imposed making the

farmer's fertilizers cost him more. That brings to my mind the fact that, with the exception of about eight real friends of the farmers on the other side of the aisle, Republican Senators in the last Congress defeated legislation that proposed to give to the farmers cheaper fertilizers, to be manufactured at the Muscle Shoals plant. So it is a peculiar and strange thing to me that the men should now pose as friends of the American farmer who have fought him throughout in every contest. While they pretend to help him in the pending bill, they are really taking away from him some of the advantages that are given to him in the free-list schedule of the Underwood-Simmons tariff law.

Under the farmers' free list we provided that cotton bagging, that barbed-wire fencing, that plows, that disk harrows, that harvesters, that reapers, that agricultural drills, that mowers, that horserakes, that cultivators, that thrashing machines, that cotton gins, that machinery used in the manufacture of sugar, that wagons, that carts, that sewing machines and needles should come in free. I notice that the distinguished Senator from Norw Hemphire. from New Hampshire [Mr. Moses] proposed an amendment in the last Congress to put a tariff on needles. They are carried in this free-list schedule because, if we could, we wanted to help the housewife, the farmer's wife, the consumers of the country, to purchase such articles at reasonable prices.

Mr. MOSES. May I call the attention of the Senator to the fact that the needles which I wished to protect were needles that were used in machinery in hosiery factories and not needles

that are used by the housewife?

Mr. HARRISON. Yes; needles that are made up in New Hampshire.

Mr. MOSES. They are, indeed. Mr. HARRISON. Yes. We did not stop in this enumeration by naming the commodities that the farmer needed upon his farm in order to produce his crops, but we made the language so broad that it provided that agricultural products of every kind should be admitted into the country free of any import duty; yet if the pending bill passes in its present form, with the antidumping clause inserted, the result would be to increase prices to the farmers of the country. While proposing to help them, in one instance by imposing a high tariff on farm products, through the antidumping clause there would be levied high taxes upon the things that are now on the free list, and which are necessary to the farmer to produce his crops.

Mr. MOSES. Mr. President—

Mr. HARRISON. I yield to the Senator from New Hamp-

Mr. MOSES. Does the Senator from Mississippi mean that the imposition of a tariff upon farm products is going to be any detriment to the farmers themselves?

Mr. HARRISON. I am not surprised at the Senator from New Hampshire asking me that question. The Senator from New Hampshire can not understand how if the farmer had to pay a tax at the customhouse

Mr. MOSES. Upon the products which he himself raises? Mr. HARRISON. On agricultural implements, it would hurt

Mr. MOSES. "Agricultural products" is what the Senator from Mississippi said.

Mr. HARRISON. On agricultural implements of every kind. Mr. MOSES. No; "agricultural products" is what the Senator said.

Mr. HARRISON. If I said "products," I was mistaken, because I have talked for the last half hour on agricultural implements that are now on the free list, and which under the antidumping provision of the pending bill may be greatly

Mr. MOSES. I thought, if I may quote the words of Beaconsfield speaking to Gladstone, that the Senator was "intoxicated with the exuberance of his own vocabulary.

Mr. HARRISON. I am glad I have detained the Senator in the Chamber long enough for him to hear at least a part of my vocabulary, because the Senator from New Hampshire made one of the most eloquent speeches during the last Congress that I have ever listened to respecting the provisions of this bill. It was a speech which was published in all the papers of the country, and while it did not have much effect upon the ma-jority side of the aisle, it was certainly filled with eloquence and great logic. It showed that the Senator is a real statesman, and that he is not willing because needles are manufactured in his State to swallow all other indefensible propositions that might be handed to him in order to get protection on them. I should like to read that speech.

Mr. MOSES. Mr. President, before the Senator reads it, will

he allow me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from New Hampshire?

Mr. HARRISON. I can not yield now; I will yield in a few

The PRESIDING OFFICER. The Senator from Mississippi

declines to yield.

Mr. HARRISON. I want to read from the great speech that was made in the last Congress by the Senator from New Hampshire [Mr. Moses], which is found on page 3252 of the Con-GRESSIONAL RECORD of February 16, 1921. In speaking of the emergency tariff bill then pending before Congress, which was similar to the pending bill, the Senator from New Hampshire

Mr. President, this bill having been described to meet an emergency, the emergency is presented to the Senate in a most one-sided manner. I insist, as an all-around protectionist along the lines stated by the Senator from New Jersey [Mr. Edge], that if an emergency exists with reference to American industry and trade, it exists in all branches as well as in the few which have been singled out for special favor, and that we, as national legislators, should consider all of them. The proposal which I make in the amendment now pending is to apply, during the 10 months in which the pending bill purposes to operate, all of the duties contained in the last Republican tariff measure which was adopted, a tariff which was amply protective for every industry which it touched, a tariff which was proclaimed to the country as the best tariff measure ever drawn, a tariff measure which was framed, in part at least, and voted for and upheld by 14 Senators still remaining on this side of the aisle, who can not have forgotten the panegyrics with which they covered that measure, and to whom I now appeal to give us, in the 10 months through which the pending bill purposes to operate, a complete wall of tariff protection for all industries, behind which the Congress may proceed leisurely and scientifically to draw a tariff bill fitted to all emergencies and which may be permanent law during many years to come.

I am trying to make an appeal to my protectionist brethren on this side of the aisle to support it, because it can not be that the measure now before us in the form in which it now stands, and to which I can never give my vote, can be adequately defended by anybody. It is regarded very generally as a measure which is indefensible. Private conversation among Senators shows that to be the fact. It has been admitted almost in terms by Senators who have speken in its favor upon the floor. It is a bill—

That is this bill-

That is this bill—
that grows out of an unwise yielding to pressure which was applied at
the other end of the Capitel. It is the offspring of a union between the
cotton field, the sugar-cane brake, the rice paddy of one section of the
country, and the sheep run, the cattle range, and the wheat field of
another section. It is a misshapen brat at best. It is lopsided, it is
blind, it is deaf, it is bandy-legged, and it suffers from congenital
economic rickets. It is misconceived, hagborn, and, to complete the
characterization, ditch delivered. Republican Senators can not go to
the country upon such a proposition.

That is the best speech the Senator ever made.

Mr. MOSES. Mr. President—
The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from New Hampshire?

Mr. HARRISON. Yes; I yield.

Mr. MOSES. I am glad that my periods have fallen so pleasingly on the ear of the Senator from Mississippi, and I can only wish that upon the original delivery of the speech I could have delivered it with the force which he has now given to my restrained words in dealing with this measure.

I assume, Mr. President, that the Senator is endeavoring to wring from me some sort of recantation; that he wishes me to

state that I have changed my opinion about the bill.

Mr. HARRISON. No; I do not think the Senator ever

changes his opinion.

Mr. MOSES. I have no intention of changing my opinion on this measure; I have no intention of voting for it; and I hope before the debate upon it closes that I may have the opportunity to offer once more a few well-chosen and wholly restrained comments upon what I believe to be its main features, particularly the last sections of the bill.

Mr. HARRISON. I am very sure the Senator will make a

most eloquent speech.

The pending bill is supposed to be a general bill to take care of every industry in the country, so far as the agricultural interests are concerned. Word has gone out that it can not be

This bill provides that cotton with a staple of 13 inches shall carry a tariff of 7 cents a pound. That is the provision of the bill. Now, let me read from the report of the committee, to see whether or not the committee that drafted this proposition really intends and desires to be fair with every section and every interest in the country.

I am reading from the report prepared by Mr. Young, from the Committee on Ways and Means, and submitted to the House

of Representatives. He says:

The Young emergency tariff bill proposes a duty of 7 cents per pound on cotton the staple of which was 11 inches and longer. We are of the opinion—

Says this report-

that the minimum length of staple on which the tariff is to be levied should be 1½ inches.

I am reading this to the Senator from Utah. I just want to call the attention of the Senator from Utah to this matter a mement. This bill carries a tariff of 7 cents a pound on cotton the staple of which is 1% inches in length. Is that right?

Mr. SMOOT. That is correct.

Mr. HARRISON. The report of the Ways and Means Committee of the House says:

1. The Young emergency tariff bill proposes a duty of 7 cents per pound on cotton the staple of which was 13 inches and longer. We are of the opinion that the minimum length of staple on which the tariff is to be levied should be 13 inches, and that the duty should be increased from 7 cents to not less than 10 cents per pound.

2. Long-staple cotton is produced in the United States in certain favored areas, the most important of which are Arizona and California, in the Delta of the Mississippi River and its tributaries, in Texas and Okiahoma, in South Carolina, and to a limited extent in other cotton-producing States. The long-staple cotton produced in these areas has to compete with imported cottons, especially with those produced in Egypt and Peru.

3. Long-staple cotton is required for certain specific purposes, such

to compete with imported cottons, especially with those produced in Egypt and Peru.

3. Long-staple cotton is required for certain specific purposes, such as the manufacture of automobile tire fabries, for mercerized hosiery and underwear, for sewing thread, for lawns and ladies' dress goods, and for the finer numbers of yarns. It is highly desirable to develop our production of extra staple cotton to meet the requirements of American manufacturers of such products.

4. Large areas of land in this country are available for the production of extra staple cotton, but because of the costs of reclamation, irrigation, and the higher standards of living and cost of labor, the cost of production of such cotton in the United States is high and our producers need a protective tariff to equalize the cost of production abroad with that in the United States.

5. While no official data are available, it is estimated that the cost of producing long-staple cotton in Arizona and California is 52.6 cents per pound and the cost of producing long-staple cotton in the Mississippi Delta and elsewhere in the cotton belt is about 35 cents per pound.

6. In the table following are presented quotations on the selling price of Sakellaridis Egyptian and American Egyptian cottons. It will be observed that on March 15 the price of fully good Sakellaridis price of Sakellaridis and No. 3 grade at 25½ cents, landed Boston. Such prices are far below the estimated cost of production of cotton in Arizona and California. It should be pointed out further from the table that the prices of good fair Sakellaridis and No. 2 Arizona Egyptian have been practically indentical since November 13 last. In other words, the price of good fair Sakellaridis seems to fix the price of American Bgyptian cotton, but it is known to be a fact that "upper Egyptian" cottons compete directly with American cottons are available for upper Egyptian cotton, but it is known to be a fact that "upper Egyptian" cottons compete directly with American cottons are registed for upp

per hundred pounds, and from Mempins, Tenn., to Boston is 65½ cents per hundred pounds.

8. Enactment of a tariff which would give protection to cotton of 1½ inches staple and longer would serve to encourage the production of superior varieties of cotton in the United States and would tend to improve the character of the American cotton crop.

9. Producers of long-staple cotton have faced adverse market conditions in the sale of last year's crop and are said to have on hand a large part of last year's production. Accordingly it is believed that the producer would receive the benefit of whatever protection that might be conferred by the proposed tariff measure.

10. In the second table figures are presented which show the estimated production of long-staple cotton in the United States and in the world, and also the imports into the United States of Egyptian and Peruvian cotton, which constitute practically all of the imports into this country of cotton of 1½ inches or longer in staple. In passing it may be stated that small quantities of staple cotton are imported into the United States from Mexico and the West Indies, but exact statistics are not available from these countries.

The proposition that I want to ask the Separator about in this.

The proposition that I want to ask the Senator about is this: When the report of the Ways and Means Committee, if they can justify a tariff on any length of cotton, says that it should be 13 inches, and the bill carries a duty on cotton with a staple of 13 inches, why is it that they did not make it 13 inches?

Mr. SMOOT. Mr. President—
The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Utah?

Mr. HARRISON. I do.

Mr. SMOOT. The only cotton to speak of that is imported into the United States—and that is the Egyptian long-staple cotton—has a staple running from 13 to 15 inches. The Finance Committee and also the House committee in this report decided that the only protection that was needed to cotton at all was against cotton that was imported into this country; and I will say to the Senator that 13 inches is rather a short staple for what is called long-staple cotton. The Egyptian cotton that is raised in Arizona has a staple running from 18 to 18 inches. Nearly all of the Egyptian cotton that is imported into the United States has a staple of 15 inches, and there is no necessity of applying the duty to 15. There is a little 15 cotton necessity of applying the duty to 15. There is a little 15 cotton raised in America outside of Arizona, in Alabama and certain parts of Mississippi.

Mr. HARRISON. As the Senator understands, I am not taking issue with the Senator on the propriety of not putting a tariff on 11-inch cotton. The Senator understands that I am against protection of every kind, but what I am asking the Senator is why in a report of the Ways and Means Committee of the House they say that the tariff should be 10 cents a pound

on cotton 12 inches in length to 12 inches in length, and you write a bill making it 18 inches?

Mr. SMOOT. Because cotton with a staple of 18 inches is the only cotton that is imported into this country that comes into competition at all with cotton grown in the United States.

Mr. HARRISON. But the Committee on Ways and Means says that the 11-inch cotton comes into competition.

Mr. SMOOT. The Finance Committee of the Senate did not

think it did. Mr. HARRISON. Then the Senator from Utah states that the facts as stated in the report of the Ways and Means Com-

mittee of the House are not true so far as cotton is concerned? Mr. SMOOT. I would not say that.

Mr. HARRISON. Well, that they are incorrect?

Mr. SMOOT. I would not say that they are not true. think perhaps you could find a negligible quantity of cotton that comes in that is not 13 inches in length; but I want to say to the Senator that if it does come here it is because of a mistake in shipping that class of cotton, and it would be a very lowgrade Egyptian cotton with a staple of 11 inches. There may be a few bales; I do not know; but there is no necessity of

protecting it.

Mr. HARRISON. The strange thing to me is that here the Ways and Means Committee of the House and the Finance Committee of the Senate in their report state that a tariff should be placed on cotton with a staple between 11 inches and 12 inches in length, that it competes with certain cottons from other countries, and yet the House did not place it at 11 inches in length; it put it at 18 inches. Why did they write a report and state one thing, while in their bill they do not take care of the situation with respect to cotton with a staple less than 18 inches in length?

Mr. SMOOT. I do not know whether the Senator is reading

from the report on the original bill or not.

Mr. HARRISON. I am reading from the Young report, that was filed with this bill recently.

That is the later report.

Mr. HARRISON. Yes.

Mr. SMOOT. I think that report was made upon the basis of the report that was first made in the House. If the Senator will remember, when the bill came from the House it did carry a tariff on cotton 11 inches in length, and the report was made up on that, but it was changed in the Senate to 13 inches.

Mr. HARRISON. No; this report says:

The Young emergency tariff bill proposes a duty of 7 cents per pound on cotton the staple of which was 13 inches and longer.

Then it goes on and says that the tariff ought to be on cotton 13 inches in length. Now, what I am trying to get at is this: In drafting the bill, if they say it is going to be general in character and take care of all agricultural products, and they make a statement like that, why did they not put a tariff on cotton the staple of which is 11 inches in length? All of their argument is to support the proposition that there should be a tariff on cotton the staple of which is 11 inches in length. can not imagine any sectional feeling entered into it.

Mr. SMOOT. I think perhaps the reason why it was the same as it was in the last session is that the bill was to be reported and pass the House and pass the Senate without changing it from the rates as agreed to in conference, and the

12 inches was agreed to in conference.

Mr. HARRISON. Does the Senator offer that as a justification for this action-that this was done simply because they wanted to stand by a rate carried in a previous bill?

Mr. SMOOT. No; I am not trying to justify it at all. The

Senator asked for the reason, and that is one reason.

Mr. HARRISON. Does not the Senator think that is a pretty bad reason?

Mr. SMOOT. No: I do not, because I think cotton with a staple of 1% inches is the proper length of staple of cotton to protect. I think the Senator is wrong in the position he takes,

Mr. HARRISON. I can understand how the Senator, then. could be in favor of its being 18 inches; he believes that; but here is the Ways and Means Committee of the House stating that it ought to be put on 13 cotton; and they put it on 18 cotton.

Mr. SMOOT. The only thing I can say is that the Senator from Utah disagrees with the conclusions of the members of the House Ways and Means Committee.

Mr. HARRISON. Well, that is the way this bill is drafted. That is the kind of reports that are thrown in here and on which we are asked to vote.

You will see, therefore, that the new Members and all of us are asked to vote on a measure based on a report that contradicts the bill it supports.

Mr. President, I am not going to occupy much more of the time of the Senate. I want to argue one or two more propositions and then I am through.

When this bill was before the House and the Senate in December, it was offered as an emergency measure. It was said: "We want to pass it immediately, in order to take care of the present situation. There are conditions confronting this country that must be met. There are great importations of wool that are coming into the United States. There are great importations of wheat and of rice and of live stock and of all these things, and as an emergency measure we must put up a wall here quickly in order to protect the American farmer. That was the argument.

Mr. SMOOT rose.

Mr. HARRISON. Does the Senator want to ask me something?

Mr. SMOOT. No; I was simply going to say to the Senator that that condition exists to-day, but in an exaggerated form.

Mr. HARRISON. I am going to show the Senator that it

does not exist. That is just what I am going to argue.

Mr. SMOOT. The Senator, no doubt, has received letters from importers of wool begging that an amendment be made to this bill, so that it will not apply to wools contracted before the 1st day of April; and yet in the last three months more than 137,000,000 pounds of wool have come into the United States, and if it goes another two months there will be enough wool in the United States to last the United States for over two years and a half. If that is not an emergency, I do not know what is.

I will not take the time of the Senator now to go into the other items mentioned.

Mr. HARRISON. I am very glad to have gotten that statement, because I expect to show just the contrary before I finish. Mr. SMOOT. The Senator can not show the contrary.

Mr. HARRISON. Well, wait and you will see. That bears exactly on the point I am going to argue now. I am glad the Senator is in here. He has not been in very much. He has been busy on committee work, I know.

Mr. SMOOT. I have been here all the time, with the exception

of this morning

Mr. HARRISON. The Senator has been engaged on committee work.

Mr. SMOOT. Mr. President, I want to change the figures of 137,000,000 pounds, as I have the report up to March 1, 1921that is, January, February, and March-to 162,158,546 pounds.

Mr. HARRISON. Mr. President, in December the statement was made, and it is reiterated now, that there was an emergency existing and that they were afraid there would be such a flood of importations into this country of wool, wheat, sugar, and various other agricultural products, that they needed a tariff to protect them, so the cloture rule was attempted to be forced on us in order to pass the bill quickly. That bill was defeated purely because the President vetoed it. If that bill had been signed and had become a law the Democratic minority might have been in a very peculiar position right now in the eyes of the country.

Importations have fallen off instead of increasing, as was prophesied by the Senator from Utah and other Senators in sup-

port of this proposition.

Mr. SMOOT. Yes; but not in the case of the items that this bill covers

Mr. HARRISON. Here are the items in regard to wool

imports:

In October, 1920, 1,415,000 pounds came into this country. In November, 497,000 pounds came in. In December, quite a large amount came in-3,082,000 pounds. In January, 1921, 1,140,000 pounds came in. In February, 487,000 pounds came in. In March, 369,000 pounds of wool came in. There was a falling off.

Mr. SMOOT.

Mr. SMOOT. No; Mr. President. Mr. HARRISON. Well, these are the figures of the Tariff Commission up here, the Bureau of Foreign and Domestic Commerce. If the Senator has something different, I do not know.

Mr. SMOOT. I quote figures from the Department of Commerce.

Mr. HARRISON. That is where these came from. be, since you have got your new crowd up there, that I can not get correct figures. I do not know about that. Mr. SMOOT. This is for the eight months of last year, 1920.

It was printed before ever the new crowd was there.

Mr. HARRISON. I know, but you have not the figures for the last few months, have you? Mr. SMOOT. Yesterday I asked for the importations for

January, February, and March of 1921.

Mr. HARRISON. That is what I did yesterday.

Mr. SMOOT. And they show 162,158,546 pounds.

Mr. HARRISON. They gave me for the month of January, 1921, as I stated, 1,140,000 pounds; for February, 487,000 pounds; and for March, 369,000 pounds, showing a falling off of nearly 300 per cent.

Mr. WALSH of Montana. Mr. President-

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Montana?

Mr. HARRISON. I do. Mr. WALSH of Montana. This reminds me of a very interesting incident occurring here in the Senate quite a number of years ago, when Senator Carter, of our State, was a Member of this body. As in this instance, upon identically the same question, essentially different figures were furnished by the two Departments of the Government, which gave rise to considerable discussion here as to which were the correct figures. Senator Carter had a reputation of being something of a compromiser, and he proposed that the two sets of figures be averaged and the result accepted by the Senate.

Mr. SMOOT. The former Senator from Montana, Mr. Carter, may have accepted that during his lifetime, but the Senator from Utah does not compromise when he knows that the figures are correct, and I can tell the Senator from Montana now and the Senator from Mississippi the amount I named is correct, namely, 162,158,546 pounds. Mr. President, that is the amount of wool that came into this country in January, Febru-

ary, and March, 1921.

Mr. HARRISON. What is the figure given by the Senator? Mr. SMOOT. One hundred and sixty-two million one hundred and fifty-eight thousand five hundred and forty-six pounds.

Mr. HARRISON. In January, February, and March?

Mr. SMOOT. Yes. Mr. HARRISON. That was wool?

Mr. SMOOT. That was wool.

Mr. HARRISON. According to the figures they furnished me, in January, 1921, as I stated before, there were 1,140,000 pounds, and in February a falling off down to 487,000 pounds, and in March down to 369,000 pounds imported. The Senator may have just taken them all together, or these figures may apply to only one grade of wool. Has the Senator stated them by

Mr. SMOOT. I have them here by classes, Mr. President, for the three months, and I got them direct from the depart-

Mr. HARRISON. What I am trying to get at is this: Was there a falling off in the Senator's figures in the month of February from the month of January, and was there a falling off in March from February? The point I am pressing is con-

stant decrease in the importations of wool.

Mr. SMOOT. Mr. President, I should think there would be a falling off in February and March, because of the fact that when it was thought in the United States that there was going to be a tariff upon wool the orders ceased, and, of course, that left the months of February and March, the time when those wools would have arrived here if they had been ordered during those months, with few arrivals.

Mr. WALSH of Montana. That inference might seem justifiable, but I have upon my desk this morning two letters from manufacturers of woolen goods in the State of New York.

Mr. SMOOT. I think I have copies of the letters. Mr. WALSH of Montana. Who tell that they made purchases in the month of March.

Mr. SMOOT. Yes; but they did not arrive here. We are

talking about the wool that has arrived here.

Mr. WALSH of Montana. They made purchases in the month of March of wool, not yet having arrived, so that I think it is not quite true that purchases ceased when the other bill had passed.

Mr. SMOOT. There is not any doubt but what purchases ceased, Mr. President, and that began even in November. You can not buy wool from Australia and have it fly here the next day. It takes months to get it, and the purchases ceased in November and December, so the importations of wool in February and March fell off, because if the wool had been purchased in November and December it would have arrived here in February and March, and I called the attention of the Senator from Mississippi to the letters to which the Senator from Montana has just referred. I suppose every Senator received them. After the President vetoed the bill they began to pur-chase wool again, and now they are asking that amendment be made to this bill, so that all wools purchased anywhere in the world under contract up to April 1 shall come in free.

Mr. President, I am very glad the Senator Mr. HARRISON. from Utah has admitted that the importations of wool into the United States in the month of February fell off from the month of January and that the importations in March fell off from

the month of February.

Mr. SMOOT. Yes; I admitted it, and I gave the reasons why. Mr. HARRISON. Mr. President, I understand the Senator's reasons, and I am going to give the reasons to the contrary. I offer these reasons merely to show that the importations of wool had been on the decline since December, and this bill was proposed in December in order to keep out the great flood of importations that they said then were coming here. The picture the Senator from Utah at that time drew was most impressive; he waxed eloquently, describing how shiploads of wools were coming in and how it would drive down the prices. Let us see what the price of wool was in the last three months. It may be that again the Senator's figures are different from mine. If I can not get correct figures at the departments since the new régime has come in, I shall be running over to the Senator's office and have him get the figures for me.

The price of fine unwashed delaine wool in December, 1920, was 47 cents. On April 30, 1921, the price was 41 cents, a falling off in price of 6 cents a pound. The general range of prices of all grades of wool in December was 48 cents, and on April 30, 1921, it was around 41 cents. If the bill had become a law in January and the importations had fallen off, as they have fallen off, then Republican Senators would have claimed much relief from the measure. The object of their bill was to increase the price of wool for the woolgrowers and to keep out importations. An examination of the facts shows that the price has not increased, although importations of that product have fallen off immeasurably. The contrary is proven from the facts of what was predicted by proponents of the legislation.

The Senator from Utah smiles. I am glad to see him smile. He is in a good humor when he smiles. The Senator evidently

does not agree with me about that.

Mr. SMOOT. I really smiled at the statement the Senator made.

Mr. HARRISON. Maybe the Senator would not have made that kind of an argument, but most Republicans would. Of course, the Senator travels on a higher plane and he would not use that kind of an argument, but most Republicans would have used that kind of an argument.

You said you were going to keep out increased importations by the passage of the bill, and even though the bill failed the importations of wool have fallen off, according to the statement of the Senator himself. And when the importations fell off you predicted the price of wool would go up, and what happened was that importations fell off and the price did not increase, but went down. The results have been just the contrary of what

the Senator from Utah and others predicted.

Now, I pass to wheat. We heard the Senator from North Dakota in December talking about the great importations of wheat that were threatening to come into this country. in December 11,185,000 bushels came in, and in January, 1921, it had fallen down to 4,504,000 bushels, and in March down to 2,671,000 bushels. So it did not take any tariff on wheat to bring it down, but the importations decreased from December, when there were 11,000,000 bushels, down to March, when there were 2,000,000, even though the emergency bill failed. Yet if the emergency tariff bill had become a law and the importations had decreased that way, the Republicans would have claimed all the credit for the fact.

But that is not all; you contended that the price of wheat was going up when the importations fell off. Now, let us see whether or not the price did go up when the importations went off. December 15, 1920, the cash sale price of No. 1 hard winter wheat was \$1.755 per bushel. April 29, 1921, the price was \$1.46 a bushel, a falling off, in other words, of approximately 30 cents a bushel. So the very reverse results have followed; that while the importations fell off in those two months from practically 11,000,000 bushels down to 2,000,000 bushels, the price of wheat declined also.

If the bill had become law and importations ceased and the price had gone up, you would have claimed the credit; but, sirs, you can not claim it now, because the importations have fallen off and the price has decreased at the same time. If your contention had been true, that to prevent importation into this country of wheat and of wool would have increased the price of those products to the farmers of the country, then that would have been revealed when importations fell off. But the contrary is proven, because the prices of those products have decreased.

Mr. President, if you Republican Senators were so anxious to do something for the American farmer, why did you not do something in 1919 when you took control of the legislative branch of the Government?

Mr. SMOOT. That is easily answered, if the Senator wants

Mr. HARRISON. Yes; I would like to have the Senator answer it.

Mr. SMOOT. What would have been the use of passing legislation through this body when we knew there was a President at the other end of the Avenue who would veto it?

Mr. HARRISON. Why did you propose it in December, then, three months before the time he was going out? Was it a piece of hypocrisy you were trying to practice on the people? Were you trying to deceive them by any such thing as that?

Mr. SMOOT. No; Mr. President. If we had passed a tariff bill in 1919 it would have been a general tariff bill, and we knew that there was a large majority of Democratic Senators who were in favor of an emergency tariff bill, as demonstrated by the vote in the House and in this body.

Mr. HARRISON. Why were they not in favor of it in 1919?
Mr. SMOOT. The President of the United States in the meantime had given notice that there were certain industries here which ought to be taken care of, and we had every reason to believe he would sign the bill, and we put it up to him, and he vetoed it.

Mr. HARRISON. The argument of the Senator is this, that when the Republicans controlled the House and the Senate, in 1919, when the importations were much greater than they were in 1920, very much greater, as I shall show from the figures here, the reason why they did not pass a tariff bill was that they were afraid the President might veto it. If that was true then it was true in December last, because Wilson was President in 1919 as he was President in 1920. The Senator shakes his head. President Wilson was President in 1919, when the Republicans took charge of the House and Senate, and he was President in December, 1920.

Mr. SMOOT. There is no question about that, but they were two entirely different propositions. One of them would have been a regular tariff bill. The other was an emergency tariff bill. One was right after the armistice was signed, when conditions had not changed materially from what they were during the war period. But later they had changed, and it developed that we had to have some protection for our industries through an emergency tariff bill, and that is the reason the action was taken.

Mr. HARRISON. Now, let me show some further unwarranted deductions from this bill, and the unreasonable arguments of its proponents in support of it as a revenue producer. Let us take peanuts, for instance. The rate on peanuts under the present law is three-quarters of a cent a pound. The rate under the proposed Fordney-Young bill is increased to 3 cents a pound. In the year 1920 there were imported of shelled peanuts, with a duty of three-fourths of a cent a pound, 110,-000,000 pounds. But the committee's report of the last session, and used in connection with the report this session, states that under this bill, with the rate four times the present rate, there will be imported 146,847,000 pounds.

I do not understand the logic of that proposition. If 110,-000,000 pounds came in in 1920, and the rate was just three-fourths of a cent a pound, how do you expect to get 146.000,000 pounds when the rate is to be 3 cents? If you expect the legislation to keep out these increased importations, why do you figure that so much greater a quantity of peanuts will come in?

Let us go down the list to something else, Take peanut oil, for instance. In 1920 the rate was 6 cents a gallon on peanut oil. There were imported into the United States 12.683,000 gallons. According to this proposition, the rate will be 26 cents a gallon, four times as high, and you say there will be imported 16,667,000 gallons. In other words, there will be 4,000,000 more gallons, with the rate four times as high, coming in under this bill as came in in 1920. If the object is to keep some of these goods from coming into this country, then by your own statement you prove it will not work that way, but we will import more into this country.

Take cottonseed oil: In 1920, with cottonseed oil on the free list, we imported practically 9,000,000 pounds. In this report, with 20 cents a gallon, or 2½ cents a pound, on cottonseed oil you estimate that there will be 96,000,000 pounds imported into this country.

Take rice: The existing rate on rice is 1 cent a pound. One hundred and eleven million six hundred and ninety-four thousand pounds came in in 1920. You raise the rate to 2 cents and you figure that 145,000,000 pounds of rice will come in under this bill. Is the object to keep some out or is it to encourage more to come in?

Take corn: In 1920 corn was on the free list, and we imported into this country 7,744,000 bushels. You estimate that under this bill, with a 15 cents a bushel tariff on it, 9,175,000 bushels will come in.

In 1920, with wool on the free list, there were imported, of washed wool, less than 8,000,000 pounds. In this report you estimate that with a 30 cents a pound tariff on it 95,000,000 pounds of wool will come in. You increase the rates, increase the protection, and it encourages a larger importation into this country, according to your estimates. I wonder what you are getting at anyhow. Some of your champions of this measure state that the rates proposed are so high importations will be prevented and practically an embargo will be erected; others contend, as shown by this report on estimated revenues, that the high rates will encourage importations and they will greatly increase. In view of these contradictions, some of us do not know what you believe and doubt that you know yourselves.

Of course, we would naturally surmise that these higher rates are intended to lessen importations. If they did not, then your whole theory fails. You have cited these estimates merely to fool some Democrats to believe that they can defend their position of espousing it as a revenue producer. You know that the rates in this bill are high and made purposely so that importations be decreased. You know, too, that not only will importations be decreased but in most instances the rates are so high that they will operate as a complete prohibition. The assertions in this report touching revenue are incorrect, misleading, and deceptive.

Mr. McKELLAR. Mr. President, I have been out of the Chamber at lunch a few moments and I wish to inquire if the Senator from Mississippi has touched the item of cotton in the

Mr. HARRISON. No; I have not discussed at length the item of cotton. I have discussed none of its specific provisions. Mr. McKELLAR. It provides that cotton having a staple of 1% or more inches in length shall pay 7 cents a pound. If it is

1§ or more inches in length shall pay 7 cents a pound. If it is the purpose to keep out Egyptian cotton that will not do it, so I am reliably informed by experts in the cotton business.

Mr. CURTIS. Mr. President—

Mr. McKELLAR. What purpose can that possibly have unless it is to fool the unwary?

The PRESIDING OFFICER (Mr. Gooding in the chair). Does the Senator from Mississippi yield to the Senator from Kansas?

Mr. HARRISON. Certainly.

Mr. CURTIS. I simply rose to state that the Senator from Arizona [Mr. Ashurst] has given notice that he will discuss that question on Monday.

Mr. McKELLAR. I am told by an expert in the cotton business that a tariff on a staple of 1\(^3\) inches will not keep out Egyptian cotton at all, and that short-staple cotton does not come in, so this provision is mere surplusage in the bill if he is correct about it. It does not do any cotton farmer any good. The Senator from Utah [Mr. Smoot] shakes his head to indicate that this assertion is not correct, and I shall be very glad to have a statement from him as to what is really proposed in the bill.

Mr. SMOOT. I think we had better discuss it when the Senator from Arizona brings it up on Monday, although the Senator from Mississippi and I have discussed it somewhat, and I dislike to repeat that discussion.

Mr. McKELLAR. Very well; I will look in the Record and see what was said by the Senators on this subject while I was out of the Chamber.

While I am on my feet, if the Senator from Mississippi does not object, I should like to read just a few lines from a statement by Mr. Joseph Newburger, who is a friend of both the Senator from Mississippi and myself, and who is one of the bestposted men in the South on cotton. He says in a letter to me:

By putting a tariff on cotton with a staple of 1% inches the Republican Party has done us no good, because this will not keep out what we are trying to keep out. If the bill would read 1% cotton we would keep out all Egyptian cotton, as there is from 200,000 to 300,000 bales that come to this country annually, and the tariff on 1%-inch cotton would help us materially in the Delta.

He evidently knows what he is talking about. He has been in the cotton business all his life. He has raised cotton, bought cotton, and sold cotton. He is a man of fine intelligence and has studied this question thoroughly. He knows just what kind of cotton is raised in the Delta. He understands thoroughly what this provision of the bill means, and he says it will be of no value to the cotton farmer. He knows the length of all Mississippi staples, Arizona staples, Florida staples, Egyptian staples, and all other staples, and when he says this provision of the bill will not keep out Egyptian cotton we can be assured that he is correct about it.

Mr. SMOOT. He is mistaken when he says the Egyptian cotton with a staple of only 1½ inches coming in would amount to 300,000 bales. I will say to the Senator that almost the

whole of it is 1\secaption to 1\secaption inch staple. Another thing, if the Senator will permit me, he should take into consideration section 17 of the bill, reading as follows:

Manufactures of which cotton of the kind provided for in paragraph 16 is the component material of chief value, 7 cents per pound, in addition to the rates of duty imposed thereon by existing law.

That would mean that there would be 7 cents a pound on about all cotton goods imported in the United States, whether it be from Egyptian cotton or not, if we should allow the staple to be reduced to 11 inches,

Mr. McKELLAR. Of course, the Senator would not say that this tax in favor of the manufacturers of cotton would help the growers of cotton. I understand the bill is intended to be in the interest of the farmers primarily, but in this instance it will not help the cotton farmers at all and will only help the manufacturers of cotton. There is a joker in these two provisions. The duty on one and three-eighths cotton will not mean anything because it will not keep Egyptian cotton out. Section 17 puts a duty of 7 cents on the manufactured cotton goods, and therefore the manufacturer of goods made out of Egyptian cotton less than one and three-eighths in staple and coming in free will be given this bounty of 7 cents a pound. This bill is certainly not framed in the interest of the cotton

Mr. SMOOT. The 7 cents a pound will apply to 18-inch cotton, and that cotton is raised in Arizona. amount raised in Alabama and some in a portion of Mississippi, but those are about the only States that raise cotton with a 1&-inch staple.

Mr. HEFLIN. There is some raised in South Carolina. Mr. SMOOT. There is a little in South Carolina, but it is

so small an amount I do not know whether it is really worth

Mr. McKELLAR. If the Senator from Mississippi will permit me to reply to the Senator from Utah just a word further, if it was the purpose to help cotton generally, the one and threeeighths provision should be reduced to 11 inches in length of staple, of course, because we all know that substantially no other cotton except the Egyptian cotton comes in. Egyptian cotton is all, or substantially all, less than 18 inches, according to Mr. Newburger. Mr. Newburger is one of the most accomplished cotton men in this country. I will back his assertion on this subject. When he says much of Egyptian cotton is less than 13 inches in length, we can be sure he is right.

Mr. SMOOT. Less than 1§ inches? Mr. McKELLAR. Yes. There is very little Egyptian cotton, so he says, that is more than 13 inches in length in staple. The most of it is less.

Mr. SMOOT. The gentleman is wrong if he says the great

bulk of Egyptian cotton is one and one-eighth staple.

Mr. McKELLAR. Oh, no; he does not say that. He says it is less than one and three-eighths, and if that is true the bill will keep out only a very small portion of cotton, which will not affect the American long-staple cotton at all. There is a marvelous and tremendous difference between 14-inch cotton and 13-inch cotton.

Mr. SMOOT. I wish to assure the Senator that the gentleman is mistaken if he made that statement. There may be some Egyptian cotton that is a little less than 1§ inches that is imported into this country and used in clothing in a mixture of wool in low-grade clothes, but it is so small in amount that it is practically insignificant. The Egyptian cotton is between  $1\frac{\pi}{3}$  and  $1\frac{\pi}{3}$  inch staple, and I think that every man in the South who knows anything about the staple of cotton will admit that to be the fact.

Mr. McKELLAR. If the Senator from Mississippi will permit me to ask the Senator from Utah another question, I think we can settle the matter. The Senator from Utah is a member of the committee. As I understand the Senator from Utah, it is the purpose to keep out the Egyptian cotton, is it not?

Mr. SMOOT. It is not the purpose to keep out Egyptian cotton. It is the purpose to protect the long-staple cotton in-dustry in the United States. That industry has not grown to any particular extent until the last few years. That is the purpose of the provision. The 13-inch staple provision will pro-

tect our American long-staple cotton.

Mr. McKELLAR. If it is the purpose to protect the longstaple cotton, why not change the provision to one and oneeighth, the provision named in the bill, so that it will protect that long-staple cotton? Of course, I differ entirely with the Senator in his views on protection. I do not believe in the protective theory, but if he is so desirous to do the long-staple cotton grower some good, why does he not arrange that provision of the bill so it will protect him? Why put it in the bill when it will protect him in practically no degree at all? The

cotton men down South probably know more about this subject than the Senator from Utah, though my good friend is an expert on most subjects. The fact is there is an immense amount of long staple cotton grown along the Mississippi River in what is known as the Delta; a very great deal of it is grown there, and under the provisions of the bill that cotton grown in the Mississippi Valley and practically no other American cotton is protected at all. The provision is merely a matter of surplusage in the bill. It may catch some staples, but I do not see how it is possible under the information furnished by Mr. Newburger.

Mr. SMOOT. It will protect the long-staple cotton of Mississippi. It will protect the long-staple cotton of Arizona. It will protect the long-staple cotton of Alabama. It is not proposed

to protect the short-staple cotton.

Mr. McKELLAR. It could not catch any other kind of staple, because no other kind of staple comes into this country. If you made the provision 1 inch in length or three-quarters of an inch in length, you would not keep any cotton out except the long-staple Egyptian cotton, because that is the only cotton which comes in. No short-staple cotton comes into this country,

or substantially none,

Mr. HARRISON. Before the Senator from Tennessee came into the Chamber I had discussed the report of the House Ways and Means Committee on this proposition, and in their report, if the Senator will read it, he will find that the committee said there should be protection on cotton 11 inches in length and up, but as it has been brought into the Senate the bill provides 18 inches. They stated in the report what the Senator from Tennessee now states, but the Senator from Utah takes issue on that proposition. Of course, the bill carrying a duty on cotton of 13 inches in length gives a complete answer to the insincerity of the proponents of this legislation as expressed in their report that they desired to deal fairly with the agricultural interests of every section and that cotton of 11 inches in length needed protection. This is in keeping with the record of Republican leadership.

Mr. SMOOT. There is another thing I wish to say to the Senators that the House Members I think did not take into consideration when first establishing the 11-inch staple. The administration of imposing a tax on cotton goods imported into this country under section 17, if the staple was 1½ inches, would be impossible. No one could tell in 90 per cent of the goods that would be shipped into this country whether the staple was  $1\frac{1}{8}$  inches or 1 inch, but where the long-staple cotton of  $1\frac{3}{8}$  inches and above is used anyone familiar with the manufacture of goods made from Egyptian cotton can tell it at once. When you get down to a staple of 13 inches there would not be a yard of cotton goods imported into the country but what would have to be examined to decide whether it contained 11 inches, as provided in section 17 of the bill.

Mr. McKELLAR. What the bill does under sections 16 and 17 is this: It does not protect long-staple cotton at all, or practically not at all. I doubt if it will keep out 10,000 bales of Egyptian cotton. Under section 17 it would protect all the manufacturers who make Egyptian cotton or American cotton into cloth. It is very cunningly devised, so that the farmer raising long-staple cotton, whether he lives in the Imperial Valley or anywhere else, is not protected at all, or practically not at all, but the manufacturer who puts the long-staple American cotton into the cloth or the manufacturer who puts Egyptian cotton into the cloth will receive the benefit, because section 17 provides that-

Manufactures of which cotton of the kind provided for in para-

And that means Egyptian cotton.

Mr. SMOOT. If it is not of that kind, they do not get any protection. I am quite sure the Senator has not given thought to the question or he would not have uttered that statement.

Mr. McKELLAR. I have given thought to it, and that is why I make the statement. Section 16 is the joke and section 17 is the joker in this bill. It is only one of many.

Mr. HARRISON. Of course, 13 inches in length could not apply to some of the cotton raised in Arizona. apply to any cotton raised in the Delta of the Mississippi, because that cotton is around 11 inches in length, and the facts show that 48 per cent of the cotton of that length that is raised in the United States is raised in the Delta of the Mississippi. For my part I am in favor of no protection of any kind, and I wish the Senate to understand that. I have so voted, and would so vote again.

However, the curious thing to me is that if the purpose of those who drafted the legislation is to apply its provisions generally to the agricultural interests of the country on the principle of protection, when their report says cotton 11 inches

should be protected the same as 13 inches, why it is that they write into the bill 13 inches in length? Of course, I have understood the Senator's explanation of it. It is different from the explanation of the House Ways and Means Committee on that

proposition.

I stated before I was interrupted that in 1919 there was more reason, if there every could be any reason, for asking the Congress to pass emergency legislation, but certainly no reason now exists because the importation of practically every article and of every product that is carried in the emergency tariff bill of 1920 has fallen off since that time. The facts The facts as stated by the Senator from Utah touching wool show the importations of that item have fallen off; wheat has fallen off; rice has fallen off; live stock has fallen off. Article by article the importations into this country since December last, when they said the emergency existed, have fallen off so that the emergency does not exist to-day, and there is no flood of those products threatening to come into the United States at this time. It was a bugaboo that was held up to the Senate and to the House that those great importations were coming. The facts now show that they did not come. On the contrary, month by month and day by day those importations have fallen

In 1919 the importations of wool into this country amounted to 440,290,279 pounds, while in 1920 the importations of wool amounted to 259,617,000 pounds; in other words, there was a falling off in the year 1920 in the importations of wool of 180,000,000 pounds; yet, during the time that this great flood of importation of wool to the amount of 440,000,000 pounds was coming into this country, the Senators from wool-growing States who are now pleading for this emergency legislation sat quietly by, did not raise their voices, did not appeal for legislation to stop its importation into this country. At that time the Senator from Utah [Mr. Smoot] and other Senators, perhaps, could have rendered some real service to the wool growers of the country; and I suspect they will have much difficulty in explaining to the wool farmers of Utah and other wool-growing States why, when the great importations of wool were coming, they sat serenely by and did not murmur, but now without the slightest cloud of threatened danger upon the horizon they cry loud and constant.

That condition did not apply only to wool, but it applied to some other products. Let us take cattle, for instance. In 1919 the importation of cattle amounted to 263,000 head more than in 1920; that is, we imported 70 per cent more in 1919 than we imported in the year 1920. For the months of September, October, and November, in 1919, we imported 128,000 head more than during the same months in 1920. Why did not some one interested in live stock who thought that a tariff bill offered a panacea, in order to help the producers of stock, try to do something at that time to stop the tide of importations

into this country?

Let us take sheep. In 1919, 224,000 head of sheep were imported into this country, while in 1920 only 172,000 head came in, so that 52,000 head of sheep less were imported in 1920 than were imported in 1919; yet, while Senators on the other side of the aisle controlled the Senate, and the Republicans were in control of the House in 1919, they did not attempt to draft any measure in order to try to stop the importation of sheep into this country at that time. So it was down the line. I will not proceed to read the entire list, but Senators may take every article and they will find that 1919 was the time when the great influx of importations was coming, and that there has been a falling off constantly ever since.

Mr. President, when this legislation was first conceived and brought out of the Committee on Ways and Means of the House it was not nearly so bad as it was when it came to the Senate and was referred to the Finance Committee of the Senate. It was not so bad when it was referred to the Finance Committee of the Senate as it was when it passed the Senate. It was not so bad when the President vetoed the measure last Congress as it now is. Every day of its progress it has had a tendency either to increase the rates or include other propositions.

When the bill was first reported out of the Ways and Means Committee of the House of Representatives it did not carry any

protection to the great Sugar Trust.

That tax on sugar means \$125,000,000 additional burden of taxation on the consumers of the country. It is proposed to give that much to the great Sugar Trust of the land and in-

crease to that extent the price of sugar.

When the bill first came out of the Ways and Means Committee of the House there was no provision in it for a tariff or a tax on frozen meat, but it got over here in the Senate-that was shortly after the packer legislation had been consideredand some one who was interested in that legislation wanted to

give the packers more protection because they controlled the frozen-meat situation in this country; so they said, "Let us protect them in order that the frozen meats from South America may not come in here and compete with the frozen meats of the five big packers." When that was done, a tariff burden was put upon the consumers of the country, who need ment in order to live, of practically \$500,000,000 annually. So going down the line to hides and the Woolen Trust, they are the ones who get the benefit out of this legislation.

Every line in the bill is a challenge to the welfare of the consumers of the country and an imposition on the farmers of a greater burden. Within its folds it invites retaliatory measures from every country to which we sell our goods. Instead of helping it is going to hurt, because what the farmers of this country need, what they want, is a market throughout the world in which to sell their surplus products. That applies to wheat; it applies to cotton; it applies to practically everything except sugar and wool and rice. So what the farmers need is a market for their surplus cotton, their surplus wheat, and their other surplus agricultural products. When some understanding among the nations of the world is brought about and when the wisdom of this administration shall extend some credit to those countries which have always opened up their markets to us, then they will buy of us and the farmers will get better

prices for their products.

If you have a real desire to help the farmers, then you should pass some legislation that will take care of additional loans on farm lands. You should pass some legislation touching the railroads, so that the present high and unreasonable freight rates may be reduced. God knows that the farmer now can hardly ship anything, so high are the transportation rates. I received a letter only the other day from the little town in Mississippi in which I was raised, which is located in a great agricultural section and which ordinarily ships more vegetables than does any other center in the whole United States, and from that letter it appears that on many of the products which they are raising the farmer in all probability will lose money because of the high transportation rates. If you really want to relieve the economic situation in this country and to remove the disadvantages under which the people are now laboring, then change the railroad law; reduce freight rates; and go about it in some other way than to pass a piece of legislation such as that embodied in the pending bill. This legislation is a species of deception, fraud, and hypocrisy; it is a betrayal of promises that will rise to plague the Republican Party; it is a repudiation of every pledge made by you in the late campaign; and it will mark the beginning of your end.

## EXCESSIVE FREIGHT RATES.

Mr. CAPPER. Mr. President, there is a very general demand throughout the West for the passage of the emergency tariff bill. It is a measure which should have been passed long ago, and I hope that it will be speedily enacted into law.

There is another phase of the agricultural situation which I desire to discuss briefly at this time. Mr. President, I rise to present appeals from a large number of Middle West States for relief from the intolerable railway rates that have brought on business stagnation throughout the country. These appeals come from governors, mayors, State railway commissions, agricultural and live-stock associations, and, in addition, I have several hundred communications from merchants, bankers, farmers, stockmen, and representatives of all lines of industry and trade. All these petitioners for relief warn us that we shall soon have a nation-wide paralysis of business if help does not come quickly. I have never known a more alarming situation, so far as the business of the West is concerned, and that is why I wish to lay stress on the urgency of quick action. High railway rates are not entirely responsible, but they have had a great deal to do with it.

The State board of agriculture of Kansas has asked me to present this appeal to the President and Congress:

Present this appeal to the President and Congress:

Present freight rates are in many instances confiscatory and in practically all cases work a severe hardship on agricultural and livestock producers and shippers, as well as the consuming public.

Producers of grain and live stock are threatened with ruin if present conditions should continue longer. We believe the present deplorable condition of agriculture is due to discrimination against this basic industry in the matter of transportation, credit, tariff, and marketing. Notwithstanding the low price for food products received by the producers of the country, the consumer is forced to pay an increase of several hundred per cent over such prices.

We strongly urge readjustment of railroad rates on a lower basis at the earliest possible moment.

I have been asked to lay before the Senate the following resolutions adopted at a conference of 500 shippers, held recently in Chicago, which included over 500 representatives of the leading agricultural, live-stock, and commercial organizations of the entire country:

Whereas the increased rates of freight are in many instances prohibitory, and in other instances restricted, and in all cases burdensome upon the commerce of the country, thereby preventing, curtailing, and limiting production, and depriving farmers, stock raisers, producers, and manufacturers generally of an opportunity to do business, destroying their profits and paralyzing the industries of the country because the traffic can not fully move; and whereas there can be no revival of business, so that production, trade, and commerce can be restored to a normal condition and a return of prosperity brought about without a material reduction in these rates; and

whereas the operating expenses of the railronds are enormously in-creased by the wages, the working conditions, and rules under which they are operating, reflecting a direct burden upon the industries of the country and creating a paralysis of its business in every direc-

the country and creating a paralysis of its business in every direction; and
Whereas we believe that it is imperative that the Government exercise its reasonable constituting powers, to the end of so changing these conditions that the railroad companies shall exercise their right as owners of the property to pay such wages as are just and reasonable, and that will permit them to transport the commerce of the country upon rates which will freely move traffic and yet pay a reasonable wage according to the conditions: Now, therefore, be it

\*Resolved\*\*, That the transportation act establishing the Labor Board be so amended that the power of the Government may be administered by that tribunal that the wages shall be just and reasonable according to the circumstances and the railroads not compelled to pay more than will permit them under economical management to move the traffic of the country under rates which are just and reasonable, and which will permit farmers, stockholders, and producers from the soil, the sources of primary wealth, to make a competency and earn a living and continue production to supply the vital needs of the people.

That we favor the repeal of section 15a of the act to regulate commerce, known as the rate-making rule, as added in the transportation act of 1920.

That we favor such amendment to the act to regulate commerce that we favor such amendment to the act to regulate commerce of the sources of the sources of the sources of the act to regulate commerce that we favor the repeal of section 15a of the act to regulate commerce of the sources of the

merce, know act of 1920.

merce, known as the rate-making rule, as added in the transportation act of 1920.

That we favor such amendment to the act to regulate commerce as shall specifically define the right, power, and jurisdiction of the Interstate Commerce Commission with respect to the making and rendering of any decision or prescribing any rate which shall have the effect of destroying the right, power, or jurisdiction of a State with respect to intrastate rates and transportation. And that where the Interstate Commerce Commission, by reason of the fact that a rate of any State on intrastate traffic constitutes a discrimination or preference as against interstate rates or commerce, that it is the duty of the Interstate Commerce Commission to make an order against any carrier to cease or desist from collecting such intrastate rates. The Interstate Commerce Commission must, as a condition precedent to such order, specifically define such rate and make a finding of facts with respect thereto, and that no such order shall be made except as to correct an actual, material, and plain discrimination or preference, and further that such State rate is unjust and unreasonable for the service performed. Which decision of the Interstate Commerce Commission shall be subject to be set aside by a court of competent jurisdiction at the suit of the State when such decision is beyond its power or contrary to law and during the pendency of which such court may suspend such order.

I also desire to call attention to a resolution adopted recently by the executive committee of the American National Live Stock Association, urging the repeal of the guaranty provision of the transportation act, and also asking that the powers of the States be unaffected by the arbitrary rule established by the Interstate Commerce Commission. The resolution is as follows:

Commerce Commission. The resolution is as follows:
Whereas the prevailing transportation charges on live stock are unjust, unreasonable, exorbitant, and even prohibitory;
Whereas under the transportation act surrendering the railroads under Federal control, as the Interstate Commerce Commission construes the act, the provision thereof contained in section 15a, as part of the act to regulate commerce, establishing a rule on which to base rates, on the theory of producing a 6 per cent return on the aggregate value of railroad property, in rate-making groups, fixes a standard arbitrarily requiring that States conform their rates thereto, and binds the Interstate Commerce Commission so to adjust the rates as to produce that return for two years; and
Whereas this destroys all the rights and remedies to secure reasonable rates, and the rights of States to make intrastate rates, by subjecting the rate-making power to the limitations of this arbitrary rule: Therefore be it

\*Resolved\*\*. That we urge the repeal of said section of the act, so as to

Resolved, That we urge the repeal of said section of the act, so as to leave the powers of the States unaffected by such arbitrary rule, as well as all the rights and remedies to secure just and reasonable rates to the shippers on the railroads which they use, under the other provisions of the act to regulate commerce, and the powers of the commission to make reasonable rates.

Then I have telegrams from the governors of several Western States. For instance, Gov. Shoup, of Colorado, says:

DENVER, COLO., May 4, 1921.

ARTHUR CAPPER, Washington, D. C.:

Washington, D. C.:

Existing freight rates in many instances render it impossible for business to continue at a profit and also prevent development. Immediate and substantial reduction of rates of farm and orchard products, live stock, and building material is a vital necessity to this State. Prewar basis of rates to, from, and between Colorado points were excessive and discriminatory. Continued increases have proportionately increased such burdens to where the sacred right of our industries to protection against exaction of actual prohibited rates is involved. The last general assembly authorized me to appoint a transportation committee, which has been appointed and is beginning a survey of entire situation. Their first petition, covering most vital needs, will be hurried to Interstate Commerce Commission as soon as compiled, as we must have immediate relief for movement of this season's crop. General reduction of class and commodity rates, both intrastate and interstate, will also be asked for. I trust the petitions of this committee will receive prompt consideration and action.

O. H. Shoup, Governor.

I have similar telegrams from Gov. Hyde, of Missouri; from Gov. Allen, of Kansas; from Gov. McKelvie, of Nebraska; from

Gov. Mecham, of New Mexico; and from Gov. Frazier, of North Dakota. I ask unanimous consent to have the telegrams

printed in the RECORD.

The VICE PRESIDENT. Without objection, the telegrams

will be printed in the RECORD.

The telegrams referred to are as follows:

JEFFERSON CITY, Mo., May 5, 1921,

Senator ARTHUR CAPPER, Washington, D. C .:

Present freight rates are restricting movement of farm products in this State, particularly so in the matter of corn, cats, and hay, these being per unit the lower-priced products. The freight rates on live stock do not seem to have materially affected the sale thereof. A decrease in commodity freight rates on low-grade, heavy-weight articles, such as coal, lumber, brick, etc., and upon farm products would materially stimulate railroad traffic on these products and aid these industries and the farmer. It would also have the psychological effect of encouraging the farmer.

ARTHUR M. Hyde. Governor.

ARTHUR M. HYDE, Governor,

TOPEKA, KANS., May 4, 1921.

Senator ARTHUR CAPPER, Washington, D. C.:

Washington, B. C.:

Beyond all question present level of transportation rates are so high as to seriously embarrass movement of heavy commodities, including grain and live stock. In the general economic structure producing, selling, and transportation costs must have their proper relation. Through this period these costs are seeking some normal relation. Prices of live stock and agricultural products have returned to practically prewar prices, while transportation charges are from 60 to 100 per cent of that basis. I regard it as highly essential that present heavy burden of transportation charges shall be lessened at the carliest possible time.

HENRY J. ALLEN. Governor.

LINCOLN, NEBR.,

There can be no doubt that the existing schedule of freight rates is having a very unfavorable influence upon business generally in this State and particularly upon agriculture. I think this fact will be admitted by the railroads themselves, and I believe it is quite a general impression that there must be some readjustment of railroad rates before there can be a very rapid return to normal conditions in business.

S. R. McKelvie, Governor.

SANTA FE., N. MEX., May 4.

Existing freight rates interfering seriously with business generally in New Mexico, principally affecting agriculture, live stock, and mining industries.

STATE CORPORATION COMMISSION, For Gov. MECHAM.

BISMARCK, N. DAK., April 29, 1921.

Hon. ARTHUR CAPPER, Washington, D. C.:

Present schedule of freight rates decidedly detrimental to business, including agriculture and live-stock industries. Intrastate rates have not been raised on account of action brought by State, which is now pending before the Interstate Commerce Commission. North Dakota freight rates have always been discriminatory, favoring the Twin Cities. Bulk of our product is shipped out of State, and mile-ton rates on our lignite coal and other products of neighboring States should not be more than rate on similar products in other States.

LYNN J. FRAZIER, Governor.

Mr. CAPPER. Mr. President, the most pressing question in the United States at this moment, and the greatest obstacle in the way of a return to normal conditions and the restoration of business, is the high cost of transportation.

The semimystery of the recent arrival at our seaports of shiploads of foreign products, products of which this country has an exportable surplus of its own, becomes clearer when we learn that a bushel of grain can be shipped to New York from South America for 12 cents, but that it costs 38 cents to ship a bushel of wheat to that city from Minneapolis by rail.

When cottonseed cake, used in feeding cattle, can be shipped cheaper from Texas to Holland than from Texas to Kansas, something is wrong with the transportation charges.

A farmer in one of the great hay-producing regions of Kansas writes me:

We have hundreds and hundreds of tons of hay here ready to ship, but because of the low price and high freight rates we can not get expenses out of it and are compelled to let it rot on the ground.

A car of grain shipped from Texas Panhandle to market at an expense of \$525 brought the producer \$475. Out of that he had to pay more than \$100 for thrashing the grain and, of course, sold his produce at a loss

Texas and Florida truck farmers have shipped produce to the New York market and received nothing in return but a bill for the balance due on freight and commission charges, so reports the New York market commissioner.

The freight and commission charges on a car of lettuce for which a truck farmer received \$339 cost him \$491.

It costs as much to ship California oranges as it does to grow

Western live-stock men tell the Interstate Commerce Commission the existing rates will ruin them if continued. Cattle freights from Des Moines to Chicago have increased from 22 cents a hundred in 1914 to 37 cents in 1921. Of this increase of 15 cents, labor has secured approximately 11 cents.

The rate on wheat from Chicago to New York was 7.80 cents in 1918; to-day it is 19.8 cents. The rate on corn from Kansas City to Chicago has doubled in the last four years. Similar

increases are found all over the country.

Michigan's iron mines report to the commission that they can no longer afford to pay the new rates on ore, and must close

the mines if they do not get relief.

Mr. President, the Interstate Commerce Commission is buried under petitions for lower freight rates from big business concerns. But the man who is hit harder than anybody is the farmer. He is the Nation's greatest freight payer. He pays freight both ways. He gets it coming and going. There is altogether too big a gap between what the farmer gets for his crops and what he has to pay for things.

With corn selling around 25 to 30 cents a bushel in farm communities, farmers are obliged to pay from 5 to 10 cents a bushel for shucking, 5 cents for shelling, and the increased freight rates to market. What they have left will not buy a sack of table

salt.

A Nimore, Minn., potato raiser writes me that to ship 100 pounds of potatoes to Chicago costs him 60 cents. What he has over to pay for his labor and investment in raising and digging and hauling 100 pounds of potatoes is just 35 cents.

Texas rice growers can ship rice across the ocean to Liverpool and from Liverpool back to New York cheaper than they can ship it by rail direct from Beaumont, Tex., to New York.

Cotton can be shipped from Galveston to Bremen, a distance of 3,000 miles, for 35 cents a hundred pounds. But to ship by rail a bale of cotton from the interior of Texas a distance of 300 miles cost 95 cents a hundred—about three times as much.

Spinach, cabbage, and onions rot in the fields of Texas; hay and corn are wasting in Kansas; fruits are stacked in California; and hides are going to waste in all parts of the country because these products can not be shipped over American railroads at profit.

Freight rates are blamed by both producer and consumer. But in most cases there is also a toll taker somewhere along the line who is not getting the blame that is coming to him, although taking more than his share of the benefits.

although taking more than his share of the benefits.

E. W. Cole, Texas director of markets, writes me that 3.000 cars of early vegetables have been lost up to this time because

it did not pay to ship them.

To ship shelled corn from Hydro, Okla., to Wichita Falls, Tex., about 125 miles, costs 27 cents a bushel, or almost as much as the corn will bring at destination.

Raisers of oats in Kansas, Colorado, and New Mexico can not get enough money by shipping the crop to cover the cost of handling from farm to railway station.

"Virtually all our perishable products will rot in the fields," writes J. A. Whitehurts, president of the Oklahoma State Board of Agriculture.

Because of extortionate freight charges the stock-raising industry in North Dakota is slowly being choked to death, reports V. E. Smart, traffic expert of North Dakota's board of railroad commissioners.

T. W. Tomlinson, secretary of the American National Live Stock Association, writes:

Idaho, which ordinarily ships thousands of cars, has scarcely been able to ship a car of alfalfa this season.

Cattlemen of New Mexico and Texas, accustomed at this time of year to ship their herds to Kansas to fatten on grass, this year have no money to pay the freight bill and can not borrow it from their banks.

Live-stock men east of the Missouri River usually buy much alfalfa hay in Colorado and Kansas to feed their stock. This year there was no such market. Good alfalfa hay at \$6 to \$8 a ton on board cars in Colorado costs from \$15 to \$18 a ton to ship to Illinois, making the hay cost delivered \$21 to \$26 a ton. For similar reasons all alfalfa-meal mills in the West have closed down.

Illinois farmers who used more than 40,000 tons of raw rock phosphate last year for fertilizer this year virtually are doing without because of prohibitive freight charges. The same situation exists in Ohio where ground limestone is used for fertilizer.

Mr. President, when the present rail rates were adopted our farmers were receiving \$2 a bushel or better for wheat and \$1.60 a bushel for corn. With corn now selling at country shipping stations at 30 cents, the 25-cent shipping rate to the

central market takes more than half of the corn crop's below-cost value.

It costs more to ship fruit from the Pacific coast to the Middle West, or produce from the Middle West to the East, than it does to bring these products here from foreign countries, and the high value of the American dollar and the excessive exchange rate do the rest.

While Italy sells her lemon crop here, our lemons rot because they do not bring enough to pay freight rates. We are getting wheat from Canada and Argentina, butter from Denmark, eggs and poultry from starving China, potatoes from Norway, mutton from New Zealand, corn and beef from South America,

and wool from everywhere.

At the same time sheep from our ranges, fruit from Florida and California, vegetables from Texas and the South, hay and oats and other products from the West, have been sold in the big market for less than enough to pay the freight, consequently enormous quantities of these home-grown products are now being allowed to rot because it does not pay to ship them. Barely 25 per cent of the Texas cabbage crop will be marketed. Freight charges on a car of cabbage from Harlingen, Tex., to a commission merchant at Hastings, Nebr., were \$425. The growers received less than \$75 for their labor.

Mr. President, not only do we lave this situation in regard

Mr. President, not only do we lave this situation in regard to agriculture, we have a Nation-wide stagnation of general business, for commerce between the States is hit almost as hard by high rates of transit as is agriculture. We have, in fact, an embargo on ourselves and must find a speedy means of removing it if we are going to get business off its dead center and save the railroads from receiverships and bank-

ruptcy.

When railroads get more for hauling farm products than the producers are paid for producing them it is evident that freight rates are relatively too high. And that is chiefly what is the matter with the railway situation at the present time.

Rates higher than the traffic will bear have made a difference of a million freight cars in the amount of shipping this country is doing. Six months ago there was a deficiency of half a million freight cars. At the close of April this year there was a half million surplus of cars. This means that a half million freight cars now stand idle on the sidetracks of American railroads. Need there be a more convincing argument that lower rates must precede a business recovery?

Mr. President, it is true of the railroad business, as it is of any other business, that it is entitled to a fair return. The roads can not be expected to give good service and maintain equipment unless they can earn a fair return. No business can be operated successfully or efficiently without such a return.

I favored returning the railroads to private management and competition, because under Government operation the roads were milking the Treasury of millions of dollars to pay dividends, under an agreement which put no premium on efficiency and service and no penalty on waste and extravagance.

We all know the result.

The roads now have their fate in their own hands. Unless they can put traffic charges on a live-and-let-live basis, and that very soon, a return to Government operation or ownership will be inevitable. And neither the people nor the shippers wish this to happen any more than do the railroad managers. Certainly neither the country nor the Government should take up any new burdens at this time, nor embark on any epochal experiments, except under compulsion.

The people have paid the railroads nearly \$1,000,000,000 within the last few years by way of a Government guaranty. On top of that they have paid higher rail rates, amounting to from 50 to 83 per cent. These rates almost absorb the farmers' grain, also a large percentage of his live stock; they have absorbed the decrease in the price of lumber; they have helped in many ways to demoralize the business of the country and to prevent its recuperation. And with all this the roads now are stalled on the upgrade; they are not making expenses, not getting any new business.

The chief reason is that, with other values coming down and with farm prices at bedrock, the roads are charging more than the traffic will bear. This means that as long as present rates are maintained the roads will not be able to do enough business to maintain themselves.

. How is this policy going to get them or anybody else anywhere?

A few weeks ago the greatest railroad system in the United States, the Pennsylvania, was losing one-fourth million dollars a day in reduced traffic. This is the kind of business that high rail rates are creating for the railroads. It is expensive business for everybody.

Mr. President, nothing is going to be gained by maintaining rall rates at a point which makes the railways too expensive for the people to use.

The country now is suffering from what is merely another form of car shortage, for although the roads still are inadequately supplied with rolling stock for normal times, rates are so prohibitive that we can not use the cars we have. Therefore while railroads and the people suffer, commerce and business stagnate and the roads face bankruptcy, all because of this crushing embargo placed on the Nation by its transporting system.

The way out is to encourage the people to use the railroads by making it possible for them to ship goods and travel; to give business a chance to create more business. There is no profit in rusting rails for anybody.

Meanwhile the situation appears to be growing worse instead of better, as might be expected when rates are in many cases so high as to be prohibitive. The big slump is due in part no doubt to the general and inevitable afterwar depression. But a time when business men find ligh freight rates barring the way to a return of normal conditions is no time for the roads to insist on prohibitive rates.

Our attitude toward the railronds should probably be more sympathetic than condemnatory. Most of those misguided men who in the past exploited the railronds and used them to exploit the people have gone to their final reckoning. The present situation demands helpful teamwork. The roads are too much a vital part of our daily life to make it pay to belabor, injure, or cripple them in any way. Nor can the present rates be defended or be allowed to stand. They are suicidal, as injurious to the roads as to the people.

The railroads will find it profitable to do their share to help bring about a revival of business instead of being the greatest obstacle in the way of such a revival. They may for a time have to take losses, along with farmers, other industries, and business interests, but I am confident it will be nothing like what is certainly ahead of them if the better policy of lower rates is not soon adopted. There can be no defense for the highest rail rates in history at a time when every rail-carried commodity is seeking the prewar price level. Freight charges which exceed the value of the product carried can not be defended nor endured.

This being the most vital and pressing of the questions before the country, it must have the best and first thought of Congress and the administration. If Congress finds the country's transporting system is not being handled on an efficient basis, as is charged, and that certain economies or methods are necessary, the Interstate Commerce Commission must be directed to put such a policy into operation. In the meantime I believe the Interstate Commerce Commission should immediately use its powers to initiate and modify rates and make such readjustments as will restore the movement of traffic.

Mr. President, I have introduced a bill calling for the repeal of the section of the transportation act directing the Interstate Commerce Commission to make rates which will assure a return of 6 per cent to the carriers. I have also included in this bill a provision setting aside the authority of the commission to regulate intrustate rates. I am undertaking to repeal the guarantee clause because the commission bases its claim of power to increase State rates largely upon the command which is contained in this section that it so adjust rates as to yield the percentage specified, and it is upon this section that the decision of the lower Federal courts sustaining the orders of the commission appear to be principally based. This bill has the hearty support of the State railway commission of every State that has come to my attention, and 12 legislatures have appealed to Congress for this legislation.

Mr. President, I repeat that the railroad situation is so acute that immediate action is imperative to restore normal conditions to agriculture.

We are now under compulsion to go to the bottom of the railroad problem. We must get the facts, work out a constructive program at once that will restore the country and the roads to their normal relationship and put an end to the recurrence of the railroad problem. There is no other way.

### MOTHERS' DAY.

Mr. HEFLIN. Mr. President, in the spring of 1914, while a Member of the House, I introduced a joint resolution designating the second Sunday in May as Mothers' Day. The House passed that resolution, and I requested my good friend the able and distinguished Senator from Texas [Mr. Sheppano] to take charge of the measure in the Senate. He did so, and the Senate passed it. President Wilson issued a proclamation, under

the authority given by the resolution, requesting all the officials of the Government to display the flag on all public buildings on the second Sunday in May. He sent a message to our foreign possessions to have the flag displayed there in honor of the mothers of America.

The first Mothers' Day officially observed I stood in front of the White House at the noon hour. The fountain in front, in perpetual play, looked like a sunburst of diamonds. Back of it, in solemn grandeur, stood the White House. Above it, in all the pride of civic glory, waved the flag of the Republic. I said, "That dear old flag has been unfurled many a time above the brave armies of America, but never have its sacred folds floated above a braver army than that of the heroic mothers of America."

The poet spoke truly when he said:

The greatest buttle that ever was fought—Shall I tell you where and when?
On the map of the world you will find it not;
It was fought by the mothers of men.

On this day President Harding has issued a proclamation for the observance of Mothers' Day, which is to-morrow. He will call upon Government officials and men and women everywhere to display the flag in honor of the mothers of America.

In honoring the mothers of America we honor ourselves. We honor our Government.

Man inherits the nobler, gentler qualities of being from his mother. They come from the treasure house of feminine charm and sweetness. They are filtered through the finer sensibilities of the female soul. The hearthstone, as Henry Grady said, is the true altar of liberty, and the strength of the Republic is lodged in the homes of the people. Mr. President, another peet beautifully describes the feeling of us all, when he said:

The world at times has beat me back In battles I have fought; Not always has the god Success Touched tasks in which I wrought;

Full oft has fortune dealt a blow Instead of bent to bless, And heartache followed close upon The heels of happiness;

And often when a solemn wee Of grief my heart intoned, And often when my spirit writhed And all my nature groated,

There stole refrain that softened pain, Not phrased by mortal storgue, But born of memories old and sweet— The songs my mother sung

When she took me in her arms And gently stroked my hair, And bere me with her down to sleep In that old bye-bye chair.

One of the most fascinating scenes in all the world is a mother in the home circle with a baby in her arms. Mr. President, the most beaufiful thing this side of Heaven is the mother's love for her child. It is the only love amongst mortals which will suffer all things and endure all things. Through poverty and good fortune, through sickness and health, through life to death, it is the same beautiful, unselfish, unchangeable mother love; and—

He who harking back to youth
Goes forth and nobly dies
To color life to match the light
That shines from mother's eyes.
He wil. not pride his faltering feet
Upon the race they've made,
But will search his heart, and bless the part
That mother love has played.

He'll walk adown the ways of life, And in his daily prayer Thank God that all his best was born In that old bye'bye chair.

All honor to the mothers of America. On to-morrow let those of us whose mothers have preceded us to the better land wear the white flower, and let those whose mothers still linger to bless with their benedictions and love the households of America wear the red flower, and let the flag of our country fly from every Government building and rooftree in the country in honor of the mothers of America.

### EXECUTIVE SESSION.

Mr. CURTIS. I should like to inquire if any other Senator wishes to speak this afternoon? [After a pause.] As no one desires to take the floor, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 2 c'clock and 55 minutes p. m.) the Senate adjourned until Monday, May 9, 1921, at 12 o'clock meridian.

### CONFIRMATIONS.

Executive nominations confirmed by the Senate May 7, 1921. ASSISTANT SECRETARY OF THE INTERIOR.

Francis M. Goodwin.

DIRECTOR OF THE CENSUS.

William M. Steuart.

REGISTER OF LAND OFFICE.

John Kelsey Jones, at Harrison, Ark.

RECEIVER OF PUBLIC MONEY.

Willis W. Moore, at Harrison, Ark.

PROMOTIONS IN THE ARMY.

GENERAL OFFICERS.

To be major generals.

William Gray Price, jr. Avery Delano Andrews.

To be brigadier generals.

William Ruthven Smith, Coast Artillery Corps, Dwight Edward Aultman, Field Artillery. Johnson Hagood, Coast Artillery Corps. Dennis Edward Nolan, Infantry. William Durward Connor, Corps of Engineers. Fox Conner, Field Artillery. Preston Brown, Infantry. Malin Craig, Cavalry. Henry Davis Todd, jr., Coast Artillery Corps. Albert Jesse Bowley, Field Artillery. William Hartshorne Johnston, Infantry. Robert Alexander, Infantry.

MEDICAL CORPS.

To be captains.

Charles Fremont Snell, Jaime Julian Figueras.

COAST ARTILLERY CORPS.

To be first lieutenant.

John Lawrence Hanley.

QUARTERMASTER CORPS.

To be captain.

George Anthony Horkan.

To be first lieutenant.

Everett Roscoe Stevens.

ORDNANCE DEPARTMENT.

To be captain.

Edward Elliott MacMorland.

PROMOTIONS IN THE NAVY.

MARINE CORPS.

To be captain.

Arthur H. Turner.

To be first lieutenants.

Thomas E. Kendrick.

Kenneth O. Cuttle.

To be second lieutenants.

Karl F. Umlor. Thomas McK. Schuler. Marvin V. Yandle. Warren Sessions.

Leo Healey.

POSTMASTERS.

DELAWARE.

Richard F. McClure, Claymont.

MAINE.

Pearl Danforth, Castine. Joseph C. A. Daigenault, Jackman Station, George M. Jackson, Millbridge.

MASSACHUSETTS.

William J. Williams, Great Barrington, Charles A. Kimball, Littleton, Harry T. Johnson, Medway. Edgar A. Craig, North Easton.

NEBRASKA.

Henry Eichelberger, Crete.
Lewis A. Meinzer, Falls City.
Ernest W. Clift, Humboldt.
Edward B. Jameson, Lakeside.
Luther J. Saylor, Rising City.
Isaac L. Pindell, Sidney.

### SENATE.

MONDAY, May 9, 1921.

The Chaplain, Rev. J. J. Muir, D. D., offered the following

Our Father, we thank Thee for the sunlight of the morning. Grant that our hearts may be filled with light and life and joy. and enter upon the duties awaiting us with the consciousness of Thy smile upon us, and that we want to walk along the pathway of duty with Thy direction and under Thy guidance. Through Jesus Christ our Lord. Amen.

TRUMAN H. NEWBERRY, a Senator from the State of Michigan, appeared in his seat to-day.

The reading clerk proceeded to read the Journal of the proceedings of Saturday last, when, on request of Mr. Curtis and by unanimous consent, the further reading was dispensed with and the Journal was approved.

# PETITIONS AND MEMORIALS.

Mr. NEW. I desire to present and have printed in the RECORD a copy of a concurrent resolution adopted by the Indiana Legislature, on behalf of the Great Lakes-St. Lawrence Tidewater Association, in approval of a plan to make the St. Lawrence River navigable for ocean-going vessels.

The resolution was referred to the Committee on Commerce,

as follows:

concurrent resolution approving the action of the governor in advancing the undertaking for a deep waterway from the Great Lakes to the Atlantic Ocean.

Whereas it is proposed to make such improvements in the St. Lawrence River as to make the Great Lakes accessible to ocean-going commerce, and as this improvement will in effect bring the State of Indiana hundreds of miles nearer the world's markets, and as there are within the State great resources that lie wholly undeveloped while the production of all things is diminished or retarded by distance from markets, and because our producers and the consuming public have alike suffered enormous losses in the last three years by transportation shortage and failure; and because by reason of these conditions the transportation situation constitutes an emergency need, and as a number of States have joined in the Great Lakes-St. Lewrence Tidewater Association, having as its object the early undertaking and completion of this improvement: Therefore be it

completion of this improvement: Therefore be it

Resolved by the senate (the house of representatives concurring).

That the State of Indiana is properly associated in the above-named organization with its neighboring Commonwealths in pressing to advance this undertaking, and that the action of the governor in so declaring is hereby approved and confirmed by the participation of this State, by the governor and those who represent him in the council of these States, is approved.

SEC. 2. That the representatives of this State in Congress of the United States be requested to facilitate and expedite in every way possible the prosecution of this undertaking for the economic freedom of a land-locked continent.

NOTE.—The above resolution was passed in Indiana Senate and House March 1, 1921.

The Great Lakes-St. Lawrence Tidewater Association desire it entered on the Senate's record in Washington.

Yours, truly,

C. H. Comstock, Secretary.

C. H. COMSTOCK, Secretary.

INDIANAPOLIS, IND., May 5, 1921.

Mr. COLT presented a memorandum from Rev. M. Zalitach, sundry citizens, and sundry organizations of Americans of Ukrainian ancestry, in relation to the case of East Galicia, requesting that the Government of the United States recognize guesting that the Government of the United States recognize East Galicia, along with northern Bukovina, as an independent state, the west Ukrainian republic; that the Government of the United States recognize the lawful government of the west Ukrainian republic, namely, the government established by the Ukrainian national assembly under the leadership of Dr. Eugene Petrushevich; and that the Government of the United States, as one of the temporary sovereigns of East Galicia, demand of Poland that she immediately evacuate East Galicia, which was referred to the Committee on Foreign Relations.

Mr. WILLIS presented a resolution of the Lorain County Women's Christian Temperance Union, of Elyria, Ohio, favoring the reduction of armaments, which was referred to the Com-

mittee on Naval Affairs.

He also presented resolutions of the Optimist Club of Columbus and the Chamber of Commerce of Toledo, both in the State of Ohlo, praying for the enactment of legislation providing adequate relief for disabled ex-service men, which were referred to the Committee on Finance.

### FEDERAL LIVE-STOCK COMMISSION.

Mr. NORRIS. By direction of the Committee on Agriculture and Forestry I report back favorably with several amendments the bill (S. 659) to create a Federal live-stock commission, to define its powers and duties, and to stimulate the production, sale, and distribution of live stock and live-stock products, and for other purposes, and I submit a report (No. 39) thereon.

The VICE PRESIDENT. The bill will be placed on the

calendar.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows

By Mr. TRAMMELL:

A bill (S. 1670) for the relief of Buffkin & Girvin; and . A bill (S. 1671) for the relief of Edward B. Eppes; to the Committee on Claims.

By Mr. SHEPPARD: A bill (S. 1672) for the appointment of William Edward Tidwell as first lieutenant in the United States Army; to the Committee on Military Affairs.

A bill (S. 1673) to authorize interstate cooperative asssocia-

A bill (S. 1674) to amend an act entitled "An act to provide for the termination of Federal control of railroads and systems of transportation; to provide for the settlement of disputes between carriers and their employees; to further amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, as amended, and for other purposes"; to the Committee on Interstate Commerce.

A bill (S. 1675) to confer upon the Territorial courts of the Territory of Hawaii jurisdiction concurrent with the United States courts of that district of all offenses under the act of October 28, 1919, known as the national prohibition enforcement

act; to the Committee on the Judiciary.

By Mr. ELKINS:

A bill (S. 1676) granting a pension to James H. Osburn; to the Committee on Pensions.

By Mr. MOSES:

A bill (S. 1677) for the relief of the legal representatives of Henry D. Geddings; to the Committee on Claims.

A bill (S. 1678) for the relief of Edith B. Macon; to the

Committee on the District of Columbia.

A bill (S. 1679) regulating the production of wares which enter into interstate commerce; to the Committee on Education and Labor.

A bill (S. 1680) to donate a gun or howitzer to the town

of Winchester, in the State of New Hampshire;
A bill (S. 1681) to donate a captured German cannon to the

city of Somersworth, N. H.; A bill (S. 1682) to donate a captured German gun to the Gordon-Bissell Post of the American Legion, located at Keene,

A bill (S. 1683) to donate a gun or howitzer to the city of Portsmouth, in the State of New Hampshire;

A bill (S. 1684) to donate a gun or howitzer to the town of Plaistow, in the State of New Hampshire;
A bill (S. 1685) to donate a gun or howitzer to the city of

Dover, in the State of New Hampshire;
A bill (S. 1686) to donate a gun or howitzer to the town of Claremont, in the State of New Hampshire; A bill (S. 1687) to donate a gun or howitzer to the town of

Bennington, in the State of New Hampshire; A bill (S. 1688) to donate a gun or howitzer to the town of Littleton, in the State of New Hampshire;

A bill (S. 1689) to donate a gun or howitzer to W. I. Brown Post, No. 31, Grand Army of the Republic, of Penacook, N. H.; A bill (S. 1690) to correct the military record of John Sulli-

A bill (S. 1691) to correct the military record of Samuel C.

A bill (S. 1692) to correct the military record of Francis E.

Barney (with accompanying papers);
A bill S. 1693) to correct the military record of William N.

Buck; to the Committee on Military Affairs. A bill (S. 1694) granting a pension to Ursulia S. Dinsmore; A bill (S. 1695) granting an increase of pension to Nellie A.

Sanborn:

A bill (S. 1696) granting a pension to Florence E. Thornburgh;

A bill (S. 1697) granting a pension to Grace P. Carter;

A bill (S. 1698) granting a pension to Charles Edward Stevens

A bill (S. 1699) granting an increase of pension to John A. Laughton:

A bill (S. 1700) granting a pension to Rufus E. Bean; A bill (S. 1701) granting an increase of pension to Joseph

A bill (S. 1702) granting an increase of pension to John W.

Fletcher;
A bill (S. 1703) granting a pension to Dennis Ring (with accompanying papers);
A bill (S. 1704) granting a pension to Harriet A. Savage;

A bill (S. 1705) granting an increase of pension to Josephine Webber (with accompanying papers)

A bill (S. 1706) granting a pension to Henry Carroll; and A bill (S. 1707) granting an increase of pension to Matthias V. Bridges; to the Committee on Pensions.

By Mr. FRELINGHUYSEN:

A bill (S. 1708) granting a pension to Annie M. B. Halsey;

A bill (S. 1709) granting a pension to Mary H. Shupe; to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 1710) for the adjudication and determination of the claims arising under joint resolution of July 14, 1870 (16 Stat, L., p. 670), authorizing the Postmaster General to continue to use in the Postal Service Marcus P. Norton's combined postmarking and stamp-canceling hand-stamp patents, and directing him to "determine upon a fair, just, and equitable compensation for the use of said inventions" or arising otherwise; to the Committee on Post Offices and Post Roads.

By Mr. JOHNSON

A joint resolution (S. J. Res. 53) proposing an amendment to the Constitution of the United States; and

A joint resolution (S. J. Res. 54) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

AMENDMENT TO NAVAL APPROPRIATION RILL.

Mr. McLEAN submitted an amendment, intended to be proposed by him to the naval appropriation bill, which was, on page 51, line 25, after the word "That," to insert "with the exception of submarine torpedo boats," so as to read: "Total increase of the Navy heretofore authorized, \$90,000,000: Provided, That, with the exception of submarine torpedo boats, no part of this appropriation can be expended except on vessels now being constructed," which was ordered to lie on the table and to be printed.

### AMENDMENTS TO EMERGENCY TARIFF BILL,

Mr. TRAMMELL submitted an amendment intended to be proposed by hinr to House bill 2435, the emergency tariff bill, which was ordered to lie on the table and to be printed.

Mr. FRELINGHUYSEN submitted an amendment intended to be proposed by him to House bill 2435, the emergency tariff bill, which was ordered to lie on the table and to be printed.

### PACIFIC COAST PETROLEUM INDUSTRY.

Mr. POINDEXTER. The report of the Federal Trade Commission, Part I, made pursuant to Senate resolution No. 138, is lying on the table. I move that it be printed as a public document.

The motion was agreed to.

### EMERGENCY TARIFF.

The VICE PRESIDENT. Morning business is closed, and the calendar under Rule VIII is in order.

Mr. REED. Mr. President, on to-morrow upon the convening of the Senate, or as soon thereafter as the business of the Senate will permit, I desire to submit some observations on the pending emergency tariff bill.

AMENDMENT OF THE RULES-OPEN EXECUTIVE SESSIONS.

Mr. HARRISON. Mr. President, some days ago I gave notice under the Standing Rules of the Senate that I would call up for the consideration of the Senate a resolution proposing to change Rules XXXVII and XXXVIII of the Standing Rules of the Senate, touching the closed executive sessions of the Senate, and providing that in the future there should be open executive sessions of the Senate in the consideration of presidential nominations and in the consideration of treaties, the only exception being when two-thirds of the Senators present concurring should vote for closed executive sessions of the Senate.

In pursuance of that notice I offer the following resolution

and ask for its immediate consideration:

The VICE PRESIDENT. The resolution will be read. The resolution (S. Res. 73) was read, as follows:

The resolution (S. Res. 73) was read, as follows:

Resolved, That clause 3 of Rule XXXVII of the Standing Rules of the Senate be amended so as to read as follows:

"3. Unless, by the concurrence of two-thirds of the Senators present, it is agreed to consider a treaty in executive session, all treaties shall be considered and acted upon by the Senate in open executive session."

Resolved further, That clause 2 of Rule XXXVIII of the Standing Rules of the Senate be amended so as to read as follows:

"2. All information communicated or remarks made by a Senator when acting upon nominations in executive session concerning the character or qualifications of the person nominated, also all votes upon any such nomination, shall be kept secret. If, however, charges shall be made against a person nominated, the committee may, in its discretion, notify such nominee thereof, but the name of the person making such charges shall not be disclosed. The fact that a nomination has been made, or that it has been confirmed or rejected, shall not be regarded as a secret."

Resolved further, That Rule XXXVIII of the Standing Rules of the Senate be further amended by adding at the end thereof a new clause, as follow

"7. Unless, by the concurrence of two-thirds of the Senators present, it is agreed to consider a nomination made by the President in executive session, all nominations shall be considered and acted upon by the Senate in open executive session."

Mr. ROBINSON. Mr. President, I suggest the absence of a

The VICE PRESIDENT. The Secretary will call the roll. The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Harreld	McNary	Simmons
Bornh	Harris	Moses	Smith
Bronssard	Harrison	Nelson	Smoot
Bursum	Heflin	New	Spencer
Cameron	Johnson	Newberry	Stanfield
Capper	Jones, N. Mex.	Nicholson	Stanley
Caraway	Jones, Wash.	Norris	Sterling
Colt	Kellogg	Oddie	Sutherland
Culberson	Kendrick	Overman	Trammell
Curtis	Kenyon	Phipps	Walsh, Mass.
Dial	Keyes	Pittman	Walsh, Mont.
Dillingham	Knox	Poindexter	Warren
Ernst	La Follette	Ransdell	Watson, Ga.
Fernald	Lodge	Reed	Watson, Ind.
Frelinghuysen	McCormick	Robinson	Williams
Glass	McKellar	Sheppard	Willis
Gooding	McKinley	Shields	Wolcott
Halo	McLoon	Shortridge	

Mr. TRAMMELL. I wish to announce that my colleague [Mr. Fletcher] is necessarily detained on committee business. Mr. HEFLIN. I desire to announce that my colleague [Mr. Underwood] is necessarily absent on account of a death in his

family. I ask that this announcement may stand for the day. The VICE PRESIDENT. Seventy-one Senators having an-

swered to their names, a quorum is present. Mr. KNOX. Mr. President, what is the request of the Sen-

ator from Mississippi?

Mr. HARRISON. I have moved the immediate consideration of the resolution proposing to amend the rules in accordance with the notice heretofore given by me.

Mr. ASHURST. Mr. President, this is Calendar Monday, and

I must insist upon the regular order.

The VICE PRESIDENT. The calendar under Rule VIII is in order, and the first bill on the calendar will be stated.

### THE CALENDAR.

The bill (S. 656) to create a bureau of aeronautics in the

Department of the Navy was announced as first in order.

Mr. LA FOLLETTE. I ask that that bill may go over.

The VICE PRESIDENT. On objection, the bill will go over. The bill (S. 1021) to provide for the exchange of Government lands for privately owned lands in the Territory of Hawaii was announced as next in order.

Mr. KENYON. Let that bill go over.

The VICE PRESIDENT. On objection, the bill will be passed over.

### MARIVELES QUARRY, PHILIPPINE ISLANDS.

The joint resolution (S. J. Res. 23) authorizing the Secretary of War to investigate the claims of private parties to the Mariveles quarry within the limits of a United States military reservation in the Philippine Islands, and to permit the working thereof by the persons entitled thereto, provided military necessities permit, was considered as in Committee of the Whole.

The joint resolution was read, as follows:

The joint resolution was read, as follows:

Resolved, etc., That the Secretary of War be, and he is hereby, authorized and empowered to make or cause to be made such inquiry and investigation into any equitable claims of such private parties in and to the stone quarries at Mariveles, Province of Bataan, in the Philippine Islands, within the limits of the United States military reservation as set aside by the President of the United States in Executive order of June 7, 1904, as may have filed claims with the War Department, or in other offices under its jurisdiction, and to permit the resumption of private operations therein by license or otherwise and to the extent that he may consider such claims of such parties entitle them to, with due regard to military necessities: Provided, however, That nothing herein authorized shall be deemed to remove the site of said quarry from the jurisdiction and control of the military authorities of the United States under and by virtue of the reservation made by the President as aforesaid.

Mr. HONES of Washington, Mr. President I scaled activative.

Mr. JONES of Washington. Mr. President, I could not catch from the reading of the joint resolution what authority is proposed to be given to the Secretary of War to render a judgment or a decision. If any member of the Military Affairs Committee can give me any information in reference to that matter, I should like to have it.

Mr. ROBINSON. Mr. President, it appears that when the United States Government took possession of the Philippine Islands it also took possession of the lands upon which certain quarries were being operated. Those quarries have been regarded by the military authorities as necessary for military

They were prior to American occupation of the islands used as the principal source of building material for the city of Manila. It now, however, appears that similar material has been discovered in abundant quantities, and that there is no reason why the quarries should not be operated for commercial purposes and the output used in the construction of buildings in the city of Manila. For that reason the Secretary of War is authorized by the joint resolution to permit the former owners of the quarries to resume their operation.

Mr. JONES of Washington. The title of the joint resolution authorizes the Secretary of War to investigate the claims of private parties. What I wanted to learn was whether it authorized him to reach a conclusion, to pass on those claims, to determine the rights of the owners, and so forth; and if so, how far his action would bind the Government.

Mr. ROBINSON. The joint resolution is brief, and, as suggested by the Senator from Washington, its title is not very clear as to the authority which is proposed to be conferred on the Secretary of War. Under the joint resolution the Secretary

of War is-

empowered to make or cause to be made such inquiry and investigation into any equitable claims of such private parties in and to the stone quarries at Mariveles, Province of Bataan, in the Philippine Islands, within the limits of the United States military reservation as set aside by the President of the United States military reservation as set aside by the President of the United States in Executive order of June 7, 1904, as may have filed claims with the War Department, or in other offices under its jurisdiction, and to permit the resumption of private operations therein by license or otherwise and to the extent that he may consider such claims of such parties entitle them to, with due regard to military necessities: Provided, however, That nothing herein authorized shall be deemed to remove the site of said quarry from the jurisdiction and control of the military authorities of the United States under and by virtue of the reservation made by the President as aforesaid.

The sole purpose and effect of the joint resolution are to permit the parties who privately owned and operated the quarries prior to the military occupation of the islands by the United States to resume the possession of their property and their operation.

Mr. JONES of Washington. As I understand, the Secretary of War is to examine the equitable claims of these private

parties?

Mr. ROBINSON. Yes.

Mr. JONES of Washington. Then, what can be do after he makes the examination? What report is he to make?

Mr. ROBINSON. The joint resolution gives him the power to permit the owners, if he finds their claims are sustained, to resume the operation of their quarries. That is the purpose of the joint resolution.

Mr. JONES of Washington. Is that the sole purpose of the joint resolution?

Mr. ROBINSON. Yes. I think the joint resolution once before passed the Senate. It was then presented to the committee by the Senator from Wyoming [Mr. WARREN], who was chairman of the Committee on Military Affairs at the time the United States Government took possession of the islands, and the statement made by the Senator from Wyoming to the Committee on Military Affairs made a very clear case that the joint resolution ought to pass.

In 1898, or about that time, owners were operating their narries. They then passed into the control of the United quarries. States, and since that time the former owners have not been permitted to operate the quarries, the Government taking the position that the product of those quarries would be necessary for military purposes. Since that time, however, and compara-tively recently, as I stated a moment ago, an abundance of building material has been found, and there is now no reason known to the Committee on Military Affairs, and no reason that suggests itself to me at this time, why the passage of this joint resolution would not be an act of justice to the parties who formerly claimed the property and operated it.

The joint resolution was reported to the Senate without

amendment, ordered to be engrossed for a third reading, read the third time, and passed.

# SUITS IN FORMA PAUPERIS.

The bill (S. 426) to amend an act entitled "An act to amend section 1, chapter 209, of the United States Statutes at Large, volume 27, entitled 'An act providing when plaintiff may sue as a poor person and when counsel shall be assigned by the court,' and to provide for the prosecution of writs of error and appeals in forma pauperis, and for other purposes," approved June 25, 1910 (36 Stats., p. 866) was considered as in Committee of the Whole.

The bill was read, as follows:

Be it enacted, etc., That the act entitled "An act to amend section 1, chapter 200, of the United States Statutes at Large, volume 27, entitled 'An act providing when plaintiff may sue as a poor person and when counsel shall be assigned by the court,' and to provide for the prosecu-

tion of writs of error and appeals in forma pauperis, and for other purposes," approved June 25, 1910 (36 Stats., p. 866), be, and the same is hereby, amended so as to read as follows:

"That any citizen of the United States entitled to commence any suit or action, civil or criminal, in any court of the United States may, upon the order of the court, commence and prosecute or defend to conclusion any suit or action, or a writ of error or an appeal to the circuit court of appeals, or to the Supreme Court in such suit or action, including all appellate proceedings, unless the trial court shall certify in writing that in the opinion of the court such appeal or writ of error is not taken in good faith, without being required to prepay fees or costs or for the printing of the record in the appellate court or give security therefor, before or after bringing suit or action, or upon suing out a writ of error or appealing, upon filing in said court a statement under oath in writing that because of his poverty he is unable to pay the costs of said suit or action or of such writ of error or appeal, or to give security for the same, and that he believes that he is entitled to the redress he seeks in such suit or action or writ of error or appeal, and setting forth briefly the nature of his alleged cause of action or appeal: Provided, That in any criminal case the court may, upon the filing in said court of the affidavit hereinbefore mentioned, direct that the expense of printing the record on appeal or writ of error be paid by the United States, and the same shall be paid when authorized by the Attorney General."

Mr. JONES of Washington. Mr. President, I desire to ask

Mr. JONES of Washington. Mr. President, I desire to ask the Senator from Minnesota [Mr. Nelson] what particular change the bill makes in the present statute. There is nothing in the reading of the bill to indicate the change which has been made.

Mr. NELSON. Mr. President, under the existing statute where a man has a meritorious case but is poor and without means the court may authorize him to sue in forma pauperis, as it is called in the old law Latin; that is, he may sue and the court will bear the expense. The rule of the court requires that when a case is appealed to the Supreme Court the record shall be printed, and the only change in existing law is the proviso at the end of the bill which authorizes the court to pay the expense of printing the record. That is the only change.

Mr. KENYON. The bill applies only to criminal cases?

Mr. NELSON. It only applies to criminal cases. I may add that the bill is recommended by the Department of Justice, and I think a similar bill was passed at the last session of

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CLOSING OF UPPER WATER STREET, DISTRICT OF COLUMBIA.

The bill (S. 813) to authorize the Commissioners of the District of Columbia to close upper Water Street between Twentyfirst and Twenty-second Streets NW., was considered as in Committee of the Whole. It authorizes the Commissioners of the District of Columbia to close upper Water Street between Twenty-first and Twenty-second Streets NW., lying between Potomac Park and square 88, provided that the consent in writing of the owners of all private property in square 88 is first had and obtained; and upon the closing of the street between tween the limits named the Commissioners of the District of Columbia are authorized to transfer the land contained in the bed of the street to the Chief of Engineers, United States Army, as a part of the park system of the District of Columbia.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

### BILL PASSED OVER.

The bill (S. 384) to require judges appointed under authority of the United States to devote their entire time to the duties of a judge was announced as next in order.

Mr. KENYON. Let that bill go over. The VICE PRESIDENT. Under objection, it will go over.

### STEVENS INSTITUTE OF TECHNOLOGY.

The bill (S. 52) for the relief of the Stevens Institute of Technology, of Hoboken, N. J., was considered as in Committee of the Whole. It proposes to pay to the trustees of the Stevens Institute of Technology, of Hoboken, N. J., \$45,750, being the sum paid to the United States January 28, 1870, as a collateral inheritance tax upon the bequest which provided for the establishment and endowment of the institute.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time,

REIMBURSEMENT OF MASSACHUSETTS FOR CIVIL-WAR EXPENDITURES.

The bill (S. 546) making an appropriation to pay the State of Massachusetts for expenses incurred and paid, at the request of the President, in protecting the harbors and fortifying the coast during the Civil War, in accordance with the findings of the Court of Claims and Senate Report No. 764, Sixty-sixth Congress, third session, was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to the governor of the State of Massachusetts, or his duly authorized

agent, \$233,885.82, being the costs, charges, and expenses properly incurred by such State for interest and premium paid for coin in payment of such interest on bonds issued for money borrowed and expended at the request of the President of the United States during the Civil War in protecting the harbors and fortifying the coast, the accounting officers of the Treasury having found that the expenditures were so incurred and paid by the State; and which the Court of Claims in its report to Congress under the act approved July 16, 1916, as set forth in Document No. 369, House of Representatives, Sixty-fifth Congress, first session, also found had been so incurred and paid.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### WILLIAM R. LANCASTER.

The bill (S. 472) for the relief of William B. Lancaster was considered as in Committee of the Whole and was read, as

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to William B. Lancaster, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000, in full compensation for injuries received while employed by the Reclamation Service at the west portal, Strawberry Tunnel, Strawberry Valley project, Utah.

Mr. KENYON. Mr. President, will not the Senator from Utah [Mr. Smoot] give us an explanation of this bill? I think it is one that he introduced.

Mr. SMOOT. I shall be glad to do so, although the chairman of the committee is here.

Mr. ROBINSON. Mr. President, I reported that bill, and I

shall be glad to make a statement about it.

Lancaster was working as a teamster at a rock quarry operated by the Government during the war. Through no fault of Lancaster, a large amount of refuse from the plant, including earth, became deposited on the roof of the building. Lancaster was working under the roof as a teamster the roof was crushed in and Lancaster was very seriously injured. His injuries are pitiable. His suffering has been almost unlimited. He will never recover. A photograph of Lancaster as he appeared some years ago, when in the Army of the United States, was presented to the committee, with photographs of him as he appears now. A statement by Lancaster is also printed in the record.

There has never come under my observation a more pathetic case than that now under consideration. Lancaster was comcase than that now under consideration. Lancaster was compelled to remain in the hospital for a very long period. The Government paid him what was the equivalent of a year's salary, but that was entirely consumed in the payment of his hospital expenses, so that as the result of the general compensation law now in force he has had a part of his expenses paid while he was suffering in the hospital, but has had absolutely nothing for compensation. The committee was unanimously of the opinion that this bill ought to pass.

Mr. SMOOT. Mr. President, I want to say also to the Senator from Iowa that after the year's salary was paid for Mr. Lancaster's care in the hospital he then had to find friends to give him money to continue his hospital treatment. I never in my life saw a human being alive and moving about in such condition as Mr. Lancaster is to-day. He is in a horrible condition. He is suffering to-day and will suffer all his life; and this \$5,000 is merely to try to pay the expenses he has incurred up to the present time, with perhaps a little to help him on, because he can not live very much longer.

Mr. KENYON. I was not objecting to the bill; I merely wanted to know about it. It is evidently a meritorious measure

The VICE PRESIDENT. The bill is before the Senate as in Committee of the Whole and open to amendment. If there be no amendment to be proposed, the bill will be reported to the

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

### AGNES INGELS, DECEASED.

The bill (S. 1300) for the relief of the heirs of Agnes Ingels, deceased, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, on page 1, line 6, after the words "sum of," to strike out "\$10,000" and insert "\$5,000," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the heirs of Agnes Ingels, deceased, late of Lexington, Ky., the sum of \$5,000 for injuries occasioned to the said Agnes Ingels while a visitor at Hot Springs, Ark., by the negligent operation of United States Government motor truck No. 25967 while said truck was in the care and custody of and being driven

by an enlisted man of the United States Army under the orders of his superior officer, and while the use of such truck was dangerous because of its defective condition, such condition being known to the officer responsible for the maintenance of said truck in operation, the injuries occasioned as aforesaid resulting in the death of said Agnes Ingels,

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

### AMENDMENT OF THE JUDICIAL CODE.

The bill (S. 214) to amend section 24 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, was announced as next in order.

The reading clerk read the bill.

Mr. OVERMAN. Mr. President, perhaps I should explain this bill. It passed the Senate at the last session. Most of what has been read is the law now. It changes it only in this respect:

As the law is now, if a man has a claim of over \$10,000 against the Government, if he lives in Iowa, or no matter where he lives, he has to come to Washington and employ a Washington lawyer. He has to go before a court that has no jury. This bill extends the jurisdiction so that the courts may have jurisdiction of claims amounting to as much as \$50,000. The bill says \$100,000, but the committee has prepared an amendment making it \$50,000, so that if a man outside of Washington has a claim against the Government he has a right to sue in his own bailiwick and have a jury of his own peers.

Mr. POINDEXTER. Mr. President, let that bill go over. There is no report filed on it, and I should like to run through it and examine it.

The VICE PRESIDENT. There is an objection, and the bill will be passed over.

### JAMES DUFFY.

The bill (8, 723) for the relief of James Duffy was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That in the administration of the pension laws and the laws conferring rights and privileges upon honorably discharged soldiers, their widows and dependent relatives, James Duffy, late of Company A, Twenty-fourth Regiment Wisconsin Volunteer Infantry, shall be held and considered to have been honorably discharged from the military service of the United States as a member of the above organization on the 6th day of October, 1862: Provided, That no pay, pension, bounty, or other emoluments shall accrue prior to the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, was read the third time, and passed.

### HENRY J. DAVIS.

The bill (S. 724) for the relief of Henry J. Davis was an-

nounced as next in order.

Mr. OVERMAN. Let that go over, Mr. President.

The VICE PRESIDENT. The bill will be passed over.

## ORION MATHEWS.

The bill (S. 725) for the relief of Orion Mathews was announced as next in order.

Mr. OVERMAN. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

### PAYMENTS FROM LUMP-SUM APPROPRIATIONS.

The bill (S. 581) to repeal the act prohibiting increased pay under lump-sum appropriations to employees transferred within one year was announced as next in order.

Mr. WARREN. Mr. President, I want to ask my friend from South Dakota [Mr. STERLING] to let that bill and the next one go over until he can get further along in the framing of his classification bill. They are matters that we will consider and act upon, but I do not think we should make the repeal at this time; so I object to the consideration of the bills.

Mr. STERLING. That is agreeable to me.
The VICE PRESIDENT. Senate bill 581 and Senate bill 582 will be passed over.

The bill (S. 158) for the relief of certain estates was announced as next in order.

The reading clerk read the bill.

Mr. SMOOT. Mr. President, I do not see the chairman of the committee in the Chamber. I therefore ask that this bill go over.

The VICE PRESIDENT. The bill will be passed over.

### REUBEN R. HUNTER.

The bill (S. 906) for the relief of Reuben R. Hunter was announced as next in order.

The reading clerk read the bill.

Mr. SMOOT. Mr. President, I should like to have a direct appropriation made for this purpose rather than have the bill likely when the next unit is opened the returned soldiers will

pass as reported. It seems to me that in a case of this kind we ought to make a direct appropriation, and then we will know what amount will be paid.

Mr. JONES of New Mexico. Ir. President, the bill which was introduced in the last Congress did provide for a lump appropriation; but the Committee on Claims considered the whole subject, and at the suggestion of that committee it was changed to a monthly allowance instead of a lump sum. should have been quite willing to have a lump sum provided for in the bill, but the Committee on Claims was apparently unanimous in the belief that this man ought to be put in the same position as an injured Federal employed

The Senator from Utah doubtless will recall that in this case Mr. Hunter as a private citizen, not in the employ of the Government, participated in putting out a forest fire, and while

so doing lost both his eyes.

Mr. SMOOT. Yes; I remember the case very well, and we have just passed a bill for a man named Lancaster whom we gave \$5,000. He certainly is in a horrible condition. like to prepare an amendment to this bill giving Mr. Hunter a direct appropriation; and for that reason, and that only, I shall ask that the bill go over for the day. I have not the amendment prepared or I would offer it at this time.

Mr. JONES of New Mexico. The chairman of the Committee on Claims is present, and I am sure the committee has fully considered that question. I am only fearful that if we let the matter be changed and make a lump-sum appropriation for this man's benefit a delay will result, and we may not be able to get the bill through the other House.

Mr. SMOOT. I assure the Senator that I shall have the amendment in next Monday, when the calendar comes up again.

Mr. JONES of New Mexico. At any rate, I should like to

ask the chairman of the Committee on Claims a question as to the general policy of that committee regarding such relief measures

Mr. SMOOT. I do not think any definite plan has been agreed upon, for we have just passed two bills of a similar character here and they were lump-sum bills.

Mr. JONES of New Mexico. I observed that that had been done, and I was just wondering whether there had been any change in the policy of the committee.

Mr. SMOOT. I ask that the bill may go over to-day, and I assure the Senator that I will have the amendment ready by next Monday.

### PREFERENCE RIGHTS TO EX-SERVICE MEN.

The bill (S. 594) for the relief of certain ex-service men whose rights to make entries on the North Platte irrigation project, Nebraska-Wyoming, were defeated by intervening claims was considered as in Committee of the Whole, and was read, as fol-

lows:

Be it enacted, cie., That the ex-service men qualified to make entry under the homestead laws, who were successful at the drawing held March 5, 1920, for farm units on the North Platte irrigation project, Fort Laramie unit, Nebraska-Wyoming, and to whom approved water-rental applications were duly issued, but who were prevented from making homestead entries for the lands covered by such applications because of the reinstatement of certain conflicting homestead entries, shall each have a preferred right of entry under the homestead laws at the next opening of lands under said project, for not less than 30 days before the date set for the opening of such lands to other entries: Provided, That this act shall not be considered as entiting any person to make another homestead entry who shall have received the benefits of the homestead laws since being prevented, as aforesaid, from exercising the right acquired at the said drawing on March 5, 1920.

Mr. PITTIMAN. Mr. President I would like to ask the Sen-

Mr. PITTMAN. Mr. President, I would like to ask the Senator having the bill in charge how many men this applies to?
Mr. WARREN. To two men.

Mr. PITTMAN. If I recollect correctly, I opposed the bill in the committee

Mr. WARREN. I think there were originally 13 or 14 men asking for relief, and the department was able to arrange exchange and settlement with all but two. Those men were of the World War service and were entitled to preference, with others, and exercised their rights. They got their certificates and paid their money. In the meantime the Douglas, Wyo., land office raked up some later report showing that they had allowed this same property to go to other parties. So they are without the use of their homestead rights, and their money is gone. This bill simply provides that they can go to the next reclamation unit which is opened and get what they lost in this one in way of their homestead rights.

Mr. PITTMAN. I understand that the bill not only provides that they can go to the next unit but it provides that they shall

have a preference right in the next unit.

Mr. WARREN. They had 60 days in which to file in the drawing on this unit we are speaking of—the Nebraska-Wyoming unit. This proposed bill cuts them down to 30 days. Quite

do as they did before—that is, exercise their preference rights in order that they may get desirable homesteads. Of course, they could not exercise their homestead rights while they were abroad.

Mr. SMOOT. The bill merely places the two men in the same position they were in before. They had a preference right in the drawing in this unit.

Mr. WARREN. They are out \$500 apiece. The Government has their money and they have nothing to show for it.

Mr. PITTMAN. It is perfectly fair that these men should have something. The question is as to whether it is fair as against another group of men who will draw on an entirely

Mr. WARREN. But these two men did have their rights, and they pursued the course indicated for them. The fault is entirely with the Government. The Government has taken their money and their settlement rights. The bill gives them 30 days in which to file in a new drawing.

Mr. PITTMAN. How many applications were made at that drawing?

Mr. WARREN. I do not remember, but some thousands

Mr. SMOOT. There were some 12 soldiers who had the preference right. Ten were taken care of, and the report of the Secretary of the Interior gives exactly the reasons why these two men were not. It was through no fault of their own.

two men were not. It was through no fault of their own.

Mr. PITTMAN. I understand it was because the land they
drew was not open to withdrawal.

Mr. WARREN. The department itself is asking for this relief. The bill was drawn in the Department of the Interior.

Mr. PITTMAN. As I understand it, there were over a thousand men seeking locations on those three units. It happened that of those who could get in on this project two drew blanks; in other words, they drew land which was not open to drawing. But they are in exactly the same position as about a thousand others.

Mr. WARREN. The Senator is entirely mistaken. Those who could not draw neither relinquished their homestead rights nor gave up their money. These two men relinquished their rights, and they paid their money for the water. We are simply giving back to them what makes them as nearly whole as possible because their loss was on account of a mistake of the Government itself through its agents.

Mr. PITTMAN. As I remember, in the committee all I insisted on, in which I was overruled, was that these men should be put in exactly the same position they were in before the drawing, and in exactly the same position a thousand other ex-soldiers were in who did not get in on that project, and that we should not give them a preference right over that thousand.

Mr. WARREN. The Senator certainly would not expect the Government to keep their money and give them no further right to a homestead.

Mr. PITTMAN. No; I want them to have their homestead rights restored, or I want their money given back to them; but I want them to have equal rights in the drawing with the next thousand who were excluded from this drawing. But I do not intend to object to the passage of the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, was read the third time, and passed.

### PREFERENCE TO DISCHARGED SERVICE MEN.

The bill (S. 809) to give preference right of employment on construction work on United States reclamation projects, and preference right of entry on the public lands, to honorably discharged soldiers, sailors, and marines, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands and Surveys with an amendment to strike out all after the enacting clause and to insert:

That men and women who served in the Army or Navy of the United States in the war with Germany and have been honorably separated or discharged therefrom or placed in the Regular Army or Naval Reserve shall have preference in employment upon projects constructed by the United States Reclamation Service: Provided, That they are found to possess the capacity necessary for the proper discharge of such duties: Provided further. That the rights and benefits conferred by this act shall not extend to any person who having been drafted for service under the provisions of the selective service act shall have refused to render such service or to wear the uniform of such service of the United States.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

Mr. HARRISON. May I ask if the Senater from Utah is in charge of this bill?

Mr. SMOOT. I am not in charge of the bill.

Mr. HARRISON. I see the bill proposes to give preference to honorably discharged soldiers, sailors, and marines. The Senator from Utah is on the Finance Committee, which has had before it for eight or nine months a bill which passed the House of Representatives two sessions of Congress ago proposing to compensate soldiers, known as the adjusted compensation bill, or bonus bill. What is the status of that bill?

Mr. SMOOT. The bonus bill is now before the Finance Committee, and so far there have been no hearings held upon it at this session. I do not think there will be a necessity for any further hearings. I think the committee will report that bill to the Senate.

Mr. HARRISON. When, may I ask? Mr. SMOOT. I can not tell exactly.

Mr. HARRISON. What is the Senator's best judgment

Mr. SMOOT. It depends on how soon we get through with the hearings on the revenue bill.

Mr. HARRISON. Nothing will be done, then, on this soldiers' bill, even though the Senator's opinion is that it will not be necessary to have any more hearings, until after the hearings are closed on the general tariff bill and after it has passed the Senate?

Mr. SMOOT. I did not say that, and I do not want the Senator to take my answer as a positive statement. I was only expressing what I thought would follow. It may be reported to the Senate before those hearings are finished. The Finance Committee will meet every morning at 10.30, I suppose, for some weeks to come.

Mr. HARRISON. I do not want to pry into the secrets of the Finance Committee—

Mr. SMOOT. There are none.

Mr. HARRISON. No; I understand there are no secrets in any committee work; but has there been any motion made by anyone to bring that bill out during this session of Congress?

Mr. SMOOT. Mr. President, that committee have not as yet taken up their calendar for the consideration of any bills befor it at this session.

Mr. HARRISON. Then there has been no motion made to bring that bill out of committee?

Mr. SMOOT. There has not.

Mr. HARRISON. The Senator will recall that about 10 days before the last Congress closed both the senior Senator from Pennsylvania [Mr. Penrose], the chairman of the Committee on Finance, and his right bower, the Senator from North Dakota [Mr. McCumber], told a delegation of soldiers representing the American Legion, who came here, that in all probability that bill would be reported out immediately, and would be passed before the session closed. The Senator recalls that?

Mr. SMOOT. No; I do not know what they told the representatives of the American Legion.

Mr. HARRISON. I am only quoting what I saw in the papers.

Mr. SMOOT. What the Senator sees in the papers is not always just the fact.

Mr. HARRISON. So the committee is not going to make good the suggestion of those distinguished members of the committee made to this delegation representing the American Legion?

Mr. SMOOT. Mr. President, I do not think the representatives of the American Legion are in any way, shape, or form alarmed over what the Senate Finance Committee is going to do. I think they have confidence in the committee. I say to the Senator that I am positive the bill will be reported to the Senate, and I have not the least doubt but that it will pass the Senate.

Mr. HARRISON. I hope they have confidence that the committee will bring out that legislation. I think they are about the only ones who have.

Mr. SMOOT. I am sorry for the Senator from Mississippi if he has not any confidence in that committee.

The VICE PRESIDENT. The bill is in the Senate and open to further amendment.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to give preference right of employment on construction work on United States reclamation projects to honorably discharged soldiers, sailors, and marines."

### EXCHANGE OF ARMS AND EQUIPMENT.

The bill (S. 1574) authorizing the Secretary of War to exchange, with foreign nations desiring same, samples of arms and equipment in use by the Army of the United States was considered as next in order.

Mr. LA FOLLETTE. Let that go over. The VICE PRESIDENT. The bill will be passed over. The consideration of the calendar is completed.

#### EXCHANGE OF LANDS IN HAWAII.

Mr. WARREN. Mr. President, I would like to know what became of Senate bill 1021, to provide for the exchange of Government lands for privately owned lands in the Territory of Hawaii.

The VICE PRESIDENT. It went over on objection.

Mr. WARREN. Does the RECORD show who objected?

The VICE PRESIDENT. The Senator from Iowa [Mr. Ken-YON] objected.

Mr. WARREN. That Senator is not in the Chamber at this

#### PERSONAL EXPLANATION-LEAGUE OF NATIONS.

Mr. SPENCER. Mr. President, an incident occurred in the last campaign with which I was personally concerned and which has a certain public interest. I very much desire that at least my colleagues in the Senate should know the facts in chronological order as they actually occurred.

During this presidential campaign of 1920, while discussing before the people of Missouri the League of Nations and the relation of our country to its provisions, I said many times in effect that the undertaking of article 10 of the covenant, "to preserve as against external aggression the territorial integrity of all States members of the league," meant just what it said, and that a concrete illustration of the effect of this obligation upon the United States was to be found in the statement which I alleged President Wilson had made at the eighth plenary session of the peace conference on May 31, 1919, when he declared that the peace of the world depended upon armed strength and led the delegates then present, and particularly the Rumanian delegates, to believe that if at any time in the future, their fortiforial boundary lines as established by the future their territorial boundary lines as established by the treaty of peace should become endangered an American Army and an American Navy would be sent to preserve the integrity of their territory, and I said in substance that this promise to send an American Army and an American Navy overseas was precisely the thing which the obligation of article 10 imposed and which the nations of Europe expected.

Mr. Joseph P. Tumulty, the then Secretary to the President, upon hearing of the statement which I was making, telegraphed

to the St. Louis Post Dispatch as follows:

The attention of the President has been called to a speech delivered in your State by Senator Spencer, in which he quoted the President as saying in a speech delivered to a delegation made up of Rumanians and Serbs in Paris that if any nation ever invaded their territory he would send the American Army across the seas to defend their boundary

The excerpt from the speech of Senator Spencer has been called directly to the President's attention, and he authorized me to say that Senator Spencer's statement is absolutely and unqualifiedly false.

I had then, as I confess I still have, a serious doubt as to whether at that time the attention of the President himself had ever been called to the statements which I was repeatedly making, but that the origin of the telegram which I have just quoted was entirely with Mr. Tumulty, and I made public, after reading Mr. Tumulty's telegram, the following statement:

reading Mr. Tumulty's telegram, the following statement:

No one familiar with conditions at Washington place any credence in the statement of Mr. J. P. Tumulty that the President himself has considered and denied what I have often said and what I expect to repeat again and again, and that is that the President, in his agreement, which he demands the American people shall, by "a solemn referendum," approve, has attempted to obligate this Nation to send its Army and Navy anywhere in the world where a boundary line is invaded, and that American soldiers shall "preserve against external aggression the territorial integrity of every member of the league" and in every part of the globe.

The President illustrated this pledge to the Rumanian delegates by assuring them that if the world was ever troubled again he would send an American Army and an American fleet.

It is significant that the first denial comes at this late date and from the President's private secretary, Mr. J. P. Tumulty, who dares, as he has again and again done in far more important matters, to speak in the voice of the President.

PROMISE MATTER OF RECORD.

### PROMISE MATTER OF RECORD.

The promise of the President is a matter of record. It has been printed over and over again in the public press and never denied. In the issue of the Century Magazine for May it was expressly set out and severely criticized by that distinguished author, Mr. Herbert Adams Gibbons. It was declared in the Senate months before that and was never denied. There can be no doubt about the promise or the intention of the President to bind the United States without any qualification or exception to send its Army and Navy into every world trouble wherever an invasion of a boundary line occurred.

It is now for the first time denied by Mr. J. P. Tumulty in the vain hope of stemming the rising tide of universal opposition to any such un-American obligation.

The American people never will agree to it. The American soldiers who fought in the Great War repudiate it. The conscience of the country protests against it. It is far more important than any political affiliation, and the record of the President's agreement in article 10 of the treaty and his promise to the Rumanians in the official stenographic notes of the eighth plenary session, as I have stated it, are facts the whole world knows.

Doubtless the newspapers which were publishing the matter promptly notified Mr. Tumulty of this statement which I made, for I soon received the following telegram from Mr. Tumulty, which I did not answer:

which I did not answer:

The newspaper representatives have called my attention to a statement given by you to the St. Louis papers, containing the following quotation:

"I do not for a moment believe that the President ever made any such denial, or that the matter was ever called to his attention, as J. P. Tumulty indicates in his letter. Anyone who knows the situation at Washington knows that Mr. Tumulty is himself conducting the administration of government far more than the President of the United States, and has become accustomed to issue orders and make statements originating entirely in his own mind, but falsely announced as having back of them the knowledge and sanction of the President."

I shall not attempt to characterize the reflection upon the President himself which is found in this statement. I shall leave to your conscience to say whether you consider this statement as worthy of a Senator of the United States. The statement you make charging that I have falsely issued a denial at the White House that the President had promised military aid to the Rumanians and Serbs is one that I can not allow to pass without comment.

It is a fact that the President, in his own handwriting, authorized me to say that the alleged quotation from you contained in the St. Louis Post-Dispatch was false. If you doubt the authenticity of the President's authority, his written direction to me is on file at the White House, where either you or any representative you may appoint may examine it.

(Signed) J. P. Tumulty.

examine it.

(Signed) J. P. TUMULTY, Secretary to the President.

Very soon thereafter I received a telegram direct from President Wilson himself reading as follows: Senator SELDEN PALMER SPENCER,

St. Louis:

I have just been shown your statement that my secretary's denial of the previous statement by you that I had promised American military aid to Rumanians and Serbs was issued by him without my knowledge and sanction, and that you did not believe that I had made any such denial or that the matter was ever called to my attention by Mr. Tumulty, and that I requested him to issue the denial to which you

refer.
I reiterate the denial.
The statement you made was false.

WOODROW WILSON.

To this telegram I at once, on October 5, 1920, replied as follows:

ST. Louis, October 5.

White House, Washington, D. C .:

White House, Washington, D. C.:

I beg to acknowledge receipt of your telegram of October 5, in which you deny that you promised American military aid to Rumanians and Serbs and that previous denial which Mr. J. P. Tumulty had made was at your request. The statement of yours to which I have often referred in my address was the statement in the stenographic notes of the eighth plenary session of the peace conference, in which you are reported to have said to Premier Bratiano of Rumania as follows:

"You must not forget that it is force that is the final guaranty of the public peace. If the world is again troubled, the United States will send to this side of the ocean their Army and their fleet."

This statement appeared in the issue of the Century Magazine for May, 1920, in an article by that distinguished writer, Mr. Herbert Adams Gibbons, who, I am informed, was attached to your own publicity department in Paris. It was made upon the floor of the Senate on February 2, 1920, by Senator Reed and, so far as I have learned, has never been denied until now. It has been widely circulated over the United States. If you did not make that statement to Premier Bratiano, I should be much indebted if you will be good enough to inform me. Bratiano, inform me.

I have, under date of April 11, 1921, received from the State Department in answer to my request a note in which the Secretary of State writes:

I send you herewith a copy of the statement by President Wilson on May 31, 1919, at the pienary session of the peace conference as set forth in the official report in English of the proceedings on that day.

The full and accurate text of what the President of the United States did say when speaking in English at the eighth plenary conference on May 31, 1919, I ask leave of the Senate to print in full as an appendix to my remarks.

The VICE PRESIDENT. Without objection, permission is

granted.

Mr. SPENCER. The quotations from this official address which the President of the United States made, and which I desire to read, are as follows:

We must not close our eyes to the fact that in the last analysis the military and naval strength of the great powers will be the final guaranty of the peace of the world. \* \* \* There underlies all these transactions the expectation on the part, for-example, of Rumania, Czechoslovakia, and of Serbia, that if any covenants of this settlement are not observed, the United States will send her armies and her navies to see that they are observed.

The version of what the President said as written in French is reported as follows. Both the original in French and a literal translation thereof reads:

If the world finds itself troubled anew, if the conditions which we all regard as fundamental are again drawn into question, the guaranty which is given to you will mean that the United States will send to this side of the ocean their Army and their Navy.

I ask leave to have the original in French, as it will support it, also inserted in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

Si le monde se trouve de nouveau troublé, si les conditions que nous regardons tous comme fondamentales, sont remises en question, la garantie qui vous est donnée a veut dire que les États-Unis feront passer de ce côté de l'océan leur armée et leur flotte.

Mr. SPENCER. After this controversy arose as to what President Wilson said it was reported to the American press by Premier Bratiano himself, who was present at the time President Wilson spoke, that the statement of the President was:

dent Wilson spoke, that the statement of the President was:

The allied and associated powers will guarantee to maintain as much as possible the just conditions to which they will have agreed. They take upon themselves this engagement and naturally upon them falls the principal responsibility.

It must not be forgotten that their force is the guaranty. The same argument applies to their authority. It is on the same basis that the minority States mentioned should understand that the principal powers will guarantee the very existence of these States.

Is it unjust that they agreed to this demand since conditions which we regard as fundamentally just are in question? The guaranty given to you amounts to this—that the United States will send from the other side of the ocean their Army and their fleet.

Mr. REED. Mr. President-

Mr. SPENCER. I yield to my colleague.

Mr. REED. Was the statement just read made to the representatives of Rumania and Czechoslovakia? What is the Senator now quoting from?

Mr. SPENCER. The quotation which I have just made is a statement of Premier Bratiano himself as to what his notes show was said by the President of the United States at the eighth plenary conference.

On October 6, 1920, in evident reply to my telegram of October 5, the President wired me as follows:

Hon. SELDEN P. SPENCER, St. Louis:

I am perfectly content to leave it to the voters of Missouri to determine which of us is telling the truth. WOODROW WILSON.

To this telegram I replied as follows:

OCTOBER 6, 1920.

Your telegram of date has been repeated to me while campaigning in the State. There must be no misunderstanding about a matter of such great national importance as to whether you stated to Premier Bratiano, of Rumania, that an American Army and Navy would be sent across the sea in case the world is again troubled. It has been for months publicly asserted that such agreement on your part is incorporated in the stenographic reports of the eighth plenary session of the peace conference. I again beg of you to let me know whether such is the fact.

SELDEN P. SPENCER.

To this telegram I received no answer.

The last statement from the White House was on the following day, October 7, 1920, and I beg the Senate to bear in mind that date, and in my judgment its bearing upon the whole controversy is perhaps the most important of all the statements. It was printed generally throughout the country and reads as follows:

The contribution to-day from the White House in the controversy between President Wilson and Senator Spencer, of Missouri, who charged the President with having definitely promised the aid of the American Army and Navy to Rumania and Serbia at the peace conference, was a statement by Secretary Tumulty that the President has no stenographic report of the eighth plenary session, at which the promise is alleged to have been made, and that so far as the President knows there is no such record in this country.

The statement which the Missouri Senator has charged to President Wilson, and which is being used as part of the Republican campaign against the League of Nations, is said, according to various published reports, to have been made by the President at a session of the council of four on May 31, 1919. Mr. Spencer, however, referred to it as having been made at the eighth plenary session of the peace conference.

"President Wilson tells me there is no stenographic record of the proceedings of the conference in his possession," Mr. Tumulty said, "and so far as the President knows there is none in this country."

I did not at the time place any credence in the statement that

I did not at the time place any credence in the statement that there was no official copy in the hands of the President or accessible to him in the State Department containing a full account of what actually happened on May 31, 1919, and I recently requested of the State Department information in regard to this fact. Under date of April 15, 1921, I received a reply from the Secretary of State reading as follows:

THE SECRETARY OF STATE, Washington, April 15, 1921.

Hon. Selden P. Spencer, United States Senate.

Mr Dear Senator Spencer: In answer to your letter of April 13, 1 beg to say that the records of the Department of State show that 500 copies of protocol No. S. in English, from which the extract sent to you with my letter of April 11 was taken, were sent by the peace commission to the Department of State on July 9, 1919, and were received by the department on July 22, 1919. Three hundred additional copies, also in English, were sent by the embassy at Paris on February 12, 1920, and received in the Department of State on March 16, 1920.

I have the honor to remain,

Very sincerely, yours,

Charles E. Hughes.

I make no comment upon what this record shows. It speaks for itself with convincing force. I may perhaps be pardoned

for making the statement in conclusion, with reference to the last telegram sent to me from President Wilson, in which he expressed his entire contentment to leave the matter in issue between us to the voters of Missouri, that out of 114 counties in Missouri I carried 83 of them at the election of November 3, 1920, and that my majority over my distinguished opponent, who was the warm personal supporter of President Wilson's side of the controversy, and who was himself the Third Assistant Secretary of State when the facts in the dispute were happening, was 121,663.

### APPENDIX.

FULL TEXT OF PRESIDENT WILSON'S ADDRESS ON MAY 31, 1919, TO THE PLENARY SESSION OF THE PEACE CONFERENCE,

"The President of the United States, speaking in English.

makes the following speech:
"'Mr. President, I should be very sorry to see this meeting adjourn with permanent impressions such as it is possible may have been created by some of the remarks that our friends have made. I should be very sorry to have the impression lodged in your minds that the great powers desire to assume or play any arbitrary rôle in these great matters, or presume, because of any pride of authority, to exercise an undue influence in these matters, and therefore I want to call your attention to one aspect of these questions which has not been dwelt upon,

"'We are trying to make a peaceful settlement; that is to say, to eliminate those elements of disturbance, so far as possible, which may interfere with the peace of the world, and we are trying to make an equitable distribution of territories according to the race, the ethnographical character of the people in-

habiting them.

"'And back of that lies this fundamentally important fact that, when the decisions are made, the Allied and Associated Powers guarantee to maintain them. It is perfectly evident, upon a moment's reflection, that the chief burden of their maintenance will fall upon the great powers. The chief burden of the war fell upon the greater powers, and if it had not been for their action, their military action, we would not be here to settle these questions. Therefore, we must not close our eyes to the fact that in the last analysis the military and naval strength of the great powers will be the final guaranty of the peace of the

"'In those circumstances, is it unreasonable and unjust that, not as dictators but as friends, the great powers should say to their associates, "We can not afford to guarantee territorial settlements which we do not believe to be right, and we can not agree to leave elements of disturbance unremoved, which we believe will disturb the peace of the world?"

"'Take the rights of minorities. Nothing, I venture to say, is

more likely to disturb the peace of the world than the treatment which might in certain circumstances be meted out to minorities. And therefore if the great powers are to guarantee the peace of the world in any sense, is it unjust that they should be satisfied that the proper and necessary guaranties have been given?

"'I beg our friends from Rumania and from Serbia to re-member that while Rumania and Serbia are ancient sovereignties the settlements of this conference are greatly adding to their territories. You can not in one part of our transactions treat Serbia alone and in all of the other parts treat the Kingdom of the Serbs, Croats, and Slovenes as a different entity, for they are seeking the recognition of this conference as a single entity, and if this conference is going to recognize these various powers as new sovereignties within definite territories, the chief guarantors are entitled to be satisfied that the territorial settlements are of a character to be permanent, and that the guaranties given are of a character to ensure the peace of the world.

"'It is not, therefore, the intervention of those who would interfere, but the action of those who would help. I beg that our friends will take that view of it, because I see no escape from

that view of it.

"'How can a power like the United States, for examplefor I can speak for no other-after signing this treaty, if it contains elements which they do not believe will be permanent, go 3,000 miles away across the sea and report to its people that it has made a settlement of the peace of the world? It can not do so. And yet there underlies all of these transactions the expectation on the part, for example, of Rumania and of Czechoslovakia and of Serbia that if any covenants of this settlement are not observed the United States will send her

armies and her navies to see that they are observed.
"'In those circumstances is it unreasonable that the United States should insist upon being satisfied that the settlements are correct? Mr. Bratiano-and I speak of his suggestions with the utmost respect-suggested that we could not, so to say, invade the sovereignty of Rumania, an ancient sovereignty, and make certain prescriptions with regard to the rights of minorities. But I beg him to observe that he is overlooking the fact that he is asking the sanction of the allied and associated powers for great additions of territory which come to Rumania by the common victory of arms, and that, therefore, we are entitled to say: "If we agree to these additions of territory, we have the right to insist upon certain guaranties of peace."

"'I beg mry friend Mr. Kramar and my friend Mr. Trumbitch and my friend Mr. Bratiano to believe that if we should feel that it is best to leave the words which they have wished to omit in the treaty it is not because we want to insist upon unreasonable conditions, but that we want the treaty to accord to us the right of judgment as to whether these are things which we

can afford to guarantee.

Therefore the impressions with which we should disperse ought to be these, that we are all friends-of course, that goes without saying-but that we must all be associates in a common effort, and there can be no frank and earnest association in the common effort unless there is a common agreement as to

what the rights and settlements are.

"'Now, if the agreement is a separate agreement among groups of us, that does not meet the object. If you should adopt the language suggested by the Czechoslovakian delegation and the Serbian delegation—the Jugo-Slav delegation—that it should be left to negotiation between the principal allied and associated powers and their several delegates, that would mean that after this whole conference is adjourned groups of them would determine what is to be the basis of the peace of the world. It seems to me that that would be a most dangerous idea to entertain, and therefore I beg that we may part with a sense, not of interference with each other but of hearty and friendly cooperation upon the only possible basis of guaranty. Where the great force lies there must be the sanction of peace. sometimes wish in hearing an argument like this that I were the representative of a small power, so that what might be robbed of any mistaken significance, but I think you will agree with me that the United States has never shown any temper of aggression anywhere, and it lies in the heart of the people of the United States, as I am sure it lies in the hearts of the peoples of the other great powers, to form a common partnership of right and to do service to our associates and no kind of disservice."

AMENDMENT OF THE RULES-OPEN EXECUTIVE SESSIONS.

Mr. ASHURST. Mr. President-

Mr. WATSON of Indiana. As the Senator from Arizona is about to address the Senate on his amendment increasing the duty on cotton, I ask that the unfinished business may be laid before the Senate.

Mr. HARRISON. Will the Senator from Arizona yield

merely for a brief announcement?

Mr. ASHURST. I yield. Mr. HARRISON. This morning before the regular order was demanded I had moved the consideration of a resolution, under a notice that had been filed some days before, to change the rules of the Senate. It is now only 40 minutes until the hour arrives to take up the unfinished business. I imagine that the resolution to which I refer will precipitate some debate, so I shall not press it during the morning hour this morning, but hope, with the acquiescence of Senators in charge of the pending legislation, to get it up to-morrow immediately following the speech of the senior Senator from Missouri [Mr. REED].

### EMERGENCY TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2435) imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenue; to regulate commerce with foreign countries; to prevent the dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes.

Mr. ASHURST. Mr. President, some misapprehension exists as to the meaning of lines 14 and 15 on page 3 of the emergency tariff bill, and I shall ask the Senate to indulge me while I try to make an explanation as to what those words and figures

mean:

It will be remembered that when the emergency tariff bill was pending before the Senate in the third session of the Sixty-sixth Congress I offered an amendment practically the same as the amendment I am now going to discuss. The amendment was to strike out the numeral "7" and to insert the numeral "20" The lines to which I now address myself are found on page 3 of the bill, lines 14 and 15 thereof, reading as follows:

16. Cotton having a staple of 1% inches or more in length, 7 cents per

My amendment proposes to strike out the numeral "7" and to insert in lieu thereof the numeral "20," so that the rate of duty would be 20 cents on cotton having a staple or fiber 1s inches or more. The remarks I am about to make may be tedious to Senators, as they are statistical in character, but I believe it is my duty to make some explanation in detail as to the expansion of this industry. I now read from a pamphlet entitled "Cotton Production in the Irrigated Southwest in 1920," by Mr. C. S. Scofield, of the United States Department of Agriculture:

"COTTON PRODUCTION IN THE IRRIGATED SOUTHWEST IN 1920. "THE DEVELOPMENT OF THE INDUSTRY.

"[By C. S. Scofield, United States Department of Agriculture.]

"Prior to 1905 cotton was practically an unknown crop on the irrigated lands of the southwestern United States. attempt was made to produce the crop in the San Joaquin Valley in California in 1873 and 1874, but high labor costs and the low prices for the product caused the experiment to be abandoned.

From 1905 to 1912 numerous experiments with cotton were made in the irrigated valleys of Arizona and southern California, and by 1912 the crop was fairly well established in several places. In that year the first commercial quantity of cotton of the Egyptian type was grown. Varieties of the American upland type were produced in commercial quantities

as early as 1909. "From 1912 to 1920 the acreage devoted to cotton has increased rapidly, particularly in the last three years, when the stimulus of war demands and consequent high prices have been felt. It is probable that, including some 30,000 acres of upland cotton in he Pecos and Rio Grande Valleys in Texas and New Mexico, there have been not far from 500,000 acres devoted to cotton in the Southwest in 1920. This acreage includes also about 125,000 acres in Lower California, adjacent to the Imperial Valley, operated largely under American supervision, the product of which is marketed through American channels.

Of this half million acres of cotton about one-half, or 250,000 acres, was devoted to the production of the Pima variety, which is of the type known commercially as Egyptian. This variety produces a fiber 12 to 15 inches in length. For the acreage devoted to upland cotton there has been no standardization of seed supply, and there has been much varietal mixture and consequent deterioration. At first there were some fairly pure stocks of Triumph or Mebane (1-inch staple) and of Durango (11-inch staple), but these have been intermixed and contaminated with still other varieties until there is practically no pure seed of upland cotton available for general planting in the With the Pima variety there is an ample supply of pure planting seed available each year since 1917.

"During the last 10 years, within which the irrigated area devoted to cotton has extended from practically nothing to approximately 500,000 acres, there has been a very large extension of the area of irrigated land. In the aggregate and within the sections where cotton has been grown the increase of irrigated area has probably been nearly equal to the increase in cotton acreage. But the relatively high value of the cotton crop, and the requirements of capital, labor, and machinery for its production and marketing, and for the manufacture of its seed products, combine to make it a factor of the first importance in the agricultural complex of the irrigated Southwest.

Because of its rapid growth and because of the profitable returns it has given in the past three years, this industry has attracted wide attention. In the matter of returns the industry has had two bad years-one in 1914, when the outbreak of the World War caused a temporary market stagnation, and the other in 1920, when a general decline in the prices of agricultural products set in late in the season, which had been conspicuous for the high costs of labor and materials required in production.

It is still too early to determine the final effect of the present price recession on the cotton industry of this region, but it seems clear that it has temporarily at least reached the end of its first period of rapid expansion, and that it must from now on settle into a more stable equilibrium with its associated indus-

### "THE TWO KINDS OF COTTON.

"The two kinds of cotton now being grown in the irrigated Southwest differ from each other in so many important respectsbotanical, agronomic, and commercial—that they must be considered separately in order to avoid continual confusion in the discussion of the subject. It has been noted above that the upland type of cotton includes several varieties which have been hopelessly intermixed with consequent deterioration of quality and yield. The Pima cotton, on the other hand, is all of the one variety; the seed for the entire 250,000 acres grown in 1920 having come from a single plant selected in 1911. Continuing care has been exercised to prevent varietal mixture either in the field or at the gin, and thus the most important, if not the only, cause

of varietal deterioration has been eliminated.

"Upland cotton can be matured in a shorter growing season than Pima. The latter requires a growing season of 275 to 300 days between frosts, while the former may be grown safely with 225 days. Upland cotton is ginned on saw gins, while the Pima variety is ginned on roller gins. The lint of both types is marketed in the same kind of bales, and the seed of both types is manufactured in the same way. It has been the general experience in the Southwest that upland cotton yields somewhat more lint per acre than Pima, possibly 30 per cent more, but the yields of seed cotton are approximately the same for both kinds. On the other hand, the lint of the Pima variety has the higher market value, possibly double that of upland. The production costs are about the same for both, while the harvesting costs are nearly twice as much for Pima as for upland. It is not the purpose here, however, to discuss the relative merits of the two types of cotton for the region under consideration, but rather to point out the differences, and then to discuss certain features of each branch of the industry separately.

" THE UPLAND COTTON AREAS. " Pecos Valley.

"Proceeding from East to West, cotton is found under irrigation first in the Pecos Valley in New Mexico and Texas. In this region of high altitude and short growing season only upland cotton can be grown. The 1920 crop is estimated at 7,000 bales, which probably represents about 10,000 acres, of which a small portion is presumed to be Durango and the re-mainder is made up of varieties of the Texas big boll type. In 1918 the pink bollworm was reported from one section of the valley, but prompt measures have apparently been successful in checking its spread. The Mexican boll weevil has not been reported as causing damage in this section.

" Rio Grande Valley.

"In the Rio Grande Valley, both north and south of El Paso, where water from the Elephant Butte Reservoir is available, upland cotton has been grown in 1919 and 1920. In the latter season it is reported that there were about 22,000 acres devoted to the crop. Earlier experiments with Pima cotton had shown that the season was too short for this variety because of the high altitude. Late in November, 1920, two areas of pink bollworm infestation were found. One just southeast of the city of El Paso and the other up the valley close to the line of New Mexico. The quarantine measures that may be necessitated by the presence of this insect, together with the present low prices for cotton, may cause a reduction of the cotton acreage in this section for the near future. The agronomic conditions have been very favorable, and if protection from insect injury can be had, the cotton crop should find an important place in this valley.

"Yuma Valley.

"On the Yuma reclamation project conditions are favorable to the production of both upland and Pima cotton. Upland cotton was first grown there on a substantial scale in 1914, but adverse market conditions that year caused a reduction in the acreage in 1915, while from 1916 on there has been a rapid increase. In 1917 some Egyptian cotton of the Yuma variety was planted, but the returns from the upland varieties were so high that this type continued to be the more commonly grown. In 1920 special inducements were offered by several tire companies for the production of Pima cotton, so that about 10,000 acres were planted to that variety, while possibly 15,000

to 18,000 acres were planted to upland varieties.

"As early as 1912 the Department of Agriculture recommended to the farmers of the Yuma Valley that they try cotton of the Egyptian type, but without result. In 1913 some Durango seed was distributed, and in 1914 Durango was planted extensively, as was Triumph and some other Texas varieties. At the present time the seed of these upland varieties has been so badly mixed that the 1920 crop is highly unsatisfactory. The quarantine regulations, both State and National, make it difficult, if not impossible, to import new supplies of planting seed, and there are indications that the farmers may be forced to establish for themselves locally supplies of pure seed for planting. It is not yet clear which of the varieties will be adopted, nor is it clear that in the present period of low prices there will be effective action taken to provide pure planting seed.

"It has been demonstrated that very large yields of cotton can be secured in the Yuma Valley, particularly in the lower valley near Somerton and Gadsden. On some of this land cotton-root rot is serious. Some insect pests and plant diseases have been troublesome—for example, the cotton aphis, the cot-

ton stainer, and anthracnose. There have been some cultural difficulties, such as getting good stands and irrigating properly, but, on the whole, upland cotton has done well, and in years of good prices the crop returns have been satisfactory. Up to the present time neither the pink bollworm nor the Mexican boll weevil has been in this valley nor in the adjacent irrigated valleys of California.

"Imperial Valley.

"For purposes of discussing the cotton industry the Imperial Valley may be held to include the area irrigated by the diversion from the Colorado River at Pilot Knob, just above-the international boundary. This area includes something over 130,000 acres of land in the territory of Baja California, Mexico, and something less than 400,000 in Imperial County, Calif. Cotton has been produced in substantial quantities in this region since 1910. In 1920 almost the whole of the irrigated area in Baja California was planted to cotton, while about 90,000 acres of the irrigated land in Imperial County was planted to cotton. of which about 28,000 acres was planted to the Pima variety. Prior to 1920 the Pima acreage in the Imperial Valley was so small as to be negligible, but this year the tire companies secured the planting of this variety in Imperial County by a system of contracts similar to those used in the Yuma Valley. very little Pima cotton planted on the Mexican side of the line.

Except for two or three properties, all of the irrigated land in Baja California is operated under lease from the Colorado River Land Co. (successor of the California-Mexican Land & Cattle Co.). This cotton land is rented, generally for cash, first year \$2.50, second year \$5, third year \$7.50, and fourth and fifth years \$10 per acre. In addition, the renter pays the taxes, about \$1.60 per acre, and the water charge, about \$8 to \$9 per acre. This acreage has been operated in large properties with rather shiftless cultural methods. It is estimated by a man familiar with local conditions that not over 10 per cent of this cotton land has ever been plowed, almost no attempt has been made to grow other crops than cotton, possibly for the reason that the Mexican Government has maintained very high duties, either export or import, that have tended to discourage general farming. Most of the money used for growing the cotton crop on the Mexican side of the line is provided by American concerns, among which the Globe Milling Co. has been latterly one of the most important. This concern now owns most of the ginning plants in the Imperial Valley, as well as one or more oil mills. It bought out recently the properties built up by Messrs. Dale and Speer, of Fort Worth and El Paso.

"The seed cotton, cotton seed, and cotton lint produced in Baja California is all marketed in the United States. On moving across the line through the port of Mexicali it is assessed the following export duties: For baled lint or seed cotton the export tax is equivalent to \$12.54, American money, for each 1,000 kilos. For cotton seed the export tax is equivalent to \$5.825, American money, for each 1,000 kilos. The Federal Horticultural Board of the United States Department of Agriculture is represented at Calexico by Mr. O. A. Pratt, who inspects the cotton fields in Baja California, supervises all imports from Mexico or the eastern United States with a view to preventing the introduction of dangerous insect pests, and issues permits for the importation of the Mexican-grown cotton into

the United States.

"In Imperial County cotton was grown in 1920 on rather less than 25 per cent of the cropped land. This proportion of the acreage in cotton would not be in excess of the limits of good farming if the crop were incorporated into a systematic rotation. Too often this is not the case. Much of the cotton is grown year after year on the same land or put on new land by Prior to 1919 the whole Imperial Valley suffered a renters. water shortage some time each summer, often at a time when the need of water was most acute for the cotton crop. As a result of these conditions, there have been many poor yields, and the crop as a whole has been scarcely profitable to the growers even during the recent years of high prices.

"Partly because of these recurring water shortages and partly because of shifting and speculative propensities of the cotton growers of the valley, the cost of credit has been relatively high. There has been a conspicuous lack of community cooperation in dealing with such problems as seed supply, labor, and markets. Cotton production has not been handled efficiently, other industries have been periodically more profitable, and, taken as a whole, the cotton situation in the Imperial Valley falls short of being satisfactory. It seems probable that if the present marketing conditions continue the acreage next season will be

reduced.

" Coachella Valley.

"The Coachella Valley, which is the name applied to a north-westward extension of the same depression in which the Im-

perial Valley lies, has not been an important cotton-producing section. Early truck crops and dates have attracted more attention than cotton, though there are many good-sized fields of that crop in the valley this year. Previous experiments had shown that the climatic conditions were rather too severe for Pima cotton, chiefly because of strong winds in the spring and high summer temperatures. Some upland cotton has been grown with rather indifferent success for several years. In 1920 the high prices prevailing for Pima cotton in the Salt River Valley attracted the attention of farmers in the Coachella Valley and an aggregate of a few hundred acres of Pima cotton was planted. A somewhat larger acreage, probably not over 1,000 or 1,500 acres, was also planted to upland varieties, including some thought to be Durango.

"The water supply of the Coachella Valley comes from moderately deep wells which tap an underflow, fed from the mountains which surround it on the west. In the lower end of the valley, the southeastern end, these wells flow freely; at the upper end, the westward end, it is necessary to lift the water 15 to 25 feet, for which cheap hydroelectric power, supplied by

the Southern Sierras Co., is used.

"At the Indio Date Garden, of which Mr. Bruce Drummond is superintendent, two small plats of upland cotton of the Acala variety were planted in the spring of 1920. One of these plats was located on desert soil and the other on land that had been Both plats were well cared for though rather a in alfalfa. poor stand was obtained on the plat on alfalfa land. Despite the severe summer temperatures, the plants on both plats grew well and fruited abundantly. Prior to November 30 the desert-soil plat of a little over one-half acre had been picked twice and had yielded at the rate of 3,300 pounds of seed cotton per The other plat had not all been picked over at the date mentioned, but so far as then picked was yielding at the rate of 3,000 pounds of seed cotton per acre. These plats were planted with fairly pure seed of the variety, and because of this fact and the high yield and attractive appearance of the crop they were attracting wide attention both in the Coachella and Imperial Valleys. It seems probable that some attempt will be made to give this variety further trial in this region and possibly also to provide for the continued production of a pure seed supply.

"It is hardly to be expected that a large acreage of cotton will be produced in the Coachella Valley, nor that the Pima variety will be grown there, but it may be that a small acreage may be devoted to the production of the Acala or some other upland variety on a pure-seed basis, with a view to selling planting seed in the Imperial Valley, or even in Texas and Oklahoma, where there is a continuing demand for pure seed of good

" San Joaquin Valley.

"In the San Joaquin Valley the first serious experiments with cotton production were begun in 1917 near Bakersfield and Fresno. In 1920 there is assumed to be something like 20,000 acres of cotton in the valley, of which about half is upland and half is Pima. Bakersfield and Fresno continue to be the chief centers, but there are several fields around different points between these towns and the Boston Land Co. west of Fresno has planted some 2,500 acres of cotton, chiefly Durango.

'Most of the planting seed for the San Joaquin upland cotton was brought from the Imperial Valley and is badly mixed. There is one lot of Acala cotton from seed sent from Oklahoma by the Department of Agriculture in the spring of 1919 that was grown on about 100 acres of land in 1920, which is still fairly

pure and has made a good showing.
"Most of the cotton in the San Joaquin Valley is grown with pumped water, which is relatively expensive. On some of the higher lands the lift required is 100 feet or more. Unless the price of cotton should continue relatively high it is doubtful if upland cotton can be grown profitably on the higher lands. On the lower lands where the water lift is less and where alfalfa, barley, and rice are now the chief crops, it may be practicable to continue the production of upland cotton, particularly if pure seed of the long staple varieties is used.

"The outstanding feature of the San Joaquin Valley is the fruitfulness of cotton. This is true both with the upland and the Pima. There is must less boll shedding than in the valleys south and east and the potential yield is correspondingly high. There is danger, however, that ripening of the late crop may be

hindered by foggy weather.

'In addition to the areas enumerated above, upland cotton has been grown in a number of other localities in the irrigated Southwest, for example, in the Blythe district, the Parker Indian Reservation, and in several of the mountain valleys in southern California. In none of these has the acreage been very

large. In some of them cotton may become relatively important with the development of additional water supplies.

"The preceding paragraphs may be summarized in a tabular statement as to the irrigated acreage of upland cotton in the Southwest in 1920, with the reservation that these figures are merely provisional estimates.

Upland cotton in the irrigated Southwest in 1920.

ı		Acres.	
ł	Pecos Valley	10,000	ő
ł	Upper Rio Grande Valley	22, 000	
ł	Yuma Valley	18, 000	
1	Imperial Valley, Mexico	125, 000	
1	Imperial Valley, Calif	60, 000	
1	Coachella Valley	1 000	ß
ı	San Joaquin Valley	10,000	
ı	Other valleys	9,000	
ı		0,000	ij
1	Total	255 000	ä

"THE PRODUCTION OF PIMA COTTON.

"Prior to 1920 Pima cotton was extensively produced only in the Salt River Valley in Arizona. Experimental plantings had been made in other localities and the variety was well known throughout the region in which its production is possible. The Egyptian type of cotton to which the Pima belongs was first produced in the Salt River Valley in 1912. From that year until 1916 the original American selection, known as the Yuma variety, was used. The Pima variety, which came from a single plant of the Yuma variety, was selected in 1911 and was carefully tosted during the part form as a large plant of the Yuma variety. fully tested during the next four years. Its superiority had been so clearly established by 1915 that arrangements were made to substitute it for the older variety in the Salt River Valley. Accordingly, a supply of seed sufficient to plant 275 acres was furnished a group of farmers near Tempe, Ariz., in the spring of 1916 and from this acreage a supply of pure seed was produced with which to plant the entire cotton acreage of the valley in 1917. This one variety has been grown exclusively in that valley since that time. The purity of the variety has been maintained by separate ginning and careful field inspection.

"The progress of cotton production in the Salt River Valley is shown in the following table, which gives the acreage and the yield of cotton for each year since 1912. The figures for acreage are only approximate; those for yields are as given in the ginning report published by the Bureau of the Census,

Cotton acreage and yields in the Salt River Valley

	Acres.	Bales.
1912	480	37
1913	3,800	2,13; 6,18
1915	2,000 6,800	1,090
1917	29,000	1 15, 966
1919.	78,000 85,000	2 36, 187 2 42, 37
1920	180,000	(3)

In addition to the acreage in the Salt River Valley there were 4,000 acres in the Yuma Valley and 200 acres in the Imperial Valley which contributed to this yield.

In 1918 it is estimated that Pima cotton was grown on 3,000 acres in the Yuma Valley, 3,000 acres in the Imperial Valley, 2,000 acres in the San Joaquin Valley, and 500 acres in the Palo Verde Valley, the yield of which is included above. In 1919 there was probably as much of an acreage grown outside of the Salt River Valley.

The complete ginning return for the 1920 crop is not available at the time of writing.

"The price at which this cotton has sold each year is obviously a difficult matter to determine. In the earlier years, when the crop was small, fairly accurate information was available, but in the later years, when the crop was larger and the marketing season extended over many months during which price changes were sometimes very great, it was no longer possible to learn the price at which the crop left the producers' The following figures are set down as the best estimate that can be made of the average price obtained by the grower each year:

Approximate selling price of cotton in the Salt River Valley from 1912 to 1919, in cents per pound.

	Cents.
1912	21
1913	18.5
1914	15.5
1915	. 22
1916	42
1917	. 80 . 55
1918	. 00

"It will be observed from a comparison of the two tables above that a marked increase in cotton acreage has followed promptly on a sharp advance in price. The acreage increase in 1920 was still further stimulated not only in the Salt River Valley but elsewhere in the Southwest by two factors: The price of cotton advanced rapidly throughout the marketing season from an opening around 60 cents to a final price of \$1.25, and several of the large tire manufacturing companies offered to contract with growers for the crop, with a guaranteed basis of 60 cents per pound and as much as 75 cents in some cases.

per pound and as much as 75 cents in some cases.

"The entire Pima acreage in the Southwest in 1920 may be

provisionally estimated as follows:

	Acre	es.
Salt River Valley	185,	000
Yuma Valley	10,	000
Imperial Valley	30,	000
San Joaquin Valley		000
Other valleys	5,	000
motel.	240	000

"From this acreage it would appear to be safe at the present time to estimate a crop of 120,000 bales.

"The entire acreage of irrigated cotton in the Southwest for

"The entire acreage of irrigated cotton in the Southwest for 1920 may be estimated as follows:

	Upland.	Pima.
Pecos Valley Upper Rio Grande Salt River Valley Yuma Valley Imperial Valley, Mexico. Imperial Valley, California Coachella Valley San Joaquin Valley. Other valleys.	Acres. 10,000 22,000 18,000 125,000 60,000 1,000 10,000 9,000	185,000 10,000 30,000 10,000 5,000
Total	255, 000	240,000

#### "GINS AND GINNING.

"The production of cotton involves the installation of gins and oil mills, and the character of the control of the former at least has a very important relation to the welfare of production. The following is a list of the roller gins operating in the Southwest in November, 1920, as furnished by Mr. S. H. Hastings and checked by Messrs, McLachlan and Camp:

"Roller gins in the Southwest in 1920.

SALT RIVER VALLEY.

Southwest Cotton Co	180
McCall (Firestone)	80
Atha (American Thread Co.)	18 10
Tempe ExchangePhoenix Ginning Co. (Fisk)	20
Farmers' Gin	20
Scottsdale (Cooperative)	10
Buckeye (Dunlap)	20
Mesa (Attaway-Phelps)	
Total	390
YUMA VALLEY.	
Southwest Cotton Co	20
McCall (Firestone)	12
	200
Total	32
IMPERIAL VALLEY,	
Southwest Cotton Co	
Fowler (Fisk)	
El Centro gin	
Deciey	- 2
Total	70
SAN JOAQUIN VALLEY.	
Arvin and Shafter (Cooperative)	20
Wasco	10
Bakersfield	
Total	56
Grand total	548
"Those relies give are capable of turning out 11 to 9 h	olog

"These roller gins are capable of turning out  $1\frac{1}{2}$  to 2 bales of cotton per day if run continuously with two shifts of men. When equipped with self-feeders a 10-stand plant requires a

crew of eight or nine men for its operation.

"Notwithstanding the large number of gins in the Salt River Valley in 1920, this number was not adequate to keep up with the volume of cotton being picked at the height of the season. In the latter part of November there were estimated to be 30,000 cotton pickers at work in that valley, gathering daily at least 1,000 tons of seed cotton, or the equivalent of 1,000 bales of lint. The daily ginning capacity was hardly above 700 bales per day.

"The charge made for ginning Pima cotton in 1920 is \$1.20 per hundred pounds of seed cotton, which includes the bagging and ties and an assessment of \$4 per bale for the support of the organization that imports the labor for picking. It is said, on good authority, that the actual cost of ginning is somewhat higher than this. In 1912 and 1913 the regular charge for gin-

ning was about 50 cents per hundred pounds of seed cotton, or \$10 per bale, and the gins as then operated required the serv-

ices of one man at each gin as a feeder.

"The mechanical feeders now in general use seem to be giving good satisfaction. Some new departures are being made in the covering of the rolls on the gins. Formerly the gin rolls were covered with strips of heavy leather, wound spirally on a wooden core and glued and pegged in position. Latterly a type of heavy hydraulic packing, made of rubber and cotton, has been used. At first this packing was put on in a series of disks pressed close together; later it was used in spiral strips alternating with strips of leather. Finally some rolls are being tried with the packing used alone in the spiral form just as the leather was formerly used.

"The ginning of the upland cotton crop, which is done with saw gins, is in general adequately provided for. In fact, in the Imperial Valley there were more saw gins than were needed for the volume of the crop coming off the plants at the end of November. The charge for saw ginning is this year 35 cents per hundred pounds of seed cotton, with an additional charge of

\$2.25 per bale for bagging and ties.

"There are a number of oil mills in the Southwest for the manufacture of cotton seed. Prior to the war these mills paid about \$15 per ton for seed. This price was advanced during the war until in 1919 seed sold up to \$85, and possibly even as high as \$100, per ton. In 1920 the price of seed dropped back to the general level of \$15 to \$20 per ton. These prices were so disappointing that many farmers who had live stock were hauling their seed home from the gin with the intention of feeding it unless a better price could be secured.

"Up to the present time it has not been customary to compress the Pima cotton at primary shipping points. Some of the crop, moving eastward by way of Galveston, has probably been compressed for ocean shipment, but much of the crop has gone through to the mills in the low-density bales turned out at the gin. The upland crop, on the other hand, has largely been compressed at primary points. There are two compresses in the Imperial Valley, one at Imperial and the other at Calexico.

"The Pima crop is sampled at the gin before the bale is packed. The upland crop is sampled in the gin yard or at the compress, each bale being slashed on both sides for the sample.

### "THE LABOR SITUATION.

"Ohe of the earliest problems in connection with the establishment of cotton production in the Southwest was that of securing the labor for picking the crop. Labor has always been relatively scarce and high priced in these new regions, and it was feared that the labor requirements of the cotton crop might be difficult to meet. At first it was thought that it might be possible to draw upon the Indians of the various Arizona reservations for the cotton-picking season, and during the first years that cotton was grown numbers of Pimas and Papagos were brought into the Salt River Valley for the picking season. As the cotton acreage was extended, however, it became clear that the supply of Indian labor available would not be sufficient to meet the needs of the cotton growers and it was decided to seek additional labor in Mexico.

"The effective importation of Mexican labor required money and united action. To meet these needs the farmers of the Salt River Valley formed a labor organization and selected Mr. W. H. Knox to take charge of the work. The necessary money was raised by an ingenious expedient. All of the gin owners of the valley were persuaded to sign an agreement that they would increase the ginning charge by \$2 per bale above the regular charge and pay over to the labor organization the money so collected to be used as a fund for securing pickers.

"With these signed agreements as collateral the management of the labor organization was able to borrow from the local banks the money needed for its operations early in the season. This enterprise was launched in the summer of 1916. For the first two years labor was sought not only in Mexico but from Texas and Oklahoma and other points in the older cotton belt. Later it was found easier to get results from Mexico, so that recently that country has been the chief source of supply.

"If has been necessary for the labor organization to get a special dispensation from the Federal immigration authorities to bring this labor in. The immigrants not eligible for permanent entry must be returned to Mexico. It has been found advisable to bring in families, and this has necessitated the provision of medical care, shelter for living, and schooling for children. So far as can now be judged, this plan of importing labor has worked out well in the Salt River Valley. It has been possible to bring in sufficient labor to fill the need, and thus to prevent undue increases in the cost of cotton picking. At first the current rate of pay for cotton picking (Pima cotton) was

\$2 per hundred pounds of seed cotton. This rate has been increased from time to time until in 1920 the pickers are paid \$4

per hundred pounds.

picker for each 12 acres.

"It is estimated by Mr. Knox that there were in the Salt River Valley in 1920 about 30,000 cotton pickers. Of these, about 15,000 were brought in from Mexico during the season, about 5,000 were Mexicans who had remained in the valley from previous seasons, and the remaining 10,000 included those diverted from other work in the valley and those who came in on their own account from other sections.

"Attempts have been made to extend the operations of the Salt River Valley labor organization to the Yuma and Imperial Valleys, but so far without conspicuous success. In the Imperial Valley south of the line it is possible to use Chinese, Japanese, and Mexicans almost without restriction, and that district has not suffered any serious labor shortage. North of the line it has been different, labor shortages have been perennial. This past season a serious attempt was made to form a central labor organization patterned after the one in the Salt River Valley. This failed because the ginners would not all agree to assess their patrons and thereby raise the funds. As a result of this lack of organization picking costs have been higher both in the Yuma and Imperial Valleys than in the Salt River Valley and the picking has not been so well done. Apparently no organized effort was made to get cotton pickers for the crop in the San Joaquin Valley this past season. There was, in consequence, a shortage of pickers even at the price of \$5 per hundred, which is equivalent to 19 cents or 20 cents per pound of lint.

"It is estimated that on the average cotton pickers will gather from 60 pounds to 100 pounds of seed cotton per day when working in Pima fields and from 125 to 175 pounds per day in picking upland cotton. Thus on the basis of an average yield of 1,000 pounds of seed cotton per acre from Pima cotton provision must be made for 1 picker for each 6 acres of the crop. For upland cotton, on the other hand, the labor situation might be regarded as satisfactory if there were available 1

"THE COST OF PRODUCTION.

"It is not proposed here to undertake to state how much it costs to produce a pound of cotton in the Southwest. To do so would be like attempting to say how much it costs to build a house. But just as one might in the latter case set down some fairly precise information as to the local prices of brick, cement, lumber, and skilled labor so it is possible to make some estimates at least of the costs involved in the production of cotton. However, these can be no more than estimates. The actual costs will differ from farm to farm and from section to section.

"The production of cotton in the Southwest involves the use of land, of irrigation water, of certain agricultural implements, of labor both of men and horses, of skilled supervision, and finally seed for planting. Items of cost or value such as these may be assessed against each acre of land involved, regardless of the yield obtained. When the crop is ready to harvest the cost items are more conveniently charged against some unit of the crop as the 100 pounds of seed cotton or the bale of lint.

"This matter of production costs is always one of acute interest to cotton growers, but in 1920 the interest became abnormally keen as the season advanced and market prices for cotton declined. Growers and bankers alike felt the need of taking stock of the situation, not only to deal with the immediate problem of operating credits but also to determine a future course of action.

"It may be worth while before taking up current production costs to recall estimates made in 1913 and 1914, when cotton was a new crop in the Salt River Valley. Such estimates were published in Bulletin 332 of the United States Department of Agriculture. They may be listed as follows:

	Table IV.	Table V.
Fixed charges:     Land rental or interest and taxes.     Irrigation water.	\$12.00 I,50	\$17. 25- 2. 90
	13.50	19. 25
2. Growing cost: Cultural operations and seed	15.00	15.10
Total per acre cost	28.50	34.35
2. Harvesting cost (per 100 pounds seed cotton): Picking. Hauling to gin. Ginning.	2.00 .21 .56	2.00 .07 .56
Cost per 100 pounds seed cotton	2.77	2.63

"There were three different yields involved in the two tables cited above, (1) 1,200 pounds, (2) 1,800 pounds, and (3) 2,552 pounds, all in terms of seed cotton per acre. The first two were included in the estimate of Table IV and the third in Table V. If we divide the total cost per acre of Table IV by 1,200 we have \$2.37, which, with the harvesting cost of \$2.77, makes a total of \$5.14 per hundred pounds of seed cotton. Similarly, we find for the 1,800-pound yield a total cost of \$1.58 plus \$2.77, or \$4.35. Finally, for the third case, with a yield of 2,552 pounds of seed cotton per acre, the cost is \$1.35 plus \$2.63, or \$3.98.

"The ginning experience in 1913 and 1914 was that 100 pounds of seed cotton would yield about 28 pounds of lint and 72 pounds of seed. The seed could then be sold at the gin for \$15 per ton, or 75 cents per hundred pounds. Thus, if we deduct from the cost of the 100 pounds of seed cotton the gin value of the 72 pounds of seed, we have, by dividing the 28 pounds of lint into the remainder, a figure for the net cost of the lint:

"Case 1. Yield, 1,200 pounds:  $\$5.14-\$0.54 = \frac{\$4.60}{28} = 16.4$  cents per pound lint. "Case 2. Yield, 1,800 pounds:  $\$4.35-\$0.54 = \frac{\$3.81}{28} = 13.6$  cents per pound lint. \$3.44

"Case 3. Yield, 2,552 pounds:  $\$3.98 - \$0.54 = \frac{\$3.44}{28} - 12.3$  cents per pound lint.

"These figures are approximately what was thought to be the cost of production of Egyptian cotton in the Southwest in the first years of the industry. At that time it was thought that this type of cotton might bring on the average 20 to 22 cents per pound, at which price a fair profit might be made if good yields were obtained. The importance of high yields, even at some increase in the cost of cultural operations, is very obvious. The proportionate amount of fixed charges is so large that it is only with large yields that the unit cost of the product can be reduced.

With this background of prewar costs in mind, we can make a comparable list of the costs prevailing in 1920. It should be kept in mind that in the six years since the time of the earlier estimate land values, as well as the cost of labor and material, have increased very greatly. While the figures given below do not represent any extensive compilation of data, it is believed that they represent fairly well the average of the rather wide range of costs. In the case of land rental or its equivalent, interest on investment, the range for 1920 was very great. Some good land under a long period of rental cost. the operator only \$15 per acre. On the other hand, land rented in the spring of 1920 committed the operator in some cases to as much as \$84 per acre for the year. The costs of land preparation and of irrigation water also varied greatly, though probably within narrower limits than the item of land rental. On the other hand, the costs of picking and ginning were nearly if not quite the same in all cases, and the costs of most of the other labor operations were not widely different.

Cost of producing Pima cotton in the Salt River Valley in 1920, estimate.

1. Fixed charges:

Land rental or interest and taxes
Use of machinery and equipment
3. 75
Irrigation water
5. 00

2. Growing cost:
Cultural operations and seed
Supervision
5. 00

Total cost per acre
79. 25

3. Harvesting cost (per 100 pounds seed cotton):
Picking
Hauling to gin
Hauling to gin
Supervision
1. 20
Ginning
Yardage, insurance, association fees
Picking, supervision, tents, etc
1. 5 95

"The ginning experience of 1920 showed that 100 pounds of seed cotton would yield about 25 pounds of lint and 75 pounds of seed. The price of seed was somewhat uncertain, but it is hardly safe to estimate it as above \$20 per ton. It is thought that the average yield in 1920 will turn out to be a little above 1,000 pounds of seed cotton per acre (0.5 bale), with many fields giving only 800 pounds and a few giving 1,600 pounds. To cover this range the cost estimates may be given for yields of 800 pounds (0.4 bale), 1,200 pounds (0.6 bale), and 1,600 pounds (0.8 bale). With these data the complete formula for determining the cost of production for any yield may be stated as follows: Divide the acre cost of production by the yield of seed cotton, to the quotient add the harvesting cost, from this sum subtract the value of the seed, and divide the remainder by the

lint percentage to obtain the net cost per pound of lint. For the three yields mentioned we have the following:

1. Yield 800 pounds per sere

$$\left\{\frac{$79.25 + $5.95}{$00}\right\}$$
 - .75 - 60.4 cents.

2. Yield 1,200 pounds per acre:

$$\left\{\frac{\$79.25+\$5.95}{1,200}\right\}$$
 - .75 = 47.2 cents.

3. Yield 1,600 pounds per acre:

$$\left\{\frac{\$79.25+\$5.95}{1,600}\right\}$$
 - .75 = 40.6 cents.

"If we add to these three the formula for the half-bale yield generally estimated for the Salt River Valley we have:

4. Yield 1,000 pounds per acre:

$$\underbrace{\left\{\frac{\$79,25+\$5,95}{1000}\right\}}_{25} - .75$$
=52.6 cents.

"This figure may be taken as a fair statement of the average

cost of production for the valley in 1920.

"It may be proper at this point to consider the problem of how Pima cotton may be produced at a lower cost in the future. This reduction in cost may be accomplished either by obtaining larger yields or by lowering the land rental and wages, or by a combination of the two. If we are entering upon a period of economic readjustment during which lower prices prevail, it is inevitable that there must be lower returns on capital invested and a lower scale of wages for labor.

"Prior to the war land rentals in the Salt River Valley ranged around \$15 per acre, and the wages of farm labor were little more than half those prevailing in 1920. The prices of agricultural machinery were also much lower five years ago. It is, of course, impossible to forecast the rate or the extent of price readjustment, but it is the part of wisdom to consider seriously

how to reduce production costs.

"In order to simplify this problem as much as possible, at least two basic assumptions may be made, one that Pima seed cotton will turn out 25 per cent at the gin and the other that seed will be worth \$20 a ton. With these two assumptions granted, it is possible to construct a table of cost and yield relationships that will show what yields must be secured with given production costs or what production costs can be allowed with a given yield in order to obtain cotton lint at a certain price. In this table production cost is held to include all charges assignable to an acre of cotton land, such as land rental or interest and taxes; use of machinery and equipment; irrigation water; all costs of growing the crop, such as preparation of the land and planting; planting seed; labor for irrigation, cultivation, thinning and weeding; and supervision of production operations. These items in the 1920 estimate, given above, totaled closed to \$80 per acre. The item in the table designated as net harvesting cost is made to include the cost of picking; hauling to gin; ginning; yardage, insurance, and association fees, picking supervision, tents, etc., less the value of the cotton seed at the gin. Thus, the net harvesting cost given in the 1920 estimate was slightly above \$5 per hundred pounds of seed cotton.

"The following table shows in a striking way how the cost of the lint declines as yields increase. Thus, in the first line of the table, with a production cost of \$80 per acre and a net harvesting cost of \$5 per hundred pounds of seed cotton, the lint cost is 60 cents per pound when the yield is 800 pounds of seed cotton per acre and only 36 cents per pound when the yield is 2,000 pounds of seed cotton per acre. On the other hand, if it is possible to reduce the production cost to \$50 per acre and the net harvesting cost to \$4 per hundred, a yield of

only 1,000 pounds per acre can be made at 36 cents.

Table showing the net cost of cotton lint, in cents per pound, with different rates of production cost, harvesting cost, and yield of seed cotton.

$$\frac{P}{Y} + II$$
 $G = C$ 
 $G = 25$  per cent.

P	II	Y 800	Y 1,000	Y 1,200	Y 1,400	1,600	1,800	Y 2,000
\$90	\$5 4	Cents. 60. 0 56. 0	Cents. 52, 0 48, 0	Cents. 46, 6 42, 6	Cents. 42.8 38.8	Cents. 40, 0 36, 0	Cents. 37. 7 33. 7	Cents. 36. 0 32. 0
\$70	4 3 5 4 3	52, 0 55, 0 51, 0 47, 0	44. 0 48. 0 44. 0 40. 0	38.6 43.3 39.3 35.3	34. 4 40. 0 36. 0 32. 0	32, 0 37, 5 33, 5 29, 5	29.7 85.5 31.5 27.5	28, 0 34, 0 30, 0 26, 0
\$60	5 4 3	50. 0 46. 0 42. 0	44. 0 40. 0 36. 0	40. 0 36. 0 32. 0	37.1 33.1 29.1	35.0 31.0 27.0	33. 3 29. 3 25. 3	32.0 28.0 24.0

Table showing the net cost of cotton lint, in cents per pound, with different rates of production cost, harvesting cost, and yield of seed cotton—Continued.

P	П	Y 800	Y 1,000	Y 1,200	1,400	Y 1,600	1,800	2,000
\$50	85	Cents. 45.0	Cents. 40, 0 36, 0	Cents. 36.6 32.6	Cents. 34. 2 30. 2	Cents. 32.5 28.5	Cents. 31.0 27.0	Cents. 30. 0 28. 0
845	4 3 5 4	41.0 37.0 42.5 38.5	32, 0 38, 0 34, 0	28.6 35.0 31.0	26, 2 32, 8 28, 8	24.5 31.2 27.2	23. 0 30. 0 26. 0	22. 0 29. 0 25. 0
\$10	4 3 5 4	34. 5 40. 0 36. 0	30. 0 36. 0 32. 0	27. 0 33. 3 29. 3	24.8 31.4 27.4	23. 2 30. 0 26. 0	22.0 28,9 24.9	21.0 28.0 24.0
\$35	3 5 4 3	32.0 37.5 33.5 29.5	28. 0 31. 0 30. 0 26. 0	25.3 31.7 27.7 23.7	23. 4 30. 0 26. 0 22. 0	22. 0 28. 8 24. 8 20. 8	20. 9 27. 8 23. 8 19. 8	20.0 27.0 23.0 19.0
\$30	3 5 4 3	35. 0 31. 0 27. 0	32.0 28.0 24.0	30. 0 26. 0 22. 0	28. 5 24. 5 20. 5	27, 5 23, 5 19, 5	26.6 22.6 18.6	26. 0 22. 0 18. 0

Note.—In the column headed  ${}^aP^n$  the production cost is given in dollars per acre. In the column headed  ${}^aH^n$  the net harvesting cost is given in dollars per hundred pounds of seed cotton. In each yield column is given the corresponding cost of lint in cents per pound. In making these computations it is assumed that the seed cotton yields 25 per cent of lint and that the seed is worth \$20 per ton.

"In considering the cost of producing upland cotton in the Southwest a somewhat different set of figures must be used. In some cases where upland cotton has been produced on less valuable land than Pima cotton the yields, in terms of seed cotton, have been approximately the same, though because of the higher ginning percentage upland has given distinctly higher lint yields. The cost of picking and ginning has been much less.

"On the other hand, the production costs, except for a possibly lower land rental, are approximately the same for the two kinds of cotton. The harvesting costs may be estimated for the

season of 1920 as follows:

Harvesting cost (per 100 pounds of seed cotton, upland):  Plcking Hauling to gin Ginning, \$0.35, including bag and ties Yardage, insurance, association fees Picking supervision, tents, etc	\$2,00 .25 .50 .35
metal	0.0=

"From this total there may be deducted the value of the corton seed at the gin. With a ginning outturn of 33 per cent of lint there should be left 67 pounds of seed, which may be estimated as worth \$20 per ton. This taken from the total harvesting cost leaves \$2.58 as the net harvesting cost.

"If it is assumed that the average yield of upland seed cotton

in the irrigated Southwest in 1920 was 1,000 pounds per acre. or two-thirds of a bale, and that the production cost was as much as \$10 per acre less than for the Pima, because of lower land rental, we find by reference to the following table that the cost of lint would be close to 29 cents per pound.

Table showing the net cost of lint, in cents per pound, with different rates of production cost, harvesting cost, and yield of seed cotton.

$$\frac{P}{Y} + II$$

$$\frac{1}{G} = C \qquad G = 33 \text{ per cent.}$$

P	II	800	Y 1,000	1,200	1,400	1,600	Y 1,800	Y 2,000
\$80	\$2.50	Cents. 37. 9 36. 4	Cents. 31. 8 30. 3	Cents. 27.7 26.2	Cents. 24.9 23.4	Cents. 22.7 21.2	Cents. 21.0 19.5	Cents. 19. 7
\$70	2.00 1.50 2.50 2.00	34. 9 32. 6 31. 1	28.8 28.8 27.3	24.7 25.2 23.7	21.9 22.7 21.2	19.7 20.8 19.3	18.0 19.4 17.9	18.2 16.7 18.2 16.7
\$60	1.50 2.50 2.00 1.50	29.6 - 30.3 28.8 27.3	25.8 25.7 24.2 22.7	22, 2 22, 7 21, 2 19, 7	19.7 20.6 19.1 17.6	17.8 18.9 17.4	16.4 17.7 16.2	15. 2 16. 7 15. 2
\$50	2.50 2.00 1.50	26.5 25.0 23.5	22,7 21,2 19,7	20, 2 18, 7 17, 2	18.4 16.9 15.4	15.9 17.1 15.6 14.1	14.7 16.0 14.5 13.0	13. 7 15. 2 13. 7 12. 2
\$45	2,50 2,00 1,50	24.6 23.1 21.5	21. 2 19. 7 18. 2	18.9 17.4 15.9	17.3 15.8 14.3	16.1 14.6 13.1	15, 2 13, 7 12, 2	14.4 12.9 11.4
\$10	2,50 2,00 1,50	22.7 21.2 19.7	19.7 18.2 16.7	17.7 16.2 14.7	16. 2 14. 7 13. 2	15. 2 13. 7 12. 2	14.3 12.8 11.3	13.6 12.1 10.6
\$35	2.50 2.00 1.50	20.8 19.3 17.8	18.2 16.7 15.2	16. 4 14. 9 13. 4	15. 2 13. 7 12. 2	14.2 12.7 11.2	13.5 12.0 10.5	12.9 11.4 9.9
\$30	2,50 2,00 1,50	18.9 17.4 15.9	16,7 15,2 13,7	15.2 13.7 12.2	14.1 12.6 11.1	13.3 11.8 10.3	12.6 11.1 9.6	12,1 10,6 9,1

Note.—In the column headed "P" the production cost is given in dollars per acre. In the column headed "P" the net harvesting cost is given in dollars per hundred pounds of seed cotton. In each yield column is given the corresponding cost of lint in cents per pound. In making these computations it is assumed that the seed cotton yields 33 per cent of lint and that the seed is worth \$20 per ton.

"It has been the general experience for many years that cotton of 1\(\frac{1}{8}\)-inch staple, such as the Pima, is worth in the market one year with another about twice as much per pound as upland cotton of 1-inch staple. There is no good reason for expecting that this price relationship will be changed materially in the near future.

"Even in the demoralized market at the close of the year 1920, when upland cotton is worth only 12 cents to 13 cents to the grower in the Southwest, Pima cotton could be sold at better than 30 cents. Where the two kinds of cotton have been grown on the same class of land in 1920 each yielding 1,000 pounds of seed cotton per acre, equivalent to one-half of a bale of Pima and two-thirds of a bale of upland, it will be seen by reference to the two preceding cost tables that the net cost of the Pima lint is nowhere twice as much as the net cost of the upland lint. Even with the lowest production cost given in the table, \$30 per acre, and allowing the corresponding net harvesting costs of \$5 for Pima and \$2.50 for upland, the table shows that for the 1,000-pound yield a lint cost of 32 cents for Pima and of 16.7 cents for upland. A comparison of these net costs with current market values gives no ground for changing from Pima production to the production of upland cotton.

### "THE IMPORTANCE OF INCREASED YIELDS.

"The most conspicuous feature of the cotton situation in the Southwest in 1920 was the importance of getting larger yields. It was to be expected that with such a large increase in acreage much of the land planted to cotton would be found unsuited to the crop, and many of the farmers with little or no previous experience would make serious mistakes in the cultural operations, particularly in irrigation.

"It is not the purpose here to attempt to point out in detail the mistakes made in land selection or in cultural practice. It is intended rather to point out that large yields are essential to cheap production. To make this point clear one has only to study the tables given in the previous chapter. Take, for instance, the first of these which deals with Pima cotton, the first line of which shows a production cost of \$80 per acre and a net harvesting cost of \$5 per hundred pounds of seed cotton. When the yield is 800 pounds per acre the net cost of lint is shown to be 60 cents per pound, while a yield of 2,000 pounds of seed cotton per acre, not an unusual yield for good land and good care, shows a net cost of only 36 cents per pound of lint.

"This matter can be stated in another way. Supposing there were two farmers growing cotton with a scale of harvesting costs that would net \$5 per hundred pounds of seed cotton and with a market outlet at 35 cents per pound for the lint, so that they would aim to make the crop for at least 33.3 cents per pound. If one of them should so handle his operations as to make a crop of 1,200 pounds of seed cotton while his neighbor with more skill or better land made 1,800 pounds per acre, the first farmer would get only \$40 per acre to cover production costs and land rental, while the other would have \$60 to apply on the same account.

"Some of the land in the Salt River Valley, for instance, is not well suited to cotton because of some inherent quality, such as alkali or liability to root rot. But for the most part, the low yields that have been obtained have been due either to adverse climatic conditions, improper cultural management, or lack of suitable crop rotation. Of these difficulties the two last named may be overcome and doubtless will be in large measure, as experience is accumulated.

### " THE CLIMATIC DIFFICULTIES.

"The cotton crop in the Southwest is subject to the hazards of climate no less than in the eastern cotton belt. Cold weather in the early spring, rain that crusts the ground after the crop is planted, wind and hail during the growing season, excessively hot weather during the flowering period, an occasional water shortage during the critical months of late summer when the crop is making, and early autumn frosts make up a formidable array of hazards. Add to these plant lice and cotton stainers, with an occasional epidemic of 'black arm,' and there are surely troubles enough.

"Fortunately, however, it is unlikely that all these adversities will occur in any one season. And there is one outstanding advantage, the season of the cotton harvest is seldom rainy or windy, so that field damage is relatively slight.

"The season of 1920 was characterized by a cold, late spring, followed by a period of favorable growing weather which was in turn followed by a period of excessive heat. The first killing frost in the autumn did not come until near the end of November, except in the San Joaquin Valley, where a killing frost occurred on October 31.

"In other seasons there have been killing frosts in all the southwestern valleys as early in the fall as was the case in the San Joaquin Valley this year. When a killing frost occurs it stops the growth of the cotton plant, but it does not ordinarily injure the bolls that are nearly or quite mature, but have not yet opened. It is the usual thing for these bolls that are full-sized, but green at the time of frost, to burst open within a week or 10 days after the frost, so that the final picking can be made.

"In the San Joaquin Valley this season it was observed that the normal frost opening did not occur, particularly on the lower lands of the valley. On the higher lands the early frost was less severe, and the weather after the frost was drier and nearly normal frost-opening occurred. On the lower lands, however, fields seen a month after the frost showed very little frost-opening. A few bolls on the upper part of the plant had cracked at the tip but had not fluffed out so as to permit easy picking, while the bolls on the lower part of the plant where the bulk of the crop was borne had not cracked at all.

"In seeking an explanation of this phenomenon it was learned that the weather in the valley during November had been unusually humid. There had been a number of rainy and cloudy days, and also many days in which the morning fog had hung over the valley bottom until well into the middle of the day. The humidity record of the Weather Bureau station at Fresno shows that the month of November, 1920, was more humid than normal, while the same month in 1919 was less humid than

normal. The significant data are given in the following table. "Dry-bulb temperatures in degrees F., and relative humidity in per cent for November, 1919, and November, 1920, and the normal relative humidity for the month, as reported from the Weather Bureau station at Fresno, Calif. Station located 89 feet above the ground:

	Dry bulb.		Relative humidity, per cent.			
	5 a. m.	Local noon.	5 p. m.	5 a. m.	Local noon.	5 p. m.
November, 1919, mean November, 1920, mean Normal.	43. 1 46. 9	61. 1 60. 1	62, 3 60. 0	59. 4 84. 4 78. 3	.35. 9 55. 7 49. 2	31. 5 57. 5 48. 0

"This delayed opening of the bolls was observed on both Pima and upland cotton, and if such conditions are found to be of frequent occurrence they may constitute a serious obstacle to the extension of cotton production in the lower part of the valley, where the cheaper land and cheaper irrigation water would otherwise favor such extension. This autumn humidity, if it proves to be a serious obstacle to cotton production, is the more to be regretted, because the climatic conditions of the summer appear to be particularly favorable to heavy fruiting of cotton. It has been observed that cotton plants of both types are more fruitful in the San Joaquin Valley than in the other valleys of the Southwest. They seem to produce more flowers and a larger proportion of the flowers develop into bolls than is the case in the other valleys.

"It is probable that this greater fruitfulness is associated with the less extreme summer temperatures, though other factors may be involved. It is clear that there is ordinarily much less boll shedding in the San Joaquin Valley than in the other southwestern valleys.

### "BOLL SHEDDING.

"The flower of the cotton plant is borne at the node of a fruiting branch, the flower pedicle being attached to the node close to one side of axil of the leaf. When the plant is subjected to certain adverse conditions during the flowering period, the flower bud, the flower, or the young boll may be dropped off the plant by a process similar to that by which mature leaves are dropped from deciduous plants. This reaction is known as boll shedding, and is one of the chief causes of reduced yields in the Southwest. The exact cause of boll shedding is not yet definitely known. It is believed to result from a combination of high temperatures and a sudden change in the water supply available to the plant.

"It has been observed that upland cotton reacts more quickly to the conditions that cause shedding than Pima cotton, but, on the other hand, when these conditions become particularly severe the final loss to the Pima cotton is likely to be greater than to upland cotton. This may be explained by the capacity of the upland cotton to recover more quickly than Pima cotton and put on more fruit late in the season when conditions are more favorable.

"Boll shedding was so severe on Pima cotton in 1920 as to attract general attention. It is estimated that in some cases fully half the potential crop was lost in this way. In many fields the plants had practically no fruit on the lower branches, and the first few nodes on the branches near the middle of the

plant had lost their fruit.

"The outstanding characteristic of the Pima cotton in the San Joaquin Valley was that the fruit was held on the lower branches as well as on the upper ones. Though final maturity was checked by an early frost, the crop was on the plants. The plants in the San Joaquin Valley bore fruiting branches at the eighth or ninth node of the main stem, and these lower branches held their crop. In the Imperial and Salt River Val-leys, on the other hand, few plants bore fruiting branches below the sixteenth node, and often these lower branches were bare of fruit.

"There was sufficient uniformity in the plant reactions in the different valleys to indicate that climatic rather than cultural differences were primarily responsible. But there were sufficient differences from field to field in the same section to indicate that the adverse effect of climatic conditions could be minimized, to some extent at least, by the proper cultural Just what this proper cultural practice is remains to be determined. It is probably to be sought in the matter of irrigation. There is some reason for believing that if the irrigation water is so applied that the plants do not suffer for water during excessively hot weather in the flowering period the tendency to shed the fruit may be checked. There is probably a soil relationship as well—that is, a soil that is very permeable and has at the same time a relatively high water-holding capacity, so that the extremes of available moisture supply are less acute, may be found to have a restraining effect on boll shedding.

"If it should be found that more uniform soil moisture conditions during the flowering period actually offsets to some extent the injurious effects of very hot weather, it would be important to avoid overdoing the remedy. During the early years of Pima cotton production it was observed that farmers were inclined to give the crop too much water during the early period Too much irrigation early in the season appears to stimulate the vegetative growth of the plants at the expense of fruit production, and to increase also the difficulty of picking, because of the larger size of the plants. It may be possible to restrict irrigation early in the season before flowering time, thus checking excessive vegetative growth, and then irrigate frequently enough during the flowering and fruiting period, and particularly during the times of very hot weather, so as to check boll shedding, without forcing the plants into too much growth. Experiments to determine this point would seem to be well worth while; for, as the matter stands at present, boll shedding is a very serious factor in reducing yields in the irrigated Southwest, and cotton producers must find a way of getting larger yields if profitable crops are to be made under present economic conditions.

"COTTON PRODUCTION AND OTHER CROP INDUSTRIES.

"It is a well-recognized fact that cotton production can not be continued on the same land for an indefinite number of years without a decline in yield. It is not possible, however, to predict the rate of decline in any given case. On some land, naturally rich, the rate of decline would probably be slow. In some cases as many as eight successive crops have been grown with the last one showing no serious signs of distress. In other cases the second or third successive crop has shown a marked decline

in productivity.

"When cotton was first proposed as a crop for the Southwest it was thought that in case it proved profitable it might come to occupy as much as 25 per cent or even 30 per cent of the cropped land. With this proportion of the land in cotton it was thought that a satisfactory system of crop rotation could be worked out, including alfalfa, grain, and truck crops. The profitable production of grain and alfalfa in the irrigated Southwest presupposes the feeding of live stock on the farms, for these commodities are too bulky to justify long shipment to market. Live-stock production, in itself ordinarily profitable, also gives a by-product of farm manure which if used on cotton land greatly increases

"The abnormal prices for cotton during and since the war have stimulated cotton production to such an extent that in the Salt River Valley at least the cotton acreage in 1920 was nearly equal to the combined acreage of all other crops. It is hardly to be expected that such a large proportion of the land in this valley will be put in cotton again in the near future. Already plans are being made to put some of the cotton land back into

alfalfa and more of it will doubtless go into grain sorghums next summer. But such crops are profitable only if fed to live stock on or near the project, and at the present time the live stock population of the Salt River Valley is not large enough to consume much more alfalfa and grain than is now grown.

"The obvious need for the welfare of that valley is to increase its live-stock population, but that is another story.

"The present discussion of cotton in relation to other crop industries may be limited to pointing out two important considerations, namely, these other industries should be profitable in themselves and not used solely or too largely as a means of maintaining cotton yields and thus stand, in a measure, as an expense against the cotton crop; and cotton can not be grown continuously and profitably under conditions where its essential associated crops, such as alfalfa and grain, can not be grown at a profit on their own account. This second consideration is intended to apply to those sections where, because of recent high prices, cotton production has been undertaken with land and water costs so high that the production of alfalfa and grain is conceded to be out of the question.

"SYNDICATED COTTON PRODUCTION.

"The term 'syndicated production' is used here in reference to large scale production operations, whether individual, partnership, or corporate, as to management. When a single organization operates several thousand acres, all or chiefly in a crop like cotton, it has to deal with problems which differ in important espects from those of a farmer operating 100 acres or less. In the irrigated Southwest there are a number of cases where as much as 5,000 acres and even 10,000 acres of land is operated

under a single management.

"There is, of course, nothing very unusual in this so far as size alone is concerned; the unusual feature lies in the fact that almost without exception those who are managing these large producing enterprises have had no previous experience or training in such work. Some of them may have had some farming experience and some of them have had experience in large-scale operations in other lines, but for most of them, if not for all of them, large-scale cotton production is a new experience. The remarkable thing, then, about these syndicated enterprises is not that serious mistakes and miscalculations have been made in their management, but that they have been even passably successful.

"These syndicated production enterprises, particularly those inaugurated by interests associated with the manufacture or use of cotton, have served one very useful purpose: They have given the farmers and bankers of the Southwest confidence in the ultimate stability of the market for cotton. These farmers and bankers, some of whom were at first skeptical as to whether there would be a satisfactory and continuing market for cotton, saw no further occasion for doubt on this point when the ultimate consumer began to invest large sums of money in produc-

"There is no very obvious reason why cotton can not be produced on a large scale nearly or quite as efficiently and economically as on a small scale. But this can not be done if the large-scale producer does not know or disregards the fundamental agronomic or economic principles of cotton farming. Without undertaking to formulate all these fundamental principles, the following may be set down as among the more important for the cases under consideration:

"1. The average cotton farm is not very profitable and the large enterprise must get better than average yields at little if any more than average production costs if it is to return a

profit on the investment.

2. Expensive overhead costs must be avoided and labor must

be continuously and effectively employed.

"3. Cotton must be grown in rotation with other crops if yields are to be maintained and labor and equipment effectively utilized.

"4. The other crops grown in connection with cotton for purposes of rotation must be so produced and utilized as to return t least a small profit on their own account and not stand as a liability against the cotton crop.

"5. The whole operation should be so conceived and conducted as to pay a reasonable return on the investment over a period of years and not so as to have to look for ultimate profit

to an increase in land values.

"It may be urged that most of the actual profits that have been made in American farming have been derived from the progressive increase in land prices and not from the difference between production cost and crop returns. But it would be unsound economies to hold that the increase in land prices can go on indefinitely. There is reason for believing that in some sections of the country it has already gone too far.

"There may be a justification for syndicated cotton production when undertaken by cotton manufacturers which would not hold for others. This lies in the fact that certain users of cotton have such specialized requirements and their needs are so exigent that they can not afford to depend for their supplies of raw material on the hazards of a fluctuating market or the whims of a group of farmers who may change from one kind of cotton to another in a season or two. In such a case the cotton manufacturer might be justified in undertaking to produce all, or at least a large part, of the cotton he required, not so much because he could hope to do so cheaper than it could be done by farmers but because he could thereby reduce the hazards of his business.

"RELATIONS OF MANUFACTURERS TO COTTON PRODUCERS.

"One of the outstanding features of cotton production in the United States has been that cotton manufacturers have not maintained close relationships with cotton producers. Until recent years the two were completely separated geographically, cotton manufacturing being done almost wholly in New England or overseas. Within the last few years a number of cotton-manufacturing plants have been built in the South, but even these are quite as likely to draw their supplies of cotton from distant parts of the cotton belt as from near by.

"The producers of cotton and the users of the raw material have had almost no direct dealings with each other. The gap has been bridged by an elaborate system of middlemen. These middlemen have served, and doubtless continue to serve, many useful purposes, but they have also acted as a very effective insulation between the producers and manufacturers of cotton. It is very largely because of this insulation that the special needs and the ultimate discriminations of the manufacturers have been so slow in finding their way back to the producer.

"While the manufacturers of cotton have not maintained direct relationships with the producer, the manufacturers of cottonseed products have taken a different course. They have built their plants in the very midst of the cotton fields, and in many cases have built and operated ginning plants for the use of the farmers. Through these ginning plants the seed manufacturers have been able to establish direct relations with the producer. They have largely determined the kind of cotton that should be planted, because they have had planting seed to sell, and they have in many cases acted as the agents through whom the farmer secured credit for the production of his crop. Because of this advantage of position the cottonseed-oil man has been in position to influence the farmer in certain important matters. Were it to his interest to do so, he might exert a powerful influence in such matters as clean picking and better baling.

"This important advantage of position has only recently been appreciated by a few cotton manufacturers. These have begun, particularly in the Southwest, to establish gins, to furnish planting seed, to provide credit for growing the crop, and in some cases to contract in advance for the lint produced. This course of procedure may come to be regarded as an alternative to syndicated production. It has the advantage of being cheaper to undertake and of being less likely to result in serious

"The service of establishing and operating a cotton-ginning plant and providing of credit for crop production partakes somewhat of the character and involves some of the responsibilities of a public service. Because of that fact, persons thus engaged are in a measure subject to public regulation, and unless the business is conducted in a satisfactory manner it will not be possible to exercise much influence through such agencies. If a cotton manufacturer aims to use these agencies as a means of obtaining a fairly constant supply of a certain type of cotton, he must so conduct them as to retain the confidence and good will of his patrons. This should not be a very difficult matter, particularly if he is prepared to operate this part of his business at a small profit or even at a small loss in order to provide himself with a continuing supply of cotton. Probably the most important feature of such an arrangement as the one outlined is the opportunity to provide cotton growers with planting seed. The kind of seed planted very largely determines the kind of cotton obtained, and it is upon the proper management of the ginning business that the purity and value of the seed supply depends.

"SEED SUPPLIES.

"Certain differences between Pima cotton and the upland varieties grown in the Southwest have already been mentioned. None of these differences is more marked than is the contrast as regards seed supply. Ever since Pima cotton was first grown in the Salt River Valley the matter of maintaining the purity of the seed has been given most serious consideration. A group

of farmers organized under the somewhat inappropriate name of the Tempe Cotton Exchange has assumed responsible leadership in supervising the production and distribution of planting seed. They have operated one 10-stand gin at Tempe, which has ginned only cotton from selected fields intended to supply seed. The seed is delinted and bagged at the gin and stored in a concrete warehouse. Each bag of seed is stamped with the variety name and the association mark, and it is now planned to ticket each bag with a certificate of inspection provided by the county agent.

"The records of field production of the seed supply are so handled that each bag of seed bears a number which shows when that particular stock of seed was inspected in the field to insure its purity. The system of field roguing and inspection has been described in detail elsewhere and need not be further mentioned here. During the past two seasons it has been necessary for the Southwest Cotton Co. to assist the Tempe Exchange in ginning and storing the seed supply. The capacity of the exchange gin is only about two and a half million pounds of seed, which has not been enough to supply the demand in the Salt River Valley and the other sections of the Southwest. In the spring of 1920 the demand for seed was so great that all of the pure seed was used for the first planting. The spring weather was cold and more than the usual replanting was required. As a result it was necessary to use some seed that had been run into oil-mill warehouses. Although this oil-mill seed was all grown locally, and therefore reasonably pure, there was enough seed in it of hybrid origin so that hybrid and off-type plants could be seen in every field in which it was used. year's experience is a striking demonstration of the importance of guarding the seed supply continuously, even in a community where no other type of cotton is grown.

"It is hard to describe the seed supply situation in the upland cotton districts. There have been supplies of pure seed in these sections in time past. There was at one time a large supply of Durango seed and shipments of pure seed of other varieties have been brought in from time to time. These stocks have been so effectively mixed at the gins that it is now almost impossible to distinguish them. This mixture of varieties would be much less serious if it were possible to bring in new supplies of seed, but the danger of insect invasion is so great that it has been necessary to prohibit the westward movement of seed.

"The effect of this general mixture of the upland varieties has been shown both in decreased yields and in reduced prices for the lint. For several years the upland cotton from the irrigated Southwest sold at a premium over similar eastern cotton because of its bright color. Recently, however, there has been a pronounced tendency to discriminate against it because of the irregularity in length of staple, despite its better grade.

"If there is to be maintained a continuing production of upland cotton in the Southwest it seems clear that some provision must be made to produce locally a supply of better planting seed than that now available. In fact, it would seem that one of the best reasons for continuing to grow upland cotton on high-priced irrigated land would be found in the production of pure stocks of planting seed to ship to the main cotton belt. One of the serious problems in the east is that in wet seasons the seed loses its vitality before planting time. In this respect the seed from the dry western valleys would have a very great advantage.

"FINANCING AND MARKETING THE CROP.

"It may be assumed from the figures given in preceding pages that the cotton crop of the irrigated Southwest in 1920 will turn out about 120,000 bales of Pima cotton, about 160,000 bales of upland cotton, and about 170,000 tons of seed, and that the production and harvesting of this crop up to the time it is ready for market will involve the use of money or credit to the sum of about \$50,000,000. This money or credit is chiefly supplied through the local banks.

"In the case of the Salt River Valley alone the total investment in the production and harvesting of the Pima crop must be not less than \$20,000,000. The bank resources of Phoenix, the financial center of the valley, were reported in the recent census as \$27,500,000. Clearly the financing of the production of the cotton crop is among the most important of the problems of the Phoenix bankers. The daily interest charge on the money invested in the Salt River Valley cotton crop this year is something over \$4,000. With the turn of the year new calls must be met for funds for the next season's operations and other crops and industries demand credit accommodations, for only about half the acreage of the valley is devoted to cotton. The 1920 cotton crop must be placed on another credit basis,

"In the last two or three seasons the cotton crop was much smaller in amount, if not much less in aggregate value, and buyers from the east were bidding for it actively as it came from the gins. This season buyers are holding off. Some cotton has been consigned to eastern points on credit advances ranging from \$175 per bale down to \$100 per bale for Pima. These advances were not sufficient, in some cases at least, to release the cotton from the obligations already made against it. This situation was rapidly becoming serious in the latter part of November and continues so. It is receiving, as it deserves, the serious attention of the best minds in the community, and in this, as in other difficulties that have been met and overcome, there is a spirit of community action and community confidence that is indomitable.

"In conclusion it may be said that while the production of cotton under irrigation in the Southwest has scarcely yet passed beyond the experimental stage, it has been given a fair trial. The present indications are that it will be continued, though probably on a reduced scale, for the next few years. The experiment has gone far enough to demonstrate that good cotton can be grown, that varietal purity and high quality of product can be maintained where proper attention is given to the matter of seed supplies. At present it is doubtful if there is another crop that could be extensively substituted for cotton that would give

better returns for the labor and capital invested.'

Mr. McKELLAR. Mr. President, will the Senator yield?
Mr. ASHURST. Certainly.
Mr. McKELLAR. I notice that the Senator's amendment is

to increase the duty on cotton 20 per cent.

Mr. ASHURST. The amendment proposes to increase the Mr. ASHURST.

duty from 7 cents a pound to 20 cents a pound.

Mr. McKELLAR. Yes. I am informed that the provision of the bill making the duty applicable only to cotton having a staple of 13 inches or more in length will exclude but very little Egyptian cotton; that the greater part of the Egyptian cotton that comes to this country now has a staple of less than 1s inches in length. If that is true, it would be immaterial what the tariff is on cotton if the length of staple covered by the bill is so great that Egyptian cotton would not be

Mr. ASHURST. The Senator is correct. On this point I now read again from the Government publication entitled "Cot-

ton Production in Southwest:"

This variety-

That is, our southwestern cotton grown on irrigated landproduces a fiber 13 to 15 inches in length.

I introduced an amendment to the emergency tariff bill last February proposing to strike out the fraction "three-eighths" and insert "one-eighth," so that if the bill should pass the cotton growers of the Southwest, who were so distressed, might obtain some relief. I voted for the bill in the vain hope that the psychological effect might be of some value to the cotton growers, but it would have been practically of no benefit, first, because the duty was too low and, secondly, because the figures " $1\frac{1}{3}$ " should have read " $1\frac{1}{3}$ " or " $1\frac{1}{2}$ ."

Mr. McKellar. One and one-eighth would be better. A great deal of cotton similar to that which is raised in the Senator's State is raised in the Mississippi Delta just below where I live, and a great deal is also produced in Florida, some in South Carolina, and probably in other portions of the country to a small extent; but none of this long-staple cotton will be benefited in any way if the 1½-inch provision is permitted to remain in the bill. It would make no difference how high the tariff duty is on it if no Egyptian cotton were kept

ASHURST. The production of sea-island cotton last year dwindled to 1,725 bales-400-pound bales, I believe. The length of fiber as at present prescribed in the bill might give some relief to the growers of those 1,725 bales; that would be about all.

Mr. TRAMMELL. Mr. President, if the Senator will yield, I will state that, having in view the contention made by the Senator from Tennessee, I have proposed an amendment to make the length of staple 11 inches instead of 13 inches. I have an amendment of that kind pending.

Mr. McKELLAR, Mr. President, if the Senator from Arizona will yield further, as I understand the situation, the present wording of this bill is unimportant in so far as long-staple cotton produced in the United States is concerned, for long-staple cotton will be admitted under the terms of

Mr. ASHURST. I yield.

Mr. McKELLAR. My understanding is that practically no Egyptian cotton is of 18-inch staple.

Mr. ASHURST. Oh, yes.

Mr. McKELLAR. The great body of the Egyptian cotton that comes over here under the law as it is now has a staple less than 13 inches in length, and, therefore, the pending bill would not affect it.

Mr. ASHURST. In other words, the Senator makes the point that with the figures as they are no relief would be granted

Mr. McKELLAR. Substantially no relief would be granted at all. Unless the provision shall be changed the cotton producers may as well understand that they will get no relief under

Mr. ASHURST. Let me repeat on that very point that in the last Congress I introduced an amendment changing the figures from 18 to 18, but, while the amendment was adopted in the Senate, it was defeated in conference.

Mr. WOLCOTT. Mr. President, will the Senator yield?

Mr. ASHURST. I yield; yes, sir.

Mr. WOLCOTT. Did I understand the Senator to say a

moment ago that there are about 1,700 bales of cotton raised in this country which would be protected by the 1%-inch provision?

Mr. ASHURST. I must make myself clear, and I will an-

swer the Senator in this way.

Sea-island cotton-which is grown on the coast of the Carolinas and Florida, on the islands near the coast-is of a long staple or long fiber. In 1915 there were produced of that variety 111,716 bales. The next year, 1916, there were produced 117,559 bales. In 1917 there were produced 92,619 bales. In 1918 there were produced 52,208 bales. In 1919 there were produced only 6.916 bales. In 1920 the production of sea-island cotton shrank to 1,725 bales. I believe these are 400-pound In other words, in five years, from a production of 111,716 bales, sea-island cotton production shrank to 1,725 bales. This sea-island production was practically wiped out, but hundreds of thousands of bales of long-staple cotton have been pouring in from Egypt, which, of course, enters directly into competition with the Pima or Arizona Egyptian cotton.

Mr. WOLCOTT. Of what length of staple is the sea-island cotton the production of which has dwindled to 1,700 bales-1\$

inches or greater?

Mr. ASHURST. I should not say it was greater. Some of it is not much greater, but it ranges from 11 to 19.

Mr. WOLCOTT. Does the Senator attribute the dwindling of that industry to the absence of protection?

Mr. ASHURST. No. That was caused by the boll weevil.
Mr. WOLCOTT. There must be some other cause, because it is common knowledge that in 1920, the year of smallest production, cotton prices were perhaps higher than ever before in history, and back in those other years when the production was so great that they were able to make money on a much lower price for the cotton.

Mr. ASHURST. I believe this dwindling of the production of sea-island cotton has been brought about by the boll weevil.

Am I correct in that?

Mr. McKELLAR. I have been so informed. I call the Senator's attention to paragraph 17 of the bill, which puts a tariff of 7 cents per pound on the manufactured goods.

Mr. ASHURST. Yes.

Mr. McKELLAR. If we are correct about Egyptian cotton being prevented from coming in under section 16, that would mean that we are putting a tariff on the manufactures of Egyptian cotton to the absolute exclusion of American cotton.

Mr. ASHURST. That is one of the quarrels I have with the bill. After proposing to place a duty of 7 cents per pound on the raw material, we find that the manufacturers are going to absorb the benefit of it, because the very next paragraph, as the Senator points out, reads:

Manufactures of which cotton of the kind provided for in paragraph 16 is the component material of chief value, 7 cents per pound, in addition to the rates of duty imposed thereon by existing law.

Of course, we should move to strike out that paragraph, otherwise the bill would simply be for the benefit of the manu-

facturers instead of the producers.

Mr. President, I shall now read from a brief submitted to the chairman of the subcommittee on cotton of the Ways and Means Committee of the House of Representatives. This brief was prepared by Mr. Dwight B. Heard, of Phoenix, Ariz., who represented the Chamber of Commerce and the Cotton Growers Association, and it is so clear and so complete, with material facts and data, that I am sure Senators who are interested in this subject will be enlightened. It is addressed to Hon. WILLIAM R. GREEN, chairman subcommittee on cotton, Committee on Ways and Means, House of Representatives, and is as

Hon. WILLIAM R. GREEN,

Chairman Subcommittee on Cotton,

Committee on Ways and Means, House of Representatives.

Sir: Availing of your suggestion that I present in concise form a statement in behalf of the needs of the producers of American Egyptian cotton, I present the following:

STATEMENT BY DWIGHT B. HEARD, OF PHOENIX, ARIZ., REPRESENTING
THE ARIZONA EGYPTIAN COTTON GROWERS' ASSOCIATION, THE PHOENIX
(ARIZ.) CHAMBER OF COMMERCE, AND THE PHOENIX CLEARING HOUSE
ASSOCIATION, AS TO THE NEED OF A PROTECTIVE TARIFF ON AMERICAN
EGYPTIAN OR PIMA LONG-STAPLE COTTON.

### PRELIMINARY STATEMENT.

The American Egyptian or Pima long-staple cotton industry, which during the past 15 years has developed as an essential national industry, now faces destruction through competition with cotton of similar type produced by the present labor of Egypt on a present wage scale of 40 cents per day for a 12-hour

day.

This Egyptian long-staple cotton is now being laid down at New England spinning points at 26 cents per pound, almost exactly one-half the estimated production cost of last year's exactly one-half the estimated production cost of last year's American Egyptian crop, as per a report recently furnished

Congress by Mr. Wallace, Secretary of Agriculture. In the season of 1919-20, 485,000 bales of Egyptian cotton were imported into the United States as compared with an average importation for the previous five years of 202,000 bales. It is conservatively estimated that 70 per cent of this importation was Sakellaridis cotton, the type principally used for the manufacture of tire yarns and with which the American-grown

Egyptian cotton comes in direct competition.

The standard of living of the Egyptian peasants who furnish the labor in the cotton fields of Egypt is vastly inferior to an American standard of living. This peasant labor is exceptionally efficient. These Egyptian laborers at the price of 40 cents per day work from sunrise to sunset, while in Arizona, where 85 per cent of the American Egyptian crop is grown, the cost of field labor for a 9-hour day in 1920 was \$3. It is estimated that in 1921 this will be reduced to \$2-still more than five times as large as the Egyptian wage, in view of the shorter hours in Arizona.

It is conservatively estimated that one-third of the cost of the production of long-staple cotton is involved in the picking. The cost of picking cotton in Egypt in 1920, according to the best information available, was less than \$10 per 500-pound bale; while in Arizona the cost of picking the same size bale was \$80. This situation presents an intolerable condition which can only be remedied by the reasonable protection asked. Officials of the United States Department of Agriculture have recently estimated that the cost of producing American Egyptian Pima cotton in Arizona in 1920, on the basis of a yield of half bale to the acre, was 52.6 cents. The attached statements from well-informed Arizona growers show an estimated average cost of production in 1921 of approximately 41 cents. According to the most recent market quotations, Old World Egyptian cotton of the Sakellaridis variety, the type which most nearly corresponds to the America Pima, and which comprises about 70 per cent of the import from Egypt, is being laid down in New Bed-ford for 26 cents per pound. The duty asked for by American producers to maintain this industry on a living basis is but 20 cents per pound. It is evident that unless the relief asked for through a protective tariff is promptly granted the industry built up through 20 years' cooperation with the United States Department of Agriculture faces destruction.

BRIEF HISTORY OF THE AMERICAN EGYPTIAN COTTON.

Pima cotton was originated and developed by the Department of Agriculture as a result of plant-breeding work carried on in Arizona since 1902. A strikingly superior individual plant, selected in 1910 at the Government experimental station at Sacaton on the Pima Indian Reservation in southern Arizona. was the parent of the Pima variety, of which 250,000 acres were grown in 1920 in Arizona and California. It is an interesting conincidence that the plant which gave rise to the Sakellaridis variety, the principal competitor of Pima, was discovered in Egypt in the same year, 1910.

Pima cotton can be successfully grown only on the irrigated lands of southern Arizona and California, where the climatic and soil conditions have proven to be exceptionally favorable for the growth of this type, which is not adapted to conditions

in the eastern cotton belt.

The Pima cotton has an average length of staple of 15 inches and is maintained in a high state of uniformity by careful seed

ment of Agriculture. It is used in the manufacture of fine dress goods, hosiery, and sewing thread; but principally in automobile-tire fabrics. It is estimated that 80 per cent of the Pima crop in recent years has been used for this last purpose. In all these classes of manufacture the American-grown Egyptian cotton is in direct competition with Sakellaridis cotton imported from Egypt.

DECLINING SEA-ISLAND PRODUCTION MAKES PIMA ESSENTIAL TO NATIONAL DEFENSE.

During the recent war exhaustive Government tests showed that the Pima cotton was a thoroughly satisfactory substitute for sea-island cotton in the manufacture of airplane wings and balloon cloth, and during the last year of the war large quantities of cloth were manufactured from Pima cotton and successfully used in the air work. The first tests of Pima cotton for this work were made at the suggestion of the Department of Agriculture, which pointed out that with the rapid advance of the boll weevil the sea-island crop might be suddenly wiped out and that a substitute must be found if possible in an American-grown cotton. Since Arizona and California are well isolated from the boll-weevil district and were already producing a cotton of extra long staple and great uniformity, which was known to be capable of substitution for sea-island. an extension of Pima cotton growing in that region appeared to be a military necessity, and for that reason was especially encouraged by the Department of Agriculture in the war period. The figures given in the table showing the production of seaisland and American-Egyptian cottons during the last five years make it clear that the Department of Agriculture was thoroughly justified in calling attention to the necessity of a substitute for sea-island cotton, which now has almost disappeared from cultivation. If the war had been prolonged even for another year the Pima cotton would have become the sole reliance for this vital purpose.

Partly as a result of stimulation by the Government during the war the acreage of Pima cotton has been greatly expanded during the past two years, and with the sudden slump in the market in 1920 the growers have been left with fully 90 per cent of their last crop unsold. The danger is very great that unless adequate protection is furnished against the competition of cheaply grown foreign cotton this highly specialized cotton, which recent experience has shown to be essential to the na-

tional defense, will disappear.

With the sea-island cotton practically gone, this country would be entirely dependent on foreign sources of supply.

Statement of the production of Pima and sea-island cottons, in balcs, during the past 5 years.

Year.	American Egyptian or Pima. <sup>1</sup>	Sea island.
1918	3,331 15,966 40,343 42,374 91,965	117, 559 92, 619 52, 208 6, 916 1, 725

1 500-pound bales.

2 400-pound bales.

Estimated imports of Sakellaridis Egyptian cotton in equivalent 500-pound bales during the past five years.

	Bales pounds).
1915-1916	204,000
1917-1918	80,000
1919-1920	340, 000

COST OF PRODUCTION.

In a very carefully prepared statement recently issued by Mr. C. S. Scofield, of the United States Department of Agriculture, based on a yield of a half bale to the acre in the Salt River Valley of Arizona, where about 85 per cent of the Pima cotton is produced, a production cost is shown for the season of 1920 of 52.6 cents per pound. Owing to reductions which have already occurred in the price of field labor and estimated reductions which are anticipated in the cost of picking and ginning Pima cotton for next season, it is estimated that the cost of production in 1921 on the basis of a half bale to the acre will be at least 42 cents.

It will be observed that if the 20 cents per pound tariff asked for is added to the present delivered price of Egyptian Sakellaridis cotton in New England the American grower would make only a very small profit above cost of production. It is hoped by this legislation to stabilize the price of American-Egyptian Pima cotton so as to justify continuing the American industry selection, under the supervision of the United States Depart- based on a price of approximately 50 cents to the producer.

The attached statements, Exhibits A, B, and C, of estimated cost of production in the Salt River Valley of Arizona for 1921, made by Mr. W. S. Stevens, president of the Arizona American-Egyptian Cotton Growers' Association, Mr. Charles M. Smith, a grower who keeps exceptionally accurate records, and the writer, who has grown this type of cotton for the past five years, are presented for the purpose of giving detailed estimates as to the cost of production for 1921.

On the Salt River Valley reclamation project in Arizona 186,000 acres were farmed in Pima cotton in 1920, on which a crop of seventy-two thousand 500-pound bales was produced. Confronted as they have been during the recent months with a price for this cotton far below its cost of production, the majority of the producers, through the assistance of the banks, have held on to their cotton, anticipating a relief from the existing situation, and it is estimated that 67,000 bales of this crop still remain in the hands of the producers. This situation illustrates the urgent need for immediate relief.

The emergency tariff bill, as passed by the House of Representatives on April 15, 1921, and now before the Committee of Finance of the Senate, in paragraph 16 contains the following clause as to the protective duty on long-staple cotton:

Cotton having a staple of 11 inches or more in length, 7 cents per pound.

It is evident that the above is not adequate to protect this industry on the basis of American standards of living. In the report of April 13, 1921, in connection with the emergency tariff bill, on page 20, the Bureau of Markets of the Department of Agriculture definitely recommends a duty of not less than 10 cents per pound, making the following statements:

10 cents per pound, making the following statements:

(4) Large areas of land in this country are available for the production of extra staple cotton, but because of the costs of reclamation, irrigation, and the higher standards of living and cost of labor, the cost of production of such cotton in the United States is high and our producers need a protective tariff to equalize the cost of production abroad with that in the United, States.

(6) In the table following are presented quotations on the selling price of Sakellaridis Egyptian and American Egyptian cottons. It will be observed that on March 15 the price of fully good Sakellaridis was 35% cents and good fair Sakellaridis 26% cents, c. i. f., landed Boston, and that American Egyptian cotton of No. 2 grade was quoted at 26% cents, and No. 3 grade at 25% cents, landed Boston. Such prices are far below the estimated cost of production of cotton in Arizona and California. It should be further pointed out that from the table the prices of good fair Sakellaridis and No. 2 Arizona Egyptian have been practically identical since November 13 last. In other words, the price of good fair Sakellaridis seems to fix the price of American Egyptian cotton.

\* \*\*

(9) Producers of long-staple cotton have faced adverse market conditions in the sale of last year's crop and are said to have on hand a large part of last year's production. Accordingly, it is believed that the producer would receive the benefit of whatever protection that might be conferred by the proposed tariff measure.

I am presenting the foregoing statement at the request of the

I am presenting the foregoing statement at the request of the Arizona American Egyptian Cotton Growers' Association, the Phoenix Chamber of Commerce, and the Clearing House Associa-tion of Phoenix, whose letters in this connection are attached herewith. In this statement I have endeavored to present figures and facts as to this industry whose existence is so seriously threatened, and in view of the fact that through some misunderstanding the producers of American-Egyptian cotton had no opportunity to present their case before the Committee on Ways and Means of the House I trust opportunity may be found before the emergency bill passes the Senate to increase the duty on long-staple cotton from 7 cents to the 20 cents so urgently needed.

Very respectfully,

DWIGHT B. HEARD.

PHOENIX, ARIZ., April 25, 1921.

I ask unanimous consent to have printed in the RECORD also the Exhibits A, B, and C attached to the communication.

There being no objection, the exhibits were ordered to be printed in the RECORD, as follows:

EXHIBIT A.

ARIZONA AMERICAN-EGYPTIAN COTTON GROWERS' ASSOCIATION,
Phoenix, Ariz., April 14, 1921.

Mr. Dwight B. Heard,

Phoenix, Ariz.

My Dear Mr. Heard:

There is such a wide difference in the ideas of rental values that I have eliminated this altogether, considering a man that is working on payment of one-fourth of his crop as rent. I have eliminated, as far as possible, the question of diversified farming, in that a portion of the crops produced might be used in feeding and caring for the stock of the grower. I am taking as a basis an exceptionally good man with an exceptionally good team, and giving him all the land that such a man can possibly handle under favorable circumstances, which is 50 acres. I am considering that this man and his one team must do all the work of preparing and planting, cultivating, supervising, picking, and deliver the cotton to the gin. In handling this acreage, he will have no time whatever to do any hoeing or irrigating. This is pro-

A man and team, one year Irrigation water, at \$3.75 per acre Planting seed, \$1 per acre Hoeing, including thinning, at \$7 per acre Expense of Irrigation, \$3 per acre Implements, \$250, depreciation only Shopwork Incidentals, including sacks, tents, etc Ginning 25 bales, at \$20 Picking 25 bales, at \$ cents per pound	187, 50 50, 00 350, 00 150, 00 50, 00 25, 00 100, 00 500,00
Total, less 11½ tons of seed, at \$20	4, 112. 50 225. 00 3, 887. 50 . 413 STEVENS,

#### EXHIBIT B.

APRIL 24, 1921.

Mr. Dwight B. Heard, Phoenix, Ariz.

DEAR MR. HEARD: The following is my estimate of the cost of production of Pima cotton in the Salt River Valley for 1921:

ESTIMATED COST OF PRODUCTION, 80 ACRES COTTON, SEASON 1921.

Based on low wage scale of \$3 per day, including board—cheap horse feed, but no allowance for horses when not actually employed, nor for man when he is not actually in field.

Plowing, at \$3.75 per acre	\$300
Titaling, at post of the state	
Disking after plowing, at 80 cents per acre	
Dragging twice, at \$2	160
Labor, irrigating before and after plowing	54
Labor, fittgating before and after proving	04
Disking before planting, at 80 cents	
Planting, at 70 cents per acre	56
Cultipacker, at 50 cents per acre	40
Cultivating about 8 times, including furrowing out, at 70 cents_	448
Cultivating about 8 times, including furrowing out, at 10 cents-	440
Chopping, at \$1.25 per acre	100
Hoeing twice, at \$1.50 per acre	240
Labor, irrigation, 4 times after planting	60
Labor, Hrigation, 4 times after planting	00
Planting seed	40
Depreciation in equipment	150
Incidental expenses	
Irrigation water, 3 acre-feet, at \$7.50 per acre	
Taxes, State and county, at \$5 per acre	400
	27-11
The state of the s	0 000
Estimated cost to picking time	
Picking, basis 1 bale per acre, at 3 cents per pound	2, 400
Ginning, basis & bale per acre, at \$20 a bale	
Overhead, including tents, sacks, wood insurance, hauling cotton	300
Overnead, including tents, sacks, wood insurance, nauling cotton	
to gin, etc., at \$ cent per pound seed cotton	600

Total as above\_\_\_\_\_Actual cost of production (labor only), 34 cents per pound. IMPORTANT NOTE: The above does not include any land rent or interest on land investment—does not allow anything for living expenses while farmer is not in field—nothing for ditch cleaning, keeping up fences, etc. On the above basis 45 cents per pound would mean ultra-conservative cost of production, 1921.

CHAS, M. SMITH.

## EXHIBIT C.

APRIL 21, 1921.

Estimate of Dwight B. Heard, of Phoenix, Ariz., as to cost of production of American-Egyptian (Pima) cotton, under the Salt River reclamation project, Arizona; for season of 1921, cost per acre based on production of one-half bale to an acre and present cost of labor and supplies.

Annual payment to United States Government due on Roose- velt Dam and Salt River Valley project.	00 00
Taxes on basis average assessed on location \$183 per acre and	\$2.00
average combined State, county, school, high school, and road district tax rate of \$2.50	4. 57
Irrigation water service based on annual use of 3 acre-feet Seed for planting, select Government-inspected seed at 2 cents	3. 60
per pound 30 pounds per acre	. 60
Labor for irrigating once before plowing, six times after plowing, at 30 cents per acre	2, 10
Plowing, per acreHarrowing twice at \$1	4.50
Dragging twice at \$1	2.00
Rolling	. 75
Seven cultivations, including furrowing out	1. 25
Average summer hoeing, cost per acre	7. 50

Expense per acre to picking time\_\_\_\_\_ 37, 22

. 3149

, 3949

Picking 1,000 pounds seed cotton, equaling one-half bale of lint at 3 cents per pound \$30.00 (Sinning one-half bale cotton at \$20	
	47. 50
	84. 72
Deduct value of cotton seed, 750 pounds to each 1,900 pounds of seed cotton at value of \$16 per ten	6.00
Net cost of producing one-half bale or 250 pounds of Pima long-staple cotton lint per acre	78. 72
Cost per pound Pima lint cotton exclusive of any return en	. 3149
Figuring a revenue on the land of but \$20 per acre would add	.011
8 cents to production cost of lint cotton and make the actual production cost per pound of Pima cotton lint	. 3941

[Copy.]

Hon. J. W. Fordney, Chairman Ways and Means Committee, House of Representatives, Washington, D. C.

House of Representatives, Washington, D. C.

Dear Sir: From the standpoint of safeguarding the financial interests of the Salt River Valley of Arizona, the Phoenix Clearing House Association is vitally interested in the proposal to enact a protective tariff on American Egyptian Pima long-staple cotton. This is a special type of cotton developed by the United States Department of Agriculture through an experimental stage of 12 years or more, and which has become known to the cotton trade at large as the equal of any cotton in the world. This type of cotton has been extensively used for the manufacture of tire fabric on account of its superior length of staple and high tensile strength.

Last year in the Salt River Valley 185,000 acres were planted to long-staple cotton with a resulting yield of more than 72,000 bales. Estimates place the cost of last year's crop at about 60 cents per pound.

Estimates place the cost of last year's crop at about 60 cents per pound.

No general market has so far developed for the staple, and the few sales made during recent weeks have ranged from 24 to 30 cents per pound, basis No. 2.

Salt River Valley is especially adapted to the growing of long-staple cotton; the cultivation of this staple is restricted to a few valleys in the Southwest, where the length of the growing season permits the development of the fiber and general cultural conditions are favorable. It seems important that some steps be taken to insure the permanence of this new industry in the Southwest, which is just beginning to supply a growing demand for this superior type of cotton.

In order that the industry may survive the growers of Arizona and California need the benefit of a protective tariff of a sufficient amount to enable them to compete with Egyptian Sakellarides cotton, produced in Egypt by native labor on a wage scale entirely out of harmony with the American standard of living.

The Phoenix Clearing House Association, in special meeting, hereby carnestly advocates the adoption of a protective tariff on American Egyptian Pima long-staple cotton of 20 cents per pound.

Mr. Dwight B. Heard, representing the Arizona American Egyptian Cotton Growers' Association and the Phoenix Chamber of Commerce, will appear before your committee in behalf of the foregoing proposal. Mr. Heard is fully qualified to speak for the cotton growers of the Southwest, and we bespeak for him your most favorable consideration.

Yours, respectfully.

The Phoenix Clearing House Association, By B. E. Moore, Vice President.

[Copy.]

THE PHOENIX CHAMBER OF COMMERCE, Phoenix, Ariz., April 14, 1921.

Hon. Dwight B. Heard, Heard Building, Phoenix, Ariz.

My Dear Mr. Heard: We are glad to have you represent the Phoenix Chamber of Commerce, with a membership of 1,100, at any and all meetings held in Washington in connection with the tariff or any other subject vital to this section of the Southwest.

This is to advise that you have been appointed as the general official representative of this organization at the board of directors' meeting held to-day, April 14.

Yours, very truly,

W. W. Lawhon,

W. W. LAWHON,
President.
HARRY WELCH,
Secretary.

Mr. ASHURST. I know how dry and unattractive statistics are, but I have confidence that Senators will peruse at least some of the statistics, and Senators ought to read them before they vote on the cotton schedule. Before I conclude, however, let me put these figures in juxtaposition before Senators. I will be very brief.

This Egyptian cotton is being imported into the United States at the time when the farmers are trying to build up this longstaple cotton industry, at the very time our farmers are working in a sun which blazes down sometimes at 115 degrees and sometimes at 120 degrees, working in competition with the Egyptian laborer, who, as I have said in the Senate heretofore, works 12 hours, and has since Cambyses came in from Persia, 2,500 years ago, and subjugated Egypt, been possessed of physical efficiency that is one of the phenomena of the world; the Egyptian fellahin works 12 hours in that hot climate. Our people in the Southwest have gone into competition with them and have tried to build up this industry. But unless some relief be

granted thousands of Americans, who believed their Government at least would extend to them the same measure of consideration it extends to the Egyptian, will be driven to failure.

In 1911 there were imported from Egypt into the United States 183,786 bales of cotton. The United States took 12 per cent of the Egyptian crop that year.
In 1912 there were imported 175,835 bales, the United States

taking 12 per cent of the Egyptian crop.

In 1913 there were imported 191,075 bales. In 1914 there were imported 137,355 bales. In 1915 there were imported

261,220 bales. In 1916 there were imported 339,854 bales.

Then in 1917, owing to the activity of the submarines and the necessity of using lands to raise wheat to feed the soldiers, the production fell off. It was reduced in 1917 to 198,805 bales. In 1918 it was 114,580 bales. In 1919 it was 100,006 bales.

Then, Mr. President, we find that in 1920 there were imported into the United States 485,003 bales of this long-staple Egyptian cotton, grown by these Egyptian laborers, who, as I said before, receive about 30 shillings a month. I will read the whole statement:

Wages to cotton laborers (in Egypt) in 1912 averaged 30 shillings per month, according to Arno Schmidt. Assuming an increase of 100 per cent, the present average wage would be 60 shillings, which at current exchange (the pound sterling=\$3.92 at New York on April 15, 1921) would amount to \$11.76 per month, or 39 cents per day.

I respectfully submit that Americans, whose ideas of living are so immensely superior to the ideas of the Egyptian laborer, can not work in competition with that Egyptian laborer who receives 39 cents a day.

Mr. STANLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Kentucky?

Mr. ASHURST. I yield. Mr. STANLEY. Is it not true that this long-staple cotion is raised in the main upon irrigated lands?

Mr. ASHURST. That is true; I might say wholly. The Pima cotton, which term is used interchangeably with Arizona Egyptian cotton, is raised wholly on irrigated lands.

Mr. STANLEY. Prior to the recovery by reclamation of these

lands by the Government, all of this long-staple cotton was imported, was it not?

Mr. ASHURST. Except such long staple as was grown in what we call the sea-island country, those islands off the coast of Florida and South Carolina.

Mr. STANLEY. There was no considerable amount of this long-staple cotton grown in continental United States?

Mr. ASHURST. It is my opinion that while some long staple was grown, there was no, as we call it, Egyptian Sakellaridis cotton grown in the United States, and there is none now grown in the United States except in Arizona and California.

Mr. STANLEY. Does the Senator believe it is a sound business policy in a government or a corporation to spend hundreds of millions of dollars in order to enable people hitherto en-gaged in a profitable business to engage in an unprofitable business?

Mr. ASHURST. I do not see the force of the Senator's ques-

Mr. STANLEY. I will try to make myself clear. Mr. ASHURST. It is my fault that I did not perceive the Senator's meaning.

Mr. STANLEY. I beg the Senator's pardon. These people who are engaged in growing long-staple cotton, under the stimulus of a bonus from the Government, were formerly engaged, if they were in the South, in raising short-staple cotton or corn or cattle, or anything else, in an unprotected and at the same time prosperous business. Is it wise that the Government should erect great dams, like the Roosevelt Dam, should spend untold millions of the people's money in reclaiming lands, not that people may make money on them but that they may lose money on them; not that they may engage in a profitable busi-ness but that they may be induced, and further buttressed and protected, into engaging in an unprofitable business? If this was a business that was of long standing, and some foreign competitor were underselling us, there might be some reason for it. But is there any more reason for the Government building dams in order that men may raise cotton at a loss than for the Government to make hothouses in order that they may raise grapes or bananas at a less in Montana or Nebraska or Alaska?

Mr. ASHURST. The United States has already invested in

Arizona \$20,000,000 in irrigation projects. That sum of money is not a gift; it is not a gratuity out of the Federal Treasury. The farmers and water users under the irrigation projects are required to repay that \$20,000,000 to the Government within

Mr. STANLEY. Mr. President, if the Senator will excuse me, I understand that, and I am not maintaining now that the Government will not ultimately recover some part of the money it has spent.

Mr. ASHURST. The Government will recover all of it. Mr. STANLEY. It does not make any difference, for the purposes of my question. I wish to ask the Senator if he regards it as good business in an individual or a corporation or a Government to deliberately expend, in the way of advancement or permanent investment or gratuity, millions of money for the encouragement of a business which will be unprofitable the minute men enter into it?

Mr. ASHURST. As I was proceeding to say, the Senator will bear in mind that twenty millions of dollars have been invested in Arizona in reclamation projects. An intensive campaign throughout the United States, not only in respect to cotton but all other agricultural projects, has been carried on for 10 years. No speaker, no singer, and few clergymen believe they have done their duty until they shall have admonished people to "Get back to the land"; and, indeed, Mr. President, if we are to subsist the American people, and if those who dwell in the cities, and now constitute 52 per cent of our people, are to subsist, we "must get back to the land." But you can not get a man back to the land by singing him a song or telling him how refreshing it is to arise with the sun. You can get a man "back to the land" only by making it profitable to him to get back to the land. As a business proposition, vain, how idle, how childlike, to appropriate \$20,000,000 to build up irrigation projects in Arizona, in California, and elsewhere, to encourage farmers, to send out literature to farmers urging them to plant long-staple cotton and other agricultural products, and then after they have planted their crops say that we will open wide the gate and allow the laborer in Egypt, who gets 40 cents a day, to come into competition with and destroy our farmer by taking away his market.

The Senator is entirely right. It is absurd to appropriate money and make speeches and sing songs and deliver lectures by the thousand urging people to go back to the soil, and as soon as they reach the land we say our solicitude is for the Egyptian laborer, not for the Arizona cotton grower. I think

the Senator is entirely right.

Mr. STANLEY. It is well for the Government to send people back to the land if their activities upon the land will add to the wealth of their countrymen, if they make two blades of grass grow where one grew before, if they raise two bushels of grain where one grew before. The purpose of having them go back to the land is to add by the most direct and most immediate method of creating essential wealth to the prosperity of the community. But if we have to pension the man on the the community. But if we have to pension the man on the land, his being back on the land does not help the community He is simply living in the shade of the country trees breathing in the salubrious air of the country climate. Having the moral influence of the rural precincts does not help the rest of us if we have to pay him to live there. He had better raise posies and daisies and tulips or he had better raise Cain or hunt and fish and do nothing than to tax the American public \$5 or \$10 for every dollar's worth of stuff that he produces. Our country produces a modicum of sea island cotton, 1 pound perhaps in 5, and that costs us five times as much

Mr. ASHURST. We are producing more of the long-staple

cotton.

Mr. STANLEY. But our importations exceed that production

immensely now.

Mr. ASHURST. The production of long-staple sea island cotton, of the kind grown in Arizona, dwindled last year to about 1,700 bales.

Mr. STANLEY. How much did we import? We imported over 400,000 bales. Mr. ASHURST.

Mr. STANLEY. Exactly; and we imported ten times as much as we raised, did we not?

Mr. ASHURST. No. We raised 250,000 bales in the Southwest.

Mr. STANLEY. And imported how much?

Mr. ASHURST. We imported last year 485,000 bales. Mr. STANLEY. That is twice as much. If you put a duty of 7 cents a pound on the cotton he produces, you impose a duty of 15 cents on every pound of cotton produced. You charge every consumer in the United States, 100,000,000 people, for an essential in order to create a new industry in which a few thousand people are engaged; and you know from the start, from the time you build your dam and before they go there, that they are going to lose money unless they live, not upon their labor but upon mine, not upon wealth created but from wealth appropriated, not on account of the natural advantages of the country but on account of the partial operation of the law.

Mr. ASHURST. Whenever the distinguished Senator from Kentucky, who served with distinction in the House and who serves with distinction here, arises I tremble. I do not always tremble when other Senators rise, but I know that his reflections are usualy correct, and his choice rhetoric is hard to answer, but on this particular subject it so happens that he has a wealth of misinformation. This long-staple cotton goes into tires for automobiles, where great tensile strength is required.

Mr. STANLEY. Mr. President, I do not wish to interrupt the Senator too much, but is not this sea-island cotton used in the

manufacture of mercerized cloth?

Mr. ASHURST. It is used in the making of high-grade Democrats voted and spoke, most of them, for a luxury tax. This cotton goes into very high-grade shirting-into shirts

that cost from \$6 to \$8 apiece.

But let us see about the philosophy of the situation. Have you been in universities and colleges so long that you are filled with free-trade theories? If you are a free trader, and have never done a day's work with your hands in your life, you can make a good argument for free trade, provided you say, "I believe in free trade on everything," but how a Democrat can stand for free trade on some things and tax other things I do not perceive.

I warn Democrats now, do not permit the American people to suspect that you look with favor on free trade. We lost the election of 1880 and we lost the election of 1888 because there was a suspicion in the public mind that we looked with favor on free trade. I have seen Democratic Senators in the North and in the West go down to defeat in their candidacies for Congress because they were suspected of being free traders. Every intelligent man knows that free trade exists only in the imagination of theorists. I was about to say there is no freetrade nation, but there is one, the Eskimos.

Sir, you are for a protective tariff? Very well, you can at least make an argument for a protective tariff if you say, "I am for a tariff on manufactured goods, and I am for a tariff on the raw materials," but how can you in honesty stand up and say "I am for a tariff on manufactured articles, but I am

opposed to a tariff on the raw materials"

We have reached the day, Mr. President, when the farmer who must subsist the people and the stock grower and the cotton grower who must clothe the people are going to say, "If you want free trade, very well; if you want a protective tariff, very well; but you shall not longer put the manufactured article, the product of the factory, under a high protective tariff and allow the products of the ranch and the field and the farm to be kept on the free list." If this be a farmers' bill, if this be a bill to protect the agricultural interests of our country, then let us protect the agricultural interests of our country.

I have already asked unanimous consent to include in the RECORD certain tables that have been prepared, some by myself and some by the Department of Agriculture, giving the importations of Egyptian cotton into the United States and the growth within recent years. I shall ask that my amendment lie upon the table until the time for voting comes, and then I shall ask a roll call on the amendment in the belief and in the earnest hope that it will be adopted, because if it is not adopted the bill will be of no utility and will be of no service to the cotton growers of the Southwest.

Mr. HARRISON. Mr. President, the Senator's amendment proposes to increase the rate, as I understand it, as well as to

decrease the length of staple.

Mr. ASHURST. Oh, no; merely to increase the rate from 7 to 20 cents a pound. Mr. HARRISON. Does it propose also to decrease the length

of the staple?

Mr. ASHURST. I have not introduced such an amendment, but I believe some other Senator from a Southern State has introduced such an amendment.

Mr. HARRISON. I did not know. I wanted to know what the Senator's amendment was and whether he desired the

staple to be decreased from 12 inches in length.

Mr. ASHURST. Of course, my amendment proposes to strike out 7 cents and insert 20 cents, but I have no objection to the suggestion of the Senator from Mississippi. I would not claim something for my own constituents that I would be unwilling to grant to other people.

Mr. HARRISON. May I ask if all the cotton grown in Arizona is 13 inches in length?

Mr. ASHURST. We have some of what we call upland cotton that is of about the black but the first length. ton that is of about that length, but the great bulk of our cotton is from 1½ to 15.

Mr. HARRISON. In that connection I wish to call the atten-

tion of the Senator to the report of the House Ways and Means

Committee, upon which this legislation was based, in which report, prepared by Mr. Young, who introduced the measure in the House, it was said:

The Young emergency tariff bill proposes a duty of 7 cents a pound on cotton the staple of which 1½ inches in length. We are of the opinion that the minimum length of staple on which a tariff is to be levied should be 1½ inches and that the duty should be increased from 7 cents to not less than 10 cents a pound.

So there is a report and argument for a protective tariff on cotton of 13-inch staple, stating that as between 13 and 13 inches as applied to cotton from other countries the shorter staple should be adopted, and yet when they write their bill they only propose to make it 1% inches.

Mr. ASHURST. I may say for the Senator's information that my amendment which decreased the length of staple from 13 to 11 inches, as shown in the bill introduced in the last session of Congress, passed the Senate but was rejected in conference.
Mr. HARRISON. Of course, the bill throughout is based on

just the same deceptive and misleading and incorrect statements

as are found touching cotton in this report.

Mr. ASHURST. It seemed to me a species of hypocrisy so continuously to urge the farmer to work and then give him no sensible, practical method to get a profit out of his work. We hear so much about the ultimate consumer. I am thinking of the producer. If ever a time existed in the history of our country when we should think of the producer that time is here now, and that is the reason why I wish this rate increased from 7 to 20 cents a pound.

Mr. President, I ask unanimous consent to include in the RECORD at this point certain statistics on this subject.

The PRESIDING OFFICER. Without objection, permission

is granted.

The matter is as follows:

DEPARTMENT OF COMMERCE, Office of the Secretary, Washington, April 20, 1921.

MY DEAR SENATOR: In compliance with your request of April 15, I take pleasure in quoting below the imports of unmanufactured cotton into the United States from Egypt during the calendar year 1920 and the months of January to March, 1921, inclusive: Ca

lendar year: 1920	179,	Pour 894,	
January February March	3,	455, 881, 508,	283
	0,	000,	OOT

The reports furnished to this department covering imports of unmanufactured cotton do not indicate the number of bales, but show figures for pounds instead.

Yours, faithfully,

HERBERT HOOVER, Secretary of Commerce.

Hon. HENRY F. ASHURST, United States Senate, Washington, D. C.

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF PLANT INDUSTRY,
Washington, D. C., April 23, 1921.

Hon. HENRY F. ASHURST, United States Senate.

DEAR SENATOR ASHURST: I am sending you herewith a copy of a report on cotton production in the irrigated Southwest in 1920, together with some data prepared by Mr. Kearney for Mr. Heard's use.

Very truly, yours,

C. S. Scoffeld, Agriculturist in Charge Western Irrigation Agriculture, Production of American Egyptian cotton (500-pound bales). [Compiled Apr. 20, 1921.]

[ Compried tipt, mo, rower]	
1912	375
1913	2, 135
1914	6, 187
	0, 101
1915	1,095
1916	3, 331
1917	15, 966
1918	40, 343
1919	42, 374
1920 1	
1020	91, 965

<sup>1</sup> Census Bureau ginning report of Mar. 21, 1921. Imports of Egyptian cotton into United States (equivalent of 500-pound bales).

Period Aug. 1 to July 31.	Bales imported.	Per cent of total Egyptian crop.
1910-11	183, 786	12. 4
1911-12	175, 835	12. 0
1912-13	191, 075	12. 9
1913-14	137, 355	9. 1
1914-15	261, 220	20. 5
1915-16	339, 854	35. 3
1916-17	198, 805	19. 9
1917-18	114, 580	9. 2
1918-19	100, 006	10. 5
1919-20	485, 003	43. 7

Cotton acreage of Egypt and percentage of total in Sakellaridis variety. [Compiled Apr. 21, 1921.]

Calendar year.	Total acres.	Percentage Sakel.
1912	1,788,000 1,789,000 1,820,000 1,231,000 1,718,000 1,742,000 1,364,000 1,634,000 1,897,000	16. 2 21, 9 32, 2 58. 0 62, 4 67. 6 72, 4 72, 9 69, 5

Sea-island cotton production in United States (from Bureau of Census ginning reports).

	Bales.
1915	111, 716
1916	117, 559
1917	92, 619
1918	52, 208
1919	6, 916
1920	11,725

Ginned prior to Mar. 21, 1921.

### COTTON PRODUCTION IN EGYPT.

Mr. ASHURST. John A. Todd, "The World's Cotton Crops" (1915), states that the average size of landholdings in Egypt in 1913 was about 31 acres and the average land value per acre in 1913 was £50 to £200. There has been a considerable increase in land values and rentals since that time.

The average yield of fiber, according to the monthly agricultural statistics of the ministry of finance of Egypt (Oct. 31, 1920), was 343 pounds per acre for the five years 1915–1919. The following table, compiled from Government reports of Egypt and the United States, has been compiled by the Bureau

of Crop Estimates:

	Number of persons engaged in agriculture.	Acres in cultivated land.	Average area cultivated for each farm worker.
Egypt (1907–1912)	2,315,000	5,457,000	2. 4
Umrted States (1910)	12,390,000	293,794,000	23. 7

### COST OF PICKING COTTON IN EGYPT.

According to John A. Todd in The World's Cotton Crops (1915), the prewar wages for picking in Egypt ranged from 5 pence to 1 shilling per day, the lower wage being paid to children, who could pick from 30 to 50 pounds per day each. Taking Todd's statement as a basis and assuming (1) that adults average 75 pounds daily and received a wage of 1 shilling, (2) that the wage has doubled since the war and is now 2 shillings, this at current exchange is equivalent to about 39 cents for 75 pounds, or about one-half cent per pound of seed cotton. Since the lint percentage in Egypt averages at least 30 per cent, as compared with an average of 25 per cent in Arizona, 1,666 pounds of seed cotton in Egypt will yield a 500pound bale. The cost of picking 1,666 pounds of seed cotton at one-half cent per pound is \$8.33. The picking cost per pound of lint in Egypt, therefore, works out to 1\(^2\) cents, while in Arizona the cost is 16 cents when the pickers receive 4 cents per pound of seed cotton (the 1920 wage) and 8 cents when the pickers receive 2 cents per pound of seed cotton (the prewar

### EMERGENCY TARIFF BILL.

Mr. MOSES. Mr. President, when this measure was under consideration in the Sixty-sixth Congress I was one of four Senators upon this side of the Chamber who voted against it. I accompanied my vote with some restrained comment, in the course of which I attempted to characterize the proposals which the bill then contained and which it now contains. I thought and I think that the measure was and is unscientific, unjust, and sure to defeat the hopes of those who have advocated it.

But, Mr. President, the scanty drippings of the sanctuary which oozed from beneath the closed doors of the Committee on Finance led me to expect, and I had earnestly hoped, that the inequities of the measure, although not in themselves diminished, would at least be palliated to an extent which would permit me to vote for it, even though holding my nose while doing so. I had hoped that the antidumping provisions and the provisions for the employment of American valuations

would be such as to dilute the dose in its bitterness; but, upon examination of those provisions which I had thought might sugar coat the pill to my taste, I discovered that they are so nebulous as to provide no substantial reason for my accepting that which I can not square with my convictions and which I regard as subversive of every principle of a protective tariff as the Republican Party has taught me to look upon protection. They provide in the main, Mr. President, for an enlargement of ministerial authority in the Treasury Department at a moment when the country is seeking relief from all such provisions, being wearied to exhaustion with the discretionary and arbitrary power which the last administration seized and extended under the specious claim of war necessity.

Mr. HARRISON. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Mississippi?

Mr. MOSES. Yes, sir.

Mr. HARRISON. The Senator is delivering such an interesting address and there are so few Senators present that I suggest the absence of a quorum.

Mr. MOSES. Oh, Mr. President, I hope the Senator will not press that suggestion.

Mr. HARRISON. I suggest the absence of a quorum.

Mr. MOSES. I hope the Senator will withdraw the sugges-

The PRESIDING OFFICER. The Senator from New Hamp-shire has the floor, and can not be interrupted without his consent even for the suggestion of the absence of a quorum.

Mr. MOSES. I did not yield for that purpose, Mr. President, I wish to finish my remarks with continuity, Mr. HARRISON. Very well; I withdraw the suggestion.

Mr. MOSES. I know the Senator from Mississippi is vastly interested in what I am saying. I hope he will stay even though others may be absent.

Mr. HARRISON. I am going to stay, and I had hoped that more Republicans would be here so that they could listen to the

advice the Senator is giving.

Mr. MOSES. They can read my remarks.

I have heretofore regarded the bill and have characterized it on the floor of the Senate, and elsewhere, as being a helter-skelter hodgepodge of items forced into it through the power of a voting combination, sectional in its character and wholly selfish in its purpose. In fact, Mr. President, the advocates of the measure in the two Houses of Congress and in the two Congresses in which the bill has been under consideration are themselves in radical disagreement as to its effects. I have ventured to scan none too closely the report submitted on this bill by the senior Senator from Pennsylvania. I have also refreshed my memory regarding the parallel statements made in the House of Representatives in the last session of Congress by the chairman of the Committee on Ways and Means

As a result of this examination, I find discrepancies applicable to substantially every item in the measure. The rates of duty remain unchanged from the last Congress, but the sums of estimated revenue are revealed to us in wide disparity. For instance, in item 1 of the bill now before us, and with identical rates of duty upon wheat, I find the chairman of the House committee estimating the revenue to be \$2,429,529, while the distinguished chairman of the committee in the Senate estimates it to be only \$35,000. Passing from the first to the eighteenth item of the bill—wool—I find the chairman of the Ways and Means Committee estimating the revenue under this measure to be \$9.900,000, while the chairman of the Finance Committee of the Senate, under the identical rate, estimates it to be \$15,000,000. I find the revenue from washed wool to be estimated by the chairman of the House committee at \$28,500,000, while the more moderate chairman of the Committee on Finance has estimated it at only \$300,000. And so it goes throughout every item in the list of 28 which make up the measure. Sometimes the House chairman sets the more rosy estimate, sometimes it is the Senate chairman who is possessed of the vision. In no case, Mr. President, do they agree. In order, however, not to weary the Senate or to detain it from the passage of this measure, which the Senator from Pennsylvania says is prayed for night and morning, and with a clamor of petition which reaches the skies and penetrates to the Senate Chamber, even to the enlarged precincts of the floor which we now enjoy, I will not read the table which I hold in my hand, but I will ask permission that it may be printed in the RECORD at this point in my remarks.

The PRESIDING OFFICER (Mr. Bursum in the chair) Without objection, permission is granted.

The table referred to is as follows:

Comparison of revenues under the emergency tariff bills.

[Note: This table shows the wide discrepancies in the estimated revenues under the two emergency tariff bills, notwithstanding the rates of duty are identical in both bills.]

Paragraph of H. R. 2435.			Estimated revenue (12 months) under—	
	Revenue collected, calendar year 1920.	Fordney bill as vetoed, H. R. 15275, Sixty-sixth Congress.	Young bill, H. R. 2435, Sixty- seventh Congress.	
1	Wheat	\$9,700	\$2, 429, 529 657, 900	\$35,000
2 3	Wheat flour and semolina Flaxseed	700	657, 900	16,000
4	Corn	4, 923, 400	2, 200, 000 137, 625	6,000,000 450,000
5	Beans	510, 400	3, 091, 760	1, 200, 000
6	Peanuts	803, 700	3, 091, 760 5, 047, 950	750,000
7 8	Potatoes	5, 900	1, 560, 000 787, 040	250, 000 400, 000
9	Rice:	363, 700	101,000	200,000
	Cleaned	215, 400	2,900,660	400,000
	Uncleaned	178,500	235, 575	437, 500
	Flour, meal, and broken Paddy	2,800 1,400	5,038 70,672	15,000 3,000
10 11	Oils:	542,000	1, 391, 250	1,000,000
	Peanut	760,600	4, 333, 420	520,003
	Cottonseed	**********	2, 479, 400	20,000
	Coconut		3,837,000	1,000,003
	Soya bean. Olive Cattle.	975, 900	860,000	1,550,600
12	Cattle		5,851,500	900,000
13	Sheep		102, 484	130,000
14	Cotton long starle		3,466,792	1,490,000
17	Cotton, long staple		(4)	.12,000,003
18	Wool (clothing and mohair):	(*)	(1)	210, 030
Sales of	Unwashed	1	9,900,000	15,000,000
imem)	Washed	851, 400	28,500,000	300,000
19	Scoured	(7)	45,000,000 11,250,000	45,000 2,100,000
20	Sugar and molasses	78,678,000	42,000,000	118, 755, 070
21	Butter	940, 700	1, 250, 000	120,000
22	Cheese	1,047,660	160,000	1, 150, 000
24	Milk and cream, fresh		85,000	90,000
-	milk		410,000	101, 250
25	Tobacco:	10 057 000	4 800 000	14 100 000
n Jane	Wrapper tobacco	12,857,600 16,895,100	4,800,000	14, 100, 000
26	Apples	46, 400	(1)	90,000
27	Apples	(2)	(1)	(1)
28	Olives	629, 300	465,000	1,000,000
100	Total for 12-month period	120, 732, 000	182,626,586	211, 227, 820

Not estimated.

No figures.

Although "filler tobacco" is provided for in both emergency tariff bills, there is, however, no change in rates of duty on same from existing law. Therefore this item should not figure in this table.

Mr. MOSES. I will content myself, Mr. President, with offering the only possible explanation for the discrepancies in this table which suggests itself. These figures in both instances both House and Senate chairmen-were undoubtedly furnished by the Democratic experts who assisted the Senator from Alabama when he drew the now existing tariff law, who assisted the Representative from North Carolina as he drew the revenue measures under the Democratic administration, and who have now been brought over bodily to serve Republican chairmen in the House and Senate and to assist them by providing statistics as misleading as those which they provided for Democratic predecessors in years gone by. I shudder to think, Mr. President, of the mass of unreliable statistics with which both Houses of Congress will presently be inundated from the same Democratic source if these men are continued in their positions as expert statistical advisers in chief to Republican framers of a supposedly Republican tariff measure.

I have dwelt upon these defects of the measure, Mr. President, not for the purpose of emphasizing the inherent weakness of the bill, but to emphasize my own party regularity which would have led me to vote for the measure despite these errors if they had been the only ones which it contains. From the beginning of the movement to enact this legislation for the supposed benefit of suffering agricultural interests it has been vigorously asserted that no amendments were to be considered, that its items were sacrosanct, and that no impious hand should be laid upon them. In pursuance of this policy, sir, in the last be laid upon them. In pursuance of this policy, say, Congress we saw an amendment for mildly compensatory duties in the wool item offered by the distinguished Senator from Massachusetts only to be incontinently rejected. We heard the Massachusetts only to be incontinently rejected. We heard the plaintive voice of the Senator from Missouri crying out in vain for a duty on sunflower seeds. We heard the friends of magnesite, of tungsten, and of latch needles vainly imploring the obdurate Senator from North Dakota to permit a few loaves of his tariff manna to fall into their empty hands; but all in vain.

There was a duty on hides, but none permitted on shoes. There was a duty on wool, but none on woolens. There was a duty on cotton, but none on cottons. There was a duty on wrap-

pers, but none on cigars.

The committee in the Senate was deaf eared and stony hearted until the junior Senator from Pennsylvania appeared before the tribunal presided over by his colleague and procured from its members the insertion in the bill of Title V, which would continue for the life of the measure the existing embargo and licensing system as applied to dyestuffs. By this action, Mr. President, the Finance Committee has vitiated the principle upon which the bill is supposedly drawn, for by no stretch of imagination can it be adequately contended that suffering agriculture can be benefited by an embargo on dyestuffs.

Such a proposal has been intermittently before Congress for more than a year and a half, and during all of that time I have persistently and consistently opposed it. My opposition to it has not abated now, and because of its inclusion in this measure I am compelled once more to vote against the bill. This proposal, Mr. President, is not protectionism; it is monopoly. Still less is it Republicanism. I do not believe that it is Democracy either. It is class legislation of the most vicious and dangerous kind; and it comes over to us as a device of the last administration, designed as a war measure and seized upon by the rapacious who are only too eager to continue the system under which they have already made enormous profits, and as the result of which they have entered into agreements of world-wide scope to assure them gigantic and undisturbed profits in the future.

Mr. President, I am a protectionist—a protectionist in the nth degree, believing in protection almost for protection's sake. Through the operation of that doctrine, devised by Hamilton and handed down to his successors in political faith, the Republican Party from its birth has stood for the development of American industry behind the sheltering wall of a protective tariff. Our richest epochs of industrial development and national prosperity have been those during which wise protection sm has held sway. This country prospered and grew great, Mr. President, not under the embargo and licensing system but under a protective tariff; and I can not understand, s r, why the dyestuffs industry should now be considered or dealt with differently from the tin-plate industry or from any other of the great industries of America which have grown up under a protective tariff. If the manufacturers of dyestuffs would be content with the same treatment which has been given to other American enterprise and in tiative, I would join with them in placing protection at whatever point, no matter how high, the necessities of their business would demand. But, Mr. President, when they come here with a renewed and impudent demand that measures arising from the exigencies of war time should be continued for their benefit at a moment when we are ardently seeking peace and a return to normalcy, my convictions and my pol tical judgment alike forbid acquiescence. Mr. President, this proposal can not be considered as an administration measure. No word in advocacy of it can be found in any of the President's official utterances; and one looks in vain throughout his message for any suggestion that this proposal should be written into the tariff legislation which he recommends.

Mr. KING. Mr. President, may I interrupt the Senator?

Mr. MOSES. I yield.

Mr. KING. The Senator has just said that this is not, as he understands, an administration measure. May I inquire of the Senator whether, if President Harding had recommended it, he would have thought that the measure was entitled to any greater consideration or any fairer treatment, or would it come with any additional sanctity? Would there be any obligation upon the Senator from New Hampshire and other Senators to abdicate their prerogatives, forget their oaths of office, and follow that recommendation simply because it was an administration measure?

The Senator will remember that for a number of years Senators upon the other side of the Chamber have denounced the former President of the United States, Mr. Wilson, and denounced the Democrats because, as they said, the Senate and House of Representatives had degenerated into rubber stamps; that all that the administration needed to do was to make a recommendation and it became a law. I had supposed that when the Republican Party came into control there would be a manifestation of independence that would command the admiration of some of those who had been so dictated to in the past.

Mr MOSES. I hope I am giving an exhibition of that kind

now, Mr. President.

Mr. KING. I commend the Senator, and I sincerely hope that his example will be followed by other Republican Senators.

Mr. MOSES. This bill contravenes the President's emphatic dictum that we shall have more than a score of the active industries of the country, and it puts hundreds of business men to the disadvantage of exposing the secrets of their business to some petty agent of the War Trade Board which continues to function, though war has long since ceased. I do not believe, sir, that any \$900 a year civil-service clerk in Washington is competent to run any business at arm's length, and I can see no adequate reason for thus singling out for conspicuous favoritism an industry already so profitable that it is easily able to maintain in Washington the largest, the most highly organized, the best paid, and the most arrogant of lobbies which this Capitol has ever seen.

It appears, Mr. President, that the impoverished dyestuffs companies of the country who, in December, 1919, were hammering at the gates of Congress with the plaintive cry that they could not live out the winter unless still further privileges were given to them, have, nevertheless, been able in the meantime to expend in the calendar year of 1920 the not inconsiderable sum of \$104,932.61 in pressing forward the measure now before us.

Mr. KING. Mr. President, would it bother the Senator if I should interrupt him further? I apologize for doing so.

The PRESIDING OFFICER. Does the Senator from New

Hampshire yield to the Senator from Utah?

Mr. MOSES. I yield. Mr. KING. The Senator has stated that under this measure manufacturers would be compelled to make known and reveal their trade secrets, their processes, and so forth, to some supernumerary, petty official. The Senator, perhaps, is advised of the fact that quite recently the War Trade Board—and its functions of course are to be continued and it is to be perpetuated, although assigned to the Treasury Department-has required that the applicant shall go-

Mr. MOSES. I will touch on that later, Mr. President—Mr. KING. To an organization which is controlled by the dye producers of the United States.

Mr. MOSES. The Senator only anticipates what I intended to say upon that subject.

Mr. KING. I apologize to the Senator.

Mr. MOSES. Of this amount, substantially three-quarters, or \$70,464.33, was paid for that which is euphemistically described in the Knit Goods Bulletin for April, 1921, a copy of which I have before me, as "legislative expenditures." The income of this body-and I am speaking, Mr. President, of the American Dyes Institute-during the same period was derived from dues, assessments, and special assessments in the tota, sum of \$131,976, and the items of expenditure are of such interest that I venture to ask that the article to which I refer may be included in my remarks at this time without reading.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

[From the Knit Goods Bulletin, April, 1921.]

HIGH COST OF GETTING DYE LICENSE—OVER \$70,000 CHARGED TO LEGISLATIVE EXPENSES IN AMERICAN DYES INSTITUTE'S STATEMENT OF INCOME AND DISBURSEMENTS FOR ONE YEAR.

The high cost of lobbying for the establishing of a dye-licensing system is shown in the financial statement of the American Dyes Institute of March 9 to the members of the institute. The statement comprises Bulletin A-205, and shows income and expenditure from January 1, 1920, to December 30. The total disbursements were \$104.932.61, of which \$70,464.33 is charged to legislative expenditures. Salaries and counsel fees are put down at \$20,125.78. The cost of monthly meetings and luncheons was \$2,443.43. Under legislative expenditures of \$70,464.33 in one year, to secure the passage of the Longworth bill, there appears, among others, the following items:

25, 000, 00 25, 000, 00 505, 01 3, 494, 99 1, 020, 96 Evarts, Choate, Sherman & Leon Various expenses incident to distribution of A. D. I. pam-phlet Expense incident to distribution done by legislative com-872.93 mittee 497. 12
Article prepared and published 301. 29
CONGRESSIONAL RECORD and printing 28. 91
Supplying, addressing, and mailing postals and envelopes in congressional dyestuff hearings 559.82
The income from dues, assessments, and special assessments was \$121.976. Among the accounts payable is shown an item of \$21.505.01—Evarts, Choate, Sherman & Leon—this, apparently, an expense in addition to the several large payments to this firm.

At the January meeting of the American Dyes Institute the treasurer submitted his report covering the year 1920. At the February meeting the treasurer submitted the auditor's indorsement of the report, which was sent to the members in detail. Above figures are from this report. mittee

Mr. MOSES. In this compilation, Mr. President, it is worth noting that the largest items of expenditures were those for counsel fees, which amounted to about \$50,000, divided in equal parts, one paid to Joseph H. Choate, jr., as his compensation to October 10, 1920, and the other to Judge J. Harry Covington, of this city, who descended from the Federal bench in order to take the more lucrative employment which this client affords. Another interesting item is one of \$1,505.01 paid to Mr. Choate for his traveling expenses to Paris, with a further payment "on account Paris tr'p" of \$3,494.99, while hotel bills for the wellhoused lobby of the dye makers amounted to \$7,670.28; and the further impoverishment of the dye makers is shown by the item "Tips, meals, hotels, taxis, etc.," amounting to \$876.66. It is further worthy of note that the financial report of the dye makers to their members contains the item of an amount payable to Mr. Choate of \$21,505.01. For these sums-in hand and payable-Mr. Choate has spent no inconsiderable portion of his time in roaming about the country addressing parlor meetings of ladies in advocacy of national defense to be obtained by giving his clients an absolute monopoly in the dyestuffs market of America. What crimes, Mr. President, are committed in the name of preparedness when a liberal fee is attached thereto!

I have sometimes wondered, Mr. President, whether the collateral motive for pressing this un-Republican, un-Democratic, un-American scheme was not a desire to maintain or to create jobs in the Federal service, whose personnel Congress and the country so earnestly desires to reduce. For instance, Mr. President, in a letter from the American Dyes Institute, under date of May 3 of the present year, addressed to me, and I suppose to every other Member of the Senate, occurs a paragraph calling attention to the fact that the passage of the socalled Knox peace resolution will automatically end the authority of the War Trade Board, the tenure of which this bill would continue. In connection with this, sir, it is interesting to note the manner in which the War Trade Board is now functioning with regard to dyestuff licenses. An American consumer of dyes recently received from the War Trade Board a copy of the new conditions which that board has set up for the obtaining of licenses and in which it is required that the applicant must apply first to the American Dyes Institute before applying to the War Trade Board. It is the American Dyes Institute, I venture to remind the Senate, which has so lavishly recompensed Mr. Choate and Judge Covington for their services and so liberally enable them to journey to Paris and to dispense largess to the bell boys of Washington.

The moving spirit in the American Dyes Institute is one Morris R. Poucher, formerly connected with the Badische Co.a firm well known in the chemical industry-and who is now associated with the Du Ponts, who in equal measure have become notorious and noted in the same line of bus ness. Mr. Poucher is chairman of the executive committee of the Dye Institute; he is on the advisory committee of the War Trade Board appointed by the Dye Institute; he is on the advisory committee of the Textile Alliance, who imported the German reparations dyestuffs; he is also, I understand, director of the Textile Alliance, where he represents the Dye Institute. In other words, he is the Dye Institute, he is the Du Pont Co., he is the Textile Alliance, and it is now proposed to make him the doorway to the War Trade Board. In these various capacities the way will be open to him to know not only the details of the business of every dye manufacturer in the United States, but to secure an accurate line on the consumer as well-to whom he may dictate what he may or may not use. If this, Mr. President, is to be the policy of the War Trade Board, whose continuance is provided in this measure, the dye consumers of the country might as well understand in the beginning that the entire dyestuffs business of the United States is to be turned over to Mr. Poucher and those whom he represents, and that they will determine who shall or shall not continue in business, whether manufacturing, importing, or consuming.

The provisions of Title V in the bill, Mr. President, are open to other avenues of criticism. It would appear from the language employed that an absolute embargo is intended upon all dyes, whether natural or artificial. The word "dyestuffs" which the bill contains is new in our statutes. It has never been found in any tariff bill before. It has received no legal interpretation. It has been used indiscriminately in trade papers and in discussion, so that it is impossible to tell from the language of the bill as it stands whether this word shall include only the coal-tar colors or whether it also embraces natural dyes, such as logwood, fustic, natural indigo, natural alizarin, ultramarine, Prussian blue, and the like, to the end that its operation shall bring into its all-embracing tribute not only the textile manufacturer, the color maker, the paint fac-

tory, the lithographer, the ink maker, and the tanner, but even the humble washerwoman at her tub, who must blue the clothes before drying them.

It should also be noted, Mr. President, that the bill in this title provides no means for a further issuance of licenses, and it is by implication only that the consumer may enjoy even the limited privilege which he has thus far possessed. The personnel and the records of the War Trade Board-with such remnants of appropriation as the board still enjoys-are, it is true, transferred from the State Department to the Treasury; and there, Mr. President, will be found nebulous authority granted to the Secretary to "make rules and regulations necessary for the enforcement of this act." The Secretary thus becomes the magisterial officer who must define quality, quantity, price, and delivery. And it is pertinent to ask through whom he will exercise these functions. Is the remaining appropriation for the War Trade Board sufficient for the purpose, or shall we soon be confronted with a deficiency appropriation to provide for a new army of clerks, statisticians, and experts to be added to the army of tax eaters which the war created and which we seem unable to demobilize? In a statement issued the other day by the senior Senator from Pennsylvania he declared that the American people are more concerned in getting taxes reduced and "retiring the sheriff to the background" than in any academic discussion of international disarmament." May I add to this sage remark the further comment that the American people are still more concerned in freeing the business of the country from the palsying hand of governmental regulation than they are in setting up any monopolies?

Mr. President, I am well aware that this bill will pass. Its advocates are already celebrating their victory. In the edition of the American Dyestuff Reporter for May 2, 1921, on its first page, will be found an article announcing in large type that "The fight has been won!" In the course of this article a deserved tribute is paid to the junior Senator from Pennsylvania for the response, "both prompt and gratifying," which he made to the appeal of the dye makers; and the editor adds that he "does not imagine that Messrs. King, Moses, and others of the opposition will find much to encourage them." He concludes his panegyric with the injunction that "Philadelphia, New Hampshire, and Colorado papers please copy." On another page of the same journal is to be found an order issued in rhyme, as follows:

Lordly solons, Nation's stay, Legislative mill, Congress, Senate, Warren—Hey! Pass that dyestuff bill!

I assume, Mr. President, that the Congress, the Senate, and the President, who is thus affectionately and commanding y addressed by his Christian name, will be interested in the gloating already going on at Wilmington and so soon to be amply justified by the action of the Senate on Wednesday.

Mr. President, I am a Republican-orthodox and regular. prefer infinitely to vote with my party, or with the majority of my party associates here, rather than to vote against it or them. Insurgency for insurgency's sake has no charm for me: and it is only because this measure runs counter to all the doctrines of sound Republicanism that I am voting against it. If it stood alone, if it bore no relation to more important tariff proposals which soon will come before us, it is probable that I would have contented myself with no word of protest save in my negative vote. Put, Mr. President, we shall soon have before us a general tariff bill. Within six weeks it may be, certainly long before this measure shall have run its limited span of life, the tariff bill of 1921 will have reached the Senate. I am convinced, sir, that the same arguments now advanced, the same forces now arrayed to secure the passage of these proposals as an emergency measure, will then be equally vigorous in demanding that they be continued as permanent legislation. They can, and no doubt will, argue cogently that nothing has happened in the intervening time to change the situation from to-day. They will ask why if they are to-day entitled to that which this bill gives them they will not be equally entitled to it six weeks hence. To that demand no adequate answer can be made. the passage of this bill, Mr. President, we are opening the door for the continuance of a policy which no man here n his heart believes will furnish an effective remedy for any of the distress which any interest now suffers and for which no man here can find an adequate excuse. But we shall have it fastened upon us.

The cry from the country during the whole period while this iniquitous license and embargo proposal has been before the Congress has been for a reduction in the high cost of living; and yet, sir, it is worthy of note that substantially every measure which Congress has been called upon to cons der in that time has looked toward the maintenance, or the increase, of the high

prices which war fever brought upon us. The country has gone on with its cry for high and still higher wages, and prices and profits. Deluded interests still think to lift themselves by their boot straps through congressional action. What the country needs, str, is not legislation, but liquidation. Until every interest of investment, or manufacture, or production, and of labor is willing to confront the inevitable reactions of the war, is willing to write off its losses, is willing to begin anew under the conditions which the reactions of war involve, this country can have no economic peace or progress.

A homely rhymster, whose verse is a daily delight to thousands of readers, has pictured the situation; and I ask the Senate and the country to take counsel from these words of

Walt Mason:

#### EXIL TIMES.

There is a crisis everywhere, and all the world is in despair. I read the news from day to day, from countries near and far away, and I'm discouraged as I mark our prospects, desolate and dark. Oh, anarehy and doom and wreck and countless evils are on deck; some crisis every day appears and humps its back and wags its ears, and statesmen cry, as they've long cried, "The tail must travel with the hide." For six long years it's been the same; the crisis played its low-down game, and filled us with the dumps and blues and kept us shaking in our shoes. We had a crisis months ago, because no prices then were low, and profiteers were on our trail, demanding all our hard-earned kale. That crisis slumped, another rose, and now low prices are our foes, because the cost no longer soars a thousand mills have closed their doors, and workless workmen walk the streets and clamor vainity for the eats and soak the silken shirt they wore when tother crisis had the floor. I'm tired of all this crisis stuff; they've fed me up—I've had enough.

Mr. President, history has a trick of repeating itself. Twelve years ago a Republican President had just entered the White House, and he, too, came from the State of Ohio. Behind him stood the largest vote that any President had up to that time ever received. The Republican majority in both Houses of Congress was ample; and that majority wrote a tariff bill. That tariff bill was a Pandora's box of political evil for Republicanism. The year following its enactment saw the Republican majority in the House of Representatives swept away, saw State after State, previously deemed safely Republican, taken into the Democratic column, and saw the Republican majority in this Chamber sadly diminished. Two years later came the frightful debacle in the Republican Party and in its train came eight years of Wilsonism and war, bringing with it the embargo and licensing system which this bill would continue. I hope, Mr. President, that the Republican Party of 1921 is not again setting its feet in the path of 1909.

Mr. KNOX. Mr. President, I have listened with great attention, some amusement, and some astonishment to the combination of logic, eloquence, doggerel, and prejudice which have been emitted by my distinguished friend the Senator from New Hampshire [Mr. Moses]. It is not my purpose to approach the consideration of the amendment to this bill for which I am responsible from the standpoint of a profit and loss account of a Dolly Varden calico mill in New England, but from the standpoint of the roster of the dead who have died in this Great War, from the standpoint of the list of casualties, and I make my appeal to the men who have followed the history of this war and learned the lessons it has taught. It will require but a few moments, Mr. President, to justify this amendment, explain its purpose, and satisfy thoughtful men of its wisdom.

When the Great War with Germany broke out 99 per cent, perhaps, of all the projectiles that were flung against the allied forces were filled with high explosives, high explosives which France and Great Britain could not and did not produce, but which eventually were produced by the United States. In the last great retreat an examination of the huge ammunition dumps of the German Army showed that over 50 per cent of their projectiles, instead of being charged with high explosives which merely exploded the projectile and scattered its fragments, were filled with poisonous gases which mingled in the air and asphyxiated and destroyed thousands, even though not within their immediate range.

What does that lesson teach? It teaches that from practically a negligible quantity of projectiles charged with poisonous gases during the war there developed fully 50 per cent so charged, and if the war had continued two years longer and America had not made the progress which enabled us to meet these people upon common ground the story of the war would have been different.

Let me read to you, Senators, a few observations made by a man whom I have the honor to call my friend, Col, Phillippe Bunau-Varilla, who left one of his legs upon a field in Flanders, in speaking of the blindness of the French people in not meeting the Germans upon the common ground of the development of organic chemistry and therefore the production of chemical armament. He said:

This seems incredible, but it is a fact!

The blindness of the French administration, the deceiving songs of the pacifists as to the impossibility of a European war, had gradually led France to get engulfed in the methodic and devilish entanglement of the German dyestuff industry.

The terrible situation in which France, as well as Great Britain and Russia, was placed by the lack of ammunitions after the earlier battles of the war is explained thus:

Who makes dyes to-day can to-morrow make high explosives—with the same men, with the same plant, with the same materials—provided he disposes also of oxidized nitrogen.

The dye industry and the high-explosive industry are so intimately connected as to be virtually one. In fact, melinite and trinitrotoluene are nothing but hydrocarbides, extracted from distilled coal tar, in which is incorporated oxidized nitrogen.

which is incorporated oxidized nitrogen.

Germany had established all over the world the monopoly of her apparently innocent dye industry. It was the scientific noose which was going to strangle all her enemies after the first months of war owing to the famine of explosives.

The vie methods of warfare admirably condensed by the celebrated Count Luxburg, the minister of Germany to Argentina—suggesting neutral ships should be sunk "without leaving traces"—were also followed in peace. The same men who enjoyed the hospitality of the United States, while depositing bombs with time fuses in the ships leaving the American wharves, were active during peace times also.

The dye industry being for everybody, except Germany, a peaceful one, and, for Germany only, a war industry, it was protected against competition by German war methods.

Whenever a non-German dye appeared either in France, Great

Whenever a non-German dye appeared either in France, Great Britain, or America, immediately it was stifled under an avalanche of German goods. If, however, the competitor resisted the business pressure he was soon put out of commission by the purely Boche

pressure he was soon put out of commission by the purely Boche trickery.

Suitable additions of noxious substances were made by criminal hands in the mills of the users of non-German dyes. Everybody was soon convinced that non-German dyes did not possess the standard qualities necessary for their industrial use. By this double method in time of peace—dumping and sabotage—the Boche acquired the practical monopoly of the dye industry. Free-trade nations were glad of it. The innocent economists and the candid pacifists were conveniently misled, while in fact the monoply of the dye industry constituted the control of explosives by Prussia. She alone was capable of making the explosives on a large scale, when she should decide to let loose her dogs of war and to complete the task which she had begun in 1619. This monopoly was to insure her conquest of the world.

Everybody remembers the universal complaints about the absence of dyes when the war was declared by Germany. Nobody, of course, remembers any complaint about the absence of explosives. It was, however, the very same question. The manufacture of explosives. It was, however, the very same question. The manufacture of dyes was the manufacture of explosives. The various nations abstained, naturally, from exposing their incredible blindness and the almost criminal neglect of their Governments in not having taken, during peace, adequate protective measures. Their stock of material for providing their artillery with high-explosive shells was practically just sufficient for the first weeks of the war.

Germany alone was capable of the industrial effort necessary to furnish the large masses of explosives required for the war. She had of the plant, she had of the personnel, she had of the raw material. She had also succeeded in freeing herself from the necessity of importing nitrates from Chile. Chile, on the contrary, was the only source open to Germany's blind enemies for obtaining the oxidized nitrogen which is the essential element of high explosives or of gunpow

Thanks to supreme technical efforts she had succeeded in devising the proper scientific and industrial methods to extract from the atmosphere the oxidized nitrogen necessary for the manufacture of her explosives. It is safe to say Germany alone among the nations at war could produce an unlimited quantity of explosives on her own soil and with products generated within her own frontiers.

Mr. President, to-day perhaps the noblest call to man is the dissipation of the possibility of future war, and perhaps one of the strongest arguments that can be put up to Governments is that to avoid war we must disarm. But what profits it, Mr. President, if we shall destroy our battleships, if we shall destroy our arsenals, if we shall cease to cast guns and swords and bayonets, if we leave the world's productive capacity of organic chemistry in the hands of Germany, which enables her to turn out instantly, with the flexibility of her plants, the most deadly weapon that human ingenuity has yet devised? You may sink every German battleship to the most remote cave of the sea, you may reduce to dust her proudest fortresses, you may blow the great Krupp plant to hades, and you may cast the big Berthas into plowshares and pruning hooks, but if you leave the dye industry in the possession of Germany she has the world by the throat.

Mr. President, those of us who take an interest in what has happened during this war, those of us who seek intelligently to understand the causes of the great destruction of this late war, those of us who have visited the hospitals and seen the asphyxiated boys, many of them demented-my God, how can we refuse by our votes to take over to ourselves the ability to do that which they would do? Nations do to each other, what the others would do to them, but if we are wise we should be sure to get ready to do it first.

I place no importance at all in this discussion upon the eco-nomic features of this amendment, and yet perhaps there could be no greater argument made for any American industry than could be made for the protection of the dye industry, when you take into consideration the circumstances under which it came into being,

Woodrow Wilson had the vision to see what it meant. Twice has he specifically, in his messages to Congress, called attention to the necessity of the building up of this great arm of national defense. In 1914, when the war broke out, there were seven manufacturers of dyes in the United States. In 1920 there were 184, and yet we hear gentlemen cry "monopoly"; that this industry is in the hands of a few. We hear gentlemen complain of the efforts these people are making to protect the two or three hundred million dollar investment. Mr. President, every time a superbattleship is built in the United States it is paid for to the extent of forty or fifty million dollars out of the pockets of the American taxpayers. Every time à dye plant is constructed which costs forty or fifty million dollars it is built at the expense of private individuals, who, because of the peace-time uses of their product, can afford to construct these plants, which, as I have said, are almost instantaneously convertible into munition plants. Yet your battleship in five or six years is obsolete and your investment is gone; but your dye plant, if the country is progressive, will become greater and greater and more efficient, not only for the purposes of peace but for the purposes of war.

We hear complaints that these institutions are great, enormously capitalized, and make large profits. Mr. President, in this day of grace, when great things are being done in the world, it requires great instrumentalities to accomplish them. You can not equip an army to fight 5,000,000 Huns in the blacksmith shops at the crossroads, and you can not finance it at the little national banks in the villages throughout the country. have to take a view of this situation, Mr. President, that is becoming the size of our country, the dignity of our statesmanship, and the wisdom and patriotism of the men who sit here

and represent the American people.

I ask leave to print as an appendix to my remarks an article in the New York Herald, written by Mr. Edwin C. Hill, on the uses of gas in warfare.

The VICE PRESIDENT. The Chair hears no objection, and

leave is granted.

### APPENDIX.

WORLD MASTERY LIES IN "DEW OF DEATH"—POISON GAS FROM AIR-PLANES WILL DECIDE NEXT BIG WAR—GEN. FRIES, CHIEF OF THE CHEMICAL WARFARE SERVICE, DEPICTS HORRORS AS A REAL DANGER FACED BY OUR ISLAND POSSESSIONS AND EVEN BY NEW YORK—AMAZ-ING REVELATIONS IN OFFICIAL MEMORANDA.

\*\*Horrors of the Great War reached their climax with the use of poison gas projected far behind the front lines by means of gas-filled shells. Yet terrible though the results were both for the fighting forces and civil population, they pale into insignificance beside the picture of the gas war of the future painted in the accompanying article.

"The facts about armament plans of the several nations gathered by the New York Herald and presented in these columns from time to time have attracted nation-wide attention. The details presented to-day—all from official sources—are sure to gain international attention. No such frank revelation of the possible use of poison gas dropped broadcast by fleets of airplanes ever has been published, and the description of the probable results staggers the imagination. Literally, as the writer says, 'The mastery of the world rests in the dew of death.'

"[By Edwin C. Hill.]

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"New York Herald Bureau, "Washington, D. C., May 7.

"Hurricanes of steel smashed German power on land and The dew of death will paralyze and destroy the lunging battalions of a future assault against civilization.

"The last war ended with diapason closing full, great guns roaring from the North Sea to the Alps, the ears of the warriors dinned by infernal tumult. The next war will close in the silence of death, broken only by the moaning and the screams

of the blinded and the burned.
"Wars of the past have been conflicts of artillerymen and engineers, clumsy duels with clumsy tools not very different from the tools used by Napoleon, Grant, and Von Moltke. the future will be unimaginably dreadful struggles, directed by middle-aged and elderly persons in spectacles sitting in labora-tories and loosing upon fields of battle, battle fleets, and great helpless cities miasmas of death that not only destroy the body but wreck the mind through fear, sheer terror of the mysterious. the unknown.

"Compounds of volatile, lethal poisons, poisons that will fall as dew from the clouds, literally a dew of death; poisons that will be drifted across great spaces like fever murk from a swamp; poisons that will be discharged in shells from pneumatic guns, furtively, silently, will contend for the mastery of the world. These will be chemists' wars, if wars must come again, and the simple truth is that the mind of man is not yet able to picture the horrors that will be released.

"DREADFUL FORECAST OF EVILS BY NEW WAR DESTROYERS.

"Great cities, an ocean apart from their country's enemy and tranquil in fancied security, far out of reach of the longest range gun, will stir from sleep in the night to the agony of their people, as from unseen poison ships, circling above them in the dark, dews of death fall to blind and burn and paralyze, Fortresses, manned by the most powerful ordnance man has been able to perfect, will lie helpless under this gentle, frightful rain. Armies with banners will be leveled to the dust, no longer armies, but masses of sightless, pain-crazed human beings, incapable of motion, incapable of thought.

In all the thousands of years that men have schemed to slay other men for greed, ambition, or the love of women nothing even remotely so terrible has come into warfare as the discovery and coldly scientific application of poison gases as a weapon. The possibilities are absolutely illimitable. There are 200,000 chemicals known to man, and as yet only 5 per cent of this vast number have been used for experimentation. Yet with the few discoveries made in the 5 per cent and employed in the Great

War the casualties were terrific.

"The Surgeon General of the United States Army reports that almost one man out of every three that entered the hospitals of the American Expeditionary Forces as a battle casualty was suffering from enemy gas. Including the marines and attached naval personnel, poison gas caused 72,056 casualties, of which 1,271 proved fatal. That is what the dew of death did to American fighting men. What it did to the French and the British can be imagined without statistics.

"Yet from 1915, when the Germans first drifted a poison cloud across the field of Ypres, until they surrendered, more than three years later, they developed only 3 per cent efficiency. Had it been 50 per cent so early in the struggle, or even later, history

might have had another tale to tell.

"'Had they got up to 50 per cent,' said Brig. Gen. Amos A. Fries, Chief of Chemical Warfare Service, United States Army, we would have had to come home-those of us left.'

"IN ITS INFANCY DURING LATE WAR-NOW A MENACE.

"At Ypres in 1915, when the Kaiser's hosts added the new terror to warfare, they had the world in their hands had they followed up the shocking surprise their poison waves sent through the British and the Canadians-but they did not follow it up. One is reminded of Victor Hugo's explanation of French defeat at Waterloo—the sunken road of Ohain, Napoleon's strange indecision, Grouchy's blunder. Hugo put it in a word: God.

"Nor did the Germans advance their primary advantage with the energy that had marked them in all other fields of military achievement and purpose. The German chemical-shell program was 25 per cent of their artillery ammunition. During the entire time that the American troops were in action it is doubtful that the chemical-shell firing ever exceeded 15 per cent. They could not manufacture chemicals fast enough. In the battle of the Meuse-Argonne, the longest and hardest-fought battle the American troops participated in, the Germans used a relatively small amount of gas. Their available supply had been dissipated in other sectors and little was left to employ against the Americans. But with poor efficiency and a dwindling supply it must not be forgotten that German poison gas struck out of the battle line one in every three of the American fighting men who went to hospital.

"Does anyone think that the vision of whole cities thrown into helpless agony by invisible airships dripping poison is too fantastic? Or that it would be impossible to subdue such fortresses as Corregidor or the green-terraced ramparts that guard the Narrows of New York Bay? Nevertheless that is the cool and carefully weighed opinion of Gen. Fries and of his aids in the Chemical Warfare Service. They approach these amazing con-clusions with knowledge of secrets that are not accessible to the rest of us-grim and dreadful mysteries that have been worked out in the great Chemical Warfare Service laboratories at Edgewood, Md., and in the many private laboratories whose science is given to the United States Government.

"If the Philippines are ever attacked by an enemy, it will be a gas attack, Gen. Fries believes, and the measure of his opinion is indicated in the following interesting memorandum he sent a few days ago to Maj. Gen. Leonard Wood, who is now on his way to our Far Eastern possessions. Here it is:

"FORECAST OF LOSS OF PHILIPPINES BY GAS RELEASED BY ENEMY.

"Japs can take Philippine Islands with gas—let us assume Japan has decided to make war upon the United States. Her first objective is the Philippine Islands. They lie to the south of Japan and more or less parallel to the Asiatic coast as is Japan herself farther north. American troops and fortifications are concentrated on the island of Corregidor at the mouth of Manila Bay. This is the usual tropical island, with an extreme length of 7 miles and an extreme width of 1

mile, the total area being less than 3 square miles. It is rather a typical promontory on the west, gradually shading off to almost sea level on the east. It has the usual tropical growth, with cleared places for barracks, officers' quarters, and gen emplacements.

"Japan, having decided on war, will seize a small bay within 100 miles of Corregidor. Her air force will fly there by way of Formosa and land in the little harbor picked out. She will carry in her fleet 100 tons of mustard gas. This gas and the methods of making it were thoroughly worked out by the different Allies in the World War. Hence Japan's knowledge of the gas and of manufacturing it are complete.

"A force of 50 planes, each carrying it ton of mustard gas in a simple tank, will leave at night for Corregidor. A half hour later they will be over the island and will be synthing it thoroughly with mustard gas from one end to the other. Fifty tons of mustard gas, even if half of it is wasted on the surrounding waters, will form a deadly concentration that can not be gotten rid of under 5 to 10 days. Men can not live anywhere on the island without wearing masks and oil clothing which is gas proof.

"Within 48 hours the place will be practically untenable for anybody. Animals and all human beings will begin to grow sick from injury to the lungs or from very bad burns. Forty-eight hours alone will suffice for a reduction of the island without firing a shot. Thus will pass the Philippine Islands into the hands of the Japanese.

"The next step will be just to hold the Philippine Islands and walt for results. They might possibly attempt to apply the same methods of attack against the Hawalian Islands. It is perfectly certain that the attack would be just as successful against the Hawalian Islands as against the Philippines, unless the Americans have a superior air force that can keep the invaders way.

"The Caroline and Marshall Islands, including the island of Yapover which the Japanese are to have a mandate, would afford numerous small harbors which w

"GEN. FRIES DESCRIBES POSSIBILITY AS A VERY REAL DANGER.

"In preparing this extraordinarily frank memorandum, Gen. Fries 'got right down to brass tacks,' as he says, believing that no good would be served by minimizing a very real danger. And the same danger would apply, in his opinion, to any part of the United States whatever in war time if the Navy was not big enough and the air force not numerous enough to keep an enemy from establishing a base for poison-gas raids.

"Take New York City itself-

"Said the general-

"Said the general—
"New York, the magnificent. For the sake of argument, let us assume that the United States Navy, allowed to deteriorate, had suffered defeat or that the Atlantic Fleet had been outmaneuvered by a cuming foe. Let us assume that the same neglect of military aviation continues. What then? The answer is as certain as that might follows day. Airplanes are being developed so that even now it would be possible for great squadrons to leap the Atlantic and sprinkle our cities with burning poison. If an enemy nation could seize and hold a base in the Caribbean, we would be wide open to the most frightful bombardment mind of man ever conceived—not a deluge of shot and shell but a rain of something infinitely more dreadful.

"We know that 10 tons of mustard gas will desolate a square mile and make life impossible in that square mile. Suppose a fleet of 100 poison sprinklers swooped over New York in the night, having defeated or evaded the American flying fleet. Death, desolation, and deteat would most certainly result. In the millions of the great city hundreds of thousands would be blinded, burned horribly, driven insane from terror. It is not a picture one cares to contemplate even in speculation, but I tell you that the scientific use of gas in warfare is approaching this extreme of horror.

"The American people should know that these possibilities exist, that the peril is not a nightmare of military men, but a cold, scientific fact, well enough proved in the past war and infinitely more potent now. We have adopted a policy of the utmost frankness because we believe in the sound judgment of the American people. We have our secrets, but we do not believe in trying to keep too many matters secret. Too much secrecy often defeats the very purpose of secrecy. We believe in being frank to ourselves, to our comrades in the Army and Navy, to Congress, and to the people as a whole. We helieve in publicity, because we don't see how the Army and Navy, or any of the other institutions of our Republic, can be prop

"EATTLE FIELDS OF THE FUTURE NEVER TO BE FREE FROM GAS

"Poisonous gases in the past war caused 27.3 per cent of all American casualties, killed and wounded. Considering only the wounded admitted to hospitals, over 31 per cent were gas alone, and yet the use of gas, even at the end of the World War, was a child's game compared to what it will be in the future. With gas defiting from clouds let loose on the battle line, with gas being thrown to enormous distances by all calibers of guns, and with gas raining from airplanes or bursting from airplane bombs, the battle fields of the future will never be free from gas.

"This is no exaggeration. We have the raw materials for these gases. We have the personnel to manufacture them. We have the factories. More than that, we have the men in the Army and the Navy and the Air Service that will distribute them; and the military many who fails in the future to consider gas in every problem he studies is falling to consider the most powerful weapon of war, both for offense and defense.

"There is still talk in places that chemical warfare may be abolished by agreement. It can't be done. If you can abolish chemical warfare by agreement, you can abolish all war by agreement, the way agreement, the can are that have been kept, such as not to use poison bullets or not to poison wells. Such agreements have been kept for one reason, and one reason only. The methods are inefficient. Poisoning of wells is a species of guerilla warfare comparable with stabbing a man in the back, and gets only an occasional casualty. But chemical warfare, getting its casualties by the tens and hundreds of thousands, is too powerful a force for any military commander to overlook, either for offense or defense, and too powerful for any nation to dare trust that no other nation will use it in war. History proves that no powerful method of making war has ever been abandoned until a more powerful method was devised. And why shouldn't we use poison gas? It is just as sportsmanlike to fight with gas as it is to fight with rifles or swords. Gas, being so universally adaptable, requires the highest intelligence and the keenest minds to use it successfully. We Americans believe we have the mind, the skill, and the ingenuity to use it just a little better than anyone else.

"A recent writer in a military magazine stated that gas would probably not be used in our barrage during an attack, because of the difficulty it might cause our own troops. He forgot the enemy—a danger-ous lapse of memory for any military man. Battles have been lest and nations have been swept away because commanders of armies forgot to figure on what t

will deluge our advancing intantry because he knows that him.

"This simply means that gas will be used everywhere, in every battle, and woe be unto the general and his staff who fail to prepare so to use it. No war can be fought without suffering casualties, for, as Napoleon said, 'To make an omelet you must break some eggs.' We recognized that fact when we drove our men so close to our high explosive and shrapnel barrages that we had many casualties from our own shells. Why did we do it? Simply to enable our men to get into the German trenches before the German machine gunners, hiding in deep dugouts, could man the trenches and mow our men down with machine-gun fire at short range.

"CHEMICAL WARFARE IS CHEAP, BUT GERMANS PROVED IT TERRIELE."

deep dugouts, could man the trenches and mow our men down with machine-gun fire at short range.

"Chemical warfare is a very economical method of waging war or maintaining peace. It is doubtful if 15 per cent of the German shells fired at American troops contained gas, yet that 15 per cent of gas shells alone accounted for almost 30 per cent of all our cansatires. The United States spent in the World War for gases, gas masks, gas plants, and all other needs of the Chemical Warfare Service \$120,000,000, less than one-half of 1 per cent of the cost of the war, and yet with that one-half of 1 per cent of the cost of the war, and yet with that one-half of 1 per cent of the cost of the war, and yet with that one-half of 1 per cent of the cost of the war, and yet with that one-half of 1 per cent more than 4,000,000 masks were shipped overseas, sufficient to equip the critic army in France and leave on hand at the signing of the armiticle 1,000,000 masks were shipped to the British and the French and filled into shells by them. Several thousand tons of other chemical-warfare supplies were shipped to France. A number of plants were built, among which is the great plant at Edgewood Arsenal, one of the most valuable war plants in existence in the United States to-day.

"Give the Chemical Warfare Service 2 per cent of the appropriation for the Army, and, if the Navy destres it, 1 per cent of the Navy appropriation, and we believe that we can do as much to guarantee American success in war as could be had with 25 per cent spent in any other way.

"We have developed two new gases that may play a tremendous part in warfare, One is a new cloud gas, transmitted from toxic smoke candles. The old type of cloud gas required the burying of cylinders in deep trenches, requiring the work of many men for many days in order to prepare an attack. This method is obsolete. The modern method is to heat a solid. The solid gas, contained in a simple holder resembling a squat, old-fashioned hantern, is released when a fuse is lighted. It is

Panama Canal and our own seacoast. If the British had had 5,000 tons of it in 1918 they would have stopped the German drive in the first 5 miles.

"Dyphenal-chlorarsine, made of carbolic acid, chlorine, and arsenic, is fired in shells or used in cakes in concentrated form. In high concentration it is deadly. In low concentration it causes severe coughing, pains in the chest, and vomiting. The effects of it simulate pneumonia. It penetrates all save the very latest types of protective masks and a drop or two of the stuff upon a man's clothing will put lim out of action. In defense it could be launched in cloud form against an enemy when the wind was adverse; and the stuff upon a man's clothing will put lim out of action. In defense it could be launched in cloud form against an enemy when the wind causes bilindness from excessive tears. It goes into shells and is spread by beat. This is the gas that will be used in the future to break up mobs, and it should be a tremendous asset to every police department. Mobs are helpless when they can not see. We are at work now upon a substance even more powerful than the tear gas developed by the war. At all times we conduct a warfare among ourselves in the Chemical Warfare Service. We do our best to find a gas that can not be stopped by our most modern masks and clothing. When we find that we invent new masks and new clothing; then look for a more penetrative gas. It is like the "Phosgene is a liquid gas that volatilizes almost instantly. It irritates the lungs very severely and produces symptoms that are familiar to doctors in pneumonia cases. In treating pneumonia patients.

"Lewisite, a new gas discovered by Prof. Lewis of Northwestern University, resembles mustard gas, but is more powerful in burning qualities. It volatilizes even more quickly. We are just beginning to produce it and it will undoubtedly play a large part in the next war.

"These are some of the principal gases that we are constantly experimenting with, and about which we know enongh already to be certai

Mr. STANLEY. Mr. President, with the unemployed not to be found between the seas, and labor receiving the most munificent reward ever known in the annals of American enterprise, the Republican Party made this solemn platform declaration-

We pledge ourselves to carnest and consistent attack upon the high cost of living-

And that promise was emphasized and dignified as a solemn covenant by its candidate.

We can promise no one remedy which will cure an ill of such wide proportions—

Said candidate Harding in his speech of acceptance-

but we do pledge that earnest and consistent attack which the party platform covenants.

The chairman of the last Republican convention was not less earnest or less emphatic in assuring the people that if intrusted with power his party would keep that covenant, would make "that earnest and consistent attack."

The rise of prices

Said Senator Lodge-

the high cost of living which reach daily into every home is the most pressing as it is the most difficult and most essential problem which confronts us. Some of the sources of this trouble can be reached by legislation, although not all, and everything that can be effected by law should be done at once.

At last, Mr. President, we have the promised legislation. The Republican Party now proposes to solve "the most essential problem which confronts us" by an embargo upon foodstuffs, by piling upon the towering and abhored rates of the Payne-Aldrich bill a higher duty still upon food and raiment, by penalizing every producer of life's essentials who dares to offer food or clothing or shelter to your countrymen except at

the same or a higher figure than it is sold at the place of production or in any other market of the world.

This bill makes a mockery of your President's sacred covenant, your party's solemn pledge, "a promise made to the ear and broken to the hope." The obligation to keep that pledge inviolate is a hundredfold more binding now than then. The promise was made at a time of high wages and universal employment; and now, in the midst of depression and distress, wage cuts on every hand, factories, mines, and mills closed everywhere or working upon reduced time, 5,000,000 desperate, jobless men and their wives and children in destitution and despair demand the fulfillment of that pledge, the keeping of that covenant. Their meager and diminishing savings will no longer sustain the intolerable burden of the existing cost of every essential of life. They are demanding, and they have a right to demand, that promised relief. They ask for bread and you give them a stone. They demand the enactment of legislation cheapening food and clothing and shelter, and you enact a bill deliberately designed to enhance the power of the Wool Trust, the Beef Trust, and the Lumber Trust in maintaining the existing scale of prices.

GROUNDLESS DREAD OF GERMAN COMPETITION.

Alleged dread of German competition is the "bogey man". used by the advocates of high and higher prices to frighten the American consumer into an acceptance of this legislation and a patient endurance of its burdens.

Prior to the Franco-Prussian War the German States exercised but a negligible influence upon international trade, controlling but a bare 7 per cent of the world's commerce. With the formation of the Empire and the acquisition of Lorraine, Germany's foreign commerce, especially her trade in coal and iron, advanced by leaps and bounds. Having despoiled her neighbor of enormous resources in ore and coal, and as ruthless in industrial methods in peace as in military operations in war, Germany did invade the markets of the world and by the most ingenious forms of destructive competition attempted to secure that control, especially over the steel and iron industry, which she had long enjoyed in the production and sale of dyestuffs.

In underselling competitors German industries employed the kartell, resembling in many respects the American trust, but better adapted to the invasion of foreign markets and the destruction of foreign competition. Under this system the constituent companies, while maintaining their separate organizations, sell to a central agency, and when necessary contribute a bonus in the marketing of a surplus in foreign markets. Behind these formidable combinations stood the Bank of Berlin and the moral support and illimitable resources of a mighty State.

Special reductions and rebates were cheerfully given to export trade, and a great merchant marine was subsidized to carry the German product at the lowest possible cost to the remotest corners of the earth.

Perhaps the most powerful of these kartells, the Central Verband of Dusseldorf, having secured the control of the iron markets of Germany, Austria, Switzerland, and Belgium, boldly attempted to take and to hold the foreign commerce of the world. Starting with a negligible trade, by 1911 Germany had caught and passed her greatest, most formidable rival, controlling 20 per cent of the world's output in iron against 18 of United Kingdom and at the same time becoming her closest competitor in the production of coal. Germany's exportations in the same year reached a total of 6,100,000,000 marks against 4,100,000,000 marks of Great Britain.

This powerful kartell did not hesitate to engage in the most destructive competition or to make any reduction in export prices. Nails selling at 25 marks per hundred kilograms in Germany were offered to the rest of the world at 14 marks. Such practices were openly avowed and boldly maintained by this organization.

Large steel plants-

Said the Verband-

must work to a certain maximum capacity without interruption if they are to remain efficient and produce at a minimum cost. It is impossible for the home market of any plant in any country to absorb a large output without interruption in the flow of orders due to periods of depression from economic causes outside the influence of the steel industry. \* \* \* The Steel Verband therefore maintains that it is better for the entire economic life of the country in slack years at home to dispose of surplus products abroad at prices which may even cause a loss, inasmuch as the loss incurred by dumping abroad is in no comparison to the losses which would be incurred if production were reduced at home.

The bold avowal of such principles and practices was viewed with apprehension by academicians and political economists in

America. David Jayne Hill in the December issue, 1915, of the North American voices an almost hysterical alarm:

In war it is expected that victory will cost a certain loss of life. For the sake of ultimate triumph the state (Germany) is ready to make this sacrifice. Why not then incur temporary losses for the sake of final victory in the bloodless battle of commercial supremacy? More than any other people the Germans were prepared to do this, and did it cheerfully. The same products of iron that in Germany itself sold for 120 marks a ton sold in England, South America, and the Orient for 103 to 110 marks, and in Italy for 75 marks.

What was the effect of this industrial warfare upon the domestic and foreign markets of America? Safely ensconced be-hind a tariff wall at home and abundantly able to take care of himself abroad, the American producer remained secure and serene. Undismayed by this wholesale "dumping" upon the world's markets, the head of the United States Steel Corporation approved the principles and emulated the practices of his German competitor. On June 2, 1911, Judge Gary said:

There is a practice all over the world of dumping, as it is called, surplus products. It is really for the same reason that the merchant at some seasons of the year clears his shelves and sells what he has on hand at less than cost. \* \* \* This export question is a very important one, and I have no doubt this committee will consider it. Now, some years, and, in fact, many years, we do sell export at prices somewhat less than domestic prices, but the total result is that we can afford to sell for domestic consumption at a lower price. All countries do exactly the same thing. The net result is not prejudicial to the domestic purchaser but is a benefit to him.

The American manufacturer entered into active competition with this powerful Verband in the markets of Japan, China, Australia, Cape Colony, and the United Kingdom. According to a report of the commission on German kartells-

In 1890 the United States of America's output of wire was 457,099 tons; in 1902 it was 1,574,293 tons (rising from 1,365,934 tons in 1901 and 846,291 in 1900).

The United States Steel Products Co. exported 5,000 tons of steel a day or 1,500,000 tons per annum, and by 1910 the Steel Corporation's exportations reached the sum of 3,000,000 tons.

Other steel products were not less successful, and everything made of steel, from a wrist watch to a locomotive, American cash registers and typewriters, sewing machines, mowers and twine binders, offered at less than the alleged cost of production at home, found ready sale in the markets of the world in the face of the fierce competition of the German Kartell.

This German invasion of foreign markets was impossible without the aid of concessions and rebates by land carriers and subsidies on the sea.

With the rich ore fields of Lorraine returned to France, the Sahr Valley and the Ruhr region in the clutch of the Allies, railways in ruin, a great merchant marine driven from the sea, and a reparations commission at the throat of the Empire imposing an export tax on what is left of her mills and mines, what have we now to fear from the wrecked industries of this prostrate State? If such an expedient was not necessary to protect the American market from invasion when Germany was at the summit of her industrial and political power, it is worse than useless now.

It is demonstrated by hearings before the Finance Committee and admitted by the Senator from North Dakota [Mr. McCum-BEEL that there is to-day no threat and no immediate prospect of this dreaded dumping from any country in the world. From whence will it or can it come? What continental country is prepared to supply its own needs, to say nothing of the sale of the necessities of life in markets across the sea? Two-fifths of all the wealth of the world has been obliterated by the rav-ages of war, has disappeared in fire and smoke. Will the ruined factories of Lille or the dismantled mills of Belgium to-morrow arise like a phœnix from their ashes? Are the gaunt peasantry and artisans of France and Belgium, clad in paper and in rags, now prepared to furnish us with soft woolens and fine linens at less than the market price at home or below the cost of production? Are we to apprehend a horrible inundation of beans and rice, eggs and oil from the Orient, while China, desolate and scourged, sees 20,000,000 of her naked populace perish miserably in the skeleton clutch of famine?

### LEGISLATION UNNECESSARY.

Hon. William S. Culbertson, member of the Tariff Commission, in a recent and very admirable work entitled "Commercial Policy in War Time and After," inserts a most instructive chapter on antidumping legislation. He defines three kinds of trade practices properly falling under the head of "dumping," as follows:

(1) The sporadic selling of goods in order to relieve a surplus; that is, the offering of bargain sales in international trade;
(2) A permanent policy of foreign industries of selling in this country a portion of their output at a price below their domestic price in order to keep their factories running full time; and
(3) Unfair price cutting, the object of which is to injure, destroy, or prevent the establishment of an American industry.

The sporadic selling of goods in order to relieve a surplus and a custom of selling a portion of the output at less price in foreign than in domestic markets is almost universally practiced and justified by American industries. This act is ostensibly designed to meet the condition described by Mr. Culbertson "as unfair price cutting, the object of which is to injure, destroy, or prevent the establishment of an American industry." Section 201 of the act provides, among other things:

SEC. 201. (a) That whenever the Secretary of the Treasury \* \* \* finds that an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation into the United States of a class or kind of foreign merchandise \* \* \* sold or is likely to be sold in the United States or elsewhere at less than its fair value, then he shall make such finding public to the extent he deems necessary—

And so forth.

This act by the very terms of this preamble is superfluous Under the proposed bill the injured party and unnecessary. is without remedy or relief. The law as now written prohibits such price cutting or unfair practices and provides liberal com-pensation to the domestic competitor for all injuries to his business or property resulting from such practices.

Section 801 of an act approved September 8, 1916, entitled "An act to increase the revenue, and for other purposes," provides:

provides:

That it shall be unlawful for any person importing or assisting in importing any articles from any foreign country into the United States, commonly and systematically to import, sell, or cause to be imported or sold such articles within the United States at a price substantially less than the actual market value or wholesale price of such articles, at the time of exportation to the United States, in the principal markets of the country of their production, or of other foreign countries to which they are commonly exported, after adding to such charges and expenses necessarily incident to the importation and sale thereof, in the United States: Provided, That such act or acts be done with the intent of destroying or injuring an industry in the United States, or of preventing the establishment of an industry in the United States, or of restraining or monopolizing any part of trade and commerce in such articles in the United States.

"Any person who violates or combines or conspires with any other person to violate this section is guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding \$5,000 or imprisonment not exceeding one year, or both, in the discretion of the court.

Any person injured in his hysiness or personets by reason of any yield.

Any person injured in his business or property by reason of any violation of, or combination or conspiracy to violate, this section, may sue therefor in the district court of the United States for the district in which the defendant resides or is found or has an agent, without respect to the amount in controversy, and shall recover threefold the damages sustained, and the cost of the suit, including a reasonable attorney's fee.

Trade between individuals and nations alike is, in its last analysis, a mere matter of barter, each converting the commodity produced by labor or by skill into currency for the purpose of facilitating the exchange of values. Just how is the American producer to be bankrupted by the world's offer to give more of the things he needs, more of the necessities of life for the fruit of his toil than can be obtained under existing conditions? Is the American farmer to be impoverished because Germany insists upon giving more potash for his cattle or his corn than she offers to the domestic producer? Is he to be ruined in his business by receiving too much linen from Belgium or silks from France or fruits from Italy or rice and carpets from the Orient in a like exchange?

It is more than incomprehensible, it is an astounding proposition at this time. You have promised to lower the high cost of living and that means nothing more or less than a promise to lower the price of the things upon which we must live. In most instances the American trusts have refused to do it, and by this act you say no other shall.

### PERILS OF PROBABLE RETALIATION.

I shall offer an amendment to this bill providing that its antidumping provisions shall apply only to countries which have enacted similar legislation. The Hon, Henry C. Emery, pro-fessor of economics of Yale University and appointed chairman of the United States Tariff Board by President Taft, very pertinently calls the attention of the American public to the imminent danger of retaliation incident to the enactment of such legislation.

What about our own position-

Says he-

says ne—
in regard to selling surplus products abroad? Do we wish to help
start a movement as yet confined to a few sparsely settled colonies
(Canada, Australia, etc.), which will become the practice of our leading
competitors? What would be the position of our own export trade if
all countries should adopt the principle that all goods can not be sold
in foreign markets for less than the established price of the domestic
market? We are in a peculiar position. In general, our domestic prices
are relatively so high that dumping in our market is not so necessary as
in other markets. The foreign manufacturer can commonly meet the
situation by offering his goods at his regular home prices. On the
other hand, prices in foreign markets are so low that the American
exporter is largely driven by the sheer force of international competi-

tion to sell his surplus at some reduction. For this reason I believe the movement for an antidumping law may prove dangerous to American exporters.

The whole fabric of protectionism is based upon the assumption that the cost of production is greater at home than abroad. The minimum of protection is as a rule this alleged difference between the cost of producing a given commodity in a foreign country and in this. If it is not true that the standard of wages is higher in this country than abroad and the cost of production greater, then the whole system of protection is admittedly a sophism and an economic lie.

In that event the importer can now enter American markets without reduction in the price of his commodities. The do-mestic producer, with a higher level of costs and prices, further inflated by the necessary operation of a protective tariff, must sell his surplus abroad at a lower price or he can not sell

it at all.

As Prof. Emery has well said:

Prices in foreign markets are so low that the American exporter is largely driven by the sheer force of international competition to sell his surplus at some reduction.

They who advocate such legislation are blind to the signs of the times and the sweeping changes of a few short years. Yesterday a debtor, to-day a creditor Nation; yesterday an importer, to-day the greatest exporter in the world. The entering of foreign markets is of more vital importance than a tempo-

rary embargo of our own.

I am indebted to the Hon. Cordell Hull, of Tennessee, for ably compiled statistical information showing that while importing less than four billions of foreign merchandise, we are selling eight billions annually abroad. Our imports of manufactured goods are but a little over four hundred and twentyfive millions per annum while our exports of such manufactures, ready for consumption, are over two billion five hundred millions. Our imports of manufactures for the use of manufacturers are about five hundred and seventy millions, our exports of such manufactures are over nine hundred millions.

To carry this colossal traffic we have builded and are maintaining a great merchant marine and for its successful operation we must have something more than ships; we must have cargoes; we must have foreign as well as domestic markets. In the great channels of international trade there are no empty Let the nations of continental Europe emulate our pernicious example and our foreign commerce is dead, our surplus products without a market and our proud ships left to rot

in our ports.

THE EMERGENCY TARIFF.

All tariff legislation necessarily involves the disturbance and disruption of economic conditions. Industries affected by its schedules must be adjusted to it, and it has been hitherto uniformly admitted that such adjustment when made should be as enduring as possible. If this legislation is wise it should be permanent, and if unwise it should not be enacted at all.

It is designed by those who are enacting it not as a boon but as a bait for the farmer, an elusive and temporary relief offered for a few weeks in the vain hope that he may be committed to the pernicious policy of protection, estopped from complaining when inordinate duties are imposed for the benefit of protected industries and inordinate prices demanded by pro-

tected monopolies.

FOLLY OF CANADIAN EMBARGO.

The most pernicious thing in this pernicious bill is the attempted embargo upon Canadian commerce.

Prof. Edward Van Dyke Robinson, of the University of Minnesota, has ably demonstrated the consummate folly of erecting an impassable tariff barrier upon the Canadian border:

In spite of tariff barriers-

Says Prof. Robinson-

Says Prof. Robinson—

a vast and constantly increasing commerce is even now carried on across the Canadian boundary, which argues that each country urgently needs many things which the other produces. Reciprocity by removing or lowering these tariff barriers would consequently tend to increase this mutually profitable commerce. Consider for a moment the location and characteristics of the two countries and it must be apparent that they are designated by nature for mutual dependence and benefit. They lie side by side across the continent, a distance of more than 3,000 miles. No natural barrier separates them. Each side of the boundary is found the same race, the same language, the same customs, the same ideals of social and political justice, even the same scale of Wages and the United States, the investigations of the Tariff Board leave no room for the claim that protection is necessary to equalize differences in wages between the United States and Canada, for between eastern Canada and eastern United States, and Canada, for between eastern Canada and canada, for between eastern Canada and castern United States, western Canada and western United States and Canada, for between eastern Canada, moreover, is by nature merely a portion of a geographic unit, of which the other part lies this side of the boundary.

Thus the Maritime Provinces are physiographically a continuation of New Kagland, the St. Lawrence Valley corresponds to the Hudson Valley, the lands bordering the Great Lakes are alike on the north and

the south, the prairies of Canada are indistinguishable from the Dakotas, and the Pacific slope in Canada reproduces the soil and climate of Washington. Except for the tariff walls which mark the boundary, commerce would flow back and forth along the lines of least resistance, each physiographic province as a whole producing those commodities for which its advantages are greatest and buying from the others those commodities which they in turn are best fitted to produce, precisely as accurs between the several sections of the United States.

Massachusetts and Pennsylvania, Minnesota and Iowa, Washington and Oregon, have prospered without any tariff wall between them, or, rather, have prospered chiefly because of its absence; why not Canada and the United States? What magic power resides in a mere political boundary, when conditions of life are the same on both sides of it, to render necessary or beneficial an obstruction to commerce which no man will deny would be injurious between the seweral States of the Union? The truth is that the same spirit and the same range of vision which demand a tariff wall between adjacent States, adjacent counties, adjacent townships, adjacent farms, for all these compete, yet at the same time and in a larger sense cooperate with one another precisely as Canada and the United States compete and cooperate; and what is beneficial in the one case can not prove injurious in the other. The whole question thus seems to resolve itself to this from the viewpoint of the farmer no less than of society at large: Shall we have the courage to follow established economic principles and extend to a neighboring and closely related country that commercial policy which has long been approved in our own domestic practice, or shall we suffer protection, like conscience, to make cowards of us all?

Developed Canada consists of a narrow band of territory from 200 to 400 miles in width and extending along our northern border for over 3,000 miles. Commerce between the eastern, central, and western Provinces of Canada, separated as they are by lofty mountain ranges and vast stretches of unpeopled wilderness, was for many generations practically impossible. No such barriers existing between these Provinces and the States south of them, the natural course of trade was north and south, the greater advantage accruing to the United States. Her meager manufacturing enterprises confined in the main to the Province of Ontario, inaccessible to the bulk of that vast domain, Canada for half a century vainly knocked at our doors, seeking as a boon the privilege of providing millions of tons of freight for our lake and land carriers, timber and grain for American mills, ores of iron, copper, nickel, and cobalt for American furnaces; hides for American tanneries; and flax and asbestos for American factories.

Purblind protectionism maintained the stubborn barriers in open violation of all the laws of commerce and of common sense, until the Dominion was forced to overcome the almost insurmountable obstacles imposed by nature to the development of her resources, to piece the wilderness, to span estuaries and broad rivers, and surmount the lofty peaks of the Rockies in bringing to her own mills and factories that rich store of raw materials which had been denied admission to our own. For that purpose Canada has constructed three complete transcontinental railway systems—the Canadian Pacific, the Grand Trunk Pacific, and the Canadian Northern—the total trackage of the Dominion amounting in 1916 to 37,000 miles, a per capita mileage twice as great as in the United States and greater than that of any other country in the world except Australia.

Canada is no longer a suppliant at your gates. She no longer begs for the privilege of enriching you. By an enormous outlay of wealth and labor she has diverted the natural course of traffic over more than 3,000 miles of widespread territory and between distant and isolated Provinces. For once an American tariff wall has developed the transportation facilities and manufacturing enterprises of a great country, but it has developed them on the wrong side of the wall. The roads stretch from British Columbia to Quebec and the mills and factories are erected, not in New England but in Ontario.

Canada's refusal to accept the reciprocity agreement of 1911 tendered by the United States has demonstrated the fact that prejudice and a blind worship of the fetish of protection is not confined to this country. Angered by the memory of ancient wrongs and deluded by the sophistry of the industrial interests of Ontario she, too, is capable of the folly of an embargo upon commerce between great countries, whose real interests are reciprocal, rendered mutually beneficial by all the laws of

demolished the traffic between these countries, what will be the effect upon the commercial future of the United States? In this effort to exclude a few bushels of grain is it not well to first count the cost?

Your tariff wall will, in the first place, shut in two dollars of exports to Canada for every dollar's worth of her produce enter-

ing your own markets.

According to a recent report of your Tariff Commission, the exports from the United States to Canada are now second only to exports to Great Britain, and before the war already had equaled those to Germany. America's sales to Canada are more than twice as great as the combined sales to all the countries of South America. Canadian commerce forms approximately one-eighth of the total international trade of the United States, and about equals in volume that with Japan, China, Russia, the East. Indies, and the Philippine Islands combined. The need for imports of foodstuffs and raw materials from Canada has increased with the growth of population; and though the United States buys from Canada hardly more than half as much as she sells, her imports were more than four hundred millions in 1918 and formed almost 15 per cent of the total from all other countries.

I maintain without the fear of successful contradiction that at

I maintain without the fear of successful contradiction that at this time we are in infinitely greater need of Canadian raw materials than of her markets; that we receive a greater benefit from the things we buy than from those we sell; that of the two, the loss of her imports involves a greater injury to American industries and greater hardships to American consumers than even the destruction of our vast export trade to Canada—

approximately, at this time, one billion annually.

For the year ending June 30, 1920, we received from Canada

unfinished products as follows:

Copper to the value of	\$11, 953, 752
Precious metals (except coin and gold bullion)	11, 973, 244
Nickel Asbestos Lumber and timber	7, 533, 437 6, 506, 629 70, 807, 220
Furs and fur skins	16, 594, 434
Besides receiving 1,070,330 cords of pulp wood valued at_	14, 301, 694
Wood pulp, 1,113,954,000 barrels, at	58, 255, 000
Newsprint paper, 1,239,183,470 pounds, at	56, 963, 745

A total value of \_\_\_\_\_ 253, 989, 155

Is work so plentiful and are our industries so overburdened with unfilled orders that our furnaces and smelters no longer demand the metals and ores of Canada; are cutlery, tools, and domestic utensils so abundant that we no longer need her nickel, silver, and copper? Are homes and building materials so cheap, or rents so low, as to justify the exclusion of her wealth of

lumber and timber?

Consider a prohibitive export duty upon wood pulp and print paper alone. We have spent untold millions in the purchase and protection of vast forest reserves in an earnest effort to preserve our rapidly vanishing timber supply and to conserve the flow of navigable rivers. Forests can be conserved and improved by the scientific cutting of timber for building materials, but the paper mill sweeps the forest as the sickle sweeps the grain. The size of the tree is immaterial. It is all ground into pulp. No other agent has wrought such havoc or denuded such areas as the paper mill. What would be the effect upon American forests should Canada, in retaliation, place an embargo upon the exportation of wood pulp and print paper? Where else in all the world will you secure 2,000,000,000 pounds of wood pulp? Destroy one-half of the available supply of this invaluable commodity, in the face of the present scarcity, and from whence and at what inordinate cost will school children obtain their books, or the publishers of the country the millions of tons essential to supply the magazines and great metropolitan dailies of America? No other commodity, with the possible exception of building materials, iron, and foodstuffs is so absolutely essential to the industrial and intellectual life of America.

It is a source of some surprise that the great manufacturing and industrial enterprises have not more earnestly and more seriously analyzed the commerce between these great countries.

Manufactured exports from Canada, consisting principally of iron and steel products, machinery, and agricultural implements, amounted in 1920 to \$34,112,228.

On the other hand, we exported to Canada in iron, steel manufactures, rolling-mill products, machinery, vehicles, engines, and agricultural implements a total of \$140,272,568.

The total of American imports for 1920, according to figures prepared by the Department of Commerce, totaled \$464,029,014, and our exports for the same time reached a grand total of \$800,632,849. I ask leave to incorporate these tables with my remarks as Exhibit A.

The VICE PRESIDENT. Without objection, the tables will be incorporated in the RECORD.

The tables are as follows:

Canada (A).—Trade with the United States during the 27 months ending June 39, 1929. (Compiled by the Research Division of the Bureau of Foreign and Domestic Commerce, Department of Commerce, from official Canadian reports.)

#### IMPORTS FOR CONSUMPTION.

	Year ending 1919.	Mar. 31, 1920.	AprJune, 1920,
Iron and steel, and manufactures of	\$177,771,146	\$182,178,251	\$62,380,813
Rolling-mill products Machinery. Vehicles. Boilers, engines, windmills, pumps.	50, 888, 125 29, 742, 889 17, 650, 234 25, 738, 608	41,705,392 37,282,659 31,786,952 22,705,319	15, 427, 330 9, 987, 962 11, 092, 988 9, 218, 867
Agricultural implements	8,903,930	6,792,245	2, 638, 086
Coal	70,600,491	60,070,051	15, 678, 688
Cotton and manufactures of	59, 148, 319	68, 219, 372	21, 441, 663
Cotton, raw	34, 004, 891 25, 143, 428 31, 873, 661 31, 511, 604 13, 661, 429	33, 854, 459 34, 364, 915 28, 999, 796 28, 525, 941 12, 753, 761	9,973,553 11,468,110 7,718,034 9,219,398 4,132,671
Fruits, fresh and dried	20, 211, 707	28, 660, 208	6, 174, 445
Fruits, fresh	14, 728, 228 5, 483, 479	19, 077, 838 9, 582, 370	5, 504, 695 669, 750
Wood and manufactures of	18, 270, 072	21, 927, 536	6, 593, 591
Lumber and timber. Manufactures of wood,	13, 289, 775 4, 980, 297	14, 433, 192 7, 494, 344	- 4, 477, 044 2, 116, 547
Paper and manufactures of	15, 951, 746	19, 237, 641	5, 404, 614
Books and printed matter	7, 502, 261 8, 449, 485	9, 892, 516 9, 345, 125	2, 444, 809 2, 959, 805
Corn	16, 060, 282 10, 325, 820 8, 234, 562	14, 215, 787 12, 787, 163 10, 780, 775	2, 819, 429 3, 697, 528 4, 499, 823
Total imports	750, 203, 024	801, 632, 849	221, 465, 675

### EXPORTS OF CANADIAN PRODUCE.

Wood and manufactures of	\$88, 544, 539	\$102,980,859	\$36, 385, 829
Lumber and timber	57, 366, 207	70, 807, 220	22, 381, 774
Chemical	26, 256, 265	25,550,882	11,027,121
Mechanical	4, 418, 555	5,765,871	2,710,867
Paper (except printed matter)	38, 621, 265	50, 367, 339	15, 463, 389
Cattle	29, 857, 668	44,021,587	1,043,126
Chemicals and allied products	68, 408, 028	21, 129, 706	2,672,498
Cartridges	37, 855, 417	7,016,804	
Explosives	19, 289, 483	4,070,595	
Iron and steel	25, 888, 731	26, 699, 530	6,690,983
Machinery	5,403,742	4, 229, 620	468,093
Agricultural implements	272,927	3, 283, 078	1,847,504
Copper	20, 130, 583	11, 953, 752	2, 511, 760
Copper. Fish and shellfish	17,600,764	17, 180, 250	3, 266, 591
Hides and skins	7,651,052	19, 738, 005	1, 535, 259
Furs and fur skins	9, 743, 464	16, 594, 534	2, 428, 998
Wheat.	4, 203, 920	14,000,932	285, 837
Precious metals (except coins and gold bul-	-,,		200,000
lion)	17, 117, 730	11, 073, 244	1,739,983
Meats	- 8, 916, 737	8, 479, 065	2, 554, 817
Nickel	8, 476, 111	7, 533, 437	2, 056, 681
Asbestos	6, 890, 724	6, 506, 629	2, 159, 368
Oats	7, 360, 011	3, 300, 477	3, 846, 380
Potatoes	1,643,855	6, 819, 405	6, 528, 612
Linseed	6, 323, 484	4, 714, 919	120, 132
Total domestic exports	454, 873, 170	464, 029, 014	113, 133, 027
Total foreign exports	22, 822, 489	37, 099, 354	6, 888, 393

Mr. STANLEY. It is claimed that in the face of a sudden emergency the farmer must have instant relief from an inundation of agricultural products from Canada, and that the American consumer is to be impoverished by an excess of cheap foodstuffs from the Dominion. Those who make this claim are ignorant of the nature of this commerce, or forget that our exports of agricultural products to Canada vastly exceed our imports.

In 1920 we shipped to Canada 1,211,831 boxes of oranges, valued at \$6,066,962; 13,902,863 pounds of prunes, valued at \$1,997,914; and 26,831,775 pounds of raisias, valued at \$4,890,294. Other fruits, fresh and dried, shipped to Canada in 1920, amounted to \$21,065,619.

For the same period we shipped 10,454,931 pounds of cotton and manufactures thereof, valued at \$34,636,310; oil cake and oil-cake meal valued at \$6,606,854; our exports of tobacco were valued at \$9,310,976; our tobacco imports for the same period amounting to \$65,878. We exported onions to the value of \$465,826, our imports for the same period being \$7,389.

Our total exports of the articles enumerated above amounted to \$85,114,545, and our imports to \$73,267, giving the American

agriculturist a balance of \$84,967,488.

I ask leave to insert at the conclusion of my remarks tables containing a complete and exhaustive summary of the interchange of agricultural products between the United States and Canada, from 1910 to 1920, inclusive, covering the exportation and importation of seeds, corn, grain, flour, vegetables, fruits, fresh and dried, cotton and wool, cattle and hogs, fresh and cured meats, and so forth. For the year 1920 this summary shows an excess of exports over imports of \$62,967,488, and now this half-baked and so-called emergency bill proposes to relieve the farmers and gardeners of the United States by the instant and utter demolition of this splendid balance in their favor.

The VICE PRESIDENT. Without objection, the tables referred to will be printed at the conclusion of the Senator's re-

marks.

#### CANADIAN WHEAT,

Mr. STANLEY. The fear of the dumping of Canadian wheat upon the American market is the only reason yet assigned or assignable for this embargo upon Canadian commerce. Canada never has and she never can dump any material portion of her grain upon the American market, and if she did it could not appreciably affect the price in this country. The price of wheat in Canada, as in the United States, is necessarily determined by the price of the surplus from each country; and this surplus being sold in the same market and under practically identical conditions, it is a matter of small importance whether it is shipped from Montreal or Chicago. In each case, broadly speaking, it must necessarily bring the Liverpool price, less the cost of transportation.

A study of the ebb and flow of grain across the Canadian border shows that its movement is determined by freight rates or other local conditions rather than by any marked or permanent difference in the price level of the two countries, and that on the whole there is no material difference between exports

and imports

From 1910 to 1920, inclusive, Canada exported to the United States 58,468,248 bushels of wheat. During the same period she imported from us 50,406,748 bushels of wheat, leaving a net excess for the 10-year period of 8,061,503 bushels. In other words, during this period Canada on the average "dumped" annually into the United States a net excess of about 800,000 Just how 800,000 bushels, or 8,000,000 bushels, could disturb the general level of prices on six or seven hundred million bushels of American wheat is inconceivable. I ask leave to include in my remarks in the RECORD a table showing the movement of wheat.

The VICE PRESIDENT. Without objection, it will be in-

cluded in the RECORD.

The matter referred to is as follows:

(B.)—Exports from the United States to Canada and imports into the United States from Canada of wheat.

[(+) Excess of exports over imports; (-) excess of imports over exports.]

Wheat.	Exports.	Imports.	Trade balance.	July 1, 1909, to Nov. 30, 1920.
Fiscal year 1910fbushels	2,111,370 2,317,191	152, 383 135, 441	+ 1,958,987	(+) 1,958,987
Fiscal year 1911fbushels	1, 256, 783 1, 242, 707	502, 829 467, 282	+ 753,954	753,954 87,550
Fiscal year 1912bushels	537, 240 489, 194	2,673,050 2,186,685	- 2, 135, 810	2, 223, 050 19, 293, 811
Fiscal year 1913 bushels	851, 139 829, 447	763, 589 530, 905	+ 87,550	571, 649 25, 517, 744
Fiscal year 1914	4, 124, 701 3, 831, 719	1, 891, 651	+ 2, 223, 050	
Discol was 1015 (bushels	19,664,674	1,682,654 370,863 420,372	+19, 293, 811	50, 408, 745
Pionel year 1916   bushels.	19,941,388 6,244,732	5, 673, 083	+ 571,649	2, 135, 810
Fiscal year 1017   bushels	7, 430, 824 4, 714, 836	5, 766, 227 23, 715, 293	-19,000,457	19,000,457 24,437,565
Discol mor tots   bushels	9, 856, 529 252, 540	41, 374, 943 24, 690, 105	-24, 437, 565	3, 923, 662 8, 970, 754
Six months, 1918, July-bushels.	577, 965 26, 478, 814	51, 820, 536 961, 070	+25, 517, 744	58, 468, 248
Decemberdollars	61, 430, 715	1, 962, 245 5, 345, 275	- 3, 923, 662	1 8, 061, 503
Calendar year 1919 dollars Eleven months ending bushels	3, 314, 818 14, 800, 945	11, 293, 079 23, 771, 699	- 8,970,754	
Nov. 30, 1920(dollars	41, 262, 739	53, 795, 252	- 0,010,104	

'Net excess of imports over exports in bushels

Mr. STANLEY. This duty of 35 cents per bushel is imposed for the double purpose of stopping the Canadian influx of grain and of increasing by that amount the market price of American wheat. If the impossible should happen and American wheat

should advance as a result of this tariff 35 cents a bushel over the Canadian product, it would not stop the shipment of a single grain, for the simple reason that the shipper having paid the import duty would immediately recover it in the higher price paid in the American market.

We have just exported a surplus of 210,000,000 bushels of wheat. If this tariff raises the price of this commodity by 35 cents a bushel, no producer will ship any part of it abroad to be sold in a lower and an unprotected market, and in order to maintain this artificially created price level, every man, woman, and child in the United States will be compelled to consume at the higher price approximately one-half barrel of flour more next year than this. Unless this does occur, the unsold surplus in the United States will necessarily depress the price to the level of the Canadian and Liverpool markets, tariff or no tariff.

The truth is that wheat imported from Canada has been sent to mill rather than to market. The great mills in Duluth and Minneapolis produce a finer grade of flour by mixing the hard wheats of Canada with the softer grain raised in the States. Minneapolis mills between September 1, 1918, and August 31, 1919, received 75,000,000 bushels of grain, producing 16,554,000 barrels of flour and 1,224,000,000 pounds of feedstuff.

Let us assume that during the ensuing year Canada should ship into the United States 50,000,000 bushels of grain. It would not affect the price of the commodity one cent on the bushel.

It seems that only those industries which walk upon crutches can command the aid or the sympathy of the protectionist. These mills are importing wheat and exporting flour with the result that more than half a million tons of invaluable feedstuffs, made in considerable part from Canadian wheat, are available for the America producer of cattle and hogs and for the American dairyman. If 50,000,000 bushels annually of Canadian wheat should be imported into the United States, ground in American mills by American labor, millions of tons of this rich animal feed could be offered to the stock raiser. Is the stock raiser producing beef and pork or the dairyman milk and butter so cheaply that we must by legislation deprive him of the product of these great mills upon which he now depends for the maintenance of his herds and dairies?

### CONDEMNED BY TARIFF COMMISSION.

For a decade the Republican Party has boasted that it was the creator and preserver of that sacred institution, the Tariff Commission. Again and again, in platform declarations, you have solemnly pledged the American people that you would take this issue out of politics, that you would not attempt to change schedules vitally affecting the revenues and the industries of the Nation without first calling into your councils staid and dispassionate philosophers and learned political economists far removed from the bias and personal ambition of the mere politician. Has the Tariff Commission been consulted about this iniquitous thing? I challenge you to find on or off the Tariff Commission any political economist, still preserving his intellectual integrity and professional self-respect, who will vouch for this naked piece of political demagogy, this transparent sham,

In their platforms of 1912 reactionaries and progressives alike pledged their allegiance to a tariff commission, the

regulars declaring:

To accomplish this (tariff revision) correct information is indispensable. This information can best be obtained by an expert commission. \* \* \* To apply tariff rates justly to these changing conditions requires closer study and more scientific methods than ever before. The Republican Party has shown by its creation of the tariff board its recognition of this situation and its determination to be equal to it.

The progressives were even more emphatic:

We pledge ourselves to the establishment of a nonpartisan scientific tariff commission, reporting both to the President and to either branch of Congress. \* \* \* We believe that this commission should have plenary power to elicit information, and for this purpose to prescribe a uniform system of accounting for the great protected industries.

In 1916 a reunited Republicanism repeated the pledges:

We favor the creation of a tariff commission with complete power to gather and compile information for the use of Congress in all matters relating to the tariff.

The United States Tariff Commission has compiled two volumes containing more than 200 pages on the one subject of this proposed embargo upon Canadian grain, graphically presenting to this Congress the manifest advantage to the milling interests of America of an untrammeled opportunity to avail themselves of the hard Canadian wheat that, while fostering the cattle-producing and dairy interests, they may give to the consumer the staff of life of a better quality and at a lower cost.

This free movement of wheat-

Says the commission-

Says the commission—
between the United States and Canada, making the North American crop a common source of supply, has certain demonstrable advantages.

\* \* \* American elevators, distributing interests, and rail and ocean lines enjoy the benefits accruing from this larger volume of traffic; domestic mills, which had been losing ground to Canada in the export flour trade, are able to meet this competition through importing Canadian wheat for blending and milling; a larger volume of mill feed is available to the dairy industry, which consumes more mill feed than is yielded as a by-product of domestic flour consumption.

Vonce own commission has nitilessly exposed the transcevent.

Your own commission has pitilessly exposed the transparent folly of attempting to enhance the price of six or seven hundred million bushels of American wheat by excluding a few thousand carloads of Canadian grain from a Minneapolis mill.

Says this report-

Says this report—
from the question of price levels, however, it may be said with some certainty that inasmuch as the United States is on an exporting basis any wheat that is imported from Canada (aside from the question of special cases to meet special needs) released an equal amount of American wheat for export. This being true, it is not a matter of great importance whether the Canadian wheat reaches Europe directly or indirectly through the United States either in the form of flour or by releasing similar American wheat. Indeed, if we may assume that the European demand is controlling our market, as it does in normal times when we are on an exporting basis, there is a possibility that if the Canadian wheat has been thrown on the English market before the close of Lake navigation, instead of filtering slowly through the United States, the world price level, and therefore our own market, would have been depressed more than it was in the fall of 1920. From this point of view it seems fortunate for American producers that there was a buffer between the great Canadian surplus and the Liverpool market.

If this country were on a net importing basis, the prices obviously would be depressed by the imports from Canada, but at a time when heavy exports are going out of the country the relatively small imports probably do not alter the general rule that it is of no great importance to the American producer whether Canadian wheat reaches the European markets directly or indirectly through the United States. To the Canadian grower, however, access to the great American markets, to the mills, and to the shipping facilities south of the border is obviously a factor of substantial importance.

I am not surprised that the authors of this measure have submitted it to the consideration of the Senate in silence, if not in shame. The more discerning, I fancy, even now catch a glimmer of the handwriting on the wall. I assure the Senators upon the other side of the Chamber that, as a partisan, I can rejoice that you make this nostrum of protection a panacea for all the ills of the farm and factory and that you dare not put it to this practical and acid test. The farmer will be enlightened, not deluded, by the object lesson. Find he will, as find he must, that the value of these great, great staples whose sale is found and whose price is fixed in the open and competitive markets of the world is not dependent upon a tariff schedule. The tobacco grower in Kentucky and Tennessee, in Virginia and the Carolinas, herdsmen from Texas to Montana, the planter in the corn belt of Illinois, and the wheat grower on the Dakota prairies will learn, and shortly, too, that they are as little affected by the bogus schedules of this bill as by the precession of the equinox or the movement of the stars.

This act will demonstrate that protectionism-in the hands of trusts and monopolies the most facile instrument of extortion yet devised by the wit of man-is utterly impotent when applied to the cotton and cattle, the corn and grain of the American producer. It will demonstrate that while it can despoil, it can not defend; while it can plunder, it can not protect him.

The dupes of this doctrine in agricultural States will awaken to-morrow sadder and wiser men, and peradventure they will survey with a broader and keener vision the operations of these same gentlemen when they meet a few months hence to appor-tion, not for 6 months but for 60 years, if need be, to special interests and pampered monopolies those rewards which their political activities may have deserved or your political obligations may demand.

APPENDIXES C AND D.

Imports into United States from Canada and exports from United States to Canada (if specified commodities in United States trade with Canada).

[(+) Excess of exports over imports; (-) excess of imports over exports.]

		Fiscal year 191	0.	doll her	Fiscal year 1911			Fiscal year 191:	2.
	Exports.	Imports.	Balance.	Exports.	Imports.	Balance.	Exports.	Imports.	Balance.
Wheat:		Talkaro.							
Bushels	2,111,370 \$2,317,191	152,383 \$135,441	+ 1,958,987	1,256,783 \$1,242,707	502, 829 \$467, 282	+ 753,954	537, 240 \$489, 194	2,673,050 \$2,186,685	- 2,135,810
Value	49,981 \$235,866	143, 830 \$676, 366	- 93,849	42,947 \$189,490	141, 405 \$624, 373	- 98,458	99,760 \$419,033	158, 286 \$661, 758	- 58,526
Rye: Bushels Value	1,081 \$1,414			1,192 \$1,079			5,484 \$4,769		
Rye flour: Barrels Value	2,246 \$8,629			4, 289 \$15, 676			3,485 \$13,010		
Cern: Bushels	6, 178, 896	HILLIAN STORES		13, 409, 580 \$7, 289, 843			9, 568, 574	11,077	+ 9,557,497
Value	\$4,048,006	5, 574	+ 4,709		3,043		\$6,568,671	\$12,824	
Value	10, 283 \$323, 274	\$152,738		7, 890 \$257, 934	\$136, 359		6, 705 \$244, 918	1,350 \$86,371	+ 5,355
Bushels Value	344 \$740	1, 410, 398 \$2, 641, 256	- 1,410,054	\$1,721	2, 251, 083 \$5, 178, 291	- 2, 250, 427	4, 009 \$11, 263	3, 510, 883 \$6, 608, 312	- 3,506,874
Eggs: Dozens Value	868, 454 \$202, 344	39, 810 \$12, 596	+ 828,644	2, 457, 188 \$474, 350	35, 272 \$15, 052	+ 2,421,916	8, 697, 568 \$1, 932, 975	25, 817 \$15, 078	+ 8,671,751
Wool: Pounds Value	14, 897 \$1, 421	1, 911, 925 \$484, 389	- 1,897,028		1, 214, 661 \$288, 308	- 1, 214, 661		637, 128 \$151, 588	- 637, 128
Petatoes: Bushels	207, 764 \$146, 727	2000	+ 110,626	335,724 \$244,997	23, 832		256, 373 \$339, 818	143, 059	+ 113,314
Value Meats and fresh beef: Pounds.	136,389			247,598	A STATE OF THE STA		585, 222	\$128,076	
Value	\$13,148			\$25,777			\$77,769		
Pounds	789,761 \$80,300			991,480 \$96,772			2,077,535 \$188,734		
Pounds. Value	77,713 \$8,931			206,559 \$24,745			890,926 \$95,687		
PoundsValue	4,395,632 \$717,535			4,609,598 \$778,182			9,623,877 \$1,387,864		
Total meats, pounds	5, 390, 495			6,055,226			13,177,560		
Fruits, fresh and dried: Apples, dried—	15, 12,	Hith sign.							
Value	104,885 \$8,722			266,792 \$22,985			281,296 \$27,680		
BarrelsValue	68,920 \$279,290			155,081 \$502,959			206, 857 \$736, 015		
Apricots, dried— Pounds Value	1,134,547 \$102,063			1,155,007			902,645 \$113,571		

# CONGRESSIONAL RECORD—SENATE.



		Fiscal year 1910	).		Fiscal year 191	11.	1 1	Fiscal year 191	2.
	Exports.	Imports.	Balance.	Exports.	Imports.	Balance.	Exports.	Imports.	Balance.
Fruits, fresh and dried—Continued.						EX CONTRACT			
Bananas-		9.047			0.000		Harris Control	10 000	N X
BunchesValue		2,047 \$2,048			9,626 \$7,680			10,299 \$6,936	
Berries, value									
Currants— Pounds		81			300			385	A STATE OF THE STA
Value		\$7	,		\$26			\$46	
Pounds		4, 988			154, 051			10,921	
Value		\$365			\$7,370			\$461	
Figs-		43, 079			21, 353			8 300	1
PoundsValue		\$1,724			\$703			8,300 \$655	
Grapes—		3,473			3,974			9 910	
Cubic feet		\$2,802			\$5,022			3, 319 \$3, 381	
Lemons, value		\$3,479			\$5,176			\$3, 883	
Olives— Gallons		163			2,430			2,900	
Value		\$163			\$1,257			\$1,877	
Oranges— Boxes	801, 260			1, 132, 760			1, 152, 866		
Value	\$2,047,477	\$1,545			\$3,094		\$2,877,665	\$383	
Peaches, dried— Pounds	1,913,922	NOW WITH STREET	Control of the last	3, 141, 006	and the same		2,021,375		
Value	\$101,689			\$203,024			\$182,247		
Pears, green or ripe, value	\$121, 199			\$163,083			\$234, 514		
Prunes, dried— Pounds	10, 583, 094			8, 837, 132			13, 503, 157		
Value	\$415,668			\$176, 826			\$850, 810		
Raisins—	6 006 227	311	-	11,001,209	686		11 050 904	3,613	
PoundsValue	6,086,327 \$279,709	\$17		\$592, 405	\$42		11, 850, 394 \$774, 809	\$320	
Value	\$1, 278, 451	\$246,574		\$1,644,254	\$133, 210		\$2,315,693	\$155, 417	
Total fruits, value	\$4,634,268	\$258,724	+ \$4,375,544	\$6, 548, 444	\$163,560	+ \$6,384,884	\$8, 113, 004	\$173,359	+ \$7,939,646
					700000000				
Cotton, unmanufactured: Sea Island—	77.070		E A THE WAY						
Pounds				175,838			143, 151		
Value				\$50,727			\$34,418		
. Upland and other— Pounds	62,796,152			78, 236, 198			90, 689, 048		
Value	62,796,152 \$8,936,006			\$11,387,372			\$9, 167, 671		
Total—						THE SAME			45
Pounds	62, 796, 152	46, 422	+ 62,749,730 + \$8,925,705	78, 412, 036	771, 316	+ 77,640,720 +\$11,315,773	90, 832, 199	174, 845	+ 90,657,354 + \$9,180,702
Value	\$8,936,006	\$10,301	+ \$8,925,705	\$11,438,099	\$122,326	+\$11,315,773	\$9, 202, 089	\$21,387	+ \$9,180,702
Oil cake and oil-cake meal:									1 1 1 1 1 1 1 1
Corn-	62,010		3-27				70 440	2012	
PoundsValue	\$938						56, 448 \$896		
Cotton seed—	10000								
Cake—	2, 535, 150		St. Maring	3, 196, 582	J	The State of	6 126 900		Cathorn In to
PoundsValue	\$36,698			\$45, 568			6, 138, 200 \$85, 222		
Meal—								Topo concept construction	
PoundsValue							•••••		
Linseed or flaxseed—									
Cake— Pounds	929, 925			355, 060			1, 688, 318	1	
Value	\$12,914			\$4,790			\$26, 323		
Meal-									
PoundsValue							•••••		
All other—									
Pounds							11, 220 \$118		
Value							9110		
clude meal):									
PoundsValue	3, 527, 085 \$50, 550	77, 808 \$971	+ 3,449,277 + \$49,579	3, 551, 642 \$50, 358		+ 3,474,042 + \$49,411	7, 894, 186 \$112, 559	669, 990 \$10, 011	
Sugar:	400,000	4311	7 910,010	600,000	4511	7 410, 111	Q112,000	410,011	T 9102,010
Cane— Pounds		25,719	110 2		1,440			3, 850, 446	1 See 1 S
Value		\$575			\$97			\$114,505	
Total— Pounds	247, 104	25,719	+ 221,385	408, 283	1,440	+ 406,843	431,066	3, 850, 446	_ 3 419 380
Value			+ \$9,222	\$19,213	\$97	+ . \$19,116	\$32,011	\$114,505	- 3,419,380 - \$82,494
Tobacco:									
Leaf, suitable for cigar wrappers-		1000	Contract of		- Leave -		1 35 50		Eligible -
Pounds		140, 196			63, 195				
Value Other leaf—		\$141,266			\$66,909				
Pounds		318,561			99,307			72,301	
Value		\$110,576	••••••		\$45,904			\$42,307	
. Total leaf—							65.07.09	N STATE OF	
Pounds	13, 201, 474 \$1, 878, 087	458,757	+ 12,742,717	13, 454, 063	162,502	+ 13,291,561	15,095,925	114,860	+ 14,981,065
Value	21, 378, 087	\$251,842	+ \$1,626,245	\$1,854,707	\$112,813	+ \$1,741,894	\$2,335,466	\$114,518	+ \$2,220,948
Stems and trimmings-	BILLS SCY OF		1000		of Mary Assessed				
Pounde					31,460				
Pounds		CONTRACTOR STATE	HEALT WINDSHIP CONTROL						
ValueCigars and cheroots—			***************************************		\$68				and a second
Value				138			108		

		Fiscal year 191	0.		Fiscal year 191	1.		Fiscal year 191	2.
	Exports.	Imports.	Balance.	Exports.	Imports.	Balance.	Exports,	Imports.	Balance.
l'obacco-Continued.				DE LA COMPANIA	MISS S				
Cigarettes— Thousands	467			one	1000				
Pounds				***********			1,107	50	
Value	\$1,751	311		\$4,319			\$4,425	\$270	
Pounds	151,907			208,641			216,017		
Value Smoking—	\$60,848	************		\$83,186			\$92,766		
Pounds	87,358 \$33,179	***********		\$8,348 \$46,076			115,590		
All other, value	\$24,555	\$4,962		\$15,261			\$58,927 \$13,892	\$2,971	
Total, value	\$2,004,868	\$256,828	+ \$1,748,040	\$2,010,027	\$117,201	+ \$1,892,826	\$2,627,827	-	+ \$2,510,047
Onions:		Section 1						7,00,720	1 40,010,01
Bushels	102, 390 \$68, 761	2,439 \$3,404	+ 99, 951 + \$65, 357	94, 560 \$87, 475	633 \$792	+ 93,927 + \$86,683	180, 817	2,118	+ 178, 69: + \$158, 62
Value Paper (newsprint):	000000000					H. C. C.	\$154, 129	\$3, 509	+ \$156,62
Pounds. Value.	9, 613, 685 \$433, 709	\$6, 766, 027 \$1, 615, 100	- 77, 152, 342 - \$1, 181, 391	5, 986, 272 \$139, 975	106, 215, 212 \$1, 968, 385	-100, 228, 940 - \$1, 828, 410	9, 273, 444 \$196, 172	\$2, 101, 023	- 101, 851, 991 - \$1, 904, 851
Pulp wood: Cords.		1, 000, 342			20070000	4,500,000	4100,112	Carroll entrees	- \$1,904,80
Value		\$6, 392, 023			\$69, 955 \$5, 565, 273			901, 270 \$5, 834, 828	
Wood pulp: Tons	1, 355	184, 088	- 182, 733	1,357	257 580	_ 956 993	1,750	100000000000000000000000000000000000000	
Value	1, 355 \$49, 290	\$4, 224, 500	- 182, 733 - \$4, 175, 210	\$47, 422	\$5, 352, 316	- \$5, 304, 894	\$54,878	\$4,753,980	= \$4,698,200
		Fiscal year 191	3.		Fiscal year 191	4.		Fiscal year 191	5.
	Exports.	Imports.	Balance.	Exports,	Imports.	Balance.	Exports.	Imports.	Balance.
Wheat:					10000				
BushelsValue	851, 139 \$829, 447	763, 589 \$530, 905	+ 87,550	4, 124, 701	1,891,651	+ 2,233,050	19,664,674	370, 863	+ 19, 293, 811
Wheat flour:	I III. OCCUPATIONS	A STATE OF THE STA		\$3, 831, 719	\$1,682,654		\$19,941,388	\$420,372	
Barrels	98,665 \$450,104	106, 527 \$445, 993	- 7,862	122,752 \$539,942	\$8,911 \$356,316	+ 33,841	\$592,011	62,494 \$302,141	+ 48,441
Bushels	85,596			66,997			47, 261		
ValueRye flour:	\$60,190			\$45,566			\$44,953		
BarrelsValue	4, 298 \$16, 763			6, 835 \$24, 792			6,189		
orn:		200000000000000000000000000000000000000	211000000000000000000000000000000000000				<b>\$</b> 30,037	I WALL WALL	
Bushels	8,097,882 \$4,766,805	2,828 \$3,222	+ 8,095,054	4,641,737 \$3,328,785	\$13,552	+ 4,625,847	8, 238, 156 \$6, 154, 904	155, 418	+ 8, 082, 738
Tattle: Number	11,691	29,186	- 17,495	8,957	241,331			and the second second	100000
Value	\$391,644	\$1,026,301		\$330,005	\$8,697,137	- 232,374	751 \$48,854	191,540 \$9,285,277	- 190,780
Flaxseed: Bushels	69	4,732,316	- 4,732,247		8,647,168	- 8,647,168	1,169	6,629,860	8 890 801
Value	\$119	\$7,187,547		,	\$10,561,662	***********	\$2,444	\$8,843,489	- 6,628,691
Dozens	12,856,690 \$2,746,091	16, 894	+ 12,839,796	9, 064, 948	356, 962	+ 8,707,986	6, 116, 988	735, 625	+ 5,381,363
Value	\$2,746,091	\$17,037		\$2,215,958	* \$84,876		\$1,393,863	\$168,714	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
Pounds		311,735	- 311,735	38	4, 857, 660	- 4,857,622	1,787,973	7,565,072	- 5,777,099
ValuePotatoes:	Name of Street	\$63, 186		\$7	\$1,110,324		\$573,329	\$1,723,921	
Bushels	372,656 \$333,455	119, 493 \$42, 696	+ 253,163	396, 870 \$297, 002	1,025,536 \$459,782	- 628,666	488,587	82, 431	+ 406, 156
Value Meats and fresh beef:		412,000		777			\$381,777	\$27,863	
PoundsValue	\$98,061			253,781 \$39,336	15,919,799 \$1,368,113	- 15,666,018	545,356 \$66,528	15, 305, 264 \$1, 575, 633	- 14,759,908
Fresh mutton: Pounds.	4,198,979			3,911,675					
Value	\$472,039			\$432,012	112,804 \$14,433	+ 3,798,871	2,545,320 \$298,713	479,522 \$63,672	+ 2,065,798
Fresh pork: Pounds	580, 329			232.068	4,602,415	- 4,370,347		16,181,702	- 16,135,558
Value	\$69,542			232,968 \$27,313	\$537,928		46,144 \$4,483	\$2,003,588	20,100,000
Pounds	13,653,957 \$2,053,363			15,089,579	1,314,093	+ 13,775,486	11,539,844	7, 234, 262	+ 4,305,582
Value				\$2,317,243	\$211,115		\$1,582,878	\$1,085,629	
Total meats, pounds	19,073,343			19,487,163	21,949,111	- 2,462,008	14, 676, 664	39, 200, 750	- 24,524,086
Fruits, fresh and dried: Apples, dried—									
Pounds	360, 318			211, 452			250, 834		1
Value	\$21, 389		,	\$15, 193			\$18,070		
Barrels	376, 951			299, 347			318,840		
Value	\$913, 506			\$1,040,413	TENNING NO.		\$738, 825		
Pounds Value	1,440,065 \$126,199			955, 861 \$106, 313			1,428,725 \$119,589		Management of the State of the
Banauas— Bunches		4 000		4100,010			4114, 009		
Value		4,398 \$4,111			1,993 \$2,638			2, 611 \$2, 459	
Berries, value	\$554,315			\$688, 244			\$510, 564		
Pounds		989			119			97	
Dates—		\$99			\$10			\$9	
PoundsValue		40,969 \$2,017			1,296			15,030	
Figs-					\$36		••••••	\$889	
Pounds	PRODUCTOR PROSPECT	103	VERY DESCRIPTION OF THE		11,722			12,711	

	F	iscal year 1913		F	iscal year 1914			Fiscal year 191	5.
	Exports.	Imports.	Balance.	Exports.	Imports.	Balance.	Exports.	Imports.	Balance.
Fruits, fresh and dried-Continued.									
Grapes— Cubic feet		4,256			513			340	
Value	\$359,968	\$4,214 \$22,431		\$279,953	\$721 \$23,610		\$292,062	\$904 \$2,937	
Lemons, value				4210,000	1000		9202,002		
GallonsValue		3, 121 \$1, 846			3, 331 \$2, 164			1,402 \$1,012	************
Oganges-				1, 491, 539			1, 682, 824		
Boxes	1,017,545 \$2,837,507	\$1,538		83, 611, 563	\$139		\$3, 643, 152	\$221	
Peaches, dried— Pounds	2, 365, 345			2, 505, 201			2, 243, 758		
Value	\$132,850			\$128,790			\$101,526		
Pears, green or ripe, value	\$283, 288			\$352, 515			\$258, 902		
Prunes, dried Pounds	10, 956, 827 \$488, 566			12, 757, 585 \$697, 718			9, 321, 355 \$562, 102		
Value	SC22400000								
PoundsValue	18, 082, 522 \$869, 596	147 \$13		10, 871, 150 \$683, 326	665 \$87		15, 439, 231 \$1, 017, 375	77, 357 \$6, 078	
All other, except preserved, value	\$1,742,959	\$146, 495		\$1,981,080	\$171,716		\$1,615,987	8173, 563	
Total fruits, value	\$8, 330, 143	\$182,769	+ \$8, 147, 374	\$9, 588, 108	\$200,960	+ \$9,387,148	\$8, 881, 154	\$189,761	+ \$8,601,393
Cotton, unmanufactured:									
Sea island—								The Property of	The State of
PoundsValue	54,797 \$14,160	***********		441, 956 \$97, 620			854, 465 \$169, 139		
Upland and other—			*******				86, 609, 761		
PoundsValue	75, 952, 419 \$8, 975, 431			75, 054, 383 \$9, 497, 485			\$7,416,912		
Linters— Pounds				Se roci		60.37	3, 930, 856		
Value							\$120, 497		
Total:				DOMESTIC STATE		1			
Pounds	76, 997, 216 \$8, 989, 591	1, 261	+ 76,005,955 + \$8,989,388	. 75, 496, 339 \$9, 595, 105		+ 75, 496, 339 + \$9, 595, 105	91,395,082 \$7,706,548	2,400	+ 91,392,682 + \$7,706,471
Value	\$5, 959, 591	\$200	+ 95, 959, 365	\$9, 393, 103		+ 49, 595, 105	\$1,100,045	911	+ \$1,100,411
Oil cake and oil-cake meal: Corn—									
Pounds	935, 000								
ValueCotton seed—	\$14,561	**********		************	************		**********	***********	
Cake— Pounds	7, 590, 495			6, 772, 300		13.4	574, 000		
Value	\$112,309						\$7, 158		
Meal— Pounds						100000141	22, 268, 838		
ValueLinseed or flaxseed—							\$305, 775		
Cake-			and the						DENTANT CO
PoundsValue	812,996 \$11,888			584, 455 \$9, 180			545, 460 \$8, 308		
Meal—	411,000	100 100 100 100	MARIE THE PROPERTY OF	90,100			40,000		200
Pounds Value					•••••		•••••	•••••	
All other—	1 50000 10000			700 000			Section States		
PoundsValue	587, 370 \$9, 058			760, 030 \$11, 299			\$49, 280 \$11, 616	3	
Total (import figures do not in-									
clude meal):	0.00= 001	050 007		0 440 505	0.000.100	* ****	01 007 270	010 005	
Pounds	9,925,861 \$147,816	956,037 \$12,987	+ \$,969,824 + \$134,829	\$,116,785 \$119,400	2,390,180 \$22,940	+ 5,725,605 + \$96,460	24, 237, 578 \$332, 857	\$40,687 \$13,165	+ 23,396,891 + \$319,692
Sugar:									
Beet-		-			2 4 4	The state of			The same
PoundsValue.		472, 498 \$10, 395			1,010		••••••	9,811	
Cane— Pounds		2,167			4,970		//	73,649	
Value		\$50			\$242			\$3,876	
Total:									
Pounds	489, 983 \$21, 797	474,665 \$10,445		419,353 \$23,527	6,010	+ 413,343 + \$23,214	989, 365 \$53, 698	\$3,460 \$4,427	+ 905,003 + \$49,271
The state of the s	4	440,110	711,000	420,020		, ,,,,,,,,	400,000		710,27
Tobacco: Leaf, suitable for eigar wrappers—								1 1 2 2 2 2 2 3	
PoundsValue.		18,886 \$20,745			24,372 \$20,999			81,206 \$75,192	
Other leaf—	STATE OF THE PARTY								
Pounds		120,646 \$83,565			\$1,888 \$59,958			83,276 \$26,626	
Total leaf—			100000000000000000000000000000000000000			CHICAGO.			
Pounds Value	16,307,480 \$2,709,030	139,532 \$104,310	+ 16,167,948 + \$2,604,720	17,688,562 \$2,953,817	106, 260 \$89, 957	+ 17,582,302 + \$2,872,860	16,156,268 \$2,658,563	164,482 \$101,818	+ 15,991,783 + \$2,556,745
	44,100,000	4101,010	, qu, uot, 120	42,303,317	404,007	7 44,014,000	40,000,000	4101,010	40,000,720
Stems and trimmings— Pounds	2,000	363,786			32,926				
Value. Cigars and cheroots—	\$60	\$4,540			\$315				
Thousands	138			90			41		
PoundsValue.	\$4,301	\$41		\$3,381	16 \$54		\$1,097	14 \$50	
Cigarettes— Thousands	1,462	411					100000000		
Pounds		67		1, 211	68 \$124		129	15	
Value	\$5,029	\$374		\$4,392	\$124	HORSE STREET	\$710	\$72	

	1	Fiscal year 1913			Fiscal year 191	4.		Fiscal year 191	5.
	Exports.	Imports.	Balance.	Exports.	Imports.	Balance.	Exports.	Imports.	Balance.
Tobacco—Continued.	38-85	BIRT							actor days
Plug— Pounds Value Smoking—	. 171, 994 \$74, 892			162,002 \$70,491			129,006 \$54,810		
Smoking— Pounds Value	231, 213 \$117, 756			236, 492 \$131, 010			192, 832 \$108, 567	A CONTRACTOR OF THE PARTY OF TH	
All other, value	\$22, 291	\$2,159		\$16,330			\$11,472		
Total, value	\$2,933,359	\$111,424	+ \$2,821,935	\$3, 179, 421	\$83,758	+ \$3,095,663	\$2,835,219	\$104,638	+ \$2,730,583
Bushels	297, 881 \$163, 039	\$10 \$901	+ 297,071 + \$162,138	218, 323 \$245, 994		+ 217, 298 + \$244, 012	• 352,823 \$231,182	4, 013 \$3, 883	100000000000000000000000000000000000000
Pounds	8, 165, 877 \$167, 359	293, 466, 860 \$5, 646, 289	-285, 300, 983 - \$5, 478, 930	7,544,600 \$151,783	\$10,634,926	-542, 139, 570 -\$10, 483, 143	493, 919 \$11, 673	658, 627, 818 \$12, 742, 743	- 658, 133, 89 - \$12, 731, 07
CordsValue		1,036,890 \$6,954,939			1,073,023 \$7,245,466			985,686 \$6,572,839	
Wood pulp: Tons Value	9,083 \$309,846	207, 088 \$4, 973, 061	- 198,005 - \$4,663,215	3, 195 \$103, 466	234, 041 \$5, 908, 517	- 230, 846 - \$5, 805, 051	2,727 . \$107,368	294, 935 \$7, 583, 081	- 292, 20 - \$7, 475, 71
American Company (Figure		Fiscal year 1916			Fiscal year 191	7.		Fiscal year 191	8.
	Exports.	Imports.	Balance.	Exports.	Imports.	Balance.	Exports.	Imports.	Balance.
Wheat: Bushels Value	6, 244, 732 \$7, 430, 824	5, 673, 083 \$5, 766, 227	+ 571,649	4,714,836 \$9,856,529	23,715,293 \$41,374,943	- 19,000,457	252,540	24,690,105	- 24, 437, 56
Wheat flour: Barrels	50, 424 \$254, 717	329,577 \$1,686,417	- 279,153	77, 115 \$580, 326	The state of the s	- 97,311	\$577,965 83,334	\$51,820,536 455,175	- 371,841
Value Rye: Bushels	139,711			1.129.469			\$884,042 5,275	\$4,864,032	
Value	\$137,541 4,167			\$1,605,223 3,207			\$12,644 2,892		
Barrels. Value. Corn:	\$20,135			\$19,546 15,724,838			\$30,145		••••••
Bushels Value Cattle:	6,568,407 \$4,969,459	\$12,814		\$16, 158, 665	\$12,381	+ 15,715,712	7, 895, 892 \$13, 127, 564	\$18,415	+ 7,889,68
Number	4, 511 \$162, 515	\$10, 850, 214	- 233, 514	6, 382 \$462, 728	189, 285 \$8, 498, 113	- 182, 903	7, 286 \$638, 304	\$14, 377, 487	- 177, 800
BushelsValue	100 \$288	3, 094, 735 \$5, 135, 164	- 3,094,635	\$1,318	7, 014, 573 \$17, 334, 606	- 7,014,229	5, 836 \$31, 300	5, 501, 391 \$16, 375, 622	- 5, 495, 550
Eggs: DozensValue	7, 916, 534 \$1, 728, 760	225, 708 \$47, 047	+ 7,690,826	10, 850, 678 \$3, 305, 017	441, 151 \$145, 023	+ 10, 409, 527	5, 216, 179 \$1, 937, 493	778, 200 \$295, 889	+ 4, 437, 979
Wool: Pounds Value	4, 344, 749 \$2, 233, 971	6, 486, 580 \$1, 991, 903	- 2, 141, 831	2, 138, 077 \$1, 225, 071	8, 897, 690 \$4, 075, 397	- 6,759,613	967, 666 \$890, 691	9, 996, 695 \$6, 516, 892	- 9, 029, 029
Potatoes: Bushels Value Meats:	100000000000000000000000000000000000000	27, 576 \$16, 370	+ 202,539	574, 190 \$610, 648		- 2, 270, 174	825, 482 \$903, 308	977, 733 \$1, 077, 148	- 152, 251
Fresh beef— Pounds Value	3, 192, 196 \$320, 030	9, 918, 326 \$1, 000, 230		17,771,159 \$2,171,951	9, 435, 742 \$1, 054, 852		37, 349, 521 \$5, 309, 684	20, 768, 167 \$3, 104, 367	
Fresh mutton— PoundsValue	2, 925, 052 \$366, 739	40, 979 \$7, 443		2, 449, 497 \$351, 293	118,330 \$25,942		1,783,382 \$381,668	496, 882 \$109, 073	
Fresh pork— Pounds. Value Bacon and hams—	32, 962, 200 \$3, 824, 831	2, 017, 060 \$218, 328		24, 832, 531 \$4, 944, 891	1,651,227 \$280,795		11, 395, 691 \$2, 792, 704	1,813,017 \$369,211	
PoundsValue	42, 264, 249	577, 396 \$87, 334		124, 326, 937 \$22, 388, 007	168, 056 \$39, 265		57, 123, 764 \$15, 531, 452	245, 692 \$75, 236	
Total meats, pounds	81, 343, 697	12, 553, 761	+ 68, 789, 936	169, 380, 124	11, 373, 355	+158, 006, 769	107, 652, 358	23, 313, 758	+ 84, 328, 60
Fruits, fresh and dried: Apples, dried— Bushels	1, 807, 499			1,340,607 \$84,683			854, 587 \$109, 327		
Value	\$101,673 301,986	is tried		314,955			457, 948 \$1, 721, 424	AND CATEFORE FOR	
Value	\$858, 912 1, 558, 407			\$948, 967 751, 012			1, 388, 275		
Value Bananas— Bunches		CONTRACTOR OF THE PARTY		\$86, 224			\$203,578	100 JOHN STORES	
Value	\$607,900			\$769,937	1,373 \$1,760		\$835,000	745 \$1,047	
Pounds		. 22, 489 \$1, 676			. 238, 400 \$36, 643		:::::::::::::::::::::::::::::::::::::::		
Pounds	The second second second	ALC DE CARLOS AND							
PoundsValue		3,000			32				
Grapes— Cubic feet Value		. \$52			3, 356			. 191 \$385	
Lemons, value	\$359, 786		l				\$633, 388		

		Fiscal year 1916	3.		Fiscal year 191	7.		Fiscal year 191	8.
countries and the second	Exports.	Imports.	Balance.	Exports.	Imports.	Balance.	Exports.	Imports.	Balance.
Fruits, fresh and dried—Continued.									
Olives— Gallons		17,406			8,874			1,998	
Value Oranges—		\$8,993			\$5, 438		1 700 990	\$1,209	
Value	1,489,746 \$3,449,589	\$246		1,726,394 \$4,029,265	\$126		1,190,629 \$4,398,613	84	
Pounds	3,964,349 \$166,782			3,320,917 \$227,844			3,496,043 \$354,375		
Pears, green or ripe, value Prunes, dried—	\$241, 156			\$432, 180			\$654,674		
Pounds	11,857,965 \$660,410			11, 112, 227 \$816, 306			18,025,903 \$1,477,078		
Raisins— Pounds	25, 513, 920 \$1, 869, 083	2,305 \$177		30, 319, 658	120			550	
Value	\$1,069,083 \$1,784,845	\$177 \$154,132		30,319,658 \$2,373,667 \$2,226,362	\$132,371		37, 938, 552 \$3, 388, 162 \$3, 053, 793	\$167, 168	
Total, value	\$10,014,436	\$168,310	+ \$9,846,126	\$12, 493, 333	\$177,916	+\$12,315,417	\$16,829,412	\$225, 285	+ \$16,604,127
Cotton, unmanufactured: Sea Island—									
Pounds	938, 494			181, 820			665, 258		****
Value Upland and other—	\$246, 268			\$94, 302			\$433, 232		
Pounds	96, 123, 702 \$11, 258, 852			\$2, 892, 880 \$14, 579, 584			101, 102, 381 \$27, 981, 097		
Linters— Pounds Value	1, 767, 403			10, 525, 756 \$1, 432, 818			23, 218, 787 \$2, 791, 374		
	\$175,341			91, 202, 010			94, 191, 514		
Total— Pounds Value	98, 829, 599 \$11, 680, 461	43, 041	+ 98, 786, 558 +\$11, 676, 164	93, 600, 456 \$16, 106, 704		+ 93,600,438 +\$16,106,701	124, 986, 426 \$31, 205, 703	5, 315 \$1, 815	+ 124, 981, 111 + \$31, 203, 888
Oil cake and oil cake meal:	44,400,000			110,110		1	34,744,744		1 301, 200, 000
Corn— Pounds	5,750			250, 904			250		
Value	\$92			\$4,449			\$10		
PoundsValue	82, 200 \$853			40, 765 \$714			1,382,700 \$32,369		
Cottonseed meal— Pounds	9, 835, 100			21, 688, 628			12, 195, 654		
ValueLinseed cake—	\$151,198			\$367,955			\$262,700		•••••
Pounds	1,325,840 \$23,035			6, 384, 269 \$125, 749			10, 493, 000 \$249, 103		
Linseed meal— Pounds							1, 253, 256 \$32, 998		
Value	The same and			007 077			- comments		
Pounds	179,053 \$3,029			905,257 \$20,025			493,347 \$11,292		
Total— Pounds	11,427,943	2,387,864	+ 9,040,079	29, 268, 923	2.068,946	+ 27,199,977 + \$485,752	25,818,207	2,805,640	+ 23,012,567
Value	\$178,207	\$32,147	+ \$146,060	\$518,892	\$33,140	+ \$485,752	\$588,472	\$67,926	+ \$520,546
Sugar: Beet—					the transfer				
PoundsValue		1,600 \$156			28,780 \$1,439			630 \$66	
Pounds		12;985			9,687			89,667	
Value		\$984			\$875			\$8,555	
Total— Pounds	642,253 \$54,237	14,585 \$1,140	+ 627,668 + <b>3</b> 53,097	841,892 \$50,607	38,467 \$2,114	+ 803,425	11,936,008	90,297 \$8,621	+ 11,845,711 + \$684,677
Value Tebacco:	\$01,237	\$1,140	+ \$35,097	300,007	84,114	+ \$48,493	\$693,298	38,021	+ \$084,677
Leaf, wrapper— Pounds		23,496			70,091			58,629	
Value.		\$22,638			\$80,583			\$190,348	
				00000	**** ***		1	190,899	
Leaf, filler—Pounds		124,637			152,809	4	Carrie Control Control Control		
I.eaf, filler— Pounds Value  Total leaf—		124,637 \$33,472			\$87,050			\$58,238	
I.caf, filler— Pounds Value  Total leaf— Pounds		148,133	+ 18,473,053	15,272,422	\$87,050		17,577,987	279,528	+ 17,298,456 + \$6,047,620
I cef, filler— Pounds Value  Total leaf— Pounds Value Stems and trimmings—		148,133			\$87,050	+ 15,049,522			+ 17,298,450 + \$6,047,622
I cef, filler— Pounds Value  Total leaf— Pounds Value  Stems and trimmings—	18,621,186 \$3,214,216	148,133	+ 18,473,053	15,272,422	\$87,050		17,577,987 \$6,296,212	279,528	
I cef, filler— Pounds Value.  Total leaf— Pounds Value.  Stems and trimmings— Pounds Value. Cigars and cheroots— Thousands	18, 621, 186 \$3, 214, 216	148,133 \$56,110	+ 18,473,053 + \$3,158,106	15,272,422 \$3,430,684	\$87,050 222,900 \$167,633	+ 15,049,522 + \$3,263,051	17,577,987 \$6,296,212	279,528 \$248,586	
I cef, filler— Pounds Value  Total leaf— Pounds Value  Stems and trimmings— Pounds Value Cigars and cheroots— Thousands Pounds Value Value Value Value	18, 021, 186 \$3, 214, 216	148,133 \$56,110	+ 18,473,053 + \$3,158,106	15,272,422 \$3,430,684 3,000 \$210	\$87,050	+ 15,049,522 + \$3,263,051	17,577,987 \$6,296,212	279,528 \$248,586	
I.cef, filler— Pounds. Value  Total leaf— Pounds. Value  Stems and trimmings— Pounds. Value  Cigars and cheroots— Thousands. Pounds. Value  Cigarettes— Thousands.	18, 021, 186 \$3, 214, 216	148,133 \$56,110	+ 18,473,053 + \$3,158,106	15, 272, 422 \$3, 430, 684 3, 600 \$210	\$57,050 222,900 \$167,633 78 \$437	+ 15,049,522 + \$3,263,051	17,577,987 \$6,296,212	279,528 \$248,586	
I.eaf, filler— Pounds. Value.  Total leaf— Pounds. Value.  Stems and trimmings— Pounds. Value. Cigars and cheroots— Thousands. Pounds. Value. Cigarstes— Thousands. Pounds. Value. Cigarettes— Thousands. Pounds. Value. Value. Value. Value. Value. Value. Value. Value. Value.	18, 021, 186 \$3, 214, 216	148,133 \$56,110	+ 18,473,053 + \$3,158,106	15, 272, 422 \$3, 430, 684 3,000 \$210 \$2 \$2, 274	\$57,050 222,900 \$167,633	+ 15,049,522 + \$3,263,051	17,577,987 \$6,296,212 96 \$3,340	279,528 \$248,586	
I.eaf, filler— Pounds. Value.  Total leaf— Pounds. Value.  Stems and trimmings— Pounds. Value. Cigars and cheroots— Thousands. Pounds. Value Cigarettes— Thousands. Pounds. Value Plug— Pounds.	18, 021, 186 \$3, 214, 216 34 \$1, 267 350 \$1, 627 142, 978	148,133 \$56,110 289 \$297	+ 18,473,053 + \$3,158,106	15, 272, 422 \$3,430,684 3,000 \$210 \$2 \$2, 274 1, 815 \$6, 597	\$87,050 222,900 \$167,633 78 \$437	+ 15,049,522 + \$3,263,051	17, 577, 987 \$6, 296, 212 96 \$3, 340 28, 225 \$51, 242 332, 152	279,528 \$248,586	
I cef, filler— Pounds. Value  Total leaf— Pounds. Value  Stems and trimmings— Pounds. Value  Cigars and cheroots— Thousands. Pounds. Value.  Cigarettes— Thousands. Pounds. Value  Pounds. Value	18, 021, 186 \$3, 214, 216 34 \$1, 267 350 \$1, 627 142, 978 \$57, 876	148,133 \$56,110 289 \$297	+ 18,473,053 + \$3,158,106	15, 272, 422 \$3,430,684 3,000 \$210 \$2 \$2, 274 1, 815 \$6, 597 115, 143 \$49, 395	\$87,050 222,900 \$167,633 78 \$437	+ 15,049,522 + \$3,263,051	17, 577, 987 \$6, 296, 212 96 \$3, 340 28, 225 \$51, 242 332, 152 \$128, 604	279,528 \$248,586	
I.eaf, filler— Pounds. Value.  Total leaf— Pounds. Value.  Stems and trimmings— Pounds. Value. Cigars and cheroots— Thousands. Pounds. Value Cigarettes— Thousands. Pounds. Value Plug— Pounds.	18, 021, 186 \$3, 214, 216 34 \$1, 267 350 \$1, 627 142, 978	148,133 \$56,110 289 \$297	+ 18,473,053 + \$3,158,106	15, 272, 422 \$3,430,684 3,000 \$210 \$2 \$2, 274 1, 815 \$6, 597	\$87,050 222,900 \$167,633 78 \$437	+ 15,049,522 + \$3,263,051	17, 577, 987 \$6, 296, 212 96 \$3, 340 28, 225 \$51, 242 332, 152	279,528 \$248,586	

A Company of the Comp	F	iscal year 1916		,	Fiscal year 191	1.	1	iscal year 1918	3.
	Exports.	Imports.	Balance.	Exports.	Imports.	Balance.	Exports.	Imports.	Balance.
Onions: Bushels.	257, 632	4, 367	+ 253, 265	207, 852	56, 421	+ 151,431	184, 844	10, 800	+ 174,04
Value	\$235, 739	\$5,959	+ \$229,780	\$296, 258	\$126, 773	+ \$169,485	\$190, 193	\$14, 364	+ \$175, 829
Newsprint paper: Pounds	1, 253, 244 \$34, 983	876, 423, 616 \$16, 646, 891	-875, 170, 372 -\$16, 611, 908	1, 245, 719 \$53, 587	981, 039, 992 \$23, 502, 671	-979, 794, 273 -\$23, 449, 084	453, 611 \$27, 244	1, 142, 977, 997 \$32, 416, 444	-1,142,524,386 - \$32,389,200
Cords		979,010			1, 016, 814			1,172,024	
Value		\$6, 373, 749		110000000000000000000000000000000000000	AMAILEC ALE KALA			\$11,088,358	
Value	11, 503 \$430, 563	353, 124 \$10, 432, 488	- 341, 621 \$10, 001, 925	11, 965 \$713, 956	\$22, 172, 343	- 431, 168 -\$21, 458, 387	6, 482 \$392, 225	\$25, 989, 607	- \$25, 597, 385
	6 months,	July to Decen	nber, 1918.	Ca	alendar year 19	119.	11 mont	ns ending Nov	. 30, 1920.
	Exports.	Imports.	Trade balance	Exports.	Imports.	Balance.	Exports.	Imports.	Balance.
Wheat: Bushels	26, 478, 814		+ 25,517,744	1,421,613	5,315,275	- 3,923,662.	14,800,945	23,771,699	→ 8,970,75
Value	\$61,430,715	\$1,962,245		\$3,314,818	50 T. 1 TEX. 10 TAX	CONTRACTOR AND ADDRESS OF THE ADDRES	\$41, 262, 739		
BarrelsValue	30,666 \$308,266	24,651 \$252,156	+ 6,015	7,316 \$80,154	13,380 \$137,647	- 6,064	24,189 \$268,749	\$6,305,681	- 539,887
Rye: Bushels Value	120, 583 \$202, 121		+ 120,583	1,385,498 \$2,063,613			6,384,692 \$13,226,669		+ 6,381,693
Rye flour: Barrels	45,010 \$456,170		+. 45,010	8,025 \$61,111			3,228 \$37,674		+ 3,22
Value	6,847,733		+ 6,817,621	6,512,025		+ 6,515,909	9,033,293		+ 9,023,950
Value	\$9,320,736	\$492	, 0,021,022	\$10,690,552	\$40,766	1 0,020,000	\$13,653,365	\$30,338	7 0,023,00
NumberValue	1, 805 \$172, 910	218, 797 \$20, 531, 705	- 216, 992	11, 192 \$859, 621	550, 001 \$59, 276, 051		4,060 \$541,182	272,670 \$21,049,764	
Flaxseed: BushelsValue		510, 410 \$1, 894, 757	- 502, 419	8, 562 \$65, 975	The state of the state of	- 1,270,570	10, 255 \$77, 008	1, 189, 479 \$4, 229, 305	- 1,179,22
Eggs: Do ens Value	1, 173, 664 \$498, 503	27,610 \$13,747	+ 1,146,051	9, 243, 677 \$4, 317, 323	325, 846 \$122, 618	+ 8,917,831	7, 025, 255 \$3, 302, 927	179, 490 \$112, 162	+ 6,845,76
Wool: Pounds Value	194, 107	2, 452, 781	- 2, 258, 674	2, 493, 176	12, 815, 891	- 10, 317, 715	5,077,056	4, 734, 429	+ 342,62
Potatoes:	The street of the	\$1,558,785	400 000	\$1,889,608	\$8, 389, 598		\$2,843,266	\$2, 139, 218	Lasang.
Bushels Value	383, 330 \$464, 652	809, 963 \$805, 457	- 426,633	610, 622 \$885, 550		- 4,697,102	733, 626 \$1, 597, 391	4, 881, 541 \$10, 420, 104	- 4,147,91
Fresh beef— Pounds Value Fresh mutton—		11,530,817 \$1,966,685	- 10,022,487	2,621,011 \$481,298	31, 124, 474 \$5, 416, 764		2,304,571 \$389,104	35, 514, 797 \$6,000, 792	- 33,210,22
PoundsValue	647, 887 \$153, 134	586, 536 \$128, 523	+ 61,351	2,594,402 \$529,050	6,791,939 \$1,392,389			8,253,212 \$2,034,359	- 6,667,42
Fresh pork— Pounds.	81, 491	1,422,661	desous	21,905,577	2,407,601	100	10,641,961	949, 528	+ 9,692,43
Value Bacon and hams—	\$12,764	\$335,128		\$6,897,596	\$525,060		\$2,452,500	\$288,762	
PoundsValue	7,385,747 \$2,287,122	1,736,562 \$506,494	+ 5,649,185	41,710,504 \$12,959,005	2,527,969 \$755,827		17, 904, 839 \$4, 302, 866	638,738 \$202,005	
Total meats, pounds		15, 276, 576	- 5,653,521	68, 831, 494	103346.03	+ 25,979,511	32, 437, 154	45, 356, 275	E CANCELLO COM
Fruits, fresh and dried:									
Apples, dried— Bushels—	50,809			69,740					
Value	4.815			1	THE RESIDENCE		. \$30,849		
Pounds	223,605 \$1,013,293			\$1,121,728			262, 431 \$1, 458, 240		
Pounds	1, 158, 928			724, 844			769, 193		
Value Bananas—	510 9771								
BunchesValue		341 \$433			523 \$680			. \$666	
Berries, value	2000000	78, 400		\$1,151,897	300, 951		\$750,053	120, 198	Section (Section)
Pounds		\$18, 158			\$55,690				
PoundsValue					. 678 \$195				
Figs— Pounds	a service de la companya de la comp	Secondonnan	Section Section 1999			1571.0370.05		1	SHOP CONTROL OF RESIDEN
ValueGrapes—					\$9			\$10, 912	
Cubic feet		\$259			22, 388 \$35, 600			206, 638 \$456, 407	
Lemons, value	. \$565, 123	9203			400,000			\$2, 172	
GallonsValue.									
Oranges— Boxes.	307, 458						1, 211, 813		
Value Peaches, dried— Pounds									
Value	\$35, 808								

	6 months	, July to Dece	mber, 1918.	C	alendar year 1	1919.	11 mon	ths ending No	7. 30, 1920.
	Exports.	Imports.	Trade balance.	Exports.	Imports.	Balance.	Exports.	Imports.	Balance.
Fruits, fresh and dried—Continued. Prunes, dried— Pounds. Value	3, 200, 914 \$271, 766			14, 519, 219 \$1, 877, 292			13, 902, 863 \$1, 997, 914		
Raisins— Pounds Value	12, 987, 069 \$1, 171, 346			39, 195, 368 \$4, 751, 287	3, 982		26, 531, 775 \$4, 890, 294 \$3, 539, 092	34, 491 \$6, 367 \$808, 400	
All other except preserves, value  Total, value	\$2, 193, 602 \$8, 089, 628	\$148, 464 \$167, 314	+ \$7,922,314	\$4, 456, 141 \$23, 291, 938	\$1, 135, 255 \$1, 229, 491		\$3, 539, 092 \$21, 065, 619		+ \$19,744,3
Cotton, unmanufactured:	a his is	20.0		is special tra					1 420,111,0
Sea Island— Pounds Value	322,389 \$223,144			1,860,079 \$1,107,706			556, 377 \$409, 935		
Upland and other— Pounds Value	50, 353, 229 \$15, 630, 615			78, 428, 852 \$25, 065, 365			92,536,169 \$33,818,010		
Linters— Pounds Value	10,595,154 \$1,297,050			3,116,794 \$201,899			7, 362, 385 - \$408, 365		
Total— Pounds Value	61,270,772 \$17,150,809		+ 61,270,772 +\$17,150,809	83, 405, 725 \$26, 374, 970	83 \$22	+ 83, 405, 642 +\$26, 374, 948	100, 454, 931 \$34, 636, 310	26,000 \$8,296	+ 100,423,9 + \$34,623,0
Oil cake and oil cake meal:				320,013,010		1.00,01,010	401,000,010	0,20	1 402,023,0
Corn— Pounds Value	60,000 \$2,606			62, 250 \$2, 238			90, 820 \$2, 216		
Cottonseed cake— Pounds Value				651, 119 \$20, 383			120,000 \$4,230		
Cottonseed meal— Pounds Value	5,325,100 \$139,309			8,758,085 \$272,398			6,602,531 \$187,432		0.57
Linseed cake— Pounds	1,215,560 \$31,664			405,518 \$14,088			120,000 \$3,831		
Linseed meal— Pounds Value	17, 801, 600 \$482, 265			4,491,826 \$131,904			3,132,125 \$94,062		
All other— Pounds Value	815,904 \$10,960			904,109 \$17,489			1,309,936 \$28,401		
Total— Pounds Value	25, 218, 164 \$666, 804	338, 280 \$7, 355	+ 24, 879, 884 + \$659, 449	15, 272, 907 \$458, 500	1, 151, 980 \$27, 538	+ 14, 120, 927 + \$430, 962	11, 375, 412 \$320, 172	2,079,018 \$66,983	+ 9, 293, 36 + \$253, 18
Sugar: Beet—		100011111111111111111111111111111111111	- 5						
PoundsValueCane	197				4 001 000			812, 100 \$92, 049	
PoundsValue		14, 169 \$1, 334			4, 961, 368 \$508, 808			58, 497, 675 \$10, 336, 422	·····
Total— Pounds Value	59, 255, 324 \$3, 331, 010	14, 169 \$1, 334	+ 59, 241, 155 + \$3, 329, 676	552, 156 \$108, 811	4, 961, 368 \$508, 808	- 4,409,212 - \$399,997	5, 376, 131 \$715, 821	59, 309, 775 \$10, 428, 471	- 53, 933, 64 - \$9, 712, 65
Tobacco: Leaf, wrapper— Pounds.		2,334			375, 454	100000		17, 230	
ValueLeaf, filler— Pounds		\$6,005			\$435, 431			\$33, 591 61, 865	
Value		11, 366 \$6, 855			147, 023 \$64, 754			\$23, 935	
. Total leaf— Pounds Value	15, 349, 985 \$6, 011, 507		+ 15, 336, 285 + \$5, 998, 647	19, 850, 798 \$9, 335, 843	522, 477 \$500, 188	+ 19, 328, 321 + \$8, 835, 655	15, 131, 076 \$9, 014, 576	79, 095 \$57, 528	+ 15,051,98 + \$8,957,05
Stems and trimmings— Pounds				4, 905		04 115 115	4, 263		
Value	54			\$152 116			\$135 37		
Pounds	\$1,824	••••••		\$1,973	\$362		\$1,041	374 \$388	
Thousands	11, 815 \$21, 694			9, 148 \$21, 499	159 \$826		23, 504 \$56, 417	142 \$898	······································
Plug— Pounds Value	55, 309 \$36, 091			73, 671 \$60, 505			78, 145 \$61, 439		
Smoking— Pounds Value.	158, 829 \$121, 751			332, 452 \$295, 108			244, 235 \$231, 234		
All other, value	\$4,646	\$610 \$13,470	+ \$6, 184, 043	\$8, 136 \$9, 723, 216	\$1,859 \$503,235	+ \$9,219,981	\$12,012 \$9,376,854	\$7,066 \$65,878	+ \$9,310,97
onions:	99, 316 \$126, 419	6,801	+ 92,515	218, 129	26, 328 \$29, 725	+ 191,801	258,506 \$465,826	8,600 \$7,389	+ 249,90 + \$458,43
Value	85, 303	\$6,896 566,203,055	\$119,523   -566,117,752	\$467, 220 703, 243	1, 248, 957, 881	+ \$437,495 -1,248,254,638 -\$43,445,380	1,732,251 \$133,461	1, 240, 915, 658 \$56, 963, 745	-1,239,183,40 - \$56,830,28
Pulp wood: Cords	\$6,151	796, 650	-\$17,083,758	\$34,940	\$43,480,329 1,047,091 \$10,456,696	-\$43, 445, 380	<b>₹100,401</b>	1,070,330	<b>4</b> 00, 000, 48
Value Wood pulp:		\$7,916,140		***************************************	\$10,456,696		*************	\$14,301,697	- 540, 28 - \$56, 764, 30

Mr. McCUMBER. Mr. President, I am a strong believer in political parties—in political organizations—for the reason that I believe no measure of any importance can be presented before the American people and no policy can be adopted by the American people unless there is some party behind the policy-some party that is capable of presenting the issues to the American

But while I believe in party ties, I am not blind to some of the evils which flow from those ties. I have seen the manifestation of that evil not only when the Republican Party was in the minority but to a greater degree now that the Democratic Party is in the minority. A great many Senators seem to think that the moment their party becomes a minority party their highest duty to their consciences and their States is to find some kind of a pitfall into which they can dump the other party, and therefore they struggle and strive day after day, holding up legislation in some wild attempt to see if they can not find some flaw in the position taken by Senators on the other side of the Chamber.

I may claim that I am, perhaps, as little inclined to be a blind party follower as any man in the Senate; and the fact that I am not inclined to always follow does not detract, in my opinion, at least, from my good, sound, Republican principles. I claim to be a protectionist, and I follow that rule in voting upon tariff legislation. I do not think that everything which emanates from the Democratic side of the Chamber is necessarily wicked and vicious and hellish, as some of my friends on the other side think of everything which emanates from this side of the Chamber. I find that political parties are made up from the people of the United States, and that the people either inherit their political beliefs, as they often inherit their religious beliefs, or are affected by their early environment. I believe that, as a rule, people try to be reasonably honest with themselves, and that there are few questions presented for argument in this Chamber which have not their two sides and can not be defended upon either side to a certain extent.

Therefore I regret-and I may say that I exceedingly regretwhen I see Senators with such transcendent ability as many of those on the other side of the Chamber possess spending most of their time in finding fault with the Republican Party and condemning it rather than discussing fairly and, I think, honestly, the real merits of any proposition before the Senate.

I am not claiming that if we pass the pending bill we are going to raise wheat immediately 25 cents a bushel or 35 cents a bushel. I do not claim for a single moment that grain, like any other article, is not affected by the world's supply and demand. There are many conditions which affect it. But I must claim that I know a little more about the trade between this country and Canada than the informant who furnished the material which was the subject matter just discussed by the Senator from Kentucky [Mr. STANLEY].

The Senator from Kentucky says the prices of grain in this country must be governed by the surplus of both this country To a certain extent that is true. Then he backs up his proposition by a statement that we exported to Canada some 50,000,000 bushels of grain and Canada exported to the United States 48,000,000 bushels of grain, or some such amount, in a given length of time. I may not give his figures correctly, as I did not understand him exactly, but they are sufficiently accurate for this discussion:

The Senator perhaps did not quite understand all the conditions involved in the export of grain from the two countries. We do not export one bushel of wheat to be consumed in Canada, so' that eliminates 50,000,000 bushels. We may through the Welland Canal, for export, 50,000,000 bushels, which comes through Chicago, and from the Southern and Central States. We export practically none of the spring wheat which is raised in the Northwest, except in the form of macaroni. But the millions of bushels which come from Canada into this country; about which we are complaining, is the wheat we grind into flour and sell to the people of the United States. In other words, it comes into competition with the product grown in the United States.

Mr. KING. Mr. President

The PRESIDING OFFICER (Mr. Curus in the chair). Does the Senator from North Dakota yield to the Senator from Utah? Mr. McCUMBER. I yield.

Mr. KING. I think the Senator ought to state that we export to Canada millions of dollars worth of cereals in various forms during the year.

Mr. McCUMBER. Oh, yes; we do export some millions, I think, most of it perhaps canned, like canned corn, and such articles, and a great many things which, by reason of our superior milling facilities, we are able to export.

Mr. KING. Breakfast foods of various kinds.

Mr. McCUMBER. And other different articles of food. I am not questioning that. I will hold close to the discussion of wheat for a while, however, until I get through with that.

The Senator from Kentucky states that it must follow if there is a surplus in the United States and a surplus in Canada, the price of our grain will be governed by the surplus in Canada; If we had to send all our surplus of a certain kind of grain to a foreign country, that would be true. But it so happens that it is not true.

The Senator from Kentucky has theoretical ideas about this situation, but the wheat buyer up in Minneapolis has practical ideas, and he puts his ideas into effect. When he looks across the border and sees from thirty-five to forty-five million bushels of wheat on the other side of the lake which will come over here the moment he bids up a little higher for the American wheat, he is not going to bid up any higher for it. He is going to get his wheat just as cheaply as he can.

The Senator seems to be surprised that the Canadian wheat brings just as good a price as the American wheat. Why, of course, that is what we are complaining about. protection, however, to keep it out of the country, it would not, Naturally, water will seek its level, and if the prices should be a little lower on the Canadian side for a single week it would begin to flow over to this side, and the fact that it can flow over to this side means that it will keep our prices down as low as the Canadian prices, and that will always be the case just as long as we have no tariff wall between the two countries. I hope the Senator will understand that practical propo-

I wish to invite the attention of the Senator now to another matter that I do not think he has fully considered. Under normal conditions, when we know just what the world's supply is for several months ahead, if I sell May wheat as against December wheat, I will always sell May wheat at an advantage. What will measure the advantage? It will be the difference between the carrying cost from December until May. That is the higher. That is, when we are protected.

But now let us see. If you will look at the grain statistics for the last month you will find that May wheat has been selling from 18 to 28 cents below cash wheat. There is a reason for that, a real practical reason, and the farmer up in my State understands that practical reason and of course the wheat buyer understands what it is. What is it? There are 45,000,000 bushels of wheat over at Fort William and Port Arthur all ready to be shipped when navigation opens. Navigation generally opens in May. In ordinary years there may be half a million to a million bushels there, but now there are from 35,000,000 to 40,000,000 bushels there realy for shipment to the United States the moment navigation opens. That will add so much to our surplus, and if we have a given amount of surplus of course it depresses the price, but if we multiply the surplus three times over our price is depressed to a still greater extent. The wheat buyer understands that, the miller understands it, and whea he is buying for his mill for several months ahead he is looking over the country to see whether the visible supply is where he can get hold of it at a moment's notice. If he finds in his own country in the section from which he draws, say Minneapolis, from the spring-wheat section, that there is not a visible supply and that means a supply in the elevators from which he can draw, he will begin to bid up on his price to bring in the grain.

Mr. STANLEY. Mr. President— Mr. McCUMBER. Just a moment and I will yield. If that supply can come over from Canada and he sees that there is a supply that he can reach into, he does not have to bid up at all. He can get that wheat for the same price and just bring it across the lake, and it will not cost him any more than to bring it from any other section as near by.

I now yield to the Senator from Kentucky. Mr. STANLEY. As I understand the Senator, his argument is as to the price of wheat adjacent to the market, which means adjacent to the Minneapolis mills, to which this wheat is consigned, and not the level of prices over the country generally?

Mr. McCUMBER. Yes. Mr. STANLEY. The contention is that it affects wheat in

that immediate locality but not over the country generally?

Mr. McCUMBER. Yes; only as the price in one section of
the country immediately reflects itself all over the country. It may not to any great extent, but it actually does. At one time we had 25 cents a bushel tariff on Canadian grain. We were exporting during all the years that we had that tariff. I am dealing with facts and not theories. Our prices averaged during that time at Minneapolis, which were the same at Duluth and on the Lakes, nearly 10 cents a bushel more than on the

Canadian side. Sometimes they would be almost the same. There were times when even the Canadian wheat might be a cent or two higher, but taking the average throughout all those years, the prices as quoted day in and day out were always higher upon the American side, and when we were short in our spring wheat in 1909 and 1910, Minneapolis and Liverpool prices were practically the same during most of the summer. It showed that in that year we had some 18 or 20 cents above the prices on the Canadian side. They had plenty of wheat on the Canadian side to ship in and of the same kind that the Minneapolis miller uses. We did not have 25 cents a bushel advantage, but it did help us out; it gave us an average of about 10 cents when wheat was selling from 90 cents to a dollar a bushel.

Mr. STANLEY. The Senator speaks of the difference. differs widely from the conclusion reached by the Tariff Commission touching the difference in prices and costs. Does the Senator mean to contend that the difference in price was due to any other cause than the difference in the value of American money and Canadian money?

McCUMBER. Oh, no; this was before the war, and Canadian money was at par then. I am speaking now entirely of the period before the war, because that is the time when we had our tariff of 25 cents a bushel.

Mr. STANLEY. Taking it before the war, were the differences between the prices in Minneapolis and Winnipeg any greater than the difference between St. Louis or Kansas City and Minneapolis, or Charleston, S. C., and Minneapolis?

Mr. McCUMBER. Oh, yes; there was a greater difference,

and I will tell the Senator why.

Mr. STANLEY. I think in that respect the Senator differs again from the findings of the Tariff Commission.

Mr. McCUMBER. I say it was reflected, but the difference

would be greater, I think, during that period.

Mr. STANLEY. I will place in the Record at a later date the statement of the Tariff Commission, in which they differ radically from the findings of the Senator from North Dakota.

Mr. McCUMBER. The Tariff Commission can not differ from the actual figures as shown from the daily reports which I gave some time ago. I have not them with me now. I went over a period of 10 years and took the Winnipeg prices, made a very little allowance for the difference between the higher standard of grain which they really required for their No. 1 northern and our No. 1 northern, and compared the two for, I think, the 10 years that I took at that time, and they averaged a little less than 10 cents difference.

Mr. STANLEY. I should like to ask the Senator from North Dakota if it is not true that No. 1 Winnipeg Canadian wheat brings a higher price in Liverpool than American wheat of the

same alleged quality?

Mr. McCUMBER. Yes; a very little higher, because they require a little stricter grade of any kind of mixed wheat. I think when wheat was \$1 a bushel the difference as I computed it at that time would make from 2 to 3 cents better for the Canadian than for the American on that basis.

Mr. WILLIAMS. Mr. President-

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Mississippi?

Mr. McCUMBER. Certainly.

Mr. WILLIAMS. As I understood the Senator a moment ago, he said that whereas there was a surplus of about one and onehalf million bushels of Canadian wheat, there is now a surplus of about 50,000,000 bushels?

Between 35,000,000 and 40,000,000. In Mr. McCUMBER. elevators at Fort William and Port Arthur there were on the 1st of April between 35,000,000 and 40,000,000 bushels of wheat.

Mr. WILLIAMS. Let us say about 40,000,000, whatever it may be. I wish to ask the Senator—and I am asking for information-why it was that this immense increase in the amount of surplus of Canadian wheat had taken place? Was it owing to an immensely increased Canadian crop or to an immensely decreased world consumption?

Mr. McCUMBER. I suppose undoubtedly that we can credit it to some extent to both. There was not a greatly increased Canadian crop, but there was a very good crop throughout Canada and a rather short crop in the spring wheat States in the United States. Canada produced the same kind of grain, and therefore there was a big demand by millers in this country for what they called the spring No. 1 northern wheat.

Mr. WILLIAMS. As I understand it, the increase of the Canadian crop over the normal Canadian crop in no way accounted for the difference between 1,500,000 and 40,000,000

Mr. McCUMBER. Oh, no; certainly not.

Mr. WILLIAMS. Then do I understand that the immense accretion of Canadian surplus must be due largely to the decrease in world consumption?

Mr. McCUMBER. I think it may be due to a decreased world consumption and a decrease of foreign demand because of the inability of many countries to buy as much wheat as they could use

Mr. WILLIAMS. I understand that.

Mr. McCUMBER. And therefore affording a better market

in the United States.

Mr. WILLIAMS. When I said world consumption, of course, was speaking in terms of economics. The world consumption of a product is the amount of the product that the world can afford to take and pay for, so that the world consumption is effectually the world demand. Now, has not that same thing happened with regard to cotton and with regard to nearly everything else which we raise in the shape of raw material. and can we hope to cure a world condition like that by mere American legislation?

Mr. McCUMBER. It often happens when you can not make sick man well that you can at least keep him from dying. You may prescribe something that will prevent his demise en-I do not think anything that we can do in the shape of legislation to-day will make farming profitable in the United States at present wages and considering what the farmer has to pay for other things which he purchases, but it will make his losses less, and, therefore, I desire to do what I can for that reason.

Mr. WILLIAMS. I submit this thought to my friend from North Dakota: You can not keep a sick man from dying if he is dying for lack of food unless you give him food, and unless you are an altruist or philanthropist the world can not give him food unless he can pay for food either in money or in credit. So that you can not increase the foreign demand for American and Canadian wheat by American legislation which merely affects a little competition between America and Canada, nor by Canadian legislation which would merely affect the same thing. I add that because, of course, Canada will retaliate. Canada would be an immense ass if she did not retaliate if we start upon this economic warfare; but in either event the little settlement of our quantum of supplies for the competitive market could not enable the foreigner to buy the wheat or the flour unless we could reduce the price to him. Then, of course, pro tanto he could buy more; but when we increase our tariff between one another it is for the express purpose of increasing the price in the home market. If that has any effect in the foreign markets at all, the increase will be reflected there.

Mr. McCUMBER. Mr. President, no legislation, perhaps, that we can pass is going to affect the price that Canada can receive for her grain in a foreign market; I will admit that; but legislation which we can pass which will give to the American farmer exclusively, as against the Canadian farmer or any other farmer, his home market will pro tanto assist the American farmer. That is all we are claiming for the proposed legislation.

Mr. WILLIAMS. One more question, and then I will prom-

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Mississippi?

Mr. McCUMBER. I will yield in a moment. the broad proposition that the American market belongs of right to the American farmer just so long as he can supply that market for a reasonable compensation for his labors. We are not asking anything further. We can not go any further than that, but we can go that far.

WILLIAMS. Mr. President, one more question, then I will resist the temptation further to bore my friend with questions.

Mr. McCUMBER. The Senator from Mississippi never borcs anybody.

Mr. WILLIAMS. The United States is now raising a surplus of wheat over and above the domestic demand for it, is

Mr. McCUMBER. On the whole, I answer the Senator's question yes.

Mr. WILLIAMS. Of course we have got to take ourselves as a whole; we are a Nation now. We are raising more wheat than we are consuming; and if the Senator admits that our local legislation can not increase the foreign price for wheat, then we have already overloaded the home supply of wheat, which can not be affected by merely cutting off foreign competition for the home market, where we already have an oversupply.

Mr. McCUMBER. I have answered that, Mr. President.

Mr. WILLIAMS. I beg the Senator's parden. I shall not ask him to answer it again,

Mr. McCUMBER. I have answered by saying that our spring wheat States-and they constitute the section of the country principally affected-have not a surplus; in fact, there is somewhat of a deficit. If Canada did not supply what amounts to a surplus, then we would have a very much better price for the grain that is raised in the spring wheat States, and that condition, while it would not entirely remedy the situation in Kansas and Nebraska, would be reflected to a certain extent in higher prices throughout the United States.

Mr. WILLIAMS. At the risk of seeming to violate my promise of a moment ago, I desire to say that the different grades of wheat which are converted into various grades of flour are substitutable for one another as breadstuffs, as I

Mr. McCUMBER. They are not wholly so.
Mr. WILLIAMS. If that be the case, then we must consider the entire American demand for flour and the entire American supply of flour-edible flour, substitutable flour, one for the other. If we have more material out of which to make bread than the American people can eat or buy, then there is still a surplus in the market of all grades of wheat.

Mr. McCUMBER. If the Senator were in my State he would soon find that the good housewife would never dream of using winter wheat flour. She knows nothing about it; she does not think it makes good bread; at least in her way of making it, it does not. It is not the bread that she is used to making; and she will buy nothing but "Pillsbury's best," or some one of those flours that are made from the wheat grown in the spring wheat States, which are very rich in gluten. Perhaps if I were to go into Kansas I should find that there they would not use that flour to any extent whatever, even although it is used to quite an extent in Washington, I notice by the advertisements, and the fact that every grocery store carries it. However, so long as there is less of the spring wheat raised in the United States than our mills can grind and find a market for, our prices will naturally go up unless we can reach right over across the line and open another spout and run in the Canadian grain of like quality.

I want to be perfectly fair in the discussion of this matter; I am not claiming everything for this legislation; but I know that it will do that much good, and I know that Canada has this granary right across the Lake, and sends us May wheat, which ought to be higher than cash wheat—for from 18 to 28 cents a bushel less than cash wheat. That is due entirely, as shown by the daily reports, in anticipation of the opening up of the Lakes for the transfer of Canadian grain to this country for consumption.

Mr. STANLEY rose.

Mr. McCUMBER. Now I yield to the Senator from Kentucky, and then I should like to pursue this matter to a conclusion.

Mr. STANLEY. As I understand, the Senator contends that generally prices for wheat are higher in the United States than in Canada?

Mr. McCUMBER. Under what conditions?
Mr. STANLEY. Under normal conditions.
Mr. McCUMBER. No; I do not claim that at all. Under the abnormal condition of having a tariff wall the Senator's statement is correct; under the normal condition of having no tariff wall naturally the prices of grains reach a common level, and they are no higher on one side of the line than on the other, because if they get higher on the one side than on the other, with no barrier at all, they immediately flow from one side to the other. I am not claiming that under normal conditions the prices are any higher here than in Canada.

Mr. STANLEY. I understood the Senator to say Mr. McCUMBER. What I am complaining is tha

What I am complaining is that if we put up a barrier, a wall high enough to keep out Canadian grain, we are going to have our prices at least considerably higher

whenever there is a little shortage.

Mr. STANLEY. Mr. President, I understood the Senator to state just a moment ago that the prices for wheat just before

the war were higher in Minneapolis than in Winnipeg.

Mr. McCUMBER. During the war the prices might have been higher for some little local reason in connection with the supply and demand, but there is no general range of prices higher on one side than on the other whenever grain can flow from one side of the line to the other. That naturally follows. The prices were higher when we had a tariff than when the tariff was taken off, when the two flowed together and the price was practically the same on both sides, making the ordinary allowance for a little speculation in Winnipeg at one time and a different speculation in Chicago or Minneapelis, which might

send the price up or depress it, depending upon whether the bears or the bulls were at work.

Now, Mr. President, I desire to complete my remarks. The rates fixed by the agricultural schedule of the pending bill, it will be membered, will continue for six months only. Of course I want to continue them indefinitely, and hope to be able to do so in the next tariff bill. We expect to have a general tariff bill before the end of six months, and the rates provided in the pending bill will continue until that time. It is intended merely that they shall remain in effect until we can perfect a general tariff bill.

The pending measure provides for rates of duty on the articles enumerated according to the table duties which I ask permission to insert in the RECORD at this point.

The VICE PRESIDENT. Without objection, permission is

granted.

The matter referred to is as follows:

The matter referred to is as follows:

Wheat, 35 cents per bushel.
Wheat flour and semolina, 20 per cent ad valorem.
Flaxseed, 30 cents per bushel.
Corn or maize, 15 cents per bushel.
Beans, 2 cents per pound.
Pennuts or ground beans, 3 cents per pound.
Potatoes, 25 cents per bushel.
Onions, 40 cents per bushel.
Rice, cleaned, 2 cents per pound; rice, cleaned for use in manufacture of canned foods, 1 cent per pound; uncleaned rice, 12 cents per pound; rice flour, meal, etc., 1 cent per pound; rice paddy, three-fourths of 1 cent per pound.
Lemons, 2 cents per pound.
Oils: Peanut, 26 cents per gallon; cottonseed, coconut, and soya bean, 20 cents per gallon; olive, 40 cents per gallon in bulk, 50 cents per gallon in containers of less than 5 gallons.
Cattle, 30 per cent ad valorem.
Sheep: One year old or over, \$2 per head; less than 1 year old, \$1 per head.

Sheep. One year of the real sheep and other stock imported for breeding purposes, Cattle and sheep and other stock imported for breeding purposes,

Cattle and sheep and other stock imported for breeding purposes, free.

Cotton, with staple of 1½ inches or more, 7 cents per pound.

Wool, unwashed, 15 cents per pound; washed, 30 cents per pound; scoured, 45 cents per pound.

Wool, advanced beyond washed or scoured condition, 45 cents per pound in addition to rates of duty imposed by existing law.

Sugars, tank bottoms, sirups of cane juice, melada, concentrated melada, concrete and concentrated molasses, testing by polariscope not above 75°, 1.16 cents per pound; each additional degree by polariscope, four one-hundredths of a cent per pound additional; molasses not above 40°, 24 per cent ad valorem; molasses above 40° and not above 56°, 3½ cents per gallon; above 56°, 7 cents per gallon.

Butter, and substitutes therefor, 6 cents per pound.

Cheese, and substitutes, 25 per cent ad valorem.

Milk, fresh, 2 cents per gallon; cream, 5 cents per gallon.

Milk, preserved, condensed, sterilized, 2 cents per pound; sugar of milk, 5 cents per pound.

Tobacco, wrapper and filler, \$2.35 per pound; if stemmed, \$3 per pound; filler, unstemmed, not specially provided for, 35 cents per pound; fi stemmed, 50 cents per pound.

Apples, 30 cents per bushel.

Cherries, 3 cents per pound.

Cherries, 3 cents per pound.

Olives, in solutions, 25 cents per gallon; not in solutions, 3 cents per pound.

Mr. McCUMBER. Mr. President, while many articles of consumption in the United States have materially decreased in selling price, agricultural products, including those of cattle, sheep, and wool industries-I might mention cotton also-have decreased entirely out of proportion to the general decrease of commodities throughout the country. Bear that in mind. The decrease in the selling price of farm commodities rests upon an entirely different basis from the decrease in the case of other commodities. I wish Senators to consider that proposition for a moment. Most commodities in the United States had been held up for excessive prices so long that the people had become unable longer to purchase at those excessive prices. ceased buying, and in order to induce sales it became necessary to reduce the prices of such commodities. That is not true of agricultural products. There is just as much bread and butter and meat and poultry and eggs and vegetables consumed in the United States per capita to-day as there were when those products brought from two to three times the present prices. prices have not fallen because of a decrease in demand. A man can wear his shoes or suit a month or six months longer if he can not afford to pay the prevailing prices for these articles, but he can not let his stomach go empty for one day, no matter what the price of food may be. We must, therefore, look elsewhere to ascertain the cause of the tremendous slump in the price of agricultural products.

We will find, Mr. President, that the decrease is due entirely to an accumulating surplus of agricultural commodities in the United States, practically all brought about by enermously increased or inflated importations. There has never been a year for the last century in which we have not to some extent been exporting agricultural commodities. We have always had some surplus. The greater proportion of our products have always been consumed in this country. Our prices, therefore, have been fixed by the home demand, affected, of course, by the general world supply. The greater our surplus the smaller, naturally, our price. The visible supply—that is, the supply that is in the immediate reach of the miller—is the principal factor that governs the price which he offers for grain. If the supply is somewhat limited in this country, or in a certain vicinity, and we have something of a tariff wall between us and the great Canadian granary, the Minneapolis miller may be compelled to advance his price in order to keep his mill going. If he can tap this Canadian granary without any duty whatever, it will not be necessary for him to increase his bids.

The price of our wheat has been driven down to the lowest possible point because of enormous importations and imminent danger of still greater importations. The prices of our sheep and cattle have been driven down by reason of the enormous amount of shipments of mutton and beef and other meats. Our wool has been driven down because of the stupendous increase in

the importations of wool from foreign countries.

I will elucidate by a few figures on the wheat situation, without repeating anything I said in my previous argument on this

question.

As shown by the report of the Bureau of Markets, prior to 1914 the heaviest importations of wheat in any crop year were 2,673,000 bushels, and 150,000 barrels of flour, which, converted into wheat, makes about 60,000 bushels of wheat, and that would make somewhere about 3,000,000 bushels of importations for that year. That was the year ending June 30, 1914. general average for the several years just prior to 1914 was less than 1,000,000 bushels.

Now, turn to the year 1920. According to this same report, for the four months of September, October, November, and December there were imported for consumption in the United States from Canada 37,800,000 bushels of wheat-that is, for home consumption, not for export from the United States. In January and February the imports by rail to Minneapolis and

Duluth amounted to 6,800,000 bushels in addition.

On March 1, 1921, Canada had a net surplus of 45,000,000 bushels of wheat, about 35,000,000 of which were in store at Fort William and Port Ontario, in country elevators and cars in western Canada. With the opening of navigation these 35,000,000 bushels will be immediately loaded onto the United States. How much is coming in now I can not say, but I want to read from this same report a few items that may interest Senators who want to get at the real truth of the effect of Canadian importations.

I quote:

Wheat reserves in Canada will move slowly until about May 1, when, with the opening of navigation, it is predicted by the Chicago Board of Trade houses, there will be a heavy movement to the United

That accounts for the difference in May wheat. This is from official sources:

Speculators on the Chicago Board of Trade have begun to anticipate the heavy movement of Canadian wheat by selling the May future. The discount of the future under cash wheat indicates such selling pressure on the future and an absence of pressure on cash wheat.

Cash wheat, No. 2 red winter, in Chicago on March 19 sold at 22 to 23 cents over the May future, or at \$1.62 to \$1.65, and No. 2 hard winter at 11 to 15 cents over May, or \$1.53 to \$1.57. A year ago No. 2 hard winter sold at \$2.48 and two years ago at \$2.37.

This is from the Bureau of Markets:

In Minneapolis, on the 19th, No. 2 dark northern spring sold at 10 to 28 cents over Minneapolis May, or at \$1.47 to \$1.65. A year ago No. 2 dark northern sold at \$2.70 to \$2.95 and two years ago at \$2.44.

Now, I turn to a later report which I selected from the Jamestown Alert, a daily of my State, quoting the Minneapolis prices. This is April 27, just a few days ago:

MINNEAPOLIS GRAIN.

MINNBAPOLIS, April 27.

Flour unchanged. Shipments, 45,416 barrels. Bran, \$16. Wheat receipts, 314 cars, 101 cars a year ago. Cash No. 1 northern, \$1.30\(\frac{1}{2}\) to \$1.38\(\frac{1}{2}\); May, \$1.18\(\frac{1}{2}\)—

Making 20 cents difference-July, \$1.113.

And so on. The further you get ahead, the lower the price is, depending upon the anticipated shipments from Canada.

I remember when we were discussing the Taft reciprocity proposition in the Senate, and I would pick up the daily papers. One day it was thought that the reciprocity program would go through and wheat would go down from 6 to 10 cents a bushel. The next day it was reported that it would fail to go through, and wheat would go up from 6 to 10 cents a bushel in the Min-neapolis and the Duluth markets, all owing to the probability or improbability of free trade between the United States and Canada.

Mr. President, it is a waste of breath for any Senator to philosophize about the price in the United States being affected solely by the Liverpool price. The price is always affected by the principal place of consumption, and the United States consumes seven times as many bushels as are ever exported from the United States, and its home consumption is the main factor that fixes the price.

Of course, we are governed by the world supply and demand, and a great world supply reflects upon our price and depresses it, and a world deficit naturally affects it; but what affects it in addition to that, and what we are most concerned in, is the question of holding the American market for the American

farmer.

Now, Mr. President, I want to put into the RECORD a statement of the shipments of flaxseed into the United States.

I notice that Canada exported to the United States, between

1910 and 1914, 4,110,370 bushels of flaxseed. That was five years ago-less than a million bushels a year, about 800,000 bushels a year. In 1920 it was increased to 1,687,813 bushels. Now, I come to Argentina. Argentina exported to the United States for those four years a little less than 2,000,000 bushels. That would be less than half a million bushels for each year; but in 1921 she exported almost 23,000,000 bushels. Does anyone think that that does not have any effect upon the price of flax in the United States-more than twenty times as much as she had ever exported in any single year before? To protect the American market we are giving a higher protective duty.

I am not going over the wool schedule, nor the sugar schedule, nor the other schedules. They were fully discussed at the last session, and I do not think any further discussion is needed. All I want is that the Senate should clearly understand the real situation as it affects the American people at or near the

Canadian border.

As to meats, I quote the following from the Bureau of Mar-

There is a great surplus supply of meats and meat products in the United States, and prices of live stock have been driven to a decline much more rapid than the decline in cost of production while imports of meats have further depressed the market. This constitutes a meance to the live-stock industry. Live-stock operations (before the war frequently precarious and unprofitable) did not during the war build up a reserve of profits sufficient to offset the present losses due to the current marketing of war stimulated production at less than its cost. Chicago market live-stock prices in February, 1921, reached index figures ranging from 104 to 111 (based on 1913), while general commodities were 167, and manufactured articles 230. Allowing for increased freight to the market, farm prices of live stock are practically at or below prewar levels. The price drop has been so rapid that the value of animals in many cases is now less than the amount of loans secured by them, wiping out the grower's equity entirely.

With reference to butter, the Bureau of Markets has this to

With reference to butter, the Bureau of Markets has this to

Previous to 1919 our annual importation of butter varied from 1,000,000 pounds to 7,000,000 pounds, and in only one year, 1914, was it greater than 3,000,000 pounds. The exchange and credit situation stimulated imports, and we received from foreign countries over 9,000,000 pounds of butter in 1919, and in 1920 our imports reached the unprecedented figure of 37,000,000 pounds. In January, 1921, we imported 3,800,000 pounds and in February 1,896,000 pounds.

I do not care to discuss the assertion so often made that this is giving the farmer a gold brick. If it is giving it to him, we are not charging him a cent for it and it will not do him any harm; but the same Senators who are arguing that the farmer will not get any benefit from this legislation are with equally zealous and earnest argument declaring that it will raise the price of wheat 35 cents a bushel and that the consumer will pay I can not imagine anything more inconsistent. If the consumer will pay it, he can afford to pay it. If we should add 35 cents to the price of every bushel of wheat in the United States and it raised the price that much to the consumer, the consumer would pay 4 mills more for every loaf of bread that he ate, and as he eats half a loaf of bread a day upon the average for each person, it would cost him 2 mills more a day; and if he can make the farmer prosperous by paying 2 mills a day more for what he consumes, it is the best investment he can ever make, because it will enable the farmer to buy the products that the consumer is producing with labor that costs from \$5 to \$15 a day, while the farmers over the country to-day are not earning a dollar a day.

Mr. KING. Mr. President, will the Senator yield? Mr. McCUMBER. I yield, Mr. President. I am ready to yield

Mr. KING. I do not know that I am controverting the solicitude which the Senator has exhibited for the farmers. Indeed, I think the farmers probably have not been sufficiently compensated for the labors which they have performed in the development of our country. But if the argument which the Senator is making is sound, does not the Senator concede that it would be wise to increase the cost of everything which is produced, upon the theory that it would enable the vendor and the producer to buy more of other articles which are manufactured, so that as a result the more you pay for goods the greater your prosperity will be? Is not that the reductio ad absurdum to which the Senator's argument leads?

Mr. McCUMBER. No, Mr. President. You may, by excessive labor costs, brought about from any cause that you see fit to assign, make two-thirds of the country live upon a plane whereby they can expend five times as much as the other third can possibly earn. That is the trouble we have to-day. city prices are so much in advance of the prices and the earnings in the rural districts that for everything which you purchase in the city, from your land, which costs \$100 a square foot, to the buildings which are constructed on it with bricks that cost a dollar apiece, they have to charge enormous prices, while they hope to recoup as against the farmer and compel him to produce for almost nothing. I want the farmer to earn as much as the carpenter. I ask the Senator if he does not?

Mr. KING. I would like to have him earn a little more. Mr. McCUMBER. I want the farmer to earn as much as the carpenter. I want him to have as good a wage as the bricklayer. I want his children to dress as well. I want them to have just as much money to spend at the movies and to take their families to the theater. I want them to be able to ride in a good auto and not in a flivver always, and to live the way the rest of the people live. What we want is to equalize the earning capacity of the American people, and the farmer's earnings are not a quarter of the earnings in any other possible line of business. By helping agriculture along in any way we can we are blessing the country at large.

RECESS.

Mr. PENROSE. Mr. President, if no other Senator desires to address the Senate to-day upon the pending bill, and I am informed that there is no one, I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 4 o'clock and 47 minutes p. m.) the Senate took a recess until to-morrow, Tuesday, May 10, 1921, at 12 o'clock meridian.

# HOUSE OF REPRESENTATIVES.

Monday, May 9, 1921.

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, offered the following prayer:

Blessed Lord God, we do not come unto Thee in fear and distress, but with a psalm of human thanksgiving, for Thy mercies are with us as the bread of life, and Thou dost give us hope and aspirations not born of time. Continue the bestowal of Thy blessings upon us, and may everyone have a place in Thy great heart, which is coextensive with the needs of man. God bless our homeland and preside over its life and destiny. Through Jesus Christ our Lord. Amen,

The Journal of the proceedings of Friday was read and approved.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed without amendment joint resolution (H. J. Res. 52) to authorize the Secretary of the Interior, in his discretion, to furnish water to applicants and entrymen in arrears for more than one calendar year of payment for maintenance or construction charges, notwithstanding the provisions of section 6 of the act of August 13, 1914.

The message also announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 1084) to provide a national budget system and an independent audit of Government accounts, and for other purposes, had agreed to conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. McCormick, Mr. Moses, and Mr. Underwood as the conferees on the part of the Senate.

## ADDITIONAL PAGE.

Mr. IRELAND. Mr. Speaker, I ask consideration for the privileged resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 77.

Resolved, That the Doorkeeper be, and he is hereby, authorized and directed to appoint an additional page for the remainder of the present Congress, to be paid compensation out of the contingent fund of the House, at the rate of \$82.50 per month, said appointment to date from the opening of the present session.

Mr. IRELAND. Mr. Speaker, this is the usual resolution to provide a page to attend the gentleman from Minnesota [Mr. SCHALL]. I move the adoption of the resolution.

The question was taken, and the resolution was agreed to.

CLERK, COMMITTEE ON DISPOSITION OF USELESS EXECUTIVE PAPERS.

Mr. IRELAND. Mr. Speaker, I ask for the consideration of another privileged resolution.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

#### House resolution 75.

Resolved. That there shall be paid out of the contingent fund of the House of Representatives, until otherwise provided by law, compensation at the rate of \$2,000 per annum for the services of one clerk for the Committee on Disposition of Useless Executive Papers, said compensation to date from April 1, 1920.

The committee amendment was read, as follows: Strike out "April 1, 1920," and insert "April 11, 1921."

Mr. IRELAND. Mr. Speaker and gentlemen of the House. the Committee on Disposition of Useless Executive Papers and Documents has not half completed its work. It worked during the vacation, and wishes to continue and complete the work it now has in hand and dispose of these papers which are cluttering up the files of the departments. The clerk to the committee was paid during the vacation on an interregnum certificate from the committee. This is to continue the work that was authorized last session. I ask for the adoption of the committee amendment.

The question was taken, and the committee amendment was agreed to.

The resolution as amended was agreed to.

#### ARMY APPROPRIATION BILL.

Mr. ANTHONY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 5010, the Army appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 5010, with Mr. Tilson in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 5010, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 5010) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes.

The CHAIRMAN. When the committee rose an amendment offered by the gentleman from South Carolina [Mr. Byrnes] was pending.

Mr. WALSH. Mr. Chairman, may we have the amendment again reported?

The CHAIRMAN. Without objection, the amendment will be again reported.

There was no objection.

The Clerk read as follows:

Page 24, line 9, after the word "all," strike out the figures "\$29,-350,000," and insert in lieu thereof "\$27,500,000."

Mr. ANTHONY. Mr. Chairman, the committee feels that the amount named in the bill is as low as it is safe to go in the matter of subsistence for the coming year. As stated on Friday, the Committee on Appropriations cut the cost of the ration several cents below its present cost to-day. We cut it from its present cost of 42 cents to an estimate of 37 cents for the next fiscal year. We are taking quite an element of risk in cutting it that low, but believe it would be unsafe to go to a lower figure, because the War Department would have the right to bring in a deficiency, of course, for any amount it may cost them to feed the Army over that.

Mr. BYRNES of South Carolina. Will the gentleman yield? Mr. ANTHONY. I will yield.

Mr. BYRNES of South Carolina. In ascertaining the amount is there anything in addition to what you call the constant items of the subsistence itself included in arriving at this figure?

Mr. ANTHONY. I do not know how much the constants are in the matter of subsistence. I imagine the constant cost is lower in the matter of subsistence than in any other item in the bill.

Mr. BYRNES of South Carolina. What I am anxious to know is whether or not there is anything included in this amount other than-

Mr. ANTHONY. No; I think the cost of labor and cost of storing and all that is carried in other items in the bill.

Mr. BYRNES of South Carolina. Mr. Chairman, I ask for recognition.

The CHAIRMAN. The gentleman from South Carolina.

Mr. BYRNES of South Carolina. I want to call the attention of the gentleman from Kansas to the situation under this item according to his own statement. When the bill was reported providing for 168,000 men, the appropriation for subsistence was \$29,350,000. By action of the committee the enlisted personnel has been reduced to 150,000 men. Now, the gentleman from Kansas says that notwithstanding that reduction in the enlisted strength there should be no reduction in the amount of money appropriated for subsistence. Manifestly if that is true, the appropriation of \$29,000,000, which the gentleman now says is needed for 150,000 men, would have been entirely inadequate for 168,000 men. Now, I have taken the The gentleman says the ration figure trouble to calculate this. is 37 cents. If you will figure on 37 cents for 168,000 men it amounts to \$22,688,400, and in addition to that, according to the hearing before the committee, there should be included what they call the constant items of subsistence.

Those constant items of subsistence are set out in a table on page 540, based on an Army of 175,000 men. It includes, for instance, subsistence for 9,000 Philippine Scouts, when we have not, according to the hearings, more than 7,000. But even taking their figures, the figures of the War Department, the constants amount to but \$3,741,000, which added to the total of \$22,688,400 for 168,000 men would total only \$26,429,000. taking your 168,000 men at 37 cents each, throwing in \$3,741,000 under the head of the constant items of subsistence, you have only got \$26,429,000, and the bill provides \$29,350,000. But the situation is that the committee has reduced the personnel to 150,000 men, so let us calculate for 150,000 men, not at 37 cents, but allowing them 42 cents each, which is 100 per cent more than it was in 1914. Forty-two cents is what the ration costs Taking it for granted that there will be no decrease during the next year in the price of foodstuffs, and basing it on 5 cents more than the gentleman from Kansas [Mr. An-THONY] bases his figures on, 42 cents for 150,000 men amounts only to \$22,995,000. Then taking your constant items for an Army of 175,000 men, which amounts to \$3,741,000, it makes a total, based on 42 cents per man, of \$26,736,000. Then, just for good measure, I throw in another million dollars to make it \$27,500.000, which was the amount provided when the committee originally reported this bill in the last session. And I call your attention to the fact that providing not 37 cents but 42 cents and anyone can take a piece of paper and calculate it—and throwing in \$3,741,000 for constant items, then you are still \$1,000,000 under the amount previously carried in the bill, \$27,500,000, and here you are going to add \$2,000,000 more and make it \$29,000,000, the amount the gentleman wants to retain in this bill. Can the gentleman tell me where there is any other item besides these constant items that is included in the I have thrown in \$1,000,000 just for good measure, I have allowed 42 cents for rations per day instead of 37 cents, and I think the House is entitled to stand by the original recommendation of the committee for \$27,500,000 for an Army of 150,000 men.

The CHAIRMAN. The time of the gentleman has expired. Mr. MONDELL. Mr. Chairman, I am pleased to hear that the gentleman is in favor of economy. I hope he will really be in favor of it when we reach items where there can be further deductions. As to this item, Mr. Chairman, the War Department estimates an expenditure of over \$31,000,000 even on the basis of an Army of 150,000 men. As I said on Friday, I thought at the time this bill was reported that the committee was rather low with this item, even on the basis of an Army of 150,000 men. We can not afford to take any chance of starving the Army of the United States. In any event, the law fixes the ration. The rations are bought in the market on competitive The amount expended would be the amount required to buy, at the market price, the number of rations necessary for the men who are in the establishment. So that if the same were reduced and a larger sum was necessary, there would be a deficiency. On the other hand, if any less sum is required, less would be spent. And this amount ought not to be reduced.

Mr. BLANTON. Mr. Chairman, I move as a substitute to

strike out the section. The CHAIRMAN. The gentleman from Texas is recognized. Mr. BLANTON. I have made this pro forma motion merely to get the floor. Mr. Chairman, the other day, as a basis for this large appropriation and the apparent surplus in it, the gentleman from Kansas [Mr. ANTHONY] called attention to the fact that the Navy ration allowance was much larger than that of the Army, and he indicated that the Navy ration was more elaborate and more extensive than that of the Army; in other words, that the Navy boys received more food and costlier

of the Army. Why, we all know that when a boat leaves a port and is on the high seas for thousands of miles before it reaches another port, that boat has to carry provisions at a much higher rate of cost than they could be procured for at Army camps. And the Navy must of necessity buy food at various foreign ports where the food costs much more than the Army has to pay for it.

Mr. HICKS. And there is also the question of spoilage. Mr. BLANTON. Yes. And everything they eat on a ship, and even drink, costs more than on land.

Mr. McKENZIE. Is not there the same chance of spoilage

Mr. BLANTON. They do not have to buy so much and do not have to keep it so long. They have to buy sometimes a different kind of food for ships than that which they use in camps on land. There is every reason why it should cost more. I can see plainly why the Navy ration costs more. But the gentleman from Wyoming [Mr. MONDELL] says we should not starve our boys by cutting down this appropriation. There is no danger of starving them. This is one item upon which by law the Army has a right to create a deficiency if the Congress does not appropriate sufficient money. If we fail to appropriate sufficient money to feed the Army, we have not caused any injury to the Army, because the Quartermaster General can go, without the authority of Congress, and buy food sufficient to feed the Army, and then it is forced upon Congress to provide money to meet such deficiency. But, on the other hand, I will state to the gentleman from Wyoming whatever sums we ap-propriate, if too large, we can almost feel sure that the Army is going to find some way, somehow, under the law or otherwise, to spend the money.

It is much better, I assure my colleague, to follow the plan of the distinguished gentleman from South Carolina, even if he is a Democrat; to follow his suggestion of economy and save the money which is shown to be unnecessary. I want to say that ever since I have been in this House every move that has been suggested by a colleague, if it is good, I vote for, whether the move is proposed by a colleague on this side of the aisle or on the other side. Whether Republican or Democrat, I do not care. I do not look to his politics to find out whether I should vote for his proposition. I look to the merits of the proposition. The gentleman from South Carolina has very clearly disclosed here that it is unnecessary to appropriate at least two or three million dollars of the sum that we are providing in this bill. Well, if it is unnecessary, I am sure that you will accord to him good judgment on these matters. I am sure that you will accord to him a spirit of fairness, and I am sure that you will accord him good judgment on this question, and of the fact that he has given study and investigation of all subjects. If his idea is good, then you friends of ours on the other side of the aisle have no excuse for not following him and acting upon his suggestion.

The CHAIRMAN. The time of the gentleman from Texas

Mr. ANTHONY. Mr. Chairman, I have no doubt that the figures given by the gentleman from South Carolina may be approximately correct for 150,000 enlisted men in the Regular Army. But when you take into consideration the fact that this appropriation covers subsistence for a good many other men outside of the 150,000, it is found that the amount is not excessive. This covers subsistence for general prisoners, of which we have three or four thousand, and it covers the subsistence allowance of \$1.08 per day for the cadets at West Point, which runs at about \$500,000 a year. It also covers the subsistence for Indian guides and scouts, and for the subsistence of masters and officers and crews of transports, and employees of the vessels of the Army, of which there is a large number, which runs into rather large money. It also covers commutation of meals, including hot coffee and rations, to those men who are traveling and entitled to them under Army regulations. The very large sum of \$7,000,000 is estimated by the War Department for these The troops are constantly traveling, and they have to secure meals en route when they are away from their barracks, and that all runs into a large sum of money. It also includes items of meals for recruits, which usually runs into a large sum, although it is not expected that we shall have many recruits this year. But we have allowed for all these.

Mr. KAHN. What is the commutation allowance per man?

Mr. ANTHONY. The cost of the ration is 42 cents.

Mr. KAHN. That is much less than it was formerly?

Mr. ANTHONY. Very much less Mr. KAHN. It is coming down? Mr. ANTHONY. Yes. Very much less.

food than the boys in the Army.

Now, I understand that such is not the fact. I can see a real reason why the Navy ration should cost more than that

ferred to. The estimate for the cadets at the United States Military Academy is \$512,460. The estimate for the Philippine Scouts is \$906,883. But all of those items, embracing altogether 10 items, only make a total in the revised estimates of \$3,741,-423, which I have added in my figures.

Mr. ANTHONY, Mr. Chairman, I ask for a vote. The CHAIRMAN. The question is on agreeing to the amend-

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. BYRNES of South Carolina. Mr. Chairman, I ask for a division.

The CHAIRMAN. A division is demanded.

The CHARMAN. A division is demanded.

The committee divided; and there were—ayes 41, noes 68.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

Mr. JONES of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. Jones of Texas: Page 24, line 9, insert as a new paragraph:

"The War Department is hereby directed to cancel and abandon the claim against the State of Texas in the sum of \$18,583.44, for United States property issued to the National Guard of Texas and lost, damaged, and destroyed during and immediately after the storm and flood at Corpus Christi, Tex., and surrounding country, September, 1919, the property having been furnished for the relief of the civilian population."

Mr. MONDELL. Mr. Chairman, I make a point of order on

Mr. JONES of Texas. Mr. Chairman, will the gentleman withhold that?

No. I will make it. Mr. MONDELL.

The CHAIRMAN. It seems clearly subject to a point of order.

Mr. JONES of Texas. I concede, Mr. Chairman, that it is subject to a point of order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

REGULAR SUPPLIES.

Regular supplies of the Quartermaster Corps, including their care and protection; construction and repair of military reservation fences; stoves and heating apparatus required for the use of the Army for heating offices, hospitals, barracks and quarters, and recruiting stations, and United States disciplinary barracks; also ranges, stoves, coffee roasters, and appliances for cooking and serving food at posts in the field and when traveling, and repair and maintenance of such heating and cooking appliances; and the necessary power for the operation of moving-picture machines; authorized issues of candles and matches; for furnishing heat and light for the authorized allowance of quarters for officers, including members of the Officers' Reserve Corps when ordered to active duty, and enlisted men, warrant officers, and field-clerks, including enlisted men of the Enlisted Reserve Corps, and retired enlisted men when ordered to active duty; contract surgeons when stationed at and occupying public quarters at military posts; for officers of the National Guard attending service and garrison schools; and for recruits, guards, hospitals, storehouses, offices, the buildings erected at private cost, in the operation of the act approved May 31, 1802, and buildings for a similar purpose on military reservations authorized by War Department regulations for all the operations authorized was a substance of the construction and the repair storehold of modern batteries at establed energy; for post bakeries, including bake overs and to apparatus partial substance where required for the health and comfort of the repair and the properties at establed the properties, including bake overs and to preservation of stores; for the construction and maintenance of anudries at military posts in the United States and its island possessions; for the authorized issues of soap, tollet upper, and towels; for the necessary furniture, textbooks, paper, and equipment

for the maintenance and repair of heating apparatus (other than stoves); not to exceed \$200,000 for maintenance and repair of electric wiring and fixtures; not to exceed \$10,000 for the repair and exchange of typewriters; not to exceed \$5,225,000 for fuel; not to exceed \$6,265,000 for forage, including salt and vinegar and bedding for animals, and straw for soldiers' bedding; not to exceed \$350,000 for ice; and not to exceed \$550,000 shall be expended for stationery: Provided, That the Secretary of War is authorized and directed to sell as soon as possible after the approval of this act, upon such terms and under such conditions as he may deem most advantageous to the best interests of the Government, such horses and mules now being held at remount stations and posts as are not in actual use, and in any event not less than 10,000 of such animals shall be sold: Provided further, That hereafter when, in the opinion of the Secretary of War, it is in the interest of the United States so to do, he is authorized to enter into contracts and to incur obligations for fuel in sufficient quantities to meet the requirements for one year without regard to the current fiscal year, and payments for supplies delivered under such contracts may be made from funds appropriated for the fiscal year in which the contract is made, or from funds appropriated or which may be appropriated for such supplies for the ensuing fiscal year.

Mr. CONNALLLY of Texas rose,

Mr. CONNALLY of Texas rose.

The CHAIRMAN. For what purpose does the gentleman from Texas rise?

Mr. CONNALLY of Texas. I want to ask the gentleman from Kansas [Mr. Anthony] a question. What is meant by the language, on lines 9 and 10 of page 25, "For sale to officers, and including also fuel and engine supplies required in the operation of modern batteries and established posts"? What does that mean? It is the sale of what? What is the committee talking about?

Mr. ANTHONY. "Sales to officers, and including also fuel and engine supplies required in the operation of modern batteries at established posts." Well, it is for sale of these supplies to officers.

Mr. CONNALLY of Texas. What supplies?

Mr. ANTHONY. Of the supplies covered in this item. The supplies are sold to officers and enlisted men.

Mr. CONNALLY of Texas. That is the law now. You do not require any new legislation for that, do you?

Mr. ANTHONY. It is evidently carried in the bill for that purpose

Mr. CONNALLY of Texas. This is an appropriation bill. Do

you carry on the appropriation to carry on the sale?

Mr. ANTHONY. This is to cover the expenses of such sales to officers, and the sums realized from such sales are, of course covered back into the Treasury.

Mr. CONNALLY of Texas. Does it mean automobile bat-

teries? What are you talking about?

Mr. ANTHONY. It may mean a variety of things. The commissaries all over the country sell to officers and enlisted men and to the large number of employees. They probably buy any things from a spool of silk to a piece of machinery, for all I

Mr. CONNALLY of Texas. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn The Clerk will read.

The Clerk read as follows:

# TRANSPORTATION OF THE ARMY AND ITS SUPPLIES.

TRANSPORTATION OF THE ARMY AND ITS SUPPLIES.

For transportation of the Army and its supplies, including transportation of the troops when moving either by land or water, and of their baggage, including warrant officers, members of the Officers' Reserve Corps, enlisted men of the Enlisted Reserve Corps, and retired enlisted men when ordered to active duty, including the cost of packing and crating; for transportation of recruits and recruiting parties, of applicants for enlistment between recruiting stations and recruiting depots; for travel allowance to officers and enlisted men on discharge; for payment of travel allowance as provided in section 3 of the act approved February 28, 1919, to enlisted men of the National Guard on their discharge from the service of the United States, and to members of the National Guard who have been mustered into the service of the United States and discharged on account of physical disability; for payment of travel pay to officers of the National Guard on their discharge from the service of the United States, as prescribed in the act approved March 2, 1901; for travel allowance to discharged prisoners and persons discharged from the Government Hospital for the Insane after transfer thereto from such barracks or place to their homes (or elsewhere as they may elect), provided the cost in each case shall not be greater than to the place of last enlistment; of the necessary agents and other employees, including per diem allowances in lieu of subsistence not exceeding \$4 for those authorized to receive the per diem allowance; of clothing and equipage and other quartermaster stores from Army depots or places of purchase or delivery to the several posts and Army depots and from those depots to the troops in the field; of horse equipment; of ordnance and ordnance stores, and small arms from the foundries and armories to the arsenals, fortifications, frontier posts, and Army depots; for payment of wharfage, tolls, and ferriages; for transportation of funds of the Army; for the payment o

dictions that such railroad should be a post route and military road subject to the use of the United States for postal, military, naval, and other Government services, and iso subject to such regulations as Congress may impose restricted the charge for such Government transportation, having claims against the United States for transportation of troops and railroads, shall be paid out of the moneys appropriated by the, foregoing provisions only on the basis of such rate for the transportation of such troops and munitions of war and military supplies and property as the Secretary of War shall deem just and reasonable under the foregoing provision, such rate not to exceed 50 per cent of the compensation of such Government transportation as shall at that time be charged to and paid by private parties to any such company for like and similar transportation; and the amount so fixed to be made shall be accepted as in full for all demands for such service: Provided further, That nothing in the preceding provisors shall be construed to prevent the accounting officers of the Government from making full payment to anot come within the scope of the deductions provided for in the land-grant acts: for the purchase and hire of draft and pack animals in such numbers as are actually required for the service, including reasonable provisions for replacing unserviceable animals; for the purchase, hire, operation, maintenance, and repair of such harness, wagons, carts, drays, other vehicles, and horse-drawn passeager and provisions for replacing unserviceable animals; for the purchase, hire, operation, maintenance, and repair of such harness, wagons, carts, drays, other vehicles, and horse-drawn passeager and cartage at the exercial depots; for the repair of ships, boats, and other vessels on the various rivers, the dult of Mexico, and the Atlantic and Pacific Oceans, \$28,725,000: Provided. That the amounts to be expended from the transportation, \$10,200,000: and motor transportation, and the Atlantic and Pacific Oceans, \$28,725,0

Mr. HILL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Maryland offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. Hill: Page 34, line 10, after the word "purposes," insert "And provided further, That none of the funds appropriated or made available under this act shall be used for the maintenance or operation by the War Department of any barge line or freight service between Baltimore, Md., and New Bern, N. C., carrying freight as a public carrier in competition with common carriers operated by private enterprise maintaining regular service."

Mr. ANTHONY. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Kansas reserves a point of order against the amendment.

Mr. HILL. Mr. Chairman, there is a barge line being run

between Baltimore and the point named. This amendment will save about \$60,000 or more a year.

Mr. GARRETT of Tennessee. Mr. Chairman, I demand the regular order. Let us have the point of order disposed of.

Mr. ANTHONY. Then I withdraw the point of order.
Mr. BLANTON. I renew the point of order—that it is new legislation on an appropriation bill, unauthorized by law, and that it is not germane.

Mr. HILL. Mr. Chairman, it is not new legislation. It will save \$60,000 or more a year to the Government by preventing expenditures

Mr. BLANTON. There is nothing on its face to show that it comes within the Holman Rule.

The CHAIRMAN. Is it not a limitation? It simply provides that none of the funds herein appropriated shall be available for certain purposes. It seems to the Chair that it limits an appropriation which is being made here. If it does anything further, the Chair will examine and see if there is any positive legislation in it.

Mr. BLANTON. From the reading as I caught it I think it

goes further.

The CHAIRMAN. The Chair will examine it. Does the gentleman from Maryland wish to be heard on his point of order?

Mr. HILL. Mr. Chairman, I ask unanimous consent. in lieu of remarks, to print letters from the Merchants' & Manufacturers Association of Baltimore City, the Baltimore Chamber of Commerce, the Export and Import Board of Trade of Baltimore City, and Wathen & Co., vessel and barge owners, of Baltimore, and a table showing approximate salaries and various expenses of the Inland & Coastwise Waterways Service, Intra-

coastal Division, War Department.

Mr. GARRETT of Tennessee. Mr. Chairman, I demand the regular order. Let us dispose of the point of order first. If it is in order, then the gentleman will have his opportunity to discuss it. I understood that the gentleman desired to expedite consideration of the bill, and for that reason I suggest that the point of order be disposed of first.

Then I ask unanimous consent, as I have indi-Mr. HILL.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. McCLINTIC. Mr. Chairman, much as I regret it, I feel' impelled to object.

The CHAIRMAN. The gentleman from Oklahoma objects. Mr. HICKS. Mr. Chairman, may we have the amendment reported again?

The CHAIRMAN. The Clerk will again report the amendment.

The amendment was again read.

Mr. BLANTON. Mr. Chairman, I should like to be heard. The CHAIRMAN. The Chair will hear the gentleman

briefly.

Mr. HILL. Is this on the point of order?

The CHAIRMAN. On the point of order. That is the only thing now in order. The Chair will hear the gentleman from Texas.

Mr. BLANTON. Mr. Chairman, a barge line is intended to provide a better mode of transportation-a cheaper mode-than the ordinary transportation in use, to wit, in most cases railroads. I take it that these letters which our colleague from Maryland has asked to put into the Record come from competitive business interests, if you please. I made no objection to printing them in the RECORD because I thought the gentleman ought to be permitted to put them in for whatever they were worth.

Mr. WALSH. Mr. Chairman, I do not see that this has anything to do with the point of order, and I make the point of order that the gentleman is not addressing himself to his point of order.

The CHAIRMAN. The Chair will hear the gentleman from Texas on the point of order. The gentleman will confine him-

self to the point of order.

Mr. BLANTON. My mind is not as alert and brilliant as that of my friend from Massachusetts [Mr. Walsh], but, according to its own light and the methods by which it does work, the remarks I was making did appear to me to be pertinent to the point of order, and I will try to confine the other remarks that I make to the point of order.

We have this barge line provided for to meet existing conditions. Certain methods for operating this barge line are provided for in this bill. The gentleman seeks to prevent any part of this appropriation from being spent on those barges. I take it that it must be competitive business interests only that do not want this barge line operated, the purpose of such barge line being to reduce freight charges and transportation rates in the interest of the whole people. On the face of it—

Mr. HICKS. Mr. Chairman, I make the point of order that the gentleman is not discussing the point of order.

The CHAIRMAN. The gentleman will confine himself to the

point of order. The merits of the question are not now up for consideration. The Chair will hear the gentleman on the point of order, pure and simple.

Mr. BLANTON. I submit that the amendment is not merely a limitation but that it goes further and that it changes present The present law authorizes this appropriation.

amendment offered by the gentleman is a change of law.

The CHAIRMAN. The Chair is ready to rule. It seems so clear to the Chair that the proposed amendment is purely a limitation that it hardly seems worth while to enlarge upon it; but the Chair will cite at least one decision almost exactly in point, which the Chair believes will satisfy even the gentleman from Texas. Does the gentleman wish to be heard on the point of order?

Mr. ANTHONY. Will the Chair yield for a question there?

The CHAIRMAN. Yes.
Mr. ANTHONY. Would it affect the status of the point of order if it should prove that the money for the operation of this barge line is not appropriated under this item of transportation by water but that it is appropriated in another measure? My information is that the money for the operation of this barge line comes from the item of transportation facilities on inland and coastwise waterways carried in the sundry civil appropriation bill.

The Chair assumes that the gentleman The CHAIRMAN. from Maryland would not attempt to do a futile thing. If there is no appropriation for this purpose carried in this bill then it would be a futile thing to offer this amendment here.

Mr. ANTHONY. I am not positive that none of the funds are carried in this item for transportation in the Army bill or that none of those funds are used in the operation of this barge line, but it is a fact that the sundry civil bill did carry an item of \$4,000,000 for transportation facilities on inland and coastwise waterways under which the other barge lines and river routes are being operated by the War Department.

Mr. HICKS. Mr. Chairman, under the provisions of the gentleman's amendment it applies to any section of this act, as I understand that it is the entire act that comes under the purview of the gentleman's amendment, and not this particular

The CHAIRMAN. It would appear to the Chair that if germane at all to this bill it would properly come at this place, and it seems to the Chair that it might be made to include within its scope other paragraphs as well as the one to which it is offered. The gentleman from Maryland offers an amend-ment providing that none of the funds appropriated or made available under this act shall be used for the maintenance or operation by the War Department of any barge line or freight service between Baltimore, Md., and New Bern, N. C., and so forth. The gentleman from Texas makes the point of order against the amendment on the ground that it is new legislation. The Chair will simply cite one or two decisions.

Mr. BLANTON. Mr. Chairman, to save time I withdraw the

point of order

The CHAIRMAN. The gentleman from Texas withdraws his point of order and the gentleman from Maryland is recognized for five minutes.

Mr. REAVIS. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. REAVIS. Was there objection to the request of the gentleman from Maryland to insert the letters in the RECORD?

The CHAIRMAN. The gentleman from Oklahoma objected

to the insertion of the papers.

Mr. HILL. Will the gentleman from Oklahoma withdraw his objection, and I will file the letters because I do not want

to take up the time of the House.

The CHAIRMAN. The gentleman from Maryland renews his request to insert the papers in the RECORD. Is there objection? Mr. BANKHEAD. Reserving the right to object, I was not here to hear the preliminary statement of the gentleman from Maryland. I would like for my own information to know the source of the opposition to the continued operation of the barge

line which he is seeking to eliminate.

Mr. HILL. The barge line was put in operation between Baltimore and New Bern, N. C. The gentleman from Texas was right in what he said. The protest against the barge line comes from the Merchants' & Manufacturers' Association of Baltimore, from the Baltimore Chamber of Commerce, the Exporters and Importers Board of Trade, and Wharton & Co., shipowners. It comes, of course, because the local freight boats object to the Government competition against them, reducing the freight rates at the cost of the War Department. where the protest comes from. What the gentleman from Texas says is quite true. In addition to that I am for this amendment, and should not move the amendment were it not for the fact that here is an opportunity to prune off one of the activities of the War Department which are not proper activities of that department.

I am heartily for this bill which the committee has presented for proper national defense, but I am not for the department spending money of the people of the United States to run an experimental barge line in competition with the private barge lines running under rates established by the Interstate Commerce Commission. So it is absolutely true, as the gentleman from Texas says, but here is a chance to save \$60,000 a year, and I hope the House will adopt the amendment.

Mr. BLANTON. Will the gentleman yield?

Mr. HILL. Yes.

Mr. BLANTON. The gentleman spoke of the Government engaging in competition with the transportation facilities. want to call his attention to the fact that the War Department now maintains hundreds of big, heavy powered motor trucks that it uses for the transportation of material and men across the country. That in a way competes with common carriers. Is the gentleman against the Government using motor trucks?

Mr. HILL. No. There is this difference. I should make no objection to the Government using its own property and means of transportation for transporting different things that it owns, and using its trucks to transport war material and other Government materials, but if these trucks carry ordinary freight as ordinary common carriers I should object. I should like to object to the whole practice of barge lines, but I did not feel justified in doing anything except that which relates to my own district

Mr. KINCHELOE. Will the gentleman yield?

Mr. HILL. I will.

Mr. KINCHELOE. I want to ask the gentleman does this barge line carry freight for individuals indiscriminately along the route, or do they carry exclusively Government freight?

Mr. HILL. They carry for individuals along the route. Mr. KINCHELOE. How long have they been doing that? Mr. WARD of North Carolina. A little over 30 days.

Mr. HILL. I have all the information; if the gentleman will

get me an extension of time I will read it.

Mr. KINCHELOE. That is rather an unusual situationbarge lines carrying freight of individuals in competition with other business.

Mr. HILL. I think it is a wrong situation. May I again ask unanimous consent to put these papers in the RECORD without reading them?

Mr. McCLINTIC. I think but very few know what is contained in those papers, and I think the gentleman can without doubt get an extension of time and give us the information.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. HILL. I will.

Mr. GREEN of Iowa. Does the gentleman understand how the War Department got its authority to operate these barges as a common carrier?

Mr. HILL. I will read that information, if I may.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. GREEN of Iowa. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HILL. Mr. Chairman, I quote from a letter from W. D. Connor, colonel of the Corps of Engineers, Chief Inland Coastwise Waterways Service:

wise Waterways Service:

Under a joint resolution approved February 28, 1921, the section above referred to was amended as follows:

"Resolved, etc, That at the end of 30 days after the passage of this resolution the authority conferred upon the Secretary of War under section 201 of the transportation act, 1920, to operate for commercial purposes boats, barges, tugs, or other transportation facilities upon the New York State Barge Canal shall cease, and thereafter there shall be no such operation by the Secretary of War or any other agency of the United States. The Secretary of War shall, as soon as is practicable, dispose of boats, barges, tugs, and other transportation facilities purchased or constructed for use upon said canal, and, pending final disposition, the Secretary of War may lease the same: Provided, That all the money obtained from the sale or lease of these boats, barges, and tugs shall be available until expended by the Inland and Coastwise Waterways Service of the War Department in the inauguration and development of other inland, canal, and coastwise waterways in accordance with the expressed desire of Congress in section 500 of the transportation act, 1920: Provided further, That not to exceed 25 per cent of the boats, barges, and tugs built or purchased for the United States herein authorized to be sold may be retained by the United States for the operation of other inland, canal, or coastwise routes of the United States until such equipment can be replaced by other equipment to be purchased from funds received from the sale prescribed above."

You will observe from this that the authority to operate is unquestioned, and further, the last provision of the joint resolution was inserted with the expressed purpose of using the barges, etc., in operation on the intracoastal line.

I now proceed with the letter from Col. Connor. I might

I now proceed with the letter from Col. Connor. I might say this is his reply to the objection to the authority of the War Department for conducting such a line:

This service is not inclined to develop waterways unless Congress sees fit to have it done. The matter of the installation of the intracoastal line between Baltimore, Md., and New Bern, N. C., was very 
carefully investigated and considered, and the result of the investigation laid before the then Secretary of War, Newton D. Baker, who indorsed the paper as follows:
"Approved. We should do everything we can to demonstrate the 
value of the service and this seems wise and helpful."
The primary reasons advanced by the leading citizens of North Carolina for the installation of this line was that the terminal rates enjoyed 
by certain cities in North Carolina on the Neuse River, Pamilico River,

and Albemarle Sound were about to be lost due to the fact that there were no waier lines established with which the rallroad could make folir rates. The matter was brought to the attention of this service by Senator Simmons, of North Carolina, and a committee representing the business interests of North Carolina touching upon these waterways. A statement was made by them that the loss to that section of the country, due to the discontinuance of terminal rates, would aggregate approximately \$1,000,000 per year. Senator Simmons and the committee placed forceably before this service the benefits to be derived from the establishment of such a line.

Upon investigation it was found that there was a good inland waterway connection, and the establishment of a barge line would be an experiment which, if successful, would aid largely in the development of water traffic between North Carolina, Virginia, and Maryland, and largely aid in the development of the commercial resources of these States.

At the time of the inauguration of this service under the authority of the Secretary of War, there were under construction at New Bern, N. C., and about ready for delivery, three self-propelled barges designed for use on the main section of the New York State Canal. In view of the fact that these barges would be completed too late to be of any service on the New York State Canal, which, in addition, had all the equipment necessary to move the traffic that would be offered, and the further fact that these barges would be illed or rented, it appeared to be a propitious moment to use these three vessels, together with six steel cargo barges, in the establishment of a branch barge line between New Bern and Baltimore. The New York Canal section, under the Raliroad Administration, operated as far south as Philadelphia, and this line was merely an extension of the New York Canal section at that time. It was under such authority that the original line was operated, and it is under the authority contained in the John tresolution approved

Was operated by the Government."

He objects to the policy of the Inland and Coastwise Waterways Sertice. Certainly the people of the United States are entitled to use water transportation if they can get any cheaper rates than all-rall transportation, and he is quarreling with the policy of Congress, not the policy of this service, when he objects to the efforts of the Government to prove that water transportation is more satisfactory and more economical than rail transportation for certain commodities.

Without entering into a controversy, it can be stated positively to you as a fact that since the inauguration of the barge line on the Mississippi River the freight rates from port to port on the Mississippi have considerably increased and the rates from city to city in the inland have decreased in proportion to the increase of rates on the river ports. Before the inauguration of this line it was the custom of rallroads to carry freight from river port to river port or to river teminal at such a low rate that private steamship companies or barge owners could not compete with them and the corresponding rate in the interior was several times higher.

"In other words, in order to make the railroad a paying investment, the people of the interior was a several times higher."

In other words, in order to make the railroad a paying investment, the people of the interior were paying excess rates and the people ong rivers were getting advantages at the expense of the taxpayers as

a whole.

There was considerable opposition on the part of several concerns to our extending the line into Philadelphia. Upon an exposition of our aims and policy in the matter an amicable agreement was apparently reached with the protestants.

I trust that I have not been too prolix in my statements, but I desired to state our position and let you know that we feel we are doing what Congress intended us to do, and if Congress desires to change its policy the service will as faithfully and as loyally carry it out, as it is carrying out its present policy.

Very respectfully,

W. B. CONNOR, Colonel, Corps of Engineers, Chief Inland and Coastwise Waterways Service.

The CHAIRMAN. The time of the gentleman has expired. Mr. WARD of North Carolina. Mr. Chairman, I ask unanimous consent that the gentleman be permitted to proceed for three minutes longer. I am very much interested in the matter; it is right at my door; it is getting near my home.

Mr. MADDEN. Mr. Chairman, I think there ought to be some limit to this discussion.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

Mr. MADDEN. I object.

The CHAIRMAN. Objection is heard. Mr. MADDEN and Mr. BANKHEAD rose.

The CHAIRMAN. The gentleman from Alabama was on his

Mr. BANKHEAD. Mr. Chairman, I desire to oppose the amendment. All the Members of the Congress who were Members when the Congress passed the transportation act of 1920 will recall after great deliberation provision was made in that

bill for the inauguration under the supervision of the War Department of certain inland and coastwise water lines to be operated by the Government. That was done, Mr. Chairman, on the theory that it would be the start of at least some measure for the relief of the congested traffic of the railroads and more essentially for the purpose of providing competition and reducing the exorbitant transportation rates which were charged by the railroad companies. As I understood the letter of Col. Connor, as read by the gentleman from Maryland, the line of barges which he is seeking to destroy is one of the inland transportation lines that went into effect under the provisions and by the authority of that provision of the transportation act, and it seems to me, gentlemen of the committee, that it would be extremely unfortunate if we should discontinue any branch of that service which has now reached a stage where it begins to show practical and actual results, and that would be done if this amendment, without mature consideration by the proper authorities, without consideration by any committee having exclusive jurisdiction over this question of inland waterway transportation, should be adopted. That is the matter presented to the committee and ought to cause it to hesitate before favorably acting upon the proposed amendment.

Mr. REAVIS. Will the gentleman yield?

Mr. BANKHEAD. I will.

Mr. REAVIS. The statement was made by the gentleman from Maryland that these boats operate under the authority of the War Department and carry freight for a much less price than private concerns, and what I want to ask the gentleman is with reference to the element of fairness of one commission of the Government fixing a price for a private concern, the Inter-state Commerce Commission, and another bureau of the Government doing the same business for less money than the Gov-

ernment will permit the private concerns to do it for.

Mr. BANKHEAD. I will say to the gentleman in reply as a general proposition I do not believe in Government ownership of public utilities in competition with private business. The question asked points out the danger, I will say to the gentleman from Nebraska, of adopting this amendment at this time. We have only had an ex parte statement here that proceeds from the owners of these other steamboat companies. If the letter of Col. Connor had been concluded, it might have shown that down at the terminal in North Carolina there were no adequate steamship facilities for handling local coastwise trade. so that they afforded opportunity to have joint rail and water rates, the very purpose of this inland waterway system. If you are going to indorse a proposition like this to undermine and seek to destroy the whole purpose and effect of your inland waterway transportation system, it ought to be done after careful and very judicial consideration of all the facts on both sides of the question.

Mr. WALSH. Will the gentleman yield?

Mr. BANKHEAD. I will

Mr. WALSH. Is there a barge line also in operation upon the Black Warrior River?

Mr. BANKHEAD. Exactly; and that is the very reason of knowledge of the value of this proposition, not only upon the Black Warrior River but, the gentleman should also remember, on the Mississippi River. The people along the great Mississippi Valley, as well as adjacent to the Black Warrior, are deeply interested in this question of competition in order to relieve the exorbitant freight charges of the railroads, and that service under Government operation in competition with the railroads paid a net profit of \$50,000 during the month of April and at the same time helped to render the shippers and business men of that section of the country adequate facilities, especially along the Mississippi and Warrior Rivers, and at a saving of 20 per cent in freight rates for goods carried on those rivers.

Mr. KINCHELOE. Will the gentleman yield? Mr. BANKHEAD. I will.

Mr. KINCHELOE. Would not the effect of this amendment, if adopted, repeal so much of this transportation act as affects this particular line, without any consideration—
Mr. BANKHEAD. Absolutely. I do not think the gentleman

from Maryland would deny that proposition.

Mr. LINTHICUM. Does the gentleman know how much the loss was on this transportation business of the Black Warrior River and the Mississippi last year?

Mr. BANKHEAD. They operated at a substantial loss, be-

cause of the inadequacy of the equipment and terminal facilities.

Mr. LINTHICUM. They lost

Mr. BANKHEAD. I would like an opportunity to answer the gentleman-of course, they lost money-it is not denied; but they are not losing money now; that is the proposition; because they had to build up this system from the ground up; they had to wait for months and months for equipment. They had to get their organization and their equipment, and get it framed upon a

scientific business basis, and although it was in its experimental stage and they did lose money at first, it was in a position to render substantial service, especially to the public along the great Mississippi Valley and in Alabama and that important section of the country. Here is a proposition to take this benefit away from these people in this particular case; I do not know what the facts are; it might be that after a full hearing of the facts I might agree to the amendment.

But I say that it would be extremely unfortunate, and I think unfair, for this committee, without any consideration of the real facts from both sides of the case, to adopt the amendment offered by the gentleman from Maryland [Mr. Hill] without any notice to the friends of inland waterway and coastwise systems, without giving them an opportunity to present their case, and to have their day in court. I regard this amendment as the forcrunner of a wholesale attack on our inland waterway and barge systems. If so, we will be prepared to

fight such an effort to the finish.

The CHAIRMAN. The time of the gentleman has expired.

Mr. REAVIS. Mr. Chairman, I ask unanimous consent that

the gentleman's time be extended two minutes.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent that the time of the gentleman from Alabama be extended two minutes. Is there objection?

Mr. ANTHONY. Reserving the right to object, I would like to make another unanimous-consent request, to the effect that all debate on the paragraph and pending amendment close in 10 minutes.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes. Is there objection?

Mr. LINTHICUM. Mr. Chairman, reserving the right to

Mr. Chairman, I ask for the regular order.

The CHAIRMAN. Objection is heard. Mr. ANTHONY. Mr. Chairman, I move that all debate on the pending paragraph and all amendments thereto close in 20 minutes.

The CHAIRMAN. The gentleman from Kansas moves that all debate on the pending paragraph and all amendments thereto close in 20 minutes.

Mr. REAVIS. Mr. Chairman, a parliamentary inquiry. The CHAIRMAN. The gentleman will state it.

Mr. REAVIS. There was a unanimous-consent request pending at the time the motion was made.

The CHAIRMAN. But the regular order was demanded.

Mr. WALSH. If necessary to get it, I will object.

Mr. REAVIS. The regular order, Mr. Chairman, if the Chair will pardon me, was my request that the gentleman from Alabama [Mr. BANKHEAD] have an extension of two minutes. The CHAIRMAN. Whereupon the gentleman from Massachusetts [Mr. Walsh] objected to it.

Mr. REAVIS. There was no objection to it, as I understand it.

Mr. MacGREGOR. A parliamentary inquiry, Mr. Chairman. Mr. MADDEN. I hope the gentleman from Kansas will withhold his motion.

Mr. ANTHONY. We have got to make progress. We want

to get through the bill.

The CHAIRMAN. The gentleman from New York [Mr.

MACGREGOB] will submit his parliamentary inquiry.

Mr. MACGREGOR. I have an amendment to this paragraph at the Clerk's desk, which has not been read. Is that covered

by the gentleman's request?

The CHAIRMAN. The gentleman's amendment would be in order, and unless the time for debate has expired the gentleman will have an opportunity to debate it.

Mr. ANTHONY. Mr. Chairman, I will liberalize my motion

by moving that all debate on the amendment offered by the gentleman from Maryland [Mr. Hill] and amendments thereto close in 20 minutes.

The CHAIRMAN. The gentleman from Kansas moves that all debate on the Hill amendment and all amendments thereto

close in 20 minutes. Is there objection?

Mr. BARKLEY, I move to extend it for 40 minutes. This may involve the whole Government scheme of inland waterways. Mr. MADDEN. Mr. Chairman, I move as a substitute to make it 30 minutes.

Mr. WALSH. Mr. Chairman, I demand the regular order. The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Kentucky [Mr. BARKLEY], modifying the time stated by the gentleman from Kansas. The question is on the motion of the gentleman from Kentucky.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. J. M. NELSON. Mr. Chairman, a point of order. The gentleman from Illinois [Mr. Madden] moved a substitute.

The CHAIRMAN. The substitute will come next. The noes have it, and the amendment of the gentleman from Kentucky is not agreed to. The question is now on the substitute offered by the gentleman from Illinois [Mr. MADDEN].

The question was taken, and the substitute amendment was

agreed to.

The CHAIRMAN. The question is on the amendment as amended by the substitute.

The amendment as amended was agreed to.

The CHAIRMAN. The gentleman from Illinois [Mr. Man-

DEN] is recognized.

Mr. MADDEN. Mr. Chairman, I sympathize with the gentleman from Maryland [Mr. HILL] and to some extent agree with him that competition by the Government ought not to exist as against private enterprise. But in the transportation act which we passed last year it was specifically provided that the Government should enter upon an experimental work of water transportation development. The Government did that because it was believed the time had come when we must correlate water transportation with the rail transportation of the country. Everybody realized that unless we could get joint rates between the railroads and water we would not be able to function in matters of transportation as we should. And it was realized that during the experimental stages the Government was bound to lose money on the experiment. The War Department was bound to lose money on the experiment. authorized to establish barge lines, because private capital could not be secured for that purpose. The War Department has entered upon the work, and they have constructed special classes of tugs that are peculiarly fitted for certain kinds of work in water transportation. Now comes the gentleman from Maryland with his proposition because, perchance, a resolution was passed by the Congress not long since modifying the transportation act to the extent of ordering the sale of the barge line operated by the Government on the New York Barge Canal. But there is quite a difference between the barge line on the Erie Canal and the proposal submitted by the gentleman from Maryland. The people of New York State built the barge canal out of their own pockets.

Mr. J. M. NELSON. Will the gentleman tell us how extensive

this is?

Mr. MADDEN. The people of New York State built that canal at their own expense, and they maintain it. All the citizens of New York State who are interested in water transportation were obliged to abandon their investments. But here is a different proposal. The Albemarle and the Intercoastal Canals were purchased by money out of the Treasury of the United States, and the United States maintains those water-ways. And if there is any place in the country where the Government has a right to engage in this sort of work it is on the waterway suggested by the gentleman from Maryland.

Now, as a general proposition, I am not in favor of the Government doing this sort of work. I want to leave it to private business and to private enterprise. But here is a case where we were unable to find men with capital who were willing to engage in the work we were about to try to develop.

It has been maintained for many years that the only way you could take advantage of all the transportation facilities, water and rail combined, was to have terminals at which the freight that goes by the waterways could be transferred on joint rates to the railroads, and vice versa. And we charge the War Department with the responsibility of functioning in this thing, and we have appropriated \$4,000,000 to carry it out.

The CHAIRMAN. The time of the gentleman from Illinois

has expired.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

Mr. HILL. Mr. Chairman, I ask that the gentleman from

Illinois may have three minutes more.

The CHAIRMAN. The time has been limited to 30 minutes altogether by vote of the committee.

Mr. REAVIS. Has the chairman a list of the gentlemen

to whom this time will be given?

The CHAIRMAN. The Chair has a list, and the amounts are all written out. The Chair does not know how he can get out with it.

Mr. MADDEN. I ask unanimous consent to proceed for two minutes. I really wanted 10 minutes to explain what the situation is.

The CHAIRMAN. The Chair has stated what the understanding is. The gentleman from Illinois asks unanimous consent for two additional minutes. Is there objection?

Mr. LINTHICUM. Mr. Chairman, I do not want to object to the gentleman proceeding, but-

The CHAIRMAN. No objection is heard.

Mr. MADDEN. Now, if we permit the amendment offered
by the gentleman from Maryland [Mr. Hill] to be adopted, it would destroy the very function which we have been imposing upon the War Department, and we would be doing it in a bill which has no relation whatever to the subject.

Yr. HILL. Mr. Chairman, will the gentleman yield? .

Mr. MADDEN. Yes.

Mr. HILL. My colleague [Mr. Linthicum] is entirely right. This does not in any way interfere with the expenditures under the other bill. I wish by this amendment to provide that they can not expend any deficit under the other bill out of this bill for transportation.

Madden They could not do it anyway.

Mr. HILL. Because the general manager of this line receives \$7,500 a year as salary, and the chief clerk receives \$2,500, and the salaries for this little tiny line aggregate in all \$27,000 a year.

Mr. REAVIS. Mr. Chairman, I sympathize with what the gentleman is saying and with the position he takes, but has the gentleman information as to the activity of this barge line in

charging a less rate than the competitive lines?

Mr. MADDEN. No; but I know the Government is losing money on their transportation activities, but I believe it is well spent, because it correlates with the development that the people of the country are hoping and praying for.

The CHAIRMAN. The gentleman from Maryland [Mr. Lin-

THICUM] will be recognized.

Mr. LINTHICUM. Mr. Chairman, the question involved in the amendment offered to the Army appropriation bill by my colleague from Maryland [Mr. Hill] prohibiting the use of any funds therein for the operation of the inland and coast-wise waterways, especially as applied to the line operating between Baltimore and Norfolk, Va., and New Bern and Washington, N. C., is whether the Government should continue that service in competition with private interests which have been established for years and given satisfaction, and where keen competition already exists, when the Government does it by cutting rates and at a loss in actual dollars and cents to the

During the war, in order to facilitate transportation and to relieve the heavy burden upon the railroads, the National Government operated barges on the Mississippi and Warrior Rivers, and upon the canals of New York, and as far south as Philadelphia. In 1920, by the transportation act, the operation of these barges was, under section 201-A, transferred to the War Department to be operated upon lines then established and operated under Federal control, and were subsequently operated under the intracoastal canal section and inland and coastwise waterways service of that department. The competition in New York was so keenly felt and was so rapidly driving private business to the wall in that State that Congress on February 28, 1921, by resolution declared that at the expira-tion of 30 days after the passage of the resolution the authority conferred upon the Secretary of War under said section 201-A of the transportation act of 1920 to operate for commercial purposes boats, barges, tugs, or other transportation upon the New York Barge Canal should cease, and authorized disposal of the boats, the money to be used in inauguration and development of other inland canals or coastwise waterways, in accordance with section 500 of the transportation act of 1920.

This section 500 of the transportation act did not embody any provisions which would authorize the establishment of new routes or new service, but provided for the building, increasing, and developing inland waterway transportation, to investigate with a view to devising the types most appropriate for this location, to advise and cooperate, and to investigate the existing status of transportation upon inland waterways with a view to determining whether such waterways are being utilized to the extent of their capacity and whether they are interchanging traffic with the railroads, and to investigate any other matter that may tend to promote and encourage inland

waterway transportation.

We contend, therefore, that the establishment of the lines from Baltimore which were not in operation during the war and established under Federal control was illegal and unauthorized; that it is against the policy of the Government to enter into direct competition with private enterprise, crippling and destroying the same, and either bankrupting or driving it to other sections of the country.

I can not say that many people would not welcome a very much reduced freight rate, even at the expense of governmental competition, but the fact of the matter is this, that it is not the intention of the Government to continue this competition but merely to demonstrate it, and if in a little while these Govern-ment boats are not withdrawn the local enterprise will have either been driven to other sections of the country or will have become bankrupt, and the city of Baltimore will find itself without transportation, which had been privately owned and had taken years with unlimited labor and capital to develop.

According to a statement just received from Col. Conner, of the War Department, this service from Baltimore south had a deficit in-

December, 1920\_\_\_\_\_\_ January, 1921\_\_\_\_\_ February, 1921\_\_\_\_\_ March, 1921\_\_\_\_\_ April, 1921\_\_\_\_\_ \$12, 946 17, 870 7, 902 5, 857

The service has been largely augmented, because when New York drove them out of its domains they brought their barges to Baltimore, increasing their service from two weeks' sailings to five days. It is also a fact that since the Government came here we have 100 local barges belonging to our own peof'e tied up in the harbor with nothing to do. I do not attribute all of this to the bringing of 22 Government barges here of 8,800 tonnage, but it is quite manifest that these private lines can not compete with the resources of the United States Treasury through lines run there at a great loss by the War Department. I am in receipt of copy of letter of April 21 last addressed to

Admiral William S. Benson, chairman of the Shipping Board, from the Northern Transportation Co., which calls attention to the fact that the Shipping Board has just leased some of its boats at a bare bottom charge of 50 cents per dead-weight ton to carry coal. This will enable the charterer of these boats to carry coal at 50 per cent of the actual cost to vessel owners. This coasting trade has already a large surplus tonnage for the work, and naturally this Government competition will seriously affect private operation. This company has 74,000 deadweight tons in barges and a steamer of which only 6,000 tons are now in operation. This placing of boats in competition at 50 cents per ton bare bottom charge will most likely drive this 6,000 tons off the sea and will not benefit the consumer but

add profit to dealers and operators.

There is another unfair side to this matter. Private enterprise on the coastwise trade is governed by rates allowed by the Interstate Commerce Commission, and while the Government files rates and professes to operate under the Interstate Commerce Commission regulations it is also true the Interstate Commerce Commission has no governmental control over them whatever or any rate they may charge, while the individual is absolutely submissive to their regulations. It can not be said by the Government that it is not in competition and cutting rates against private owners, because that fact was positively admitted by Mr. Morris, of the War Department, and of this service, at a meeting held in Philadelphia, 308 Walnut Street, when in answer to a question as to why he had made rates so low he said, "As I stated above, that it was on account of private interests quoting lower." The taxpayers are compelled to stand all losses. At that same meeting, on March 24, 1921, in Philadelphia, a very careful analysis was given showing that the Government was carrying lumber from New Bern, N. C., to Philadelphia at \$4.50 per 1,000 feet, and as the steamer Orange carried 175,000 feet of lumber the total amount earned by the boat for the trip was \$787.50; and an itemized statement showed that, according to the Government's admissions, the boat could not be operated for less than \$7,000, including overhead charges and interest. I think this statement of sufficient interest to insert it at this point:

COST TO TAXPAYERS.

At the same meeting in Philadelphia on March 24, 1921, Mr. John J. Dempsey, of Dempsey & Sons, barge operators, of Philadelphia, stated as follows:

Mr. Dempsey. We understand the Government is carrying lumber from New Bern or Washington, N. C., to Philadelphia for \$4.50 per 1,000 feet. The steamer carries 175.000 feet of lumber. The gross freight is about \$787.50. It would cost the Government about \$4.000 to earn that. The steamer Orange, 150 feet long, 12 feet draft, capacity 400 tons, valued at \$100,000, wages of crew for—

Per month.

re	month
9 men Provisions for crew Fuel, about 696 gallons of oil, 30 days Port charges, about	360
Insurance, 9 per cent	800 100 500 400

would be the running expenses for a steamer to earn \$1,000, two trips a month from Baltimore to Washington, N. C., and back. If the Government can make anything at \$1.25 per ton with this expense I can not see it.

Mr. LLOTD. At what do you figure fuel oil?

Mr. Dempsey. At 7 cents a gallon.

Mr. LLOYD. You are a trifle high.

Mr. Dempsey. How much am I too high?

Mr. LLOYD. About \$1,500. The other figures are correct, but you are \$1,500 too high on fuel oil.

It would be indicated, even with this reduction, that the cost of operation of the steamer Orange would approximate \$7,000 a month; and if this is to be taken as correct, as stated by Mr. Lloyd, who is apparently the chief of the engineering service, inland and coastwise waterways, it would appear that there is some reason for the deficits on the Mississippi and Warrior Rivers.

It is quite evident that the Government has not and can not operate this transportation service in competition with private enterprise except at a very heavy drain upon the United States Treasury. I do not contend that the Government should not even at a loss operate certain water transportation for the benefit of the people where there is no transportation facilities, or where it is necessary to reduce railroad rates, but I do contend that it is unfair, unjust, and unbusinesslike to operate at a loss this transportation service from Baltimore south when private interests have built up large transportation companies, have operated them successfully, and where lively competition already exists between several lines so owned.

As a further proof of what I say about governmental loss in these matters I desire to bring to the attention of the committee the report of the War Department, issued for the year 1920.

Report of operation for fiscal year ending June 30, 1920.

[From report of Chief of Inland and Coastwise Waterways Service to the Secretary of War, pp. 115-116, 130-131, 138.]

Month.	New York section.	Mississippi River section.	Warrior River section.
July	6, 757, 71 38, 487, 10 1, 786, 64 27, 589, 27 12, 977, 96 12, 294, 82 5, 384, 98		\$27, 360. 37 38, 477. 21 53, 653. 37 62, 232. 19 16, 606. 30 26, 843. 34 16, 217. 49 21, 850. 32
June	82, 193, 14	431, 729. 31	262, 674. 61

# Recapitulation.

DEFICIT FROM OPERATION.	
New York section:     Apr. 1 to June 30, 1918     July 1 to June 30, 1919     July 1 to June 30, 1920	506, 807. 38
Total	651, 669. 66
Mississippi River section: Sept. 18 to June 30, 1919 June 30, 1920	422, 168. 05 592, 032. 69
Total	1, 014, 200. 74
Warrior River section: September, 1918, to June 30, 1919 June 30, 1920	38, 523. 43 295, 398. 41
Total	333, 921. 84
Chand total	1 000 700 04

I do not mean to say some of these enterprises were not worth while and during the war highly essential, nor do I, to repeat what I have already said, contend that they should not be operated in certain places where exigencies arise, even at a loss to the United States Treasury, which may not, however, be a loss to the country generally by virtue of benefits, lowering of freight rates, and so forth. It is understood, of course, that wherever a railroad and water transportation reach the same place the railroad is allowed and does reduce its freight to meet the water competition. This is very beneficial in the reduction of freight, but the result usually is that the boat line is driven off by the competition and ceases to exist, freights go up, and

no other boat company has the temerity to enter the contest.

It will be remembered that one of the first things President
Harding said upon taking office was that he desired to eliminate the Government from private business. This same policy was manifested by Congress when it transferred to the owners the railroad companies of the country; when it provided for the continuation of certain inland waterways it was the intention that they should be operated where profitable and later dispose of these transportation facilities to private owners, thus eliminating the Government from private enterprise. It is certainly not the intention of the Government to continue in competition with private enterprise, and certainly not the desire of the taxpayers of the country to continue such operation at a tremendous loss to the United States Treasury.

I sincerely hope the amendment will be adopted: that the Government will only operate where it is essential, but will not compete with private parties where competition is already in existence and where rates are fair and reasonable. Certainly no one can say that Baltimore is not well supplied with water transportation. It has been abundantly supplied for years and the acceleration given to this line of business by the war has given it a superabundance of transportation facilities. Baltimore enjoys a cheap freight rate to the Central West; it is the gateway to the South and North; it has realized this fact for years and has built accordingly-water transportation, railroad transportation, docks; piers have been constructed-and we are thoroughly capable of taking care of everything which comes into our gates without loss to the United States Government and without its competition where competition already [Applause.]

The CHAIRMAN. The time of the gentleman from Mary-

land has expired.

Mr. LINTHICUM. Mr. Chairman, this is a very important matter. I would like to ask unanimous consent to extend my remarks.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

Mr. BANKHEAD. Mr. Chairman, I ask the same privilege. Mr. MADDEN. And I ask, Mr. Chairman, the same privi-

The CHAIRMAN. The gentleman from Alabama [Mr. Bank-HEAD] and the gentleman from Illinois [Mr. MADDEN] ask unanimous consent to extend their remarks in the RECORD. Is there objection?

There was no objection.

Mr. HILL. Mr. Chairman, I ask permission to extend my remarks by inserting these letters.

The CHAIRMAN. The gentleman from Maryland asks unani-

mous consent to extend his remarks by inserting the letters referred to. Is there objection?

There was no objection.

The following are the letters referred to:

MERCHANTS AND MANUFACTURERS'
ASSOCIATION OF BALTIMORE,
OFFICE OF THE SECRETARY, April 13, 1921.

Hon. John Philip Hill, House of Representatives, Washington, D. C.

Dear Sir: At a meeting of the board of directors of this organiza-tion held this day attention was directed to the operation of a barge line by the Inland and Coastal Waterways Service of the War Depart-ment between Baltimore, Norfolk, New Bern, and Washington, N. C. The board placed itself on record as being opposed to the operation of this barge line by the Government, as there is adequate water transportation service between the points named being afforded by the water lines now in operation.

service between the points named being anotated in operation.

This reaffirms the position of this association, as indicated by its opposition to the bill introduced during the last session of Congress providing for the Government operation of the Muscle Shoals nitrate plant, as well as its action in connection with other legislation of this character, indicating that it is unalterably opposed to the Government entering into business in competition with private enterprise.

All of which I am sending to you for your information.

Yery truly, yours,

R. J. Beacham, Secretary.

Baltimore Chamber of Commerce, Office of the President, Baltimore, April 14, 1921,

Hon. JOHN PHILIP HILL,

Hon. John Philip Hill,

House of Representatives, Washington, D. C.

Dear Sir: The intracoastal division of the War Department has for some months past been operating a barge line between Baltimore, Md., and Norfolk, Va., Washington, N. C., and Newbern, N. C. As these points are adequately served by regularly established steamship lines, with railroad connections, furnishing daily service, we believe Government operation should cease. In our opinion, consideration should be shown those who have established these steamship lines and invested their capital in them, and it is neither fair nor just to them to be compelled to compete with the Government barge lines.

The Baltimore Chamber of Commerce therefore joins with the Merchants and Manufacturers' Association, which has forcibly placed this question before you, in protesting against further operation of barge lines by the Government.

Very truly, yours.

George S. Jackson, President.

EXPORT AND IMPORT BOARD OF TRADE OF BALTIMORE (INC.), Baltimore, Md., May 2, 1921.

Hon. John P. Hill, House of Representatives, Washington, D. C.

DEAR SIR: At a meeting of the board of directors of the Export and Import Board of Trade of Baltimore held Tuesday, April 26, 1921, it was unanimously resolved—

"That we protest against the inauguration and operation of inland steamship or barge line services for the carriage of merchandise for the general public by any bureau or department of the United States Government in competition with privately owned vessels of established common carriers whose rates, rules, and regulations are subject to con-

trol by the act to regulate commerce, the transportation act, the shipping act, the merchant marine act, the law of common carriers, and admiralty law; and

"That the general manager of this organization be requested to coorganize with the officials of the Merchants and Manufacturers' Association of Baltimore and of the Baltimore Chamber of Commerce in the
effort to have withdrawn such governmental undertakings of this nature
as are now in operation; and

"That a copy of this resolution be sent to the Representatives from
the State of Maryland in both Houses of Congress."

Very truly, yours,

W. M. BRITTAIN, General Manager.

W. M. BRITTAIN, General Manager.

Approximate salaries and various expenses of the Inland and Coastwise Waterways Service, Intracoastal Division, War Department.

and the state of t	Month.	Year.
Mr. Morris, general manager, also traffic manager. Mr. Person, chief clerk. Mr. Burroughs, auditor. Mr. Simmons, agent. Mr. Lloyd, port engineer. Bookkeeper. Shipping clerk. 3 stenographers, at \$100 each.	\$583, 33 200, 00 275, 00 300, 00 300, 00 200, 00 125, 00 300, 00	\$7,000.60 2,400.00 3,300.00 3,600.00 3,600.00 2,400.00 1,500.00 3,600.00
	2, 283. 33	27, 400. 00

There are agents in Norfolk, Va., New Bern and Washington, N. C. These salaries do not include the labor for loading and unloading

Salaries for one steam barge.

	Month.	Year.
Captain Chief engineer First mate. Second engineer Cook 2 firemen, at \$90 each 2 deck hands, at \$90 each	\$210. 00 200. 00 180. 00 180. 00 110. 00 180. 00 180. 00	\$2,520.00 2,400.00 2,160.00 2,160.00 1,320.00 2,160.00 2,160.00
\$0.90 per day is paid to each man for food, 30 days per month, or \$243.	1, 240. 00	14, 880. 00 2, 160. 00 17, 796. 00

They are now operating three of these barges from Baltimore to New Bern and Washington, N. C., making a total of \$53,388.

This does not include the oil for running or fuel and repairs. There is an average of from 15 to 18 tons of freight on each trip at present. Each steam barge must carry 100 tons going south, also coming back to Baltimore, to meet expenses.

They now have six barges anchored in the stream. They have twe men on these barges at \$100 per month each. There is a man on each one of these barges when running.

The rent at Broadway Pier for wharfage and storage is \$300 per month. Salaries, office, \$27,400 per year; salaries, three barges, \$53,388 per year.

Beginning on the 1st day of May, 1921, when the line will operate from Pier No. 5, the annual rental will be \$4,998 and in addition 125 per cent per annum upon the cost of the erection of the shed, said shed to cost about \$12,000.

WATHEN & Co., Baltimore, April 7, 1921.

Hon. J. P. Hill,
House of Representatives, Washington, D. C.

House of Representatives, Washington, D. C.

Dear Congressman: We write these lines to see if you can not help the owners of inland vessels and barges and tugboats out. We people have boats tied up with nothing to do. The War Department has power tugboats and barges running at very low freights. They take stuff for about one-third cheaper than we could run for and are going in debt several thousand dollars per month, that we tug owners help to make good. We people bought Liberty bonds, and a great many of us more than we were able to buy, and now our Government almost puts us out of business.

Thanking you.

Very respectfully, yours,

Wathen & Co.

The CHAIRMAN The Chair will recognize the gentlement.

The CHAIRMAN. The Chair will recognize the gentleman from Indiana [Mr. SANDERS].

Mr. SANDERS of Indiana. Mr. Chairman, I am opposed to the adoption of the amendment offered by the gentleman from Maryland [Mr. Hill]. The reason why I am opposed to it is because it certainly would not be the part of wisdom to bring in an amendment on an appropriation bill which would cut off a part of the barge service.

I think it would not be wise to adopt the amendment. However, I am thoroughly in accord with the spirit of the amendment, because the gentleman from Maryland [Mr. Hill] is opposed to competition by Government owned and operated boats with privately owned boats. I think this Congress in a short time ought to take up and consider the advisability of doing away with Government-owned barges and boats and with Government-owned transportation in any case where it comes in competition with private ownership.

Mr. STEVENSON. Does not the gentleman think it would be better for legislation on the subject to come from the committee that has jurisdiction of all of them, so that we will have proper and accurate information on the subject?

Mr. SANDERS of Indiana. I am in accord with the gentle-man's suggestion. The whole matter ought to be taken up at one time. It ought to be given thorough consideration by a committee at a time when hearings can be had and the whole matter can be gone into thoroughly, and then it ought to be presented to the House as a whole.

Mr. WALSH. Will the gentleman yield?

Mr. SANDERS of Indiana. I yield to the gentleman from Massachusetts

Mr. WALSH. Is the gentleman aware of the fact that the appropriation for all of this service has been made in the sundry civil bill, and that all this amendment will do will be to inhibit the use of any War Department money?

Mr. SANDERS of Indiana. Yes.

Mr. MADDEN. The appropriation for this service is not provided in this bill, so this amendment would have no effect whatever.

Mr. SANDERS of Indiana. If it would have no effect whatever, of course it is not a useful amendment and therefore ought not to be adopted. If it has any effect at all, its effect will be to destroy this particular barge service, which is one unit of the barge service that ought to be considered as a whole.

Mr. BANKHEAD. In connection with the statement of the gentleman allow me to say that the entire appropriation for the inland and coastwise waterways service is turned over to the

War Department to administer.

Mr. SANDERS of Indiana. This amendment is a limitation upon the particular appropriation in this act.

Mr. BARKLEY. Mr. Chairman, I hope this amendment will not be adopted. Members of the House will recall that when the transportation act was passed the Government found itself in possession of a lot of barges, some of which had been completed and some of which were under construction. These barges had been purchased by the Government in order to put boats upon the inland waterways of the United States under Federal control, under the same Railway Administration that controlled the railroads. When we passed the act returning the railroads to their owners, Congress did not feel that the Government ought to disband its organization or stop its experiment in the building up of inland waterway transportation. Consequently the law provided that the Government should not only use the boats which had been purchased and those which were under construction, but that it should be able to buy more, and a revolving fund was created and an appropriation made for the use of the War Department under the jurisdiction of the Chief of Engineers. Now the Government has this service upon the Black Warrior River and upon the Mississippi River. did have it upon the New York Barge Canal, and only in the last session of Congress we authorized the Secretary of War to sell the Government boats on the New York Barge Canal or to use them in other parts of the United States in order to establish water transportation. About 30 or 40 days ago, I understand, the War Department brought some of these barges, that originally were on the New York Barge Canal, down to Baltimore to establish this service between Baltimore and New Bern, N. C. I do not care to go into the merits of ultimate Government operation of the transportation system. I think ultimately the Government will have to go out of the barge-line business. We are in it now not as a money-making scheme, not in order to compete with private enterprise, but in order to demonstrate that under favorable conditions water transportation can be carried on in the United States at a profit, and whenever the Government has demonstrated that fact to private industry, then it will be time for the Government to go out of the business and permit private industry to take it over.

Mr. LINTHICUM. What is to become of the interests of individual vessel and barge owners while the Government is

demonstrating that?

Mr. BARKLEY. If there is any very great damage being done to private industry, certainly the proper committee ought to take it up and investigate it and bring in a bilt to relieve that condition; but if we can stop this line from Baltimore to New Bern by an amendment to the Army appropriation bill, then somebody who is interested in a private line on the Mississippi River can offer an amendment and have the barge line on the Mississippi River disbanded and somebody on the Black Warrior River can do the same thing there, and so by piecemeal we can destroy all these Government-owned lines, and the committee that has charge and jurisdiction of that legislation will have no opportunity to investigate it. What ought to be done is to vote this amendment down. It has no place on the Army appropriation bill at all. It is a matter of interstate commerce, but it was put in charge of the Chief of Engineers of the War

Department because the Engineer force of the War Department has more knowledge of the inland waterways and conditions of transportation than any other particular branch of the Gov-For that reason it was put there.

Mr. HILL. Will the gentleman yield for a question?

Mr. BARKLEY. Briefly.

Mr. HILL. As the gentleman from Massachusetts [Mr. WALSH] pointed out, this does not cut off any existing appropriation made under any previous act, but simply provides that under this bill the War Department can not spend any money

for general transportation on these losing projects.

Mr. BARKLEY. Placed on that basis it ought not to be adopted, because there is no information here except the protests of private boat lines against this line between Baltimore and these points below. Besides that, there is no evidence here that there is any private boat line that runs from Baltimore to New Bern. I understand that this service was put in very largely to bring about water competition that might result in a reduction of railroad rates to these points.

Mr. WARD of North Carolina. And there is no other boat line

between these points except this one.

Mr. HILL. Will the gentleman read the amendment?

Mr. BUTLER. Will the gentleman explain to us what the

effect of this amendment will be?

Mr. BARKLEY. The effect of the amendment will be that if there are any funds in this bill that provide for the operation of a barge line between Baltimore, Md., and New Bern, N. C., they can not be used for that purpose, and the Government would have to go out of business and sell these barges or tie them up somewhere or find some other place where they could be used

Mr. BUTLER. It is contended that there is no money ap-

propriated in this bill for this barge line.

Mr. BARKLEY. Then the amendment ought not to be adopted on this bill. We have not the time to go back through the bill to find out whether there is some fund provided for such use.

WILSON. Mr. Chairman, I sincerely hope that this amendment offered by the gentleman from Maryland will not It may be true, as claimed, that the amendment would have no effect on the present effort of the Government, through the War Department and Chief of Engineers, to develop and establish transportation on some of our inland waterways. However, the course of the debate apparently justifies the fears expressed by the gentleman from Alabama [Mr. BANKHEAD], that it is in a way an attack upon the present effort of the Government to build up inland water transportation.

Congress gave its consent for the War Department to dispose of the barges and other equipment on the New York State Barge Canal and to return the use of the canal to the State of New York, because that was a State canal, built by the State. Therefore, Congress was justified in directing the War Depart-

ment to release control to the State at its request

Now, the operation on the Mississippi and Black Warrior Rivers is entirely another proposition and relates to interstate This service has been going on for some two or three years and it is true, as the gentleman from Maryland says, that the service has been showing a deficit, but that was due to lack of proper equipment and the cost of interchange of freight on account of the want of adequate terminals at interchange points used by the barge line.

Only a short time ago in the sundry civil bill we provided an appropriation for \$1,225,000 for the construction of terminals and for the cooperation by the Government with various points along the Mississippi and Warrior Rivers in order that terminal facilities may be provided which would make the service

a success.

It was shown that 40 per cent of every dollar paid for freight on the barge lines was expended for transfer on account of inadequate terminals. I have in my possession a report made in the last month showing that on the Mississippi-Warrior River service there has been a net return of \$50,000 to the Government.

Mr. BANKHEAD. And a reduction of freight rate amount-

ing to 20 per cent.

Mr. WILSON. Yes; a reduction of freight rates all down the This is probably the last opportunity we may have for a proper demonstration showing this service to be a practical business proposition. We have appropriated about \$10,000,000 in all—the last appropriation was \$4,000,000 and an additional \$1,225,000—for the construction of terminals. The city of Memphis has made provision for \$500,000 to be spent in connection with the Government for terminals in that city. St. Louis \$250,000, and other cities in large amounts. I think it very unfortunate at this period of development of that great service that anything should come up in the House that can be con-

strued as an effort or desire to destroy it, as the debate on this amendment indicates

Mr. BLANTON. Will the gentleman yield?
Mr. WILSON. I will.
Mr. BLANTON. Does not the gentleman think the business interests should have brought this matter before our committee? Mr. WILSON. That would have been the proper way

Mr. BLANTON. Instead of bringing it here on the floor by

an amendment

Mr. WILSON. Yes. The waterways are our only hope of relieving the very exorbitant freight charges the people in this country are paying. We are going to be forced to utilize these waterways, and I think Congress should be very cautious about adopting any amendment that might be construed as an indirect attack on the present efforts of the War Department under the authority granted by Congress.

Mr. LINTHICUM. Will the gentleman yield?

Mr. WILSON. Yes.
Mr. LINTHICUM. The gentleman says that the Warrior
River is making money. I hope the bookkeeping is better than is shown in this report. This shows that there was a net income of \$2,332, when as a matter of fact they added the debit and the credit together and called it net income, when really there is a deficit of \$1,999,000.

Mr. WILSON. I know that the last report sent out by the War Department shows a surplus on the Mississippi-Warrior

Mr. LINTHICUM. This is from the Inland Waterways Service.

Mr. WILSON. When was that report made?

Mr. LINTHICUM. In 1920, and the bookkeeping will show

that there was a deficit of \$1,999,000.

Oh, well, I was speaking of the report made in 1921. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CHALMERS. Mr. Chairman, I rise in opposition to this amendment. This is too important a matter to take any chance upon its adoption at this time. Why place a measure of this magnitude as a rider on an appropriation bill? If the amendment is legal and is not subject to a point of order, at least it is not expedient. It is inimical to the best interests of this country. Permanent revival of business and commerce depends upon the development of water transportation. Prosperity can not come back to us in full measure and to stay unless we develop our waterways. In my judgment, the business prosperity of one year ago would be with us to-day and would have continued into the to-morrows of the coming months, and perhaps years, if it had not been for the break-down of our railroads and other existing methods of transportation. We must relieve our railroads when they are carrying the "peak load." How can that be done save by the sane development of the water highways? Mr. Chairman, I shall have more to say upon this subject at a future time. Committee of the Whole House will vote this amendment down and not thus delay the adoption by Congress of a progressive program for the development of water transportation that will mean a permanent solution for the exasperating problem of inadequate transportation that now confronts the country and which has resulted in business and commercial stagnation,

Mr. WARD of North Carolina. Mr. Chairman and gentlemen of the committee, I very much wish I had a little more time, because statements have been made in relation to this matter which are unintentionally incorrect. Impressions have been made by these statements that are damaging and greatly inac-curate. This line of barge transportation on the line between New Bern and Baltimore is yet incomplete. I have on my desk a letter received from the War Department this morning which I have not answered, indicating its incompleteness and touching the proposition of its coanecting at Elizabeth City. There never have been but two boats on the line; and the statement of the gentleman from Maryland that there have been great losses involved in the various lines referred to by him can have

no direct application to this line.

Now I want to give you the reason for its origin.

Mr. LINTHICUM. I want to say to the gentleman— Mr. WARD of North Carolina. I can not yield to the gentle-

man; I have not the time.

There are two classes of railroad traffic rates authorized by the Interstate Commerce Commission; one where a road parallels a water line, and another where there is no water-line competition. The latter, of course, is much higher, or was in the instance to which I refer. So complete was the absence of any water-line competition along the whole 200 miles betwee

New Bern and Norfolk, Va., that the Norfolk Southern Railroad Co., a road that runs parallel to the coast between Norfolk and New Bern, proposed and gave notice to raise its rates from the lower to the higher rate. The rate, already oppressive, was about to be raised until it would cost a farmer about \$4, I think, to ship a bale of cotton over this road for a distance of from 150 to 200 miles. To meet this emergency and to avoid this great oppression the War Department was appealed to and a line of barges put on from New Bern to Baltimore, touching in the beginning at only one intermediate point before reaching Norfolk, to wit, the town of Washington, where I live. It is proposed that this line touch all other intermediate points, especially Elizabeth City, and this matter, as I have just stated, is pending with the department. The War Department therefore established this line upon the petition of these towns to avoid the excessive rates of transportation which the business could not stand. It is now in its incipiency. I beg of you gentlemen not to destroy it before it is fully born. I ask you gentlemen to let it go until we can see what the loss is, if there are I do not doubt it up to now, but there is no development there yet. At my own town they have not been stopping over 30 days, and expensive wharf investments have been made in contemplation of its development. They are shut out at New Bern and these intermediate points, although the water stretches all the way between New Bern and Norfolk, and at the mercy of one railroad company that has neither private water competition nor bowels of compassion, and the extraordinary condition exists of the United States Government owning a canal with both ends open and the middle closed up. extraordinary condition exists there, and they are shut off and at the mercy of the railroad that is threatening to raise their I am advised that the rate on a horse from Norfolk to Elizabeth City, a distance of 40 miles, is \$3. They can not get out of the inlets and go on the ocean because of the dangers of the shoals of Hatteras. Gentlemen, I ask you, I appeal to you, not to destroy this wholesome project, given by the mercies

of the Government, before it is fully born. [Applause.]
The CHAIRMAN. The time of the gentleman has expired;
all time has expired. The question is on agreeing to the amend-

ment of the gentleman from Maryland.

The question was taken, and the Chair announced the noes

appeared to have it.

On a division (demanded by Mr. HILL) there were—ayes 3, noes 75.

So the amendment was rejected.

Mr. MacGREGOR. Mr. Chairman, I have an amendment, which I have sent to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 33, strike out line 12, after the word "further" and down to and including the word "automobiles," in line 21, and insert in place thereof the following: "That the Secretary of War is authorized and

directed to sell forthwith at public auction or private sale all motor trucks, passenger-carrying automobiles, motor cycles, and trailers now in the possession of the War Department in excess of the requirements of an army of the strength provided for in this act, any provision of law to the contrary notwithstanding."

Mr. GARRETT of Tennessee. Mr. Chairman, I make the point of order, or does the gentleman-

Mr. ANTHONY. I reserve the point of order.

The CHAIRMAN. Does the gentleman from Tennessee make the point of order?

Mr. GARRETT of Tennessee. I will reserve the point of order.

Mr. MacGREGOR. Mr. Chairman and gentlemen, for two years more or less I have been following the subject of the disposition of motor vehicles, and I think the country has followed the proposition without arriving anywhere. number of motor vehicles purchased by the War Department was 217,447. We shipped abroad 118,900. There remained in the United States October 23, 1919, 108,547 motor vehicles which the Motor Transport Corps had cognizance of. Afterwards they discovered that there were 2,000 which the Ordnance Department had which they had not accounted for, which made, April 1, 1920, 111,766 motor vehicles. We have under various acts provided for the distribution of motor vehicles to various departments of the Government. We have distributed to the Department of Agriculture for distribution to the States, in part, up to November 16, 1920, 26,285 motor vehicles. We have given to the Public Health Service 1,400; to the Post Office Department, 9,000; to the Vocational Training Department, 2,000; and sold to the public unserviceable vehicles to the extent of 12,000. Now, this bill provides that the Secretary of War shall have power to sell or dispose of by transfer—which continues the old proposition of transfer—10,000 motor trucks and 2,000 passenger-carrying automobiles. On the basis of an Army of 150,000 men there are no passenger-carrying vehicles left. In fact, there is a deficiency of 207. Upon this basis of 150,000 men the Army officials figure on 4,245 passenger-carrying vehicles, 19,612 trucks, 4,218 trailers, and 5,058 motor cycles. I think instead of permitting any more distribution to already overburdened States by the Agricultural Department that these motor vehicles should be sold and the money placed in the Treasury. It costs for operation of a motor vehicle, on the basis of the Government operation in the Army at present, \$830 a year. It costs the States of the United States to operate motor vehicles turned over to the highway departments some \$20,000,000 a year. We gave these motor vehicles to the States upon the theory that they would be retained by the States. I am credibly informed that the State of New Jersey has recently sold eight Pierce-Arrow trucks for \$390 each, which they received from the Government, and which the purchaser said he would have paid for at Camp Holabird a thousand dollars apiece. I insert a statement as to motor-vehicle status as of April 23, 1921:

Type.	Total vehicles.					In storage.					Issued to troops.				
		Condition.		Storage.		1	Condition.		Storage.		Olia es	Condition.		Storage.	
	Total.	Service- able.	Unserv- iceable.	Open.	Closed.	Total.	Service- able.	Unserv- iceable.	Open.	Closed.	Total.	Service- able.	Unserv- iceable.	Open.	Closed
Passenger	4, 378 31, 439 14, 784 9, 063 2, 445 1, 320	2,552 23,812 14,534 6,528 1,818 1,077	1, 826 7, 627 250 2, 535 627 243	954 6, 721 836 776 463 256	3, 424 24, 718 13, 948 8, 287 1, 982 1, 064	1, 363 12, 891 12, 147 2, 609 1, 303 437	103 9, 252 12, 064 1, 409 804 236	1, 260 3, 639 83 1, 200 499 201	954 2,769 773 178 403 116	409 10, 122 11, 374 2, 431 900 321	3, 015 18, 548 2, 637 6, 454 1, 142 883	2, 449 14, 560 2, 470 5, 119 1, 014 841	566 3, 988 167 1, 337 128 42	0 3, 952 63 598 60 140	3, 01: 14, 59 2, 57: 5, 85: 1, 08: 74:
SHOW HOLD SAUMED ON A	63, 429	50, 321	13, 108	10,006	53, 423	30, 750	23, 868	6,882	5, 193	25, 557	32, 679	26, 453	6, 226	4, 813	27, 80

The above figures should be reduced as indicated below:

	Surplus not yet disposed.	Authorized for National Guard; not yet delivered.	Aggregate.	Total vehicles.	Balance after deduction.	Authorized retention, Army 150,000.	Estimated additional surplus.	Estimated deficit.
Passenger Trucks Trailers Motor cycles Ambulances Special design	105 4,367 7,804 2,553 0 0	235 912 358 1,162 397 0	340 5,279 8,162 3,715 397 0	4,378 31,439 14,784 9,063 2,445 1,320	4,038 26,160 6,622 5,348 2,048 1,320	4, 245 19, 652 4, 218 5, 058 2, 048 1, 320	6,508 2,404 290 0	207
	14, 829	3,064	17, 893	63, 429	45, 536	36, 541	9, 202	207

The time of the gentleman has expired. Mr. Chairman, I make the point of The CHAIRMAN. Mr. ANTHONY. order.

The CHAIRMAN. Will the gentleman state his point of order?

Mr. ANTHONY. The bill has a provision permitting the War Department to sell a specific number of vehicles. The amendment offered by the gentleman from New York would base the number to be sold upon a certain size of the Army, and it would be so indefinite there is no probability any would be sold, because they might decide they needed the entire amount.

Mr. MacGREGOR. Upon that theory, Mr. Chairman, the War Department has already fixed the basis of retention, and I have before me a statement of the War Department which has been furnished to me stating the number that is to be used upon a basis of 150,000 men.

Mr. ANTHONY. And the amendment also amends the exist-

ing law.

The CHAIRMAN. The Chair will call the attention of the gentleman to the fact that the paragraph itself is legislation and clearly subject to a point of order, so the question of germaneness could not be raised.

Mr. GARRETT of Tennessee. May we have the amendment

again reported?

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection.

The amendment was again reported.

Mr. GARRETT of Tennessee. Mr. Chairman-

The CHAIRMAN. Does the gentleman wish to be heard on the point of order?

Mr. GARRETT of Tennessee. I do not know that I care personally to press the point of order, but I think it is subject

Will the gentleman state his reasons? The CHAIRMAN.

Mr. GARRETT of Tennessee. It broadens the kind of vehicles that are dealt with. The only two characters of vehicle mentioned are motor trucks and passenger-carrying automobiles. The gentleman's amendment carries in addition trailers and motor cycles, I think-another class. It seems to me that that so broadens the amendment as to destroy its germaneness

The CHAIRMAN. There are at least two classes provided for in the paragraph as it stands, and the amendment adds other classes. Does not the gentleman think that under the

practice of the House that can be done?

Mr. GARRETT of Tennessee. I know there are precedents, of course—that where two public buildings, for instance, are provided there can be more provided for. Whether that is exactly analogous to this case or not I do not know.

Mr. BLANTON. Mr. Chairman, I make the point of order

that the gentleman's point of order comes too late, for the reason that he did not either make or reserve the point of order on the paragraph but only reserved the point of order against the amendment, and the paragraph itself contains legislation and therefore is subject to amendment.

The CHAIRMAN. The gentleman from Tennessee is assum-

ing that this is legislation and is discussing the question as to

germaneness, which is perfectly proper.

Mr. BLANTON. The Chair did not get my point of order. The CHAIRMAN. The Chair understands the gentleman thoroughly.

Mr. GARRETT of Tennessee. Mr. Chairman, I reserved a

Mr. BLANTON.

Mr. BLANTON. As to the paragraph? Mr. GARRETT of Tennessee. As to the amendment. Mr. BLANTON. I make the point of order, Mr. Chairman, that the part of the bill to which this amendment is offered is

clearly legislation of itself.

The CHAIRMAN. The Chair has so stated.

Mr. BLANTON. And that no point of order having been made to that, it comes too late now to make a point of order against this amendment.

The CHAIRMAN. The question of germaneness can be raised now, and that is what the point of order raises; and the only question raised is a question of germaneness to the legislation proposed to be carried in this paragraph. The gentleman from Tennessee is right.

Mr. GARRETT of Tennessee. Mr. Chairman, I will say very frankly that at the time the amendment was offered I overlooked the fact that there was in the provision carried in the bill an authorization and direction to sell. I was under the impression it was an authorization and direction merely to transfer to other departments. Had that been correct, manifestly, a direction to sell would not be in order. Of course, there are prece-

tions are contained; others may be added. But I have considerable doubt as to whether that would apply to a situation of this sort

Mr. WALSH. 'Will the gentleman yield? Mr. GARRETT of Tennessee. I yield.

Mr. WALSH. Does the gentleman notice the item in the bill as to the authority and direction to sell under existing

Mr. GARRETT of Tennessee. I had supposed by reason of the punctuation that it meant a transfer under existing law, and that the word "sell" is not involved in existing law. In other words, I notice there is a comma after "sell" and a comma after "law." So it seems to me that the provision of existing law would apply only to the transfer to other departments. Personally, I do not care to press the point of order.

Mr. SANDERS of Indiana. Mr. Chairman

The CHAIRMAN. Does the gentleman wish to be heard on

the point of order?

Mr. SANDERS of Indiana. For just one suggestion. think when you come to consider the question of an amendment to legislation permitted to be left in an appropriation bill. the rule as to germaneness is a different rule from the rule when you are considering the question as to general legislation. I have not the authority just now, but there is a precedent which seems to me the clearest and most logical one on the subject. The decision holds that while you may amend legislative matter which is illegal under the rules if a point of order is made, still you can not offer an amendment which amounts to an added illegality. You can not increase the illegality. Now, this legislation here authorizes the selling of a certain sort of vehicle. I have no doubt that, inasmuch as we permitted the legislation to go in, the committee would have the right to amend that and to say how we would sell it, how many we ought to sell, or make it a less number than those enumerated, or to say we could sell them in some sections and not in others. But to say that because the committee includes legislation to permit certain vehicles to go in, that on the floor of the House we should permit the sale of other vehicles, like motor cycles, is stretching the matter too far. A decision was made by the gentleman from Ohio [Mr. Burron] years ago, in which he reviewed, as Chairman, some of the holdings with reference to points of order made to amendments to legislative matters put in an appropriation bill. And he laid down what seemed to me to be the most logical rule, and that is that it is not merely a question of whether it shall be germane, but the question is whether it is an added illegality, and if it is it is subject to a point of order.

Mr. STAFFORD. Mr. Chairman, following the line of argument suggested by the gentleman from Indiana [Mr. Sanders], I recall that some years ago-and perhaps it may refresh the memory of the present occupant of the chair—a bill being under consideration in the Committee of the Whole providing for several designated kinds of articles and an amendment being offered that was generic in similarity, and yet, if I recall correctly, the Chair held that that was not germane to the bill or

the item then under consideration. I wish to call the attention of the Chair to the fact that the citation instanced by the Chair of a bill in which two States are

admitted is not akin to the one under consideration.

Although I am in sympathy with the amendment of the gentleman from New York [Mr. MACGREGOR] and believe that trucks and passenger-carrying automobiles and motor cycles not required for the Army ought to be sold, nevertheless, for the sake of consistency with legislative precedents, I think the Chair can not say that just because there are precedents, that where in a bill two States are admitted it is in order to provide for the admission of an additional State, it would be in order to provide for the sale of an additional character of vehicle, as in this case. There the subject matter is a State, but here we are considering something different from that the committee has reported, namely, the sale and distribution of trucks and passenger-carrying automobiles. It is not the case, if the Chair please, of a general law being open for amendment, whereby you can present any germane amendment of the same class.

This paragraph must be considered as if a bill were brought into this House containing but this paragraph. The committee then would have considered the subject matter of two items, namely, motor trucks and passenger-carrying automobiles. It would not have been in order, if such a bill had been reported to this House for consideration in the House or in Committee of the Whole, to have added different kinds of vehicles, horse drawn, motor cycles, or even airships, although the latter might be an exaggerated instance. Still it would be a vehicle of transportation. I respectfully contend that the position taken dents that have been suggested, one as to where two proposi- by the gentleman from Indiana [Mr. Sanders], that the vice of the gentleman's amendment is in adding two other kinds of vehicles to that which is included in the amendment under consideration, fails because it is in violation of the rule of germaneness

Mr. SANDERS of Indiana. Mr. Chairman, I have that de-

It is contained in Fourth Hinds, 3836. cision

The CHAIRMAN. The decision referred to by the gentle-man is before the Chair. The pending Army appropriation bill contains a paragraph beginning on line 12 of page 33 which is clearly legislation, but to which the point of order was not made. Therefore, for the purpose of deciding this point of order, we may consider this paragraph as it stands as a bill being considered by the House. The paragraph provides

That the Secretary of War is authorized and directed to sell, or to dispose of by transfer to the Department of Agriculture under existing laws, for its own use and the use of the several States in road work and maintenance of roads, not less than one-half by sale, so many motor trucks and passenger-carrying automobiles as will, in addition to such trucks and automobiles as have been sold or transferred since January 1, 1921, aggregate during the first six months of the calendar year 10,000 motor trucks and 2,000 passenger-carrying automobiles.

To this the gentleman from New York [Mr. MacGregor] offers an amendment providing that the Secretary of War is authorized and directed to sell forthwith at public auction or private sale, all motor trucks, passenger-carrying automobiles, motor cycles, and trailers now in the possession of the War Department, and so on. Against this amendment a point of order is made upon the ground that it is not germane to the original

paragraph.

What is the subject of the original paragraph? To dispose of automotive vehicles, enumerating motor trucks and passenger automobiles; to dispose of them, first, by sale, and second, by transfer to the Department of Agriculture. It is clear that if the committee wished to do so it could strike out this part of the paragraph, "or by transfer to the Department of Agriculture," so that it would leave only the authority to sell. It is clear that the committee would have power to change the method of sale, and this the amendment attempts to do.

It is contended, however, that in the language, "motor cycles and trailers," which is different from the language carried in the original paragraph, the scope is so widened as to render

the amendment not germane.

Upon an examination of the language it seems that there is only this difference: The original paragraph provided for motor trucks and passenger-carrying automobiles. The proposed amendment carries motor trucks, passenger-carrying automobiles, motor cycles, and trailers. It seems to the Chair that this change is not of such a character as to render the amendment not germane to the original paragraph. Therefore, the Chair overrules the point of order.

The question is on agreeing to the amendment.

Mr. MacGREGOR. Mr. Chairman and gentlemen, there is not much more that I desire to say.

Mr. GARRETT of Tennessee. Mr. Chairman, before the gentleman begins on that question I would like to ask him a question for information.

Certainly. Mr. MACGREGOR.

Mr. GARRETT of Tennessee. Can the gentleman inform the committee how many trucks and motor cycles have been transferred to the Department of Agriculture in accordance with the existing law?

Mr. MacGREGOR. Twenty-six thousand two hundred and

eighty-five motor vehicles.

Mr. GARRETT of Tennessee. Is that the limit? Is that all that can be transferred under the terms of existing law?

Mr. MacGREGOR. No. As I understand it, under existing law they can take any motor vehicles on which they can lay their hands.

Mr. GARRETT of Tennessee. Then, one effect of the gentleman's amendment, if it were adopted, would be to stop all transfers to the Department of Agriculture?

Mr. MacGREGOR. Yes. That, Mr. Chairman, I believe is wise. I appreciate the desire on the part of the highways departments of States to get a They are always willing to take something for nothing. Take my own State of New York. Here we have already pretty nearly 1,200 motor vehicles-20 to a county-and what in the world they are doing with them I do not know. I asked the commissioner of highways of the State of New York whether they needed any more, and he wrote me a letter in which he said they did not need any motor vehicles. Yet notwithstanding that the auditor of the highway department telegraphed or wrote down here for something like 61 more motor vehicles. I wrote to the Secretary of War in reference to the know how they got the word-the Public Roads Department down here telegraphed out to all the States and asked them whether they did not want any more motor vehicles. Of course, they came piling in here saying that they wanted more motor

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. Yes.

Mr. BANKHEAD. As I remember, the State of New York adopted the policy of asking Federal cooperation. It relies entirely on the State funds, but asks Federal cooperation.

Mr. MacGREGOR. It does not ask any Federal coopera-tion. I think that is the condition.

As I stated before, according to the statistics of the War Department, the operation of an automobile costs \$830 a year. The respective States are clamorously insisting that they want to cut down their State budgets, but their highway departments are asking for more motor vehicles and this puts upon them a larger expense for the operation of motor vehicles. stance, in the State of New York it would mean over \$1,000,000 for operation of motor vehicles. I thought I had the number of passenger-carrying motor vehicles for New York, but I notice at least 135 Fords for the State. The same situation runs all through, and I think it is a burden that the people of the State ought to be relieved of.

Mr. FESS. Will the gentleman yield?

Mr. MacGREGOR. Certainly.

Mr. FESS. Does not the amendment of the gentleman authorize the Secretary of War to dispose of these vehicles?

Mr. MacGREGOR. Yes; but it also takes out of the bill the

provision with reference to transfer to the departments.

Mr. FESS. Is the gentleman under the same suspicion that I am that there is pressure not to dispose of them in order that

some other department may get them?

Mr. MacGREGOR. Yes; there is always pressure in more than one direction. There is pressure from the automobile than one direction. There is pressure from the automobile manufacturers and there is pressure from these department heads down here and there is pressure from the outside-pressure from the various States.

Mr. FESS. I am not in possession of the facts, but I entertain that very strong suspicion, and I am inclined to vote with the gentleman for his amendment, although I do not have the facts. We criticized the recent administration very severely, and I would like to be consistent. If we are not disposing of these vehicles, and there is any reason why we are not, we ought in some way or other to remove that reason.

Mr. LANHAM. Will the gentleman yield?

Mr. MacGREGOR. Certainly.
Mr. LANHAM. Can the gentleman inform us how many vehicles of these various classes would be disposed of and put upon the market if his amendment were adopted?

Mr. MacGREGOR. Does the gentleman mean to ask me to

separate them?

Mr. LANHAM. Yes; how many automobile trucks, how many trailers, how many passenger-carrying vehicles, how many motor cycles?

Mr. MacGREGOR. Assuming that there are on hand only sufficient number for an army of 150,000, there are no passenger-carrying motor vehicles left.

The CHAIRMAN. The time of the gentleman has expired. Mr. MacGREGOR. May I have two minutes more? I would

like to answer the question, if I can.

Mr. J. M. NELSON. I ask unanimous consent that the gentleman from New York have three minutes more. I want to ask him a question or two.

Mr. ANTHONY. How much time does the gentleman want? Mr. MacGREGOR. Three minutes.
The CHAIRMAN. Is there objection?

There was no objection.

Mr. J. M. NELSON. I would like to ask the gentleman a question.

Mr. MacGREGOR. I will be glad to listen to the gentleman's question as soon as I have answered the question of the gentleman from Texas. There would be available 10,875 trucks, 10,208 trailers, and 2,843 motor cycles.

Mr. LANHAM. Has the gentleman any information as to the

number of cars of different makes?

Mr. MacGREGOR. No; not of those retained. I have the figures as to those already distributed to the departments.

Mr. J. M. NELSON. Will the gentleman yield?

Mr. MacGREGOR. I am glad to yield to the gentleman.

Mr. J. M. NELSON. The gentleman stated, I believe, that

it would cost \$20,000,000 to run these extra automobiles. Has matter of selling motor vehicles, and the Secretary of War agreed with me on the proposition, but immediately—I do not harmful to the road service than helpful to it to have these automobiles and that it leads to extravagance? Is that the

gentleman's contention?

Mr. MacGREGOR. My contention is that it leads to extrava-gance, because there is a tendency on the part of the highway commissioners to ask the Government to turn over more vehicles than are absolutely necessary for road-building purposes.

Mr. J. M. NELSON. And the upkeep is very expensive? Mr. MacGREGOR. The upkeep is very extravagant. Mr. ANTHONY. Mr. Chairman, I rise in opposition to the amendment. I am in sympathy with what the gentleman from New York [Mr. MacGregor] seeks to accomplish, and that is to force the War Department to dispose of these unnecessary trucks and automobiles, but the objection to the gentleman's amendment is its indefiniteness. I fear that under the wording of the amendment the War Department might construe that it needed every truck and every automobile it has on hand for an Army of 150,000 men. There is no fixed number of motorpropelled vehicles that goes with an Army of any size, and if the War Department desires to retain every truck and every automobile that they have on hand they can do so under the amendment of the gentleman from New York. Therefore I think there should be some fixed number ordered to be disposed of if we desire to accomplish any results. A vast number of vehicles have been disposed of by the War Department. There now remain on hand, according to the latest reports, a total of 30,000 vehicles. Of this number, 10,088 are designed for the equipment of tactical units, and 12,800 are at posts in camps in operation. The War Department is holding 7,074 for replacement or maintenance. Now, there are other thousands of trucks that have been disposed of in various ways that are still at the service of the department if it needs them. For instance, it announced that it was its intention to assign 6,000 trucks to the National Guard. The National Guard does not need any such number as that, and it would be an added expense if we had to maintain that number in the hands of the guard. think there are about 3,000 now in the hands of the guard, twice as many as are necessary, so that I think we can safely dispose of 10,000 of these vehicles and still leave plenty of them for any possible use of the War Department.

I agree with the opinion expressed here that it is unwise to allow the Department of Agriculture to distribute any more Many of the States have more of these of these vehicles. trucks and automobiles than they know what to do with. Some counties have 30 or 40, for which they have no use. are just rusting away, standing out in the open air all over the United States, and many counties are selling them and converting them into cash. This money ought to go into the Federal Treasury. So on account of its indefiniteness I oppose this

amendment.

Mr. FESS. The gentleman opposes the recommendation that 6,000 be given to the National Guard. Will the gentleman state, also, if they do not need that number, that it rather reassures our suspicion that we have not definite information, and that we are not safe in acting on the recommendation of the authorities in charge of the War Department? What I want to know is, can not we as a Congress take the bull by the horns and dispose of this surplus?

Mr. ANTHONY. That is what we are trying to do, and I think it is safe to order them to dispose of 10,000. I think the amendment could be further improved if they are ordered sold and none distributed through the Department of Agriculture.

Mr. FESS. The gentleman knows that there is intense feeling among members of the House on both sides of the aisle, and that we had criticism without limit in the last administration. I am wondering whether we are doing any better now. I think we ought to be consistent, and do this even if we have to use the meat ax.

Mr. ANTHONY. I will yield to the gentleman from Illinois, Mr. McKENZIE. I desire to ask the gentleman from Kansas if he is not going too far in this amendment in saying how many trucks shall be disposed of in view of the fact that we have five different centers in this country under the War Department whose only activity is the repairing of automobiles and trucks? If the gentleman gets the number down too low, does he not think that there will not be much for these repair shops to do?

Mr. ANTHONY. I am afraid that it will put some of those

establishments out of business

Mr. BLANTON. Mr. Chairman, I offer a substitute.

The CHAIRMAN. The Clerk will report the substitute offered by the gentleman from Texas.

The Clerk read as follows:

Page 33, line 20, strike out "ten" and insert in lieu thereof "fif-teen"; strike out "two" and insert in lieu thereof "ten."

Mr. BLANTON. Mr. Chairman, as usual, I am with the committee chairman. I am against the amendment of the gen-

tleman from New York [Mr. MACGREGOR] only for one reason, and that is he leaves it to the discretion of the War Department, and if that is done there will not be a single automobile or truck sold. Because it has been the continuing policy of the War Department not to sell against the express wish of Members on both sides of the aisle for over two years. I am glad to hear the committee chairman say that he is in favor of the purpose of the amendment of the gentleman from New York and that he believes that these automobiles ought to be sold or disposed of, and I am offering an amendment that will make them sell and dispose of them. Even if we get them into the hands of the Agricultural Department it is not going to be hog tied like the War Department has been for two years, with an agreement we all understand was made with the automobile manufacturers that they would not put these new vehicles on the market.

Mr. MacGREGOR. Will the gentleman yield?

Mr. BLANTON. No; I can not yield; the gentleman has had 10 minutes and I have not had any.

Mr. STAFFORD. The gentleman has had half an hour. Mr. BLANTON. Oh, the gentleman from Wisconsin [Mr. STAFFORD] when he was here last had enough time to last him four years more. I am glad to see him take time, however, because he studies the question and I get information from him. We are glad that he is back on the floor again, because we all get lots of information from him.

Now, I want to say that right after the armistice was signed I went to San Antonio, Tex., and I saw new automobile after automobile rusting away, exposed to the weather. They were not discarded ones which they condemn and sell after they are worn out. They were new ones. They have not sold a new automobile since the armistice, and have only sold those condemned, that nobody would have. But there were dozens of new cars there that never had been used, and they let them sit out in the weather, in the mud, deteriorating, rusting, and spoiling. I saw at San Antonio new cars, new Cadillacs, out there in the mud without any cover over them. I went back there a year later and the very same identical automobiles were still standing there in the mud. Why did not they sell them? Merely to protect the automobile manufacturers, and against the interests of the people. I want to say that if they made any such agreement with the automobile manufacturers and I said the same thing under the Democratic administration—they were acting like fools. It was against the interest of the people. Now, they have held all over the United States thousands of these cars long enough, and they still have thousands of them, and I am in sympathy with the purpose of the committee's provision and the purpose of the gentleman from New York in putting in his amendment and in putting the bill in such shape by my own amendment that the War Department will be compelled to dispose of these cars. If we can get them into the hands of the Department of Agriculture, if it can not use them on the public roads, it will have the right to sell or dispose of them. What I want to do is to take it wholly out They have made a botch of of the War Department's hands. the business, and I want some Government agency to have a chance at it and see if they can not get these automobiles back into the avenues of trade, where the people of the United States can get some benefit from them.

Mr. BLAND of Indiana. Mr. Chairman, I am inclined to think that there is considerable truth in what the gentleman from Texas says. If we intend to get the motor vehicles out of the War Department's hands we had better legislate. believe the gentleman from Ohio expressed my views when he said that Congress ought to take the matter into its own hands now. For four months I have been trying to get a light Dodge truck assigned to the Bureau of Mines in my district. We have a rescue training school and station there at Vincennes, Ind. They need a light truck and need it so badly that the Bureau of Mines will have to buy it, and as I say for four months I have been trying to get one of these trucks assigned

to this station.

The Government admits that it has thousands of them, but there is some red tape or something in the way so that there is no power on earth that can get one of these trucks assigned I recently had a letter from the War Department to a station. I recently had a letter from the War Department saying that the knew of no way that the Agricultural Department could permit the Bureau of Mines to have this truck, even if the Agricultural Department had one of them. If legislation is at fault, then we are at fault. There ough: to be some means whereby the different departments at least could get the trucks they need.

Not long ago attention was called to the Agricultural Committee that the Agricultural Department was paying something like \$3,000 for a truck to send up to New Jersey to use for the extermination of Japanese beetles. This followed close upon the distribution by the Agricultural Department of 100 trucks to the State of New Jersey. The Agricultural Department said that they could not change the order; that the New Jersey road department had the trucks but they would not give them over to the Agricultural Department, and therefore they would have to buy one and send it up there. It seems to me that the Government has ceased to function in connection with the proper exchange of these trucks. Are we going to permit the Agricultural Department and Bureau of Mines to buy new trucks when there are plenty of them at different camps in our country?

Is Congress going to say that it is helpless, fold its hands, and not give some kind of legislation that will relieve this distressing condition? Now I have given up any hope of getting a light truck for the Bureau of Mines without buying it with money appropriated by this Congress. It is the only way I know of, and I have worked on the proposition for four months, but the Secretary of War can tell me no way and the Secretary of Agriculture can tell me of no way of getting it, and the Bureau of Mines say "we are helpless in the matter and your truck can not be obtained."

Mr. BLACK. Will the gentleman yield? Mr. BLAND of Indiana. I will.

Mr. BLACK. I can suggest a way for the gentleman. If he will just offer an amendment directing the Secretary of War to transfer one of these trucks to the Bureau of Mines and the

point of order is not made to it, the Bureau of Mines will get it.

Mr. BLAND of Indiana. But the gentleman has several
"ifs" in his statement. There are no doubt a number of
Members who will make the point of order here. We have never been able to get legislation through this or the preceding Congress that will take care of this truck situation. I do not know why, and I would like to ask the chairman of this committee if there is any provision of this bill whereby the Bureau ef Mines can get one of these many thousands of trucks?

Mr. BLANTON. I suggest the gentleman suspend asking the

question awhile until the chairman gets back.

Mr. BLAND of Indiana. I wish he were here. I would like

to direct that inquiry to him when he returns.

The CHAIRMAN. The question is upon the amendment offered by the gentleman from Texas.

The question was taken, and the Chair announced the noes appeared to have it.

Upon a division (demanded by Mr. BLANTON) there wereayes 17, noes 39.

So the amendment was rejected. The CHAIRMAN. The question is upon the amendment

offered by the gentleman— Mr. BLAND of Indiana. Mr. Chairman, before the question is put I would like to ask the chairman of the subcommittee

The CHAIRMAN. The gentleman asks unanimous consent to proceed for two minutes. Is there objection? [After a pause.]

The Chair hears none.

Mr. BLAND of Indiana. I stated in the gentleman's absence that I find it impossible, after working four months, to find any law or authority that entitled the Secretary of War or the Secretaries of Agriculture or Interior or the Burean of Mines to get the transfer of a truck from the War Department to the station at Vincennes of a light Dodge truck, although they have many thousands of them. Is there any provision in this bill whereby that condition may be remedied, and whereby this Bureau of Mines can obtain one of the Government-owned trucks without buying a new one?

Mr. ANTHONY. They have authority now under the law to transfer such a vehicle if it is declared surplus. The trouble with the War Department is that it refuses to declare these

vehicles surplus.

Mr. BLAND of Indiana. I have their letter saying it has to be declared nonserviceable.

Mr. ANTHONY. Oh, no.

Mr. BLAND of Indiana. Any automobile transferred to the Agriculture Department has to be declared surplus before it gets there, but after it gets there the Agricultural Department has no power to transfer the truck to the Bureau of Mines.

Mr. ANTHONY. The Bureau of Mines would have to pay

Mr. BLAND of Indiana. Certainly. Either go out in the market and buy it, not buy it of the War Department, because they sent the Bureau of Mine's representative to New Albany, as they did the other day, and buy one of these tracks, and when they went to great expense and arrived there they found they were selling about 100 trucks of this make of cars, but they were out of service, condemned, perfectly worthless. They went over to New Jersey, and the same kind of condition ob-

The CHAIRMAN. The time of the gentleman has expired.

Mr. SUMNERS of Texas. Mr. Chairman, I move to strike out the last word. I want to add to the observations which have been made here in reference to the handling of these surplus vehicles by the War Department. All over the country it is well understood that these vehicles have been stored out in the weather and permitted to deteriorate. They would not sell them. Now, I want to ask the chairman of this subcommittee if it is not possible in this bill or by some other legislation, in view of the fact that the War Department will not declare a surplus, for the Congress of the United States to institute some kind of an independent agency to do this thing? It is a national disgrace. The country knows and everybody knows that great depots have been established where these vehicles that have cost a tremendous amount of public funds have been permitted to deteriorate. People could not buy them. I think a thing of this sort ought to address itself to the determined purpose of the Congress to correct. That sort of thing has the worst possible effect upon the morale of the people of the country in respect to their confidence in the integrity of the public officials and of the Government, and I ask the chairman of this committee if it is not possible for the Congress, either in this bill or some other legislation, to remedy this matter, and do it now?

Mr. ANTHONY. It should be. Of course, that is a matter that should probably be brought forth by the legislative committee having that in charge. We tried to precipitate such action by putting an amendment in our Army appropriation bill. The House very generously allowed it to stay in the bill. The provision in force is the one agreed upon in conference, and in my opinion it should be further amended by striking out this transfer to the Department of Agriculture and surplus vehicles should be sold.

Mr. SUMNERS of Texas. There is another feature about this matter. I was in one of the national reserves this summer, and the superintendent told me that he very much needed a truck to do some work, and that the State in which that reserve was located had had assigned to it by the Government a number of these trucks, and that they were not in use at all, but were standing out in the weather, and that he could not get the privilege of using this truck. It seems to me, too, the Government should reserve the right to use all equipment donated, and that this surplus property should be shifted from one activity of the Government to the other when needed and not in use where assigned. Any department of the Government within reasonable limitations ought to be able to use Government property in any activity of the Government when the equipment is not otherwise in use. There is too much disposition of each of these departments to regard itself as an entity, as a sort of government of itself and unto itself. It is economically wasteful to have so much equipment assigned to this department and so much to that department, instead of recognizing that equipment is devoted to Government use, and when the Government does not need it at one particular place it ought to be shifted to another department or to another place instead of having a surplus not in use at one place and purchasing new equipment for another department.

Mr. WINGO. Mr. Chairman, I hope nobody will accuse me of partisanship if I inquire in all seriousness when this administration is going to start to function. You will remember that in the last Congress about once or twice a day some of the gentlemen on the Republican side would rear back on their hind feet and cuss out the War Department, and Mr. Baker in particular, because he would not get rid of these surplus trucks. And I see one gentleman sitting over there looking as solemn as an owl that used to indulge in that, but I have not heard him say anything about it since Secretary Weeks exercises the same contumacious stubbornness by not letting these trucks go. If you gentlemen can find some way of changing the leopard's spots of this War Department, we will join you.

The gentleman from Indiana [Mr. Bland] is right. It is folly to say that the Bureau of Mines should go out and buy a new truck when to-day in storage there is every kind of truck they need and that the War Department has and does not need, and all on earth that is necessary is to declare it surplus and turn it over to them. And all that is needed in the War Department is horse sense in handling these trucks. I say that in no partisan spirit. Baker was guilty of the same thing and Weeks is guilty of the same thing, and I hope that four years will not go around until we can use some horse sense in disposing of the surplus trucks. The gentleman said they will not let them go unless they are worthless. Is that correct?

Mr. BLAND of Indiana. The situation is simply this, that they have no power to dispose of them to the public unless they are nonserviceable.

Mr. WINGO. That is my information. In other words, when they get ready to sell one of these trucks, it is not worth selling.

It must be "spoiled," just as you say they sold meat that was That was a remarkable statement made on Friday that this administration is selling spoiled meat. Well, it is a serious charge against the War Department that it is selling spoiled meat. Of course, it is not true. You say the Democratic Party is responsible for it. Well, I do not know which is worse, one that would hold the meat until it was spoiled or one that would unload spoiled stuff on the public. If that stuff was spoiled, it ought to have been dumped in the river. It ought not to be put out at any price for American people to eat. Let us get rid of the spoiled meat and the worn-out trucks; get rid of the surplus by letting it go where it ought to go,

Mr. HUMPHREYS. I would like to know what the facts are about these trucks and automobiles. Is it true that we have these thousands of automobiles and trucks that are out in the

weather and deteriorating?

Mr. WYANT. Is it true that the contract to purchase prohibits the Government from selling these trucks in the open

market at public sale?

Mr. WINGO. The gentleman possibly has more information than I have. I have heard that suggestion for two or three years, but I have not found anybody responsible with enough energy to find out whether it is true or not. They said it was true during Baker's time.

Mr. HUMPHREYS. Was it true?

Mr. WINGO. I hear my Republican friends still charging it, but whether by force of habit or predicated upon known facts I can not say. Our Republican friends made that charge, and whether the momentum they thus acquired is spent on the pres-

ent Secretary of War I can not say.

Mr. BLAND of Indiana. Mr. Chairman, I wish to say that I have gone into the truck contracts somewhat, and I have not found any specific provision in any truck contract where the Government is not permitted to sell them on the market. But I have gone far enough to believe that there is an understanding that a truck will not be put on the market until it is worthless

Mr. WINGO. Have you made any headway with the present General Staff?

Mr. BLAND of Indiana. As the gentleman suggested a moment ago, something seems to get into their heads when they get over there which causes them to cease to function for the public. I have not any criticism of Mr. Weeks so far, but if he is not able to afford relief there will be criticism of him.

Mr. WINGO. If you can not get such relief, who can? He is your dog, and you must pick the fleas or quit scratching.

The CHAIRMAN. The time of the gentleman has expired. Mr. HUMPHREYS. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Mississippi moves to

strike out the last two words.

Mr. HUMPHREYS. I have heard for some time-for a year or two-and all of us have, that there are great numbers of automobiles and trucks that are out in the weather unprotected and being destroyed by the elements-thousands of them. I have never known whether that is true or not. It has always occurred to me if we had these thousands of automobiles there must be some good reason why the department did not dispose Surely the War Department would not keep the automobiles out there just for the fun of seeing them go to pieces and rot and thereby waste the public funds. There must be some good reason for it, if it is a fact.

I would like to ask somebody over there two questions: First, Is it a fact that we have this great number of automobiles and trucks out in the weather and going to ruin; and, if so, what reason does the department assign for it, without reference to whether it is a Democratic administration or Republican administration? I am not particularly interested in that, but I would like to know what the facts are about these automobiles.

Mr. ANTHONY. The facts are as the gentleman states. I think it is safe to say that at two depots in this country there are still automobiles in the original packing boxes, standing out in the open air. The only reason which is apparent to me as to why they have not been sold is based upon some kind of an understanding which it is said was had between the War Department and the manufacturers to not depress the industry. My experience here has been that every time I have introduced an amendment to sell automobiles or trucks-and on the last fortification bill I introduced an amendment to sell a number of tractors-great pressure was brought to bear, not only in this body, but more noticeably in the other body, to have those distributed through the Agricultural Department so as not to depress the price of the product.

Mr. HUMPHREYS. Is there any objection on the part of these manufacturers, who seem to dominate the situation, to

having these automobiles used by the Government in other departments?

Mr. ANTHONY. I think they are agreeable to any system that will keep them off the market. They do not object to loading down any department of the Government. [Laughter.]

Mr. HUMPHREYS. As I understand, further, there is need of these automobiles in other departments of the Government. Now, why is it that they have not been transferred to those departments? Has the War Department no authority to do it

Mr. ANTHONY. I think they have that authority.
Mr. HUMPHREYS. But they decline to turn them over to
the other departments?

Mr. BLAND of Indiana. Mr. Chairman, will the gentleman yield?

Mr. HUMPHREYS. Yes. Mr. BLAND of Indiana. The gentleman says they have that

authority. I would like to see that authority. I doubt it.

Mr. ANTHONY. They have authority to turn them over to the Department of Agriculture and to the Post Office Department.

Mr. BLAND of Indiana. And there it stops.

Mr. HUMPHREYS. Is there any objection to turning them over to other departments that need them?

Mr. ANTHONY. The only objection is that all the other departments are overloaded now, as I understand.

Mr. BLAND of Indiana. Mr. Chairman, I have an amend-

ment, which I send to the Clerk's desk.

The CHAIRMAN (Mr. WALSH). The Clerk will report the

amendment offered by the gentleman from Indiana.

Mr. BLAND of Indiana. My amendment reads as follows: Page 34, at the end of line 10, insert the following-

And so forth.

The CHAIRMAN. The Chair will state that there is an amendment already pending.

Mr. BLAND of Indiana. Mr. Chairman, a parliamentary in-

The CHAIRMAN. The gentleman will state it.

Mr. BLAND of Indiana. Will it be in order when the other amendment is disposed of to offer that amendment?

The CHAIRMAN. The Chair thinks so. The question is on agreeing to the amendment offered by the gentleman from New York [Mr. MACGREGOR].

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. SANDERS of Indiana. A division, Mr. Chairman.

Mr. SNELL: Mr. Chairman, can we not have the amendment again reported?

The CHAIRMAN. Without objection, the amendment offered by the gentleman from New York [Mr. MACGREGOR] will again be reported.

The amendment was again read.

The CHAIRMAN. The Chair would like to ask the gentleman from Indiana whether the amendment he proposes to offer is an amendment similar to that of the gentleman from New York?

Mr. BLAND of Indiana. No. It is a separate amendment, covering a different territory.

Mr. MacGREGOR. Mr. Chairman, I desire to withdraw my

The CHAIRMAN. The gentleman from New York asks unanimous consent to withdraw his amendment,

Mr. SANDERS of Indiana. Mr. Chairman, that can not be done under the circumstances. I make the point of order that the House was dividing on the amendment of the gentleman from New York.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

Mr. BLAND of Indiana. It can be done by unanimous con-

The CHAIRMAN. Is there objection?
Mr. MacGREGOR. Mr. Chairman, I ask unanimous consent that I may withdraw my amendment and offer in lieu thereof a substitute.

The CHAIRMAN, The gentleman from New York asks unanimous consent to withdraw his amendment and offer a substitute. Is there objection?

Mr. GARRETT of Tennessee. Of course, if it is an amendment that is in order, that can be done.

The CHAIRMAN. The Chair knows nothing about that.

Mr. GARRETT of Tennessee. Let us have it read for infor-

The CHAIRMAN. The gentleman from New York [Mr. Mac-GREGOR] asks unanimous consent to withdraw the pending amendment and to offer in lieu thereof another amendment, which the Clerk will read for information.

The Clerk read as fellows:

Amendment proposed by Mr. MacGregon: Page 33, line 13, strike out after the word "sell" all the balance of the line and lines 14, 15, and 16, down to and including the word "sale," in line 16, so that the paragraph will read, "That the Secretary of War is authorized and directed to sell so many motor trucks and passenger-carrying automobiles," and so forth.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from New York.

The Clerk read as follows:

Amendment offered by Mr. MacGregor: Page 33, line 13, strike out after the word "sell" all the balance of the line and lines 14, 15, and 16, down to and including the word "sale," in line 16.

Mr. ANTHONY. Mr. Chairman, I think that amendment is satisfactory

Mr. PARKER of New Jersey. Mr. Chairman, I raise my

voice against that amendment.

The CHAIRMAN. Does the gentleman from New York [Mr. MACGREGOR] desire to discuss his amendment?

Mr. MacGREGOR. No. I have no further discussion to

The CHAIRMAN. The gentleman from New Jersey is recog-

Mr. PARKER of New Jersey. Mr. Chairman, I have watched the disposition here with this House sitting in committee to say, rather than the Secretary of War and the War Department, as to what goods they shall keep on hand and what goods they shall sell. I respectfully protest that this House has no information as to what stock of automobiles should be kept on hand, not, perhaps, for the present Army, but in case of an emergency.

I desire likewise to say that it seems to be assumed in this

House that an automobile, if left out in the open air, is spoiled in a short time. I went down to Panama in 1904 and I found locomotives-small locomotives-and machinery of all kinds that had stood in the open air in that damp climate for years, and when they came to use them again it was only a question of wiping off a little rust. They were not destroyed. Automobiles are made to stand the weather, and they do not deteriorate in the way that has been suggested.

But the point I wish to emphasize is that it is the business of the Secretary of War and of the War Department to determine what stock of arms and transportation facilities should be kept on hand for the needs of this Government, and it is not the right or the duty of this House to determine that question for the Secretary of War or to decide whether he should sell or not.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?
Mr. PARKER of New Jersey. Yes.
Mr. KNUTSON. Does not the gentleman think that we should either sell the automobiles or make an appropriation for

a corps of wipers?

Mr. PARKER of New Jersey. The gentleman is asking a question that I suppose is meant to be a little bit of a joke. I say that as to the amount of stock kept on hand it is a great deal cheaper to keep them than to sell it for nothing. great deal cheaper to keep than to buy again, and it is a great deal cheaper in case of necessity to have on hand the necessary war material than to have disposed of it. But what I insist on is that the Congress of the United States knows nothing on this subject, and the War Department ought to be trusted more than it seems to be the disposition on the part of the House to trust it.

Mr. WYANT. Mr. Chairman, will the gentleman yield? Mr. PARKER of New Jersey. Yes.

Mr. WYANT. Does not the gentleman know that there are acres of these trucks and automobiles out on the swamp decaying?

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. GARRETT of Tennessee. Mr. Chairman, I ask for recognition in opposition to the amendment.

The CHAIRMAN. The gentleman from Tennessee is recog-

Mr. GARRETT of Tennessee. Mr. Chairman, I am in entire sympathy with the manifest disposition here to require the sale of these automobiles.

I have not very much information about it, but I assume that the subcommittee of the Committee on Appropriations which brought in this bill gave attention to this proposition and determined from the information before them that it would be safe to direct the sale to the extent provided, to wit, 10,000 motor trucks and 2,000 passenger-carrying automobiles, and I am following the committee, because I assume that the com-

mittee know more about it than I do. I should have been glad to vote for the amendment of the gentleman from Texas increasing the number which would be sold if I had been certain that we had sufficient information before us to know that that would be a safe thing to do.

Mr. BLAND of Indiana. Will the gentleman yield?

Mr. GARRETT of Tennessee. Yes; I yield.

Mr. BLAND of Indiana. If I understand the amendment of the gentleman from New York it will require the War Department to sell rather than transfer to the Agricultural Department.

Mr. GARRETT of Tennessee. I am just coming to that proposition. I do not know whether it is a wise thing virtually to repeal law which now authorizes transfers to the Agricultural Department or not, if his amendment will do that. I have no information as to the status of these transfers. I want to vote intelligently upon this matter.

Mr. ANTHONY. Will the gentleman yield? Mr. GARRETT of Tennessee. Certainly.

Mr. ANTHONY. I think I can give the gentleman some information. The amendment of the gentleman from New York would compel the department to sell 10,000 trucks and 2,000 automobiles between January 1, 1921, and six months thereafter. Now, the figures show that between January 1, 1921, and March 31, 1921, they disposed of 3,354 vehicles, so under the language of the amendment as in now stands it will only force them to sell about 8,700 more vehicles, and there are 30,000 remaining.

Mr. GARRETT of Tennessee. The provision of the com-

mittee's bill will do that, will it not?

Mr. ANTHONY. Our bill would have required them either to sell them or to transfer them. The amendment of the gentleman from New York strikes out the transfer requirement.

Mr. GARRETT of Tennessee. Does the gentleman from Kansas understand that it would virtually repeal the existing law authorizing the transfer? Am I correct in that, or could they still transfer?

Mr. ANTHONY. It would not repeal any existing law. Mr. GARRETT of Tennessee. They could still transfer vehicles to the Department of Agriculture, could they?

Mr. ANTHONY. If they were declared surplus.

Mr. GARRETT of Texas. Who declares them surplus?

Mr. ANTHONY. The General Staff.

Mr. BLAND of Indiana. Is there any way in which we can put through a proposition here that will prevent the War Department transferring automobiles to the Agricultural Department in such a way that they do not go to the public? If we leave it to them, they will transfer to the Agricultural Department, will they not?

Mr. ANTHONY. I think they will. Mr. McKENZIE. I move to strike out the last word.

Mr. Chairman and gentlemen of the committee, this amendment is possibly more important than we might think at first blush. It involves, as was said by the gentleman from New Jersey, the question of having Congress undertake to determine the amount of surplus in the War Department; in other words, to take away from the Secretary of War and the men in charge of our Military Establishment the authority and power to fix the amount of surplus of a certain commodity or article now held by the War Department. I have always been one of those who believed that Congress should control the size of the Army, the enlisted personnel, and the commissioned personnel. I think that is a function of Congress. It is the duty of Congress in order to protect the people. The General Staff or the Secretary of War should never be clothed with the power of fixing the size of the Army; but the General Staff and the Secretary of War in all good faith, when they want, for instance, to increase the number of cannon that we have as armament, or the number of rifles, or the amount of cloth to be held in reserve, should come to Congress and get appropriations for that purpose. They have done that in the past. We have appropriated from time to time for armament, for ordnance, for all the things that go to take care of the Army in time of peace, and incidentally in an emergency. The World War came on and we gave them blanket authority. They went out and bought thousands and thousands of automobiles to be used in the Great War. The war ended. The War Department had on hand these thousands and tens of thousands of automobiles.

Now the question comes up, What are we going to do with them? Shall we let them stand out in the open air, as one gentleman says, to rot down, or shall they be transferred to some other departments or sold to the people? We have been fighting over that for a long time, but Congress has hesitated, and properly hesitated, in taking away from the Secretary of War the power to declare them surplus. But, as one gentleman has said here, this thing has become almost a national scandal, and Congress has determined in this particular instance to direct the War Department to sell some of these automobiles. But I hope, gentlemen of this committee and of the House, that this action will not be taken as a proper precedent for the control of surplus in the War Department in the future, because, in my judgment, you could wreck and ruin the Military Establishment of our country if the actions of this House in the last few days, in its desire to hit a head wherever it was shown that apparently belonged to the Army, should be indiscriminately followed. While I shall not object seriously to this amendment, I hope it will not be taken as a precedent.

Mr. WYANT. Will the gentleman yield?

Mr. McKENZIE. I yield to the gentleman from Pennsylvania.

Mr. WYANT. What length of time ought it to take the War Department to determine what surplus we have? The armistice was signed two years and three months ago. How much time do you want the War Department to take?

Mr. McKENZIE. I will say to the gentleman that the determination of that question involves both the present and the future. In the War Department they have contended on the one hand that we ought to prepare for nine divisions; that we ought to have a reserve on hand for nine divisions in case an emergency should arise. In peace time there is no practical need for an Army of nine divisions.

Mr. WYANT. Is it not true that the life of an automobile

out in the swamp is only a couple of years?

Mr. McKENZIE. I do not know the exact length of time. Mr. BYRNES of South Carolina. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the subcommittee a question. As I understand it, the gentleman is in accord with the amendment of the gentleman from New York. I want to call attention to the fact that the amendment does not change the language in the bill requiring the sale during the first six months of the calendar year. If this bill does not become a law until the last week in June, which is possible, it would force the sale of seven or eight thousand auto-mobiles within a week, because in order to comply with the law they would have to be sold by July 1. Does not the gentleman think that it would be wise to extend the time 30 days?

Mr. ANTHONY. If the language were construed as strictly as the gentleman suggests, the time should be extended. Does not the gentleman think that if the order was given for the sale before July 1 that it would comply with the intent of the

Mr. BYRNES of South Carolina. Your bill says:

That the Secretary of War is authorized and directed to sell, or to dispose of by transfer to the Department of Agriculture under existing laws, for its own use and the use of the several States in road work and maintenance of roads, not less than one-half by sale, so many motor trucks and passenger-carrying automobiles as will, in addition to such trucks and automobiles as have been sold or transferred since January 1, 1921, aggregate during the first six months of the calendar year—

And so forth.

Mr. ANTHONY. I should have no objection to extending the

Mr. BYRNES of South Carolina. I think the gentleman might suggest to the gentleman from New York some date that would enable us to sell the trucks.

Mr. ANTHONY. The gentleman from New York advises me

that he will offer such an amendment.

Mr. WINGO. Mr. Chairman, I move to strike out the last ord. The gentleman from Illinois suggested a moment ago that the justification for holding these surplus trucks seemed to be on the theory that they needed in reserve at all times sufficient trucks and automobiles for nine divisions. Does the gentleman think it practicable to keep in reserve these auto-Does the mobiles out in the open where they deteriorate, simply because they might need them in a future war?

Mr. BYRNES of South Carolina. No; I think they ought to be sold, but I think they should fix the time within which

they are to be sold.

Mr. STAFFORD. Will the gentleman from Arkansas yield?

Mr. WINGO. I will yield.

Mr. STAFFORD. There are many automobile trucks stored at Camp Holabird that have been knocked down and placed in crates so that they can not deteriorate. I am not acquainted with the condition of trucks standing out in the open unless it refers to those crated suitable for shipment abroad.

Mr. WINGO. I have not seen them lately, but I have an idea now that the summer social season is open that all of these passenger-carrying vehicles will be in use.

Mr. STAFFORD. I understand that all serviceable automo-

biles have been put in commission for social purposes.

Mr. WINGO. It may be so; I have noticed that some of the cars used for midnight social functions bore indications of having been used some time and were not new.

Mr. STAFFORD. The gentleman was at these midnight so-

cial functions?

Mr. WINGO. No. I frequently work late at night at my office and going home on the street car I behold the gentleman frequently, apparently going to or from a social function, sweeping by in a car. [Laughter.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. BANKHEAD. Mr. Chairman, I offer the following

amendment.

The Clerk read as follows:

Page 34, after line 10, add the following: "The Secretary of War is hereby directed to transfer to the Bureau of Mines one light Dodge automobile truck, in good condition, for use at the mine-rescue station at Vincennes, Ind."

Mr. MONDELL. Mr. Chairman, I make a point of order to the amendment.

Mr. BANKHEAD. Will the gentleman reserve it?

Mr. MONDELL. It is a specific provision amending a general provision.

Mr. MacGREGOR. A parliamentary inquiry, Mr. Chairman.

Is not there an amendment pending?

The CHAIRMAN. The Chair sustains the point of order, and the question is on the amendment offered by the gentleman from New York [Mr. MACGREGOR].

The question was taken, and the amendment was agreed to. Mr. CHALMERS. Mr. Chairman, I offer the following amend-

ment. The Clerk read as follows:

Page 33, line 19, strike out the word "six" and insert the word nine."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The question was taken, and the amendment was agreed to. Mr. BLAND of Indiana. Now, Mr. Chairman, I offer my amendment.

The Clerk read as follows:

Page 34, line 10, insert: "The War Department within 30 days after the approval of this act shall transfer, without cost, to the Bureau of Mines, for use at the station at Vincennes, Ind., a serviceable light motor truck.

Mr. MONDELL. Mr. Chairman, I make the point of order. The CHAIRMAN. The point of order is sustained. Mr. MacGREGOR. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York.

There was no objection.

The Clerk read as follows:

# WATER AND SEWERS AT MILITARY POSTS.

WATER AND SEWERS AT MILITARY POSTS.

For procuring and introducing water to buildings and premises at such military posts and stations as from their situations require to be brought from a distance; for the installation and extension of plumbing within buildings where the same is not specifically provided for in other appropriations; for the purchase and repair of fire apparatus, including fire-alarm systems; for the disposal of sewage, and expenses incident thereto; for repairs to water and sewer systems and plumbing; for hire of employees, \$2,000,000: Provided, That no part of this appropriation shall be expended for new construction work.

Mr. KING. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I do this for the purpose of inserting a letter which every Member here, I am sure, is interested in, and to enliven the occasion somewhat in view of the fact that it shows a growing interest in the Congress. I ask that the Clerk may

The CHAIRMAN. Without objection, the Clerk will read. The Clerk read as follows:

> OFFICE OF PAUL D. RANSO Atkinson, Ill., May 2, 1921.

COMMITTEE OF MANUFACTURERS AND MERCHANTS ON FEDERAL TAXATION. Chicago, Ill.

Gentlemen: Responding to your circular letter, asking for our "very frank opinion" regarding certain statements you put forth about Federal taxation, also asking for a subscription to carry on the work of the committee.

We are giving our very frank opinion, but without the subscription, and you can take it for what it appears to be worth.

In the first place, we admit the necessity for studying taxation, both Federal and local, for it has assumed the proportions of a big brown bear that dogs us day and night; and, believe me, that business men who are paying taxes are studying the question. But the necessity of the "formation of a Nation-wide organization of business men" to study the question, and the publishing of another magazine for propaganda, we are not now prepared to admit. For it seems to us that it results in simply adding another burden to the business man; for you are already primed to "accept" anything from 50 cents to \$100 per month more from the fellow you are so anxious about. We can not help but suspect that so soon as the contributions commenced to stream in, a comfortable suite of rooms in a high-priced office building

would be the result, with the inevitable highly-paid organization, the inevitable expensive magazine with its inevitable place in the inevitable waste basket.

inevitable expensive magazine with its inevitable place in the inevitable waste basket.

Every few weeks we receive an earnest plea for funds from some organization that is trying to save the country. The American Forestry Association are anxious about saving trees and modestly ask for a \$50 check. The American Defense Society are solicitous about the patriotism of the people and think if we would remit them \$50 that it would hold off the "reds" quite a while. Another bunch are right on edgabout the income tax and would appreciate it very much if we would inclose our check for \$50, and so it goes. We doubt not but that they "all be honorable men" with good intentions, but the tendency of the times to rush every new idea into an expensive organization and overorganization may become more of a menace than some of the things they are so anxious about.

At Washington we have bureau after bureau, and commissions and committees galore who are paid to investigate all questions under the sun; to say nothing about a President and Cabinet, who are men of affairs, and who are supposed to know everything and do everything for everybody, and a Congress composed of men and women who have been selected on account of their peculiar fitness to serve the people; they are studying and trying to work out the problems that all are thinking about, and they are paid to do it; why drag in something else? No, gentlemen, you can not have my money for what I consider a useless propaganda about taxation. I am sending all of my kicks about legislation or suggestions for reforms directly to my Congressman, or to our Senator, or even to my President; and if I happen to have an extra \$50 or \$100 I shall remit it directly to them, for they are not any too well paid for the work we expect them to do for us.

Thanking you for the opportunity for expression, I am

Yours, truly,

P. D. Ransom.

The Clerk proceeded to read the bill, as follows:

The provisions of the act of February 28, 1919, relating to the Issuance of uniforms to discharged enlisted men are hereby repealed: Provided, That such uniforms shall be issued in accordance with the provisions of said act to those enlisted men who served in the Army of the United States at any time between April 6, 1917, and January 1, 1920, whose applications therefor shall have been received at the War Department prior to June 1, 1921.

Mr. JONES of Texas. Mr. Chairman, I make the point of order against the paragraph that it is legislation on an appropria-

order against the paragraph that it is legislation on an appropriation bill unauthorized by existing law.

Mr. ANTHONY. Mr. Chairman, of course the intent of the paragraph is to effect an economy. If the paragraph is out it means that the item of clothing will have to be increased \$16,000,000 in order to take care of the probable demand under the act of February 28, 1919.

Mr. JONES of Texas. Does not the gentleman think that the

men have most all received it?

Mr. ANTHONY. By far the largest proportion of the men entitled to the clothing have asked for it and it was deemed advisable to have it closed up at this time, otherwise the War Department is compelled to maintain an aggregate of \$16,000,000 worth of clothing to meet a possible demand.

But the demands are slackening off and evidently the men do not care to ask for it, so that it would be better to shut it off.

Mr. JONES of Texas. I would state that I would not object to a time limitation, but the trouble is in repealing the provision which authorizes the issuance you necessarily repeal the provision which permits the wearing, as that clause is tied to the

clause in reference to the issuance.

Mr. ANTHONY. We have just repealed that relating to

issuance.

Mr. JONES of Texas. The trouble is the clause authorizing the wearing of the uniform is tied onto the same sentence which authorizes the issuance in the original act. You could not repeal all of this paragraph without repealing the clause allowing the soldiers who have uniforms to wear them.

Mr. ANTHONY. I think the gentleman is mistaken.

Mr. JONES of Texas. Here is the original act. The original act says:

Any person who served in the United States Army, Navy, or Marine Corps in the present war, may, upon honorable discharge and return to civil life, permanently retain one complete suit of outer uniform clothing, including the overcoat, and such articles of personal apparel and equipment as may be authorized, respectively, by the Secretary of War or the Secretary of the Navy, and may wear such uniform clothing after such discharge.

Now, "and may wear" is a clause in the sentence authorizing the issuance. Now, if you repeal the sentence authorizing the issue of clothing, you necessarily repeal the clause authorizing them to wear, and they can only wear them for three months under the old law after issuance

Mr. WALSH. Will the gentleman yield?

Mr. JONES of Texas. I will.

Mr. WALSH. Of course, what the gentleman has read has nothing to do with the issuing of the uniform. It is only that part of the same paragraph relating to the issuance that is repealed.

Mr. JONES of Texas. But it is all connected up in the same sentence.

Mr. WALSH. The portion of the paragraph repealed only relates to the issuance of the uniform.

Mr. JONES of Texas. I do not see how you are going to have an authorization in the form of a clause which would not be a complete sentence and which would have no meaning.

Mr. GREENE of Vermont. The authority to wear the uni-

form already issued can remain in the law.

Mr. JONES of Texas. It does not say so; that is the point I am making. I do not object to the time limitation. I think in repealing the law authorizing the issuance you necessarily repeal the law authorizing the wearing of the uniform, because of the way the two are tied together in the law.

Mr. MONDELL. This does not repeal the law relative to

wear.

Mr. JONES of Texas. I think it does.

Mr. MONDELL. It repeals the provision with regard to the issuance, but there is no repeal that would affect the right to wear these uniforms. The repeal is simply of the provision relative to issuance.

Mr. JONES of Texas. I grant you that, but the clause authorizing the wearing is so tied up and interwoven with the clause authorizing the issuance that you can not repeal one without repealing the other. Otherwise it would leave it meaningless.

Mr. MONDELL. By no possible construction could this be

held to be a repeal of the right to wear the uniform.

Mr. ANTHONY. Will the gentleman yield? Mr. JONES of Texas. Yes.

Mr. ANTHONY. Would the gentleman think it would improve the language if we say, "That portion of the act of February 28," instead of "provision"?

Mr. JONES of Texas. I have drafted an amendment along

that line, and I have no objection.

The CHAIRMAN. Does the gentleman withdraw the point

Mr. JONES of Texas. No; I do not; but if the gentleman is going to offer a proper amendment, I will, if the chairman will offer the amendment.

Mr. ANTHONY. I will do so.

Mr. JONES of Texas. Then I will withdraw the point of order.

Mr. ANTHONY. Mr. Chairman, I offer an amendment, beginning at line 8, page 36, to change the language where it reads, "The provisions of the act of February 28," and so forth. Strike out the words "the provisions" and insert "that portion of the act."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 36, line 8, strike out the words "the provisions" and insert in lieu thereof the words "that portion."

Mr. JONES of Texas. Mr. Chairman, I offer a substitute for the amendment.

The CHAIRMAN. The Clerk will report the substitute.

The Clerk read as follows:

Mr. Jones of Texas offers a substitute for the amendment offered by the gentleman from Kansas: Page 36, line 8, strike out the words "the provisions" and insert in lieu thereof "section 1"; and, in line 9, strike out the word "are" and insert the word "is"; and, in line 10, strike out the word "repealed" and insert "amended by adding at the end of such section the following proviso."

Mr. ANTHONY. What is the effect of the amendment? What proviso is it?

Mr. JONES of Texas. I add the one in the bill.

Mr. ANTHONY. Will the gentleman quote section 1 of the act, so we will know?

Mr. JONES of Texas. The one I read before:

That any person who served in the United States Army, Navy, or Marine Corps in the present war-

And so forth.

Mr. ANTHONY. Would not the language I have suggested, That portion of the act," cover it?

Mr. MONDELL. Has the gentleman offered an amendment? The CHAIRMAN. The gentleman offered an amendment by way of a substitute to the amendment offered by the gentleman from Kansas

Mr. MONDELL. I reserve a point of order on the substitute. Mr. ANTHONY. Is not the amendment I have suggested the

simplest way? Mr. JONES of Texas. I believe the gentleman's amendment accomplishes the same thing, and I will withdraw my amendment.

The CHAIRMAN. Without objection, the gentleman from Texas withdraws his amendment.

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas.

The amendment was agreed to.

Mr. ANTHONY. Mr. Chairman, I offer a further amendment, at the end of line 9, page 36, to strike out the word "are" and insert the word "is

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas, which the Clerk will report.

The Clerk read as follows:

At the end of line 9, page 36, strike out the word "are" and insert the word "is."

The question was taken, and the amendment was agreed to. Mr. DALLINGER. Mr. Chairman-

The CHAIRMAN. For what purpose does the gentleman

from Massachusetts rise?

Mr. DALLINGER. I move to strike out the last word. do this in order to obtain some information from the gentleman from Kansas [Mr. ANTHONY]. I would like to ask him if, in connection with his duties as a member of the Committee on Appropriations, he knows whether or not there is anyone connected with the War Department whose duty it is to see that when supplies of clothing or other things are desired for the Army there is not on hand already in the possession of the department, left over from the late war, plenty of those particular commodities?

Mr. ANTHONY. It is the duty of the Quartermaster General.
Mr. DALLINGER. Now, Mr. Chairman, apparently whoever
has charge of this has not functioned for some time. My attention has recently been called to the fact that the Quarter-master Department of the Army has recently sent out bids for certain kinds of new clothing cloth for use in the Army, while at the same time the Government is selling the same kind of clothing at a very low price, way below cost, in order to get rid of a surplus supply. It seems to me when there is this immense amount of material on hand that has been left over from the war there ought to be some inventory taken and there ought to be somebody in the War Department who knows what they have on hand, so that they will not be purchasing new goods of the same kind.

Mr. ANTHONY. Will the gentleman yield?

Mr. DALLINGER. Certainly.

Mr. ANTHONY. The gentleman is criticizing one bureau of the War Department. But does he take into consideration the fact that the General Staff has been operating ever since the war began, and that orders are still given from the General Staff without regard to what these bureaus desire to do? The bureaus receive direction to do things that in their opinion are probably unwise, but it is not fair to hold an individual bureau responsible for something for which they are not responsible under present conditions.

Mr. DALLINGER. Does not the gentleman think there ought to be some reorganization of the War Department so that this inexcusable waste may be stopped in the interest of the tax-

payers?

Mr. ANTHONY. Undoubtedly. There is a law to the effect that the General Staff should not operate, but it does operate, and it does the same kind of thing the gentleman complains

Mr. JOHNSON of South Dakota. I would like to ask the gentleman if he can see the slightest change in the conduct of the War Department since the change of administration, in refer-

ence to these matters?

Mr. DALLINGER. I will say in reply to the gentleman from South Dakota that while there has not been any appreciable change as yet, it is only fair to say that the present administration has only recently taken charge and that one of the duties of this Congress and this administration is to reorganize the War Department and the other departments so that these abuses will not continue.

Mr. JOHNSON of South Dakota. And the gentleman hopes

to see it improve very shortly?

Mr. DALLINGER. I do.

Mr. WINGO. Does the gentleman know when it is going to begin?

Mr. DALLINGER. I do not know when it is going to begin, and that is the reason I asked the question of the gentleman from Kansas [Mr. Anthony].

Mr. KETCHAM. Mr. Chairman, I offer an amendment. The CHAIRMAN. The gentleman from Michigan offers an

amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. Ketcham: Page 36, line 15, strike out the word "June" and insert in lieu thereof the word "September."

The CHAIRMAN. The question is on agreeing to the amend-

The question was taken, and the amendment was rejected.

The Clerk read as follows:

The Clerk read as follows:

For the purchase of horses of ages, sex, and size as may be prescribed by the Secretary of War for remounts for officers entitled to public mounts for the Cavalry, Artillery, Signal Corps, and Engineers, the United States Military Academy, service schools, and staff colleges, and for the Indian Scouts, and for such Infantry and members of the Medical Department in field campaigns as may be required to be mounted, and the expenses incident thereto (including \$50,000 for purchase of remounts, and \$150,000 for encouragement of the breeding of riding horses suitable for the Army, including cooperation with the Bureau of Animal Industry, Department of Agriculture, and for the purchase of animals for breeding purposes and their maintenance), \$200,100: Provided, That the number of horses purchased under this appropriation, added to the number now on hand, shall be limited to the actual needs of the mounted service, including reasonable provisions for remounts, and unless otherwise ordered by the Secretary of War no part of this appropriation shall be paid out for horses not purchased by contract after competition duly invited by the Quartermaster Corps and an inspection under the direction and authority of the Secretary of War. When practicable, horses shall be purchased in open market at all military posts or stations, when needed, within a maximum price to be fixed by the Secretary of War: Provided further, That no part of this appropriation shall be expended for the purchase of any horse below the standard set by Army Regulations for Cavalry and Artillery horses, except when purchased as remounts or for instruction of cadets at the United States Military Academy; Provided further, That no part of this appropriation shall be expended for poloponies except for West Point Military Academy, and such ponies shall not be used at any other place: Provided further, That the Secretary of War may, in his discretion, and under such rules and regulations as he may prescribe, accept donations of anim

Mr. BLANTON. Mr. Chairman, I make a point of order.
Mr. BARKLEY. Mr. Chairman, I offer an amendment.
The CHAIRMAN. The gentleman from Texas makes a point of order on the paragraph. The gentleman will state it.

Mr. BLANTON. I make the point of order to the language on page 37, beginning in line 1 with the word "and" and covering the balance of that line, and all of lines 2, 3, and 4, and that part of line 5 down to and including the word "maintenance," which is legislation on an appropriation bill unauthorized by

Mr. ANTHONY. Mr. Chairman, I hardly think that that part of the paragraph is subject to a point of order, because it clearly relates to the acquisition of horses for the Army, which

we are authorized to do by law.

Mr. BLANTON. If there is any law that authorizes the War Department to go over the country and buy stallions and send them down to Texas and turn them over to ranchmen free of charge and let those ranchmen breed them for their private benefit free of charge, with no obligation on their part whatever to sell the progeny to the Government, and with no claim whatever on the progeny, I would like to know it. Is there any such law?

Mr. ANTHONY. Yes.

Mr. BLANTON. When was it passed?

Mr. ANTHONY. The law is carried in the authority for the Army to acquire horses. This appropriation is made toward that end. Whether we go out in the open market and buy them or whether we buy stallions and mares and breed them, we are

authorized to do it.

Mr. BLANTON. Under the old provisions, which were not authorized by law, the War Department forced these men who breed to these horses to obligate themselves to sell the progeny to the Government. But there is no such obligation here. The men may keep all of the progeny for their own use and private benefit if they see fit, and the Government will not profit in any way whatever by the transaction. I ask the gentleman to cite the Chair to any law that authorizes this Government to go into the business of horse raising, not for the benefit of the Army but for the benefit of private individuals. There is no such provision of law. I have the reports here and the statements from the Army officers, showing exactly what the purpose and intention of the appropriation is. I submit to the Chair that there is no such law authorizing any such business.

The CHAIRMAN. Can the gentleman from Kansas [Mr. Anthony] cite to the Chair authority for this?

Mr. ANTHONY. I do not think there is any specific law, Mr. Chairman. It is only under the general law authorizing us

to appropriate for horses for the Army.

Mr. BARKLEY. If the Chair please, the general law authorizing the War Department to acquire horses for cavalry purposes does not limit the War Department on the question whether they shall be purchased after they are grown or whether they shall be bred by the War Department. The appropriation which is carried in the current law, the appropriation act for 1921, is in practically the same language as that carried

in the present bill.

Now, the War Department, for convenience, may purchase all the horses which it may need for remounts or for cavalry or for riding purposes, or it may under the law, without specific authority, breed them all if it could do so. This bill limits the use of this \$150,000 to the encouragement of the breeding of horses suitable for the Army. There is nothing in the bill or in the general law that squints at letting these horses out for private benefit. They may incidentally be of private benefit to the people at large, but the primary purpose of this appropriation is for the breeding of horses throughout the country that are suitable for the Army and suitable for cavalry and riding purposes.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. BARKLEY. Yes. Mr. WALSH. What provision of law authorizes them to

cooperate with the Bureau of Animal Industry?

Mr. BARKLEY. Well, the Bureau of Animal Industry in 1910 began the performance of this very duty. It was taken over by the War Department a couple of years ago, and last year, when this appropriation was made, it was under the authority of the appropriation contained in that bill that these horses that were formerly under the jurisdiction of the Bureau of Animal Industry were taken over by the remount service of the War Department, and in cooperation with the Bureau of Animal Industry the remount service of the War Department is now performing this function.

Mr. WALSH, Mr. Chairman, will the gentleman yield for

another question?

Mr. BARKLEY. Yes.

Mr. WALSH. Does the gentleman from Kentucky contend that the Bureau of Animal Industry of the Department of Agriculture had supervision of the breeding of cavalry horses

for the War Department?

Mr. BARKLEY. Yes; from 1910 to 1921 the Bureau of Animal Industry had charge of the breeding of these horses, and they had a contract with every owner of a colt that was the result of this breeding to the effect that at the age of 3 years it was to be sold to the Army for \$150.

Mr. WALSH. How did they come to cease that work?

Mr. BARKLEY. Because the War Department thought they were better qualified to carry on the breeding of Army horses than the Department of Agriculture, and when this appropriation was made in the bill for 1921 for that purpose the Bureau of Animal Industry turned over its equipment to the remount service of the War Department, and that remount service is now carrying on the work previously conducted by the Bureau of Animal Industry.

Mr. WALSH. What does this language mean? Is it that they are going to give the Bureau of Animal Industry another

Mr. BARKLEY. No. It means that the Bureau of Animal Industry has outstanding certain contracts which it made when it had charge of this work. Most of these contracts have been canceled or have lapsed, but there are still outstanding certain contracts which have been made with private individuals, and to that extent this cooperation must go on.

Mr. BLANTON. Mr. Chairman, will the Chair hear me just

a moment?

The CHAIRMAN. The Chair will hear the gentleman. Mr. BLANTON. Mr. Chairman, to show how ridiculous this provision is and to show how it has been carried on without authority of law, I call the attention of the Chair to the previous appropriation in the last bill. Out of that appropriation \$350 was used to buy a horse called Decameron, and it was turned over to my constituent, Mr. Ben V. Simons, at Paint Rock, Tex., in my district; and \$600 was spent for a horse named John R. Clay and turned over to Mr. George Richardson, at San Angelo, Tex., in the district of my colleague from Texas. Mr. Hudspeth; and \$1,000 was spent for a horse named Von Tromp, which was turned over to Mr. D. H. Snyder, jr., of Colorado, Tex., in the district of my colleague, Mr. Hudspeth; and \$1,000 was spent for a horse named Mac and turned over to Mr. Fletcher Harper, of Paloduro, Tex., in the district of my colleague, Mr. Jones. And so on in the case of others. Only one little scrap of paper has been taken from these individuals showing that the horses belonged to the Government. They have been given to these individuals for their own use if they so desire, without any expense whatever to themselves, as they receive back from the Government all breeding fees they charge. There is not a single word in the present agreement that binds them, regardless of what has been in the agreements made in the past, to sell the progeny to the Government. Forunder the present agreement there is no arrangement that they will sell the progeny to the Government. In other words, these private individuals, all our friends in Texas, are getting the benefit of the expenditure of public money in the private horse business, to the detriment of the whole people of the United States.

I direct the attention of the Chair to the fact that there is no law authorizing any such private horse industry in this

country.

Mr. WINGO. Mr. Chairman, I want to make just this suggestion.

The CHAIRMAN. The Chair will hear the gentleman. Mr. WINGO. The only law that I recall authorizing the expenditure of money for horses is a law that contemplates horses for use, and there is a clear distinction between keeping a horse for breeding purposes and keeping a horse for use. In this matter I think we ought to be very careful. You see the jealousy that has already been raised over the distribution of free studs even in Texas [laughter], and if you make a precedent of it, every Member of Congress will want free studs distributed in his district, and it will become a public scandal. [Laughter.]

Mr. BARKLEY. The gentleman from Arkansas will not

need any for his. [Laughter.]

Mr. WINGO. It may be that when I get into the condition of the gentleman from Kentucky I will have a personal interest in the matter. [Laughter.]

Mr. BARKLEY. I am afraid there is a good deal of jealousy

already on the gentleman's part. [Laughter.]
Mr. WINGO. No. The jealousy exhibited between the gentlemen from Texas over the distribution in their districts causes me to fear for the safety of the Public Treasury. [Laughter.]

Mr. BARKLEY. I merely wanted to suggest, Mr. Chairman, that even if, down in the gentleman's district in Texas, the War Department turned over one of its horses to some private individual, it has nothing to do with the point of order. fact is all these animals are turned over to private individuals in the various States. The language to which the gentleman makes the point of order is the language from the word "including," on page 36, the words included in the parentheses, and those are, "including \$50,000 for the purchase of remounts and \$150,000 for the encouragement of the breeding of riding horses suitable for the Army." Now, that is a perfectly legitihorses suitable for the Army." Now, that is a perfectly legiti-mate appropriation under the law authorizing the War Department to acquire cavalry horses.

Then the remainder of the language provides-

And \$150,000 for encouragement of the breeding of riding horses suitable for the Army, including cooperation with the Bureau of Animal Industry, Department of Agriculture, and for the purchase of animals for breeding purposes and their maintenance,

They are authorized to purchase these animals. These horses are actually used eight months in the year at the remount stations to take the places of other horses that would be necessary, and they are only used for breeding purposes during about four months of the year. While I do not think that has anything to do with the point of order, it has as much to do with it as the facts recited by the gentleman from Texas. The question is whether the Army has the power under the present law to acquire, either by purchase or by breeding, horses suitable for the Army, either Cavalry horses or the draft horses which are needed by the department.

Mr. JONES of Texas. Will the gentleman from Kentucky

yield?

Mr. BARKLEY. Yes. Mr. JONES of Texas. Is there any obligation on the part of the person who grows one of these horses to sell it to the

Mr. BARKLEY. Not under the present arrangement; no.

Mr. JONES of Texas. Then could it be regarded as raising

horses for the Army?

Mr. BARKLEY. It is for the purpose of creating a type of horse that will enable the Army to obtain what it wants when it needs it. When the Bureau of Animal Industry had charge of it they had a contract with the owner of the colt that was produced, requiring him to sell it to the Government for \$150. That worked an injustice both to the owner and to the Government. The Government was obligated to buy it when it was years old, whether it needed the colt or not, and to pay 50 for it. On the other hand, the owner was obligated to \$150 for it. sell it whether he wanted to or not. He might have been able to obtain \$200 or \$300 for it.
Mr. JONES of Texas. Under this provision the Government

has no claim on the colt and the owner does not have to sell it.

Mr. BARKLEY. No. It is the general proposition, author-

merly they agreed to sell the progeny to the Government, but | ized under the law, of creating a type of horses that the Gov-

ernment will be able to purchase whenever it needs cavalry or other horses for the Army.

Mr. HUDSPETH. Will the gentleman yield?

Mr. BARKLEY. I yield to the gentleman from Texas.

Mr. HUDSPETH. The fact that the Government has acted wisely in one instance and sent two horses down into my district where they raise pure-blood stock, both men and horses, does not have anything to do with this point of order.

Mr. BARKLEY. No; I do not think that has anything to do with it, and I do not think the fact that they have sent a couple of horses down into another district where they only breed jackasses has anything to do with it either. [Laughter.]

Mr. JOHNSON of South Dakota. Did the gentleman ever know of the Government getting any horses as the result of this expenditure?

Mr. BARKLEY. Oh, yes. Fifty thousand dollars of this appropriation is for the purpose of carrying out contracts previously made for the purchase of these horses.

The CHAIRMAN. The Chair is ready to rule. This paragraph provides, among other things, for the procuring of horses for animal transportation and mounts for the Army. The gentleman from Texas [Mr. Blanton] makes a point of order against the language on page 37, beginning in line 1-

And \$150,000 for encouragement of the breeding of riding horses suitable for the Army.

It is clear that the constitutional authority to raise armies and properly equip them would authorize the procuring of horses for the Cavalry and for other necessary horse transportation. seems to the Chair that the breeding of riding horses suitable for the Army might be a proper method for securing them. Horses have been purchased for the use of the Army from the beginning of the Government, and for a number of years considerable sums of money have been appropriated for the breeding of Army horses. The only question which has caused the Chair to hesitate arises from the use of the words "for encouragement It is not entirely clear just what this language means, and such information as the Chair has received during the discussion on the point of order has not entirely clarified the matter, because most of the debate went to the merits of the proposition rather than to the point of order. It is urged that in order to make it possible for the Government to procure by purchase suitable horses for military purposes it is necessary to encourage in the way provided in the bill or otherwise the breeding of the type of horse required. The question is not free from doubt in the mind of the present occupant of the chair, but resolving the doubt in favor of the Army in case the necessity should exist as claimed, it seems to the Chair that under the authority for raising and equipping the Army it ought to be proper for Congress to appropriate not only for the purchase of horses but also to acquire horses by breeding them, or to encourage the breeding of such horses as might not be otherwise available. Therefore the Chair overrules the point of order.

Mr. JOHNSON of South Dakota. I offer an amendment. The CHAIRMAN. The gentleman from South Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. Jounson of South Dakota: Page 36, after the figures "1921," in line 15-

Mr. BARKLEY. We have passed that,

Mr. JOHNSON of South Dakota. It is to strike out the whole of the next paragraph. It is to strike out the paragraph commencing with line 16, on page 36, down to and including line 11, on page 38. We have not passed that yet.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. Johnson of South Dakota: Page 36, line 16, strike out the paragraph beginning with line 16, page 36, down to and including line 11, on page 38.

Mr. BARKLEY. Mr. Chairman, a parliamentary inquiry. The amendment which I desire to offer is a perfecting amendment to the text.

The CHAIRMAN. It will be in order before voting on the amendment of the gentleman from South Dakota,

Mr. JOHNSON of South Dakota. There is no amendment that can be offered to this paragraph that will prevent my mov-

ing to strike it out.
The CHAIRMAN. The gentleman from Kentucky has an amendment to perfect the text. The Clerk will report it.

The Clerk read as follows:

Amendment by Mr. BARKLEY: Page 37, line 1, strike out "\$150,000" and insert in lieu thereof \$250,000."

Mr. BARKLEY. Mr. Chairman, I hesitate to offer an amendment which involves an increase in the appropriation carried in this bill, but in this particular instance I think the increase is instified.

I desire to call attention to some facts connected with the purposes for which this appropriation is intended. As I suggested a while ago during the discussion on the point of order, in 1910 the Congress provided that the Bureau of Animal Industry in the Department of Agriculture might engage in the encouragement of the propagation of proper horses throughout the country that would be suitable for the Cavalry of the United States Under the arrangement that was made between the Bureau of Animal Industry and the owners in the carrying out of this project, primarily for the purpose of aiding the War Department in the acquirement of suitable Cavalry horses, they had a contract with the owner of every mare that the product was to be sold to the Government at the age of 3 years for \$150. arrangement has now ceased, although there are some overlapping contracts provided for in the \$50,000 appropriation. It was found that that arrangement was neither just to the Government nor to the owner, because it obligated the Government to purchase the horse at 3 years of age whether the Government needed it or not, and it obligated the owner to sell the horse for \$150, although he might be able to sell to others for a larger So now the arrangement which is carried out by the remount service of the Army, which has taken this over under the present appropriation of \$250,000 in the current appropriation bill, may distribute these horses around over the country.

There are now about 150 of these horses distributed in various States of the Union—I think every State outside of two or three has all the way from 3 up to 15 horses. They are not distributed to private individuals for the purpose of serving private interests, as the gentleman from Texas suggested a while ago but they are turned even to the serving private interests. while ago, but they are turned over to some one who is skilled in the breeding and propagation of horses. The farmer obtains the use of a stallion at the nominal price of something like \$10. That money is turned into the Treasury and the man who operates the horse is compensated for looking after them by an amount practically equal to the \$10. The War Department has reported that since the appropriation of \$250,000 was made in the appropriation bill of 1921 there have been some 500 requests from all over the United States for horses for breeding purposes. They now have 150 stallions. More than 60 have been donated to the War Department by private citizens of the United States who are interested in the propagation of suitable Cavalry horses for the Army of the United States. These horses that have been given to the Army are worth on an average about \$5,000 apiece, so that the private interests, private, enterprising citizens interested in the improvement of the breeding of horses in the United States, have donated to the Government more than \$300,000 worth of these horses in order that they may express their desire and confidence in and for the improvement in the breeding of our horses.

So that there is a demand for three times as many horses as are in existence. If this appropriation is cut to \$150,000, as proposed in the bill, it means that much of the work that has been already done will be destroyed. It has only started since last year, because the appropriation was only available in the bill for 1921, and the work has just begun. Now, if you reduce the amount just as the remount service begins its work, just as the breeding starts on its first year after the appropriation is made, you will practically cripple the department and destroy the work that has already been done.

Mr. McKENZIE. Will the gentleman yield?

Mr. BARKLEY. I will.

Mr. McKENZIE. Does not the gentleman from Kentucky think that the expense should be borne by the Department of Agriculture because it is more important for the interests of the farmer than it is for the military arm of the Government?

Mr. BARKLEY. No; I do not; Congress took it away from the Agricultural Department after it had been in the Agricultural Department for 10 years. Now, gentlemen may ask why it is necessary that the Government should spend \$250,000 to improve the breed of horses in the United States. As a matter of fact there is not now in the United States, to any very large extent, a cavalry type of horse. I see that the gentleman from Vermont [Mr. Greene] nods his head in assent.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. BARKLEY. Yes

Mr. JOHNSON of South Dakota. Does the gentleman think that in any war that we have had of late years cavalry horses were necessary?

Mr. BARKLEY. I do. When the war began in Europe up to the time when both armies dug in, the Cavalry performed a very high service in both the allied and the German Armies. Had it not been for the fact that the armies on both sides dug in and engaged in trench warfare the Cavalry would have performed as high a function as in any war of the world.

Mr. WYANT. Will the gentleman yield?

Mr. BARKLEY. Yes.
Mr. WYANT. In view of the fact that we are advocating economy, does the gentleman think that the addition of \$100,000 to this appropriation for the purpose of increasing the amount for the Army, increasing the number and type of cavalry horses,

Mr. BARKLEY. Yes; I favor the increase or I would not have offered the amendment. The result of the appropriation can not be felt by the Army or the country at large for three years, because it takes that long for a horse to be bred to the age when he is serviceable either to the Cavalry or to the farm.

Mr. GREENE of Vermont. Will the gentleman yield?
Mr. BARKLEY. Certainly.
Mr. GREENE of Vermont. The gentleman might have answered the query by suggesting that the supply of horses is not relatively necessary to the number of enlisted men in the Army. There is a certain overhead that is necessary to be taken care of. It is the type, the strain, and the stock that we are looking

Mr. BARKLEY. It is the creation of all of the necessary horse life from which the War Department may take their

Cavalry horses.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. JOHNSON of South Dakota. Has the gentleman ever seen a Cavalry horse or expect to see one operate against a tank, barbed wire, machine gun, poison gas, or high explosive such as we had in the last war and will have in every future war?

Mr. BARKLEY. The horse, perhaps, does not operate directly against the tank or poison gas. As a matter of fact, if the gentleman will look into the history of the late Civil War, he will see that there was 1 horse for every 33 men, and in the last war there was 1 horse for every 4 men in the Army.

Mr. JOHNSON of South Dakota. And there were seven or eight saddles for every horse also, but that is no criterion for

the number of saddles necessary.

Mr. BARKLEY. We are not engaged in improving the breed

of saddles. This provision relates to horses.

Mr. GREENE of Vermont. The gentleman knows that the best students of military science, basing their opinion on the study and observation of the recent war, are still of the mind that cavalry will play an important part in future wars.

Mr. BARKLEY. That is true. Gen. Allenby, of the British Army performed one of the greatest cavalry feats ever per-

formed by any cavalry in the world's history.

Is it not true that Pershing's column went into Mexico in 1916 on horses and those horses were absolutely necessary for the Cavalry of the United States?

Mr. BARKLEY. Absolutely. And furthermore if there is ever a war of large dimensions in the United States, our coast line is so extensive and our territory so broad that trench warfare will be found to be impractical, and we will revert to the old type of war where Infantry and Cavalry will continue to function as they have in the past.

The CHAIRMAN. The time of the gentleman has expired.
Mr. BARKLEY. I ask for five minutes more.
Mr. ANTHONY. Mr. Chairman, I will have to object. We

are making no progress.

Mr. BARKLEY. I wanted to refer to the experience of the British Army in undertaking to get cavalry horses in this

Mr. ANTHONY. I object, Mr. Chairman. The CHAIRMAN. Objection is made. Mr. BARKLEY. I ask unanimous consent to extend my re-

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky? [After a pause.] The Chair hears

Mr. SUMNERS of Texas. Mr. Chairman and gentlemen of the committee, I am against this amendment for a good many reasons. In the first place, the purchase of these horses by the Federal Government simply means the shifting of their ownership and use from private to Federal ownership but private That is all there is about it. There is not a single horse that is going to be put into activity under this bill that would not be in private activity under private control. That is the first proposition. Now, the second proposition is this: If we want to raise horses in this country we must make it possible for the man who grows the colt to get some money out of it. The psychology of the farmer is exactly like the psychology of anybody else. Now, the whole plan of this item with reference to horses is wrong. In the first place, we take the people's money and we buy a stallion that is already in use; we withdraw him from his present use and remove him from his pres-

ent locality and send him down to some individual. We do not directly pay that individual what he gets for the use of that horse, but we do. He collects about \$10 per season for each colt sired, and that money is covered into the Treasury; then we pay him for the feeding and keeping of the horse an amount equal to what he collects for the service of the horse. That comes out of public funds. No wonder they have 500 applications for these horses. The keeper gets his service for nothing and something besides. When we come to purchase horses under this item, instead of buying the horses from the people who raise them, under the provisions of this bill they are to be bought from contractors. When the Federal Government wants some horses for use it advertises for bids, and one or more of these professional contractors respond. Then the contractor farms out his bid to a lot of subcontractors, who must have profits also; and on a horse that the Federal Government pays \$175, for instance, the man who has put up the feed and the time to raise the horse will be lucky if he gets \$100 for it. There is the vice of this whole system. The Government does a whole lot of things it ought not to do and fails to do the thing it ought to do, namely, to give the best price which the Government can pay to the individual who raises the colt. I was raised on a stock farm in middle Tennessee, and we had as fine saddle horses there as anywhere on earth, and we did not have to have the Federal Government acting as guardian and donator of stallions. They raised their own stallions, and just as long as the colt was worth the breeding and the care there was no dearth of horses in that country.

Mr. BARKLEY. Will the gentleman yield?

Mr. SUMNERS of Texas. Briefly.

Mr. BARKLEY. Does not the gentleman know that during the recent war when our Government and the British Government sought to obtain cavalry horses in the United States they both reported that there was no such kind of horses here, and that the only thing was to try and get a substitute

Mr. SUMNERS of Texas. I can not yield further, but let me ask the gentleman this question: Is there a single horse that will be purchased under the \$100,000 increase of appropriations, if granted, that will not be in service this year? retire to the shades of private life because the Federal Government does not own them?

Mr. BARKLEY. Not at all.

Mr. SUMNERS of Texas. What are you going to take the people's money to buy these herses for? Now, you can not give them to each of the 500 applicants, and you are going to play favorites with the people's money; that is the proposition here in this bill.

Mr. BARKLEY. The Army remount service, of course, exercises its discretion in determining the communities in which

these horses are to be located.

Mr. SUMNERS of Texas. Yes; it takes a horse out of use in a community and makes the people pay for it and ships it off somewhere else and gives its services free. The Government will pay for its feed, pay for its shipping back to the Army post in order to use him. You have to take this horse off the farm where it is loaned and take him away back to the station and put a second lieutenant riding him around and in the next eight months ship him out again, and it is absolutely foolish. I am in favor of the Government doing all it ought to do, but the Government has no business taking the people's money and putting it in an activity where the private citizen can properly function. Tell me that the private citizenship of this country can not raise good horses without the control of the Government-it is absurd.

Mr. GREENE of Vermont. Will the gentleman yield for a suggestion?

Mr. SUMNERS of Texas. I do not know about a suggestion. Mr. GREENE of Vermont. Then I will put it in the form

The CHAIRMAN. The time of the gentleman has expired. Mr. ANTHONY. Mr. Chairman, I move that all debate be now closed-

Mr. JOHNSON of South Dakota. I have an amendment which is before the committee.

Mr. ANTHONY. On the pending amendment.

The question was taken, and the motion was agreed to.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. JONES of Texas. Mr. Chairman, I have an amend-

The CHAIRMAN. Debate is closed only on this amendment. Mr. JONES of Texas. I am afraid if his amendment is voted up, mine will not be in order.

The CHAIRMAN. The gentleman can offer his amendment.

Mr. JONES of Texas. I would like to have it pending, Mr.

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Amendment offered by Mr. Jones of Texas: Page 36, line 18, strike out the paragraph and insert:

"For the purchase of horses of ages, sex, and size as may be prescribed by the Secretary of War, \$50,000: Provided, That no part of this appropriation shall be expended for polo ponies: Provided further, That the Secretary of War may, in his discretion and under such rules and regulations as he may prescribe, accept donations of animals for breeding and donations of money or other property to be used as prizes or awards at agricultural fairs, horse shows, or similar exhibitions, in order to encourage the breeding of riding horses suitable for Army puposes."

The CHAIDMAN The question is on the amendment of the

The CHAIRMAN. The question is on the amendment of the gentleman from Kentucky [Mr. BARKLEY].

Mr. BARKLEY. Mr. Chairman, I make the point of order

that that is not a substitute for my amendment.

The CHAIRMAN. It is not offered as such.

The question is on the amendment of the gentleman from Kentucky [Mr. BARKLEY].

The amendment was rejected.

Mr. JOHNSON of South Dakota. Mr. Chairman, I have an

Mr. JONES of Texas. Mr. Chairman, my amendment will necessarily be voted on before the amendment of the gentleman from South Dakota [Mr. Johnson].

The CHAIRMAN. The Clerk will again report the amend-

ment of the gentleman from Texas [Mr. Jones].

The amendment was again read.

Mr. JONES of Texas. Mr. Chairman, this, it seems to me, would protect all the Government might get by way of donations from anyone who might want to donate an animal such as has been under discussion here, for the use of the Army. At the same time the appropriation is sufficient to handle the proper distribution of the same and to take care of those now on hand. In so far as making an appropriation for the Army to go into the horse business, I think it is about as absurd a proposition as I ever heard of. If the Government is going into the horse business, which I think would be an unwise thing to do, it should either put it in the Bureau of Animal Industry or in the hands of the Secretary of Agriculture.

Those of you who followed the Army bill two and three years ago know that the Army came in here just after the war was over, when they had more than 200,000 horses, and asked for and received an appropriation of \$3,000,000 to buy more horses. They gave as an excuse that they needed a certain type of horses, and said they probably would not need all the \$3,000,000, but that what was not needed would be re-covered into the Treasury. But at the end of the year they had spent that \$3,000,000, and in the meantime had sold 162,000 horses that cost them an average of \$200 apiece for an average of \$90 apiece. That is great business. Do you want to turn a business matter over to the Army when they handled that matter in such a way? They have never made a success financially of any proposition, and they are not to be blamed, for that is not their line of business. If you are going to raise horses, do you want to turn them over to an Army man or over to people who engage in the horse business as a private business?

Mr. BARKLEY. Will the gentleman yield?

Mr. JONES of Texas. I will

Mr. BARKLEY. Does not the gentleman know that these horses are put in the care of experienced horse raisers and breeders throughout the country, who look after them during

the breeding season?

Mr. JONES of Texas. I certainly know that. They are put in the hands of individual people who do not have to sell a horse to the Army unless it a horse that is not wanted. The same man who is allowed this animal can breed 30 or 40 mares and keep all the horses he cares anything about and not sell any of them to the Government. Besides, the man engaged in the business of growing horses does not have a selection. The Army man goes off to some place else and takes a gift horse, which may or may not be worth much, or he purchases a horse and sends it down and the man uses it for his own use and benefit. The man who uses it may have no choice in the selection.

Mr. McKENZIE. Does not the gentleman from Texas understand, if this law is carried on, that at any time these stallion managers can come in and probably get commissions and the right of retirement for rendering a great service to the Military Establishment, and that they could not do that over at the

Department of Agriculture? Mr. JONES of Texas. They might do that, but the trouble is this, that the Bureau of Animal Industry tried this proposition out and found that it was not a good business proposition. The only concern that can make any good business out of giving

stallions away is an organization that does not know anything about business except the spending side. The Bureau of Animal Industry tried out the same proposition, except they had a contract by which the owner was forced to sell any of these animals that were grown as a result of the work of the stallion. Here you are going to turn a man loose without even a contract by which the Government can obtain these horses. This amendment reserves the gift appropriation, and if anybody wants to give an animal it will be something new under the sun.

The CHAIRMAN. The gentleman from South Dakota [Mr.

Johnson] has a preferential amendment.

Mr. ANTHONY. Is it not necessary to dispose of the amendment of the gentleman from Texas [Mr. Jones] before that?

The CHAIRMAN. As the Chair understands, the gentleman from South Dakota has a preferential amendment to perfect the text, which ought to be acted upon first.

Mr. ANTHONY. I thought he wanted to strike out the entire

Mr. JOHNSON of South Dakota. I will say to the chairman of the committee that I have changed my amendment so as to make it preferential to the other motion.

The CHAIRMAN. The Clerk will report the amendment of the gentleman from South Dakota.

The Clerk read as follows:

Amendment offered by Mr. Johnson of South Dakota: Page 36, line 15, after the figures "1921," strike out the paragraph down to and including the word "place" in line 24, page 37.

Mr. JOHNSON of South Dakota. Mr. Chairman, I will say that if this amendment of mine happens to fail in the committee I shall heartily favor the amendment of the gentleman from Texas [Mr. Jones], because it will accomplish part of the work that I think ought to be done. I have come to the conclusion that it is almost time the War Department and some of the Members of this House ought to be trying to cut down expenses, instead of continually adding to them. [Applause.] We had at the time of the armistice about 350,000 to 360,000 horses, which were purchased at an exorbitant price, and a great majority of them were practically given away.

Now, the War Department comes in and wants two or three hundred thousand dollars more, so that they may purchase stallions to give to certain preferred individuals in the United States for their own use. Why, we might as well have an appropriation brought in here to purchase jacks, so that we can improve the race of mules for Artillery purposes, or to purchase bulls, in order to improve the race of cattle so that we might get good milk for the Army. You might as well appropriate to buy Packard cars to improve Fords to haul the artillery. The

whole thing is absurd. The fact that the chairman of the committee is compelled to have this kind of a provision, "That no part of this appropriation shall be expended for polo ponies except for West Point Military Academy, and such ponies shall not be used at any other place," is indicative of the way the War Department has used appropriations of this kind and of the way it would use them if it had the slightest opportunity. It is time, I say, that we retrench and commence to try to recover money back from the individuals who have robbed this Government during the war

rather than spend more money at this time.

For instance, the War Department-and I presume that must mean the Secretary of War and the General Staff-have asked the chairman of this committee, a gentleman who believes in economy and lives up to his promises, for this appropriation of a few hundred thousand dollars, while at the same time, on April 6. the Attorney General of the United States, Mr. Daugherty, filed with the Secretary of War a request in writing, signed by two of his assistants, W. H. Herron, brother-in-law of President Taft, and E. B. Brewer, asking that the men who are responsible for the theft from the Government of millions of dollars in the purchase and sale of leather be indicted and prosecuted, asserting that the contract ought to be canceled at once, and that the men responsible should be tried and convicted; yet the Secretary of War has made no recommendation as to that particular kind of a case and has failed to prosecute. merely to show, as the records show, that the Secretary of War and the War Department, not only in the last administration but also in this administration, are apparently more intent on spending money than in trying to recover money back of which the Government was unlawfully deprived. [Applause.]
Mr. KINCHELOE. Mr. Chairman, I rise in opposition to the

amendment of the gentleman from Texas [Mr. Jones].

I do not think there is any Member of this House more in favor of economy than I am. But the purpose of the expenditure of this \$150,000 is misunderstood, I fear, by some of the Members of the House. The purpose of it is to have a higher standard of horses established throughout the country when war comes, if it does; a standard that is suitable for cavalry

Now, the gentleman from Texas [Mr. Sumners] says it will not produce any more horses. Why will it not? The purpose of the War Department in furnishing these thoroughbred stallions to the various stockraisers throughout the country, placing the season of that stallion at only \$10, will of itself induce owners of standard-bred mares, if you please, to take advantage of that cheap season and breed their mares to these thoroughbred stallions, and thus improve the breed of horses suitable for Army purposes, for if they bred their mares to the same breed of stallion owned by an individual it would cost at least \$100 per mare. If you breed a thoroughbred stallion to what you might call a standard-bred or a cold-blooded marethat is, the dam that has the size and the sire that has the breeding—you obtain in that "get" a horse not only of size but also of stamina. It gets the stamina by reason of the thoroughbred sire, and you must not overlook the fact that with automobiles taking the place of horses throughout this country horses are fast disappearing from the farms. Of course, when a war comes, if you are satisfied with getting some of those rat-tail Montana mares for Army horses—they are about the only thing that is abundant now in horseflesh—this amendment ought to be defeated.

I have seen this experiment work when it was under the Bureau of Animal Industry in the Department of Agriculture. I saw one of these stallions in my district. There was not one thing that the Government ever did more to encourage the breeding of standard-bred good horses than that. The War Department does not send this stallion down to some influential fellow for his individual private use. It is for the use of the community in which this man lives, an experienced man, in order that he may sort, if you please, the mares that go to that stallion, so that the progeny may be of sufficient size, and the fact that the sire is of sufficient stamina makes the best

Mr. JONES of Texas. Mr. Chairman, will the gentleman

yield?

Mr. KINCHELOE. Yes.

Mr. JONES of Texas. Is it not true that the man who keeps

the stallion gets it free?

horse in the world.

Mr. KINCHELOE. Oh, perhaps he does, but he has only on the average two mares, while, as a matter of fact, a stallion can serve 50 or 60 mares in a season.

The CHAIRMAN. The time of the gentleman from Kentucky

has expired.

Mr. ANTHONY. Mr. Chairman, I trust the committee will allow the language of the provision to stand as it is in the bill. In the first place, it is necessary that we appropriate \$50.000 to buy the colts which the Government is obligated to take on contracts now in force. We will have to pay for them some time, and we might as well pay for them this year. In the next place, the \$150,000 for the breeding of riding horses will not cost us one cent. At present the Army has 107 of these Under the present system the man who takes the stallion is allowed to charge a fee of \$10 a season. That money is paid over to the Army officer and goes directly into the Treasury of the United States. Then at the end of the season the Army reimburses the man who has had the custody of this stallion, and pays him back \$10 for each mare that has been served. Consequently the Government is out no money for all of this work and labor for the encouragement and breeding of horses.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield? Mr. ANTHONY. Yes; I yield. Mr. McKENZIE. Does the gentleman know what salary is paid to the managers of these horses?

Mr. ANTHONY. I do not know exactly.
Mr. McKENZIE. Undoubtedly they get a thousand dollars a

Mr. ANTHONY. But the statement is made that the income

almost balances the outlay.

Mr. McKENZIE. If they get a thousand dollars a year, each stallion would have to serve 100 mares in order to pay the salary of the man. I think the gentleman is mistaken about his proposition.

Mr. ANTHONY. No; I am not mistaken. Mr. JOHNSON of South Dakota. Will t

Will the gentleman from Kansas yield for another question?

Mr. ANTHONY. Yes.

Mr. JOHNSON of South Dakota. Does not the gentleman think the War Department has a lot of nerve to come up here and ask an appropriation for these stallions without giving the chairman of the committee the necessary information about them?

Mr. ANTHONY. We have had all that information, and I just stated to the House that the \$150,000 for the expenditure for this purpose goes back into the Treasury at the end of the year. If this language remains in the bill it will allow the 107 stallions that the Army now has to go out into service in the country and improve the standards of horses. We have refused the \$100,000 additional that the Army asked and that the horse breeders of the country asked.

Mr. LINEBERGER. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. LINEBERGER. Is it not a fact that this is the only way the Government can encourage the production of horses such as have been discussed here to-day, and is it not a fact that England, France, and other countries have proven that this is a meritorious method of producing horses of the character which is demanded for the use of the Army?

Mr. ANTHONY. What the gentleman says is true, and in the way in which it is being carried on by the Army it does not

cost us a cent to do it.

Mr. BARKLEY. In addition to the use of these horses for breeding purposes, is it not true that for about eight months in the year they are back at the remount stations and Army camps and are there used in place of other horses that would have to be purchased for the use of the camps?

Mr. ANTHONY. Yes; they are given practical use.

Mr. JOHNSON of South Dakota. Will the gentleman yield for another question?

Mr. ANTHONY. Yes.

Mr. JOHNSON of South Dakota. How much money is used to pay for the transportation of these horses?

Mr. ANTHONY. Undoubtedly it costs some money. Mr. BLANTON. Mr. Chairman, I offer a substitute.

Mr. ANTHONY. I ask unanimous consent that all debate on the pending amendment be now closed.

Mr. BLANTON. Will the gentleman allow me five minutes to answer some statements which have been made here?

Mr. ANTHONY. Then, at the end of five minutes I ask that all debate close on the pending amendment and amendments thereto.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that at the end of five minutes debate close on the pending amendment and amendments thereto. objection?

Mr. BARKLEY. Reserving the right to object, will not the

gentleman add five minutes to that?

Mr. ANTHONY. I think we have had enough debate on this. The CHAIRMAN. Is there objection?

There was no objection.

Mr. BLANTON. By way of a substitute, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from Texas moves to strike

out the paragraph.

Mr. BLANTON. Mr. Chairman, I had a talk with the major in the Quartermaster's Department who inaugurated this system, who started this business of the Government going into the horse industry. He told me that the main reason for it was that the horse breeders throughout the country were not able to import the horses that were needed and were not able to buy the kind of stallions that would produce the progeny the Government needed. Then I had him give me a list of the number he had sent into Texas-11 of them-and I asked him how many of those 11 had the Government imported, and not a single one had the Government imported, but everyone of those 11 horses had either been donated by some horse fancier or had been purchased by the Government in the State of Kansas or some other place—purchased from men who had bought them for breeding

Now, when this question was up here a year or so ago, my colleague [Mr. Jones of Texas] and my colleague [Mr. Hubs-PETH] and myself attacked this provision as a waste and an extravagance on the part of the Government; and much to my surprise, shortly after that attack was made we found that this department sent a fine horse down into my district to appease me and sent two fine horses down into the district of my colleague [Mr. HUDSPETH] to appease him and sent two fine horses down into the district of my colleague [Mr. Jones of Texas] to appease him; one of which that cost this Government \$1,000, he sent up to the little place Paloduro, which is so small that even my colleague [Mr. Jones of Texas] has never yet been there, a little place up in the extreme northwest Panhandle of Texas. He sent two horses to the same man out there in that The man needs them in his business, as they save him buying two horses that he otherwise would likely have bought with his own money. I am against the Government going into this private business. If it was of any substantial value to the Government, I might be in favor of it, but when the Government says that private business will not import horses the Government is making a mistake, because everyone of these horses that was sent to Texas, if imported at all, had been imported by private individuals. I want to say that the distinguished horse breeder who died at Dallas, Tex., a few years ago, Col. Henry Exall, brought more fine horses into this country and produced more fine horses from his Electrite and Zola stallions than the War Department now owns or ever will own. He brought more fine horseflesh into the South than all this War Department will ever bring there. I say this is unnecessary. If we are going to get back to economy we can save this \$150,000 right here on this item, and we will still have plenty of fine horses. This country will have plenty of fine horses whether the War Department raises them or not. If you are going to economize, you might as well begin here.

The CHAIRMAN. All time has expired. The question is on agreeing to the amendment of the gentleman from South

The question being taken, the amendment was rejected. The CHAIRMAN. The question is next on the amendment of The CHAIRMAN. The question is next on the amendment of the gentleman from Texas [Mr. Jones] to strike out and insert. Mr. JONES of Texas. May we have that amendment again reported?

The CHAIRMAN. Without objection, the amendment will be again reported.

The amendment was again read, as follows:

Amendment offered by Mr. Jones of Texas: Page 36, line 18, strike out the paragraph and insert:

"For the purchase of horses of ages, sex, and size as may be prescribed by the Secretary of War, \$50,000: Provided, That no part of this appropriation shall be expended for pole ponies: Provided further, That the Secretary of War may, in his discretion, and under such rules and regulations as he may prescribe, accept donations of animals for breeding and donations of money or other property to be used as prizes or awards at agricultural fairs, horse shows, and similar exhibitions, in order to encourage the breeding of riding horses suitable for Army purposes."

The CHAIRMAN. The question is on agreeing to the amend-

ment.

The question was taken; and on a division (demanded by Mr. Jones of Texas) there were-ayes 22, noes 35.

So the amendment was rejected. Mr. SUMNERS of Texas. Mr. Chairman, I offer the follownig amendment.

The Clerk read as follows:

Page 37, line 22, after the word "ponies" strike out down to and including the word "place," in line 24.

The CHAIRMAN. The question is on agreeing to the amend-

The question was taken, and the amendment was rejected. The CHAIRMAN. The question now is on the amendment

offered by the gentleman from Texas [Mr. Blanton] which the Clerk will report.

The Clerk read as follows:

Page 36, line 15, after the figures "1921," strike out the paragraph. The question was taken, and the amendment was rejected.

The Clerk read as follows:

QUARTERS FOR HOSPITAL STEWARDS.

For construction and repair of quarters for hospital stewards at military posts already established and occupied, \$15,000.

Mr. HUDSPETH. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 42, at the end of line 4, add:
"The sum of \$10,000 for the erection of a natatorium adjoining the Government base hospital at Fort Bliss, Tex., now in course of construction. The said natatorium to be a part of said plant."

Mr. ANTHONY. Mr. Chairman, I make the point of order on the amendment. I will reserve it. the amendment.

Mr. HUDSPETH. Mr. Chairman, I would like to state that this appropriation is for the erection of a natatorium, or swimming pool, at the base hospital at Fort Bliss, near This hospital is now in the course of erection. It will be completed or supposed to be completed on the 15th day of this month. This appropriation that I am asking for is for the continuation of this building. As I understand it, under the rule of the House, in a ruling by the gentleman from Iowa [Mr. TOWNER] at the last session to an amendment offered by my colleague from Texas [Mr. Bee] for the purchase of additional land at and adjoining the military post of Leon Spring, near San Antonio, it was held in order because it was a continuation of that work. Now, Mr. Chairman, this appropriation that I am asking for is a continuation of the base hospital at Fort Bliss for a natatorium and amounts to \$10,000.

I want to say that I am in favor of economy and have been voting with the committee all of the time. This is a hos-

pital for these unfortunate sick persons. You say you want to take care of the ex-service men and tubercular soldiers. understand from Gen. Brooks that 150 beds of this hospital can in all probability be given over to the Government for taking care of ex-service men.

Mr. MADDEN. Does the gentleman think that a natatorium is any part of the needed or necessary facilities for taking care

of tuberculous service men?

Mr. HUDSPETH. Absolutely; and if the gentleman was cognizant of the facts at this hospital, he would agree with me that a natatorium or swimming pool is necessary for sick soldiers that will be placed in the hospital. I want to say that this amendment is recommended by the Quartermaster General, They have no funds for this natatorium.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. HUDSPETH. Yes.

Mr. CAMPBELL of Kansas. It strikes me that a natatorium at a tuberculous sanatorium is rather an unusual thing. Has it

been suggested by any medical society?

Mr. HUDSPETH. It has been suggested both by the Quartermaster General and the Surgeon General, who stated to me that it was urgently needed for sick soldiers—not tuberculous. I want to say to the gentleman that this is not a tubercular hospital, but Col. Jones, who has been at the head of the War Risk Bureau, said that he was informed by Gen. Brooks that probably they would let them have 150 beds out of the 600 for tubercular soldiers in that high climate. The hospital is a base hospital for taking care of the sick soldiers up and down the border.

Mr. CAMPBELL of Kansas. It strikes me that it would be dangerous to have a public swimming pool where tuberculous

patients could go into it.

Mr. HUDSPETH. I understand from the medical authorities that there is no trouble about that, that they have a treatment whereby the danger heretofore existing will be remedied.

Mr. GREENE of Vermont. Will the gentleman state whether there is a natatorium at Walter Reed Hospital?

I do not know, but I will state that this Mr. HUDSPETH. is recommended by the Surgeon General and by the Quartermaster General.

Mr. GREENE of Vermont. I was thinking that this Walter Reed Hospital out here is so near the Capital and under the supervision of the Surgeon General that they would, in all probability, have everything of that kind that was required, and I did not know that there was a natatorium there.

Mr. HUDSPETH. I do not know myself, but I know that this is recommended by the Surgeon General of the Army. Now. out at this base hospital they have no running stream or natural bathing facilities, and it is needed, as I have been

What diseases are to be treated at this Mr. KINDRED.

place besides tubercular cases?

Mr. HUDSPETH. The tubercular proposition has been injected into the matter just recently. It is a base hospital and was originally located to take care of the sick soldiers up and down the border for 300 miles, not tubercular soldiers.

It is for all classes of patients.

The CHAIRMAN. The gentleman from Kansas makes the point of order. Will the gentleman from Texas inform the

Chair whether this work is partially completed?

Mr. HUDSPETH. The work is almost completed on the base hospital. They have no funds for a natatorium.

Mr. ANTHONY. Mr. Chairman, I will call the Chair's attention to the fact that the amendment is offered under the item for hospital stewards. The amendment would change absolutely the purpose for which the appropriation is made. Mr. HUDSPETH. It is an original appropriation.

Mr. ANTHONY. But not germane to the appropriation for hospital stewards.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

#### VOCATIONAL TRAINING.

For the employment of the necessary civilian instructors in the most important trades, and for the payment of their traveling expenses, as authorized under existing law; for the purchase of carpenter's, machinist's, mason's, electrician's, and such other tools and equipment as may be required, including machines used in connection with the trades; for the purchase of materials, live stock (including fowls), and other supplies necessary for instruction and training purposes, and the construction, repair, or alteration of such buildings needed for vocational training in agriculture; for shops, storage, and shelter of machinery as may be necessary to carry out the provisions of section 27 of the act approved June 3, 1916, authorizing, in addition to the military training of soldiers while in the active service, means for securing an opportunity to study and receive instruction upon educational lines of such character as to increase their military efficiency and enable them to return to civil life better equipped for industrial, commercial, and general business occupations, part of this instruction to consist of vocational education either in agriculture or the mechanic arts, \$1,200,

000: Provided, That whenever possible officers, warrant officers, non-commissioned officers, or other enlisted men shall be detailed as instructors: Provided further, That no part of this appropriation shall be available for salaries of civilian instructors other than in technical branches: And provided further, That not more than \$100,000 shall be expended for salaries and no person shall be employed hereunder at a rate of compensation exceeding \$3,000 per annum: And provided further, That farm products and the increase in live stock (including fowls) which accrue as incidental to vocational training in agriculture and animal husbandry shall be sold under such regulations as the deposited in the Treasury of the United States to the credit of miscellaneous receipts.

Mr. McSWAIN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 44, line 8, strike out "\$100,000" and insert "\$500,000," and after the word "salaries" strike out the words "and no person" and insert in lieu thereof the following: "not more than 10 persons," so that as amended the same shall read as follows:

"That not more than \$500,000 shall be expended for salaries and not more than 10 persons shall be employed hereunder at a rate of compensation exceeding \$3,640."

Mr. McSWAIN. Mr. Chairman and gentlemen of the committee, this provision is in conformity with section 27 of the national defense act of 1916, as amended June 5, 1920, and that provides this language:

That in addition to the military training soldiers while in the active service shall hereafter be given an opportunity to study and receive instructions upon vocational lines of such character as to increase their military efficiency and to enable them to return to civil life better equipped for industrial, commercial, and general business occupations.

I do not believe there is a man in this committee who does not believe that the provision of the national defense act is wise, that while we are training men they may be not only soldiers during their term of enlistment, they also may be trained to be better citizens, so that when they shall have served the periods of their enlistment of from one to three years they will go back to civil life better qualified to carry on the duties of a citizen in the Republic. My amendment, gentlemen, does not increase the proposed appropriation by one single, solitary cent, but simply proposes a different division and distribution of the fund. To this effect, that instead of \$1,100,000 being applicable to the purchase of materials, like machinery and other things, to be worked up in a vocational school, that \$700,000 shall be available for that purpose, and instead of only \$100,000 being available to pay salaries of civilian teachers \$500,000 shall be available for that purpose. Now, the national defense act contem-plated that there should be civilian instructors, and, gentlemen, we might as well be frank about it. Army officers are not by their training nor by their habits of life good instructors in the ordinary branches of education. We will yield to them the palm in the matter of instruction in military discipline and in military efficiency, but when it comes to teaching young men the rudiments of education or the elements of a vocational education they are deficient. There were employed during the current year 625 civilian instructors. No one receives as much as \$6,000. The highest paid teacher or civilian instructor is \$5,700, and only 20 receive more than \$3,000.

My proposition is to leave 10 men there-not 20, as they have now—but to leave 10 men who may get more than \$3,000. For this reason, gentlemen: You can not get a vocational expert, you can not get a man with experience enough nor grasp enough to handle the organization of vocational work of 150,000 men of this great Army for any \$3,000. You can get men in the office who will do the instruction, but you can not get men to sit at some central point like Washington and plan a great instruction organization, see that these instructors do their work, make reports, see that the curriculum prescribed by them is carried out; and I propose to limit this to 10 men who can get more than \$3,000. Now, at the present time they are training officers. A good many civilians have gone in the Regular Establishment, and they are being trained under civilian instructors. They are also training junior officers to be

I never heard of this thing until about a week ago. body suggested it to me-not a single man brought it up. experience alone suggested to me that the limitation of this clause would prove unwise. I find this record, gentlemen, that to-day the 20 men who are receiving more than \$3,000 have organized the work, have trained these junior officers, and they are prepared to hand the work over gradually to the Regular Establishment; but if we cut it down by a single blow there will not be a single man left who can organize and plan the work for the entire Army, and the whole work of vocational training will be discredited and will be broken up, and the \$100,000 will

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARRETT of Tennessee. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five additional

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the gentleman may proceed for five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Will the gentleman yield? Mr. PARRISH.

Mr. McSWAIN. I will. Mr. PARRISH. I would like to call the attention of the gentleman to the proviso in lines 5, 6, and 7 on page 44:

Provided further, That no part of this appropriation shall be available for salaries of civilian instructors other than in technical branches.

Does not the gentleman think that proviso would be a limitation that would defeat the purpose of his amendment if it remains in the bill?

Mr. McSWAIN. I think, Mr. Chairman, that the words "vocational training" imply necessarily a technical education. tional does not imply a literary education, it does not imply an education in geography nor in grammar. defense act contemplated vocational training alone, and I am basing my amendment upon the national defense act. We can not legislate anew. Now, I would like to rewrite in some respects the national defense act, and I expect my friend over there from Vermont [Mr. Greene] would; but we are here appropriating to carry out the national defense act.

Now, then, gentlemen, another thing: Under the present bill \$1,100,000 is appropriated for material, and yet it is for vocational instruction, and I expect every member of this committee has heard it said a hundred times that the best university education any man ever got was Mark Hopkins on one end of a pine puncheon and a receptive and ambitious mind on the other. It is not the brick that makes the house; it is not the piles of books on the shelves that afford an education; it is the teacher. It is the man with zeal in his heart and with experience and training in his makeup that enables him to approach the minds of these boys. So many of them come into the service without the proper educational opportunities. explains the fact that there are so many in the service to-day, my friends, of boys who have not the educational equipment, vocational or otherwise, by which they can compete in the struggle for existence out in the world, and they come into the Army to take the \$30 a month and have the Government furnish them shelter and board. And so these boys during that period of their lives from 18 to 21, and on up, are given an opportunity here to have civilian instructors, who go about it not with the severity and harshness of military discipline but to go about it, as I know they do now, with a sort of fraternal spirit and put their hands on the shoulders of the boy who is fresh from a country home, as a rule, and say, "Look here, my boy, do you not want to come down to our vocational school?" The officer can not do that, and we do not expect him to do it, but these men with zeal in their hearts can do it.

I want to say to you that since I have investigated this matter I have found that the head of this work being conducted in the War Department, the director in charge, is Dr. C. R. Mann, a relative of Horace Mann, of Massachusetts, a pioneer of education in this Republic, and he is giving his service to this Nation without one cent of compensation from the taxpayers. He is being paid by private beneficence that is not costing the Government a single cent.

I think we ought to leave 10 men in this establishment who can receive more than \$3,000 and keep the work organized at the head. We ought have, instead of 625 civilian instructors that we have now, 250, because, as the chairman of the subcommittee will bear me out, each individual instructor costs about \$2,000. And I say that that would be letting it down slowly enough. Let down this matter of civilian instructors in the Military Establishment slowly. And when we shall have done that we will keep our contract with the boys who came into the service under the pledge of this section 27 of the national defense act, that they would receive vocational educa-tion under civilian instructors. That is the pledge of this Government to these boys, and we should keep it. [Applause.]
The CHAIRMAN. The time of the gentleman has expired.

Mr. GREENE of Vermont. Mr. Chairman, if it were the primary purpose of the Military Establishment toward the young men who deign to enlist-for it has gotten to be about that nowto give all the benefit of experience in expert vocational training, or what is almost the equivalent, perhaps, of a university course in the arts, then the speech made by my distinguished friend from South Carolina [Mr. McSwain] would find an echo in the hearts of a good many men who, like myself, just at present are not convinced by it.

But, as a matter of fact, if one will take pains to inquire into the history of this paragraph that was slipped into the national defense act of June 4, 1916, one will find that at no time in the arguments that were advanced for it in the committee or any where else was there any idea whatever that the thing would ever grow to the proportions that it has assumed since that day. Like many other little adventures that are suggested by people of enlightened imagination, and always with good intentions, it was the hope that some of the idle hours, or hours ordinarily devoted to recreation in a military post, perhaps, might be well employed by teaching such of the young men there as were disposed to go to the classes some of the useful arts, trades, and vocations that were particularly useful to the Army itself, incidentally benefiting the men themselves as a natural consequence. That was the nest egg of the thing.

Then, of course, like every other little proposition of that kind in government, it grew by what it fed upon, as they all do. They all start small, they all start modestly, they all start with the promise of "Cross my heart, hope to die, never shall we ask for anything more." And then pretty soon they begin to show you they have learned so well that they ought to be entitled to a little more appropriation to extend themselves a little farther.

So what has happened to-day is this, and it is little exaggeration, gentlemen: It is almost a question in the Army to-day of whether it is organized for the purpose of national defense or is a kindergarten, and it is pretty well-nigh a question in the Army to-day as to whether an officer, who is supposed to train men, is in command of the soldiers or whether the schoolmaster is running it.

And what we are doing here is the same old story and the same old experience over and over. Little by little this philanthropic, Utopian dream has gotten the better of the hard, practical situation, and we are undertaking to coddle young men with the belief that they can be good soldiers in the ranks by signing up to go to the schoolmaster of an afternoon and pretending to do a little typewriting. Every one of these civilians we take in there-honest gentlemen, unquestionably, and of the high purpose and ideals that schoolmasters usually have, but as schoolmasters frequently demonstrate, not keeping more than one foot on the ground at a time-little by little have begun to insinuate a huge, diversified system of advanced instruction into their curriculum; so that many military men are beside themselves in some places as to whether or not we are going to turn out of that mess, at some time or other, real, red-headed, fighting men, such as armies are supposed to have.

Mr. HUMPHREYS. Will the gentleman yield?

Mr. GREENE of Vermont. Will the gentleman see that I get an extension of time?

Mr. HUMPHREYS. I will ask for it. Mr. GREENE of Vermont. Well, go ahead.

Mr. HUMPHREYS. The advertisements that the Army puts out all over the country urging young men to enlist in the Army do accentuate and emphasize the fact that the boys are to get this training, and those advertisements are put out by the Army

Mr. GREENE of Vermont. Exactly; I understand that.

Mr. HUMPHREYS. So that the Army officers have no right to get beside themselves, because this is the natural result of the Army propaganda.

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield? Mr. GREENE of Vermont. Yes. Mr. DEMPSEY. That is entirely under the statute that the gentleman is condemning at the present time?

Mr. GREENE of Vermont. Yes. Mr. HUMPHREYS. It is in the Army?

Mr. GREENE of Vermont. Yes.

I am simply pointing out to you how a little, simple statute, that started with the most innocent-seeming intention in the world, has outgrown the nest that it was planted in and is now almost threatening to overshadow the military activities of the Military Establishment. And no matter what some theorist may tell you, it is seriously interfering with the morale and with the discipline and the general purpose of military

Mr. McSWAIN. Mr. Chairman, will the gentleman yield for a question? I will certainly cooperate in getting him an extension of time.

The CHAIRMAN. The time of the gentleman from Vermont

has expired.

Mr. BYRNES of South Carolina. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five minutes

The CHAIRMAN. Is there objection to the gentleman's request?

Mr. ANTHONY. Reserving the right to object, Mr. Chairman, I would like to ask unanimous consent that debate on this paragraph and all amendments thereto be closed in 10 minutes.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that the debate on the pending paragraph and all amendments thereto be closed in 10 minutes. Is there objec-

There was no objection.

Mr. GREENE of Vermont. In the first place, Mr. Chairman and gentlemen of the committee, if you were taken individually where you confessed things to yourselves, you and I know, and everyone of us would agree, that the purpose of giving a grammar-school education, or anything like it or beyond it, does not appertain to anything belonging to the constitutional functions of the Federal Government. We know it, and we know that our fathers would never have thought of such a thing.

Mr. MADDEN. Particularly through the Army.

Mr. GREENE of Vermont. Certainly. We know that that is the function of the States, and we know that by this means and otherwise we are gradually usurping the functions of the States and planting them down here in the bureaus of Washington. [Applause.] Some of us talk against it and pretend we are not doing it, but everything of this kind that comes up shows that we do do it.

Here is another suggestion: All throughout last week gentle-men got up on this floor, good-intentioned, patriotic, and highminded colleagues of mine-and I am not making personal allusions, and do not intend to-denounced the Army and the awful extravagance inseparable from militarism. For the last several years, whenever I got the floor, I have made a practice of trying to point out, as other gentlemen have done, the mistake that is being made in this respect. I have tried to make a study of this thing, and I find that the grand total cost of the Army, the expense of maintaining the Army, is swelled by just such things as my distinguished friend from South Carolina [Mr. McSwain] has advocated in his amendment.

The gentlemen divide the total expense of the Army by the number of soldiers in the Army and thus calculate that the per capita cost of the Army per soldier is such and such, whereas the legitimate cost of maintaining a capable army is not represented by the grand total of expense as we have it at all. Then gentlemen insist that the only way to obtain economy is to cut off the number of soldiers without looking to the numbers required for tactical formations or the plain, practical necessities of a training army. They would just slice off a few thousand soldiers at one end of the Army Establishment and let go unchallenged and unmolested at the other end all these extraneous and extravagant misplaced ideas of society that are harbored in the War Department. That is what you are do-[Applause.]

Mr. MADDEN. Can the gentleman give us any information as to the percentage of civilians in the Army in proportion to

the percentage of real military people engaged in it?

Mr. GREENE of Vermont. I do not know what the percentages are, but I know that little by little, with these beautiful cambric-tea fashions that are now getting into vogue, this fluffy-duff, powder-puff conglomeration of fads and specialties, the red-headed, deep-chested, husky fighting man will be routed out of the Army

Mr. McSWAIN. Mr. Chairman, will the gentleman yield there?

Mr. GREENE of Vermont. In a moment. organized for the purpose of training and fighting, not for the purpose of going to school. If the States and society do not give education to the youth of the land as they should, where it belongs, let us transfer the remedy to afflicted patients in places where the disease has been contracted and not make a great national educational hospital out of the Military Establishment. [Laughter.]

The Army has not been organized for the purpose of taking away the educational functions that belong to the States.

When you hear gentlemen exploiting their ideas of economy about the Army-many of which even a swaggering, swashbuckling militarist such as I am charged with being must approve-it is well to think that one can not stand up here and propose to cut off 2,000 or 20,000 men from the Army and say that is true economy, when all the while you can reach inside the organization of the establishment and pluck out some of these unnecessary and fanciful activities which are confused by some with what is called "militarism," but which are not militarism but just pure piffle. [Applause.] No reasonable man stands but just pure piffle. [Applause.] No reasonable man stands against the use of the spelling book and all the rest of it where they belong, and I know that you and I believe in the spelling book when it is in its place. But when war is on and a national defense proposition is up we do not run to the school-

You gentlemen may remember that in the war this same dilettante idea was originated of making a kind of a soldier who would not kill anybody. It was then called the Students' Army Training Corps. Well, in the midst of it I remember how, in discussing the Students' Army Training Corps, our old friend Abe Martin sent broadcast throughout the land this statement: "Lemmie Peters has been ketched in the draft, and will take rhetoric and botany." [Laughter.]

That is just exactly what we are breeding now.

Perhaps my language may seem to be a little bit extravagant. and I do not mean to characterize this business unfairly. But I still entertain the old-fashioned idea that the Army was organized principally to kill somebody, if awful necessity demanded, or to keep itself from being killed. And I still think that when we begin to cross these activities of Government, and more particularly-and this is the solemn side of it, neighbors-when we come in through one pretense or another trying to deceive ourselves at the time, taking out the activities in the States and putting them down here somewhere in this city, or else taking away the functions that the home governments ought to exercise for themselves and tucking them away here in a bureau in Washington, letting this Federal Government do for society what society ought to do for itself back home where it lives, then the dream of the founders of our Government that the Government should come from the people up is gone.

We are every day or so in this council Chamber picking up our Government or plucking it up by the roots to see if it has grown any yet. [Laughter.] By and by there will be no government growing back home, because everything has been moved down here, either at this end of the Avenue or at the

[Laughter and applause.]

Mr. MADDEN. The gentleman does not think we can improve the Army by the methods of the ouija board?
Mr. GREENE of Vermont. I do not. [Applause.]

The CHAIRMAN. The time of the gentleman from Vermont

has again expired.

Mr. WALSH. Mr. Chairman, I would like to ask the chairman of the committee one question. How much is carried in this item as compared with what was carried in the bill that passed before?

Mr. ANTHONY. There was \$1,500,000 appropriated for that purpose in the last bill. The department asked for \$5,000,000. Mr. WALSH. Well, there is a reduction in the item below

what the department asks.

Mr. ANTHONY. That was done on the recommendation of the Secretary of War, who felt he could still further reduce the \$1,500,000 that we agreed on in conference to the amount

carried in this bill, \$1,200,000.

Mr. WALSH. Mr. Chairman, I am glad to know that there has been a reduction in this item. I have expressed myself rather vigorously on this matter when it has been up before, in opposition to our continuing this particular activity. informed by some of the boys who are the presumed beneficiaries of this training that it is called educational and recreational, and in the ranks they term it E. and R.—eat and rest. They are taught how to be tinkers and harness makers and typewriters and artists and various other activities under

the guise of military training.

I think the gentleman from Vermont [Mr. GREENE] on a previous occasion pointed out that in one or two of the camps the boys were particularly informed that their military instruction and duties would not in any way interfere with their educational work; that the officers would see to it that their educational and recreational work during the afternoon would not be at all interfered with. Now, when I have heard of the horrible condition in which some of these young men are, I have almost wondered how they ever managed to render such valiant service during the late war, and it is interesting to note the acclaim and the propaganda in behalf of these worthy civilian instructors, some of whom probably are on a par with the civilian instructors who undertook the administration of the activities of the Vocational Rehabilitation Bureau. Some of those broken-down antiquated instructors who were in need of some rehabilitation themselves are some of the men who are very much interested in this particular work; and I have no doubt that they would be glad if the salaries were increased and perhaps the number made fewer. But it seems to me that if we are to return to a normal basis in the Army, to prepare for another conflict, the first thing we ought to do is to get an Army together that will be prepared to wage war, and not encourage these men who get into the Army not to reenlist by fitting them to take up the work of some other activity, such as electrician or harness maker or something like that. If you fit them for that work, you can not expect them to reenlist in !

the Army and to help make up the rank of the Army and to become proficient and expert along military lines. I am very glad to receive the information from the chairman of the subcommittee that the appropriation has been reduced below the estimates. I wish they had made a greater reduction. I hope that the amendment will not be agreed to.

The CHAIRMAN. The time of the gentleman has expired.
All time has expired. The question is on agreeing to the amendment of the gentleman from South Carolina [Mr. McSwain].

The amendment was rejected.

Mr. ANTHONY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. Stafford having taken the chair as Speaker pro tempore, Mr. Tilson, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the Army appropriation bill, H. R. 5010, had come to no resolution thereon.

#### REQUEST TO EXTEND REMARKS.

Mr. THOMPSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on post-office matters

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent to extend his remarks in the Record. Is there objection?

Mr. WINGO. Reserving the right to object, what is the subject of the remarks which the gentleman desires to extend?

Mr. THOMPSON. It is a discussion of the question of presidential postmasters.

Mr. WINGO. Does the gentleman propose in his extension of remarks to inform the House what the policy of the Post Office Department is going to be on that subject?

Mr. THOMPSON. The gentleman proposes to discuss it from

his own standpoint and his own information.

Mr. WINGO. Unless the gentleman can give us a statement of the judgment of the department as to what it is going to do, I fear it might cause friction in the gentleman's party and cause discussion, and I shall have to object.

The SPEAKER pro tempore. The gentleman from Ohio

objects.

Mr. THOMPSON. Then, Mr. Speaker, I ask for time to address the House to-morrow morning on this subject.

The SPEAKER pro tempore. The gentleman asks unanimous consent to address the House to-morrow after the read-

ing of the Journal. Is there objection?

Mr. BLANTON. The gentleman should state what length of

time he requests.

Mr. THOMPSON. About 20 minutes.

Mr. MONDELL. I shall have to object.
The SPEAKER pro tempore. The gentleman from Wyoming objects.

## CONTESTED-ELECTION CASE-BOGY V. HAWES.

The SPEAKER pro tempore (Mr. Stafford in the chair). The Chair lays before the House a communication from the Clerk, transmitting certain papers in the contested-election case of Bernard P. Bogy against Harry B. Hawes, eleventh district of Missouri, which, without objection, will be referred to Committee on Elections No. 1.

Mr. GARNER. Mr. Speaker, what is it that it is proposed

to refer?

The SPEAKER pro tempore. Certain papers received by the Clerk in the election contest of Bogy against Hawes, which the Chair has referred to Committee on Elections No. 1.

There was no objection.

### ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 18 minutes p. m.) the House adjourned until Tuesday, May 10, 1921, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

108. A letter from the Secretary of the Treasury, transmitting schedules of claims amounting to \$610,982.88 allowed by accounting officers of the Treasury Department (H. Doc. No. 71); to the Committee on Appropriations and ordered to be

109. A letter from the Secretary of the Navy, transmitting a tentative draft of a bill to remove from State courts to Federal courts of cases in which the Government is the real party in

interest; to the Committee on Naval Affairs.

110. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War, submitting a supplemental estimate of appropriation in the sum of \$600,000 required by the War Department for the water system at Schofield Barracks, Hawaii, fiscal year 1922 (H. Doc. No. 72); to the Committee on Appropriations and ordered to be printed.

111. A letter from the Secretary of the Treasury, transmit-ting an estimate of appropriation in the sum of \$1,000 required for the relief of the estate of Joseph Mathews, of Solvay, N. Y., for loss of a Liberty bond (H. Doc. No. 73); to the Committees on Appropriations and Claims and ordered to be

printed.

112. A letter from the Secretary of the Treasury, transmitting a paragraph of legislation authorizing a transfer between subheads of the appropriation "Coast Guard, 1921" (H. Doc. No. 74); to the Committee on Appropriations and ordered to be

printed.

113. A letter from the Secretary of the Treasury, transmit-ting copy of a communication from the Secretary of War of the 4th instant, submitting a supplemental estimate of appropriation, in the sum of \$500, required by the War Department for salaries, office of the Secretary of War, fiscal year 1922 (H. Doc. No. 75); to the Committee on Appropriations and ordered to be printed.

114. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of the Navy of the 3d instant, submitting a supplemental estimate of appropriation, in the sum of \$25,000, required by the Navy Department for an historical pictorial record of the American Fleet in foreign waters (H. Doc. No. 76); to the Committee on Appro-

priations and ordered to be printed. 115. A letter from the Secretary of the Treasury, transmitting a list of judgments rendered by the Court of Claims, amounting to \$17,579.46, which require an appropriation for their payment (H. Doc. No. 77); to the Committee on Appropriations

and ordered to be printed.

116. A letter from the Secretary of the Treasury, transmitting list of judgments rendered against the Government by the district courts of claims (H. Doc. No. 78); to the Committee on Appropriations and ordered to be printed.

117. A communication from the Clerk of the House of Representatives, transmitting contested-election case of Bernard P. Bogy v. Harry B. Hawes, from the eleventh congressional district of Missouri (H. Doc. No. 79); to the Committee on Elections No. 1 and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. JONES of Pennsylvania, from the Committee on Inter-state and Foreign Commerce, to which was referred the bill (H. R. 4091) granting the consent of Congress to the Borderland Coal Corporation to construct a bridge across the Tug Fork of the Big Sandy River in Mingo County, W. Va., reported the same without amendment, accompanied by a report (No. 54), which said bill and report were referred to the House Calendar.

Mr. TOWNER, from the Committee on Insular Affairs, to which was referred the bill (H. R. 5756) to amend an act entitled "An act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for these islands," approved August 29, 1916, reported the same without amendment, accompanied by a report (No. 55), which said bill and report were referred to the House Calendar.

Mr. A. P. NELSON, from the Committee on Banking and Currency, to which was referred the joint resolution (H. J. Res. 94) authorizing the Secretary of the Treasury to designate depositaries of public moneys in foreign countries and in the Territories and insular possessions of the United States, reported the same with an amendment, accompanied by a report (No. 56), which said bill and report were referred to the House

Mr. SWEET, from the Committee on Interstate and Foreign Commerce, to which was referred the joint resolution (H. J. Res. 31) authorizing and directing the accounting officers of the Treasury to allow credit to the disbursing clerk of the Bureau of War Risk Insurance in certain cases, reported the same without amendment, accompanied by a report (No. 57), which said bill and report were referred to the Committee of the Whole House on the state of the Union. Mr. BARBOUR, from the Committee on the Public Lands, to which was referred the bill (H. R. 5223) to exempt from cancellation certain desert-land entries in Riverside County, Calif., reported the same without amendment, accompanied by a report (No. 58), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CHINDBLOM, from the Committee on the Merchant Marine and Fisheries, to which was referred the joint resolution (H. J. Res. 7) to amend section 2 of the joint resolution entitled "Joint resolution to authorize the operation of Government-owned radio stations for the use of the general public, and for other purposes," approved June 5, 1920, reported the same with an amendment, accompanied by a report (No. 59), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

## CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 5259) for the relief of the heirs at law of A. Barker; Committee on Claims discharged, and referred to the Committee on the Post Office and Post Roads.

A bill (H. R. 5868) granting a pension to Hugh G. Smelcer; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

# PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS,

Under clause 3 of Rule XXII, bills, resolutions, and memorials

were introduced and severally referred as follows:

By Mr. KELLER: A bill (H. R. 5938) to provide for the acquisition, ownership, and operation by the Commissioners of the District of Columbia of all the street railroads located in the District of Columbia; to the Committee on the District of Columbia.

By Mr. RAKER: A bill (H. R. 5939) providing for the deportation of certain aliens who withdrew their declaration of in-tention to become citizens of the United States in order to escape military service; to the Committee on Immigration and Naturalization.

By Mr. BRAND: A bill (H. R. 5940) to amend the Federal reserve act by making the Secretary of Agriculture an ex officio member of the Federal Reserve Board; to the Committee on

Banking and Currency.

Also, a bill (H. R. 5941) to transfer from time to time the interest and profits earned by the Federal reserve banks to the Federal Farm Loan Board; to the Committee on Banking and

By Mr. BRITTEN: A bill (H. R. 5942) to establish a mint of the United States in the city of Chicago, Ill.; to the Committee on Coinage, Weights, and Measures.

By Mr. SNYDER: A bill (H. R. 5943) to validate certain allot-ments of land made to Indians on the Lac Courte Oreille Indian

Reservation in Wisconsin; to the Committee on Indian Affairs. By Mr. THOMAS: A bill (H. R. 5944) for the erection of a public building at Russellville, Logan County, Ky.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5945) for the erection of a public building at Central City, Muhlenberg County, Ky.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5946) for the erection of a public building

at Franklin, Simpson County, Ky.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5947) for the erection of a public building at Greenville, Muhlenberg County, Ky.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5948) for the erection of a public building at Scottsville, Allen County, Ky.; to the Committee on Public Buildings and Grounds.

By Mr. LEE of Georgia: A bill (H. R. 5949) to establish a sanctuary or sanctuaries for game animals and for birds and fish in the national forest reservation, and for other purposes;

to the Committee on Agriculture.

By Mr. SUTHERLAND: A bill (H. R. 5950) to increase the percentage of national forest receipts to be paid to the Territory of Alaska; to the Committee on Agriculture.

Also, a bill (H. R. 5951) to create an Alaska fish commission, to define its powers and duties, and to provide for the protection, conservation, and regulation of the fisheries of Alaska, and for other purposes; to the Committee on the Merchant Marine and Fisheries

By Mr. JEFFERIS: A bill (H. R. 5952) to repeal section 852, chapter 16, and the first paragraph of section 848, chapter 16, Revised Statutes of the United States, and to amend the

first paragraph of page 377, chapter 200, volume 35, part 1, United States Statutes at Large, first session of the Sixtieth Congress, by striking out the words "in the States of Wyoming, Montana, Washington, Oregon, California, Nevada, Idaho, Colorado, Utah, and in the Territories of New Mexico and Ariona"; to the Committee on the Judiciary.

By Mr. SUTHERLAND: A bill (H. R. 5953) to amend the

law respecting sales of national forest timber; to the Com-

mittee on Agriculture.

By Mr. REECE: A bill (H. R. 5954) to establish a sanctuary or sanctuaries for game animals and for birds and fish in the national forest reservation, and for other purposes; to the Committee on Agriculture.

By Mr. WARD of New York: A bill (H. R. 6033) for the

relief of officers on retired list of the Navy; to the Committee on

Naval Affairs.

By Mr. VESTAL: Joint resolution (H. J. Res. 111) to provide for the coinage of peace dollars; to the Committee on Coinage,

Weights, and Measures,

By Mr. GOULD: Joint resolution (H. J. Res. 112) authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to employees of the United States Department of Agriculture who died in the War with Germany; to the Committee on the Library.

By Mr. CANNON: Resolution (H. Res. 84) providing for

additional compensation for enrolling clerk; to the Committee on

By Mr. JOHNSON of South Dakota: Resolution (H. Res. 85) to allow the chairman of the Committee on Expenditures in the War Department to appoint a clerk to said committee; to the Committee on Accounts.

By Mr. KAHN: Memorial of the Legislature of the State of California, regarding the Japanese question in California; to the

Committee on Foreign Affairs.

Also, a memorial of the Legislature of the State of California relative to the tariff on olives; to the Committee on Ways and Means.

Also, a memorial of the Legislature of the State of California relative to the protection of the almond industry; to the Committee on Ways and Means.

# PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARBOUR: A bill (H. R. 5955) for the relief of A. M. Simons; to the Committee on Claims.

By Mr. BENHAM: A bill (H. R. 5956) granting a pension to Edith C. Rowlison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5957) granting a pension to Jeremiah M. McNew; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5958) granting a pension to Jordan Kidwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5959) granting an increase of pension to Evaline Weekley; to the Committee on Invalid Pensions.

By Mr. BRITTEN: A bill (H. R. 5960) to reimburse Commander Walter H. Allen, civil engineer, United States Navy, for losses sustained while carrying out his duties; to the Committee on Naval Affairs.

By Mr. BURDICK: A bill (H. R. 5961) for the relief of

Charles B. Malpas; to the Committee on Claims.

By Mr. CHRISTOPHERSON: A bill (H, R. 5962) granting a pension to William Newton; to the Committee on Invalid Pen-

Also, a bill (H. R. 5963) granting a pension to Mary C. Whalen; to the Committee on Pensions.

By Mr. COPLEY: A bill (H. R. 5964) changing the naval record of Clarence A. Richards for the administration of the

pension laws; to the Committee on Naval Affairs. By Mr. DAVILA: A bill (H. R. 5965) for the relief of the owner of the vessel Maria Artau; to the Committee on Claims.

By Mr. DAVIS of Minnesota: A bill (H. R. 5966) authorizing the Secretary of War to donate to the town of Northfield, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DUNBAR; A bill (H. R. 5967) granting a pension to Rebecca Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5968) for the relief of Maud Sheffey; to the Committee on War Claims.

By Mr. FESS: A bill (H. R. 5969) authorizing the Secretary of War to donate to the Ohio State Archæological and Historical Society one German airplane; to the Committee on Military

By Mr. FISH: A bill (H. R. 5970) for the relief of Philip-Hager; to the Committee on Military Affairs.

By Mr. IRELAND: A bill (H. R. 5971) for the relief of

Floyd Irving Lattin; to the Committee on Claims.

By Mr. JEFFERIS: A bill (H. R. 5972) authorizing the Treasurer of the United States to pay Henry Iske, La Platte, Nebr., the sum of \$2,110.64, for cattle unlawfully condemned; to the Committee on Claims.

Also, a bill (H. R. 5973) authorizing the Treasurer of the United States to pay Henry F. Meyers the sum of \$785,10 as full compensation for services rendered as a member of local draft board No. 1, Omaha, Nebr.; to the Committee on Claims. By Mr. KELLEY of Michigan: A bill (H. R. 5974) for the

relief of Charles H. Reed; to the Committee on Military Af-

By Mr. KING: A bill (H. R. 5975) authorizing the Secretary of War to donate to the city of Camp Point, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Af-

Also, a bill (H. R. 5976) authorizing the Secretary of War to donate to the city of Mendon, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5977) authorizing the Secretary of War to donate to the city of Golden, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5978) authorizing the Secretary of War to donate to the city of Payson, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MACGREGOR: A bill (H. R. 5979) for the relief of

Alexander Carlino; to the Committee on Claims.

By Mr. MILLSPAUGH: A bill (H. R. 5980) authorizing the Secretary of War to donate to the city of La Grange, State of Missouri, one German cannon or fieldpiece; to the Committee on. Military Affairs, By Mr. NOLAN; A bill (H. R. 5981) for the relief of the Rolph

Navigation & Coal Co.; to the Committee on Claims.

By Mr. O'CONNOR: A bill (H. R. 5982) for the examination and survey of the Bayou St. John, State of Louisiana; to the Committee on Rivers and Harbors.

By Mr. OGDEN: A bill (H. R. 5983) granting an increase of pension to George Foos; to the Committee on Pensions.

By Mr. OLIVER: A bill (H. R. 5984) for the relief of Samuel Friedman, as trustee for the heirs and devisees of B. Friedman and Henry Mills, and as trustee for the heirs and devisees of

Emanuel Loveman, deceased; to the Committee on Claims.

By Mr. PADGETT: A bill (H. R. 5985) for the relief of the legal representative of Nathaniel F. Cheairs, deceased; to the

Committee on War Claims.

By Mr. PATTERSON of New Jersey: A bill (H. R. 5986) for the relief of the Ancona Printing Co.; to the Committee on War Claims.

By Mr. REBER: A bill (H. R. 5987) authorizing the Secretary of War to donate to the town of Orwin, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military

By Mr. REECE: A bill (H. R. 5988) granting an increase of pension to George Milams; to the Committee on Pensions.

Also, a bill (H. R. 5989) authorizing the Secretary of War to donate to the city of Gatlinburg, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5990) authorizing the Secretary of War to

donate to the city of Jonesboro, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5991) authorizing the Secretary of War to donate to the city of Butler, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5992) authorizing the Secretary of War to donate to the city of Bristol, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. REED of West Virginia: A bill (H. R. 5993) granting a pension to Mont Musgrave; to the Committee on Invalid Pen-

By Mr. RICKETTS: A bill (H. R. 5994) granting a pension to Jane Loring; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5995) granting a pension to Frances Melcher; to the Committee on Invalid Pensions.

By Mr. ROBSION: A bill (H. R. 5996) granting a pension to

Jasper N. Baker; to the Committee on Pensions. Also, a bill (H. R. 5997) granting a pension to Herbert G.

Hoots: to the Committee on Pensions. Also, a bill (H. R. 5998) granting a pension to John W. Hays;

to the Committee on Invalid Pensions. Also, a bill (H. R. 5999) granting a pension to Eliza P.

Cook; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6000) granting an increase of pension to Judah Howard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6001) for the relief of John W. Hardwick; to the Committee on Military Affairs.

Also, a bill (H. R. 6002) granting a pension to Otis Stout; to the Committee on Pensions.

By Mr, ROGERS: A bill (H. R. 6003) granting an increase

of pension to Angus J. MacDonald; to the Committee on Pensions.

By Mr. SLEMP: A bill (H. R. 6004) authorizing the President to appoint James G. C. Salyers to the position and rank of captain of Coast Artillery Corps in the United States Army;

to the Committee on Military Affairs.

By Mr. SPEAKS: A bill (H. R. 6005) granting a pension to Frank P. Lilley; to the Committee on Pensions.

By Mr. STEPHENS: A bill (H. R. 6006) for the relief of the owners of the steamboat Henry M. Stanley; to the Committee on Claims.

By Mr. SWEET: A bill (H. R. 6007) granting an increase of pension to Elizabeth A. Sitzer; to the Committee on Invalid

Also, a bill (H. R. 6008) granting a pension to Emma Cornelia Troy; to the Committee on Invalid Pensions.

By Mr. TEN EYCK: A bill (H. R. 6009) for the relief of

Charles Springer; to the Committee on Military Affairs. By Mr. TYSON: A bill (H. R. 6010) providing for the purchase of a site to be used for the erection of a public building thereon at Camden, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. VESTAL: A bill (H. R. 6011) granting a pension to Catherine Rugg; to the Committee on Invalid Pensions.

By Mr. WARD of New York: A bill (H. R. 6012) for the adjudication and determination of the claims arising under joint resolution of July 14, 1870 (16th Stat. L., p. 670), authorizing the Postmaster General to continue to use in the Postal Service Marcus P. Norton's combined post-marking and stamp-canceling hand-stamp patents, and directing him to "determine upon a fair, just, and equitable compensation for the use of said invention," or arising otherwise; to the Committee on the Post Office and Post Roads.

By Mr. WYANT: A bill (H. R. 6013) authorizing the Secretary of War to donate to the town of Ligonier, State of Pennsylvania, one German cannon or fieldpiece; to the Committee

on Military Affairs.

Also, a bill (H. R. 6014) authorizing the Secretary of War to donate to the town of Trafford, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6015) authorizing the Secretary of War to donate to the town of North Belle Vernon, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6016) authorizing the Secretary of War to donate to the town of New Alexandria, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6017) authorizing the Secretary of War to donate to the town of West Newton, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military

Also, a bill (H. R. 6018) authorizing the Secretary of War to donate to the town of New Florence, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6019) authorizing the Secretary of War to donate to the town of Irwin, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military

Also, a bill (H. R. 6020) authorizing the Secretary of War to donate to the town of Arnold, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6021) authorizing the Secretary of War to donate to the town of Parnassus, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military

Also, a bill (H. R. 6022) authorizing the Secretary of War to donate to the town of New Kensington, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military

Also, a bill (H. R. 6023) authorizing the Secretary of War to donate to the town of Scottdale, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military

Also, a bill (H. R. 6024) authorizing the Secretary of War to donate to Robert G. Kotouch Post, No. 318, Greensburg, State

of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6025) authorizing the Secretary of War to donate to the town of East Vandergrift, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6026) authorizing the Secretary of War to donate to the town of Mount Pleasant, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military

Also, a bill (H. R. 6027) authorizing the Secretary of War to donate to the town of Latrobe, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6028) authorizing the Secretary of War to donate to the town of Adamsburg, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6029) authorizing the Secretary of War to donate to the town of Avonmore, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6030) authorizing the Secretary of War to donate to the town of Vandergrift, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military

Also, a bill (H. R. 6031) authorizing the Secretary of War to donate to the town of Jeannette, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6032) authorizing the Secretary of War to donate to the town of Monessen, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs

## PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

543. By the SPEAKER (by request): Papers to accompany House bill 5891; to the Committee no Claims.

544. By Mr. CHALMERS: Petition of the Toledo Chamber of Commerce, urging favorable action on the legislative program of the American Legion for relief of ex-service men; to the Committee on Interstate and Foreign Commerce.

545. By Mr. COOPER of Wisconsin: Petition of Henry E. Kelley Post, No. 45, American Legion, Elkhorn; Racine Principals' Forum, of Racine; Beloit Chamber of Commerce, of Beloit; and Women's Auxiliary, Edwin L. Jones Post, No. 91, American Legion, of Oconomowoc, all in the State of Wisconsin, urging relief of disabled soldiers, sailors, and marines; to the Committee on Interstate and Foreign Commerce.

546. Also, petition of Jerome Bergerson and other residents of Racine, Wis., in favor of beer and light wines and against Sunday blue laws; to the Committee on the Judiciary.

547. By Mr. DALLINGER: Petition of the Wakefield (Mass.), Council, Knights of Columbus, favoring relief for the disabled soldiers; to the Committee on Interstate and Foreign Commerce.

548. Also, petition of the Pilgrim Publicity Association (Inc.), indorsing the principle of dyestuff protection, etc.; to the Committee on Ways and Means.

549. By Mr. GALLIVAN: Petition of Celtic Association, South Boston, Mass., Thomas A. McGrath, secretary, urging the passage of laws which will accord American ships the right of passage free of toll through the Panama Canal without similar privilege being accorded to foreign ships; to the Committee on Interstate and Foreign Commerce.

550. By Mr. HAYS: Petition by 164 citizens of Ava, Douglas County, Mo., urging the President to call a conference of the great powers to consider military disarmament; to the Committee on Foreign Affairs.

551. Also, petition of Appleton Brewery & Ice Co., of Old Appleton, Mo., for repeal of internal-revenue tax on cereal beverages; to the Committee on Ways and Means.

552. By Mr. KAHN: Petition of Mr. Thomas S. Armstrong and other citizens urging the repeal of the 10 per cent tax on yachts; to the Committee on Ways and Means.

553. By Mr. KELLER: Petition of St. Paul Post, No. 8, American Legion, urging relief for the disabled soldiers, etc.; to the Committee on Interstate and Foreign Commerce.

554. By Mr. KELLY of Pennsylvania: Petition of citizens of Pitcairn, Pa., urging amnesty for all political prisoners; to the Committee on the Judiciary.

555. By Mr. KISSEL: Petition of National Automobile Chamber of Commerce, Washington, D. C., relative to highways, etc.; to the Committee on Roads.

556. Also, petition of W. Burton & Co., New York, N. Y., relative to certain sections of House bill 5033; to the Commit-

tee on the Judiciary.

557. Also, petition of William Gregg, Brooklyn, N. Y., urging the recognition of the Irish republic; to the Committee on Foreign Affairs.

558. Also, petition of Milner Bros. (Inc.), Brooklyn, N. Y., urging duty on greeting cards, etc.; to the Committee on Ways

559. By Mr. MALONEY: Petition of the Methodist Episcopal Church, Lawrence, Mass., against the use by France of colored troops in the occupied districts of Germany; to the Committee on Foreign Affairs.

560. Also, petition of the Council Ste. Victoire, South Lawrence, Mass., and Council Jacques Cartier, Lynn, Mass., against the passage of the Smith-Towner bill; to the Committee

on Education.

561. By Mr. RAKER: Petition of Federal Employees' Union No. 1, National Federation of Federal Employees, of San Francisco, urging support of House bill 2429; to the Committee on Labor. Letter from World Metric Standardization Council, San Francisco, Calif., indorsing House bill 10; to the Committee on Weights and Measures. Telegram from Automobile Club of Southern California, indorsing Senate bill 1072; to the Committee on Roads. Telegram from Division No. 415, Brotherhood of Locomotive Engineers, of Roseville, Calif., against any sales or turnover tax, and indorsing progressive taxation of large incomes, estates, and excess profits; to the Committee on Ways and Means.

562. By Mr. SINCLAIR: Petition of the Association of Commerce, Minot, N. Dak., and Argonne Post, No. 85, of the American Legion, Beulah, N. Dak., urging the passage of legislation for the relief of disabled service men; to the Committee on

Ways and Means.

563. Also, concurrent resolution by the Legislature of the State of North Dakota, petitioning Congress to request the Joint International Commission to call a conference for the purpose of taking action for the control of the floods of the Red River; to the Committee on Flood Control.

564. By Mr. SNYDER: Petition of the Utica, N. Y., Trades Assembly, indorsing relief for the disabled soldiers; to the Committee on Military Affairs.

565. By Mr. TEMPLE: Resolution of the Board of Education of the Fallowfield School District, Washington County, Pa., favoring the passage of the Smith-Towner educational bill; to the Committee on Education.

566. Also, petition of the McKenna Brass & Manufacturing Co. (Inc.), Pittsburgh, Pa., protesting against the enactment of House bill 4981; to the Committee on Agriculture.

567. By Mr. THOMPSON: Petition of Clayton J. Hicksville, Ohio, urging increased compensation for rural letter carriers; to the Committee on the Post Office and Post Roads.

568. Also, petition of Rudolph W. Battershell, Hicksville, Ohio, urging increased compensation for rural letter carriers; to the

Committee on the Post Office and Post Roads. 569. Also, petition of Maurice M. Daniels, Hicksville, Ohio, urging increased compensation for rural letter carriers; to the

Committee on the Post Office and Post Roads. 570. Also, petition of Samuel B. Deardorff, Hicksville, Ohio,

urging increased compensation for rural letter carriers; to the Committee on the Post Office and Post Roads.

571. Also, petition of Vernon G. Killian, Hicksville, Ohio, urging increased compensation for rural letter carriers; to the Committee on the Post Office and Post Roads.

572. Also, petition of W. C. Wreght, Hicksville, Ohio, urging increased compensation for rural letter carriers; to the Com-

mittee on the Post Office and Post Roads.

573. By Mr. TINKHAM: Petition of the Bay State Division, No. 413, Order of Railway Conductors, urging the repeal of the excess-profit tax, etc.; to the Committee on Ways and Means.

574. Also, petition of citizens of Roxbury and Boston, Mass., urging the recognition of the Irish republic; to the Committee on Foreign Affairs,

575. By Mr. TREADWAY: Petition of the Westfield, Mass., Medical Society, against the passage of the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

576. By Mr. VARE: Petition of annual convention Episcopal Church, asking for international agreement for disarmament; to the Committee on Foreign Affairs.

## SENATE.

# TUESDAY, May 10, 1921.

(Legislative day of Monday, May 9, 1921.)

The Senate met at 12 o'clock meridian, on the expiration of

Mr. PENROSE, Mr. President, I suggest the absence of a quorum

The PRESIDENT pro tempore. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ball McLean McNary Shortridge Borah Harreld Harris Harrison Heffin Simmons Smith Smoot Stanfield Broussard Bursum Calder Moses Nelson Nelson New Newberry Nicholson Norbeck Norris Oddie Overman Penrose Johnson Jones, N. Mex. Jones, Wash. Cameron Sterling Sutherland Capper Caraway Townsend Kellogg Kendrick Kenyon Trammell Wadsworth Walsh, Mass. Walsh, Mont. Culberson Cummins Curtis Kenyon Keyes King Knox Ladd La Follette Lenroot McCormick McCumber McKellar McKinley Penrose Phipps Pittman Poindexter Pomerene Ransdell Reed Robinson Warren Watson, Ga. Watson, Ind. Diel Edge Ernst Fernald Fletcher Williams Willis Wolcott France Frelinghuysen Gooding

Mr. HEFLIN. My colleague [Mr. Underwood] is unavoidably absent on account of a death in his family. I ask that this

announcement may stand for the day.

The PRESIDENT pro tempore. Eighty-one Senators have answered to their names. There is a quorum present.

#### PETITIONS AND MEMORIALS.

Mr. HARRIS presented a resolution of the Savannah Paint Club, of Savannah, Ga., protesting against the enactment of the so-called Harrison naval stores bill, which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of sundry citizens of the State of Georgia, remonstrating against any revision of the tariff on those classes of coal-tar products that are used in the manufacture of dips and disinfectants, etc., generally used by farmers and stock raisers, which was referred to the Committee on Finance.

Mr. WARREN presented a letter in the nature of a petition from the Chicago Hide, Fur & Wool House (Inc.), of Douglas, Wyo., praying for the enactment of legislation imposing a protective tariff on wool and wool products, which was referred to the Committee on Finance.

Mr. WILLIS presented a petition of sundry citizens of Marietta, Ohio, praying for the enactment of Senate bill 1073, for the relief of Lewis Clarke Lucas (now a lieutenant colonel on the retired list of the Marine Corps), and placing him on the active list in the grade of colonel, to take rank next after Theodore Porter Kane, etc., which was referred to the Committee on Naval Affairs.

Mr. ROBINSON presented a resolution adopted by the Adjutants General Association of the United States, in special session at Washington, D. C., en March 15, 1921, favoring the enactment of legislation amending certain sections of national defense act, as amended by the act of June 4, 1920, pertaining to the National Guard, which was referred to the

Committee on Military Affairs.

Mr. CAPPER presented resolutions of Local No. 2042, Bellview Farmers' Union, of Kincald, and Local No. 843, Farmers' Union, of Marysville, Kans., protesting against the enactment of legislation repealing the excess-profits tax law and substituting therefor a sales or turnover tax, which were referred to the Committee on Finance.

He also presented resolutions of Auxiliary Post No. 203, American Legion, of Montezuma, and Earl C. Gormley Post, No. 45, American Legion, of Junction City, both in the State of Kansas, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which were referred to the Committee on Finance.

Mr. NEWBERRY presented a telegram in the nature of a petition from Shiawassee County Woman's Christian Temperance Union, of Perry, Mich., praying for the enactment of the so-called Volstead supplemental prohibition enforcement bill, which was referred to the Committee on the Judiciary

He also presented resolutions of auxiliary of Carl O. Weaver Post, No. 194, of Petoskey; Council No. 389, Knights of Columbus, of Grand Rapids; Triangle Club, of Grand Rapids; Peter Gedda Post, No. 27, American Legion, of Bessemer; Business Girls' Club, of South Haven; Godfrey Anderson Post, No. 43, American Legion, of Stephenson; Post No. 147, American Legion, of Northville; Kiwanis Club, of Jackson; Albert V. Braden Post, No. 58, American Legion, of Ishpeming; Charles A. Learned Post, No. 1, American Legion, of Detroit; Chamber of Commerce of Traverse City; Civic and Commercial Association, of Sault Ste. Marie; William Regan Post, No. 127, American Legion, of Marine City; Benton Harbor Post, No. 105, American Legion, of Benton Harbor; and Patrick Leo Hanlon Post, No. 55, American Legion, of Albion, all in the State of Michigan, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which were referred to the Committee on Finance.

#### BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CURTIS:

A bill (S. 1711) to create the Federal land bank revolving fund; to the Committee on Banking and Currency.

By Mr. WILLIS:

A bill (S. 1712) for the relief of Alfred P. Reck; to the Committee on Claims.

By Mr. HALE:

A bill (S. 1713) to incorporate the National Federation of Business and Professional Women's Clubs; to the Committee on the Judiciary.

A bill (S. 1714) to carry out the findings of the Court of Claims in the case of the Portland Co., of Portland, Me., against the United States; to the Committee on Claims.

By Mr. NEWBERRY:

A bill (S. 1715) for the relief of the heirs of Almon R. Proctor; to the Committee on Claims.

By Mr. SMOOT:

A bill (S. 1716) to appropriate \$100,000 for the survey of public lands in Utah; to the Committee on Public Lands and Surveys.

By Mr. CALDER:

A bill (S. 1717) for the relief of James Gilroy; to the Com-

mittee on Military Affairs.

A bill (S. 1718) authorizing the distribution of abandoned or forfeited tobacco, snuff, cigars, or cigarettes to hospitals maintained by the United States for the use of present or former members of the military or naval forces of the United States; to the Committee on Finance.

#### PEACE WITH GERMANY.

Mr. FRANCE. Mr. President, I ask unanimous consent to print in connection with my remarks of April 29 a copy of the resolution which I was then discussing.

The PRESIDENT pro tempore. Without objection, the request of the Senator from Maryland will be granted.

#### EMERGENCY TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2435) imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenue; to regulate commerce with foreign countries; to prevent the dumping of foreign merchandise on the markets of the United States; to regulate the value of for-

eign money; and for other purposes.

Mr. EDGE. Mr. President, understanding that under the unanimous-consent agreement the Senate will vote to-morrow on the pending so-called emergency tariff bill, I wish to take this opportunity to make a very few observations concerning the bill and its supposed effect on the economic condition of the country. When a similar bill was before the Senate in the last Congress I voted against the measure and endeavored to make clear at that time on the floor of the Senate my reasons for that vote. I propose to vote for the pending measure, but I must say very frankly that I shall not do so with any great amount of enthusiasm, as I do not feel that the measure will be of the benefit that its sponsors hope it will be; neither do I believe that it is a proper method through which to approach a solution of the pending economic difficulties.

I shall vote for the measure because, as I say, it has been improved since I voted against it in the last Congress. One of the improvements, I might say in passing, is the fact that it will be in effect only 6 months, whereas the original measure provided for 10 months. In this case the proverpial inch is far better than the ell. More important, however, in my judgment, is the new feature known as the antidumping provision, which provides in some measure for a policy that I believe this Congress or some Congress in the very near future will necessarily adopt, and that is the policy of more or less bargaining

in considering tariff impositions of a more or less elastic nature. For, in view of the situation that America is facing with reference to world trade to-day, no copper-riveted tariff measure can be made beneficial to America, or practical or practicable. Above all, I hope I may not be confronted later with a tariff bill of the "Chinese wall" nature.

Again, in balancing advantages against possible disadvantages I feel constrained to vote for the bill because of the provision of some meed of protection to American chemical and dye manufacturing industries. I believe that, irrespective of the opposition which I have read or heard voiced on the floor of the Senate against it, to be along the original line of protection to infant industries which, as I understand it, was the inception of a protective policy as the approved policy of the United States. The dye and chemical industry is certainly an infant industry, born of the necessities of the war, and now entitled, by the very fact of its birth and existence, to nourishment that will sustain it and stimulate its growth. Especially is it entitled to a very large measure of protection in view of the source of it greatest competition.

Again, as I view it, there is even in legislation something psychological, as it were. We have talked so much to the farmers and to others supposed to be benefited, about the emergency tariff bill, and it has been exploited so much in the public press, editorially and otherwise, that I believe a failure to pass the bill at this time might have a moral effect which might be even more disastrous than the conditions we are now facing.

So, taking it all in all I believe that, unattractive as the bill is from many standpoints, it is wisdom and the best policy, balancing all these viewpoints, to have it enacted into law.

What is writ is writ; would it were worthin.

What is writ is writ; would it were worthier.

With that general explanation—

Mr. KING. Will the Senator yield to me?

Mr. EDGE. I yield.

Mr. KING. The Senator from New Jersey has been a very consistent advocate of policies that would obtain foreign trade, and the bill which bears his name I think is calculated to expand the foreign commerce of the United States. The Senator does not desire to take a back track, does he, and see measures enacted which would nullify his bill and interfere with the United States obtaining trade and commerce, to that extent increasing the prosperity of the American manufacturer and

the American people?

Mr. EDGE. Mr. President, if the Senator from Utah will permit me, I am going to reach that very thought, and I will take great pleasure, I would tell the distinguished Senator from Utah, in explaining my viewpoint as to where the measures conflict. Having briefly summarized the reasons why I think even one who is convinced that the future prosperity of this country depends absolutely on developing foreign trade as well as domestic trade may vote for the pending bill, I want to take the time of the Senate for a brief space in stating what I think will be real, effective measures to remedy the condition which we are all facing in this country to-day. I never believe in offering criticism without at the same time suggesting a constructive remedy.

I believe, as I have said, that because of the shortness of the period of operation of the pending bill; because of the psychological effect, perhaps, of it becoming a law; because of its antidumping feature, which for the first time introduces somewhat elastic or bargain tariff, to the principle of which I absolutely adhere, and because of other features, the benefits to be derived from it may overbalance the disadvantages. I think I have made that clear. For that reason, and for that reason alone, I am going to vote for the bill to-morrow.

But, Mr. President, I am convinced that there is just one way to solve the difficulties facing not only America but the entire world to-day. It is time for us to emerge from emergencies and to recognize that after two and a half years following the World War a period has arrived when we should consider the enactment of permanent legislation, permanent relief, to meet conditions which we must know by a calm investigation of the situation are existing in business and on the farms to-day; to meet that situation as it exists and not try artificially to build structures which we can not think for one moment will actually solve the difficulty, for they will not.

I believe absolutely in a protective tariff system. I do not have to discuss that, I am sure, at this time. I believe in it from the standpoint of representing the difference between a proper cost and a proper profit to the American people in the production of goods here in competition with other parts of the world. I do not, however, believe in it from the standpoint of raising prices to the height of an embargo that keeps our goods entirely within our own country, raises prices to ourselves, and does not, as a matter of real results, increase the market

of the producer abroad. I repeat, it is time for us to emerge from emergencies and try to devise and pass permanent legislation. I shall try to follow that thought very briefly, because I do not believe in discussing difficulties and conditions without at least suggesting what one thinks may be a remedy

We need, in my judgment, two things in order to bring about permanent relief-confidence at home and the extension of credit abroad. I think we have to some extent contributed toward bringing about credit abroad by the passage of the act to which the Senator from Utah [Mr. King] referred a short time ago, which will enable us to sell goods abroad.

Mr. President-

The PRESIDENT pro tempore. Does the Senator from New Jersey yield to the Senator from Missouri? Mr. EDGE. I yield.

How about markets abroad? Mr. REED.

When I speak of credit abroad it carries with Mr. EDGE. it, of course, markets. I appreciate the suggestion of the Senator from Missouri, because that is the word. When I say we must develop confidence at home and extend credit abroad, there is just one thing that is more important, in my judgment, than the railroad question, than the merchant-marine question, and all the other questions—for they are incidental to it—and that is markets. If we have a market abroad and a market at home, we shall settle our railroad difficulty; we shall settle our merchant-marine difficulty; we shall have goods to transport, because, of course, with a market we must produce goods and these goods must be transported.

Mr. POMERENE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New Jersey yield to the Senator from Ohio?

Mr. EDGE. I yield.

Mr. POMERENE. How does the Senator from New Jersey expect to improve our foreign market by the passage of the

pending bill?

Mr. EDGE. Mr. President, I have already discussed the merits of this particular bill. I am now discussing what I believe will be a possible means of improving the markets here, and if the Senator from Ohio will permit me-I am delighted to see that he is interested, and I know his broad view of these matters-I will reach that point as rapidly as possible.

Confidence at home and markets abroad; yes. automatically settle most of the economic ills of the country today. How are we going to secure confidence at home? I do not think it is difficult to get markets abroad; I think we are on the proper path to do it. Confidence at home, in my judgment, will not be secured in any great measure by the passage of the pending bill, may I say to the Senator from Ohio. It may be helped; I hope it will be; but confidence at home will be brought about to a great extent by a revision of the present revenue and tax system of this country, and, as I see it, in no other way. In other words, one may talk about it all he wishes, he may discuss it from an academic and every other standpoint, but we can not pass legislation that will compel the man who has money, enterprise, energy, and brains to go out and do things unless he is going to reap a reasonable return for his energy and for the chances which he takes. I say without any hesitation that we must get at the root of the evil rather than pick about the branches and cut off one dead twig at a We must get at the foundation of this trouble rather than to tinker with the superstructure somewhere. The foundation, the root of the trouble to-day, is just that one thing lack of confidence on the part of the men who have done things in this country in the past, and who, in my judgment, would do them again if they could see a reasonable opportunity to make a proper profit on their energy and on the risk assumed.

Mr. STERLING. Mr. President, will the Senator permit me

to interrupt him?

The PRESIDENT pro tempore. Does the Senator from New Jersey yield to the Senator from South Dakota?

Mr. EDGE. I yield.

Mr. STERLING. I should like to ask the Senator from New Jersey if there is not another element that goes to the root of the question, and whether or not that is not the wage question?

Mr. EDGE. I consider the wage question a very important part, a most important part, but even the wage question to a creat extent, I maintain, is not the crux of the situation. Wages are gradually coming down, as we ascertain from the newspapers and from the reports that come to us. The economic value of each individual must undergo deflation just as the value of the commodity he helps to produce must shrink in the process of deflation. The process of deflation has been a very painful and a very long process, and we can not in a way wonder at that, because men are naturally unwilling to give up

advantages which they obtained in abnormal times. Each wants all prices to come down except the price of the commodity which he has himself for sale, whether it be diamonds or shoe laces or the labor of his hands. I agree with the Senator from South Dakota that the wage question is mighty important, but still I say that it is above the root and the foundation of the real question, which is national confidence. So long as we maintain a taxing system embracing, for instance, the excessprofits tax and a surtax reaching up to a maximum of 70 per cent, just so long will we discourage the average man from using his energy, his enterprise, and his capital, thus employing labor and radiating happiness and contentment throughout the land.

I know the question is immediately thought of, if not asked, "Do you believe that men who make money or who otherwise enjoy large incomes should not pay their full proportion of the running expenses of the Government?" I believe they should pay their full proportion of the running expenses of the Government, but there are other and better methods of taxation by which to make them pay. There is no reason in the world, in my opinion-and present conditions certainly bear me out-for charging one man, for instance, a 70 per cent surtax and then feel that you are not charging the average man, the workingman, so called, any tax, because the workingman, so called, today is not employed, as the Senator from South Dakota has indicated. It is very much better, it seems to me, to have a smaller surtax, so that the man who employs may feel that he can make a reasonable profit and thus to assure employment for labor of all kinds, for labor will be very much happier, even if it has to bear a small taxation, when it has money with which to pay than not to be employed and not to have any incomes with which to buy anything, which apparently is the situation we are to some extent facing to-day. For what shall it profit a man to have his tax bill reduced to a nickel if he has neither money nor employment on which to be taxed or with which to pay his taxes? So, while not favoring any proposition to relieve the man of wealth, the man of large income, of any proper part of his burden in contributing toward the running expenses of the Government, I believe to-day that it is absolutely essential, if we are going to solve the railroad question, which au fond is a matter of not having freight to transport; if we are going to solve the merchant-marine difficulty, which is a matter of not having cargoes to take across the seas; if we are going to solve the unemployment question, which is a matter of not having employment because we have not the market-and we can not, of course, encourage production if there is not a market for the goods produced-I believe to-day that if we are going to solve these problems we must encourage the American business man, the American farmer, the American producer, the ranchman, the cattleman-I do not care what his particular activity is-and give him the assurance that there is going to be an opportunity for him to develop his business without handicap and without penalty for his enterprise. In that event he will pay his taxes in the shape of a larger corporation tax, if you want, or of some other type of tax, but not under that insidious form of taxation such as the excess-profits tax, which discourages men from using the opportunities presented to them and which leaves them in doubt as to the possibilities of any enterprise into which they may enter.

That, in my judgment, is a question that this Congress should take up promptly, because we will not see a very decided return to business activity until some incentive is afforded the men representing every part of the country who have contributed so much to the welfare of the Nation. I do not mean alone men living in New York City or in New York State; I mean the ranchmen in the West, the small manufacturers, the manufacturers of machinery in the Middle West and New England, and men engaged in various industries who develop small businesses from which in the old days gradually grew larger businesses to help make America strong and prosperous, in the days before the war. We have got to return to that condition. That is the war. We have got to return to that condition. what normalcy means, in my judgment.

It should be a question to be considered by all of us—the

Members of the Congress and the President. It should be not my program, but our program. In that way, the White House and the Congress, working together, and the happy results radiating throughout the country, we will find that labor troubles, we will find that railroad troubles, we will find that merchant marine troubles will adjust themselves just so soon as industry starts again throughout this great country of ours.

Of our merchant marine, over 600 steel ships to-day are tied at the docks and anchored in mud creeks in various parts of the coast line of the United States for want of cargoes. all very well for us to go around the country and talk about

the American flag on the seven seas and of our tremendous merchant marine, representing, as it does, something like \$4,000,000,000 of the American taxpayers' money, and losing to-day, as I understand, approximately \$1,000,000 a day in operation. It is a great asset to be able to talk from the public stump and wave the flag and wag the eagle's tail about the wonderful merchant marine, with the American taxpayer paying a tribute of \$1,000,000 a day for the great and glorious privilege and pleasure of having a merchant marine. I believe in the merchant marine and I believe the merchant marine can be made workable and payable, but I want it as an American asset and not simply a subject of American speeches and American pride. American pride is very necessary and very proper, but the American people are burdened with a type of taxation which they can not stand, and we can not improve the condition of affairs in the face of such a situation. With one big governmental agency, such as the merchant marine, show-ing the balance sheet it shows to-day, how can the situation be improved?

I said originally that we must have confidence at home and credit abroad. Statistics show that to be really prosperous this country must export 15 to 20 per cent, and some economists say more than that, of its surplus products. In other words, that 15 to 20 per cent represents the real cream, the real profit of American industry, and makes for prosperity throughout the country. That 15 to 20 per cent, in other words, means the profit. We make a profit on the other 80 per cent; of course we do, but it is the surplus that enables us to employ to the maximum. We get our best profit in the other fellow's dollar,

be it the lira, the franc, or the pound.

We realize how our factories were developed because of war requirements, and so in peace times in order to enable them to employ a maximum of those who seek employment we must export from 15 to 20 per cent. We can not export that percentage to-day; we are not exporting it to-day principally because of credit conditions,

Two years ago the banner month showed exports of something over \$900,000,000, while the last month for which we have a report shows exports amounting to about \$300,000,000; in other words, the exports now are one-third of what they were two years ago, and yet the world wants our products to-day more than it ever wanted them.

I do believe that we have started in a direction whereby we can to some extent solve that problem through the incorpora-tion of banks with power to do a foreign business—in other words, to take over foreign securities. They have not very much gold abroad to send us. With what they have sent us, we apparently have more now than we really can use, according to the reports from the Federal Reserve Board. only way in which we can give them credit is to take over their securities; and they have securities. They own property, just as they always did, and they have value, of course, and their securities can be taken over by our banks with power to do an international banking business, and on those securities bonds and debentures can be issued to the American public, and in that way we can practically and profitably furnish credit for our export trade.

We all know that exporters and producers are very active in endeavoring to bring this about. Only last Friday night I attended a meeting that was most illuminating in the city of Cleveland, Ohio. It was a convention of the Foreign Trade Council, and there were men present representing not big business particularly but all classes of industry in practically every State in this Union. I have in mind one man particularly with whom I happened to engage in conversation. facturer of some kind of agricultural machinery device. He told me that he had a bona fide order representing a purchase price of about \$250,000 from Rumania, and that all that it was necessary for him to do was to find some way to bank that \$250,000 order. They were ready to give him Government bonds, they were ready to give him mortgages on their plant, they were ready to give him any securities that the ordinary banker would be glad to accept—that we would accept at any time in our domestic banking institutions. There was no There was no method, however, through which he could bank these securities. If he had been able to do so, he could have sold his \$250,000 worth of machinery; he would have employed so many more men so much longer, and the result would have been that that would have added in great degree to the possibility of using this merchant marine and having it available to carry these cargoes to the various ports of the world.

So again, Mr. President, may I repeat that with this bill disposed of, as I hope it will be to-morrow so far as the Senate is concerned, I trust we shall recognize the absolute necessity

of getting down to the fundamentals in order to bring about a feeling of confidence here, and as far as possible to extend this credit abroad. I do not think we can look for so-called good times until we do.

The American people deserve from this Congress a clearly defined policy as to what the future relationship between government and business will be, so far as it relates to taxationwhich is, of course, a very important part of it—and so far as it relates to the general regulation and supervision of the The people expect much from this Congress; the people demand much from this Congress; the people are entitled to much from this Congress. They must not be disappointed.

The buying power has not in any way changed. The necessi-

ties of man have not in any way changed. Just as soon as we inspire confidence that men with will and energy and determination and some means to back it up can be permitted to do business and develop their business and employ men in order to do it, just that moment you will see automatically a great resumption of business throughout this country, which, of course, means happiness and contentment everywhere.

So, Mr. President, I have taken advantage of this time, speaking briefly on the emergency tariff bill, which is now pending, to give simply my own personal view, from some contact with business throughout the country, as to what I believe will really furnish or help to furnish at least some relief, some solution to the problems we are facing. Two years and a half ago, when we came out of the war, there was not any nation in the world, and never a nation in history, that occupied the position we occupied, with the appreciation and thanks of all our allies in the war and even the respect of our enemies, the entire world practically at our feet waiting for us to lead the way. I am not going to discuss what happened in the two years interven-The Members of the Senate know it far better than I can possibly describe it. Differences of opinion existed, of course, but I think those were pretty well settled by the verdict of the American people last November, so that we can go on with that fresh in our minds, so far as international questions and contentions are concerned. But going back to business and industry and commerce, we have absolutely stood still, and in my judgment it is fundamentally and inherently and elementally the first responsibility of a Congress representing the activities of the people of the great country to protect and help develop the people of the Nation.

Thus, Mr. President, realizing that situation, I sincerely hope that the Senate will very promptly take up the subject of taxa-tion in order that the American business man, farmer, cattleman, or whatever he may be, will recognize that his Government is back of him and cooperating with him and will feel that he has a chance to go ahead, and that for his energy and his ability he will receive a fair proportion of profit, and then that he will pay his Government a full proportion of taxes, but in such a way that it will not stifle, as it does to-day, whatever you may say, the energy and the enterprise which we know and

must admit is lacking.

Before I sit down, in talking of the tariff in addition to taxes—and of course we are discussing the tariff to-day—I want to say very frankly, so that I shall not be misunderstood in voting for this bill, that I should be very, very unhappy indeed to see this Congress ever pass a permanent tariff bill that was not in some way elastic, or that represented a range of duties that might be considered properly an embargo on imports. Again, if I must repeat it-and I hardly think it necessary-I believe absolutely in the policy of protection; but we must view the situation to-day as it exists to-day. Just as we can not talk about the horse-drawn vehicle of 20 years ago in developing the motor and automobile trade to-day, so we can not talk about the tariff bills of 15 or 18 years ago in the consideration of a tariff bill to-day. When we are the creditor nation of the world, with a \$14,000,000,000 credit, four or five billions of which represent a difference in goods and the rest represent loans, we must recognize that that means a different situation when we compile a tariff bill, and that it means absolutely that business can not go on in one direction.

I am not making a free-trade speech, but I am making an address that counsels common sense, scientific investigation of a tariff before it is enacted into law, and that recognizes the fact that we must have certain types of imports if we are ever going to export this 15 or 20 per cent in the merchant marine that I have been discussing. You can not do business in one direction continually. It is against all the laws of supply and We must protect, and protect properly, American industry and American labor, but at the same time we must balance that with a thorough realization and admission on both sides of the Chamber that we must export goods, and we must have a market for goods on the other side as well as a market here if we are to have a full measure of prosperity in this great

Therefore, I simply put out this note of warning. We are not considering a tariff bill to-day; it is only an emergency bill which lasts six months, and which meets certain conditions. Very well; but for a regular policy in this country a Republican protectionist to-day must recognize that situation, and must recognize that an embargo with its possible retaliations would mean a stifling of foreign trade, and that would never be good for the industries of this country. I simply leave that note, without attempting to elucidate or go over it in great detail; but I consider it primarily important at this time when we are considering a tariff measure.

Mr. WALSH of Massachusetts. Mr. President, I do not purpose at this time to discuss the antidumping and foreigncurrency valuation provisions of this bill, for the objections to these provisions have been ably and fully set forth by the Senator from North Carolina [Mr. SIMMONS]. I shall therefore restrict my remarks to those sections that impose duties

upon certain agricultural products.

One can not study the general and sharp decline in the prices of agricultural products throughout the country without a profound feeling of sympathy for the agricultural class. But the claim that the agriculturists alone have suffered from falling prices is not well founded. Every class in the country have been victims of sudden and heavy losses in their abnormal war-profit incomes, caused by the reaction which was inevitable, following the unnatural excessive and exorbitant prices that prevailed in all goods, wares, and merchandise during the war. The manufacturer, the jobber, the retailer, the laboring class have all experienced during recent months a substantial reduction in their incomes, and all are very naturally seeking to maintain the large and unusual profits which they received as a result of the exceptional demand for American products and labor during the war. The return from the battle fields to the farms and factories of Europe, of those engaged in fighting the recent war, has of necessity revived business and agricultural production so that there can not possibly be in the immediate future any such increased demand for Americanmade goods and products as we have experienced during recent years. No one class of our population has a right to turn to our Government for redress under conditions which are general and affect more or less all our people, to the further detriment and injury of any other class. The laboring class can not successfully appeal for governmental aid to maintain their wages; the investment class can not expect legislation to prevent them from bearing the losses that have come to them by the decline in value of their securities; the manufacturers and business men of the community have no just right to shift upon the farmer or any other element the burden of bearing the losses which have come to them by reason of the decreased value of their goods and stocks of raw materials through falling prices. All should assume and bear the burdens of readjustment equally. It is no time for the granting of special favors to any class. The readjustment we are passing through must be worked out along natural lines, and all our people must wait patiently for world and business conditions so to shape themselves that the business of our country and of the world may return speedily to normal standards.

We are confronted with a very striking and entirely new condition as a result of this war. We have become for the first time in our history a creditor Nation instead of a debtor Nation. As such we are now to be bound by the economic and commercial laws that govern creditor nations. We can not any longer merely sell and import specie in payment for our goods. Europe is indebted to us through government and private debts to about \$15,000,000,000. This debt we all hope and expect will be met and paid in due time. It can be paid by the countries and people of Europe in one of two ways, either by sending us gold or by selling us goods and services. The countries of Europe are without gold; therefore if these debts are ever to be paid they must be paid in goods and services. For the first time, in considering tariff legislation we are confronted with the fact that we must not construct a tariff wall around our country which will prevent us from receiving the goods and services of Europe. We must bear in mind the importance of helping them to discharge their indebtedness. Heretofore in shaping protective tariff legislation we have had to consider only one element, namely, that of providing such tariff rates as would serve to protect the growing industries of our country in the home markets against the importation of commodities made by the cheap labor of Europe. Our home markets are no longer the sole market for our manufacturers, jobbers, and producers. We have, whether we will it or not, so entered

into the markets of the world that our business of recent years has been developing and expanding upon the conviction that we were prepared to compete in the markets of the world and bring to America a substantial part of the export business of the world. To overlook this fact will result in leading us into a position where we may establish such tariff barriers as to confine practically our entire future business development to the now limited demand for our home markets. A tariff law which destroys or restricts our export business at the present time will be as injurious to home industries as it was claimed a few years ago the want of a protective tariff injured them.

The bill which is before us is called an emergency tariff bill. Its proponents are seeking by fixing tariff rates upon certain imports, particularly agricultural products, to keep out of the country, and out of competition with American producers, various commodities. It is the expressed theory of the proponents of this bill that by establishing high tariff rates the American producer of agricultural products will be able to obtain a higher price, and obtain from the American consumers sufficient money to offset in part the depreciation which he has experienced in prices for his products during recent months. No emergency tariff can be justified on any grounds unless it is clear that there is produced in this country a sufficient amount of the taxed product to take care of the needs of the country, and that the consumers should be charged with an increased price, so as to permit certain classes of producers to carry on their business at a profit. Clearly, if there is not produced in this country a sufficient volume of a given agricultural product to take care of the needs of this country, there is no occasion for an emergency tariff.

Mr. President, the only theory upon which a protective tariff of any kind, to say nothing at all of an emergency tariff, can be justified, is based upon a finding that a given product is being imported in such large volume as to penalize the producer of that article by making his business unprofitable and thereby

destroy his business.

It seems to me certain factors should appear in order to justify an emergency tariff law: First, that the cost of the article produced in America has been driven to a price lower than the cost of production because of the unusual and excess of foreign importation of that article. Second, that the production of the given article in America is sufficient to meet the wants of the country. Neither of these factors can be established from an impartial analysis of the pending bill, and therefore a tariff can not be justified after such an examination of the specific items in this bill. In practically every instance it can be shown that there is either an overproduction and a large exportation from this country of the agricultural products named in this bill or the production is so limited and small that for the general prosperity and welfare of our people it is essential and necessary to permit importation without duty of these agricultural products.

An examination of statistics and well-known information in regard to some of these articles will prove, I believe, beyond question that this emergency tariff bill as framed will not meet the emergency claimed for it and will result in very serious losses to the American people as a whole and impair and injure materially the growing and expanding export business of the

I might add that most of the information which I now place before the Senate has come from various publications of the United States Tariff Commission, namely:

United States Tariff Commission, namely:
Agricultural Staples and the Tariff.
Wheat and Flour Trade (published as a letter to the Senate Finance Committee).
Animal and Vegetable Olls and Fats.
Survey of the Coconut Products Industry.
Survey of the Dairy Products Industry.
Survey of the American Raw Cotton Industry,
Survey of the American Bean Industry.
Survey of the Peanut Industry.
The Wool Growing Industry (as given in a letter to the Committee on Finance, United States Senate).
The Apple Industry.
The summary of tariff information prepared for the use of the Committee on Ways and Means of the House of Representatives, under the direction of the clerk of the committee, by the Tariff Commission.

I think I can justly claim that the information is bipartisan.

I think I can justly claim that the information is bipartisan and nonpartisan. Let us proceed to examine some of the items in this schedule of agricultural products that are to be protected by an emergency tariff.

FLAXSEED.

Flaxseed is used solely as a source of linseed oil, which is extensively consumed in paints, varnishes, and in linoleums and oilcloths.

Our production of flaxseed is wholly inadequate to our requirements; in fact, there has been a world shortage of this product. Substitute and adulterant oils have been imported in large and rapidly increasing quantities. Such substitutes are perilla, soya bean, tung, and china-wood oil.

The United States imports 60 per cent of its flaxseed, chiefly from the Argentine, and also from Canada. American requirements are about 30,000,000 bushels, and we import about 20,000,000 and produce about 10,000,000.

The import duty on flaxseed under the Underwood law is now 20 cents. It is proposed under the emergency tariff law to raise this to 30 cents. So we are confronted at the very outset with the proposition of making a substantial increase in the import tax upon this commodity, 60 per cent of which is imperative and necessary for our demands.

This is a tax upon the whole building industry. Even the farmers themselves will be the greatest sufferers by such an import duty to the extent that they are among the chief users of paints and varnishes. Only in a few States—that is, the Dakotas and Montana—can any benefit possibly accrue, and even in these States it will be offset by higher prices for paints and varnishes.

An increase of 10 cents will of necessity raise the price of the whole 30,000,000 bushels and will add at least \$3,000,000 to the cost of paints and varnishes. In actual operation it would probably amount to more than \$3,000,000, because such a tax tends greatly to increase through higher interest and handling

This is one phase of the situation; there is still another and more serious phase: The proponents of this measure have failed to make a proper readjustment of the duty upon linseed oil, which remains at the rate fixed in the Underwood law, the present law.

In view of the fact that most of our supply comes from abroad, the lack of adjustment between the duty upon oil and flaxseed will result in shutting down the great linseed-oil industry, which is located chiefly around the Great Lakes and in New York State. So this tax on flaxseed will greatly hinder if not shut down our linseed-oil industry and also limit the price which the farmer will get for his flaxseed, because the manufacturer of linseed oil will not be able to compete with imported linseed oil, on which there has been no increase in the tariff.

Mr. President, another element to consider in the imposition of this additional tariff tax on flaxseed is the effect it will have upon the sale of a very important by-product, namely, linseed-oil cake. Thirty-six pounds out of every 56-pound bushel of flaxseed goes out in the form of linseed-oil cake after the oil is extracted. This linseed-oil cake is exported in large quantities to Europe. It is a very important factor in the linseed-oil business. The effect of this increased tariff tax on flaxseed will result in an increase in the price of this linseed-oil cake, making the exportation price prohibitive. Consequently, it will probably paralyze temporarily if not ruin the linseed-oil industry.

Is it any wonder that the linseed oil manufacturers around the Great Lakes are protesting vigorously against the flaxseed provision of the pending emergency tariff bill? The situation which I have described in regard to flaxseed applies to almost every article named in this bill.

#### OTHER VEGETABLE OILS.

High, if not prohibitive, tariffs are proposed for cottonseed oil, coconut oil, and soya-bean oil. These oils are now free of duty. Cottonseed oil is made from cotton seed; coconut oil is made from copra, the dried meat of coconuts; and soya-bean oil is made from soya beans. All of these oils are more or less competitive, price being the determining factor as to the extent to which they are used. Their chief uses are in the manufacture of oleomargarine or butter substitutes (which compete with dairy products through the substitution of oleomargarine for butter) and in the manufacture of lard substitutes (which compete with the hog industry through the competition of lard substitutes with lard), and in the soap industry, where they compete with tallow and similar products.

In view of the fact that the framers of this bill have omitted to place a duty upon the raw materials of these oils—that is, upon copra, cotton seed, and soya beans, which now are free of duty—the proposed tariff can have no substantial operation. Furthermore, approximately 75 per cent of our coconut oil comes from the Philippines, with which we have free trade and which will not be affected by the proposed legislation. The Philippines, according to official statistics, have about 60,000,000 coconut palms, of which only 30,000,000 are in bearing. It is obvious, therefore, that the importation of coconut oil from the Philippines may be greatly increased; and, in view of the fact that all these oils are capable of substitution one for another, this free trade with the Philippines will nullify whatever effect the proposed duty might have.

Instead of protecting the domestic cotton-seed industry, domestic butter and hog industries, the only effect of this bill will be to greatly increase the profits of the domestic crushers of imported materials. These crushers, it is safe to say, it was not the purpose of this bill to protect.

#### WHEAT AND FLOUR.

At the present time the importing countries of the world depend upon the United States and Canada for fully 80 per cent of their imported wheat and flour. It is apparent, therefore, that so long as the international price level dominates the American markets a tariff can be of little practical significance, In point of fact a tariff upon wheat has only very uncertain advantages and many clear disadvantages. This aspect of the situation has been set forth by the United States Tariff Commission in one of its publications, in which it enumerates the things that can be said to the advantage of the tariff on wheat and the things that can be said to its disadvantage. I refer to the document known as Supplemental Information Concerning the Wheat and Flour Trade, particularly the discussion of this subject on pages 7 and 8.

West of the Rockies the wheat trade is quite distinct from that flowing eastward. The western wheat flows to Seattle and Portland, either for export or to meet the deficiencies of California. To this wheat, therefore, the tariff is of no significance, because the Canadian wheat does not enter into these markets, and it is entirely on an export basis. The tariff has been supposed to affect primarily the hard and spring wheat producing regions of the Northwest, the Dakotas and Minnesota, which produce the type of wheat that Canada exports almost entirely—the hard spring wheat. But a large and increasing proportion of the crop of those States consists of durum wheat. This wheat is used chiefly in the manufacture of macaroni, spaghetti, and similar edible pastes. Canada produces little or no durum wheat. Over half of this supply, upon an average, is exported, chiefly to the Mediterranean countries, so of the production of the Dakotas and Minnesota a very large part therefore may be exempted so far as Canadian competition is concerned.

East of the Mississippi the crop consists almost entirely of soft wheats, and this type constitutes a very considerable part of the crop of the States south of this hard spring wheat section. To a considerable extent the price level of soft wheat is independent of that for hard wheat. Soft wheats are used chiefly in the manufacture of biscuits, cakes, and similar pastries. It is true, to a limited extent, soft wheat so competes with the hard wheats, but it is fair to say that in a general way the markets are independent, so the greater part of the producing area may be in a sense exempted from the operation of the tariff.

What effect, therefore, has the tariff upon the hard spring wheat producing sections? It is in these sections that the milling industry has made most rapid progress. In the face of their increasing capacity the acreage in spring wheats has remained stationary. They have outgrown their domestic sources of supply of hard spring wheat. Their alternative, therefore, is either to take more of the southern hard winter wheats or to bring in Canadian wheat. In view of the fact that the southern wheat is upon an exporting basis indirectly, therefore, it influences the hard spring wheats, and they can not with profit go against the natural flow of wheat southward and eastward by bringing such wheat to the northern mills.

The situation is more clearly outlined by an examination of the trade during the current crop year. The American crop amounted to approximately 790,000,000 bushels and there was a carry-over from the preceding crop of approximately 151,000,000 Deducting a domestic consumption for food and seed of 630,000,000 bushels and an average carry-over of approximately 80,000,000 bushels (for it is not possible to scrape the bins before the arrival of the new crop), there remains an exportable surplus of 230,000,000 bushels. But during the nine months ending March 31, 1921, there has already been shipped out 277,000,000 bushels, and exports are still continuing. ports of Canadian wheat and flour amount to 49,000,000 bushels. It is clear, therefore, that Canadian wheat has been absorbed in the American markets. It has been reexported, chiefly in the form of flour, or it has released for export equivalent quantities of wheat from other sections. In addition, a considerable movement of wheat has been moved from Canada in bond through our ports. By reason of her transportation situation much of the Canadian flour must move through American ports. This is an asset which should not be cast aside.

After the wheat crop is harvested Canada has only about 70 days to export through Canadian ports before the close of navigation. The facilities at Halifax and St. John are totally inadequate for winter movements; the hazards of shipping on

account of perils due to ice and the higher marine rates discourage shipments from those ports. Her alternative, therefore, is either to ship this wheat immediately or store it, incur storage and interest charges, and face the possibilities of the international price situation incident to later competition from the crops of Argentina and Australia, which are harvested in December and January, and the crop of British India, which is harvested in March and April.

Wheat is the chief asset of the Canadian farmer, and the mere carrying of this tremendous crop involves tremendous outlay. By shipping it to American ports, to the great primary markets of the South, this wheat is more easily absorbed. If the Canadian wheat were permitted to fall on the world's markets in November and October in volume exceeding the storage and absorbing capacities of Europe it would depress price levels, which in turn react on American prices. If they were permitted entry into the southern markets they would serve as a buffer and maintain our own prices upon more even scale. That this situation is generally recognized is indicated by the Russian Government's action in 1913, when she took measures to keep the Russian crop off the market until the Canadian flow had passed.

It might be well to note that the flour-milling industry is the third largest industry in the United States. Canadian wheat and flour has been rapidly displacing American wheat and flour in England, the great importing market of the world. While American millers have had access to high-grade Canadian hard spring wheat, they have met this competition and have been shipping in large quantities American flour, milled in

America, to England.

The imposition of a tariff, which all agree is going to shut out Canadian wheat, will gradually diminish the exportation of

flour to England.

It follows that if the expert market for flour declines the demand for our farmers' wheat on the part of American millers must of necessity decline and harmfully affect the price the

producer is able to obtain.

Canada has shipped as much as \$425,000,000 worth of wheat to foreign markets. The fact that the Canadian dollar is at a discount of approximately 15 per cent has tended to limit American shipments to Canada, at the same time as it has stimulated shipments from competing European sections, where Canadian money is at a premium. If the wheat were permitted to flow through our markets our opportunities for shipping other products would be greatly increased. Our exports to Canada are far in excess of imports, and this is true even of foodstuffs. We import raw materials from Canada and ship to her prepared foodstuffs. Such a trade should not be discouraged.

In view of these indisputable facts, how can the proponents of this measure successfully contend that the tariff rate upon wheat named in this bill will result in giving the producer in America a higher price for his wheat than he is now ob-Of course, there is no other claim made by the advocates of this bill. Especially there can be none in a tariff measure that is called an emergency measure. This bill must do either one of two things-it must reduce the price of wheat or it must result in giving the producer an advance in price over what he is now receiving; and if it is the latter, it means that every consumer in America must pay that advanced price.

Of course, if the producer does succeed in getting a higher price, this bill ought to be called "A bill to increase the cost of living to the American public," because most of the commodities dealt with in this bill are agricultural products, which are the basic necessities of life. If it does not result in an increased price to the producer, it clearly does result in serious and widespread disadvantages to the American people through (1) the lessening of the export of all manufactured and food products to Canada; (2) reduction in the volume of railroad transportation business from Canada to American ports, and a consequent reduction in the ocean traffic from American ports at the very time when we are seeking to build up a merchant marine; (3) the loss of mill feed, a valuable by-product of flour, which is greatly in demand by producers of milk and dairy products; (4) a loss by our distributing, elevating, and storage interests which would handle this great flood of Canadian wheat; and (5) an indirect loss to the American farmer through the effect of the Canadian flood upon international price levels, which would in turn react upon our domestic prices.

Still another factor requires consideration. The proposed tariff is so poorly framed as to leave loopholes for evading proposed duties; for instance, note the tax of 35 cents per pushes on wheat and 20 per cent ad valorem upon flour. It is a very unscientific provision, since the flour prices vary directly live animal. A somewhat similar condition obtains with respect to duties on sheep, lamb, and mutton.

the fluctuating duty upon the basis of ad valorem throws the markets entirely out of alignment.

If, for instance, wheat sells at \$2, a tariff of 35 cents a bushel is, roughly, about 16 per cent, but the tariff on flour is 20 per cent, or with wheat at \$1 the tariff of 35 cents a bushel is, roughly, 33 per cent, whereas the tariff on flour remains

only 20 per cent.

Furthermore, the customs lawyers will wax fat in litigation over other phases of this rate. The present tariff (Underwood

law) reads as follows:

Free list: Wheat, wheat flour, semolina, and wheat products, provided that there shall be levied a duty of 10 cents a bushel on wheat and 45 cents a barrel upon wheat flour and semolina and 10 per cent upon other wheat products, when from a country which imposes a duty on wheat, wheat flour, and semolina.

Now, if wheat be only slightly milled, it would be neither wheat, wheat flour, nor semolina, which is the product of durum wheat. If from Argentina, for instance, which has no duty on American wheat, partially milled wheat would be free of duty, and such wheat can be remilled into flour. A wheat product such as crushed or cracked wheat, for instance, would come in from Canada at 10 per cent. For illustration, if Canada should alter her present tariff law on wheat and flour, which is similar to our own, her shippers could avoid this whole emergency tariff by shipping into this country free of duty a product of wheat such as crushed or cracked wheat.

#### CATTLE.

Cattle, which are now under the free list, are dutiable at 30 per cent ad valorem under the proposed bill. Quarantine requirements limit shipment of live cattle to Canada and Mexico. At least half or more of the imports consist of feeder cattle. cattle which are shipped to the corn belt and to the Eastern States for fattening. Such imports are an asset rather than a liability. With the increase in homesteading on the western ranges the supply of cheap feeder cattle has been gradually diminished, and the imported stock enables us to utilize to greater advantage our increasing corn crop. The farmers themselves would be harmed by the tariff upon feeder cattle. Yet this proposed tax makes no distinction between feeder cattle and fat cattle. Of course, the proponents of this measure intended to provide an increased revenue for the producers of fat cattle by this bill, but apparently did not have in mind the effect of this legislation upon feeder cattle.

Section 15 provides that cattle and sheep and other stock imported for breeding purposes shall be admitted free of duty. The present tariff reads that only pure-bred registered stock shall be admitted free of duty, it being considered to the interest of the agricultural sections to permit the free entry of high-grade breeding stock. This hastily framed legislation merely reads "imported for breeding purposes." It would be extremely difficult to determine whether scrub cows or bulls imported into this country were for breeding purposes or for slaughter or for fattening, and in consequence the purpose of this provision

would be extremely difficult to put into effect.

In other words, the provisions of this section can be circumvented by anybody setting up the claim that they were importing cattle for breeding purposes and bringing large numbers into the country, which they may temporarily put to grazing, and after a short period sell for slaughter. To make null and void this provision, which has been framed to advance the price of cattle to the cattle producers of the country, all that is necessary is to make a claim at port of entry that the cattle are for breeding purposes. How can a protective tariff, one so filled with inconsistencies and errors, be of any possible assistance to the farmers?

#### PRESH MEATS.

It should be noted, also, that the duties upon fresh beef, veal, mutton, and lamb are out of proportion to the duty on the live stock; that is, at the rates provided, it is more advantageous to bring in the product rather than the live animal. This means our slaughter and packing house industries will lose just that much business. The American packers control over 60 per cent of the exports of Argentina and Uruguay, sources from which a large part of the imported meats come. It hardly seems probable that American packers will bring in meats to compete with their own domestic product. In any event this tariff provision will tend to encourage them to bring in fresh meats rather than live cattle.

A steer averaging 1,000 pounds, at a market valuation of, say, \$100, would under this bill pay a duty of \$30. Assuming a dressed weight of 50 per cent, 500 pounds of beef from that

COTTON.

Cotton is now on the free list. The proposed duty upon cotton having a staple of 13 inches or more in length is 7 cents per pound. This provision, therefore, only deals with Egyptian cotton, which is produced in the Southwest. The United States produces nearly twice as much cotton as all the rest of the world combined, but over 88 per cent of this production consists of short staple. Long-staple cottons are essential for two purposes-the production of fine counts and the production of yarns of any kind where strength and superior wearing qualities are necessary. Egypt is virtually the only large source of long-staple cottons measuring 14 inches in length. Only a small proportion of our supply is produced in the United States, and it is improbable that any considerable proportion will be domestically raised in the near future. In recent years the sudden growth of the tire fabric industries has rendered the world shortage of long-staple cotton more acute. It appears, therefore, that a duty upon this cotton is sufficiently undesirable from any view, and especially indefensible from the viewpoint of emergency legislation. The result of this tax is certain to work injury to our automobile tire trade, to our textile industries, and especially to the textile industries which are most directly affected by foreign competition, in increasing the price of one of their chief raw materials.

Section 17 provides an offset duty of 7 cents per pound over the existing rates, to offset this duty upon raw material. In operation it appears almost impossible to carry this provision into effect. In manufacture there is considerable loss for which no provision is made, and furthermore it would be almost impossible to determine in any yarn the length of cotton which has been used in its manufacture.

WOOL

Wool is now on the free list. It is proposed to place a duty of 15 cents per pound upon unwashed wool, 30 cents on washed wool, and 45 cents on scoured wool. It is further provided that wool which has been sorted or increased in value by the rejection of any part of its original fleece shall carry a duty of 45 cents per pound.

In view of the fact that the wool of South America and Australia is so advanced by the process known as skirting the actual duty is 45 cents per pound. In testimony before the Senate Finance Committee it was brought out that there was nearly a 2-year supply of wool on hand. In view of this fact, what may be said for an emergency tariff upon wool?

If the markets of central Europe were to resume consumption of wool upon a prewar basis, it is doubtful if there would be

a large, if any, world shortage of wool.

In view of this enormous available supply of wool it is very doubt'ul whether the tariff will increase the price of the farmers' wool to any considerable extent. But it is apparent that the increase of 45 cents per pound allowed to textile manufactures, as compensatory duty, is an additional duty upon the consumers of textile fabrics in this country.

An objection similar to the case of cotton appears in the compensatory duty of 45 cents a pound upon wool in the form of manufactured products. There is a considerable reduction in weight in the manufacturing process and it would be extremely difficult to determine accurately the compensatory duty on the textiles.

RICE.

The duty on rice has been doubled. The United States exports about ten times as much rice as it imports for consumption. So great has been the overproduction of rice, that no matter what the tariff a reduction in the domestic acreage is certain during the present year. The trade is largely in the hands of two growers' organizations—the Southern Rice Growers' Association and the Pacific Rice Growers' Association, which attempt to fix minimum prices and, it has been said, have sold American rice to foreign trade at lower prices than obtained in our home markets. No emergency can be claimed for rice. Within the last 20 years our rice production has quadrupled, part of it during the period of the Underwood tariff. This increase has been primarily due to the development since 1913 of rice cultivation in the Sacramento Valley. A large part of the California crop is produced by orientals. The chief benefit of the tariff would accrue to the land speculators who have profited largely by the rice development in A large part of the crop of that State is raised by Whatever justification there may be for a tariff, under no circumstances should it be used to promote land speculation or to enrich oriental labor in America; and the proposed tariff, if it will have any effect at all on rice, is bound to benefit chiefly these two classes.

LEMONS.

The tariff on lemons has been quadrupled, from one-half cent to 2 cents per pound. The present price of lemons in New York City is around \$2 per box, a net weight of about 75 pounds to the box. Before any Sicilian lemons may be imported we must pay therefor approximately \$1.50 for tariff, about 50 cents for packing and other material and an additional 50 cents for ocean freight, making a total of \$2.50 in New York without a cent to the foreign producer. Such a protection therefore is overwhelming—a protection of 100 per cent at prevailing market prices.

Lemons are a household necessity. In this case it might be well to add that this tax will amount to a protection of 100 per cent to one organization which controls about 75 per cent of the American production. One hundred and ten million American people are to be taxed 100 per cent chiefly for the benefit

of this one organization.

Upon Sicily virtually all of Europe is dependent for its supply of lemons and the Sicilian production has reached its maximum. It takes nearly a generation to develop a lemon-growing industry. So that without tariff the consumption of lemons in America and the world and the decreasing importation of Sicilian lemons would result in giving a progressively increasing market to the producers of America. At the present time the California crop, by reason of the increased freight rates, has virtually a monopoly of the markets west of the Mississippi and western Canada.

OLIVE OIL.

The duty on olive oil has been doubled, from 20 cents to 40 cents per gallon. Our production is only about 5 per cent of our olive oil requirements, 95 per cent coming from abroad, chiefly from Spain and Italy. There is a world shortage of olive oil, a shortage so great that in the countries of origin—where olive oil is extensively used as butter—export taxes and export embargoes have been in force. In view of the fact that 95 per cent of our supply comes from abroad and that it would take fully a generation to develop our industry, if it ever can be developed, to the point of meeting our requirements, no emergency may be claimed. Here again is a proposed tax on 110,000,000 of our people when 95 per cent of our supply is imported for the benefit of a few people in America engaged in the production of olive oil.

The United States produces approximately one-half of its sugar requirements. It is dependent upon Cuba for the remainder of its supply. In view of this condition no emergency

mainder of its supply. In view of this condition no emergency may be claimed for the sugar provision of the proposed act. Furthermore, Cuba has become, under the preferential tariffs granted her, an important and rapidly increasing market for American goods. This tariff, therefore, is subject to question on many grounds which have been fully argued by other Sena-

tors opposing this bill.

DAIRY PRODUCTS.

Increases are provided for butter, oleomargarine, cheese, milk, and cream, but in 1920 our exports of dairy products were over five times as large as our imports. The exports amounted to \$126,742,429, while the imports amounted to \$21,842,886.

A very large part of the imports consisted of cheese of the types not produced to any large extent in this country. It is clear that here again it would be absurd to claim an emer-

gency.

It is true that a considerable quantity of Danish butter has arrived in eastern markets, but this butter is of a very high grade and of a quality not produced in sufficient quantity in the United States. It sells for a slightly higher price than much of the American product.

much of the American product.

Milk and cream, now free of duty, are assessed at 2 cents a gallon for milk and 5 cents a gallon for cream. This trade is largely a border proposition. The imports go chiefly to the congested eastern centers. With the relatively limited shipping radius of fresh milk, it seems unfair further to tax the city dwellers of the East.

The taxing of these dairy products will simply result in higher prices to the consumers in the Eastern States and will be of no benefit to western farmers because the railroad hau is

too long for shipments of fresh milk and cream.

Preserved and condensed milk, now free of duty, are assessed at 2 cents per pound. In 1920 our exports of such milk amounted to \$204,000,000. Our imports to only \$2,500,000. It is absurd to maintain that an emergency situation exists in a trade of this character.

I might add, the same hasty and faulty handling of the drafting of the tariff schedule is apparent in the milk schedule.

No provision has been made for preserved or condensed cream. In consequence such cream will enter free of duty, while the fresh cream will be taxed at 5 cents per gallon. It will merely mean that more cream will be imported in preserved form.

TOBACCO.

The tariff on unstemmed wrapper tobacco is increased from \$1.85 to \$2.35 per pound and on stemmed wrapper tobacco from \$2.50 to \$3.

Itelatively, only a limited region produces wrapper tobacco and the present protection amounts to over 150 per cent on an ad valorem basis. It is proposed to increase this further. No compensatory adjustment has been made for a duty upon cigars. What the effect of this faulty framing of the bill will be remains to be seen.

APPLES.

The apples duty affects chiefly the trade between Canada and the United States. The United States ships more apples to Canada than it receives from that country, and our exports of apples far outweigh the imports. No emergency can be claimed here. Our exports of apples in the year 1920 amounted to \$3,155,094; our imports to only \$748,566.

CORN.

Corn is now free of duty; a tariff of 15 cents per bushel is proposed. The United States produces more than twice as much corn as the rest of the world combined. Our crop amounts to around 3,000,000,000 bushels. Imports have never exceeded 15,000,000, while our average exports are at least double that amount. The indirect exports in the form of lard, tallow, beef products, and the products of animals to which

corn is fed are far in excess of that amount.

The great bulk of the imported corn is used by the manufacturers of corn products near New York City. They export a large part of the products made from imported corn to Europe in the form of corn meal and cornstarch. It is apparent, therefore, that with an export trade of these dimensions and with the character of utilization of the imported corn that the duty is only a nominal one. Certainly no emergency can be claimed in the case of our corn production. In view of the overwhelming predominance of the United States in the production and exportation of corn, does it seem conceivable that a customhouse duty on this product would have an effect upon domestic prices?

Here again is manifested the hasty and faulty technical framing of the law. The status of corn products has not been affected. Corn meal, for instance, remains free of duty, and for some of the uses of the imported corn partially milled Argen-

tine corn may serve.

BEANS.

The foreign competition in beans comes chiefly from Japan and Korea, but even during the period when the largest imports have been arriving larger exports were being shipped to European markets. Since the decline in the prices of beans virtually no imports for consumption have been entering domestic markets. No emergency may be claimed in the case of this commodity, just as it can not be claimed in the case of corn, wheat, flaxseed, the oils, and other products named in this bill.

POTATOES.

Rigid quarantine regulations virtually prohibit a substantial import of potatoes except from Canada. There is a considerable flow of domestic potatoes to Canada, and a larger flow of Canadian potatoes to our eastern markets. The supply of potatoes in the eastern markets is contributed chiefly by Maine and western New York, but these regions do not produce sufficient

for the North Atlantic requirements.

The price of potatoes fluctuates tremendously from year to year, almost from month to month, according to climatic and harvest conditions. Prices at times rise to such levels as to cause distress in the congested urban centers of the manufacturing regions of the East. At other times, when there is an abundance of potatoes, prices fall below the cost of production. Under such conditions it would seem that a free movement north and south of the Canadian border is desirable. If a large crop is produced in the United States, then prices will not permit of large exportations, while if prices are high, due to a shortage, then it is to the public interest to admit imports from whatever sources they are available.

The chief demand for a duty on potatoes has come from one county in northern Maine. That county can not produce more than a small proportion of the potato requirement of our Eastern States, and to that county it is really of very little moment whether the additional supply be brought in from Canada or from the West. It is merely a readjustment of the source of the supply rather than a protection.

Mr. President, in conclusion, let me warn the majority party of the injury this legislation will do to a section of the United States that does not deserve from the Republican Party a bequest that amounts to an embargo on its future. It must be borne in mind that the Northeastern States, so far as the demand for food supplies is concerned, is the England of America. New England and the North Atlantic States must obtain food supplies from sections beyond the Canadian border line and the Allegheny Mountains. Any attempt to shut off the natural flow of food supplies from Canada is certain to result in serious detriment to the industrial progress and development of that section of the United States, because the increased cost of food supplies by reason of the long hauls will mean an increase in the cost of living that will prevent the steady progress and advancement of these States. Moreover, the increased cost of living will eventually react on the price of products of this section of the country, and the effect of the tariff would be to raise the level of prices without benefit to the farmer or con-

But I also urge you to reject this measure to prevent injury to the farmer whose welfare you are attempting-mistakenly, I believe-to promote. Of the general provisions of the act it may be said, first, that this duty has to be enforced during a period of six months; that is during part of the season when the American crops are moving to the markets. In view of the fact that these are temporary raises, and in view of the probable fact that the permanent raise may not be fixed at the same high level, instead of being a tariff favoring the producer, it will greatly hinder him through impeding a normal movement to the markets and have a tendency to restrict and limit greatly the purchase of these products by shippers and jobbers. Instead of aiding the farmer it will greatly injure him, for the reason that the wholesalers and dealers will be disinclined to pay the high prices which it is the purpose of this act to establish. The uncertainty of trade in piling up agriculture products with this temporary provision is apt to create still more harm.

Mr. President, it is evident from the foregoing analysis of different articles mentioned in this bill that tariffs upon agricultural commodities, except in a limited number of instances, may not have at all the effect of raising the general level of prices to the producer that the advocates of this measure claim. But to whatever extent it will raise the prices to the producer it will react in higher cost of living and in a higher cost for the things the farmer must buy. During the war, for instance, high prices for agricultural products were closely followed by an increase in prices for the things the farmer purchased, and the result was little net advantage to him. The chief result of a higher level of prices of agricultural products and the consequent increase in the level of all prices would be greatly to impair our export trade.

From every standpoint this bill is most objectionable. It will injure, not help. It is the beginning of the abandonment of our export trade. It is a serious blow to our manufacturing

industries. It is an indefensible precedent.

Mr. President, the majority party of this body will make a very serious mistake if it enacts this measure into law. It will tend to shake the confidence if indeed it does not drive away from its support elements of citizenship of our country who have been the very backbone of the Republican Party in the

last generation.

The view of the American people toward tariff legislation has changed, and changed materially. The change that has been wrought as a result of the war has made our people begin to appreciate that we now must keep in mind the necessity of cultivating an export business and that we must do an export business to keep our present industries active. Heretofore the only problem was the protection of home industries, the building up of home industries to supply the home markets. But we are beyond that stage. We are in the world markets, and when you come to deal with the tariff upon the old basis, of simply protecting the home markets, you are beginning to abandon the export business that has been so rapidly expanding during recent years.

I can not conceive of any substantial reason why the Republican majority in this Chamber would dare go before the country and seriously contend that this measure was not either class legislation or an attempt to extort dollars from a substantial majority of the American people to make up the discrepancies and losses of another group of our people. These are days of reconstruction. A terrible World War has shaken humanity as nothing else has in our day. Do you think business is going to escape without a scar, that human beings alone are to be bruised and bled? Every class has lost and every class is suffering. Of course the farmer has met with losses, and I

sympathize with him and with our laboring people, our manufacturers, and the holders of investment securities. They have all met with heavy financial reverses. They are all suffering as a result of what has followed since the war. But human beings everywhere are also broken in spirit, their hopes dashed,

and the future made gloomy and dark.

Mr. HARRISON. Mr. President—
The PRESIDING OFFICER (Mr. Bursum in the chair). Does the Senator from Massachusetts yield to the Senator from Mississippi?

Mr. WALSH of Massachusetts. I yield.

Mr. HARRISON. And the leadership on the other side, headed by the senior Senator from Massachusetts [Mr. Lodge], and the chairman of the Committee on Finance, the Senator from Pennsylvania [Mr. Penrose], have stated that no amendments to this bill will be allowed.

Mr. WALSH of Massachusetts. Mr. President, I have heard that statement, but do not know of its correctness. It is very evident that it is the intention of the majority to pass this bill and make claim to the farmers of the country that they are now and in the future to enjoy the benefits of a protective tariff. But there can not be a protective tariff applied successfully to agricultural products, especially where those products are being exported in large volume, or in a country where the production of agricultural products is so small that to shut out such products will result in penalizing and punishing the

great majority of the nonagriculturists.

This is a basic industry. If agriculture must be protected, then everything must be protected. The only theory of a protective tariff, as I have understood it, has been the necessity of stimulating home industries—small, growing industries, which were needed in America to produce the things for which we have been dependent upon Europe. That period has largely passed. Home markets alone will not keep our American business active and thriving to-day. We must keep in mind the necessity of doing a foreign export business, and this bill means the restriction, if not the end, of much of our export business. These tariffs upon agricultural products mean that we propose to build a wall around this country and shut out imports of raw materials, and that means that the other countries of the world will be forced to build walls around themselves to keep out our manufactured products.

Mr. President, these are my views upon this measure, and I want to repeat that I think this bill is a very serious mistake. I believe the country is bound to suffer, and I think the Republican Party, just now coming into power in the full flush of victory, is attempting to enact legislation which is indefensible. I do not know of a Republican journal in the eastern part of the country which has attempted to make a serious defense of this legislation. It is the beginning of the death knell. If such legislation is continued the Republican Party can not go before the consuming public of America and expect a favorable verdict. The American people will not support such one-sided class legis-

lation.

Mr. GOODING. Mr. President-

#### PARTICIPATION IN EUROPEAN COUNCILS.

Mr. LA FOLLETTE. Mr. President, I ask leave to submit a resolution, which I ask to have printed in the RECORD and to lie on the table for the present.

The PRESIDING OFFICER. Without objection, the resolution will be printed in the RECORD and lie on the table.

Mr. HARRISON. I would like to have the resolution read,

if there is no objection.

Mr. CURTIS. The Senator from Wisconsin has asked to have the resolution printed in the RECORD. The Senator from Idaho [Mr. Gooding] is seeking recognition to make a speech on the unfinished business, and as the Senator from Wisconsin has asked that the resolution be printed in the RECORD, I think that is sufficient.

Mr. HARRISON. I ask unanimous consent to have it read. It is very short.

Mr. CURTIS. Very well, if the Senator insists that it shall be read.

The PRESIDING OFFICER. If there is no objection, the resolution will be read.

The Assistant Secretary read the resolution (S. Res. 74) as follows:

Whereas the President of the United States has accepted the invitation extended through the British ambassador to designate representatives to attend upon the sessions and participate in the deliberations of the supreme council and the reparations commission created to carry into effect and enforce the terms of the treaty of Versailles; and Whereas the treaty of Versailles is a crime born of blind revenge and insatiable greed and constitutes a betrayal of the solemn promises of this Government made to the world and formally accepted by the Allies as the basis of the peace terms; and

Whereas the Senate of the United States refused to ratify the treaty of Versailles or to give its sanction either to the League of Nations or to the unjust conditions of that treaty; and Whereas the people of the United States by an overwhelming majority in a great and solemn referendum indorsed the action of the Senate in rejecting the said treaty; and Whereas the Senate has by an overwhelming majority adopted a resolution declaring the war with Germany at an end; and Whereas our participation in the deliberations of the supreme council may be accepted as an indorsement by the Government of the United States of the imperialistic policies which the members of the supreme council are now pursuing in Europe, Africa, and Asia and as a sanction of the barbarous and uncivilized warfare which is now being waged against the people of Ireland in contravention of the laws of war as prescribed by The Hague convention and in violation of the pledges solemnly made during the war that the rights of small nations should be recognized: Now, therefore, be it

\*Resolved\*\*, That it is the sense of the Senate that it is contrary to American ideals and traditions for the Government of the United States to participate in any manner in councils the purposes of which constitute a denial of freedom and self-government and thus sanction, or appear to sanction, the acts of oppression which are now being inflicted upon Ireland, India, and other subject nations, and that it is the sense of the Senate that the Government of the United States should not take part in any foreign councils except upon the express understanding that the purposes of such councils are to be the fulfillment of the pledges made by the responsible representatives of this country and the allied Governments during the war, foremost amongst which was the establishment throughout the world of government by consent of the governed. of the governed.

Mr. HARRISON. Mr. President— Mr. CURTIS. I shall have to object if there is to be any discussion of the resolution.

Mr. HARRISON. I am not going to discuss the resolution. I merely wish to call the attention of the Senate to something in this connection. I understood that the order had been made.

Mr. CURTIS. It has not been made, for if there is to be discussion, it is in the nature of an objection, when the regular order is demanded.

The VICE PRESIDENT. If there is objection, the resolution goes to the table for printing.

Mr. HARRISON. There is no objection.

Mr. CURTIS. Unanimous consent has been asked that it be printed and lie on the table. To that I have no objection, but I do object to any discussion of the resolution, and I shall demand the regular order.

Mr. HARRISON. Mr. President—

Mr. LA FOLLETTE. The order was made before it was

read that it should be received and lie on the table. The reading was called for afterwards. I did not ask to have the resolution read.

Mr. HARRISON. No; I asked in my own right that it be read. Mr. President—
The VICE PRESIDENT. The Senator from Mississ ppi.

Mr. HARRISON. I am not going to discuss the resolution, but in connection with it I wish to state that there appeared in a morning paper a statement by one Will am Allen White, a very distinguished Republican, one who I understand was a member of the platform committee at the Chicago convention last year. It is true that he followed one wing of that party some years ago and was then styled a Bull Moose, but he has since come back into the fold and is now reckoned as being very close to the present administration, and no doubt his expressions carry great weight throughout the country. Any utterance touching the policies of the present admin strat on respecting foreign affairs and domestic policies would have great weight in the country and would be looked upon as coming from headquarters; but when it appears in one of the papers in the city of Washington that is dominated and controlled by one of the high Republican leaders of to-day, a member of the President's Cabinet, Herbert Hoover, Secretary of Commerce, of course it carries more significance, and part cularly when accompanying the statement of William Allen White there appears in Mr. Hoover's paper an editorial, as appeared this morning, entitled "President Wilson's Clothes," it carries still greater weight and more significance. I shall read just a few extracts:

The Democrats in Congress-

Says the editorial in the Herald-

are being mighty decent. They are entitled to commendation for not trying merely to get in the way, to "ball things up," and to delay action.

That is a very splendid comment and very just. The editorial further says:

There is no reason to believe opposition to the complete foreign relations program will meet serious opposition from the larger body of Democratic Senators. It is more apt to come from a few dissenting

That is why I read it at this particular time, following the resolution offered by the distinguished Senator from Wisconsin [Mr. LA FOLLETTE].

No one of them should object to the solace they get from saying that the Republicans have put on President Wilson's clothes. This has fully as much of truth as the claim of the Republican extreme irreconcilables that the vote of November 2 was a verdict against any slightest Wilsonian taint; that everything ever advocated by Mr. Wilson is unclean, and that no remnant of his program can be accepted; that the people then declared that nothing which by any stretch of the imagination could be credited to Mr. Wilson shall be even considered. \* \* \* But in principle it was upheld by a majority of the last Senate.

That is, Mr. Wilson's foreign policy as a whole.

If Mr. Wilson had been content to get only the principle and had forgotten the details, the treaty would have been ratified with votes to spare.

The editorial further says:

The editorial further says:

It happens, also, that President Harding was one who voted for ratifying the treaty with reservations.

To accept no part of the principle claimed for Mr. Wilson would mean the complete isolation of the United States and a separate treaty of peace with Germany. This is as far from the real sentiment of the Republican Party as would be the adoption of the treaty of Versailles without change. When President Harding made Mr. Hughes his Secretary of State—no appointment he has made was and is more popular—he gave conclusive notice that he had not so radically changed his position as to be classed with either extreme. Somewhere there is a middle ground, and if the Democrats take comfort from the fact that the administration seems to be seeking it—well, it will take at least 10 Democratic votes in the Senate and maybe more to finally adopt any form of a foreign policy.

This is a very remarkable editorial, and appearing in the same issue of the paper that contained the interview with William Allen White, a member of the last Republican platform committee and, I believe, one of the advisers of the present administration, I ask that the William Allen White article be read at the desk.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Assistant Secretary read as follows:

[From the Washington Herald, Tuesday, May 10, 1921.]

HARDING KIND TO LEAGUE FOES, BUT PRESSES HIS OWN POLICY—WILLIAM ALLEN WHITE SAYS PRESIDENT'S COURSE WILL DISLODGE IRRECONCILABLES AND LAND AMERICA IN ASSOCIATION.

(By William Allen White.)

President Harding is having a sad time hushing the irreconcilables. Every day they are quieter than they were.

To-day they are stirring in their stupor because the joint resolution for a separate peace with Germany does not move out of the House of Representatives. They feel that the President is keeping the resolution there for his own purposes. And they fear that the President's purpose in delaying the peace resolution would be only to give him time to work out the plans of Hughes and others.

## HOLD UP TARIFF MEASURE.

The plan of Highes is to get the United States into a league of nations. Possibly it will be an association of nations, possibly a world court. But league or association or court, the irreconcilables believe that it would be the Wilson covenant minus article 10, plus express stipulations that America would not be responsible for the enforcement of the Versailles treaty.

The reaction of the Senate leaders to the delay of the House in passing the joint resolution for peace with Germany is to hold up the passage of the emergency tarlif measure. This measure is near to the hearts of mid-western Congressmen, who are suspected of having a sneaking regard for the Hughes position. It is a question whether the threat of Senate delay on the emergency tarlif may not work.

#### LOVE OF LEAGUE ACADEMIC.

threat of Senate delay on the emergency tariff may not work.

LOVE OF LEAGUE ACADEMIC.

For the Representative's love of an intangible league of nations is more or less academic and platonic, while the way the Representative loves his job is passionate and substantial. And the emergency tariff bill in Congress is supposed to be one of the few things that will be done for the farmer who has the Representative's job to give. It is a nice bit of politics.

And the President, who is supposed by certain Senate leaders to be slowly moving toward an alliance with our European allies in an association to keep the world peace, may be using the delay in developing a European policy to give the American people time to forget the rancors of the campaign. With the education of the people away from a league of nations receding, the league becomes more and more probable. Every week sees some small wedge biting into the Senate's anti-Wilson policy. The appointment of the American "observers" at the conference of the Allies is a small wedge. And the fact that George Harvey, most irreconcilable of all the anti-Wilsonites, is to sit in that conference is a most deadly bit of diplomacy. For, sitting in the conference, George Harvey will be brought to see the wisdom of the conference and the need of more power to protect American interests in Europe. If Harvey is converted to the policy of further commitments for America, the Senate will follow.

This is the essence of the Harding victory. The President is no crusader. He will not be Rooseveltian in his clashes nor Wilsonian in his uncompromising position. He will not go over the heads of the Senate leaders to the people in a thunderclap.

Yet he realizes that the Senate intellectuals—Lodge, for instance, and Borah and Johnson—sometimes act as if they considered Harding not quite big enough for the job. He is in the act of "showing them," most politiely, even most affectionately, that he is big, really, enough for the Job. Hence his quite gesture of delay in matters relating to the

will land America in whatever league, association, or court Republicans like Root, Hughes, Nicholas Murray Butler, Wickersham, and Lowell decide shall be established upon the débris in Europe. That big, fundamental fact is growing more obvious every day.

Harding has not ditched the irreconcilables. But he is letting them use an awful lot of gas while they stand at the curb and blow out their cylinders. They may run clear out of gas and have to be hauled in, Harding is a kind man. He will take care of them.

#### EMERGENCY TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2435) imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenue; to regulate commerce with foreign countries; to prevent the dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes.

Mr. REED. Mr. President, I offer an amendment to the pending bill and ask that it may be printed and lie on the table, with the other amendments to the bill, to be taken up at the proper

time

Mr. Reed's amendment was ordered to be printed and to lie on the table, as follows:

Insert the following after section 202:

"Whenever it is established to the satisfaction of the Secretary of the Treasury that merchandise upon which an import duty is levied by the United States is being commonly exported from the United States and is being commonly and generally sold in the countries to which exported at less than the same class or kind of merchandise is being sold or offered for sale in the United States, then the Secretary of the Treasury shall issue an order suspending and setting aside any import duty or tariff upon the importation of the same or similar articles of merchandise into the United States, said order to remain effective so long as the condition aforesaid exists."

Mr. GOODING. Mr. President, the question before the Senate at the present time is, Shall the farmers and live-stock growers of America be given protection? The Democratic Party in the Underwood-Simmons bill gave protection to practically every manufacturing institution in this country. They made one exception. They put farming machinery on the free list, and they told the farmers they were putting it on the free list in order to give them cheaper farming machinery and recompense them for the losses which they sustained by having their products put on the free list. That was an insult to the intelligence of the American farmer, for the genius of the American farmer has led the whole world in improved farming machinery and we never have imported any foreign farming machinery. The question is, Shall the farmers be given protection the same as the manufacturers are receiving to-day at the hands of the Democratic Party under the Underwood-Simmons bill?

There is but very little difference in the discussion that has taken place on the floor of the Senate on the emergency tariff bill ir the last few days than that which the American people have istened to for more than a hundred years. For ever since the foundation of this Government men and parties have divided on this great question according to their viewpoint of life, or from political expediency, or their own selfish interests.

The protectionist believes that the prosperity and happiness of our country depend on protection; that this country can not reach its full greatness as a nation without protection to Ameri-

can labor and American institutions.

The free trader believes that the best interests of the country are served by a free-trade policy that throws our ports open to the trade of the world; or a tariff on what he calls the finished product, and free trade on the farm and range products of the country that he calls raw material.

The question of free trade and protection, Mr. President, has been responsible for more strife in this country than all other political questions combined. Next to slavery, it was more responsible for the Civil War than all other questions combined. For years the North and the South were at the breaking point over the right of the Government to collect duties on imports.

At the beginning of this Government the Democratic Party was the strong protective party of the Nation, but with the growth of slavery in the South it drifted toward free trade, and long before the Civil War it became a radical free-trade party. So bitter was the South against protection that when the Confederate constitution was drafted it provided that protection should be unconstitutional, so that if the South had succeeded in the Civil War the Confederate States would have been a freetrade country by constitutional provision. Section 8 of the Confederate constitution reads as follows:

SEC. 8. The congress shall have power to lay and collect taxes, duties, imposts, and excises for revenue necessary to pay the debts, provide for the common defense, and carry on the government of the Confederate States; but no bounties shall be granted from the treasury, nor shall any duties or taxes on importations from foreign nations be paid to promote or foster any branch of industry, and all duties, imposts, and excises shall be uniform throughout the Confederate States.

It is not strange, Mr. President, that the South, with its slave labor, should have been opposed to protection, for the only excuse for protection in this country on any industry is the difference in the cost of production that is made up by the difference in the price paid for labor here and abroad. Give the manufacturers, the farmers, the miners of this country labor as cheap as it is in foreign countries and they will not need any protection, for they will be able to compete with the whole world. But few, if any, of our industries can exist long without protection if the American scale of labor is to be maintained. I am unable to understand the man who would be willing to see labor in this country forced to accept the measly pittance that is paid to labor in the Old World. Labor has always been paid a higher price in America than in any other country on earth, so it is not strange that the manufacturing industries of the North fought for protection while the South, with its slave labor, fought for free trade. Nor is it strange, Mr. President, with the slave interests dominating the South, that the contest between the North and the South over the question of free trade and slavery grew more bitter until we became involved in the greatest civil war the world has ever known.

There is no doubt, Mr. President, that protection wrought great hardships upon the people of the South with its slave labor. But free trade worked equally as great hardships upon the people of the North, that paid the highest price for its labor of any country on earth. And, as I read the history of our country, I am forced to the conclusion that after all the war between the North and the South was inevitable, and that we are a bigger and better country to-day because the differences between the North and the South were fought out on the battle

fields.

The traditional free-trade policy of the Democratic Party is but a relic of slavery. It is not to be wondered at that more than half a century should have passed away before there was any radical change in the people of the South on the question of free trade and protection, for the Civil War left a condition in the South that was little better than slavery. But labor organizations, together with the World War, have brought about a change in the price paid for labor in many lines of industry in the South until to day the South line. dustry in the South until to-day the South, like the North and the West, is forced to fight for protection in order to save its industries from ruinous competition with foreign countries.

It was Henry Clay who said that the question of free trade and protection would never be settled until it was settled on the side of protection; but I am not predicting, Mr. President, that this country is any nearer a settlement of the great question of free trade and protection than it has been for the past hun-

dred years.

But all the free trade this country has ever known the Southern States are responsible for, for it is the solid South that has dominated the Democratic Party and shaped its free-trade policy. That there is a growing sentiment in the South for protection I am sure must be admitted. But the bitter opposition of the Democratic Party in Congress to protection for the agricultural and live-stock interests at this time, when they are in the most deplorable condition that has ever existed in their history, is evidence that the leaders of that party are not going to accept any opposition to their traditional free-trade policy.

That there is a force, however, they must reckon with in the South is evident, Mr. President, from the activities of the Southern Tariff Association. At their convention in the city of Atlanta, Ga., January 27, 28, and 29, 1921, which President Harding and Vice President Coolidge were invited to attend, resolutions were unanimously adopted favoring the passage of

the emergency tariff bill.

In speaking of that convention the Southern Tariff Advocate

has this to say:

The invitation extended by 24 Southern governors and governors elect to attend the Southern Tariff Congress at Atlanta January 27, 28, and 29, which is reproduced in this issue of the Advocate, is a most unique document and historians of the future will record it as the prelude to the great movement to bridge the industrial chasm between the North and the South and to bring us in closer relationship with the executive and administrative branches of Government at Washington.

with the executive and administrative branches of Government at Washington.

The Southern Tariff Congress is perhaps the first movement in the history of the South that meets with the unanimous approval of all political, agricultural, industrial, and commercial factions, and it is predicted by those giving serious thought to the matter that the deliberations of that body will result in forging the link that will bind the interests of the industrial South with those of all other sections in such a manner that tariff legislation of the future will be levied without discrimination to any class of industry and that its burdens and benefits may be equally shared by all.

Mr. President in my indement the congress held at Atlanta.

Mr. President, in my judgment, the congress held at Atlanta, Ga., in January of this year by the Southern Tariff Association, which President-elect Harding and Vice President-elect Coolidge were invited to attend, marks an epoch in the history of America on the tariff question. In order that the activities of the

Southern Tariff Association may be preserved in the records of the Government, I ask that the invitation to President Harding and Vice President Coolidge, and the double page of the Southern Tariff Advocate containing the names of the 24 governors and governors elect who signed that invitation be printed at this place in my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The invitation referred to is as follows:

SOUTHERN GOVERNORS URGE HARDING AND COOLIDGE TO ACCEPT INVITATION TO SOUTHERN TARIFF CONGRESS.

Hon. Warren G. Harding,
President elect of the United States, Marion, Ohio:
Hon. Calvin Coolings,
Vice President elect of the United States, Boston, Mass.:

We sincerely urge you to accept the invitation of the Southern Tariff Association to address the Southern Tariff Congress in session at Atlanta, Ga., January 27, 28, and 29, 1921.

We invite you to be the guests of the South and assure you a warm welcome and best wishes of the southern people for a peaceful, happy, and prosperous administration.

erous administration.

Hugh M. Dorsey, governor of Georgia; Thomas W. Hardwick, governor elect of Georgia; Thos. F. Kilby, governor of Alabama; Thos. E. Campbell, governor of Arkansas; Thomas C. McRae, governor elect of Arkansas; Sidney J. Catts, governor of Florida; Cary A. Hardee, governor elect of Florida; Cary A. Hardee, governor elect of Florida; Edwin P. Morrow, governor of Kentucky; Jno. M. Parker, governor of Louisiana; Albert C. Ritchie, governor of Maryland; Lee M. Russell, governor of Mississippi; Frederick D. Gardner, governor of Missouri; A. M. Hyde, governor elect of Missouri; O. A. Larrazolo, governor of New Mexico; Merritt C. Mechem, governor elect of New Mexico; T. W. Bickett, governor of North Carolina; J. B. A. Robertson, governor of Oklahoma; R. A. Cooper, governor of South Carolina; A. H. Roberts, governor of Tennessee; W. P. Hobby, governor of Texas; Pat M. Neff, governor elect of Texas; Jno. J. Cornwell, governor of West Virginia.

Mr. GOODING. I also ask that the resolution unanimously passed by the Congress of the Southern Tariff Association and the telegram to Senators from the Southern States urging them to support the emergency tariff bill may be printed in the Rec-ORD following the invitation.

The VICE PRESIDENT. Without objection, it is so ordered. The resolution and telegram are as follows:

The following resolutions were passed at the closing session of the

The resolution and telegram are as follows:

The following resolutions were passed at the closing session of the congress:

Resolved, That we send the following message to President-elect Harding, the Congress of the United States, and the American people:

This convention, called by 16 southern governors and composed of delegates from 18 Southern States, represents every important southern industry, and truly reflects the thoughts and aspirations of the people of the South regarding the great economic questions now confronting the country. We express our profound appreciation for the generous recognition given this congress by President-elect Harding by his interview to the press, assuring us that the "incoming administration is highly sympathetic with the aspirations of the people of the South." We believe with him in "prospering America first," and in "protecting our home markets in such a way as to assure American standards of production and American standards of living." We foin with him in the hope and we express the belief that his administration will be in the interest of all the people, without favor to any class, section, or interest, and in so doing we believe that it will remove all cause for sectionalism and prejudice. We piedge ourselves and our association to cooperate in the achievement of this worthy purpose.

The visit of Vice President-elect Coolidge and his splendid address to us is a distinction never before shown a southern convention by a Republican Vice President we hope and believe that it will be productly of a better understanding and of a better service on the part of us all for our common country.

Due largely to foreign competition, all the southern industries represented in this convention are in a desperate condition, including agriculture, live stock, mining, manufacturing, and forest products. These industries are all essential to the prosperity of our country in peace and to its success in war. The producer has been encouraged to increase production in order to meet the world

We therefore petition the President and Congress:

To enact at the earliest date possible the emergency tariff law with the Senate amendments, and to enact a permanent tariff law that will afford both revenue to the Government and protection to agriculture and industry.

Resolved, That the following telegram be sent to Senators Underwood, Harrison, Simmons, and others:

The Southern Tariff Congress in session here, representing all Southern States and industries, believes that the prompt adoption of the emergency tariff bill with the Senate amendments will be of very great advantage to southern agriculture and industry. The convention has approved this measure by unanimous vote and directs me, as president of the congress, to request your support of the measure:

(Signed) John H. Kredy,

(Signed) JOHN H. Kraby, President Southern Tariff Association.

#### SENATORIAL FILIBUSTER.

Whereas it has come to the attention of the Southern Tariff Association in convention assembled that it has been charged by Senator ASHURST, Democrat, of Arizona, that certain southern Senators are seeking to defeat the Fordney emergency tariff bill by dilatory tactics; and
Whereas we regard the passage of this measure of vital necessity to save the producers of the South and West from financial distress and ruin: Now, therefore, be it

and ruin: Now, therefore, be it

Resolved by this convention. That we most earnestly beg to implore
the Senators from the South and West to permit this bill to come to
an immediate vote in the Senate: Be it further

Resolved, That we here now express our most solemn protest against
any filibuster by either individual Senators or any party on this measure: Be it further

Resolved, That this association at once wire this resolution to all
southern and western Senators.

ORGANIZATION PLAN.

Resolved, That the chairman appoint a committee of three persons for each State to secure indorsement of our declaration of principles and affiliation with our association by all organizations within their State.

That the chairman appoint a committee of three persons for each State of the chairman appoint a committee of three persons for each State.

That the chairman be further authorized to appoint a large delegation to appear before the proper congressional committees at Washington in the interest of southern welfare.

#### LIVE-STOCK INDUSTRY.

Whereas the live-stock industry of the South has suffered from foreign competition of sheep, goats, wool, mohair, cattle, frozen meats, hides and skins, dairy, and all other live-stock products, to the extent that the industry can no longer survive unless given recognition in tariff legislation: Therefore be it

Resolved, That we urge the Ways and Means Committee of the Congress of the United States to include the above-mentioned products in the list of articles needing protection.

#### AGRICULTURAL PRODUCTS.

We specifically urge the enactment of such tariff legislation as will adequately protect the following agricultural products from foreign competition: Vegetable oils, citrus fruits, tobacco, rice, sugar, peanuts, honey, Egyptian or long staple cotton, onlons, potatoes, grain, and all other products produced on the American farm which are affected by importations from foreign countries.

#### FOREST PRODUCTS.

We also favor adequate tariff schedules for all products of the forests, including lumber, naval stores, wood pulp, and other products affected by foreign competition. MANUFACTURES.

We believe in the fullest development of our manufacturing industries and favor such tariff schedules as will equalize the cost of production in this country with that of foreign countries where wages and standards of living are below our standards, and recommend that the following industries be considered in the next tariff bill of the Congress of the United States: Glass manufacturing, cotton manufactures, furniure, burlap, coal-tar dyes, flour milling, foundry and machine shops, fertilizer, creosote oil, and all other manufacturing industries whose progress and prosperity may be hampered by importations of competitive products from foreign countries.

Whereas the necessity and urgency of protection of American industry is now the paramount issue before the Congress of the United States; and

whereas the mineral industry of this country is seriously jeopardized by the invasion of foreign minerals; and Whereas a subcommittee of the Southern Tariff Congress was appointed on January 26, 1921, for the purpose of reporting upon the needs of the mineral industry for protection, and the said committee having reported that the following minerals, among others, are urgently in need of protection from foreign competition: Antimony, pyrite and sulphur, potash, graphite, tungsten, filmt, tale, manganese, magnesite, lead, clay (kaolin), feldspar, whiting, marble, zinc, monazite sand, ferro-alloys, thorium, iron and steel, fuller's earth: Be it Resolved by the Southern Tariff Congress, in joint session assembled, That it lends its unqualitied indorsement to the protection now being sought by the mineral industries now seeking protection before the Ways and Means Committee of the Congress of the United States; and be it further

Resolved by the Southern Tariff Congress, in joint session, That the Congress express its unqualified approval of such protection on all such minerals as will equalize the cost of production here and abroad, and pledges itself to lend its best efforts toward that end.

#### SOUTHERN TARIFF ADVOCATE.

Resolved. That we heartily commend and indorse the Southern Tariff Advocate, the official publication of the Southern Tariff Congress. Its circulation, which now includes all members of the United States Congress Tariff Commission, members of the legislatures of Southern States, and the industrial and economic leaders of the South, should be expanded. We urge all citizens, and especially industries interested in securing proper tariff racognition for the South, to liberally support it with advertising and subscription patronage. We especially commend the work of its editor, Mrs. Ida M. Darden, and extend the thanks of this convention for the valuable service she has rendered the South as director of publicity of the Southern Tariff Association.

## MANUFACTURERS RECORD.

Resolved. That we express our appreciation to the Manufacturers Record and its editor, Col. Richard H. Edmonds, for the generous support given this organization and for the unselfish campaign they have consistently and unceasingly waged for the past 40 years in the interest of the producer and the wage earner.

#### THE PRESS.

Resolved, That we thank the press of the city of Atlanta and the press and magazines of the South for the recognition extended us, and thank the good citizens of Atlanta for their gracious hospitality.

#### INDUSTRIES SHOULD STATE TARIFF REQUIREMENTS.

Resolved, That the various organizations and committees, representing the agricultural, live-stock, mining, manufacturing, and forest-product industries be earnestly requested to file briefs and resolutions with the schedules committee of the Southern Tariff Association at its

Washington office, definitely and authoritatively stating their tariff requirements in order that a broad and comprehensive campaign of publicity may be carried on to better acquaint the political and economic leaders of the Nation with the problems of southern industry as especially relates to tariff matters. (Under authority of the foregoing resolution representatives of the glass, Egyptian-cotton, cotton-manufacturing, mica, zinc, and other industries submitted resolutions calling for specific tariff rates on their various commodities which were adopted by the congress and will be printed in pamphlet form at an early date for use of the House Ways and Means Committee, the Senate Finance Committee, and for the information of the individual Members of Congress in framing and disposing of the permanent tariff measures.) measures.)

#### COOPERATION OF INDUSTRIES.

COOPERATION OF INDUSTRIES.

Resolved, That we hereby pledge our mutual support, each to the other, in securing the enactment of legislation to protect each and every American industry against destruction by foreign competition.

(Signed) N. A. SHAW,

(Nature of the competition o

Respectfully submitted.

Respectfully submitted.

George W. Armstrong,
Chairman Resolutions Committee,
The foregoing resolutions were unanimously adopted by the Southern
Tariff Congress in session at Atlanta, Ga., January 29, 1921.

SOUTHERN TARIFF ASSOCIATION,
JOHN H. KIRBY, President.
J. A. Arnold, Manager.

Mr. GOODING. I also ask that the memorial presented to the Ways and Means Committee by the Southern Tariff Association may be printed with my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The memorial referred to is as follows:

MEMORIAL PRESENTED TO WAYS AND MEANS COMMITTEE OF CONGRESS BY SOUTHERN TARIFF ASSOCIATION.

To the Ways and Means Committee of the House of Representatives:

The Southern Tariff Association represents affiliated industries from Alabama, Arizona, Arkansas, Florida, Georgia, Kentucky, Louislana, Maryland, Mississippi, Missouri, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia—18 Southern States. The number of these affiliated industries is 57, embracing virtually every line of activity in the States mentioned, as follows:

as southern States. The number of these affiliated industries is 57, embracing virtually every line of activity in the States mentioned, as follows:

Agricultural: Cottonseed and vegetable oils, cattle, sheep and wool, goats and mohair, Egyptian cotton, citrus fruits, honey and beeswax, onions, peanuts, grain, cane and sugar, rice, potatoes, hides and skins, tobacco, dairy products, lumber, naval stores, poultry.

Manufacturing: Cotton goods, flour milling, saddles and harness, chemical dyes, glass, burlap, penholders, haircloth, slaughtering and meat packing, pencil leads, epsom salts, macaroni, fertilizers, fish oil, furniture, foundry products, wood pulp, iron and steel, shoe manufacturing, potato flour, and starch.

Mineral: Asbestos, barium, barytes, bauxite, cement, clay, feldspar, ferro-alloys, gypsum, graphite, marble, monozite, manganese, mica, potash, pyrites, quicksilver, sulphur, taic, zinc.

These industries represent two-thirds of the wealth of the South and have directly dependent upon them two-thirds of all the inhabitants. Unless these industries function and prosper the 18 States in which they are situated must rest commercially stagnant, their business inert, and their progress definitely halted.

The whole southern territory is now in the throes of an economic disaster of unparalleled intensity. It has been in this condition for many months. Agriculture, the great basic industry, lies prostrate. The acres are among the most fertile on the earth, but the owners of them are besought by bankers and by merchants, by statesmen and by economists, to let lie fallow the lands that for a hundred years have clothed the world. With unanimity they are advised against the vast production of which they are capable. The wealth that can be created must not be created because there is an economic status which impoverishes a whole people as a penalty for thrift in the fields. Nor in the vast production of edibles is the situation different, since a flood of foreign and competing goods is pouring into the port

foreign and competing goods is pouring into the ports, destroying markets and depriving agriculture of any possible profit. Equally stricken are the stock and wool industries, so vital to the sustenance of the Nation.

Not less alarming is the status of the manufacturing industry. The great textile establishments are either closed or are working on part time. The glass industry is not functioning. The dye industry, an essential element in the national defense, is threatened with paralysis, it would be difficult to decide which branch of manufacturing is in the worse condition.

The mineral industry is to all intents and purposes entirely inoperative. During the war the necessities of the conflict revealed hidden sources of essential minerals in southern territory, the development of which promised not only a substantial increase in the national wealth but sure elements of defense in the event of war, going far to determine the complete self-sustenance of the Nation. These industries are on the verge of extinction.

We can not wholly acquiesce in the conclusion that these alarming and ruinous conditions are wholly the result of natural laws, against which it would be folly to contend and to prevent the operation of which would be futile. On the contrary, we are convinced—and are prepared to prove—that the economic disaster is the consequence of forces the hardness of whose compact can and ought to be softened by the intervention of the Government, impartially made operative. Not only are we convinced that these forces have facilitated domestic trade paralysis, but it is our firm belief that unless they are controlled immediately conditions, if possible, will become progressively disastrous, with widespread bankruptry, unemployment, and civic restlessness. A flood of cheap imports is wrecking the markets.

We favor, therefore, the immediate enactment of such tariff schedules as will equalize the cost of production in this country with that of foreign countries, and that will take up the differentials, now favorable to foreigners, in exchange and transportation costs, so far as may be consistent with the public welfare, such schedules to be so placed as to distribute fairly the burdens and benefits among all industries without discriminating against any section, class, or product, to the end that there may be maintained American standards of living in every line of effort

there may be maintained American standards of living in every line of effort.

We respectfully call the attention of your committee to the fact that there is an economic emergency comparable in its immediacy and potential destructiveness to any military exigency with which the Nation has been confronted. The World War has no more violently disturbed the geographical status of the world than it has changed the economic map. The wealth of countries has been swept away in great sections of the earth. This has resulted in a credit famine, which necessarily expresses itself in lower standards of living and reduced costs of production abroad. A decade ago there was hope that an equalization of production costs might be anticipated by higher standards of living in other nations, but the Great War has postponed that expectation and relief can be effected now only by the imposition of tariffs sufficiently high to afford real equalization. The competition of pauper production in its several degrees impoverishes those who attempt to meet it, and all alike, in such circumstances, are joined in promiscuous ruin.

This situation is aggravated and intensified by a breakdown in exchange. In several of the countries which are flooding or are threatening to flood this country with their cheap goods the purchasing power of their unit coin at home is three or four times as much as the cost of the same unit in international exchange. The effect is to give each of these countries a prohibitive protection against American products, while it serves as an actual bonus on exportations to America.

The South comes into competition agriculturally with the cheapest labor on earth. Her products are the products likewise of the Orient and semitropical nations, where living conditions are such that labor is the cheapest of all things. The South has been paying, and would like to continue to pay, an American wage to those who toll in the fields, as well as those who labor in the factories and mines, but it can not pay five or ten times the wag

ns well as those who labor in the lateories and limites, but it can lot pay five or ten times the wage that is paid by foreign competitors and economically survive.

Each of the industries signing this memorandum is submitting to your committee severally and independently a specific statement of its condition, together with statistical tables which reveal the actual difference in cost of production in this country and in foreign countries. Those figures are based on actual market quotations and on other information which it has been possible to collect. The emergency has developed so rapidly that the investingating agencies of the Government, such as the United States Tariff Commission, have been unable to secure reliable statistics up to this time, nor is the Tariff Commission in a position, we are informed, to make an investigation within such time as is available. We respectfully suggest to your committee, however, that the figures which each of the affiliated industries is submitting is subject to substantiation either by witnesses which each particular industry can provide or by additional information now being procured. The schedules suggested represent in every case the minimum levies which practical men in the industries involved feel will permit them to do business on an equality with foreign producers, but with no advantage over them.

We regret that we can not visualize for your committee the wide-

mum levies which practical men in the industries favolved feel will permit them to do business on an equality with foreign producers, but with no advantage over them.

We regret that we can not visualize for your committee the widespread devastation which has been spread over the South by the flood of imports. No words can paint the picture. The breakdown in the cottonseed market alone is known to have taken more than 25,000 children away from country schools. Additional thousands have been compelled to withdraw from other institutions of learning. Banks find their commodity collateral no longer sufficient to guarantee loans made. Scores of financial institutions, chiefly serving rural communities, have been forced to suspend operations. Thousands of farms have been abandoned. Others are so mortgaged that it will be years before they are released. Innumerable mines are shut down and tens of thousands of men are out of employment. Factories that thrilled with life a year ago are deserted, or nearly so. Thousands of cattle, essential to the national life, have been hurried to the slaughterhouse or are being trekked into foreign territory. It is as if an epidemic, contagious and infectious, paralyzing all enterprise, initiative, and progress, had swept over the land.

In these circumstances we urge upon your committee the necessity of immediate relief. The disaster is progressive. It will not do to stay it months hence. With all the emphasis of which we are capable we urge that relief be given now, at once. Our people are convinced that it is within your power, by the imposition of equalizing farifies, at once to control the catastrophe and restore economic virility. The unemployment is promoting social unrest. Even have men fear to go ahead, for they are ignorant of the conditions under which they must do business. They can not contract with assurance. They can not arrange for production while there still hovers over them the actuality or the probability that foreigners will meet them at their doors with similar

essential information is already available, the minutiæ of detail can later be assembled.

In full appreciation of actual conditions, we pledge you that we can and will set the wheels of industry in the South to moving almost immediately following the granting by you of the relief we seek. Among our members are those who intend to become active at once. They are leaders in their respective industries. One man alone, who has been forced by economic necessity to send thousands of cattle to his Mexico-ranches, is prepared, on the enactment of suitable legislation, to invest not less than \$500,060 promptly in the purchase of cattle. Others are prepared to open their closed glass factories, their shutdown mines, their silent factories of all kinds. Agricultural leaders also have yet time to prepare their fields for the harvests of this year. We pledge the committee that the turn of the industrial tide back toward normal will begin the revival of that which the imposition of the suggested schedules will assuredly induce.

We further put on record our intention to organize the entire South around an American tariff policy to equalize cost of production and maintain American standards of living, on economic grounds, irrespective of party. Our efforts will be educational along these lines, but the surest proof of the wisdom and enduring soundness of the policy we advocate will be found, we are confident, in the immediate and lasting effects which the operation of that policy will produce. The South asks only for equal treatment. Given that, she does not fear competition.

Respectfully submitted.

SOUTHERN TARIFF ASSOCIATION. JOHN H. KIRBY, President.

Mr. GOODING. I will read merely the introduction of the memorial presented to the Ways and Means Committee.

To the Ways and Means Committee of the House of Representatives: The Southern Tariff Association represents affiliated industries from Alabama, Arizona, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Missouri, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessec, Texas, Virginia, and West Virginia, 18 Southern States. The number of these affiliated industries is 57, embracing virtually every line of activity in the States mentioned.

The 57 affiliated industries have signed the memorial through their presidents or secretaries.

Mr. President, we may not be any nearer a permanent settlement of the tariff question to-day than we have been for the past hundred years, but the activity of the people of the South gives me much encouragement, and if I am not mistaken the American people in every State in the Union are growing tired of having the business interests of this country made a political football to suit the whim of any party.

Mr. HARRISON. Mr. President, will the Senator yield for a question?

Mr. GOODING. I yield. Mr. HARRISON. The Senator was just discussing the congress of the Southern Tariff Association, as I understood him. They had numerous representatives before the Ways and Means Committee of the House, I understand. Did the Senator read the hearing of those representatives before the Ways and Means Committee of the House?

Mr. GOODING. I did not read from the hearings, but read the memorial sent by the association to the Ways and Means Committee.

Mr. HARRISON. I am very reliably informed by a member of that committee that every representative of the Southern Tariff Congress who appeared before the Ways and Means Committee stated that he voted the Republican ticket at the last election. That qualifies them, I take it, to be protectionists. So far as my own State is concerned, the name of which was included in the list read by the Senator from Idaho, there is no sentiment in Mississippi for protection, especially such as is provided in this bill.

Mr. GOODING. I will let the Senator answer to his own

people on that question.

Mr. HARRISON. I have done so.

Mr. McCUMBER. Mr. President, will the Senator from Idaho yield to me?

Mr. GOODING. I yield.

Mr. McCUMBER. I wish the Senator would bear in mind that the membership of the Southern Tariff Association includes the governor of every Southern State elected by Demo-

Mr. GOODING. Its membership embraces every governor who was elected two years ago and all those who were elected last November. It is a very encouraging sign that the people of the South are changing their opinions in regard to protection, and that 24 of the great southern governors indorsed a resolution unanimously in favor of the emergency tariff bill. That is more encouragement than I thought we would receive.

Mr. HARRISON. Mr. President, I do not want to impose on the time of the Senator, but once before the Senator from North Dakota included such a list of governors of the Southern States as vice presidents of such an association. I have known, so far as the governor of my State is concerned—and his name was included—that he certainly does not favor any such measure as that now pending. I do not believe that he knew what the Southern Tariff Association congress stood for when he allowed the use of his name, and other governors, with a few exceptions, are in the same boat.

Mr. GOODING. Well, the South seem to be satisfied with their governors.

But then, again, Mr. President, I am not unmindful that there is a new force behind the Democratic Party to-day that is fighting against protection for the farmer and the live-stock grower. I refer to the international bankers of the country, who have had on a propoganda ever since the emergency tariff bill was introduced opposing the measure and emphasizing the importance of our foreign trade, and it must be admitted, Mr. President, that the international bankers of the country are a mighty force to-day, for they represent billions, not millions,

and they have been able to fill the newspapers of the whole country with their opposition to the emergency tariff bill, and at the same time have accentuated the importance of our foreign trade. It is easy to understand why the leaders of the Democratic Party are fighting so bitterly against protection to the agricultural and live-stock growers at this time, for they are receiving much encouragement from the international bankers of the country, who they know will be a mighty factor in the coming campaign in the interests of free trade on farm and range products.

No one doubts the importance of our foreign trade to the life of the Nation, but it is not necessary to sacrifice any of our foreign trade to maintain a healthy condition in the exchange of trade with foreign countries. The Democratic Party has always been ready to sacrifice the agricultural and live-stock interests of the country; they have never been a friend to the farmer; they have always called the farmer's products raw material, and one of their arguments has been that they were putting all raw material on the free list to give the manufacturer cheaper raw material. There is no such thing as raw material in farm and range products. When the farmer's products are ready for market they are his finished product and they are just as much a finished product as the products of the mills. All require labor to produce, and all should be treated alike by this Government. If the manufacturers of this country are to be protected from the cheap labor of foreign countries, then the farmers have a right to demand the same protection. The principle of protection is either right or wrong. If it is right to protect the manufacturers to save them from ruinous competition with foreign countries, then it is right to protect the American farmers.

The principle of protection can not live in America with one half of the industries protected and the other half on the free list, any more than slavery could have existed with this country half slave and half free. If the manufacturers want protection they had better get busy and fight for it as a principle, for if they are going to be protected the farmer is going to be protected, and the laborer who works in these mills must realize that if his labor is to be protected from foreign competition then the laborer who works upon the farm has a right to demand protection for his labor. There is going to be protection for all in this country or protection for none.

Then, again, there are some manufacturers who are not big enough and broad enough to understand that the best market in the world and the best customer in the world is the American farmer and the American live-stock grower. Our foreign trade is less than 10 per cent of our domestic trade, and yet for their own selfish interests these international bankers, together with the speculators and a few of the manufacturers, like the Democratic Party, would destroy the great agricultural and live-stock industries for their own selfish ends.

industries for their own selfish ends.

It is not strange, Mr. President, that the whole industrial system of America is paralyzed and broken down—for free trade on the farm and range products of America has paralyzed and destroyed the purchasing power of the American farmer and live-stock grower. There is not a farmer in America to-day who can sell his products for what they cost to produce. He is without a market, without money, and without credit. When you break down and destroy the prosperity of the productive forces in America, who are the producers of practically the entire wealth of this country, you may expect ruin and disaster to follow along other lines. This country is never prosperous unless the farmers of the country are prosperous.

After all, it is not hard, Mr. President, to understand why the Democratic Party has always opposed protection to the American farmer, for they have had a class of labor in the South that up to a few years ago cost but very little. From

After all, it is not hard, Mr. President, to understand why the Democratic Party has always opposed protection to the American farmer, for they have had a class of labor in the South that up to a few years ago cost but very little. From their viewpoint, measured by conditions that have existed in the South in the past, the farmers do not need any protection. The whole story is told in the remarks of the senior Senator from Mississippi when the emergency tariff bill was under discussion at the last session, in which he said:

I can meet all comers in the cotton field with white men upon the quarter-deck and Negro laborers in the field, although paying them four times what is paid to the fellaheen of Egypt and six times what is paid to the peasants of India, and beat Egypt and India at their own game; but in order that I may do so I ask simply to be left unhampered and untaxed, except in so far as the Government shall levy a tax for revenue purposes alone for the payment of governmental necessities. This is all I ask, and if I ask more I ask something that I have no right to ask.

The Senator was perfectly safe in making that statement, because in India the coolie laborer works for the measly pittance of 10 cents a day. But the trouble is, Mr. President, that the nigger refuses to remain a nigger any longer. He is demanding the same right to live and the same pay for his hire as others receive for the same class of labor, and I hope we

are passing that period in American history when labor, be it white or black, can be held in peonage in any State in the Union.

The senior Senator from Mississippi is a consistent free trader. He does not believe that the agricultural interests should be given protection. He stated upon the floor of the Senate time and again when the emergency tariff bill was under consideration that you can not make a wrong right by committing another wrong, which he holds we will do if we give protection to the agricultural interests of the country. It is my judgment the Senator from Mississippi is far nearer right on this question than those who would give the manufacturing interests protection and at the same time force the farmers and stock growers to sell their products in competition with the whole world.

It was Henry Clay who called protection the American policy and free trade the British or colonial policy. It is through that American policy, Mr. President, of protection to American labor and American industries that we have become the mightiest Nation on earth. Through protection we have built up an American standard of wages and an American standard of living that is not equaled in any other part of the world. And through this great principle of protection we have built up a standard of citizenship in this country that is the joy, the pride, and the admiration of every true American.

pride, and the admiration of every true American.

I am not unmindful, Mr. President, that the world is passing through a readjustment period following the greatest destruction civilization has ever known. And I am not holding the Democratic Party responsible for all the conditions that exist in this country to-day. But in a measure the Democratic Party is responsible for the serious conditions of the farmer and the live-stock grower, for they put the farm and range products of the country on the free list to make them cheap, and God knows it has made them cheap enough; for in one short year the farmers and live-stock growers have lost on their products more than \$7,000,000,000. This is the greatest loss the agricultural and live-stock interests in this country have ever sustained; but it is no exception to the rule, Mr. President, for every time the Democratic Party has had an opportunity they have always put farm and range products of this country on the free list, and it has always broken down and wrecked the agricultural and live-stock industry and brought ruin and disaster to the country.

Go back and read the history of our country and you will find no exception to this rule. At times when we have had a free-trade measure on our statute books disaster has been averted for a time by war and great events, like the discovery of gold in California, but when there is nothing to interfere free trade has always brought ruin and disaster to the country. The following is what Henry Clay had to say to the American Congress in 1824, describing the industrial distress which prevailed as a result of a free-trade measure enacted into law April 27, 1816:

April 27, 1816:

The general distress which pervades the whole country is forced upon us by numerous facts of the most incontestable character. It is indicated by the diminished exports of native product, by the depressed and reduced state of our foreign navigation, by our diminished commerce, by successive ruthrashed crops of grain perishing in our barns for want of a market, by the alarming diminution of the circulating medium, by the universal complaint of the want of employment and a consequent reduction of wages of labor, and, above all, by the low and depressed state of the value of almost every description of property in the Nation, which has sunk 50 per cent. It is most painful to me to dwell on the gloom of this picture; but I have exaggerated nothing. Perfect fidelity to the original would have authorized me to throw deeper and darker hues.

In speaking of conditions which existed in the country in the late fifties, soon after the Democratic Party had passed one of their free-trade measures, Horace Greeley in an editorial in the New York Tribune had this to say:

Who's hungry? Go and see. You that are full fed and know not what it is to be hungry, perhaps never saw a hungry man, go and see. Go and see thousands of men and women, boys and girls, old and young, black and white, of all nations crowding and jostling each other, almost fighting for the first chance, acting more like hungry wolves than human beings in the land of plenty, waiting until food is ready for distribution. Such a scene may be seen every day between 11 and 2 o'clock around the corner of Orange and Chatham Streets, where charity gives a dinner to the poor.

The best example of what free trade and protection means in this country, in my judgment, is the two administrations of Grover Cleveland. During Grover Cleveland's first term the Republicans had control of Congress, so that he was forced to administer the Government with protective tariff laws. During his first term, when he administered the Government with protective tariff laws, he paid off \$260,000,000 of the national indebtedness and we had good times. And then the people elected Grover Cleveland a second time and gave him a Democratic House and Democratic Senate, and he convened Congress in special session and repealed those protective tariff

laws and passed a free trade measure known as the Wilson-Gorman bill.

No human tongue can tell the story of the misery and suffering of those four years when Grover Cleveland tried to administer the Government with free trade laws. Instead of paying off any of the national indebtedness, he was forced to borrow \$230,000,000 to pay the running expenses of this Government. One hundred and seventy-seven railroads, with mileage enough to reach twice around the earth, could not meet their obligations and were forced into the hands of receivers. Those four years witnessed 60,000 commercial failures with liabilities amounting to \$1,000,000,000. One hundred and seventy-five national banks closed their doors, and the balance of trade turned ruinously against us. If capital alone had suffered, it would have been bad enough; but the real suffering came to the army of unemployed in the great cities where free soup houses had to be established to prevent death from starvation.

And then, Mr. President, the Underwood-Simmons bill was passed on the 3d of October, 1913. I wonder if the leaders of the Democratic Party have forgotten the winter of 1914, when more than 3,000,000 men were thrown out of employment, and charity, in this land of plenty, was again forced to feed the poor. Free soup houses had to be established in the principal cities of the country, and, like Banquo's ghost, Coxey's army came back to remind us that free trade was again the law of the land. Then the Great War burst upon the world, and instead of being flooded with foreign importations we were called upon to feed the armies of Europe, and so we forgot all about free trade and hard times.

I have another editorial from the New York Tribune. This is dated August 12, 1920, and it says:

When the war came to Europe this country, as the business world generally recognized, was headed for an industrial crash. The Underwood tariff bill went into effect on October 3, 1913. In the beginning of 1914 its effect began to show. For six months the tide of imports rapidly rose, and incidentally American factories began to close. Is there doubt of what would have happened if Europe had not been compelled to turn to making war supplies? The tariff question is now little discussed, but men of foresight are making guesses as to what will happen here when Europe reaches the full production toward which she is swiftly moving.

Well, it has already happened, Mr. President, and Europe has only just made her beginning toward full production; yet every line of industry in this country is paralyzed. At this time I want to call the attention of the Senators on the other side of the Chamber especially to the serious conditions that exist in the live-stock industry in America, which has been brought about largely by excessive importation. For comparison I am using the year 1912, before the country was affected in any way by any free-trade measure, as compared with the years 1919 and 1920.

The total value of live animals imported into the United States in 1912 was \$7,580,555; in 1919 and 1920, the total value of live animals imported into this country was \$89,-559,584. I am unable to find where any fresh meats were imported into this country in 1912, but for the years 1919 and 1920 I find there were imported fresh meats to the total value of \$42,108,624. Wool importations for the year 1912 amounted to 193,400,713 pounds, and in 1919 and 1920 I find that it had increased to a total of 705,510,475 pounds. If any Senator on this floor thinks there has been no dumping going on, let me read him the figures on the importation of wool for the first three months of the present year.

In January, 1921, there were imported 21,169,480 pounds of wool; in February, 1921, there were imported 42,885,968 pounds of wool, or a little more than twice as much as in January; in March there were imported 98,103,089 pounds of wool, almost five times as much wool in the month of March as in January. The total importation of wool for the first three months of 1921 amounted to 162,158,546 pounds. And it is estimated, Mr. President, that there are at the present time more than 100,000,000 pounds of wool on the way to America.

If this is not dumping, I do not know what you would call dumping. Every importer and speculator in the country has known for a long time that there has been more than a two years' supply of wool in America, without the importation of a

single pound from foreign countries.

For more than a third of a century, Mr. President, my life's work in the West has been that of a farmer and live-stock I saw wool when it was on the free list, under Grover Cleveland's second administration, sell in the State of Idaho for an average of 7½ cents a pound. The common price for sheep in those days was \$1 per head. At times fat sheep shipped to the eastern markets did not bring enough to pay the freight, and for four long years the live-stock industry had to fight for its existence. Many of the growers were thrown into bankruptcy and their sheep and cattle sent to the slaughtering pens.

But as destructive as those four years were to the live-stock industry in the West they do not compare with the conditions that exist to-day, for there is no market for wool to-day at any Thirty-five per cent of all the wool clip of 1919 is unsold, much of which is in the hands of the growers. estimated that 90 per cent of the clip of 1920 is unsold, the greater portion of which is still in the hands of the growers. The majority of the clip of 1921 is now shorn and ready for market, but can not be moved at any price. For some time fat sheep that have been shipped to market have not brought enough to pay the freight and the cost of feed for fattening, to say nothing of the original cost of the animal, which is all lost in many cases. Unless sheep are in prime condition when shipped

many cases. Unless sneep are in prime condition when simpled to market in many cases they do not pay the freight.

There is no sadder thing in this life than to see those who have made a good fight for almost half a century and who have grown old in the pioneer work of the West become penniless in their old age by a public calamity that in a way might have been at least partially averted.

There is no thought any longer in the West of trying to save

the men who are in the sheep business. A few will survive, but the vast majority of them must find some other occupation. The effort out West to-day is to save the industry and save the banking institutions, so that it will be possible some day, let us hope, for the live-stock industry of the West to be brought back to a prosperous condition.

Mr. President, I sometimes wonder if the American people realize the importance of live stock to the life of the Nation and to civilization. The first speech that I listened to after I had been given the privilege of the floor of the Senate was an address delivered by the minority leader, Mr. Underwood, on Muscle Shoals, in which he dwelt on the importance of the fertility of the soil. Let me read you a few lines of what he had to say about the importance of the fertility of the soil to the life of the Nation itself:

It has been said by the wisest statesmen that the overthrow of the great nations of the world can only come from two sources, one a conquering army and the other the depletion of the fertility of the soil. Of the two I am inclined to believe that the depletion of the fertility of the soil is a more certain death sentence to the life of a nation than to be overwhelmed by a conquering army, because with the conquering army the life and spirit of the nation may yet live, but with the depletion of the soil and the lack of food the only thing that can be expected is the downward trend of the national vigor and the national life until the national existence is snuffed out.

The fertility of the soil is not only a mighty factor in the life of the nation, but it has its influence upon the individual at all times. Show me a country, or any part of any country, where the fertility of the soil is exhausted and the farmer has to struggle to produce enough to sustain life and I will show you a community where the civilization, like the soil, has gone backward. For it is hard to be a good citizen in any country where a fight must be made to keep the wolf from the door.

The minority leader, Senator Underwood, is more responsible for free trade being forced upon the American farmer and livestock grower than any man in public life at this time, and yet he seems to understand the importance of the fertility of the soil. When it comes to Muscle Shoals, he is ready to spend \$10,000,000 to build a nitrate plant, but he is not willing to give one penny of protection to the agricultural and live-stock interests of the Nation. The question, Mr. President, that the American people must answer very soon is this: Is the live-stock industry worth saving? For it can not go on as it has in the past, building itself up only to be torn down in a few years by a free-trade policy. Already in the last year more than 10,000,000 head of live stock from the breeding herds have been shipped to the slaughter pens. Unless something can be done to encourage the live-stock growers—and it must be something more than the emergency tariff bill—God only knows what is going to happen. The live-stock grower can not go on. His stock must be fed every day; they must be watched over and cared for, and he can do but little to reduce his expenses. There is only one way to stop the expense or reduce it to any extent, and that is by sending his stock to the slaughtering pen. In this way he can end it all. This is what they are doing to-day as fast as they can get their live stock ready for market, and if the breeding herds of this country are to be impaired much more it will take years before there can be much prosperity in America.

Out in the great West—and when I say the great West I include the Northwest and the Southwest and all the arid portions of our country-nature has given but very little humus Only two or three crops can be grown from the to the soil. raw soil before the fertility is exhausted, and then it becomes necessary to plant alfalfa or clover or some other crop that live stock consumes for a few years in order to build up the fertility of the soil. When this is done these arid lands become as rich as any farm lands in the whole world. This principle is true in every State in the Union, Mr. President. Live stock must either come in contact with the soil or the manure from the barnyard must be hauled out upon the field or there must be a rotation of crops that live stock consumes if the fertility

of the soil is to be maintained.

Nature in its wisdom has fixed certain principles that if they are accepted and followed make possible the existence of civilization. It gave us live stock as nature's remedy for keeping up the fertility of the soil. Practically all the crops grown from the soil which the human race consumes exhaust the fertility of the soil at an alarming rate, while the vast majority of crops consumed by live stock are fertilizers—they feed the soil; they give it the nitrogen and humus it requires which makes possible, with proper rotation, the growing of those crops the human race requires to sustain life.

So it is not a question, Mr. President, of whether we will save the live-stock industry, it is a question of whether we will save the life of this Nation, because it can not live and retain its virile force, as the Senator from Alabama has well said, unless the fertility of the soil is maintained. It is true that in a small way commercial fertilizers can be used, but this has not proved a success in the Old World without live stock. In all the old countries no leases are entered into for farms without a provision requiring a certain number of animals to be kept upon the farm or a certain amount of barnyard manure to be used upon the farm. Experience has taught us that the tilling of the soil can not be maintained without nature's simple remedy that it has given for the use of mankind.

But instead of doing anything to help the live-stock industry in this country, the Democratic Party, as soon as it comes into power, proceeds to put the live-stock industry in free competition with the whole world, which has always brought ruin and disaster. I wonder, Mr. President, how long we are to go on and use the great industries of this country for a political foot-

hall.

The live-stock industry can not exist in this country without protection, for live stock of all kinds can be produced in every country on earth cheaper than they can be grown here in America. Every other Government on earth, with the exception of our own, realizes the importance of the live-stock industry. Australia they lease land so cheap to flockmasters that the sheep are fed the year round for 7 cents a head and cattle for \$1.25 a head. Over there it has been the custom of the Government to lend the live-stock grower money at a low rate of interest, and in some cases to build a part of the fences to protect the live stock. The Australian woolgrower is able to ship his wool from Portland, Seattle, or San Francisco to Boston to-day for \$1.65 a hundred over our own railroads, while from the intermountain country the woolgrower must pay \$3.25 to \$3.46 a hundred pounds. The haul from Portland to Boston is 500 miles farther than it is from Idaho points, yet the Australian grower ships his wool to Boston for less than half the price the flockmaster in my State or any other of the intermountain States must pay.

Down in the Argentine sheep are fed the year round for 20 cents a head and cattle for \$2.50 a head. There labor is paid the princely sum of from \$15 to \$20 a month. The freight rate from Argentina to Boston is from 90 cents to \$1.40 a hundred—about 25 per cent of what the flockmasters of the intermountain

States must pay.

From Africa, which has become one of the important woolgrowing countries of the world, the woolgrower can ship his wool to Boston for very much less than the price paid by the growers in the West. In Africa the flockmaster pays his labor the princely sum of from \$1.75 to \$5 a month. Almost every country on earth, with the exception of America, encourages its live-stock industry. They fully understand that without nature's remedy for keeping up the fertility of the soil it soon becomes exhausted, and the result that the Senator from Alabama so well described is the penalty every nation must pay that permits its soil to become exhausted.

When will we learn these great truths, Mr. President, and give the live-stock industry a chance to live, not for itself but that the development of this country may go on and the fer-tility of our soil be maintained and the vigor and the spirit of our national life guaranteed beyond the question of a doubt?

Mr. President, 20 of our great States can be properly called seaboard States; most of the great cities in these States can be reached by water transportation from foreign countries. The great city of Philadelphia can also be reached by ocean steamers. It is safe to say that the population of these cities that can be reached by water transportation from foreign countries is more than 30,000,000. I am going to make this statement, Mr. President, and I believe it is true, that there is not a farmer in any country in the Old World but who can ship his farm products into these great cities cheaper than many of the farmers l

from adjoining States; that is especially true when you get as far west as Chicago. I want to make another statement—that when you get as far west as the Rocky Mountains there is not a farmer on earth, whether it be in the Old World or the New, but who can ship his products to the great cities of this country that can be reached by water transportation cheaper than the farmers west of the Rocky Mountains. I want to make another statement: There is not a farmer or live-stock grower on earth who does not employ his help for much less than what the farmers in America must pay. Take the average paid for farm labor in the Old World, and the American farmer and livestock grower is compelled to pay on an average ten times more for a day's work than the average farmer of the world.

Here are a few of the freight rates paid by foreign farmers and live-stock growers, and also the freight rates which our

own farmers have to pay:

Cargo rates from foreign ports to Atlantic ports per 100 pounds.

Shipping point.	Corn, wheat.	Wool.	Meats.	Pota- toes.	Sugar.
Argentina Sweden	\$0, 225	\$0.90	\$0.04	\$0.45	\$0.32
Denmark				.45 .45	.325
Australia New Zealand Bermuda	.875 .875	3, 20 3, 20		.45	.325

Onions from Bermuda are 40 cents per 100 pounds.

Freight rates on farm and range products—destination New York City except where designated by letter B, in which case destination is Boston—in cents per 100 pounds.

Shipping point.	Corn.	Wheat.	Wool.	Pota-	Sugar.	Meats.			
Maine	80.74	\$0.74	\$0, 80	\$0.665					
Minnesota Iowa	.555	.555 .58	1.05	.63	\$0.57 .63				
Illinois South Dakota Intermountain States:		.74							
Utah Nevada		MEDICALINA							
New Mexico		1,09	3, 255 B 3, 435 B 3, 465 B		1.45				
Pacific Coast States: Washington Oregon	1.09	1.09	1, 665 1, 665	1.675	3, 165	4.30			
CaliforniaSouthern States:		********		1. 255 1. 675	3. 165 1. 725	4. 40			
North Carolina Georgia. Florida		. 565		.62	1.515	******			
Louisiana		. 585 . 785	1.80	1.085	. 825	.88			

Also, here are the prices paid for labor in foreign countries and the prices paid for labor in this country:

FARM AND PLANTATION TABLE OF WAGES PAID IN FOREIGN COUNTRIES AT PRESENT TIME.

[Authority: Bureau of Foreign and Domestic Commerce.] COUNTRY AND WAGES.

COUNTRY AND WAGES.

China, \$3 per month and food.

China, \$20 per year and food.

India, 8 to 15 cents per day without food.

Japan, 40 cents per day, average.

Australia and New Zealand, \$72 per month without board.

Argentina, \$12 to \$15 per month without board.

Great Britain, \$48 per month without board.

South Africa, \$1.75 to \$5 per month.

West Indies, 50 cents per day without board.

Germany, Denmark, Norway, Sweden, \$25 per month with board.

United States (West), \$100 per month with board, \$5 per day with
tboard.

out board.

Note.—Western States now reduced to \$65 per month and board for OUT DORIG.

NOTE.—Western States now reduced to \$65 per month and board to live stock.

NOTE.—In India and China a coolie laborer's food consists of a half bushel of rice a month.

North Atlantic States: \$50 with board; \$75 without board. South Atlantic States: \$35 with board; \$50 without board. North Central States east of Mississippl: \$50 with board; \$70 without board.

North Central States west of Mississippi: \$60 with board; \$80 without board.

South Central States: \$36 with board; \$51 without board.

Far Western States: \$75 with board; \$100 without board.

Tell me, if you please, how, with cheaper freight rates and labor ten times as cheap on an average as what the American farmer must pay, what hope is there for agriculture and live stock to exist in America under free trade?

#### EXECUTIVE SESSION.

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business,

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

#### RECESS.

Mr. CURTIS. I move that the Senate take a recess until 11 o'clock to-morrow morning.

The motion was agreed to; and (at 5 o'clock and 15 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, May 11, 1921, at 11 o'clock a. m.

#### NOMINATIONS.

Executive nominations received by the Senate May 10 (legislative day of May 9), 1921.

#### COLLECTOR OF CUSTOMS.

Charles H. Holtzman, of Maryland, to be collector of customs for customs collection district No. 13, with headquarters at Baltimore, Md., in place of William P. Ryan.

#### COLLECTORS OF INTERNAL REVENUE.

#### FIRST DISTRICT OF ILLINOIS.

John C. Cannon, of Chicago, Ill., to be collector of internal revenue for the first district of Illinois in place of Harry W. Mager.

#### EIGHTH DISTRICT OF ILLINOIS.

George W. Schwaner, of Springfield, Ill., to be collector of internal revenue for the eighth district of Illinois in place of John L. Pickering.

#### TWENTY-EIGHTH DISTRICT OF NEW YORK.

Bert P. Gage, of Warsaw, N. Y., to be collector of internal revenue for the twenty-eighth district of New York in place of Vincent H. Riordan, resigned.

REAPPOINTMENT IN THE REGULAR ARMY OF THE UNITED STATES.

SIGNAL CORPS.

Rex Walter Minckler, late first lieutenant (temporary captain), Infantry, to be first lieutenant with rank from May 4,

Appointments by Transfer in the Regular Army of the United States.

#### FIELD ARTILLERY.

First Lieut. Ivan Leon Foster, Infantry, with rank from

First Lieut, Housan Wayne Duncan, Quartermaster Corps, with rank from July 1, 1920.

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES.

First Lieut. Howard Nichols Merrill, Infantry, to be captain with rank from July 1, 1920.

Second Lieut, Gien Dison Gorton, Quartermaster Corps, to be first lieutenant with rank from July 1, 1920.

### CONFIRMATIONS.

Executive nominations confirmed by the Senate May 10 (legislative day of May 9), 1921.

#### BUREAU OF MINES.

H. Foster Bain to be Director of the Bureau of Mines.

COLLECTOR OF INTERNAL REVENUE.

Levi M. Willcuts, for the district of Minnesota.

# HOUSE OF REPRESENTATIVES.

# TUESDAY, May 10, 1921.

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

We bless Thee, O God, for the light and promise of the incoming morn. Teach us that there is no common day, that all time is sacred and all bread is sacrificial. Even in the darkest night there is a brightness which the pure in heart can see. As we are largely measured by the objects we pursue, may we case to do evil and learn to do well. Lead forward our higher and best natures and deepen our faith in things not seen. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### REFERENCE OF PETITIONS.

Mr. COOPER of Wisconsin. Mr. Speaker, on page 1242 of the Record, right-hand column, I am reported as having introduced certain petitions of various posts of the American Legion, urging relief for disabled soldiers, sailors, and marines. Those various petitions were referred to the Committee on Interstate and Foreign Commerce. I indorsed upon them a reference to the Committee on Military Affairs.

The SPEAKER. Will the gentleman allow that to go over

until to-morrow?

Mr. GREENE of Vermont. Mr. Speaker, if the gentleman will allow me as a member of the Committee on Military Affairs, I will say that we have never handled that legislation. It is in the nature of a pension or compensation for disability incurred in service in the war. The Committee on Military Affairs provides for the Regular Establishment, ordinary maintenance and organization.

Mr. COOPER of Wisconsin. I was not a member of the House when the original legislation was enacted and knew nothing about the procedure. It seems to me that that sort of petition could not, under the rules, properly be referred to the Committee on Interstate and Foreign Commerce.

Mr. MADDEN. The Committee on Interstate and Foreign

Commerce reported the war-risk legislation.

Mr. COOPER of Wisconsin. Well, the House should not continue a bad procedure.

Mr. MADDEN. I think it ought not to have originated in that committee, but it did; and since that time all such legislation relating to war risk has gone to that committee,

Mr. GREENE of Vermont. It would not go to the Committee

on Military Affairs in any event.

Mr. COOPER of Wisconsin. I notice also that the gentleman from Missouri [Mr. Hays] introduced a petition of citizens of Alva, Mo., urging the President to call a conference of the great powers to consider the question of disarmament, and that the petition was referred to the Committee on Naval Affairs. I ask that it be referred to the Committee on Foreign Affairs.

The SPEAKER. At first blush that would seem to be the

proper committee.

Mr. COOPER of Wisconsin, Disarmament includes much

more than reducing the number of war vessels.

The SPEAKER. Is there objection to the reference being changed to the Committee on Foreign Affairs? [After a pause.] The Chair hears none.

#### SWEARING IN OF A MEMBER.

Mr. GARRETT of Tennessee. Mr. Speaker, John W. Rainey, Representative elect from the State of Illinois, has been detained at his home from the beginning of this session by a serious illness in his family. He is here, and I ask that the oath of office be administered to him.

Mr. John W. Rainey appeared at the bar of the House and

took the oath of office prescribed by law.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House of Representatives was requested:

S. J. Res. 23. Joint resolution authorizing the Secretary of War to investigate the claims of private parties to the Mariveles quarry within the limits of a United States military reservation in the Philippine Islands, and to permit the working thereof by the persons entitled thereto, provided military neces-

sities permit;

S. 426. An act to amend an act entitled "An act to amend section 1, chapter 209, of the United States Statutes at Large, volume 27, entitled 'An act providing when plaintiff may sue as a poor person and when counsel shall be assigned by the court,' and to provide for the prosecution of writs of error and appeals in forma pauperis, and for other purposes," approved June 25, 1910 (36 Stats., p. 866);

S. 813. An act to authorize the Commissioners of the District of Columbia to close upper Water Street between Twenty-first

and Twenty-second Streets NW.;

S. 52. An act for the relief of the Stevens Institute of Technology, of Hoboken, N. J.;

S. 472. An act for the relief of William B. Lancaster;

S. 1300. An act for the relief of the heirs of Agnes Ingels, deceased;

S. 723. An act for the relief of James Duffy;

S. 594. An act for the relief of certain ex-service men whose rights to make entries on the North Platte irrigation project, Nebraska-Wyoming, were defeated by intervening claims;

S. 546. An act making an appropriation to pay the State of Massachusetts for expenses incurred and paid, at the request of the President, in protecting the harbors and fortifying the coast during the Civil War, in accordance with the findings of the Court of Claims and Senate Report No. 764, Sixty-sixth Congress, third session; and

S. 809. An act to give preference right of employment on construction work on United States reclamation projects, and preference right of entry on public lands, to honorably discharged soldiers, sailors, and marines.

#### SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their

appropriate committees, as indicated below.

S. 594. An act for the relief of certain ex-service men, whose rights to make entries on the North Platte irrigation project, Nebraska-Wyoming, were defeated by intervening claims; to the Committee on the Public Lands.

S. 472. An act for the relief of William B. Lancaster; to the

Committee on Claims.

S. J. Res. 23. Joint resolution authorizing the Secretary of War to investigate the claims of private parties to the Mariveles quarry within the limits of a United States military reservation in the Philippine Islands, and to permit the working thereof by the persons entitled thereto, provided military necessities permit; to the Committee on Military Affairs.

S. 426. An act to amend an act entitled "An act to amend section 1, chapter 209, of the United States Statutes at Large, volume 27, entitled 'An act providing when plaintiff may sue as a poor person and when counsel shall be assigned by the court,' and to provide for the prosecution of writs of error and appeals in forma pauperis, and for other purposes," approved June 25, 1910 (36 Stats., p. 866); to the Committee on the

S. 723. An act for the relief of James Duffy; to the Com-

mittee on Military Affairs.

S. 809. An act to give preference right of employment on construction work on United States reclamation projects to honorably discharged soldiers, sailors, and marines; to the Committee on Irrigation.

S. 813. An act to authorize the Commissioners of the District of Columbia to close upper Water Street between Twenty-first and Twenty-second Streets NW.; to the Committee on the District of Columbia.

S. 52. An act for the relief of the Stevens Institute of Technology, of Hoboken, N. J.; to the Committee on Claims.

#### ENROLLED JOINT RESOLUTION SIGNED.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title, when the Speaker signed the

H. J. Res. 52. Joint resolution to authorize the Secretary of the Interior, in his discretion, to furnish water to applicants and entrymen in arreas for more than one calendar year of payment for maintenance or construction charges, notwithstanding the provisions of section 6 of the act of August 13, 1914.

#### ORDER OF BUSINESS.

Mr. GARNER. Mr. Speaker, may I ask the gentleman from Wyoming a question before we go into Committee of the Whole? A great many Members have asked what the program for the balance of the week is going to be. Will the gentleman from Wyoming mind telling us what he proposes?

Mr. MONDELL. We hope to bring up immediately after this bill the bill regulating trading in futures reported by the Committee on Agriculture. After that a bill reported by the Interstate Commerce Committee having to do with the landing of

cables.

Mr. GARNER. And that will probably take the balance of the week

Mr. MONDELL. It is possible that one other bill from the Committee on Agriculture, to be selected by that committee from bills reported by them, will be taken up.

Mr. GARNER. What about the deficiency bill; will that be

considered this week?

Mr. MONDELL. That will be given the right of way, if possible, when it is ready. It may be ready on Friday. It was my hope that we could recess over Saturday if the business was in a condition to warrant it, but if the deficiency bill should come in on Friday and remain unfinished I am not sure that we would be justified in adjourning over Saturday. We might; that would depend on how the Members felt about it.

Mr. BRAND. Can the gentleman give us any information as to whether the Public Buildings Committee is going to be allowed to consider bills for post offices?

Mr. MONDELL. I do not pretend to control the action of the Public Buildings Committee, but I will say very frankly to the gentleman that while I had hoped that we might at this session take action whereby public-building construction might at least be authorized for cases of emergency, I am rather inclined to think that in view of the situation of the Treasury, the way matters stand generally throughout the country, the great demand for reduction of expenditures, I am rather inclined to the opinion that we should not report any publicbuilding bills.

Mr. BRAND. I ask the question because I read in a rural carrier paper published in this city and a local paper in my district, 600 miles away, that it had already been decided by the majority not to report out of the committee any public-building bill at this session.

Mr. MONDELL. I do not know whether the committee has acted upon the matter or not. I have expressed my personal views to members of the committee who made inquiries of me as to my opinion.

Mr. BRAND. In a great many instances in the last three years post-office buildings have been condemned by the Government, and we are anxious to know if there is not going to be

some relief in those cases.

Mr. MONDELL. There are some very trying situations in the country. There are situations that I am inclined to think ought to be relieved, and yet the gentleman realizes that as a practical matter in legislation of this kind it is difficult to say where the line should be drawn. Once we start, I think we would not stop short of a general public-building bill, probably a very big one.

While the people of my State in common with the constituencies of all of us are quite earnest in this matter, and properly so I think in many cases, while I sympathize with their view, and while I am not one of those who view proper publicbuilding programs as pork-barrel legislation or appropriations, I am inclined to believe that until the state of our finances is improved and we know a little more definitely how we stand and what the outlook is for the future we should not enter upon new construction or new authorizations.

#### ARMY APPROPRIATION BILL.

Mr. ANTHONY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Army appropria-

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of House bill 5010, the Army appropriation bill, with Mr. Tilson in the chair.

The CHAIRMAN. The House is in committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 5010, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 5010) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

#### AUTOMATIC MACHINE RIFLES.

For the purchase, manufacture, test, repair, and maintenance of automatic machine rifles, or other automatic or semiautomatic guns, including their mounts, sights, and equipments, and the machinery necessary for their manufacture, to remain available until June 30, 1923, \$375,000.

For the purchase, manufacture, test, maintenance, and repair of tanks and other self-propelled armored vehicles, to remain available until June 30, 1923, \$450,000.

Mr. GARRETT of Tennessee. Mr. Chairman, I move to strike out the last word. I note in the paragraph read just before this providing for automatic machine rifles and also in this for tanks it is provided that the fund shall remain available until June 30, 1923. I presume that is necessary because of the length of time that it takes to fill such contracts?

Mr. ANTHONY. My understanding is that the largest part of this money for automatic machine rifles will be used for the development of the larger calibers of machine rifles that are now in use; and, as the gentleman says, a good deal of it is in the way of experimentation and development, and therefore the

money is asked to run over until the next fiscal year.

Mr. GARRETT of Tennessee, And the same thing is true

of tanks?

Mr. ANTHONY. Yes; and that is done with a number of manufacturing appropriations in the bill.

Mr. SNELL. Mr. Chairman, I move to strike out the last two words for the purpose of asking a question. I notice a provision in the bill which provides for the payment of claims for damages to and loss of private property incident to the training, practice, operation, and so forth. Is there any provision in the bill which provides for the payment to individuals for

accident or loss of life incident to the training of the Army? Mr. ANTHONY. No; these claims are all small claims under a certain amount and the department is confined to the payment of these small items. Any larger claims they would be unable

to pay. Mr. SNELL. What is the policy of the department in regard to the life or accident to individuals? Is there any provision anywhere relative to that?

Mr. ANTHONY. My opinion is it requires a special act of

Mr. SNELL. No matter how small?

Mr. ANTHONY. I will say to the gentleman this. There are a large number of claims which were sent up by the War Department to this committee to be included in this bill, claims which have been disallowed in the accounts of the disbursing officers and other officers on account of technicalities and the amount taken out of the officer's pay merely, as I say, because of some technicality. We did not put them in this bill, because we felt the Committee on Claims had jurisdiction and the Committee on Claims should pass an omnibus bill clearing up 100 or more of these claims that have arisen because of the war, where the department has withheld pay of the officer on some technical ground.

Mr. SNELL. We are beginning to get some in the Committee on War Claims, and I wondered whether there was special

policy in regard to this?

Mr. ANTHONY. No; claims of that nature are not paid under general authority in this bill.

Mr. SNELL. Every one comes under a special act?

Mr. ANTHONY. They are only small claims for damages taken care of.

The CHAIRMAN. Without objection the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For travel of Federal officers and noncommissioned officers in connection with the National Guard, \$85,000.

Mr. SPEAKS. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SPEAKS: Page 60, strikes out lines 12

Mr. SPEAKS. Mr. Chairman, I desire to be heard on this amendment, and I should like to know how much time I will be granted.

The CHAIRMAN. The gentleman is recognized for five

Mr. SPEAKS. Mr. Chairman and gentlemen of the committee, I have sat here quietly during the past month deeply interested and carefully respecting all the traditions and customs of the House concerning new Members participating in the debates. This is the first word I have uttered in the Congress of the United States. I can not in five minutes more than outline what I have in mind when offering this amendment, and I anticipate that before I have proceeded very far it will involve a discussion which will consume considerable time. say, first, that the National Guard is a subject which is very near to my heart, one with which I have been closely identified for a period of 40 years. I trust you will pardon this personal reference, which seems necessary in order that you may understand my viewpoint. I served in the National Guard for a period of 40 years, passing through all of the grades from enlisted man to brigadier general. I commanded a battalion in Porto Rico during the Spanish-American War, a brigade on the Mexican border, and for eight months a brigade in the World War. I was not permitted to continue in that service, and if you will allow me to continue this discussion for a while you may get some idea as to why I was not permitted to go to France with my organization.

SEVERAL MEMBERS. Go ahead. Mr. SPEAKS. I should like to present my ideas relative to our military system and organization, but unfortunately am reminded that the time will not permit. I am a believer in a small Army. [Applause.] I voted for an Army of 150,000 men. I voted for an Army of 150,000 men when that question was up simply because there was no amendment offered which proposed a smaller number.

I was really prepared to go down to 100,000 men, prompted by the fact that the National Guard is rapidly approaching its former strength and esprit de corps.

First, I think this question of great armaments to resist some imaginary foe is largely buncombe. I believe that to a considerable extent it is the propaganda of interests which

profit by war and military activities in general.

I assume that we can all agree to the proposition that Germany is now, or under the terms of the peace treaty will be, effectively disarmed. Thus we find the leading exponent of the theory that great armies and armaments are necessary to promote economic progress and insure national security deprived of her powerful weapons, once her supreme pride and which was at the same time a constant menace to world peace. Every resource of that splendid country-material, intellectual, and even spiritual-was prostituted to the barbarous doctrine that might makes right and that the mailed hand was the final arbiter in the settlement of international questions and diffi-

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended 10 minutes.

Mr. ANTHONY. Mr. Chairman, I object to an extension of 10 minutes. I would not object to five minutes.

Mr. STAFFORD. Then I modify the request that the gentle-

man's time be extended five minutes.

The CHAIRMAN. The gentleman from Wisconsin modifies his request, that the time of the gentleman be extended five min-utes. Is there objection? [After a pause.] The Chair hears none, and the gentleman is recognized for five additional minutes.

Mr. SPEAKS. Now we find Germany completely disarmed, powerless to wage offensive warfare, and impotent to defend her borders from aggression against even inferior nations.

Mr. LINEBERGER. Will the gentleman yield for a question? Mr. SPEAKS. Not for a moment, because it will be pretty

difficult for me to keep my line of thought, anyhow.

Yet I make the assertion that Germany to-day in her disarmed condition is far safer than she ever was at the very peak of her military preparedness. If Germany will scrupulously observe the terms of the peace treaty and deal justly and righteously with the world, she will have no occasion to fear attack from any quarter.

Gentlemen, I submit to your best judgment and sense of square deal this question: Would not the United States—and doubtless France and Belgium-throw their moral support in forceful manner to the side of Germany in the event that she were unjustly menaced or assailed?

Germany can now devote her energies, her resources, and her marvelous talents to peaceful pursuits and demonstrate that disarmament is not only practicable but also highly desirable. Germany can now peacefully occupy a place on the international side lines and observe the United States and other leading nations in the great world contest for supremacy in armament and military expenditure.

But I must hasten to the point I have in mind in connection with this bill. I have moved to strike out lines 12 and 13, which seek to appropriate \$85,000 for travel of Federal officers and noncommissioned officers in connection with the National

Guard.

Now, the regular military appropriations carry sums amply abundant to pay all of the expenses of the officers and men of the Army who may be called upon to perform any duty or service in connection with the National Guard. My chief purpose in offering this amendment is to have you preserve the line of demarcation between expenditures for the Army and those for the National Guard. Do not permit this constantly increasing and unjustified overhead expense, which you are all complaining about and have not the moral courage to prevent, from being saddled onto the National Guard.

We had on the 1st day of May upward of 90,000 National Guardsmen in the United States. The expectation is that on the 1st day of June it will number 100,000. I am saying that after some investigation of my own, and I note in the hearings before the Appropriations Committee that the Chief of the Militia Bureau at that time stated it was their hope that the guard would number 100,000 men by June 1, 1921. Now, there are many ways in which the money appropriated for military purposes is absolutely wasted, and I am anxious to keep the appropriations made for the Military Establishment entirely separate as it relates to the Army and the National Guard in order that we know just what each organization is costing the Nation.

Now, do not mistake my thought relative to having the National Guard under control of the regularly constituted military authorities. I understand the necessity, under the law, for Federal supervision and control.

The CHAIRMAN. The time of the gentleman has again ex-

pired.

Mr. TOWNER. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. The gentleman from Iowa [Mr. Towner] asks unanimous consent that the time of the gentleman be extended five minutes.

Mr. ANTHONY. Mr. Chairman, reserving the right to object, does the gentleman wish to discuss his amendment?

Mr. SPEAKS. Yes, sir. Mr. ANTHONY. I have no objection.

Mr. SPEAKS. My purpose, as I stated before, is to prevent the unnecessary, the unjustifiable overhead charge relating to our general military system, and particularly to the Regular Army, being saddled upon the National Guard. The National Guard appropriation at the figures fixed is ample, and even for a guard of 125,000 or 150,000, which I think will soon be realized, the present appropriation will undoubtedly be sufficient. I give notice right now that I propose to offer a similar amendment on lines 17, 18, and 19.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield

for a question?

Mr. SPEAKS Yes, sir.

Mr. McKENZIE. The item that the gentleman now desires to strike out is for pay of Regular Army officers, commissioned and noncommissioned, who are sent out into the country-their travel pay? Mr. SPEAKS.

Yes, sir.

Mr. McKENZIE. Travel pay for these Regular Army officers who are sent out into the various States to inspect the National Guard and look after the money appropriated for the National Guard?

Mr. SPEAKS. No; not to look after the expenditure of money. That is provided for. There is an officer in each State whose business it is to check that up.

Mr. McKENZIE. But does the gentleman object to the Fed-

eral Government having a sort of supervision over them?

Mr. SPEAKS. No. As a matter of fact, we encourage supervision. We have always invited that in the National Guard, and even now we encourage supervision carried to any degree in order that the War Department and Congress and everybody else may be fully informed as to the opinion of the War Department with respect to the guard. In the hearing before the Committee on Military Affairs on Army reorganization Gen. Pershing, on page 1509, spoke as follows:

The National Guard performed very excellent service, considering the limited opportunities which they had for training in the past. They never received, in my opinion, the whole-hearted support of the Regular Army. There was always more or less prejudice against them, and many of our Regular officers failed to perform their full duty as competent instructors, and often criticised where they should have instructed. The National Guard people resent this, and very preparity so

No, indeed; I have absolutely no objection to the Army supervising and, so far as they can, instructing the National Guard.

Mr. FROTHINGHAM, Mr. Chairman, will the gentleman yield for a question? Mr. SPEAKS. Yes

Mr. SPEAKS. Yes, sir. Mr. FROTHINGHAM. I did not hear all the gentleman's argument, because I came in only a short time ago. May I ask him if his amendment would not have the effect of doing away with all instruction of the National Guard by the Regular officers?

I will say to the gentleman from Massachusetts that it has absolutely no application to that. The thought I have is, I want the Federal Government—that is, the War Department-to give any instruction they think necessary, but I want the expense of that instruction taken out of the regular appropriation for the Army, and not saddled onto the National Guard.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. ANTHONY. Mr. Chairman, I rise to oppose the amendment offered by the gentleman from Ohio [Mr. Speaks]. If we are to have any Federal supervision at all of the National Guard, this item of \$85,000 for travel is absolutely necessary, because under this item is paid the travel of the Federal officers who are assigned to the National Guard of the various States and of the noncommissioned officers, of whom there is a large number—several hundred of them. The National Guard has \$50,000,000 worth of Federal property under the control of the National Guard.

This item permits Federal officers to inspect these organizations once or twice a year, traveling over all the States and into all the towns checking up the property and verifying the

accounts of State officers having them in charge.

It also covers the travel pay of the tactical instructors of the National Guard. The other day I had four or five officers of the National Guard of Pennsylvania at my office strongly urging an increase in this very item of travel pay. They claim that in the State of Pennsylvania, for instance, there was one sergeant instructor assigned by the Regular Army to one town, and he also had under his supervision companies in four or five other towns. They said the force was so small and the appropriation so low that the instructors could visit these towns only once or twice a year, although the National Guard wanted them once or twice a year, atthough the National Guard Wained them to visit these companies frequently, or at least more frequently than they do. I agreed at that time that it would be wise to increase this amount, but we did not do it. They wanted \$185,000, but we allowed them \$85,000. It would be fatal to any supervision of the guard at all to strike this item out of the bill.

Mr. COOPER of Wisconsin. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for three minutes more.

want to ask him a question.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that the gentleman from Kansas may proceed for three minutes more. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. I do not quite know what is meant by the term "Federal officers," because that might include civilians

Mr. ANTHONY. No. In this sense it means officers of the

Federal Army

Mr. COOPER of Wisconsin. You could say "officers of the Regular Army." The term "Federal officers" would include civilians. Therefore I move to strike out the words "Federal officers" and insert "officers of the Regular Army."

The CHAIRMAN. Does the gentleman from Kansas yield

for that purpose?

Mr. ANTHONY. I yield for that purpose. The CHAIRMAN. The gentleman from Wisconsin offers an

amendment, which the Clerk will report.

Mr. COOPER of Wisconsin. Mr. Chairman, I move to strike out the words "Federal officers and noncommissioned officers" and insert "officers and noncommissioned officers of the Regular Army."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Wisconsin.

The Clerk read as follows:

Amendment offered by Mr. Cooper of Wisconsin: Page 60, line 12, strike out "Federal officers and noncommissioned officers" and insert in lieu thereof "officers and noncommissioned officers of the Regular

Mr. GARRETT of Tennessee. Mr. Chairman, is that an amendment to the amendment?

The CHAIRMAN. No. The other amendment is to strike out the section. In that sense it is a preferential amendment, The question is on agreeing to the amendment offered by the gentleman from Wisconsin [Mr. Cooper].

The amendment was agreed to.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Ohio [Mr. Speaks].

The question was taken, and the amendment was rejected. The CHAIRMAN. The Clerk will read.

Mr. COOPER of Wisconsin rose.

The CHAIRMAN. For what purpose does the gentleman rise? Mr. COOPER of Wisconsin. Does my amendment stand? The CHAIRMAN. Yes, It was agreed to. The Clerk will

read.

The Clerk read as follows:

For expenses, sergeant instructors, \$60,000.

Mr. SPEAKS. Mr. Chairman, I move to amend by striking out line 16.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Ohio.

Mr. SPEAKS. No; that is a mistake. It should be line 17. The Clerk read as follows:

Amendment offered by Mr. Speaks: Page 60, line 17, strike out the line "For expenses, sergeant instructors, \$60,000."

You can depend upon it that whenever there is any cr!ticism the officers of the Army take refuge in the statement, "Well, it millions of dollars' worth of Federal property in its custody. I is Congress that is doing it, and Congress evidently knows what suppose it would not be an exaggeration to say that there is it is undertaking to do."

There appears to be a thought in the minds of some Members that I am trying to discourage Federal supervision and Federal instruction of the National Guard. The thing that 1 am trying to do-and you will find later that it is important-is to prevent the placing of unjust overhead expenses connected with our Military Establishment on the guard. I do not know what I can say to impress you, but I am convinced as the result of my experience that the principle is right, and I know I am voicing the sentiment of National Guard officers generally. I agree with the statement of the chairman of the subcommittee, the gentleman from Kansas [Mr. Anthony], who states that sergeant instructors are desired. All I am asking you to do is to pay the expenses of these sergeant instructors who belong to the Regular Army from the Army appropriation, which should properly pay that expense, instead of having it charged to the National Guard.

Mr. LINEBERGER. Will the gentleman yield?

Mr. SPEAKS. I yield to the gentleman from California. Mr. LINEBERGER. Is it not a fact that these instructors

are delegated to the National Guard for the particular interest of the National Guard, and is it not a fact that it is a mere matter of bookkeeping after all?

Mr. SPEAKS. Yes; but the gentleman does not grasp my

Mr. LINEBERGER. That is exactly what I am attempting to do, and it is for that reason that I rise to interrogate the gentleman.

I am trying to keep a line of demarcation be-Mr. SPEAKS. tween appropriations for the National Guard and appropriations

for the regular service.

Mr. LINEBERGER. It is only a form of bookkeeping, and the money which is here appropriated, as I understand it, is essentially for the benefit of the National Guard. Why should it not be taken from the National Guard fund?

Mr. SPEAKS. I will tell the gentleman why. You will find that if you persist in that system you will have the National Guard saddled with an overhead charge that will not only make it a burden to the country but make the organization unpopular.

Mr. ANTHONY. Will the gentleman yield?
Mr. SPEAKS. I yield to the gentleman from Kansas.

Mr. ANTHONY. What we are trying to do is exactly what the gentleman says he wishes to do. We are trying to make a line of demarcation in these appropriations. Now, the salaries of these sergeant instructors, of whom there are 227, are paid out of the appropriations for the support of the Army, but this item of \$60,000 will pay for their quarters and heat and light in the towns where they are detailed for duty with the National Guard.

Mr. SPEAKS. But the item is charged to the guard.

Mr. ANTHONY. So that is the reason for the separate appropriation.

Mr. SPEAKS. And the Army has abundant appropriations

available to pay all these expenses.

Mr. ANTHONY. Oh, no; it has no appropriations whatever available to pay the expenses of a sergeant instructor in your

Mr. SPEAKS. I beg the gentleman's pardon, but although it may not be under this specific heading we all know that the amount of the Army appropriation is more than ample to pay all the sergeant instructors now detailed to the States or who

may hereafter be so detailed.

The National Guard in the past has not been treated fairly by either Congress or the Army, and I propose to do everything within my power to prevent discrimination against it. Its record of accomplishment has never been properly appreciated by the Federal authorities, and only the inspiration of patriotism has encouraged officers and men to continue their sacrifices and efforts until the organization simply commands public confidence and respect. The experience in the World War which disclosed 11 National Guard divisions on the battle line in France, while the Regular Army numbered but 7 divisions, should certainly convince the most prejudiced and skeptical that the great organization of citizen soldiery is not only efficient but that the system is thoroughly practical for national defensive or offensive purposes

Mr. BLAND of Indiana. Mr. Chairman, I ask unanimous con-

sent to return to page 34—
Mr. ANTHONY. We should vote first on the pending amendment.

The CHAIRMAN. There is an amendment pending to this paragraph.

Mr. BROOKS of Illinois. May we have it read again.

The CHAIRMAN. Without objection the Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. Speaks: Page 60, line 17, strike out "for expenses of sergeant instructors, \$60,000."

The CHAIRMAN. The question is on the amendment. The question being taken, the amendment was rejected.

Mr. BLAND of Indiana. Mr. Chairman, I ask unanimous consent to return to page 34 for the purpose of offering an

amendment at the end of line 10.

The CHAIRMAN. The gentleman asks unanimous consent to return to the page indicated for the purpose indicated. Is

there objection?

Mr. ANTHONY. Mr. Chairman, I shall have to object to returning to the page. I understand the gentleman has an amendment. Can he not offer it here?

Mr. BLAND of Indiana. I think it should be offered at line

10, page 34.

Mr. ANTHONY. I understand the gentleman's amendment is out of order anyway, and he may offer it to any part of the bill to which he desires to offer it.

Mr. BLAND of Indiana. I do not think so. Does the gentle-

man object to returning to page 34?

Mr. ANTHONY. I dislike to return-

Mr. BLAND of Indiana. I will ask the gentleman to withhold his objection and let me make a statement.

Mr. ANTHONY. I withhold the objection.
Mr. BLAND of Indiana. I have made some investigation of the truck situation since the matter was discussed yesterday. The CHAIRMAN. Does the gentleman offer an amendment? Mr. BLAND of Indiana. I want to offer an amendment if it is in order

The CHAIRMAN. The Chair can not tell whether it is in

order until it is offered.

Mr. BLAND of Indiana. I move to strike out the last two words. I want to offer an amendment at the end of line 10, page 34, where this proposition came up yesterday. The chairman of the committee says he will have to object to returning to it. I do not know if this amendment would fit in at the point

in the bill where we are now. If so I propose to offer it.

I made an investigation yesterday and this morning with reference to the helplessness of some of the departments of the Government in trying to obtain any of the great number of trucks that are absolutely going to rack and ruin in the military depots under the charge and custody of the War Depart-I have a letter here from the Bureau of Mines that explains their difficulty in trying for four months to get six light trucks to be used at the different experimental and rescue stations of the country. I have also a letter here from Col. Hartshorn, who is the director of sales, and who is selling and disposing of the War Department material. In this letter he says:

I regret to inform you that I know of no means under existing law whereby vehicles may be transferred by the War Department to the Department of the Interior.

Leading Members of Congress this morning have expressed great surprise that this is a fact, and some of them think there is a law whereby these automobiles may be turned over to the Department of the Interior, but there is no law authorizing it, and unless the House takes the bit in its teeth there is not going to be any law. The other departments are entitled to these automobiles. Congress ought not to find itself helpless in this matter, but it should give directions that these motor vehicles be turned over, and the only way out that I know of is for Congress in this bill to say to the Secretary of War, "You are directed and authorized to turn over to the Department of Interior so many trucks in so many days." If you do not do so they will never get them. I want to propose that kind of an amendment. I think it would be proper to go back to page 34.

Mr. HARDY of Texas. Will the gentleman yield? Mr. BLAND of Indiana. Yes.

Mr. HARDY of Texas. Has it not always been in order for Congress to pass a law authorizing the transfer of such trucks as the gentleman asked for, and is it not a matter that ought not to have escaped Congress so long?

Mr. BLAND of Indiana. I think the gentleman is right. Mr. BLANTON. The great trouble is that the War Department will not declare them surplus. If they would declare them

surplus they could be turned over.

Mr. BLAND of Indiana. Oh, they have declared some of them surplus and they put them in the States, in the good roads department, where in many States they have more than they need and are deluged with them. Mr. BLANTON. I am with the gentleman in his proposi-

tion.

Mr. HARDY of Texas. I think that Congress ought to give the authorty that the gentleman speaks of now.
Mr. BANKHEAD. Will the gentleman yield?

Mr. BLAND of Indiana. I will yield to the gentleman from Alahama

Mr. BANKHEAD. I want to state to the gentleman from Indiana that I offered an amendment yesterday to indicate to the gentleman on that side of the House that there would be no objection or any point of order raised on this side of the House to an amendment of that kind, and I trust that the gentleman can get his amendment adopted.

Mr. BLAND of Indiana. I can understand how the gentleman's amendment-and mine also-being directed to a specific

community, failed. It was objectionable.

Mr. ANTHONY. A parliamentary inquiry, Mr. Chairman. The CHAIRMAN. The gentleman will state it. Mr. ANTHONY. Can we go back to this item of the bill for a specific purpose only-that of the gentleman from Indiana offering his amendment?

The CHAIRMAN. If the committee so decides,

Mr. BLAND of Indiana. Mr. Chairman, I ask unanimous consent to return to page 34 for the purpose of offering this

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to return to the item on page 34 for the purpose of offering a specific amendment. Is there objection?

There was no objection.

Mr. McKENZIE. A parliamentary inquiry, Mr. Chairman, The CHAIRMAN. The gentleman will state it. Mr. McKENZIE. If this amendment is now up for consideration, whether or not a similar amendment can be offered

as an amendment to that amendment, and so on down the line.

The CHAIRMAN. The gentleman from Indiana has asked permission to return to page 34 for the purpose of offering a specific amendment to a particular paragraph, and permission was given by the committee. The gentleman has offered the amendment, which the Clerk will report,

The Clerk read as follows:

Page 34, line 10: The Secretary of War is hereby directed and authorized to transfer without charge, within 30 days after the approval of this act, to the Department of the Interior six serviceable, light, motor trucks.

Mr. BLAND of Indiana. Mr. Chairman, I find in this Bureau of Mines letter to me a statement that they have traveled almost all over the Nation, following the War Department motor-car sales, in an effort to find cars suitable for their purpose and which they so much need. They went to New Albany, in my State, where there were hundreds of cars and trucks advertised for sale, but they found they were dilapidated old scrap iron, which they could not use. They traveled to New Jersey for the same purpose to an advertised sale and found they were nonserviceable and could not be used. A representative of the Bureau of Mines who has been there for many years came to my office this morning and told me they were absolutely helpless. I talked with the Assistant Secretary of War this morning in the absence of the Secretary of War, and he could suggest no remedy. There is no remedy unless Congress affords it.

Mr. GREENE of Vermont. Will the gentleman yield?
Mr. BLAND of Indians. Yes.
Mr. GREENE of Vermont. Would the gentleman have any
objection in providing for the transfer of these automobiles from the War Department to the Department of the Interior, to accompanying it by a bookkeeping credit to the War Depart-

ment for the value of the six automobiles?

Mr. BLAND of Indiana. That would entail an appropriation to the bureau and a lot of misunderstanding about it. When the bureau comes to Congress for their appropriation they would be met by this item, and Congress has never been very lavish in its appropriations for the Bureau of Mines. The War Department has always had all that it wanted, or at least more than it needed.

Mr. GREENE of Vermont. We have been wasting nearly a week trying to get a little money for them and have not got through with it yet. If you are going to howl about the cost of militarism, let us have some bookkeeping showing how much militarism has cost, and how much automobiles, and how much schools, and all that sort of thing have cost.

Mr. BLAND of Indiana. How much bookkeeping did you have when the department turned them over to the Agricultural Department and they turned them over to the public roads? You have got nothing in the way of bookkeeping credit there;

why discriminate against the Interior Department?

Mr. GREENE of Vermont. I am trying to do simple justice to one of them. These automobiles have been appropriated for and the appropriations charged to the War Department, and if they are required to turn them over to another department they ought to have credit for the same.

Mr. BLAND of Indiana. They will have credit; it will be

shown that they were turned over to the other department.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Indiana.

The question was taken, and the amendment was agreed to. The Clerk read as follows:

For office rent, and so forth, inspector-instructors, \$9,000.

Mr. SPEAKS. Mr. Chairman, I move to strike out lines 18 and 19, page 60.

The Clerk read as follows:

Amendment by Mr. SPEAKS: Page 60, strike out lines 18 and 19.

Mr. SPEAKS. Mr. Chairman, I do this merely for the purpose of again presenting to the Members of the House the desirability and necessity for making every item of this character a charge against the Regular Service instead of the National Guard. Also for the purpose of protecting the National Guard eventually against the charge of being an extravagant organi-

The CHAIRMAN. The time of the gentleman has expired. Mr. SPEAKS. I ask permission that I may be permitted to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.]

The Chair hears none.

Mr. FISH. Mr. Chairman, I regret to differ with the gen-tleman from Ohio [Mr. Speaks] on this important subject, but I feel that we can not do enough in the way of appropriating to provide Regular Army officers to help the guard in every conceivable way. In this bill we have before us we provide for two things—brains and materiel. We have provided for brains—that is, we have appropriated for a much larger number of Regular Army officers than is consistent with a force of 150,000 enlisted men. We already have the matériel left over from the war and have provided space and care for it. Now, what are you going to do with such a large number of Regular Army officers unless you lend them to the guard?

Mr. SPEAKS. Will the gentleman permit me to answer the

question?

Mr. FISH. After I get through; I will be very brief. This is money that is coming out of the National Guard appropriation; the gentleman is quite right, but the work and time of the Regular Army officers are given to the guard for the benefit of the guard and should not be credited to the Regular Army. It is done to help develop the National Guard, and I think the gentleman and myself are agreed that the Federalized National Guard is going to be the hig defensive weapon of this country. In the last few months the Federalized National Guard has increased from 85,000 to 95,000. Some of us believe that by the end of the next fiscal year—June 30, 1922—we will have 150,000 in the Federalized National Guard, and we want that National Guard to be the most efficient force that Congress can make it, and if that means appropriating money in this bill to get Regular Army officers, who spend their whole time in military matters, to lend their help and their advice to the National Guard, we want to do it. It is not right to go to the Regular Army and say "loan us these men" and then ask them to pay their traveling expenses and subsistence. What the Members of this House want to know is who is getting the benefit, as it is obvious that the people who receive the benefit should pay for it. I submit that it is solely the National Guard that receives the benefit. Does not the gentleman agree to that?

Mr. SPEAKS. I agree with the gentleman that the National Guard eventually will be the great defensive reliance of the Nation. I agree with the gentleman that to a considerable degree we must depend upon the Army for the system and actual instruction. I do not agree with the gentleman, however, the pay for that service rendered by the officer and enlisted man of the Army while carrying the instructions, as the gentleman expresses it, to the National Guard should be taken from the National Guard appropriation.

Mr. FISH. I will yield no further. I think the committee understands the proposition, as they have already voted almost unanimously on it. How much time have I remaining, Mr.

Chairman?

The CHAIRMAN. The gentleman has two minutes.

Mr. FISH. Following up the statement the gentleman advanced with reference to the record of the guard and what they did in the war, it is a matter of interest to everybody in the House, because the guard is going to be the great defensive weapon in this country. Out of 11 National Guard divisions which went to the other side, the National Guard units had bigger casualties in killed and wounded than the National Army or the Regular Army, and that shows that the National Guard when Federalized can be depended upon to do their part

effectively. We can depend upon the National Guard, and therefore if we appropriate money to Federalize them the guard will be our first line of defense. You can not depend upon the Regular Army of 150,000 in war, because the 150,000 are not sufficient hardly for one day's battle. We have got to build up the guard, and within a few years' time it may be that the guard will amount to 400,000. Does not the gentleman agree with me as to that? There is no reason why the National Guard of this country in a few years from now, if Federalized and proper appropriations are made, should not amount to 400,000 trained men.

The CHAIRMAN. The time of the gentleman from New

York has expired.

Mr. SPEAKS. Mr. Chairman, I ask that the time of the gentleman from New York be extended five minutes.

Mr. FISH. I object.

Mr. SPEAKS. I ask that the time of the gentleman be extended one minute; I wish to ask him a question.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SPEAKS. Did not the National Guard, which the gentleman described so eloquently, go to France 90 per cent, at least, under instruction of their own officers?

Mr. FISH. Quite right.

Mr. SPEAKS. The point I am making is, was it the result of the instruction brought from the Army to the National Guard? The gentleman is putting too much stress and value upon the nature and extent of the instruction which the gentleman thinks the Army is carrying to the National Guard.

Mr. FISH. May I answer that question? Mr. SPEAKS. Yes.

Mr. FISH. This is my idea of what should be done by the Regular Army in order to bring about efficiency in the guard. You must admit that the guard officers are volunteers, they are only paid for their drills and a part of their time, while the Regular Army is paid for the whole of the day's work. I believe we should send to each guard regiment two or three officers, not one and two or three non coms. The non coms should check up all supplies and go to the captain of each company and say, "Captain, you have got enough of this or enough of that." The captain of a guard company can not do all of this work without giving up his business. I do not believe in sending one officer to a National Guard regiment, but sending three officers, one as assistant to the colonel, one as assistant to the adjutant, and one as an inspector.

Mr. GREENE of Vermont. I agree with the gentleman from New York, but following in line with what he has just concluded in reference to sending officers to a National Guard regiment, I am quite in sympathy with the gentleman's idea, but I invite his attention to this: If we provide in a bill for a reorganization of the Army, an unusual number of commissioned officers, more than it would seem should be supplied to an ordinary tactical organization, we are told that we have got a top-heavy Army, that we have more officers than we need,

and Members will vote against it.

Mr. FISH. No; we have not voted against it. Mr. GREENE of Vermont. I understand.

Mr. FISH. We must have something to do with those officers if we have not got men. Why not send them to the guard?

Mr. GREENE of Vermont. I am simply taking your thought for the text, which some of our brethren never seem to understand here. Some of our brethren never seem to understand why we want more officers than will supply the actual tactical And one of the reasons is given by the gentleman. necessities.

Mr. BLANTON. Mr. Chairman, I move to strike out the last

two words.

Mr. Chairman, in reply to the distinguished gentleman from Vermont [Mr. Greene], who seems to have not a personal grudge, but some other kind, against all colleagues who want a medium-sized Army, I want to say the 14,000 officers which he has insisted on providing for the Army are enough to care for the 400,000 National Guard, which number our friend from New York [Mr. Fish] says he hopes may be reached. But I want to say to the gentleman from New York and to the gentleman from Ohio that you never will increase the strength of the National Guard up to 400,000 or up to any number sufficient to provide the proper first-line protection to the country until you get out of their breast the present feeling in the heart of every single National Guard officer in the land to-day that he has not had a square deal from the Regular Army. You can not show me an officer in the National Guard anywhere in the United States to-day but who feels that he was discriminated against by the Regular Army.
Mr. HILL. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. HILL. Look at me. I am one of them. I do not feel that we were discriminated against by the Regular Army. There were officers we did not like. And I want to say to you that the Twenty-ninth Division was a National Guard division. Mr. BLANTON. The gentleman is hardly a fair specimen. I do not want the gentleman to take all my time.

Mr. HILL. And I am going to stand by this bill. Mr. BLANTON. Whenever you send a man to the Congress of the United States he forgets a lot of things. Possibly if the balance of the National Guard officers were occupying the seat of the gentleman from Maryland [Mr. HILL], they, too, would forget the discrimination. But the feeling of discrimination is there, and you can not get rid of it. Write them and ask them

The feeling is in the heart of practically every single National Guard organization of this land that they did not get a square deal from the Regular Army during the war. If you want the National Guard to have the right sort of feeling, such as would make them readily respond for good service, give them to understand that in the future, at least, they are going to get a square deal from the Regular Army and also from the Congress of the United States.

The question is on the amendment of the The CHAIRMAN.

gentleman from Ohio [Mr. SPEAKS].

The question was taken, and the amendment was rejected. The Clerk read as follows:

ORDNANCE EQUIPMENT FOR RIFLE RANGES FOR CIVILIAN INSTRUCTION.

For arms, ammunition, targets, and other accessories for target practice for issue and sale in accordance with rules and regulations prescribed by the National Board for the Promotion of Rifle Practice and approved by the Secretary of War, in connection with the encouragement of rifle practice, in pursuance of the provisions of law,

Mr. O'CONNOR. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Louisiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. O'CONNOR offers the following amendment: At the end of line 18, page 6, add: The Secretary of War be, and he is hereby, directed to investigate the feasibility of establishing a national military park on the plains of Chalmette, below the city of New Orleans, where was fought on January 8, 1815, the Battle of New Orleans, and to prepare plans of such park and estimate of the cost therefor, and obtain such further information as may enable Congress to act upon the matter after being fully advised.

Mr. GREENE of Vermont. Mr. Chairman, I make a point of order against that on the ground that it is legislation on an appropriation bill.

Mr. O'CONNOR. Will the gentleman withhold his objection?

Mr. GREENE of Vermont. I will.

Mr. O'CONNOR. Mr. Chairman and gentlemen of the committee, in all probability the amendment is subject to the point of order, but I believe that it is justifiable legislation on an appropriation bill. There are times and occasions when the point should not be pressed. I do not desire to criticize the rules or the precedents of the House. I know that both are the result of a growth and express the experience and wisdom of legislators since the very first page in our parliamentary history was written. But as valuable as rules and precedents are in maintaining this as a Government of law and not of men, I believe they should not be as inflexible as the laws of the Medes and Persians, but should possess a certain elasticity which would permit meritorious legislation to be passed expeditiously when unusual circumstances warrant it. The attenuated refinements of strict parliamentary procedure, the rigid application of rule and reverential invocation to precedents may defeat a most laudable legislative and national purpose. The gentleman from Wisconsin [Mr. Stafford] a few days ago in a remarkably felicitous and clear-cut manner showed the desirability of generously and liberally considering amendments that are meritorious, even when they are undeniably subject to the point of order. But back to my subject or amendment. If the point of order is not withdrawn, if I do not succeed in having the amendment adopted, I will have to press as well as I can a bill which I have introduced to effectuate my purpose of ultimately creating a national park on the plains of Chalmette. I am not optimistic about getting such a bill through. Bitter experience has taught me that a man may come here young and remain until his hair has whitened with the years and yet never accomplish his legislative purposes or hopes, however diligently he work, however tirelessly and assiduously he devote himself to the pursuit of his heart's desire.

Two years ago I came here filled with joy at the thought that would have the battle field of New Orleans surveyed as a preliminary step looking to the creation of a great military park on the Plains of Chalmette. The bill was favorably reported, but never was reached by the committee on any Calendar Wednesday when Military Affairs had the call. I had it placed on the Unanimous Consent Calendar, but the time was unpropitious, and though I tried on two occasions I could not secure the unanimous consent necessary for its consideration.

I feel that I am now confronted by the dangers of Charybdis and Scylla; though if I pass this point of order and the committee adopt my amendment, the legislative rocks and whirlpool will be left behind. May I succeed, for it is for a noble thing I would do. I would have you consecrate one of the great battle fields of our country. I have hoped and our people have dreamed of the day when the Nation would take the first step in the direction of not only creating a great national military park, commemorative of a glorious martial event in our history, by having a survey made of the field, but also in giving to the people of the United States a perpetual memorial and a shrine to which lovers of American valor, liberty, and freedom might point as one of the hallowed spots on the continent.

There are some events in the history that need no comment; some chapters that require no elaboration. There are some pictures that are unforgettable and teach a lesson more lasting than all the pages on the subject. Washington crossing the Delaware is impressed upon the memory of every American man and woman, because it is the picture that appealed powerfully to

the childish imagination of school days.

The Battle of New Orleans needs no poet, no painter, no historian. God said, "Let there be light, and there was light," needs no elaboration. It would be a work of supererogation and destroy the wondrous picture the few words call up instantaneously to the soul of man. More than 106 years have passed away, fled into eternity, since that memorable day, January 8, 1815, when men, guided by the sense of direction, marched from Kentucky, Tennessee, and Mississippi to New They came over a wilderness without compass or guide; they came in rags, the clothes being almost torn from their backs as a result of marching through the wilderness; they came, they saw, they conquered. Those were the days when the Republic was young. There were no roads, no steam-boats, no locomotives, no electric lights to light them on their way at night, only the stars and moon. They came to preserve the mouth of the Mississippi River to the American people.

Whom did these backwoodsmen conquer? Troops that were the pride and glory of the Peninsular Wars, and who after-wards won distinction as the "Invincibles" under Wellington at Waterloo. Whom did they next drive to a disastrous defeat? Those that conquered Napoleon, and generously we say it, the bravest of the brave, gallant Packenham, and the followers who died with him on the day that should be a red-letter day in

American history.

Mr. KNUTSON. What is the purpose of your amendment? Mr. O'CONNOR. To have a survey made of the battle field of New Orleans, on the Plains of Chalmette.

I think, gentlemen, we ought to order this survey. I believe the American people want to keep this event and spot green in the memory of every generation. They do not wish to forget Andrew Jackson's great victory. That was the only land battle of the War of 1812, that redeemed it from an almost unbroken series of calamities, catastrophes, and disasters,
Mr. GREENE of Vermont, Mr. Chairman, will the gentleman

yield?

Mr. O'CONNOR. Certainly. Mr. GREENE of Vermont. Sharing with my good friend in his appreciation of all that is worthy of admiration and all that was gallant in the Battle of New Orleans, I do not want him to forget the Battle of Plattsburg, which was a decisive battle and broke up the British military organization in New England. It was both a land and a naval battle.

Mr. O'CONNOR. I am glad to hear at all times of the victories of my countrymen and rejoice with him on our success at Plattsburg, though I am also glad to know they can look trial, defeat, and vicissitudes in the face dauntlessly and fearlessly. I am glad to say that I rejoice in the glories of Lake Eric, and I was and am glad that the Appropriation Committee inserted in the naval bill an appropriation of \$10,000 to take care of, maintain, and use for educational purposes the Niagara, Perry's flagship, which was raised from the bottom of Lake Erie, where it had lain for many years.

The American people should ever keep before them their victorious fields; they should never lose sight of our defeats, with their heartaches. The tender chords of memory stretch out from every battle field inspiring respect, admiration, reverence, and a thrilling pride in the glory of those that are no more; the mystic influence of a noble past stretches out north, south, east, and west to every home and fireside where patriotism is enthroned and boys and girls exultingly read the chap-

ters written in fadeless glory by those who are on fame's eternal camping ground and in the bivouac of the dead.

Gentlemen, I dislike to mention the cost when a great sentimentality is under discussion; it sounds sordid and almost unpatriotic. But, as a matter of fact, there will be no cost. To make a survey of the battle field of New Orleans would require only a negligible sum. The engineers are down at New Orleans. and they could make that survey at a cost, in all probability, not exceeding \$500. Let us make the start. I believe that a provision of this kind eventually is inevitable. Why not start now? The Colonial Dames of America would be gladdened if we were to make a survey, and either the Colonial Dames or the Daughters of the American Revolution or the Daughters of 1812 or some other patriotic society, if not the Government, will take up the matter, and in the years to come we shall have at least a foundation upon which to build the superstructure, if I may use that phraseology in connection with the creation of a national park. I believe that battle field away down there on the banks of the Mississippi near the Gulf of Mexico would be sacred, holy ground to the Nation. I hope to see all the battle fields of the land memorials which will serve a splendid purpose, and that is to keep in the minds of the youth of this country the greatness of the past, the glory of our achievements, and the wonders that may still lie in the future to be wrought by heroic hearts of other generations. I would want, gentlemen, these memorials of battle fields and wonderful institutions and splendid pictures of our country to convey to the minds of our boys and girls the lessons of the past, "Lest we forget; lest we forget." For the past is the lamp of experience, and it is by its rays that we should guide our steps on the road we are traveling to-day.

Mr. Chairman, I have not discussed the Army bill or the Navy bill up to the present time. I know there is an overwhelming demand for economy, and particularly for a reduction of the Army. I wanted to hear from the Members of this House as to Army. I wanted to hear from the Members of this House as to what they thought on this all-important matter and ascertain whether our lay knowledge is equal to the information that was tendered to the committee. I have listened, but at no time have I heard a convincing voice raised in defense of a small Army. The constituency I represent stands with the rest of the country for a relief from burdensome taxation, and I am obligated to hear that cry for relief. But, personally, and not as a Representative, if I may express my attitude in those terms, I say, Keep the country in a state of preparedness.

[Applause.]

The CHAIRMAN. The time of the gentleman from Louisiana

has again expired.

Mr. O'CONNOR. Mr. Chairman, may I have three minutes more?

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. O'CONNOR. Do not go too far in the reduction of the Army; but build ye a Navy! A nation that flatters itself that it can ignore preparedness is tottering to its destruction and fall. Strip the Army and Navy of the mollycoddle elements and secure the red-haired, deep-chested, red-blooded men that one gentleman yesterday said he would like to see our Army and Navy made of. It may sound like a brutal doctrine, but "Kingdoms by blood gained must be by blood maintained." To hold that you can secure greatness by force, through power, and then maintain it by diplomacy is illogical and not in conformity or in line with what history teaches. It is the folly of such an attitude that has brought every fallen nation finally to its knees and sunk it into its grave.

You can not acquire an empire of territory and create wealth vast as to defy comprehension by the iron hand and then when you have attained the heights of greatness and glory scorn the base degrees by which you did ascend. It is such complacency that invites the attack of the lesser breed without the law and brings ruin and oblivion to the Nation that in its own blind conceit believes it is invulnerable. [Applause.]

Thus runs the seroll of human destiny
Written in fire and blood and scalding tears,
Scrawled with wrecked hopes and blasted visions
The weary record of ten thousand years;
The weary tale of peoples and kings,
The glowing dreams of empire and race
That to the law that ruleth earthly things
In ruin yielded place.

Let us answer the cry of the country for economy, but let us warn our countrymen of the terrible dangers that lie in attempting to reduce the Army below the rock bottom of the Byrnes amendment. Let those who do not desire to remain with the service get out, for the soldier who does not feel the thrill

and the joy of martial service is not a valuable unit of the

Army. Let him depart.

On some other day I hope to devote myself to some length on this subject. I regret that the inexorable demand of the hour for strict, rigid economy and a reduction of the Army has been accentuated by the lack of judgment on the part of the solicitors for recruits, who have convinced the American people through posters and otherwise that instead of the Army being a fighting machine it is presently striving to justify its existence as a training school for trades, vocations, avocations, and professions.

But, Mr. Chairman, let us return—or, rather, let me return—to my mutton, to my amendment. I hope the point of order will not be pressed, will be withdrawn, and the amendment adopted by the committee.

The CHAIRMAN. The time of the gentleman from Louisiana

has again expired.

Mr. GREENE of Vermont. Mr. Chairman, most regretfully I am obliged again to consult the rules of the House and make the point of order.

The CHAIRMAN. Most regretfully the Chair sustains the point of order, and the Clerk will read. [Laughter.]

The Clerk read as follows:

PURCHASE OF ARTICLES MANUFACTURED AT GOVERNMENT ARSENALS.

No part of the moneys appropriated in this act shall be used or expended for the purchase or acquirement of any article or articles that at the time of the proposed acquirement can be manufactured or produced in each or any of the Government arsenals of the United States for a sum less than it can be purchased or procured otherwise.

Mr. KNIGHT. Mr. Chairman, I offer an amendment to strike out all of line 10 after the words "United States" and all of line 11.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KNIGHT: Page 64, line 10, after the words "United States," strike out "for a sum less than it can be purchased or procured otherwise."

Mr. KNIGHT. Mr. Chairman, I trust that the gentlemen of the committee and the press may not get their wires crossed on the position that I am assuming in this matter. I am not making war either upon preparedness or upon an adequate Army, but I am making war upon that profit which there is in war. If this amendment should be adopted, it would compel the Government, wherever possible, to expend the money appropriated in this act at Government factories. I offer this amendment in view of two pronouncements that have impressed me more than any others that I have read in a long time. One of them was a speech delivered by Col. Buckner of a great munition plant during the year 1918. In discussing with his salesmen the amount of money made by this gigantic corporation he said that after paying \$2.000,000 to the Red Cross and \$4,000,000 in war stamps and all of the taxes that were then incident to the doing of business the company made the sum of \$129,000.000 that year. I submit, gentlemen, that so long as profit like that is inherent in any business it is not a safe business for any individual to engage in.
Mr. HULL. Will the gentleman yield?
Mr. KNIGHT. I do.

Mr. HULL. Does not the gentleman understand that the very purpose of this entire paragraph is to cut out the profit?

Mr. KNIGHT. It says that you shall not do it unless you can buy it for less; in other words, unless the Government can make it for less, you give it to the private contractor. Read your bill again.

Mr. HULL. The gentleman's idea is to give it to the arsenals in any case?

Mr. KNIGHT. My idea is to give it to the arsenals in any case if they can take care of the business; yes.

Mr. HULL. I would be very much in favor of the gentle-man's proposition; but if you can stop the profiteering and force into the arsenals the work that can be done there cheaper you are accomplishing a great deal right now.

Mr. KNIGHT. My amendment would give the work to the Government arsenals provided they could do it at the same figure that the other fellow would do it, but under your bill it specifically says not unless it can be procured for a less sum.

Mr. HULL. I will say to the gentleman that I secured the passage of this amendment several years ago, and that we placed it on the naval bill, but they are not paying very much attention to it at the present time, either in the Navy Department or in the War Department.

Mr. KNIGHT. They are not paying any attention to anything we do. Congress does not cut any figure whatever.

Mr. HULL. The reason the words the gentleman objects to

were put in the bill was to make the provision in order. I the heart also.

favor the gentleman's idea, but without those words this provision would not be in order.

Mr. KNIGHT. I thank the gentleman. I say that the Army and Navy pay no attention to this House. We legislate here and they proceed to do as they please. I than't he gentleman for that idea, and at some future time I am going to pay my respects to them in no uncertain terms.

The other sentiment that I wish to express is this: The best thing the President of the United States ever said was in his inaugural address, and if you will indulge me briefly, I want

to read one paragraph. He said:

I can vision the ideal republic, where every man and woman is called under the flag for assignment to duty for whatever service, military or civic, the individual is better fitted; where we may call to universal service every plant, agency, or facility, all in the sublime sacrifice for country, and not one penny of war profit shall have to the benefit of private individual, corporation, or combination, but all above the normal shall flow into the defense chest of the Nation.

Mr. BLANTON. Will the gentleman yield there?
Mr. KNIGHT. 1 will.
Mr. BLANTON. If the gentleman's dream could come true, we should have an Army of 50,000 men, and instead of spending \$330,000,000 in this bill we would probably get by with less than \$30,000,000.

Mr. KNIGHT. I agree with the gentleman, and if I have the time I am going to tell him how it can be brought about.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KNIGHT. Mr. Chairman, may I have five minutes more?

The CHAIRMAN. The gentleman asks unanimous consent to proceed for five minutes additional. Is there objection?

There was no objection. Mr. KNIGHT. Resuming the reading from the President's

inaugural-There is something inherently wrong, something out of accord with the ideals of representative democracy, when one portion of our citizenship turns its activities to private gain amid defensive war, while another is fighting, sacrificing, or dying for national preservation.

I agree with that, and I say to the gentleman that when this country goes to real universal conscription and conscripts labor along with the youth of this country, and conscripts wealth along with the fighting forces of this country, and when you shall call to the colors first those between 30 and 50, and when you shall make it impossible that 18,000 new millionaires shall arise out of the hell of war, as have arisen out of this conflict, then I say to you, sir, that the day you mention will have arrived. It is to strike at the profit of war, not at the means of defense, that I offer this amendment; and I say to you, gentlemen, that until this country begins its fight against war all along the line, all the dreams of Hague conventions and international assemblies will be but the vain whisperings of the air. and we will continue to hear voices and to speak language which munition makers can understand. But the day you show

to men that they can not profiteer and coin money out of the blood of this country and grow rich and fat and prosperous in the hours of its adversity, I say until that day arrives you will have the conditions that you have to-day, and it is to strike at those conditions rather than in any hope that this amendment

will be adopted that I offer it.

Mr. McKENZIE. Was the gentleman in the House when we had the naval bill under consideration?

Mr. KNIGHT. Yes.
Mr. McKENZIE. The gentleman heard it stated at that time that they had 75,000 civilians working in the navy yards of the Now, would not the effect of the gentleman's amendment be to compel the Government to keep in the arsenals of our country a very large and perhaps most of the time an unnecessary force of men on the pay rolls? Would not that be the effect of the gentleman's amendment?

Mr. KNIGHT. No force of men is unnecessary which tends to prevent the hell of war. No expense is unnecessary which would prevent these reapers of tremendous profits going out and lobbying for war. Turn your eyes to the shops and to the great war-munition manufacturers of every country and you will see that 100 per cent of them are shouting for war, while some one else is going to do the fighting, and out of which they are going to reap hundreds of millions of the people's money.

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. KNIGHT. I will. Mr. SANDERS of Indiana. I hope the gentleman will not leave his statement in the RECORD uncorrected. Is it not the gentleman's suggestion that the people who manufacture munitions cause Members of this House and of the Upper House to

Mr. KNIGHT. I made no such statement; but I say it is inherent in human nature that where one's treasure is there is

84, 250

750

1,000

250

750

Mr. SANDERS of Indiana. Will the gentleman state one single declaration of war in this country by Members of Congress that has been brought about because of the action of munition manufacturers?

Mr. KNIGHT. Mr. Chairman, I think that question is ab-

surd on the face of it.

The CHAIRMAN. The time of the gentleman from Ohio has

Mr. KNIGHT. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD, and also the remarks that I made on the naval appropriation bill.

The CHAIRMAN. The gentleman from Ohio asks unanimous

consent to extend his remarks in the manner indicated. Is there objection?

There was no objection.

Mr. KNIGHT. It means this: The forces that make for war never operate in candor. They wrap the flag around their sacred professions of patriotism and thus clothed in the habilaments of 100 per cent Americanism, Germanism, or Englishism, feed the people propaganda to prepare them for the glorious conflict that is going to pile up millions for themselves. The process is an insidious one, and it would be as well to ask one to segregate the ray of sunshine that helps to make the plains grow as to point to the specific profiteers that cause war or any specific acts that may lead a nation into it. But if anyone doubts that those who reap big profits from war ever fail to work in the interests of their pocketbooks evidence is not lacking that will convince him to the contrary. We need go no further for such proof than an investigation of the Sixty-fifth Congress. The subject was the notorious National Security League. This malodorous organization fairly reeked with perspiring patriotism. It was ready to damn any man to oblivion who dared question its clamor that the Nation should arm and keep armed to the teeth.

It invaded every congressional district in the country, and where the candidate was not ready to follow its slavish behests it put the Indian sign on his door and placarded him as unpatriotic and a danger to his country. Thank God the Congress had the courage to call the turn on these "patriots" and make them understand that this is yet a Government under which no Member of Congress is responsible to anybody except his own constituents. The congressional investigation in its findhis own constituents. The congressional investigation in its findings utterly damned this organization. I can not refrain from quoting this paragraph from the findings of the committee:

quoting this paragraph from the findings of the committee:

The National Security League and like organizations in their political activities constitute a serious menace to representative government. Ordinarily their real purpose is concealed and their appeal is made to the public on some principle in harmony with dominant sentiment. Usually, as in this instance, they have access to almost unlimited wealth, and borrow respectability, by the use, in honorary positions, of the names of men of national prominence. If their real purpose were apparent, the danger would be relieved.

Men in public life are given by them to understand that they must be subservient to the demands of such institutions; and, upon their failure to do so, they will be held up to public scorn and humiliation by false accusations. Under such circumstances the best-intentioned candidate for office realizes that he has one of two alternatives; He must be either subservient to the demands of these camonflaged organizations or be put on the defensive by false charges. Such activities on the part of organizations similar to the National Security League have a tendency to compel obedience to the wishes of special interests, rather than obedience to a real concern for the welfare of the people. This condition is not at all fanciful, since its baneful effects have been fully demonstrated by the activities of the National Security League.

Now, let us see how this great and superpatriotic organiza-

Now, let us see how this great and superpatriotic organization obtained its funds with which it sought to intimidate and browbeat the people's elected servants. Again I quote another paragraph from the report of the congressional investigation committee:

Among the large subscriptions made to the National Security League is one of \$150,000 made by the Carnegie Corporation, to be paid in three equal installments of \$50,000 each. At the time testimony concerning it was taken, two of the subscriptions, amounting to \$100,000, had been paid; another is that of Mr. John D. Rockefeller, having large interests both here and abroad; another is Mr. J. Pierpont Morgan, whose large interests are not confined to this side of the Atlantic.

Among the large contributors to the league are:

\$4,500

1, 250

29,750

15,000 4,750

Among the large contributors to the league are:

Nicholas F. Brady, 54 Wall Street, director in 50 large corporations, many of them making excessive profits on account of the war. Example: Director United States Rubber Co., excess war profits, \$5,494.531...

William P. Clyde, 61 Broadway, New York, director in many railroads and other large corporations.

Arthur Curtis James, director in 42 corporations, many of them manufacturing war munitions; vice president and director of Phelps, Dodge Co.—excessive profits over prewar profits. \$14.531.864 

Ridley Watts, 44 Leonard Street, director apporations

Joseph H. Choate, deceased, 52 Wall Street, formerly ambassador to England; trustee New York Life Insurance Co.

Mortimer L. and Jacob H. Schiff, 52 William Street, New York, of the firm of Kuhn, Loeb & Co.; connection well known. Director in the Wells Fargo Co., Western Union Telegraph Co., Union Pacific Railroad Co., and many other railroad and navigation companies.

Emerson McQuillan, 40 Wall Street, director in 14 large corporations—
George W. Perkins, 71 Broadway, New York, director in United States Steel Co., International Harvester Co., International Mercantile Marine Co., New York Trust Co., and eight other large corporations, including the Eric Railroad and other railroads railroads

railroads

H. H. Rogers, 26 Broadway, New York, director in the Standard Oil Co., Amalgamated Copper Co., United Metals Co., and many other large corporations making excessive profits during the war.

W. K. Vanderbilt, Grand Central Terminal, New York, director of 38 large corporations and with his brother director of more railroads than any other capitalist.

F. W. Vanderbilt, New York, director with his brother in 38 large corporations.

Clarence H. Mackey, 253 Broadway, director of Postal Telegraph & Cable Co., president of Commercial Cable Co., the North American Telegraph Co., and many other large corporations.

porations porations.

Eversley Childs and William Hamlin Childs, 17 Battery Place, New York, director United States Leather Co., Union Tannery Co., Central Leather Co., Argentine Central Leather Co., and many other large corporations, the Central Leather Co. alone making excessive profits over normal profits of \$12,016,397.

Observe, if you please, that every one of these contributors was a person or a corporation which immediately would profit by war. In fact, that was exactly why they were willing to give up good money to this glorious patriotic league. They cast their bread upon the waters knowing full well it would return in a few days, or months, in business contracts that would yield anywhere from 200 to 2,000 per cent. Let us look for a moment in another direction.

Of all the most obstreperous advocates of war in Germany, the great industrial works of the Krupps led the procession. So powerful had this great organization become that not only the people but the Government itself was greatly influenced by the opinions emanating from its directors. In France the munition and gun makers had attained an eminence of like nature and to almost a like extent. But why enumerate examples? Since men whetted and sold arms for slaughter they never have proved recreant to the interests of their trade. And it is for this reason that I would take these apostles of war out of a field where they are now a national danger and put them at some useful work. It is bad enough, God knows, for anybody to be compelled to forge the implements of slaughter, but if it must be done let it fall to those who can not be swayed by hopes of inordinate gain into creating conflicts to supply a market. I care not what it costs, it would be infinitely cheaper in the end for the people of this country. Were there no profits in the war games does any one believe that we would now be called upon to vote this enormous sum of almost four hundred millions carried in this bill?

Scan its contents and see how in almost every item lurks great 3, 250 profits for the men who make the material. Scan the naval

1,000 7,500 6,500 1,000

9,000 1, 550

3, 750

2,300 35,000

100,000 2,500

3, 500 1,500

2, 500 700

appropriation bill with its demands of almost four hundred millions more and ask yourself the question, Would we have appropriated these sums if there had been no profit in armor plate, or ships, or the things that ships use in war? So long as these enormous profits may be made by private persons so long will there continue to grow up a class whose very existence will be, if not a menace to peace, at least a stumbling block in the way of those who would minimize war. Put the profit beyond their reach and their zeal for arming the Nation to the teeth will abate, and I submit this step should be taken by this Government just as soon as it can be done, for such a policy will promote both peace and economy.

Mr. ANTHONY. Mr. Chairman, I move that all debate on this paragraph and all amendments thereto close in five minutes.

The motion was agreed to.

Mr. ANTHONY, Mr. Chairman, I desire to state that the adoption of the amendment proposed by the gentleman from Ohio would leave the situation so that the Government would be compelled to manufacture its supplies on a very unsound business basis. All competition from the outside would be removed, and no matter what the cost was we would have to manufacture them in the arsenals. It would lead to gross extravagance.

Mr. LINEBERGER. If the amendment was adopted, would not the Government have to invest millions in building new

arsenals?

Mr. ANTHONY. Yes. Mr. Chairman, I yield the balance of

my time to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman and gentlemen of the committee, I regret very much that we can not have a full and free discussion on this momentous question. There is not a problem that will come before this House so important as the question of munitions making. Article 8 of the League of Nations-and, as far as I am concerned, that was the only good part in the League of Nations—stated very plainly that big armaments, in the first place, were a cause of war and, in the second place, that the way to lessen the probability of war was to turn all munition making over to the Government and then to prescribe rules so that no Government could produce more than a limited amount or sell munitions to any other nation. I regret very much that we can not have in this House a full and free discussion of this question, because I think the House could well afford some of its time to be informed on the subject.

When the Muscle Shoals proposition came before the House voted with my party, but reluctantly, because even in that case I believed that we should make a beginning by having all plants producing munitions owned by the Government, and there is only one way to start, and that is to make a beginning. [Ap-

plause.]

Mr. BANKHEAD. Will the gentleman yield?

Mr. FISH. Yes.

Mr. BANKHEAD. I hope the gentleman's suggestion will lead

to a grand apostasy on that question. [Laughter.]

The amendment of the gentleman from Ohio simply says that all munitions shall be made by the Government. I know and you know that the amendment is not going to prevail without any debate; but it is something for you to think about—it is something for you to prepare for—and, remembering the old adage that fools rush in where angels fear to tread. I am willing to make this little prophecy to the Members of the House, and that is that inside of three years Congress will pass an amendment exactly like that presented by the gentle-man from Ohio. [Applause,] I thank you.

The CHAIRMAN. The question is on agreeing to the amend-

ment offered by the gentleman from Ohio.

The question was taken; and on a division (demanded by Mr. KNIGHT) there were 41 ayes and 56 noes.

Mr. KNIGHT. Mr. Chairman, I ask for tellers; I want a record on this.

The CHAIRMAN. The gentleman from Ohio demands tellers. Tellers were ordered; and the Chair appointed as tellers Mr. KNIGHT and Mr. ANTHONY

The committee again divided; and the tellers reported that there were 57 ayes and 72 noes.

So the amendment was rejected.

The Clerk read as follows:

That no part of the appropriations made in this act shall be available for the salary or pay of any officer, manager, superintendent, foremen, or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch, or other time-measuring device, a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this act be available to pay any premium or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant.

Mr. UNDERHILL. Mr. Chairman, I move to strike out the paragraph beginning on line 12 and ending on line 24, inclusive. The CHAIRMAN. The Clerk will report the amendment, The Clerk read as follows:

Amendment by Mr. UNDERHILL: Page 64, beginning on line 12, strike out the whole paragraph.

Mr. UNDERHILL. Mr. Chairman, I asked to have the paragraph stricken out in order that I might ask the gentleman in charge of the bill why such a provision should have place in legislation of this character.

Mr. ANTHONY. The gentleman in charge of the bill can give

no valid reason why it should be in here. [Applause.]

Mr. UNDERHILL. I listened to the remarks of the gentleman from Ohio who offered an amendment a moment ago, and was in hearty sympathy with all he had to say, but upon reading further in the bill I was constrained to vote against it, The gentleman's remarks were idealistic in urging that all munitions be manufactured in Government plants and all profiteering eliminated in time of war. This is to be desired. But it seems to me that with the experience we have had during the war the provision in the bill which I move to strike out is one of the most iniquitous which could possibly be devised by the mind of man. I can not imagine who in the first place ever thought of such a proposition. I have been a manufacturer; I have been a laboring man, doing hard, manual labor. I never found where business was helped by a proposition of this sort or where labor was harmed because methods of efficiency were introduced in employment.

Mr. HULL. Will the gentleman yield? Mr. UNDERHILL. Yes.

Mr. HULL. The gentleman says he is a manufacturer?

Mr. UNDERHILL. Not now.

Mr. HULL. Did the gentleman ever use the Taylor system in his manufacture?

Mr. UNDERHILL. Not the Taylor system.

Mr. HULL. I thought so.

Mr. UNDERHILL. I suppose that I ought to be more familiar with the Taylor system; but even if you oppose the Taylor system, whatever that may be, this goes a good deal further. This eliminates any restraint upon loafing, upon slacking, upon inefficiency, and it seems to me it is time now, if it never occurred before, that the Members of Congress ought to take a stand and ought to have the courage of their convictions.

I do not believe that there is a man in this House who at heart is not opposed to this proposition, and I believe that it was placed in the bill because of the so-called labor vote, which does not exist, and which the last election proved does not exist. I do not believe that labor itself wants any such handicap as The man who is ambitious, the man who is patriotic, the man who desires to advance in his chosen field of employment. would be glad to see a feature eliminated which places him on the level of the slacker or the man who holds his job by political pull; and I voice my protest against the great Government of the United States yielding to labor organizations, controlled by men who have exploited labor for the last 10 or 15 years and used such efforts as this to retain their power, and I hope that the Members of the House will back up my protest and strike from the bill carrying millions of the people's money something that undoubtedly will cost the people 10, 20, 30, or 40 per cent more than it would if this paragraph were not in the bill. [Applause.]

Mr. BLANTON. Mr. Chairman, I desire to offer a substitute. The CHAIRMAN. The Clerk will report the substitute offered

by the gentleman from Texas. The Clerk read as follows:

Substitute effered by Mr. Blanton: Page 64, line 16, after the word "watch." strike out the following Janguage: "or other time-measuring device."

The CHAIRMAN. The Chair will inform the gentleman that that is a perfecting amendment rather than a substitute,

Mr. BLANTON. Any way the Chair wants to put it, so that I get the floor. Mr. Chairman, the distinguished veteran in the House on this subject, Mr. HULL, of Iowa, whether he intended or not, caused some embarrassment to our new colleague, Mr. UNDERHILL, by asking him something about the Taylor system. If my colleague, Mr. Undershill, had been here for the last few years, he would have fully understood one system if not the Taylor system. He would have known all about the Hull system, by which the navy yards and the arsenals of the United States have been deprived of every means known to the ingenuity of man to require efficiency of our employees. I knew just as well what the answer of the gentleman from Kansas [Mr. ANTHONY] was going to be before he answered as I did after he answered when the gentleman asked him if he knew any good reason why this provision should be in this bill, and that honest statesman from Kansas, with his usual good judgment, had to reply that there was not any reason, and there is not any reason. It is in this bill, I will state to my friend, Mr. Underhill, because these men say the Government shall not have surveillance over them and shall not hold stop watches over them, at the same time they put stop watches over every man in the seats on this floor and have had surveillance over them through their agents here in the galleries to such an extent that these things are voted in bills every time Army and Navy legislation comes up. There has not been a single instance when we have not had a chance to vote yea or nay on it; but the vote is always nay when we propose to strike it out. My colleague, Mr. Black, has offered this same amendment on the floor that I have offered, and I have offered it before. imagine why a man would not want a stop watch held over him, and I am not going to ask to strike the stop-watch provision out of this bill. A man might not want a stop watch held on him. Any laborer in this country, and we are all laborers if we do our duty—the Members of this House are laborers if we do our duty-any man who does efficient service should not object to his employer using some kind of means to see that he gives good, honest, efficient service. Our constituents at home have a way of measuring our efficiency, and if we do not measure up to their standard of efficiency they take us out and put somebody else in our places. Our union friends who insist on this paragraph being placed in each Army and Navy bill, through the ingenuity and persistence and perseverance of our friend, Mr. Hull, have a way of measuring our efficiency in their behalf. They give cards giving us 100 per cent efficiency in their behalf or 90 per cent or 80 per cent and so on down the list. I did not get any per cent at all, I believe, on that subject.

They have a way of measuring us as to the service we render them, and I want to say there is not any excuse why the Congress of the United States should not require the naval employees and the Army employees, civilian employees of this Government, to render efficiency in their work. I called attention here during the consideration of the naval bill, and my colleague from Texas [Mr. Black] also called attention some months ago, to what your Assistant Secretary of the Navy, Franklin D. Roosevelt, testified before one of your committees, as shown on page 2672 of the RECORD for February 5, 1921,

from Mr. Black's speech, to wit:

When hearings were being held by the Committee on Naval Affairs some members of the committee said to Assistant Secretary Roosevelt and Admiral Parks: "You are not getting the efficiency out of your employees you ought to; why do you not get more efficiency?" Here is what Mr. Roosevelt said in reply to that:

"Last summer my own personal guess—and that is what you might call it—was that we were somewhere between 65 and 70 per cent efficient—that is, we were turning out per day per man 65 or 70 per cent of what we turned out in 1914."

Some member of the committee asked him this question:

"Why do not the officials of the Government make a study of the efficiency of these employees?"

And Mr. Roosevelt's answer is as follows:

"We do not keep time cards, as we are not allowed to do so by

And yet you vote for this provision every time it comes up in the Army or Navy bill. You have got to answer to your constituents, my friends. They are going to ask you why you did it when you get back home. The people of the United States Government are sitting up now and taking notice more than they have been through the past years, and they are going to hold us responsible for keeping these matters in these bills.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HULL. Mr. Chairman and gentlemen of the committee,

the gentleman from Texas [Mr. Blanton] does me unusual honor in saying it is my idea and amendment. I was not in the House when this amendment was first put on the Army and Navy bills. That was started in 1913, and I did not become a Member until 1915. So much for that. Most of the information that he gave you was wrong. This amendment was put in the Army bill to stop the efforts of the arsenal commanders or the Chief of Ordnance to introduce into the arsenal what is known as the Taylor system. I do not know whether the gentleman understands the Taylor system or not, but when this bill was before the House last February I read here a letter from a man who is at the present time the president of the American Engineering Society, which originated the Taylor system, absolutely repudiating the system and saying it was understood very well that it was not necessary and that it was disastrous to industry to put it in anywhere. I have asked on the floor of this House—and there are a good many manufacturers here—if there is any man who has heard of the Taylor system being introduced in any manufacturing institution in this country, and so far as I know no one has said they have known of such an institution.

The Taylor system is this kind of a proposition—it is little understood, but some engineers claim that they could go into a factory and by taking certain young men and finding out who was most efficient in doing a certain thing they could find that he can do it in far less time than an older employee, and then they want permission to go to the older employee and remake that man over under a new method of doing the same thing.

There was not anybody who would introduce it into their industries, and they went to the Chief of Ordnance and tried to introduce it into the arsenals of this country. I have no arsenal in my district, but I presume that I have visited arsenals and studied this industrial situation more than most of you. I know, and any man knows, that if you introduce this, what you will get will not be efficiency but inefficiency. I will tell you what it will do. If you will allow the Army officers to do this, every man who comes from West Point will serve his apprenticeship as first lieutenant in the arsenals over men with stop-watches held on them to time their movements as to how they do a certain thing. There is not a Member of this House that would tolerate for a minute a man standing over to say to him, "You are doing this wrong; you will have to start with your left hand instead of your right hand." The effect of it was at once that every efficient employee of the arsenal left there, and you increased the overhead expenses of your arsenals many, many times, because every officer that works in the arsenal is charged up against that arsenal.

The CHAIRMAN. The time of the gentleman has expired.

Mr. VAILE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, let me suggest to the gentlemen of the committee that they consider how this section would strike them if it read like this:

That no part of the appropriations made in this act shall be available for the salary or pay of any officer of the Army while making or causing to be made with a stop watch, or other time-measuring device, a time study of the marching of troops.

Would you like it? Would you not think it grossly absurd? Why, time is the vitals and essence of military affairs. time that troops can march in light marching order, the time it takes them to cover a distance in heavy marching order, the time it takes them to throw up entrenchments, the time it takes to put artillery in place, are the very things knowledge of which is absolutely essential to success in war. The very life of the Nation may depend upon the accuracy of such knowledge. Now, we pay the soldier in war \$30 a month. Is he to be measured, and the man working to supply him with the things that are absolutely necessary for the successful conduct of the soldier's work for the defense of the Nation not to be measured at all? I appreciate the point of view of the employee who does not want a stop watch held over him. I know that such systems have given rise to great abuses. I know that a stop-watch efficiency system-I am not sure it was the Taylor system-has largely broken up the morale in the Post Office Department, where they would time a particular rusher and then, as the gentleman from Iowa has just said, they would try to measure and remake every other man in the office according to that man's standard. Of course, I would not favor any such system as that, and I agree that such a system would not conduce to real efficiency. But this paragraph certainly goes far beyond that when it forbids making, not only by stop watch, but by any other time-measuring device, a time study of any job. What is the job? The job is making munitions of war, things we need with which to defend this country. It may be as essential to our safety to know how much time it takes to make them as to know how much time it will take for Army lorries to take them to the Is it possible that our officers can be forbidden to battle line. make any time study of that kind of a job?

I think the amendment offered by the gentleman from Texas

[Mr. Blanton] ought to carry.

Mr. ANTHONY. Mr. Chairman, I ask unanimous consent that debate may be closed in 10 minutes on this paragraph and all amendments thereto.

Mr. TAGUE. Reserving the right to object, I would like five minutes.

Mr. NOLAN. Will the gentleman hold the question for five minutes, and then we will have a better idea?

Mr. ANTHONY. Then 15 minutes. The CHAIRMAN. The gentleman from Kansas moves that all debate on this paragraph and all amendments thereto close in 15 minutes.

The question was taken, and the motion was agreed to.

Mr. NOLAN. Mr. Chairman and gentlemen of the committee, the gentleman from Iowa [Mr. HULL] told you this matter had been before Congress since 1913. It is true, but it is also true that it has been before the War Department since 1912. At that time the gentleman now occupying the chair over this committee served on a commission along with ex-Secretary of Labor Wilson and one other Member of the House, to investigate the conditions surrounding the trouble at the Watertown Arsenal, where the employees had rebelled against the use of the so-called Taylor system of scientific management, and this committee rendered a comprehensive report regarding conditions in establishments where the system was employed. It does not make any difference whether it is the Taylor system, the Gantt system, or the Emerson system, or any other system of scientific management, all are founded upon the same principle. A splitsecond stop watch is held over every movement of every employee, who is driven at top speed, and the minimum time it takes to make a certain article or to do a certain particular piece of work is the time fixed for that job. And that is what you are confronted with in the Watertown Arsenal and other Army and Navy mechanical establishments where other systems were employed in whole or in part.

This provision has no relation to the proposition the gentleman from Colorado [Mr. VAILE] is trying to inject into it. It relates absolutely to an inhuman system that was in vogue in the Government establishments up to the time this limitation was first adopted in 1914. The system has been tried out by the Bethlehem Steel Co. and other industrial plants in the country, and has generally been discarded as being destructive to the morale of the employees and tends to destroy initiative and efficiency on account of discontent among the workers

Mr. VAILE. I appreciate the gentleman's argument in re-

gard to that system

Mr. NOLAN. It is all involved, and you can not separate the stop-watch and bonus and premium systems employed under this so-called system of scientific management.

Mr. VAILE. Do you prohibit any time being set?
Mr. NOLAN. You can not prohibit any time be You can not prohibit any time being set. It does not prohibit, but it is for getting a common-sense system of shop management whereby the human element in industry is recognized, at the same time exacting of every employee a

good day's work for a good day's pay.

Mr. VAILE. Is not a clock a time-measuring device?

Mr. NOLAN. Yes; and it is being used in every department of the Government in connection with the work of the establishment under common-sense conditions.

Mr. VAILE. And this amendment prohibits its use.
Mr. NOLAN. It absolutely does not. And the Assistant Secretary of the Navy never testified that this provision in the naval bill reduced efficiency 65 per cent, but it was testified to, as everybody knows, that efficiency had dropped during the war, in every line of industry in this country, from a rating of 100 per cent to around 65 per cent, but this was due to the expansion of our shops, and the introduction of inexperienced men who were drawn from nonessential industries into the manufacture of munitions and war materials, and it has not gotten back to normal yet, and will not until conditions get normal, both as to the matter of wages, prices, and everything else, which will include the complete return of the workers to their prewar positions.

Every Congress since 1914, at each session, whenever it had an Army bill or Navy bill before it has carried this provision. Your Army and Navy has not suffered from lack of efficiency. Your industrial and mechanical establishments have not been run down because of this provision. On the other hand, former Secretary of the Navy Daniels repeatedly urged its retention in the Navy bills. This is a humane provision. If any Member of this House wants to know anything about the so-called Taylor system, let him read the hearings that were held before the Committee on Labor during the Sixty-third and Sixty-fourth Congresses. I guarantee that any man who studies them will come into this House and vote on every occasion for this provision. You can not apply that sort of a system to human beings. You can not time them as you time a race herse or a dog on a coursing park or the athlete on the cinder path, who trains for a particular race or game. You have got to give some consideration to the human element involved in industry. That is what this provision is intended to do.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. NOLAN.

Mr. JOHNSON of Washington. The whole speed-up system

is a scheme designed to throw men into the discard?

Mr. NOLAN. Exactly. As soon as they are through they are thrown on the industrial scrap heap. This Government can not afford to stand for that sort of system. Gen: Crozier and every man connected with it in the War Department and the arsenals. were unable to justify it, and the so-called experts, every one of them, that came before the Committee on Labor fell down. They could not point to a single instance where any consider- laws? [Applause.]

able number of men were employed in industry where the system was not eventually discarded; the principle underlying it is indefensible.

The CHAIRMAN. The gentleman from California asks unanimous consent that he may have two additional minutes out of the time already fixed by the committee. Is there objec-

There was no objection.

Mr. NOLAN. Now, gentlemen, if you want to find a concrete illustration of where the Taylor system was applied, you will find it in Mr. Taylor's book on Scientific Management, where he tells you how he picked labor in the Bethlehem Steel Co.'s plant, just what he was able to do, how far they were able to apply it, and what a fine set of men he got; and he also tells you in that book about the number of men he put on the scrap heap in the Bethlehem Steel Co.'s establishment. There is nothing in this system that fits a man to a job. There is nothing in this system of scientific management as applied by Tayler, Emerson, and Gantt that tries to fit men into a particular job. If they do not hit the ball and can not follow the pace. they have to go on the scrap heap. Under it men are worth less than machines; they drive both to the breaking point, then they are discarded. This great Government of ours can not stand for that principle. The Sixty-third, Sixty-fourth, Sixtyfifth, and Sixty-sixth Congresses would not stand for that prin-The Sixty-seventh will declare likewise.

Mr. CLOUSE. Mr. Chairman, will the gentleman yield?

Mr. NOLAN. Yes, Mr. CLOUSE. Suppose a man perfectly inefficient is put on a job. Does the gentleman contend that he should be put on the pay roll and kept there, regardless of his inefficiency?

Mr. NOLAN. No, I do not. I maintain that a man who can not do a good day's work for a good day's pay ought not to be put on any pay roll.

Mr. CLOUSE. Then, what objection has the gentleman to striking out this paragraph, so that he can be discharged in the

event that he can not come up to the standard?

Mr. NOLAN. There is nothing in this paragraph that provides for the keeping of inefficient men on the pay roll. Army or Navy can discharge their employees at any time for inefficiency or for any other cause that is provided for under civil service, and this provision, either in or out of the bill, has nothing whatever to do with it.

Mr. CLOUSE. But the gentleman says there is a provision

in there that no timepiece can be used.

Mr. NOLAN. Nevertheless, ordinary common sense is the best science of management, and that is what they are following to-day, and you can not find inefficiency in these Govern-[Applause.]
The time of the gentleman from Caliment establishments.

The CHAIRMAN. fornia has expired. The Chair will recognize the gentleman

from Massachusetts [Mr. TAGUE].

Mr. TAGUE. Mr. Chairman, to the older Members of the House who have been here in the past two sessions this is no new question, but to the Members who have just come into the House I want to emphasize the fact that the opposition to this section comes from the same source that it came from on every occasion heretofore. It comes from those who do not know anything about the system, and who have admitted it on the floor.

Now, Mr. Chairman, when you talk about efficiency, I want to ask, Are you going to measure efficiency by a stop-watch system? There is not a man who has ever had men in his employ in great numbers who has ever applied the stop-watch system without finding out that it not only broke down the efficiency of his men but it also broke down the morale of his

The gentleman from Texas [Mr. Blanton] says it ought to go into effect. He does not tell you why. He can not tell you why.

Mr. UNDERHILL, Mr. Chairman, will the gentleman yield?

Mr. TAGUE. Yes.

Mr. UNDERHILL. Does it break down the morale of the men to pay them a premium or bonus if they do extra good work?

Mr. TAGUE. Mr. Chairman, it breaks down the morale of a man when you put a young man of 25 years of age beside a man of 50 years of age, whose efficiency is marked only by his speed and not by his workmanship.

Mr. GREENE of Vermont. Mr. Chairman, will the gentle-

man yield right there?

Mr. TAGUE. Yes.

Mr. GREENE of Vermont. Then is not this an indirect way of insinuating an old-age pension or insurance system into our

Mr. TAGUE. No. Mr. Chairman; it is not. If the gentleman knows the stop-watch system-

Mr. NOLAN. Mr. Chairman, will the gentleman yield?

Mr. TAGUE. Yes.
Mr. NOLAN. Let me suggest that we have taken steps to establish an old-age pension system in our Government establishments for men who have given to the Government the best days of their lives. Instead of throwing them on the scrap heap we give them a retired pension.

Mr. GREENE of Vermont. But we give them a pension after

they have retired from their work.

Mr. TAGUE. Mr. Chairman, the matter of giving pensions to the workmen in the arsenals and navy yards of this country has never been caused by keeping out the speeding system. The best answer to this speed-up system was given during the Great War. We had ships built for the Government in 90 days and in 120 days at enormous expense, and every one of those ships, without a single exception, that was built on the speed system has been brought into the navy yards and shipyards of the country and repaired by the Government at tremendous expense.

Mr. CLOUSE. Mr. Chairman, will the gentleman yield?
Mr. TAGUE. I regret I can not, although I would like to,
The CHAIRMAN. The gentleman declines to yield,
Mr. TAGUE. Mr. Chairman, all you have to do is to go into

the navy yards and arsenals and find whether there is any inefficiency or not. I have heard a great deal about the inefficiency in the navy yards and arsenals, but the inefficiency is usually measured by the expense of the job. I call the attention of gentlemen to the discussions on the naval bill concerning the condition of the navy yards. The same thing applies to the arsenals. Young men just out of the Naval and Military Academies are brought into the navy yards and arsenals and put over men who have worked as expert mechanics for 20 or 30 years, and those young men who know little about the job attempt to teach the experienced mechanics, and their efficiency under the Taylor system is marked up by a young and inefficient man. The Taylor system, as explained by the gentleman from California [Mr. NoLAN], has been thrown out of every first-class establishment in the country. There is hardly one using it to-day. But there are some men wearing the uniform who are put over men in arsenals who would like to bring in some system to perpetuate themselves on the job.

Invariably the man who makes the test with the stop-watch

system is unable to perform the work himself.

The CHAIRMAN. The time of the gentleman has expired.
The gentleman from New York [Mr. London] is recognized for

the remaining three minutes.

Mr. LONDON. Mr. Chairman, the difficulty with those who would like to see this provision stricken out is that they are captivated by the word "efficiency." The object of a time-measuring device is not to stimulate mental activity, is not to help develop the brain in its application to work. Its purpose is to quicken physical movement and to intensify physical effort in connection with a particular operation.

Mr. MADDEN. Will the gentleman yield?
Mr. LONDON. Yes.
Mr. MADDEN. Rather is it not to prevent the number of unnecessary movements by showing that you can do the same work with a less number of movements? [Applause.] That is the point.

Mr. LONDON. No; the object everywhere is to multiply the number of physical movements. Every industrial establishment where there is personal contact between employer and employee, and which has attempted to introduce the so-called efficiency system, has been compelled to abandon it because of the disastrous effect upon the health and the morale of the workers. It is only in those cases where a corporation is the employer, and a superintendent who is the slave of the corporation drives other slaves, that this system is being continued. Wherever man deals with man directly in the capacity of employer and employee this system has proven to be a failure.

Will the gentleman yield for a friendly Mr. UPSHAW.

Mr. LONDON. Pardon me. I have only a minute and a half.

The CHAIRMAN. The gentleman declines to yield.

Mr. LONDON. The expression "other time-measuring device" refers to a measuring device similar to a stop watch. It does not exclude the usual methods or means for measuring time. It certainly has no reference to a clock. It has no reference to any method by which the time which it takes to produce an article is measured.

On the question of a bonus you have this reservation in the bill. You are not to pay any premium or bonus or cash reward except for suggestions resulting in improvements or economy in

bonus or reward may be offered for anything that is the result of intellectual activity, for anything that is the product of the human brain. The so-called bonus system mercilessly applied by men who have no interest in human beings and who look upon all men in the factory as mere automata, exhausts the body, stifles all mental effort, and ultimately diminishes produc-

tion instead of increasing it.

The CHAIRMAN. The time of the gentleman has expired.

All time has expired. The question is on agreeing to the amendment of the gentleman from Texas [Mr. Blanton].

Mr. Blanton. Mr. Chairman, may that amendment be

reported?

The CHAIRMAN. Without objection, the amendment will be again reported.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 64, line 16, after the word watch," strike out the following language: "Or other time-measuring

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. Blanton), there were—ayes 36, noes 69.
Accordingly the amendment was rejected.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Massachusetts [Mr. Under-HILL] to strike out the paragraph.

The question was taken; and on a division (demanded by Mr.

UNDERHILL), there were—ayes 36, noes 69.

Accordingly the amendment was rejected.

Mr. LUCE. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment oftered by Mr. Luce: Page 64, line 24, after the word "plant," insert a new paragraph reading:

"No part of the appropriations made in this act shall be expended for paying to any civilian employee of the United States Government an hourly wage or salary larger than that paid by private employers for corresponding work in the same locality."

The CHAIRMAN. The question is on agreeing to the amend-

ment offered by the gentleman from Massachusetts.

Mr. LUCE. Mr. Chairman, I ask recognition to speak on my amendment.

The CHAIRMAN. By order of the committee all debate has been closed.

Mr. LUCE. On the paragraph.

The CHAIRMAN. On the paragraph and all amendments thereto, and an additional paragraph is considered as an amendment to the paragraph. The question is on agreeing to the amendment.

The question being taken, the amendment was rejected. The Clerk read as follows:

The Clerk read as follows:

The pay of cadets for the fiscal year ending June 30, 1922, shall be fixed at \$780 per annum and one ration per day or commutation thereof at the rate of \$1.08 per ration, to be paid from the appropriation for the subsistence of the Army: Provided, That the sum of \$250 shall be credited to each cadet who entered the academy since June 15, 1920, and to each such cadet discharged since that date, to the extent of paying any balance due by any such cadet to the academy on account of initial clothing and equipment issued to him: Provided further, That hereafter each new cadet shall, upon admission to the United States Military Academy, be credited with the sum of \$250 to cover the cost of his initial clothing and equipment issue, to be deducted subsequently from his pay.

Mr. BARBOUR. Mr. Chairman, I offer an amendment. The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. BARBOUR: Page 66, line 7, after the word "pay," add the following:

"Provided further, That hereafter there shall be paid to any candidate for admission to the United States Military Academy, who shall be ordered to report at such Military Academy for mental or physical examination and shall be rejected, the amount of his actual and necessary traveling expenses."

Mr. ANTHONY. Mr. Chairman, I make a point of order against the amendment

Mr. BARBOUR. Will the gentleman reserve it for a statement?

Mr. ANTHONY. I will reserve the point.
Mr. BARBOUR. Mr. Chairman, I offer this amendment for the purpose of calling attention to a condition which I think should be corrected. Under the present system of admitting cadets to the Military and Naval Academies mental examinations are held in various parts of the country, and the are held in various parts of the country, and the cadets are then ordered to report at West Point or Annapolis for physical examination. Many of the young men who aspire to enter the Naval and Military Academies are of limited means. They are the operation of any Government plant. In other words, the required to travel great distances and report at the academies

for examination and frequently for some slight physical defects

Mr. DEMPSEY. Is not the gentleman entirely misinformed as to that? I am very sure that in various parts of the United States they conduct the physical as well as the mental examina-

Mr. BARBOUR. That is what should be done. But I will state to the gentleman that I recently nominated a young man for admission to the Military Academy at West Point. This young man passed the mental examination in California. He was ordered to report at West Point for physical examination, and came all the way across the continent from California for that purpose. I am informed that for some slight defect in his eyesight he was rejected. It cost in the neighborhood of \$600 for him to come east and take that examination. I will say to the gentleman from New York that if the authorities at the academies will conduct these examinations, both mental and physical, somewhere near the residences of the young men, and either accept or reject them there, there will be no need for this amendment.

Mr. DEMPSEY. If the gentleman please, it is done regularly. Mr. ANTHONY. The Army authorities will take the examina-

tion near the home of the applicant.

Mr. BARBOUR. I know it is done in the case of the mental examinations.

Mr. ANTHONY. And also the physical; he will be ordered

before the nearest Army surgeon.

Mr. LINEBERGER. If the gentleman will yield, I have a case in my own district. A young man was subjected to a physical examination in his district. He came to Annapolis and was again subjected to another physical examination and eliminated because of a slight defect. However, he finally got in on a third examination. But assuming that he had not been able to obtain the third examination he might have been sent home after the second examination.

Mr. BARBOUR. Is not the physical examination given in the vicinity to the young man merely preliminary, and is he not again required to go to Annapolis or West Point for a further examination? Candidates are rejected for physical de-

fects after arriving at the academies.

Mr. ANTHONY. They have a further physical examination, but in ninety-nine cases out of a hundred the defect will be

found in the preliminary examination. Mr. BARBOUR. If that is so, my amendment would not cost the Government much, because there would be very few young men who would have their expenses paid.

Mr. LOWREY. Mr. Chairman, will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. LOWREY. I have just appointed two young men to West Point and to Annapolis. The instructions were that they should go to some physician of their choosing near their home and take a tentative examination. The physician right there might reveal something that would save them the trouble of going to West Point or Annapolis. I have just had a letter from one young man who seems to be satisfactory in every way except a little question about his feet. The physician is afraid that he may be rejected when he gets to West Point.

Mr. BARBOUR. Does not the gentleman think it would be

a whole lot better to have the final physical examination take place somewhere near the young man's home, so that he would know definitely whether he was going to be admitted, and thus save his railroad fare if he is to be rejected?

Mr. LOWREY. I think it would be much better, and that is the reason I am making this statement.

Mr. ANTHONY. Mr. Chairman, I make the point of order against the amendment.

The CHAIRMAN. The Chair sustains the point of order. Mr. CAMPBELL of Kansas. Mr. Chairman, I think it was the first day that this bill was under consideration, during the general debate, that I made bold to say that in the future airplane and chemical warfare would figure in a very large way. I did this without knowledge of exactly what preparations had been made for chemical warfare. On yesterday I read a memorandum given by Gen. Fries, of the Chemical Warfare Service, to Gen. Wood on his departure for the Philippines on the prob-

able use of gas from airplanes in the next emergency in which the United States might be engaged.

Mr. Hill, a writer on the New York Herald, has a copyrighted article which appeared in the Herald last Sunday on that subject. The memorandum submitted by Gen. Fries and the article written by Mr. Hill are so much to the point that I desire that they shall be available for Members of Congress, for the General Staff, and for the country. I therefore desire to extend my remarks in the RECORD by inserting this copyrighted

Mr. GARRETT of Tennessee. Reserving the right to object, the question has been raised here before, without reaching any decision, as to whether or not it is proper to insert in the RECORD a copyrighted article and thus make it frankable. Has the gentleman the permission of the author?

Mr. CAMPBELL of Kansas. No; but I have made inquiry and men in position to know tell me that where the article is copyrighted it is proper to insert it in the Record if due credit

is given.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas to extend his remarks as indicated.

Mr. GREENE of Vermont. Reserving the right to object, and I shall not object, I would be glad to consent to the gentleman's request for unanimous consent if he will allow me to put some articles in the RECORD in which I can show that any other arm of the service would put all the rest out of business. [Laughter and applause.

Mr. CAMPBELL of Kansas. I shall not object to the gentle-

man putting such articles into the RECORD.

Mr. WINGO. Mr. Chairman, if there is going to be a mutual agreement, I have two or three articles I want to put in the RECORD. [Laughter.]

The CHAIRMAN. Is there objection? [After a pause.]

The Chair hears none.

The Clerk read as follows:

In all, Artillery Detachment, \$118,536.

Mr. CAMPBELL of Kansas. Mr. Chairman, my attention has been called to the fact that the New York Herald article to which I referred a moment ago, and for which I asked unanimous consent to have inserted in the Record, was inserted in the Record yesterday in another body in connection with a speech made there. As the RECORD already contains the article, I shall not ask that it be again inserted, and I ask leave to withdraw my request for unanimous consent.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to withdraw the article. Is there objection?

There was no objection.

The Clerk read as follows:

In all, current and ordinary expenses, \$235,475.

Mr. BLANTON. Mr. Chairman, I move to strike out the sum of \$235,475.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. BLANTON: Page 80, line 25, strike out the figures "\$235,475."

Mr. BLANTON. Mr. Chairman, I make this in the nature of a pro forma amendment in order that I may ask the chairman a question. This sum of \$235,475 is made up of various items of appropriation. In the last 8 or 10 pages the expression "and so forth" is used some 50, 60, or 70 times, in connection with appropriations. I want to ask the gentleman if he does not think it would be a wise policy, as expressed by various chairmen in the House heretofore, to discontinue the use of this expression "and so forth." It takes in the whole world within the purpose of the appropriation.

Mr. ANTHONY. Ordinarily, I think the gentleman's suggestion would be a good one, but the gentleman will notice that the West Point bill is itemized more than any other bill before

the House.

Mr. BLANTON. I know that it is, but we still use the "and so forth.

Mr. ANTHONY. For instance, in this one item of repair it provides:

Repairs and improvements, namely: Timber, plank, boards, joists, wall strips, laths, shingles, slate, tin, sheet lead, zinc, screws, nails, locks, hinges, glass, paints, turpentine, olls, and so forth, \$55,000.

It leaves out the putty.
Mr. BLANTON. And the gentleman knows that notwithstanding the many items specified, they might not spend a single dollar of the appropriation for any of those numerous articles he has mentioned, but could spend the entire appropriation in that paragraph for the "and so forth."

Mr. ANTHONY. But it will have to be for repairs and im-

provements.

Mr. BLANTON. Yes; but I wanted to call attention to it in the way of protest. I hope we will stop using this indefinite expression. Mr. Chairman, I withdraw my pro forma amendment.

The Clerk read as follows:

For the policing of barracks and bathhouses, \$25,000.

Mr. McSWAIN. Mr. Chairman, I move to strike out line 4; page 82, as I desire to ask the chairman of the subcommittee a question. I desire to ask the chairman if the word "policing," in line 4, is used in the ordinary sense of guarding and pro-

tecting against depredations or is used in the technical military sense of keeping clean?

Mr. ANTHONY. The gentleman is quite correct. [Laughter.]

Mr. McSWAIN. I do not know which way, and I am asking the gentleman for information.

Mr. ANTHONY. It means charwomen and men who clean up and keep the barracks in order.

Mr. McSWAIN. Has the gentleman provided anything for policing barracks in the various military posts?

Mr. ANTHONY. No. Ordinarily that work is done by either enlisted men or by men of the service corps, but at West Point the cleaning-up work is done by charwomen and men employed

as laborers for that purpose. Mr. McSWAIN. Mr. Chairman, I thought it was a part of military training that required men who are being educated at the expense of the Government to learn to keep their own quarters clean. During the emergency of the war when men over the military age, and some of them holding the degree of doctor of philosophy whom I know, many of them with families, volunteered for a very serious national emergency for 90 days training preparatory to leading our armies in time of war, the valuable time of these men was partially consumed in picking up cigarette butts and match stems.

Mr. ANTHONY. Will the gentleman yield? Mr. McSWAIN. Certainly.

Mr. ANTHONY. My impression is that at West Point the cadets do police their own rooms—that is, keep their quarters in order-but there are a vast number of other buildings there, such as areaways, hallways, schoolrooms, and so forth, and those the cadets are not forced to clean up.

Mr. McSWAIN. Upon the assurance of the chairman, a very fair man, I see, I withdraw my amendment; but I propose to learn more about this institution if the people keep me in the Congress.

[Applause.] TRMAN. Without objection, the pro forma amend-The CHAIRMAN.

ment is withdrawn.

There was no objection.

The Clerk read as follows:

The Secretary of War is hereby directed to turn over to the United States Military Academy without expense all such surplus material as may be available and necessary for the construction of temporary buildings; also surplus tools and materiel for use in the instruction of cadets at the academy.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. Mr. Chairman, the gentleman from Kansas [Mr. ANTHONY], in charge of this bill, will at the proper time ask for a separate vote on two amendments which have been adopted in the Committee of the Whole House on the state of the Union, and I desire very briefly to discuss these two amendments, and their effect as I understand them. The amendment offered by the gentleman from South Carolina [Mr. Byrnesl reduced the appropriation for pay of the Army from \$83,000,000 to \$72,678,000. Let us go back a bit in the consideration of this matter. When the military bill for the present fiscal year became a law it provided for funds enough to pay an Army of 175,000 enlisted men. It was the expectation of the Congress that the Army would not be recruited beyond that strength. The Secretary of War, Mr. Baker, believed we should have a much larger establishment than was appropriated for by the Congress, and believing, as he stated, he had the authority to do so under the national defense act, he not only continued to accept recruits but he set up a very expensive recruiting establishment and recruited rapidly on all sorts of liberal and engaging promises. The Congress taking note of this increase beyond the number of men contemplated by the action of the Congress in making the appropriation, the Secretary of War was interrogated by the Committee on Military Affairs on the subject, and that committee expressed as clearly and definitely as it could to the Secretary their dissent, their objection to the policy he was following. The Secretary, however, continued to follow that policy, and finally a resolution was introduced prohibiting the Secretary from enlisting men beyond 175,000. The Secretary, however, continued to enlist men, continued to maintain a great recruiting organization, and to accept enlistments until both the House and the Senate had passed the resolution and until both the House and the Senate had again passed it over the presidential veto. The program of enlistments did not cease until the day the bill was passed over the veto.

In the meantime the Army had been recruited to a strength of over 235,000 men. When the committee came to consider this bill last January there was a general opinion in the House and in the committee that at the very earliest reasonable date we ought to reduce the Regular Establishment to about 150,000 men, exclusive of the Philippine Scouts and the flying cadets.

That was the view of the committee that framed this bill last January; that was the view of the House that passed the bill; and that is, I hope, still the view of the House. It is my view. But it developed after the bill had passed the House that it would not be possible-that it would not be practicable, at least-to reduce the enlisted strength of the Army to a point anywhere near 150,000 men by the beginning of the fiscal year, July 1 next, when this appropriation begins to run. And so in the conference, in order to meet that situation, the appropriation was increased from \$72,000,000 to \$77,000,000, in round numbers, in order that we might provide for the larger force we would have at the beginning of the year and be able to take care of a force gradually decreasing until it reached 150,000 toward the end of the year.

The CHAIRMAN. The time of the gentleman has expired. Mr. LONGWORTH. Mr. Chairman, I ask unanimous consent that the gentleman be permitted to proceed for five additional

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Chairman, in that form the hill passed and would have become the law, except for the pocket veto of the President. When the committee began the consideration of these questions at the beginning of this session it was discovered there had not been as considerable a reduction of the enlisted strength as had been anticipated, largely, it is believed, because industrial conditions were not such as to tempt men to leave the service prior to the end of their terms of service. any rate, when the committee began the consideration of this bill soon after the 4th of March, when the present administration took charge of the War Department, they found that the enlisted strength of the Regular Establishment was still about 230,000 men.

It was, of course, necessary to consider this bill in view of that situation, not from a situation as we might wish to have it, but from the viewpoint of the situation as it was.

Mr. CAMPBELL of Kansas. Will the gentleman yield for a

question?

Mr. MONDELL. Very briefly.

Mr. CAMPBELL of Kansas. I am one of those who voted for the 150,000 men a few days ago. I did so because the reason did not seem to me sufficient that the Army could not be reduced. May I ask the gentleman from Wyoming if there is any other reason that appeals to the judgment and conscience of Members of Congress for voting for a larger Army than 150,000?

Mr. Chairman, it is not a question of voting for an Army of 150,000. It is a question of appropriating for the pay of the Army with a view of reducing it to a strength of not more than 150,000 as soon as practicable.

Now, let us be practical. It may be popular somewhere to say, "I would not under any circumstances vote to sustain an army at any time of over 150,000"; but you have an Army of 230,000, and there is no practical way in which you can reduce the Army to 150,000 in the short period between now and the Ist of July. It is a practical question. What are you going to do about it? Are you willing to take action that is likely to lead to a disorganization of the Army, to the reduction of some of the units of the Army to a point where they are not available for useful or active service, or will you follow a course under which we can reach 150,000 at the end of the fiscal year?

Mr. LONGWORTH. Will the gentleman yield? Mr. MONDELL. I will yield.

Mr. LONGWORTH. Will it not, as a matter of fact, be the effect of the Byrnes amendment to reduce the Army to 120,000 men and not 150,000?

Mr. MONDELL. There were at last reports nearly 230,000 men. It is not impossible to reduce the Army much below 200,000 at the beginning of the fiscal year to which this bill applies. Therefore if we appropriate for 150,000 men it will be necessary to reduce the Army by the end of the fiscal year to less than 120,000 men in order to pay the larger number we have at the beginning of the year, and still pay for all the men in the Army during the entire year. The Byrnes amendment does not provide for an army of 150,000 men, but for an army of 120,000 men or less at the end of the fiscal year.

I am not so sure but what when we come to prepare the next Army bill we may find-and I hope we shall-that we can reduce the Army semewhat below 150,000 men. But I do not think that anyone has brought forward any argument to prove that it is safe to do that now, or during the time for which these appropriations run.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent

for five minutes more.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent for five minutes more. Is there objection? [After

The Chair hears none. Mr. LONGWORTH. I wish the gentleman would elaborate a little bit on that proposition, because I am convinced that a number of gentlemen in this House voted for the Byrnes amendment the other day, believing that they were voting to reduce the Army to 150,000, whereas, as a matter of fact, they

were reducing it to 120,000.

Mr. MONDELL. Gentlemen here do not want me to diagram this as one would have to do it to a primer class. all mathematicians, at least sufficiently versed in mathematics to know that if you begin the fiscal year with 200,000 and have money enough for only 150,000, before the fiscal year closes the number must be reduced down to below 120,000 men. It may be necessary to reduce to 100,000 men if the reduction to 150,000 is not reached early in the year. That is very clear, it seems to me, to anyone who has considered the matter at all.

Now, it may be when we come to appropriate for the next fiscal year we may go below 150,000 men, but at the present time the Congress is not proposing or suggesting that we shall reduce below 150,000 men, and yet this amendment was adopted in committee which would in effect reduce the establishment to less than 120,000 men-a dangerous reduction, in my opinion, just at this time and under present circumstances. I do not think we can afford to do it. The Secretary of War does not believe we can safely do it. No one having knowledge of the establishment believes we can do it without harm to the service. Now, some gentlemen seem to be of the opinion that you can reduce the Army by forcible methods within two or three months from 230,000 men down to 150,000. Anyone who is at all familiar with military establishments knows that is impossible without doing great harm to the service. So this amendment should be voted down and restore the sum which, taking the Army at its strength when this appropriation begins to run, will pay the number of men in the establishment at that time and the gradually reducing force which will bring us down to 150,000 men at the end of the fiscal year.

Mr. TOWNER. Will the gentleman yield? Mr. MONDELL. I will.

Mr. TOWNER. I can not quite understand just what is meant by the gentleman's suggestion that a separate vote be demanded. A separate vote might be demanded

Mr. MONDELL. On this particular amendment.
Mr. TOWNER. But on the amendment to reduce \$83,000,000 to \$72,000,000? I did not know but what the gentleman's motion would be on the Hull amendment, which was adopted.

Mr. MONDELL. The gentleman from Kansas [Mr. Anthony] will also ask for a separate vote on the so-called Hull amendment. I am sure the gentleman who offered it had no thought of doing anything that would injuriously affect the service. And yet when we direct the Secretary of War to discharge a man on his application, we do something that puts an end to all discipline in the establishment. Why, a company or a regiment ordered to march on some cold and rainy morning could offer their resignations, and the offer must be accepted if the mandatory provision of this amendment be adhered to. Men under charge of a violation of the Articles of War, as the gentleman from Vermont [Mr. GREENE] suggested, could demand their release, and under a strict interpretation of that amendment they must be discharged. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARRETT of Tennessee. Mr. Chairman—

The CHAIRMAN. The gentleman from Tennessee [Mr. Gar-

[Applause.] RETT] is recognized.

Mr. GARRETT of Tennessee. Mr. Chairman, I repeat again what I said when this subject matter was last under discussion, that there is no use for us to deceive ourselves and no use for

us to be deceived as to what is before us.

Those who favor a large Army will not vote for the Byrnes amendment nor for the Hull amendment. I can see no reason founded in logic why those who favor a reduction of the Army should not vote for both of those amendments. The apprehensions of the gentleman from Wyoming [Mr. Mondell] as to the demoralization of the Army by reason of the direction—contained in the Hull amendment—to the Secretary of War to discharge soldiers upon their application until he shall have discharge contained in the Hull amendment—to the Secretary of War to discharge soldiers upon their application until he shall have discharge soldiers. charged down to 150,000 are not, in my opinion, well founded, because that amendment provides that it shall be done under such rules and regulations as the Secretary of War may make. That means, of course, that the Secretary of War would provide rules and regulations under which men could not be discharged when starting on a march or subject to a court-martial for some offense which they may have committed.

The gentleman from Wyoming further states that the adoption of these amendments would cause a reduction of the Army by the end of the fiscal year 1922 to perhaps 120,000. Well, if conditions remain in this country as they are now that does not scare me any. [Applause on the Democratic side.] And if conditions change, this Congress will be in session practically all the time, ready to meet whatever emergency may arise in the But even that apprehension of the gentleman is not well founded, because the provision of the Hull amendment is that it shall take effect immediately; and so, directly upon the passage of this bill and without waiting for the fiscal year 1922, the Secretary of War, if he discharges his duty under the law, will begin to reduce the Army, so that he can have out of the Army before the beginning of the fiscal year—before July 1, 1921-a very considerable number of these men. So that there is nothing to be apprehended upon that point, in my humble judgment.

Mr. MADDEN. Mr. Chairman, will the gentleman yield for a

question?

Mr. GARRETT of Tennessee. Yes.

Mr. MADDEN. Suppose that all the really best, experienced men in the Army should be discharged and there were left nothing but the men least qualified; what sort of an embarrassment would the Secretary of War be obliged to meet?

Mr. GARRETT of Tennessee. Well, I do not apprehend that that condition will arise. I do not think that that is a thing that need frighten us here. The proposition confronting us is whether or not we intend to respond, as we can respond intelligently, in my judgment, to what I conceive to be the overwhelming sentiment of this country, that there shall be a reduction in the Army of the United States. [Applause on the Demo-

cratic side.1

Now, if I am in error about that, of course, Congress ought to vote down these amendments. If you favor a reduction of the Army, if you favor getting back toward the small Army basis, there is no danger that I can see in supporting these amend-Nothing new has arisen here in the last few days since by a decided majority the Committee of the Whole adopted the Byrnes amendment. Nothing new has arisen that I know anything about of a public character since by a very decided vote the Hull amendment was adopted. At both times there was an unusually large number of Members in Committee of the Whole. If anything has occurred to cause a change of sentiment in this House since those votes were taken it has been of a private character and not of a public nature. [Applause on the Democratic side. 1

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. TOWNER rose.

The CHAIRMAN. The gentleman from Iowa is recognized. Mr. TOWNER. Mr. Chairman, I only desire, if I can, to try to clear up a little the parliamentary situation. We shall be called upon to vote upon what is known as the Byrnes amendment to reduce, on page 15, the pay of the enlisted men from \$83,000,000 to \$73,000,000. If that amendment is adopted by the House or confirmed by the House, then it will be in order for us either to adopt the Hull amendment or to vote that down. standing upon what is known as the Borah amendment, on page 22, which is contained still as a part of the bill.

Manifestly, it is unnecessary for us to have in operation both the Hull amendment and what is known as the Borah amendment. The Hull amendment, however, was adopted as an amendment. The Borah amendment, as it is called, is already a part of the bill. If the Hull amendment is adopted, then we shall have both the Hull amendment and the Borah

amendment.

Now, the difference between those two amendments, in effect and in general, is this: The Hull amendment compels the Secretary to reduce, on the application of soldiers, the number to 150,000 men. Well, if we adopt the Byrnes amendment, that amendment will be in consonance with the Borah amendment; but also the provision on page 22 will be in consonance with the Byrnes amendment, because the provision on page 22 is that the Army shall be reduced to the amount appropriated for it; and if we appropriate for only 150,000 men by adopting the Byrnes amendment, then that will stand. So, then, if the Byrnes amendment is adopted, we have this situation, to choose between the Hull amendment and what is known as the Borah provision.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman

Mr. TOWNER. I beg the gentleman's pardon. Let me just finish this statement, and then I will yield.

I believe that the Borah amendment is the better, for it leaves the reduction to be made by the Secretary of War. Therefore I voted against the Hull amendment. Personally I shall vote for the Byrnes amendment [applause] and I shall vote against the Hull amendment, because with the Byrnes amendment adopted the provision on page 22 allows the Secretary to reduce the number in the Army to the amount appropriated for, or 150,000 enlisted men,

I make these statements so that gentlemen will understand the situation that we are in. We virtually can not get rid of what is known as the Borah provision. It is already in. We shall have no opportunity of voting on it, but we will have an opportunity of voting on the Hull amendment. As to the two provisions, let the committee understand that they first have to determine whether or not they will reduce the Army to 150,000 by reducing the appropriation from \$83,000,000 to \$73,000,000. the reduction is made then they will have to determine whether they want to adopt either the Hull amendment or the Borah provision, and if the Hull amendment is adopted we will have both provisions in the bill, which certainly is not necessary. It seems clear that the Hull amendment is unnecessary, because of the inclusion of the Borah provision.

The CHAIRMAN. The time of the gentleman from Iowa has

expired.

Mr. GRAHAM of Illinois. Mr. Chairman, I ask unanimous consent that the gentleman from Iowa may proceed for one minute more. I want to ask him a question.

The CHAIRMAN. Is there objection to the gentleman's

request?

Mr. ANTHONY. Mr. Chairman, reserving the right to object, I ask unanimous consent that all debate on the paragraph and amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Kansas asks unani-

mous consent that all debate on the paragraph and amendments thereto close in five minutes. Is there objection?

Mr. FISH. Reserving the right to object, how much time

can the gentleman afford me?

Mr. ANTHONY. We want to get through the bill. Mr. LONGWORTH. Mr. Chairman, I shall object to any further discussion after five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

Mr. FISH. I object. Mr. ANTHONY. Mr. Chairman, I move that all debate on

this paragraph and pending amendments close in five minutes.

The CHAIRMAN. The gentleman from Kansas moves that all debate on this paragraph and pending amendments close in five minutes. The question is on agreeing to that motion.

The motion was agreed to.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois [Mr. GRAHAM] that the gentleman from Iowa [Mr. Towner] may proceed for one additional minute of the five?

Mr. BLANTON. One minute or five minutes? The CHAIRMAN. One of the five.

There was no objection.

Mr. GRAHAM of Illinois, I want to ask the gentleman this question about the Hull amendment: Do I understand by the Hull amendment that the Army can only be reduced by voluntary application for discharge, or can the Secretary reduce it by his own order?

Mr. TOWNER. I understand he is required to reduce it to

150,000 men.

Mr. GRAHAM of Illinois. By voluntary application?
Mr. TOWNER. By voluntary application.
Mr. ANTHONY. Mr. Chairman—
The CHAIRMAN. The gentleman from Kansas is recognized

for the four remaining minutes.

Mr. ANTHONY. Mr. Chairman, the Committee on Appropriations in framing this bill have certainly sought to conform to the ideas of this House in bringing our Military Establishment down to the basis which we felt the House desired. Under the terms of this bill, if enacted, the War Department will be compelled, if it desires to maintain an Army of 168,000 men for which this bill provides, to discharge arbitrarily over 60,000 men between now and July 1, unless that number of men take advantage of the provisions of the bill and ask for their voluntary discharge. The committee felt, and I think it is absolutely correct, as has been stated on this floor, that to compel the further discharge of men in addition to the 60,000 who will be forced out of the Army by July 1 under the provisions of this bill would be an unsafe policy for this House to

adopt. Now, I do not blame the gentleman from Tennessee [Mr. Garrert] and the gentlemen on that side of the House for taking advantage of a situation of this kind and of the feeling that exists in the House against a large Army, to endeavor to embarrass the present administration. Personally, I am opposed to a large Army. I am willing at an ordinary time to stand for the Army of 150,000 men that this House desires; but gentlemen on that side of the House forget the fact that while this House was considering the former bill which failed of passage their administration, in spite of the feeling in this House, arbitrarily increased the Army by 35,000 men. posed that additional handicap upon the present administration and the present Secretary of War.

Mr. BLANTON. Mr. Chairman, a point of order. If the gentleman is going to bring politics into the discussion, I am going to make a point of order against discussion out of order. There has been no politics brought into it up to this time.

The CHAIRMAN. The gentleman will proceed in order.

Mr. ANTHONY. Gentlemen are taking advantage of this situation by trying to force upon the present administration the extremely difficult proposition of bringing the Army down from its present size of 230,000 to 150,000 men within the very short space of one or two months. For that reason, because of the extreme difficulty of reducing a peace-time army, the committee provided for 10,000 more men than there were in the former bill. We did this as an element of safety, so that the Army could be reduced in an orderly and safe manner, and I certainly hope that the House will recognize the difference between the situation which prevailed a few months ago and that which prevails now, and not seek to embarrass the present administration in its already difficult task of bringing the Army down from its present size of 230,000 men to 168,000 men, as provided in this bill,

The CHAIRMAN. The time of the gentleman has expired. All time has expired. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For subdividing rooms 401 and 402, fourth floor, east academic building, including new partitions, new entrances from corridor, new lights, additional slate blackboards, and incidental work, \$4.000.

Mr. BYRNES of South Carolina. Mr. Chairman, I move to strike out the last word. I desire to say a few words with reference to my amendment, having in mind what the gentleman from Kansas [Mr. Anthony] has said.

Certainly there is no foundation for the statement that in offering my amendment to this bill I was prompted by any desire to take advantage of the disagreement among gentlemen on that side of the House and to cause embarrassment to this administration.

When the bill was reported to the full Committee on Appropriations I then asked why the Army was increased from the 150,000 provided in the last bill to 168,000. No satisfactory answer was given to me then, nor has one yet been offered, and only because that is true did I offer the amendment. Now, is it fair to try and arouse partisan feeling on an amendment of this kind? During the last administration, when this House voted in favor of 175,000 men, the Secretary of War insisted upon recruiting more than 175,000; but gentlemen can not use that as any argument to govern your action at this time, be-cause I reiterate what I have said before, that the Democratic side of this House voted almost unanimously to override the veto of the Democratic President, who vetoed the resolution providing for 175.000 men. Again, when the bill went to the Senate nearly every Democratic Senator voted to override the veto of the Democratic President. No man is justified in endeavoring to arouse partisan feeling in this matter. The question is simply whether since February 3 anything has occurred to justify increasing the Army 18,000 men. On February 3 the gentleman from Kansas [Mr. Anthony], in discussing this matter, said:

The committee have made an appropriation for the pay of the enlisted men of the Army calculated on 150,000 men during the next fiscal year. The committee believe it will be entirely practicable to reduce the Army to that size, and the committee furthermore believe that that will be one of the policies of those who will be responsible for the Government after March 4.

I also believe that the amount appropriated will be adequate to take care of the pay of such an enlisted force without any deficiency.

Then the gentleman from Wyoming [Mr. MONDELL] said:

A year ago, just out of the war, still within the war shadows, still under the influence of war conditions, we believed we needed 175,000 enlisted men besides the Philippine Scouts and flying cadets. Most of us now believe, and the country believes, that 150,000 enlisted men will be sufficient. We are appropriating for that number. We are trying, partly, at least, to realize the hope and expectation of the American people that we shall get back to normal as soon as possible; that we reduce, so far as we can without injury to our Military Establishment, the enormous total of military costs,

Mr. MADDEN. Will the gentleman yield?

Mr. BYRNES of South Carolina. I am sorry I can not yield. That was on February 3. On March 3 we passed the conference report providing for 158,000 men. This administration, just as was the case with the previous administration, has done nothing to reduce the Army. Under the Hull amendment they will be directed to reduce it to 150,000 men. It is folly to say that the bill provides for only 120,000 men, because when you say that you assume that the Secretary of War will not carry out the direction of the Congress. Now, the fact is that your Secretary of War is not to blame, and we know it. Nobody but the General Staff is to blame; nobody but the General Staff suggested the alternative proposition submitted by the Secretary providing for 182,000 men for the next fiscal year. If we are going to get back to normal, I appeal to you now to stand by 150,000 men, which the gentleman from Kansas said was adequate, and a reduction which the gentleman said was practicable.

Mr. MONDELL. Mr. Chairman, having started this debate I do not want to seem ungracious in suggesting that we have had a liberal debate on the subject, pretty well divided on the two sides, and I doubt if anything new can be presented. All discussion is out of order as it is now proceeding.

Mr. MADDEN rose.

The CHAIRMAN. The Chair hears no motion and the gentle-

man from Illinois is recognized.

Mr. MADDEN. Mr. Chairman, when the gentleman from Wyoming last February argued for 150,000 men he did so because there would be then time to reduce the force to that number before the 1st of July. But what happened? The Secretary of War continued to enlist until the Army reached 235 000, and to-day there are 230,000 men in the Army. When this bill becomes a law it will probably be the 1st of June at the very earliest. Then you have 30 days in which the Secretary will be required to reduce the Army from 230,000 to 150,000, if the Byrnes amendment be adopted. That will be an impossibility, and if by chance he is not able to do it by the 1st of July there will be some period during the fiscal year of 1922 when we will be compelled to reduce the Army to 120,000 men.

Mr. J. M. NELSON. What hinders the Secretary of War

from beginning to-day?

Mr. MADDEN. Because he has no authority.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. MADDEN. Yes

Mr. COOPER of Wisconsin. Does the Byrnes amendment make any mention of time in which these men are to be discharged?

Mr. MADDEN. No.

Mr. COOPER of Wisconsin. Does the Hull amendment make any mention of time?

Mr. MADDEN. The Hull amendment makes no mention of The gentleman must realize that the fiscal year of 1921 ends on the 30th of June, this year. He must also realize that the Army must be reduced from 230,000 to 150,000 by June 30, which means the discharge of 80,000 men, and the gentleman must know that if that thing happens there will be discord and embarrassment in the conduct of the Military Establishment. I believe that we can afford to comply with the wish of the Secretary of War, who suggested a place where we could save \$22,000,000 if we would but give him the \$22,000,000 to add to the personnel of the Army. What cid the Committee on Appropriations do? They took the \$22,000,000, suggested as a possible saving at the instance of the Secretary of War, and added 10,000 men to the Army at a cost of six and one half million dollars, and they come to the House with the recommendation of that saving over the last bill of fifteen and a half million dollars. So the bill before us is fifteen and one-half million dollars less than the bill passed last February, but the bill that was passed last February was vetoed by the President of the United States, then a Democrat, because it did not contain a sufficiently large Army. The conditions of the country are such that I believe there is need to-day for every man provided for in this bill, and I believe we will make a great mistake if we do not vote down the Byrnes amendment and also the amendment offered by the gentleman from Iowa [Mr. HULL]. [Applause.

Mr. FISH rose.

The CHAIRMAN. The Chair will recognize the gentleman from New York.

Mr. WALSH. Mr. Chairman, I make the point of order that all debate on this paragraph has expired.

The CHAIRMAN. The Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

For extension of water, sewer, gas, and electric systems to new backeter building, to be immediately available, \$20,000.

Provided, That the constructing quartermaster, United States Military Academy, is hereby exempted from all laws and regulations relative to granting leaves of absence to employees with pay while employed on construction work at the Military Academy.

Mr. FISH. Mr. Chairman, I move to strike out the last word. Mr. Chairman and gentlemen of the House, let us mean what we say and say what we mean. [Applause.] Those men in this House who voted for 150,000 men the other day knew what they were doing then, and they know what they are going to do in a few minutes. [Applause.] They know what they are voting for and what this amendment will do when it passes this House. There seems to be a great deal of alarm in case the amendment prevails that the Army will be reduced below 150,000 men; suppose it is, suppose it goes down to 130,000. All the time while we have been debating in the last three months the National Guard has been going up; it has already increased 10,000. Besides, if the amendment prevails for 150,000 men in this House, it does not mean that it is going to prevail in the other legislative body. We know the conditions on the other side, we know that the Senate is going to increase the number, and that a conference committee will be appointed. It is fair to assume that this House will then agree to a somewhat larger Army and probably will insist on the previous conference report of 158,000. All this argument about reducing the Army to 120,000 is not built on any foundation of fact.

I listened in this House as a new Member a few months ago to the very convincing argument by the majority leader, the able gentleman from Wyoming, and to the convincing argument of the chairman of the subcommittee, and I followed their counsel and advice and voted for 150,000 men at the last They have not produced one single argument or reason that would cause Members of the House to change their minds.

[Applause.]

I have the utmost respect for the distinguished Secretary of War, Mr. Weeks, a very able appointment, but we know and the history of this country substantiates that every Secretary of War or Secretary of the Navy presents estimates much larger than they expect to get. The General Staff tells you that if you reduce the Army by one you are going to wreck the United States Army, but that is an old story, and the Members of the House are accustomed to that argument. Furthermore, in the last war 4,000,000 men were discharged from the Army when they set about doing it. I submit that the amendment of the gentleman from Iowa is in order and will not in any way affect the morale of the Army. It simply means that these men who wish to apply for honorable discharge may do so subject to the regulations of the Ropublican Secretary of War. We Republicans who are going to vote for th's amendment are doing so because we believe it is consistent with adequate national defense and public economy. [Applause.] We bel'eve that we should vote for it now and not many years from

A scientist once came up my way and told us that "in 18,000,000 years you will not have any trees up here, you will not have any vegetation, nor anything which man raises that you can subsist on, and the human race will disappear from the earth." An old man sitting some distance back sa'd, "How many years did you say?" "Eighteen million years," said the scientist. "Oh." said the old man, "I thought you said 8,000,000 years." [Laughter.] Now is the time to reduce the size of the Army and cut down the appropriations and not 18,000,000 years from now. [Applause.]

The Clerk read as follows:

In all, Military Academy, \$2,357,250.80.

Mr. LUCE. Mr. Chairman, I offer the following amendment. The Clerk read as follows:

Page 86, after line 14, insert a new section, as follows:

"SEC, 2. No part of the money-appropriated in this act shall be used for paying any civilian employee of the United States Government an bourly wage or salary larger than that customarily paid by private individuals for corresponding work in the same locality."

Mr. STAFFORD. Mr. Chairman, I make the point of order that the committee has already acted on that amendment.

The CHAIRMAN. The gentleman from Wisconsin makes the point of order that the committee has already acted on this amendment. The Chair will compare the two.

Mr. LUCE. May I call the attention of the Chair to the

changes which have been made?

Mr. LONGWORTH. I make the further point of order— The CHAIRMAN. The Chair finds it is not the same.

Mr. STAFFORD. Mr. Chairman, I make the further point of order it is new legislation, and the further point that it is not germane to this part of the bill.

Mr. WINGO. This very amendment is one customarily fered. It is a limitation; it is very clear on its face.

Mr. STAFFORD. There has been a ruling and I wish to direct the attention of the Chair to the ruling made by former Vice President Sherman, when he was acting as Chairman of the Committee of the Whole House on the state of the Union on an appropriation bill, and I believe it is confirmed by other decisions, that if there is any place in the bill where an amendment is in order a Member can not offer it in a different place; otherwise, instead of expediting legislation, you will be impeding and hindering it. When the gentleman from Massachusetts offered an amendment of a similar nature and the committee voted it down, that was the place it would have been germane to the paragraph or provisions then under consideration. If the Chair is going to rule and claim that after an amendment has been rejected by the committee at a subsequent stage of proceedings any Member can offer an amendment almost identical and have it considered, and so on ad infinitum, I say there will be no progress in legislative consideration but delay continuously.

Mr. LUCE. Mr. Chairman, when an amendment somewhat resembling this was presented at an earlier stage I was in very grave doubt whether the point of order would not have laid against it then as not being pertinent to the paragraph it followed. In my judgment a better case can be made out for its presentation at this stage, because it refers to nearly everything, or at least to a great deal, that is scattered through the bill. It is a blanket limitation of expenditure, which may properly be affixed at the end of a bill in the same way that frequently a section is added saying when the bill shall take effect. The gentleman would hardly contend that there might not be affixed here a section prescribing that the bill shall take effect at a specified day. I conceive of no more pertinent and appropriate place to make a limitation apply to all the paragraphs of a bill than at its conclusion.

The CHAIRMAN. The Chair is ready to rule. It can not be too often stated in connection with rulings of the Chair that it is not the province of the Chair to pass upon the wisdom or lack of wisdom of an amendment. Only the form as it relates to parliamentary proceedings is material here. It seems to the Chair that this is purely a limitation, and that it limits all the appropriations carried in this bill. As stated by the gentleman from Massachusetts, if it is properly a limitation, it seems to the Chair that there could be no better place than at the close of the bill, since it is applicable to the entire bill. Therefore

the Chair overrules the point of order.

Mr. HERRICK. Mr. Chairman, I ask that my amendment be

The CHAIRMAN. Is the amendment of the gentleman an amendment to the one now pending?

Mr. HERRICK. It is one I have offered, but the Chair recognized the other gentleman's amendment first. My amendment

was on a different subject.

The CHAIRMAN. The gentleman from Massachusetts.

Mr. LUCE. Mr. Chairman, I well realize the committee is very properly anxious to pass judgment upon the vital issue which has just been laid before us, but if in a few minutes it is possible to save to the taxpayers of the Nation several hundred thousand dollars it may be worth while even to delay action upon the more important matter until this amendment can be explained. One of the evils brought by the war was competition between the Government and private employers, the Gov-ernment paying higher wages and offering shorter hours in order to get men and women away from their customary occupa-No exception could then be taken, for the war demands were imperative and paramount. It was, to be sure, a great hardship even to those engaged in the manufacture of munitions, and the competing of the Government and employers against each other undoubtedly caused a great rise in the cost of living. Since the war there is no longer any justification for this practice, but I regret to say it continues, and in various parts of the country civilian employees of the Government are

paid higher wages than are customarily paid in the locality.

I understand in the arsenals, and possibly in the navy yards, there are boards of adjustment which carry into effect pre-cisely the proposal here. The justice of the principle therein applied we all recognize. This provision intends that the same principle should be applied throughout the expenditure of all the money herein appropriated. To illustrate, I received yester-day a letter from a constituent, in which he spoke of a young woman who had come to him saying that she had been receiving \$25 a week from the Government for an hour and a half less

work a day than she had previously done for \$15 a week. My constituent was willing to pay \$18 a week. He finds himself unable to compete under those circumstances with officers of the Army who are disposed to pay high prices, who are apparently without restriction, and who take away from private employers skilled employees by offering unreasonable wages. This is no criticism upon labor nor an attack upon the wages customarily received, but a suggestion that if the committee desires to help along in the return of the wage scale and the cost of living to a reasonable figure it can do no better than begin with its own affairs. I do not ask that less be paid than is paid in the neighborhood. I ask simply that the ordinary, customary rate of wages paid by private employers in the locality shall be the standard for Government payment in the expenditure of all this appropriation.

The CHAIRMAN. The question is on agreeing to the amend-

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. BLANTON. Division, Mr. Chairman.

Mr. COOPER of Wisconsin. Mr. Chairman, may we have the

anrendment again read?

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that the amendment be again read. Is there objection?

Mr. BLANTON. Mr. Chairman, I object.

The committee divided; and there were—ayes 120, noes 26.

So the amendment was agreed to.

The CHAIRMAN. The gentleman from Oklahoma [Mr. Her-RICK] has an amendment at the desk.

Mr. HERRICK. I ask that it be reported.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 86, after line 14, insert:

"That for the carrying out of the provisions of this act and the reduction of expense, the state of war that has existed between the United States and the Imperial German Government and the allied Central Powers since April 6, 1917, is hereby declared to be at an end, and the Secretary of War is hereby directed to withdraw all the United States soldiers now in Germany as speedily as the same can be done consistent with the interests and rights of the United States."

Mr. MONDELL. Mr. Chairman, I make the point of order that it is legislation on an appropriation bill and not germane.

The CHAIRMAN. The gentleman from Wyoming makes the point of order that it is legislation on an appropriation bill,

The Chair sustains the point of order.

Mr. ANTHONY. Mr. Chairman, I move that the committee do now rise and report the bill to the House with amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. Tilson, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 5010, the Army appropriation bill, and had instructed him to report the same to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. ANTHONY. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. ANTHONY. Mr. Speaker, I ask for a separate vote on what is known as the Byrnes amendment, on page 15, line 2, and on what is known as the Hull amendment, page 16, line 10.

Mr. WALSH. Mr. Speaker, the other amendments should be voted on en grosse

Mr. HUDDLESTON. Mr. Speaker, I wish to ask for a separate vote on the amendment of the gentleman from Massachusetts [Mr. LUCE].

Mr. DAVIS of Tennessee. Mr. Speaker, I ask for a separate vote on the amendment, adopted on page 33, striking out the provision authorizing the transfer of automobile trucks to the Agricultural Department for road construction in the States.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them en grosse.

The amendments were agreed to.

The SPEAKER. The Clerk will report the first amendment. The Clerk read as follows:

Amendment by Mr. BYRNES of South Carolina: Page 15, line 2, strike t the figures "\$83,000,000" and insert in lieu thereof the figures ut the figures \$72,678,659."

The SPEAKER. The question is on agreeing to the amend-

The question was taken, and the Speaker announced that the Chair was in doubt.

The House divided; and there were-ayes 133, noes 120.

Mr. ANTHONY. Mr. Speaker, I demand the yeas and nays. The yeas and nays were ordered.

The question was taken; and there were—yeas 193, nays 158, answered "present" 2, not voting 77, as follows:

# YEAS-193.

Aimon	Driver	Lankford	Riordan
Andrews	Echols	Larsen, Ga.	Robsion
Arentz	Fairchild	Larson, Minn.	Rose
Aswell	Favrot	Lawrence	Rouse
Bankhead	Fish	Layton	Rucker
Barbour	Fisher	Lazaro	Sanders, Tex.
Barkley	Fitzgerald	Lee, Ga.	Sandlin
Beck	Flood	Linthieum	Schall
Bell	Focht	Little	Scott, Tenn.
Benham	Frear	Logan	Sears
Black	Freeman	London	Sinclair
Bland, Va.	Fulmer	Lowrey	Smithwick
Blanton	Garner	Luce	Speaks
Boies	Garrett, Tenn.	Lyon	Stafford
Bowling	Garrett, Tex.	McClintie	Steagall
Box	Gensman	McDuffie	Stedman
Brand	Gernerd	McLaughlin, Ne	br Stevenson
	Goldsborough	McSwain	Strong, Kans.
Briggs	Goodykoontz	MacGregor	Summers, Wash
Brooks, Ill.		Martin	Sumners, Tex.
Brooks, Pa	Graham, III.	Mason	Swank
Brown, Tenn.	Griffin	Mead	Sweet
Buchanan	Hammer		Swing
Bulwinkle	Hardy, Tex.	Moore, Ohio	
Burtness	Hawes	Moore, Va.	Tague Colo
Byrnes, S. C.	Hayden	Morgan	Taylor, Colo.
Byrns, Tenn.	Herrick	Murphy	Taylor, Tenn.
Campbell, Kans.	Hoch	Nelson, A. P.	Ten Eyck
Cantrill	Huddlesten	Nelson, J. M.	Thompson
Carew	Hudspeth	O'Connor	Tillman
Carter	Hull	Ogden	Tincher
Chalmers	James, Va.	Oldfield	Towner
Christopherson	Jefferis	Oliver	Tyson
Clague	Johnson, Ky.	Overstreet	Underhill
Clouse	Johnson, Miss.	Padgett	Vinson
Collier	Jones, Pa.	Parks, Ark.	Voigt
Collins	Jones, Tex.	Parrish	Ward, N. C.
Connally, Tex.	Keller	Perkins	Weaver
Connell	Kelly, Pa.	Perlman	White, Kans.
Cooper, Wis.	Kendall	Pou	Williams
Coughlin	Ketcham	Quin	Williamson
Crisp	Kincheloe	Rainey, Ill.	Wilson
Cullen	Kinkaid	Raker	Wingo
Davis, Tenn.	Kleczka	Ramseyer	Woods, Va.
Deal	Knight	Rankin	Woodyard
Dominick	Корр	Rayburn	Wright
Doughton	Kraus	Reavis	Young
Dowell	Kunz	Reecc	
Drane	Lampert	Rhodes	
Drewry	Lanham	Ricketts	
AND DESCRIPTION OF THE PARTY OF		8-12-11 PERSON IN	

# NAYS-158.

	*144.4	2 200.	
Ackerman	Fenn	McFadden	Sanders, Ind.
Anthony	Fess	McKenzie	Sanders, N. Y.
appleby	Fordney	McLaughlin, Mich	
Atkeson	Free	McLaughlin, Pa.	Shaw
Bacharach	French	Madden	Shelton
Beedy	Frothingham	Magee	Shreve
Bixler	Galin	Maloney	Siegel
Bland, Ind.	Glynn	Mapes	Sinnott
Bond	Good	Merritt	Slemp
Brennan	Green, Iowa	Michaelson	Smith
Burdick	Greene, Mass.	Michener	Snell
Burroughs	Greene, Vt.	Miller	Sproul
Burton	Griest	Mills	Steenerson
	Hadley	Millspaugh	Stephens
Butler	Hardy, Colo.	Mondell	Taylor, N. J.
Cable	Hawley	Mentoya	Temple
Campbell, Pa.	Hickey	Moores, Ind.	Tilson
Cannon	Hicks	Mott	Timberlake
Chandler, Okla.		Mudd	Tinkham
Chindblom	Hill	Newton, Minn.	Treadway
Classon	Himes	Nolan	Vaile
Codd	Hogan		
Colton	Houghton	Norton	Vare
Connelly, Pa.	Hutchinson	Olpp Osborne	Vestal Volk
Crowther	Ireland		
Curry	James, Mich.	Paige	Volstead
Dale	Johnson, S. Dak.	Parker, N. Y.	Walsh
Dallinger	Johnson, Wash.	Patterson, Mo.	Walters
Darrow	Kearns	Patterson, N. J.	Ward, N. Y.
Dempsey .	Kelley, Mich.	Peters	Wason
Denison	King	Petersen	Watson
Dickinson	Kirkpatrick	Porter	Webster
Dunbar	Kissel	Pringey	White, Me.
Dupré	Kline, N. Y.	Purnell	Winslow
Dyer	Kline, Pa.	Ransley	Wood, Ind.
Elllott .	Knutson	Reed, N. Y.	Woodruff
Ellis	Leatherwood	Riddick	Wurzbach
Elston	Lineberger	Roach	Wyant
Evans	Longworth	Robertson	Yates
Fairfield	Luhring	Rodenberg	
Faust	McArthur	Rogers	
Enus	Control of the Contro	Control of the last of the las	

ANSWERED "PRESENT"-2.

Copley Cramton Davis, Minn. Dunn Edmonds Fields Foster Fuller

Humphreys Harrison NOT VOTING-77.

2102
Browne, Wis.
Burke
Chandler, N. Y.
Clark, Fla.
Clarke, N. Y.
Cockran
Cole
Cooper, Ohio

Funk Gallivan Gilbert Gorman Gould Graham, Pa. Haugen Hays

Hersey Hukriede Husted Jacoway Kahn Kennedy Kiess Kindred Kitchin	Lee, N. Y. Lehlbach Lufkin McCormick McPherson Mann Mansfield Montague Moore, Ill.	Park, Ga. Parker, N. J. Radeliffe Rainey, Ala. Reber Reed, W. Va. Rosenbloom Rossdale Ryan Schoth	Stiness Stoll Strong, Pa. Sullivan Thomas Upshaw Wheeler Wise Zihlman
Kreider Langley Lea Calif	Morin Newton, Mo.	Sabath Sisson Snyder	

So the amendment was agreed to. The Clerk announced the following pairs:

On the vote:

Mr. Begg (for) with Mr. CRAMTON (against). Mr. Gallivan (for) with Mr. Lufkin (against). Mr. Montague (for) with Mr. Harrison (against) Mr. Foster (for) with Mr. Lee of New York (against), Mr. Mansfield (for) with Mr. Hukriede (against), Mr. Ansorge (for) with Mr. Radcliffe (against),

Mr. STOLL (for) with Mr. LEHLBACH (against),

Until further notice:

Mr. KAHN with Mr. UPSHAW. Mr. Burke with Mr. Fields. Mr. MANN with Mr. KITCHIN. Mr. EDMONDS with Mr. WISE.

Mr. Graham of Pennsylvania with Mr. Sullivan.

Mr. FUNK with Mr. PARK of Georgia. Mr. NEWTON of Missouri with Mr. COCKBAN. Mr. Davis of Minnesota with Mr. Thomas,

Mr. REBER with Mr. JACOWAY. Mr. McPherson with Mr. Sisson. Mr. Langley with Mr. Clark of Florida.

Mr. BLAKENEY with Mr. LEA of California.

Mr. DUNN with Mr. SABATH.

Mr. STRONG of Pennsylvania with Mr. O'BRIEN.

Mr. Morin with Mr. Rainey of Alabama.

Mr. BIRD with Mr. KINDRED. Mr. KREIDER with Mr. GILBERT. Mr. Kiess with Mr. Brinson.

Mr. Bowers with Mr. Humphreys.
Mr. Hays. Mr. Speaker, I desire to vote.
The SPEAKER. Was the gentleman present in the Hall when his name was called?

Mr. HAYS. No.

The SPEAKER. Then the gentleman does not qualify.

Mr. WHEELER. Mr. Speaker, I was not present during the roll call, but I wish to vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the next amend-

The Clerk read as follows:

The Clerk read as follows:

Amendment offered by Mr. Hull: Page 16, line 10, after the word "is," strike out the words "authorized in his discretion," and insert: "directed under such reasonable regulations as he may prescribe"; in line 12, after the word "men," insert "serving in continental United States"; in line 13, after the word "discharges," insert the words "until the number in the Army has been reduced to 150,000 enlisted men, not including the Philippine Scouts," so that the amendment will read, "and the Secretary of War is directed under such reasonable regulations as he may prescribe to grant applications for discharge of enlisted men serving in continental United States without regard to the provisions of existing law respecting discharges until the Army has been reduced to 150,000 men, not including the Philippine Scouts."

The SPEAKER. The question is on agreeing to the amend-

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. HULL. Mr. Speaker, I ask for a division. The SPEAKER. A division is demanded.

The House divided; and there were—ayes 147, noes 138.

Mr. ANTHONY. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Those in favor of the amendment will, when their names are called, vote "yea"; those opposed will vote "nay."

The question was taken; and there were-yeas 184, nays 170, not voting 76, as follows:

# YEAS-184.

Boles Bowling Box Brand Briegs Brooks, Ill.	Cantrill Carew Carter Challmers Christopherson Clague	Davis, Tenn. Deal Dominick Doughton Dowell Drane Drewry
Buchanan Bulwinkle Burtness Byrnes, S. C. Byrns, Tenn.	Collier Collins Cooper, Wis. Crisp Cullen	Driver Favor Fish Fisher Fitzgerald Flood
	Bowling Box Brand Briegs Brooks, Ill. Brown, Tenn. Buchanan Bulwinkle Burtness Byrnes, S. C.	Bowling Box Box Carter Carter Chalmers Christopherson Clague Brown, Tenn. Buchanan Burtness Burtness Byrnes, S. C. Byrns, Tenn. Carew Christopherson Clague Collier Collier Collins Cooper, Wis. Crisp Cullen

Overstreet Padgett Park, Ga. Parks, Ark. Parrish Perkins Perlman Pou Quin Rainey, Ill. Kopp Kunz Lampert Focht Steagall Stedman rear reeman Steenerson Fulmer Lanham Lankford Larsen, Ga. Larson, Minn. Stevenson Strong, Kans. Summers, Wash. Sumners, Tex. Garner Garrett, Tenn. Garrett, Tex. Glynn Goldsborough Layton Lazaro Lee, Ga. Linthicum Sweet Swing Goldsboroug Green, Iowa Griffin Hammer Hardy, Tex. Harrison Haugen Tague
Taylor, Colo.
Taylor, Tenn.
Ten Eyck
Thompson
Tillman Linthicum Little Logan London Lowrey Lyon McClintic McDuffie McSwain Mansfield Martin Mason Mead Michener More Oh Raker Ramseyer Rankin Rayburn Reavis Reece Rhodes Tyson Vinson Voigt Volk Hayden Herrick Huddleston Hudspeth Hull Ricketts Riordan Robsion Rodenberg Volstead Ward, N. C. Weaver Wheeler White, Kans. Williams Williamson Wilson Hull
James, Va.
Johnson, Miss.
Jones, Tex.
Keller
Kelly, Pa.
Kendall
Ketcham
Kincheloe
Kinkaid
Kleezka Rouse Rucker Sanders, Tex. Sandlin Schall Scott, Tenn. Moore, Ohio Moore, Va. Morgan Murphy Nelson, A. P. Nelson, J. M. O'Connor Sears Sinclair Smithwick Wingo Woods, Va. Woodyard Wright Speaks Stafford Oldfield Oliver

NAYS-170.

Lineberger Longworth Ackerman Fordney Roach Anthony Longworth
Luce
Luhring
McArthur
McFadden
McKenzie
McLaughlin, Mich.Shelton
McLaughlin, Mebr.Shreve
McLaughlin, Pa.
Siegel
MacGregor
Madden
Magee
Maloney
Mapes
Sproul Robertson French Frothingham Appleby Atkeson Bacharach Gensman Barbour Bixler Bland, Ind. Gernerd Good Goodykoontz Bond Brennan Brooks, Pa. Burdick Graham, Ill. Greene, Mass. Greene, Vt. Griest Burroughs Burton Butler Hadley Hardy, Colo. Hawley Mapes Merritt Michaelson Miller Sproul Campbell, Kans. Campbell, Pa. Hays Hickey Hicks Hill Stephens Taylor, N. J. Tilson Timberlake Cannon Chandler, Okla, Chindblom Mills Millspaugh Mondell Montoya Moores, Ind. Himes Hoch Hogan Tincher Tinkham Towner Classon Connell Towner Treadway Underhill Vaile Vare Vestal Walsh Walters Ward, N. Y. Wason Watson Webster Houghton Humphreys Hutchinson Colton Connolly, Pa. Mott Mudd Coughlin Crowther Dale Dallinger Newton, Minn. Nolan Norton Ogden Ireland
James, Mich.
Jefferis
Johnson, S. Dak.
Johnson, Wash.
Jones, Pa.
Kearns
Kelley, Mich.
King Ireland Darrow Dempsey Fenison Lickinson Olpp Osborne Osborne
Paige
Parker, N. Y.
Patterson, Mo.
Patterson, N. J.
Peters Webster White, Me. Winslow Wood, Ind. Woodruff Dunbar Kelley, Mich King Kirkpatrick Kissel Kline, N. Y. Kline, Pa. Knutson Kraus Dupré Dyer Echols Elliott Petersen Ellis Elston Porter Pringey Purnell Wurzbach Wyant Yates Zihlman Evans Ransley Reed, N. Y. Riddick Fairfield Langley Lawrence Leatherwood aust

NOT VOTING-76.

Parker, N. J. Radcliffe Rainey, Ala. Reber Reed, W. Va. Rosenbloom Rossdale Cramton Davis, Minn. Dunn Edmonds Anderson Johnson, Ky. Ansorge Begg Bird Kahn Kennedy Kiess Kindred Blakeney Fairchild Kindred Kitchin Kreider Lea, Calif. Lee, N. Y. Lehlbach Lufkin McCormick McPherson Mann Montague Moore, Ill. Morin Bowers Brinson Fess Fields Ryan Sabath Sisson Snyder Stiness Britten Browne, Wis, Burke Chandler, N. Y. Clark, Fla, Clarke, N. Y. Cockran Codd Cole Foster Britten Fuller Funk Gallivan Gilbert Gorman Stoll Strong, Pa. Sullivan Gould Graham, Pa. Hersey Hukriede Temple Connally, Tex. Cooper, Ohio Copley Thomas Upshaw Wise Morin Newton, Mo. O'Brien Husted Jacoway

So the amendment was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Fenn

Mr. Fess with Mr. Clark of Florida.

Mr. Lufkin with Mr. Montague.
Mr. Hukriede with Mr. Stoll.
Mr. Radcliffe with Mr. Gallivan.
Mr. Temple with Mr. Connally of Texas.

Mr. Begg with Mr. Johnson of Kentucky.

The result of the vote was announced as above recorded.

Mr. BARKLEY. Mr. Speaker, my colleague, Mr. Johnson of Kentucky, was called away from the Chamber on account of the illness of his daughter. If he had been present, he would have voted "yea" on the previous vote.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 33, line 13, after the word "sell," strike out the remainder of the line and lines 14, 15, and 16 down to and including the word "sale," being the following language: "or to dispose of by transfer to the Department of Agriculture under existing laws, for its own use and the use of the several States in road work and maintenance of roads, not less than one-half by sale."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.
The SPEAKER. The Clerk will report the next amendment. The Clerk read as follows:

Page 86, after line 14, insert a new section, as follows:
"Sec. 2. No part of the moneys appropriated in this act shall be used for paying to any civilian employee of the United States Government an hourly wage or salary larger than that customarily paid by private individuals for corresponding work in the same locality."

The SPEAKER. The question is on agreeing to the amendment

The question being taken, on a division (demanded by Mr. Stafford) there were—ayes 213, noes 33.

Mr. LONDON. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from New York demands the yeas and nays. All those in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Eleven Members rising, not a sufficient number, and the yeas and nays are refused. The amendment is agreed to. The

question is on the engrossment and third reading of the bill. The bill was ordered to be engrossed and read a third time, and was accordingly read the third time.

Mr. BLANTON. Mr. Speaker, I offer a motion to recommit. The SPEAKER. The gentleman from Texas offers a motion to recommit. Is the gentleman opposed to the bill?

Mr. BLANTON. I am.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Mr. Blanton moves to recommit this bill to the Committee on Appropriations with instructions to report the same back to the House forthwith, with the following amendment, to wit: On page 64, in line 16, after the word "watch," strike out the following language, to wit, "or other time-measuring device,"

The SPEAKER. The question is on the motion to recommit. The question being taken, on a division (demanded by Mr. Blanton) there were—ayes 6, noes 220.

Accordingly the amendment was rejected.

The SPEAKER. The question is on the passage of the bill. Mr. J. M. NELSON. On that I demand the year and nays.

The SPEAKER. The gentleman from Wisconsin demands the yeas and nays on the passage of the bill. All those in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Twenty-one Members, not a sufficient number, and the yeas and nays are refused.

Mr. HUDDLESTON. I ask for a division.
Mr. BLANTON. I ask for the yeas and nays.
The SPEAKER. The yeas and nays have been refused.

Mr. BLANTON. On the passage of the bill.

The SPEAKER. They have just been refused on the passage of the bill. The gentleman from Alabama demands a division. The House divided; and there were—ayes 241, noes 23. Accordingly the bill was passed.

On motion of Mr. Anthony, a motion to reconsider the vote by which the bill was passed was laid on the table.

# ORDER OF BUSINESS FOR WEDNESDAY.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to dispense with Calendar Wednesday business to-morrow, and I do that for the purpose of submitting a further request for unanimous consent that we take up for consideration to-morrow under the general rules of the House H. R. 5676, a bill taxing contracts for the sale of grain for future delivery.

Mr. Speaker, this bill might be taken up to-morrow on the Calendar Wednesday call, but the committee are anxious to have rather more latitude in the general debate than would be had on Calendar Wednesday and desire that the consideration of the bill may be in order until it is concluded. Hence my request. Mr. GARRETT of Tennessee. Mr. Speaker, will the gentle-

man yield?

Mr. MONDELL. I yield to the gentleman from Tennessee. Mr. GARRETT of Tennessee. I understand this bill is on the Union Calendar.

Mr. MONDELL. It is.

Mr. GARRETT of Tennessee. So then we will go into Committee of the Whole for general debate on the bill?

Mr. MONDELL. Yes.
The SPEAKER. Is there objection to the request of the gentleman from Wyoming to dispense with Calendar Wednesday to-morrow?

There was no objection,

Mr. MONDELL. I ask unanimous consent to insert in the RECORD an Executive order on post offices.

The SPEAKER. Does the gentleman wish to ask unanimous

consent to consider the bill which he indicated?

Mr. MONDELL. I thought the two requests were agreed to. If not, I ask unanimous consent that to-morrow we take up for consideration under the general rules of the House

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the bill referred to be taken up for consideration to-morrow under the general rules of the House. Is there objection?

There was no objection.

# POSTMASTERS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the Executive order I referred to a moment ago and a brief statement accompanying it be read.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the paper referred to may be read. Is there objection?

There was no objection. The Clerk read as follows:

#### EXECUTIVE ORDER.

When a vacancy exists or hereafter occurs in the position of postmaster at an office of the first, second, or third class, if such vacancy is not filled by nomination of some person within the competitive classified civil service who has the required qualifications, then the Postmaster General shall certify the fact to the Civil Service Commission, which shall forthwith hold an open competitive examination to test the fitness of applicants to fill such vacancy, and when such examination has been held and the papers in connection therewith have been rated, the said commission shall certify the results thereof to the Postmaster General, who shall submit to the President the name of one of the highest three qualified eligibles for appointment to fill such vacancy unless it is established that the character or residence of any such applicant disqualifies him for appointment: Provided, That at the expiration of the term of any person appointed to such position through examination before the Civil Service Commission, the Postmaster General may, in his discretion, submit the name of such person to the President for renomination without further examination.

No person who has passed his sixty-fifth birthday, or who has not actually resided within the delivery of such office for two years next preceding such vacancy, shall be given the examination for any office of

for,

If, under this order, it is desired to make nomination for any office of
a person in the competitive classified service, such person must first be
found by the Civil Service Commission to meet the minimum requirements for the office.

May 10, 1921.

# STATEMENT OF PRESIDENT ISSUED TO-DAY.

There are more than 400,000 men and women participating in governmental work who are in classified service. All of these are under the permanent provisions of the civil-service law and rules.

These permanent rules provide for the certification of the highest three eligibles, and from the list of three each necessary appointment is made. The successful operation of the principles of civil-service law has demonstrated the wisdom of this provision. This leaves in the appointing power, who has the ultimate responsibility for efficient administration, the necessary, constitutional right of choice. This right of selection is the kind of responsibility which can not legally be and is not abridged by act of Congress and is in exact harmony with the spirit of the civil-service principle.

There are 52,332 postmasters. Of these, 39,433 are in the fourth class and are now under such civil-service laws and regulations as bring them within the privileges and conditions of the classified service.

Of the remaining 12,899 post offices, 700 are first class, 2,617 are second class, and 9,582 are third class. Obviously these offices are business agencies of the Government in legal purpose and should become so in fact. The only certain ultimate way to bring this about is to classify first, second, and third class postmasters. This will require an act of Congress. It is a step forward, measured by the requirements of progress, and is one which I hope will be made. Under existing laws the Executive has no power to require that these offices be placed in the classified service.

Moving in that direction, however, the Executive order issued to-day provides that if any such vacancy is not filled by nomination for promotion of one from within the competitive classified civil service, then an open competitive examination shall be held and the appointment shall be made from one of the highest three eligibles, as required now by law in the classified civil service.

This order, which is for our own guidance in making these appointments,

EXTENSION OF REMARKS.

Mr. WINGO. Mr. Speaker, I desire to withdraw the objection that I made to the request of the gentleman from Ohio [Mr. Thompson] extending his remarks in the Record on the post-office situation.

Mr. JOHNSON of Washington. Mr. Speaker, I would like to

suggest that some one page Mr. Burleson.

Mr. SCHALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the Army bill.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to extend my remarks in the Record on the Army

mous consent to extend his remarks in the RECORD on the Army bill. Is there objection?

Mr. THOMPSON. I object.

## DEATH OF REPRESENTATIVE ELECT FRANKHAUSER.

Mr. FORDNEY. Mr. Speaker, with deep regret I announce the death at Battle Creek, Mich., of William H. Frankhauser, Representative elect from the third congressional district of Michigan. Continued illness has prevented his taking his seat in the House. I offer the following resolution.

The Clerk read as follows:

House Resolution 86.

Resolved, That the House has heard with profound sorrow of the death of Hon. WILLIAM H. FRANKHAUSER, a Representative from the State of Michigan.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect this House do now addiourn.

#### ADJOURNMENT.

Accordingly, in compliance with the resolution (at 5 o'clock and 36 minutes p. m.), the House adjourned until to-morrow. Wednesday, May 11, 1921, at 12 o'clock noon.

# EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

118. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation changing the method of transferring to the civil service retirement and disability fund the deductions on account of employees paid from naval appropriations; to the Committee on Naval Affairs.

119. A letter from the Secretary of the Navy, transmitting a tentative draft of legislation to insure currency shipped by registered paid or percel past to dishursing officers of the Navy and

tered mail or parcel post to disbursing officers of the Navy and

Marine Corps; to the Committee on Naval Affairs.

120. A letter from the Secretary of War, transmitting tentative draft of legislation to continue the appropriation contained in the fortification act for the fiscal year 1921 for necessary accommodations for the Seacoast Artillery and for temporary cantonments for oversea garrisons in the Philippine Islands until June 30, 1922; to the Committee on Appropriations.

121. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Librarian of Congress submitting a supplemental estimate of appropriation in the sum of \$20,000 required for printing and binding, fiscal year 1921 (H. Doc. No. 80); to the Committee on Appropriations and ordered

to be printed.

122. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of State submitting a supplemental estimate of appropriation in the sum of \$92,000 required by the Department of State for contingent expenses, foreign missions, fiscal year 1921 (H. Doc. 81); to the Committee on Appropriations and ordered to be printed.

123. A letter from the Secretary of the Treasury, transmitting a copy of a judgment rendered against the United States by the Supreme Court of the District of Columbia in favor of John B. Dahlgren in the sum of \$10,374.75, with interest at the rate of 6 per cent per annum from October 2, 1918, to date (H. Doc. No. 82); to the Committee on Appropriations and ordered to be printed.

124. A letter from the Secretary of the Treasury, transmitting estimate of appropriation in the sum of \$15,956, heretofore transmitted to Congress and printed, with accompanying papers, in Senate Document No. 400, Sixty-sixth Congress; to the Com-

mittee on Expenditures in the Treasury Department.

125. A letter from the Secretary of the Treasury, transmitting estimate of appropriation in the sum of \$454.95, heretofore transmitted to Congress and printed, with accompanying papers, in Senate Document No. 389, Sixty-sixth Congress; to the Committee on Expenditures in the Treasury Department.

126. A letter from the Secretary of the Treasury, transmitting estimate of appropriation in the sum of \$315.44, heretofore transmitted to Congress and printed, with accompanying papers, in Senate Document No. 362, Sixty-sixth Congress; to the Committee on Expenditures in the Treasury Department.

# CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 297) for the relief of Mrs. Vincenza Dimonico; Committee on Claims discharged, and referred to the Committee

A bill (H. R. 4666) granting a pension to Benjamin H. Britton; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 5785) granting a pension to Thaddeus M. Clarkson; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials

were introduced and severally referred as follows:
By Mr. ANDREWS: A bill (H. R. 6034) to prevent desecration of the flag and insignia of the United States, and to provide punishment therefor; to the Committee on the Judiciary.

By Mr. CLAGUE: A bill (H. R. 6035) to amend the Federal farm loan act, as amended; to the Committee on Banking and

Currency.

By Mr. LEATHERWOOD: A bill (H. R. 6036) to amend section 24 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; to the Committee on the Judiciary.

By Mr. SPEAKS: A bill (H. R. 6037) to amend the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917; to the Committee on Military Affairs.

By Mr. CLASSON (by request): A bill (H. R. 6038) to in-corporate the Supreme Rendezvous, the Great Order of Knightly

Kin; to the Committee on the Judiciary.

By Mr. CONNOLLY of Pennsylvania: A bill (H. R. 6039) to amend an act entitled "An act to provide revenue, and for other purposes," approved February 24, 1919; to the Committee on Ways and Means.

By Mr. LUCE: A bill (H. R. 6040) to amend section 19 of the act approved December 23, 1913, known as the Federal reserve act, as amended; to the Committee on Banking and Currency.

By Mr. ROSSDALE: A bill (H. R. 6041) to amend an act entitled "An act granting pensions to certain enlisted men, soldiers, and officers who served in the Civil War and the War with Mexico," approved May 11, 1912; to the Committee on Invalid Pensions.

By Mr. SWEET: A bill (H. R. 6042) to regulate the interstate use of automobiles and all self-propelled vehicles which use the public highways in interstate commerce; to the Committee on

Interstate and Foreign Commerce.

Also, a bill (H. R. 6043) to amend paragraphs entitled "First" and "Second" of section 19a of the interstate commerce act. as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. GENSMAN: A bill (H. R. 6044) authorizing the Wichita and Affiliated Bands of Indians in Oklahoma to submit claims to the Court of Claims; to the Committee on Indian

By Mr. TINKHAM: A bill (H. R. 6045) providing for the placing of Government employees engaged in the enforcement of national prohibition under the civil service; to the Committee on Reform in the Civil Service.

Also, a bill (H. R. 6046) to regulate appointments and promotions in the municipal government of the District of Columbia:

to the Committee on the District of Columbia.

By Mr. SWEET: A bill (H. R. 6047) to establish in the Treasury Department a veterans' bureau and to improve the facilities and service of such bureau, and further to amend and modify the war risk insurance act; to the Committee on Interstate and Foreign Commerce.

By Mr. BANKHEAD: A bill (H. R. 6048) to encourage the development of the agricultural resources of the United States and the establishment of rural homes through Federal and State cooperation, giving preference in the matter of employment and the establishment of such homes to those who have served with the military and naval forces of the United States; to the Com-

mittee on Irrigation of Arid Lands.

By Mr. TEN EYCK: A bill (H. R. 6049) amending and extending the war risk insurance act, as amended; to the Commit-

tse on Interstate and Foreign Commerce.

By Mr. CHANDLER of Oklahoma: A bill (H. R. 6050) to refer the claims of the Delaware Indians to the Court of Claims with the right of appeal to the Supreme Court of the United States; to the Committee on Indian Affairs.

Also, a bill (H. R. 6051) to compensate the Delaware Indians for services rendered by them to the United States in various

ways; to the Committee on Indian Affairs.

By Mr. MASON: A bill (H. R. 6052) to appropriate money to pay stationary engineers and others in the District of Columbia; to the Committee on Appropriations.

By Mr. WALSH: A bill (H. R. 6053) to amend section 955 of the Revised Statutes by extending the jurisdiction of courts in cases of revivor; to the Committee on the Judiciary.

By Mr. STEENERSON: Joint resolution (H. J. Res. 113) for the relief of certain persons employed in the Postal Service; to the Committee on the Post Office and Post Roads.

By Mr. ARENTZ: Joint resolution (H. J. Res. 114) author-

izing the Secretary of War to loan cots and blankets for the use of the American Legion at the encampment to be held the latter part of July. 1921, at Lake Tahoe, Nev.; to the Committee on Military Affairs.

By Mr. KISSEL: Joint resolution (H. J. Res. 115) proposing an amendment to the Constitution of the United States; to the Committee on Election of President, Vice President, and Repre-

sentatives in Congress.

## PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BIXLER: A bill (H. R. 6054) authorizing the Secretary of War to donate to the borough of North Warren, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6055) authorizing the Secretary of War to donate to the town of Marienville, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military

Affairs.

Also, a bill (H. R. 6056) authorizing the Secretary of War to donate to the borough of Wheatland, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Af-

Also, a bill (H. R. 6057) authorizing the Secretary of War to donate to the borough of Pleasantville, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military

Also, a bill (H. R. 6058) authorizing the Secretary of War to donate to the borough of Jackson Center, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6059) authorizing the Secretary of War to donate to the borough of Columbus, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Af-

Also, a bill (H. R. 6060) authorizing the Secretary of War to donate to the borough of Sugar Grove, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6061) authorizing the Secretary of War to donate to the borough of Jamestown, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BRITTEN: A bill (H. R. 6062) granting a pension to Minnie Baker; to the Committee on Invalid Pensions.

By Mr. CABLE: A bill (H. R. 6063) granting a pension to

Cora May Hill; to the Committee on Invalid Pensions.

By Mr. CHANDLER of Oklahoma: A bill (H. R. 6064) authorizing the Secretary of War to donate to Copan, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6065) authorizing the Secretary of War to donate to Vinita, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6066) granting a pension to Angeline

Bissel; to the Committee on Invalid Pensions.

By Mr. COUGHLIN: A bill (H. R. 6067) authorizing the Secretary of War to donate to the town of Forty Fort, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6068) authorizing the Secretary of War to donate to the town of Wyoming, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military

Affairs.

Also, a bill (H. R. 6069) authorizing the Secretary of War to donate to the town of Ashley, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6070) authorizing the Secretary of War to donate to the town of Freeland, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military

Also, a bill (H. R. 6071) authorizing the Secretary of War to donate to the town of Dallas, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6072) authorizing the Secretary of War to donate to the town of Dorranceton, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs

Also, a bill (H. R. 6073) authorizing the Secretary of War to donate to the town of Kingston, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6074) authorizing the Secretary of War to donate to the town of Luzerne, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6075) authorizing the Secretary of War to donate to the town of Plymouth, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6076) authorizing the Secretary of War to donate to the town of Exeter, State of Pennsylvania, one German cannon or fieldpiece: to the Committee on Military Affairs.

Also, a bill (H. R. 6077) authorizing the Secretary of War to

Also, a bill (H. R. 6077) authorizing the Secretary of War to donate to the city of Hazleton, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6078) authorizing the Secretary of War to donate to the town of West Pittston, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6079) authorizing the Secretary of War to donate to the town of Nanticoke, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs. By Mr. DALLINGER: A bill (H. R. 6080) granting a pension

By Mr. DALLINGER: A bill (H. R. 6080) granting a pension to M. Isabel Peirce; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 6081) to place the name of

By Mr. DYER: A bill (H. R. 6081) to place the name of Thomas W. Purcell upon the Army and Navy medal of honor roll; to the Committee on Military Affairs.

By Mr. HARDY of Colorado: A bill (H. R. 6082) granting a

By Mr. HARDY of Colorado: A bill (H. R. 6082) granting a pension to Louisa Phelps; to the Committee on Invalid Pensions.

By Mr. HICKS: A bill (H. R. 6083) authorizing the Secretary of War to donate to the village of Setauket, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6084) authorizing the Secretary of War to donate to the village of Freeport, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HUDDLESTON: A bill (H. R. 6085) for the relief of the heirs of William Woods; to the Committee on Claims.

By Mr. HULL: A bill (H. R. 6086) granting an increase of pension to Mary Driscoll; to the Committee on Invalid Pensions. By Mr. KEARNS: A bill (H. R. 6087) granting an increase of pension to Nancy J. Brafford; to the Committee on Invalid Pensions.

Mr. LEE of New York: A bill (H. R. 6088) for the relief of A. W. Duckett & Co.; to the Committee on Claims.

By Mr. LUHRING: A bill (H. R. 6089) granting an increase of pension to Melissa F. Proctor; to the Committee on Pensions.

Also, a bill (H. R. 6090) granting a pension to Jennie E. Lane; to the Committee on Invalid Pensions.

By Mr. MacGREGOR: A bill (H. R. 6091) granting an increase of pension to Agnes B. Earl; to the Committee on Invalid Pensions.

By Mr. MAPES: A bill (H. R. 6092) granting a pension to Agnes L. Hoffman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6093) authorizing the Secretary of War to donate to the city of Holland, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6094) for the relief of Moses Chauncey; to the Committee on Military Affairs.

By Mr. MEAD: A bill (H. R. 6095) granting a pension to Christina Pabst; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6096) granting a pension to Amanda T. Fuller; to the Committee on Invalid Pensions.

By Mr. MICHAELSON: A bill (H. R. 6097) authorizing the Secretary of War to donate to the city of Park Ridge, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MOTT: A bill (H. R. 6098) granting a pension to Anson A. Hungerford; to the Committee on Invalid Pensions. By Mr. PARKER of New York; A bill (H. R. 6099) authoriz-

By Mr. PARKER of New York: A bill (H. R. 6099) authorizing the Secretary of War to donate to the town of Waterford, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PETERSEN: A bill (H. R. 6100) authorizing the Sec-

By Mr. PETERSEN: A bill (H. R. 6100) authorizing the Secretary of War to donate to the city of Morris Park, Long Island, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6101) authorizing the Secretary of War to donate to Woodhaven, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ROSSDALE: A bill (H. R. 6102) to extend the provisions of the pension act of May 11, 1912, to Charles T. Winans; to the Committee on Invalid Pensions.

By Mr. SHREVE: A bill (H. R. 6103) authorizing the Secretary of War to donate to the city of Corry, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SWEET: A bill (H. R. 6104) granting a pension to Mary A. Lavery; to the Committee on Invalid Pensions.

By Mr. TAYLOR of New Jersey: A bill (H. R. 6105) authoriz-

By Mr. TAYLOR of New Jersey: A bill (H. R. 6105) authorizing the Secretary of War to donate to the town of Harrison, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs

Committee on Military Affairs.

By Mr. THOMPSON: A bill (H. R. 6106) granting the distinguished service cross to Charles A. Musgrave; to the Committee on Military Affairs.

By Mr. TILLMAN: A bill (H. R. 6107) granting a pension to Willis H. Dinan; to the Committee on Invalid Pensions.

By Mr. TINKHAM: A bill (H. R. 6108) to permit the correction of the general account of Charles B. Strecker, former assistant treasurer United States; to the Committee on Claims,

By Mr. TYSON: A bill (H. R. 6109) providing for the retirement of Letitia Christian Tyler; to the Committee on Reform in the Civil Service.

# PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

577. By Mr. ARENTZ: Petition of the Women's Auxiliary of the American Legion, Capitol Post, No. 4, Carson City, Nev., and the Reno Central Trades and Labor Council, Reno, Nev., urging relief for the disabled soldiers; to the Committee on Interstate and Foreign Commerce.

578. By Mr. BARBOUR: Petition of Merie Reed Post, No. 124, American Legion, Delano, Calif., urging relief for the disabled soldiers; to the Committee on Interstate and Foreign Commerce.

579. By Mr. BRIGGS: Petition of W. J. Johnson, Palestine, Tex., opposing the proposed sales tax, etc.; to the Committee on Ways and Means.

580. Also, petition of Galveston Council, No. 787, Knights of Columbus, urging relief for the disabled soldiers; to the Committee on Interstate and Foreign Commerce.

581. By Mr. COCKRAN: Petition of the Chamber of Commerce of the State of New York, urging adequate quarantine facilities be provided, etc.; to the Committee on Interstate and Foreign Commerce.

582. By Mr. COUGHLIN: Petition of the Women's Home Missionary Society of Plymouth, Pa., urging legislation prohibiting polygamy; to the Committee on the Judiciary.

583. By Mr. CRAMTON: Resolution of the American Legion Post, No. 193, Utica, Mich., indorsing the program of legislation asked by the American Legion of the Sixty-seventh Congress in the interest of the disabled veterans of America; to the Committee on Interstate and Foreign Commerce.

584. Also, telegrams from Hon. William C. Sanson, Wixson & Quinn, F. S. Riley, Hon. O. G. Johnson, F. C. Striffler, Lewis G. Seeley, H. S. Myers, and Hon. C. O. Blinn, Caro, Mich.; W. H. Cook, Akron, Mich.; F. A. Bach and W. M. Smith, Sebewaing, Mich.; and Amos L. Kinney, Silverwood, Mich., protesting against the proposed excise tax on sugar because of the serious effect of such a tax on the beet industry; to the Committee on Ways and Means.

585. By Mr. DALLINGER: Petition of the congregations of all the churches of Old Cambridge, Mass., favoring international

conference to plan for the general limitation of armaments; to

the Committee on Foreign Affairs.

586. By Mr. DARROW: Petition of the Lumbermen's Exchange of Philadelphia, Pa., urging relief for the disabled soldiers; to the Committee on Interstate and Foreign Com-

587. By Mr. KINDRED: Petition of the National Congress, Mothers and Parent-Teachers' Associations, Washington, D. C., urging the passage of the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

588. Also, petition of the Chamber of Commerce of the State of New York, urging adequate quarantine facilities, etc.; to the

Committee on Interstate and Foreign Commerce

589. By Mr. KISSEL: Petition of Henry Reisdorf, Brooklyn, Y., urging higher rate on lithograph work, etc.; to the Committee on Ways and Means,

590. Also, petition of Capt. Patrick McAllister, Brooklyn, N. Y., urging the recognition of the Irish republic; to the Committee

on Foreign Affairs.

591. Also, petition of Daniel and May McAuley, Brooklyn, N. Y., urging the recognition of the Irish republic; to the Committee on Foreign Affairs.

592. Also, petition of Mrs. Mary Kelly, Brooklyn, N. Y., urging the recognition of the Irish republic; to the Committee on

Foreign Affairs.

593. By Mr. KNIGHT: Petition of citizens of the fourteenth district of the State of Ohio, against any revision of the tariff on those classes of coal-tar products that are used in the manufacture of dips and disinfectants; to the Committee on Ways and Means.

594. Also, petition of citizens of Elyria and other Ohio cities, for suspension of immigration; also for the enactment of permanent legislation that will suspend immigration for a period of three years, etc.; to the Committee on Immigration and Naturalization.

595. Also, petition of the Burkhardt Co., the Akron Beverage & Cold Storage Co., and the Renner Products Co., all of the city of Akron, Ohio, urging the repeal of the internal revenue on cereal beverages; to the Committee on Ways and Means,

596. By Mr. MacGREGOR: Petition of the East Buffalo Brotherhood of Railway Trainmen against the sales tax, also for the repeal of the excess-profits tax; to the Committee on Ways and Means.

597. Also, petition of citizens of Chicago, Ill., and elsewhere, urging the passage of the bill introduced by Mr. MacGregor for duty on canary birds; to the Committee on Ways and Means.

598. Also, petition of the Women's Auxiliary, Tusciana Post No. 174, Buffalo, N. Y., urging relief for the disabled soldiers;

to the Committee on Ways and Means.

599. By Mr. PARRISH: Petition of the Chamber of Commerce of the city of Vernon, Tex., urging relief for the disabled soldiers; to the Committee on Interstate and Foreign Commerce.

600. By Mr. RIORDAN: Petition of citizens of the eleventh congressional district of New York, urging recognition of the Irish republic; to the Committee on Foreign Affairs.

601. By Mr. ROGERS: Petition of citizens of the fifth district of the State of Massachusetts, urging recognition of the

Irish republic; to the Committee on Foreign Affairs.

602. By Mr. SNELL: Resolutions of the American Legion, Plattsburgh Post No. 20, Plattsburgh, N. Y., for relief of disabled soldiers; to the Committee on Interstate and Foreign Commerce.

603. Also, resolution of Russell B. Childs Post No. 769, Chazy, N. Y., for the relief of the disabled soldiers; to the Committee on Interstate and Foreign Commerce.

604. By Mr. SPEAKS: Papers to accompany H. R. 6005. granting a pension to Frank P. Lilley; to the Committee on

Pensions.

605. By Mr. TINKHAM: Petition of citizens of the eleventh congressional district of the State of Massachusetts, urging recognition of the Irish republic; to the Committee on Foreign

606. Also, petition of the Pilgrim Publicity Association, Boston, Mass., urging legislation for the protection of the coal-tar dye industry; to the Committee on Ways and Means.

607. By Mr. WATSON: Petition of the one hundred and thirty-sixth convention of the Protestant Episcopal Church in the diocese of Pennsylvania, urging international agreement for disarmament; to the Committee on Foreign Affairs.

608, By Mr. WOODYARD: Petition of the Women's Club of Huntington, W. Va., favoring national censorship of the picture

shows; to the Committee on Education.
609. Also, petition of classes of the West Liberty State Normal School, West Liberty, W. Va., favoring the passage of House bill 7; to the Committee on Education.

# SENATE.

# WEDNESDAY, May 11, 1921.

(Legislative day of Monday, May 9, 1921.)

The Senate met at 11 o'clock a. m., on the expiration of the

Mr. PENROSE. Mr. President, I suggest the absence of a quorum

The VICE PRESIDENT. The Secretary will call the roll. The reading clerk called the roll, and the following Senators answered to their names:

McCumber McLean McNary Moses Nelson New Norris Oddie Overman Penrose Hale
Harrison
Johnson
Jones, Wash.
Keilogg
Kendrick
Keyes
King
Knox
La Follette Broussard Calder Cameron Capper Caraway Colt Curtis Dillingham Ernst Gooding Broussard Robinson Sheppard Shortridge Smoot Spencer Wadsworth Walsh, Mass. Williams Willis

Mr. MOSES. I wish to announce that the Senator from Iowa [Mr. Kenyon] and the Senator from South Dakota [Mr. Ster-LING] are detained on official business.

The VICE PRESIDENT. There are 39 Senators present, not

a quorum. The Secretary will call the absentees.

The reading clerk called the names of the absent Senators, and Mr. Harris, Mr. Jones of New Mexico, Mr. Newberry, Mr. Smith, and Mr. Warren answered to their names when called.
Mr. Phipps, Mr. McKellar, Mr. Harreld, Mr. France, Mr. Nicholson, Mr. Ball, Mr. Dial, and Mr. Sterling entered the

Chamber and answered to their names.

Mr. HARRISON. I desire to announce that the junior Senator from Alabama [Mr. Heflin] is absent attending the funeral of Col. Bertram Clayton, who died overseas.

I wish also to announce that the senior Senator from Alabama [Mr. Underwood] is absent because of a death in his family.
Mr. Trammell, Mr. Simmons, Mr. Watson of Georgia, Mr.

STANLEY, Mr. LENROOT, Mr. EDGE, Mr. BORAH, Mr. BURSUM, Mr. FLETCHER, Mr. HITCHCOCK, Mr. CULBERSON, and Mr. SHIELDS entered the Chamber and answered to their names

The VICE PRESIDENT. Sixty-four Senators having answered to their names, a quorum is present.

# SUBMARINE TORPEDO BOATS.

Mr. McLEAN. Mr. President, on yesterday I offered an amendment intended to be proposed by me to the naval appropriation bill. I have a communication from parties engaged in the manufacture of the Lake torpedo boat in support of that amendment. It is a very important industry located in Connecticut, and unless the amendment is agreed to the plant will have to close and some 2,000 men will be thrown out of employment. I ask unanimous consent that the communication may be printed in the RECORD.

The VICE PRESIDENT. Without objection, the communi-

cation will lie on the table and be printed in the RECORD.

The matter referred to is as follows:

THE LAKE TORPEDO BOAT CO., Bridgeport, Conn., U. S. A., May 7, 1921.

[Amending naval bill 4803, to permit construction of six fleet submarines under the 1916 naval program.]

Senator George P. McLean, United States Senate, Washington, D. C.

MY DEAR SENATOR: 1. The Lake Torpedo Boat Co., of Bridgeport, Conn., requests you to offer an amendment to H. R. 4803, page 51, as follows: After the word "that," in line 25, insert the following: ", with the exception of submarine torpedo boats." and to cause the same to be voted upon by the Senate.

2. A favorable vote will permit the Navy Department to proceed with the construction of the six fleet submarines authorized by the 1916 naval program. A negative vote will suspend

the construction of the six fleet submarines.

The net result will be that we will be obliged to close our shipyard and disband our force if the vote is negative. desire this question to be definitely settled by Congress. consider the subject one of national importance, because our plant is a specialty devoted exclusively to the construction of submarines for the United States Navy. It can not be readily revived in any national emergency.

It has taken 20 years to organize and perfect our force of some 75 engineers and draftsmen and 1,200 skilled mechanics. Over \$2,000,000 of private money has been invested in the development of the Lake type submarine and the Bridgeport specialty plant, which is the only one of its kind in the world.

It consists of some 23 acres of land, with about three-quarters of a mile of water front, 15 building slips, 25 buildings, 1 wet basin,

and 1 marine railway.

3. We have built the following Diesel engine submarines: I-5; N-4, 5, 6, 7; O-11, 12, 13; R-21, 22, 23, 24, 25, 26, 27; S-2, 14, 15, 16, 17, all of which, we believe, have given satisfaction.

We are now building the S-48, 49, 50, and 51, which will be

completed long before another naval act can make available submarines to keep our plant open; hence, unless the present naval bill provides for the six fleet submarines, it will be necessary to close our plant and disband our skilled forces.

4. If we are forced out of business by the action of Congress, the net result will be that after 20 years of honest efforts to aid the national defense through efficient submarine torpedo boats we will have made little, if any, financial returns on a substantial investment, which will hardly inspire others to follow our example.

5. The Senate Committee on Naval Affairs is generally informed as to the physical status of the submarines in our Navy, and it can inform the country how many are fit for service or how many more, if any, are essential to the national defense.

6. It is not within the province for a Government contractor to advise Congress in regard to the country's naval program. However, it is our inherent right to inform Congress that the legislation now pending will result in the loss to the Nation of our specialty plant.

7. If our plant and most skilled organization were of the ordinary manufacturing type, such a loss would not be a matter of general public interest. However, it seems a national calamity to abandon a plant and organization built up solely for the design and construction of submarines for our national defense.

8. We trust that our facts and views above may be presented to all the Senators.

Yours, respectfully,

THE LAKE TORPEDO BOAT CO., By H. S. MILLER, President.

SIMON LAKE, M. I. N. A., INVENTOR AND CONSULTING ENGINEER, Milford, Conn., May 9, 1921.

[From Simon Lake to the United States Senators and Members of Congress, Washington, D. C.]

To Hon. GEORGE P. MCLEAN:

Is the national defense in jeopardy through suspension of sub-

marines in the 1916 program?

The above is the personal question of one who has devoted his life to the development of submarines. The naval bill (H. R. 4803), page 51, lines 24-25, provides for the continuation of construction of the battleships, battle cruisers, and scouts authorized in the 1916 program, in language as follows: "Total increase of the Navy, \$90,000,000: Provided, That no part of this appropriation can be expended except on vessels now being constructed." The six fleet submarines authorized in the 1916 program are indefinitely suspended by this provision.

The result is that the only exclusive submarine plant that has produced any large number of submarines that are fit for service is to be closed up, because it will soon complete the last four vessels now under contract. Its skilled force of engineers and mechanics, who have been trained and organized during about 20 years, will be disbanded and the plant will be salvaged, because it is built solely for the specialty of submarine construction. It is the only one of its kind in the world.

While it is a matter of slight financial consequence to the writer, such an ending of a lifetime endeavor to provide the country with efficient submarines strikes deep into the heart and wounds the pride of an American inventor, who feels that he at least has a right to be heard by you before the Bridgeport submarine plant is abandoned. The company has made little, if any, money through building more than 20 submarines for the United States Government; therefore the writer feels obliged to personally present the subject for such attention as you may feel like giving it. The writer hopes that after digesting this communication the Senators will feel justified in amending the provision to permit the construction of the 1916 submarine program.

A visit in naval circles fails to disclose anybody favorable to expending construction of the fleet submarines. The present suspending construction of the fleet submarines. administration has announced in the press that it wants the 1916 naval program completed, and it is hard to find why an exception of submarines is made. It seems strange that the most powerful of weapons and the cheapest to build should be the first to be abandoned in the agitation for disarmament and the universal desire for a minimum of Government expenditure and taxation. While our people cry out for economy, why not economize on the big things and buy the low priced, especially when the little submarines can hold their own against anything afloat. Apparently the reason for the discrimination in legisla-

tion against the submarine is to be found in something other than economy. Numerous facts and experiences will be related to you with the hope that you may be able to discover what the writer can not-a justifiable reason for ending or suspending submarine construction and closing up the Bridgeport specialty plant, whose record for success challenges comparison with the 30 submarines that can not get into even preliminary acceptance trials because their engines have been rejected pending attempts to correct them.

H. R. 4803 provides for \$2,000,000 to reengine the L-1, L-2, L-3, L-4, L-9, L-10, L-11, and M-1. No such items appear in the naval bill for any vessel built by the Bridgeport plant, which should not be shut up when others need a breathing spell to try to fix up submarines that are unserviceable. The development of the submarine art can not await upon the misfortunes of any contractor.

When you have completed a survey of the facts that the writer presents it is believed that your judgment will favor progress and rewards for the successful and will disfavor everything that forces the successful out of business through starvation and strangulation.

No naval officer is to blame for the plight of any submarine contractor; hence in digesting this record of events please realize that the naval experts are not on trial and that the sole question is what should be done for the national defense through submarine torpedo development and progress.

It may appear at first a long story, but it is essential that the past history be reviewed so that the present situation can be

understood.

The writer has spent 28 years in the development and construction of submarines for our country and foreign nations. It may be thought that the naval officers are the proper ones to consider provisions for submarine programs. That is true. but the fact is that Congress has given the naval experts little to say, because in the past powerful lobbies have attempted to say, because in the past powerful follows have attempted to influence legislation for the creation of a monopoly. It is therefore the duty of Congress to consider the problems of national defense because Congress limits the activities of naval and army experts through legislative measures, among which is the provision suspending the six fleet submarines.

To assist Congress in arriving at a just and adequate decision, the writer has sent to you, with his compliments, his book, The Submarine in War and Peace, much of which was written before the start of the war and not published until 1918, by J. B. Lippincott Co., of Philadelphia. It is a popular treatise of the history and development of the submarine from an experimental toy to a practical weapon of defense. The book relates some of the writer's experiences with the Russians, Austrians, Germans, and other naval authorities throughout the world. The reading may amuse or interest one, according to what he is after.

The book relates the writer's experience with Von Tirpitz in 1906. When Von Tirpitz inspected the Lake-type plans, he saw a large fleet submarine with 2 guns and 10 torpedoes. He exclaimed, "That is what Germany wants. That type of sub-marine is good for offensive purposes." The entire world now knows how offensive Von Tirpitz made the cruiser submarines that sank vessels within sight of the American shores.

Many people think the submarine was mastered and driven from the sea. Hundreds of millions were expended and lost on barrages and large fleets of trawlers, submarine chasers, and other ships to offset the sinkings caused by these German submarines, and the submarines captured by these vessels were only one or two disabled submarines, and those sunk were insignificant in number and cost in comparison to the surface ships lost. England lost ships, cargoes, and men without number. Untold fortunes paid tribute to the awful power of destruction of the submarine.

In spite of the expenditures of billions on destroyers, submarine chasers, mines, airplanes, and barrages the submarine continued to infest the seas.

The strategy of war made it good tactics to claim destruction of submarines in unlimited numbers, but the war history records no such events as were claimed during hostilities. Much has been made of the fact that no American transports and troopships were sunk by submarines. The writer understands that history records that the Germans felt it better not to sink American troopships and saw her error in thinking that she could conquer the world through frightfulness.

To quote the statements of one high American naval officer who was active overseas, "Germany decided it was bad policy to sink any of our troopships, as that would further alienate us when it came time to make peace and resume trade relations," so the orders went out to spare American troopships; in other words, as this officer stated, "They could have sunk our ships

if they wished, but they had 'lost their guts' and did not have the nerve to carry out their former program of frightfulness." Admiral Sims, commander of our American naval forces abroad, in an address in Bridgeport a few days ago, said substantially the same thing. According to the Bridgeport Telegram of April 23, 1921, he said, "If Admiral Von Tirpitz had had his way in the high councils of Germany, we would now be speaking German with a decided New England accent," and he also said he "believed airplanes and submarines would be the master weapons in future wars." The submarine has not lost its power over other types of craft. It is just as deadly as when I first appeared before the House and Senate Naval Committees many years ago and foretold the events that history has now recorded during the war with Germany.

I urged Congress then to provide for the national defense

through submarines.

The experiments with my first boat, the Argonaut, justified my predictions and secured for me the favorable scientific support of the then naval chiefs of the bureau—Admirals Melville, O'Neill, Bradford, Sigsbee, and Bowles.

In 1901 Chairman Hale, of the Senate Naval Committee, called me before the committee. I was asked to submit a propo-

sition to the Navy Department.

At the request of the Board of Construction I prepared designs of a small submarine to carry on the deck of a battleship or cruiser, of a harbor-defense type, and also of a cruiser type, which was the forerunner of the so-called fleet submarine. The board told me my designs were the best submitted, and I was urged to build with the private means of my friends a coast-defense type, plans of which I had submitted. The promise was made to test it and recommend its purchase if it proved its worth.

This vessel was built by me through private funds. It was known as the *Protector*. Government experts tested her and recommended to Congress the purchase of her and five similar for the Atlantic and Pacific coasts. The Senate voted for the purchase, which was killed in the House committee. I know why and how, but that is another story. The *Protector* was then sold to Russia during the war with Japan.

I declined to sell her to Japan. I went to Russia and my company built many others for that Government. We also built the U-I and U-2, the first submarine boats built for Austria. However, I did not abandon hope of recognition in my own

However, I did not abandon hope of recognition in my own country, so we built the Simon Lake X at Newport News. American trials were asked, but time was not granted for the 10 days needed to complete her. This submarine went abroad. I know now why trials were not available. A former United States Senator years afterwards told me the whole story of how the trials were prevented, although the United States naval experts desired to test her.

Many foreign naval experts inspected her in America. Several of our American-built submarines were shipped to Russia via the Hamburg-American Line, and in passing through Germany they were seen by the Germans, who learned all about their construction, which they afterwards put into such offensive use, instead of American defensive use, as planned by me when I first submitted my plans to our Navy in 1893, with the hope that my plans would become the secret of my own country. When you grasp that the German submarines in general form and construction and principles of operation were copies from my plans and ideas you will appreciate what it cost our country to let an American invention get into foreign hands.

Before I built the Argonaut I asked no money. I was only 26 years old. My hope was that I could get an appointment to our naval service and have my Government work out with me my ideas on submarines. I wanted it to be secret and for the

sole protection of our country.

Being a young man with no knowledge of Washington affairs, I made little practical progress, and the result was that my invention went into the hands of foreigners. I could not even get official permission for officers to go down in my submarine at Hampton Roads during the Spanish-American War.

The commanding officer said he could not take such a chance with his men. I asked in vain for officials to inspect. I wrote Theodore Roosevelt, then Assistant Secretary of the Navy, and he replied that a board would be appointed and an inspection made. But Roosevelt resigned and went into the war. I could not get a test.

After a trip from Newport News to New York in this submarine, I received my first foreign recognition—a congratulatory telegram from Jules Verne, predicting that her success would change the naval policies of the world; all has come true. However, it was not until many years had passed that naval officers of prominence recognized the superiority of the submarine.

Admiral Sir Percy Scott, of the British Navy, only shortly before the war, in a strong letter to the London Times, stated: "The introduction of the vessels that swim under water has, in my opinion, entirely done away with the utility of the ships that swim on top of the water." He stated further: "If we go to war with a country that is within striking distance of submarines, I am of the opinion that the country will at once lock up their dreadnaughts in some safe harbor and we shall do the same. I do not think the importance of submarines has been fully recognized, neither do I think that it has been realized how completely their advent has revolutionized naval warfare. In my opinion, as the motor has driven the horse from the road, so the submarine has driven the battleship from the sea."

I have always felt somewhat chagrined that I was forced to go abroad to gain recognition for my inventions in submarines. I always felt that my own country should have had the ex-

clusive use of my inventions.

I have never failed to urge in every proper manner the adoption of my submarine inventions,

After the Simon Lake X was shipped abroad, we moved our principal technical office to Berlin, which was centrally located, to operate in Russia and other European points.

In the meantime we laid down another submarine in America and expected to get her tried in competition for an American appropriation.

Before this boat could be completed, the act was amended in the next Congress through a conference amendment of which we had no notice.

This submarine functioned satisfactorily but did not have the speed of a competitor built later to meet the law, amended after we started.

This submarine is still on my hands. She cost over \$300,000 of private funds of myself and friends. We then contracted with the United States to build on the no-cure, no-pay basis, a submarine faster and larger and more powerful than any that had at that time been proposed either in America or abroad. This vessel cost much more than the contract price. At a risk of several hundred thousand dollars, we at last succeeded in getting a Lake type submarine into the American Navy but not until after foreign governments had bought many, based upon the features I proposed to my own Government in 1893.

The Protector went to Vladivostok. She was the only submarine in commission during the Russian-Japanese War.

Our submarines were recognized in Europe as a type superior to any that had been previously experimented with.

My principles in submarines have been generally copied in all the latest types of boats in all countries. Many of the auxiliary devices in submarines have been developed by my

company at a large private expense.

Many features are patented. Many devices have required expensive engineering talent to design and develop at private expense, in spite of the fact that they are not patented. All these expensive developments have been made available to our Navy. I developed the first periscope that gave natural vision. The most satisfactory Diesel engine was introduced to America by us. While living abroad and building abroad for foreign Governments, I had access to the works at that time experi-menting with and building Diesel engines. I secured the option to build what I believed the best engine that had been experimented with. It was the Sulzer Bros.-Diesel engine, built at Winterthur, Switzerland. They built the first engine in Switzerland for us, and largely from our suggestions, which resulted from experiences that cost us hundreds of thousands of dollars through broken engine shafts, etc. Ultimately our negotia-tions resulted in the arrangement between the Sulzer Bros, and the Busch people at St. Louis and indirectly we are solely responsible for the creation in America of a submarine Diesel engine that can challenge anything built at home or abroad. It is generally conceded to be the best and most reliable heavy oil engine in use in our Navy. Many other submarines made by others than the Lake Co. are practically useless on account of engine troubles.

In view of the testimony of former Secretary Daniels before the Naval Committee of the House of Representatives last year, regarding submarines, which has been published abroad, I do not believe I am disclosing any naval secrets when I refer to the fact that a large number of submarines built by others than the Lake Co. are having serious trouble with their engines. I quote from the Rivista Marittima, an Italian publication, of April, 1921, page 138, in re testimony of Secretary of the Navy Daniels:

Continuing on the same subject, the committee was informed that 30 units of the "S" class built by the Electric Boat Co. had not been accepted, while the equivalent types constructed by other firms had

been satisfactory. The engines supplied by the Electric Boat Co. are of special design, and have all had their crank shafts broken on account of excessive vibrations; after reducing the speed in order to eliminate the vibrations other defects have appeared, as a result of which the vessels' acceptance has been suspended until the defects have

These 30 boats, I have been informed, apply to boats that have not yet been able to meet their preliminary acceptance trials.

House bill 4803 provides \$2,000,000 to reengine the L-1, L-2, L-3, L-4, I-9, L-10, L-11, and M-1, none of which submarines

were built by us.

I do not criticize this necessary expenditure to make right boats that have cost millions to build, and I know how difficult it is to calculate the stresses that come on internal-combustion engines in submarines. I believe I installed the first successful internal-combustion engine that was ever used in submarines. This was in the Argonaut, built with private capital back in 1896 and 1897. At that time the only submarine boat building for the United States Government was the *Plunger*, built under a Government appropriation and Government supervision. vessel was fitted with steam engines, and she was uninhabitable and unseaworthy, and the only time she was ever submerged was when she accidentally sank at the dock. Our development of the gasoline internal-combustion engine produced the most successful engine of that type up to a certain size, but for larger power we found it unsuitable. We had been conducting experiments for years on heavy oil internal-combustion engines and had also kept in close touch with the various builders of engines which might be better adapted for submarine use, and were thus able to secure their cooperation to build on lines based upon our experience.

The basic hull features of the fleet submarine design are based upon my patents, which expired before we could get the oppor-

tunity to build such a type of vessel ourselves.

All my years of development of the cardinal features in submarines end with no profit whatsoever for those who have made this defensive weapon practical and of serviceable use in the

Individually, I could have sold out several times for a large sum, but neither myself nor my associates felt it patriotic to do so, because a monopoly in our defensive weapons would not tend to give the country the best that American inventive

ability can produce.

Now that some of our pioneer patents have expired, the Navy Department has started to build submarines in one of its navy yards, and other shipyards are also making efforts to get into the business which has been developed so largely at our own expense. I care little about this personally, because my first ambition to be taken into the Navy as a specialist to develop submarines is a thing of the past. My monetary remuneration probably would have been little more than a living and my personal freedom to develop other inventions would have been restricted. I am willing to pass my 28 years of work for the benefit of my country on to those who are responsible for the country's defense. I do care, however, about what becomes of the Lake Torpedo Boat Co., which has been financed by some of my friends, some of whom have stood by me for years and provided means to carry this work along to a successful issue as far as providing proper methods and apparatus to protect our shores from any foreign foe.

Not one dollar of net profit has been made from the United

States Government operations.

Our 23-acre shippard and machine plant at Bridgeport is es-ecially built for submarines only. It is the only one of its kind in the world.

It is fitted for no other uses than submarine construction. The staff and force are the creation of 20 years' experience, which education and experience has been secured at the expense of our stockholders, some of whom have put their lifetime savings into the company. Nowhere else is there a group of mechanics and engineers who have produced such excellent results. I believe the naval experts will concur in the statement that we have always tried to do our best and that our product is generally satisfactory.

To disband such a force of skilled mechanics is a national

blunder.

Such an organization could not be perfected during any emergency.

The submarine has not yet reached its full development. There are other features that may well be added to further their effectiveness and increase the scope of their usefulness,

In my humble judgment it is the only weapon that can safely be relied upon to keep foreign fleets from our shores. Every other weapon is visible and can be met by another of its kind; the submarine is invisible, and if made noiseless and provided with noiseless and invisible automobile torpedoes or or three days discussing the matter, and I decline to yield.

with proper mine-planting facilities, no other type of ship that floats on the surface of the sea or in the air can meet it on equal terms. The cost of a submarine is slight compared with other vessels. Did the six hundred millions spent for aircraft get a single German submarine? No. According to the official reports, the best defense against the German submarines was other submarines. As soon as war was declared between our country and Germany I sent several plans to our Navy Department as well as to some English naval friends. I outlined how submarines could be used for a defense against attacking enemy submarines. Some of these plans were later put into practice. They proved effective, but if they had been fully carried out the loss of ships near the English coast would have been very much reduced. These plans, I presume, are still on file in the secret archives of the Navy Department, where they may remain without further discussion so far as I am concerned.

This war has confirmed my conviction that American inventions for the protection of the country should be kept secret and inviolate. I wrote the Secretary of the Navy suggesting that all American inventions should be withheld from publication during the period of the war. I also saw the late Senator Tillman and suggested the same thing. He said, "Lake, that is a good idea. I will see that it is done." Afterwards I was notified by the Patent Office that I had a patent application in the office which if disclosed might be of aid to the enemy. I was warned that if I discussed it or disclosed it I would be subject to a fine of \$10,000 and imprisonment. Thus I learned that my recommendation had been followed. I think this rule is a good one and that it should remain in force during peace. All weapons and devices and chemical compositions invented by Americans applicable to war use should be held as American secrets.

In Berlin, Germany, our American consul once read a circular addressed to German manufacturers to this effect: "Manufacturers, do not allow foreigners to visit your factories where you have any special process or machines in use, especially beware of Americans, as they are quick to grasp new ideas; on the contrary, you should send representatives from your factories to foreign countries, especially America, as they are an inventive people. Your people should obtain employment in their factories; thus you will learn all that the others know plus what you alone know. Therefore Deutschland über alles! Signed, Wilhelm."

The United States should provide a law to secure and keep secret American inventors' devices for warfare and make proper

compensation for useful inventions.

Our country should encourage factories built especially for our national defense. The Bridgeport submarine is one. Therefore I do not hesitate to ask Congress to continue the 1916 program for submarines, so that this plant and organization can be kept together for any possible Government need.

Yours, respectfully,

# EMERGENCY TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2435) imposing temperary duties upon certain agricultural products to meet present emergencies, and to provide revenue; to regulate commerce with foreign countries; to prevent the dumping of foreign merchandise on the markets of the United States; to regulate the value of for-

eign money; and for other purposes.

Mr. KELLOGG. Mr. President, it has been said on the other side of the Chamber several times that no one on this side of the Chamber is discussing or defending the emergency tariff bill. The principal reason is they have not had any chance. The Democrats, as usual, have done all the talking and have taken practically all the time. It is touching to notice the tender solicitude of Democratic Senators, especially the Senator from Mississippi [Mr. Harrison], for the interests of the farmer, suggesting all sorts of things that he has not asked for and does not want but opposing one of the particular things that he does ask for. There is no use making any pretense; everyone knows that the Democratic Party is opposed to protection for the farmer. The farmers understand it, and they are not going to be fooled by all this talk such as the Senator from Mississippi and the Senator from Montana [Mr. Walsh] have indulged in.

Mr. HARRISON. Mr. President—
Mr. KELLOGG. I can not yield, because my time is very

Mr. HARRISON. The Senator has referred to the Senator

Mr. KELLOGG. The Senator from Mississippi has taken two

The facts are that prior to the coming into power of the Democratic Party in 1912 nearly all the farm products produced by the farmer were protected. I have a list here which I ask to have placed in the Record, covering wheat, wheat flour, corn, cattle, sheep, potatoes, butter, cheese, milk, and cream.

The VICE PRESIDENT. Without objection, the list will be

printed as requested.

The list referred to is as follows:

Comparison of duties between emergency bill and the Payne-Aldrich bill.

TOTAL STATE OF THE PARTY OF THE	Emergency.	Payne-Aldrich.
Wheat flour	[35 cents per bushel	25 cents. 25 per cent. 15 cents. 274 per cent. \$1.50. 75 cents. 25 cents. 6 cents. 6 cents. 5 cents. 5 cents.

Mr. KELLOGG. Immediately when the Democratic Party came into power—and there is no use mincing words about it—a party obtained control which did not come from the States that produce the great staple products that furnish the food for the American people. They wrote the tariff for the Northern States and the Western States, which do produce all the great agricultural products, and they put all such products on the free list. All that the farmer asks is that he be treated the same as other industries.

The Senator from Montana said that he was opposed to special legislation in favor of a class. The special legislation occurred in 1913, when the Democratic Party discriminated against the farmer. Now they are talking about special legislation in favor of certain interests. All we ask is that in the enactment of tariff legislation the industry of the farmer shall receive the same degree of protection as other industries receive.

The Senator from Mississippi [Mr. Harrison] discoursed eloquently about the wonderful prosperity of this country between 1912 and 1919, the years of the Democratic administration; he said it was a great period; that it is good to think about it; that it was a time when our country blossomed in prosperity like the rose. He further said:

Why, sirs, it was during this period that our exports increased, from 1012 to 1920, approximately \$6,000,000,000. It was a period when the farmers received high prices for their products.

And so forth. Now let us see when our exports increased and what the reason was. The Democratic Party came into power in 1912. In 1913 it enacted a tariff for revenue purposes only, tinctured with free trade; it placed upon the free list the principal products of the farm, which had theretofore received a reasonable protection, and it also greatly reduced tariff rates generally. I am not saying that some of those rates should not have been reduced, but let us see what became of our foreign trade about which the Senator from Mississippi so eloquently discoursed.

In 1913 our exports were \$2,465,884,149. The year 1913 was the year in which the Democratic tariff bill was passed. The next year our exports dropped to \$2,364.579,148, or substantially \$100,000,000, and the balance of trade in favor of the United States dropped from \$652,000,000, in round numbers, to \$470,000,000.

Everyone knows that but for the World War our foreign commerce would have continued to decrease because of imports under the Underwood tariff. We were facing hard times, and we were actually suffering hard times, as the Senator knows, when the war came on, when we enormously increased our exports, and prices increased accordingly. The increase of exports was due to the war, because foreign countries were obliged to purchase in American markets. They could not get the products they required elsewhere. We now have hard times, and we are still operating under the Underwood Tariff Act.

Mr. President, what else occurred the moment the tariff on agricultural products was changed in favor of the free-trade tariff for revenue only theory of our friends on the other side? In 1912 only 47.47 per cent of our imports from Canada came into the United States free of duty; in 1914, the year after the Underwood law was passed, 80.97 per cent of the imports from Canada came in free of duty; and in 1919 88.73 per cent of the imports from that country came in free of duty. What does Canada principally produce? Agricultural products, the same as we do.

Mr. President, the Senator from Montana [Mr. Walsh] and other Senators argue that because we produce a surplus of agricultural products, which must be sold in foreign markets,

therefore there should be no protection, because the price is made abroad. That is the same old argument that has always been advanced against any kind of protection. We also produce a surplus of manufactured products, which must seek their market in foreign countries, and yet it has been the policy of the Republican Party to give reasonable protection to the American manufacturing industry. Why should not the farmer for his products have the same protection in his domestic market, which is his principal market, that other industries have? I see no reason why he should not. His is the basic industry of the United States.

Now, let me give the Senate facts as to the importation of agricultural products, especially wheat from Canada. Of course, during the World War the wheat trade in Canada and the United States was in the hands of the respective Governments; the Government of Canada and Great Britain handled the Canadian crop for the benefit of England and of the allied forces, and the Government of the United States handled the American crop, and during the war there could not be and was no importation of any importance of Canadian wheat, flour, and other products into the United States. However, when the war closed the duty on wheat was taken off-on the 1st of September of last year. As Senators will remember, there was a duty on wheat imported from Canada or from any other country to the United States, to be removed when Canada or any other exporting country should take off the duty on wheat to be imported from the United States. So the importation of Canadian wheat became free on the 1st of September last.

Now, let us see what occurred in the next few months. ing the last four months of 1920-September, October, November, and December-there were imported into the United States either in wheat, or the equivalent of wheat in flour, 35,074,676 bushels, and in the first three months of the present year 14,267,095 bushels, making substantially forty-nine and a quarter million bushels. If we produce a surplus, as we do, will the Senator tell me what that wheat was sent to the United States for, if it did not affect the American price and the American market? Of course it did. That grain was not sent to the United States simply to be shipped through to foreign countries. In addition to the 49,000,000 bushels imported since the 1st of last September, 41,000,000 bushels were shipped through the United States over the United States railways and waterways to foreign countries, making in the neighborhood of a little over 90,000,000 bushels of Canadian grain. Of course, the 41,000,000 bushels were simply shipped through and did not come in competition in the American market with American grain. That is perfectly It was shipped through, the same as a large amount of Canadian grain is always shipped through, in bond, and it always will be, because of the facilities for handling it in the United States; but practically 50,000,000 bushels since last September came in here for domestic use and consumption in competition with American wheat.

Mr. SIMMONS. Mr. President, will the Senator yield to me

for a moment?

Mr. KELLOGG. I will yield for a question, although my

time is very short.

Mr. SIMMONS. I shall not attempt to do anything except to make a statement that I think is proper in order to throw some light on what the Senator has said. I think he has the figures somewhat confused, but I am not sure about that. Does the Senator include in the statement he is now making flour as well as wheat?

Mr. KELLOGG. Yes; I stated that the figures include wheat

and the equivalent of wheat in flour.

Mr. SIMMONS. I wish to say to the Senator that my recollection is that the official statistics published by the Government show that during the eight months of the present fiscal year ending the 28th day of February only 41,000,000 bushels of wheat were imported into this country; that during the first two months of those eight months 39,000,000 bushels of wheat were exported; that during the whole period of the eight months 209,000,000 bushels of wheat were exported; that there was within 2,000,000 bushels as much exported in two months as were imported during the whole eight months; and that there was five times as much exported during the eight months.

Mr. KELLOGG. Mr. President-

Mr. SIMMONS. If the Senator will pardon me, I simply wish to say that I recognize the fact that we have very little time for Senators to speak to-day, and it will be improper to interrupt them, so I am not going to interrupt the Senator any more.

Mr. KELLOGG. I thank the Senator. I will place in the

Mr. KELLOGG. I thank the Senator. I will place in the RECORD at the end of my remarks the statement by the Bureau of Markets, given to me within the last few days, which includes the exports and imports, and a letter explaining them, for each month of 1920 and for the months of January, February,

and March, 1921. I think the Senator will find those figures to be accurate. As the Senator from Massachusetts [Mr. Walsh] stated yesterday that during that time there were about 49,000,000 bushels imported into the United States. He was The fact is that much of the grain passed through the United States, as I said a few moments ago. In addition to the 49,000,000 bushels, 41,000,000 bushels went through the United States to foreign countries. We shipped considerable grain in the summer time through Canadian ports, and I think during that time there was shipped-

Mr. SIMMONS. Mr. President, I want to say that the figures I gave a little while ago were reported by the department as covering only wheat imported into this country and consumed in the country, not wheat that passes through in transit to

Mr. KELLOGG. I gave the figures separately. during 1920 a little over 14,000.000 bushels exported to Canada, but, as the statistics show, practically all of it—all except 175,816 bushels—was simply shipped through Canadian ports to Europe. Now, we ship through the Welland Canal and through the port of Montreal during the summer time a good deal of grain. Canada ships a great deal of grain through Portland, New York, Boston, and down the Lakes, and by American railways directly through to European countries, but I ican railways, directly through to European countries; but I have given the figures as to the importation of wheat into the United States for domestic consumption since last September of over 49,000,000 bushels which came into competition with American-produced wheat.

Now, let me explain another proposition why that is very important. I am anxious to maintain the great milling industry, and some of the principal millers of my State are in favor of a tariff. They want a reasonable opportunity to mill in bond, which they always have had and always will have. The highgrade spring wheat of Minnesota, North and South Dakota, and Montana always sells in the market in Minneapolis and Duluth for a higher price, without considering the railroad transportation or Lake transportation to Chicago, than in the Chicago market. That high-grade spring wheat sells at a premium. Why? Because the mills need it for manufacture to mix with

lower grade grains and winter grains.

The fact is that if that grain can be shipped in free from Canada, this bonus price, as it may be called, or this high price for cash wheat for milling purposes, disappears. That is peculiar to the spring-wheat district. Everybody realizes that That is it is more expensive, more hazardous, to raise spring wheat than to raise winter wheat. The spring-wheat crop is subject to more uncertainties of weather and diseases which affect grain-growing States, because it matures so late in the season. It is more expensive to raise. It is more valuable for milling purposes. Spring wheat is raised entirely in Canada, and practically entirely in Minnesota. North and South Dakota, and Montana.

I have produced the statement of the Bureau of Markets,

made within the last few weeks, in which the Bureau of Markets states that on grain and meat products and various other products the American farmer needs protection; that these particular imported products which come into competition with the farmer of the Northwest are produced in countries where land and labor are cheaper than in the United States. That is stated by the Bureau of Markets. Of course, I do not claim that there is any great difference between the price of labor in Canada and the price of labor in the United States; but there is an enormous difference between the price of the free virgin soil of Canada and the land in Minnesota and North and South Dakota, which sells for \$75 or \$100 an acre and which has been producing wheat for a great many years and needs fer-tilization. In the Argentine, where wheat and corn come into competition with the wheat and corn of the United States, labor is very cheap and land is very cheap; and I might go on and

is very cheap and land is very cheap; and I might go on and say the same thing as to other countries.

Take the subject of meats. I am not going into the details of this schedule, because I have not the time. The Senate will find on page 9 of the report of the House committee a statement by the Bureau of Markets, Department of Agriculture, as to the necessity of a tariff on meat products. If I had the time I would read this statement; but I ask permission to insert a cent of this page at the end of my remarks.

part of this page at the end of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered. Mr. KELLOGG. Among other things, however, permit me to read a few sentences:

There is a great surplus supply of meats and meat products in the United States, and prices of live stock have been driven to a decline much more rapid than the decline in cost of production, while imports of meats have further depressed the market. This constitutes a menace to the live-stock industry. Live-stock operations (before the war frequently precarious and unprofitable) did not during the war build up a reserve of profits sufficient to offset the present losses due to the current marketing of war stimulated production at less than its cost.

Then the Bureau of Markets, a Government agency, proceeds to give these statistics, and says:

on the other hand, following the putting of meat on the free list in 1913, imports began a rapid development, which was cut off only by the war, and in 1919-20 show a marked tendency to resume. These facts need to be considered in conjunction with the fact that the Chleago packers control from 50 to 60 per cent of the meats shipped from South America to world markets. With our exports practically no greater than in 1910 and with a strong potentiality for increase of imports, the American farmers urgently need protection for their cattle and sheep products. Imports of mutton and tamb for the years 1917-1919 averaged about 6,000,000 pounds; in 1920 they were 100,000,000 pounds, and had a far more depressing effect on sheep and lamb prices than on consumers' prices of the products.

Mr. SHEPPARD. Mr. President, will the Senator give the

date of that report?

Mr. KELLOGG. It was made some time during this session, because it quotes the importations and prices for 1920, and it is contained in the House report on the emergency tariff bill, which was made April 13, 1921.

I have not the time to discuss the details stated in this report. It treats of the subject of wheat and dairy products, and states that the farmers of the United States are sorely in need of a reasonable protection for their products.

Mr. President, I know it is not necessary to state the importance of agricultural industry in the United States, or anywhere else, for that matter. It is the basic industry which supports the great fabric of prosperity and progress in this country. Oh, you may say that that is the old statement, but It lies at the very foundation of the wonderful it is true. growth and development of this country. What is the tendency of the times? The tendency of the times is a decrease from year to year in the percentage of the agricultural population as compared with the population in the cities. Everyone knows it and deplores it, and is searching in the dark for a remedy. When we view the fact that since the War of the Rebellion the farm population has decreased from 75 per cent to less than 33 per cent, and the percentage of agricultural production to the demands of the people of this country is decreasing year by year, we begin to realize what it means to the prosperity and the development of this Nation.

You can not make men farm where there is no 8-hour day and no easy road to wealth and prosperity unless the farming is reasonably profitable. The life in the cities, with high pay and easy money which has been made during the wonderful development of the last 25 or 30 years, is more attractive than that on the farm. I know whereof I speak; and is the time coming when the 33 per cent of agricultural population will dwindle to 25 or 15 per cent, and the people will refuse to cultivate the land to support the millions of people in the cities,

many of them idle?

We might just as well face the problem. We have to encourage the development of agriculture in this country in some The failure of agriculture has brought disaster to many a nation. It nearly wrecked Great Britain. The nation draws the streams of vitality from the farm, and not from the teem-

ing millions in the cities.

Show me a nation where agriculture is prosperous, where the farmers are independent, where they are proprietors, with all that goes with proprietorship and ownership, and I will show you a progressive, enlightened people. Show me a nation where agriculture is declining, and I will show you a decadent nation. That has been the history of the world since history has been written.

What enabled France to go through the greatest war ever recorded? The fact that her people are farmers, proprietors, owning and living upon the land. It was a sturdy force of defense, which could not be overcome.

Mr. President, I read with a great deal of amusement the minority report by Mr. KITCHIN on the emergency tariff bill. He started out by saying:

The policies and principles advocated by the Democratic Party and inspiring the continued maintenance of its organization for nearly 100 years forbid our approval of the pending bill, and impel us to vigorously protest against its passage.

That is all there is in it. The tariff, in the minds of the Demo-That is all there is in it. The tarin, in the minus of the Democratic Party, is not an economic issue; it is a tradition, a moth-eaten, hackneyed tradition, which the people of the South are trying to get rid of. I hold in my hand a memorial of the Southern Tariff Association, signed by hundreds of industries throughout all the Southern States, petitioning Conductive the southern states, petitioning Conductive the southern states. gress to give the South the reasonable protection which her industries ought to have. The governors of the South, in meeting in Georgia, passed a resolution in favor of reasonable protection. But it contravenes the traditions and the history of the Democratic Party.

Mr. WATSON of Georgia. Mr. President, will the Senator allow me to ask him which governor of Georgia that was?

Mr. KELLOGG. I said the governors of the South at a meeting in Georgia. I did not say the governor of Georgia. I think the Senator misunderstood me.

Mr. WATSON of Georgia. I thought the Senator said the governor of Georgia, and I was desirous of knowing which governor of Georgia it was.

Mr. KELLOGG. I did not say the governor of Georgia at all. I said some of the governors of the South, or many of them, at a meeting in Georgia.

Mr. President, I think if anyone will read the minority report made by Mr. Kitchin he will find that it is living entirely in the past. It reiterates all of the stock arguments which have been the property of that party, as Mr. KITCHIN says, for a hundred years. Yet it is reasonable protection which has made this country a great industrial Nation.

What did Mr. KITCHIN Say?

We take this opportunity to reassure the Democracy of the Nation that the Democrats in Congress will take no back track on the tariff.

We do not expect that.

To us Republican protection is no better now than when the Tilden platform of 1876 denounced it "as a masterpiece of injustice, inequality, and false pretense." It is no better now than when the Cleveland platform of 1892 denounced it as "a fraud—a robbery of the great majority of the American people for the benefit of a few."

We all remember what became of the Democratic Party under the administration of Mr. Cleveland and the Wilson tariff bill, It brought on a panic in this country and a depression, which drove the party out of power for nearly 20 years

Mr. SIMMONS. I hope the Senator, in recalling the Cleveland administration in this connection, will also remember the last Republican administration in connection with the Payne-Aldrich bill.

Mr. KELLOGG. Mr. KITCHIN said further:

It is no better now than when the Parker platform of 1904 denounced it as "a robbery of the many to earlich the few."

What became of Mr. Parker and his party? They disap-

peared for another term of years.

Mr. President, I am not in favor of building a tariff wall around the United States, shutting out trade with foreign countries, or building up monopolies under such a tariff wall. I favored the revision and reduction of the tariff in 1908. I was a member of the Republican convention in that year, and on the subcommittee which drew the platform in favor of it; and I shall again favor the reduction of duties whenever I believe they are approaching a degree injurious to the welfare of the great mass of the American people.

A tariff for revenue only is the policy, when tinctured with free trade, of the Democratic Party; in other words, to get the most revenue out of the tariff, irrespective of whether it hurts

or helps American industry.

We on this side do not believe in it. Of course, we believe that we must have revenue, and it is proper to get it from tariff duties; but the tariff duties should be fixed at such a figure that not only will they produce some revenue but will afford a reasonable protection to American industries in competition with the industries of the world. And I do not know

of any reason why the greatest industry in this country, the industry which lies at the foundation of all other industries, the industry which it is necessary to maintain if we are going to maintain the prosperity, yes, the progress, of the people of

the United States, should not share in that protection.

I do not claim that this bill is perfect. There are other items which I think should be placed in the bill. There are some changes which I think should be made in the bill. I know there are other industries which deserve and should have protection. Even President Wilson came to Congress with a message asking for additional protection. I believe there are industries which need protection which this bill does not give them. But this bill is to be enacted for the purpose of giving the farmer his reasonable share of protection which the Democratic Party took away from him in 1913.

Mr. President, believing as I do, that the farming industry should be encouraged; that it will not unduly add to the cost of living; that it will help to encourage the farmer, who sorely

needs help to-day, I shall vote for this bill.

# APPENDIX A.

APPENDIX A.

1. There is a great surplus supply of meats and meat products in the United States, and prices of live stock have been driven to a decline much more rapid than the decline in cost of production while imports of meats have further depressed the market. This constitutes a menace to the live-stock industry. Live-stock operations (before the war frequently precarious and unprofitable) did not during the war build up a reserve of profits sufficient to offset the present losses due to the current marketing of war stimulated production at less than its cost.

2. Chicago market live-stock prices in February, 1921, reached index figures, ranging from 104 to 111 (based on 1913), while general commodities were 167 and manufactured articles 230. Allowing for increased freight to the market, farm prices of live stock are practically at or below prewar levels. The price drop has been so rapid that the value of animals in many cases is now less than the amount of loans secured by them, wiping out the grower's equity entirely.

3. During the war the United States exported large quantities of meats and imported little, but it would be fallacious to suppose that this points to no need of, or benefit from, an import tariff. The history of exports and imports is clearly against such an assumption. Excluding pork, our exports of meat averaged 397,000,000 pounds from 1900 to 1907. From 1910 to 1914 they averaged only 75,000,000; from 1915 to 1919 they jumped to 397,000,000; but in 1920 fell to only 144,000,000. On the other hand, following the putting of meat on the free list in 1913, imports began a rapid development, which was cut of only by the war, and in 1919-20 show a marked tendency to resume. These facts need to be considered in conjunction with the fact that the Chicago packers control from 50 to 60 per cent of the meats shipped from South America to world markets. With our exports practically no greater than in 1910, and with a strong potentiality for increase of imports, the American farmers urgently need pro

Trade in wheat, including flour, between the United States and Canada, 1920-21. nt reproved by Foreign Markets Service Rurgen of Markets I

Wenter whether Lee Long	Wheat.		Wheat flour.		Wheat flour (in terms of wheat).		Total wheat (including flour).	
Months.	Imported from Canada.	Exported to Canada.	Imported from Canada.	Exported to Canada.	Imported from Canada.	Exported to Canada.	Imported from Canada.	Exported to Canada.
January January February March April May June July August September October November December	534, 635 526, 752 50, 225 410, 155 124, 137 36, 798 170, 274 1, 842, 383 9, 800, 438	Bushels.  40 8, 208 6, 777 9, 721 3, 003, 999 3, 011, 107 1, 973, 502 2, 883, 597 608, 809 613, 561 811, 624 10, 727	Barrels. 27, 472 19, 914 11, 524 21, 478 20, 940 39, 233 26, 336 117, 861 14, 299 163, 312 201, 666 226, 993	Barrels. 2, 750 1, 108 2, 696 1, 413 2, 811 1, 254 2, 889 2, 637 1, 698 2, 396 2, 518 1, 061	Bushels. 123, 624 89, 613 51, 858 96, 651 94, 230 176, 774 118, 467 80, 375 64, 345 734, 905 1, 017, 419	Bushels. 12, 376 4, 986 12, 132 6, 359 12, 649 5, 643 13, 001 11, 957 7, 641 10, 777 11, 331 4, 775	Bushels, 876, 948 624, 248 578, 610 146, 875 504, 385 300, 911 155, 265 280, 649 1, 906, 728 10, 535, 342 10, 430, 075 12, 202, 531	Bushels. 12, 411 13, 19 14, 93 16, 642 3, 916, 642 3, 985, 512 3, 885, 52 616, 456 624, 38 822, 936
Total, 1920	34, 956, 811	14,811,672	790, 168	25, 250	3,555,757	113,626	38,512,568	14, 925, 298
January 1921. February March		110, 317 125, 193 139, 223	220, 436 202, 324 174, 450	1, 890 3, 571 3, 789	991, 962 910, 458 785, 060	8, 546 16, 070 17, 050	5, 496, 818 5, 314, 168 3, 456, 109	118, 867 141, 263 156, 273
Total three months, 1921	11, 579, 609	374, 733	597, 219	9, 259	2, 687, 486	41,666	14, 267, 095	416, 393

Source: Foreign Trade of the United States, Bureau of Foreign and Domestic Commerce.

Total wheat (including flour) during September, October, November, and December, 1920=35,074,676 bushels imported from Canada, 2,079,245 bushels exported to Canada.

### APPENDIX C.

UNITED STATES DEPARTMENT OF AGRICULTURE, BUREAU OF MARKETS, Washington, D. C., May 3, 1921.

Hon. Frank B. Kellogg, United States Senate.

Hon. Frank B. Kelloge,

United States Senate.

Dear Senator Kelloge: In response to the telephone request from your office yesterday, I take pleasure in transmitting to you herewith a statement prepared by the Foreign Markets Service of this bureau, showing the imports and exports of wheat and wheat flour between the United States and Canada during the calendar year 1920 and for the first three months of the present calendar year. These figures are based upon the official trade statistics compiled by the Bureau of Foreign and Domestic Commerce. I may add by way of explanation that the greater part of the wheat shown as having been exported from the United States to Canada (14,811,672 bushels in 1920) was merely shipped through Canada for export to Europe. This statement is borne out by the trade statistics published by the Canadian Government, which show that only 175,816 bushels of American wheat was imported into Canada and entered for consumption during the first 10 months of the last calendar year.

You may also be interested in knowing that in addition to the wheat imported into the United States from Canada and entered for domestic consumption, some 41,000,000 bushels of Canadian wheat was shipped through the United States in bond for export to foreign countries. These bonded shipments are not included in the official trade statistics of the United States, either as imports or exports, but are reported separately as transit shipments through this country.

In addition to the bonded shipments mentioned above, a small quantity of Canadian wheat (385,315 bushels) was reexported during the period from July 1, 1920, up to and including March 31, 1921. No doubt some of the wheat that was entered for consumption also left the ports of this country, either in the state in which it was received or mixed with American wheat and exported as such. Other quantities also, no doubt, left the country in the form of American flour. There is, however, no means of ascertaining the actual quantity of Canadian wheat loses its

GEORGE LIVINGSTON, Chief of Bureau.

Mr. NEW. Mr. President, I rise to urge the adoption of an amendment which I submitted a few days ago, which was printed and is on the table. The reason for the amendment is found in a circumstance to which I referred when a similar bill was under discussion in this body last year. It seeks to protect the airplane-manufacturing industry of this country against the most unusual form of competition which I think any business organization has ever had to face. The circumstance to which I referred was, that about a year ago the British Government made a contract with a company known as the Aircraft Disposal Co., the purpose of which was to sell in other countries all the surplus airplanes which had been made in Great Britain during and after the war.

It is a well-known fact that during the war Great Britain manufactured a great many airplanes. Like ourselves, they built up an industry for the manufacture of planes, but, unlike us, they continued to manufacture planes under contract with companies which had been formed for their production for several months after the armistice was signed, whereas we quit it

absolutely with the signing of the armistice. The result was that Great Britain found herself with a very large number of surplus planes a year after the war. The British Government sold to the Aircraft Disposal Co. for \$5,000,000 planes which cost them over \$500,000,000 to manufacture, or for just 1 per cent of what it cost the British Government to make them.

Under the other terms of the contract the planes were to be sold not in Great Britain, that being expressly excluded, but in any foreign country. A contract was made with people in the United States to bring them over here and sell them, and quite a large number of them were brought to the United States. It can be very easily seen how that sort of thing furnishes competition against which no manufacturing enterprise can possibly stand.

A further feature of that contract was that the Aircraft Disposal Co. and its American agents might sell the planes at whatever figure they could get. No price was fixed upon them. The cost to that company was the 1 per cent of the cost of manufacture in England plus freight to this country and such little overhead as might be required to furnish selling machinery. If an American manufacturer put his plane on the market at a cost to him, say, of \$5,000, he had in competition with him a plane which cost only 1 per cent of the \$5,000 plus freight and overhead.

If he offered his machine at the bare cost to him of \$5,000, he had to meet the competition of the man who came in here with the foreign plane and who said, "I will take \$500 for

mine," and he could sell it at \$500 and make a profit for him-

Under an additional feature of the contract one-half of the profits he got for his plane went to the British Government. That is where the British Government came in. If the plane was sold for \$500, the man who sold it, the agent here, took one half of the profit himself—that is, what he got for it over the 1 per cent of cost of manufacture which he paid the British Government and the freight-and the other half went to the British Government.

I think if Senators will stop to think of all the features of the competition I have described, they will agree with me that it is no competition at all, and that no manufacturing enterprise that ever was or ever can be created can stand against that sort of condition of rate cutting.

I am urging the amendment not in the interest of any manufacturing enterprise, not even in the interest of an industry from a commercial standpoint. The amendment is on all fours with one presented the other day by the Senator from Pennsylvania [Mr. Knox] with reference to the dye industry. It has to do directly with the maintenance of the national defense. We positively must have in this country an industry for the production of airplanes. There is no one agency of war to-day that is so necessary to the national defense as the aircraft industry. It is not necessary, and I have not the time if it were, to refer to our experiences here during the war. We all know they were tremendously expensive, and that at the best they were not very flattering.
Mr. SIMMONS. Mr. President-

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from North Carolina?

Mr. NEW. I believe we are now operating under the unanimous-consent agreement, in which case I have but 10 minutes. Mr. SIMMONS. I merely wish to ask the Senator one question.

Mr. NEW. I yield for an inquiry.

Mr. SIMMONS. I wish to ask the Senator if it is his understanding that airplanes are now or have at any time since the armistice been exported from abroad into this country and sold here at less than the price of airplanes in the country of

Mr. NEW.

Mr. NEW. Yes; that has happened. Mr. SIMMONS. Then there has been dumping of airplanes? Mr. NEW. There positively has been.

Mr. SIMMONS. The Senator will remember that there was contention here a few days ago in a colloquy in which I participated with the Senator from North Dakota [Mr. McCumber] that there was no dumping of airplanes.

Mr. NEW. If the Senator will permit me, I wish to say a word on that point. Hundreds of those planes were shipped from Great Britain to the United States for sale in this country. They were not put upon the market for one reason only, and that was because the American manufacturers appealed to the United States court, their appeal to Congress having failed, on the ground that the British planes are based upon an American patent, and the United States courts held very justly, I think, that they did infringe upon that patent. Some of those airplanes are to-day in bonded warehouses at eastern ports ready to be put upon the market here at any figure that their American owners can get for them the moment the temporary injunction shall be dissolved, if it ever is.

I would not urge this amendment if I felt that the provision already in the bill intended or designed to prevent dumping covered this case, but it does not cover it; it does not touch it at any point. That provision bases the inhibition against importations and dumping upon the cost of production of an article abroad, whereas Senators can see at once from what I have said that the airplanes are not brought in here and sold with any reference whatever to the cost of their production abroad. They are sold at just whatever an American purchaser can be induced to pay. If it is 10 per cent of the cost of production, well and good. If it is 20 per cent, that much better, but it can be sold at 5 per cent of the actual cost of production, and yet, presumably at least, yield to the man who sells it something in the way of a profit.

I have sought to make clear, in the very brief time that I have had to present the subject, that the reason for the proposed amendment is not to protect somebody's business, but that it is to preserve in this country the nucleus, at least, of an industry which can be relied upon to produce aircraft in case of an emergency, in order that we may not be left exactly where we were in 1917 when we went into the war. No man is going to invest money in a plant intended for the construction of aircraft when he sees immediately before him somebody else producing the

thing into which he is proposing to put his money who will offer the product at a ruinous percentage of what it will cost him to produce it. It marks, in my judgment, the abandonment of the little that is left of the aircraft industry in the United States if it has to face that sort of competition. It is for that reason, as I have said, for the protection of an industry here which is vitally necessary to the national defense, that I am

urging the adoption of the amendment.

Mr. PENROSE. Mr. President, this amendment was considered at the last moment by the Committee on Finance and was thought to be highly indefensible and undesirable. The only user or purchaser of airplanes is the Government, and there is no industry to amount to anything in the United States, properly so called, making airplanes. It can not be a subject of competition. Even if there should be private enterprise enlisted, it must be largely a monopoly furnishing the product to the Government. To attempt to tax the Government of the United States several hundred million dollars for fostering an alleged American industry which is nonexistent, if the American Government can go to England and get English airplanes for a few million dollars, seems utterly indefensible. From whatever angle it is looked at the proposition does not seem to permit of any favorable argument.

Mr. NEW. Mr. President, will the Senator yield a moment?

Mr. PENROSE. Certainly.

Mr. NEW. I can only express my surprise at the statement made by the Senator from Pennsylvania that there is no airplane industry in this country. There are now about 20 concerns in the United States that are making aircraft or aircraft parts. They produced last year in the United States about 100 planes. There is a commercial demand for airplanes, and it is growing, but it is being met by the sale here of made-over planes of foreign manufacture, which are really based originally upon American patents.

Mr. PENROSE. I am not informed as to how many concerns may be assembling airplanes. That there are 20 concerns, and it may be a great many more, that make parts of airplanes, I have no doubt. I have yet to discover that airplanes are in general use. Certainly they are not yet used for pleasure like the automobile or for carrying garden truck or farm products. The Post Office Department, the War Department, and the Navy Department seem to be the only branches of the Government using airplanes. The committee were unanimous in the decision with reference to this amendment as being entirely indefensible.

Mr. HARRISON. Mr. President, I suppose we are not going to vote on the amendment now, or is it the intention to vote on it at this time?

Mr. NEW. No; it is not.

Mr. HARRISON. I desire to offer an amendment and have it

Mr. PENROSE. I think the Senate ought to know what is the ruling or interpretation under the unanimous-consent agreement. Is each amendment to be voted on when the proposer is through defending it and no one remains to oppose it? Why should they not be disposed of now? I do not care what procedure is adopted, but I should like to know what it is to be.

Mr. SIMMONS. If at this stage during the period of time reserved for discussion of the bill and amendments between 12 and 3 we are to debate and vote on the amendments pending it would very greatly restrict the opportunity of Senators to debate the amendments that are hereafter to be voted upon. I think a fair interpretation of the rule, which is intended to give opportunity to discuss every amendment that is going to be voted upon, would be to not vote on the amendments, but simply to discuss them preparatory to voting upon them after 3 o'clock.

Mr. PENROSE. I think perhaps the construction of the Senator from North Carolina is the correct one. It will be entirely

satisfactory to me.

Mr. HARRISON. Mr. President— Mr. McCUMBER. Mr. President, I rise to a point of order. The VICE PRESIDENT, The Senator from North Dakota will state the point of order.

Mr. McCUMBER. I ask if there was not a unanimous-consent agreement to take up the bill in the first instance for action on the committee amendment only, and to dispose of the committee amendment? That is generally the case, and I simply wish to know what the facts are.

The VICE PRESIDENT. The bill has been read and the amendment proposed by the committee has been read.

Mr. McCUMBER. My question is whether the committee amendment shall be first considered?

The VICE PRESIDENT. There is no agreement about that, I mittee amendment.

Mr. CURTIS. I understand there is but one committee amendment, and, of course, the amendments offered to that part of the bill will be amendments to the amendment of the com-

Mr. REED. I hope that the ruling will not be made that we may not vote upon amendments before 3 o'clock.

The VICE PRESIDENT. The Chair has made no such ruling

Mr. REED. No; the Chair has not made it, but the chairman of the Committee on Finance [Mr. Penrose] said he had no objection to that understanding, and I understood the Senator from North Carolina [Mr. Simmons] to say that he thought it would be a very good thing if we did not vote until 3 o'clock.

Mr. SIMMONS. Unless the debate on amendments shall have

been concluded.

Mr. REED. I did not want that to go by general consent, because I think the language of the unanimous-consent agreement is perfectly plain. Its statement is:

It is agreed by unanimous consent that at not later than 3 o'clock p. m., on the calendar day of Wednesday, May 11, 1921, the Senate will proceed to vote, without further debate, upon any amendment—

Clearly all we have agreed to do is to begin voting at 3 o'clock; but up to that time we shall be proceeding under the ordinary rules of the Senate. There are some amendments that I presume Senators wish to urge seriously. I have one that I desire to urge seriously, and I should like to have a vote on it when it can be discussed, and not have a vote after all opportunity for discussion shall have ceased.

Mr. SIMMONS. I have no objection whatsoever to the suggestion of the Senator from Missouri. I simply thought that probably three hours would not be more time than Senators would want to devote to the discussion of amendments, and if votes were being taken constantly during that period to that

extent it would limit the opportunity of discussion.

Mr. REED. That is true.

Mr. PENROSE. So far as I am concerned, if the Senator will permit me, I shall cheerfully acquiesce in any procedure that will meet the convenience of Senators.

Mr. HARRISON. Mr. President

Mr. JONES of New Mexico. I think I have the floor, The VICE PRESIDENT. The Senator from Indiana has the

Mr. NEW. I have concluded what I have to say, Mr. President.

The VICE PRESIDENT. Does the Chair understand that the Senator from Indiana has formally offered his amendment? Mr. NEW. Yes.

The VICE PRESIDENT. The amendment proposed by the Senator from Indiana will be stated.

The Assistant Secretary. It is proposed to add, on page 18, after line 24, a new subdivision, as follows:

(d) If it is established to the satisfaction of the appraising officers, under regulations established by the Secretary, that the foreign market value of airplanes, or airplane motors, parts, and accessories therefor, is wholly or partly based not upon cost of production or ordinary trade conditions of supply and demand but is based upon unusual excess stocks procured or accumulated through artificial or abnormal conditions, then the foreign market value of such airplanes or airplane motors, parts, or accessories for the purposes of this section shall not be less than the cost of production. motors, parts, or accessories for the be less than the cost of production.

The VICE PRESIDENT. The question is on the amendment

proposed by the Senator from Indiana.

Mr. NEW. Mr. President, I ask for the yeas and nays on the amendment.

The VICE PRESIDENT. The year and nays are demanded. Is the demand sustained?

The yeas and nays were not ordered.

Mr. JONES of New Mexico. Mr. President, I thought I was recognized a while ago, and while I do not expect to speak on the amendment which has been proposed by the Senator from Indiana [Mr. New], I do feel that at some time before 3 o'clock should make a statement in regard to an amendment which have heretofore submitted to the bill. The amendment of the Senator from Indiana is to the committee amendment, and I suppose is in order at this time to be voted upon; but the amendment which I propose is not to the committee amendment, and therefore can not be voted upon until after the voting shall have been concluded on amendments to the committee amendment beginning at 3 o'clock, as I understand.

Mr. PENROSE. If the Senator will permit me, the amendment offered by the Senator from Indiana is not a committee

amendment.

Mr. JONES of New Mexico. It is an amendment to the com-

Mr. PENROSE. But that is a different proposition.

Mr. JONES of New-Mexico. Yes. I think I stated that the amendment of the Senator from Indiana was an amendment to the committee amendment. I quite understand that the committee has never reported any such amendment as that now suggested by the Senator from Indiana. A day or two ago, however, I submitted an amendment imposing a duty upon hides. I intend now to modify my amendment, so as to include sheep pelts and goat skins, and also to change the amount of duty, which was previously provided for by the amendment

I think our unanimous-consent agreement is rather ill-advised, and to such agreements I have heretofore interposed objection. I believe there should be an opportunity whenever an amendment is offered in any stage of the consideration of the bill to explain the amendment. I have so stated on numerous former

I do not like, however, to be persistent in opposing unanimousconsent agreements which prohibit discussion upon amendments at the time they are offered and preceding the time they are to be voted upon. There are comparatively few Senators now in the Chamber, and the various amendments which are offered here can not be explained so that Senators will understand them when the time for voting upon them arrives; but I expect, as best I can, to call to the attention of the few Senators who are present at this time the amendment which I propose to offer, which is, on page 3, after line 11, to insert the following:

Sheep pelts, goatskins, and hides of cattle, raw or uncured, whether dry, salted, or pickled, 5 cents per pound and 15 per cent ad valorem: Provided, That upon all leather exported, made from imported hides, there shall be allowed a drawback equal to the amount of duty paid on such hides, to be paid under such regulations as the Secretary of the Treasury may prescribe.

I intend to offer that amendment in that form, and if it is voted down, as I feel quite sure it will be, then I propose to strike out the prevision for a duty of 5 cents a pound and to leave only a duty of 15 per cent ad valorem. Fifteen per cent ad valorem was the duty placed upon hides in the Dingley bill; it is practically the lowest duty that is put upon any commodity, and, it seems to me, is a very modest duty to be put upon hides.

I realize that the question of the duty upon hides has been a mooted one in the Congress for many years, but at the last session, when we were considering the emergency tariff bill, we put a duty of 15 per cent ad valorem upon hides. stricken out in conference. Why it was stricken out I am unable te say; I do not know. I am sure I do not know why the House did not put a duty upon hides in this bill in the first instance before it was sent over to the Senate. I understand that there is a declared purpose to oppose any amendment to be offered to the tariff provisions of the pending bill; but I do not believe that is a wise attitude for the Senate to assume. It seems to me that we should consider all these questions upon their merits as they come up.

That there should be a duty upon hides in this emergency tariff bill there can be no doubt in the mind of anyone who is acquainted with the cattle and sheep industry. Hides at the present time are selling for 3 cents a pound. During the war, when shipping facilities were limited, there was an accumulation of hides in the other countries of the world, and now they are being brought into the United States and dumped on this market, so that hides which were bringing 30 and 40 cents a pound are now selling for 3 cents a pound, and in many cases there is no market for them at all. If we are going to protect any of the commodities produced in this country, I submit that there should be a duty placed upon hides.

I do not intend to discuss the general merits of the pending bill, but I do insist that if we are going to put a tariff upon the commodities embraced in the agricultural schedule of the bill we ought to put a tariff upon hides and pelts and goatskins. They are just as much entitled to protection and to consideration

as any other commodity covered by the bill.

As I have said, I hope Senators will give careful consideration to this amendment and realize its importance to the livestock interests of the country. If you want to protect the farmers of the country and the live-stock interests of the country, as you say you do, then why not go a step further and give some benefit to those who produce hides, who are now struggling and selling all of their products for much less than cost.

Mr. PENROSE. Mr. President, as I stated in the few remarks I made some days ago in explanation of this measure, it is deemed, after the most thorough discussion—as the Senator from New Mexico, as a member of the Committee on Finance, knows very well—utterly out of the question to attempt to amend the tariff features of the so-called emergency tariff bill. To open the door would simply result in a general effort to frame a permanent tariff measure, which might not be enacted until very late in the summer. This is an emergency bill; it

does not pretend to cover every case of merit which, perhaps, originally should have been included; and now to attempt to include all these meritorious cases is simply out of the question. If this emergency tariff bill is to be passed to last only six months, or until the permanent tariff bill becomes a law, it must be passed immediately. That is very well known.
Mr. SIMMONS. Mr. President, will the Senator yield?

Mr. PENROSE. Yes.

Mr. SIMMONS. In reference to this particular matter, as the Senator will recall, a duty was placed on hides by the last emergency tariff bill which passed the Senate.

Mr. PENROSE. Oh, Mr. President, I know that very well.

Mr. SIMMONS. Yes; but the Senator will not permit me to finish. That duty was stricken out only because a mistake was made in the compensatory duty.

Mr. PENROSE. Mr. President, these matters may be corrected at the day of judgment, but can not be corrected in the

Senate at this time.

Mr. SIMMONS. The Senator, I think, knows that probably there would have been no serious objection in conference to the duty on hides if it had not been for that mistake.

Mr. PENROSE. I will tell the Senator—
Mr. SIMMONS. Why can not that mistake now be corrected and why can not this item be allowed to go in? It has as much merit and justice as any other item covered by the agricultural schedule of the bill.

Mr. PENROSE. Mr. President, I think the Senator, as leader of the minerity, ought to endeavor to facilitate the passage of

this measure instead of embarrassing it.

Mr. SIMMONS. I am not embarrassing it.

Mr. PENROSE. He knows that he is embarrassing and jeopardizing it by trying to open the door. Hides produced in the Southwest do not require his able championship, which ought to be directed more strictly to lumber and other products of the South, in connection with which we have always heard his eloquence with interest.

I wish to say again-and I mean it very positively-that I am fully assured, and I believe, that the majority conferees will never agree to any amendment to the tariff features of the pending bill. That some meritorious subjects may have been inadvertently left out of the measure. I take for granted.

I want to assure the Senator from New Mexico now that I have always advocated a duty on hides. It was with the greatest reluctance that, as a member of the Finance Committee in 1907, I acquiesced, at the earnest solicitation of President Taft, in dropping the duty from the Payne-Aldrich bill; but I will help the Senator when the permanent tariff bill comes along for consideration by this body, if hides are not provided for by the House bill, to put upon hides the Payne rate or any other rate that the Senator may deem necessary for the preservation of the hide industry as a by-product of the cattle business. The permanent tariff bill will be here, I hope, in a very few weeks, but the limitations of this bill are generally recognized, and the Senator is not doing his cause any good by taking up the time of the Senate now in a hopeless chase. His amendment commands my entire approval for insertion in the permanent tariff bill which we all hope will become a law early in the summer; and he will have my help for a duty on hides, as I have said, or on any other product of American industry that requires protection from unfair competition.

Mr. HARRISON. Mr. President, of course I know that most of these amendments will be rejected by the committee having the bill in charge; but I want to offer and have pending an amendment which I think will appeal to the fairness and the

justice of the committee, that they will not oppose.

Under the antidumping provision of the bill, it is very likely that certain goods or articles that are now brought in free may have a tax imposed upon them, to the detriment of the farmer. This being a farmer's bill, or pretended to be such by the leaders on the other side, I am sure you want to help the farmers to purchase as cheaply as possible those things that they need in order to produce wheat and cotton and various farm products; so the amendment I propose is a proviso to the antidumping feature that will prevent a tariff being imposed on farm implements brought into this country. I am sure that it will appeal to the fairness of the other side of the aisle, and when you vote on it I hope you will vote for it.

I ask that the amendment may be read at this time.

The VICE PRESIDENT. The amendment can be read, but it can not yet be pending.

The Assistant Secretary. On page 26, line 13, the Senator from Mississippi will propose the following amendment:

Provided, That the provisions of Title II of the pending bill shall not apply to barbed-wire fencing, plows, disk harrows, harvesters, respers, agricultural drills, mowers, horse rakes, cultivators, thrashing machines, cotton gins, wagons, carts, sewing machines, fertilizers of every kind,

and elements from which fertilizers are manufactured, jute, binding twine, cotton bagging, and agricultural implements of every character, which are now on the free list, and when imported into the United States from any foreign country.

Mr. REED. Mr. President, a parliamentary inquiry. The VICE PRESIDENT. The Senator will state the inquiry. Mr. REED. Does the Senator from Indiana [Mr. New] intend to ask for a vote on his amendment at this time, or to let it lie over?

Mr. NEW. I ask for a vote on it now, Mr. President.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Indiana to the amendment of the committee.

Mr. POMERENE. Mr. President, I ask to have the amendment stated. I came in just a moment ago.

I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. BORAH. I have just come into the Chamber. I ask to have the amendment stated.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The Assistant Secretary. On pasert a new subdivision, as follows: On page 18, it is proposed to in-

(d) If it is established to the satisfaction of the appraising officers, under regulations established by the Secretary, that the foreign market value of airplanes, or airplane motors, parts, and accessories therefor, is wholly or partly based not upon cost of production or ordinary trade conditions of supply and demand, but is based upon unusual excess stocks procured or accumulated through artificial or abnormal conditions, then the foreign market value of such airplanes or airplane motors, parts, or accessories for the purposes of this section shall not be less than the cost of production.

Mr. BORAH. Mr. President, may I ask who determines all these questions?

Mr. NEW. The Board of Appraisers.

Mr. BORAH. I think there is a very serious legal proposi-

tion involved in this matter.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Indiana [Mr. New] to the amendment of the committee. The year and nays have been demanded and ordered. The Secretary will call the roll.

The Assistant Secretary proceeded to call the roll.

Mr. EDGE (when his name was called). I have a general pair with the senior Senator from Oklahoma [Mr. Owen]. In his absence, not having a transfer, I withhold my vote.

Has the senior Mr. SWANSON (when his name was called).

Senator from Washington [Mr. Jones] voted?

The VICE PRESIDENT. He has not.

Mr. SWANSON. I have a pair with the Senator from Washington and therefore withhold my vote. If at liberty to vote, I should vote "nay."

The roll call was concluded.

Mr. HEFLIN. My colleague, the senior Senator from Alabama [Mr. Underwood], is unavoidably absent on account of death in his family. I ask that this announcement may stand for the day. On this question he is paired with the Senator from Massachusetts [Mr. Lodge], and if present would vote " nay.

Mr. WOLCOTT (after having voted in the negative). I inquire if the Senator from Indiana [Mr. Watson] has voted?

The VICE PRESIDENT. He has not voted.

Mr. WOLCOTT. I voted under a misapprehension. I transfer the general pair I have with that Senator to the Senator from Nevada [Mr. PITTMAN] and will let my vote stand.

Mr. CURTIS. I have been requested to announce the follow-

The Senator from Connecticut [Mr. McLean] with the Sena-

tor from Montana [Mr. Myers] and
The Senator from West Virginia [Mr. SUTHERLAND] with the Senator from Arkansas [Mr. Robinson].

The result was announced—yeas 10, nays 64, as follows:

Dillingham Harreld Keyes	Moses New Newberry	Poindexter Shortridge	Wadsworth Willis
		YS-64.	
Ashurst Ball Borah Broussard Bursum Calder Cameron Capper Colt Culberson Cummins Curtis Ernst Fernald Fletcher France	Frelinghuysen Glass Gooding Hale Harris Harrison Heflin Hitchcock Jones, N. Mex. Kellogg Kendrick Kenyon King La Follette Lenroot McCormick	McCumber McKellar McKinley McNary Nelson Nicholson Norris Oddie Overman Penr se Phipps Pomerene Ransdell Reed Robinson Sheppard	Shields Simmons Smith Smoot Stanfield Stanley Sterling Townsend Trammell Walsh, Mass. Walsh, Mont, Warren Watson, Ga. Weller Williams Wolcott

NOT VOTING-22.

Brandegee Johnson Jones, Wash. Myers Norbeck Sutherland Caraway Dial Swanson Knox Owen Underwood Watson, Ind. Page Pittman Spencer Ladd Elkins Gerry Lodge McLean

So Mr. New's amendment to the amendment of the committee was rejected.

Mr. ASHURST. Mr. President, if I be in order, I now call up the amendment heretofore proposed by me, on page 3, line 15, to strike out the numeral "7" and insert the numeral "20."

The VICE PRESIDENT. The committee amendment is now

pending, and the amendment intended to be proposed by the Senator from Arizona is an amendment to the text of the bill.

Mr. BURSUM. Mr. President, I hope the Senate will see the wisdom and the need of adopting the amendment offered by my colleague, the senior Senator from New Mexico [Mr. Jones], placing a duty on hides of 5 cents, plus 15 per cent ad valorem, and a duty on sheep pelts of 5 cents, plus 15 per cent ad

It seems to me that if we are going to give protection to the live-stock grower, there is every reason why we should include the things which he is engaged in producing. There is just as much reason, to my mind, for placing a tariff on the beef and leaving out the hides, as there would be to permit the front quarters to come in free and place a duty on the hind quarters. The hide is just as much a part of the value of a cow or a steer as any other portion. In fact, in normal times it represents from 15 to 30 per cent of the full value of the carcass.

We of the West can not understand why there should be opposition to placing a duty on hides and on pelts. Some have said that it comes from the manufacturers. I hope that is not We believe in protection. We believe in protecting American labor and American produce, whether it may be in New England, in the Southwest, or on the plains of our Middle

States.

There never has been a time when the live-stock interests were in such a deplorable condition as at the present time. Livestock growers were benefited very lightly by the war, as far as the prices of their products were concerned. Producers of wool were not permitted to sell their product in the open market. Their product was drafted by the Government, and they were paid whatever seemed proper to those in authority, and during the war, while wool was bringing as much as 40 to 50 cents in the grease, under the Government restrictions, had we been permitted to sell wool in the open market, a dollar a pound would have been the market price. While we were restricted in price, while the regulations of the Government were in effect, our expenses were forced upon us, and they left practically no profit.

I have a letter from one of our bankers in Magdalena, a city in the cattle and sheep producing section, and I desire to quote from this letter. The writer, Mr. Morley, said:

The best offer for steers that has been made in the last two or three days is \$20 for yearlings.

That is a reduction of approximately 60 per cent of their value during the war. It is a reduction of nearly 40 per cent of their value preceding the war.

This writer continues:

Twenty-seven dollars and fifty cents for twos and \$35 for threes. There is no question but that tight money is largely responsible for this situation, and those who can get funds are taking advantage of the conditions and pounding the prices down mercilessly. It is not necessary for me to tell you what will happen to the live-stock industry of New Mexico if the prices of cattle and sheep are allowed to be cut to a third or half of what they were a year ago; and, as you must know, such a cut entirely wipes out the equity that the grower has in the property and not infrequently leaves the banks with less security than their loans.

If this industry perishes, a great many of the financial insti-

tutions of the West will perish with it.

It would not be so serious, Senators, if one stockman, or a thousand, or a community, were broke, if some other persons engaged in that line of industry would take their places. But that is not the case, nor does it have that effect. Liquidation simply means that the live stock will be slaughtered; and it is amazing to me that, while we have no surplus of live stock in this country at the present time, values should be so demoralized. A representative of Swift & Co. made the statement to me a few days ago that if the packers were closed down for two weeks it would be impossible to feed the country.

If the packers have not more than a two weeks' supply on hand, where is the supply? It is not in the feed yards; it is not on the northwestern ranges, in Montana, Idaho, and Wyoming, where ranchmen graze steers for development and ma-Those ranges are not up to capacity. Texas is not up to capacity. Mexico has no live stock, except upon the western

I submit, Senators, that this is a serious condition. I submit that the preservation of the live-stock industry, the preservation of the sheep industry, the growing of wool, is a vital matter to the life of the Nation itself, for in case of peril or war with a foreign country we would not get very far without any wool or without any meat to supply our troops.

I submit, Mr. President, that such conditions as exist now have never confronted the Nation; and with the delicate situation which exists in the minds of producers, the farmers, and the live-stock growers throughout the entire West, unless some relief is afforded, unless encouragement is given through Congress, we may not only see, as we saw during the war, meatless and wheatless days, but we may see the time when you will have a meatless and wheatless Nation, so far as a producing industry commensurate with the demands of this country is concerned.

commensurate with the demands of this country is concerned.

I realize that it is not all due to the tariff. I realize that this emergency tariff bill can not do everything, that there are other complications, one of the chief of which is the railroad problem. I have a letter here from Roswell, N. Mex., with reference to the production of alfalfa, in which it is stated that the freight on alfalfa is from \$11 to \$19 to get it to market, and that the rate on cattle and sheep is so high that in the end it is going to paralyze them in all lines of business.

There is an extremely delicate situation affecting farmers and live-stock raisers which I feel we should face squarely and fairly; that we should expend every agency within our power toward keeping these agricultural industries alive. I hope the Sonate will adopt this amendment

Senate will adopt this amendment.

Just one more word, Mr. President, about hides. My information is that hides bring a dollar apiece. The same kind of hides brought from six to twelve dollars before the war. It takes a wagonload of hides to buy a pair of shoes.

The VICE PRESIDENT. The time of the Senator has ex-

Mr. BURSUM. Mr. President, I ask leave to have printed as a part of my remarks the table which I send to the desk.

There being no objection, the table was ordered to be printed, as follows:

Wool production of the United States, calendar years 1919 and 1920.
[Estimated by the Department of Agriculture.]

Educated Equipolatic Community	1919	1920
Woolpounds	308, 459, 000	302, 207, 000

Wool imported into the United States, calendar years 1919 and 1990.

accounts exemple at the	1919		1920	
	Quantity.	Value.	Quantity.	Value.
Class 1, clothing wool Class 2: Combing wool Hair of Angora goat, etc. Class 3, earpet wool	Pounds. 334,009,538 7,734,081 7,110,891 96,948,324	\$171, 288, 562 4, 583, 522 3, 994, 056 36, 898, 361	Pounds. 212, 392, 240 6, 642, 783 4, 712, 411 35, 870, 207	\$109,001,343 3,834,485 2,572,150 11,564,104
Total	445, 892, 834	216,764,501	259,617,641	126, 972, 088
	1919		1920	
	Quantity.	Value.	Quantity.	Value.
Hides and skins	Pounds. 744,836,035	\$306,510,023	Pounds. 509, 983, 176	\$243,934,226
Hides pro	duced.	e delinid	1919	1920
Cattle			Pieces. 13,635,100 9,041,000 16,460,600 247,500	Pieces. 12,176,400 9,662,800 14,247,800 120,500

The VICE PRESIDENT. The question is on the committee amendment.

Mr. SIMMONS. What is the amendment now pending?

The VICE PRESIDENT. The amendment proposed by the committee, which is printed in the bill.

Mr. MOSES. Mr. President, a parliamentary inquiry. Are we to vote on the entire amendment submitted by the committee?

The VICE PRESIDENT. Yes; unless an amendment is offered to it.

Mr. WOLCOTT. A parliamentary inquiry, Mr. President, What is the question?

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee, which is printed in the bill.

Mr. WOLCOTT. I ask that the question on the amendment be divided. As I recall it, it embodies three questions,

Mr. REED. Mr. President, before we vote upon the amendment reported by the committee, I desire to offer the amendment to the committee amendment which I now send to the desk.

The VICE PRESIDENT. The amendment to the amendment will be read.

The Assistant Secretary. Add to the committee amendment, at the foot of page 18:

Whenever it is established to the satisfaction of the Secretary of the Treasury that merchandise upon which an import duty is levied by the United States is being commonly exported from the United States and is being commonly and generally sold in the countries to which exported at less than the same class or kind of merchandise is being sold or offered for sale in the United States, then the Secretary of the Treasury shall issue an order suspending and setting aside any import duty or tariff upon the importation of the same or similar articles of merchandise into the United States, said order to remain effective so long as the condition aforesaid exists.

Mr. REED. After the word "being," in line 6 of my proposed amendment to the amendment, I wish to insert the word "generally," so that it will read "being generally sold or offered for sale in the United States."

The VICE PRESIDENT. The Senator has a right to modify his amendment, and it will be so modified.

Mr. REED. Mr. President, I desire to address myself to the bill for 10 minutes, reserving the right to employ a further 10 minutes upon the amendment to the amendment if it becomes necessary.

The bill contains a dumping clause to the effect that when goods are being sold in the United States for less than they are being sold in the country of their production, an additional duty shall be levied in order to protect our people against cheap goods dumped upon our market. The other side of that question is that American manufacturers may sell their goods abroad for less than they are sold to the American people. They may indulge in this practice of dumping.

I am not interested in that phase of the question from the standpoint of protecting any European manufacturer of course, but with a tariff law already upon the statute books and with this bill pending, the situation is that if American manufacturers are able to sell their goods abroad for less than the American price, and do so sell them abroad for less than the American price, then the foreign purchaser gets the benefit of the cheap goods, but the American who wants to protect himself against the excessive price charged at home can not buy goods abroad, because they are barred out by the tariff. He can not even go to a European market and buy American goods which have been sold there at a low price and bring them back into the United States.

Now, I insist that if there is any merit in a tariff law it must exist in the fact that it promotes American industry to a point where the price is ultimately reduced to the American people. But if the practice comes into existence of an American manufacturer making his goods here behind a tariff wall and selling them at a higher price to the American people, and then so "ing the same class of goods at a lower price to European or Asia ic purchasers, the result is that the whole benefit of the tariff inures to the foreigner and the whole of the burden of the tariff rests upon the American people. In other words, we tax ourselves to build up an industry, and when we have it built up, it sells to foreigners for less than it sells to American citizens.

That, in my opinion, is an unconscionable thing; it is indefensible. No man who claims that the Government should protect him in his business against foreign competition has any right whatsoever to object to this amendment, which simply takes away from him the tariff protection which he now has, when he is able to sell his goods in competition with the world and to pay the freight to foreign markets.

I ask for the yeas and nays upon the amendment to the amendment.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll. Mr. ROBINSON (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. Sutherland] to the Senator from Texas [Mr. Culberson] and vote "yea."

The roll was concluded.

Mr. EDGE. I transfer my pair with the senior Senator from Oklahoma [Mr. Owen] to the junior Senator from Vermont [Mr. Page] and vote "nay."

Mr. JONES of New Mexico (after having voted in the affirmative). I have a general pair with the Senator from Maine [Mr. FERNALD]. I observe that he has not voted. I transfer my pair with that Senator to the Senator from Nevada [Mr. Pirr-MAN] and let my vote stand.

Mr. CURTIS. I announce that the Senator from Massachu-

setts [Mr. Lodge] is paired with the Senator from Alabama [Mr.

UNDERWOOD 1.

I also announce that the Senator from Minnesota [Mr. Kel-LOGG] is paired with the Senator from North Carolina [Mr.

STMMONS 1.

Mr. HARRISON. I wish to announce that the senior Senator from Alabama [Mr. Underwood] is necessarily absent on account of a death in his family. He is paired with the Senator from Massachusetts [Mr. Lodge]. On the pending question the Senator from Alabama, if present, would vote "yea."

The result was announced-yeas 34, nays 46, as follows:

YEAS-34.

Ashurst Borah Caraway Dial Fletcher Glass Harris Harrison Heffin	Hitchcock Jones, N. Mex. Kendrick Kenyon King La Follette McKellar Myers Norris	Overman Pomerene Ransdell Reed Robinson Sheppard Shields Smith Stanley	Swanson Trammell Walsh, Mass. Walsh, Mont, Watson, Ga. Williams Wolcott
	NA.	YS-46.	
Ball Broussard Bursum Capper Colt Cummins Curtis Dillingham Edge Elkins Ernst France	Frelinghuysen Gooding Hale Jones, Wash. Keyes Knox Ladd Lenroot McCormick McCumber McKinley McKlean	McNary Moses Nelson New Newberry Nicholson Norbeck Oddie Penrose Phipps Poindexter Shortridge	Smoot Spencer Stanfield Sterling Townsend Wadsworth Warren Watson, Ind. Weller Willis
	NOT V	OTING-16.	
Brandegee Calder Cameron Culberson	Fernald Gerry Harreld Johnson	Kellogg Lodge Owen Page	Pittman Simmons Sutherland Underwood

So Mr. Reed's amendment to the committee amendment was

rejected.

Mr. SMOOT. Mr. President, under the first paragraph of Rule XVIII, I ask that the Senate committee amendment be divided; that the first vote be on Title II of the amendment; and that then each succeeding title be voted upon.

The VICE PRESIDENT. Without objection, the amendment

will be so divided.

Mr. ASHURST. Will the Senator from Utah kindly repeat his request:

Mr. SMOOT. I ask that, under the first paragraph of Rule XVIII, the vote on the committee amendment be divided, beginning with Title II of the committee amendment.

Mr. ASHURST. That each title of the amendment, after it shall have been perfected, be voted on separately?

Mr. SMOOT. Yes.

Mr. ASHURST. I hope that will be done.
The VICE PRESIDENT. Without objection, it will be so ordered

Mr. STANLEY. I send to the Secretary's desk an amendment to the amendment of the committee.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The READING CLERK. On page 26, after line 16, it is proposed to insert the following section:

SEC. 213. That this title shall not apply in the case of merchandise imported from any country which does not impose upon the importation of merchandise from the United States restrictions similar to the restrictions imposed upon imported merchandise by this act.

The VICE PRESIDENT. The question is on the amendment

proposed by the Senator from Kentucky.

Mr. STANLEY. Mr. President, I shall address myself briefly to the provisions of the pending bill in general, reserving the right to speak for 10 minutes upon the amendment to the committee amendment I have just offered.

This bill, Mr. President, technically speaking, is not an antidumping bill. It is a universal price accelerator. By the terms of the opening section of the antidumping clause the bill pro-

vides for an investigation by the Secretary of the Treasury of low prices for commodities sold here or abroad, and in the event those prices, in the opinion of the Secretary, are unduly low, the importer guilty of selling too cheaply to the American consumer is to be published or pilloried by the Secretary.

Mr. President, this bill is in utter defiance, in utter disregard of the rights of the great mass of the American people. It is in utter and absolute disregard of that great aphorism of Adam Smith that "in every country it always is and must be the interest of the great body of people to buy what they want of those who sell it cheapest." Every great industrial country in the world—and especially the United States at present—must purchase abroad any number of commodities essential to the happiness of the citizen and to the success of the country's industrial enterprises, commodities that are produced in but small part or not at all at home. Every bill of this character ever prepared, ever offered, ever passed, by any sane parliamentary body has been safeguarded in its provisions in such a way as not to interfere with the importation of essential commodities not produced to any material extent in the country into which they are imported.

Mr. President, in Australasia, in Canada, South Africa, Australia, and Great Britain also, wherever legislation of this kind has been proposed, it has been safeguarded in such a way as to apply, first, only to such commodities as were imported in material amounts in competition with domestic enterprise and sold more cheaply at home than abroad, but the commodity must actually be sold more cheaply in the domestic than in the foreign market; and in the event it is not so sold, the law of Canada and the law of South Africa and bills proposed in the

British Parliament do not apply.

I call attention to the sane and necessary provisions of the Canadian antidumping act, afterwards incorporated in the Underwood tariff bill as it passed the House of Representatives.

This law providing against the sale of foreign commodities more cheaply in Canada than in the place from which they were exported further provides:

That the said special duty shall not exceed 15 per cent ad valorem in any case.

And again:

Such regulations may provide for the temporary exemption from special duty of any article or class of articles, when it is established to the satisfaction of the minister of customs that such articles are not made or sold in Canada in substantial quantities, and offered for sale to all purchasers on equal terms under like conditions, having regard to the custom and usage of trade.

This bill would exclude shellac; it would exclude tea; it would exclude potash; it would exclude many essential articles, notwithstanding the fact that we can not produce at home onehundredth part of the necessary supply. Any exotic industry producing the one-thousandth of a thing essential to the industrial and domestic life of the American people can, upon the complaint of this petty producer, be excluded from American markets

Mr. PENROSE. Mr. President, will the Senator permit just word on that point?

Mr. STANLEY. Certainly. Mr. PENROSE. The committee amendment provides that application must be made to the Secretary of the Treasury, and he shall not order the antidumping provision to apply unless the importation from the foreign commodity injures an American industry. A raw material which is not produced in this country could not have the provision applied to it. Therefore the Senator's apprehensions are entirely groundless

Mr. STANLEY. Mr. President, if the Senator please, the provision does not specify the size of the industry; it does not specify the amount of the commodity produced. An industry in my own or the Senator's State producing one ten-thousandth part of an essential commodity can ask for the sort of protection provided in the antidumping provision of the bill. There are small establishments producing potash and other commodities which would be entitled to like protection. If there is an industry producing a commodity of any kind the price of which to the importer is less than the price charged abroad, notwithstanding the protective duty, the antidumping provision will apply. Similar bills passed by every other civilized country are safeguarded in some respect.

Again, Mr. President, an American industry—for instance, the United States Steel Corporation—may sell more cheaply abroad than at home. The United States Steel Corporation Through its president, Judge Gary, before a does do that. committee of which I happened to be chairman, it boasted that it did sell more cheaply abroad than at home; and Judge Gary said that he proposed to continue that practice; that it was a sound and admirable policy. The manufacture of any article produced in the United States may dump it on the world at any

price he pleases; and not only that, but a combination or a trust can place the most extortionate prices upon any domestic commodity. The Beef Trust may charge what it pleases for beef; the Steel Trust what it pleases for steel; the Wool Trust what it pleases for clothing in the domestic market; and yet in the future, as in the past, these monopolies may dump their products upon the markets of the world at half what they charge the home consumer. Yet these same trusts can go before the Secretary of the Treasury and with unclean hands demand that the markets of America be closed because some foreign competitor, forsooth, may interfere with their trust, guaranteed licenses, and franchises to plunder the American I defy Senators on the other side to show where a bill of this kind was ever proposed by any civilized country not safeguarded against that sort of transparent, brazen, and iniquitous abuse.

The Canadian law provides that-

Whenever \* \* \* it appears to the satisfaction to the governor in council that with regard to any article of commerce there exists any conspiracy, combination, agreement, or arrangement of any kind among manufacturers of such articles or dealers therein to unduly promote the advantage of the manufacturers or dealers at the expense of the consumer, the governor in council may admit the article free of duty or reduce the duty.

The VICE PRESIDENT. The Senator's time on the amendment has expired.

Mr. STANLEY. As I understand, under the unanimous-consent agreement I can discuss the bill for 10 minutes and each amendment for 10 minutes. Has my time expired on the amendment?

The VICE PRESIDENT. The Senator has a right to 10 minutes more to discuss the bill.

Mr. STANLEY. Mr. President, discussing this particular amendment and in the time allotted for that purpose, I will say that there is no provision in this bill such as is contained in every other bill of this character against combinations between the importer and domestic producers to enhance the domestic price.

Mr. President, not Democrats, not Republicans, not politicians, but political economists placed in the highest authority, clothed with the greatest power over your tariff schedules, placed in a position to advise you—and you are pledged by your own plat-form declarations to heed that advice—have warned you against the perils and iniquities of such legislation. Prof. Emery, the president of the Tariff Board, has shown the danger and the folly of this embargo.

No exporting nation in the world has yet invited a similar character of reprisal. With the exception of Canada and a few wild-eyed Australian colonies, no other country has enacted such a law. Prof. Emery, in a recent and well-digested article on this subject, has said:

what about our own position in regard to selling surplus products abroad? Do we wish to help start a movement as yet confined to a few sparsely settled colonies (Canada, Austria, etc.), which will become the practice of our leading competitors? What would be the position of our own export trade if all countries should adopt the principle that all goods can not be sold in foreign markets for less than the established price of the domestic market? We are in a peculiar position. In general, our domestic prices are relatively so high that dumping in our market is not so necessary as in other markets. The foreign manufacturer can commonly meet the situation by offering his goods at his regular home prices. On the other hand, prices in foreign markets are so low that the American exporter is largely driven by the sheer force of international competition to sell his surplus at some reduction. For this reason I believe the movement for an antidumping law may prove dangerous to American exporters.

What! Is this body forgetful of the changes of a few years?

What! Is this body forgetful of the changes of a few years? Yesterday you might have dared to do it. To-day it is consummate folly. Yesterday you were a debtor and an importing nation. To-day you are a creditor and the greatest exporter in all the world. Not only that, Senators, you are exporting under conditions that positively demand that to export at all you must sell for less abroad than at home. If the cost of production here is not greater than abroad, if the level of wages is not higher here than abroad, your platforms are as false as dicers' oaths; the whole system of protection is based upon a sophism and an economic lie. If England, France, Germany, and other countries of continental Europe apply the same medicine to you, press to your lips the same cup that you are now pressing to the lips of the other nations of the world, you will close your doors upon your foreign commerce, and to-day you are selling eight billions abroad for the four billions you import. in manufactures suitable for other manufactures, you are importing five hundred millions and exporting nine hundred millions. You are preparing to spend hundreds of millions for a merchant marine—a merchant marine to do what? must have cargoes as well as ships, and you will find no place for your ships and no open ports if the rest of the exporting countries of the world emulate the pernicious example of the

greatest exporter on the globe. Your ships will rot in their ports, your balance of trade is gone, and to-day you must not only take care of that balance, but you must collect ten billions from those countries. They can not pay in gold; there is not enough gold in all the world. They can not dig the gold. The world does not produce enough to pay half the interest if every single pennyweight taken from the bowels of the earth were dedicated to this purpose alone. You must get this ten billions of dollars by the exchange of foreign commodities, and here you put an embargo upon foreign commodițies.

You are not honest with yourselves. You are not honest with the world. You are not just to your own manufacturers, who boast that they do this very thing and are able to take care of themselves in doing it. I say to you that the most you can do, the only thing you can do and keep your face as a brave and an honest and a sane nation, is to apply this dumping clause, if it is applied at all, only to the countries that have preceded you in this colossal piece of industrial folly.

I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. POINDEXTER in the chair). The question is on the amendment of the Senator from Kentucky [Mr. Stanley] to the amendment of the committee, on which the yeas and nays have been requested and ordered. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. EDGE (when his name was called). Making the same announcement as on the previous vote as to my pair and its transfer, I vote "nay."

The roll call was concluded.

Heflin

Ashurst

Mr. WALSH of Montana (after having voted in the affirmative). I note that the Senator from New Jersey [Mr. Freling-HUYSEN] has not voted. I have a pair with that Senator, which transfer to the Senator from Texas [Mr. Culberson], and will allow my vote to stand.

Mr. HARRISON. I wish to announce that the senior Senator from Alabama [Mr. Underwood] is paired with the Senator from Massachusetts [Mr. Lodge]. On the pending question the Senator from Alabama, if present, would vote "yea."

The result was announced-yeas 31, nays 51, as follows:

#### YEAS-31

Pittman

Swanson

	Borah Caraway Dial Fletcher Glass Harris Harrison	Hitchcock Jones, N. Mex. King La Follette McKellar Myers Overman	Pomerene Reed Robinson Shields Simmons Smith Stanley	Trammell Walsh, Mass, Walsh, Mont. Watson, Ga. Williams Wolcott
		NA	YS-51.	
	Ball Brandegee Broussard Bursum Capper Colt Curtis Dillingham Edge Elkins Ernst Fernald France	andegee Hale oussard Johnson rsum Jones, Wash, pper Kellogg It Kendrick tris Kenyon llingham Keyes ge Knox kins Ladd nst Lenroot rnald McCormick		Sheppard Shortridge Smoot Spencer Stanfield Sterling Sutherland Townsend Wadsworth Warren Watson, Ind. Willis
ı		NOT V	OTING-14.	
	Calder Cameron Culberson Cummins	Frelinghuysen Gerry Harreld Lodge	McKinley Nelson Owen Page	Underwood Weller

So Mr. Stanley's amendment to the amendment of the committee was rejected.

Mr. STANLEY. Mr. President, I offer the amendment which send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated. The Assistant Secretary. Under Title II it is proposed to add to section 202 the following:

Provided, That such difference exceeds the duty imposed by law upon the importation of such merchandise.

Mr. STANLEY. Mr. President, this amendment will or should receive the support of both sides of the Chamber. This dumping provision is not intended to furnish adequate protection to American industries or for the purpose of affording protection, as protection, at all. It is intended to prevent the sale of foreign commodities in the American market, without regard to protective duty, for less than they are sold in the home market. In applying a dumping act you can not regulate the quantum of duty that is necessary to the success or prosperity of an enterprise and is just to the consuming public. You do not propose to go into that in connection with this dumping provision.

Mr. SIMMONS. I understand the Senator from Kentucky to state that it places a limitation on the dumping duty, and that

limitation is the rate of duty imposed upon the article.

Mr. STANLEY. That is correct. Under this bill if a commodity shall be sold in the American market—say, a yard of Brussels carpet, with a duty of 100 per cent—if it is sold for 1 cent a yard less in the American market than in Brussels, this duty, with all the inquisitorial powers of the revenue agent to look at the books and examine the papers and go into the ship's invoices, and the inventory of its cargo, attaches, and it is an interference with trade which is annoying and harassing and which ought not to be invoked, except when goods are actually sold for less here than they are sold abroad.

If there is a duty of 100 per cent upon that product, the provisions of this bill can be invoked. I provide by this amendment that where the difference between the foreign selling price and the price charged in the home market is more than compensated by the duty imposed, then the law shall not apply.

The PRESIDING OFFICER. The question is upon the

amendment offered by the Senator from Kentucky to the com-

mittee amendment.

Mr. STANLEY. I ask for the yeas and nays. The yeas and nays were ordered and taken.

Mr. PENROSE (after having voted in the negative). I have a general pair with the senior Senator from Mississippi [Mr. WILLIAMS]. I observe that that Senator has not voted. I transfer my pair with the Senator from Mississippi to the junior Senator from Maryland [Mr. Weller] and allow my vote to

I desire to announce that the Senator from New Jersey [Mr. Edge] is paired with the Senator from Oklahoma [Mr. Owen].

Mr. HARRISON. I wish to announce that the senior Senator from Alabama [Mr. Underwood] is paired with the Senator from Massachusetts [Mr. Lodge]. On the pending question the Senator from Alabama, if present, would vote "yea." The result was announced—yeas 29, nays 48, as follows:

VEAS-99

Ashurst Caraway Dial Fletcher Glass Harris Harrisen Heffin	Hitchcock Jones, N. Mex. King McKellar Myers Overman Pittman Pomerene	Reed Robinson Sheppard Shields Simmons Smith Stanley Swanson	Trammell Walsh, Mass. Walsh, Mont. Watson, Ga. Wolcott
	NA'	YS-48.	
Ball Brandegee Broussard Bursum Calder Capper	Frelinghuysen Gooding Hale Harreld Johnson Jones, Wash.	Lenroot McCumber McLean McNary Moses Nelson	Poindexter Shortridge Smoot Spencer Stanfield Sterling

Bursum Calder Capper Colt Cummins Curtis Dillingham Elkins	Harreld	McNary	Spencer
	Johnson	Moses	Stanfield
	Jones, Wash.	Nelson	Sterling
	Kellogg	New	Sutherland
	Kendrick	Newberry	Townsend
	Keyes	Norbeck	Wadsworth
	Knox	Oddie	Warren
	Ladd	Penrose	Watson, Ind.
Fernald	La Follette	Phipps	Willis
	NOT V	OTING-19.	
Berah	France	McKinley	Ransdell
Cameron	Gerry	Nicholson	Underwood
Culberson	Kenyon	Norris	Weller
Edge	Lodge	Owen	Williams

Lodge McCormick So Mr. Stanley's amendment to the committee amendment

Mr. STANLEY. Mr. President, I send to the desk an amendment which is, in substance, a substitution of the dumping provision contained in the Underwood bill as it left the House for the pending Senate committee amendment.

The PRESIDING OFFICER. The Secretary will read the amendment proposed by the Senator from Kentucky to the

amendment of the committee.

The Assistant Secretary. Under Title II (antidumping), strike out sections 201 to 211, inclusive, and insert in lieu thereof the following:

thereof the following:

SEC. 201. That whenever articles are exported to the United States of a class or kind made or produced in the United States, if the export or actual selling price to an exporter in the United States, or the price at which such goods are consigned, is less than the fair market value of the same article when sold for home consumption in the usual and ordinary course in the country whence exported to the United States at the time of its exportation to the United States, there shall, in addition to the duties otherwise established, be levied, collected, and paid on such article on its importation into the United States a special duty (or dumping duty) equal to the difference between the said export or actual selling price of the article for export or the price at which such goods are consigned and the said fair market value thereof for home consumption, provided that the said special duties shall not exceed 15 per cent ad valorem in any case, and that goods whereon the duties otherwise established are equal to 50 per cent ad valorem shall be exempt from such special duty.

"Export price" or "selling price" or "price at which such goods are consigned" in this section shall be held to mean and include the exporter's price for the goods, exclusive of all charges thereon after their shipment from the place whence exported directly to the United States, The Secretary of the Treasury shall make such rules and regulations as are necessary for the carrying out of the provisions of this section and for the enforcement thereof.

The PRESIDING OFFICER. The question is upon the amendment offered by the Senator from Kentucky [Mr. Stan-LEY] to the amendment of the committee.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question is now upon the committee amendment to insert Title II of the bill.

Mr. SIMMONS. I desire to inquire whether there are any other amendments to the committee substitute that have not been acted upon

The PRESIDING OFFICER. The Chair is not aware of any amendments to the committee substitute that have not been

acted upon by the Senate.

Mr. SIMMONS. But the amendment offered by the Senator from Arizona [Mr. ASHURST] has not yet been acted on.

Mr. ASHURST. Mr. President, I rose merely to inquire if my amendment is in order. My impression is that it is not in order, as it is an amendment to the text and not to the matter proposed to be inserted. Am I correct?

The PRESIDING OFFICER. The Chair thinks it is not in order at this time, the amendment offered by the Senator from Arizona being an amendment to another portion of the bill. It is not an amendment to the committee amendment.

Mr. SIMMONS. Then there is no further amendment which has been offered and not acted upon to the committee substitute for the House dumping and valuation provisions of the bill?

The PRESIDING OFFICER. The Chair understands there

is not.

Mr. ASHURST. It will be remembered that the Senator from Utah [Mr. Smoot] asked and obtained unanimous consent that the committee amendment be voted upon by titles; that is to say, Title II, first to be voted upon, then Title III, Title IV, and so on. The Senator from Utah happens to be out of the Chamber at this moment.

Mr. CURTIS. I have sent for the Senator from Utah. He

has just stepped out.

Mr. ASHURST. Some Senators on this side of the aisle also desire that that course shall be pursued.

The PRESIDING OFFICER. The Chair does not under-

stand the request of the Senator from Arizona.

Mr. ASHURST. I really made no request. I merely called attention to the fact that the Senator from Utah had asked and obtained unanimous consent that the committee amendment be voted upon by titles; in other words, that the question be put on the separate titles.

The PRESIDING OFFICER. The Chair has just stated that the pending question is on inserting Title II, as recommended

by the committee.

Mr. ASHURST. I beg the Chair's pardon.
The PRESIDING OFFICER. The question is on agreeing to Title II of the committee amendment, which will be read.

The Assistant Secretary. The committee report to strike out Title II of the bill as passed by the House and to insert:

# TITLE II .- ANTIDUMPING.

# DUMPING INVESTIGATION.

SEC. 201. (a) That whenever the Secretary of the Treasury (hereinafter in this act called the "Secretary"), after such investigation as he deems necessary, finds that an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation into the United States of a class or kind of foreign merchandise, and that merchandise of such class or kind is being seld or is likely to be sold in the United States or elsewhere at less than its fair value, then he shall make such finding public to the extent he deems necessary, together with a description of the class or kind of merchandise to which it applies in such detail as may be necessary for the guidance of the appraising officers.

(b) The powers and duties conferred or imposed upon the Secretary by this section may be exercised by him through such agency or agencies as he may designate.

SPECIAL DUMPING DUTY.

# SPECIAL DUMPING DUTY.

SEC. 202. (a) That in the case of all imported merchandise, whether dutiable or free of duty, of a class or kind as to which the Secretary has made public a finding as provided in section 201, and as to which the appraiser or person acting as appraiser has made no report to the collector before such finding has been so made public, if the purchase price or the experter's sales price is less than the foreign market value (or, in the absence of such value, than the cost of production) there shall be levied, collected, and paid, in addition to the duties imposed thereon by law, a special dumping duty in an amount equal to such difference.

difference.

(b) If it is established to the satisfaction of the appraising officers, under regulations prescribed by the Secretary, that the amount of such difference between the purchase price and the foreign market value is wholly or partly due to the fact that the wholesale quantities, in which such or similar merchandise is sold or freely offered for sale to all purchasers for exportation to the United States in the ordinary

course of trade, are greater than the wholesale quantities in which such or similar merchandise is sold or freely offered for sale to all purchasers in the principal markets of the country of exportation in the ordinary course of trade for home consumption (or, if not so sold or offered for sale for home consumption, then for exportation to countries other than the United States), then under regulations prescribed by the Secretary, the foreign market value shall for the purposes of this section be decreased accordingly.

the foreign market value shall for the purposes of this section be decreased accordingly.

(c) If it is established to the satisfaction of the appraising officers, under regulations prescribed by the Secretary, that the amount of such difference between the exporter's sales price and the foreign market value is wholly or partly due to the fact that the wholesale quantities, in which such or similar merchandise is sold or freely offered for sale to all purchasers in the principal markets of the United States in the ordinary course of trade, are greater than the wholesale quantities in which such or similar merchandise is sold or freely offered for sale to all purchasers in the principal markets of the country of exportation in the ordinary course of trade for home consumption (or, if not so sold or offered for sale for home consumption, then for exportation to countries other than the United States), then under regulations prescribed by the Secretary, the foreign market value shall for the purposes of this section be decreased accordingly.

#### PURCHASE PRICE.

SEC. 203. That for the purposes of this title, the purchase price of imported merchandise shall be the price at which such merchandise has been purchased or agreed to be purchased, prior to the time of exportation, by the person by whom or for whose account the merchandise is imported, including the cost of all containers and coverings and all other costs, charges, and expenses incident to placing the merchandise in condition, packed ready for shipment to the United States, less the amount, if any, included in such price attributable to any costs, charges, United States import duties, and expenses incident to bringing the merchandise from the place of shipment in the country of exportation to the place of delivery in the United States; and plus the amount, if not included in such price, of any export tax imposed by the country of exportation on the exportation of the merchandise to the United States; and plus the amount of any import duties imposed by the country of exportation which have been rebated, or which have not been collected, by reason of the exportation of the merchandise to the United States; and plus the amount of any taxes imposed in the country of exportation upon the manufacturer, producer, or seller in respect to the manufacture, production, or sale of the merchandise which have been rebated or which have not been collected by reason of the exportation of the merchandise to the United States.

EXPORTER'S SALES PRICE.

#### EXPORTER'S SALES PRICE.

EXPORTER'S SALES PRICE.

Sec. 204. That for the purpose of this title the exporter's sales price of imported merchandise shall be the price at which such merchandise is sold or agreed to be sold in the United States, before or after the time of importation, by or for the account of the exporter, including the cost of all containers and coverings and all other costs, charges, and expenses incident to placing the merchandise in condition, packed ready for shipment to the United States, less (1) the amount, if any, included in such price attributable to any costs, charges, United States import duties, and expenses incident to bringing the merchandise from the place of shipment in the country of exportation to the place of delivery in the United States, (2) the amount of the commissions, if any, for selling in the United States the particular merchandise under consideration, (3) an amount equal to the expenses, if any, generally incurred by or for the account of the expenter in the United States in selling identical or substantially identical merchandise, and (4) the amount of any export tax imposed by the country of exportation on the expertation of the merchandise to the United States; and plus the amount of any import duties imposed by the country of exportation which have been rebated, or which have not been collected, by reason of the exportation of the merchandise, which have been rebated, or which have not been collected, by reason of the exportation of the merchandise, which have been rebated, or which have not been collected, by reason of the exportation of the merchandise, which have been rebated, or which have not been collected, by reason of the exportation of the merchandise to the United States:

\*\*POREIGN MARKET VALUE.\*\*

# FOREIGN MARKET VALUE.

Sec. 205. That for the purposes of this title the foreign market value of imported merchandise shall be the price, at the time of exportation of such merchandise to the United States, at which such or similar merchandise is sold or freely offered for sale to all purchasers in the principal markets of the country from which exported in the usual wholesale quantities and in the ordinary course of trade for home consumption (or, if not so sold or offered for sale for home consumption for exportation to countries other than the United States), including the cost of all containers and coverings and all other costs, charges, and expenses incident to placing the merchandise in condition packed ready for shipment to the United States, except that in the case of merchandise purchased or agreed to be purchased by the person by whom or for whose account the merchandise is imported, prior to the time of exportation, the foreign market value shall be ascertained as of the date of such purchase or agreement to purchase.

# COST OF PRODUCTION.

SEC. 206. That for the purposes of this title the cost of production of imported merchandise shall be the sum of—

(1) The cost of materials of, and of fabrication, manipulation, or other process employed in manufacturing or producing identical or substantially identical merchandise at a time preceding the date of shipment of the particular merchandise under consideration which would ordinarily permit the manufacture or production of the particular merchandise under consideration in the usual course of business;

(2) The usual general expenses (not less than 10 per cent of such cost) in the case of identical or substantially identical merchandise;

(3) The cost of all containers and coverings and all other costs, charges, and expenses incident to placing the particular merchandise under consideration in condition, packed ready for shipment to the United States; and

(4) An addition for profits (not less than 8 per cent of the sum of the amounts found under paragraphs (1) and (2), equal to the profit which is ordinarily added in the case of merchandise of the same general character as the particular merchandise under consideration by manufacturers or producers in the country of manufacture or production who are engaged in the same general trade as the manufacturer or producer of the particular merchandise under consideration.

#### EXPORTER.

SEC. 207. That for the purposes of this title the exporter of imported merchandise shall be the person by whom or for whose account the merchandise is imported into the United States:

(1) If such person is the agent or principal of the exporter, manufacturer, or producer; or

(2) If such person owns or controls, directly or indirectly, through stock ownership or control or otherwise, any interest in the business of the exporter, manufacturer, or producer; or

(3) If the exporter, manufacturer, or producer owns or controls, directly or indirectly, through stock ownership or control or otherwise, any interest in any business conducted by such person; or

(4) If any person or persons, jointly or severally, directly or indirectly, through stock ownership or control or otherwise, own or control in the aggregate 20 per cent or more of the voting power or control in the business carried on by the person by whom or for whose account the merchandise is imported into the United States, and also 20 per cent or more of such power or control in the business of the exporter, manufacturer, or producer.

OATHS AND BONDS ON ENTRY.

### OATHS AND BONDS ON ENTRY.

OATHS AND BONDS ON ENTRY.

Sec. 208. That in the case of all imported merchandise, whether dutiable or free of duty, of a class or kind as to which the Secretary has made public a finding as provided in section 201, and delivery of which has not been made by the collector before such finding has been so made public, unless the person by whom or for whose account such merchandise is imported makes oath before the collector, under regulations prescribed by the Secretary, that he is not an exporter, or unless such person declares under oath at the time of entry, under regulations prescribed by the Secretary, the exporter's sales price of such merchandise, it shall be unlawful for the collector to deliver the merchandise until such person has made oath before the collector, under regulations prescribed by the Secretary, that the merchandise has not been sold or agreed to be sold by such person, and has given bond to the collector, under regulations prescribed by the Secretary, with sureties approved by the collector, in an amount equal to the estimated value of the merchandise, conditioned: (1) That he will report to the collector the exporter's sales price of the merchandise within 30 days after such merchandise, and (3) that he will furnish to the collector such information as may be in his possession and as may be necessary for the ascertainment of such duty, and will keep such records as to the sale of such merchandise as the Secretary may by regulation prescribe.

## DUTIES OF APPRAISERS.

SEC, 209. That in the case of all imported merchandise, whether dutiable or free of duty, of a class or kind as to which the Secretary has made public a finding as provided in section 201, and as to which the appraiser or person acting as appraiser has made no report to the collector before such finding has been so made public, it shall be the duty of each appraiser or person acting as appraiser, by all reasonable ways and means to ascertain, estimate, and appraise (any invoice or affidavit thereto or statement of cost of production to the contrary notwithstanding) and report to the collector the foreign market value or the cost of production, as the case may be, the purchase price, and the exporter's sales price, and any other facts which the Secretary may deem necessary for the purposes of this title.

# APPEALS AND PROTESTS

APPEALS AND PROTESTS.

Sec. 210. That for the purposes of this title the determination of the appraiser or person acting as appraiser as to the foreign market value or the cost of production, as the case may be, the purchase price, and the exporter's sales price, and the action of the collector in assessing special dumping duty, shall have the same force and effect and be subject to the same right of appeal and protest, under the same conditions and subject to the same limitations; and the general appraisers, the Board of General Appraisers, and the Court of Customs Appeals shall have the same jurisdiction, powers, and duties in connection with such appeals and protests as in the case of appeals and protests relating to cutoms duties under existing law.

DRAWBACKS.

# DRAWBACKS.

SEC. 211. That the special dumping duty imposed by this title shall be treated in all respects as regular customs duties within the meaning of all laws relating to the drawback of customs duties.

# SHORT TITLE.

SEC. 212. That this title may be cited as the "Antidumping act, 1921."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment to insert Title II, beginning on page 16 of the bill.

Mr. SIMMONS. Upon that I demand the yeas and nays.

Mr. REED. Before that vote is taken I desire to reserve the right to offer in the Senate for a separate vote the amendment which I offered this morning.

The PRESIDING OFFICER. The request of the Senator from Missouri is not necessary. He has that right. The Senator from North Carolina demands the yeas and nays on the committee amendment-Title II.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. EDGE (when his name was called). Making the same announcement as to my pair and transfer, I vote "yea."

Mr. McCUMBER (when Mr. Penrosz's name was called). The senior Senator from Pennsylvania has been called away from the Chamber for a short time. He has a general pair with the senior Senator from Mississippi [Mr. Williams].

Mr. WILLIAMS (when his name was called). I am paired

with the senior Senator from Pennsylvania [Mr. Penrose], who is prevented from being present at this moment. I transfer my pair to the Senator from Kentucky [Mr. STANLEY] and vote yea."
The roll call was concluded.

Mr. CURTIS. I wish to announce that the Senator from Massachusetts [Mr. Lodge] is paired with the Senator from Alabama [Mr. Underwood].

Mr STANLEY. On this vote I am paired with the senior Senator from Pennsylvania [Mr. Penrose] by transfer. That Senator is temporarily absent. If permitted to vote, I should

vote "yea."

Lodge

Mr. HARRISON. I wish to announce that the senior Senator from Alabama [Mr. Underwood] is necessarily absent on account of a death in his family. He is paired with the Senator from Massachusetts [Mr. Lodge]. On the pending question the Senator from Alabama, if present, would vote "yea."

The result was announced—yeas 84, nays 2, as follows:

	YE	AS-84.	
Ashurst Ball Borah Brandegee Broussard Bursum Calder Cameron Capper Caraway Colt Cummins Curtis Dial Dillingham Edge Elkins Ernst Fernald Fietcher Frelinghuysen	Gerry Glass Gooding Hale Harreld Harris Harrison Heflin Johnson Jones, N. Mex. Jones, Wash. Kellogg Kendrick Kenyon Keyes King Knox Ladd La Follette Lenroot McCormick	AS—84.  McCumber McKinley McLean McNary Moses Myers Nelson New Newberry Nicholson Norbeck Norris Oddie Overman Phipps Pittman Poindexter Pomerene Ransdell Reed Robinson (YS—2.	Sheppard Shields Shortridge Simmons Smith Smoot Spencer Stanfield Sterling Sutherland Swanson Townsend Trammell Wadsworth Walsh, Mass. Walsh, Mont. Warren Watson, Ind. Williams Williams Willis
	Hitchcock	McKellar	
		OTING—10.	
			TT-4 71-
Culberson France	Owen Page	Stanley Underwood	Watson, Ga. Weller

So the committee amendment inserting Title II was agreed to. Mr. SIMMONS. Mr. President, I would not have called for the yeas and nays on the proposition just pending if I had understood what we were about to vote on. I think we all do prefer the Senate substitute for the House provision, because it is a very great improvement over it. Of course, when we come to vote upon the final adoption of the substitute, I think that many of us, all of us on this side of the Chamber, will reverse

Mr. HARRISON. Mr. President, I understand I have a right to offer an amendment when the bill gets into the Senate on the proposition just under discussion. I reserve that right, at any rate.

The VICE PRESIDENT. The right will be reserved. The question is on agreeing to so much of the committee amendment as proposes the insertion of a new title to be known as Title III.

The amendment was agreed to, as follows:

TITLE III.—ASSESSMENT OF AD VALOREM DUTIES.

Sec. 301. That whenever merchandise which is imported into the United States is subject to an ad valorem rate of duty or to a duty based upon or regulated in any manner by the value thereof, duty shall in no case be assessed on a value less than the export value of such

EXPORT VALUE.

SEC. 302. That for the purposes of this title the export value of imported merchandise shall be the price, at the time of exportation of such merchandise to the United States, at which such or similar merchandise is sold or freely offered for sale to all purchasers in the principal markets of the country from which exported, in the usual wholesale quantities and in the ordinary course of trade, for exportation to the United States, including the cost of all containers and coverings and all other costs, charges, and expenses incident to placing the merchandise in condition, packed ready for shipment to the United States, less the amount, if any, included in such price, attributable to any costs, charges, United States import duties, and expenses incident to bringing the merchandise from the place of shipment in the country of exportation to the place of delivery in the United States, and plus, if not included in such price, the amount of any export tax imposed by the country of exportation on merchandise exported to the United States.

REFERENCES TO " VALUE " IN EXISTING LAW.

SEC. 303 (a). That wherever in Title I of this act, or in the tariff act of 1913, as amended, or in any law of the United States in existence at the time of the enactment of this act relative to the appraisement of imported merchandise (except secs. 2874, 2976, and 3016 of the Revised Statutes, and sec. 801 of the revenue act of 1916), reference is made to the value of imported merchandise (irrespective of the particular phraseology used and irrespective of whether or not such phraseology is limited or qualified by words referring to country or port of exportation or principal markets) such reference shall, in respect to all merchandise imported on or after the day this act takes effect, be construed to refer, except as provided in subdivision (b), to actual market value as defined by the law in existence at the time of the enactment of this act, or to export value as defined by section 302 of this act, whichever is higher.

(b) If the rate of duty upon imported merchandise is in any manner dependent upon the value of any component material thereof, such value shall be an amount determined under the provisions of the tariff act of 1913, as in force prior to the enactment of this act.

SEC. 304. That when used in this title the term "tariff act of 1913" means the act entitled "An act to reduce tariff duties and provide revenue for the Government, and for other purposes," approved October 3, 1913.

The VICE PRESIDENT. The question now is on agreeing to so much of the committee amendment as proposes the insertion of a new title to be known as Title IV.

The amendment was agreed to, as follows:

TITLE IV .- GENERAL PROVISIONS.

STATEMENTS IN INVOICE.

SEC. 401. That all invoices of imported merchandise, and all statements in the form of an invoice, in addition to the statements required by law in existence at the time of the enactment of this act, shall contain such other statements as the Secretary may by regulation prescribe, and a statement as to the currency in which made out, specifying whether gold, silver, or paper.

STATEMENTS AT TIME OF ENTRY.

SEC. 402. That the owner, importer, consignee, or agent, making entry of imported merchandise, shall set forth upon the invoice, or statement in the form of an invoice, and in the entry, in addition to the statements required by the law in existence at the time of the enactment of this act, such statements, under oath if required, as the Secretary may by regulation prescribe.

CONVERSION OF CURRENCY.

Secretary may by regulation prescribe.

CONVERSION OF CURRENCY.

Sec. 403. (a) That section 25 of the act of August 27, 1894, entitled "An act to reduce taxation, to provide revenue for the Government, and for other purposes," is amended to read as follows:

"Sec. 25. That the value of foreign coin as expressed in the money of account of the United States shall be that of the pure metal of such coin of standard value; and the values of the standard coins in circulation of the various nations of the world shall be estimated quarterly by the Director of the Mint and be proclaimed by the Secretary of the Treasury quarterly on the 1st day of January, April, July, and October in each year."

(b) For the purpose of the assessment and collection of duties upon merchandise imported into the United States on or after the day of the enactment of this act, wherever it is necessary to convert foreign currency into currency of the United States, such conversion, except as provided in subdivision (c), shall be made at the values proclaimed by the Secretary under the provisions of section 25 of such act of August 27, 1894, for the quarter in which the merchandise was exported.

(c) If no such value has been proclaimed, or if the value so proclaimed varies by 5 per cent or more from a value measured by the buying rate in the New York market at noon on the day of exportation, conversion shall be made at a value measured by such buying rate. For the purposes of this subdivision such buying rate shall be the buying rate for cable transfers payable in the foreign currency so to be converted; and shall be determined by the Federal reserve bank of New York and certified daily to the Secretary, who shall make it public at such times and to such extent as he deems necessary. In ascertalning such buying rate such Federal reserve bank may in its discretion (1) take into consideration the last ascertainable transactions and quotations, whether direct or through the exchange of other currencies, and (2) if there is no market buying rate f

INSPECTION OF EXPORTER'S BOOKS.

SEC. 404. That if any person manufacturing, producing, selling, shipping, or consigning merchandise exported to the United States fails, at the request of the Secretary, or an appraiser, or person acting as appraiser, or a collector, or a general appraiser, or the Board of General Appraisers, as the case may be, to permit a duly accredited officer of the United States to Inspect his books, papers, records, accounts, documents, or correspondence, pertaining to the market value or classification of such merchandise, then while such failure continues the Secretary, under regulations prescribed by him, (1) shall prohibit the importation into the United States of merchandise manufactured, produced, sold, shipped or consigned by such person, and (2) may instruct the collectors to withhold delivery of merchandise manufactured, produced, sold, shipped or consigned by such person. If such failure continues for a period of one year from the date of such instructions the collector shall cause the merchandise, unless previously exported, to be sold at public auction as in the case of forfeited merchandise. exported, to merchandise.

INSPECTION OF IMPORTER'S BOOKS.

Sec. 405. That if any person importing merchandise into the United States or dealing in imported merchandise fails, at the request of the Secretary, or an appraiser, or person acting as appraiser, or a collector, or a general appraiser, or the Board of General Appraisers, as the case may be, to permit a duly accredited officer of the United States to inspect his books, papers, records, accounts, documents, or correspondence, pertaining to the value or classification of such merchandise, then while such failure continues the Secretary, under regulations prescribed by him, (1) shall prohibit the importation of merchandise into the United States by or for the account of such person, and (2) shall instruct the collectors to withhold delivery of merchandise imported by or for the account of such person. If such failure continues for a period of one year from the date of such instructions the collector shall cause the merchandise, unless previously exported, to be sold at public auction as in the case of forfeited merchandise.

# DEFINITIONS.

SEC. 406. That when used in Title II or Title III or in this title—The term "person" includes individuals, partnerships, corporations, and associations; and
The term "United States" includes all Territories and possessions subject to the jurisdiction of the United States, except the Philippine Islands, the Virgin Islands, the islands of Guam and Tutuila, and the Canal Zone.

RULES AND REGULATIONS.

SEC. 407. That the Secretary shall make rules and regulations necessary for the enforcement of this act.

The VICE PRESIDENT. The next question is upon agreeing to so much of the committee amendment as proposes the inser-

tion of a new title, to be known as Title V.

Mr. SMOOT and Mr. ASHURST called for the yeas and nays,

and they were ordered.

The reading clerk proceeded to call the roll.

Mr. EDGE (when his name was called). Making the same announcement as to the transfer of my pair as on the previous vote, I vote "yea."

Mr. McCUMBER (when the name of Mr. Penrose was called) again announce the necessary absence from the Chamber of the senior Senator from Pennsylvania [Mr. Penrose]. He has a general pair with the senior Senator from Mississippi [Mr. WILLIAMS]. Were he present, the senior Senator from Pennsylvania would vote "yea."

The roll call was concluded.

Mr. HARRISON. The senior Senator from Mississippi [Mr. WILLIAMS] is unavoidably absent. He has a general pair with the senior Senator from Pennsylvania [Mr. Penrose]. If he were present, the senior Senator from Mississippi would vote

I wish also to announce that the senior Senator from Alabama [Mr. Underwood] is paired with the Senator from Massachusetts [Mr. Lodge]. On the pending question the Senator from Alabama, if present, would vote "nay."

The result was announced—yeas 61, nays 25, as follows:

	Y.E.	AS-61.	
Ashurst Ball Brandegee Broussard Bursum Cameron Capper Colt Cummins Curtis Dillingham Edge Elkins Ernst Fernald France	Frelinghuysen Glass Gooding Hale Harreld Heffin Johnson Jones, N. Mex. Jones, Wash. Kellogg Kendrick Knox Ladd Lenroot McCormick McCymber	McKellar McKinley McLean McNary Nelson New Newberry Nicholson Norris Oddie Overman Phipps Poindexter Ransdell Robinson Sheppard	Shortridge Simmons Spencer Stanfield Sterling Sutherland Swanson Townsend Wadsworth Warren Watson, Ind. Willis Wolcott
THE PERSON NAMED IN	NA NA	YS-25.	
Borah Caraway Culberson Dial Fletcher Gerry Harris	Harrison Hitchcock Kenyon Keyes King La Follette Moses	Myers Pittman Pomerene Shields Smith Smoot Stanley	Trammell Walsh, Mass. Walsh, Mont. Watson, Ga.
	THE RESERVE AND THE PROPERTY OF THE PARTY OF	OTING—10.	s incression of the
Calder Lodge Norbeck	Owen Page Penrose	Reed Underwood	Weller Williams

So Title V of the committee amendment was agreed to, as follows:

TITLE V .- DYES AND CHEMICALS.

SEC, 501. (a) That on and after the day following the enactment of this act, for the period of six months, no sodium nitrite, no dyes or dyestuffs, including crudes and intermediates, no product or products derived directly or indirectly from coal tar (including crudes, intermediates, finished or partly finished products, and mixtures and compounds of such coal-tar products), and no synthetic organic drugs or synthetic organic chemicals, shall be admitted to entry or delivered from customs custody in the United States or in any of its possessions unless the Secretary fetermines that such article or a satisfactory substitute therefor is not obtainable in the United States or in any of its possessions in sufficient quantities and on reasonable terms as to quality, price, and delivery, and that such article in the quantity to be admitted is required for consumption by an actual consumer in the United States or in any of its possessions within six months after receipt of the merchandise.

(b) Upon the day following the enactment of this act the War Trade Board Section of the Department of State shall cease to exist; all clerks and employees of such War Trade Board Section shall be transferred to and become clerks and employees of the Treasury Department, and all books, documents, and other records relating to such dye and chemical import control of such War Trade Board Section shall become books, documents, and records of the Treasury Department. All individual licenses issued by such War Trade Board Section prior to the enactment of this act shall remain in effect during the period of their validity, and the importations under such licenses shall be permitted. All unexpended funds and appropriations for the use and maintenance of such War Trade Board Section prior to the power and authority conferred upon him by this section.

Sec. 502. That this title may be cited as the "Dye and chemical control act, 1921."

Mr. KING. Mr. President, I reserve the right to ask for a separate vote in the Senate on the amendment which has just

The VICE PRESIDENT. The consideration of the committee amendment, so far as the Committee of the Whole is concerned, is completed. The bill is still before the Senate as in Committee of the Whole and open to amendment.

Mr. SIMMONS. Mr. President, I rise to a parliamentary

inquiry.

The VICE PRESIDENT. The Senator from North Carolina will state it

Mr. SIMMONS. My understanding is that we have now voted on the Senate committee substitute by title. The VICE PRESIDENT. We have.

Mr. SIMMONS. Is it not now proper to vote upon the Senate committee substitute as a whole?

The VICE PRESIDENT. That is not now necessary.

Mr. SIMMONS. The Chair holds that that is unnecessary? The VICE PRESIDENT. He does.

Mr. SIMMONS. Mr. President, I wish to say that so far as this side of the Chamber is concerned, those of us who have voted for the Senate committee substitute did so not because we are in favor of that substitute, but because we thought it was better than the provision of the bill as it came from the House. However, we shall have an opportunity on the final vote of voting against the substitute, together with the other

provisions of the bill.

Mr. KING. Mr. President, I had hoped to have the opportunity of discussing somewhat at length the provisions of this bill placing an embargo upon dyes, but I could not obtain the floor without interfering with others, so was unable to do so. In the few minutes permitted under the rule, I shall attempt no discussion of the bill, and will content myself with referring to one or two questions involved in the provision just mentioned. I express my keen disappointment at the attitude of Republican Senators with respect to a policy which I believe to be wrong, and also express my sincere regret that some Members upon this side of the aisle are giving support to a proposition which I regard as vicious and un-American. Whatever might have been said three or four years ago in favor of a tariff on dyes would not be justified under present conditions. In 1913, as well as in 1916, the advocates of tariff duties upon dyes asked for no embargo and expressed satisfaction with reasonable duties limited to a few years, alleging that at the end of that period the industry would be so far developed that it could meet any foreign competition.

The domestic dye industry has grown to large proportions. In 1919 the production of coal-tar dyes amounted to more than 63,000,000 pounds. The exports of dyestuffs from the United States for the year 1920 amounted to more than \$33,000,000. In 1914 the total imports of dyestuffs exceeded 45,000,000 pounds. We are now producing in the United States 40 per cent more of coal-tar dyes than were imported in 1914 or prior The quantity of dyes produced in the United to that year. States in 1920 exceeded the quantity produced in 1919 and comprehends a much more extensive variety. The imports of dyes for the fiscal year 1920 amounted to only three and onehalf million pounds. So prosperous has been the dye industry in the United States that millions of dollars of profits have been realized. The prices charged by the domestic producers have reached, I was about to say, extortionate proportions. The American consumer has been compelled to submit to the outrageous demand of what I submit the evidence shows is a monopoly. This monopoly seeks to perpetuate its power, to increase its profits, and to hold the consumer of dyestuffs in the United States absolutely at the consumer of dyestuffs in the United States absolutely at its mercy.

By some it is contended that this legislation is necessary as a means of national defense, and the Senator from Pennsylvania [Mr. Knox], who is the sponsor for the amendment now before us, justified its enactment by pointing to the roster of American soldiers who gave their lives upon the battle fields of Europe. Their dead bodies are to be the rampart behind which he defends what I believe to be a monopoly. Mr. President, in my opinion, the facts do not support those who advance this argument, but time does not permit a presentation of the facts relating to this matter.

Recently there has been promulgated by the Department of State a regulation which more effectually places the dye manufacturers in control of the American market. Not satisfied with a licensing feature which excludes nearly all foreign dyes, it is planned to place in the hands of the domestic producers, or an organization which responds to their views, the determination of the question as to whom licenses to import shall be issued. The power to refuse licenses, I submit, is found in the plan which now obtains and which this bill will continue.

The regulation mentioned is in part as follows:

In each case, therefore, before applying for license to import or causing application for such license to be made by an importing agent the intending consumer should ascertain, through the American Dyes Institute, No. 320 Broadway, New York City, N. Y., whether or not goods similar to those desired to be imported, or some satisfactory substitute therefor, is or are obtainable from domestic sources on reasonable terms as above, and should state that he has made such inquiry. Applications for license to import dyes, dyestuffs, or crudes or intermediates entering into the production or manufacture thereof which are of enemy make will not be considered unless in each case the accompany-

ing consumer's statement and guaranty show exactly wherein the goods therein listed fail to meet the intending consumer's particular manufacturing requirements.

And so forth.

We not only have a dye monopoly but we propose, if this amendment is adopted, to continue war legislation for an addi-tional period. The Republican Party denounced the last administration for continuing after the armistice legislation which was the product of the war, and pledges were made that the Republican Party would immediately repeal all war legislation. Now promises are forgotten and the dyestuff industry secures legislation which enables it to enforce war measures in peace time in order that its profits may be increased and its powers

Mr. KENYON. Mr. President, may I ask the Senator a ques-

Mr. KING. I yield.

Mr. KENYON. I observe that a certain portion of the votes for this monopoly by tariff came from the Democratic side of the Chamber. After talking so many years for a tariff for revenue only, is the Senator prepared now to say that a large portion of his party at least will support tariff for monopoly in this Chamber just because President Wilson may have recommended it?

Mr. KING. Mr. President, unfortunately I can not speak for the Democratic Party, but speaking for myself I can only express my disagreement with what Mr. Wilson stated upon the question of a tariff for dyestuffs, and my profound regret over the support given by some Democrats to this provision, which is more than a tariff provision, but is equivalent to an absolute embargo, the result of which will be to strengthen a monopoly which not only needs no embargo but little if any tariff in order that it may enjoy legitimate prosperity.

In my opinion, Democrats can find no justification for supporting a licensing feature in times of peace and an embargo that will operate to swell the earnings of corporations engaged in an industry which now has undisputed control of domestic markets. It is an abandonment, in my opinion, of the traditional policy of the party, and will prove an embarrassment to the Democrats when they come to consider future revenue and tariff measures. There may have been some justification for President Wilson's advocacy of a tariff on dyes a number of years ago, but I respectfully submit that the position of President Wilson taken then does not support a policy calculated to entrench a monopoly in the United States which would oppress and plunder the people. If the Democratic Party should join hands with Republicans to enact legislation such as Republicans have enacted in the past, under which trusts and monopolies were developed, it would have no right to ask for the confidence and support of the American people. In my opinion, one of the great issues before the American people is whether or not monopolies and trusts and combines shall rule and control our political as well as our economic life. Never in the history of the Republic have trusts and monopolies been more arrogant, sinister, and oppressive than they are at the present time.

Mr. BORAH. Mr. President-

Mr. KING. I yield to the Senator. Mr. BORAH. I think we ought to have an agreement that when we discuss the tariff question we shall not refer to either the Republican or Democratic Party. The terms signify nothing at all.

Mr. KING. Mr. President, I hope that what the Senator says is not true, but I am afraid there is too much truth in his statement. When revenue and tariff questions are presented it seems as though party lines disappear. I submit there is too much selfishness and sectionalism in the consideration of legislation of this character. Special interests and corporations affected by tariff legislation become powerful propagandists in favor of measures and policies inuring to their advantage. It has been said, and I think with truth, that protected interests, corporations, and trusts have in subtle and insidious ways poisoned the minds of many and attempted to secure legislation beneficial to them and harmful to the American public. I believe that manufacturing and other interests are now directly or indirectly seeking to secure legislation which will permit them to impose burdens upon the American consumer. Selfish interests are clamoring for legislation that will prevent competition and enable them to control prices and secure inordinate There should be an investigation, in my opinion, of the activities of interests-corporations, associations, and so forthdirected toward securing Federal legislation. There should be an investigation of the dye industry. We should know whether it is a monopoly. We should secure the evidence referred to by the Senator from New Hampshire [Mr. Moses] in his speech a few days ago, in which attention was directed to the large sums !

spent by the dye industry for propaganda purposes and clearly for the purpose of influencing legislation. I shall offer a resolution to-morrow asking for an investigation of the dye industry, of its efforts to secure legislation, as well as other corporations, monopolies, and industries, and what, if any, efforts they have put forth to secure tariff or other legislation from which they might obtain pecuniary or other benefits.

Mr. FRELINGHUYSEN. Mr. President, I send to the desk

an amendment, which I offer and ask to have read.

The VICE PRESIDENT. The amendment will be stated.
The Assistant Secretary. On page 3, line 24, after the word pound," it is proposed to insert the following:

Except such wools as were purchased abroad prior to April 1, 1921, individuals, firms, or corporations here for importation into the United States.

Mr. FRELINGHUYSEN. Mr. President, I simply wish to explain briefly the object of the amendment, if I may do so.

There is in my State a gentleman who is engaged in the importation of wool, and he had engaged to import from South America on March 14 a large quantity of wool which was sold to various concerns in New York, and the shipment of it from Buenos Aires has been delayed on account of strikes. I do not know how much other wool there is outside of this country awaiting shipment to this country, but I do know that the immediate effect of the enactment of this emergency tariff will be, in my opinion, to impose an unjust burden on that importer and other importers who had engaged to import these wools prior to the enactment of this legislation.

Mr. ASHURST. Mr. President, will the Senator yield?

How many pounds of wool does the amendment cover?

Mr. FRELINGHUYSEN. I am going to get to that, and give all the facts to the Senate, and let it rest with the Senate whether or not they wish to impose this injustice by enacting legislation which practically penalizes those who engaged this wool prior to the enactment of the law.

There were 3,000,000 pounds of mercerized wool, I believe it

is called-

Mr. SMOOT. Carbonized wool. A gentleman told me it was carbonized.

Mr. FRELINGHUYSEN. Three million pounds of carbonized wool. I see that the Senator from Utah is very familiar with the wool question.

Mr. BORAH. Mr. President, the Senator from New Jersey is affording a great deal of consolation to those of us who are supporting this bill. I have been of the opinion that all wool had arrived, but this is the first ray of hope I have had that it would be of any real benefit to the American wool raiser.

Mr. FRELINGHUYSEN. I am very glad the Senator from Idaho is in accord with any tariff legislation. This purchase is 3,000,000 pounds of so-called carbonized wool, purchased at 54 cents a pound, at a cost of \$1,620,000. The tariff imposes a duty of 45 cents, which will make that wool cost, in addition, \$1,350,000. Now, I claim that in addition to that there are 2,000,000 pounds of other wools engaged to be brought in at a cost of \$280,000, and the duty imposes on those wools an additional burden of \$300,000.

This wool was engaged for shipment prior to this legislation, and yet this legislation imposes a burden of nearly 150 per cent upon the importers who have engaged that wool for shipment.

Mr. WARREN. Mr. President, may I ask the Senator a

question?

Mr. FRELINGHUYSEN. I yield to the Senator from Wyo-

Mr. WARREN. Is it not a matter of fact that the one or two parties who are speculators in wool have had the information that the whole country has had, that this legislation has been imminent for nearly six months? Is there any reason why they should not take the same chances of "running the block-

ade" that the importers of other goods should take?

As a matter of fact, I may say to the Senator, if he will allow me just a word or two-because I do not wish to infringe upon his time-any good that this bill might do to the sheepmen, the woolgrowers, of course, would be carried away by an amendment of this kind. It is not expected that this emergency bill itself is going to do the woolgrowers very much good, except that it may cause a discontinuance of the dumping of wool into this country until there may be some more perfect tariff legislation to follow. I think this legislation, with all the respect and love I have for the Senator proposing it, is, I might say, most imprudent on the part of the men who ask this particular privilege now.

Mr. FRELINGHUYSEN. The situation is this: This wool was purchased prior to this legislation. There was no notice of its impending passage; in fact, the impression was gained that this legislation was not going to pass. On March 14 this wool

was engaged for shipment, and now you impose a burden of 150 per cent upon that wool that was engaged prior to this legisla-I think the amendment is perfectly fair and just, and I think it should be adopted.

Mr. ASHURST. Mr. President, if I understand the amendment of the Senator from New Jersey correctly, it proposes that there shall be admitted some 70,000,000 pounds of wool.

Mr. FRELINGHUYSEN. Is the Senator asking me a ques-

tion?

Mr. ASHURST. I should like to know how many pounds of wool it is estimated will be imported under this amendment without duty?

Mr. FRELINGHUYSEN. Three million pounds of carbonized

wools and 2,000,000 pounds of other wools.

Mr. SMOOT. But, Mr. President, that applies only to this one firm.

Mr. ASHURST. It is obvious that under this amendment some seventy or eighty million pounds of wool will be imported immediately

Mr. FRELINGHUYSEN. Mr. President, may I interrupt the Senator to say that only such wools as were engaged prior

to April 1 may be imported.

Mr. ASHURST. So I perceive. Mr. President, we are proceeding upon the hypothesis that this is a bill to assist the farmer, the cattle raiser, and the woolgrower. How can you assist the woolgrower by importing 70,000,000 pounds of wool to come into competition with his clip grown under extra heavy

My able and redoubtable friend from Utah [Mr. King] stood his ground, opposed to any duties on dyestuffs. In the case of this provision under Title V, upon which we voted a moment ago, relating to dyestuffs, some challenge was flung at Democrats for voting for a high duty on dyestuffs. The most eminent lowtariff man the world ever produced, outside of the English lowtariff statesmen, sent a wireless message to Congress from Paris urging a protective wall upon dyestuffs so high that none could come in. The former leader of the Democratic Party, Woodrow Wilson, sent the following message to Congress by wireless on May 20, 1919:

May 20, 1919:

Nevertheless, there are parts of our tariff system which need prompt attention. The experiences of the war have made it plain that in some cases too great reliance on foreign supply is dangerous, and that in determining certain parts of our tariff policy domestic considerations must be borne in mind which are political as well as economic. Among the industries to which special consideration should be given is that of the manufacture of dyestuffs and related chemicals. Our complete dependence upon German supplies before the war made the interruption of trade a cause of exceptional economic disturbance. The close relation between the manufacture of dyestuffs on the one hand and of explosives and poisonous gases on the other, moreover, has given the industry an exceptional significance and value. Although the United States will gladly and unhesitatingly join in the program of international disarmament, it will, nevertheless, be a policy of obvious prudence to make certain of the successful maintenance of many strong and well-equipped chemical plants. The German chemical industry, with which we will be brought into competition, was and may well be again thoroughly knit monopoly capable of exercising a competition of a peculiarly insidious and dangerous kind.

Mr. KING. Mr. President—

Mr. KING. Mr. President-

Mr. ASHURST. I have only a minute. I can not yield. Where is there a high-tariff man who ever made a stronger argument than that? Let him stand up if there be one. Did former Senator Aldrich or former Representative Payne ever make a stronger argument for a high protective tariff than did President Wilson when he urged Congress to place a tariff

on dyestuffs and its related chemicals?

What does all this prove? It proves that which the Democrats have always said, to wit, that the tariff is not a political question. The Republicans insist it is. Mr. Cox, in his campaign, when he reached California said, "I am for a tariff on lemons." Mr. Wilson wired from Paris that he must have a high protective tariff, yea, an embargo, on dyestuffs.

The tariff question is a logical question, a business question, which moves us. We do not move it. This country is going to demand that the tariff question shall no longer be made a political question, because it is a business question only.

If you have a protective tariff on the manufactured article you should also have a tariff on the products of the farm, the field, and the ranch. That is why I have vexed the ears of my friends here in urging a tariff on the long-staple cotton. The amendment I offer provides that the tariff on long-staple cotton shall be 20 cents a pound, because the Egyptian laborer can lay the cotton down in New England for 26 cents a pound and it costs the American farmer 50 cents a pound to produce it.

We say with Jefferson, we say with Jackson, equal rights to all and special privileges to none. Your philosopy of putting the manufactured article under a high protective tariff and the products of the farm, the field, and the ranch on the free list is a gross and unjust discrimination against the farmer.

That will be one of the issues soon to come before the people, The farmer must subsist our Nation. The woolgrower and the cattle grower must clothe our Nation.

How are they going to clothe and subsist our Nation if your solicitude is for the Egyptian laborer and the German manu-

facturer of chemicals and dyestuffs?

The Republican Party after the Civil War shrewdly saw an opportunity to capitalize the tariff question, forgetting that Andrew Jackson stood for a tariff on raw materials; Randall stood for a tariff on raw materials; Walker stood for a tariff on raw materials; and Jefferson stood for a tariff on raw materials. The great Democrats who laid deep and strong the foundations of the Democratic Party said that if you have a tariff on the manufactured article you must also have a tariff on the raw materials, but it has grown in the last few years to be a sort of a heresy for a Democrat to demand that his own constituency be dealt with equally with other constituencies.

Mr. GERRY. Mr. President, I offer the following amendment

and reserve the right to a vote on it in the Senate.

Mr. SMOOT. There is an amendment pending now, not yet disposed of.

Mr. GERRY. I simply want to offer the amendment, under the unanimous-consent agreement, before 3 o'clock, and reserve

my rights.

In regard to the amendment I have offered, I want to say that its purpose is to prevent any special duty being placed on articles on the free list. Under the special dumping provision of the bill it is possible for the Secretary of the Treasury in certain cases to put a tax on articles which are now on the free list. It seems to me perfectly ridiculous that it should be considered for one minute that a tariff should be placed on merchandise on the free list when the whole idea of the free list is to have those commodities on it come into this country as cheaply as possible and not put them into any special class which shall be subject to taxation and which would raise their price to the consumer.

Mr. SMOOT. Mr. President, I shall not take much of the time of the Senate in discussing the amendment offered by the Senator from New Jersey [Mr. Frelinghuysen]. I am quite sure that if we wanted to destroy the protection that is to be afforded by this bill, no better way could be devised than to adopt the amendment offered by the Senator from New Jersey.

I am informed that there are least 70,000,000 pounds of wool on the waters to-day, which had been contracted for, no doubt,

before April 1.

Mr. FRELINGHUYSEN. Mr. President—
The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from New Jersey?

Mr. SMOOT. I yield.

Mr. FRELINGHUYSEN. Has the Senator any evidence of that which he can produce?

Mr. SMOOT. I have not the information here on my desk. I did not expect such an amendment to come up, or I would have had it.

Mr. FRELINGHUYSEN. If the Senator will allow me to interrupt him again, I should like to have some evidence of the fact that there are 70,000,000 pounds of wool on the way here. I understand that is not so.

Mr. President, I have only about five minutes and I will withdraw the statement if the Senator wishes and confine myself to the statement made by the Senator that there are 5,300,000 pounds of wool affected which are expected to reach here without any duty being collected upon that wool.

Mr. FRELINGHUYSEN. Mr. President-

Mr. SMOOT. This I do know, Mr. President, that there is wool enough in the United States to-day, if not another pound comes in, together with this season's clip, to last the American manufacturers for at least two years. I am quite confident that the firm referred to by the Senator did as other importers did.

They knew very well an emergency bill was passed at the last session of Congress, and that in the closing days of the session it was vetoed by the President. There was not any doubt but that that bill would be introduced again, and no doubt the order was placed between the day the bill was vetoed by the President and the 1st day of April, and they took their chances of getting the wool in before the passage of this bill. As far as the pending amendment is concerned, it might as well apply to every item in the bill, and whatever duties are fixed in the bill will apply to other articles the same as we intended them to apply to wool, and I can not believe that the Senate will adopt the amendment.

Mr. HITCHCOCK. Mr. President, I wish to say a word in support of what was said by the Senator from Utah [Mr. King] against this dyestuffs provision. It has been pretty thoroughly established by this time that there is in this country a

dyestuff monopoly. Two great combinations hold the country in their grip at this time in the manufacture of dyestuffs. They have an immense capital. They maintain at the Capital an expensive lobby. Their headquarters, known as the American Dye Institute, are located at 320 Broadway, and this legislation, if passed, is directly for the benefit of that monopoly. Even at the present time if anyone desires to import dyes into this country, he must go, under the orders of the State Department issued last month, to the offices of the American Dye Institute to ascertain whether he can procure from that monopoly at prices which they deem adequate the necessary dye which he desires for consumption.

Now it is proposed to put practically into the statutes of the United States, for the benefit of this dyestuff monopoly, what has heretofore existed as an administrative regulation. Senators realize the extent to which this has gone and the scandal which is growing out of it? The dyestuff industry in the United States at the present time is one of the powerful, rapidly growing industries of the United States, and you propose by this legislation to erect a wall around the United States and prevent any competition from coming into the United States

against it.

This great monopoly not only has the American market entirely in its grip, both as to supply and prices, but this monopoly at the present time has a great foreign trade, a trade in dye stuffs which it is maintaining in the face of competition from all over the world.

This trade is rapidly growing. For the eight months ending with February of the present year this great monopoly of the United States, which is supposed to need an embargo as a protection against the rest of the world, exported \$17,246,484 worth of goods sold to the rest of the world. Do Senators want to put into a law a provision that this monopoly shall be permitted to continue and fatten on the American people while it is selling its products in competition with German dyestuffs and other dyestuffs in other parts of the world?

Senators have voted here to-day against an amendment offered by the Senator from Missouri [Mr. Reed], an amendment which was intended to provide that if an American manufacturer was selling his goods in a foreign market lower than those at which he sold to the American people the protection would be removed. Senators voted against that amendment. They went on record as unwilling to protect the American consumer. They went on record as perfectly willing that the American consumer should be required by a tariff to pay to these manufacturers prices higher than those at which they were selling to the people in foreign lands; and now, by this provision relating to dyestuffs, in a bill for which some Democrats have been voting to-day, you propose to erect practically an embargo and say to the manufacturers of German dyestuffs, "You can not sell your dyes to the American people as long as the American manufacturers are manufacturing those dyes, notwithstanding the fact that those same American manufacturers have been selling their dyes in other parts of the world to the extent of \$17,000,000 during the last eight months.

It is possible, Mr. President, that the dominant party is ready to go on record to the American consumer with that statement. Possibly they are ready to incorporate in this bill an embargo to prevent the importation of any dyestuffs which this great monopoly, with headquarters at 320 Broadway, can manufacture and sell to the American people. I do not understand how even protectionist Senators can really be willing to put American manufacturers of goods which must use dyes under such a disadvantage. It seems to me, if I were a protectionist and wanted to encourage the development of American industries in the United States, even at the expense of the American consumer, I would at least object to putting an embargo on one of the very necessary articles which those American manufacturers consume.

But seemingly this dyestuff monopoly, with its millions of capital and with its rapidly growing domestic and foreign business as well, has hypnotized Senators and even secured the support of Democratic Senators for a provision which I deem to be one of the most infamous provisions ever inserted in a

so-called protective tariff bill,

I do not believe it is possible that, when the final vote comes on this measure, Senators will deliberately give their support to the maintenance of a monopoly which has already become powerful enough to meet the competition of the world in other lands to the extent, as I have said, of \$17,000,000 worth of American dye products during the last eight months. sume that in the course of a year it will run to \$25,000,000, for it is growing year by year. In the corresponding eight months of last year the American dyestuff foreign trade was only \$15,000,000. The previous year it was \$14,000,000; and it is

growing more rapidly, possibly, than any other American industry in the United States, because most of our foreign trade is known to be on the decline at the present time.

Mr. KNOX. Mr. President-

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Pennsylvania?

Mr. HITCHCOCK. I yield the floor.

Mr. KNOX. I only wanted to observe that there is something entirely familiar in these lamentations of the Senator from Nebraska about the probability of the German monopoly in the most dangerous munitions that have ever been manufactured being interfered with by this bill. We remember that during the war, when the Germans had a monopoly of munitions and the Allies could not obtain munitions to fight the Huns the Senator from Nebraska advocated a bill to prevent the people of the United States from shipping munitions to the French and to the English and to the Italians, who were engaged in a death struggle with Germany for the preservation of civilization.

The VICE PRESIDENT. The time for debate on the bill and amendments has expired. The question is on the amendment offered by the Senator from New Jersey [Mr. Freling-HUYSEN].

Mr. SIMMONS. Mr. President-

The VICE PRESIDENT. For what purpose does the Senator rise?

Mr. SIMMONS. I rise for the purpose of discussing the

The VICE PRESIDENT. Under the unanimous-consent agreement the time for discussion has expired. It is now 3

Mr. REED. On the amendment I demand the year and nays. The yeas and nays were not ordered.

The amendment was rejected. Mr. ASHURST. Mr. President, I offer the amendment which send to the desk and ask to have read.

The VICE PRESIDENT. The Secretary will report the amendment.

The Assistant Secretary. On page 3, line 15, strike out the numeral "7" and insert "20," so that if amended it will read:

16. Cotton having a staple of 1g inches or more in length, 20 cents

Mr. ASHURST. Upon that I respectfully ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk pro-

ceeded to call the roll.

Mr. LODGE (when his name was called). I have a general pair with the Senator from Alabama [Mr. Underwood]. transfer that pair to the Senator from Vermont [Mr. Page] and vote "nay

Mr. McCUMBER (when the name of Mr. Penrose was called). I again announce the necessary absence of the Senator from Pennsylvania from the Chamber. He has a pair with the senior Senator from Mississippi [Mr. Williams]. If the Senator from Pennsylvania were present, he would vote " nay.'

Mr. WILLIAMS (when his name was called). with the senior Senator from Pennsylvania [Mr. Penrose]. I regret very much that he is not able to be present at this I transfer my pair to the Senator from Oklahoma [Mr. Owen] and vote "nay."

The roll call was concluded.

Mr. EDGE. Following the announcement of the Senator from Mississippi [Mr. Williams], who has transferred his pair to the Senator from Oklahoma [Mr. Owen], I will transfer my pair with the Senator from Oklahoma to the senior Senator from Pennsylvania [Mr. Penrose], which permits me to vote. I vote "nay.

Mr. HARRISON. The senior Senator from Alabama [Mr. Underwood] is unavoidably out of the city on account of a death in his family. He is paired with the senior Senator from Massachusetts [Mr. Lodge] who on this vote has transferred his pair. If the Senator from Alabama were present, he would vote nay on the pending question.

Mr. EDGE (after having voted in the negative). The Senator from Pennsylvania [Mr. Penrose] having entered the Chamber and voted, I am compelled under the circumstances of my

transfer to withdraw my vote, which I do.

The result was announced-yeas 17, nays 74, as follows:

YEAS-17.

Ashurst France Harris Heflin Johnson Jones, N. Mex Jones, Wash. Kendrick Pittman Ransdell Sheppard

Shortridge

NAYS-74. Spencer Stanfield Stanley Sterling Sutherland Swanson Townsend Hale Harreld Harrison Hitchcock Kellogg Kenyon Moses Myers Nelson New Newberry Nicholson Ball Brandegee troussard Calder Capper Colt Kenyon
Keyes
King
Knox
Ladd
La Follette
Lenroot
Lodge
McCormick
McCumber
McKellar
McKinley
McLean
McNary Culberson Norbeck Norris Oddie Overman Wadsworth Walsh, Mass. Walsh, Mont. Cummins Curtis Dial Dillingham Penrose Phipps Poindexter Warren Watson, Ga. Watson, Ind. Ernst Fernald Fletcher Frelinghuysen Pomerene Reed Robinson Weller Williams Willis Wolcott Gerry Glass Gooding Simmons Smith Smoot NOT VOTING-5. Shields Underwood Edge Owen Page

So Mr. Ashurst's amendment was rejected.

Mr. GERRY. Mr. President, I ask that the amendment which

I have sent to the desk may be reported.

The VICE PRESIDENT. The amendment is not in order at this time. It will have to be presented when the bill is in the

Senate.

Mr. TRAMMELL. Mr. President, I send to the desk an

amendment which I ask may be reported.

The VICE PRESIDENT. The amendment will be reported. The Assistant Secretary. On page 3, line 14, strike out the word "three-eighths" and insert in lieu thereof "one-eighth," so that if amended it will read:

16. Cotton having a staple of 11 inches or more in length, 7 cents per

Mr. TRAMMELL. On that I call for the yeas and nays.

Mr. HEFLIN. Let us have the yeas and nays on that.

The yeas and nays were ordered.

On a division, Mr. Trammell's amendment was rejected. Mr. TRAMMELL. Mr. President, I give notice that I will offer the same amendment in the Senate.

The VICE PRESIDENT. Notice is not required.

Mr. JONES of New Mexico. Mr. President, I send to the desk an amendment, and ask that it be read.

The VICE PRESIDENT. The amendment will be stated. The Assistant Secretary. On page 3, after line 11, it is pro-

posed to insert the following:

Sheep pelts, goatskins, and hides of cattle, raw or uncured, whether dry, salted, or pickled, 5 cents per pound and 15 per cent ad valorem. Mr. JONES of New Mexico. On that amendment I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk pro-

ceeded to call the roll.

Mr. LODGE (when his name was called). Making the same announcement as to the transfer of my pair as on previous votes, vote "nay." The roll call was concluded.

Mr. HARRISON. I desire to announce that if the senior Senator from Alabama [Mr. Underwood] were present, he would

The result was announced—yeas 37, nays 49, as follows:

	YE	AS-37.	
Ashurst Borah Broussard Bursum Cameron Capper Curtis Fernald Fletcher France	Harreld Heffin Jones, N. Mex. Jones, Wash. Kellogg Kendrick Kenyon Ladd La Follette McCormick	Myers Nelson Nicholson Norbeck Norris Oddie Pittman Poindexter Ransdell Robinson	Sheppard Shields Shortridge Stanfield Sterling Trammell Wadsworth
	NA	YS-49.	
Ball Brandegee Calder Caraway Colt Culberson Cummins Dial Dillingham Elkins Ernst Frelinghuysen Gerry	Glass Gooding Hale Harris Harrison Keyes King Knox Lenroot Lodge McCumber McKellar McKinley	McNary Moses New Newberry Overman Penrose Phipps Pomerene Smith Smoot Spencer Stanley Sutherland	Swanson Townsend Walsh, Mass. Walsh, Mont. Warren Watson, Ga. Watson, Ind. Williams Willis Wolcott
	NOT V	OTING-10.	
Edge Hitchcock Johnson	McLean Owen Page	Reed Simmons Underwood	Weller

So the amendment of Mr. Jones of New Mexico was rejected. The VICE PRESIDENT. The bill is still before the Senate as in Committee of the Whole and open to amendment. If there I mittee of the Whole was rejected.

be no further amendments proposed, the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

The VICE PRESIDENT. The question is on concurring in the amendments made as in Committee of the Whole.

Mr. SIMMONS. I desire the yeas and nays on the passage of the bill

Mr. REED. Mr. President, I understand that the final vote is about to be taken on the bill, and therefore, having reserved for a separate vote the amendment I offered as in Committee of the Whole, I now ask that the amendment be read to the Senate and that a separate vote be had.

The VICE PRESIDENT. The Secretary will state the amend-

Mr. CURTIS. Mr. President, I rise to a question of order. Has the amendment agreed to as in Committee of the Whole been concurred in?

The VICE PRESIDENT. Not as yet.

Mr. CURTIS. Should we not vote on concurring in the amendment?

The VICE PRESIDENT. The bill is in the Senate, and the question is on concurring in the amendment made as in Committee of the Whole. Pending that the Senator from Missouri offers an amendment, which the Secretary will state.

The Assistant Secretary. After section 202 as agreed to as in Committee of the Whole it is proposed to insert the following:

Whenever it is established to the satisfaction of the Secretary of the Treasury that merchandise upon which an import duty is levied by the United States is being commonly exported from the United States and is being commonly and generally sold in the countries to which exported at less than the same class or kind of merchandise is being generally sold or offered for sale in the United States, then the Secretary of the Treasury shall issue an order suspending and setting aside any import duty or tariff upon the importation of the same or similar articles of merchandise into the United States, said order to remain effective so long as the condition aforesaid exists.

Mr. REED. I ask for the yeas and nays on that amendment,

The yeas and nays were ordered. Mr. BRANDEGEE. Mr. President, I make the point of order against the amendment that it is not in order at this time, The question is upon concurring in the amendment made as in Committee of the Whole, and then, if the amendment is con-curred in, the bill is still in the Senate and open to further amendment.

The VICE PRESIDENT. The amendment offered by the Senator from Missouri is an amendment to the amendment re-

ported by the committee, and therefore is in order.

Mr. BRANDEGEE. Very well.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. EDGE (when his name was called). Not being able to secure a transfer of my pair, I am not at liberty to vote. If at liberty to vote, I should vote "nay."

Mr. LODGE (when his name was called). Making the same

announcement as before, I vote "nay." The roll call was concluded.

Mr. SIMMONS. On this question I am paired with the junior

Senator from Minnesota [Mr. Kellogg], and withhold my vote.
Mr. HARRISON. I wish to announce that the senator
from Alabama [Mr. Underwood] is paired with the Senator
from Massachusetts [Mr. Lodge]. On the pending question the Senator from Alabama, if present, would vote "yea."

The result was announced—yeas 40, nays 50, as follows:

	YE.	AS-40.	
Ashurst Borah Caraway Culberson Dial Fletcher Gerry Glass Harris Harrison	Hefiin Hitcheock Johnson Jones, N. Mex. Kendrick Kenyon King La Follette McKellar Myers	Norbeck Norris Overman Pittman Pomerene Ransdell Reed Robinson Sheppard Shields	Smith Spencer Stanley Swanson Trammell Walsh, Mass. Walsh, Mont. Watson, Ga. Williams Wolcott
	NA	YS-50.	
Ball Brandegee Broussard Bursum Calder Cameron Capper Colt Cummins Curtis Dillingham Elkins Ernst	Fernald France Frelinghuysen Gooding Hale Harreld Jones, Wash. Keyes Knox Ladd Lenroot Lodge McCormick NOT V	McCumber McKinley McLean McNary Moses Nelson New Newberry Nicholson Oddie Penrose Phipps Poindexter OTING—6.	Shortridge Smoot Stanfield Sterling Sutherland Townsend Wadsworth Warren Watson, Ind. Weller Willis
Edge	Owen	Simmons	Underwood
Kellogg	Page		

So Mr. REED's amendment to the amendment made as in Com-

Mr. GERRY. Mr. President, I offer the amendment which I

The VICE PRESIDENT. The amendment will be stated.

The Assistant Secretary. In section 202, on page 17, line 7, after the word "imported," it is proposed to insert the word "dutiable"; and on line 8, to strike out the words "whether dutiable or free of duty," so that, if amended, the first part of the section will read:

Sec. 202. (a) That in the case of all imported dutiable merchandise of a class or kind as to which the Secretary has made public a finding—

And so forth.

Mr. GERRY. On that I ask for the yeas and nays. The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. EDGE (when his name was called). Not being able to secure a transfer, I am not at liberty to vote. If at liberty to vote, I should vote "nay."

The roll call was concluded.

Mr. LODGE. Making the same announcement as before, I

vote "nay."

Mr. HARRISON. I wish to announce that if the senior Senator from Alabama [Mr. Underwood] were present, he would vote "yea."

The result was announced-yeas 33, nays 56, as follows:

	YE.	AS-33.	
Ashurst Caraway Culberson Dial Fletcher Gerry Glass Harris Harrison	Heflin Hitchcock Jones, N. Mex. King McKellar Myers Overman Pittman Pomerene	Ransdell Reed Robinson Sheppard Shields Simmons Smith Stanley Swanson	Trammell Walsh, Mass, Walsh, Mont. Watson, Ga. Williams Wolcott
	NA	YS-56.	
Ball Borah Brandegee Bronssard Bursum Calder Cameron Capper Colt Cummins Curtis Dillingham Elkins	Fernald France Frelinghuysen Gooding Hale Harreid Johnson Jones, Wash. Kellegg Kendrick Kenyon Keyes Ladd La Follette	Lenroot Ledge McCormick McCumber McKinley McNary Moses Nelson New Newberry Nicholson Norris Oddic Peurose	Phipps Poindexter Shortridge Smoot Spencer Stanfield Sterling Sutherland Townsend Wadsworth Warren Warson, Ind. Weller Willis

So Mr. GERRY's amendment to the amendment made as in Committee on the Whole was rejected.

Underwood

Mr. HARRISON: Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The Secretary will read the amendment.

The Assistant Secretary. On page 26, line 13, insert the following proviso:

Provided, That the provisions of Title II of the pending bill shall not apply to barbed-wire fencing, plows, disk harrows, harvesters, respers, agricultural drills, mowers, horserakes, cultivators, thrashing machines, cotton gins, wagons, carts, sewing machines, fertilizers of every kind and elements from which fertilizers are manufactured, jute, binding twine, cotton bagging, and agricultural implements of every character which are now on the free list, and when imported into the United States from any foreign country.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Mississippi to the amendment made as in Committee of the Whole.

Mr. HARRISON. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. EDGE (when his name was called). Making the same

announcement as before, I withhold my vote.

Mr. LODGE (when his name was called). Announcing again the transfer of my pair with the senior Senator from Alabama [Mr. Underwood] to the junior Senator from Alabama [Mr. Page], I vote "nay."

The roll call was concluded.

Mr. MYERS. The Senator from Arizona [Mr. ASHURST] has been compelled to leave the Senate on official business. If present, he would vote "yea."

The result was announced-yeas 32, nays 53, as follows:

YEAS—32.				
Caraway	Hessin	Pomerene	Stanley	
Culberson	Hitchcock	Ransdell	Swanson	
Dial	Jones, N. Mex.	Reed	Trammeli	
Fletcher	King	Robinson	Walsh, Mass.	
Gerry	McKellar	Sheppard	Walsh, Mont.	
Glass	Myers	Shields	Watson, Ga.	
Harris	Overman	Simmons	Willams	
Harrison	Pittman	Smith	Wolcett	

A CONTRACTOR OF THE PARTY OF TH	NA	YS-53.	
Ball Brandegee Broussard Bursum Calder Cameron Capper Colt Cummins Curtis Dillingham Elkins Ernst Fernald	Frelinghuysen Gooding Hale Harreld Johnson Jones, Wash, Keliogs Keyes Knox Ladd La Follette Lenroot Lodge McCormick	McCumber McKinley McLean McNary Moses Nelson New Newberry Nicholson Norbeck Norris Oddie Penrose Phipps	Smoot Spencer Stanfield Sterling Sutherland Townsend Wadsworth Warren Warson, Ind. Weller Willis
		OTING-11.	
Ashurst Borah Edge	France Kendrick Kenyon	Owen Page Poindexter	Shortridge Underwood

So Mr. Harrison's amendment to the amendment made as in Committee of the Whole was rejected.

Mr. FRELINGHUYSEN. Mr. President, I offer the amendment which I send to the desk, and on it I ask for the yeas and

The VICE PRESIDENT. The question now is on concurring in the amendment made as in Committee of the Whole, and the amendment proposed by the Senator from New Jersey is not

Mr. FRELINGHUYSEN. A parliamentary inquiry, Mr. President.

The VICE PRESIDENT. The Senator will state his parlia-

mentary inquiry.

Mr. FRELINGHUYSEN. Is it necessary to reserve for a vote in the Senate an amendment which has been offered in the Committee of the Whole? The VICE PRESIDENT.

It is not.

Mr. FRELINGHUYSEN. Then the amendment I have just

offered is in order

The VICE PRESIDENT. The amendment offered by the Senator from New Jersey is to the body of the bill, and as the question now is on concurring in the committee amendment, the Senator's amendment is not in order.

A parliamentary inquiry, Mr. President Mr. KING.

The VICE PRESIDENT. The Senator will state his parlia-

mentary inquiry.

Mr. KING. In the Committee of the Whole I reserved a vote in the Senate on the amendment with respect to dyes and dyestuffs. Is it in order now to ask for a separate vote upon that amendment?

The VICE PRESIDENT. There is no provision by which a reservation can be made of a separate part; the reservation must be of the whole amendment.

Mr. KING. Am I to understand by that, Mr. President, that must ask, then for a vote upon the entire amendment? The VICE PRESIDENT. Yes; that is the practice.

Mr. KING. My recollection was that it was agreed there should be a severance of the votes with respect to the amendment of the committee

The VICE PRESIDENT. That was done in Committee of the Whole

Mr. KING. Does not that extend to a vote upon each item in the Senate?

The VICE PRESIDENT. It does not, unless the Senate gives unanimous consent

Mr. KING. Mr. President, I move to strike out from the bill

Title V, and upon that I ask for the yeas and nays.

The VICE PRESIDENT. The Senator from Utah moves to

strike out Title V.

Mr. WOLCOTT. A point of order, Mr. President. The VICE PRESIDENT. The Senator from Delaware will state his point of order.

Mr. WOLCOTT. I understood that Title V was adopted in Committee of the Whole, and that when the bill came into the Senate all the amendments adopted as in Committee of the

Whole were concurred in in the Senate.

The VICE PRESIDENT. They have not yet been concurred in. The question now is on concurring in the committee amend-

Mr. KING. I am inclined to think that my motion was a little broader than was necessary. I move to strike out sub-division A of section 501, under Title V of the committee amendment.

The VICE PRESIDENT. Without objection, the Senator withdraws his former motion and now moves to strike out subdivision A of section 501 of Title V, on page 33. question the yeas and nays have been demanded.

The yeas and nays were ordered and taken. Mr. PENROSE (after having voted in the negative). I observe that the Senator from Mississippi [Mr. Williams] has not voted, and, as I have a general pair with that Senator, I withhold my vote.

Mr. LODGE. Making the same announcement as before, I vote "nay."

The roll call was concluded.

Making the same announcement of my pair, Mr. EDGE. and being unable to secure a transfer, I wish it to be recorded that if permitted to vote I would vote "nay."

Mr. MYERS. I wish to announce that the Senator from

Arizona [Mr. Ashurst] is necessarily absent. If he were pres-

ent, he would vote "nay."

Mr. HARRISON. I wish to announce that the senior Senator from Alabama [Mr. Underwood] if present would vote "yea" on this question.

Mr. PÉNROSE. I observe that the Senator from Mississippi [Mr. Williams] has entered the Chamber. So I will permit my vote to stand.

The result was announced-yeas 25, nays 63, as follows:

	YE	AS-25.	The transfer
Borah Caraway Culberson Dial Fletcher Gerry Harris	Harrison Hitchcock Kenyon King La Follette Moses Myers	Overman Pittman Pomerene Shields Smith Smoot Stanley	Trammell Walsh, Mass. Walsh, Mont, Watson, Ga.
		YS-63.	
Ball Brandegee Broussard Bursum Calder Cameron Capper Coit Cummins Curtis Dillingham Elkins Ernst Fernald France Frelinghuysen	Glass Gooding Hale Harreld Heflin Johnson Jones, N. Mex. Jones, Wash. Kellogg Kendrick Knox Ladd Lenroot Lodge McCormick McCumber	McKellar McKinley McLean McNary Nelson New Newberry Nicholson Norbeck Norris Oddie Penrose Phipps Poindexter Ransdell Robinson	Sheppard Shortridge Simmons Spencer Stanfield Sterling Sutherland Swanson Townsend Wadsworth Warren Watson, Ind. Weller Willis Wolcott
		OTING-8.	A CONTRACTOR OF THE STATE OF TH
Ashurst Edge	Keyes Owen	Page Reed	Underwood Williams

So Mr. King's amendment to the amendment made as in Committee of the Whole was rejected.

Mr. SIMMONS. Mr. President, I move to amend by striking out Titles II, III, and IV, the antidumping provision and the

valuation provision. On that I ask for the yeas and nays.

Mr. LODGE. I ask that the amendment be stated. There is so much confusion in the Chamber we could not hear the Senator from North Carolina.

The VICE PRESIDENT. The amendment will be reported.

The Assistant Secretary. From the amendment made as in Committee of the Whole the Senator from North Carolina moves to strike out all of Titles II, III, and IV.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. EDGE (when his name was called). Making the same announcement as before, I wish to state that if permitted to vote, I should vote "nay."

Mr. LODGE (when his name was called). Making the same

announcement as before of my pair and its transfer, I vote nay.

The roll call was concluded.

Mr. EDGE. I transfer my pair with the Senator from Oklahoma [Mr. Owen] to the Senator from Maryland [Mr. Weller] and vote "nay."

Mr. HARRISON. On this question the senior Senator from Alabama [Mr. Underwood], if present and not paired, would

sult was announced-yeas 29, navs 61, as follows:

The resure	was announced ve	AS-29.	, as tonoms.
Caraway Culberson Dial Fletcher Gerry Harris Harrison Heffin	Hitchcock King La Follette McKellar Myers Overman Pittman Pomerene	Reed Robinson Shields Simmons Smith Stanley Swanson Trammeli VS-61.	Walsh, Mass, Walsh, Mont, Watson, Ga, Williams Wolcott
Ball Borah Brandegee Broussard Bursum Calder Cameron Capper Colt Cummins	Dillingham Edge Elkins Ernst Fernald France Frelinghuysen Gooding Hale Harreld Lohnson	Jones, N. Mex. Jones, Wash. Kellogg Kendrick Kenyon Keyes Knox Ladd Lenroot Lodge McCormick	McCumber McKinley McLean McNary Moses Nelson New Newberry Nicholson Norbeck Norris

Oddie Penrose Phipps Poindexter Ransdell	Sheppard Shortridge Smoot Spencer Stanfield	Sterling Sutherland Townsend Wadsworth Warren	Watson, Ind Willis
trade at the	NOT	VOTING-6.	
Ashurst Glass	Owen Page	Underwood	Weller

So Mr. Simmons's amendment to the amendment made as in Committee of the Whole was rejected.

The VICE PRESIDENT. The question is on concurring in the amendment made as in Committee of the Whole,

The amendment was concurred in,

Mr. FRELINGHUYSEN. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The Senator from New Jersey

offers an amendment, which the Secretary will state.

The Assistant Secretary. On page 3, line 24, after the word "pound," it is proposed to insert the following:

Except such wools as were purchased abroad prior to April 1, 1921, by individuals, firms, or corporations here, for importation into the United States.

Mr. FRELINGHUYSEN. I ask for the yeas and nays on the amendment.

The yeas and nays were not ordered. Mr. FRELINGHUYSEN. I ask for a division.

On a division, the amendment was rejected.

The VICE PRESIDENT. The bill is in the Senate and is still open to amendment. If there be no further amendment to be proposed, the question is, Shall the amendment be engrossed and the bill be read a third time?

The amendment was ordered to be engrossed and the bill to

be read a third time.

The bill was read the third time.

The VICE PRESIDENT. The bill having been read a third time, the question is, Shall it pass?

Mr. SIMMONS. Upon that I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. LODGE (when his name was called). I have a general pair with the Senator from Alabama [Mr. Underwood]. I transfer that pair to the Senator from Vermont [Mr. PAGE] and will vote. I vote "yea."

The roll call was concluded.

Mr. MYERS. I desire to announce that the Senator from Arizona [Mr. Ashurst] is necessarily detained from the Cham-I am informed that if present he would vote "yea."

Mr. HARRISON. The senior Senator from Alabama [Mr. UNDERWOOD] is unavoidably absent. He is paired with the senior Senator from Vermont [Mr. Page]. If he were present, the senior Senator from Alabama would vote "nay."

Mr. EDGE. Making the same announcement as previously, that I have a general pair with the Senator from Oklahoma [Mr. Owen], and not being able to secure a transfer, I withhold my vote. If permitted to vote, I should vote "yea."

The result was announced-yeas 63, nays 28, as follows:

	YE.	AS-63	
Ball Borah Borah Brandegee Broussard Bursum Calder Cameron Capper Colt Cummins Curtis Dillingham Elkins Ernst Fernald France	Frelinghuysen Gooding Hale Harreld Johnson Jones, N. Mex, Jones, Wash, Kellogg Kendrick Kenyon Keyes Knox Ladd La Follette Lenroot Lodge	McCormick McCumber McKinley McLean M^Nary Myers Nelson New Newberry Nicholson Norbeck Norris Oddie Penrose Phipps Pitman	Poindexter Ransdell Sheppard Shortridge Smoot Spencer Stanfield Sterling Sutherland Townsend Wadsworth Warren Watson, Ind. Weller Willis
2 zanco		YS—28.	
Caraway Culberson Dial Fletcher Gerry Glass Harris	Harrison Heffin Hitchcock King McKellar Moses Overman	Pomerene Reed Robinson Shields Simmons Smith Stanley	Swanson Trammell Walsh, Mass. Walsh, Mont. Watson, Ga. Williams Wolcott
	NOT V	OTING-5.	

Ashurst Edge

So the bill was passed.

Mr. PENROSE. Mr. President, I move that the Senate ask for a conference with the House of Representatives on the bill and amendment, and that the Chair appoint five conferees on the part of the Senate, that being the usual number in the case of revenue legislation.

Page

The motion was agreed to; and the Vice President appointed Mr. Penbose, Mr. McCumber, Mr. Smoot, Mr. Simmons, and

Mr. Williams conferees on the part of the Senate. Mr. SIMMONS. Mr. President, during the general discussion of the bill which has just been passed there was practically no reference to that provision of the bill which relates to dyestuffs. There was no discussion to-day of that question until a very short time before the time limitation upon debate prescribed in the unanimous-consent agreement expired. Three times, I believe, after that discussion had been projected I attempted to get recognition for the purpose of answering some of the statements which were made with regard to this provision of the bill, but without success; and before I could get recognition the hour for voting without further discussion had arrived. I was thus precluded from making any reply to these statements and arguments.

I am not going to make a speech, Mr. President; I am simply going to make a statement. I will on some other occasion

go into this question more fully.

The Senator from Nebraska [Mr. HITCHCOCK] has said that because there were large exportations of certain characters of dyes that are produced in this country there was, therefore, a great trust. I do not know myself whether there is any trust with respect to those particular dyes or not; but I do know that long before the act with reference to dyestuffs which was passed during the war there was an investigation into this subject, and it was then developed in that inquiry that there were certain kinds of dyes that had long been produced in this country; that long before that time that particular class of dyes were produced in this country largely in excess of the American demand, and there were and had been for some time heavy exportations of that character of dyes. I presume that that situation exists to-day. But, Mr. President, while before the war we were producing in this country certain kinds of dyes in quantities in excess of our demands, we were making only a very small part of the dye colors which were then and are now used in this country. We were not producing at all by far the greater part of the colors that were in common use in this country; and we were not prepared to produce and never had produced those by-products of the dye industry which were shown to be so essential in times of war for the defense of the country. Germany had an almost absolute monopoly of the production of these colors and these by-products.

In that situation, upon the recommendation and request of Woodrow Wilson, then President of the United States, we were called upon to act, by adopting the law the operation of which this provision extends for six months. The case presented itself to us not as a tariff question at all, but as a question of national preparedness and national defense; and without party divisions in this Chamber or in Congress we enacted the legislation which it is now claimed built up a trust which that enactment subsidizes. If we had not enacted that legislation, in my opinion,

it is doubtful if we could have won the war.

It is a mistake to suppose that this provision of the bill changes that law. It does not. Not one line or one syllable is stricken out of or added to the Democratic enactment, then adopted for the national defense and imperatively demanded by the necessities and emergencies of that situation. After the war closed the President recommended as a peace emergency precaution further legislation along the same lines as a means of developing and strengthening this essential industry. reason of the passage of the Knox joint resolution establishing peace between this country and Germany that enactment, which was a war measure, would, under the terms of its creation, become inoperative upon conclusion of peace. is proposed here not to change that law, but simply to lodge in the Secretary of the Treasury the powers that we then placed in the War Trade Board and continue for six months longer the power and function that were created and invested in that board under this Democratic law. The purpose in both cases is to safeguard the national defense by insuring adequate and full preparedness.

Mr. President, I think it is the sense of this country that we have not yet reached that point in the development of the dye industry in this country where it is able adequately to meet the requirements of preparedness in case of war; so that, as I regard it and as I think it ought to be regarded, this is a mere extension of a provision necessary to the national defense until we can have reasonable time to develop that industry to the point of making it adequate to supply our demands in case of hostilities between this country and some other country in the world. It is important that we are prepared for all eventualities and that we propose to continue that state of preparedness.

It is not now, as it was not when we enacted it, a question of tariff. It is a question of national preparedness and national defense

Mr. KING. Mr. President, I confess my regret at the vehement and passionate speech just submitted by the distinguished Senator from North Carolina [Mr. Simmons]. I take issue with some of his positions. I shall not take the time of the Senate now in the effort to controvert them, but if opportunity affords I shall reply to the Senator from North Carolina and those who have advocated what I conceive to be a dangerous and most extraordinary provision in this bill.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed a bill (H. R. 5010) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes, in which it requested the concurrence of the Senate.

## ENROLLED JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the enrolled joint resolution (H. J. Res. 52) to authorize the Secretary of the Interior, in his discretion, to furnish water to applicants and entrymen in arrears for more than one calendar year of payment for maintenance or construction charges, notwithstanding the provisions of section 6 of the act of August 13, 1914, and it was thereupon signed by the Vice President.

### NAVAL APPROPRIATIONS.

Mr. POINDEXTER. I move that the Senate proceed to the consideration of House bill 4803, being the naval appropriation

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes, which had been reported from the Committee on Naval Affairs with amendments.

Mr. POINDEXTER. Many Senators have routine business that they desire to present to the Senate, and I yield for that

purpose.

## PETITIONS AND MEMORIALS.

Mr. WILLIS presented petitions of the Ohio Woman's Christian Temperance Union, of Columbus, and sundry citizens of Chardon, both in the State of Ohio, praying for the enactment of the so-called Volstead supplemental prohibition enforcement bill, which were referred to the Committee on the Judiciary.

He also presented resolutions unanimously adopted at the National Milk Marketing Conference, called by the American Farm Bureau Federation, in Chicago, Ill., May 3 and 4, 1921, favoring the enactment of legislation to foster a more extensive organization of dairy farmers in cooperative marketing associations, which were referred to the Committee on the Judiciary.

Mr. CAPPER presented a resolution adopted by the National Union of the Farmers' Union of America at a meeting held in Washington, D. C., April 20, 1921, favoring the enactment of legislation to make Liberty bonds United States currency without interest and acceptable in payment of debts, so as to restore confidence, stimulate production and industry, etc., which was referred to the Committee on Banking and Currency.

He also presented a resolution adopted by the National Union of Farmers' Union of America at a meeting held in Washington, D. C. April 20, 1921, favoring certain amendments to the Federal reserve act, in the interest of agricultural producers, which was referred to the Committee on Banking and Currency.

He also presented a resolution adopted by the annual convention of the Kansas State Branch, National Association of Post Office Clerks, of Wichita, Kans., favoring the enactment of legislation to provide adequate compensation for postal clerks, which was referred to the Committee on Post Offices and Post

He also presented memorials of Wichita Lodge, No. 571, Brotherhood of Railway Clerks, of Wichita, and sundry citizens of Rossville and St. Marys, all in the State of Kansas, remonstrating against the enactment of legislation repealing the excess profits tax law and substituting therefor a sales or turn-over tax; which were referred to the Committee on Finance.

# REPORTS OF COMMITTEES.

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 1072) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes, reported it without amendment and submitted a report (No. 40) thereon.

Mr. SPENCER, from the Committee on Military Affairs, to which was referred the bill (S. 1360) authorizing the award which was referred the bill (S. 1800) authorizing the award of the distinguished service cross or distinguished service medal provided for in the act of July 9, 1918, to Army officers brevetted for gallantry during the War with Spain, Philippine insurrection, or China relief expedition, reported it without amendment and submitted a report (No. 41) thereon.

Mr. SHIELDS, from the Committee on the Judiciary, to

which was referred the bill (H. R. 4586) to amend the act entitled "An act to establish a code of law for the District of Columbia, approved March 3, 1901," and the acts amendatory thereof and supplementary thereto, reported it without amendment and submitted a report (No. 42) thereon.

Mr. ERNST, from the Committee on the Judiciary, to which was referred the bill (S. 1060) to amend an act entitled "An act to punish the transportation of stolen motor vehicles in interstate or foreign commerce," approved October 29, 1919, reported it without amendment and submitted a report (No. 43) thereon.

### BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CAPPER:

A bill (S. 1719) to amend an act entitled "An act to provide for the establishment of Federal reserve banks, to furnish an elastic currency, to afford means of rediscounting commercial paper, to establish a more effective supervision of banking in the United States, and for other purposes," approved December 23, 1913, as amended; to the Committee on Banking and Currency.

By Mr. RANSDELL:

A bill (S. 1720) to authorize the President to reappoint in the Navy former officers of the Regular Navy who resigned subsequent to November 11, 1918; to the Committee on Naval

A bill (S. 1721) to vest title to school lands in the State in which the lands are situated if a proceeding is not instituted before the Department of the Interior within 12 years after the State is admitted to the Union, or within 12 years after the survey of the school land sections was approved, to determine whether such lands were of known mineral character; to the Committee on Public Lands and Surveys.

By Mr. McCORMICK:

A bill (S. 1722) to amend chapter 231, known as the Judicial Code. act of March 3, 1911, volume 36, United States Statutes at Large, section 79, page 1110; to the Committee on the Judiciary.

# AMENDMENT TO ARMY APPROPRIATION RILL.

Mr. WARREN submitted an amendment proposing to increase the appropriation for encouragement of the breeding of riding horses suitable for the Army, including cooperation with the Bureau of Animal Industry, and for the purchase of animals for breeding purposes and their maintenance from \$150,000 to \$250,000, intended to be proposed by him to the Army appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

# AMENDMENT TO NAVAL APPROPRIATION BILL.

Mr. BRANDEGEE submitted an amendment proposing to appropriate \$281,345 for central heating and power plant, quarters for commissioned officers and warrant officers, remodeling and relocating certain buildings, providing facilities for small boats, filling and grading and retaining walls, and purchase of additional necessary land at the Coast Guard Academy, New London, Conn., intended to be proposed by him to the naval appropriation bill, which was ordered to lie on the table and be printed.

# PORTRAIT OF GEN. ANDREW JACKSON.

Mr. SHIELDS submitted the following resolution (S. Res. 75), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Library Committee of the United States Senate be authorized to purchase, if they can find one suitable, or to contract for the painting of, a portrait of Gen. Andrew Jackson, of Tennessee, and seventh President of the United States, to be hung in the Senate corridors or other appropriate place, along with the portraits of Washington and other Presidents of the United States, to be paid for out of the contingent fund of the Senate.

## HOUSE BILL REFERRED.

The bill (H. R. 5010) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes, was read twice by its title and referred to the Committee on Military Affairs,

## APPOINTMENT OF POSTMASTERS.

Mr. CURTIS. Mr. President, I ask unanimous consent to have printed in the RECORD the President's order and statement with regard to the appointment of postmasters.

The VICE PRESIDENT. In the absence of objection, it is so

ordered.

The matter referred to is as follows:

EXECUTIVE ORDER.

"When a vacancy exists or hereafter occurs in the position of postmaster at an office of the first, second, or third class, if such vacancy is not filled by nomination of some person within the competitive classified civil service who has the required qualifications, then the Postmaster General shall certify the fact to the Civil Service Commission, which shall forthwith hold an open competitive examination to test the fitness of applicants to fill such vacancy, and when such examination has been held and the papers in connection therewith have been rated the said commission shall certify the results thereof to the Postmaster General, who shall submit to the President the name of one of the highest three qualified eligibles for appointment to fill such vacancy unless it is established that the character or residence of any such applicant disqualifies him for appointment: Provided, That at the expiration of the term of any person appointed to such position through examination before the Civil Service Commission, the Postmaster General may, in his discretion, submit the name of such person to the President for renomination without further examination.

No person who has passed his 65th birthday, or who has not actually resided within the delivery of such office for two years next preceding such vacancy, shall be given the examination

herein provided for.

"If, under this order, it is desired to make nomination for any office of a person in the competitive classified service, such person must first be found by the Civil Service Commission to meet the minimum requirements for the office.

" May 10, 1921."

## STATEMENT OF PRESIDENT ISSUED TO-DAY.

"There are more than 400,000 men and women participating in governmental work who are in classified service. All of these are under the permanent provisions of the civil service law and rules.

"These permanent rules provide for the certification of the highest three eligibles, from which list of three each necessary appointment is made. The successful operation of the principles of civil service law has demonstrated the wisdom of this pro-This leaves in the appointing power, who has the ultimate responsibility for efficient administration, the necessary constitutional right of choice. This right of selection is the kind of responsibility which can not legally be and is not abridged by act of Congress, and is in exact harmony with the spirit of the civil-service principle.

"There are 52,332 postmasters. Of these, 39,433 are in the fourth class, and are now under such civil service laws and regulations as bring them within the privileges and conditions

of the classified service.

"Of the remaining 12,899 post offices, 700 are first class, 2,617 are second class, and 9,582 are third class. Obviously these offices are business agencies of the Government in legal purpose and should become so in fact. The only certain ultimate way to bring this about is to classify first, second, and third class postmasters. This will require an act of Congress. It is a step forward, measured by the requirements of progress, and is one which I hope will be made. Under existing laws the Executive has no power to require that these offices be placed in the classified service.

"Moving in that direction, however, the Executive order issued to-day provides that if any such vacancy is not filled by nomination for promotion of one from within the competitive classified civil service, then an open competitive examination shall be held and the appointment shall be made from one of the highest three eligibles, as required now by law in the classi-

fied civil service.

"This order, which is for our own guidance in making these appointments, will bring an operation squaring with the re-

quirements of any probable future legislation.

"Under this order the kind of test and plan of investigation and examination which shall be provided for shall be approved by the President, and shall be based on the applicant's business training, experience, fitness, organizing and executive ability, and general qualifications for an efficient administration, and shall in no sense be a cloistered, scholastic examination which might result in a high grade in theory, but not a guaranty of efficiency in fact.

"This order applies to all present incumbents of post offices whose terms have expired, and will apply to all other incum-

bents as their present terms expire."

Mr. HARRISON. Mr. President, the Senator from Kansas has just asked and secured unanimous consent to have printed in the RECORD the new order touching the appointment of postmasters. I ask in connection with that, following that order as printed in the RECORD, that the original order of President Wilson, with his proclamation, be also included in the RECORD,

Mr. CURTIS. I have no objection to that.

The VICE PRESIDENT. Without objection, the matter referred to will be printed in the RECORD.

The matter referred to is as follows:

EXECUTIVE ORDERS BY PRESIDENT WILSON RELATING TO THE APPOINT-MENT OF POSTMASTERS.

" MARCH 31, 1917.

"Hereafter when a vacancy occurs in the position of postmaster of any office of the first, second, or third class as the result of death, resignation, removal, or, on the recommendation of the First Assistant Postmaster General, approved by the Postmaster General, to the effect that the efficiency or need of the service requires that a change shall be made, the Postmaster General shall certify the fact to the Civil Service Commission, which shall forthwith hold an open competitive examination to test the fitness of applicants to fill such vacancy, and when such examination has been held and the papers in connection therewith have been rated, the said commission shall certify the result thereof to the Postmaster General, who shall submit to the President the name of the highest qualified eligible for appointment to fill such vacancy unless it is established that the character or residence of such applicant disqualifies him for appointment. No person who has passed his sixty-fifth birthday shall be given the examination herein provided for.

"APRIL 13, 1920.

"The veteran preference statutes shall apply in the selection of persons for appointment as postmaster at offices of the first, second, and third classes. When the highest eligible certified to the Postmaster General by the Civil Service Commission is not a veteran, but a veteran is among those certified as eligible, the Postmaster General may submit to the President for nomination the name of either the highest eligible or the veteran obtaining the highest eligible rating as the best interests of the service may require.

" Остовек 8, 1920.

"The Executive order of March 31, 1917, relating to post offices of the first, second, and third classes is hereby amended to read as follows:

"Hereafter when a vacancy occurs in the position of postmaster of any office of the first, second, or third class as the result of death, resignation, removal, or, on the recommendation of the First Assistant Postmaster General, approved by the Postmaster General, to the effect that the efficiency or need of the service requires that a change shall be made, if such vacancy is not filled by nomination of some person within the competitive classified civil service, who has the required qualifications, then the Postmaster General shall certify the fact to the Civil Service Commission, which shall forthwith hold an open competitive examination to test the fitness of applicants to fill such vacancy, and when such examination has been held and the papers in connection therewith have been rated, the said commission shall certify the result thereof to the Postmaster General, who shall submit to the President he name of the highest qualified eligible for appointment to fill such vacancy, unless it is established that the character or residence of such applicant disqualifies him for appointment. No person who has passed his sixty-fifth birthday or who has not actually resided within the delivery of such office for two years next preceding such vacancy shall be given the examination herein provided for."

Mr. PENROSE. Mr. President, it would be interesting, if the

Mr. PENROSE. Mr. President, it would be interesting, if the figures were available, for the Senator from Mississippi to ask to have printed in the Record a list of the Democrats appointed as postmasters in the United States prior to the Wilson civilservice order, and the number of Republicans decapitated-to use a current political phrase—in the middle of their tenure of office prior to the Wilson civil-service order.

Mr. HARRISON. I should have no objection to that, provided there should be put in also a list of the Democrats who are going to be decapitated now by the new order.

Mr. PENROSE. I know of none that are threatened with decapitation except for incredible inefficiency.

Mr. KING. While the Senator is suggesting that, I think he should put in the RECORD the number of Republicans who have been certified during the past year by the Civil Service Commission, particularly in the Senator's own State; because, from my observations, there have been more Republican postmasters appointed recently than there have been Democratic postmasters. Mr. PENROSE. I am very glad to know it.

ADDRESS BY HON. HOMER S. CUMMINGS.

Mr. HARRISON. I ask unanimous consent to have printed in the Record an address made by Hon. Homer S. Cummings at a banquet given in Pittsburgh, Pa., on April 11.

Mr. CURTIS. I am obliged to object to that unless it goes

to the Committee on Printing.

Mr. HARRISON. I shall not detain the Senate by reading it this afternoon.

#### BANKING AND CURRENCY COMMITTEE.

Mr. LODGE. Mr. President, owing to the increase in membership, there is a Republican vacancy existing upon the Committee on Banking and Currency. In order to fill that vacancy I move the adoption of the following order.

The order was read and agreed to, as follows:

Ordered, That the Senator from California, Mr. Shortridge, be assigned to service on the Committee on Banking and Currency to fill an existing vacancy.

NATIONAL BUDGET SYSTEM.

Mr. McCORMICK. Mr. President, I move that the bill (S. 1084) to provide a national budget system and an independent audit of Government accounts, and for other purposes, be printed showing the amendment of the House.

The motion was agreed to.

#### EXECUTIVE SESSION.

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 20 minutes spent in executive session the doors were reopened.

### DEATH OF REPRESENTATIVE WILLIAM H. FRANKHAUSER.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, communicated to the Senate the intelligence of the death of Hon. WILLIAM H. FRANKHAUSER, late a Representative from the State of Michigan, and transmitted the resolutions of the House thereon.

Mr. NEWBERRY. I ask that the resolutions of the House be

laid before the Senate

The VICE PRESIDENT laid before the Senate the resolutions of the House of Representatives, which were read, as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. WILLIAM H. FRANKHAUSER, a Representative from the State of Michigan.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect this House do now address.

Mr. NEWBERRY. Mr. President, I submit the following resolutions and ask for their adoption.

The resolutions (S. Res. 76) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. WILLIAM H. FRANKHAUSER, late a Representative from the State of Michigan.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

Mr. NEWBERRY. Mr. President, as a further mark of respect to the memory of the deceased Representative, I move that the Senate adjourn.

The motion was unanimously agreed to; and (at 5 o'clock p. m.) the Senate adjourned until to-morrow, Thursday, May 12, 1921, at 12 o'clock meridian.

# CONFIRMATIONS.

Executive nominations confirmed by the Senate May 11 (legislative day of May 9), 1921.

GOVERNOR OF PORTO RICO.

E. Mont. Reily.

UNITED STATES MARSHAL.

Peter H. Miller, for the northern district of Florida.

UNITED STATES ATTORNEY.

Thomas J. Muncey, for the western district of Virginia.

COLLECTORS OF CUSTOMS.

Charles H. Holtzman, for customs collection district No. 13. Willfred W. Lufkin, for customs collection district No. 4.

APPRAISER OF MERCHANDISE.

Samuel W. George, in customs collection district No. 4.

# HOUSE OF REPRESENTATIVES.

WEDNESDAY, May 11, 1921.

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, offered the following prayer:

Almighty God, wonderful and marvelous are Thy works and in our limitations we seek some new impulse which is a revelation of Thyself. We bless Thee for this day's privilege. Comfort the family of him who has fallen, and above the turbulent seas of their lives may they hear the Divine voice saying, Peace, be still. Lo, it is I, be not afraid. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL. Mr. RICKETTS, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. J. Res. 52. Joint resolution to authorize the Secretary of the Interior, in his discretion, to furnish water to applicants and entrymen in arrears for more than one calendar year of payment for maintenance or construction charges, notwith-standing the provisions of section 6 of the act of August 13,

### SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 546. An act making an appropriation to pay the State of Massachusetts for expenses incurred and paid, at the request of the President, in protecting the harbors and fortifying the coast during the Civil War, in accordance with the findings of the Court of Claims and Senate Report No. 764, Sixty-sixth Congress, third session; to the Committee on War Claims.

### FUTURE TRADING.

Mr. HAUGEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 5676, and pending that I desire to see if arrangement can be made as to limitation of time for general debate.

Mr. RAINEY of Illinois. How much time does the gentleman

Mr. HAUGEN. The suggestion is that the time be limited to three hours, if agreeable to that side, to be equally divided between the gentleman from Illinois [Mr. RAINEY] and the gentleman from Kansas [Mr. TINCHER].

Mr. ASWELL. May I ask if the debate will be confined to

the subject matter of the bill?

Mr. HAUGEN. I am willing to include that in my request.
Mr. GARRETT of Tennessee. Do I understand the gentleman to include as part of his request that debate be confined to

Mr. HAUGEN. I am perfectly willing.
Mr. GARRETT of Tennessee. I hope the gentleman will not include it.

Mr. CAMPBELL of Kansas. It is not part of the request, but if it is desirable that could be done.

Mr. RAINEY of Illinois. There is no desire

Mr. HAUGEN. In conferring with Members it seems to be the opinion that we should follow the usual rule and that general debate be not entirely confined to the subject matter.

Mr. RAINEY of Illinois. That is perfectly agreeable.

Mr. HAUGEN. Now, as to the time?

Mr. RAINEY of Illinois. Three hours is entirely satisfactory to this side, one-half to be in the control of this side.

Mr. HAUGEN. Mr. Speaker, I ask unanimous consent that general debate be limited to three hours, the time to be equally divided between the gentleman from Illinois [Mr. RAINEY] and the gentleman from Kansas [Mr. TINCHER].

The SPEAKER. The gentleman from Iowa asks unanimous consent that general debate be limited to three hours, half to be controlled by the gentleman from Kansas [Mr. Tincher] and half by the gentleman from Illinois [Mr. Rainey]. Is there objection?

Mr. BLANTON. Reserving the right to object, I would like to ask the gentleman, as chairman of the committee, if he would object to cotton being placed in this bill as well as grain?

Mr. STAFFORD. Mr. Speaker, I demand the regular order. The SPEAKER. The regular order is demanded. Is there objection? [After a pause.] The Chair hears none. The question is on the motion of the gentleman from Iowa.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 5676, with Mr. Madden in the chair.

The CHAIRMAN. The House is in Committee of the Whole

House on the state of the Union for the consideration of the bill H. R. 5676, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 5676) taxing contracts for the sale of grain for future delivery, and options for such contracts, and providing for the regulation of boards of trade, and for other purposes.

The CHAIRMAN. The gentleman from Kansas.

Mr. GARNER. Mr. Chairman, ought not the bill to be read? The CHAIRMAN. Unless somebody asks unanimous consent to dispense with the reading.

Mr. GARNER. Nobody has asked unanimous consent as yet. Mr. TINCHER. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection? [After a pause.] The

Chair hears none.

Mr. TINCHER. Mr. Chairman, I desire to be notified at the end of 20 minutes. Mr. Chairman and gentlemen of the committee, I do not want to take too much of the time of the committee in the discussion of this bill, because I realize now that the bill has many friends, and I do not care to take any chances on disturbing that situation. This is an old subject in the American Congress. I can remember when an illustrious predecessor of mine, Jerry Simpson, promised the people of my congressional district in 1896 that if he was elected to the Congress he would do away by law with all gambling in grain futures, and he said that the only reason that evil had not been cured long before was that Members came up here and were influenced by the grain exchanges. Mr. Simpson was a man of ability, a man of integrity, a man absolutely in sympathy with the people of his district, who were grain producers. He came here, and after returning home and there was not any legislation on the subject he was approached one day by a very good friend, who said, "Jerry, what happened; did the grain exchanges get to you?" He said, "No; I found out a whole lot of things about the grain market I did not know when I was making those speeches before," Subsequent to that time another illustrious Kansan introduced a measure, as chairman of the Committee on Agriculture, for the purpose of regulating the grain exchanges, which were at that time, as at all times since, recognized in Kansas and in the grain sections as operating the grain exchanges as a detriment to the producer of grain, and he came near getting the legislation, but all the time he was confronted with this proposition, that it was a dangerous subject to legislate on, because no one wanted to destroy what was then and is now known as legitimate hedging in grain dealing, and the culmination of that whole proposition was this, that boards of trade came here to the hearings, gave their version of the thing, and finally agreed to eliminate all the evils from the grain exchanges, and the legislation was abandoned. There was some merit in the abandonment of it, because it is said to be a dangerous thing to legislate on. The facts are that it will absolutely prove fatal to the producers of the country to destroy their only market facilities, while on the other hand there are the radicals on one side, who say that this bill will destroy it if you pass it, so there has been naturally some hesitancy about passing legislation along this line

During the war the trading in futures in grain was prohibited by law, or by an arm of the Government created by law, and there was a time between the guaranteed price of wheat and the time that the boards of trade resumed trading in futures that has enlightened the American people considerably upon the necessity of gambling in food products. I refer now to the time between last May and last August. There was not any trading in grain futures during that time; there was not any gambling in grain, and the market, while there were changes in the price, was what might be called a stable one. very day that the grain exchanges began to operate what they called the future market and began to gamble in grain, that day the fluctuations were manifest, and from that time on until to-day there probably never was in the history of our country a time when there was the difference between the price of the farmers' product and the price of the consumers' product. There never was a time when there was more vicious fluctuations in the market.

I introduced a bill last December, the first day of the convening of the short session of Congress, and we had hearings upon it and others that were introduced along the same line, coverning 1,070 pages of testimony, taken from the best in-formed men in the world, concerning these markets and concerning production. The grain exchanges came here at that time from all the market centers and fought the bill, and said that they did not want any legislation; that legislation would

be ruinous to the market. And it was the old customary fight like we have had from grain exchanges and the packers for more than 25 years in this country. But the condition was so manifest to every producer in the country that the people were not satisfied to take that version of it. A man hauls in a load of wheat, after every bushel of this year's supply had been thrashed, and sells it one day, at 60 pounds weight to the bushel, for so much money, and then bringing in a load the next day he is informed by his buyer that he can not have by 20 cents what he received the day before. Then bringing in a load a week later, the market probably will be back, and not what it was before. There has been no change in the demand for wheat, no change in the visible supply of wheat, nothing influencing it or causing that fluctuation, but the pure, unadulterated, unmitigated gambling in the product. Still in the face of that there were those who contend that that was necessary in order to stabilize the market, when, in fact, there was not any stable market.

I introduced a bill again on the first day of this session of Congress, and we began hearing witnesses favorable to legislation along this line. Much to our surprise-and I say this, I think, for every member of the Committee on Agriculture-the grain exchanges took an entirely different view of the matter than what they had taken in December. Now, the bill has been changed some, but there are no changes in it that would warrant a change in the grain exchanges. I provided in the first bill that the hedge should be protected by giving permission to deal in futures of three times the quantity of grain actually handled in a year. In the present bill we get at the manipulation in a different way, but just as effectively. And I was convinced that the first proposition was the wrong way to reach it, because the testimony disclosed that there was a possibility, even under that measure, of manipulation of what is known as the corner. I am frank to say to this committee that when the representative of the first grain exchange that said that that bill was constructive left the committee with this remark, "I hope you will pass effective legislation on this subject during the Congress," it rather frightened me. I thought there was something wrong. I asked why this change of front. He said, "I will tell you. We have promised you repeatedly that we would eliminate the evils occurring in the grain exchanges"some of these evils I will discuss a little later-" we get home and some of us eliminate the evil, but some little exchange will not, and we eventually have to come back to that evil in order to protect our own exchange."

But the people are so awake to these evils that the State legislatures are beginning to pass laws. The Minnesota Legislature passed a law this winter, and the intention of the author of it was to absolutely prohibit all dealing in futures. The law was revised in section 1. At the end of a hard fight up there some men who thought the hedge could not be eliminated from the trade got what they called section 3 in the law, and you will find it in the hearings, in a copy of the bill, and which practically destroys the law. However, in the State law no man on either end of the proposition of grain would feel safe to do business in the State of Minnesota. He would not know, until there was a construction of that law by some court, as to whether he was an outlaw or not. And the great State of

Illinois

Mr. YOUNG. Will the gentleman yield? Mr. TINCHER, I will be glad to yield.

Mr. YOUNG. How would that law be affected by the one

you are proposing to pass at this time?

Mr. TINCHER. My best information is that the trade is not affected by reason of what is called section 3, which was intended by the parties who substituted it in the bill to kill it. But the proposition is here, that they want legislation, and if we pass the Federal statute it would have a tendency to settle

that thing and create uniformity.

I started to say that in Illinois there are some bills pending, and I am not going to take the time to read them to the committee here. There are a number of briefs prepared in connection with those bills. The grain exchanges asked for delay in our hearings, saying that they had to go to the Illinois Legislature. But we told them to come here, and so they got a delay out there and came and gave their version of the matter before our committee. I received yesterday a brief of the bills that are pending in the Illinois Legislature, and I find that there is an element in that great State that thinks it should destroy the hedge, and the bills that are pending there would have that

Mr. HUDSPETH. Will the gentleman yield?

Mr. TINCHER. Gladly.

Mr. HUDSPETH. I am opposed to gambling in cotton futures. The gentleman does not represent a cotton country, but I

my State was one of the pioneers in cutting the bucket shops out of it. Does the gentleman object to striking out the word "grain" and inserting "agricultural products," so that cotton can be introduced?

Mr. TINCHER. When I first introduced the bill I had the

word "cotton" in it-

Mr. HUDSPETH. I will state to my friend that I wish he had kept it in there.

Mr. TINCHER. I will tell you why I did not. It was not because of any disrespect I had for cotton. I put it in there, thinking that the exchanges were operated along the same lines, but after talking with two or three members of the Committee on Agriculture from the cotton-growing section I changed my mind. That word "cotton" caused us more trouble than all the rest; it sounded like a bumblebee. Before I got through the first hearings on the proposition I found that there was not any unanimity among the men who represent the cotton growers. No two of them figured alike on regulating the cetton exchanges.

Mr. WARD of North Carolina. Mr. Chairman, may I inter-

rupt the gentleman right there?

Mr. TINCHER. Yes. Mr. WARD of North Carolina. I want to ask if the gentleman's investigation led him or his committee to any conclusion touching cotton, and whether he investigated the matter? Was any light thrown upon the subject of the cotton exchanges as distinguished from the grain exchange? I ask the question because, like the gentleman who rises at my left [Mr. Hudspeth], I am intensely interested in the cotton question. To me it is much more important than the bumblebee. I do not doubt that it buzzes, but I would like to know if the investigation made by the gentleman threw any light on that question.

Mr. TINCHER. I will say that in the first hearing, although I have no personal knowledge of the cotton industry, so far as I am concerned, I was still of the opinion that the word "cotton" should be in the bill. There is an admitted difference of opinion among Members of Congress here from the cotton-

growing section as to the effect it would have.

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield?

Mr. TINCHER. Yes.

Mr. HUDSPETH. I want to ask my friend from Kansas a question. I was present at some of the hearings before the committee last session. It is a question regarding the bill which, I think, was introduced by the gentleman from Arkansas [Mr. Caraway]. I want to ask the gentleman, from the telegrams he saw there from the real planters in Texas, what is his conclusion as to the unanimity of the farmers in Texas regarding the prohibiting of gambling in futures in cotton? I think

they were all handed to the gentleman.

Mr. TINCHER. The telegrams, I think, wanted us to prehibit the gambling in futures of cotton. That was the bill of Mr. Caraway, now Senator. He did not handle the situation exactly as I have. He did not believe in regulating the cotton Senator Caraway's contention was that the cotton trade did not need the cotton exchange, and that it should be abolished. I did not figure that it was up to me to quarrel with the Congressmen from the cotton-growing section, and so, in order to get rid of a possible quarrel, I left it out of the bill and said to the committee very frankly that if it went in there it must come from the cotton producers and not from the men who grow wheat. I do not know the cotton trade, and I was not competent even to judge of the evidence on the cotton proposition.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. TINCHER. Yes. Mr. BLANTON. Of course, all of us are interested in the grain question with the gentleman, I take it. But if we help the gentleman pass his grain bill, I do not think he will object to passing a proper regulatory measure respecting cotton.

Mr. TINCHER. I will be glad to help, and this has been my attitude on the Committee on Agriculture since I have been on it. Always I have said to the men who represent the cottonon it. Always I have said to the men was represent the cotton-growing districts on the Committee on Agriculture, "I am ready to cooperate with you," because I understood that it was an evil of the same sort that hung over the heads of producers in my country. I said, "I am with you."

Mr. HUDSPETH. I think any amendment in regard to

cotton would be subject to a point of order. Would the gentleman insist on the point of order to an amendment including

cotton in his bill?

Mr. TINCHER. I would say to the gentleman this, that if an amendment to this bill including cotton means that my bill can not have the one-half or one-third of the votes over here, I would want to make the point of order against it. If the men representing the cotton-producing sections of the country want cotton included, I will be glad to put it in, but I do not

want wheat to get under cotton and get run over and ground up. [Laughter.]

Mr. HUDSPETH. The gentleman is candid.

Mr. TINCHER. As is stated in the report on the bill, I do not contend for the bill that it will absolutely stop grain speculation or that it will stop trading in futures, and I do not want it to, because there is no other available marketing place for the grain. But we do claim for this bill that it will stop the pure, unadulterated gambling in grain, such as "privileges," "bids," "puts" and "calls," "indemnities," and "ups and downs," which have no connection with the grain itself, but which is pure gambling, and amounts to 20 per cent of the actual trading, and has a tendency to cause a manipulation of the market, which is in every instance against the producer and against the consumer, and to the profit of the pure gambler between.

We claim that section 4 of the bill, placing the grain exchanges under the supervision of the Secretary of Agriculture, will prove a valuable feature. I want to say to you that I have examined into it carefully, and it has this effect: Before a grain exchange can be designated as a marketing place it must show the Secretary of Agriculture that it is operated under certain rules and regulations; and, to make a long story short, those rules and regulations

The CHAIRMAN. The gentleman from Kansas has consumed 20 minutes.

Mr. TINCHER. I will yield myself five minutes more.

Those rules and regulations must be such as will prevent the manipulation of the market. An examination of the bill by anyone will disclose the fact that he has power to make those rules in that direction,

There is another paragraph in this bill that I want to mention, and then, as I stated before, I will conclude before I have got some one started against the bill. [Laughter.] That is the provision authorizing the Secretary of Agriculture to compel the grain exchanges to permit the cooperative associations to have membership on the grain exchanges. That was not my idea originally. I do not want to steal it from anyone.

Mr. Steenerson and several other Members of Congress had bills pending covering that proposition, and several of the States have passed laws covering that proposition, and when we had before our committee the present Secretary of Agricultureand he is a man who has given this subject great study for many years-it was his opinion that while passing this legislation we should incorporate that feature in it. I want to say that our committee had by unanimous vote voted out at the last session of Congress Mr. Steenerson's bill covering that point, and it was his opinion that we should take it; so we have stolen Mr. Steenerson's bill and put it in here in one short paragraph.

Mr. CHINDBLOM. Mr. Chairman, will the gentleman yield?

Mr. TINCHER. Yes.

Mr. CHINDBLOM. The gentleman used the word "gambling" in the beginning of his statement. Does the gentleman contend

that every sale of grain for future delivery is gambling?

Mr. TINCHER. Oh, no.

Mr. CHINDBLOM. Will the gentleman tell us what legitimate trading there is on these exchanges and boards of trade?

Mr. TINCHER. A reading of the bill will convince the gen-tleman that we are permitting the sale of grain for future delivery, the sale of futures, so called, and we are permitting what is known as the legitimate trading in wheat. Under section 3 we are prohibiting that class of trade which can be nothing else than pure, unadulterated gambling.

Mr. CHINDBLOM. My main purpose is to make it clear, and I think it has not been made clear, that the gentleman does not classify all trading in futures on the boards of trade and ex-

changes as gambling.

Mr. TINCHER. I certainly do not classify it all as gambling, and have not in this bill. It is a technical question as to where legitimate trading ceases and gambling begins, and I do not propose to go into that technical discussion.

Mr. McKENZIE. Will the gentleman yield? Mr. BLANTON. Will the gentleman yield? Mr. TINCHER. I will yield first to the

I will yield first to the gentleman from Illinois [Mr. McKenzie].

Mr. McKENZIE. I should like to ask the gentleman from Kansas if it is the hope of the proponents of this bill that it will tend to stabilize the price of wheat when it is up and prevent the forcing of it down by speculation?

Mr. TINCHER. That is it, absolutely. For instance, after every bushel of wheat in the world is thrashed, after the world's demand for wheat is known, after the world's supply is known, there is no legitimate excuse for putting down the price of every bushel of wheat in the United States 20 cents on Monday

and then gradually bringing it back to its original price by Wednesday or Thursday of the following week. That is caused now by gambling, and it is the contention of the proponents of

this bill that to do away with it will stabilize the market.

Mr. McKENZIE. If that is true, I want to ask the gentleman, if the power to deal on the boards of trade in the manner that is now permitted will enable the dealers to force the market down 20 cents, would not that same law of trade permit the same men to force it up 20 cents? In other words, can you get rid of doing the one thing without destroying both?

Mr. TINCHER. Let me say to my friend that the fluctua-tion in the product produced in this way always operates against the producer. Now, I wish the gentleman would take the time to-night to read the 1,070 pages of testimony here,

which will absolutely prove that fact, and you will not find any testimony to contradict any part of it.

Mr. McKENZIE. I will be satisfied if I may ask one more question. My understanding of this bill is that its purpose is to make it possible for the producer of grain to get a better price for his product, and that it is not the purpose of this bill simply to abolish gambling on account of its immorality or to assume the character of an agent of morality.

Mr. TINCHER. The gentleman is entirely correct. The CHAIRMAN. The time of the gentleman has again expired.

Mr. TINCHER. I will take two minutes more.
Mr. CONNALLY of Texas. The gentleman says the purpose of this bill is, if the price of grain is high, to stabilize it so that it will remain high. Suppose the price of grain is low.

Will this bill stabilize it to keep it low?

Mr. TINCHER. I did not say that if the price of grain was high it was a bill to keep the price high or that this would keep it high. Here is what I said, and I repeat it. I said when the world's supply of grain is known, when the world's demand for grain is known, the fluctuations from one week to another against the producer of 20 or 30 cents a bushel by the gambling in grain can not be defended, and that this bill is a step, at least, toward curing that evil, because it does eliminate a branch of the trade that is nothing else in the world except gambling.

Mr. CONNALLY of Texas. Will the gentleman yield fur-

Mr. TINCHER. I have a great many demands for time.
Mr. CONNALLY of Texas. Right along that line.

Mr. TINCHER. All right.
Mr. CONNALLY of Texas. I am in sympathy with the gentleman's purpose, but because the gentleman is so well posted on this subject I am asking for information. What the gentleman is really trying to do, is it not, is to remove the artificial fluctuations and allow supply and demand really to control?

Mr. TINCHER. That is entirely correct.
Mr. CONNALLY of Texas. In view of the gentleman's investigation, does he think that this bill will measurably do that thing:

Mr. TINCHER. That is my sincere opinion. [Applause.] The CHAIRMAN. The time of the gentleman has again ex-

Mr. TINCHER. I reserve the remainder of my time.

Mr. RAINEY of Illinois. I yield 20 minutes to the gentle-

man from Texas [Mr. Jones].
Mr. JONES of Texas, Mr. Chairman and gentlemen of the committee, while the grain exchanges of the United States may have performed some useful functions, at the same time there have grown up in connection with these exchanges certain abuses that have been detrimental both to the producers and the consumers. Under our present system of distribution these exchanges provide a ready market. At the same time the wild and continuous gambling that has taken place on them has more than counteracted the good which they have performed, has caused fluctuations in the market, and been detrimental to everyone who has any interest in the food supply of this country. To present a bill which would eliminate the evil features has been a difficult problem. I believe the bill which has been presented at least tends to accomplish this purpose.

I believe that in time a new system will grow up which will make the exchanges as they are conducted at present wholly unnecessary. An effort is now being made through a system of cooperative marketing to secure a substitute for the system

which now prevails.

The grain production of this country is seasonable and the demand and need for it is regular and continuous. In other words, most of the grain is produced at a certain season of the year, while the consumptive demand lasts throughout the year. Under the present system of selling the legitimate exchange is considered by many to be beneficial. In other words, it is con-

tended that if a local buyer wishes to buy 20,000 bushels of wheat from the producer it would require some \$30,000 to handle the deal. This amount the local buyer in many cases, perhaps in most cases, does not possess. For various reasons it may be several days, several weeks, and in some instances several months before he can secure final delivery of wheat to the point of destination. The producer wants and needs his money now. The local bank can not afford to let the buyer have the money with which to buy the wheat, because if the price of wheat is greatly reduced the bank would lose money. Therefore the local buyer buys the 20,000 bushels of wheat, paying \$1.50 per bushel for it, and immediately sells a similar amount on the exchange for delivery at a future day at \$1.55 per bushel, thus eliminates most of the speculative features of handling the wheat in so far as he is concerned. In other words, if wheat goes up he loses on one contract and gains on the other. If wheat goes down the operation is just the reverse. So that whichever way the market turns he has made approximately 5 cents per bushel, less the expense of handling. It is a form of By having the two contracts the bank can afford to let him have the money with which to buy the wheat, and the deal can be financed. This is what is called hedging.

Under the bill as prepared the Secretary of Agriculture is given supervision over all contracts that take place in the mar-These contracts must be kept in writing. Heretofore the exchanges have kept no written records, so that there is no way of telling how much they have bought and sold on the market.

Gambling on such a gigantic scale, of course, should be abolished and the evils of the exchanges thus eliminated. One great problem in this country is that of distribution. We have, in a large measure, mastered the machinery of production; but in the peculiar economy of this Government the rights of the producers have been neglected. They have been unorganized. They have been forced to sell their produce at a price which they did not name and to buy what they used at a price that is always named. I hope that the passage of this bill will result in bettering their conditions and at the same time operate as a benefit rather than as a detriment to the final and ultimate

This bill is also intended to make the cornering of the market through manipulation impossible. This is very desirable. And if anyone on this floor can suggest an amendment which will strengthen the bill in this respect, I shall be glad to support it. I would like to see gambling in farmers' products abolished

This bill does not go as far as I would like to have it go, but

is a step forward.

Mr. HUDSPETH. Will the gentleman yield for a question?

Mr. JONES of Texas. I will.

Mr. HUDSPETH. Does my colleague think the cotton exchanges are a benefit to the producer of cotton?

Mr. JONES of Texas. I do not think the cotton exchanges are. However, I believe that you would need some system of furnishing information to take their places. I want to say in connection with the cotton question which my friend raises here that I believe a bill should be drafted relative to the cotton exchanges. However, the cotton exchanges are wholly dissimilar to the grain exchanges. The system of handing them is dif-

I want to say to my friend that I have never thought that pure gambling, where no delivery is contemplated, is necessary to a market for agricultural products. I want to see it abolished altogether.

Mr. ASWELL. Will the gentleman yield?
Mr. JONES of Texas. When I have finished this statement I will be delighted to do so. Here is one difference: Cotton is identified. You handle a specific bale of cotton. It is usually sold by sample. Wheat is standardized, and when a bushel of wheat goes into a bin you never again see that specific bushel of wheat. You simply sell so many bushels of wheat. The system of selling is altogether dissimilar. The grades and types are different. If some one who wants the cotton exchanges regulated along these lines will introduce a bill, I am sure the committee will be glad to pass it. They seem perfectly willing to do so.

Will the gentleman yield? Mr. ASWELL,

Mr. JONES of Texas. I will, Mr. ASWELL. Does the gentleman know that this bill seeks to do for the grain exchanges what is already existing law in

reference to cotton exchanges?

Mr. JONES of Texas. It is along similar lines, but you could not well make the same bill apply to the grain exchange as to the cotton exchange; the provisions would need to be different in order to be effective. If you want cotton regulated, it ought reduce the transactions 15 to 20 per cent?

to be a separate bill. You can not put in this bill the cotton situation without altering the provisions in this bill.

However, it is generally agreed that the man who deals in "puts," "calls," and "indemnities" contributes nothing to the furnishing of a market for actual grain, while the man who attempts to manipulate the market is a positive detriment to everyone concerned. This bill abolishes puts, calls, and indemnities absolutely, and undertakes to provide machinery whereby through a supervision of the Department of Agriculture manipulation of the market may be abolished or at least reduced to a minimum,

Mr. LAYTON. Will the gentleman yield?

Mr. JONES of Texas. Certainly.

Mr. LAYTON. The milk of the coconut is in section 3 of

Mr. JONES of Texas. Yes; a part of it.
Mr. LAYTON. And the particular milk here are the words
"privileges," "bids," "offers," "puts and calls," "indemnities,"
or "ups and downs." What are they?

Mr. JONES of Texas. I was intending to come to that, but I will answer it now. A "put" is simply this—a man to-day pays, say, \$5 for the privilege of buying wheat at any time before the market closes to-morrow at \$1.50 per bushel. He thinks that wheat is going up. If to-morrow it goes up to \$1.60, he takes down the 10 cents. If wheat goes down, he loses \$5 per thousand. He does not buy wheat. He simply buys the privilege of buying wheat on certain terms and within a limited time. The "call" is just the reverse. He thinks wheat is going down and he pays \$5 for the privilege of selling at a specified price before the market closes to-morrow, say, at \$1.50. If wheat goes down, he demands the execution of the contract and takes down his margin.

In other words, these men simply stand in the pit and toss contracts for wheat back and forth without even contemplating the delivery of wheat. And that causes a great many slight fluctuations of the price of wheat, and they play upon these price fluctuations and are interested in making wheat fluctuate rather than remain steady. These men gamble on the bread supply of the Nation. They are useless parasites. They do not produce wheat. They do not buy actual wheat and they do not sell actual wheat,

Mr. LAYTON. That is interesting; but what of the rest of

Mr. JONES of Texas. The others are expressions covering the same thing. "Indemnity" is a synonym for "put" or call." They are terms protecting these same transactions.

I will state that there is a market system and a market place. There are men who want to bid or gamble on the temporary fluctuations of that market. They go in and toss contracts back and forth on the market on the fluctuation. The trouble with these people is that they are interested in making the market fluctuate. They perform no useful function for the producer or the consumer. Their whole interest is to maintain not a steady and normal market but their interest is in making it fluctuate, and for that reason I think it is wise that they should be absolutely barred. This bill at least accomplishes that much.

Mr. WILSON. Will the gentleman yield?

Mr. JONES of Texas. Yes. Mr. WILSON. I understand that the puts and calls proposition—one is a speculator and the other is a broker?
Mr. JONES of Texas. Yes; usually that is true.

Mr. WILSON. Does the gentleman know of any exchange that does not permit transactions of that character?

Mr. JONES of Texas. I do not.

Mr. WILSON. What position did the representatives of the exchanges who appeared before the committee take in relation to abolishing the ups and downs, puts and calls?

Mr. JONES of Texas. Some of them were willing to have them abolished, but most of them were not, on account of the revenue which the exchanges derive therefrom. Some of them said they were willing to have them abolished in view of the demand for legislation.

Mr. LAYTON. One more question, and then I am through. Mr. JONES of Texas. I will yield to the gentleman,

Mr. LAYTON. If this bill is passed, they could not possibly make me pay a 20-cent tax if I wanted to sell 1,000 bushels of my own wheat?

Mr. JONES of Texas. Oh, no, no; that is provided for in the

Mr. KINCHELOE. Will the gentleman yield?

Mr. JONES of Texas. Yes. Now, my objection to the put and call proposition is that these men are interested in causing the market to fluctuate. They live off of this business. In other words, they have the same relation to society and to the wheat business and to the public that the flea does to the dogthey live off the dog.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. JONES of Texas. I will.

Mr. MOORE of Virginia. Just what does the bill propose to do?

Mr. JONES of Texas. To do away with puts and calls by taxing them out of business and to regulate the markets by requiring a written record of every transaction that takes place, so that it will be subject to the supervision of the Secretary of Agriculture, who shall have the right, if the law is violated, to withdraw from that exchange its designation as a board of trade, and consequently its right to do business. In this way the Secretary will be in a position to prevent manipulation or cornering the market.

Mr. MOORE of Virginia. Am I correct in assuming that the bill contemplates that the speculative market shall be maintained under the supervision and sanction of the Secretary of

Agriculture?

Mr. JONES of Texas. Under the conditions laid down in the bill, yes; but their activities will be very much restricted, and

manipulation abolished.

Mr. MOORE of Virginia. Section 2 is a mere definition, and section 3 simply describes as illustrative of the transactions we wish to forbid certain special transactions, and the real heart of the bill is in section 4.

Mr. JONES of Texas. In a large measure that is true, but I think one of the strong parts is in section 3, because I think when you do away with the power of the gambler who performs no useful function you have done a good deal.

Mr. MOORE of Virginia. Section 3 would be ineffective because it is simply illustrative, except for the provisions of

section 4.

Mr. JONES of Texas. Section 3 stands absolutely alone and taxes at 20 cents a bushel every contract that comes under the nature of a put and call; in other words, pure gambling transactions on the fluctuation of the market. It puts them out of commission and without regard to section 4.

Mr. MOORE of Virginia. And without regard to section 3 you would have section 4 speaking deliberately on future

contracts.

Mr. JONES of Texas. Exactly.

Mr. KINDRED. Will the gentleman yield for a brief question with reference to the—

Mr. JONES of Texas. I will yield only for a question, be-

cause my time is limited.

Mr. KINDRED. As to the possible checks and restraints that might be necessary to place upon these associations from the standpoint of the consumer. Are there sufficient checks and restraints?

Mr. JONES of Texas. I think as a starter they will very greatly help. It is at least a step in the right direction. I will tell the gentleman there may be some strengthening to this bill to be made in the future. However, you can not afford to take the chance of killing these institutions outright or to destroy them until something is ready to take their place, and I believe there will be some day. In fact, I hope it will be soon.

Mr. BLANTON. Will 20 cents a bushel Mr. JONES of Texas. Unquestionably. Will 20 cents a bushel be sufficient to stop it?

Mr. BLANTON. Would it be constitutional?

Mr. JONES of Texas. I think so; we have the taxing power

Mr. BLANTON. Then, in lieu of fixing 20 cents a bushel, why not just prohibit it entirely?

Mr. JONES of Texas. A constitutional question might arise in connection with such a provision.

Mr. BLANTON. I was simply asking the question whether the Supreme Court would permit you to do indirectly a thing that it would not permit you to do directly.

Mr. JONES of Texas. The Supreme Court has allowed us to go a long ways in the taxing power, and I think the wiser method is this course rather than to take the chance on the

Mr. HUMPHREYS. How much revenue does the gentleman estimate there will be?

Mr. JONES of Texas. Perhaps we would not get much. But if we can prevent the cornering of the market it will be worth while. It is not primarily for revenue purposes unless some one wants to proceed in a business that is not to the interest of the producer and consumer. In that event, if anyone wants to pay for the privilege, we might get some reven ie.

Mr. HUMPHREYS. But that is not the purpose of the bill? Mr. JONES of Texas. The primary purpose is to regulate the exchanges, and to do away with certain practices which have grown up in connection with the exchanges. This is the. wiser way to do it.

Mr. HUMPHREYS. The purpose, as I understand, is to li-

cense the man to do that thing if he wants to do it.

Mr. JONES of Texas. No; the purpose is to place certain power and supervision in the hands of the Secretary of Agriculture whereby if he persists in doing some things that are considered deleterious, he can be effectually curbed.

Mr. BURTNESS. Will the gentleman yield for one or two

questions for information as to the operation of the bill?

Mr. JONES of Texas. I will.

Mr. BURTNESS. Assuming that I own a thousand bushels of wheat in the fall of the year, and I think the wheat is going to go up, but I need the money and I desire to sell that wheat, and thinking that it is going to go up, I desire to buy a future of the same amount of wheat for future delivery. That, I take it, would not be prevented by section 3 of this law?

Mr. JONES of Texas. Not at all.

Mr. BURTNESS. Now then, would that be prevented, or could it be prevented by the operation of this law under sub-

division (b) of section 4 of the bill?

Mr. JONES of Texas. I do not think so at all.

Mr. BURTNESS. Then the intent of the law is to save a proposition of that sort and not regard it as a gambling transac-

Mr. JONES of Texas. That is correct. In other words, there is no intent to do away with legitimate trading.

Mr. BURTNESS. Could it be prevented under the rules and regulations to be issued by the Department of Agriculture provided for by the law?

Mr. JONES of Texas. No; not where you own the actual grain. That comes under section (a), which gives the absolute right to sell the grain for future delivery without any question at all.

Mr. BURTNESS. But I may want to sell my grain and get my money from the local elevator in the fall, because I need the money, and I want to buy back a future option because I think grain is going to go up. I want to sell that grain in the fall simply to take the place of keeping my grain in storage.

Mr. JONES of Texas. That is perfectly legit mate.

Mr. BURTNESS. That will be regarded, I take it, as a legitimate transaction?

Mr. JONES of Texas. Oh, yes.

Mr. BURTNESS. Now, the second question I want to get at is this. With the operation of subdivision (b) of section 4 of this act, how are you going to shut out dealing in futures that are purely speculative?

Mr. JONES of Texas. There is an absolute prohibition under section 3. There is no desire to forbid sales for future delivery.

Mr. BURTNESS. The things that are prohibited in section 3 are those things that are known as "privileges," "bids," "offers," "puts and calls," "indemnities," and "ups and "offers," "puts and calls," "indemnities," and ups a downs," trade names applicable to specific transactions only.

Mr. JONES of Texas. After you have eliminated those if you are going to have a market for your product under the present system you have to permit a speculative market in order to have a broad liquid market. I am in favor of an entirely different system, based upon the law of supply and demand, and the first time I get a chance I shall vote for it. In the mean-time I think this measure will be of some benefit.

Mr. BURTNESS. But my position is this: There are still transactions that would be regarded as speculative, and I take it that some of those at least can be transacted under subdivi-

sion (b) of section 4; but what I am getting at is—
Mr. JONES of Texas. But the manipulators try to destroy the law of supply and demand and set up an artificial market

and thus win, right or wrong.

Mr. BURTNESS. How is it actually proposed to eliminate

Mr. JONES of Texas. There are certain conditions-The CHAIRMAN. The time of the gentleman has expired. Mr. JONES of Texas. May I have 10 minutes additional?

Mr. RAINEY of Illinois. I yield the gentleman 10 additional minutes.

Mr. JONES of Texas. The purpose of the whole proposition, or the main purpose of it, is to prevent a manipulation of the market-

Mr. BURTNESS. Certainly; but that is not entirely accomplished by this legislation. It is not yet covered by the legislation.

Mr. JONES of Texas. Under the provisions of section 4 the Secretary of Agriculture thought that under the instructions

there he would be able to make such regulations as would con-

trol those phases

My friends, under the present system of marketing, if a local buyer was to produce 10,000 bushels of wheat from the producer, sometimes he could not deliver it at once. buyer will not be able to deliver it finally for several days, sometimes for several weeks, and in some instances several months. The local buyer does not have the money. It costs about \$15,000 to handle the transaction. He goes to the local banks, and the banks say to him that it may go down 20 cents a bushel or even 40 cents, and we can not afford to let you have the money. The buyer then says, "I will go to the exchanges and sell some 10,000 bushels of wheat for future delivery." He takes that contract, and leaves both contracts with his local bank. wheat goes up, he gains on one contract and loses on the other; if it goes down, it operates just the reverse. So in either event he has made his commission.

In other words, so far as the local buyer is concerned, the gambling features of the situation are eliminated and he is able to operate on a much narrower margin than if he had to finance the whole transaction. This bill will not interfere with that kind of transaction which is known as hedging. But there are men who have lived off of this exchange business who never buy, never pay for, and never deliver a single bushel of grain. They own nothing in connection with this transaction; they contribute nothing to it; they own no farm; they own no mills. In other words, "They toil not and neither do they spin, and yet Solomon, in all his glory, was not arrayed like

some' of these.

Mr. BLACK. Will the gentleman yield? Mr. JONES of Texas. I will.

Mr. BLACK. I have not had an opportunity to study this bill, but if I understand correctly there is no prohibition on individual or corporation from contracting to sell the actual grain or contracting to buy it, provided he does it through one of these authorized exchanges?

Mr. JONES of Texas. Not at all.

Mr. BLACK. In other words, he really may be dealing on a pure speculative basis, but he must make an actual contract?

Mr. JONES of Texas. Yes.

Now, my friends, I believe that some day something is going to grow up in the way of a system of distribution that will make the present system of exchanges unnecessary. That is one of the pressing problems of to-day. The exchanges claim they do not cost the country any money; for the reason that there are enough suckers who come to pay the expenses; in other words, that the "lambs" pay the bill. I asked the president of one or two of these boards if it was not true that about 90 per cent of the inexperienced purchasers bulled the market; in other words, played on grain going up. And they all said that more than 90 per cent were of that character. In other words, the inexperienced buyer bets on grain going up; bulls the market. Then the professional buyer who takes the other side bears the market, at least, so far as those transactions are concerned, tries to depress the market. In other words, the experienced man is interested, in all these transactions, in depressing rather than in raising the market.

Now, I believe that we are going to develop in this country a system of distribution that will be better than this. I believe we should have a system of standardization of all agricultural products, and then concentration of those agricultural products near the point of production; then by a system of guaranteeing we should have in connection with this transaction a source of information to those who need grain, who need farm products, as to where the supply may be had. We will help to furnish to those people who have the supplies the points and places and people where the demand is located. In other words, there should be a system of direct connection between supply and demand, so that a man who needs a product will be able to have a direct method of connection with the man who produces the product. Now, this may not be used a great deal, but it will enable the consumer and the producer to beat down the middle man who is trying to profiteer and make the middle man operate on a legitimate margin of profit, I believe that the simple usage, or, rather, the availability, of such a method of distribution will enable the people of this country to do away in a large measure with the question of profiteering.

There were sold on the market in Chicago annually during the five years from 1914 to 1918 about 18,000,000,000 bushels of grain. There were delivered on that market about 325,-600,000 bushels. In other words, there was sold on that market fifty-one times the amount of actual grain that was de-livered. There was sold annually on that market during that period about three times as much grain as was grown in the world. Now, I do not believe it is necessary in the economy of

this country to have a lot of men supported—and the country must, after all, support them—who stand in the wheat pit and who stand in the exchange and engage in purely gambling transactions.

Mr. SNELL. Will the gentleman yield for a question?

Mr. JONES of Texas. I will.

Mr. SNELL. As I understand from your statement, a man is allowed under the provisions of this bill to buy and sell futures if he is doing it under the hedging contract?

Mr. JONES of Texas. Yes.

Mr. SNELL. But he is not going to do it if he is purely gambling? How are you going to tell which is which, and whether when I am selling I am doing it as hedging or as

gambling? I am interested in getting information.

Mr. JONES of Texas. I will state this: That the words "gambling" and "speculation" are used by most of us not altogether with accuracy, and this bill will not forbid the actual making of a contract for future delivery. It will give the Secretary of Agriculture, by virtue of written reports on all transactions, the right to supervise the exchanges in their conduct of this busi-It leaves a broad, open market on contracts for future delivery and on contracts of buying and selling all along the

Mr. SNELL. It seems that the exceptions in the bill as it stands at the present time would cover almost all contracts that

a man could make.

Mr. JONES of Texas. There are no exceptions in section 3. Those particular phases would be absolutely abolished. One of the troubles of the grain market is this: They make no record. It is impossible to tell how much they sell. This requires a record to be made, and publicity will be a great help in connection with these matters. tion with these matters. [Applause.]
The CHAIRMAN. The time of the gentleman from Texas

has expired.

Mr. TINCHER. Mr. Chairman, I yield 20 minutes to the .

gentleman from Indiana [Mr. Purnell].

The CHAIRMAN. The gentleman from Indiana is recog-

nized for 20 minutes.

Mr. PURNELL. Mr. Chairman and gentlemen of the committee, I have no prepared speech to make on this subject, but I do want to call attention to some of the more important feat ires of this legislation as they are proposed in this bill.

I may say, by way of introduction, that after several days of hearings I have somewhat changed my individual opinion of grain exchanges. I think there exists over the country a pretty general feeling that trading in futures and grain exchanges themselves have worked a hardship upon the producers of the country. But after a series of very thorough and exhaustive hearings I have come to the conclusion that in the interest of the producers of the country we must maintain many of the features of our present marketing system. I have no interest in the grain exchanges. I have not any of them in my district. If I looked at this matter from a purely selfish standpoint I would regard only the interests of the men who produce corn and wheat and oats and rye and such other products as are raised in my district. I represent a purely agricultural district. But the surprising conclusion that I have come to, which as I say is in conflict with my former hazy notions, is that the producers in my section of the country profit very largely in many of the transactions and processes of the grain exchanges.

The purpose of this legislation is to strike at the principal objection, to begin a process of elimination that will weed out those features of our marketing system that are injurious and retain those which are good. The committee agreed and all the witnesses have agreed that the one overshadowing evil that must be eliminated is manipulation. This bill provides, in so far as it is humanly possible to do so, for the elimination of manipulation upon these grain exchanges. We discovered from the various witnesses who came before our committee that hedging must be maintained, at least under our present system, and there is no thought in the proposed legislation of destroying the present system. We are firm in the belief that a reasonable amount of pure speculation is necessary under cur present

system in order that we may have a liquid market.

Mr. DUNBAR. Mr. Chairman, will the gentleman yield?

Mr. PURNELL. Yes. Mr. DUNBAR. The gentleman says that a reasonable amount of speculation is necessary in order to maintain the market which will insure such prices as will be reasonable. Now, in sections 3 and 4 you impose a tax of 20 cents a bushel. How could any amount of reasonable speculation be indulged in that would cost 20 cents a bushel?

Mr. PURNELL. There are two kinds of speculation. Section

3 is designed to put an end to what is commonly known as "puts and calls." They are manipulative in character. I do

not know much about "puts and calls," but section 3 is designed to put an end to that practice, because that in itself is manipulative and embodies an intent to affect the market.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman

vield?

Mr. PURNELL. Certainly. Mr. SUMNERS of Texas. How does a put or call affect the

price of spot wheat?

Mr. PURNELL. The gentleman has put a hard question to me to answer briefly and in detail. The gentleman perhaps knows what "puts" and "calls" are better than I. I will say, in a general way, that men will pay to-day for the privilege to-morrow of delivering or having delivered to them fictitiously any given number of bushels, and by that operation affect the price of spot wheat.

Mr. SUMNERS of Texas. How? I am at a loss myself to I do not want to take the gentleman's time, but I myself would like to know how that transaction affects the price of wheat. But I do not wish to annoy the gentleman. I will

withdraw the question.

Mr. PURNELL. I do not know much about it. I think

other gentlemen perhaps know and they can go into it.

There is another kind of speculation, and that is the kind of speculation that is engaged in by a group of men from day to day. It is of no use to call them anything other than gamblers. It is gambling. They have no wheat, no corn, no barley, no sye, no sorghum seed to sell. They have nothing to deliver. They never expect to deliver anything. They never expect to have anything delivered to them. They are speculators. They are gamblers. But for the purposes of this bill we refer to them as speculators. Speculating and gambling are synonymous terms, so far as this bill is concerned.

Mr. SNELL. Those speculators that you are describing are allowed under the provisions of this bill?

Mr. PURNELL. They are.

Mr. PURNELL. They are. Mr. SNELL. Who is to judge whether they are good specu-

lators or bad speculators?

Mr. PURNELL. Nobody is going to be called upon to judge as to who is a good speculator or a bad speculator.

Mr. SNELL. Who will draw that dividing line as to just

how far we can go and not go and still be called good or bad?

Mr. PURNELL. If those people want to trade, they must trade under the provisions of this b'll on a "contract market."

A "contract market" is one that is so designated by the Secretary of Agriculture, and if I have the time I want to explain to the gentleman why we put that machinery in the hands of the Secretary of Agriculture, why we give him the power to designate certain markets as "contract markets."

Mr. SNELL. If he designates a certain market as a "contract market" and I am a trader on that market, I can buy to

any extent I want to on that market.
Mr. PURNELL. You can.

Mr. SNELL. And still be considered a good speculator? Mr. PURNELL. The Secretary of Agriculture would not say whether you are a good speculator or a bad speculator, and he will not be called upon to say it. If you buy on a "contract market," it means that that market is under the supervision of the Secretary of Agriculture. Let me tell the gentleman the reason for des'gnating a market a "contract market." Suppose you are a speculator and you want to buy on some market. If you avoid the tax, you do business on a "contract market," one that is designated by the Secretary of Agriculture. The reason for designating certain markets as contract markets is just this: We do not want the Secretary of Agriculture to interfere with the business, but we want him to know about it. Before these markets can be designated as "contract markets" under section 5 of the bill they must comply with certain requirements. One of the principal requirements is that they must furnish the Secretary of Agriculture certain information. We all know and the country knows that the thing which has created more suspicion and more doubt in the minds of the people of the country than any other one thing is the lack of information in regard to these grain exchanges. I said in the beginning that I personally have a different opinion to-day from that which I held when we began these hearings, because I have found there are good features about grain exchanges. The whole suspicion in the public mind to-day grows largely out of the fact that we lack information. In this bill we give the Secretary of Agriculture the power to get information, because before any of these grain exchanges can be designated as "contract markets" they must agree to do certain things, and if they do not do those things they can be suspended for a period of six months and may have their permits or designations revoked entirely.

Mr. SNELL. What do you mean by information—a statement

of the number of bushels bought and sold?

Mr. PURNELL. That is one thing. They must furnish, if called upon, records and reports. They must provide for the prevention of manipulation as well as prevent the issuance of fake crop reports, and so forth.

Mr. SNELL. The gentleman who preceded you told how many bushels had been sold on the grain exchanges of the country in a certain number of years. How did he get that

information?

Mr. PURNELL. That has been compiled very inaccurately by digging it out-

Mr. SNELL. There is nothing definite about it?
Mr. PURNELL. By digging it out through the Federal Trade Commission and some of the other commissions that have had charge of getting information. I can not tell the gentleman exactly how it is reached, but it is unsatisfactory and inaccurate, and we want to get that information. It has been estimated by various people that a single bushel of grain may be dealt in on the Chicago Board of Trade, for example, as many as thirty times. Nobody knows whether that is true or not, and we want to get at the bottom of that situation and find out.

Mr. RAKER. Will the gentleman yield?

Mr. PURNELL. I yield to the gentleman from California. Mr. RAKER. Right in connection with the question of speculation I find this in the report in explanation of what the gentleman has started to say. I find this sentence in the report and I wish the gentleman would explain it to the committee. It is as follows:

And while it will not abolish speculation, or what is known to the trade as legitimate trading, it will absolutely destroy manipulation, and it will make for uniformity among different markets.

Just what distinction does the gentleman or the committee make in regard to that—between speculation and manipulation? Mr. PURNELL. The gentleman means to ask what is the distinction?

Mr. RAKER. When this report says this bill will not prohibit speculation, what does it mean?

Mr. PURNELL. We can not prohibit speculation as long as we maintain our present system.

Mr. TINCHER. I think the gentleman from California wants the gentleman from Indiana to tell him the difference between manipulation and speculation.

Mr. SNELL. I think that is a very important proposition.
Mr. PURNELL. It is very important. I will answer the mr. PURNELLE. It is very important. I will answer the gentleman's question by reading from the hearings.

Mr. RAKER. All right.

Mr. McDUFFIE. You can not manipulate without specu-

lating

Mr. PURNELL. You can not manipulate without speculating, but you can speculate without manipulating.

Mr. RAKER. Are not most of the speculators manipulators?
Mr. PURNELL. All of the manipulators are speculators, but very few of the speculators are manipulators.

Mr. SUMNERS of Texas. Will the gentleman yield for a

suggestion?

Mr. PURNELL.

Mr. SUMNERS of Texas. For instance, a speculator would be a man who would go in and make an individual transaction on the board, but a manipulator would be a man or a group of men who would undertake to corner the market.

Mr. PURNELL. By buying large quantities.
Mr. SUMNERS of Texas. Not only by buying large quantities on future contracts, but by undertaking to control the stock market also at that particular time.

Mr. WILLIAMSON. Will the gentleman yield?

Mr. PURNELL. I will be glad to yield.
Mr. WILLIAMSON. Will this bill put an end to local bucket shops all over the country

Mr. PURNELL. I think most of the States have laws pro-

hibiting bucket shops now.

Mr. WILLIAMSON. Here is a man who is buying on a margin in his local town through a bucket shop or local broker. I am wondering if this bill will put a stop to that kind of

speculation or whatever you choose to call it.

Mr. PURNELL, Yes; it will, because the men who buy under the present bucket-shop system will not have any place to buy unless they do business through a contract market.

Mr. WILLIAMSON. Can they put in their bids by wire and have them accepted by wire?

Mr. PURNELL Of course you can not stop men from betting.

Mr. PURNELL. Of course you can not stop men from betting on the price of grain any more than you can stop men from betting on a ball game or a horse race.

Mr. VOIGT. The bucket shop is wiped out in this bill, Le-

cause a bucket shop is not a contract market.

Mr. PURNELL. The gentleman is exactly right. I want to read from the hearings what I started to read a moment ago.

Mr. CHINDBLOM. Can a bucket shop operate if it pays the tax'

Mr. TINCHER. Not long on 20 cents a bushel. Mr. CHINDBLOM. I am asking whether this bill makes

it possible for a bucket shop to operate.

Mr. PURNELL. If they paid 20 cents a bushel on each bushel of grain involved in the transaction, I suppose they could do

Mr. TINCHER. Not long.

Mr. CHINDBLOM. That raises the question whether they could evolve a system under which they can take care of the tax, but the point I wish to make is that you are not wiping out

the bucket shop.

Mr. PURNELL. I asked Mr. Hoover this question: "It has been stated to this committee that this class of traders-referring to the speculators who have no grain to sell and never expect to have any delivered-this class of traders are necessary in order to give liquidity and flexibility to the market. Is that your view?" And Mr. Hoover answered, "This is my impression. I do not believe anyone could determine its accuracy without actual experiment, but my impression is that a certain amount of speculation is necessary in order to get liquidity-a ready market. I do not regard that as especially harmful, for some one must in effect carry the surplus. The real harm is from the man who goes into the market with the deliberate intent of manipulating the price by the continued pressure of selling or buying.

Mr. RAKER. Here is a man who is speculating, who is betting on the price of grain, and is not he a first-hand manipulator,

Mr. PURNELL. I will say that the man who buys 10,000 bushels of grain or sells 10,000 bushels of grain with the idea that the grain will advance or decrease in price can not by such a small transaction hope to affect the market. If a man attempts to manipulate the market he must buy or sell in such large quantities as to bring enough pressure to bear to affect that market.

Mr. RAKER. Is not that transaction purely and entirely a

gambling transaction?

Mr. PURNELL. I think so, but I am not discussing the moral question involved. We have to recognize the fact that in this country there is a great system of exchanges and that they perform certain legitimate functions. As I said a minute ago, there is no use in trying to camouflage terms. Speculation involves the sale or purchase of products that a man never expects to have delivered, or never expects to deliver, and yet men who are more or less unbiased, men like Julius Barnes, who served as head of the Grain Corporation, Herbert Hoover, and every representative of the farmers organizations, when we boil down their testimony, agreed in substance that we must of necessity have a certain amount of speculative dealing. Why? Because there are certain seasons of the year when there is no demand for the farmer's product. There are times when men have thousands of bushels of products to sell and nobody to buy. Now, here is a group of men known as speculators who are ready to buy and sell every day, who furnish and give flexibility to the market. They are called insurers, because they do provide a ready market every day for farmers' products.
Mr. BURTNESS. Will the gentleman yield?
Mr. PURNELL. Yes.

Mr. BURTNESS. Suggestions were made a minute ago that the bucket shop would be eliminated. Assume that the Duluth or Minneapolis Board of Trade established by the Secretary of Agriculture is a contract market, and assuming that a member of that board of trade desires to establish a branch office in the State of Indiana or in North Dakota; do you mean to say that you or I or some member of the public could not go to that

branch office and say, "I desire to buy or sell 10,000 bushels of wheat for May or September delivery"?

"Mr. PURNELL. The branch house is to be under the control of the Secretary of Agriculture?

Mr. BURTNESS. The branch house is a branch of the board of trade, and, under the provisions of the law, declared by the Secretary of Agriculture to be a contract market. Can that be done under the provisions of subdivision b, section 4?

Mr. PURNELL. The gentleman recognizes the fact that there will be evasions of the law, of course.

Mr. BURTNESS. That is not an evasion of the law; that is a provision of the law.

Mr. PURNELL. What is the purpose of organizing the branch house?

Mr. BURTNESS. They might need that legitimately.
Mr. PURNELL. If they do, it is proper; and I see no reason
why they should not. The whole system is put under the man-

Agriculture. He is given a great deal of authority and a great deal of power. The most important thing he is permitted and empowered to do under this law, in my judgment, is to make investigation and keep in touch with the concerns and know what they are doing.

Mr. BURTNESS. I am in thorough accord with the purposes of the law, but what I was trying to bring out is whether it goes far enough. Does the gentleman believe that with sales for future delivery, eliminating puts and calls, there would be any less speculative gambling under the operation of this law, particularly under subdivision b, section 4, than there has been in the past?

Mr. PURNELL. I hope so.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield? Mr. PURNELL. Yes.

Mr. McLAUGHLIN of Michigan. The gentleman from California [Mr. RAKER] asked the gentleman who has the floor the definition or difference between a speculator and a manipulator. The gentleman will recall that Mr. Crosby, of Minneapolis, gave us a definition which at the time seemed to be a good one. Perhaps it will be helpful to the gentleman from Indiana and interesting to the gentleman from California if we read that definition.

Mr. PURNELL. I will be glad to have the gentleman read it.

Mr. McLAUGHLIN of Michigan. It is this:

Speculator: One who deals under existing conditions as he interprets them but does not attempt to alter them.

Manipulator: A speculator who by reason of the large quantities in which he deals attempts to force artificial conditions or to exaggerate conditions for his own advantage.

Further along Mr. Crosby, in answer to a question of mine, said:

The manipulator is the man dealing in huge quantities, not to cover actual transactions but to produce an unnatural and undue influence either of depression or advance, thus creating a situation which interferes with the free play of prices and introduces into legitimate operations elements of danger and uncertainty and hazard. It would be represented by enormous dealings for one man or one director of a deal.

Mr. J. M. NELSON. May I ask the gentleman from Kansas a question? I take it the Internal Revenue Office will collect the taxes?

Mr. PURNELL. It is provided for in section 7, I will say in answer to the gentleman's question.

Mr. J. M. NELSON. And the Internal Revenue Office will then have to classify what is a manipulator and what is a speculator, will it not?

Mr. PURNELL. It would be very hard I think to deter-

Mr. J. M. NELSON. Will all be manipulators or all be specu-

Mr. PURNELL. Two classes of transaction are taxable. The 20 cents a bushel is levied upon transactions, in addition to the tax now imposed, upon every privilege or option conthe tax how imposed, upon every privilege or option contract, either of purchase or sale of grain, intending thereby to tax the transaction known to the trade as "privileges," "bids," "offers," "pits and falls," "indemnities," or "ups and downs." The CHAIRMAN. The time of the gentleman has expired, Mr. TINCHER. I yield the gentleman five minutes additional.

tional.

Mr. J. M. NELSON. Let me make it clear. The gentleman is reading there from section 3. The point is this: I am trying to find out whether this bill is simply bow-legged so that the gambling hog can run through it or whether the size is to stop it. In other words, the Internal Revenue then must fix the tax and will tax somebody, and will not they then have to determine which are manipulators and subject to tax and which are not?

Mr. PURNELL. The gentleman understands the tax would

be paid by the seller.

Mr. CHINDBLOM. If the gentleman will yield, does not this bill in effect provide that the Secretary of Agriculture shall determine what is reasonable speculation and what is unreasonable speculation? In other words, the Secretary of Agriculture shall determine when you stop gambling and when you do not stop gambling?

Mr. PURNELL. I think the gentleman is partially correct. Mr. CHINDBLOM. Is not that so in paragraph (b) of sec-

Mr. PURNELL. Of course that is a hard thing to determine. It is as one of the brightest witnesses who appeared before our committee said-it is hard to tell when a pig becomes a hog or night becomes day. You must allow some reasonable amount of latitude to the Secretary of Agriculture.

Mr. J. M. NELSON. It is only a question of size.
Mr. PURNELL. And the successful operation of this law agement and supervision or surveillance of the Secretary of necessarily depends upon the men charged with its enforcement. Mr. CHINDBLOM. There are very few laws, indeed, where an executive officer determines what is a crime and what is not.

Mr. PURNELL, I refer to an instance where we lodge blanket authority with an individual or an official.

Mr. CHINDBLOM. The Secretary of Agriculture simply requires the exchanges to have certain rules and regulations. Now, in the report it is said these will eliminate manipulation by their own rules, and they all have that rule now. What-

Mr. PURNELL. I think the exchanges are just as anxious as the producing public to eliminate manipulation. I was impressed with the fact in the hearing that under the law as it is proposed they will be able further to do that very thing.

Mr. DYER. What is the meaning of manipulation?

Mr. PURNELL. The gentleman, I am afraid, just came in. I have been discussing manipulation for some time.

Mr. DYER. I know the view the gentleman from Kansas had about it.

Mr. PURNELL. Manipulation in this bill has reference to "puts and calls'

Mr. CHINDBLOM. What is the general attitude of the

exchanges on this point? Mr. PURNELL. Well, I will say to the gentleman in answer to that question, as far as I know everybody favors this legis-

lation.

Mr. HUTCHINSON. Will the gentleman yield?

Mr. PURNELL. In just a moment. I was equally surprised with the gentleman from Kansas [Mr. TINCHER] when we discovered that the grain exchanges themselves look with considerable favor upon this legislation, and the representatives of the farmers' organizations are also favorable to it, as are all the people who represented the producing public before the com-The Secretary of Agriculture was and, as far as I know, everybody is reasonably favorable to this legislation. Now I will yield to the gentleman.

Mr. HUTCHINSON. Will the gentleman explain about section 3? As I understand this bill it protects hedging. How can you hedge without bidding, because a man to hedge has got to

buy and another man has got to sell.

Mr. TINCHER. If the gentleman will permit, the words used in section 3 are the words used by the different exchanges in operation in the United States, and have exactly the same meaning, and will not at all affect trading in futures, such as the gentleman from New Jersey is interested in, but they are used in that connection so as to cover what are considered puts and calls.

Mr. PURNELL. In other words, they have a specific

Mr. HUTCHINSON. I know they have a specific meaning in gambling, but I want to know how you can hedge without buying or selling?

Mr. TINCHER. Those words are synonymous

Mr. PURNELL. Those words are a common quotation of the market, and they have a specific meaning.

Mr. HUTCHINSON. They are in the law here just the same,

Mr. BLANTON. Will the gentleman yield? Mr. PURNELL. With pleasure.

The CHAIRMAN. The time of the gentleman has expired.
Mr. BLANTON. I ask that the gentleman be given two minutes

Mr. PURNELL. May I ask the gentleman from Kansas if I can have five additional minutes?

Mr. TINCHER. I will yield the gentleman five additional

minutes

Mr. BLANTON. All the gentlemen of the committee state the purpose of this law is to put the present exchanges out of The gentleman from Indiana indicated that the presbusiness. ent exchanges were favorable to the passage of this resolution. I want the gentleman now simply to explain, if he can to my satisfaction, why the present exchanges could be favorable to legislation that will put them out of business?

Mr. PURNELL. I think the gentleman has misunderstood if he understood anyone to say that the purpose of this legislation

is to abolish grain exchanges.

Mr. BLANTON. No. I mean the present exchanges as con-

ducted now, with puts and calls.

Mr. PURNELL. That is not the intention of it at all. They are perfectly willing to abolish "puts and calls," because they are manipulative in character, and they are just as anxious, I firmly believe, in wiping out manipulation as any member of the committee is.

Mr. BLANTON. The customers of the exchanges are merely

pawns for the manipulators, are they not?

Mr. PURNELL. I do not know about that.
Mr. NEWTON of Minnesota. This is true, is it not, that
quite a number of the large exchanges have themselves abolished puts and calls, and did it some years ago?

Mr. PURNELL. They have taken, I understand, every step possible to prevent manipulation.

Mr. NEWTON of Minnesota. I know that is true in the Min-

neapolis Exchange. Puts and calls have been abolished there. Mr. PURNELL. At least it was so represented before the

committee. It is not possible for us to go back of that.
Mr. LAYTON. Will the gentleman yield?
Mr. PURNELL. I will.
Mr. LAYTON. I understand that legitimate exchanges are

in favor of this bill because they expect it will put the ordinary

bucket shop out of business?

Mr. PURNELL. I hope it will put the bucket shops out of business. And the principal thing, as I see it, to be accomplished by this bill is to bring the business within the supervision of the Agricultural Department, not to the extent that it can be controlled by the Government, because none of us want Government control or ownership, but in order that the Secretary of Agriculture may know more about the business and determine what markets are fit markets to be designated as "contract markets."

Mr. RAKER. Will the gentleman yield for another question? He seems to have given this matter extraordinary care and attention. It has been stated on the floor of the House many times that last year's crop was sold about fifteen times over, if not

Mr. PURNELL. The estimates are that it was sold from

fourteen to thirty times over, I think.

Mr. RAKER. That is better yet, so far as the question I want to ask is concerned. Would this bill if carried to-day eliminate that selling of the grain from fifteen to thirty times

Mr. PURNELL. I can not answer that by yes or no. I do not know whether it will or not. The chances are, if I may say it to the gentleman frankly, it may not interfere with that at all. The question we must determine, however, is whether the sale over and over again of the specific number of bushels of grain affects, one way or the other, the price.

Mr. RAKER. Grain that does not exist?

Mr. PURNELL. That does not exist.
Mr. RAKER. I just imagined from what I had heard that the people were against this method of gambling by which grain may be sold fifteen to thirty times and affect the producers in that way

Mr. PURNELL. The gentleman will be surprised if he will read the hearings to learn how unanimous witnesses are in approving certain speculative features of the present system.

Mr. RAKER. One more question and I will finish. Are the representatives of the producers of grain in this country in

favor of that way of handling their crops?

Mr. PURNELL. Mr. Clifford Thorne, of Chicago, who represented the farmers, and whom I regard as one of the brainlest men in the country, urged that before we get away from the present system we should extend it two years and not cut it off suddenly. I think the hearings will bear me out that he, too, recognized under the present system a certain value to hedging and speculation.

Mr. COOPER of Wisconsin. I notice in section 3, on page 2, line 13, there is levied a tax of 20 cents a bushel on every bushel involved in such transactions. There is no "bushel"

involved.

Mr. PURNELL. Only mathematically.
Mr. COOPER of Wisconsin. There is no bushel of grain involved. Suppose they would say technically that there was no

grain involved in it?

Mr. PURNELL. Certainly the intent of the law is to tax every bushel of grain that is involved, either actually or theoretically. In other words, if a man buys in a speculative way, with no intention of having it delivered, 50,000,000 bushels or 1 bushel, he must pay the tax.

Mr. COOPER of Wisconsin. Is there any bushel of grain involved in the "puts and calls"?

Mr. PURNELL. No; there is not.
Mr. HAUGEN. There is a contract.
Mr. PURNELL. That is the point. There is a contract.
Mr. LAYTON. If this bill becomes a law, will the Secretary of Agriculture have the same control over the bucket shops as over the grain exchanges?

Mr. PURNELL. Bucket shops will certainly be eliminated, which will do away with the necessity of any control over them. The CHAIRMAN. The gentleman from Kentucky [Mr.

KINCHELOE] is recognized.

Mr. KINCHELOE, Mr. Chairman and gentlemen of the committee, as everybody knows, in this country there has been a great demand coming from the producers of grain for some regulation of the grain exchanges. I believe that the growers of grain are reasonable, conservative men, and want only such

regulations as are reasonable and that no longer mitigate against the price of their products. To me the fluctuation in the price of grains is the most uncalled-for and inexcusable than in that of any product that is not only raised by the farmer but any raw product or mineral that comes out of the bowels of the earth. Because when the grain is raised and thrashed there are just so many bushels, and you can not enlarge that number. You can not contract that or expand it. There are so many bushels. There is a certain demand for that number of bushels, and we all know that when wheat sells for a certain price per bushel to-day and the amount is ascertained that is raised in the world or in this country, and it fluctuates on dif-ferent exchanges and is quoted at different prices per bushel in a few days' time, there is nothing less at the bottom of it than manipulation.

There is a unanimous report on this bill, and we realize that so long as the present system of boards of exchange is in vogue, and the market for the grain of the farmers of the country, of course, that must be dealt with and the vicious practice stopped. I believe that the time will come when you and I will see in our lifetime the farmers of this country owning and operating their own elevators. We will see the time when they are going to take care of this market, and there will be cut out the profit of the middleman by improving the marketing system in their owning their cooperative elevators where they can sell the grain they raise direct to the miller. But until that is done, this is the only method that the farmer has of marketing his grain—

through the grain exchanges of the country.

If that is true, then we have got to recognize certain facts. It is not the purpose of this committee to hurt any legitimate business of the boards of trade of this country, because we realize that the only system by which the farmer has to market his grain is through these boards of trade and these grain exchanges.

But the manipulator is the vicious man in this great system, and he ought to be cut out and eliminated. The board of exchange at Minneapolis has cut them out. But the trouble about it is that without a Federal law governing all the exchanges in all the States of the Union, you get into trouble, and that is what we undertake to provide against here.

I am frank to say that section 3 of this bill imposes, in my judgment, a prohibitive tax. But I want to see that imposed. I do not believe that any speculator can operate and pay a margin of 20 cents a bushel and still survive.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman

yield?

Mr. KINCHELOE. Yes.

Mr. SUMNERS of Texas. Where does the gentleman get the idea that these technical designations here—"privileges," "bids," "offers," and so forth, cover speculation in grain?
Mr. KINCHELOE. We do not undertake to cut out alto-

gether speculation in grain.

Mr. SUMNERS of Texas. I understood the gentleman to say that he thought section 3 would do it.

Mr. KINCHELOE. I think that section 3 would cut out this character of manipulation; but to cut out speculation entirely, I think, would destroy the system and the market.

Mr. SUMNERS of Texas. These transactions that are enumerated in section 3 are to be considered as transactions that are never consummated?

Mr. KINCHELOE. Exactly. They are never intended to be consummated, and when made they are not consummated.

Mr. Chairman, will the gentleman yield? Mr. KING.

Mr. KINCHELOE. Yes.

Mr. KING. I would like to know if these privileges, bids, offers, puts and calls, indemnities, and ups and downs are manipulators of the market?

Mr. KINCHELOE. I think the man or the firm or the com-

bination of individuals that manipulates the market is one who goes on the market and buys or sells in such quantities as help to fix the market price of grain.

Mr. KING. These are only the little fellows that play on the curb on the outside.

Mr. KINCHELOE. Which ones?

Mr. KING. Well, the put and call men.

Mr. KINCHELOE. Oh, the evidence shows that some of the big fellows play it, the big fellows who gamble in grain, and never owned a dollar's worth of grain, and never expect to own a dollar's worth of grain.

Mr. KING. That is done on the boards of trade.
Mr. KINCHELOE. First and foremost, I think it is going to put the manipulator out of business. The light of publicity that is provided in sections 4 and 5, in the discretion of the Secretary of Agriculture, whereby all these transactions of every kind and character shall be a matter of record in the various boards was the question of hedging. I asked the representative of the

of trade throughout the country that he designates when they comply with the various provisions placed here, will prove valuable, because every man who goes on a board of trade designated by the Secretary of Agriculture as a "contract market" and every transaction that such a man makes there has got to be a matter of record and accessible at all times from that board of trade to the Secretary of Agriculture and the Department of Justice. Therefore, the Secretary has the power not only first to designate these various boards of trade as contract markets, but they must comply with certain provisions set out in sections and 5 before they can become a contract market, and then when they become a contract market by complying with these provisions they must comply with other provisions in the bill that every transaction that is made in buying or selling grain in these various contract markets designated by the Secretary of Agriculture must be made a matter of record and at all times evidence as to these transactions is to be accessible to the Secretary of Agriculture and the Department of Justice.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. KINCHELOE. Yes. Mr. BLANTON. Does not the gentleman think it would subserve a better purpose if these records were made accessible to the public as well as to the Department of Agriculture and the Department of Justice?

Mr. KINCHELOE. Over here in section 8 it is provided that they can be made public by the Secretary of Agriculture.

Mr. BLANTON. Why should they not be made public in the first instance and not have it left to the Secretary of Agriculture?

Mr. KINCHELOE. In the hearings it was represented that if these matters were made public it would give information to the various competitors who operate on the various boards of trade. That was their first objection to making public record of it. Some of us on the committee then suggested to them, "Why can you not have your record sealed in an envelope and made accessible to the Department of Agriculture and the Department of Justice when they want access to it?"

Mr. TEN EYCK. Mr. Chairman, will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. TEN EYCK. Is not the reason why provision is not made for the publicity of these transactions in the first instance is the fact that they want them to come to the attention of a responsible person?

Mr. KINCHELOE. Yes; a responsible part of the Govern-

ment. That is one of the reasons.

Now, under subsection (e) of section 5 the Secretary of Agriculture can designate boards of trade as contract markets only when the government thereof admit to membership thereof and all privileges thereon on such boards of trade lawfully formed and conducted cooperative associations of producers having adequate financial responsibility. The State of Missouri passed a law to make the boards of trade in that State admit these members of the farm bureaus to membership. They are contesting that in the courts, and when they came before the committee to testify the only objection they could offer to letting the members of the farm-bureau organizations become members of these boards was that they divided their profits among their members. That is the only reason that they ever say they welcome them. Everybody knows they do not welcome them. What difference does it make to the other members of the exchange if I am a member of a farmers' organization which has 2,000 members and I am their representative? difference does it make what I do with the profits we get out of that? This is simply, in my judgment, a camouflage to conceal their real objection.

In my judgment, this is the most complicated and technical of any business in the country. It takes a lifetime on the part of men who make a study of it, yet they all admit that they do not know all about the grain business. So when this committee approached this subject our idea was not to make it too radical. Our idea was to cut out the speculator in grain; but it was urged strongly before our committee, both by members of the farmers' organizations and by members of various boards of trade, that these speculators in grain create the steady market the year round for the sale of the grain. They say there are times of the year when there are hundreds of thousands of bushels of wheat that come onto the market, and that if you should eliminate the speculator there would be no market for it. Therefore they claim—I do not know whether it is true or not—that it will create a constant market the year round, because these speculators will buy the grain, of course taking chances

Grange if he thought hedging was necessary to the continuation of this policy of marketing, and he said he did. He said he believed that if you cut out the legitimate hedge, which, as he described it, is simply an insurance, you would be doing an unwise thing. A man who buys 10,000 bushels of wheat to-day for delivery in December protects himself by selling 10,000 bushels of wheat on the exchanges of the country. Therefore they claim he is insured to that.

Mr. HARDY of Texas. Will the gentleman yield?

Mr. KINCHELOE. I yield to the gentleman from Texas.

Mr. HARDY of Texas. Would it not obviate some of the viciousness of this hedging if we should make the people who want to hedge simply take out an insurance policy? Then it would not be under the guise of a sale. It would not affect the market, and yet the man would get his insurance.

Mr. KINCHELOE. I think it is really an insurance propo-

sition in another form, anyhow.

Mr. HARDY of Texas. But the other form gives it the guise of a sale, and it goes into the pot to help make up the mess from which we have suffered so long.

Mr. KINCHELOE. At least it protects the buyer of the

Mr. HARDY of Texas. But would he not be protected just

as well by taking out an insurance policy?

Mr. KINCHELOE. I would not disagree with the gentleman on that proposition. But there is another benefit of this system of hedging. You can call it insurance or whatever you choose. Mr. HARDY of Texas. It is insurance if it is honest.

Mr. KINCHELOE. For instance, a miller wants to buy enough wheat in the summer time to make 40,000 barrels of flour, and he wants his bank to advance him the money with which to make the purchase. He will have less trouble in getting credit in his own bank to buy that wheat to make that flour if he has hedged. These hearings developed the fact that the first thing a banker asks a grain merchant who wants to buy some wheat for future delivery, before the bank will loan him the money, is the question, "Have you hedged your pur-chase?" They all said that where the man has hedged his purchase he not only has less trouble in securing the loan but he can get it at a less rate of interest.

So, it was the thought of your committee that there ought to be some protection to the farmer against fluctuation. never have been such great fluctuations in prices in the history of the country as there have been recently. In three or four weeks there have been enormous fluctuations, the like of which this country never had seen before. There never has been such a great spread between the price that the producer of wheat received and the price paid by the consumer of flour than there is to-day. After giving this subject the study that I have tried to give it for weeks, I am convinced that this bill is absolutely sound. I do not think it is radical. I believe it will cut out the manipulator, and if I am thoroughly convinced that some amendment will give double assurance of doing that, I will favor such an amendment to cut out the manipulator, because, in my judgment, that has been an evil at all times. it would be a serious mistake to cut out hedging, and I think at last under the publicity of the rules and regulations of the Secretary of Agriculture, when he makes these contract mar-kets comply with certain specific requirements before they are recognized, it will help the cause of legitimate business.

In addition to that, he comes to him and says under this bill that every contract for the purchase of grain covered by this bill shall be a matter of record which shall be accessible to the Secretary of Agriculture and the Department of Justice; and I am as firmly convinced as I am that I am standing here that it will eradicate these evils and absolutely eliminate the manipulators of grain in this country, because of the publicity given and because of the power given to the Secretary of Agriculture

in this bill.

Mr. WILLIAMSON. Will the gentleman yield for a ques-

Mr. KINCHELOE. I yield to the gentleman from South Dakota.

Mr. WILLIAMSON. Does the gentleman think it will affect the average price of wheat for the entire year to any considerable extent if this bill becomes a law?

Mr. KINCHELOE. I think the more you cut out the manipulator of the market the more you will stabilize prices. more the manipulator of grain is cut out of the opportunity to do business the greater the necessary tendency will be to establish a uniformity of price under the great law of supply and

Mr. WILLIAMSON. Does the gentleman think the tendency of the bill will be to steady the price to a higher level?

Mr. KINCHELOE. I do not know whether it will be to a higher level; that will depend on the quantity of grain produced each year and the demand for it.

Mr. WILLIAMSON. In the gentleman's judgment the difference between what the producer obtains and what it is sold for

in the ultimate market will be less?

Mr. KINCHELOE. I think so, for when you stop the manipulation of grain it goes back to the old law of supply and demand, and I think the producer will get more than he did

before, but of course that will depend on supply and demand.

Mr. PETERSEN. Will the gentleman yield?

Mr. KINCHELOE. Certainly.

Mr. PETERSEN. If a man buys 10,000 bushels of wheat and sells it at a higher price, that is what you call hedging.

Mr. KINCHELOE. If he buys 10,000 bushels of wheat and

sells it to protect himself, that is called hedging.

Mr. PETERSEN. If he buys 10,000 bushels of wheat and sells 10,000 bushels of flour, that is not hedging; that is busi-

Mr. KINCHELOE. That is legitimate business, and when

you cut out legitimate hedging you destroy the market.

The CHAIRMAN. The time of the gentleman from Kentucky has expired. [Applause.]

Mr. TINCHER. Mr. Chairman, I yield five minutes to the

gentleman from Wisconsin [Mr. Voigr].

Mr. VOIGT. Mr. Chairman, the Committee on Agriculture, of which I have the honor to be a member, had under consideration during nearly the whole of last January, and also for about a week last month, various bills the object of which is to curb the evil of gambling and speculation in the grain supply of the country and to regulate grain exchanges. During that time the committee took over 1,400 printed pages of testimony, and many prominent men interested in the subject appeared before it from all over the country. Among those who appeared may be mentioned Secretary of Agriculture Wallace; Senators Caraway and Dial; a number of Members of the House; Herbert Hoover; Julius H. Barnes, former head of the United States Grain Corporation; Gray Silver and Clifford Thorne, of the American Farm Bureau Federation, the largest farmers' organization in the country; C. S. Barrett, president of the Farmers' National Union; B. C Marsh, of the Farmers' National Council; W. G. Eckhardt, of the so-called Committee of Seventeen; F. M. Crosby, of the Washburn-Crosby Co.; F. C. Van Dusen and F. B. Wells, of the Minneapolis Chamber of Commerce; J. P. Griffin, president of the Chicago Board of Trade; and men owning or operating private and farmers' cooperative elevators. I think the committee can claim without boasting that it is quite accurately informed as to the manner in which our vast grain crop is merchandised; the functions performed by grain dealers, the exchanges, and their members; the value of these agencies; and the abuses which exist in the grain-marketing machinery. Our grain crop for 1920 exceeded 6,000,000,000 bushels, and its proper handling from producer to consumer is of vital interest to the whole people.

At the outset I wish to say that I am convinced that our marketing machinery for handling the grain crop is the best in the world, but there is room for improvement. There is a in the world, but there is room for improvement. popular impression that the grain exchanges are only gambling places, and might as well be done away with. Under our present system of marketing, these exchanges perform a very necessary function and should be retained. What we need is more marketing facilities, and not less, but the evils existing in present practices should be done away with, so far as it is possible

to abolish them by law.

In my judgment, the greatest economic problem before the American people to-day is to cut out the waste which takes place in transferring commodities from the producer to the consumer. The man who can devise a system which will measurably reduce this waste is entitled to be numbered among the great. It is claimed that for every dollar the consumer pays for the farmer's product the farmer receives about 35 cents. In other words, it takes about twice as much money to get the product to the consumer as is paid the farmer for raising it. difference is appalling, and the intervening loss to the American people amounts to billions of dollars. The farmer and consumer both complain, and I am convinced that with a better system of marketing both can be benefited. I have given considerable thought to this subject, and my conclusion is that the first step for improvement lies with the farmer himself. The farmers must organize; they must standardize their product as far as possible, pack it properly, and, wherever possible, market it The farmers should own cooperative warecooperatively. houses and feed out their products to the markets according to demand. Sufficient marketing facilities must also be provided for in our large centers of population, so that farm products will find a broad market. Our transportation facilities, by rail, water, and motor truck, should be brought to the highest state of efficiency. Good roads, on which the producer can haul large loads with speed to points of shipment or consumption, are a necessity. The Government should provide a highly organized system of market reporting, so that the centers and quantities of supply and demand for all agricultural products

may be known.

Returning now to the subject under discussion, it is recognized by all that the two great evils in the grain trade are manipulation and speculation, commonly called gambling. It is impossible to draw an exact line between speculation and gambling. It is hard to tell just when a pig becomes a hog or when day changes into night. There is an element of speculation in all business, and for practical purposes the difference between speculation and gambling lies in the degree of risk involved and the intent of the speculator or gambler. A speculator is a man who risks his means in a business venture, attempting to deduce from information known to him the existence of a state of facts in the future which will result in profit to him. A gambler is one who risks his means on blind chance. He may know what the probabilities of winning are under the law of averages, but outside of that no amount of reasoning can influence the outcome of his venture. A man who enters into a grain transaction who is possessed of accurate information from which he draws conclusions as to the future state of the market may well be called a speculator, whereas one who enters into the same transaction without any knowledge whatever may be called a gambler. Of course, it is impossible to draw such a distinction for practical purposes, and therefore the law makes the test of whether a grain transaction is a gambling transaction the question of whether there was an intent in good faith on the part of the one who seeks to enforce a contract to carry out its terms. Two-contracts may read exactly alike and a court might hold one void and one valid. This illustrates one of the difficulties in legislating on the subject.

It is probable that comparatively small speculative and gambling ventures in the grain markets do not appreciably influence prices. These trades offset each other, and the law of supply and demand takes its course. But it is different with the manipulator. He is a real danger to producer and consumer, and therefore the committee has done the best it could to provide effective checks against manipulation. manipulator is a speculator or gambler who by reason of his tremendous resources buys or sells grain in such large quantities either for present or future delivery as to affect the price. The history of the Chicago Exchange shows that in times past many such manipulations have taken place. If a man or set of men go onto an exchange and sell millions of bushels for future delivery, they can, of course, depress or enhance the price. During the past year we have had such violent fluctuations in the grain market that no other conclusion is possible than that they were the result of deliberate manipulation. The committee has dealt with the subject from a practical standpoint in an endeavor to help producer and consumer rather than to legislate against gambling from a moral standpoint. That feature may well be left to State legislation. The bill before us does not make legal or illegal any form of grain contract, but we seek to regulate the whole subject by recourse to the taxing

power.

For practical purposes a vast amount of so-called speculation in grain is properly called gambling, and if I could see my way clear to vote to report out a bill which would stop all this gambling I should be glad to do so. But there are insuperable obstacles. In order to stop all the gambling it would simply be necessary to pass a law requiring that on all contracts for the sale of grain an actual delivery must be made, excepting cases where delivery becomes physically impossible, and providing a tax or penalty for failure to deliver. We know what the remedy is, but the entire committee is satisfied that it would do infinitely more harm to producer and consumer than the present system. Such a law would destroy a practice which is very prevalent in the grain trade now, called hedging, and which by the great weight of opinion of farmers and grain tradconsidered legitimate. The whole ers alike is grain marketing regulation revolves around the hedge, and it is impossible to understand it without knowing exactly what a hedge is, the different ways it is used, and the amazing ex-tent to which it is used. A hedge may be defined as an insurance against price fluctuation. It is more feasible to illustrate it than to fully define it. For instance, the operator of a country elevator in North Dakota is buying wheat from the farmers after harvest. He knows by experience that probably

to-morrow his receipts will be about 20,000 bushels. He knows that wheat on the Minneapolis exchange is selling for \$1.50 per bushel. He then telegraphs to his broker at M nneapolis to sell 20,000 bushels at or near that price for delivery in some future month. This is called "selling a future." He then knows what he can pay the farmers for their wheat. If the elevator man, for instance, figures 20 cents a bushel for freight, his profit, insurance, interest, and so forth, he can pay the farmer \$1.30 per bushel. After he has bought from the farmer he sends the actual wheat bought to Minneapolis. During a time of car shortage this may take a month or two. Now, suppose when this wheat reaches Minneapolis it is worth \$1.60 per bushel. He then makes 10 cents extra on the actual wheat sold, but he loses the same amount in settling on the contract he made for future delivery. This latter contract he does not complete by delivering grain, but by paying the difference in market price. wheat actually shipped had dropped to \$1.40, he would lose 10 cents a bushel on it, but he would gain 10 cents a bushel on his future-delivery contract, because his broker could buy in the wheat on another fictitious contract at \$1.40 and get \$1.50 for it.

So it will be seen that the elevator man, by making this fictitious hedging contract against grain which he actually has or expects to have, insures himself against a fluctuation and makes his money out of handling the grain. This is only one illustration of the hedge. It is used for the same purpose by other buyers and sellers of grain, by millers, and exporters. The Washburn-Crosby Co., of Minneapolis, the largest flour millers in the world, make from 40,000 to 50,000 barrels of flour a day. They use about 50,000,000 bushels of wheat a year. The storage capacity for wheat at Minneapolis is only a small fraction of this amount. Consequently they are obliged to buy for future delivery. They sell vast quantities of flour for future delivery. In order to protect themselves against a fluctuation in the price of wheat they resort to the hedging operation. It will be seen at once that if the country elevator operator could not protect himself against loss by hedging he would incur an additional risk, and to compensate himself for that risk he would of necessity pay a lower price to the farmer. Likewise a dealer who agrees to deliver actual wheat to a consumer at a future day would have to demand a higher price if he could not insure himself against fluctuation by hedging. is therefore certain that if by law we destroy the hedging privilege the spread between producer and consumer will be in-

creased, to the loss of both.

Now, while the hedge is considered legitimate to protect a man who has actual grain, or who has contracted to buy or sell actual grain, it will be seen at once that as it takes two parties to make the hedging contract, one may be a legitimate hedger and the other a gambler. When the country elevator man above referred to telegraphs his broker to sell 20,000 bushels for future delivery, the broker must find a man who will agree to buy it for future delivery. Here is where the speculator or gambler comes in. If he thinks that at the future delivery date wheat will be higher, he buys the 20,000 bushels, and thus the transaction is completed. Of course, the elevator man and the gambler both know that on this transaction there is not one chance in a hundred that actual wheat will be delivered, although delivery can be legally demanded, but that the contract will be fulfilled by payment of the difference in market price. Of course, it should be understood that these two parties do not know each other in the transaction; each one deals with his broker as the principal, and each is at liberty at any time to relieve himself from liability on his contract by paying or receiving the dfference between the contract and market price at any time prevailing. The problem therefore is, Can the hedging privilege be retained and at the same time wipe out the gambler, the man who has no grain, who expects to receive or deliver none, and who possibly would not know it if he saw it? The committee is unanimously of the opinion that it can not be done and that under our present marketing system we must put up with this necessary evil in order to preserve the hedge.

We have therefore done the best we could to frame a bill to

We have therefore done the best we could to frame a bill to destroy manipulation of prices, to minimize gambling, to compel boards of trade to make proper rules to prevent unfair practices, to abolish the so-called bucket shops, to compel exchanges and brokers to keep proper accounts, to prevent the dissemination of false market reports, and to compel exchanges to admit to membership cooperative associations of producers, who have heretofore been denied that privilege. Under the Constitution there are but two sources of power under which Congress can act in this matter—the interstate-commerce clause and the taxing power. As manipulation and gambling may take place within State limits, we could not frame an adequate remedy under the interstate-commerce clause, and therefore had re-

course to the taxing power, which, as is well known, includes the power to destroy. The following are the chief provisions of the bill:

(1) It covers wheat, corn, oats, barley, rye, flax, and sor-

(2) It levies a tax of 20 cents per bushel on every bushel involved in transactions known as puts and calls. Puts and calls are options, giving one the right to deliver or call for delivery of a specified number of bushels of grain at a fixed price and time. For instance, A, in consideration of \$5, gives B the right to deliver to A up to a certain hour to-morrow 5,000 bushels of wheat at a certain price. If during that time the price goes down B buys the wheat and tenders it to A and pockets the difference. In a "call," B has the right to demand delivery. There is not a case in a thousand, probably, where actual grain is ever delivered on these contracts. They are conceded to be a gamble on the price, and the committee therefore deems it proper that they should be taxed out of existence.

(3) A tax of 20 cents per bushel is placed on all contracts for the future sale of grain, except where the seller is the actual owner of the grain or is the grower thereof, or in case either party is the owner or renter of land in which it is to be grown,

or is an association of owners, growers, or renters.

(4) The foregoing tax on future sales is not imposed if the sale is made by or through a member of a board of trade which has been designated by the Secretary of Agriculture as a "contract market," and providing the contract is in writing, showing names, dates, kind and quantity of grain, price and terms of delivery, and providing a permanent record of the sale is kept by the broker.

(5) The Secretary of Agriculture may designate certain boards as "contract markets" which are located at terminal points where a sufficient volume of grain is dealt in as to reflect market values. The board must provide by proper rules for the keeping of detailed books and records by members open to Government inspection. It must prevent its members from sending out false or misleading market reports. The board must prevent manipulation of prices and must prevent individuals from having an unreasonable amount of future trades outstanding. The board must under reasonable rules and regulations admit to membership cooperative associations of producers. The Secretary has power for cause shown to suspend or revoke the designation of "contract market," and his action may be reviewed by a circuit court of appeals. The Secretary may investigate as to the operation of exchanges and may call at any time for reports.

It will be seen that the Secretary of Agriculture is given a strong hand over the exchanges. They must prevent manipulation and unfair practices or stand in danger of having their designation as contract markets taken away. If the Secretary suspends the designation or revokes it, that action for the time being or permanently puts the particular board out of business, because no one can afford to trade on it and pay a tax of 20 cents a bushel. It has been said that this bill gives the exchanges a monopoly of the future trading business. true; but it gives them no advantage they do not now have, as

all future trading is conducted on them.

There are at present no statistics in existence showing the total volume of grains dealt in for future delivery in the United States. The Federal Trade Commission in its report on the grain trade-volume 5, page 35-has deduced from tax payments and other statistics that on the Chicago Board of Trade alone from 1910 to 1918, inclusive, future grain contracts involved a yearly average of over fourteen and a half billion bushels; in 1916 it ran over 23,000,000,000 bushels. Actual grain delivered at Chicago is only a small per cent of these figures. It is true that immense quantities of grain are sold and hedged in the Chicago market which do not reach Chicago, but making due allowance there is still a vast amount of trading which is nothing but a gamble on the price.

The bill puts the bucket shops out of business, because a bucket shop is not a contract market and can not operate on a contract market. A bucket shop is a place wherein men speculate or gamble and the owner assumes the risk of the trades, like the keeper of a gambling house or a bookmaker at a race track.

Mr. WILLIAMSON. Will the gentleman yield?

Mr. VOIGT. I will.

Mr. WILLIAMSON. I am very much interested in this question of hedging. I want to make a preliminary statement. If you eliminate gambling altogether and the market is controlled by supply and demand, would there be any danger of the elevator man in buying grain being caught in a falling market? The trouble to-day is that our markets are being manipulated up and I to call it so.

down by reason of speculation, and is not that the real reason

that hedging is necessary?

Mr. VOIGT. At times the market has been manipulated, but if you cut out all manipulation on grain exchanges, there will still be violent fluctuations at times. If the gentleman will consider, commodities that are not traded in on exchanges are subject to fluctuations. Take, for instance, rubber, its price has fluctuated in the last two years more violently than grain. Rubber is down to a third of what it was two years ago, and all other commodities have fluctuated. Suppose the elevator man could not hedge his grain. He is buying it or about to buy it from a farmer, and he does not know what he is going to get for it when he ships it to market. In order to cover that risk, he is going to pay the farmer less for the grain. If he knows that he can turn around and instantly by wire to the market resell the grain, he can afford to buy it on a closer margin than if he had to run the chances of keeping the grain for several weeks. Put yourself in place of the country buyer. You buy the grain and it may take several weeks, or sometimes months, before you can ship it. You do not know whether the price will go up or down. It may fluctuate 5, 10, or 20 cents a bushel, and if you can not hedge, you are going to pay the farmer less to compensate you for the risk of carrying the So the committee could not see its way clear to stop speculation entirely because we could not see our way clear to cut out the hedging. I will say personally I was much amazed at the amount of grain hedging that is carried on in the country. You can not cut out gambling, or speculation in grain, whatever you choose to call it, unless you want to abolish the hedge.

Mr. HUDSPETH. Suppose I buy 100 bushels of grain, then

can I sell 100,000 bushels under the bill as a hedge?

Mr. VOIGT. I will say to the gentleman that under this bill you can gamble in grain to any extent. If the bill were effective to-day you could go in and gamble.

Mr. HUDSPETH. Then it does not prevent future gambling

in grain?

Mr. VOIGT. The bill does not. You can not stop all gambling or speculation, unless you are willing to do away with the hedge.

Mr. CAMPBELL of Kansas. Does not this bill stop gambling by imposing the 20-cent tax; does not that practically

make the transaction prohibitive?

Mr. VOIGT. No; the 20-cent tax is levied only in two instances. The tax is levied on puts and calls, which are considered by everybody to be purely gambling transactions, and also on future sales not made on a so-called contract market.

Mr. CAMPBELL of Kansas. The gentleman from Texas put

the question to the gentleman from Wisconsin whether or not this bill would stop gambling, and I took it that he referred to puts and calls, and it occurred to me that 20 cents a bushel would necessarily stop that gambling.

Mr. HUDSPETH. I referred to the sale by the owner, of whether or not he could sell more than he really had on hand at the time. That is the question I was trying to develop

Mr. VOIGT. I will say under this bill you can sell any quantity of grain even if you have not a bushel.

Mr. HUDSPETH. Then that is gambling.

Mr. VOIGT. This bill attempts to minimize the gambling in grain but does not prohibit it. It does prohibit the gambling in puts and calls entirely by imposing the 20-cent tax.

Mr. HUDSPETH. And there it stops.

Mr. VOIGT. Most of the gambling in grain is in the form of future contracts. Puts and calls in ninety-nine cases out of a hundred are made only for 24 hours. The bulk of the business is done by future contracts, where they buy or sell for May, June, July, or December delivery, for instance. Now, that form of contract is not prohibited by this bill providing it is made on a grain exchange and it is made through a broker and a record kept of the transaction.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLANTON. I ask that the gentleman be given a couple of minutes. Mr. Chairman, will the gentleman yield?

Mr. VOIGT. I will yield.
Mr. BLANTON. The gentleman and his colleagues on the committee have all stated that for the purpose of legitimate grain hedging that these exchanges are necessary to the extent that is designed by this bill. Now, if that question only were embraced in the bill, for a man to hedge who buys 10,000 bushels of wheat for legitimate purposes, he would then have to sell 10,000 bushels, and yet under the gentleman's statement he can go upon the exchanges and sell a million bushels if he sees fit. Is not that the fact?

Mr. VOIGT. The fact is that under this bill you can sell a million bushels by way of speculation or gambling if you choose

Mr. BLANTON. Then it does not confine gambling to legiti-

You can not have a hedge on a board of trade Mr. VOIGT. without permitting gambling, for this reason: It takes two parties to make a contract. For instance, if you are a legitimate grain dealer or a country buyer and you sell 10,000 bushels for the purpose of protecting the grain that you have bought, that is considered a legitimate hedge. Now, you wire in your order to the man you do business with in Minneapolis or Chicago. He goes onto the exchange and completes your contract. When your broker sells the 10,000 bushels some one must buy 10,000 bushels. The man who buys may be a hedger, who seeks to protect an actual amount of grain, or he may be a pure gambler. How are you going to regulate that proposition? I say it can not be done under our present system of marketing.

Mr. PURNELL. Is not this further to be said, that there is this indirect limitation, under subdivision (d) of section 5, which provides that the boards themselves must limit transactions to such an extent that there will be a limit? There is that indirect correction. If it becomes manipulation it becomes the duty of the contract market to curb that buying or selling.

Mr. VOIGT. I was going to say this, that in my judgment the two most valuable features in this bill are those which stop manipulation and which provide for the keeping of records, so that we may know for a certainty how much future trading is

Of course, the bill does indirectly limit large gambling or speculative operations by prohibiting manipulation and limiting the amount of future contracts an individual can have outstanding, but the bill does not state any specific figure. The committee could not see its way clear to name an arbitrary figure, because a contract involving only a small quantity may be a pure gamble, and a contract involving a million bushels may be a perfectly proper and lawful one. I have no doubt that the Washburn-Crosby Co. sometimes buys more than a million bushels for future delivery and expects to take the wheat and grind it into flour. The best we could do was to compel the exchanges to supervise their own business and, if they did not do it properly, to give the Secretary of Agriculture the weapons with which to expose them and to suspend or abrogate their powers.

The CHAIRMAN. The time of the gentleman has expired. Mr. VOIGT. Will the gentleman yield me two minutes

Mr. TINCHER. I yield the gentleman two minutes more.

Mr. VOIGT. The Secretary of Agriculture can tell these exchanges how he wants their records kept and what reports he wants them to make. He can go to them under this bill at any time and say, "Tell me how many transactions you have had last week, or last month, buying or selling 50,000, 100,000, or 1,000,000 bushels," for instance, and if he thinks the public is being hurt he can publish the facts, and buyers and sellers in good faith can hold their orders until conditions become We are going to get under this bill full and reliable statistics on which future legislation can be based. The boards of trade and their members have in the past few days flooded Members of Congress with protests against this legislation; they object to being regulated, but there is nothing in this legislation which will hurt any honest man. It will even permit some of the gamblers to operate, whose contracts in form are the same as those of men who actually buy and sell grain. [Ap-

The CHAIRMAN. The time of the gentleman has again

Mr. VOIGT. Mr. Chairman, I ask unanimous consent to extend my remarks.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. TINCHER. Mr. Chairman, I ask unanimous consent at

this time to extend the general debate on this bill one hour.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that the time for general debate on this bill be extended for one hour. Is there objection?

Mr. SABATH. Mr. Chairman, that can not be done in the Committee of the Whole House on the state of the Union. The committee may rise—there can be no objection to the time, as this morning it seemed to me the time for debate was limited for a bill of this importance.

The CHAIRMAN. It would be done with unanimous con-

Mr. TINCHER. I move that the committee do now rise. Mr. HUDSPETH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.
Mr. HUDSPETH. If I understood the Chair correctly, he

said it could be done by unanimous consent-

The CHAIRMAN. The Chair would have entertained such a suggestion if there was no objection, but there seems to be some objection, and the Chair will recognize the motion of the gentleman from Kansas that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. Campbell of Kansas having assumed the chair as Speaker pro tempore, Mr. MADDEN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 5676, had come to no resolution thereon.

Mr. TINCHER. Mr. Speaker, I ask unanimous consent that the order fixing the time for general debate on this bill at three

hours be changed to four hours.

The SPEAKER pro tempore. The gentleman from Kansas—
Mr. TINCHER. And that the additional time be divided in

the same proportion as originally.

The SPEAKER pro tempore. The gentleman from Kansas asks unanimous consent that the time for general debate on this bill be extended from three hours to four hours and that the time be equally divided between the gentleman from Kansas and the gentleman from Illinois. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, may I ask the gentleman whether he wishes to

conclude the consideration of the bill this afternoon?

Mr. TINCHER. If we get that time we can not, because the

bill will have to be read for amendment.

Mr. GARRETT of Tennessee. I have no objection to the extension, and I was just going to suggest that there could be an agreement that debate run through the remainder of the afternoon, the general debate to be equally divided and controlled as

heretofore provided.

Mr. TINCHER. Mr. Speaker, I will modify my request and

ask that the order be changed and that general debate shall extend during the afternoon until 5 o'clock.

The SPEAKER pro tempore. The gentleman from Kansas modifies his request and asks unanimous consent that general debate on this bill continue until 5 o'clock to-day. Is there objection?

Mr. ASWELL. Mr. Speaker, may I ask the gentleman if he

means the entire day?

Mr. GARRETT of Tennessee. The time to be controlled as

The SPEAKER pro tempore. The time to be divided equally between the gentleman from Kansas and the gentleman from Illinois. Is there objection?

Mr. SUMMERS of Washington. Mr. Speaker, reserving the right to object, I desire to ask the gentleman whether he considers it more important to debate the bill or to pass it?

Mr. TINCHER. Mr. Speaker, there are some gentlemen who have asked for time on the bill, members of the committee who gave as much as 30 days time in the consideration of this bill, and I do not like to be responsible for their not being heard.

Mr. SUMMERS of Washington. Mr. Speaker, I do not object. The SPEAKER pro tempore. Is there objection? [After a

pause.] The Chair hears none, and it is so ordered.

Mr. TINCHER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 5676.

The motion was agreed to; accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 5676, with Mr. MADDEN in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 5676, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 5676) taxing contracts for the sale of grain for future delivery, and options for such contracts, and providing for the regulation of boards of trade, and for other purposes,

Mr. RAINEY of Illinois. Mr. Chairman, I yield 10 minutes

to the gentleman from Oklahoma [Mr. SWANK]

Mr. SWANK. Mr. Chairman and gentlemen of the committee, on the 11th day of April, the first day of this session of Congress, I introduced a warehouse bill, H. R. 2343, and wish to speak to that measure. I believe the desire of Congress and our entire citizenship is to see the Government taken from an uncertain, temporary war basis to a stable, businesslike peace basis. After the armistice we are confronted with many per-plexing questions, the settlement of which is now before us. The question in our minds is what to do at this time. Every citizen is anxious to see the channels of commerce opened and

trade relations resumed with the nations of the world. Our markets and the markets of the world are at a standstill. Something is wrong, a remedy should be given, and no time lost. What is the best thing to do to stabilize prices under present conditions? Different remedies are offered. What is wrong with our markets and why are farm products at such a low While the condition of our foreign relations has had much to do with the present price of farm products, I believe the lack of storage facilities and selling agencies are two of the greatest causes of present prices.

From figures compiled from comparisons of the Department of Agriculture showing the quantity and crop value, we find that if we add the value of live-stock products to the crop value of 1920 the total wealth production of the farms of the United States for 1920 would be \$16.500,000,000, compared with \$24,-

982,000,000 in 1919 and \$22,479,000,000 in 1918. The corn crop of 1920 is reported at 3,232,367,000 bushels, the largest ever produced. The wheat crop for the same year was 787,128,000 bushels, or 147,000,000 bushels less than the crop of 1919. Our greatest corn crop for 1920 brings our total grain production for that year to 6,039,320,000 bushels, a gain of 10

per cent over the production of 1919.

While we had our greatest grain crop in 1920, there was a great decrease in value, depression of prices, and a general slump in our markets. The value of our grain crops of 1920 was \$4,509,561,000, or \$2,881,938,000 less than the value of our 1919 grain crops, though the grain production for 1919 was 571,000,000 bushels short of the 1920 crop.

The cotton crop of 1920 was 12,987,000 bales, valued at \$914,-In 1919 there were 11,421,000 bales, valued at \$2,034,-658,000. While the cotton crop of 1920 was 1,566,000 bales more than the crop of 1919, yet the value of the 1919 crop was

\$1,120,068,000 more than the crop for 1920.

All will agree that a tense situation has arisen since the slump in farm products. Business is stagnant, wages are reduced, home building is waiting, while we number the unemployed by the millions. How can it be remedied? Some say that the farmer should produce more and reduce the high cost of living. He has produced more, with greater cost to himself and higher prices for material, and thousands of our farmers have lost money in crops and live stock and many of them now face bankruptcy. Yet, with all these adverse conditions, in 1919 the total commercial value of the farmers' crops was more than \$16,035,111,000. The five-year average value for 1914-1918, inclusive, was \$10,156,426,000, and in 1920 the value, based on December 1 prices, was \$10,465,015,000. All this has been accomplished under difficult labor conditions, and at the same time the farmer is producing more with less labor than ever before. For the past three or four years it has been difficult to get hired help on the farm, and to hold down the cost of production the farmer must do all the work himself, with the assistance of his

If a system of Government warehouses, as provided in this bill, were established it would enable the farmer to receive a fair price for the products of his toll and his prices would not be fixed by the gamblers in farm products. This bill will put these gamblers, who "toil not, neither do they spin," out of the illegitimate business of price fixing. They have no right to sit in their costly furnished offices and tell the producers what they must sell their products for. The farmer is not situated like the manufacturer, who can pass the cost of production to the consumer by adding the increased cost to the price of his articles. He can not pass this cost on to the consumer. He can not add the increased cost in that manner and does not fix the price at which he sells. He is the only producer of the necessities of life in the land who has nothing to say about the price of his articles. The prices are fixed for him when he sells. He must sell for the price offered and pays the price asked when he buys necessaries for his family. The law allowing the price of his products to be fixed for him is wrong, inequitable, and should be remedied. You ask how it can be done. I shall try to show you the way and the remedy for the present poor prices of farm

During the war when the cry came for more wheat and other farm products our farmers responded nobly to the call and did much to save civilization. Laws should be enacted for his benefit, for when the farmer prospers everybody shares in his prosperity and there is plenty in the land. It means good wages for the people who work and enables them to live in a respectable manner. Other industries have been fostered and protected, and I believe that this Congress will do something tangible for the greatest industry in the land. Big business in computing their net incomes deduct their salaries as part of the cost of management. If the farmer should deduct a reasonable sum for his work and that of his wife and children, he would have but little, if any, net income left.

Oklahoma ranked sixteenth in 1920 and seventh in 1919 among the States in the total value of all crops. She is first in the production of oil, and raises more broom corn than all the other States combined. She also has millions of tons of coal, asphalt, salt, limestone, and granite. Cotton is the leading crop in the State in money value, but, while Oklahoma in 1920 ranked fourth in the United States in the production of cotton, she ranked third in the production of winter wheat, thirteenth in the production of corn, second in the production of kaffirs, thirteenth in the production of oats, and eleventh in the production of all grains. In addition to this, she produced \$100,000,000 worth of milk and cream in 1920, and poultry and eggs to the value of \$50,000,000. Therefore the merits of this bill are not directed to one class of products nor one section. It will benefit the wheat raiser of the north as well as the cotton farmer of the south. The largest city in Oklahoma is in my district, and the people are not all engaged in agriculture. This bill will stimulate business and thereby benefit all classes and professions. Agriculture is the chief industry in this Republic, and the one upon which all others depend. Therefore when we assist that industry we are assisting all others. That is why not only the farm associations of the country are for a law of this kind, but many business men and organizations as well. Some people who do not know seem to think that when a farmer gets 40 cents a pound for cotton, a dollar per bushel for corn, \$2 per bushel for wheat, and so forth, he is becoming rich, but such is not the case. He is entitled to some rest and to enjoy some of the comforts of life. He is the main wealth producer, and should share in its prosperity. The farmer should get a price for his products that will pay him a reasonable wage for raising his crops, reasonable wages for his wife and children who assist thin in the work, reasonable pay for the use of his teams and tools, reasonable allowance for the depreciation of his farm implements, teams, and lands, and, in addition to all this, he should have a fair margin of profit and a square deal, and he is certainly entitled to this much.

I quote a statement from the Memphis Commercial Club of last year. This is the business men of that great city:

Memphis only prospers through agricultural prosperity. The farm bureau is the recognition of that fact by the Memphis merchants' interests. Help maintain the gift of Memphis to its trade territory, that "united we stand, for divided we fall."

The South's cotton crop averages annually 12,000,000 bales, produced by 2,000,000 families. Average family is man and wife and three children—equals three hands. Average family produces six bales. Three bales of cotton goes to pay land rent, foed bills, fertilizers, etc. Three bales left, or one bale for each hand at 40 cents per pound, or \$200 per bale. This will allow each farm hand \$16 per month. The average appropriation for a pauper at the county farm is \$25 per month. Think it over.

Suppose an average family produces 10 bales of cotton, which is an extraordinary production, at 40 cents per pound. That would bring \$2,000. If he is a renter, he must pay the landlord \$500, which leaves fifteen hundred dollars for himself and family. Counting the work of himself and one team at \$75 per month, which could not be done in 1919 and 1920, would make \$900 per year. Then allow his wife the same salary as a hired girl to do the housework—and many wives help in the field—and this would amount to at least \$50 per month, or \$600 per year, which, added to the \$900, would make fifteen hundred dollars. Then his children would be doing their work for nothing. Feed for his family and stock is not estimated in this statement nor taxes and depreciation of his working capital.

About the same ratio of loss will be true with other crops. A statement from the Department of Agriculture for 1920 shows that from 167 farms in three counties in the State of Iowa the average yield of wheat per acre was 18.5 bushels, at a cost of \$1.88 per bushel. Forty acres at that price and yield would cost \$1,391.20 to produce, and even at \$2 per bushel the farmer would have \$88.80, not estimating anything for his wife's labor, feed, depreciation of his capital, and so forth. A summary of 481 records prepared by the Department of Agriculture for 1919 from the States of Kansas, Missouri, Nebraska, Minnesota, North and South Dakota shows that the net cost of producing wheat for that year was \$2.15 per bushel.

In normal times there is a loss of \$70,000,000 to baled cotton as a result of permitting it to remain exposed to weather for months at a time without attention or covering of any kind, according to estimates of the United States Department of Agriculture, based upon experiments made. According to the department, in one instance, a bale of cotton placed out in the open, flat on the ground, with no covering, was damaged to the extent of 870 pounds at the end of eight months. Another bale placed on edge and turned over once a week lost 110 pounds. A bale placed on end but not turned over lost 78 pounds; a bale placed on timbers and turned once a week lost 49 pounds, while one placed on timbers and covered with a tarpaulin lost but 14 pounds. A bale of cotton placed in a warehouse for the same period lost but 1 pound.

The department's statement says:

When it is considered that in many instances the total cost of warehousing cotton, including insurance, is no greater than the insurance rate alone on exposed cotton, it would appear to be the utmost folly for a grower not to spend his money to a greater advantage. The insurance rate on exposed cotton is about \$4 per hundred per annum. Every hundred dollars' worth of cotton stored in properly constructed warehouses can be insured for 25 cents per annum and the difference of \$3.75 would in many cases pay all the other warehouse charges.

You ask how this warehouse bill would remedy the cotton and grain situation? It will furnish a place for storage and thereby prevent the more than \$70,000,000 loss each year, on cotton alone, as estimated by the Department of Agriculture, and in addition will stimulate the producers to establish selling agencies and more directly market their products to the manufacturer and consumer. Under this bill producers must first establish a selling agency. I believe this warehouse bill and selling agencies will solve the problem of our marketing conditions. Agriculture is of so much importance that warehouses should be erected by the Government, and under its supervision, and thereby assist the producers of the absolute necessities of life to that extent. I think the Government should build them outright and pay all the expense, but have drawn this bill cooperatively between the States and also with

farmers' cooperative associations.

The warehouse bill under consideration provides that when any State makes an appropriation for warehouses, or when any farmers' cooperative association having a selling agency makes an appropriation, the Government shall duplicate such appropriation. We now have a good roads law, and a wise law it is, to the same effect so far as the appropriations are concerned. Good roads are necessary for farmers, but not so necessary and will not stimulate agriculture so much as this bill provides. We can live and enjoy life without hard-surfaced roads, but can not live without agriculture. It is our most important industry, always has been and always shall be, and more should be done to encourage and protect it by the Federal Government, and it should be done now. Some say that the State should not engage in the warehouse business. As an answer to that criticism and as a precedent I will say that the Government built warehouses for the storage of liquor, and at the present time, after many months of prohibition, we still have 348 liquor warehouses in the United States. Is not cotton, corn, wheat, oats, wool, and other farm products about as important to provide storage facilities for as liquor, and especially in time of prohibition? I am sure that the gentlemen of this House want to assist and promote our great agricultural interests in this country, and I shall invite your careful and patient hearing to the provisions of this bill under consideration.

The Secretary of Agriculture is the head of the farming activities of the United States and is interested in the promotion of The bill provides that he, the president of the this industry. board of agriculture of any State where the warehouses are located, and a representative chosen by the farmers' cooperative associations in any such State shall constitute the board of This provision will encourage the organization of control. This provision will encourage the organization of farmers' associations, which are necessary to the farmers' interests and will have a wholesome effect upon the business of farming. The warehouses shall be under the management of the board of control, which is authorized to acquire property and property rights for the erection of the warehouses. is made for the employment of a warehouse superintendent in each State whose salary shall be paid by the State. Several States now have warehouse laws of some sort and employ a warehouse superintendent, but the provisions of the State laws will work in with the provisions of this bill. It is provided in this bill that the official standards of the United States for farm products shall be the official standards of the warehouses created by this till. It is necessary that uniform grades be established and not have thousands of unofficial graders, each of whom can set his own standards. It is to the best interests of the farmers and the country that the grading be under the supervision of the Government. The issuance of warehouse receipts is provided for which shall be negotiable and in the form prescribed by the Secretary of Agriculture. Adequate punishment is provided for any violation of the provisions of the act. The locations for the warehouses are subject to the approval of the Secretary of Agriculture of the United States.

Rural credits have been discussed and have been a favorable theme for orators and candidates for many years. I believe the most effective way to provide adequate and suitable methods for rural credits is for pro ision to be made for the Government to loan money on certain chattels as provided in this bill. If a farm product is properly stored, why not loan money on that warehouse receipt, which is a most satisfactory and safe invest-

ment? The warehouse receipts would be so convenient, and little expense attached in recording, as is the case in voluminous mortgages, that the local banks would be glad to loan money on the receipts. In order to prevent any association which might be formed against the system and which might be interested in banks, it is provided that if the local banks refuse to loan money on the warehouse receipts then loans shall be provided by the Federal Reserve Board.

By reason of the importance of the agricultural industry I have provided in the bill that stored products shall be insured at actual cost. I believe the Government should provide a system of insurance similar to the soldiers' insurance and that the Government or the State should pay for the insurance. Some may say that the Government must not go into the warehouse business as it leans toward socialism, but there will be a greater leaning to socialism if something is not done for the farming interests of the United States.

The bill provides that the board of control shall prescribe the fees to be charged for the storage of farm products, and the fees shall not be in excess of the actual cost of maintaining the warehouses. It has been said that if the farmers want warehouses let them build them at their own expense, like other business organizations. Farming is an entirely different business to merchandising, banking, and so forth. One of the greatest fights the farmers have had to make is to get money with which to finance their business. It is not organized like other business and more obstacles have to be overcome. You may say, "Let them organize." Organization of farmers' societies will be promoted if this bill is enacted into law. It will encourage the farmers of the country to greater efforts and the entire Government will prosper thereby.

Congress has seen fit to appropriate millions for the assistance of the railroads of this country and to guarantee them a certain rate of profit. But it is said that the railroads were taken over by the Government during the war and they must be turned back in as good condition as when taken. To this statement I say that the farmer's business was also taken over and he was called upon to plant wheat and the price was fixed. Then in the readjustment he lost millions, and it will be years before he recovers. Why not do as much for him as for the railroads? Were it not for the farmers there would be no business for the railroads and nothing to transport. It would be much less difficult for the railroads to recuperate than it will be for the farmer. He planted his crops when seed was high in price and employed labor at its highest in the history of the country. He paid more for his farming tools and feed. necessaries of life cost him more to make the crop of 1920. Many were driven into bankruptcy, and all that he asks is a square deal. He is certainly entitled to as much consideration as the railroads. He was as patriotic during the war and his occupation more important, for it was the farmer who fed and clothed the allied armies. He planted what the Government asked him to plant and never grumbled. He has done his part and is only asking for a small appropriation. It will assist him to recover from the disaster of last year. He could not borrow money on his crops and could not sell for enough to pay the harvesting. His faithful wife and children who assisted him in raising his crops were often left without sufficient elothes and his children in many cases were compelled to remain away from school. We must have the respect and cooperation of the farmers, always have had it, and will continue to do so if they are treated fairly. They are asking no special favors. Some say if warehouses were erected at public expense that it should be done by the different States. Why not let the different States construct hard-surfaced roads? Why does the Government assist in this enterprise? There is only one answer, and that is for the reason of their importance to the Government. In measures like the good roads law and laws as provided in this warehouse bill there should be cooperation between the Federal Government and the States. On account of the importance of the farming industry our courts have held that appropriations for farming associations are not unconstitutional.

The CHAIRMAN. The time of the gentleman has expired.
Mr. SWANK. Mr. Chairman, I ask for five minutes more.
Mr. RAINEY of Illinois. I yield five minutes more to the gentleman.

Mr. SWANK. One legislator said to me that this bill could not be passed for the reason that I was asking for an appropriation of \$100,000,000. That would make a good start and I will be satisfied to have this bill passed with an appropriation equal to three present modern battleships. Just cut out an appropriation to that extent for one year and use it in building warehouses for farm products, or use a small amount of the appropriations for the railroads. The Government should operate the warehouses and therefore should own them. It will be

a cheap investment for the Government to build these warehouses and operate them for the greatest of all industries.

Something must be done before another crop is harvested. It would be a hard matter to forecast the result should another price failure hit us like it did last year. The farmers of this land could not stand another disaster like that. In order to prevent it this Congress should act and act now. We can not afford and the Government can not afford to procrastinate on a matter of so much importance. It is of vital importance and close to the vitals of this Republic. Fostering our agricultural interests and the payment of good, living wages, that workers may enjoy some of the comforts of life as well as the necessities, is the best bulwark against bolshevism, which thrives on unrest and low prices. Prices that will return a fair per cent of profit on his investment to the farmer and good wages which will result will keep bolshevism from gaining a hold in this country. But the farmer and worker must not be neglected. Business of every kind will thrive with fair prices paid for farm products.

The provisions of this bill will bring the producer and the consumer closer together. It will save the loss on farm products occasioned by laying out in the elements. It will provide for the storage of large quantities of products that can be sold to a better advantage and will encourage closer cooperation

among the producers.

The products can then be sold directly to the manufacturer and consumer and will eliminate many middle and useless profits. I want to see this Congress do something for agriculture. We maintain a great Department of Agriculture which has done and is doing a great deal for farming. We wisely employ experts in the different departments, farm demonstration agents and the like, but I think the enactment into law of this bill will give more beneficial and noticeable results than all else that is being done. Last fall the reserve banks closed down when it came to loaning to the farmer. I do not claim to know the reason why. Perhaps it was necessary, but under this warehouse bill there will be no reason for not loaning money on warehouse receipts. The Federal reserve act is one of the greatest pieces of legislation in the history of the American Congress, but, like all other creatures of man, it is not perfect. Section 28 of this bill enlarges the usefulness of the reserve act. I can see no reason why the Government should not loan money in this way. Bills have been introduced providing for the loaning of money on other chattels not so safe as is provided in this

If this is enacted into law it will bring the producers of the necessities of life into closer contact with the Government. They will then know that the Government is interested in their If the Government can fix farm prices, why can it business. not build warehouses and loan money on the products in storage? But it is said that the price fixing was a necessary war measure. The Government has power to fix prices at any time that the necessity arises. They also have power to appropriate money as provided for in this bill. It is only a question as to whether this Congress agrees with the bill and thinks the Government should assist the farmers in this manner. The amount asked to be appropriated is small when considering the greatness of our Government and the many and enormous appropriations for other purposes. This is only even-handed justice, and I believe that justice will still prevail.

Mr. BLANTON. Will the gentleman yield? Mr. SWANK. I will.

Mr. BLANTON. The gentleman assumed the price of cotton in his argument at 40 cents.

Mr. SWANK. I said that because that was the price they got in 1919.

Mr. BLANTON. The fact is the gentleman has seen cotton sell as low as 5 cents.

Mr. SWANK. Yes. Mr. PURNELL. Will the gentleman indicate what his position is toward the bill that is before us?

Mr. SWANK. Yes; I will say that I am for it.

Mr. Chairman, of course I am a Democrat, and I believe in the great principles of that party like a little child believes in the love of its mother. But I do not belong to that class of citizens who do not like to see a man succeed in any kind of business or in public or private life. The President of this great Republic is our President as well as yours [applause], and you will never find any man. I believe, on this side casting any obstacles in the way of his great work of construction and any obstacles in the way of his great work of construction and great progress along the path of peace. I want to wish the administration success, because when it is a success it will benefit us all. We are American citizens first and Democrats and Republicans afterwards [Applause.]

The CHAIRMAN. The time of the gentleman from Oklahoma

has expired.

Mr. RAINEY of Illinois. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. Ten Eyck].

The CHAIRMAN. The gentleman from New York is recog-

nized for 10 minutes.

Mr. TEN EYCK. Mr. Chairman and gentlemen, I wish to preface my remarks and make a statement as regards New York State's relative position to the various agricultural pursuits of the United States and the three great forces that tend to regulate and govern this country.

While its relative position in area to the other States is only 29, it is first in population, first in wealth, first in the production of dairy products, first in the value of dairy products, first in the production of buckwheat, first in the production of potatoes, first in the production of hay, first in the production of apples, second in the production of pears, and third in peaches.

I might enumerate its leadership in many smaller agricultural pursuits, but merely bring this to your attention to show you why we farmers in New York State are interested in the legislation which relates to the farming industry of the United States.

The country itself is like a great beehive and the people the This beehive rests upon a tripod, one leg of which bees therein. represents capital and the financier, another leg represents labor, and the third leg represents the farmer and the farm industry of this country. No tripod is stronger than its weakest leg. Finance has organized and has created large industries through cooperation, which necessitated the organization of labor, which represents the second leg. These two great forces in the past have tended to press down upon the farmer, and to-day the farmer's duty is to organize, so that he in turn will strengthen the third leg and make it as strong as either of the other two, not to dominate the country, but to put himself into a position so that he is as strong as either of the other two legs, so that he may cooperate with them for the benefit of the entire public. [Applause.] And that is why to-day we are considering legislation not only for his benefit but so that we can benefit the consuming public of the United States.

This bill takes care of a condition which heretofore has hampered the farmer in his line of work; that is, it deals with the marketing conditions of the country to-day. No matter what we consider to be the trouble with the farmer, we can trace it sooner or later to poor marketing conditions, whether they be of national origin, or whether they be of State origin, or whether they be of local origin. We have improved, I believe, in this bill the marketing of grain through two paragraphs, one of which puts the entire supervision and regulation boards of trade under the Secretary of Agriculture, and the second is the one that gives him an opportunity to gather statistics and make public the nefarious work, if there be such a condition, existing in any boards of trade, and take away from said

boards of trade the right to operate.

Now, gentlemen, I want to say a word in relation to what we call speculation and hedging. I believe that there are three kinds of dealers in the grain market to-day. One is the producer and the actual dealer in grain itself, the cash buyer and seller, or the man who makes the hedge, who is the actual producer, or the owner of grain by contract or otherwise.

The second is the speculator, the man who buys with an idea that he knows what is going to happen in the market and takes his chances for gain. The third is the manipulator. The manipulator is the man who, carrying out the definition of the word, endeavors through large sales or influence or combina-tion to create prices, whether they be of real value or not, or, in other words, to depress prices when it is to his benefit, through which he may be able to gain additional profit to himself.

This bill endeavors, through regulation and supervision by the Secretary of Agriculture, to do away with the manipulator, but not to eliminate the speculator, because he is a necessity, The farmers themselves have come before us and told us that they needed hedging; that hedging should be permitted to continue.

Now, who will the hedger hedge with? He can not hedge with himself or with the farmer. He has to have certain facilities so that he can hedge with somebody, and that man is the

Mr. Chairman, I would like to ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from New York asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. TEN EYCK. I am going to restrict myself entirely to the discussion of farm matters in detail and intend to treat farming from a business standpoint and its relation to other business interests of the country.

Production of the farm and the transportation of the produce are linked so closely together that one without the other would be of little value to the producer or the consumer. Therefore I will speak first of transportation.

We have a trinity of methods of transportation—the highways, the waterways, and the railways—each being particularly

adaptable to certain classes of transportation.

The business of the highway is to take care of short hauls from the farms to the markets in the villages and cities or to the railway stations or docks of the navigable waterways.

The business of the railway is to take care of the long hauls of express or what might be called express and freight service.

The business of the waterways is to take care of the transportation of heavy commodities and bulky cargoes between great distributing centers.

The old adage that "competition is the life of trade" is no longer in vogue in the present generation. Cooperation is a slogan which means for insurance against failure. This holds true in relation to our different methods of transportation. We need the cooperation of the highways and the motor truck with the railways and the waterways. Junction terminal facilities should be fostered and built so that the railways, waterways, and the highways will have one point in every community where they can exchange their commodities from the short hauls to the long hauls and where great or small cargoes can be assembled for long hauls between large community centers either by rail or water; and to complete this system of transportation rural motor express should be extended into the rural districts where no express routes now exist. This can be accomplished through the cooperation of the individuals in the various communities that are now without express service.

When all of the above is accomplished the farmer will be in a position to have his produce transported from the farms to the marketing centers without delay and without loss to his perishable commodities and at the least expense and assure reliable delivery service to the consumers at all times of the

year in the cities.

The next thing is marketing. It is absolutely essential that proper marketing facilities be installed in the big cities and thickly populated districts, so that a farmer will have a proper and adequate place to dispose of his produce. To accomplish this, the farmer must become properly organized and in turn secure the necessary laws to create and govern proper marketing centers where their produce will be sold and distributed honestly, where prices will be so regulated that his produce will not one day sell for exorbitant prices and the next day he will be called upon to sell at a loss. An honest, just rate should be the desire of the farmer to the consumer, so that investment. Only in this way will the great horde of consumers be assured of proper and sufficient food at all times.

I feel from past experience, from knowledge of the farming industry, from long study, and personal connection with the transportation methods of this country, and having been born and brought up on a farm, and now owning and operating a stock and fruit farm, I am well qualified to say from a practical standpoint that the farm bureau is the one organization with which all other farm organizations can affiliate and cooperate to make in each county, State, and Nation a farmers' organization of sufficient strength and which can obtain knowledge of an unusual scope to look after the farmers' interests

in an intelligent way.

It is the duty of every farmer to affiliate himself with this organization, so as to obtain equal rights and justice for the

farming community.

Justice will never be obtained unless farm legislation in the town, county, State, and Nation is governed so that legislation will not be passed without first giving consideration to the farming industry of this country, which is the largest one industry in the entire United States. It is larger than the United States Steel Corporation, the railway systems, and the automobile corporations combined, and this country can not be financially successful or the business can not become stable until the farming industry has become financially safe.

If a farmer is prosperous, he will be enabled to improve his living conditions in the home; he will be able to build for himself better schools; he will be able to give his children higher education both in relation to farming and the professions; he will be able to improve his tools and machinery and thus lessen the cost of production; he will be able to hire adequate labor and thus take away part of the drudgery and the long hours; he will be enabled to stand the increased taxation for improvement of rural highways so as to connect himself with better transportation facilities to the markets; he will be enabled to use up-to-date motor trucks for transportation.

tion purposes, and purchase and raise the best stock and poultry and other commodities, all of which will not only be a benefit to himself but to the world in general and the consumer in particular.

Many of the producers of raw food products have migrated to the city to obtain the greater wage paid in manufacturing plants, so that the farmer suffers at times from inadequate help, higher wages, shorter hours, and incompetent farm hands.

For several generations he has been weak financially, which has helped to make farm work a drudgery and has permitted

the purchaser to take advantage of him.

As soon as it appears that he is coming into his own, the financier and laborer under the name of consumers, on account of previously being organized, were able to start a propaganda that the farmer was profiteering and not understanding the real cause of present high prices have set out to lower the price of the cost of living by reducing the price of farm products at the farm.

The real trouble is due to the unfair difference between the price that the farmer has to sell his produce for and the price

the consumer pays for it.

Let us assume that a farmer receives \$8.37 for enough wheat to be ground into a barrel of flour, and the miller sells the barrel of flour for \$12.70, the baker, in turn, will receive approximately \$59 for the same barrel of flour in the form of bread, cake, and pie crust. The hotel man or restaurant keeper will receive in the neighborhood of \$500 for that which was originally sold for \$8.37 by the farmer. Of course, I am aware that the cost of labor, transportation, containers, interest on investments, other ingredients, and many other things are justifiably responsible for a proportionate part of this vast difference.

I know of an instance where a gardener sold tomatoes for 60 cents per bushel to a grocery man, and I inquired of the grocery man how much he was receiving for his tomatoes in retail, and the grocery man replied he was receiving 10 cents per pound, which means that he was receiving for the tomatoes \$6 per bushel.

The cost of living can not be lowered by merely lowering the cost of food products. There are just as many other things that enter into the high cost of maintenance of a human being, such as rents, fuel, light, clothing, and household furnishings, together with such luxuries of life as the automobile and similar pleasures which within the last two or three years have been used as if they were the actual necessities of life.

I believe that we have got to give to the farmers the same consideration in legislative matters that we accord all other branches of industry. I further believe in the farmers organizing, and the complete cooperation and coordination of all the various farm organizations, whereby and through which they can establish a clearing house and work collectively for the best interests of the producers of the soil. I believe and strengly advocate the purpose of the grange—the American Farm Bureau Federation, the National Farmers' Union, the Dairymen's League, the fruit growers, the cattle raisers, and all other kindred associations and organizations whose desire and intention it is to improve farming conditions.

I believe in collective bargaining, for collectively they can protect themselves from bad laws and secure the enactment of more beneficial laws, all of which will tend to keep their sons and daughters on the farm, as well as their neighbors' sons and daughters, and will also attract labor back to the soil.

To-day on account of the improved modes of interstate transportation, such as railways, waterways, and highways, by means of the motor truck, the price of the commodities in one State governs the price of the commodities in another, and therefore it is essential that the farmers be one and stand for a proper understanding with the farmers of all the other States as regards the marketing of their products.

We must increase the capacity of our cold storage in the cities as well as assist the farmer to equip himself with adequate storage facilities on the farm, which is the only remedy that will prevent a feast and a famine. A feast and a famine, we all know, is unprofitable both to the producer and the consumer.

The cost of marketing farm products must be reduced. This can be done by lessening the time of the farmer in drawing his products to market, increase the size of the load by improving the highways, and cutting out the unreasonable profits of the middleman by creating a condition where the farmer will deal direct with the distributer or consumer.

We should prevent profiteering by a few speculators, but at the same time due consideration must be given to the legitimate commission houses. We must not create a feeling in the minds of the commission merchants who deal in food produce that

will create uncertainty as regards the future, for if we do we will restrict the storing of products from the surplus in the large producing months. This condition can arise very readily, due to the fact that the farmers have not the facilities or proper storage capacity on the farms to take care of the surplus, the lack of which creates a shortage of supplies in the nonproducing menths of the year, which is detrimental to both producer and consumer

I feel it incumbent upon all the people throughout the entire United States to use their influence to get as many men as possible to go back to the farms, as well as to educate the children in farm life, help in prevailing upon those who are now on the farms to remain there I know of a number of farmers' sons who have left the farm to go to the cities within the last two or three years to earn the large wages which are now paid in the shops. This condition, that I know of personally, exists throughout the entire country, and can not help but reduce the output on the farms, at the same time increase the consumption of food in the cities. The farmer, the laborer, and the financier interests are the same; they must govern themselves by the motto "Live and let live."

We can not destroy wealth, nor should we attempt to enslave labor, neither should both of these endeavor to stamp out the very existence of the farming community of the country, because, after all, it is the farmer who actually produces that which sustains life and is one of the master divisions of organized society.

As previously stated, the farming industry is the largest and most important industry in the United States. It represents more money invested than any other one single line of business. such as the railroads, manufacturing concerns, or the United States Steel Corporation, or any other group. All other special combinations are small in importance, and, what is more, they all depend upon the farmers, as it was they who started with this world progress, and it will be they who will be on the job to the end of all time; for without the farming industry life will have to stop, and we all will have to live on air, which I do not feel will come to pass in our generation at least.

What are the farmers' interests? Their interests are in greater production, cheaper production, better production, better marketing facilities, collective selling, collective purchasing, better banking facilities, sufficient community storage plants, better roads and transportation facilities, better sanitary condi-tions in the household, modern rural schools, better rural delivery service, a sufficient supply of efficient labor, with an opportunity to get a fair return profit on their commodities for service performed and money invested, so that they will be able to give their children an adequate education, all of which in turn will tend to keep boys on the farm and eventually revert to the benefit of the country and the people as a whole.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. PURNELL. Mr. Chairman, I yield 10 minutes to the

gentleman from Iowa [Mr. Towner].

The CHAIRMAN. The gentleman from Iowa is recognized for 10 minutes.

Mr. TOWNER. Mr. Chairman and gentlemen of the committee, I am very glad indeed to give my support to this legis-For a great many years producers of grain have felt themselves at an entire disadvantage-indeed, in a hopeless position-with regard to the marketing of their grain. It has been not only in the hands of speculators, it has been in the hands of gamblers.

I desire to compliment the committee upon the care they have exercised in reporting this legislation. I desire to compliment them on the result of their work. Through many long weeks and even months this committee has with open minds heard the testimony of everyone interested in this question. have heard the farmers; they have understood their position. They have heard the dealers and the speculators on the board of trade, and even the gamblers on the board of trade, although those gentlemen would refuse to recognize the designation.

Mr. CONNALLY of Texas. Mr. Chairman, will the gentleman vield?

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from Texas?

Mr. TOWNER. Certainly.
Mr. CONNALLY of Texas. I am not posted on this. Would the gentleman give us the distinction between these two classes-between the gambler and speculator on the one hand, and the legitimate dealer or hedger in the market?

Mr. TOWNER. That will be done, I will say to the gentleman, by men who are a great deal abler to do it than I am. They have heard all the testimony and have brought in a bill here which will, in my judgment, make at least some attempt

to regulate some of the inequalities that now exist. They have not attempted to take away the right of the farmer to make a contract for future delivery of his grain. That has been granted to him, of course, as it should be granted to every man. They have not attempted to prevent men who purchase grain from holding or making contracts for future deliveries That has not been attempted. It is the purely of grain. gambling processes or operations that are intended to be controlled by this legislation.

Now, gentlemen, manifestly that should be prevented. The farmer is at a great disadvantage in any respect, because of the fact that it seems impossible for him to fix the price of his product. Alone among all the producers or of the dealers in merchandise or in goods, alone among all of these, he can not fix the price, but must depend upon a market that depends upon other conditions. Those conditions ought to be not artificial conditions. They ought to be natural conditions. It ought not to be the case that the price of grain, which is the principal food product of the country, should be determined by the manipulation of gamblers, who have no interest whatever in either securing a fair price to the farmers or in giving a fair price to those who are the final consumers of grain. Their only desire is to speculate for their own advantage. would depress the price if it was to their advantage. They would raise the price if it was to their advantage. If by making combinations and manipulations and affecting conditions they could bring about their own profit they would do it, no matter what the effect might be upon the producers or the consumers of the country. If such conditions exist, certainly the people of this country have a right to prevent it. This legislation is intended to do that. As I have looked over the bill I have seen nothing in it that in my judgment would prevent any legitimate transaction in grain. I can see nothing in it that would prevent any man who was a producer from trying to take advantage of the conditions that might arise by which he could secure a fair price, nor do I see anything in the bill that would prevent those who are merchants in grain and not producers from dealing in it upon their judgment for future delivery without speculating in it upon a gambling basis. All of these things are provided in the legislation. I can see no reason why any man can not give this bill his support. It is an intelligent attempt, as it appears to me, to reach and remedy this great evil. Therefore I am very glad that the House will have an opportunity of putting into effect this, as I hope and believe, very beneficial legislation.

Mr. WINGO. Will the gentleman yield for a question?

Mr. TOWNER. I yield to the gentleman.

Mr. WINGO. I am not asking this in a controversial spirit, but the gentleman has studied this question and I wish to ask him what is the difference between a bona fide hedge and a gambling hedge?

Mr. TOWNER. I had rather that should be answered by some one who knows more about the technicalities of this

Mr. WINGO. I am not criticizing the gentleman, but I am serious in saying that for eight years I have been asking that question of every man with whom I came in contact who was supposed to know about this subject, and they have always given me the same indefinite answer. Does the gentleman know and can he tell me?

Mr. PURNELL. Mr. Chairman, I do not know that I can answer the gentleman's question to his entire satisfaction, but will try to answer it.

Mr. TOWNER. I yield to the gentleman from Indiana.

Mr. PURNELL. If I understand the gentleman's question, he wishes to know the difference between a legitimate hedge and a gambling hedge?

Mr. WINGO. Yes.

Mr. PURNELL. I should say a legitimate hedge is a hedge that butts a hedge.

Mr. WINGO. That is just as clear as mud to me.

Mr. PURNELL. I am not responsible for the gentleman's failure to understand what I mean by a hedge butting a hedge. Mr. WINGO. I appreciate that fact. If there is anybody here who understands it, I wish he would explain it.

-Mr. PURNELL. The gentleman does not understand what is meant by a hedge that butts a hedge?

Mr. WINGO. No.

Mr. PURNELL. Then I will ask the gentleman what kind

of a hedge he is talking about?

Mr. WINGO. I have read the testimony and I have listened to these explanations, and I wish to know what is the difference between a bona fide legitimate hedge, the kind that you want to protect, and a gambling hedge.

Mr. PURNELL. Will the gentleman let me start again?

Mr. WINGO. Yes; gladly, with the permission of my friend

Mr. TOWNER. I yield all of my time to the gentleman.

Mr. PURNELL. I will yield myself two minutes in order to

try to answer the gentleman's question.

Mr. WINGO. Gentlemen all around the House are asking the same thing. I am frank enough to admit I do not understand these provisions. Now, can the gentleman enlighten the House's

Mr. PURNELL. I will attempt to do that. Let us suppose a case. Suppose I as a local producer should go to the elevator nearest my farm—if I were fortunate enough to have one and sell the elevator man 5,000 bushels of corn to be delivered next week or next month. My local elevator man has not the money to carry that transaction, and he has not the storage space in which to put the corn, but he wants to furnish me with ready money that I need to pay notes or to pay help. Now, in order to protect himself and in order to furnish me a market for the 5,000 bushels of corn that I must necessarily sell, he sells 5,000 bushels of corn in Chicago.

Mr. WINGO. On the board?

Mr. PURNELL. On the board, against the 5,000 bushels that he has purchased from me. That is a hedge. He has hedged against any loss in the purchase of my 5,000 bushels. That is a leg timate hedge, is it not?

Mr. WINGO. I do not know. I am just trying to find out. Mr. PURNELL. It is. That is a legitimate hedge. Now, the element that determines its ultimate legitimacy, or whether it is partly a gambling transaction, depends upon who buys it at the other end of the line.

Mr. WINGO. Now, may I ask a question, not in any spirit of controversy but for the purpose of really trying to acquire information?

Mr. PURNELL. Certainly.

Mr. WINGO. The gentleman sells to protect himself against fluctuation.

Mr. PURNELL. The elevator man does. Mr. WINGO. That is what I mean. The elevator man has gone on the board and he has sold on what is called a future contract in order to protect himself against fluctuation in price between the time that he has purchased from this farmer and the time the farmer is going to deliver.

Mr. PURNELL. Yes.

Mr. WINGO. Who buys that contract? Is it bought by

some speculator on the board?

Mr. PURNELL. The gentleman asked me the question, What is the difference between a legitimate hedge and a gambling hedge?

Mr. PURNELL. If the man at Chicago who buys that 5,000 bushels that my elevator man sells, buys it as a hedge to protect himself on a legitimate bona fide sale, that is a completed, legitimate hedge. If John Jones, a speculator, bought it, who had no expectation of ever receiving the grain, never deals in grain at all for receipt or delivery of grain, then just in so far as that fact exists it is a gambling hedge. That is as near as I can come to telling the gentleman the difference. coming back to my first answer which the gentleman resented

Mr. WINGO. No; I beg the gentleman's pardon. Possibly I expressed myself awkwardly. I did not intend to be critical or resentful. I was just thinking aloud and was a little bit facetious, but of course not intentionally discourteous.

Mr. PURNELL. That is all right. We all get that way frequently. If the man who bought the hedge in Chicago was

in earnest and wanted to buy 5,000 bushels to protect himself

another deal, then one hedge butted the other hedge. dr. WINGO. When the time comes for the farmer to de-Mr. WINGO. liver the grain to the elevator man he does not undertake to deliver it to the man on the board, but closes it out by a counter sale and there is no grain delivered there. Now here is where the trouble seems to come in. Suppose to-day there are a million bushels of bona fide wheat offerings as a desire of a number of men to hedge, and there are only sufficient bona fide purchasers of the hedge to the extent of half a million; that is, you have a half million to butt the legitimate hedge.

Mr. PURNELL. And a half million of speculative gambling. Mr. WINGO. Does this bill cut out that half a million of speculative buying that does not butt the legitimate hedge?

Mr. PURNELL. It does not, and without a single exception the witnesses that came before the committee said that the opportunity to buy or sell the extra 500,000 bushels through what we call speculative transactions constitute insurance; that it gives liquidity and stability to the market; makes the

lative feature without tearing down our whole market system. That would have a serious reflex action on the producer.

Mr. WINGO. In other words, if one-half of the transactions

are bona fide, the effort to cover-

Mr. PURNELL. You do not have to have any part of it bona fide; there are only two transactions that are taxable, and that is the "puts and calls," which we are trying to drive out of business. Every bushel dealt in on the board of trade in "puts and calls" is taxed 20 cents a bushel.

Mr. WINGO. Let me use another illustration. Suppose I make up my mind that wheat is going up, and I go to-day and speculate by dealing in futures to the extent of any number of bushels. You believe it is going down and you indulge in the opposite transaction. Neither one of us gets any wheat. Would that be taxable?

Mr. PURNELL. It would not unless your order brought it under the provisions of section 4. I tried to discuss that a while ago and am sorry the gentleman was not in.

Mr. WINGO. I was in, but I do not know anything about these technical provisions, and it is difficult to understand

these fine distinctions.

Mr. PURNELL. I do not think there is a more highly theoretical or speculative question than is this question of grain futures, but the thing we hope to accomplish is to give the Secretary of Agriculture the right, in a quiet time when he can do it systematically and thoroughly to get into the business, find out whether there is anything wrong that ought to be remedied, and thus help us work out further remedial legislation if it be needed.

The CHAIRMAN. The time of the gentleman has expired. Mr. RAINEY of Illinois. Mr. Chairman, I yield 10 minutes

to the gentleman from Oklahoma [Mr. McClintic].

Mr. McCLINTIC. Mr. Chairman, I wish to congratulate the Committee on Agriculture on bringing in a bill of this kind. have always felt that contracts of the kind enumerated in this legislation should be taxed in a proper way in order that they might pay their proportionate expense for running the Govern-

But I want to bring to the attention of the House to-day a statement relative to tubercular conditions in the United

# TUBERCULOSIS.

The greatest scourge that humanity has to deal with is the dreaded disease known as tuberculosis. It is practically impossible to cure a person suffering with this disease unless he is taken to some place where the climatic conditions are such that the malady will yield to proper treatment. This being true, every person interested in the welfare of humanity should likewise be interested in securing information relative to the geographical condition of the United States with relation to tuberculosis.

# IDEAL LOCATION.

It is not generally known to all of our people that there is one section of the United States where it has been proved that tubercular germs do not exist and where the climatic and other conditions are such that practically every person who is taken to this section suffering from tuberculosis in its incipiency can be restored to normal health. The reason I am bringing this to your attention I am hoping that this information may go out to the people so that some unfortunate who is suffering with this disease may profit by the same, and that those who are charged with the responsibility of selecting a site for the Government tuberculosis hospital to be constructed in the near future may be prevailed on to carefully investigate the statements I am making and then later locate this institution in the section best adapted for the cure of tuberculosis.

## FRENCH SURGEONS.

Practically all of the Members of Congress have had brought to their attention a statement which has been prepared by Hon. D. P. Marium, a prominent editor of Woodward, Okla., in which he calls attention to a statement made some years ago by a body of eminent French surgeons who were sent to the United States by their Government to find, if possible, a suitable location for the treatment of tuberculosis. The following is a statement that has been taken from the report made to the French Government:

In the United States of North America on the 100° of longitude west of Greenwich we found an area the like of which does not exist in the world. From a central point on the said 100° midway between the Arkansas River in Kansas and the Red River in Texas, a circle drawn with that point as the center with a radius of 100 miles will contain an area within which tubercle bacillus does not and can not exist.

This report was made before very much of the territory in this section was opened for settlement. Let us see how it market flexible; and is a necessary factor in the whole transaction. Under our present system we can not destroy that speculin this area than is to be found in any other State. Practically all of the congressional district that I have the honor to represent is in this prescribed area. Roger Mills and Harmon Counties, according to the census of 1910, have a population of 24,189. Both of these counties are bounded on the west by the 100° of longitude west of Greenwich, and it is remarkable that during the past 20 years no death has ever been reported from this disease. The other nine counties in the district report 30 deaths, and according to the report of the Public Health Department all of these immigrated from other States except a few of the Indians who contracted the same while away at Government schools. Summing up the facts it is found that no person has ever contracted this disease from natural conditions while residing in this section, and to my personal knowledge hundreds have recovered their health who have gone there for this purpose.

### CLIMATIC CONDITIONS.

It seems that the all-wise Creator in arranging the elements has taken into consideration that there must be some place provided that would be suitable for the ailments of humanity, and that this is the section of the world that has been set aside as an Eldorado for those who are afflicted with the dreaded white plague. The altitude is neither too low nor too high; it is neither too dry nor too wet; the ozone is a little purer and more invigorating than is to be found in any other place in the world. The water is obtained from underground stratas of sand, which filters it in such a way as to leave it as pure as any to be found anywhere. The winds blow practically all of the time, thereby causing all dead vegetable or animal tissue to dry up instead of rot. In the summer time the days are warm and the nights very cool; in fact, double blankets are very desirable for use at night during the hottest months of the year.

IDEAL LOCATIONS.

There are many progressive, hustling little cities located in this section that would make ideal places for the location of a tubercular hospital if it is decided to locate the same in some city; however, the thought has come to me that this institution could be located in the Wichita game preserve, which is a few miles east of the 100° longitude line, that this would provide the most ideal spot in all of the world for this kind of a This reserve is about 30 miles square. mately 500 native wild deer are protected by both State and National laws, and they are free to roam at will; a most wonderful herd of buffalo, numbering nearly 200, are in the big pasture near the headquarters house; a herd of elk, numbering approximately 150, graze on the mountain sides; and numerous herds of wild turkeys and other small game are likewise to be found in this park. Beautiful mountain streams trickle down into the valleys below and the lakes furnish protection for the thousands of wild ducks that stop in this section in season. [Applause.] A more ideal location for this kind of hospital could not be found. The same could be constructed at the right elevation on the top or the side of some mountain out of most wonderful native granite, which compares favorably with any building stone to be found anywhere. Tubercular patients should be given every opportunity to build up their health. Proper diet, coupled with necessary exercises and surroundings, is very necessary; and, according to my viewpoint, the climatic conditions, the beautiful scenery, and the other natural advantages of this park make this place ideal for the location of this institution in one of America's great playgrounds. [Applause.]
Mr. TINCHER. Mr. Chairman, I yield 10 minutes to the gentleman from North Dakota [Mr. Young].

Mr. YOUNG. Mr. Chairman and gentlemen of the committee, I want to congratulate the author of the bill [Mr. Tincher], the Committee on Agriculture, and also the Members of the House and the country that this bill has been brought out of the committee so promptly. It seems to me that with this early start we ought to be able to get some legislation on the subject of future trading before this Sixty-seventh Congress is a thing of the past.

Some people seem to think, judging from questions asked, that the committee has not gone far enough. When you consider the difficulty and complexity of this question, the wonder is that they have gone as far as they have. It would seem to me that perhaps they have gone as far as prudent men ought to go at this time until further information is obtained by actual experience under the law. We have had to-day different defini-tions of a hedge. So far as this bill is concerned, the hedge might be defined as insurance against price fluctuation. If you get that idea, that this is an insurance bill, then you will understand better what the House Committee on Agriculture is trying

The testimony before the committee was very clear along the line that some kind of price insurance is necessary, although they did not call it that. They called it hedging. It is interesting to recall that all kinds of insurance was at one time gambling. Away back centuries ago a man in London would bet \$5,000 against \$50 that a boat would never return to port. There was no sanction in law and no regulation on the part of the Government. The same was true of other kinds of insurance. Finally, Governments began to see the necessity for regulation, and, of course, all that kind of insurance was greatly improved by Government regulation. It was called interference then as now but it was beneficial. We have had controversies at different times in this country as to the wisdom of the Government regulating insurance. We have it even at this late day. There was the great controversy in the State of New York in respect to regulation of the great life insurance companies not very long ago.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. YOUNG. Yes.

Mr. JOHNSON of Mississippi. Where do you get your authority to levy a 20-cent tax on a bushel of wheat in the transaction?

Mr. YOUNG. As I understand this bill it marks out the broad lines under which these great exchanges can do business, and you only pay the 20 cents a bushel when you get entirely

Mr. JOHNSON of Mississippi. Where does the gentleman get his authority to levy the 20 cents?

Mr. YOUNG. That is under the general taxing power of the Government under the Constitution.

Mr, JOHNSON of Mississippi. Under section 8 of the Constitution? Is that the authority under which the gentleman is proceeding?

Mr. YOUNG. Does the gentleman question the right of the Government to raise money by taxing grain transactions?

Mr. JOHNSON of Mississippi. I do not; that is just the point I am getting at. The gentleman now proposes to impose a penalty or prohibit the doing of a certain thing, and his bill states that it is for the purpose of raising revenue; and the only authority that the gentleman has for writing in the bill is under section 8 of the Constitution, the taxing authority. The gentleman proposes to tax out of business a thing that he could not do otherwise. What does the gentleman say on that point?
Mr. YOUNG. This is not the first time that the Congress

has passed a law that would be regarded now as constitutional, but it might have been regarded as unconstitutional 50 years ago. We assume that the Supreme Court will construe the

Constitution itself liberally.

If there is any virtue at all in what they call future trading, I think it will be very greatly improved and become very much more valuable if the Government regulates it. If hedging is price-fluctuation insurance, it will be a mighty sight better if the Government sits in on it and regulates it than what we have now without any regulation of any kind. At Monte Carlo they have a gambling proposition in which the roulette wheels pay a certain percentage to the house. It is a known percentage, and in so far as the conduct of those establishments are concerned, they are run according to that idea. So far as I know, there is no crookedness in the handling of those machines. Everybody knows it is gambling and that there is a percentage in favor of the house which is a definite mathematical proposition, but the business is conducted according to that on the square. Now, so far as these grain exchanges are concerned, there are no exact and definite rules of the game.

These future contracts on the great exchanges are ambiguous and difficult to understand, and in the matter of administration they operate them crookedly. Government control and regula-tion will correct much of this. Government regulation is often a blessing in disguise. It proved so to the packers, who opposed Government meat inspection. Who knows but that even the grain exchanges will find in the future that future trading handled absolutely on the square as price fluctuation insurance will place the grain business on a better foundation than it has

ever had heretofore.

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. YOUNG. I will.

Mr. CONNALLY of Texas. I am interested in the question of wheat, and the gentleman will recall that when the Government had a guaranteed price for wheat, when that guaranteed price was terminated that wheat declined very rapidly. What, in the gentleman's mind, is the cause of that? Did these exchanges have anything to do with that sudden reduction?

Mr. YOUNG. I can not yield to the temptation to discuss the Government wheat price guaranty, as I have only 10 min-

Mr. CONNALLY of Texas. The gentleman is well advised about all of these matters, and that is why I asked the question.

Mr. YOUNG. The losses which the farmers suffer are not all traceable to future trading. It is only one problem.

Mr. CLAGUE. Will the gentleman yield?
Mr. YOUNG. Very briefly.
Mr. CLAGUE. I will state to the gentleman that instead of

going down wheat went up.

Mr. YOUNG. One of the best features of this bill is that which will enable the Secretary of Agriculture to collect a fund of reliable and dependable information in respect to future trading. It is almost impossible for Congress now to obtain dependable information concerning the amount and character of

transactions on the grain exchanges.

Mr. Chairman, during the hearings before the committee on this subject I had the honor to present the views of John M. Anderson, president, and Benjamin Drake, attorney, for the Equity Cooperative Exchange, St. Paul, who had prepared able and comprehensive briefs on the subject of future trading. A number of their requests have been complied with in the bill now before us. It pleases me greatly to know if this bill passes cooperative concerns such as the Equity Cooperative Exchange, the great farmers' sales agency of the Northwest, must be given membership on the grain exchanges. That alone is a tremendous step in advance.

The CHAIRMAN. The time of the gentleman has expired. Mr. JONES of Texas. Mr. Chairman, at the suggestion of the gentleman from Illinois, I yield 10 minutes to the gentleman

from New York [Mr. LONDON].

Mr. LONDON. Mr. Chairman, I understand the gentleman from Kansas is to yield me 10 minutes.

Mr. TINCHER. I yield 10 minutes to the gentleman from

New York [Mr. LONDON].

Mr. LONDON. Mr. Chairman, during the discussion of the immigration bill I promised to take up the question of unemployment. I want to indict the two leading political organizations and accuse them of lack of knowledge and of competence in dealing with great social and economic problems. Both the Republican and Democratic Parties are intellectually bankrupt. They repeat the old slogans, slogans a century old. We hear "protection," "free trade"; again "protection" and again "free trade," as if employment or unemployment had anything to do with it. We have unemployment in countries which have the most of protection and in countries of free trade. We have unemployment in countries from which there is emigration; we have unemployment in countries in which the population is very small. Take, for instance, Australia, which is the size of the entire Continent of Europe and almost the size of the United States, with a population of not exceeding 5,000,000 people, and they have unemployment. Unemployment is ordinarily the result of maladjustment in industry, of the absence of order in industry. Take the seasonal industries, such as the building trade. Take the industries which serve the needs of fashion, the caprices of women. Take the ladies' garment industry. New York City, with an invested capital of more than \$300,-000,000. It furnishes employment during seven or eight months Every change of fashion involves a change of material, of machinery, a shifting of workmen, and the displacing of men. In the building industry they work four or five months a year and are idle the rest of the year. In the mining industry we have exactly the same situation. The shoe industry—strangely enough, even the shoe industry is seasonal, although people have to wear shoes all the time. The shoe industry is subject to the change of fashion. I understand that there are some 272 styles of shoes, and every change of style involves the displacement and the separation of the worker from his job.

When a farmer needs men he welcomes them with a brass

band, but as soon as he gets through with them they are chased

out or arrested as vagrants.

It stands to reason that every new machine which saves labor, every new appliance, every new method of division of labor, every new system of efficiency, results in the temporary idleness of workers. Of course, ultimately every new machine is a benefit to society, unless it is used for war or for destructive purposes. But it is a very poor consolation to the man who loses his job to know that some time in the future society as a whole will benefit by the introduction of a new machine. The abandonment of an industry, the loss of an old market, the gain of a new one, an upward or downward revision of the tariff, all these things affect employment. Competition in industry means the rivalry between the workers for a job and necessarily involves the presence of unemployment, while in industries which have reached a state of monopoly unemployment can be produced artificially in order to weaken the resistance of the workers. Just now the state of employment depends a great deal also on the international situation.

What I complain of is that the two old political parties have failed to take up that question. We do not know even approximately the number of unemployed. I have seen it estimated all the way between 3,000,000 and 5,000,000 men. To think of it! There is no clearing house of information on the subject. To think that with the gigantic industries that we have built up, and with the expensive governmental machinery which we maintain, we should not be in a position at a moment's notice to know the exact number of unemployed in the country. If there are 4,000,000 of them, it means that one-seventh of the breadwinners of the United States are out of employment to-day. You realize what unemployment means. It means the destruction of all standards of life. It is destructive of the independence of men.

In many a State, where the protective tariff has been an issue, men have been compelled against their convictions to vote the Republican ticket, not because of a threat, but because of a prediction, repeated so frequently that it assumed the character of a threat, that if the protective tariff would not be

adopted, the factories would be shut down.

Mr. CONNALLY of Texas. Will the gentleman yield for a

question?

Mr. LONDON. I will, if I may be permitted to extend my remarks in the RECORD.

Mr. CONNALLY of Texas. I do not see the gentleman from Oklahoma here.

Mr. LONDON. I do ask, Mr. Chairman, that I may be permitted to extend my remarks.

Mr. TEN EYCK. Mr. Chairman, I would like to make the same request.

The CHAIRMAN. The two gentlemen from New York ask unanimous consent to extend their remarks in the RECORD. Is there objection?

Mr. YOUNG. Mr. Chairman, reserving the right to object, and I am not going to do so, I wish to say that I believe we have had the most accurate record of the debates and proceedings during the past few months of any time during the past eight years, and it has been due to the fact that the gentleman from Oklahoma [Mr. McClintic] has insisted that the record kept here must be a record of what is actually said and done. I really think it is worth while to have it kept that way. As far as I am concerned, I feel as though the gentleman from Oklahoma [Mr. McClintic] ought to be complimented for taking it upon himself to see that the RECORD of

mented for taking it upon himself to see that the Record of this House is kept in that way.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. Ten Eyck] and his colleague [Mr. London]? [After a pause.] The Chair hears none.

Mr. LONDON. Now I will yield.

Mr. CONNALLY of Texas. Suppose we ascertain the number of unemployed in the United States—and the gentleman is complement that the two old parties are responsible for that complaining that the two old parties are responsible for that condition-what would the gentleman do about it after we find

Mr. LONDON. I will come to that, if the gentleman will only permit me to develop the subject. It is understood that in order to legislate on a subject you have to understand; you have to know

Mr. CONNALLY of Texas. That is the reason I am asking the gentleman for information.

Mr. LONDON. I hope the gentleman will not interrupt. have to develop my subject connectedly. You must know the subject. My complaint is that most of you do not know and most of you do not care to know. The great labor problem is something which completely escapes your attention. You content yourselves with denouncing those who desire a change. The present method is to denounce every suggestion of a new thought as bolshevism. A man who eats fried eggs with a spoon is a bolshevist. Great patriots travel throughout the country and address so-called patriotic societies, warning men against the coming of immediate, violent revolution. We have these two groups in the United States, one at the very bottom of society, helpless and impotent, with scarcely sufficient money to enable them to furnish 500 copies of a pamphlet, and then we have a powerful plutocratic group on top controlling the medium of public information, and very often exercising a baneful influence in government, and who say that a violent revolution is imminent. They say so in order to have us adopt a policy for the crushing of liberty, for the destruction of the freedom of the press, and to prevent the workers from organizing. It is the same group that want us to take care that no radical ideas are imported, as if you could export or import an idea, as if the world of thought could be legislated against.

Now let me get back to the unemployment problem. First of all, let us gather information. What is the next proposition? The next thing is to give to labor the right which is now being denied to it, to follow the law of evolution and to organize.

Mr. CAMPBELL of Kansas. Where is that right being denied? Mr. LONDON. That right is being denied by ingenious methods to restrain workers from exercising their legitimate functions.

Mr. CAMPBELL of Kansas. I do not think the gentleman from New York can point to a single place in this Union where by any law of the United States laborers are prohibited from organizing.

Mr. LONDON. Well, I say there is now a very strong effort being made to prevent the workers from organizing by passing legislation prohibiting strikes.

Mr. CAMPBELL of Kansas. Where?

Mr. LONDON. You take the Kansas industrial court, and you take the various decrees of the courts prohibiting them from striking, in effect.

What you say is this: "You are allowed to strike, but your strike must not be effective. You are permitted to form unions, but they must not be 100 per cent organized, because as soon as you perfect your organization you have reached the stage of You may organize, but your efforts must be futile. monopoly. You may form unions, but they must be abortive organizations, and such as will not accomplish the objects for which they are formed." There seems to be an effort on the part of capital to crush all labor organizations. This is not only morally but economically unsound.

Mr. CAMPBELL of Kansas. Does the gentleman know of a place in the world to-day where labor is so much oppressed as it is in the country where his ideas are in absolute control-in Russia?

Mr. LONDON. Well, the gentleman is utterly wrong in his statement. My ideas are not in control anywhere. I do not know whether I would like to have all my ideas in absolute control, anyway. [Laughter.] I know that every idea must be tested by the limitations of time and space. I know that; I know that there is no perfection except in the grave. There is no perfection in this life, and I do not expect to see any perfection. The man who amounts to something seeks to improve, and as soon as he has lost the idea of improvement he ceases to be a man. The statesman who tells his country that it has reached the highest state of perfection is doing harm instead of good.

Mr. KETCHAM. Mr. Chairman, will the gentleman yield?

Mr. LONDON. Yes.

Mr. KETCHAM. I assume that the gentleman would be willing to inform the House what his judgment is as to the com-

parative status of this country and Russia.

Mr. LONDON. Oh, Russia is in misery to-day. How can you compare the two countries? How can you compare this country with a country where they had a thousand years of the rule of czarism, where they have had an ignorant, superstitious church, almost heathenlike? How can you compare it with a country which has had 400 years of political development and which has enjoyed the blessings of religious freedom and of political democracy? It is only three years since they have overthrown czarism in Russia.

Mr. KETCHAM. Under what kind of institutions has that progress been made if it has not been under the kind of insti-

tutions that are established here?

Mr. LONDON. Exactly; and because this country has reached this stage of progress the man who says we can progress no further disregards the law of evolution. The reason we have made such progress is because we had such a great opportunity. It is not enough for you to say, "We have had a Lincoln and a Jefferson, and other great men." Because Lincoln was a great man it does not follow that we must be small

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. PETERSEN. Mr. Chairman, I ask that the gentleman be given one more minute. I wish to ask him a question.

Mr. LONDON. Will the gentleman from Texas give me five minutes more?

Mr. JONES of Texas. Yes; I yield to the gentleman five minutes more

Mr. PETERSEN. I would just like to ask the gentleman from New York why this country was prosperous if the two major bodies or parties have no brains?

Mr. LONDON. The country enjoys prosperity in spite of the two old parties. [Laughter.] The gentleman knows that the overwhelming success of the Republican Party was not the result of the indorsement by the people of a particular economic to relieve the distress caused by unemployment.

policy advocated by the Republicans. The gentleman would not care to give me an opportunity to analyze the reasons for the success of the Republicans. You know the Republicans were elected by disgust. [Laughter.] You know that. People wanted to punish the Democrats; that is all. [Laughter.] So they elected you instead. They jumped from the frying pan into the fire, finding comfort in the process of jumping. is all there is to it. [Laughter.] But they will not find much comfort in staying there. That is my hope. [Laughter.]
Mr. WILLIAMS. Why do not they ever jump in your direc-

tion? [Laughter.]

Mr. LONDON. Gentlemen, let us be serious. All I was trying to do was to present to you this question: First of all, we must give an opportunity to organized labor to develop. financiers and leaders of industry are mistaken when they think that their salvation lies in the direction of crushing the labor unions. Man and man must be permitted to organize and unite, just as dollars and dollars are permitted to organize into corporations. It is as clear as day. In the case of corporations you have united action; action united in a corporation. You must permit soul and soul, man and man, to unite in organization for the improvement of their condition. I wish I could have on the floor of Congress a discussion where a man would say, "I represent the Lumber Trust, and I speak for the lumber industry," and another man "I represent the Sugar Trust, and I speak for the sugar industry," and then somebody who would say, "I represent the railroad workers; I worked with them and know their needs," and then have a discussion of the programs proposed by the various interests so as to come to an understanding of the general program which should be adopted by the people as a whole. Then we would have more earnest and frank and honest legislation.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield there, so as to get into the RECORD the fact that his statement there is equivalent to an approval of the soviet system in Russia?

Mr. LONDON. No; my statement is this: The evil of the so-called soviet system to-day is that in the excess of revolutionary zeal they have taken a small portion of the population, the industrial group, and through the dictatorship of that small group they attempt to rule society. That is the difficulty and the vice of the so-called soviet system.

Mr. GRIFFIN. But the virtue of it the gentleman says is

in having various groups represented. Is that what he says?

Mr. LONDON. No; they prevent any group from finding expression except the industrial group. That is the vice of their system.

Mr. GRIFFIN. Is the gentleman's speech equivalent to an

expression of approval of the soviet system?

Mr. LONDON. One moment. Let me say for myself what I think. The gentleman will realize that all modern legislat on is economic legislation. We have no more legislation along oral lines. The decalogue is sufficient for that.

The CHAIRMAN. The time of the gentleman has expired. moral lines.

Mr. LONDON. Will the gentleman give me two minutes more,

Mr. RAINEY of Illinois. I yield to the gentleman two min-

Mr. GRIFFIN. Will the gentleman at this point—
Mr. LONDON. Please do not take away my two minutes.

Mr. GRIFFIN. Will the gentleman answer whether he approves of the soviet system or not?

Mr. LONDON. The gentleman does not know a thing about the soviet system. Our legislation is all economic legislation, Protection or free trade involves economic legislation. we legislate an eight-hour railroad day, it is economic legisla-When we adopt a law to protect against gambling in grain, that is economic legislation. All modern legislation is economic. My theory is that we would be better off if economic groups would honestly and plainly speak in their own names, instead of speaking in the name of the whole of society. When a protectionist speaks, he undertakes to speak in the name of the entire American people, instead of speaking in the name of the particular industry that desires protection, and so does every other group.

I submit that the continuous interruptions have made it impossible for me to take up the constructive side of the question. The soviet system has been brought up several times in the discussion. It has no relevancy to the subject. I have never championed the soviet system. I am endeavoring to present an American problem in the hope that an Amer can solution will be found for it. At the first convenient opportunity I shall again take up the subject. In the meantime, I shall present in as few words as possible an outline of a program calculated

That would be as follows:

The establishment of a national network of unemployment exchanges.

The adoption of a national minimum wage law.

Unemployment insurance for those that are involuntarily

The complete elimination of child labor.

The reduction of hours of labor in keeping with increased productivity.

The reclamation of arid and of swamp lands.

Reforestation.

The exploitation of natural resources contained in the public lands of the United States.

Prevention of floods and inundations.

Building of public roads, canals, and similar public under-

The authorization of a suitable loan-in the form of bonds bearing a nominal interest-to municipalities, to cooperative building loan societies, and to labor organizations for the construction of the 1,500,000 homes of which there is a shortage at the present moment.

The creation of a special commission whose function it shall be to study the problem of the regularization of industry so as

to reduce to a minimum the evil of unemployment.

Of course it goes without saying that the adoption of a policy of conciliation in our international relations with all of Europe, including Russia, will help bring about order in the world and help bring new life to industry.

The CHAIRMAN. The time of the gentleman from New York

has again expired.

Mr. RAINEY of Illinois. I yield five minutes to the gentle-

man from Texas [Mr. CONNALLY].

Mr. CONNALLY of Texas. Mr. Chairman and gentlemen of the committee, I am always interested in what the gentleman from New York [Mr. London] has to say on this floor. He is a very intelligent man. We respect his opinions, and, unlike a great many who profess his beliefs, he seems to be sincere and entirely honest in his views, and I believe he is. He started out this afternoon by indicting both the Republican and the Democratic Parties. Of course, I agree to half of that indictment. [Laughter.]

Mr. CAMPBELL of Kansas. The gentleman appears on be-

half of the prosecution! [Laughter.]

Mr. CONNALLY of Texas. The gentleman from New York indicts both the Republican and Democratic Parties for their conduct of the affairs of the United States, and he particularly pointed out the question of unemployment, and said he thought there ought to be set up somewhere an agency to ascertain the number of unemployed. At that point I asked him what he would do with the information when he had it, and he promised he would give me an answer to that question; but I submit to this committee that in his 25 minutes he did not again directly refer to the solution of the problem of unemployment,

Mr. LONDON. Will the gentleman yield me three minutes?

If he will do so, I will give him an answer.

Mr. CONNALLY of Texas. I have only five minutes, and the gentleman had 25. I did not know before that the gentleman was a believer in the doctrine of 16 to 1. [Laughter.] Now, it is rather remarkable that the gentleman from New York should indict both the Republican and the Democratic Parties for their conduct of the affairs of this Government, and then in the next breath admit that opportunities for advancement and conditions of life in the United States are better than in any other country. and that in those respects no other country can compare to the United States. During the whole history of the Republic one party or the other, either the Democratic or the Republican Party, has been in control of the affairs of this Government. Yet notwithstanding that wonderful, marvelous development the gentleman stands here and indicts them both for bringing into being and conducting the greatest civilization that the world has ever seen.

But the gentleman suggests that our system is not perfect. We all grant that. Of course, we have not reached perfection, but compared with the other political systems of the world our institutions bear the most favorable comparison. But the gentleman says there are millions of unemployed in the United States. That is true.

One of the reasons for that is the fact that we have in the past built up artificial forces that have affected trade, and our friends on the Republican side are largely to blame for that, because they have built up the industries and the congested centers of population at the expense of the rural districts through the prohibitive protective tariff system which has taxed the country districts, and taken those taxes and paid them over to the industrial centers, thereby building up an artificial condition of industry that has attracted to the centers of population great masses of people who, in times like these, when European trade is not open to American commerce, become unemployed.

Now, what is the remedy? Would the gentleman suggest that we open public workhouses to give them employment? was tried in France after the revolution of 1830; I be-

lieve it was after Louis Philippe came into power.

Mr. LONDON. That was in 1848, and the system was or-

ganized by people who wanted to smash it.

Mr. CONNALLY of Texas. At any rate, they tried public workhouses in France at the time of one of their revolutions and invited all of the unemployed to come and labor at the expense of the State. What was the result? It was a miserable failure, and even those who proposed it had to admit that it was a failure, and they found that it was such a failure that it was both bankrupting the Government and absolutely disorganizing the industries of France. I would not charge the gentleman from New York with professing ideas of sovietism, because he disavows them; but at the same time gentlemen in the Hall seem to draw the conclusion that the irresistible logic of the remarks of the gentleman from New York leads to sovietism.

The CHAIRMAN. The time of the gentleman from Texas

has expired.

Mr. CONNALLY of Texas. I should like a little more time.

Mr. RAINEY of Illinois. I yield to the gentleman five minutes

Mr. CONNALLY of Texas. Gentlemen contend that the logic of the gentleman from New York irresistibly leads to soviet.sm. I will allow him to square himself with that charge. I do not make it. But the gentleman is at least frank in his statement when he says that his ideas of government and of industry not only are not in operation in any place in the world, but he is candid and frank enough to admit that he hopes they will not be in operation. Now, the gentleman perhaps has a beautiful theory, but the trouble about his theories is that they never have been put into successful operation anywhere, nor will they ever be put into successful operation anywhere. The trouble about a great many of the unemployed in the United States is that they want to select their own employment, they want to select their own conditions under which they will be employed, and they want to select their own compensation. They want to congest themselves in the great cities and to have somebody give them positions at their own wages, on their own terms, instead of going out into the open places and seeking employ-

They want to remain in the congested districts in the great cities, and unless somebody offers them a position at their wage and at their terms, instead of seeking employment somewhere else they want to extort employment at the end of some violent act or at the end of a torch. I will say that if some of the unemployed in the great cities of the country will go out into the agricultural, ranch, and mining districts they can secure employment. Last year in my section of the country labor was worth three times what it was in normal times, and sufficient amounts could not be obtained at any price. At the same time in certain centers of the country reports were sent out that there was unemployment and labor could not be distributed over the country as needed. The trouble with the gentleman from New York is that he has become saturated with the theory and atmosphere that surrounds congested centers, demanding the right to eat. He says a man who is hungry has got to eat. Yes; and I want him to eat, but I want him to eat in the sweat of his own brow and not in the sweat of some one else's brow. [Applause.] If the gentleman wants such to eat, let those who desire to eat earn the bread that they eat. Let them produce something to eat and not content themselves by staying in New York and Chicago, demanding that some one else shall produce the things to eat out of the ground, pay the transportation of the article to the market, and bring it to their doorstep and deliver it to them without getting in return actual compensation in labor.

Now, I do not want my remarks to be construed as an attack on the gentleman from New York, because I respect him, but when he gets up and makes the open charge against the existing system and order of things I want him to point out something that will supply the remedy, and I submit to this House that in his complaint against the existing system and against the facts of existing unemployment, he has totally failed to show anything that his system or those who advocate it can offer to solve the question.

Mr. LONDON. Will the gentleman yield? I know he does not wish to place me in a false position. The gentleman must know that I have been interrupted so frequently by questions that I have not been able to develop my statements, and that is

why I asked leave to extend my remarks.

Mr. CONNALLY of Texas. I know the gentleman did, and I tried to help him secure consent to extend his remarks. But I suggest that he will have to extend his remarks a long way if he offers a solution of unemployment that will square with his theory and prove practicable. [Applause.]
The CHAIRMAN. The time of the gentleman has expired.

Mr. TINCHER. Mr. Chairman, I yield 10 minutes to the

gentleman from Iowa [Mr. Dickinson].

Mr. DICKINSON. Mr. Chairman, I trust that it will not be amiss with the membership of the committee to come back from the theoretical to the practical, because every consumer of food and every producer of grain, in my judgment, is interested in this legislation. I am very glad that the committee in bringing out this bill confine it to one subject. The first time I started to prepare a bill I made it cover all food products. I found that there were so many phases to the different food products included in agricultural products that it was impossible to cover all in one bill. The second bill I introduced, like the one introduced by the gentleman from Kansas [Mr. TINCHER], confined the bill to grain alone, and it is the grain proposition that I think should be the subject of this legislation, and I hope that you will confine it solely to the control of future grain speculation and in that way limit the scope of the bill.

There are only five or six future markets at the present time in grain. The greatest future market is at Minneapolis for wheat and at Chicago for corn. They have a future market in Kansas City, one in Toledo, and some future market in wheat at Baltimore. In my judgment, the futures could be limited to actual sale and delivery of the commodity, but this bill does not attempt to do that. It is the belief of those experienced in grain markets that if you limit the futures to the delivery of the commodity you will destroy the hedging privilege. In other words, in the bill I introduced I said that contracts were subject to the tax unless you could show a final delivery of the property. Every experienced man that has been long in the grain business came in and said if you pass such legislation you would do away with the future markets. If that is the case, it may be well to take the step you are taking in this bill. I am for the bill and believe it has many beneficial provisions. I believe it will inure to benefit of the grain pro-

ducers of the country.

The one thing I object to is that instead of slapping the wrists of the fellows that manipulte the market I would like to hit them with a sledge, but probably that is not wise legisla-tion at the present time. What do we do in this bill? You put tion at the present time. out of business puts and calls, and that is one of the abuses of the present system. That is one of the worst abuses. Why? Because to-day the outside fellow is simply in there dealing on the margin alone, not attempting to benefit anybody or helping anyone to produce grain or attempting to benefit anybody but himself. He simply bids on a margin for his own benefit, and I believe he is the man to eliminate. What else do you do? You say that the Secretary of Agriculture shall have the right to license boards of trade at market places where grain is sold; that he shall have the right to revoke the license if the privilege is abused. I do not know but that we are putting in the hands of the Secretary of Agriculture an incorrigible child that has known no law and recognizes no God; but, being from Iowa, I have every confidence in the Secretary of Agriculture, for he is a student of the grain market, and has been for more than a third of a century, having studied it all his life, and I believe he can well establish rules and regulations that the beard of trade must operate under that will be beneficial to the producer

and the consumer of grain in this country.

What would it permit him to do? Why, it would permit him to impose on these boards the requirement that they should limit the amount of grain one concern could handle in one day. These recommendations have been made by some members of the boards of trade. I believe that a great majority of the grain men are honest fellows. I believe they are trying to run their business in a straightforward, legitimate way, and that they are as much afraid of the big speculator and manipulator as the producer is and would welcome the pressure from the Secretary of Agricul'are that would permit them to impose upon their boards rules and regulations that would prevent a man coming in there with extensive credit, unlimited funds, and buying for 10 days or 2 weeks and then selling for 10 days or 2 weeks, simply paying for the margin that he could create on the large quantity he could handle. I believe the Secretary of Agriculture will be wise in his discretion in working out these regulations. Why? Because he knows that he must not abuse the privilege; that he can not destroy the present market, because it is the only system we have to de-

liver the producer's crop to the consumer, and if he did destroy the market he would seriously handicap the people of this country, because it would affect the producer and the consumer alike. Therefore, the present market system must not be destroyed. It must be encouraged and it must be controlled and operated along the lines that will produce the best results for both the producer and the consumer.

The only indictment I think we can charge against the present marketing system is the fact that nearly all of the best writers on markets tell us that from 7 to 10 per cent of our product, wheat and corn, that is exported fixes largely the price that we can charge for the balance here in this country. that is a serious indictment against the present marketing system. I believe that under the present sales organization being organized by the cooperative concerns of this country whereby they expect to extend their storage facilities, whereby they expect to have something to say as to when their crops shall be sold and what they shall be sold for, will be very beneficial in doing away with the present theory that the export part of our crop shall fix the market for the balance of the crop that is sold here. I believe that this legislation, working in conjunction with the sales organization that is proposed by the producers of this country, will work hand in hand to bring about the results that all of us are interested in and we hope will be for the benefit of those who produce the grain. [Applause.]

There is one other phase of this question. The Secretary of Agriculture if he cancels a license contract of a board of trade for future trading may cancel erroneously. He may be a man who may not be in sympathy with some of the actions of the board of trade. This bill gives the board the right of appeal to the court. Now, nearly everyone will immediately say that is just as good as not having any right of appeal. I do not believe he will find any board of trade that will appeal from the decision of the Secretary of Agriculture to the court for relief. Why? Because in the meantime according to the provisions of this bill they would be compelled not to deal in futures, and the great market centers of this country are dependent upon their future trade. In Chicago, I believe, it is shown that the market is stimulated largely by the future trading.

The further provision of this bill giving the Secretary of Agriculture authority over the reports to be filled out by the beards of trade, showing the tendency of the market up or down, will be beneficial in that it will prevent the circulation of false reports, having a tendency to fluctuate the market or manipulate the same. This provision is not as complete as it might be, but will have a tendency to expose to public censure the reports of grain on hand, weather conditions, crop esti-mates, and so forth. All of this is valuable data in determining what price should be paid.

The bill also will eliminate the private wire for the reason that the private wire can not operate under the existing regulations which will be prescribed for board of trade operations.

It is my belief that this bill, by the publicity it will give by recording all future and cash sales of grain on the board of trade and showing the parties of interest, will prevent manipulation by large concerns for personal gain. Criticism has been made of this bill in that it will tend to centralize the market in the hands of a few corporations. It does not seem to me that this criticism is well founded for the reason that under the provisions of this bill cooperative concerns are given a place on boards of exchange which would permit the sales corporation of the American Farm Bureau to hold a place on the board of trade and buy and sell as a member thereof.

The publicity that will be given the operations of the boards of exchange under this bill, together with the working of the sales corporation for marketing of grain, will be tested within the next two years in their operation, and we will then be able to determine whether or not future sales should be limited to the actual delivery of the commodity, and also whether or not with the assistance of this bill and the operation of the said sales corporation, the export of the 7 per cent of our grain product will be able to determine the price of the other 93 per cent consumed in our own country. It seems to me that if this bill, working in conjunction with the said sales corporation, does no more than provide a storage capacity for the 7 per cent that does not need to be shipped abroad but is held for consumption here during the short production period we could then determine what additional legislation is necessary in order to further protect our marketing system. It is, therefore, my hope that this bill will pass and receive the sanction of the Senate and the Chief Executive and will be tried out in an effort to regulate the present marketing system which so materially affects all of the producers and all of the consumers in this country.

Mr. TINCHER. Mr. Chairman, I yield 10 minutes to the gen-

tleman from Michigan [Mr. KETCHAM].

Mr. KETCHAM. Mr. Chairman and members of the committee, I desire to add my word of appreciation to those already spoken for the excellent work of the committee in the preparation of this bill and getting it before this committee so promptly. I realize, I think, from some experience in these matters, some of the difficulties which they have had to confront, and it does certainly seem to me they have brought us a bill that meets a difficult situation in splendid fashion. Possibly a little incident for which I am indebted to a good friend of mine, Mr. Atkeson, for long years representative of the grange, will best illustrate how they have met the situation. One morning a West Virginia farmer and his son were out watching a deer lick. It was very early, and suddenly as the morning light was breaking, an animal appeared. Neither of the hunters could quite distinctly determine what animal it was, and an argument arose between the father and the son as to whether the animal was a colt or a deer and whether or not they should shoot. After a long debate the father said to the son, "I think I can so shoot that if it happens to be a colt I will miss it and if it is a deer I will hit it." I think the committee has so well written the provisions of this bill that they will not hit the colt of hedging, but are dead sure to crack the deer of manipulation.

I desire, Mr. Chairman, to offer three reasons for supporting this measure. First, because I believe it to be for the common To-day there is no question of greater economic importance to the people of the United States than the question of distribution. The statement is made that out of every dollar that the ultimate consumer pays for the product that comes from the farm the farmer receives 35 cents. The statement is also made that last year the farmer received for the products mentioned in this bill the sum of nine and a half billion dollars. If this is 35 per cent of the cost to the ultimate consumer, he would expend over twenty-seven billions for these products of the farm. Making a deduction of nine and a half billions paid the farmer for the crops, we find that there would be a bill for the ultimate consumer to pay of seventeen and a half billion dellars as the cost of distribution. In contrast with this statement, gentlemen of the committee, I would like to hold up before you the experience of Denmark, where it is said that the expense of distributing farm crops through the cooperative plan is 10 cents out of each dollar instead of 65 cents.

For just a moment notice how the common good would be served if in a small measure the provisions of this bill correct the abuses which have arisen in the matter of distribution of grain crops. Grant that we can never approach the perfection of the Danish system. Instead of 65 cents, allow 20 cents of every dollar for distribution, and then make the proper deductions, and you will have a saving of \$12,000,000,000 that might be made in the distribution of the grain crops in their journey

from the farm to the ultimate consumer.

Gentlemen of the committee, I say to you, with all due regard to the many splendid measures we are considering on the floor of this House, that there is no question fraught with greater significance to this Nation than the conditions this bill seeks to partially remedy. Therefore, I believe for the common good, which is the ultimate purpose of all legislation, we should stand for this bill without division, and I hope that such will be the result.

There is a second reason why, I think, the bill should be supported. It is because, in my judgment, it affords justice to the farmer himself. May I inquire who these farmers are? Some days ago, I think, some insinuations were cast here with reference to class legislation; and I beg the indulgence of the committee for a moment while I try to answer the question as to who these American farmers are and whether or not they are deserving of consideration in connection with

this and similar bills that have been proposed.

There are in the United States 6,460,000 farms. With an average of four and one-half to the family, the farm population proper reaches 29,070,000, or 27 per cent of the total. What are they worth? According to the best statisticians, \$80,000,000,000. What is the average wealth per farm? Twelve thousand three hundred and eighty-eight dollars. Prof. David Friday, one of the great economists of the country, states that the income of the farmers for 1917 was fourteen and one-third billions. This would yield an average income of \$2,218 per farm. Deduct 6 per cent for capital invested and you will find the average income of the average family on the American farm, based on the figures of 1917, to be \$1,476. Therefore, I think if you weigh this matter fairly and consider the percentage of farmers in relation to the whole population and his wealth to the whole wealth of the country you will agree that it is but fair to give

him every consideration which can be given in enacting legislation of this character.

Again, the farmers are a splendid holding power against all influences that breathe the spirit of unrest and revolution. They own their homes for the most part. One of our leading statesmen has said not long since that an 80-acre farm free from debt lived upon by the owner supplied with a good quantity of live stock and with a comfortable degree of improvements upon it and a bank balance was the best social unit we Touching still further the vital question of home ownership, I bring to your attention the alarming statement carried by the Banker-Farmer, a conservatively edited publication of Illinois, that the census of 1910 showed that 60 per cent of the people of the whole Nation did not own their own homes. The percentage of such home owning is high in the country and low in the centers of population, reaching 80 per cent in New York No better work can be done by this Congress than to encourage home owning and home building and, so far as these are concerned, in the rural sections they await improved economic conditions which this bill clearly seeks to develop.

What happened to these farmers in 1920? According to Bradstreet's they grew 8 per cent more of the leading grain crops than in the bumper year of 1919, and when they marketed them took 39 per cent less than for the smaller crop of the previous season—a neat little total fluctuation of \$5 500,000. Manipulating of the market certainly was measurably responsible for the awful slump. If it be urged that the farmer must take his loss with the rest, the comparison of prices of pig iron and corn as fairly representative of the general price levels in industry and agriculture are interesting. In 1914 and for years before, the ratio between pig iron and corn was 1 ton of pig iron to 18 bushels of corn. In 1918, when prices were at the peak, the ratio was 1 ton of pig iron to 28 bushels of corn. In February of the present year the ratio was 1 ton of pig iron to 47 bushels of corn.

In view of these inequalities it is to be regretted that distinguished men of this House stand on the floor and oppose legislation for the development of the farmer group and make charges that this or any particular measure is in the nature of class legislation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KETCHAM. Mr. Chairman, I ask for an extension of time. May I have five minutes?

Mr. TINCHER. I have only 10 minutes remaining. I yield

2 more m nutes to the gentleman.

Mr. KETCHAM. One further reason for the passage of this bill has not been sufficiently stressed as the discussion has developed in the committee. A business revival is greatly needed. Our distinguished friend from New England laments the idleness of eastern cotton mills. The farmers make up nearly 40 per cent of the buying power of the country. They are not now buying. Deducting more than five billions from their buying power in one year reacts powerfully against the business of the country. One sure way to help start a permanent business revival is to enact legislation such as the bill under consideration. By so doing you will help the farmer to escape the terrors of fluctuation and will secure for him a fair share of the dollars paid by the ultimate consumer for his product. Increased returns to him means increased business for the whole country.

The CHAIRMAN. The time of the gentleman from Michigan

has expired.

Mr. KETCHAM. Mr. Chairman, I ask leave to complete that statement. I ask unanimous consent to extend my remarks.

Mr. McCLINTIC. I object. The CHAIRMAN. The ger

The CHAIRMAN. The gentleman has the right to revise his remarks without obtaining consent.

Mr. KETCHAM. I just desire to extend. I already have the right to revise.

Mr. JONES of Texas. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. Sumners].

The CHAIRMAN. The gentleman from Texas is recognized for 10 minutes.

Mr. SUMNERS of Texas. Mr. Chairman and gentlemen, I am for this bill, but for reasons that may not commend themselves to the average Member voting for the bill. My judgment is that this bill goes as far as any bill can go under the present system of marketing.

This bill does not do so very much, if the gentlemen who were good enough and wise enough to draft the bill will permit the observation. Under this bill anybody can buy and sell a hedge who wants to do it. Under this bill anybody can gamble on these exchanges who wants to do it.

gamble on these exchanges who wants to do it.

This bill, however, does prohibit "puts" and "calls" and does provide that the Secretary of Agriculture may prevent manipulation, or rather does attempt to do this, and I am of

opinion the power is conferred. That is an important thing to do. That is about the only thing that can be done and preserve the present system. It does not show that gambling is right. It shows how bad the system is, in which it is admitted gambling must be permitted. The fact that gambling must be permitted shows that the system is economically unsound also. God did not rig the economic machinery so that it is necessary to do an immoral thing in order to do a necessary thing. This bill does eliminate certain sorts of gambling and to that extent it meets the moral test. Anything which decreases that which is wrong is worthy of sup-Not only is the present system wrong in that fundamental particular, however, but no institution can function as an exchange in the general economical distribution of agricultural commodities, produced in a wide area which requires delivery at the place where the exchange is located. The cost of moving out of the natural channels of commercial move-ment in order to clear through these exchanges, especially the cotton exchanges, creates a prohibitive differential against such movement. Another thing, no future contract made on a basic grade can be a contract under which the ordinary commercial transactions and deliveries can properly be effected.

I make that statement with regard to cotton without fear of any contradiction. I am not so sure about grain. Take, for instance, the case of a miller, however, who wants for his mill Nos. 1, 2, 3, or 4 wheat, according to the kind of flour he is Now, so long as the contract on which he purchased can be complied with by the delivery of either grade of wheat the miller can not depend upon the deliveries on such contracts. He would not know in advance whether he would get what he

In cotton there are usually about three grades at the outside which a mill can use. Deliveries outside of those grades are no more valuable than flax or wool would be. This is not an argument against this bill. It is against the system with which this bill has to do.

Take the matter of hedging. I admit that hedging is neces sary under the present system, but hedging is more responsible than anything else for the instability of the price of agricultural products, and I defy anybody successfully to contradict that statement. What the farmer needs more than anything else is a broad market, a stable market. No business can be more stable than the market in which it sells. There is no other business which sells in so unstable a market as does agriculture. When you have a broad market and a stable market you have economic strength in your business; you have a foundation upon which you can build; you can forecast the future. Nobody can properly conduct a business that is shot all to pieces by all sorts of speculation and manipulation, as agricultural prices are. I said that hedging is more responsible for instability than anything else.

Mr. CARTER. Mr. Chairman, will the gentleman yield? Mr. SUMNERS of Texas. In a moment. Now let me show Suppose when the grain crop has "come into sight" and a third of that crop has been sold for \$2 per bushel, two-thirds remaining with the farmer. Suppose the people who bought the third had not been able to hedge. Do you suppose they would turn loose for less than \$2? No; and the farmers who had sold the one-third would not sell the remainder for less than \$2. The tendency of that market would be upward, reflecting interest and carriage cost, and so forth, until it got within the shadow of the next crop. It would be a gradual, slow, upward movement, in the absence of some general controlling influence, When a part of the crop, however, is hedged those who hedge cut themselves off from every hope of gain if the price goes up and from every fear of loss if it goes down, so that that hedged part of the crop is like a derelict on the high seas, blown hither and thither by every wind of speculation. The minute the future market is driven down 15 cents per bushel, for instance, the people who hold that one-third of the crop can sell at 15 cents per bushel less than they could have sold for if the decline had not come and make as much money out of it as if they had sold it for \$2.15, futures going up also 15 cents per bushel. They say it is an insurance. That is true. But it is too blooming good an insurance. The unsold part of the crop is carrying all the weight of the whole crop. The unsold part of the crop is as safe as his neighbor's would be if a man could get an insurance policy on his house under which he could get every cent of its value even if he himself were to apply the torch

You will never be able to get a stable market in this country, nor have economical distribution of farm products, until they are properly standardized, protected physically, and are given an opportunity to reach the general market through a system of real produce exchanges, where the actual commodities may be sold by specific grade and move from the first point of concentration to the point of need by the shortest line of movement and in quantity and quality in accord with the demand for use.

I have introduced a bill to make this possible and had it here ever since I have been in Congress. I do not seem to be able to get anybody interested in it, and one of the reasons why I want to see the pending bill pass is that I want it to be demonstrated, as soon as possible, whether or not we can build a stable public market on these privately controlled, merchant-operated, so-called exchanges. I hope I do not appear egotistical when I say that it can not be done.

With regard to cotton, we keep trying to get the New York and New Orleans cotton exchanges to do that which they say they do not want to do, can not do, and will not try to do. Did the gentleman from Oklahoma want me to yield to him?

Mr. CARTER. The gentleman has answered my question. Mr. SUMNERS of Texas. I am not in favor of the Government doing things which ought to be done by individual enterprise. I voted against all this stallion distribution and freeseed business and all that sort of rot. [Laughter.] in favor of the Government doing anything that the private citizen can do, but I am in favor of this Government helping to create a proper market machinery for the sale of farm We have the necessary parts of the machinery, we have the great Department of Agriculture, organized for no other purpose than to help the American farmer to deal with the big problems which confront him; and the biggest problem of the American farmer is distribution. Is not that right? What in the name of common sense is the Department of Agriculture for? Why does it send out these fellows driving little Ford automobiles all over the country scattering the dust and bulletins and hot air everywhere, while the department refuses to do the big thing that needs to be done? I want to fire about half of that bunch and have the Department of Agriculture coordinated with the State Department, build a real produce-exchange system. I want it to properly standardize these agricultural commodities, so that when we talk about them everybody will have the same mental picture of them. That gives to them a universal commercial status while yet at the point of first concentration. Then I want to see these standardized commodities while at the place of first concentration listed on a real produce exchange, not on a basic grade, but the actual thing that is physically and morally protected, listed for sale by its specific descriptive grade, and when it is sold have it moved from the place where it was first concentrated to the place where somebody wants to use it. Then every article would have direct trade access to every market and every market direct trade access to every source of supply, Then, when you have got your commodities standardized physically and morally protected, and in trading contact with the markets of the world, you will have a real foundation on which you can build a rural credit system.

Gentlemen, this is tremendously important. You can never build a rural credit system on the haphazard farm-selling methods that we have in this country to-day; but if you had these commodities properly standardized, physically and morally protected, and in trading contact with the markets of the world it would not take a great deal of Government supervision, but enough Government supervision to give entire strangers confidence in trading with each other-you would have a real foundation for a real chattel rural credit system. Farmers could take warehouse receipts covering these commodities so protected and bid successfully for the cheapest credit in the country. could build their own credit system. Then these commodities could move out gradually and the people who live in the great cities of this country would have a better chance to get what they buy at a price nearer what the farmer gets.

Take this hedging. Who is paying for that and all the other economic waste and the physical waste? Not now, but to-morrow, the people who live in the cities will have to pay every overhead cost and give the country boys as much net profit to encourage them to stay on the farm as industry will bid for them or else the people in the cities will starve.

Mr. KINCHELOE. Will the gentleman yield? Mr. SUMNERS of Texas. I yield to the gentleman from Kentucky.

Mr. KINCHELOE. What does the gentleman think of the plan of the farm bureau and cooperative marketing? Does the gentleman think that is sound?

Mr. SUMNERS of Texas. I think the cooperative organiza-tions of the farmers can build their warehouses, establish selling agencies, and by a limited cooperative, general financial responsibility behind their grades guarantee them, and guarantee delivery according to tender. The Federal Government would not have much to do to help them to a proper system of marketing. It would simply have to establish a few produce exchanges. It would not sell or ship. It would provide the market possibility and protect it against abuse. Before closing I want to emphasize that I propose nothing new with regard to governmental duty. The maintenance of opportunity for freedom in commerce is the chief duty of government with regard to commerce.

The CHAIRMAN. The time of the gentleman has expired. Mr. KINCHELOE. How much time has the gentleman from Illinois remaining?

Mr. RAINEY of Illinois. My time is pretty well exhausted.

will yield to the gentleman another minute.

Mr. SUMNERS of Texas. Does anybody wish to ask me a question?

Mr. KINCHELOE. In what way does your proposition

Mr. SUMNERS of Texas. I could not answer that question in one minute. Ask me a question that I can answer briefly.

Mr. KINCHELOE. I simply want to say that I think the

farm bureau is the most constructive idea along that line of anything that I have seen yet.

Mr. SUMNERS of Texas. When we get to the consideration

of the bill under the 5-minute rule I want to talk a little more

about this.

I congratulate the committee on having brought out the best bill, in my judgment, which they can bring out at this time. They have gone as far as they can. Time will demonstrate if they are right. Of course, if they are wrong, we are going to find it out pretty soon.

Mr. RAINEY of Illinois. I yield 10 minutes to the gentleman

from Texas [Mr. Blanton].

Mr. BLANTON. Mr. Chairman, I believe the gentleman from Kansas [Mr. Tincher] agreed to give me five minutes.

Mr. PURNELL. The gentleman who agreed to give that time

Mr. TINCHER. I have only 10 minutes left, and I have promised more time than that.

Mr. BLANTON. Can not the gentleman give me three min-

I seem to be the only man opposed to the bill.

Mr. TINCHER. I want to be sure that the bill will pass, and if the gentleman is going to speak against it I am almost constrained to give him all the time I have. [Laughter.]

Mr. BLANTON. I thank the gentleman.
Mr. TINCHER. But I can not do that because I have promised it to another gentleman.

The CHAIRMAN. The gentleman has 12 minutes left and the gentleman from Illinois has 12 minutes left.

Mr. TINCHER. I will yield to the gentleman from Texas

Mr. BLANTON. That gives me 12 minutes, Mr. Chairman?

The CHAIRMAN. Yes.

Mr. BLANTON. Mr. Chairman, I believe if we were to bring in a bill here granting to every person in that vicinity a free Saturday afternoon once a week at Coney Island, and call it a farmers' bill, you could get enough votes here to pass it. If this bill would benefit the farmers I would be for it. If it would stop gambling in the food products raised by farmers I would be for it. The proponents of this bill, our friends on the committee, have stated as an argument for its passage and an argument in favor of the farmers' interests, that every year in the United States there are from fourteen to thirty times as many bushels of grain sold on exchanges as are raised in the United States. They state that in the United States each year there are three times as many bushels of grain sold on exchanges as are raised in the whole world. They declare against gambling transactions, and they say that they want to stop gambling, and that the farmers want gambling in farm products stopped, and therefore they bring in the best bill they know how to frame to stop gambling.

But does it stop gambling? We can not bet on horse racing,

because that is gambling and it is stopped. We can not bet on poker, because that is stopped; we can not bet on the game of craps, because that is stopped; we can not buy a Louisiana lottery ticket, because that is stopped; we cannot buy a lottery ticket that is issued in Cuba, because that is stopped; we can not play bridge for money, because that is stopped; and now, under this bill, you can not speculate in what they call puts and calls, because that is to be stopped by this bill. But puts and calls constitute a very small part of the gambling done on

exchanges.

They would stop the gambling that occurs after the market closes each day, known as puts and calls, but they permit the gambling to occur in the markets. Right here to-day, when the distinguished Public Printer of the United States Government has stopped gambling upon futures in the Public Printing Office—and I want to say that I commend him for it, and for

recently suspending 14 men and 1 woman in his department for gambling against his orders-we come in with a bill licensing gambling in grain futures and putting it under Government protection to make it lawful by a statute of Congress. For, under the provisions of this bill, there will still be three times as many bushels of grain sold each year on the authorized exchanges in the United States as are raised in the whole world, and without one penny of tax.

I do not know that the farmers in my district are so very different from the farmers in your district, but I want to say that I keep in pretty close touch with the farmers in my dis-When I have the time and opportunity I go among them, talk to them, and get their ideas and views, and try to find out what they are thinking about and what they want. I am here to tell you that I do not care how many farmers' organizations have approved this bill; I know that the farmers of my district do not want the Congress of the United States to legalize gambling by law, as is done in this bill.

Mr. TINCHER. Will the gentleman yield?

Mr. BLANTON. In a moment I will yield. I asked the distinguished gentleman from Wisconsin [Mr. Voigr], a member of the committee, if under this bill a man could go beyond a legitimate hedge that our friends say is absolutely necessary for the protection of the grain producers, under the provisions of the bill, and speculate by buying futures to an unlimited number of bushels. He said, why, yes; that any man could go upon one of these designated markets and buy a million bushels of grain in a gambling way-not in a hedge, but in a gambling transaction. If you want to limit it to legitimate hedge, why do you not provide in this bill that where a man buys a certain number of bushels of grain in a legitimate enterprise, to protect himself he has the right to go on the market to the extent of his purchase and sell an equal number of futures? Then you would have a strictly hedge bill. But you go further and you provide that on an authorized market, which you are providing for by this law, that any gambler can go and buy or sell futures to the extent of any number of bushels of any kind of grain. Now I yield to the gentleman from Kansas.

Mr. TINCHER. Has the gentleman ever introduced a bill for the farmers of his district on the subject of markets?

Mr. BLANTON. I have not on that subject, but have on others, but I have from this floor advocated the passage of marketing provisions already pending before the committee.

Mr. TINCHER. Has the gentleman ever gone before the Agricultural Committee for the last two years and given the Agricultural Committee, which he is now criticizing, the benefit of his judgment?

Mr. BLANTON. Yes; the gentleman has seen me in the committee room.

Mr. TINCHER. I have never seen the gentleman there, and I have attended every committee hearing for the last two years. Mr. BLANTON. Well, my colleague from Illinois [Mr. RAINEY | has seen me in the committee room several times.

Mr. RAINEY of Illinois. I have seen the gentleman from Texas there.

Mr. TINCHER. I have seen the gentleman from Texas [Mr. HUDSPETH] there. Has the gentleman ever made any suggestion or appeared before the committee when it held these hearings, which comprise 1,070 pages?

Mr. BLANTON. I am not on the Agricultural Committee, but am a member of four other committees, all of whose hearings 1 attend. I want to say that I made several speeches on the floor of the House time and time again advocating the principles contained in the bill of the last speaker, the gentleman from Texas, who has just left the floor. I have indorsed his bill, pending for a long time before your committee, that if you would pass would benefit every farmer in the United States.

Mr. TINCHER. What bill is that?
Mr. BLANTON. The bill of the gentleman from Texas [Mr. SUMNERS].

Mr. TINCHER. That bill has no reference to trading in grain futures.

Mr. BLANTON. It provides for the proper marketing of the products of the farmers in the country. I am not criticizing the Agricultural Committee.

Mr. TINCHER. The gentleman from Texas [Mr. Sumners] has no bill on the subject of grain futures. I did not know that

the gentleman could see any good in that bill.

Mr. BLANTON. He has had a farm product marketing bill pending before your committee for a long time, and I have several times advocated its provisions. I always indorse anything good, regardless of its source. I vote for good measures whether they are called Republican or Democratic; I always do. I indorse everything that is good in this House. I have voted for as many measures that came from the Republican side as I have from the Democratic side when it appealed to me as being a proper thing for the country. I am not criticizing the committee. I am not going to vote for the bill. I am not going to vote for any single piece of legislation which legalizes gambling. I know where the farmers in my district stand. And I am going to vote as I think they would were they here in person.

Mr. VOIGT. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. VOIGT. I want to say to the gentleman that the bill does

not legalize gambling.

Mr. BLANTON. Well, I want to say to the gentleman, and if I am wrong he can correct me, that under this bill the very minute the Secretary of Agriculture designates the market I can go with the gentleman and buy a million bushels of wheat and he can buy a million bushels on a speculative proposition alone, a gambling transaction, when neither one of us expects to deliver or receive the grain. Is not that so?

Mr. VOIGT. I will say to the gentleman that we could go

to that exchange and make a contract.

Mr. BLANTON. A gambling contract. One to sell and buy 10,000 bushels of wheat. And we do not expect to fulfill it; we expect to pay the margin.

Mr. VOIGT. It may be we do not, but our contract as made is

legal and is not determined by this bill.

Mr. BLANTON. Mr. Chairman, you can not get around this proposition. Under this bill any man may buy or sell a million bushels of grain futures. You are legalizing gambling, and you might just as well admit it. You might as well look facts squarely in the face. I do not care whether you propose it as a so-called friend of the farmer or not—you are not any better friend of the farmer than I am, you have not got the confidence of the farmers in your district more than I have in mine

What section of the bill legalizes Mr. CAMPBELL of Kansas.

gambling?

Mr. BLANTON. The whole bill.

Mr. CAMPBELL of Kansas. What section?

Mr. BLANTON. Section 4 and the provisions which follow

Mr. KINCHELOE. Where does the gentleman find that

section 4 legalizes gambling?

Mr. BLANTON. The gentleman from Kentucky has heard the argument and knows that he can buy or sell a million bushels of wheat when he does not expect it to be delivered, but merely the gambling margin to be paid.

Mr. KINCHELOE. I say there is not a line or a scintilla in this bill that legalizes gambling, and the gentleman can

Mr. BLANTON. This bill makes gambling in grain futures on authorized markets legitimate speculation. It legalizes speculation in wheat, corn, oats, barley, rye, and sorghum futures, in unlimited millions of bushels, on certain authorized markets, without any tax, when you have not got any wheat, corn, oats, barley, rye, and sorghum to deliver, but merely gambling margins to pay according to fluctuations. If that is not gambling I do not understand what is.

The CHAIRMAN. The time of the gentleman has expired. Mr. RAINEY of Illinois. I yield five minutes to the gentleman

from New York [Mr. GRIFFIN].

Mr. GRIFFIN. Mr. Chairman and gentlemen of the committee, I am not sufficiently expert in ornithology to mention the name, but I understand there is a certain bird that is dis-tinguished for the characteristic of befouling its own nest. Whatever it is, I have very little respect for the creature. Kicking at Congress seems to have become a popular sport. Heretofore it has been confined to the newspapers. The other night I attended a movie exhibition which would seem to indicate that the art had crept into the film business. To-day we listened to a Member of this House as he engaged in this delectable occupation of finding fault with the American Congress. Gentlemen, the American representative idea is the last word in popular government. All other forms of representation in legislative bodies have been tried out some time or other in the world's history. Even the soviet system now in vogue in Russia had its career in ancient times and miserably failed, even as it is failing in Russia. The English adopted the system of having class representation and still stick to it with bullheaded per-When our Government was organized we abandoned the old idea of having a representative body made up of any class, creed, race, or condition. The American idea in forming the Congress was that every citizen of our country, irrespective of his wealth, irrespective of his race, religion, or condition, should be represented in the National Legislature. That is the true basis of democratic government, and when I suspect that a Member of this House, my colleague from the city of New York, is arguing for an apparent approval of the soviet system, I feel I am justified in resenting his allusion. I leave it to the judg-

ment and the recollection of the Members of this House whether I quote the gentleman correctly. He said that he would like to see in this body a representative or representatives of the lumber interest, representatives of the railroad interest, and representatives of the employees. I asked him if that were not equivalent to an approval of the soviet system and he evaded the question. Now, if his language bears any interpretation whatever within the bounds of reason-

Mr. LONDON. Will the gentleman yield?
Mr. GRIFFIN. It is certainly susceptible of the construction I put upon it, namely, an approval of the soviet system of government. I can not yield now. However, there is one retreat to which he may resort in palliation of his obvious indorsement of the soviet system. The soviet system does not go as far as the gentleman does in being willing to accord representation in its representative body to wealth and capital. He, it seems, is willing to accord that privilege. Under the soviet system representation is confined solely and wholly to the working classes. The mere fact that a man employs help excludes him from citizenship and from representation in the various soviets. They recognize only labor. He would recognize capital as well. In that respect he has some defense to make, but the basic idea that groups or industries should be represented is purely of soviet origin. The gentleman would like to see representatives of certain groups or interests in this House in order that they might be consulted with on questions that come before this body. That, I think, is equivalent to an indorsement of the basic idea of the soviet system. [Applause.]
The CHAIRMAN. The time of the gentleman has expired.

Mr. RAINEY of Illinois. I yield five minutes to the gentle-

man from Kansas [Mr. CAMPBELL].

Mr. TINCHER. Mr. Chairman, I yield the remainder of my

The CHAIRMAN. The gentleman is recognized for 13 minutes.

Mr. CAMPBELL of Kansas. Mr. Chairman, whether this bill entirely prohibits gambling transactions in the price of farm products or not, it is certain that it goes a long way in that direction. It affords me a great deal of satisfaction to close the debate on a bill that goes as far as this does, and I congratulate my colleague [Mr. TINCHER] for bringing this bill out of the Committee on Agriculture and giving us an opportunity to vote on it here. Some 12 or 15 years ago I introduced and finally saw the passage of a bill closing the bucket shops in the District of Columbia and in the Territories of the United States where we had jurisdiction. At that time I made a study of laws that had been enacted in the countries of the world limiting gambling transactions in the price of food products. At that time this country stood out practically alone among the great nations of the world as the one in which the people were permitted to gamble in the prices of food products. Wheat, oats, corn, and meats of all kinds have their pits on our exchanges: and men who do not raise grain or meat—men who do not desire to buy and have none to sell—buy and sell millions of bushels of grain and millions of pounds of meat. These transactions fix the price to the real producer and to the ultimate consumer. The law of supply and demand may have a remote relationship to the gambling that takes place in the price of these products. But if a crowned head in Europe stumps his toe on the way home from the theater, it has quite as much effect on the price of wheat on the Chicago market the next morning as rain or drought out in the wheat belt. If somebody introduces a resolution in the Congress or a State legislature to investigate a stock exchange, that also affects the price of wheat, corn, oats, or beef or pork. This is wholly indefensible. This bill, going as far as it does, is a long step in a direction which. I hope, will ultimately result in stopping all betting in the price of food commodities. There is not a shoe manufacturer in the United States who could continue his business if the price of his shoes were fixed in a shoe pit in Chicago or New

If men who neither make nor buy shoes controlled in those pits the price of the product of shoe factories, every shoe factory in this country would close. The same is true of hats, finished clothing, and practically every other finished product that reaches the consumer. The farmer alone is the great producer whose product goes upon the market and sells for a price fixed by a lot of gamblers. This bill will stop the most vicious and injurious part of that gambling.

Mr. BLANTON. Will the gentleman yield? Mr. CAMPBELL of Kansas. I can not yield.

The farmers are not so well situated as the shoe manufacturers or the hat makers, who fix the price of their own product that you and I pay, but I hope and confidently believe a better day is coming. We passed a bill through this House a few days ago that will enable the farmers to form organizations that

I trust will in the future enable them to put their products upon the market at a reasonable price that they fix themselves. not? We pay the price that the manufacturers of agricultural machinery make on their products. We pay the price that the manufacturers of shoes and clothing see fit to make. We pay the price that the manufacturers of our own raw materials see fit to make when they return them to us as finished products, Why, with a proper organization, can not the farmers of this country, after ascertaining, at the close of the season, the supply of grain, the supply of meat, after estimating as carefully as the manufacturer of shoes and clothing the supply and demand for their products, announce their price to the world, plus the freight rates from the producing points to the markets? That will stabilize the cost of living in this country, will place the farmers in the position of the manufacturers in the production of their commodities, and enable them to meet the necessities of the country's life by engaging in a business in which the price of their products is not fixed by gamblers who manipulate the price up or down to their own gain, but neither buy nor sell the real article.

Section 4 gives the Secretary of Agriculture control over these gambling places. They are to-day absolutely untrammeled, unhindered, except as local legislation may in a very limited way affect them. This bill will prohibit certain vicious species of gambling. It will prohibit "puts" and "calls." It taxes them so high that it will stop the practice.

It seems to me, Mr. Chairman, we have made much progress to-day by advancing this kind of legislation. The Secretary of Agriculture under the provisions of this bill, I have no doubt,

by keeping a close hand and close eye over the transactions in the pits that deal in the products of the farm, will make suggestions of practices that he has discovered that will secure additional legislation, amendatory of this act, that will be bene-

ficial to the producers as well as to the consumers of the country.

The gentleman from Texas [Mr. Blanton] says that he is acquainted with the farmer. The gentleman probably never started to town with a load of wheat on a Thursday, having learned in the weekly paper he received the Saturday before that the price was 85 cents a bushel—the paper having been published the previous week-and after he had reached town found that the price of wheat was down to 65 cents a bushel. I know a young fellow who had just that experience. of wheat had been manipulated down to suit the gambler's game and I lost 20 cents a bushel on a load of wheat. Men are having that experience to-day in every part of this country.

It is true the people to-day have the advantage of rural free delivery and every farmer receives some time during the day the market reports of the day before. In the days when I was raising wheat we got the weekly paper on Saturday when we went to town, and that was our latest report on the market, But even now the price of wheat changes, the price of meat changes, the price of everything that is produced on the farm changes, over night. If the President sneezes and the doctor says that he has influenza, that fact changes the price of wheat, If there is a lack of rain in North Dakota just at the time wheat ought to have a little rain to bring it out, that changes the price on the pit in Chicago months before the wheat is to be harvested. Any pretext is sufficient to enable the gamblers to change the price of wheat in the pit. Out of these speculations, which are a pure gamble, we have seen monuments erected to great gamblers. I shall not name them. You know them. They made their fortunes in wheat and never raised a bushel of wheat or sold an actual bushel of wheat. They made millions by betting on the price of other people's wheat, wheat that other people raised, and wheat that other people had to

Men of that kind are opposed to this bill and to every bill se it. They are opposed to limiting the kind of gambling that has enabled them to pile up the millions that they have made. They have not made their money out of the farmers directly, but they have injuriously affected them indirectly. I have very little sympathy for the people these gamblers have taken their money from. I have very little sympathy for a man who will bet on another man's game, whether it is a shell game, roulette, or poker, or betting on the price of wheat in the pit. It is not more safe to bet on another man's game in wheat, in pork, in corn, than on a roulette wheel. So I have very little sympathy with the men who have directly contributed millions of money to the gamblers in the price of farm products. Let us pass this bill and stop as far as possible the injury to the farmers who raise and sell the products. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAINEY of Illinois. Mr. Chairman, the report from the Committee on Agriculture was unanimous for this bill. On account of serious illness in my family, I was unable to be present

at the hearings. I further understood there was a unanimity of opinion amongst the various exchanges and members of boards of trade favoring this bill, and no objection to same being called to my attention from any of the members of the Chicago Board of Trade, I decided to refrain from speaking during general debate and allotted to the various Members all the time under my control. But two minutes remain, and I wish to suggest that since debate began I have received several telegrams from members of the Chicago Board of Trade suggesting their opposition to this bill.

I agree with our President's suggestion of less government in business and am opposed to the broad powers given the Secretary of Agriculture to make rules and regulations. It places these boards of trade under bureaucratic control.

I am in favor of specific legislation. If, as is claimed, gambling exists on the board of trade, and you wish to correct this practice or abuse, pass some specific law to do away with such gambling, but do not attempt, as is done in this bill, to permit the Secretary of Agriculture to conduct other people's business.

The CHAIRMAN. The time of the gentleman from Illinois has expired. All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That this act shall be known by the short title "the future trading act."

Mr. BLANTON. Mr. Chairman, I make the point of order that

there is no quorum present.

Mr. TINCHER. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MADDEN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 5676) taxing contracts for the sale of grain for future delivery, and options for such contracts, and providing for the regulation of boards of trade, and for other purposes, had come to no reso-Intion thereon.

#### LEAVE OF ABSENCE,

By unanimous consent, leave of absence was granted as fol-

To Mr. Shreve, for one week, on account of official business. To Mr. PERLMAN, for one week, on account of illness in his family.

## EXECUTIVE ORDER RESPECTING POSTMASTERS.

Mr. WALSH. Mr. Speaker, I ask permission to propound an inquiry. Was there any provision made for the printing of the Executive order of the President?

The SPEAKER. None that it could be printed, except in the

Mr. WALSH. I ask unanimous consent that the order may be printed as a document for the use of the Members of the House, to be distributed through the folding room in such quantity as can be printed for the sum of \$500, I think, which does not require a concurrent resolution, or it may be \$50.

Mr. GARNER. Mr. Speaker, I shall not object to the request, but I am sure that "he gentleman can get all the copies of this order that he desires at the Post Office Department if he requests them. I made such a request this morning, and they promptly told me-

Mr. WALSH. It may be that there might be a larger demand for them on this side than on the gentleman's side. [Laughter.]

Mr. GARNER. But I have no objection to the gentleman's

Mr. GARRETT of Tennessee. Mr. Speaker, does that mean just the order, or also the statement accompanying it?

Mr. WALSH. I do not care anything about the statement. Mr. GARNER. Let us have the statement go with the order. Mr. WALSH. I do not ask for the printing of the statement.

Mr. GARNER. It seems to me the statement ought to go with it. It seems to me the statement explais the Executive order.

Mr. WINGO. Mr. Speaker, in justice to the "resident, it ought to be printed. He gives his reasons.

Mr. GARNER. Why does the gentleman from Massachusetts

object to the statement going in with the order?

Mr. WALSH. Because I assume that the operations will be under the order and not under the statement.

Mr. GARNER. The statement will certainly give information that will be beneficial to the gentleman's constituents.

Mr. WALSH. I do not know about that.

Mr. GARNER. The President may have to amend it some time, as I hope; but at the same time it is the President's statement accompanying the order, and I think it should go in.

Mr. WALSH. I appreciate the gentleman's desire that due publicity should be given to the statement of the President, and I do not object to that in this instance. However, if the gentleman is going to object unless that request is coupled with it, I will ask that the Executive order and the President's statement accompanying it be printed.

Mr. MADDEN. Mr. Speaker, I hope the gentleman from Massachusetts will not amend his request. I hope the gentleman from Texas will not object to the original request.

Mr. GARNER. I do not object; but I think the gentleman from Massachusetts is likely to come back with the statement that his constituents desire the statement.

Mr. WALSH. Mr. Speaker, I renew my original request. The SPEAKER. Is there objection? Mr. BLANTON. Mr. Speaker, I make the point of order that

there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present.

#### ADJOURNMENT.

Mr. TINCHER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 4 minutes p. m.) the House adjourned until to-morrow, Thursday, May 12, 1921, at 12 o'clock noon,

# EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

127. A letter from the Secretary of the Treasury, transmitting an estimate of appropriation, in the sum of \$514.26, heretofore transmitted to the Congress and printed with accompanying papers in Senate Document No. 407, Sixty-sixth Congress; to the Committee on Expenditures in the Treasury Department.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, Mr. KAHN, from the Committee on Military Affairs, to which was referred the joint resolution (H. J. Res. 106) authorizing the Secretary of War to Ioan cots and blankets for the use of the Grand Army of the Republic at the Ohio State encampment to be held at Greenville, Ohio, in June, 1921, reported the same without amendment, accompanied by a report (No. 60), which said bill and report were referred to the House Calendar.

### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials

were introduced and severally referred as follows:

By Mr. CROWTHER: A bill (H. R. 6110) amending section 97 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; to the Committee on the Judiciary.

By Mr. APPLEBY: A bill (H. R. 6111) amending the revenue act of 1918, and providing for increase of revenue by imposing a tax upon all sight or demand bank checks; to the Com-

mittee on Ways and Means.

Also, a bill (H. R. 6112) making an appropriation for the con-Also, a bill (H. R. 6112) making an appropriation for the construction of jettles for the proper protection of Barnegat Lighthouse, at Barnegat City, N. J., in the third lighthouse district; to the Committee on Appropriations.

By Mr. CODD: A bill (H. R. 6113) to amend section 23 of the act of February 5, 1917 (39 Stat. L., 874); to the Committee on Intergration and Naturalization.

on Imm gration and Naturalization.

By Mr. ELLIS: A bill (H. R. 6114) to provide for the appointment of an additional judge of the District Court of the United States for the Western District of Missouri; to the

Committee on the Judiciary.

By Mr. JOHNSON of South Dakota: A bill (H. R. 6115) providing for the transfer from the War Department of certain motor vehicles, apparatuses, equipment, and supplies, including uniform equipment, for the use of the police and fire departments of the District of Columbia; to the Committee on Military Affairs.

By Mr. LINEBERGER: A bill (H. R. 6116) to punish the violation of the eighteenth amendment to the Constitution by American citizens in certain foreign countries; to the Committee

on the Judiciary.

By Mr. OLDFIELD: A bill (H. R. 6117) providing for the purchase of certain inventions, designs, and methods of aircraft, aircraft parts, and aviation technique of Edwin Fairfax Naulty and Leslie Fairfax Naulty, of New York; to the Committee on Appropriations.

By Mr. TINKHAM: A bill (H. R. 6118) to increase the limit of cost of the immigration station at Boston, Mass.; to the

Committee on Public Buildings and Grounds.

By Mr. KEARNS: A bill (H. R. 6119) for the coinage of a Grant souvenir gold dollar, in commemoration of the centenary of the birth of Gen. U. S. Grant, late President of the United States; to the Committee on Coinage, Weights, and Measures.

By Mr. KRAUS: A bill (H. R. 6120) relating to the naval supply account and the naval supply account fund; to the

Committee on Naval Affairs.

By Mr. IRELAND: Resolution (H. Res. 87) authorizing the payment of six months' salary and funeral expenses to Florence E. Weakley on account of death of Alvin Weakley, late an employee of the House of Representatives; to the Committee on Accounts.

By Mr. MICHENER: Resolution (H. Res. 88) to pay J. C. Mehrkens, clerk to the late William H. Frankhauser, one

month's salary; to the Committee on Accounts.

By Mr. JOHNSON of South Dakota: Resolution (H. Res. 89) providing for investigation of the collection and expenditure of money for the benefit of disabled ex-service men; to the Committee on Rules

By the SPEAKER (by request): Memorial of the Legislature of the Territory of Hawaii, urging the Congress of the United States to provide legislation for the introduction or immigration into the Territory of Hawaii of a certain number of persons; to the Committee on the Territories.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BECK: A bill (H. R. 6121) granting a pension to August C. Reisz; to the Committee on Pensions.

By Mr. BULWINKLE: A bill (H. R. 6122) authorizing the

Secretary of War to donate to the city of Charlotte, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6123) authorizing the Secretary of War

to donate to the city of Shelby, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6124) authorizing the Secretary of War to denate to the city of Gastonia, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6125) authorizing the Secretary of War to donate to the city of Lincolnton, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6126) authorizing the Secretary of War to donate to the city of Newton, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs,

Also, a bill (H. R. 6127) authorizing the Secretary of War to donate to the city of Morgantown, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. COUGHLIN: A bill (H. R. 6128) to restore Jedediah C. Paine to his former position as captain and brevet lieutenant colonel, Signal Corps, United States Army; to the Committee on Military Affairs

By Mr. DARROW: A bill (H. R. 6129) granting an increase of pension to Elmira E. Sheldrake; to the Committee on Pen-

By Mr. DRANE: A bill (H. R. 6130) providing for the appointment of Warrant Officer Herbert Warren Hardman as captain in the Quartermaster Corps, United States Army; to the Committee on Military Affairs,

By Mr. FOCHT: A bill (H. R. 6131) authorizing the Secretary of War to donate to the town of Burnham, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HUDSPETH: A bill (H. R. 6132) granting back pension to Samuel J. Ferrier; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: A bill (H. R. 6133) granting a pension to Rebekah Underwood; to the Committee on Invalid Pensions. By Mr. MILLS: A bill (H. R. 6134) for the relief of the estate

of Anne C. Shymer; to the Committee on Claims.

By Mr. MOORES of Indiana: A bill (H. R. 6135) for the relief of Frederich W. Zichendrath; to the Committee on Milltary Affairs

By Mr. PARKER of New York; A bill (H. R. 6136) granting a pension to Ellen Bridge; to the Committee on Invalid Pen-

By Mr. RICKETTS: A bill (H. R. 6137) granting a pension to Drucilla Luce; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6138) granting a pension to George W. Dille; to the Committee on Invalid Pensions,

Also, a bill (H. R. 6139) granting a pension to Carrie Lane; to the Committee on Invalid Pensions.

By Mr. ROUSE: A bill (H. R. 6140) for the relief of Austin

W. Davis; to the Committee on Military Affairs.

By Mr. RYAN: A bill (H. R. 6141) authorizing the Secretary of War to donate to Fordham University, New York City, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SWANK: A bill (H. R. 6142) for the relief of Beryl

M. McHam; to the Committee on Military Affairs.

Also, a bill (H. R. 6143) granting an increase of pension to Richard T. Jacob; to the Committee on Pensions.

By Mr. TAYLOR of New Jersey: A bill (H. R. 6144) granting a pension to Arthur O'Hara; to the Committee on Invalid Pensions.

By Mr. TILLMAN: A bill (H. R. 6145) to correct the military record of George W. Boling; to the Committee on Military

By Mr. YOUNG: A bill (H. R. 6146) authorizing the Secretary of war to donate to the city of Valley City, State of North Dakota, one German cannon or fieldpiece; to the Committee on Military Affairs

Also, a bill (H. R. 6147) authorizing the Secretary of War to donate to Jamestown College, Jamestown, N. Dak., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6148) authorizing the Secretary of War to donate to the city of McClusky, State of North Dakota, one Ger-

man cannon or fieldpiece; to the Committee on Military Affairs. By Mr. WILLIAMSON: A bill (H. R. 6149) granting a pension to Sophia G. Cleaver; to the Committee on Pensions.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

610. By the SPEAKER (by request): Petition of Liga Social Sufragista de Puerto Rico, San Juan, P. R., urging suffrage for women in Porto Rico; to the Committee on Insular Affairs.

611. By Mr. BARBOUR: Petition of the California Grape Growers' Exchange, urging an appropriation to purchase the experiment vineyards near Fresno and Oakville, Calif.; to the Committee on Appropriations.

612. By Mr. BEGG: Petition of citizens of Vermilion, Ohio, for a repeal of the 10 per cent tax on yachts; to the Committee

on Ways and Means.

613. By Mr. CHALMERS: Petition of John A. Fader Post, No. 114, American Legion, Oak Harbor, Ohio, indorsing legislative program of American Legion; to the Committee on Interstate and Foreign Commerce.

614. Also, petition of International Brotherhood of Locomotive Engineers, Division No. 4, against sales or turnover tax and in favor of high progressive taxation of large incomes; to the Com-

mittee on Ways and Means.
615. By Mr. DRIVER: Petition of Women's Club of Searcy,
Ark., favoring the Smith-Towner education bill; to the Committee on Education.

616. By Mr. KISSEL: Petition of James M. McAuliffe, sr., 171 Kent Street, New York City, favoring the passage of the La Follette bill, which provides for the recognition of the Irish republic; to the Committee on Foreign Affairs.

Also, petition of A. H. Scott, 533 Greenwich Street, New York City, favoring the passage of the Hill bill, a bill for the repeal of the Volstead measure; to the Committee on the Judi-

ciary

Also, petition of W. F. Buckley, 112 Park Avenue, New York City, opposing the recognition of the Mexican Government until justice has been done to American citizens in Mexico; to

the Committee on Foreign Affairs.

619. Also, petition of William C. Werner, 46 West Twenty-eighth Street, New York City, opposing the present 10 per cent tax on furs and suggesting a 1 per cent gross sales or turn-over tax in lieu of every kind of business tax; to the Committee on Ways and Means.

620. Also, petition of Joseph Dixon Crucible Co., Jersey City, N. J., relative to tariff on graphite; to the Committee on Ways

and Means.

621. Also, petition of E. G. Stearns, Chicago, Ill., urging lower freight rates on coal, etc.; to the Committee on Interstate and Foreign Commerce.

622. By Mr. LINTHICUM: Petitions of Maryland Association of Insurance Agents and Baltimore Underwriter Insurance Agents, both of Baltimore, Md., opposing House bill 4089 and Senate bill 847; to the Committee on the District of Columbia.

623. Also, petition of G. Spath and Mr. and Mrs. G. E. Hartley, all of Baltimore, Md., favoring House bill 7; to the Commit-

tee on Education.

624. Also, petition of F. A. Broadbent, Baltimore, Md., favoring soldiers' bonus; to the Committee on Ways and Means.

625. Also, petition of State Roads Commission, Baltimore, Md., approving amendments to Federal aid bill: to the Committee on the Post Office and Post Roads.

626. Also, petition of Swindell Bros., Baltimore, Md., protesting against House bill 4981; to the Committee on Agri-

627. Also, petition of Dr. William G. Tucker, Baltimore, Md., opposing tax on eyeglasses; to the Committee on Ways and Means.

628. By Mr. MEAD: Petition of the International Brotherhood of Locomotive Engineers, Buffalo, N. Y., urging defeat of the sales or proposed turnover tax; to the Committee on Ways and Means.

629. Also, petition of Edward Gaw Flanigan, Buffalo, N. Y., urging the passage of the bill to enlarge the office of the United States commissioners; to the Committee on the Judiciary.

630. By Mr. MORGAN: Petition of Amalgamated Lithographers of America, Coshocton Local, No. 19, Coshocton, Ohio, praying for higher rate of duty on lithographing, etc.; to the Committee on Ways and Means.

631. By Mr. NEWTON of Minnesota: Petitions of sundry citizens of Minneapolis, Minn., urging the Congress of the United States to take the necessary action toward recognizing the republic of Ireland; to the Committee on Foreign Affairs.

632. By Mr. RAKER: Letter from national president of National Congress of Mothers and Parent-Teacher Associations indorsing Sheppard-Towner bill; to the Committee on Education. Assembly joint resolution No. 29, California State Legislature, regarding the disposition of automobile tolls of Yosemite National Park; to the Committee on Appropriations. Letter from Pig & Whistle Co., San Francisco, Calif., urging elimination of the excise tax on candy; to the Committee on Ways and Means. Letter from California State Automobile Association, indorsing Senate bill 1072; to the Committee on the Post Office and Post Roads

633. Also, letter from Harry Everest, forest ranger, Hayfork, Calif., urging the passage of a reclassification law; to the Committee on Reform in the Civil Service. Letter from Obrikat-Meyer Fur Co., of Los Angeles, Calif., urging repeal of the tax on manufactured furs; to the Committee on Ways and Means.

634. By Mr. RYAN: Petition of Mr. Joseph McCartris, New York City, urging the recognition of the Irish republic, etc.; to

the Committee on Foreign Affairs.

635. By Mr. SINCLAIR: Petitions of Dickey Lodge, No. 63, Ancient Free and Accepted Masons, Dickey, N. Dak., and Deering Lodge, No. 141, Deering, N. Dak., in favor of the Smith-Towner bill; to the Committee on Education.

636. Also, petition of Women's Auxiliary of the American Legion, Portal, N. Dak., urging the passage of legislation for the relief of disabled service men; to the Committee on Ways and Means.

637. Also, petition of citizens of Williston, N. Dak., in mass meeting assembled, calling upon our Government to recognize the Irish republic; to the Committee on Foreign Affairs.
638. By Mr. TINKHAM: Petition of citizens of Roxbury,

Mass., urging the recognition of the Irish republic; to the Committee on Foreign Affairs.

639. Also, petition of the North Washington Citizens' Association, Washington, D. C., urging establishment in the District of Columbia of home for the teaching and training for the feebleminded, etc.; to the Committee on the District of Columbia.

640. By Mr. YOUNG: Petition of a mass meeting held at Fargo, N. Dak., praying for the recognition of the republic of Ireland by the United States Government; to the Committee on Foreign Affairs.

641. Also, petition of Deering Lodge, No. 141, Independent Order of Odd Fellows, of Deering, N. Dak., praying for the passage of the so-called Smith-Towner bill to establish a department of education, etc.; to the Committee on Education, 642. Also, memorial of the South Dakota Press Association,

Iroquois, S. Dak., remonstrating against the repeal of the present postal zone rate; to the Committee on Ways and Means,

## SENATE.

# THURSDAY, May 12, 1921.

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our God and Father, we recognize the days of Thy ordination and we would see Thee, whether in sunshine or storm, and realize that this is a day the Lord hath made, and that we should be glad and rejoice in it. So help us always to have Thee in mind and fulfill the best purposes of Thy heart for us. Through Jesus Christ our Lord. Amen.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Monday, May 9, 1921, when, on request of Mr. Curus and by unanimous consent, the further reading was dispensed with and the Journal was approved.

Mr. CURTIS. Mr. President, I suggest the absence of a

quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Gerry	McNary	Sheppard
Borah	Hale	Nelson	Shortridge
Broussard	Harris	Newberry	Smith
Bursum	Heftin	Nicholson	Sterling
Cameron	Hitchcock	Norbeck	Trammell
Capper	Jones, Wash.	Norris	Warren
Caraway	Kenyon	Overman	Weller
Culberson	Keyes	Phipps	Williams
Curtis	Knox	Poindexter	Willis
Dial	Ladd	Ransdell	
Whitehor	Lenroot	Robinson	ACRES MANAGEMENT

Mr. HEFLIN. My colleague [Mr. Underwood] is unavoidably absent, on account of a death in his family. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Forty-two Senators having answered to their names, a quorum is not present. The Secretary will call the roll of absences.

The reading clerk called the names of the absent Senators, and Mr. McKellar and Mr. Walsh of Montana answered to their names when called.

Mr. New, Mr. France, Mr. Colt, Mr. Edge, Mr. Harreld, Mr. Sutherland, Mr. Stanfield, and Mr. McCumber entered the Chamber and answered to their names.

Mr. McCUMBER. I desire to announce that nearly all the members of the Committee on Finance are necessarily absent attending a meeting of that committee.

Mr. La Follette, Mr. Ball, Mr. Shields, Mr. Gooding, Mr. Spencer, Mr. Moses, and Mr. Walsh of Massachusetts entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty-nine Senators having answered to their names, a quorum is present.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that the President had approved and signed a bill and joint resolutions of the following titles:

On May 3, 1921:

S. 407. An act granting the consent of Congress to the Trumbull Steel Co., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Mahoning River, in the State of Ohio.

On May 5, 1921:

S. J. Res. 30. Joint resolution to authorize the President of the United States to appoint a representative of the Executive to cooperate with the Joint Committee on Reorganization; and

S. J. Res. 20. Joint resolution making the sum of \$150,000 appropriated for the construction of a diversion dam on the Crow Indian Reservation, Mont., immediately available.

## PETITIONS AND MEMORIALS.

Mr. CURTIS presented a memorial of sundry citizens of St. Marys and Rossville, Kans., remonstrating against the enactment of legislation repealing the excess-profits tax and substituting therefor a sales or turnover tax, which was referred to the Committee on Finance.

He also presented a resolution of Anderson County Farmers' Educational and Cooperative Union, No. 66, adopted at a meeting held April 9, 1921, favoring the enactment of legislation for the tariff protection of the farming industry, which was referred to the Committee on Finance.

He also presented resolutions of the Chambers of Commerce of Lawrence and Great Bend, both in the State of Kansas, favoring the legislative program requested of Congress by the American Legion in behalf of disabled ex-service men, which were referred to the Committee on Finance.

He also presented a petition of sundry citizens of Perry and Oskaloosa, both in the State of Kansas, praying for the enactment of legislation providing adjusted compensation for exservice men, which was referred to the Committee on Finance.

He also presented a petition of the peace committee of the Kansas Yearly Meeting of Friends, of Wichita, Kans., praying for the reduction of armaments and for the promotion of world peace, which was referred to the Committee on Naval Affairs.

He also presented a petition of Frank P. Adams Post, No. 408, Veterans of Foreign Wars, of Kansas City, Kans., praying that before any peace terms are concluded with Germany Grover Cleveland Bergdoll be delivered to the authorities of the United States, which was referred to the Committee on Military Affairs.

He also presented a resolution adopted by the Kansas State Branch, National Association of Post Office Clerks, of Wichita, Kans., favoring the enactment of legislation to provide adequate compensation for postal clerks, which was referred to the Committee on Post Offices and Post Roads.

He also presented a resolution of the Coffey County Rural Letter Carriers' Association, of Coffey County, Kans., favoring the enactment of legislation granting rural letter carriers \$50 per month compensation for maintenance of their equipment used in handling the mails, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of sundry citizens of Fort Scott, Kans., remonstrating against the enactment of legislation to provide for the promotion of physical training (including medical examiners, etc.) in the United States, which was referred to the Committee on Education and Labor.

He also presented a petition of Civil War veterans of Glasco Post, No. 239, Grand Army of the Republic, of Glasco, Kans., praying for the enactment of legislation granting a pension of \$50 per month to the widows of all Civil War veterans, which was referred to the Committee on Pensions.

Mr. WILLIS presented a resolution of the Washington Congregational Church, of Toledo, Ohio, favoring the reduction of armaments, which was referred to the Committee on Naval Affairs.

He also presented a resolution adopted at the twenty-fourth annual convention of the Grain Dealers' National Association held at Minneapolis, Minn., favoring the enactment of legislation repealing the law creating the Federal Trade Commission, which was referred to the Committee on Interstate Commerce.

He also presented a resolution of the Cleveland Grays, of Cleveland, Ohio, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which was referred to the Committee on Finance.

Mr. LADD presented resolutions adopted at mass meetings of citizens held at Williston and Grand Forks, N. Dak., favoring the enactment of legislation for the recognition of the republic of Ireland, which were referred to the Committee on Foreign Relations.

He also presented resolutions of Argonne Post, No. 85, American Legion, of Beulah; Oakes Commercial Club, of Oakes; Post No. 34, American Legion, of Towner; and Minot Association of Commerce, of Minot, all in the State of North Dakota, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which were referred to the Committee on Finance.

He also presented a resolution adopted by the North Dakota State Federation of Labor, at Fargo, N. Dak., protesting against the enactment of legislation repealing the excess-profits tax and substituting therefor a sales or turnover tax, which was referred to the Committee on Finance.

He also presented a resolution of the P. E. O. Sisterhood, Chapter D, of Grand Forks, N. Dak., favoring the enactment of legislation providing adequate relief for disabled ex-service men, which was referred to the Committee on Finance.

He also presented a resolution of Deering Lodge, No. 141, Independent Order of Odd Fellows, of Deering, N. Dak., favoring the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

Mr. McLEAN presented a resolution of Division No. 1, Ancient Order of Hibernians, of Bridgeport, Conn., favoring the enactment of legislation for the recognition of the Irish republic, which was referred to the Committee on Foreign Relations

which was referred to the Committee on Foreign Relations.

He also presented a resolution of Division No. 1, Ancient Order of Hibernians, of Bridgeport, Conn., protesting against the deportation of the lord mayor of Cork, D. J. O'Callaghan, which was referred to the Committee on Foreign Relations.

He also presented telegrams in the nature of memorials from Martin J. Kelly, president Commodore Barry Council, American Association for the Recognition of the Irish Republic, of New Britain; and Timethy J. Sullivan, president Benjamin Franklin Council, American Association for the Recognition of the Irish Republic, of New Haven, both in the State of Connecticut, remonstrating against representatives of the United States participating in an international council with England, which were referred to the Committee on Foreign Relations.

He also presented resolutions of the Women's Auxiliary, No. 45, American Legion, of Meriden; Norwich Central Labor Union, of Norwich; and the Rau-Locke Post, No. 8, American Legion, of Hartford, all in the State of Connecticut, favoring the enactment of legislation providing adequate relief for disabled exservice men, which were referred to the Committee on Finance.

He also presented a resolution of the Grand Division, Sons of Temperance of Connecticut, of Hartford, Conn., favoring the enactment of legislation to more adequately enforce the Volstead Prohibition Act, which was referred to the Committee on the Judiciary

Mr. CAPPER presented a resolution adopted by the National Milk Marketing Conference at Chicago, Ill., favoring the enactment of legislation to authorize cooperative marketing of farm products, etc., which was referred to the Committee on the

Judiciary. He also presented a resolution of the Farmers' Union Cooperative Association, of Purcell, Kans., protesting against the enactment of legislation repealing the excess-profits tax and substituting therefor a sales or turnover tax, which was referred

to the Committee on Finance.

He also presented a memorial of sundry citizens of Purcell, Kans., remonstrating against the enactment of legislation repealing the excess-profits tax and substituting therefor a sales or turnover tax, which was referred to the Committee on Fi-

He also presented a resolution adopted at a meeting of the Motor Trades' Association of Riley County, Manhattan, Kans., April 15, 1921, favoring the enactment of legislation to prevent the dumping of salvaged material from the European war areas in competition with American industry, etc., which was referred to the Committee on Finance.

He also presented resolutions of the Women's Auxiliary, American Legion, of Wichita; J. E. Romick Post, American Legion, of Maple Hill; and Saline Post, No. 62, American Legion, of Salina, all in the State of Kansas, favoring enactment of legislation providing adequate relief for disabled ex-service men,

which were referred to the Committee on Finance.

Mr. TOWNSEND presented resolutions of W. A. Carl F. Payton Post, No. 60, American Legion, of Monroe; Oscar Falk Post, American Legion, of Menominee; Post No. 147, American Legion, of Northville; Council No. 389, Knights of Columbus, of Grand Rapids; Peter Gedda Post, No. 27, American Legion, of Bessemer; Business Girls' Club of South Haven; Muskegon Trades semer; Business Girls Chub of South Haven; Muskegon Trades and Labor Council, of Muskegon; Carl O. Weaver Post, No. 194, American Legion, of Petoskey; Alfred Branchim Post, No. 17, American Legion, of Iron River; Godfrey Anderson Post, No. 43, American Legion, of Stephenson; Triangle Club, of Grand Rapids; Post No. 240, Department of Michigan, of Blanchard; Calumet Council, No. 1245, Knights of Columbus, of Calumet; and Women's Auxiliary of Patrick Leo Hanlon Post, No. 55 and Women's Auxiliary of Patrick Leo Hanlon Post, No. 55, of Albion, all in the State of Michigan, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which were referred to the Committee on Finance.

Mr. KEYES presented a resolution adopted by the Rockingham County Sunday School Association, of Epping, N. H., favoring the enactment of legislation to create a department of education, which was referred to the Committee on Education

He also presented resolutions of the Woman's Auxiliary, William H. Cheney Post, American Legion, of Peterboro; the New Hampshire Department of the American Legion; the Rotary Club, of Manchester; the Young Men's Christian Association of Berlin; the Concord Teachers' Association, of Concord; W. P. Mahoney Post, No. 30, American Legion, of Lancaster; Earl B. Clark Post, No. 42, American Legion, of Represended American Clark Post, No. 42, American Legion, of Barnstead; American Legion Women's Auxiliary Unit, Manchester Post, No. 79, Department of New Hampshire; Women's Auxiliary of American Legion, Department of New Hampshire; and the Women's Auxiliary of the American Legion, of Exeter, all in the State of New Hampshire, favoring the program of legislation requested by the American Legion of Congress in the interest of disabled exservice men, which were referred to the Committee on Finance.

#### REPORTS OF COMMITTEES.

Mr. SPENCER, from the Committee on Claims, to which was referred the bill (S. 494) for the relief of Banjamine O. Kerlee, reported it without amendment and submitted a report (No. 44)

Mr. CAPPER, from the Committee on the District of Columbia, to which was referred the bill (S. 990) to provide for the sale by the Commissioners of the District of Columbia of certain land in the District of Columbia acquired for a school site, and for other purposes, reported it without amendment and submitted a report (No. 45) thereon.

Mr. LENROOT, from the Committee on Military Affairs, to

which was referred the bill (S. 1358) to provide for maintaining the Corps of Cadets at the United States Military Academy at its maximum authorized strength, and for other purposes, reported it with an amendment and submitted a report (No. 46)

thereon.

Mr. KENYON, from the Committee on Education and Labor, to which was referred the bill (S. 1439) to amend an act entitled "An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended by the act of July 11, 1919, reported it without amendment and submitted a

report (No. 47) thereon.

Mr. ROBINSON, from the Committee on Claims, to which was referred the bill (S. 1467) to carry into effect the findings of the Court of Claims in favor of Elizabeth White, administratrix of the estate of Samuel N. White, deceased, reported it without amendment and submitted a report (No. 48) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McCUMBER:

A bill (S. 1723) for the relief of William Hensley; and

A bill (S. 1724) for the relief of the William Gordon Corporation; to the Committee on Claims.

A bill (S. 1725) granting an increase of pension to Abbie L. Lockwood; and

A bill (S. 1726) relating to execution of pension papers in foreign countries (with accompanying papers); to the Committee on Pensions.

By Mr. TRAMMELL:

A bill (S. 1727) to repeal paragraphs (a), (b), and (c) of section 500 of an act to provide revenue, and for other purposes, approved February 24, 1919, the same being relative to a revenue tax on freight and express charges and passenger fares; to the Committee on Finance.

By Mr. BORAH:

A bill (S. 1728) extending the time for payment of construction charges on reclamation projects for one year, and for other purposes; to the Committee on Irrigation and Reclamation.

A bill (S. 1729) amending the Federal farm loan act relative to liens and incumbrances, and for other purposes; to the Committee on Banking and Currency.

By Mr. LENROOT:

A bill (S. 1730) for the relief of Philip S. Everest; and

A bill (S. 1731) for the relief of Hannah Roberts; to the Committee on Claims.

A bill (S. 1732) for the relief of Mrs. Benjamin Gauthier; to the Committee on Indian Affairs.

A bill (S. 1733) authorizing the Secretary of the Navy, in his discretion, to deliver to the President of the Milwaukee Press Club, of Milwaukee, Wis., the bell of the wrecked cruiser Milwaukee; to the Committee on Naval Affairs.

A bill (S. 1734) to correct the military record of William B.

Johns: and

A bill (S. 1735) to reimburse the State of Wisconsin for expenses incurred in mobilizing, recruiting, mustering, and subsistence of troops in the war against Germany; to the Committee on Military Affairs.

A bill (S. 1736) for the relief of Hugo Stamm; to the Committee on Indian Affairs.

By Mr. WARREN: A bill (S. 1737) for the relief of Con Murphy; to the Committee on Claims.

By Mr. ASHURST:

A bill (S. 1738) for the completion of a bridge across the Little Colorado River near the Leupp Indian Agency, Ariz.; to the Committee on Indian Affairs.

By Mr. BALL:

A bill (S. 1739) to amend sections 5 and 6 of the "Act of Congress making appropriations to provide for the expense of the government of the District of Columbia for the fiscal year ending June 30, 1903, approved July 1, 1902, and for other purposes"; to the Committee on the District of Columbia.

By Mr. ROBINSON:

A bill (S. 1740) granting an increase of pension to Frank M. Wells: to the Committee on Pensions.

By Mr. McKELLAR:

A bill (S. 1741) for the relief of the city of Bristol, Tenn.; to the Committee on Claims.

A bill (S. 1742) authorizing the Secretary of War to donate to the town of Winchester, Tenn., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. STERLING:

A bill (S. 1743) to carry out the findings of the Court of Claims in the case of John B. Geddis; to the Committee on

By Mr. SPENCER:

A bill (S. 1744) granting a pension to J. W. Scott (with an accompanying paper); to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 1745) to regulate the height of buildings on Sixteenth Street and on Massachusetts Avenue, and on such other streets or avenues as may be hereafter designated by the Com-missioners of the District of Columbia, in the city of Washington, D. C.; to the Committee on the District of Columbia,
A bill (S. 1746) for the relief of Mrs. Theodore Sharp (with

an accompanying paper); to the Committee on Claims

A bill (S. 1747) granting a pension to James W. Murphy (with an accompanying paper);

A bill (S. 1748) granting a pension to George R. Carver (with

an accompanying paper)

A bill (S. 1749) granting a pension to Fannie Howard (with an accompanying paper);

A bill (S. 1750) granting a pension to Lois Stubbs (with ac-

companying papers);
A bill (S. 1751) granting an increase of pension to Josephine Woodson (with accompanying papers)

A bill (S. 1752) granting a pension to Malinda Kiniston

(with an accompanying paper); A bill (S. 1753) granting an increase of pension to George M.

Younger (with an accompanying paper) A bill (S. 1754) granting an increase of pension to William E.

Kratzer (with accompanying papers);

A bill (S. 1755) granting a pension to John Stevens (with accompanying papers);

A bill (S. 1756) granting a pension to Della E. Sanneman (with accompanying papers)

A bill (S. 1757) granting an increase of pension to Nannie Johnson Veale (with an accompanying paper)

A bill (S. 1758) granting a pension to Margaret E. Hutchinson (with an accompanying paper)

A bill (S. 1759) granting an increase of pension to Lora Belle Fasig (with accompanying papers);

A bill (S. 1760) granting an increase of pension to Henry Wilton (with an accompanying paper); and

A bill (S. 1761) granting a pension to Sue C. Tozier (with an accompanying paper); to the Committee on Pensions, By Mr. TOWNSEND:

A bill (S. 1762) to amend the act approved May 22, 1920, entitled "An act for the retirement of employees in the classified civil service, and for other purposes"; to the Committee on Civil

A bill (S. 1763) for the adjudication and determination of the claims arising under joint resolution of July 14, 1870 (16 Stat. L., p. 670), authorizing the Postmaster General to continue to use in the Postal Service Marcus P. Norton's combined postmarking and stamp-canceling hand-stamp patents and directing him to "determine upon a fair, just, and equitable compensa-tion for the use of said inventions" or arising otherwise; to the Committee on Post Offices and Post Roads.

By Mr. SUTHERLAND:

A bill (S. 1764) granting a pension to Barbara Carter; to the Committee on Pensions,

A bill (S. 1765) for the relief of Hiram Metcalf; to the Committee on Military Affairs.

By Mr. MYERS:

A bill (S. 1766) to amend an act entitled "An act for the relief of homestead entrymen or settlers who enter the military or naval service of the United States in time of war"; to the Committee on Public Lands and Surveys.

By Mr. CALDER:

A bill (S. 1767) for the relief of the owner of the derrick

Capital; and
A bill (S. 1768) for the relief of Mrs. Joseph Roncoli; to the Committee on Claims.

By Mr. DIAL (by request) ;

A joint resolution (S. J. Res. 55) to correct an error in the Senate and House records of the Sixty-third Congress in the matter of the acts S. 2810 and H. R. 7140, entitled "An act for the relief of the heirs of Joshua Nicholls," and to authorize the Secretary of the Treasury to pay the sum of \$33,450 to Eliza-

beth R. Nicholls and Joanna L. Nicholls, sole heirs of Joshua Nicholls, deceased, appropriated for them under Senate act 2810; to the Committee on Claims.

JOINT COMMISSION OF AGRICULTURAL INQUIRY.

Mr. LENROOT submitted the following concurrent resolution (S. Con. Res. 4), which was referred to the Committee on Agriculture and Forestry:

culture and Forestry:

Resolved by the Senate (the House of Representatives concurring),
That a joint commission is hereby created, to be known as the "Joint Commission of Agricultural Inquiry," which shall consist of five Senators to be appointed by the President of the Senate and five Representatives to be appointed by the President of the Senate and five Representatives to be appointed by the Speaker.

Said commission shall investigate and report to the Congress within 90 days after the passage of this resolution upon the following subjects:

1. The causes of the difference between the prices of agricultural products paid to the producer and the ultimate cost to the consumer.

3. The comparative condition of industries other than agriculture.

4. The relation of prices of commodities other than agricultural products to such products.

5. The banking and financial resources and credits of the country, especially as affecting agricultural credits.

6. The marketing and transportation facilities of the country. The commission shall include in its report recommendations for legislation which in its opinion will tend to remedy existing conditions, and shall specifically report upon the limitations of the powers of Congress in enacting relief legislation.

The commission shall elect its chairman, and vacancies occurring in the membership of the commission shall be filled in the same manner as the original appointments.

The commission is authorized to sit during the sessions or recesses of Congress, to send for persons and papers, to administer oaths, to summon and compel the attendance of witnesses, and to employ such personal services and incur such expenses as may be necessary to carry out the purposes of this resolution; such expenditures shall be paid from the contingent funds of the Senate and the House of Representatives in equal proportions upon vouchers authorized by the committee and signed by the chairman thereof.

#### INVESTIGATION OF LOBBYING ACTIVITIES.

Mr. KING submitted the following resolution (S. Res. 77), which was referred to the Committee on the Judiciary:

Mr. KING submitted the following resolution (S. Res. 77), which was referred to the Committee on the Judiciary:
Whereas it has been charged that various corporations and associations, organizations, and combinations of corporations engaged in various lines of trade, commerce, and industry are and have been carrying on an extensive propaganda throughout the country, and are and have been maintaining offices and lobbyists in the city of Washington for the purpose of influencing tariff, revenue, and other legislation pending in Congress; and
Whereas it has further been charged that the dye industry is controlled by a combination of corporations which is in fact a monopoly, and in order to maintain such monopoly and obtain an embargo against the importation of competing dyes has employed agents, attorneys, and lobbyists to influence Congress in behalf of special legislation in the interest of such dye monopoly; and
Whereas it has been charged that officials in the various departments and bureaus of the Federal Government have engaged in propaganda throughout the country, seeking additional appropriations and other legislation for the extension of their authority; and
Whereas several bills have been introduced and are pending in the Senate to define and punish lobbying and to regulate the employment of legislative counsel and agents: Now, therefore, be it

\*Resolved\*, That a special committee, to consist of five Members of the Senate, be appointed by the Vice President, which committee is hereby authorized and instructed to investigate the charge that various or-porations and associations, organizations, and combinations of corporations engaged in various lines of trade, commerce, and industry are and have been carrying on an extensive propaganda throughout the country, and are and have been maintaining offices and lobbyists in the city of Washington for the purpose of influencing tariff, revenue, and other legislation pending in Congress; the charge that the dye industry is controlled by a combination of corporatio

## NAVAL APPROPRIATIONS.

The VICE PRESIDENT. The morning business is closed. The calendar under Rule VIII is in order.

Mr. POINDEXTER. I move that the Senate proceed to the consideration of House bill 4803, the naval appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes, which had been reported from the Committee on Naval Affairs with amendments.

Mr. POINDEXTER. I ask unanimous consent that the formal reading of the bill be dispensed with and that the bill be read for amendment, the committee amendments to be first considered.

The VICE PRESIDENT. Without objection, it is so ordered. The Assistant Secretary proceeded to read the bill.

The first amendment of the Committee on Naval Affairs was, on page 2, line 14, after the word "employees," to insert: and for mileage, at 5 cents per mile, to midshipmen entering the Naval Academy while proceeding from their homes to the Naval Academy for examination and appointment as midshipmen;

The amendment was agreed to.

The next amendment was, on page 3, line 12, to increase the appropriation "for telephone rentals and tolls, telegrams and cablegrams, postage (foreign and domestic), post-office box rentals, and other necessary and incidental expenses from \$250,000 to \$400,000."

The amendment was agreed to.

The next amendment was, on page 3, line 15, after the word "expenses," to strike out the proviso in the following words:

Provided, That no part of this appropriation shall be available for the expense of any naval district unless the commandant thereof shall be also the commandant of a navy yard, naval training station, or naval operating base.

The amendment was agreed to.

The next amendment was agreed to.

The next amendment was, on page 3, line 19, in the additional proviso, after the word "Provided," to strike out "further"; in line 23, to strike out "\$750,000" and insert "\$850,000"; and on page 4, line 4, to strike out "\$3,500,000" and to insert "\$4,000,000," so as to make the proviso read:

Provided, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for clerkal, inspection, and messenger service in navy yards and naval stations, for the fiscal year ending June 30, 1922, shall not exceed \$850,000, and for necessary expenses for the interned persons and prisoners of war under the jurisdiction of the Navy Department, including funeral expenses for such interned persons or prisoners of war as may die while under such jurisdiction, and for payment of claims for damages under naval act approved July 11, 1919; in all, \$4,000,000.

The amendment was agreed to.

The next amendment was, on page 4, line 10, after the word "Navy," to insert: "and for such purposes as he may deem proper," so as to make the clause read:

Contingent, Navy: For all emergencies and extraordinary expenses, exclusive of personal services in the Navy Department or any of its subordinate bureaus or offices at Washington, D. C., arising at home or abroad, but impossible to be anticipated or classified, to be expended on the approval and authority of the Secretary of the Navy, and for such purposes as he may deem proper, \$50,000.

The amendment was agreed to.

The next amendment was agreed to.

The next amendment was, in the items for aviation, on page 5, line 2, after the date "June 30, 1921," to insert "and to continue the construction of rigid dirigible"; and in line 3, to strike out "\$440,000" and insert "\$1,440,000; for new construction and procurement of aircraft and equipment, \$6.125 .-750," so as to read:

Aviation, Navy: For aviation, to be expended under the direction of the Secretary of the Navy, as follows: For aircraft and accessories in course of construction or manufacture on June 30, 1921, and to continue the construction of rigid dirigible, \$1,440,000; for new construction and procurement of aircraft and equipment, \$6,125,750.

The amendment was agreed to.

The next amendment was, on page 5, line 10, after the word "planes," to strike out "\$4,534,181" and to insert "\$6,500,000," so as to read:

For maintenance, repair, and operation of aircraft factory, helium plant, air stations, fleet activities, testing laboratories, and for overhauling of planes, \$6,500,000.

The amendment was agreed to.

The next amendment was, on page 5, line 12, after the word "aircraft," to strike out "\$1,615,000" and to insert "\$3,000,-000." so as to read:

For continuing experiments and development work on all types of aircraft, \$3,000,000.

The amendment was agreed to.

The next amendment was, on page 5, line 14, after the numerals "\$275,000," to insert:

New construction, buildings, and improvements at air stations at a total cost not to exceed \$1,339,000, as follows: Cape May, \$25,000; Coco Solo, \$402,000; Hampton Reads, \$78,000; Lakehurst, \$360,000; Pearl Harbor, \$210,000; Pensacola, \$100,000; San Diego, \$164,000.

Mr. BORAH. Mr. President, may I ask the Senator who has the bill in charge if the changes are the same as those in the previous bill which was reported to the Senate at the last

Mr. POINDEXTER. They are identical. Mr. OVERMAN. Mr. President, may I inquire where Coco Solo is? That is a new place to me, and I am rather curious to know where it is.

Mr. POINDEXTER. It is on the Isthmus of Panama. It is one of the defenses of the Panama Canal.

Mr. OVERMAN. It sounds very much like "Coca-Cola."

[Laughter.]

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee. The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Naval Affairs was, on page 5, line 19, to increase the total for aviation from "\$6,913,431" to "\$18,729,000."

The amendment was agreed to.

The next amendment was, on page 5, line 19, after the amendment last agreed to, to insert:

And the money herein specifically appropriated for aviation shall be disbursed and accounted for in accordance with existing laws as aviation, and for that purpose shall constitute one fund: Provided further, That the Secretary of the Navy is hereby authorized to consider, ascertain, adjust, determine, and pay out of this appropriation the amounts due on claims for damages which have occurred or may occur to private property growing out of the operations of naval aircraft, where such claim does not exceed the sum of \$500: Provided further, That all claims adjusted under this authority during any fiscal year shall be reported in detail to the Congress by the Secretary of the Navy.

Mr. BORAH. Mr. President, may I ask the Senator what the amendment covers? What is the nature of the claims referred to?

Mr. POINDEXTER. They are claims for damages caused by the negligence of officers of the Navy, by the lack of proper care in the conduct of the work in which they are engaged. It is limited to small claims not exceeding \$500. The amendment authorizes the Secretary of the Navy to hear and to settle claims for damages of that kind to the property or to the person of individuals.

Mr. BORAH. It is limited to claims of \$500 or less?

Mr. POINDEXTER. Yes.

Mr. BORAH. Is there no provision with reference to claims in excess of \$500?

Mr. POINDEXTER. In such cases claimants have to go to the Court of Claims.

Mr. BORAH. Is not that now the general law? Mr. POINDEXTER. It is. The amendment simply excepts out of the general law the small claims referred to and authorizes their adjustment by the Secretary of the Navy

Mr. McKELLAR. Mr. President, may I ask the Senator in charge of the bill if this is substantially the same bill that was reported by the committee at the last session of Congress?

Mr. POINDEXTER. It is almost identical with that bill. There are only one or two very small changes, which do not involve the appropriations at all. The changes to which I refer I will be glad to call to the attention of the Senator later on. I may say now, however, that one of the changes is in the language used in the limitation of the appropriation for the construction program. The House bill as reported without change by the Senate committee at the last session provided that that money should not be used for any ships which were not already under construction or contracted for. In this bill the House struck out the words "or contracted for," and the Senate committee has made no change in that respect.

Mr. McKELLAR. Do I understand that there is a unanimous report of the committee recommending the passage of the

Mr. POINDEXTER. It is the unanimous report of all the members of the committee who were present. I can not say that all members of the committee agreed to it; but it is my impression that they do, with the possible exception of one member.

Mr. McKELLAR. The reason I asked the question was that I recall that during the last session there was a very vigorous and earnest fight made against this bill, practically amounting to a filibuster, as I recall; at any rate, the bill did not pass because of the very great opposition to it. Apparently there is not very much opposition to it at this time, and I was wondering what caused the change. Can the Senator tell me?

Mr. POINDEXTER. It is a very agreeable change, but we

have just started to consider the bill.

Mr. BORAH. I was going to suggest that, perhaps, if the Senator will be patient there will be enough debate to satisfy

Mr. McKELLAR. I was merely wondering what was going

to happen as we went along.

Mr. BORAH. We do not desire to discuss the preamble. The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 6, line 11, to insert the following additional proviso:

And provided further, That for the construction of a hangar for rigid dirigible and other necessary improvements at Camp Kearny, Calif., which are hereby authorized at a limit of cost not to exceed \$2,500,000, any unexpended balance remaining July I, 1921, from the funds for aviation for new construction at stations appropriated in the act making appropriations for the Naval Establishment for the fiscal year ending June 30, 1921, and for other purposes, approved June 4, 1920, is hereby continued in effect and made available until expended.

The amendment was agreed to.

The next amendment was, on page 7, line 5, to insert the following proviso:

Provided, That the word "and," before Corpus Christi, in line 11 of section 1 of the act entitled "An act for the establishment of marine schools, and for other purposes," approved March 4, 1911, be stricken out, and following the words "Corpus Christi," in the same line, insert the words "Tampa, Fla., and Portland, Me."

The amendment was agreed to.

The next amendment was, on page 7, line 21, after the word "seamen," to insert "and applicants for enlistment"; and in line 22, after the word "route," to insert "or cash in lieu thereof," so as to read:

#### BUREAU OF NAVIGATION.

Transportation and recruiting: For travel allowance of enlisted men discharged on account of expiration of enlistment; transportation of enlisted men and apprentice seamen and applicants for enlistment at home and abroad, with subsistence and transfers en route, or cash in lieu thereof.

The amendment was agreed to.

The next amendment was, on page 8, line 14, to increase the total appropriation for Bureau of Navigation, transportation and recruiting, from "\$3,500,000" to "\$4,500,000."

Mr. OVERMAN. Mr. President, referring to this item under the head of "Bureau of Navigation," I see that the increase recommended is \$1,000,000—from \$3,500,000 to \$4,500,000. I should like to have the Senator explain why that increase is recommended.

Mr. POINDEXTER. Mr. President, I have here a letter from the Secretary of the Navy in which he states:

The Bureau of Navigation has made three recent revisions on the cost of "Transportation and recruiting," based on the strength of 100,000, 110,000, and 120,000 men, bearing in mind the changed conditions in the personnel situation since December 31, 1920. These estimates, which have been carefully itemized, show that the cost of "Transportation and recruiting" would be \$6,483,843, \$6,765,456, and \$7,015,258, respectively. In each case the sum of only \$404,000 is estimated for recruiting proper, the balances being considered necessary for transportation alone in accordance with existing law.

The appropriations throughout this bill are based upon an estimate of 120,000 as the average personnel strength of the Navy.

Mr. OVERMAN. What is it now?

Mr. POINDEXTER. It is now that, on the average. One hundred and twenty thousand? Mr. OVERMAN.

Mr. POINDEXTER. Yes; it averages that. It is perhaps a little more at this particular time, and falls below that at other times.

Mr. OVERMAN. What does the House bill provide?

Mr. POINDEXTER. The authorized strength of the Navy is 143,000. The House bill makes appropriations based upon an estimate of 100,000. That constitutes the necessity for this

Mr. HALE. Mr. President, at the present time there are only about 118,000 in the Navy. The total has fallen below 120.000.

Mr. BORAH. Mr. President, is this increase of \$1,000,000 in the item on page 8 by reason of the increase of the personnel that has been provided for?

Mr. POINDEXTER. That is the estimate of the Navy Department. In fact, this item is below the estimate made by the Navy Department.

Mr. BORAH. Exactly; but the increase is necessitated by Mr. BORAH. Battly but increase the personnel of the Navy?
Mr. POINDEXTER. That is correct.
Mr. BORAH. May I ask, then, that that item may go over,

to be considered in connection with the items on pages 29 and 30?

Mr. POINDEXTER. I shall be very glad to have that done if that is the best way of proceeding, or else to act upon the amendment and then agree to its reconsideration. There are a large number of items throughout the bill, I will say to the Senator, which depend upon the final determination of the personnel strength of the Navy. Perhaps it would be more convenient to act upon them as we go along, and then if the Senator desires to take up any one of them or all of them I shall be very glad to agree to do that.

The VICE PRESIDENT. Without objection, the amendment

will be temporarily passed over. Is there objection?

Mr. BORAH. I ask that it be passed over, to be considered in connection with the items on pages 29 and 30; and if there are other items which are increased by reason of the personnel I shall be glad if we can have an understanding that they will all be reconsidered in case there should be any change.

Mr. POINDEXTER. Very well, The VICE PRESIDENT. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Naval Affairs was, on page 8, after line 14, to insert:

The Bureau of Navigation, Navy Department, is hereby directed to furnish to the proper officers in the several States, Territories, insular possessions, and the District of Columbia, on or before December 31, 1921, statements of the services of all persons from those several places who served in the Navy during the War with Germany, and for that purpose an additional sum not to exceed \$100,000 is hereby appropriated for obtaining the necessary material and the employment of the necessary clerical force.

The amendment was agreed to.

The next amendment was, on page 9, line 16, under the subhead "Gunnery and engineering exercises," to strike out:

For the maintenance of established shooting galleries, target houses, targets, and ranges, and for transporting equipment to and from ranges, \$100,000.

And to insert:

Prizes, trophies, and badges for excellence in gunnery, target practice, engineering exercises, and for economy in fuel consumption, to be awarded under such rules as the Secretary of the Navy may formulate; for the purpose of printing, recording, classifying, compiling, and publishing the rules and results; for the establishment and maintenance of shooting galleries, target houses, targets, and ranges; for hiring established ranges, and for transporting equipment to and from ranges, \$100,000.

The amendment was agreed to.

The amendment was agreed to.

The next amendment was, on page 10, line 20, to increase the total appropriation for instruments and supplies from "\$750,000" to "\$850,000."

The amendment was agreed to.

The next amendment was, on page 11, line 17, to increase the total appropriation for naval training station, California, from \$125,000" to "\$150,000."

The amendment was agreed to.

The next amendment was, on page 12, line 10, to increase the total appropriation for naval training station, Rhode Island, from "\$185,000" to "\$300,000."

The amendment was agreed to.

The next amendment was, on page 13, line 10, to increase the total appropriation for naval training station, Great Lakes, from "\$400,000" to "\$500,000."

The amendment was agreed to.

The next amendment was, on page 13, line 17, after the word "necessary," to insert "to be immediately available," so as to réad:

To make just compensation for land, title to which was taken over under proclamation of the President, dated November 4, 1918, as an addition to the naval training station, Great Lakes, Ill., and for damages occasioned by delay in the payment for such land, or for the use and occupancy thereof by the United States, \$546,805, or so much thereof as may be necessary, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 13, line 22, after the word "Illinois," to insert "and East Camp, Hampton Roads, Va,"; in line 25, to strike out "together with" and insert "also any" before the word "improvements," and after the word "improvements," to insert "that have been," so as to make the proviso read:

Provided, That the Secretary of the Navy is authorized, in his discretion, to dispose of, at public or private sale, at a price to be approved by him, any land in the vicinity of the navy mine depot, Yorktown, Va., and the naval training station, Great Lakes, Ill., and East Camp, Hampton Roads, Va., or interest therein, title to, or interest in which has been acquired by the United States subsequent to April 6, 1917, also any improvements that have been placed thereon by the United States that are deemed by him to be no longer needed for naval purposes.

The amendment was agreed to.

The next amendment was, on page 15, after line 9, to insert:

The next amendment was, on page 15, after line 9, to insert:

Summer schools for boys: The Secretary of the Navy is hereby authorized, in his discretion, to establish at two of the permanent naval training stations experimental summer schools for boys between the ages of 16 and 20 years. For this purpose he is authorized to use such buildings or other accommodations at such training stations, to loan any naval equipment necessary for such purposes, and to give instructions which will fit them for service in the Navy of the United States, He is empowered to establish and enforce such rules within the camp as may be necessary and to detail such members of the naval personnel as may be required in order to encourage and execute the spirit of this act. The Secretary of the Navy is further authorized to loan the necessary naval uniforms during the period of training and to furnish subsistence, medical attendance, and other necessary incidental expenses for those attending these schools: Provided, That those under instruction, with the consent of their parents or their guardians, shall enroll in the Naval Reserve Force for not less than three months, and no person not so enrolled shall be admitted to said training schools. For carrying out the provisions of this paragraph the sum of \$200,000 is appropriated: Provided further, That the appropriation shall be available to reimburse other appropriations for the Naval Establishment for any expenses incurred in connection with members of the Naval Reserve Force who enrolled in accordance with this section for attendance at the experimental summer schools. the experimental summer schools.

The amendment was agreed to.

The next amendment was, on page 16, line 15, before the words "for wharfage," to strike out " and " and, after the words for wharfage," to insert "and for actual and necessary expenses in lieu of mileage to officers of the Navy and Naval Reserve Force traveling in connection with organizing and administering the Naval Reserve Force"; and, in line 19, to strike out "\$50,000" and insert "\$100,000," so as to read:

Naval Reserve Force: For expenses of organizing, administering, and recruiting the Naval Reserve Force and Naval Militia; for the maintenance and rental of armories, including the pay of necessary janitors, for wharfage, and for actual and necessary expenses in lieu of mileage to officers of the Navy and Naval Reserve Force traveling in connection with organizing and administering the Naval Reserve Force, \$100,000.

The amendment was agreed to.

The next amendment was, on page 16, line 24, to increase the appropriation for maintenance of receiving barracks from "\$50,000" to "\$100,000."

The amendment was agreed to.

The next amendment was, on page 19, line 25, to increase the total appropriation for ordnance and ordnance stores from "\$14,000,000" to "\$15,000,000."

The amendment was agreed to.

The next amendment was, under the subhead "Contingent, Bureau of Ordnance," on page 20, line 24, after the word "structures," to insert "except such temporary structures as may be incident to current work of said bureau," so as to

That no part of the appropriations heretofore, herein, or hereafter made for "Increase of the Navy" under the Bureau of Ordnance and no part of allotments of appropriations heretofore or hereafter made to said bureau shall be available for the payment for services or materials used in the construction of any shop, building, living quarters, or other structures, except such temporary structures as may be incident to current work of said bureau, or for additions and betterments to any existing shore station facilities unless the appropriation shall in terms specifically authorize such construction or additions and betterments.

The amendment was agreed to.

The next amendment was, on page 21, line 4, after the word "betterments," to strike out the provisos in the following words:

Provided, That hereafter ordnance materials procured under the various ordnance appropriations shall not be available for issue to meet the general needs of the naval service: Provided further, That nothing herein shall be construed as preventing the allocation of guns and ammunition to ships according to the requirements of the naval

The amendment was agreed to.

The next amendment was, on page 22, line 6, to increase the total appropriation for maintenance, Bureau of Yards and Docks, from "\$7,500,000" to "\$9,000,000."

Mr. KING. Mr. President, may I inquire of the Senator

from Washington whether the Alameda item has been reached?

Mr. POINDEXTER. It has not been reached.

Mr. KING. I understood that some other matters would detain the Senate this morning, and I did not expect this bill to be taken up until later in the afternoon.

Mr. BORAH. Mr. President, I see that in this item there is an increase of \$1,500,000. Has there been an estimate for that increase?

Mr. POINDEXTER. It is much below the estimate of the Navy Department.

Mr. BORAH. What is the necessity for increasing the appropriation \$1,500,000? The House appropriated \$7,500,000 and the Senate committee has increased it to \$9,000,000. Will the Senator state why the increase was made?

Mr. POINDEXTER. During 1921 for this item there was an appropriation of \$9,500,000, and there were two deficiencies of \$500,000 and \$133,000, respectively, making a total of \$10,-133,000, or \$1,133,000 more than the committee has allowed. The authorities of the Navy Department were very urgent and very insistent that with the same personnel the expenses for the next fiscal year will approximate those of the current fiscal year; but the committee, making an allowance for reduction in costs and wages, made a reduction of over \$1,000,000 from the request of the department.

Mr. BORAH. That is, the committee made a reduction from

what the department asked for?

Mr. POINDEXTER. Yes; and increased what was allowed by the House.

Mr. BORAH. Was there no estimate submitted to the House at the time it had the matter before it as to the necessity of having more money? In other words, does the Senator know that the same estimate which he had was before the House com-

Mr. POINDEXTER. I do not think the same showing was made to the House committee that was made to the Senate com-The estimates made to the House committee, of course, mittee. were the same; they had the same information as to the expenditures for the preceding year; but there was a special hearing upon this item by the Senate committee, and additional information was presented to the committee which was not submitted to the House committee.

Mr. BORAH. I ask that this item may go over, in connection with the item on page 8.

The VICE PRESIDENT. The amendment will be temporarily passed over.

The reading of the bill was resumed.

The next amendment was, on page 22, line 18, to strike out "\$150,000" and insert "\$250,000," so as to make the additional proviso read:

Provided further, That expenditures from appropriations contained in this act for the maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, including the compensation of operators, shall not exceed \$250,000.

Mr. BORAH. I ask that this amendment may go over also. The VICE PRESIDENT. The amendment will be temporarily passed over.

The next amendment was, on page 23, line 3, after the numerals "\$40,000," to insert "; dredging, to continue, \$100,000; in all, \$140,000," so as to read:

Navy yard, New York, N. Y.: Toilet facilities at shipbuilding slips, \$40,000; dredging, to continue, \$100,000; in all, \$140,000.

Mr. KING. Mr. President, I would like to inquire of the Senator from Washington whether it is common, in bills of this character, to insert items for dredging, in view of the fact that bills dealing with rivers and harbors carry items for such purposes? I ask the Senator if this matter has not been taken care of in the usual appropriation bill for inland rivers and harbors?

Mr. POINDEXTER. This is not in the commercial harbor of New York. It is for dredging within the limits of the navy yard. It is a matter of considerable urgency in this particular instance. No appropriations are ever included in the river and harbor bill for improvements of navy-yard water frontage.

Mr. KING. I ask the Senator if he knows what is the neces-

sity for this appropriation?

Mr. POINDEXTER. The large ships of the Navy are unable to be docked at the Brooklyn Navy Yard without the deepening of the channel. On a recent occasion the Tennessee went aground, causing some damage, and resulting in considerable expense to the Government. In order to maintain the efficiency of the yard at New York, this dredging is regarded by the department and by the committee as being essential.

Mr. KING. Let me inquire of the Senator, whether the committee or any subcommittee have investigated the question of the necessity of maintaining the large number of yards we now have on the Atlantic coast, the necessity of maintaining this particular yard, the proposition as to whether or not, in view of the proposal to increase the number and size of battleships and battle cruisers, this item of \$100,000 will be adequate to enlarge the yard and make it sufficiently deep and wide that our vessels may be properly handled therein?

Mr. POINDEXTER. Of course, that question opens up a very wide range of naval policy, which would require considerable time to go into fully, as to the desirability of ships of the size and tonnage of those which are included in the program which is now under construction. That matter has been debated to a considerable extent on the floor of the Senate, and the Senator from Utah is perhaps as familiar with it as I am. The contracts have been let, and to raise the question whether it is desirable to have ships of that size brings up the entire question whether we are to cancel the program upon which we have entered, and that larger question has been discussed at consid-. erable length.

As to the number of navy yards on the Atlantic coast, about which the Senator from Utah inquires, that is a matter which is fixed by law, long established. I imagine that some very substantial question might have been raised in the beginning of these establishments as to the desirability in some cases; but the navy yards on the Atlantic coast now represent very large investments of the Government, and a great deal of most important work is being carried on in them.

In what I say as to the questionable merit of some of the navy yards on the Atlantic coast, I do not need to include the navy yard at New York. In fact, I have not heard the usefulness and the desirability of that yard questioned by anyone. At the present time two of the capital ships of the new program are under construction in that yard. One of the great advantages, besides the great harbor which the yard enjoys, and all the incidental service that a navy yard requires, is the labor market. It is a very favorable point for naval work on account of the accessibility to an almost unlimited labor market. I think that, in general, states the situation and answers the two questions which the Senator has asked.

This particular item of \$100,000, as the Senator can readily see, is a very trivial amount, relatively speaking. Absolutely it is a large sum of money; but when it is considered in connection with the work upon battleships which cost over \$30,000,000

apiece, which are under construction there, numerous other battleships and battle cruisers which come to this yard for repairs, the good policy of providing adequate water frontage for them at the expense of this item seems to me to be obvious. Mr. KING addressed the Senate. After having spoken for

some "time,

Mr. BORAH. Mr. President-

Mr. KING. I yield. Mr. BORAH. Before Before the Senator proceeds further, I want to record in the Record the fact that at a time when we are considering an appropriation bill carrying in round figures \$500,000,000 there are seven Senators in the Senate Chamber, and when we are considering a bill which involves a policy of tremendous moment to the American people there are seven Senators in the Senate Chamber.

Mr. KING. I want to assure the Senator that when we come

to a vote

The PRESIDING OFFICER (Mr. Land in the chair). Does the Senator from Idaho suggest the absence of a quorum?

Mr. BORAH. No; I did not suggest the absence of a quorum.

simply wanted to note the fact.

Mr. SHEPPARD. Mr. President, a parliamentary inquiry. Is not the statement of the Senator from Idaho to the effect that there are seven Senators in the Chamber equivalent to making the point of no quorum?

The PRESIDING OFFICER. The Chair so rules,
Mr. SHEPPARD. Then, Mr. President, I make the point that

the roll should be called.

The PRESIDING OFFICER. The Secretary will call the roll. The roll was called, and the following Senators answered to their names:

Gooding McCormick Borah Smoot McCormick McCumber McKellar McKinley McNary Newberry Nooris Hale Harreld Harrison Broussard Spencer Stanfield Bursum Calder Capper Caraway Sterling Sutherland Swanson Heffin Hitchcock Johnson Jones, N. Mex. Jones, Wash. Kellogg Townsend Colt Cummins Curtis Oddie Poindexter Pomerene Rausdell Trammell Walsh, Mass. Walsh, Mont. Kenyon Keyes King Ladd Dillingham Warren Reed Sheppard Shortridge Ernst Fletcher Willis Wolcott Frelinghuysen La Follette Smith

Mr. HARRISON. I desire to announce that the senior Senator from Georgia [Mr. Harris] is absent on official business.

The PRESIDING OFFICER. Fifty-eight Senators having

answered to their names, there is a quorum present. The Senator from Utah will proceed.

[Mr. KING resumed and concluded his speech. See Ap-

pendix.]

FEDERAL AID TO EDUCATION.

Mr. McKELLAR. Mr. President, I desire to occupy about fifteen minutes of the time of the Senate and to impose to that extent upon the committee in charge of the pending bill by

speaking upon another subject.

Mr. President, since I have been in the Congress of the United States, now nearly 10 years, I have at all times been an earnest advocate of Federal aid to education. Primarily, there was an early reason for my being in favor of this policy. I was born in a village in the country. When I arrived at was born in a village in the country. school age we had a public school for only three months in the year every two years. If I had not had well-educated parents and a well-educated elder sister, I am sure my education would have been exceedingly limited. I earned the necessary money plowing and clerking by the time I was 18 years old to go to the State university two years, and borrowed money from my elder brothers to finish my course there. My education was obtained, therefore, under the greatest difficulties. believe that an American boy ought to have such difficulties in securing an education, and in part for this reason I have uniformly supported every educational movement since I have been in either branch of the Congress. Upon coming to the Senate I was fortunate in being put on the Committee on Education. I like the work. I am in whole-hearted sympathy with it. In aiding the States in educating the youth of the country our Government is doing nothing revolutionary. It is but following the well-known precedents of farm-extension work, of aid to road building, of river and harbor work, and all in strict accord with the Constitution of the United States and the decisions of our courts construing its provisions.

THE NEED OF FEDERAL AID.

The need of greater educational facilities in this country is In the census of 1910 it was disclosed beyond controversy. that there were 5,111,163 people in the United States more than 10 years old who could not read and write. Practically double that number were semi-illiterate. The figures have been

lessened somewhat in the last 10 years, but the number who still can not read and write is very large, probably 90 per cent of what it was in 1910. Of the 1,500,000 young men first drafted in the United States Army in the late war, the records show that 346,000 were unable to read a letter from home when it came and unable to write a letter back home. Such a condition of illiteracy in the richest, freest, and best Nation in the world is little short of criminal. This illiteracy was not and is not confined to the Southern States, where so large a part of our population is colored, but it exists all over the country, particularly in States like Pennsylvania, where the foreign population is large.

While a member of the Senate committee investigating the steel strike in 1919 I visited Pittsburgh and a number of surrounding towns in western Pennsylvania. In a number of these towns there were so few Americans and so little English spoken that the towns seemed to be foreign rather than American. I could only communicate with the workmen through an interpreter. In one of these towns I was told that the population was 23,000 and 21,000 of them could not speak, read, or write the English language. This condition is a crying shame, and it must be remedied. We must educate and Americanize these people. If the States upon whom the duty primarily rests do not do it, then the Federal Government must see that it is done. It is a question truly national in its scope and importance.

HISTORY OF FEDERAL AID.

The Federal Government until recently has done very little for education. The ordinances of 1785 and 1787 set aside certain portions of the public domain to be given perpetually for schools. Thus we see that from the very beginning of our Government and prior thereto it was the intention to aid schools and the general cause of education. But up until 1862 the General Government did substantially nothing for schools. In that year what was known as the Morrill Act was passed, distributing to certain land-grant colleges the income from Federal land-This act was afterwards amended so that the grant funds. funds distributed were larger. On March 2, 1887, the Hatch Act was passed, establishing agricultural experiment stations and adding to the fund appropriated. It is true that in 1819 an appropriation of \$1,000 was made for Indian schools, but only in 1876 were appropriations begun to be made regularly for such schools; and, beginning in 1884, a like appropriation was begun for education in Alaska.

In 1907, what is known as the Nelson Act, enlarging the appropriation to the land-grant colleges, was passed, and in 1906 the Adams amendment to the Hatch Act was added, increasing that yearly appropriation. All told, up to 1914, through a period of more than 118 years, the Federal Government appropriated for schools a total of \$172,715,689. Of this, \$122,000,000 had been devoted to Indian schools and Alaskan schools. How much of it went to other Territorial schools can not be stated with accuracy. At all events, it thus appears that less than \$50,in a period of more than 118 years, was what the United States had spent for agricultural colleges and experiment stations. Since 1914, under these old acts and under the Smith-Lever Act, the Smith-Hughes Act, and the vocational education act, the Federal Government has spent for education the sum of \$229,299,628. In other words, in the last 6 years the Federal Government has appropriated for education in the United States more than four times as much money as during the preceding 118 years. During the present fiscal year the amount appropriated is \$110,022,190, or more than twice as much as during the 118 years prior to 1914. I take great pleasure in the thought that I was privileged to vote for, work for, and speak for these measures passed during the last 6 years.

NO INTERFERENCE WITH STATE RIGHTS AND DOES NOT AFFECT DENOMINATIONAL SCHOOLS.

It has been erroneously urged against all of these measures that they constitute an invasion of the doctrine of State rights. They do not. In none of these acts is the control of schools by the States and local communities interfered with, nor do they in the slightest interfere with the private or denominational schools. I would not support any provision that did take away the control by the States and local communities of their schools, nor would I interfere in the slightest with private or denominational schools. All of them are good and need to be fostered and encouraged. We can not have too many schools. The charge that any of these laws or contemplated laws affect adversely denominational schools is based on lack of information as to the laws. It has not been long ago that many good people were opposed to State or county free schools. They then claimed that they were an invasion of the rights of personal liberty of the citizen to educate or not educate his children as he saw fit. Few people hold to that view now, and it will soon be so as to Federal aid.

MILITARY TRAINING IN STATE SCHOOLS AND COLLEGES.

While a member of the Committee on Military Affairs in the House I introduced and earnestly supported a bill creating military schools in the various States for the purpose of training military officers and at the same time giving a great number of worthy young men in all the States a first-class college training. I was not successful with that bill, but in the act of June 4, 1916, the committee authorized a substitute military educational training provision, out of which has grown the Reserve Officers' Training Corps. I supported that measure very heartily; it passed; and the result is that the Federal Government is now training about 100,000 boys in the various schools and colleges of the United States. In Tennessee there are being trained at the University of Tennessee 282; Knoxville High School, 455; Memchiversity of Tennessee 282; Khoxylife High School, 493; Alemphis High School, 614; Nashville High School, 649; Chattanooga High School, 581; Castle Heights, Lebanon, 225; Branham & Hughes, Spring Hill, 114; Columbia Military School, 158; Massey Military School, Pulaski, 126; Sewanee Military Academy, 150; Sweetwater Military Institute, 161; in all, 3,515. All these institutions have been greatly benefited by Federal aid. FEDERAL SYSTEM OF SCHOOLS IN REGULAR ARMY.

I have been at all times an ardent champion of education in the Regular Army. The Army reorganization act of 1916 provided for vocational training in the Army. I was one of the promoters of that provision of the law. Each year since I have sought to make the appropriation for this purpose large enough to give all boys in the Army who want to be educated a real practical education. In the last Army bill I fought for more than a week to secure an appropriation of \$2,500,000 for the purpose of giving young men in the Army vocational training. I did secure this sum in the Senate. In a compromise in the conference between the two Houses I secured \$1,500,000, and while this particular bill was vetoed, I am sure that the present Congress will not cut it down below that sum. We gave more than 100,000 young men in the Army vocational training of one kind or another last year. I would like to see the Army made a great educational institution in which boys could serve for two years and come out well educated and well equipped for the battles of life. This education might even be made compulsory. We must popularize our Army and make it a highly beneficial peace-time organization as well as a more efficient fighting force in time of war.

BENEFITS OF FEDERAL AID TO TENNESSEE.

Mr. President, I next want to point out what benefits have come to my own State of Tennessee under the provisions of the various Federal educational acts. Under the original Morrill Act with amendments the University of Tennessee received in 1920-21, \$23,960. Under the Morrill and Nelson Acts the University of Tennessee received last year \$38,000, and the Agricultural and State Normal School for Negroes at Nashville received \$12,000. Under the Hatch-Adams Act the University of Tennessee received \$30,000. Under the Smith-Lever Act, expended under the direction of the University of Tennessee, our State received last year \$172,540. Under the Smith-Hughes Act providing for vocational agricultural training, Tennessee received last year \$81,045, distributed for the pay and training of teachers in some 49 counties; and I am told that these teachers are doing an excellent and much-needed work in each For trade and industrial schools the Knoxville city schools, the Crockett Vocational School at Memphis, the Nashville city schools, and the Chattanooga city schools are receiving substantial aid; in home economics the Knoxville, Memphis, Nashville, Paris, and Orlinda schools are receiving substantial aid; likewise schools at Linden, Fayetteville, Greenfield, and Maryville. In vocational training there are schools at Chattanooga, Knoxville, Nashville, Athens, Bristol, Coopersville, Jackson, Johnson City, Lebanon, McMinnville, Memphis, and Sewanee. The University of Tennessee also received last year \$17,880 for industrial rehabilitation work. All of these sums aggregate \$375,495, of which the University of Tennessee received \$282,380, much of which was expended in farm extension work throughout the State. Neither the University of Tennessee nor any one of the experiment stations, nor any one of the 49 schools that received aid under the Smith-Hughes bill are now or have been under any hampering Federal control. not believe anyone can say that the expenditure of this large sum of money-and the sum will be larger next year-in the State of Tennessee will not be of the greatest advantage. When we understand that there were, in 1911, 113 graduates in agriculture and engineering at the University of Tennessee, and that by 1920 there were 420, we can see the good results of this legislation. SO-CALLED SMITH-TOWNER BILL.

The Smith-Towner bill, which has been the subject of much debate in Congress and out of it during the past two or three years, has been again introduced. The bill creates a depart-

ment of education and a secretary of education. doubtless be changed by making it a bureau in the new proposed department of public welfare. Generally speaking, the bill appropriates \$100,000,000 to be apportioned among the States under the following heads: Seven million five hundred thousand dollars for the removal of illiteracy; \$7,500,000 for Americanization; \$50,000,000 for equalizing educational opportunities; \$20,000,000 for physical education, including health, education, and sanitation; and \$15,000,000 for the preparation of teachers. Here again the question of Federal control of education in the States is frequently raised. There is no provision in the Constitution of the United States giving the Federal Government control of education, but, on the contrary, the tenth amendment to the Constitution reserves this control to the States, and if the proposed bill is passed, it will not provide for any Federal control. There will be no more Federal control in this instance than there is now under the laws in existence, and surely no one will argue that there is any Federal control under those laws. If the bill is passed, the allotment going to Tennessee will be \$2,418,929.92. Of this sum \$437,696.96 will be devoted to the removal of illiteracy in our When we recall that in 1910 there were 219,507 illiterates in Tennessee, 122,454 whites and 98,541 colored, 10 years and over, the conclusion is inevitable that the enactment of this law would be of the greatest advantage to education in our State. We also have 18,607 foreign-born immigrants, and \$10,326.86 will be devoted to their Americanization. The bill is so worded as to require the States accepting the funds appropriated in the bill to furnish themselves better commonschool educational facilities, and, in my judgment, it will prove to be of the greatest benefits in the removal of illiteracy throughout the country, while it will not in the slightest degree interfere with the local control of any schools. Some say that this is Federal extravagance, yet these opponents of the bill did not protest at all when our Government turned over \$100,-000,000 to be distributed by Mr. Hoover to such destitute Europeans as he thought deserved relief, including many Germans and Austrians, just after the war; nor have they protested against the payment of \$25,000,000 to the Republic of Colombia for doing her the greatest good that she ever received as a nation, namely, the building of the Panama Canal; nor have they protested against the expenditure in the last few years, excluding the war years, of countless unnecessary thousands of millions of dollars for the Army and Navy. It seems that some feel that the only time for the Federal Government to be economical is when it is proposed to educate the illiterate.

WHAT TENNESSEE MAY EXPECT,

Since I have been in Congress, by reason of the laws which I have helped to enact, Tennessee has received \$820,177 more for education than she would have received if the laws had not been enacted. If the so-called Smith-Towner bill is passed, she will receive \$2,418,928.92 additional, or more than \$3,200,000 for all educational purposes. I shall do everything in my power to have this legislation enacted.

AN EDUCATED TENNESSEE AND AN EDUCATED AMERICA.

According to the 1920 census, soon to appear, there is a total of 182,574 illiterates over 10 years of age in Tennessee to-day. Of these 79,502 are colored and 103,072 are white. The number of white illiterates in Tennessee is distressing. It is true that this is a decrease of 19,382 since the 1910 census, but it is a long way from the goal of an educated Tennessee. At this rate of decrease, it would take 50 years to stamp out even white illiteracy. We must do better during the next 10 years. Our common schools have progressed very much in the last 10 years, and our colleges and universities also. The teachers provided under the Smith-Hughes law will be of great service during the next 10 years. Sergt. York, the great hero of the Ger-man war, has given a splendid impetus to education among the mountain boys and girls by his efforts since he came back from the great war covered with glory. Innumerable other men and women in the State have given their time, their talents, and their money to put Tennessee among the leaders in all educational work. We must all put our shoulders to the wheel and push in order to stamp out illiteracy within our borders. The exact figures for each county should be obtained and placed in the hands of county superintendents and county teachers, and a drive should be instituted to eradicate all white Largely of Anglo-Saxon, Scotch, and Irish origin, our white race in Tennessee has not been tarnished by the intermingling of inferior blood, and of this we are very proud. The Tennessee stock is almost purely American. The result is that we are not menaced by any anti-American spirit, as some of our sister States are. There is but one menace, and that is the large percentage of illiteracy. It should not be, and it must not be. With the State and private institutions that we

have, with the great body of schools that we have, with the large Federal contributions that come to us, we have the opportunity, in the next 10 years, to make our people the highest exemplification of the purest bred, best educated, soundest principled Americans on the continent. Tennesseeans, do it.

Nor should we fail to do our part toward the Americanization of all of our people. It is the best and only way to maintain American institutions and make them everlasting, as they should be. It is the only way to stamp out bolshevism, socialism, communism, and other isms that are born of ignorance and are prevalent in some communities in our sister States. We do not have these troubles in Tennessee. Respect for law can only come from ability to read and understand. Fealty to a free government can only come from personal knowledge gained by intelligent reading and understanding of the principles of free government. The United States must be freed from the menace which ever arises from illiteracy.

Mr. BORAH. Mr. President-

Mr. McKELLAR. I yield to the Senator from Idaho.

Mr. BORAH. Mr. President, the plan which the Senator from Tennessee has in his mind will cost a great deal of money,

Where are we going to get it?

Mr. McKELLAR. The plan that I have in mind is the plan that is being pursued by the Government to-day and the money for it is being appropriated. I would suggest, however, that we could very properly and safely reduce our great war expenditures and devote a small portion of the money thereby saved to the education of the youth of the land.

Mr. BORAH. Let me make another statement, and I shall

not interrupt the Senator further.

I saw a press statement some time ago to the effect that there were 90,000 children in one city in this country who were kept out of school because their parents were unable to buy their clothes and because of the malnutrition of the children for want of food. So long as the Government's expenses are what they now are, how are we going to relieve the people from the burdens which prevent them from educating their children at the time and prior to the time that it is possible for the Government to take hold of the children and itself educate them?

Mr. McKELLAR. Mr. President, I am sure I realize what is going through the mind of the distinguished Senator from Idaho-that so long as our enormous expenditures for Army and Navy are continued we shall have but little money to do these needful and helpful things for our own country, and that the enormous burden of taxation has brought great trouble upon us. I sympathize with the proposition of the Senator from Idaho. I expect to vote, I will say to him and to the Senate, for a disarmament resolution, perhaps not just in the form that it shall be presented, but I believe that it is the duty of the great nations to get together and agree upon a plan of disarmament, so that the tax burdens upon the people may be lessened, and so that other very necessary governmental functions in our country may be carried on. It is monstrous, when we come to think of it, that there are probably in the neighborhood of 15,000,000 of our people who are illiterate or quasiilliterate. It is true that the census figures give the number of illiterates as about 5,000,000, but they give also many million more who are semi-illiterate. The question of education is a more who are semi-illiterate. The question of education is a national question; it is a question that ought to have the serious consideration of the Congress, and I am sure will have it.

Mr. HARRISON. Mr. President, will the Senator yield for

a question?

Mr. McKELLAR. I yield.
Mr. HARRISON. How are we going to bring about disarmament entirely and carry out the ideas of the Senator from Idaho [Mr. Borah] and the Senator from Tennessee [Mr. McKellar] when the party lash has been applied to the other side of the aisle by the one highest in authority in Republican council?

Mr. McKELLAR. That is the great practical difficulty, Mr. President, which we have to confront. It is most unfortunate that these great questions can not be settled by the Congress itself without outside interference. I believe that we would come much nearer getting together upon a proper program if we undertook to settle the matter ourselves, without outside official pressure. Left to itself I am sure the great body of the Senate is favorable to some safe plan of disarmament.

Mr. KING. Mr. President, there are so many controversial questions before us now that I shall not undertake to precipitate another by engaging in a discussion with the Senator from Tennessee. I shall only express my regret that he has indorsed a policy which is at variance with Democratic principles, and has confessed the failure of Democratic institutions in our form of government. His position is a condemnation of they 232.)

the States and an indictment of the capacity of the people to govern themselves

In my opinion the States will measure up to the requirements placed upon them. The people are competent to handle their local and domestic affairs, and when fully acquainted with the question involved in this plan to project the Federal Government into the local concerns of the States they will repudiate it and call upon their respective States to fully discharge any and all obligations devolving upon them. There will be no confession of State degeneracy and the necessity of aid from the Federal Government in order that the people and the sovereign States may perform the duties which they have voluntarily assumed. If Tennessee has failed in any respect in the past, I am sure that the patriotic people of that great State will make full amends in the future. I know the courage and spirit of the sons and daughters of Tennessee. They ask for no benefactions and largesses from the Federal Government in order that they may be relieved of duties which rest upon their State. Moreover, any contributions made by Congress must be taken from the people, including the residents of Tennesses. They can collect their own taxes and expend the same better than can the bureaucracy of Washington. The duties and functions of the State are clear, and there has not been granted to the General Government the power to control education or tax the people for domestic matters. The Federal Government has only delegated powers, and it may not transcend them.

I am sorry to see my good friend depart from sound Democratic principles and declare his support of policies which rest upon bureaucracy and paternalism and which in time will

eventually change our form of government.

Mr. McKELLAR. Mr. President, before the Senator goes out I want to say that the position the Senator takes is a position that many men have taken before him. Many men have opposed progress in this country. It is the same position that

the unprogressive always take.

I recall the time when there were men in many communities throughout the country who did not believe in free schools at all. They did not believe in county free schools. They did not believe in State free schools. They said education was not a function of government; that a man ought to be permitted freedom to bring up his children without education or with it, just as he saw fit; that it was not a question of whether the children ought to be educated, but it was a question of the particular views of the father of those children, and if the father wanted to keep them uneducated it was not the public's business

I thank God that that day has passed, and that the rights of children that are brought into the world are now considered by the counties, the State, and even by the United States as a matter of public good.

## THE AIR SERVICE.

Mr. DIAL. Mr. President, I noticed recently with great pleasure that the Secretary of War and the Attorney General are looking into the acts of certain people during the war, and are considering prosecuting them. Along this line, being in favor of economy, I desire to introduce and have printed in the RECORD an article showing the great extravagance and waste in the Air Service.

I ask unanimous consent that this article by H. L. Scaife, former captain in the Air Service, be printed in the RECORD. It begins on page 3 of the magazine which I send to the desk.

The PRESIDING OFFICER (Mr. Townsend in the chair).

Is there any objection?
Mr. HALE. What is the request?

The PRESIDING OFFICER. The Senator from South Carolina requests unanimous consent to have an article published in the RECORD. Without objection, it is so ordered.

The article referred to is as follows:

[From the April, 1921, number of Current History, pages 3 to 18.] WHAT WAS THE MATTER WITH THE AIR SERVICE?

[By H. L. Scaife, formerly captain in the United States Air Service.]

[By H. L. Scaife, formerly captain in the United States Air Service.]

[The astonishing story, drawn wholly from official records, of one of the most colossal failures in human history—How the United States spent upward of a billion dollars for aircraft production without producing a single lighting plane on the battle front.]

Maj. Gen. Mason M. Patrick, who was Chief of the Air Service of the American Expeditionary Forces in France, having been duly sworn as a witness in the House investigation, made the startling statement that when hostifities ceased our rank in aviation was far behind any of our allies and far below the enemy's strength; that so far as the manufacture of pursuit or bombing planes in the United States was concerned we were in practically the same position as when we entered the war; and that so far as the manufacture of pursuit planes or bombing planes in the United States is concerned it would probably be eight or nine months from the time they settled on the type before they would produce it in quantities. (House hearing on aviation, p. 232.)

What was the matter with our Air Service? Why did the construction end of it fail?

The great achievements of the United States in the World War have passed into history and they will overshadow many shortcomings which were inevitable in so great an undertaking. The story of the loyalty, sacrifices, and daring, of American aviators will fill thrilling pages. In all the investigations there has been nothing but praise for them; no breath of scandal has touched the American birdmen. Aviation, commercially and as an arm of the Military Establishment, has come to stay, and millions of dollars of public funds will be appropriated annually for its maintenance and development. If there was anything wrong with the Air Service, instead of throwing a sheet over the corpse, we should go to the bottom of the tragedy and make sure that the untoward elements in it shall not repeat themselves in our history.

The casualties among our aviators in time of peace, as well as in war, make this branch of the service one where the record ought to be an open book. Because it has become a bone of centention in politics, however, the average man has been bewildered by conflicting statements and does not know whether our air program in the war merits praise or censure. Neither has the average man an inclination to examine approximately 25,000 pages of testimony to reach a fair and just conclusion.

THE TASK WE UNDERTOOK.

THE TASK WE UNDERTOOK.

America's part in the interallied war program was "to win the war in the air," and the special undertaking intrusted to us by our allies was to create a fleet of airplanes which, our Government officially announced, would be decisive of the war before an American army could be placed in Europe. England, France, Italy, and Germany successfully carried out their air programs, and each of these nations produced enormous quantities of airplanes. When we undertook the production of aircraft we had the advantage of the experience of our allies; their best experts were sent over to assist and to warn against the mistakes they had made.

Preparations for our aircraft production began in April, 1917, and on July 24, 1917, Congress appropriated \$640,000,000, which was our first outlay, to carry out the aircraft program. The official statistics show that in the nine months from January 1 to October 1, 1918, Great Britain produced 23,509 airplanes, France 18,833, and Italy 2,928, a total of 45,270. (Report of Maj, Gen. M. M. Patrick, House hearings, aviation, p. 561A.) American production has been a matter of contraversy, but the main points can easily be cleared up with proper explanations. It has been stated frequently that an airplane of American make did not reach the battle front, while, on the other hand, it has been asserted by the War Department that at the time of the signing of the armistice there had been delivered for the use of the Army 16,952 airplanes, of which 11,754 were produced by American contractors and 5,198 procured from our allies. Paradoxical as it may appear, in a sense both of these claims may be correct; and at the same time both are misleading and untrue.

THE TRUTH IN A SENTENCE.

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The simple fact is that no American-made fighting plane reached the battle front.

For military purposes there are various types of airplanes, the two great classes being training planes and service planes. Training planes are elementary and advanced. Service planes are divided into four classes—combat or pursuit, observation, day bombers, and night bombers. According to the testimony of Gen. William Mitchell, of the Air Service, in the House hearings, the plans called for 20,000 airplanes on the line and in reserve by the beginning of 1918, and it was estimated that the losses of machines which reached the line of battle would be 25 per cent per menth. On June 8, 1917, the official announcement was made that a fleet of 25,000 airplanes would be created. The American program called for enormous quantities of bombing planes and fighting planes which could cope with the Germans and, with overwhelming numbers, drive them from the sky.

The 11,754 airplanes of American manufacture claimed by the War Department are maximum figures of gross production, regardless of the use, if any, to which these planes might be put. These figures include "penguins," which were not intended to fly; training purposes; and thousands of airplanes, such as the Bristol, the Standard J, and various others, which were found to be unsafe and were condemmed and junked. According to the testimony of Col. Edgar Gorrell and the tables of statistics submitted from the War Department, the total number of American-bullt airplanes available for use in the American Expeditionary Forces on November 11, 1918, was 798 De Haviland 4s, of which 196 were on the front, 270 were being used for training in flying schools, and 332 were in the air depots. (House hearings, aviation, p. 3457.) It will thus be seen that the greatest contribution of American aircraft production was the De Haviland 4's, which, as will be shown, could not be used for fighting or pursuit.

The exact number of De Haviland 4's on the front at the time of the s

## OFFICIAL CONFIRMATION.

The De Haviland 4's being useless for purposes of combat, the qualified statement that not a single fighting plane of American make reached the front during the period of the war can be accepted as an historic fact. The following testimony of Gen. Pershing before the Committee on Military Affairs of the Senate and House of Representatives on October 31, 1919 (ibid., p. 3968), is both explanatory and concluding

tives on October 31, 1919 (ibid., p. 3968), is both explanatory and conclusive:

"Mr. James. How many American fighting planes were there in France at the signing of the armistice?

"Gen. Pershing. None. We had the De Haviland 4's."

On August 13, 1918, Hom. John D. Ryan, Director of the Bureau of Aircraft Production, testified as follows before the Senate committee investigating aircraft production (p. 1162):

"Senator Reed. That is true, anyway, is it not, that we were capable of quantity production of the 150-horsepower Hispano-Suiza; is that right?

"Mr. Ryan. Yes, sir.
"Senator Reed. It is also true that that engine works admirably in the Spad machine, which was an up-to-date fighting machine?

"Mr. Ryan. I think so.

"Senator Reed. It is a machine that is still used by the French and is regarded as one of the best machines?
"Mr. Ryan, That is true."

"Sonator Reed. As a matter of fact, we have not a single Americanmade fighting machine anywhere, have we?

"Mr. Ryan, I think that is true; that is, that is finally accepted."

Although there are to-day persistent official reperts to the contrary, the matter as to whether or not we produced a fighting plane might be considered at rest in view of the testimony of Hon. Newton D. Baker, Secretary of War, before the House committee on July 31, 1919 (House hearings, aviation, p. 46):

"Mr. Fream. And we did not during the whole period of the war get a fighting machine or a bombing plane?

"Secretary Baker. Not a fighting machine or a bomber of American manufacture."

Notwithstanding their losses, at the time of the armistice the French had on the line 3,321 planes; England, 1,758; Italy, 812; Belgium, 153; the United States, 740; Germany, 2,730; and Austria, 622. The combined strength of enemy planes was 3,352 and that of the Allies 6,784 (House hearings, aviation, p. 3462). Of the 740 planes belonging to the American manufacture were the 213 De Haviland 4's, which number is reduced to 196 by the testimony of Col. Gorrell, of the War Department, as already shown. The total losses of the American aviation forces during the war due to action on the part of the enemy were 290 alrplanes and 47 balloons, and 1 balloon which was blown over the lines (bild., pp. 3463 and 3464). The relatively small number of casualties, as pointed out in the testimony of Gen. Menoher, was due to the fact that the United States Air Service really entered the aerial warfare at the culmination of activity (ibid., p. 556A). Whatever the significance might be, aviation fatalities in this country reached a much higher figure than those which occurred in Europe.

MR. BORGLUM's INVESTIGATION.

#### MR. BORGLUM'S INVESTIGATION.

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MR. BORGLUM'S INVESTIGATION.

The first substantial efforts from the outside to call attention to the fact that the American aircraft program was doomed to fallure unless the situation was promptly remedied were those of Gutzon Borglum, the well-known sculptor, who prior to the war had been interested in aeronautics, and who now deserves to be decorated for his services in attempting, against insurmountable obstacles and humiliations, to prevent the greatest military and financial catastrophe in the history of our country. These words do not overstate the case, for, considering that the expenditures amounted to three times the cost of the Panama Canal, or about \$10 for every man, woman, and child in America, the aircraft fiasce was probably the greatest financial failure in human history. The public funds expended reach a figure which is beyond conception and has been represented as being \$1 for every minute from the birth of Christ to the present time. The purpose of the people who furnished the money was to provide 20,000 airplanes by the beginning of 1918 if it cost a kingdom.

Mr. Borglum's investigations were begun with the consent of fite President, and his charges were generally supported in a report by the investigating committee of the Aeronautical Society of America (Congressional Record, vol. 56, pp. 5920-5928). Notwithstanding the difficulties he encountered and the efforts made to discredit him, his work resulted in disclosures and charges sufficient to attract the attention of the President and the Senate. Finally the matter was taken up by the Senate, and hearings were begun before what is known as the Thomas committee, which took 1,226 printed pages of testimony, and its findings were set forth in Senate Report No. 555, Sixty-fifth Congress, second session. The majority of this committee were Democrats. The report was made during the war, when polities were adjourned, and the findings were unanimous.

WORK OF MR. HUGHES.

WORK OF MR. HUGHES. About the same time an independent investigation was undertaken at the request of the President by Hon, Charles E. Hughes, recently an Associate Justice of the United States Supreme Court, who has since become Secretary of State. This investigation was undertaken in response to the following letter;

Hon. Charles E. Hughes,

9 Broadcopy, New York City.

My Dear Mr. Hughes: You have doubtless noticed that very scrious charges have been made in connection with the production of aircraft.

Because of the capital importance of this branch of the military service, I feel that these charges should be thoroughly investigated and with as little delay as possible, in order that the guilty, if there be such, may be promptly and vigorously prosecuted and that the reputations of those whose actions have been attacked may be pretected in case the charges are groundless.

I requested the Department of Justice to use every instrumentality at its disposal to investigate these charges, and, with the approval of the Attorney General, I am writing to beg that you will act with him in making this investigation. I feel that it is a matter of very great importance, and I sincerely hope that you will feel that it is possible to contribute your very valuable services in studying and passing upon the questions involved.

Cordially and sincerely, yours.

Woodbrow Wilsox.

In the Hughes investigation about 280 witnesses were examined and

In the Hughes investigation about 280 witnesses were examined and over 17,000 typewritten pages of testimony were recorded; the report and findings consisted of 182 printed pages. This investigation was made with the cooperation of the Department of Justice, and the report was submitted, through the Attorney General, to the President. To this work Judge Hughes devoted five months, taking testimony in different parts of the country, and it is said that for his services he refused to accept pay.

THE FREAR HEARING. THE FREAR HEARING.

The last major investigation of the Air Service was that by the House Committee on Expenditures in the War Department, the testimony taken by the subcommittee on aviation, known as the Frear Committee, comprising more than 4,000 printed pages. Unfortunately, while this committee was sitting, a political campaign was coming on, and in the findings charges of bias were bandied back and forth. In all the subcommittees investigating war expenditures, majority reports, subscribed by all the Republican members, and minority reports, subscribed by all the Democratic members, were filed. Hon. Clarence F. Lea, the Democratic member of the subcommittee on aviation, frankly made the following statement in the hearings (House hearings, aviation, p. 450):

"The Hughes investigation was strictly a nonpartisan investigation and as free from political influence as an investigation could be. Here we have a bipartisan investigation. Personally I am inclined to believe

that perhaps Congress made a mistake in making it a bipartisan investigation. I think an investigation similar to the Hughes investigation would have been a preferable method of developing the facts, and the results would have been accepted by the country as a correct disclosure."

GIST OF THE REPORTS.

would have been a preferable method of developing the facts, and the results would have been accepted by the country as a correct disclosure."

Political partisanship in a matter which strikes close to the vitals in our national life is, indeed, not an editying exhibit; acvertheless, political rivalry in such a hearing is or without dramate, extraless, political rivalry in such a hearing is or without dramate, extraless, political rivalry in such a hearing is or without dramate, extraless, political rivalry in such a hearing is or without dramate, extraless, political rivalry in such a hearing is or without dramate, extraless, political rivalry in such a hearing is or without dramate, and in the conflicting reports, the testimony of the witnesses will be sufficient to furnish a fair conclusion.

The Senate committee and Judge Hughes reported that as early as could have been produced in large quantities.

On August 22, 1918, the Senate committee reported that as early as Cotober, 1917, we were in possession of the necessary facilities to construct the Caproni, a powerful and successful bombing plane, approved by both Italian and English aeronautical engineers, and that, although expert Italian engineers had been on the ground to assist, only one experimental machine had been produced up to August 22, 1918, the heavy observation of the produced up to August 22, 1918, the heavy observation of the committee of a commi

page 337:

"From every side Fokkers were piquing upon the clumsy Liberty machines, which, with their criminally constructed fuel tanks, offered so easy a target to the incendiary bullets of the enemy that their unfortunate pilots called this boasted achievement of our Aviation Department their 'flaming coffins.' During that one brief flight over Grand Pré I saw three of these crude machines go down in flames, an American pilot and an American gunner in each 'flaming coffin,' dying this frightful and needless death."

## MISLEADING PUBLICITY.

this frightful and needless death."

MISLEADING FUBLICITY.

The public was deceived by false and misleading statements given to the press with official sanction. It is not difficult to discover the day this began and the method by which the public was misled into believing that fighting machines were being sent abroad. On this point the report of Judge Hughes may be briefly quoted:

"In the face of delays in production a series of misleading public statements were made with official authority."

In February, 1918, Secretary Baker authorized the public statement that "the first American-built battle planes" were en route to France, (Aviation, Mar. 1, 1918, p. 175, and other current publications.) After the public had been led by various newspaper dispatches to believe that the United States had reached quantity production, the Official Bulletin of March 28, 1918, released for publication in the American press on March 30, 1918, a series of photographs, alleged to be pictures of airplanes and aviation fields in France, and furthering the inference of a large production of American-built airplanes. The public was invited, through the Government's Official Bulletin, to purchase copies of these pictures at 10 cents each, or stereopticon slides at 15 cents, by sending applications to the Division of Pictures, Committee on Public Information, 10 Jackson Place, Washington, D. C. An inspection of these pictures during the examination of Secretary Baker in the Senate hearings (Vol. II, pp. 1134 and 1140) disclosed the fact that they were not photographs of American airplanes, but of French training planes, and a closer examination under a glass revealed the foreign names on them; pictures represented to be airplanes in France proved to be "penguins," which could not fly and were not intended to fly, but were made for beginners to run with on the ground as a part of their preliminary training, in which the machines rise a few feet and immediately drop back to the ground.

On March 29, 1918, the day before these pictures w

day, there was a storm of protest from members of the Committee on Military Affairs on the floor of the Senate. Members of this committee declared that the committee on public information was proceeding with these publications, although their attention had been called to the fact that the information they were giving out was false, and promise had been made to the Committee on Military Affairs that every newspaper in the country to which these pictures had been sent would be instructed not to publish them. Senator Thomas, of this committee, denounced them on the floor of the Senate as "primarily, secondarily, directly, and indirectly a fraud upon the press of the country." (Congressional Record, vol. 56, pp. 4254-4256.)

Notwithstanding these protests, misleading information continued to be sent out until the end of the war. Shortly after this episode, when we hement protests were made by Senators of both political parties, an article was published by Secretary Baker, in which it was stated that "Whereas a year ago not a single good battle plane was being turned out in America, now we are producing battle types of the very latest design." (Scientific American, Apr. 6, 1918, p. 320.) Notwithstanding the sworn statements hereinabove cited, including that of Secretary Baker, that not a fighting plane of American make was produced during the whole period of the war, the Government Printing Office is now offering for sale to the public a book in which it is stated (p. 243) that we produced "3,328 fighting planes." (American Munitions, 1917-1918; price, \$2.) It is also offering for sale another book in which under the caption of "Fighting or Service Planes," the statement is made (p. 47) that "the actual production of service planes, airplanes built in this country and fully equipped to fight in France, was confined to the De Haviland-4 machines." (United States Army Aircraft Production Facts; price, 10 cents.)

As to the persons in the War Department responsible for giving such information to the Committee on Public

"THE TERROR OF THE AIR."

A sample of the misleading pictures in question is reproduced with the present article. On February 14, 1918, the Committee on Public Information released for publication photograph No. 2339 of the old Nieuport monoplane, which had been discarded by the French for two years, and which was 40 miles an hour slower than the planes they were then using, with the following official description:

"No. 2339. The terror of the air. \* \* \* This Nieuport monoplane, the fastest machine in the world, and used extensively by the French in this war, has been loaned to our forces "over there" to teach our aviators now in France how to chase and bag tretating German filers."

In his testimony before the House committee Elekenbacker explained.

teach our aviators now in France how to chase and bag retreating German filers."

In his testimony before the House committee Rickenbacker explained some of the defects of the Nieuport: The wings were liable to collapse and the gasoline tanks were in a vulnerable position and exposed. Regarding the Spad, for which the French had discarded the Nieuport, he said that in case of fire the machine could dive, and the fire would prochably be wiped out by the rush of air; but with the Nieuport on fire the only chance was to jump, as the position of the fire would make escape impossible. As to this Nieuport, officially described as "the terror of the air" and the "fastest machine in the world," Rickenbacker makes this statement on page 119 of his book:

"From the frequency of accidents to our Nieuports it may be wondered why we continued to use them. The answer is simple—we had no others we could use. The American air forces were in dire need of machines of all kinds. We were thankful to get any kind that would fly. The French had already discarded the Nieuport for the steadier, stronger Spad, and thus our Government was able to buy from the French a certain number of these out-of-date Nieuport machines for American pilots or go without. Consequently, our American pilots in France were compelled to venture out in Nieuports against far more experienced pilots in more modern machines. None of us in France ould understand what prevented our great country from furnishing machines equal to the best in the world. Many a gallant life was lost to American aviation during those early months of 1918, the responsibility for which must lie heavily upon some guilty conscience."

Judge Hughes reported that there was no question that grossly misleading statements were published with official authority, and he recommended that they deserved the prompt attention of the military authorities.

That a certain number of training planes were produced and that the Liberty motor reached large quantity production, as well as that many

recommended that they deserved the prompt attention of the military authorities.

That a certain number of training planes were produced and that the Liberty motor reached large quantity production, as well as that many other things were accomplished, there appears to be no doubt; but as to the main things—the building of planes that could be used in fighting and sweeping the Germans from the sky—it is now established that the score was zero. When the Liberty motor was finally perfected, its value for use in certain types of planes was demonstrated; this was evidenced in the flight across the Atlantic by the NC-4 (designed and built by the Navy and equipped with Liberty motors), but this flight was accomplished by the Navy and not by the War Department.

In October, 1919, several months after the Navy had put the NC-4 across the Atlantic, the Army undertook a transcontinental race, and this performance, undertaken with conditions of peace, resulted in the death of 10 aviators. In this race 73 airplanes of different types were used, 39 being unconverted De Haviland 4's and 34 converted De Haviland 4's and 34 converted De Haviland 4's and miscellaneous planes. Nine of these aviators were killed in the unconverted De Haviland 4's, the type of plane which the War Department had sent to France. Gen. Mitchell, testifying in regard to the transcontinental race, stated that converting the De Haviland 4's would save at least 20 per cent in fatalities (House hearings, p. 3017). Meanwhile newspaper accounts of aviation fatalities have become so commonplace that nobody takes notice except the stricken widows and children or a broken-hearted mother.

ENORMOUS EXPENDITUEES.

ENORMOUS EXPENDITURES.

In brief, instead of the 20,000 airplanes of American manufacture which were to decide the war before the arrival of an effective army in Europe, the only planes of American manufacture on the front when the war ended were the 196 De Havlland 4's, America tailing the list, except for the 153 planes of Belgium. Was this due to any lack of money? The report of the House Committee on Expenditures in the War Department (Rept. No. 637, 66th Cong., 2d sess., p. 2) shows that the total amount expended or obligated for Signal Corps and aviation purposes during the 19 months of war with Germany to June 30, 1919, was \$1.051,511,988 and that the expenditures or commitments for aviation alone amounted to over \$1,000,000,000.

for her entire military appropriation—universal training and all-from 1907 to 1911, inclusive, was \$200,000,000; that in 1912 it was \$230,000,000; and in 1913, while preparing for war, she spent \$360,000,000; and that in the year the war began she had authorized an expenditure of \$210,000,000. Measured by this standard, it will be seen that Americans paid for aviation, without producing a fighting plane, about three times the amount that Germany spent on its entire army during the year when she was making ready to enter into a world condict.

army during the year when she was making ready to enter into a world conflict.

During the last Congress one of the grounds urged for increased appropriations for aviation was that the United States did not have enough fighting planes to compete with Mexico for supremacy of the air on the border, and it was recently published, with apparent official sanction, that all the airplanes now on hand are to be scrapped. However, it is fair to call attention to the fact that even a first-class airplane will rapidly deteriorate, and in view of the hazards the War Department is right in taking no chances with the lives of aviators. The reasons given for the burning of the airplanes in France were that they were worthless and that the parts burned could not be salvaged (House hearings, pp. 221–224, 2407–2416, 3474–3479, 3978–3980).

Judge Hughes reported that the estimated profits which would be made by several of the large aircraft contractors, if their schedules were carried out, would be as follows: The Ford Motor Co., \$5,375,000; the Lincoln Motor Co. (partly owned by the Dayton Metal Products Co.), \$11,250,000; and the Packard Motor Car Co., \$15,000,000. Large sums of Government money were advanced to various contractors on which to operate. Judge Hughes stated in the findings that in the case of the Dayton-Wright Airplane Co. the paid-in capital was \$1,000,000 invested in the plant, and that advances by the Government to the extent of \$2,500,000 were authorized. The sum of \$10,800,000 was advanced to the Lincoln Motor Co.

#### PROFITS OF CONTRACTORS.

The profits which the Dayton-Wright Airplane Co, would have received under its original contracts were estimated by Judge Hughes to be more than \$6.350,000, not including profits on its experimental contract and its contract for spare parts of De Haviland 4's, but it was explained that agreements contained in letters for the reduction of the hogie price would make the profits on the De Havilands not less than \$3.500,000. Contracts were made on both the fixed-price and the cost-plus basis, and the report alleges that while it is probable that large profits were made on the fixed-price contracts definite information as to their extent would not be available without a survey in detail of manufacturing conditions and costs in a considerable number of plants, an undertaking impracticable in the inquiry. William C. Potter, Assistant Director of the Bureau of Aircraft Production, testified that if planes were defective or if there was bad workmanship the Government stood the loss and that the contractors would still get their percentages. (Senate hearings, v. 2, p. 1106.) As the subject is technical and there are many details, in fairness to the contractors and all concerned reference should be made to the records and to the full text of the Hughes report. (Concressional Record, pusiness relations on the subject of stitistics in the Hughes findings were business relations.

centages. (Schale hearings, v. 2, p. 1105.) As the subject is technical and there are many details, in fairness to the contractors and all concerned reference should be made to the records and to the full text of the Hughes report. (Congressional Record, bound volume 57, pp. 906-908.)

Subjects of criticism in the Hughes findings were business relations of the equipment division, of which Cok Edward A. Deeds became the active head on August 2, 1917, with former business associates and corporations with which he was connected at the time he entered the Government's service. It was alleged in the findings that a tract of 2,245 acres of land was leased to the Government by the Miami conservancy district, of which Col. Deeds was the head, and that upward of 33,000,000 was expended by the Government in its development, although part of the land was found to be marshy and unsuitable for the Government's purposes. The McCook Field, on which \$949.085.35 had been expended by the Government to August 14, 1918, according to the Hughes report, was owned by Col. Deeds and a business associate to whom Deeds conveyed his interest, after which the land was conveyed to the Dayton Metal Products Co., which then leased the tract to the Government. (Ibid., pp. 890-893, and S. Rept., pp. 11-13.)

The Dayton Metal Products Co., of which it was stated that Deeds originally owned one-fourth of the stock, became variously interested in Government contracts which were under the administration of Col. Deeds, and it was further reported that Deeds was one of the incorporators of the Dayton-Wright Airplane Co., which was owned by the Dayton Metal Products Co. The specifications of the Liberty motor called for the installation of the Deleo ignition system in the first 20,000 engines; this system, as Judge Hughes stated, had not been used before in an airplane engine. The system was controlled by the Dayton Engineering Laboratories Co., which in turn was owned by the United Motors Corporation to his wife. Transferred his heldings in the Unit

paid save to a small extent," but it was not found that at the time of his official service Col. Deeds was a stockholder in the concern. (Ibid., pp. 887-890.)

It was further reported in the findings that, in addition to the profits which the Dayton-Wright Airplane Co. was to receive and the profits on various other contracts with the concerns with which they were connected, four of the recent business associates of Deeds in charge of the management of these companies—which "had the assurance of very large profits upon a relatively small investment of their own money"—were being allowed saluries amounting in the aggregate to \$253,600, and that this was being charged against the Government as a part of the cost of manufacture. Confidential telegrams passing between Deeds and business associates whom he had recently left to enter the Government's service were set out as a part of the Hughes report.

Another investigation, not connected with the aircraft, recently developed documentary evidence that at the time Col. Deeds was commissioned in the Army and about the time the first contract was given to the Dayton-Wright Airplane Co., a large sum was being contributed by these interests to be used in Ohio for political purposes.

It was testified by Secretary Baker in the House hearings that he was unaware until this inquiry began that Col. Deeds had been convicted in the courts of Ohio of a criminal offense, the indictment charging a conspiracy in restraint of trade, including charges of corruption and bribery, the sentence of the court being that he pay the costs of the presecution and that he be confined in the jail of Miami County, Obio, for the period of one year. The verdict was filed on February 20, 1913. An appeal was taken, and on the bill of exceptions the case was sent back to the lower court for retrial, but thus far the case has never been retried (Patterson v. United States, 222 Fed., 599). Counts in

the indictment, the verdict of the jury, and the sentence of the court are set forth in the records of the House hearings on aviation, pages 50-51.

#### THE ENGEL AIRCRAFT CO.

Among other contracts which caused comment was that of the Engel Aircraft Co., which was organized in August, 1917, by Harry E. Baker, a brother of the Secretary of War. As reported by Judge Hughes, Mr. Baker testified that this concern was organized with a capital stock of \$1,500,000 (preferred \$500,000 and common \$1,000,000). This company took over the plant of the Engel Airplane & Motor Co. and issued its preferred stock therefor at a cost of about \$225,000. The remainder of the preferred stock was sold for cash, and the \$1,000,000 of common stock was issued to Harry E. Baker and his associates for their services in promotion. The company received a contract for 1,200 sets of spare parts at a price of about \$1,000,000. When it came to the attention of the Secretary of War that the company of which his brother was the head had received a noncompetitive contract from the Government, the contract was canceled and arrangements were made for his withdrawal from the company upon the payment of his salary and \$15,000 for his promotion services. The contract was then reinstated, and an additional order was given to this concern for 500 sets of spare parts for De Haviland 4's at an estimated cost of \$2,275,000. (Congressional Record, vol. 57, p. 901, and Senate hearings, vol. 2, pp. 974–984.)

#### RECOMMENDATIONS BY HUGHES.

In the closing paragraphs of the report by Judge Hughes were the following findings and recommendations, which were submitted to the President, through the Attorney General, on October 25, 1918:

"2. The evidence discloses conduct which, although of a reprehensible character, can not be regarded as affording a sufficient basis for charges under existing statutes; but there are certain acts shown, not only highly improper in themselves but of especial significance, which should lead to disciplinary measures. The evidence with respect to Col. Edward A. Deeds should be presented to the Secretary of War to the end that Col. Deeds may be tried by court-martial under articles 95 and 96 of the Articles of War for his conduct (1) in acting as confidential adviser of his former business associate, H. E. Talbott, of the Dayton-Wright Airplane Co., and in conveying information to Mr. Talbott in an improper manner with respect to the transaction of business between that company and the division of the Siznal Corps, of which Col. Deeds was the head; and (2) in giving to the representatives of the committee on public information a false and misleading statement with respect to the progress of aircraft production for the purpose of publication, with the authority of the Secretary of War.

"3. The absence of proper appreciation of the obvious impropriety of transactions by Government officers and agents with firms or corporations in which they are interested compels the conclusion that public policy demands that the statutory provisions bearing upon this conduct should be strictly enforced. It is therefore recommended that the officers found to have had transactions on behalf of the Government with corporations in the pecuniary profits of which they had an interest should be prosecuted under section 41 of the Criminal Code."

On October 31, 1918, Hon. T. W. Gregory, Attorney General, in transmitting this report to the President, stated that at the conclusion of the taking of testimony both he and Judge Hughes, without conferen

carefully guarded and qualified statements, and his report needs to be read at length. (House hearings, aviation, pp. 3862–3868.)

EVERYBODY PARDONED.

On December 3, 1918, the announcement was authorized by the President that, on the recommendation of the Attorney General, he had pardoned without trial Lieut. Col. J. G. Vincent, vice president of the Packard Motor Car Co., and Lieut. Col. George W. Mixter, who had owned a small amount of stock in the Curtiss Airplane & Motor Corporation, and who, according to Judge Hughes's recommendation, was to have been prosecuted under section 41 of the Criminal Code (the New York Times, Dec. 4, 1918). Later similar action was taken as to the others whom Judge Hughes had named for indictment. This left the case of Col. Deeds to be disposed of by a military court.

The matter was referred to Brig, Gen. S. T. Ansell, the Acting Judge Advocate General, and a board of review, consisting of Miller, Tucker, and Keedy, judge advocates. On November 11, 1918, Gen. Ansell filed a report, directed to the Chief of Staff, stating that the report of Judge Hughes "so clearly indicates conduct calling for his trial by general court-martial \* \* 2 \* " that "the only adequate disposition of the case as to Col. Deeds is the preferring of charges against him as above recommended." It was further reported that if Col. Deeds was under oath when he testified before the Senato committee, and if the statement made by him there, which appeared to be false, was a matter material to the investigation, he was also guilty of perjury and should be court-martialed for that offense (House hearings, Aviation, pp. 2652, 2664, 2665, 2667, On November 15, 1918, the Secretary of War directed a communication to Gen. Ansell returning his recommendations and requesting him to reexamine the case and to send for Col. Deeds, his counsel, and any other person who could aid in the inquiry (ibid., pp. 2653). On December 26, 1918, in a lengthy document, Gen. Ansell reported back to the Secretary of War transmitted to the

of confidence, and at which Gen. Squier, one of the speakers, is alleged to have stated that if Col. Deeds had not done "irregular" things the United States would not have had an air fighting force worthy of the name (CONGRESSIONAL RECORD, vol. 57, p. 1150; House hearings, Aviation, p. 59).

ENEMY ALIENS IN FACTORIES,

Judge Hughes reported that 650 enemy aliens were employed in the factories of three concerns making aircraft for the Government. He cited the case of one man who had served for a year in the German Army and had been discharged because of wounds, who was a toolmaker in one of the plants. Another German citizen was placed in charge of the milling department and later became assistant general foreman of the machine shop. Another German notitizen was placed in charge of the milling department in one of the yelding department. The head of the drafting department in one of the plants making Liberty motors was a citizen of Germany and was reported for repeatedly making pro-German remarks. A conference of the management was held and, according to the minutes of this conference, reports were read "from various members of the drafting department who were in touch with the situation and who felt that the department was practically a pro-German institution." His removal was refused, and later a close personal friend of this man was found with photographs and drawings of the plant and was interned.

Instances were cited in the testimony where enemy aliens making American aircraft would cheer when news was received of German success in battle. In the Ford plant a man who had reviled and threatened the President was prosecuted and pleaded guilty to the charge. He was fined \$300 and sent back to work. Numerous witnesses testified that they had seen airplane parts tampered with in such a way as to cause accidents. A case was cited where an aviator went to one of the plants to fly a machine and was told that it was not necessary to look it over, as it already had been examined by 20 men. Notwithstanding these ass mances, an inspection was made and it was found that the wings were wrong, the front struts were on behind, and the control was wrong, which fact alone would have resulted in the death of the aviator.

Numerous witnesses testified that changes in blue prints came in at

aviator.

Numerous witnesses testified that changes in blue prints came in at such a rate that production was impossible. The files in one plant showed that over 2,000 changes had been ordered within a period of three months; in some cases as high at 22,000 castings would be ordered and work would proceed upon them when a change would come discarding them in favor of something else. (Senate hearings, Vol. I, p. 486.) It was testified that two of the concerns having contracts to make airplanes in this country for the Government were financed and controlled by Japanese bankers, and it was remarked by Judge Hughes that in some way these Japanese concerns got hold of a contract for nearly every type of plane that was being built by the American Government and were familiar with every detail of American aircraft plans.

#### UNWRITTEN HISTORY.

The Senate investigation was an inquiry into the cause of delay in aircraft production. The Hughes investigation was principally directed to the charges of personal dishonesty and official corruption. The investigation by the House committee was concerned with war expenditures. Regardless of the amount of testimony taken, none of these investigations purports to be exhaustive. During the Hughes investigation an order was published in the Bureau of Aircraft Production appointing an officer in that department as liaison officer between the bureau and the Department of Justice, making it impossible to volunteer information except through the regular military channels without liability to court-martial. A questionnaire sent to all persons who were in, or had been in, the military and civilian personnel would have afforded an opportunity for the development of further information.

While testimony relating to sabotage and esplonage entered into the records of all of these hearings as collateral matter, not one of these investigations was directed primarily to such subjects, and there were many matters of serious import which were never investigated. Among these was the disappearance of the Liberty motor tests between the testing field and Washington. On one occasion, during the night, the desks of officers in the equipment division were broken into, yet there was no investigation, even by the Air Service. On another occasion a Negro employee was found leaving the Air Service Building in Washington with official papers in his possession. His house was searched and a truckload of maps, plans, orders, blue prints, and confidential papers from the Air Service and Ordnance Department was found in his home, He was tried in the courts in Washington, convicted, and given a prison sentence, but it was never divulged for whom or for what purpose he had collected these documents. Many of those who were employed in the Bureau of Aircraft Production will recall the frequent confusions which resulted from orders for suites of off

# MORALE IN THE BUREAU OF AIRCRAFT PRODUCTION.

MORALE IN THE BUREAU OF AIRCRAFT PRODUCTION.

One of the important efforts in war is to destroy the morale of the enemy, and when the morale is gone the battle is lost. The demoralization in the Bureau of Aircraft Production finally reached that stage when there seemed to be in the atmosphere an unspoken order "to see no evil, hear no evil, and speak no evil," and investigations which would be started in the bureau would summarily end. Reports showing that important phases of work had fallen down would be pigeonholed and optimistic reports would be transmitted to higher authorities and

to our allies. One of the

and optimistic reports would be transmitted to higher authorities and to our allies.

One of the lessons of the war is that the spirit of the draft exemptions should have been more strictly followed and only the able-bodied with special technical qualifications placed in positions which could have been occupied by civilians beyond the draft age. Young men without business experience were placed in bureau chairs with the rank and power of martinets, and millions of dollars were squandered without responsible supervision. The young man is an optimist, a qualification for the firing line; he does not, however, see bridges ahead which must be crossed and which are apparent to the man of experience.

In Government management there is no complaint department where a man in the service or a private citizen can report an infolerable situation to some responsible official, removed from bureau influences, and demand that vital matters be brought to the attention of some one who has authority to apply a remedy. The one hundred and twenty-first article of the Articles of War, giving an enlisted man or an officer in certain cases the inviolable right of appeal direct to the commanding general, has been officially held not to apply to the Bureau of Aircraft Production. (House hearings, aviation, p. 2557.) The only remedy was through the regular military channels, where any man up the line has it in his power to block relief. Men who expressed anxiety lest our pro-

gram "to win the war in the air and drive German airmen from the sky" was falling down were liable to have their mentality questioned and to have uncomplimentary notations made in their military records. A DEMORALIZING EPISODE.

During the summer of 1918 the draft age was raised and plans were on foot to create another army to be sent overseas. It was necessary to find men who could officer this army. On August 13, 1918, The Adjutant General of the Army sent the call to the Bureau of Aircraft Production inviting men in the grades of captain and lieutenants, many of whom had been commissioned from the training camps or had received military training, to make application for transfer to the Infantry.

This call for volunteers for the firing line was promulgated in Bulletin No. 30 of the bureau, dated August 15, 1918, and from the entire organization there were seven volunteers. Four of the seven were transferred to the Infantry and three of-these were assigned to duty with segregated troops afflicted with a venereal disease, one of them being assigned to a company of Negro venereals. Many of those who failed to respond were later promoted and some of them were recommended for the distinguished service medal. The comparison is made for the lesson which it teaches. While a soldier should gladly perform any service to which he is ordered, such treatment, in the circumstances, might have affected the morale of an entire organization. It should be understood that the call for volunteers had no reference to the Division of Military Aeronautics, which was considered a combatant arm of the service; it was directed to the personnel of the Bureau of Aircraft Production, which was charged with the duty of furnishing the equipment.

#### INJURY TO THE WHOLE PERSONNEL.

Bureau of Aircraft Production, which was charged with the duty of furnishing the equipment.

INJURY TO THE WHOLE PERSONNEL.

About this time Eugene Meyer, fr., Director of the War Finance Corporation, testified before Judge Hughes that he was requested by the Secretary of War to investigate and report on the aircraft situation, and that he reported to the Secretary that he did not think he had a man in the whole organization who could be called a man. (Abstract of aircraft investigation by Hon. Charles E. Hughes and the Attorney General, p. 292.)

There were many good, honest, faithful, efficient, and conscientions men in the Bureau of Aircraft Production, but this sweeping statement, made under oath by a man in a position of high responsibility, shows how tense was the feeling on the part of persons who were in a position to know the situation. The facts regarding the aircraft in this war will be a matter of interest to the historians of the world to the remotest generation, and this branch of our service passes into history under a cloud affecting the reputations of all men who were connected with it. The War Department, with its own conduct under criticism, and in view of the findings of a man fresh from the bench of the highest court of the Nation, should have demanded a trial through regular and orderly processes and demanded vindication of the innocent.

In Government affairs there are perfunctory post-mortems and a hurried burial rather than concern in the establishment of wholesome precedents. Honest mistakes of magnitude were inevitable and ought to be overlooked, but in this colossal failure, which invited military disaster to America and to the world, shall public officials be allowed to wash their hands and tell the people to forget it? The argument that it is of no use to worry about water that has passed over the wheel would be a fit propaganda for the profection of those who, in any war, take advantage of the confusion to piliage the country.

It is a notorious fact that investigations in Washing

#### OPEN EXECUTIVE SESSIONS.

Mr. HARRISON. Mr. President, it was my intention to get up this morning a resolution touching open executive sessions, when we could have debated it until 2 o'clock. The circumstances, however, were such that we could not get it up this morning. May I now ask the Senator from Maine [Mr. HALE], who is in charge of the naval appropriation bill, to allow us to take up that resolution now and consider it? I do not think it will take much time for debate.

Mr. HALE. Mr. President, I think the Senator from Kansas [Mr. Curtis] is interested in the resolution to which the Senator refers, and I should not like to make that arrangement without consulting with him. We are very anxious to get ahead with the naval bill, and I can not give way.

Mr. HARRISON. May I ask the Senator a question in that connection? Several Senators are interested in being heard when the matter comes up. Would not the Senator allow us to fix a time to-morrow, say at 3 o'clock, to then take up the resolution and consider it?

Mr. HALE. I am very certain that we can get through with the naval bill either this week or the first of next week, and I think the Senator can wait until the naval bill is out of the

way.

Mr. HARRISON. The trouble about waiting until next week is this: I have not pressed the resolution, for the reason that there are certain Senators on the other side who want to be here, and it would have inconvenienced them to some extent, and I gave way for that reason. Of course, I am very anxious to have the resolution considered at the earliest possible mo-

ment for many reasons. As the Senator knows, as the newspapers carry it, there is now a contest on about one of the nominations pending before one of the committees. I understand that they are meeting this afternoon to consider that nomination. I do not know when they are going to report it, but rumors are thick and flying everywhere touching the matter. The object of the resolution I presented was to take care of just such cases as that, so that the nomination might be conjust such cases as that, so that the nomination might be considered in the open. Of course, if we wait a few more weeks all these nominations will be in, and there is no telling what kind of nominees may be fastened on the people. I want to see these nominations considered in the open, and I had hoped we would get early and speedy action on the resolution.

Mr. BORAH. Mr. President, if the Senator in charge of the

bill will consent to an adjournment this evening instead of a recess, we can take up the resolution to-morrow morning.

Mr. HARRISON. We could do that, or, if it would be better, if they will agree to let us take it up at 3 o'clock to-morrow afternoon, we could do that. May I ask the Senator from Washington whether that would be agreeable to him?

Mr. POINDEXTER. Mr. President, I very much regret that I would not be able to agree to that proposition. I very much hope that in a few days, at the outside, we can dispose of this bill. It is extremely important, if we are going to enact a naval appropriation bill, that we should do it at once. It has to go to conference, and it is impossible to tell how long it will be delayed there, and a great deal of time is consumed in proceedings of that kind. It is not very long until the beginning of the fiscal year. The trouble about agreeing with the Senator which it would give me very great pleasure to do otherwise-is that it makes it more difficult to object to taking up other measures. It opens the door and makes it rather inconsistent for us then to object to the requests of other Senators, many of whom are interested in measures that they want to bring up.

It occurred to me that the best way for all concerned was to see if we could not, after a reasonable consideration of this bill and the presentation of any objections, get a vote on the bill and the amendments, and that will leave ample time for the Senator's measure and the other measures that are pending.

Mr. HARRISON. Then, I suppose we can not get any agreement on the suggestion.

Mr. POINDEXTER. Not at this time.

#### DUTY ON AGRICULTURAL IMPLEMENTS.

Mr. HARRISON. Mr. President, there is another matter I desire to discuss briefly. I shall not occupy the attention of the Senate more than a few minutes.

On yesterday there was passed, with much blowing of horns and blasts of trumpets, the so-called emergency tariff bill, pretended to help the farmers of the country in their present deplorable condition. That bill passed by the unanimous vote of the Republican Senators, except that of the Senator from New Hampshire [Mr. Moses]. The bill, as we were told by its proponents, was to help the farmers. Of course, we attempted to show, and believe that we did, that it was gross hypocrisy. I offered an amendment yesterday which was very important. It did not receive the consideration it should have received, because of the agreement to vote at a certain time, and there was not much discussion, though I discussed it as fully as I could in the time that was allowed me. There was no defense made by the opponents of it. They offered no reason, indeed they could not, for their voting against it. With one exception, the amendment received the vote of every Democratic Senator We voted for it because we thought there was force and justice in the amendment, and that it would carry real and substantial benefit to the agricultural classes.

As the chairman of the Committee on Post Offices and Post Roads [Mr. Townsend in the chair], who now presides, knows, as well as all Senators present know, one of the great hardships of the farming classes has been that the things they needed in order to produce their crops they have been in years past compelled to buy, in many instances had to pay a very high tax in the form of a protective tariff for them. Of course, that made these articles cost a very great deal more. For this reason, when the Democratic Party came into control of the legislative branch of the Government some eight years ago, we passed what was known as the farmers' free list bill, and it became the law when the Underwood-Simmons law was passed. In that farmers' free list we chose those implements and those articles and things which were necessary for the farmer to raise his crops and placed them duty free, so that they might enter our ports without bearing a tax, an additional burden on the farmers. That law has been of great benefit to the farmers. It has no doubt saved them millions of dollars.

So it was in order to retain that in the law and to see that the farmers continued to obtain free of tax the articles and implements which they needed in order to make their crops, and which they buy from foreign countries and import into America, so that they might obtain them at a reasonable figure, that I offered the amendment.

The object of the amendment was to protect the agricultural interests against the antidumping provision of the emergency tariff law, which, in all probability, when signed by the President will place a tariff so high that no one can estimate on sewing machines, barbed-wire fencing, fertilizers of all kinds, agricultural implements of every character, and those things brought into the United States that the farmer really needs, and which he can not get along without.

So I offered that amendment to protect the farmer from the provisions of the antidumping clause of the emergency tariff bill. I want to read it so there will be no doubt, when the question comes up in the future, as to who on yesterday were the real friends of the farmers; and I want the vote on this amendment incorporated in my remarks to reveal and to show in unmistakable language just who stood by them and who voted against them on this proposition. That amendment read:

Provided, That the provisions of Title II of the pending bill-

That was the antidumping provision, which will place these implements upon a tariff basis

shall not apply to barbed-wire fencing, plows, disk harrows, harvesters, reapers, agricultural drills, mowers, horserakes, cultivators, thrashing machines, cotton gins, wagons, carts, sewing machines, fertilizers of every kind and elements from which fertilizers are manufactured, jute, binding twine, cotton bagging, and agricultural implements of every character which are now on the free list, and when imported into the United States from any foreign country.

So you can understand, from a most casual reading of that amendment, what was intended by it, and the substantial benefit that would naturally flow from it for farmers who have to buy the various articles which are enumerated in that provision when imported from foreign countries.

Mr. President, I ask that there be included, following my remarks, the record of the votes of those Senators who on yesterday voted for that amendment and those Senators who voted against the amendment.

There being no objection, the matter referred to was ordered

to be printed in the RECORD, as follows: [From CONGRESSIONAL RECORD, Senate proceedings, May 11, 1921, p. 1307.]

Mr. HARRISON, Mr. President, I offer the amendment which I send

to the desk.
The Vice President, The Secretary will read the amendment.
The Assistant Secretary. On page 26, line 13, insert the following

The Vice President, The Secretary will read the amendment. The Assistant Secretary. On page 26, line 13, insert the following proviso:

"Provided, That the provisions of Title II of the pending bill shall not apply to barbed-wire fencing, plows, disk harrows, harvesters, reapers, agricultural drilts, mowers, horserakes, cultivators, thrashing machines, cotton gins, wagons, carts, sewing machines, fertilizers or every kind and elements from which fertilizers are manufactured, jute, binding twine, cotton bagging, and agricultural implements of every character which are now on the free list, and when imported into the United States from any foreign country."

The Vice President. The question is on agreeing to the amendment offered by the Senator from Mississippi to the amendment made as in Committee of the Whole.

Mr. Harrison. On that I ask for the yeas and nays.
The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. Edge (when his name was called). Making the same announcement as before. I withhold my vote.

Mr. Lodge (when his name was called). Announcing again the transfer of my pair with the senior Senator from Alabama [Mr. Underwood] to the junior Senator from Vermont [Mr. Page], I vote "nay."

The roll call was concluded.

Mr. Myers. The Senator from Arizona [Mr. Ashurst] has been compelled to leave the Senate on official business. If present, he would vote "yea."

The result was announced—yeas 32, nays 53, as follows:

Yea." The result was announced—yeas 32, nays 53, as follows:

Caraway Culberson Dial Fletcher Gerry Glass Harris Harrison	Heflin Hitchcock Jones, N. Mex. King McKellar Myers Overman Pittman	Pomerene Ransdell Reed Robinson Sheppard Shields Simmons Smith	Stanley Swanson Trammell Walsh, Mass Walsh, Mont Watson, Ga. Williams Wolcott
	NA	YS-53.	
Ball Brandegee Broussard Bursum Calder Cameron Capper Colt Cummins Curtis Dillingham Elkins	Frelinghuysen Gooding Hale Harreld Johnson Jones, Wash. Kellogg Keyes Knox Ladd La Follette Lenroot	McCumber McKinley McLean McNary Moses Nelson New Newberry Nicholson Norbeck Norris Oddie	Smoot Spencer Stanfield Sterling Sutherland Townsend Wadsworth Warren Watson, Ind. Weller Wills

Lodge McCormick

Ernst Fernald

#### NOT VOTING-11.

Ashurst France Owen Shortridge Kendrick Kenyon Borah Edge Page Poindexter

So Mr. Harrison's amendment to the amendment made as in Committee of the Whole was rejected.

Mr. BORAH. Mr. President—
The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Idaho?

Mr. HARRISON. I yield.

Mr. BORAH. Has the Senator a statement showing the amount of importations of those particular articles?

Mr. HARRISON. I was unable to obtain that information, because there was such haste displayed by Senators on the other side of the aisle in forcing the bill through.

Mr. BORAH. As the crime has now been committed, if the Senator can find time to get a statement of the importations, would like to have it, because it will come up again.

Mr. HARRISON. If I can obtain that, I will place it in the RECORD for the Senator.

#### NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, on page 23, line 2, to insert in the item for navy yard, New York, "dredging, to continue, \$100,000; in all, \$140,000."

The amendment was agreed to.

The reading of the bill was continued.

The next amendment was, on page 23, line 14, to insert:

The expenditure of the appropriation of \$1,150,000 for the construction of a large dry dock, navy yard, Charleston, S. C., continued in the naval appropriation act for the fiscal year 1919, approved July 1, 1918, is hereby suspended until July 1, 1924.

Mr. SMITH. I ask that the amendment may go over for the present.

Mr. POINDEXTER. I have no objection.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the amendment will be passed over temporarily.

The next amendment was, on page 23, after line 18, to insert:

Naval station, Key West, Fla.: For the development of a submarine base, to complete, \$800,000, to be immediately available.

Mr. President, may I inquire of the Senator having the bill in charge, with respect to the item just rend, whether the investigations did not disclose some very serious objections to the continuation of the work at that place? There were reefs and other physical conditions, as I recall, which seemed to make it unwise to further continue work at this point.

Mr. POINDEXTER. Admiral Parks, Chief of the Bureau of Yards and Docks, did state that there were some physical difficulties to contend with in getting a proper foundation for a sea wall there, but those have been overcome; and a very slight amount over the original authorization, the testimony shows, will be sufficient to complete the work. Nine hundred and ninety-five thousand dollars has already been expended; and unless the work is continued to completion that will be a

Mr. KING. May I inquire of the Senator in charge of the bill whether there was any evidence at the hearings that the difficulties to which I referred and which the Senator has in his mind were overcome?

Mr. POINDEXTER. Yes; there was conclusive testimony that they were overcome and that the work can be completed for the amount authorized.

Mr. KING. May I inquire of the Senator whether, in view of all the conditions and the necessity for submarine bases, which

concede, there is any reason for building one here?
Mr. POINDEXTER. Mr. President, that was the consideration which moved the committee, notwithstanding the physical difficulties referred to, to decide to recommend the continuation of this work; that is, that this point was decided by the committee, upon hearing the advice of the military officers, be of very great strategic importance, in view of its position with reference to the West Indies, the Panama Canal, the southern coast of the United States, and the Gulf coast. situation was viewed by the strategists and the experts who advised the committee, and the committee was convinced by them that it is of the utmost importance to have a submarine base at this point, in view of what the Senator himself has urged-the importance of the development of submarines in modern naval warfare.

Mr. HALE. I think the evidence at the hearings showed that if we gave up the project as it is now we would have a net loss of over \$1,250,000.

Mr. KING. That might be a gain.

Mr. FLETCHER. Mr. President, I would like to direct the attention of the Senator from Utah to the fact that the Navy Yard Commission in 1916 recommended the establishment of a submarine base on the Gulf. That was, of course, long prior to the necessities growing out of the war. In 1916 that recommendation was made by the Navy Yard Commission; this location at Key West was determined upon; and, as the Senator from Maine has said, the evidence shows that by expending this amount of money the entire project can be completed, and if they do not spend this amount of money the Government will lose quite a large amount in having the work that has already been done go to pieces.

Mr. BORAH. Will this amount of money complete the

Mr. FLETCHER. It will complete the modified project which they propose

Mr. BORAH. The Senator has no idea that this amount of money will complete it as it will be asked to be completed?

Mr. FLETCHER. I understand that it will. I have a letter here from Admiral Coontz, in which it is stated that-

It is recommended:

(a) That the breakwater pier be completed.

(b) That current contracts be completed.

(Neither of these will involve any cost to the Government, outside the \$800,000; and they will serve to protect the investment already made.)

(c) In addition, the marine railway should be installed.

The work they propose to go on with and complete comes within this appropriation.

Mr. BORAH. I understand that this appropriation of \$800,-000 will complete a certain portion; that is to say, there will be another step taken, and up to that step taken there will be what they call a complete work.

Of course, I have only second-hand information, but I am informed that both these expenditures, the amount we have already expended and this \$800,000; are only a small portion of what will ultimately have to be put in there to make it really available.

Mr. FLETCHER. I think they have found that some portion of what was originally contemplated can be dispensed with; that they are going to complete only what is absolutely necessary, and that this will cover it. Some part of the original scheme has been eliminated, in other words, and if the present contract is carried out the work will be completed so as to make the base a complete establishment, such as they desire, without doing some of the other things they might have felt called upon to do in case they needed something larger. This appropriation will carry out the work as planned.

Mr. BORAH. I ask that this item may go over until I can see if I can get the information which has been given to me orally

in such shape that I can present it.

The PRESIDING OFFICER. Is there any objection to the

request of the Senator from Idaho?

Mr. FLETCHER. I would rather not have it go over, but of course that is a matter with the Senator having the bill in charge.

Mr. POINDEXTER. What is the request?
Mr. BORAH. That the amendment go over temporarily.

Mr. POINDEXTER. I have no objection.

Mr. FLETCHER. I ask that the letter from Admiral Coontz be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NAVY DEPARTMENT, OFFICE OF NAVAL OPERATIONS, Washington, February 9, 1921.

Hon. Duncan U. Fletcher, United States Senate, Washington, D. C.

United States Senate, Washington, D. C.

My Dear Senator Fletcher: Referring to your letter of February 7.
1921, regarding the question of the submarine base at Key West, Fla., and particularly to page 61 of the hearing before the subcommittee of House Committee on Appropriations, of which the Hon. Pathick H. Kelley is chairman, said subcommittee having in charge the naval appropriation bill for 1922, I desire to furnish you the following information relative thereto:

1. The Navy Yard Commission in its report, dated December 30, 1916, stated its opinion that it was at that time "advisable to locate and develop permanent submarine training bases to the extent of \* \* one on the Gulf of Mexico."

2. During the recent war, with the necessity of operating submarines and other small craft from Key West for the protection of the entrances to the Gulf of Mexico, the necessity for a submarine operating base at Key West became evident. In April, 1918, the plan for this development at Key West was completed. The plan was approved by the commandant, Key West, and by the commander of the submarine force and then received the approval of the Secretary of the Navy.

3. An item providing for this base appears in the naval appropriation act for the fiscal year 1919, which made available for this purpose

\$1,000,000 and which authorized the Secretary of the Navy to enter into contracts or otherwise incur obligations for this purpose not to exceed \$1,500,000 in addition to the specific appropriation made.

4. Under this authority various contracts have been entered into and the present state of progress of the preparation of the submarine base at Key West is as follows:

(a) Living quarters for culisted men, bachelor officers, mess arrangements, storehouse facilities, and recreation facilities have been provided for a division of 10 submarines.

(b) Machine-shop facilities and power supplies are available to a limited extent in the naval station proper.

(c) Proper berthing facilities are lacking. To provide berthing facilities, the piling of the wharves and the breakwater pier are practically complete. The planking of the piers is not done.

(d) The dredging of the basin is in progress but incomplete.

(e) The protection of the breakwater by a marl covering has not been undertaken.

5. Available funds will be exhausted prior to the 1st of July. To complete the entire project as designed and to provide a marine railway, which is a necessary part of any complete submarine base, will require approximately \$1,000,000 in addition to what has already been spent. If no further work is done, what work has been done will be made of no value by the washing away of the breakwater, which can not be expected to endure for any considerable time without the protective covering. Storehouses at the submarine base are of a temporary character, but are of practically the same construction as houses in the locality and can, therefore, be expected to endure for a number of years.

6. The submarine base at Key West is required by the plans for

of years.

6. The submarine base at Key West is required by the plans for national defense and is likely to be used not only to protect the waters of the Gulf of Mexico but also in the event of the West Indies becoming an active zone of warfare, or for tactical purposes in the event of a war in the Pacific wherein the facilities of the Atlantic coast are

a war in the Pacine wherein the facilities of the Relatic Coals at utilized.

7. If current contracts are canceled, the Government is liable for considerable damage, so that little or no additional expenditure is required to complete the development of Key West for the limited purpose of a sulmarine base.

8. It is recommended:

(a) That the breakwater pier be completed.

(b) That current contracts be completed.

(Neither of these will involve any cost to the Government outside the \$800,000, and they will serve to protect the investment already made.)

In addition, the marine railway should be installed. Very respectfully,

Admiral, United States Navy.

The PRESIDING OFFICER. If there is no objection to the request of the Senator from Idaho, the amendment will be

passed over temporarily.

Mr. KING. Mr. President, a perusal of the bill, as well as information which I have obtained, leads me to the conclusion that we have entirely too many yards and naval bases and points for the construction of vessels, and so on. We are pursuing the same wasteful and indefensible policy with respect to the Navy that has been pursued in the past with respect to the Army.

Mr. BORAH. And rivers and harbors.
Mr. KING. Yes; and with respect to rivers and harbors, It has been charged that owing to political pressure, logrolling, and other methods, perhaps, forts and military posts were established in various parts of the United States though they were wholly unnecessary. This course entailed millions and tens of millions of dollars of expense.

I hope that the present Secretary of War will abandon all unnecessary military posts and camps, which have been maintained by the War Department at such great cost. Admiral Sims has testified, as I recall, that we have too many navy yards, too many places at which work is done for the Navy. We are proposing by this bill to increase the number of naval

What the Senator from Washington said respecting my attitude is correct, namely, that I am in favor of developing the submarine. I think it absurd to project any naval program that does not take into account the formidable character of the submarine, not only for offensive warfare but for defensive war-There has been a vast amount of talk about the possibility of Japan sending her fleet to the western shores of the United States and England sending her naval fleet to the eastern shores of the United States. Admiral Sims has testified, and everyone who has given the matter any thought knows that an invasion of the United States by a fleet, no matter how powerful, is a fantastic dream. The construction of subpowerful, is a fantastic dream. The construction of sub-marines, the development of airplanes, and the employment of mines make the invasion of a country practically impossible. As a great naval expert has said, "The submarine has brought the little nation into its own." Great Britain, with her mighty fleet, more powerful than that which Germany possessed, did not dare to approach the Belgian or the German coasts. A few submarines put her fleet to flight. A few airplanes compelled them to hide in harbors. It is important that we improve our submarine plans of naval defense and develop the submarine as an indispensable part of a proper naval program. If we would spend more for submarines and less for battleships, in my opinion it would be a wiser policy.

When we come to appropriations for submarines, I shall have something further to say on the subject. that now, notwithstanding the tremendous expenditures which we have made for naval purposes, we do not have an adequate number of suitable submarines. If we are to continue this saturnalia of war expenditures, if we are to continue this naval rivalry with other nations, then we must make further appropriations for submarines. We will need more coastal submarines as well as those which have a greater sea radius.

But we are building, I repeat, too many bases. spending too much money to maintain navy yards. We are diffusing instead of concentrating. We have navy yards along the coast, a half dozen or more. As I recollect the testimony of Admiral Sims, two would be sufficient. Some time ago there was an investigation ordered with respect to the necessity of maintaining a major naval base in the Caribbean Sea. I submit that it is unwise for us to expend any considerable amount for naval bases on the southern or southeastern coast of the United States until we know what our policy is going to be with respect to a major naval base in the Caribbean Sea. We have not the report yet. I do not know when we will get it, but in the meantime we are spending millions of dollars for naval bases, submarine bases, and other constructive works,

perhaps many of which are entirely unnecessary.

All of this reveals the fact that we are in a condition of flux. We are opportunists. We are drifting in our naval policy as we appear to be drifting in our policy relating to foreign affairs. This is a period of vacillation and drifting. We are drifting with the tide, with the international tide and upon domestic currents many of which are cross currents and will lead to collisions and serious troubles. I hope that the administration will develop a safe and wise foreign policy and that the Federal officials who have charge of national domestic affairs will adopt a proper policy with reference thereto. I mean no disrespect when I say that in my opinion our naval program is a serious mistake. If it were not so tragic I would say it was a joke. We are called upon to support a policy which will be discredited and which will be provocative of international resentments. We should revise our program, change our policy, seek world cooperation for the reduction of armament, and in the interest of world peace. We should talk international amity, not war. We should meet the nations of the south in friendly conference, and join in the formulation of a world program which would promote national prosperity and international peace and amity.

The PRESIDING OFFICER. The Secretary will continue

the reading of the bill,

The reading of the bill was resumed.

The next amendment of the Committee on Naval Affairs was, in the items for navy yard, Puget Sound, Wash., on page 24, line 8, after the numerals "\$95,000" to insert "pler 4, 700-foot extension, \$500,000; rifle range for small arms, including purchase of land, \$90,000"; and, in line 10, to change the total from "\$1,405,000" to "\$1,995,000."

The amendment was agreed to.

The next amendment was, on page 25, after line 6, to insert:

Naval hospital, San Diego, Calif.: The Secretary of the Navy is hereby authorized and directed to continue and to enlarge the construction of the naval hospital being erected at San Diego, Calif., on land donated to the United States and accepted by the Secretary of the Navy under the authority conveyed in the naval act of July 11, 1919, at a total cost not to exceed \$1,975,000, and \$1,000,000 is hereby appropriated to continue its construction.

Mr. KING. May I inquire of the Senator in charge of the bill if this is deemed to be a necessity? What reason is assigned by the House for failing to legislate for it?

Mr. POINDEXTER. I have not had an opportunity to confer with the House members in regard to the reason for their action in not putting this item in the bill. It may have been because it was not called to their attention. whether it was or not, but the showing made before the Senate committee as to the conditions at San Diego, where a very great number of Navy and Marine personnel are assembled, makes the provision a practical necessity. The land has been donated to the Government. In addition to that, the citizens of San Diego have furnished buildings which the Government has used without charge for taking care of sick sailors, but the city is compelled to withdraw that permit in order to carry out the plans of civic development there, and so it becomes necessary that the Government shall provide its own hospital facilities.

Mr. KING. May I inquire of the Senator if during the war the Navy was not compelled to construct a large number of hospitals because of the large personnel in the Navy? It would seem to me that in view of the diminution in that number, the Navy personnel being reduced from more than 500,000 to 127,000 now, there ought to be some hospitals available.

Mr. POINDEXTER. There are; but nearly all the buildings that were put up during the war were of a very flimsy character, and it costs more to maintain them, with very inadequate accommodations, after the expenditure of that cost than it would to provide permanent and proper hospital buildings.

Mr. KING. My information was that a portion of them were of the character described by the Senator-flimsy-but my information is that some of the hospitals are serviceable. Some buildings were purchased, as I recall, which had been used for hotels and others for hospital purposes. If the Govern-

ment still owns them they should be used for naval hospitals.

Mr. POINDEXTER. I wish to read a paragraph from the letter of the Surgeon General with regard to the general situation. He states that-

In comparison with the east coast, where there are 15 naval hospitals, with much greater bed capacity, it will be seen that adequate provision has not yet been made on the west coast for the care of the sick of the now divided fleet and increased naval importance of that section. Mare Island hospital, with 1,090 beds, has had 1,078 patients. San Diego hospital, occupying exposition and temporary wooden buildings on the exposition grounds, has been caring for from 300 to 500 patients, with the excess in tents.

This situation is due in part, I will say briefly, to the recent movement of a large portion of the fleet to the Pacific coast, which eught to be increased, and I hope and expect it will be, in view of the general situation and development of the fleet. The hospital facilities on the west coast are in a similar position to the shore stations, and other necessary auxiliary stations of the fleet. They have not been kept up as they should have been on the west coast, because attention has been concentrated on the Atlantic coast, particularly during the war.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 25, to insert after line 14: Submarine base, New London, Conn.: Toward the completion of a submarine base at New London, Conn., \$50,000.

Mr. BORAH. Mr. President, I desire to have the amendment just read passed over, and also the amendment in lines 23, 24, and 25, page 25, providing for a submarine and destroyer base at Guam, and the amendments on pages 26 and 27, having to do with a naval air station at Sand Point, Wash., a naval submarine base at San Pedro, Calif., and a naval supply base at Alameda, Calif. I desire to present the question that this is general legislation on an appropriation bill and not admissible upon the pending bill. I can present it now if it is desired.

Mr. POINDEXTER. I would be very glad if the Senator

would do so.

Mr. BORAH. It will not take very long. I desire to direct particular attention to the amendment beginning with line 10 on

The PRESIDING OFFICER. What is the Chair to understand? Does the Senator make a point of order?

Mr. BORAH. I am going to make a point of order, but I desire to discuss it a moment before I do that. The amendment to which I refer reads as follows:

Naval supply base, Alameda, Calif.: Toward dredging, excavating, and grading, \$1,500,000.

The Secretary of the Navy is authorized to accept from the city of Alameda, Calif., free from encumbrances and without cost to the United States Government in excess of \$1, a certain tract of land on San Francisco Bay, containing 5,340 acres, more or less, for use as a site for a naval base, being the land described in a certain deed made the 5th day of February, 1920, by and between the city of Alameda and the United States of America. Also to accept free from encumbrances and without cost to the United States Government, in excess of \$1, certain other land adjoining said tract, being the land typing between the southwesterly boundary line of said tract and the pierhead line in front thereof.

That is that particular amendment. Then there is another provision on page 27, or, rather, three provisions of a similar nature. I make the point of order that all this is general legislation, and I wish to call the attention of the Chair to a ruling found in Precedents and Decisions, page 67, as follows:

Mr. Gallinger proposed an amendment as follows:
After line 15, on page 26, insert:
"Navy yard, Portsmouth, N. H.: New dry dock at the Portsmouth
Navy Yard, of sufficient size to accommodate the largest battleship and
to be at least 1,000 feet in length, designs and specifications to be determined by the Secretary of the Navy, to cost \$2,500,000, \$200,000."
Mr. THORNTON. I make the point of order on this amendment that it
is general legislation.
The Vice President (Mr. Marshall). The point of order is sustained.

I make the point of order in the interest of time, which I understand the Senator in charge of the bill is anxious to con-

Mr. POINDEXTER. I should like to call the attention of the Chair to the fact that the usual and ordinary practice of the Senate, in fact, the invariable practice of the Senate, is to

consider provisions of this kind as a part of the maintenance and development of the Naval Establishment. It does not change existing law and is not general legislation.

Mr. KING. Mr. President, if I may be permitted to submit

an observation-

Mr. BORAH. Will the Senator yield to me for just a moment?

Very well.

Mr. BORAH. It must necessarily be general legislation, because what is proposed to be done can not be done without this legislation. It applies to the entire project—to the building of a

new naval base and the acquisition of land.

Mr. KING. Mr. President, it would appear that if the position of my friend from Washington [Mr. POINDEXTER] were the correct one there would be no limitation upon the committee or the Senate and they could embark upon any scheme or project, regardless of its cost, if there was any sort of indirect connection between it and some accepted naval policy. If legislation is enacted providing for the Government to expend \$10,000,000 for the development of a naval base at Bremerton, Wash., the State from which the Senator comes, we denominate it general legislation. Obviously it would be general legislation in another bill to provide for an appropriation of \$1,000,000 to build some other naval base at some other point, though such project would lead to the abandonment of the Bremerton base.

This in effect is a new enterprise; it is not the completion of a project heretofore authorized. It is a new development, as much so as would be the authorization of the building of a battleship. Certainly no one would contend that it would not be along the line of general legislation or within the spirit of general legislation to authorize the construction of submarines when theretofore there was no law authorizing their construction. The authorization of one depot or one supply base may not be the basis for other legislation for another supply base. It would be general legislation; it would be changing existing law upon the particular appropriation bill. We might just as well say, Mr. President, there shall be no rule at all if under an appropriation bill, which is special in the sense that it re-lates to a certain subject, we may deal with any subject regardless of the fact of anterior legislation.

Mr. SWANSON. Mr. President, if the contention of the Senator from Utah is correct, no appropriation bill could ever contain a new item of any kind or character unless there was a previous law authorizing it. If we were to place in this bill a general provision governing the building of submarines or governing the creation of new bases, and so forth, it would be subject to a point of order.

Mr. BORAH. Mr. President-

Mr. SWANSON. If the Senator will permit me, the language of the rule provides that no new item to an appropriation bill shall be received except under certain conditions. What are they? First, the item must be estimated for; second, it must be reported by a standing committee of the Senate. Any new item not containing general legislation, either repealing general legislation or enacting new general legislation, but simply providing for a new item of appropriation on a general appropriation bill, is in order.

If the amendment had been offered by a Senator on the floor, or if it had not been estimated for or had not been reported by a standing committee, such as the Committee on Naval Affairs,

it would be subject to a point of order.

Mr. BORAH. We are not making the point of order that the amendment has not been estimated for, and the Senator from Virginia is too good a parliamentarian to confuse the two propositions. We are making the point of order that it is general legislation.

Mr. SWANSON. In what respect?

Mr. BORAH. Even if the item has been estimated for, that does not obviate the other objection, that it is general legislation.

Mr. SWANSON. It is simply a new item of appropriation for a naval base.

But, Mr. President, that is not all it is. Mr. BORAH.

Mr. SWANSON. How is it general legislation?

Mr. BORAH. It authorizes the purchase and acquisition of land.

Mr. SWANSON. It is an item of appropriation for a specific purpose; it is not general legislation for the acquisition of land generally for any purpose. It is a new item of appropriation similar to many new items of appropriation which have been held in order. The rule provides that no new item of appropriation shall be in order unless it is estimated for. If such an item has been estimated for, as this has been estimated for, that makes it in order. It is also reported by a standing committee of the Senate, which further makes it in

I should like to be informed where there is any general legislation in the item, though it is a new item. Such a provision has been decided repeatedly to be in order.

Mr. BORAH. It has been decided the other way.

Mr. SWANSON. It never has been. The Senator may find half a dozen instances where new items have been presented which were estimated for or been reported by a standing committee of the Senate which have been declared to be in order. That must inevitably be so, or else an appropriation bill could not do anything but provide for carrying out something which had been previously authorized. Otherwise we could not even provide for a new clerk.

The item is new legislation; of course, everything is new legislation; but it is not general legislation. It establishes no general policy. It simply makes an appropriation for a new item which is designed to create a new naval base. Such a rule as that contended for by the Senator from Idaho would preclude the Naval Committee from doing anything unless it had

been authorized a year ahead.

Mr. BORAH. Mr. President, the Senator has stated that there are some precedents in favor of this kind of legislation. If they can be shown, perhaps, I could be convinced; but the citation to which I have called attention is directly contrary to the contention of the Senator; and the decision in that case was made by the Vice President who left the chair only a few weeks ago. The Presiding Officer will observe the language in which the amendment offered by the Senator from New Hampshire at that time was couched:

Navy yard, Portsmouth, N. H.: New dry dock at the Portsmouth Navy Yard, of sufficient size to accommodate the largest battle-ship \* \* \* \$200,000.

That meets precisely the definition which was given by the Virginia. I have not been able to find any Senator from precedent to the contrary. The Senator from Wisconsin, who was unable to be here this afternoon, had investigated the matter and called my attention to it. He is a parliamentarian and I am not. I am merely reciting the precedents as I find them; and the one I have cited meets every test which the Senator from Virginia has applied to the question.

Mr. SWANSON. I remember the occasion when the item in connection with the drydock at the Portsmouth Navy Yard was offered. That item had never been estimated for; it never had been reported by a standing committee of the Senate; and con-

sequently it was subject to a point of order.

Mr. BORAH. I beg the Senator's pardon; there is no such

suggestion as that in the record.

Mr. SWANSON. The matter the Senator has read does not so state; but I guarantee that if the Senator will look at the proceedings at the time the amendment was offered he will find the facts to be as I have stated. It could not be added as a new item to the appropriation bill. Why? Because it had not been estimated for and had not been reported by a standing committee of the Senate. The rule is plain. I will read it to the Senator. Items similar to the one now proposed have been added a hundred times to naval appropriation bills, and I do not recall ever having seen one fail.

Mr. BORAH. Yes; we have had "pork-barrel" measures here

from time immemorial.

Mr. SWANSON. And the Senator, when western matters were involved, has engaged in such legislation as much as have other Senators

Mr. BORAH. No; I have not, as the record will show; but I am willing to agree with the Senator from Virginia to stop it.

Mr. SWANSON. Very well, I am for stopping all "pork-barrel" measures, and always have been.

Mr. KING. Let us start with this one.

Mr. SWANSON. The defense of the country is not a "pork-barrel" matter.
Mr. BORAH. No; but the item under consideration is not for

the defense of the country; it is a real estate deal.

Mr. SWANSON. That may be so; that is a subject of discussion.

Mr. BORAH. It is not a question of "might be"; but it is. Mr. SWANSON. The judgment of the Senate can be passed on it, the Senator may give his reasons in opposition, but he is no more high-minded than are other Senators.

Mr. BORAH. I do not like to have the Senator refer to a real estate deal as a matter involving the defense of the

Mr. SWANSON. The rule provides:

And no amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during

that session, or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an esti-mate of the head of some one of the departments.

Mr. POINDEXTER. Mr. President, if the Chair will permit me, in view of the fact that the Senator from Idaho has cited a precedent upon this question, which I have not had an opportunity to examine—and I am very much surprised at the point of order being raised to this item, because it is similar to perhaps half of the appropriations that are carried in the ordinary Army and naval bills-I desire to say that in a hasty examination I find the following precedent, which seems to me to be directly to the contrary of the point made by the Senator from Idaho. I read from page 76 of Gilfrey's Precedents:

[Fifty-third Congress, third session, Journal, p. 103.]

1. NOT GENERAL LEGISLATION.

FEBRUARY 9, 1895.

The question being on the following amendment to the Diplomatic and Consular appropriation bill reported by the Committee on Appropriations, viz, on page 9, after line 8, insert the following:

"Construction of telegraph cable between the United States and the Hawaiian Islands: The President is hereby authorized to contract for the entire work of laying a telegraphic cable between the United States and the Hawaiian Islands and to direct the prosecution of such work whenever such a contract shall be made, and as a part of the cost of such cable the sum of \$500,000 is hereby appropriated, said cable to be owned and operated by the United States Government."

After debate,

Mr. Blackburn, on behalf of Mr. Mills, raised a question of order, viz: First, that the amendment added a new item of appropriation not needed to carry out any existing law or treaty stipulation—

It seems to me that is exactly the question raised by the

It seems to me that is exactly the question raised by the Senator from Idaho-

and not in accord with any act or resolution passed by the Senate at this session, and not moved by direction of a standing or select committee

That additional point was raised-

Nor proposed in pursuance of an estimate of the head of a department; second, that the amendment proposed general legislation to a general appropriation bill and was not germane or relevant to the subject matter contained in the bill, and hence was not in order under the first and third clauses of Rule XVI.

The Vice President (Mr. Stevenson) submitted the question to the Senate, Is the amendment in order? and it was determined in the affirmative; yeas 36, nays 25. (See Congressional Record, pp. 1978–1986.)

Mr. BORAH. Mr. President, I call attention to the ruling upon which I based the point of order. Perhaps it has been called to the Chair's attention; but, for fear it has not, I will

call the Chair's attention to it, on page 67 of the Precedents.

The VICE PRESIDENT. Will the Senator give the date of

Mr. BORAH. June 2, 1914, at page 67 of "Decisions on Points of Order, Volume II":

Mr. Gallinger proposed an amendment as follows:
After line 15, on page 26, insert:
"Navy yard, Portsmouth, N. H.: New dry dock at the Portsmouth Navy Yard, of sufficient size to accommodate the largest battleship, and to be at least 1,000 feet in length, designs and specifications to be determined by the Secretary of the Navy, to cost (\$2,500,000)
"Mr. Theorymon, I make the point of order on this amendment that it

Mr. THORNTON. I make the point of order on this amendment that it is general legislation.

The Vice President (Mr. Marshall). The point of order is sustained.

Mr. POINDEXTER. Mr. President, if I may be permitted to call attention to the difference between the situation there and the situation here, of course I do not know what reasons may have actuated the Chair in making that ruling, but it may have been based upon various grounds-among others, that the item had not been estimated for, that it was not reported by a committee, or that it increased the appropriation. The situation here is entirely different in both of those respects, inasmuch as it has been estimated for, recommended by the department,

and reported by the committee.

Mr. BORAH. Mr. President, I looked up the Congressional RECORD, and the volume of precedents states all that is stated No question was raised as to the item not having been estimated for or reported by a standing committee. The volume

of precedents states the matter just as it occurred. Mr. SWANSON. Mr. President, this is a specific item—a specific appropriation. It is not general legislation. It is not a general appropriation. It is a specific item for a specific purpose, coming under Rule XVI, which says:

No amendment shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session; or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate of the head of some one of the departments.

Now, that provides what? That a new item of appropriation like this, which is a new item for a specific purpose and a

specific appropriation, is in order provided it is estimated forand this is estimated for—and provided it is reported by a standing committee of the Senate—and this is reported by a

standing committee of the Senate.

As to the case to which the Senator has referred, I do not remember that specific occasion, but I remember that Senator Thornton at one time had charge of the naval bill here, and for years Senator Gallinger was trying to get a dry dock at Portsmouth. It was never estimated for, and was never reported by a standing committee of the Senate. Every year he would offer an amendment to include that in the naval appropriation bill, and a point of order was made against it, and I think it was uniformly ruled against.

Mr. BORAH. Of course, I do not know what happened outside. I only know what happened as reported by the RECORD.

I presume that the RECORD states the fact.

The VICE PRESIDENT. The Chair is ready to rule. The point of order is not well taken. The amendment is moved by direction of a standing committee of the Senate, which makes it in order.

Mr. BORAH. Mr. President, I ask that 'the amendments which I spoke of a few moments ago—the clerks at the desk have them-including the amendments on pages 26 and 27, may go over, as they will require some general discussion.

The VICE PRESIDENT. Without objection, the amendments on page 25, lines 15 to 17 and lines 23 to 25, and on page 26,

lines 4 to 24, both inclusive, will be passed over.

Mr. KING. Mr. President, may I inquire of the Senator from Washington what disposition was made of the items on page 23 relative to the navy yard, Charleston, S. C.?

Mr. BORAH. They were passed over.
Mr. POINDEXTER. Yes; they were passed over;
Mr. KING. May I ask the Senator whether or not the
Senator from Delaware [Mr. Ball] has been advised as to that?

Mr. POINDEXTER. The items were passed over. I do not know whether he was advised or not. He will have an opportunity to make any presentation he desires.

The VICE PRESIDENT. Does the Senator from Idaho desire to include the amendments on page 27 as being passed

over?

Mr. BORAH. I ask to have the amendments on pages 26 and 27 passed over.

The VICE PRESIDENT. If there is no objection, they will

be considered as passed over.

Mr. POINDEXTER. Does that include all the amendments on page 27?

Mr. BORAH. Yes; they all present the same question.
Mr. POINDEXTER. Very well.
The VICE PRESIDENT. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Naval Affairs was, on page 26, line 1, in the appropriation for training station, San Diego, Calif., to strike out the word "complete" and to insert the word "continue," so as to read:

Training station, San Diego, Calif.: To continue the development of a permanent training station, San Diego, Calif., \$1,000.000.

The amendment was agreed to.

The next amendment was, on page 27, line 19, to increase the total appropriation for public works from "\$5,632,000" to \$12,971,000."

Of course, that should go over in connection Mr. BORAH. with the rest of them.

The VICE PRESIDENT. Without objection, the amendment will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Naval Affairs was, on page 30, line 22, to strike out "\$72,421,647" and insert \$87,798,447," so as to read:

Pay of the Navy: Pay and allowances prescribed by law of officers on sea duty and other duty, and officers on waiting orders, \$37,023,859; officers on the retired list, \$3,113,771; commutation of quarters for officers, including boatswains, gunners, carpenters, sallmakers, machinists, pharmacists, pay clerks, and mates, naval constructors, and assistant naval constructors, \$4,254,192, and also members of Nurse Corps (female), \$1,000°; for bire of quarters for officers serving with troops where there are no public quarters belonging to the Government, and where there are not sufficient quarters possessed by the United States to accommodate them or commutation of quarters not to exceed the amount which an officer would receive were he not serving with troops, and hire of quarters for officers and enlisted men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable, \$25,000; pay of enlisted men on the retired list, \$620,250; extra pay to men reenlisting under honorable discharge, \$4,390,800; interest on deposit by men, \$10,000; pay of petty officers,

seamen, landsmen, and apprentice seamen, including men in the engineer's force and men detailed for duty with the Fish Commission, enlisted men, men in trade schools, and pay of enlisted men of the Hospital Corps, \$87,798,447.

Mr. BORAH. Those items on pages 30 and 31, as I understand, are the items which provide for an increase in the expense of the personnel of the Navy. I will ask the chairman if I am correct

Mr. POINDEXTER. That is under the head of "Pay of the Navy," and does depend almost entirely upon the number of

men in the Navy.

Mr. BORAH. Yes. I desire to submit some remarks upon those items, and I should like to have those go over.

The VICE PRESIDENT. Without objection, the amend-

ments will be passed over.

Mr. KING. Mr. President, may I inquire of the Senator whether, under that item of \$87,000,000, any provision is made for the marines?

Mr. POINDEXTER. No; that is in a separate part of the

The VICE PRESIDENT. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Naval Affairs was, on page 31, line 24, after the words in parentheses, to strike out "at 50 cents per diem"; in line 25, after the word "midshipmen," to strike out "at \$1.08 per diem"; and on page 32, line 1, after the word "credited," to strike out "at the rate of 60 cents per ration," so as to read:

Provisions, Navy: For provisions and commuted rations for the seamen and marines, which commuted rations may be paid to caterers of messes in case of death or desertion upon orders of the commanding officers, commuted rations for officers on sea duty (other than commissioned officers of the line, Medical and Supply Corps, chaplains, chief boatswains, chief gunners, chief carpenters, chief machinists, chief pay clerks, and chief salimakers) and midshipmen, and commuted rations stopped on account of sick in hospital and credited to the naval hospital fund. tions stopped hospital fund.

Mr. KING. Mr. President, I should like to make an inquiry of the Senator. I recall that in the committee the question of the commutation of rations was under discussion, and it was developed that the amount required to feed the Navy per man was a great deal more than the amount required to feed the Army per man. The question arose as to whether it should be 75 cents or 60 cents a ration. Does this relate to the same item or the same matter?

Mr. POINDEXTER. It is not the same item, but it is similar to it in principle in that it involves rations for men. This is commutation of rations, and what the Senator referred to was the actual ration that is consumed by the sailors and by the soldiers of the Army. What was it that the Senator desired to

Mr. KING. If it was determined that 75 cents or 60 cents should be the ration, what is the reason for striking this out

without making some other provision?

Mr. POINDEXTER. It is provided for in another part of the bill-in the legislative provision, in the back part of the bill. The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 32, line 20, to increase the appropriation for "Provisions, Navy," from "\$20,609,672.50" to "\$29,392,767."

Mr. KING. Mr. President, I inquire of the Senator whether or not the amount to be appropriated for the provisions of the Navy does not depend upon the strength of the personnel; and, if the personnel shall not be increased but, upon the contrary, shall be diminished, why should we increase the provisions of

the Navy from \$20,000,000 plus to \$29,000,000 plus?

Mr. POINDEXTER. Mr. President, there are two reasons making this increase necessary in the bill as reported by the Senate committee. One of them is the one mentioned by the Senator from Utah—that is, that the Senate committee made its figures for the supply of the Navy upon the basis of 120,000 men, whereas the bill as it came from the House provided for 20,000 men less. There is, however, another reason, and that is the difference of opinion about the cost of feeding the same number of men. The House based its appropriations upon the calculation of a cost of 50 cents for a man's ration. The showing before both the House and the Senate committees was that at the present time the actual cost of a sailor's ration in the fleet, which has just returned after a four months' cruise, was over 70 cents. The cost last year for the whole Navy was 68 cents.

Mr. KING. Mr. President, may I interrupt the Senator?

Mr. POINDEXTER. Just one moment; let me complete the statement. The Paymaster General of the Navy was requested, after a very close cross-examination by Senators, many of whom inquired with the utmost pertinacity into this proposition, to furnish to the committee the actual cost of the provisions bought by the Navy; and he supplied the committee with the actual prices paid by the Navy wholesale in New York City, where they buy most of their supplies, for the ingredients which go to constitute a ration; and the cost of the ration, based upon those figures, was 63 cents. Of course, the actual ration would cost more than that, because they can not buy all the supplies of the Navy to the same advantage they can secure in buying whole-sale in New York City.

The Senator referred to the cost of the ration in the Army. That was estimated for the month of last March at 42 cents, and a serious question was raised as to why the Senate committee should base its appropriation upon an estimate of cost of 60 cents for a ration in the Navy. The reason for that is this, that the undisputed evidence before the committee is that the Navy ration, which is fixed by law, contains 50 per cent more by weight of the material of which it is constituted, and also a greater variety of material, than the Army ration; and being one-third larger than the Army ration, if we apply the figure of 42 cents as the cost of the Army ration, the Navy ration would cost 63 cents instead of 60 cents, which was allowed by the Senate committee. So, taking that comparison, the figure allowed by the Senate committee was lower than the

comparison would produce as a result.

Mr. KING. I was about to suggest to the Senator that, as I recall a portion of the testimony which was given before the -I did not hear the testimony to which the Senator refers, which came in later-the evidence seemed to indicate that the price fixed for the ration of which testimony was given was based upon war prices, based upon the prices of materials which had cost a figure very greatly in excess of what the same articles could be purchased for now, and certainly cost a great deal more than what the same articles can be purchased for in the coming year. This bill is to care for the next year. Doubtless the committee have taken that fact into consideration, but it would seem to me that in making the estimates for the coming fiscal year they ought not to use the datum line existing during the war as the basis of their calculations now.

Mr. POINDEXTER. I agree with the Senator, and the committee did. The basis last year was 68 cents, and the Senate committee reduced it to 60 cents. It was estimated that that would be approximately in line with the reduced cost of supplies.

The amendment was agreed to.

The next amendment was, in the appropriation for maintenance, Bureau of Supplies and Accounts, on page 34, line 10, to strike out "\$3,500,000" and insert "\$5,200,000"; and in the same line, to strike out "\$9,000,000" and insert "\$9,500,000"; so as to make the proviso read:

Provided, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for chemists and for clerical, inspection, and messenger service in the supply and accounting departments of the navy yards and naval stations and disbursing offices for the factor of the part of the navy yards and naval stations and disbursing offices for the factor of the part of the navy yards and naval stations and disbursing offices for the factor of the part of the p

Mr. KING. Mr. President, I dislike very much to ask the Senator to permit this item to go over, but I have some information in my office which I desire to submit—at least I desire to examine it-and if it is what I think it is,'I shall want to combat this increase. If it meets with the approval of my good friends, I ask that it may go over. It is the item of \$3,500,000, which has been increased to \$5,200,000.

Mr. POINDEXTER. If the Senator is not prepared to discuss it now, I will consent that it go over to accommodate the

The VICE PRESIDENT. Without objection, this amendment

will be passed over temporarily.

The next amendment was, on page 34, after line 10, to insert: The next amendment was, on page 34, after line 10, to insert:

That the clothing and small-stores fund is hereby increased out of
any funds in the Treasury not otherwise appropriated, so as to equal
the value of the stock on hand in the clothing and small-stores account
on March 31, 1921, as shown by the records of the Bureau of Supplies
and Accounts; and hereafter the clothing and small-stores fund shall
be charged with the value of all issues of clothing and small stores
made to enlisted men and apprentice seamen required as outfits on first
enlistment, not to exceed \$100 each, and for civilian clothing not to
exceed \$15 per man to men given discharge for bad conduct, for undesirability, or inaptitude, and the uniform gratuity paid to officers of the
Naval Reserve Force.

The appropriate of the seamen description of the seamen description.

The amendment was agreed to.

The next amendment was, on page 35, line 7, to strike out "\$17,500,000" and insert "\$25,000,000," so as to read:

Fuel and transportation: Coal and other fuel for steamers' and ships' use, including expenses of transportation, storage, and handling the same; maintenance and general operation of machinery of naval

fuel depots and fuel plants; water for all purposes on board naval vessels; and ice for the cooling of water, including the expense of transportation and storage of both, \$25,000,000.

Mr. KING. Mr. President, I appeal to the Senator not to increase that amount, or at least to furnish an adequate explanation. There is an increase here of \$7,500,000 for fuel and transportation. I think fuel will be cheaper during the coming fiscal year than during the past fiscal year, and if we will get rid of some of the obsolete ships and cease to operate them and put the men now employed thereon upon smaller vessels, such as the torpedo boats, the expenses of the Navy will be greatly reduced. I can not understand why there should be such a tremendous need for fuel.

Mr. POINDEXTER. Mr. President, the expenditures for fuel in 1919 were \$59,157,256.63. For 1920 they were \$24,014,032.06. For 1921, the current fiscal year, the regular appropriation for fuel was \$30,000,000, and there is a deficiency already of \$6,600,000, making the expenditures for fuel for the current year, so far as known, \$36,600,000, as against \$25,000,000 allowed by the committee. The only reason I have seen advanced by the House committee for cutting down the appropriations to the amount contained in the House bill was that the figures seem to be extravagant, and they could not understand how there should be so much fuel used. But the cost is based upon actual experience and upon a calculation of the prices at which the Navy buys coal, or what the coal which they know will be required will cost.

I call the attention of the Senator from Utah to the fact that there has been and will be greater fleet movements, by reason of the movement of the fleet to the Pacific, than there have been in recent years, and that instead of the amount of fuel consumed being reduced it will probably be equally as great. But the Senate committee made allowance for a probable reduction in cost. It was only after a very minute questioning of the Chief of the Bureau of Supplies and Accounts that this increase in the House figure was adopted by the Senate committee, and I have not any doubt at all that if it is reduced it will simply result in a deficiency. There may be a deficiency anyhow. The best information we could obtain was that the purchase and consumption of fuel by the Navy is guarded with as much economy and efficiency as is possible. I have not discovered any extravagance or any mismanagement.

Mr. BORAH. Just how does the Navy purchase its fuel-by public bids?

Mr. POINDEXTER. A public call for bids and bids. Mr. BORAH. Do they have really competitive bids?
Mr. POINDEXTER. They have really competitive bids.
Mr. KING. I am not satisfied with this item. I think the

wisdom of the House was greater than the wisdom of the Senate committee. They made rather an exhaustive inquiry, and they felt that \$17,500,000 was adequate for fuel and transportation for the coming year.

Mr. POINDEXTER. May I interrupt the Senator a moment?

Mr. KING. I am glad to yield.

Mr. POINDEXTER. Among other representations made by the department upon this item I call the Senator's attention to the following statement:

The amount required for fuel for the Navy depends upon the number of vessels kept in active commission and the steaming necessary to keep them at a proper degree of military efficiency. The number of vessels which can be kept in commission depends upon the number of enlisted men in the service and the appropriations which are available for the maintenance and upkeep of the vessels of the active fleet.

The estimates as to the money required, heretofore prepared, have been on the basis of the number of enlisted men hereinafter stated, as follows:

100,000 men 110,000 men 120,000 men \$29, 275, 000 \$2, 225, 000 \$4, 250, 000

States to the Navy on a bare boat basis, and unless this proviso is included an additional appropriation of \$1,365,000 will be necessary for transportation of fuel.

Expenditures, 1919 \_\_\_\_\_ Expenditures, 1920 \_\_\_\_\_ Appropriated, 1921 \_\_\_\_ Indicated deficiency, 1921 \_\_\_\_ \$59, 157, 256. 63 24, 014, 032. 06 30, 000, 000. 00 6, 600, 000. 00

It is not necessary to go into detail about that, because, confessedly, the House appropriation was based upon an estimated amount of cruising, figured from a statement made by the Chief of Operations, and, as he has explained, his statement was entirely misunderstood as to the number of hours a day

a ship would cruise. Mr. KING. Mr. President, we all know that the prices of oil, as well as coal, for the years 1919, 1920, and 1921, were very high, very much higher than they will be, in my opinion, in 1922. Indeed, the price of oil during the past six months has been materially reduced. I know that the price of bituminous coal will be materially reduced during the coming year. I was talking with a coal man yesterday, who said he would be glad to mine and sell his coal for \$2 per ton at the mouth of the mine. If we can get the transportation problem settled-and I think it will be improved during the coming year-there will be a material reduction in freight rates. There will be a readjustment in the coming year, and that readjustment will be reflected in reduced prices. Many of the figures in this bill are based upon past prices, upon war prices, not upon prewar prices, not upon prices which will prevail in the coming year. I make the general criticism against this bill that it is too closely related to war prices. It reflects the war spirit, not the peace spirit. It is based too much upon conditions existing during the period of the war, and not sufficiently upon conditions following the war. An item of \$25,000,000 for fuel seems to me to be entirely too much.

The Senator refers to fleet cruising during the past year. grant that there has been considerable. We moved a number of obsolete vessels from the Atlantic to the Pacific Ocean. Some were sent into the Pacific Ocean for maneuvers. Much of that expense, in my opinion, was unnecessary; I hope it will not be duplicated. With proper economies there can be a material reduction in the operation of the Navy.

Mr. President, a few years ago when we appropriated from \$75,000,000 to \$100,000,000 annually for the Navy it was regarded as a large appropriation. With those sums we accomplished a great deal. With less than that, in the days of Mr. Whitney,

we developed the Navy and made great progress

But now we must speak in hundreds of millions. Here we have a bill which carries over \$400,000,000 for maintenance of the Navy for one year. This does not include the construction The overhead is too much. There is inefficiency and extravagance, Mr. President, when expenditures are made of these enormous amounts. I propose to vote against this item, I think that \$17,500,000, the amount allowed by the House, is ample for the Navy for fuel expenses for the current year.

The VICE PRESIDENT. The question is on agreeing to the

amendment of the committee.

Mr. KING. On that I ask for the yeas and nays.
Mr. CURTIS. Before that request is put, I wish to state that we desire to have a short executive session. If there is going to be a yea-and-nay vote it might be well to take a recess.

Mr. POINDEXTER. Let us see first whether a yea-and-nay

vote will be ordered.

Mr. CURTIS. We might have some difficulty in getting a quorum to-night.

Mr. KING. I move that the Senate proceed to the considera-

Mr. POINDEXTER. I hope that motion will be defeated.

The motion was not agreed to.

The VICE PRESIDENT. The question is on agreeing to the committee amendment, on page 35, line 7, striking out "\$17,500,000" and inserting "\$25,000,000."

Mr. BORAH. Mr. President, the amendment carries an in-

crease of about seven or eight million dollars. I am perfectly aware, of course, that the mere fact that we appropriate so much or the fact that we do not appropriate so much or any amount at all will not cut any figure. The Navy Department pays no more attention to appropriations of Congress than if Congress were not in existence. It expends money utterly regardless of appropriations, and sends here for its millions of dollars in the way of deficit, and Congress takes care of it. Nevertheless and notwithstanding that fact, this Congress has some duties to perform in regard to it, and if we appropriate \$25,000,000 it will simply accentuate the extravagance which the Navy Department will feel it has a right to indulge in.

Mr. President, I suggest the absence of a quorum,

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ball Newberry Harrison Newberry Norris Oddie Overman Phipps Pittman Swanson Trammell Wadsworth Walsh, Mont. Warren Watson, Ind. Willis Borah Broussard Heffin Jones, Wash. Kendrick Capper Caraway Curtis Dial Fletcher Glass Kenyon Keyes King Ladd La Follette McKinley Poindexter Ransdell Sheppard Simmons Sutherland Wolcott Gooding Hale Nelson

The VICE PRESIDENT. Forty-one Senators having answered to their names, a quorum is not present. The Secretary will call the names of absentees.

The reading clerk called the names of absent Senators, and Mr. Bursum, Mr. Gerry, Mr. Harris, Mr. McCumbeb, Mr. NICHOLSON, and Mr. STANFIELD answered to their names when called.

The VICE PRESIDENT. Forty-seven Senators having answered to their names, a quorum is not present.

Mr. BORAH. I move that the Senate adjourn.

Mr. POINDEXTER. I hope that motion will be voted down. The Senate refused to adjourn.

Mr. POINDEXTER. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.
The VICE PRESIDENT. The Sergeant at Arms will carry out the order of the Senate.

Mr. SMITH and Mr. ERNST entered the Chamber and answered to their names.

The VICE PRESIDENT. Forty-nine Senators having answered to their names, a quorum is present.

#### EXECUTIVE SESSION.

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened,

#### RECESS.

Mr. POINDEXTER. I move that the Senate take a recess until 12 o'clock to-morrow morning.

The motion was agreed to; and (at 5 o'clock and 20 minutes p. m.) the Senate took a recess until to-morrow, Friday, May 13, 1921, at 12 o'clock meridian,

## NOMINATIONS.

Executive nominations received by the Senate May 12, 1921.

#### DEPARTMENT OF JUSTICE.

#### ASSISTANT ATTORNEY GENERAL.

William W. Hoppin, of New York, to be Assistant Attorney General (conduct of customs cases), vice Bert Hanson, resigned.

#### UNITED STATES ATTORNEYS.

Al. F. Williams, of Kansas, to be United States attorney, district of Kansas, vice Fred Robertson, whose term will expire June 21, 1921.

Frank A. Linney, of North Carolina, to be United States attorney, western district of North Carolina, vice Stonewall J. Durham, appointed by court.

Frank Lee, of Oklahoma, to be United States attorney, eastern district of Oklahoma, vice John T. Harfey, appointed by court.

### UNITED STATES MARSHALS.

Henry F. Cooper, of Oklahoma, to be United States marshal, eastern district of Oklahoma, vice B. A. Enloe, jr., resigned, effective July 1, 1921.

## DEPARTMENT OF THE INTERIOR.

ASSISTANT COMMISSIONER OF GENERAL LAND OFFICE.

George R. Wickham, of Los Angeles, Calif., to be Assistant Commissioner of the General Land Office, vice Charles M. Bruce, resigned.

SUPERINTENDENT FOR FIVE CIVILIZED TRIBES IN OKLAHOMA.

Victor M. Locke, jr., of Antlers, Okla., to be Superintendent for the Five Civilized Tribes in Oklahoma, vice Gabe E. Parker, resigned.

## REGISTER OF LAND OFFICE, MONTEOSE, COLO.

Henry J. Baird, of Colorado, to be register of the land office at Montrose, Colo., vice Onias C. Skinner, whose term will expire May 16, 1921.

RECEIVER OF PUBLIC MONEYS, DENVER, COLO.

Charles D. Ford, of Colorado, to be receiver of public moneys at Denver, Colo., vice William A. Maxwell, whose term will expire May 28, 1921.

COMMISSIONER OF EDUCATION.

John J. Tigert, of Kentucky, to be Commissioner of Education, vice Philander P. Claxton, resigned.

#### DEPARTMENT OF COMMERCE.

#### SOLICITOR.

William E. Lamb, of Illinois, to be Solicitor of the Department of Commerce, vice F. G. Wixson, resigned.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES.

#### ORDNANCE DEPARTMENT.

Capt. Robert Perry Mortimer, Cavalry, with rank from July 1, 1920.

#### INFANTRY.

Capt. James Julian Pirtle, Field Artillery, with rank from July 1, 1920.

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES.

#### MEDICAL CORPS.

#### To be captains.

First Lieut. William Donaldson Fleming, Medical Corps, from May 3, 1921.

First Lieut. Ralph Ellis Murrell, Medical Corps, from May 5, 1921.

## UNITED STATES NAVY.

Lieut. (Junior Grade) Karl R. Shears to be a lieutenant in the Navy from the 6th day of June, 1920.

The following-named lieutenants (junior grade) to be lieu-

tenants in the Navy from the 1st day of July, 1920:
Hugh G. Eldredge.
Romeo J. Jondreau.
William De Wayne Austin.
John H. Campman. Hugh G. Eldredge. Romeo J. Jondreau. Hugh Schmidt. Laurance P. Safford, Theodore T. Patterson. Woodbury E. Mackay. Arthur D. Burhans. Herbert S. Jones. George G. Robertson.
Paul F. Shortridge.
Conrad L. Jacobsen.
William S. B. Claude. Frank G. Fahrion. John B. Heffernan. Harold F. Ely. Charles D. Leffler, jr. Wallace M. Dillon. Wilber M. Lockhart. Leonidas M. Mintzer.

Lieut. (Junior Grade) Rollin Van Alstine Failing to be a lieutenant in the Navy from the 1st day of October, 1920.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 30th day of March, 1920:

Ralph F. Skylstead. Conrad L. Jacobsen. William S. B. Claude.

The following-named ensigns to be lieutenants (junior grade)

in the Navy from the 29th day of June, 1920:

Miles R. Browning. Leonidas M. Mintzer. Charles D. Leffler, jr. Wilber M. Lockhart. Wallace M. Dillon.

The following-named ensigns to be lieutenants (junior grade)

in the Navy, from the 1st day of July, 1920;
Ralph A. Ofstie. Rex L. Hicks.

Ralph A. Ofstie. Winfield A. Brooks. Joseph Buchalter. Russell M. Ihrig. David H. Clark. Ernest H. von Heimburg. Wade E. Griswold. Eugene L. Kell. William N. Updegraff. Herschel P. Cook. William E. Tarbutton. Walter Ansel. Charles Allen. Desmond J. Sinnott. Jack C. Richardson.

Ensign Rollin Van A. Failing to be a lieutenant (junior grade) in the Navy from the 30th day of September, 1920, to correct the date from which he takes rank, as previously nominated and confirmed.

The following-named assistant paymasters to be passed assistant paymasters in the Navy with the rank of lieutenant from the 1st day of July, 1920:

David P. Polatty. Edwin D. Foster.

William J. Carter, jr.
Passed Asst. Surg. Reginald B. Henry to be a surgeon in the
Navy with the rank of lieutenant commander from the 1st day of July, 1918.

Passed Asst. Surg. Duncan C. Walton to be a surgeon in the Navy with the rank of lieutenant commander from the 7th day of December, 1919.

Asst. Surg. Philip J. Murphy to be a passed assistant surgeon in the Navy with the rank of lieutenant from the 30th day of

July, 1919.

Acting Chaplain Truman P. Riddle to be a chaplain in the Navy with the rank of lieutenant (junior grade) from the 2d day of June, 1920.

Asst. Naval Constructor Charles L. Brand to be a naval constructor in the Navy with the rank of lieutenant from the 5th day of February, 1921.

Asst. Naval Constructor John P. Yates, for temporary service, to be an assistant naval constructor in the Navy with the rank of lieutenant from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920, to correct his name as previously nominated and confirmed.

Asst. Civil Engineer Allen Hoar, United States Naval Reserve Force, to be an assistant civil engineer in the Navy, with the rank of lieutenant, from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920, to correct his name as previously nominated and confirmed.

Lieut. Fred W. Cobb to be a passed assistant paymaster in the Navy, with the rank of lieutenant, from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920.

Passed Asst. Surg. Cope M. Blackford, for temporary service, to be a passed assistant surgeon in the Navy, with the rank of lieutenant, from the 3d day of August, 1920, in accord-ance with a provision contained in the act of Congress approved June 4, 1920.

Passed Asst. Surg. DeWitt T. Hunter, United States Naval Reserve Force, to be a passed assistant surgeon in the Navy, with the rank of lieutenant, from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920.

The following-named midshipmen to be ensigns in the Navy

from the 3d day of June, 1921:

Elmer P. Abernethy. Jasper T. Acuff. Harold E. Aken. Clarence E. Aldrich. Charles S. Alexander. John G. Ames, 3d. Fletcher B. Ball. Joseph R. Barbaro. Herman Barter.
Frederic S. Bartlett.
Clement R. Baume.
Jefferson D. Beard. Joseph M. Began. Keith R. Belch. Charles Bell. Robert W. Berry. Harry L. Bixby. Boynton L. Braun. Francis J. Bridget. George M. Brooke. Charles R. Brown. Luther A. Brown. Robert C. Brown. John S. Crenshaw. Joseph C. Cronin. Edwin M. Crouch. Burtnett K. Culver. Thomas M. Dell, jr. Richard R. Dennett. Horace L. de Rivera. August J. Detzer, jr. Sterling T. Dibrell.

Justin H. Dickins. Lawrence E. Divoll. Carl S. Drischler. William L. Drybread. Walter S. Dufton. Percy Earle. Melville E. Eaton. Raymond D. Edwards. Casper H. Eicks. Homer O. Eimers. Campbell D. Emory. Frederick I. Entwistle. Donald L. Erwin, Edward C. Ewen. Francis E. Fairman, jr. Floyd F. Ferris. Francis J. Firth.

Thomas C. Brownell. David H. Byerly. Fort H. Callahan. John M. Campbell, jr. Robert E. Canty. Robert H. Carey Harold A. Carlisle. David E. Carlson. Joseph P. Carney. James V. Carney. Hezekiah W. Carroll, jr. Angus M. Cohan. Joseph A. Connolly. Lawrence F. Connolly. Albert B. Cook. Stephen B. Cooke. William R. Cooke, jr. Clement F. Cotton. Howard N. Coulter. Jennings Courts. Wyatt Craig. William B. Cranston. George C. Crawford. Walter J. Lee. John J. Lenhart. George C. Lewis, jr. Robert P. Lewis. Thomas L. Lewis.
Alex M. Loker.
John K. Lynch.
George D. Lyon. George D. Lyon.
George H. Lyttle.
Thomas L. McCann.
Arthur H. McCollum.
Frank S. McCrory.
Louis G. McGlone.
Leo J. McGowan. Logan McKee. Ernest W. McKinley. Julius A. McNamar. Edward I. McQuiston. James H. McWilliams. Charles F. Macklin, jr. John F. Madden. Dashiell L. Madeira. William H. Magruder. Edward A. Maher. Edmund C. Mahoney. Newton C. Maney, jr.

William G. Forbes. Francis D. A. Ford. James S. Freeman. John M. Frier. Daniel A. Frost. Blair MacW. Fuller. Willard R. Gaines. Ward C. Gilbert. Donald T. Giles.
George W. Gilliam.
Charles O. Glisson.
Holbrook M. Goodale.
Lawrence C. Grannis.
Charles W. Grans. Charles W. Gray, jr. William C. Gray. Charles F. Greber. Robert C. Greenwald. William A. Griswold. William A. Griswold.
Dallas Grover, jr.
Charles L. Hachtel.
Raleigh S. Hales.
Kenneth R. Hall.
William V. Hamilton.
Wiley N. Hand.
Ralph E. Hanson.
John S. Harrison.
John P. Heath.
Everard M. Heim. Everard M. Heim. George G. Herring, jr. Robert F. Hickey. George D. Hilding. William D. Hoover. John M. Hoskins. John M. Hoskins.
Harold A. Houser.
Paul E. Howell.
James R. Hughes.
Joseph C. Huske.
Frederick H. W. Jackson.
Robert E. Jasperson.
Lowden Jessup, jr.
Franklin O. Johnson.
William D. Johnson. William D. Johnson, jr. George A. Jones. Hal C. Jones. Walter R. Jones. Charles H. Judson. Robert T. Kain. Walter S. Keller. Clifford T. Kelsh. Bertram M. Kern. Michael H. Kernodle. Edmund Kirby-Smith, jr. Addison E. Kirk. John R. Kivlen. Edward C. Kline. Herbert P. Knowles. Carl Koops.
Thomas P. Kucera.
Charles R. Lamdin.
Donald F. Smith. George W. Snyder, 3d. Frederick S. Steinbauer. Cortland J. Strang. Oral R. Swigart. Oral R. Swigart.
Elmer A. Tarbutton.
Herbert A. Tellman.
Marion C. Thompson.
John A. Upshur.
Ralston B. Vanzant.
John L. Walker.
Ernest H. Webb.
Morris J. Westfall. Edward E. Wilkie. Theodore R. Wirth. Henry T. Wray.

Charles J. Marshall. George D. Martin. Robert H. Merrick. George C. Miller. Clinton A. Misson. William L. Moise. Peter M. Moncewicz. Edward P. Moore. Silas B. Moore. Gale C. Morgan. John H. Morrison. John H. Morrison.
William J. Murphy.
Addis D. Nelson.
Joseph I. Nemrow.
Joel Newsom.
Philip G. Nichols.
Arthur G. Nish.
Walfrid Nyquist.
Engene B. Oliver Eugene B. Oliver. John L. B. Olson. Thomas A. Parfitt. Walton B. Pendleton. Charles H. Perdue, jr. Hugh Peters Everett E. Pettee. Robert L. Pickens. Harlow M. Pino. Leslie K. Pollard. Elwood D. Poole. Ernest J. Poole, jr. Dewey G. Porter. Kent H. Power. William S. Price. Stuart S. Purves, Charles F. M. S. Quinby. Walter P. Ramsey, jr. Rogers S. Ransehousen. Lester R. Reiter. John E. Rezner.
John W. Rice.
David W. Roberts.
James A. Roberts, jr.
Joseph P. Rockwell. Charles W. Roland, Lionel L. Rowe, George L. Russell, Lorenzo S. Sabin, jr. Geoffrey E. Sage. Carl H. Sanders. Walter G. Schindler. Hubert G. Schneider. Lucius K. Scott. Lorenzo Semple, jr. William H. Sewell. Franklin McR. Shannonhouse. Hiram P. Shaw. Bernard J. Skahill, Charles E. Smith. Charles M. Snelling, jr. Apollo Soucek. George C. Stevens. Francis H. Stubbs, jr. Frank R. Talbot. Herbert W. Taylor, jr. Myron E. Thomas. Wakeman B. Thorp. Nicholas B. Van Bergen. James B. Voit. Harold Watters. Walter F. Weidner. Robert G. Willis. Irving D. Wiltsie. Lamar M. Wise. Leil L. Young.

#### MARINE CORPS.

The following-named midshipmen to be second lieutenants from the 3d day of June, 1921:

Roger S. Bagnall. Harold D. Hail. William N. McKelvy, jr. Andre V. Cherbonnier, jr.

To be second lieutenants from the 4th day of June:
Thomas J. Cushman.
Edwin J. Farrell.

Vernon M. Guymon,
Morris L. Shively.

Howard N. Kenyon. John C. McQueen. David V. Pickle.

#### CONFIRMATIONS.

Executive nominations confirmed by the Senate May 12, 1921. COLLECTORS OF INTERNAL REVENUE.

John C. Cannon, for the first district of Illinois. George W. Schwaner, for the eighth district of Illinois.

DISTRICT OF COLUMBIA.

MEMBERS BOARD OF CHARITIES.

William J. Kirby. Mrs. Virginia Cross. William T. Galliher.

POSTMASTERS.

ILLINOIS.

Charles C. Hamilton, Arthur. Bertha A. Thorp, Litchfield.

NEW JERSEY.

Herbert E. Poulson, Far Hills. Frank J. Bock, Newark.

# HOUSE OF REPRESENTATIVES.

THURSDAY, May 12, 1921.

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father in heaven, we come unto Thee with a prayer and not a claim. Confirm in us Thy gracious promise, namely, "I will guide thee with Mine eye." As a sparrow does not fall to the ground without the Father's notice, meet us at the way was seen point, and wherein we are weak make us strong. May we see God in providence moving over the troubled waters of the earth, bringing order out of chaos and peace out of tumult. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

SWEARING IN OF A DELEGATE.

The SPEAKER. Any Members desiring to take the oath of office will present themselves.

Mr. KALANIANAOLE appeared at the bar of the House and took the oath of office.

IMMIGRATION.

Mr. JOHNSON of Washington. Mr. Speaker, I present a conference report on the disagreeing votes of the two Houses on the amendment of the Senate to the bill H. R. 4075, to limit the immigration of aliens.

The SPEAKER. The gentleman presents a conference report

to be printed under the rule.

Mr. GARRETT of Tennessee. Mr. Speaker, may I ask the gentleman from Washington, for the information of the House, when it is his purpose to ask for action on the conference

Mr. JOHNSON of Washington. Mr. Speaker, I believe by arrangement with the majority leader the bill will be called up to-morrow morning, immediately following the bill at present under consideration.

## EMERGENCY TARIFF.

Mr. YOUNG of North Dakota. Mr. Speaker, I ask unanimous consent that H. R. 2435 be taken from the Speaker's table and sent to conference.

The SPEAKER. The bill has not been messaged over.

Mr. GARNER. The bill has not come over from the Senate. I do not see how you are going to take up a bill that is not in

Mr. WALSH. It was passed only last night.

ADJOURNMENT OVER SATURDAY.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that when the House adjourns to-morrow it adjourn to meet on Monday next.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that when the House adjourns to-morrow it adjourn until Monday. Is there objection?

There was no objection.

#### FUTURE TRADING IN GRAIN.

On motion of Mr. Tincher, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 5676) taxing contracts for the sale of grain for future delivery, and options

for such contracts, and providing for the regulation of boards of trade, and for other purposes, with Mr. MADDEN in the chair. Mr. BURTNESS. Mr. Chairman, I offer an amendment.

The gentleman from North Dakota of-The CHAIRMAN. fers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BURTNESS: Page 1, line 11, after the ord "rye," insert the word "flax."

Mr. BURTNESS. Mr. Chairman, the amendment which I have just offered is, of course, a very plain one. It simply includes flax in the definition of the word "grain." know why the committee reported the bill without including flax as one of the grains coming within the operation of this law. The purposes of this bill, as I understand it, or the principal purposes, are perhaps two. One is to make it impossible for gamblers or speculators to manipulate the price of grain to the detriment of the producer

Mr. ASWELL. Will the gentleman yield?

Mr. BURTNESS. I yield to the gentleman from Louisiana.

Mr. ASWELL. Does the gentleman know that flax is not listed at all on any board of trade of the country?

Mr. BURTNESS. I want to assure the gentleman that I know that just the contrary is true.

Mr. ASWELL. It was testified before the committee that it

is not listed at all.

Mr. BURTNESS. I can state from my own personal experience that it is listed; that only a few months ago I personally bought options, or a future, on flax on the Minneapolis Board of Trade; and unless there has been a change very recently, the gentleman is mistaken. I bought a future for March, and it cost me 14 cents per bushel to convert that future into May. So I am absolutely positive that the gentleman is entirely mistaken. It may be true that upon some of the boards there are no future dealings in flax, but that is not the case as to all of the boards of trade.

Doubtless the second purpose and, I think, the most desirable purpose of all that will be accomplished by the bill is to control fluctuations. If you will look at the market reports you will find that the fluctuations in flax have been greater from day to day and week to week during the past seven or eight months than the fluctuations in wheat. Of course, flax has declined more than wheat and other grains in proportion. For instance, about a year ago flax was selling on the local market at about \$5 a bushel. I personally bought seed a year ago at \$6 a bushel. The flax that was being thrashed last fall brought in the local market of our State \$3 to \$3.50. To-day flax brings on the same market about \$1.30. There have been times within the last few months when there have been fluctuations from day to day amounting to 30 cents on flax.

I am mentioning these things to show the real necessity of inserting flax, if the purpose of the bill, which is a proper purpose, is to prevent these fluctuations, which are to the detriment

of the producer. [Applause,]
Mr. TINCHER. Mr. Chairman, as has been suggested here by questions, at the time of hearings on the bill it was represented to the committee that flax was not traded in on these exchanges. I agree with the gentleman that there is one exchange where they trade in futures on flax. I want every man to have the benefit of this measure, and I have no disposition to oppose the gentleman's amendment, and I hope the committee will agree to it.

The CHAIRMAN. The question is on agreeing to the amend-

The amendment was agreed to.

Mr. HUDSPETH. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 1, line 10, strike out the word "grain" and insert "agricultural products." Page 1, line 11, after the word "mean," insert the word "cotton."

Mr. TINCHER. Mr. Chairman, I reserve a point of order on

Mr. HUDSPETH, Mr. Chairman and gentlemen of the House, I want to state that I am in favor of the bill. not go to the extent that I would like to have it go, and that is, put every gambling exchange on this earth out of business and give the honest producer a chance; but it is a step in the right direction. I am sorry that the gentleman who is the author of the bill, who has given it considerable thought, did not include the word "cotton" in this bill when it was before the Committee on Agriculture. I want to say to my friend from Kansas that I believe that it would have gained him support instead of losing support on this side. If you will adopt my amendment embracing cotton exchanges you should get the support of every Democrat on this side.

Mr. KINCHELOE. Will the gentleman yield? Mr. HUDSPETH. Yes.

Mr. KINCHELOE. The question was thoroughly discussed in the committee and four of the members from the cottongrowing sections of the country on the committee claim that the cotton futures act is practically the same as this law. is that the rest of us members do not know any more about cotton than you do about tobacco, and you gentlemen are divided among yourselves.

Mr. HUDSPETH. That may be true, but I want to say that there are Representatives from the cotton States on the Agricultural Committee, and they should know that the man who produces cotton wants the kid-gloved, nimble-fingered manipulator in New York put out of business. I want to state this, that I believe it was 1909 that a law was written by my colleague from Texas, an able lawyer, who was then county attorney of Dallas County, putting the bucket shops out of business in my

The gentleman from Texas [Mr. Sumners] drew the bill that stood the test of the court, the former law having been held unconstitutional, and the bucket shop was driven from business. and I, as a State senator, fought for that bill through the Texas Legislature, and drove these "knights of the green cloth" from the fair soil of Texas. I want to say to the men representing the cotton States here that when that law was passed driving these gambling hells from the Lone Star State that immediately cotton advanced several cents a pound. And yet some of the Representatives from the South are afraid that if we embrace cotton in this bill it will work to the detriment of the farmer.

Let me say to my friend from Louisiana, who opposes putting the cotton exchanges in the scrap heap, that in 1917, when cotton was quoted on the market at 18 and 19 cents a pound, the farmers of Texas-if you want to know how the real farmers stand as to the gambling exchanges, gambling hells-2.500 delegates passed a resolution asking for the abolition of the gambling exchanges, and also met in convention at Austin to study the cost of the production of cotton in Texas. It was discovered at that time that the actual cost of producing cotton was 27 cents a pound. They held for that price, and cotton went up to and beyond 27 cents a pound, although the propaganda was carried on by the cotton exchanges of New York and New Orleans against the convention then assembling in Austin. And yet you tell me that the farmers of Texas are not in favor of the abolition of these gambling joints. I want to say to you that the only difference between a bucket shop and the cotton exchange is this: The bucket shop was a small institution in the back end of a saloon, run usually by men of a low order of mentality, and a lower order of morality, with no financial responsibility back of it. There they bid on the price, and the article sold they did not have, and never expected to have. The cotton exchange has a financial responsibility; the men behind the exchanges are men of some financial standing. difference between a bucket shop and an exchange is about the same difference that did exist between a common beer joint with a plate-glass mirror and mahogany-bar saloon. But, gentlemen, do you tell me that when a man buys something not in existence, and sells it dozens of times over, on which he never expects to make a delivery, do you tell me that that will redound to the benefit of the producer of cotton, and that these "Herman-trick" manipulations are not pure, unadulterated

Will the gentleman yield? Mr. PURNELL.

Mr. HUDSPETH. I will.
Mr. PURNELL. I think in fairness to the members of the committee, especially those coming from the Northern States, it ought to be said to the gentleman, out of deference to you gentlemen from the South, that we did not undertake to deal with this subject in the bill, feeling that you were more responsible and more competent to draft a separate bill relating to cotton. Now, I want to ask the gentleman whether or not he believes that the general provisions of the bill would be applicable to cotton?

Mr. HUDSPETH. Let me say to the gentleman I would rather this committee would not pay the southern Members too

much "deference." It can be made applicable by amendment.
Mr. PURNELL. Would it not necessitate a revamping of the whole bill?

Mr. HUDSPETH. Not entirely, but it would necessitate several other amendments, and if my amendment is adopted I intend to offer the others.

Mr. PURNELL. Is there in the cotton exchanges "puts and calls privileges" and "ups and downs," as there are in the grain exchanges and as provided for in the present bill?

Mr. HUDSPETH. Yes; there are "puts" and "calls" in the cotton exchange. You "put" your money up on a myth— the fellow behind the green cloth "calls" your hand—you get skinned out of everything from your cotton sox up. The cotton farmer has a price fixed on his cotton when he has not a seed in the ground, and the Bureau of Markets of the Agricultural Department is informed by these silk-hat gentry as to the number of bales that will be produced that year when there is not a furrow opened; the spinner enters into an unholy alliance with the cotton exchanges-agrees not to buy any cotton from the producer until the cotton exchanges beat down the price. The price is fixed by the exchanges in March, and the poor old producer sells in October and November for at least one-third The exchange gentry and the spinner declare their annual 100 per cent dividends, and the poor old cotton farmer who produces the wealth of this country catches what Sherman called war, and yet we Representatives from the cotton States have not got the courage to stand up here and fight these minions of evil and champion a bill for his relief.

Mr. PURNELL. My only thought is, even though your amendment is in order, it will necessitate an entire rewriting of this bill and perhaps cause us to lose some of the important fea-

Mr. HUDSPETH. I do not want to hamper this bill in the least, because I am for it, for the Lord knows I will vote for anything that will stop gambling on agricultural products. And I disagree with my colleague from Texas [Mr. Blanton] that this bill legalizes gambling. I do not read that in this bill; neither does he. It certainly puts "puts" and "calls" out of business. I want to do this and more with respect to the cotton exchanges. I do not believe that God Almighty ever formed the economics of this world so that you had to stabilize them by gambling. I never did believe it, and we did not in Texas when we drove the bucket shops across the Rio Grande, and cotton went up immediately, and everybody knows it.

The CHAIRMAN. The time of the gentleman has expired.
Mr. HUDSPETH. Mr. Chairman, I ask unanimous consent to
proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas? [After a pause.] The Chair hears none.

Mr. PURNELL. What is there in cotton that is synonymous with "puts" and "calls" as recognized in grain?

Mr. HUDSPETH. I understand from my colleague from Texas [Mr. Jones] that you go and buy an option on a board of trade to purchase wheat, we will say. You put up your option If wheat goes up, you get your margin; if it goes down, the exchange man gets your money; you never expected to re-ceive a bushel of wheat, and the so-called board of trade never expected to deliver you a bushel, and did not have it to deliver, Then the same thing would apply to the cotton exchange, where you buy 10,000 bales of cotton that is not in existence, which you never expect to be delivered, and I want to say to my friend, as was cited by my friend, Mr. Aswell, from Louisiana yesterday, that while we have to-day upon the statute books a so-called law against futures, that if I sell you spot cotton or middling cotton, when it comes to delivery I can deliver you any 1 of 10 grades. Now, you tell me that the cotton raiser is the beneficiary of such a fool law as this? No; it is the cotton exchange. Suppose I sell my friend from Texas, Mr. Parrish, who understands the cattle business-I breed white-face cattleand say he buys a thousand yearlings from me, six months delivery in Fort Worth, say we had a cattle exchange doing business there, and he pays me \$40 a head for those cattle, and I can step into Mexico, buy and deliver him a thousand yearlings under that contract, and put in old, dun, flea-bitten, speckled, loose-jointed oxen from Mexico that would fit any 10 grades in the cattle line.

You tell me, gentlemen, that my friend Parrish would accept that contract? Well, he would have to if we had such an outrageous law governing cattle futures as we have the contracts for cotton futures. No; there would be a vacancy in the sixteenth congressional district and somebody would be marching slowly behind me to some country burying ground on the hillside. But, my friend, you can do that under the law that is now on the statute books as to the sale of cotton futures. I sell you middling cotton and I can deliver you any 1 of 10 grades, or I do not have to deliver it at all, because we all know you can not enforce specific performance in reference to personal property. You can not enforce, I will say to my friend from Louisiana, specific performance of personal property under the law you have on the statute books to-day. Gentlemen, when a man can buy and sell ten times the production of this country, and we produce 11,000,000 bales—4,000,000 in my State—and these gamblers on the cotton exchanges sell it over and over

again, 20,000,000, 30,000,000, 50,000,000, or 100,000,000, you tell me that redounds to stabilize and enhance the price to the producer? You tell me that when you sell ten times the cotton production of this country that that benefits the man who grows cotton? The cotton farmer in Texas does not think so, and not a single representative of the real farmers of that great State who has been before your committee, I will say to the gentleman from Kansas, but asked for the abolishment of the gambling hells known as cotton exchanges.

Mr. TEN EYCK. Will the gentleman yield? Mr. HUDSPETH. Yes; I will yield.

Mr. TEN EYCK. Would not the cotton industry gain a greater benefit if a bill were introduced by somebody taking care of the industry in its entirety by itself? The gentleman would not agree to have the packers come in here and amend this bill, or some man on the floor amend it—

Mr. HUDSPETH. I can not yield for a speech. I would agree to old "Nick" himself coming in here and amending this bill if he will amend it so that cotton gamblers will be put out of business or put in the penitentiary. I would agree to anything on this earth that would abolish cotton exchanges, so we could go back to the God-given law of supply and demand. That is what the farmer wants to-day. I introduced a bill putting them out of business, and I am inserting a copy of my bill as a part of my remarks. Mr. Caraway, of Arkansas, introduced a bill putting them out of business, and where are those bills now? I fear sleeping the sleep that knows no awakening. Senator Comer in the Senate introduced an amendment to put them out of business, and I voted for it when it came up, but it did not pass.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MASON. Mr. Chairman, I ask that the time of the gentleman be extended to enable me to ask him a question.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

Mr. MASON. I am in sympathy with the gentleman's amendment. If this bill is to put out the small gambling concerns that deal as they say in "puts" and "calls," what is there, if this bill passes, that will prevent those gentlemen from continuing the same business and applying it to cotton that they now apply to grain?

Mr. HUDSPETH. There is nothing, as to cotton without my amendment. There is no restriction as to cotton, and they will continue to plunder the producer by fixing the price of the product they do not produce, that they do not own, handle, or expect to own. And I want to say to you gentlemen here that when cotton is highest is when there is not a seed in the ground, and how do they know what the price is going to be? How do they know what the crop will be, and yet that is when the prices are the highest.

These silk-gloved, gold-collared, and stiff-hat gentry, great benefactors of the horny-handed farmer (?)—"they toil not, neither do they spin," but Solomon in all his glory never was arrayed like them. And yet some of my colleagues say, "Let the farmer come here and tell us what to do, you are being destroyed but we are going to wait, not hamper this bill, although we have a chance to amend it and protect the cotton farmer." I will tell you what he ought to do when he gets a chance—select some other Representative.

Ah, some of you say, "I am afraid it will hurt the price of cotton to even regulate the cotton exchanges, much less put them out of business." Have you ever heard a real honest-to-God farmer express that fear? I have not. No, it is the farmers of New York and New Orleans that have that fear. Take those 6,000,000 farmers of gay Gotham, and those 400,000 farmers of New Orleans, and they shiver like a wet canine in a Texas "norther" when you talk about regulating the cotton exchange; but Uncle Reuben out there on his little farm in the black lands and the sandy lands of great old Texas does not want his business built up and stabilized by a class of men who make their millions through the sweat of other men's brows. Why, my friends, I saw a statement here a while back that a seat the New York Cotton Exchange sold for \$92,000, which was nothing more or less than a right to gamble on the honest toil of the man who works between the cotton rows in my State and yours. At whose expense did he take that seat? Uncle Reuben and his entire tribe paid for it.

I also saw where a stock dividend of 100 per cent was declared by the cotton mills in Lewiston, Me.; also another statement that 20 cotton mills in Spartanburg, S. C., with a capital stock of a little less than nine million, declared on January 1 of this year stock dividends of six millions and cash dividends amounting to two million and ninety-three thousand. Remem-

ber, my friends, what I said a little while ago about that unholy combination of the cotton exchange and the spinner-and there is no doubt about it. The trifling sum of \$90,000 for the mere right to gamble on the fruits of honest toil and 100 per cent dividends by cotton mills, when the farmers of my State are selling their cotton at 50 per cent below the cost of production, whole farms without a boll touched, on account of no money to pay for labor, his children deprived of school advantages, hungry and ragged, and these leeches and bloodsuckers indulging in bacchanalian revel feasting like vultures upon the labor of the man who toils in the stifling heat of summer and the chilly blasts of winter. Mr. Chairman, while there is not hardly a seed of it in my country, I do not wonder sometimes at the too seed of it in my country, I do not wonder sometimes at the too rapid spread of socialism and bolshevism in this country. A ninety thousand privilege for one season, mind you, to gamble will not have a detrimental effect upon the spread of this germ, I am quite determined. And yet you say, "I am afraid I will hurt my constituents." "I might move in the wrong direction." What did they send us here for? As "rubber stamps" or are we men with heads on our shoulders and some brains in those heads? Oh, you say, we will be damned if we do and we will be damned if we do not. Probably so, but I would rather be cursed and make some mistakes trying to do something for the benefit of my people than to sit down and never make an effort when they are being destroyed in their property and the only industry they know.

Some of my friends say, "Well, we have not heard from the farmer." Yes; you have heard from him in the only way he can make himself heard, by letter and petition; you heard from Mr. Barrett, his representative and the president of the Farmers' Union in this country. The farmer reads and keeps abreast. He may not have the cash to ride in palace cars and stop at the Raleigh and the Willard, but he knows of these bills that I introduced, that Mr. Herlin introduced, and that Senator Comer tried to pass through this House, that did pass the Senate; if they were detrimental to his business you would have heard from him. You have heard from the other side by leaps and bounds, by squads, platoons, companies, regiments, and brigades.

Why, gentlemen, the day after my bill abolishing cotton exchanges was published, although I had been here only a year, you would have thought I was the most popular man in Congress, that I was the leader of the majority and the minority as well, and that I was dispensing patronage for President Harding on the side. They streamed in and out of my office. "I just want to tell you you are making a mistake in this bill," they would say; "it will simply ruin the cotton farmer and destroy his business." "Where are you farmers from?" I would ask. "Why, at present we are farming in 'Noo-Ark.'"

Take the hearings before the Agricultural Committee on this and other kindred bills of 1,070 pages and you will not find a single witness who represented the real farmers protesting against the passage of bills abolishing gambling in cotton futures and grain futures. Ah, some of my friends say they are useful in disseminating knowledge as to market conditions to the farmers. What have we got the Bureau of Markets and the Agricultural Department for? The information from the latter source is accurate and does not cost the farmer anything. One of my friends said, "Cotton exchanges have created a market in the last year for cotton, and although it has been low, cotton would sell at all times at some price and wool would not." Therefore he says, or means to say, that the exchange is a necessary evil. Well, if Mr. Crissinger, Comptroller of the Currency, was correct in his speech at the banquet the other night, my friend—and, by the way, he is a Congressman from my State—is incorrect. Mr. Crissinger says that for the past 12 months wool, although on a declining market, has sold at all times 20 per cent higher than the prewar prices, and that cotton has sold and is now selling at one-third lower than prewar prices, and that wool has been as salable at all times as cotton. If Crissinger is right, my colleague is wrong, and the cotton exchanges have not benefited the producers of cotton but have been a detriment, for we all know there are no wool exchanges. How a man can stand up and say he is in favor of abolishing bucket shops and is in favor of a continuance of the cotton exchange, I can not understand. I can not agree with his logic or follow his reason. One gentleman from Texas testified before the Agricultural Committee last January in favor of the cotton exchange, but that he was against the bucket shop. Oh, yes; said he came at the request of a convention of cotton farmers. When recalled and asked to name some of the cotton growers at said convention, he named one cotton planter and four real estate men, all raising cotton and residing in the great city of Houston, Tex.

Washington to protest against these "radical" bills of Huns-PETH and CARAWAY, which seek to hamper and destroy the philanthropist, the benefactor, the guardian angel of the farmer and cotton raiser, and that would disturb their cozy nests on Wall Street and in New Orleans. Read this agriculturist's testimony on page 275 of the printed hearings and Tincher's crossexamination. It is worth your time. Any other citizen up here from the State that produces one-third of the cotton of the United States protesting against these bills? Not another soul, as I recall, but Congressman Sumners and myself, that hold a commission to represent a half million souls, a large portion being farmers, appeared and spoke for them.

Are the farmers of Texas with the cotton exchanges or with the producer? Let me read right here a resolution of a farmers' convention at Austin in the fall of 1917-2,500 farmer delegates-and then, my colleagues, draw your own inference:

gates—and then, my colleagues, draw your own inference:

Resolved, That we ask the reserve banks, the Comptroller of the Currency, and the State banking commissioners to cease recognizing the prices quoted by the exchanges as the value of cotton, and recognize that of the producers' organization or exchange as the minimum value, and so announce to the banks and the public in order that the values quoted on the exchanges will become in harmony with that of the producers, which would be the case immediately.

That a copy of these resolutions and preamble be sent to each of the Federal reserve banks, one to the Comptroller of the Currency at Washington, and one to each State banking commissioner of the cotton States, and it be given to the public press.

Also let me insert the bill I introduced last session and will try to pass at this session:

A bill—introduced by Mr. Hudspetth—to prevent gambling in cotton futures and make it unlawful for any person, corporation, or association of persons to sell any contract for future delivery of any cotton within the United States, unless such seller is actually the legitimate owner of the cotton so contracted for future delivery at the time sail sale or contract of sale is made.

owner of the cotton so contracted for future delivery at the time said sale or contract of sale is made.

Be it enacted, etc., That gambling or speculation as is exploited and carried on in what is commonly known as cotton exchanges in the United States is hereby prohibited, and it is hereby made unlawful for any person, corporation, or association of persons to sell any contract for future delivery of any cotton within the United States which may enter into interstate commerce, or that may be imported into the United States unless such seller is actually the legitimate owner of the cotton so contracted for future delivery at the time such sale or contract of sale is made or reasonably expects to be.

SEC. 2. That it is hereby made unlawful for any person, firm, or corporation controlling, operating, receiving, or transmitting messages in interstate business or any telegraph company or any telephone company within the United States doing an interstate business to receive or transmit any message over its said line or lines for the future purchase, sale, or delivery of any cotton made unlawful by the first section of this act.

SEC. 3. That the president or manager of all cotton exchanges within the United States is hereby required to report at the close of each week to the Secretary of Commerce all transactions passing through or in said exchange in which he is president or manager on future contracts for the sale of cotton, and any president or manager falling to make said report under oath shall be fined in any sum not less than \$200 nor more than \$1,000 and may be imprisoned not to exceed one year, and the failure to make said report for any one week will constitute a separate offense.

SEC. 4. That any person or agent, officer, or receiver of any corporation or association of persons violating the provisions of this act shall, for each such offense, be fined in any sum not less than \$1,000 nor more than \$5,000, and in addition thereto may be imprisoned not exceeding two years.

Again, in answer to the representatives of the cotton exchanges, that they keep up the price of cotton, let me show you how they did. In March, when there was not a seed in the ground, they fixed the price of cotton at 40 cents. Mind you, this price-registering machine did not know how many acres would be planted or whether 5,000,000 bales would be raised. It encouraged the farmers to plant a big crop, paying an enormous price for labor and material to grow the crop, and the very cotton in March that these exchange pirates were selling for 40 cents a pound was on the market last fall and up to now at 8 and 10 cents, and you rarely find a buyer. Now, you stand up here on your responsibility as a Congressman and representative of a great moral people and tell me that this should continue; that it is an aid to the farmer financially, morally, or any other way on this earth?

My friends, I used to go to the "Mollie Bailey Circus" when I was a boy and see a nimble-fingered fellow with a painted wheel telling the public that he was a poor fellow, unfortunate, always loses, but had an uncontrollable love for his fellow man and taking a chance; he was just impelled to go ahead and offer you an opportunity to take everything he had. Well, I did not have quite as much sense then as I have now. I went up against him a few rounds and went back to "cow punching" at \$20 a month the next day.

It is beautiful, indeed, to hear these Raleigh and Willard Hotel farmers come up here "at my own expense," lease a suite of rooms at either hotel for \$25 per day, stay here two weeks, and sometimes roost in that gallery for a season, blood oozing at every pore for the dear old farmer back home; going before This evidently was a rousing overflow meeting of the "horny-handed sons of rest," who sent this gentleman 2,000 miles to your committee and shedding briny tears, trying to convince

you that the very mention of a bill to regulate the immaculate cotton exchange causes a rigor down Uncle Reuben's back worse than a Louisiana swamp "buck aguer." I wonder how many of my colleagues have fallen for this kind of sophistry no; I mean rot? No, gentlemen; these kind of farmers are the men, as my friend, Charlie Metcalf, a farmer with horns in his hands and corns between his toes as big as a black walnut, would say, "Are the men who farm the farmers." you understand that I would go to the extent of prohibiting the sale of all future contracts in cotton? No; not if the seller had the commodity, or had a good, genuine expectation of possessing same; that would be a legal sale, if he had it and could deliver; but that would not suit the exchange. When you cut out the gambling features, you cut off the chief source from which his revenue comes.

Now, my friends, I am no Puritan. I am not half as good as I ought to be, but gambling never benefited any human being on God's footstool except the man who "skinned" you out of your money. Now, men, if you do not know how your farmer stands on these measures, take a poll through his farm organizations or write him, and he will deal candidly with you and tell you, and I guarantee that 98 per cent of them will tell you that he does not want his business to survive through the manipulation of the gambling joint. But, sirs, in my judgment, instead of a help the exchange is a most damnable hindrance.

Now, gentlemen, let us stand up like men and vote them out. Let us say that God Almighty never intended that any industry on this earth should receive its lifeblood through the gambling hell. [Applause.]

The CHAIRMAN. The time of the gentleman has again ex-

pired. Mr. TINCHER. Mr. Chairman, I make the point of order that the amendment is not germane to the bill, and the question, I think, was settled when the cotton futures act was up in this House, when an attempt was made to put an additional product in the cotton futures bill and Speaker Clark decided that it was The effect of that can very well be understood, not germane. not in this bill but in the bill originally introduced. To cover this subject I added the word "cotton." And we started at And we started at that time to consider that proposition, and there was such a conflict on the subject among the people from the cotton-growing districts that it never was settled. So it was not put in this bill, and it was not considered at all by the committee in reporting the bill out. And I think the ruling of Speaker Clark on July 16, in the Sixty-second Congress, is squarely in point.

Mr. HUDSPETH. If the inclusion of flax is germane, why not the inclusion of cotton?

Mr. TINCHER. I did not make a point of order against that amendment, because there was no conflict before the committee in regard to it. The only question was whether flax was traded in in the future market. I am frank to say to you that I think it would be subject to a point of order. I think the gentleman will agree that under the rulings it would be out of order.

Mr. BLANTON. Mr. Chairman, I make the point of order that the gentleman's point of order comes too late, and that he has permitted this paragraph to be amended by an amendment that was out of order on the bill, and that nongermane amendment having been permitted to go in this paragraph makes in order the other nongermane amendment.

Mr. TINCHER. I understand the gentleman says that if one amendment made to a bill is out of order every man is precluded from making a point of order against another amendment. If there is any such rule, I am not familiar with it,
Mr. BLANTON. It is a rule that has been upheld by distin-

guished gentlemen, and was invoked here by the distinguished leader, none other than Mr. James R. Mann, who has made the gentleman's party what it is.

Mr. CARTER. I think what the gentleman from Texas has

reference to is that the gentleman from Illinois [Mr. MANN] did offer a perfecting amendment to an amendment that had been made to a bill that was out of order, and that was held in order because it was a perfecting amendment to the amendment. although the original amendment was out of order. But this amendment here has not anything to do with perfecting the flax amendment, and therefore is not in order.

The CHAIRMAN. The Chair overrules the point of order of

the gentleman from Texas [Mr. Blanton]. The Chair desires to say that under Rule XVI, clause 7, it says:

And no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

Article 3 of Rule XXI says:

No amendment shall be in order to any bill affecting revenue which is not germane to the subject matter in the bill, nor shall any amendment to any item of such bill be in order which does not directly relate to the item to which the amendment is proposed.

It is clear that the amendment of the gentleman from Texas [Mr. HUDSPETH], seeking to insert the words "agricultural products" and the insertion of the word "cotton" would be in violation of the rules just quoted. Therefore the Chair sustains the point of order.

Mr. HUDSPETH. Mr. Chairman, I ask unanimous consent

to extend and revise my remarks.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to revise and extend his remarks. Is there objec-

on? [After a pause.] The Chair hears none. Mr. JONES of Texas. Mr. Chairman, I move to strike out the

last word.

Mr. Chairman and gentlemen of the committee. I wanted to say just a word with reference to a charge that was made yesterday afternoon that I do not think should pass unnoticed altogether, and that is that this bill legalizes gambling. I believe that the gentleman who made that charge, if he will read the bill carefully and study the testimony, will reach the conclusion that he was mistaken in making that charge.

Mr. BLANTON. Will the gentleman yield? Mr. JONES of Texas. For a question.

Mr. BLANTON. If this bill is passed and the market is designated by the Secretary of Agriculture, could the gentleman. if he saw fit, go upon such market and buy a million bushels of wheat which he never expected to be delivered?

Mr. JONES of Texas. I could not. Certain conditions must be complied with, and if these rules and regulations are made

as contemplated by this bill, that could not be done.

Mr. BLANTON. But after they are made and the market is designated, then the gentleman could buy a million bushels of

futures. That is gambling,
Mr. JONES of Texas. I most certainly could do it now, and if the gentleman votes against this bill, he will vote for a condition that will permit me to buy a million bushels in that way. If the gentleman votes against this bill, he will vote to legitimatize unlimited gambling and speculation of every kind and character. [Applause.] There is no question about that. The bill may not go as far as he thinks it ought to go, nor, in some respects, as some of us thought it ought to go, but after consideration it was the best that could be gotten, and I think this is at least a step in the right direction. It abolishes puts and calls absolutely. The man who votes against this bill will vote to continue puts and calls. You have a choice of voting for no restriction whatever or for the restrictions provided by this bill. Everything put in this bill is a restriction. In other words, if you vote against the restrictions, you vote to throw the matter wide open.

Mr. PURNELL. And a vote againt this bill would be a vote

favoring manipulation?

Mr. JONES of Texas. I was calling attention to that. order to have a grain exchange to operate after this bill is passed, it must handle cash grain sufficiently to fairly reflect the market. Under the present conditions a bucket shop could operate. No bucket shop could operate under this bill, because a bucket shop does not handle cash grain. A man who votes against this bill will vote that bucket shops may continue.

Mr. KINCHELOE. Will not a vote against this bill be what the manipulators and gamblers want in their effort to defeat

Mr. JONES of Texas. Absolutely. Under this bill any exchange that is permitted to operate will be obliged to make a record of all its transactions. One of the troubles in the consideration of this bill was found to be that a man could go on a board of trade and sell millions of bushels and you could get no record of it, and therefore could not find where the legitimate transaction ended and where the gambling transaction commenced. Under this bill the record must be made. Neglect to

make it would be a penitentiary offense.

The CHAIRMAN. The time of the gentleman from Texas has

expired.

Mr. JONES of Texas. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Texas asks for five

minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. KING. Will the gentleman yield?

Mr. JONES of Texas. Not just now. I will in a moment. Under the terms of this bill every transaction must be written and left open to the observation and care and supervision of the Secretary of Agriculture. Now at the end of this year we shall have information about these fellows, so that if this bill is not strong enough we can write a bill with all kinds of teeth in it. You need information in order to write that kind of a bill. You do not want to destroy legitimate trade just because we are against gambling, and I agree

with my colleague from Texas [Mr. Hudspern] that the gambler does not do the producer any good. But while killing the gambler you can not afford to kill the market of the producer.

Mr. KING. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. I yield for a question; a short ques-

Why is the gentleman, as a member of the committee, indulging in this terrorism here this morning and referring to the way Members will vote; this way or the other? Does not the gentleman know that this bill, if enacted, will increase the value of a membership on the Chicago Board of Trade and permit gambling?

Mr. JONES of Texas. I do not, Mr. Chairman. Mr. KING. I am asking the gentleman a question.

Mr. JONES of Texas. I do not yield further, Mr. Chairman. I ask that this be not taken out of my time.

Mr. PURNELL. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. PURNELL. I want to say to the gentleman who suggested that that evidently the leaders on the Board of Trade of Chicago do not think so; otherwise they would not be in oppo-

Mr. JONES of Texas. No. They would not be in opposition to it. Now I decline to yield further.

The CHAIRMAN. The gentleman declines to yield.

Mr. JONES of Texas. Now, Mr. Chairman, under the present rules of the exchanges a cooperative farm organization can not be a member of those exchanges. Under this bill, however, they are required to take in these farm organizations and make rules permitting them to go in. Does a man want to oppose this bill and say no farm organizations or organization of farmers shall have the same right to go on a board of trade that other people have?

Now, there is another provision of the bill which in effect provides that an exchange that continues to operate must provide against the manipulation of prices by the dealers and operators upon such a board. Everyone who has studied the question knows that there is the heart of the trouble. With the present exchanges no record is made. If a man wants to buy wheat or grain, he can go in a combination with a lot of others who do not expect to deliver and thus beat down the price and then turn around and buy at a lower price. In other words, he can corner the market. But if this bill passes, that can not be done. Gentlemen, do you want to vote that that unlimited manipulation shall continue? [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. McKENZIE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. McKENZIE. Mr. Chairman and gentlemen of the committee, I was born on a farm. I worked on a farm for many years. I have the honor of representing one of the greatest agricultural districts in the United States. I desire to have read in my time a short letter and telegram expressing to some extent the wishes of the farmers of the thirteenth congressional district of Illinois in regard to this bill.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CHICAGO, ILL., May 11, 1921,

Hon. John C. McKenzik, Washington, D. C.:

As a farmer and stock raiser of Whiteside County, Ill., I hereby voice my disapproval of the Tincher grain bill in its present form and respectfully request that you use your best endeavors to defeat said bill, honestly believing it will act detrimental to all grain growers should it pass:

CHAS: B. RIORDON.

The CHAIRMAN. The letter will be read.

The Clerk read as follows:

OGLE COUNTY FARM BUREAU, Oregon, IR., May 7, 1931.

Hon. John C. McKenzie, M. C., Washington, D. C.

Washington, D. C.

Dean Mr. McKenzie: I am taking the liberty of writing you concerning the Capper-Tincher bill, which I am informed is now pending before the House of Representatives.

At a recent meeting of the executive committee of the Ogle County Farm Bureau action was taken by said committee, and for your information, said action was against the passage of said bill.

As president of said bureau, I do not hesitate to inform you that the majority of the farmers of our country are against said bill, and if they all fully understood the effect of the same if it became a law that practically every farmer would be opposed to the same. For your further information would state that the Ogle County Farm Bureau has

not sent any representative either to the hearings held in Washington or at Springfield where the Lantz bill is under consideration.

Hoping that you will give this matter your earnest consideration, I beg to remain. Sincerely, yours,

Robert Rowe, President Ogle County Farm Bureau.

Mr. BROOKS of Hinois and Mr. TINCHER rose.

The CHAIRMAN. For what purpose does the gentleman from Kansas rise?

Mr. TINCHER. I rise in opposition to the pro forma amendment.

The CHAIRMAN. The gentleman from Kausas is recognized. Mr. TINCHER. Mr. Chairman, I guess every member of this committee knows that since yesterday morning the small gamblers and the real manipulators in the grain trade have started the propaganda customary among the opponents of a measure like this, especially in connection with the two great Chicago institutions concerning which this Congress has been trying to legislate for a quarter of a century. They have started that propaganda every time a bill of this character comes up. I want to say to the committee that the farm bureau—the letter just read at the desk was from some little branch of it-represented by Mr. Howard and some of the ablest and best-known farmers in the organization, have, as a national organization, had this subject under consideration since last December, and have had representatives in Washington from time to time to appear before the committee, and they at their national meeting indorsed the measure that is condemned in this letter emanating from a local branch of that organization. I want to make this suggestion, that not one individual who has participated in sending the flood of telegrams that has reached this House in the last 24 hours has ever had the pleasure of reading or knowing what is in the bill they are denouncing.

It is the same old propaganda, Mr. Chairman. I knew yester-

day, when a distinguished gentleman said in the morning that this bill was all right, that he was talking to beat it when he announced that it was legalizing gambling. I knew then that this sort of propaganda would immediately follow. It started vesterday. They say this bill legalizes gambling. Last night members of boards of trade that feel that they will be affected, that their gambling proceedings will be interfered with, started in to wire us that the enactment of the bill would destroy the

industry of the man that produces grain.

Mr. ASWELL. Mr. Chairman, will the gentleman yield?
Mr. TINCHER. Yes.
Mr. ASWELL. Has the gentleman observed that practically all of these telegrams are couched in almost identically the same

language?

Mr. TINCHER. Yes. There is a pocketful of them here. There is no distinction between them. We all have them. And we have telegrams that I am told are forgeries, because men who appeared here personally themselves and analyzed this bill and talked to us and indorsed the bill are among the apparent signers of these telegrams protesting against the enactment of the bill. A gentleman near me tells me he has a telegram, a stereotyped telegram, asserting that the bill will destroy the trade, signed by Mr. Griffin, who approved of the bill when he appeared before the committee, but said that there was an element in the trade that would object to this measure.

The CHAIRMAN. The time of the gentleman from Kansas

has expired.

Mr. TINCHER. Mr. Chairman, I ask for two minutes more. The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. TINCHER. They are the people who ride in high-power cars, who never toil, who trade on the farmer's product and are enriched thereby, and, of course, they are going to protest against this proposition.

There is another feature of the bill that has not been mentioned much, and that is the feature that prohibits the circulation of false market reports and places upon the grain exchanges the responsibility of censoring those market reports and making

There is an element among the commission men and dealers in grain who do most earnestly oppose that feature of the bill. I think myself it is one of the best features of the bill, and

that is one occasion for this great tirade against the bill.

Mr. NEWTON of Minnesota. I wish to say to the gentleman that the only protests I have received refer to certain amendments that were suggested by the Secretary of Agriculture. There is no objection to the rest of the bill, so far as I can ascertain.

Mr. TINCHER. I want to refer to that amendment. The CHAIRMAN. The time of the gentleman has expired.

Mr. TINCHER. I should like two minutes more.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that his time be extended two minutes. Is there objection?

There was no objection.

Mr. TINCHER. The Secretary of Agriculture suggested changes, that in order to make absolutely sure that he could prevent manipulation he thought the exchanges in applying for designation as marketing centers should, if he required it, place a limitation upon the quantity that any one dealer might trade in. So, after consulting with men who I thought were fair representatives of the trade, knowing that the Secretary of Agriculture was familiar with the subject, and knowing the extent to which he had studied it, I agreed to that change in the bill. I think it is a good change. I think it will work good in the market. The Secretary of Agriculture understands that they are not to be restricted to any limitation that will drive out the actual dealings in the products. But the grain markets of this country have been manipulated. They were manipulated by foreigners who came to this country to buy grain, and the first thing they did was to go onto these great exchanges and reduce the price of grain by selling futures in such quantities that they were able to manipulate these deals without losing a dollar and to buy grain at the figures that they had fictitiously reduced in that way.

The CHAIRMAN. The time of the gentleman from Kansas

has again expired.

Mr. NEWTON of Minnesota. I ask unanimous consent that the gentleman's time be extended two minutes.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that the time of the gentleman from Kansas be extended two minutes. Is there objection?

There was no objection.

Mr. NEWTON of Minnesota. Then, as I understand it, the purpose of the amendment to which I have referred was to enable the Secretary of Agriculture to fix a limitation upon the amount of any single deal. Of course, during one season of the year that limitation ought to be lower than at another season of the year.

Mr. TINCHER. That is right, and it is confined to speculative deals. It does not relate to the quantity of wheat that a man can buy in actual contemplation of receiving it, but it relates purely to speculative deals, and I thought it was a good suggestion for the purpose of eliminating any possibility of manipulating the market in the way that it has been manipulated in the last few years by the foreign crowd.

The CHAIRMAN. The time of the gentleman from Kansas

has again expired.

Mr. SANDERS of Indiana. I ask unanimous consent that

the gentleman's time be extended three minutes.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the time of the gentleman from Kansas be extended three minutes. Is there objection?

There was no objection.

Mr. SANDERS of Indiana. I want to ask the gentleman a question. Of course, if the Secretary of Agriculture is given this power to fix the amount of grain that can be covered in one transaction, it will be akin to the power that we gave him the other day to fix the price that an association may charge

Mr. TINCHER. I do not think we gave him the right to fix the price that an association could charge for grain, and I am sure this bill does not give him the right to fix the amount of grain that anyone can purchase. This gives him the right to require an exchange to limit the amount of grain that can be dealt with on a purely speculative basis by any one man. That will prevent manipulation such as we have had in the recent

Mr. SANDERS of Indiana. I notice on page 5 you provide that these organizations and boards of trade shall admit cooperative associations. Is it the intention of the gentleman to admit such cooperative associations regardless of whether or not they shall be enjoined from committing the acts referred to in the bill that we passed the other day? In that bill we provided that these associations should be enjoined from charging Must they be admitted, even if they have been certain prices. enjoined?

Mr. TINCHER. No; the object is to prevent the exchanges of this country which handle grain and control the farmers' products from barring the farmers of the country from taking part in the transaction, and I do not think any right-thinking man can oppose that provision. These associations claim they have been barred from the exchanges because of the way in which they divide their own profits, which is silly in the ex-

treme, and if the exchanges had not started on that proposition I do not think they would favor it now. Some of the exchanges in the United States have abandoned that theory and have said to these farmers' organizations, "Come on, we welcome you." Some of the best exchanges in the country have Some of the best exchanges in the country have done that.

Mr. SANDERS of Indiana. The gentleman has made a careful study of this bill, and in his opinion it will really benefit the farmer?

Mr. TINCHER. I think so. Mr. RAINEY of Illinois. Mr. Chairman-

Mr. BLANTON. Mr. Chairman, I move to strike out the substitute for the section.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. RAINEY], a member of the committee.

Mr. RAINEY of Illinois. I move to strike out the last two The inference one would draw from the suggestions offered on this floor would be that those who favor this bill are farmers and those who are opposed to it are gamblers. Of course, the word "gambler" is a delightful word to use, because it appeals to the mob, but let me inform you that the great majority of the members of these exchanges are high-class gentlemen. Criticism has been offered against men engaged in this business sending wires to Members of the House asking that they try to prevent the passage of this bill. It has been suggested that it is criminal for a man whose business is about to be destroyed to ask somebody to come to his assistance; as a member of the Committee on Agriculture, I can say that when the farm organizations of this country are interested in any measure they have no hesitation whatsoever in wiring writing letters, and I presume because they are farm organizations they should be blessed, and that business organizations and enterprises in the cities should be condemned for doing the same thing.

To-day I am in receipt of a great number of wires opposing passage of this bill. I want to read one in particular, from J. J. Fones, acting president of the Chicago Board of Trade, by John R. Mauff, secretary. It is as follows:

CHICAGO, ILL., May 11, 1921.

Hon. John W. Rainey:

House of Representatives, Washington, D. C.:

At a special meeting of the board of directors of the board of trade of the city of Chicago, held this day, the following resolution was unanimously adopted that—
Whereas the bill H. R. 5676, introduced by Hon. J. N. Tincher, has been recommended out by the House Committee on Agriculture and is now before the House of Representatives, and
Whereas this is the same bill in number but not in form that was up for hearing before the House Committee on Agriculture during the week April 25 to April 30, and
Whereas the present bill in its amended form embodies degrees of control far more objectionable and greatly exceeding anything suggested at any time during said hearings, and at which the grain trade was privileged to be represented, and
Whereas the said bill as amended does provide for governmental interference in business that is bureaucratic, intolerable, impracticable, unnecessary, and destructive to the present form of marketing the surplus cereal crops through the established grain exchanges and their collateral interests and affiliations: Therefore be it

Resolved, That we do most emphatically protest against the passage

Resolved, That we do most emphatically protest against the passage of this bill, H. R. 5676, known as the Tincher bill, in its present amended form.

J. J. Fones, Acting President. By John R. Mauff, Secretary.

It has been said that members of the Chicago Board of Trade who attended the hearings were for this bill; the telegram suggests the bill is not the same in form passed upon at the hearings before the committee and they are opposed to it in its amended form. This suggests to me that there is not that harmonious feeling and agreement and unanimity of feeling among the members of the exchange. They have the undoubted right and, as we were led to believe, privilege to protest against any measure that is objectionable to their industry. Men whose business is about to be destroyed, which they have been building up for years, have the undoubted right to protest. Men who are recognized as friends of agriculture in this great country have every right to protest and ask Members of Congress to defeat that which, in their own minds, will destroy their industry, and I do not apologize for members on the boards of exchanges throughout the country or the Chicago Board of Trade when they try to prevent that which they think is objectionable and will ruin and destroy their business. And the passage of this bill will do the farmer more harm than good.

Mr. TINCHER. Will the gentleman yield? Mr. RAINEY of Illinois. With great pleasure.

As a member of the agricultural committee, Mr. TINCHER. does not the gentleman know that the bill, H. R. 5676, referred to in the telegram is the same bill and has not been changed

by the dotting of an i or the crossing of a t; that it is the exact bill on which the hearings were had?

Mr. RAINEY of Illinois. I am unable to answer that. The CHAIRMAN. The time of the gentleman from Illinois

has expired.

Mr. TINCHER. Mr. Chairman, I ask that the gentleman have another minute in which to answer a question.

The CHAIRMAN. Is there objection?

There was no objection. Mr. TINCHER. Now, in the telegram the gentleman read it was signed by some one as acting president of the Chicago Board of Trade. Mr. Griffin was the president of the Chicago Board of Trade and testified before our committee, and I wondered if he was deceased or disabled and some one was acting

Mr. RAINEY of Illinois. In all likelihood Mr. Griffin may

be out of town, and some one is acting president.

Mr. TINCHER. Mr. Griffin, of the Chicago Board of Trade, knows more about the bill and what is in it and what the committee contemplated doing than anyone else who did not attend the hearings

Mr. RAINEY of Illinois. In all likelihood if he attended the

hearings.

The CHAIRMAN. The time of the gentleman from Illinois

has again expired.

Mr. BLANTON. Mr. Chairman, there is no use in anybody getting unduly excited over the fact that I oppose some of the provisions of this bill. They are either doing certain things or not doing them. Yesterday when I asserted that this bill if passed would legalize gambling on exchanges I was only quoting the effect of what the distinguished members of the committee who are well versed in the provisions of the bill stated. Let me quote some excerpts from what the gentleman from Kansas [Mr. Tincher] said. On page 1312 of the Record, he says:

I introduced a bill last December, the first day of the convening of the short session of Congress, and we had hearings upon it and others that were introduced along the same line, covering 1,070 pages of testimony, taken from the best informed men in the world, concerning these markets and concerning production. The grain exchanges came here at that time from all the market centers and fought the bill, and said that they did not want any legislation; that legislation would be ruinous to the market.

That bill limited the number of bushels that could be bought or sold in hedging.

Mr. TINCHER. Is the gentleman quoting me on that?

Mr. BLANTON. No; the reporter knows when I am quoting and when I am making my own statements. The gentleman also

I introduced a bill again on the first day of this session of Congress, and we began hearing witnesses favorable to legislation along this line. Much to our surprise—and I say this, I think, for every member of the Committee on Agriculture—the grain exchanges took an entirely different view of the matter than what they had taken in December.

So that we see that on this present bill the grain exchanges have turned turtle in their position. Let us see what the distinguished gentleman from Indiana [Mr. Purnell] who is well cognizant of the subject and has been an able member of the committee, a man who knows what the evidence was in the hearings, let us see what he says about it. Mr. PURNELL on page 1318 of the Record in speaking of this very section 4 said yesterday in regard to the men who will make contracts on the markets to be designated by the Secretary of Agriculture:

It is of no use to call them anything other than gamblers. It is gambling. They have no wheat, no corn, no barley, no rye, no sorghum seed to sell. They have nothing to deliver. They never expect to deliver anything. They never expect to have anything delivered to them. They are speculators. They are gamblers. But for the purposes of this bill we refer to them as speculators. Speculating and gambling are synonymous terms, so far as this bill is concerned.

Mr. SNELL. Those speculators that you are describing are allowed under the provisions of this bill?

Mr. PURNELL. They are.

That is from the gentleman from Indiana [Mr. PURNELL], an [Applause.] There is no able and distinguished member of the committee. He says there is no use of beating about the bush. use of trying to camouflage the farmers on the farm that this bill is going to legalize gambling. He says they may call it speculating for expediency, but calling it speculation does not change it; he says it is gambling. They should be called gamblers, and they are gamblers, because when the distinguished gentleman from Wisconsin [Mr. Voigt] was on the floor I asked him the question, "Is it not a fact that under the provisions of this bill, after the market has been designated, could not you and I go on the market and buy a million bushels of wheat without expecting to either deliver or receive a single bushel, merely expecting to put up or receive the margin on a loss or profit?" and he said that was the case. Is that gambling?

Mr. BURTNESS. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. I will yield for the gentleman to answer that question, whether it is gambling or not.

Mr. BURTNESS. Mr. Chairman—
Mr. BLANTON. I can not yield except for the answer requested. With me it is gambling and with my farmer friends in my district it is gambling with commodities they raise out of the ground.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. Mr. Chairman, I ask for three minutes more. The CHAIRMAN. Is there objection?

There was no objection.

Mr. HUDSPETH. Will the gentleman yield?

Mr. BLANTON. Yes. Mr. HUDSPETH. Will not this bill avail anything in doing away with speculative gambling in grain futures? Is that the gentleman's position?

Mr. BLANTON. I will answer my friend. Mr. HUDSPETH. I want to know if that is the gentleman's

position, that it will do no good whatever?

Mr. BLANTON. The only good on earth it will do is to put the gambling under the inspection of the Secretary of Agriculture and make the gamblers stop gambling every day after the market closes. That is one little good.

Mr. HUDSPETH. Then, why not vote for it if it will do

some good at all?

Mr. BLANTON. It permits them to gamble all they want to each day until the market closes. If you have a bill here authorizing murder to be permitted providing it was done under the supervision of some officer, why, we should, forsooth, all vote for it, because there is to be some officer to supervise it. The crime is to be committed under the supervision of a Government official, therefore all right, because legalized. I would not vote for that kind of a bill.

Mr. HUDSPETH. Suppose there is no law against murder and this law put a stop to murder to a certain extent, the gen-

tleman would not support the bill?

Mr. BLANTON. I will state to my friend that he believes it will do some good, and I am not condemning him for supporting it. He is conscientious, I know. If I felt like he does, I would vote for it, but I do not feel like he does. If we could put a provision in this bill to limit gambling on exchanges to legiti-mate hedging, which the distinguished farmer from Kansas attempted to do in his first bill in the last session of Congress, but which the exchanges then fought, if you will carry out his good, honest, first purpose and intention, brought fresh from the Kansas farmers, why, I will follow him, but instead of that you have substituted therefor this present bill that the exchanges put their O. K. upon, and whenever gambling ex-changes put their indorsement on a farmers' bill I say you had better look out and go slow; there is something suspicious; there is a bug under the chip.

Mr. TINCHER. The farmers are not excited over the section.
Mr. BLANTON. The gentleman from Kansas ought not to
get mad because somebody points out defects in his bill.

Mr. HAUGEN. Will the gentleman yield?
Mr. BLANTON. I do.
Mr. HAUGEN. Does not the gentleman think it is safe to leave it to the discretion of the Secretary with reference to limitations as to speculation? The gentleman says he is in favor of hedging-

Mr. BLANTON. I favor hedging only to the extent of legitimate insurance. I will now further answer the question of my colleague from Texas, who is a lawyer, and the other gentleman is not. You are attempting to do something in this bill that is directly in the teeth and face of the Constitution of the United States and the oath each one of us has taken. The Constitution prevents us from destroying business institutions through taxation or doing indirectly what we can not do directly and taxing out of existence something that you can not put out of existence by law. We can stop this unlimited gambling in grain products by law, and we ought to stop it.

The CHAIRMAN. The time of the gentleman has again ex-

Mr. BLACK. Mr. Chairman, I rise in opposition to the amendment to strike out the section. I do not understand the logic of my colleague, the gentleman from Texas [Mr. Blanton]. Now, he says that the only transaction which he thinks should be permitted on these exchanges is legitimate hedge transactions, and then in the next breath he states that he wants to secure a law so as to forbid any man from trading upon an exchange who has only speculation in view

Mr. BLANTON. Gambling, I said.

Mr. BLACK. But the gentleman's construction of gambling and speculation was synonymous, as I understood it. In my judgment there is a difference between gambling and speculation. The element of speculation attends more or less nearly every branch of trade. Now, let us see what is the real useful function of a grain exchange. Suppose we take for illustration a miller who wants to buy 10,000 bushels of actual wheat. Now, in order that he may be willing to enter into a definite contract to buy that 10,000 bushels of wheat he must have some way of financing it. Usually he does not have enough money in his own business to finance the transaction. He goes to the bank, and the bank says to him, "Before we will advance you this money you must hedge it on the grain exchange." does he do next? He goes upon the grain exchange and sells 10,000 bushels of grain, thereby assuring against loss on the 10,000 bushels which he has bought. Suppose we should adopt the suggestion of the gentleman from Texas and allow only those to trade upon the exchange who either produce wheat Then when the miller goes upon the exchange to sell his 10,000 bushels of wheat you would probably have nobody there who would be willing to buy it. In other words, the exchanges can only be made useful to the grain trade by keeping them so that trading will be liquid-always somebody ready to buy when some one else is ready to sell. If we confine the trading upon the exchange to those only who produce or mill the wheat we can have no liquid trading, for the minds of the miller and the producer would not always meet, and it would mean the immediate abolishment of the exchanges so far as hedging contracts were concerned. It might be possible in this manner to connect them into spot exchanges, but that question is not before us.

Mr. HARDY of Texas. Will the gentleman yield for a ques-

Mr. BLACK. Yes; I yield to my friend. Mr. HARDY of Texas. This bill worries me no little. this bill were to stop on page 3, line 4, at the word "or," and all the rest were stricken out of the bill-

Mr. BLACK, I think it would kill the exchanges automatically and they would have to go out of business imme-

diately.

Mr. HARDY of Texas. But it would have this effect: If it

stopped there, no man could sell short, could he?

Mr. BLACK. No; or buy long, as one gentleman suggests, Mr. HARDY of Texas. That is just the point I wanted That is just the point I wanted to get at. This allows anyone who is the actual owner or who is the actual producer or prospective producer to sell his prospect or possession and allows anybody with no limitation

to buy. Mr. BLACK. Yes; that is the meaning of subdivision (a) of section 4 of the bill. Now, suppose that wheat is selling at \$1.50 a bushel and a farmer has a thousand acres in wheat. That price suits him and he wants to sell his future crop for that price. Suppose you limit the ability to buy to only the

Mr. HARDY of Texas. But that section does not limit; anybody can buy from the man who has it to sell under the law.

Mr. BLACK. Yes, that is very true; but the miller will not enter into a contract to buy unless you will also permit him to sell, and he could not sell under subdivision (a) unless he was the owner of the actual property. My theory is that you can not possibly have a liquid market if you undertake either to restrict the number who can sell or the number who can buy, so long as they enter into real, enforceable contracts. Of course, I agree that these "options, privileges, puts, and calls" should be eliminated and all contracts be made of record under rules and regulations prescribed by the Secretary of Agriculture. This bill will, I think, correct some of the illegitimate transactions on the exchanges, without impairing the facility

for legitimate hedge transactions. Therefore I will support it.
The CHAIRMAN. The time of the gentleman has expired.
Mr. EVANS. Mr. Chairman and gentlemen of the committee. I wish to say that while I favor and intend to vote for this bill just as it is, it does not go quite as far as I think it ought to. But I am talking now with reference to the statement that it legalizes gambling.

Let me challenge the attention of every lawyer here that it is absolutely impossible for the Congress of the United States to make legal anything which a State has made illegal within its limits. Therefore we could not legalize gambling in grain if it was illegal in a State. There is not a single act which may be performed under the bill now under consideration which could not have been performed lawfully to-day or yesterday, and if the bill becomes a law it will not change the legal status or the validity of any of those acts. The purpose of the bill is to operate by the power of taxation, and only those things

are illegal under this bill which are violative of the taxing provision and regulations thereunder. It is framed for the purpose of permitting regulations which in the absence of compliance require stamp taxes, and the failure to put the stamp taxes on the contract may make it a criminal act. That is the fact about the case. And when any person tells you there is a legalization of the gambling they have failed to take into consideration what the present situation is.

Now, there are a good many provisions in this bill that I would like to see changed, but the chief recommendation to me is this: That it is a start by Congress to regulate that which the boards of trade, chambers of commerce, and grain speculators have always said was so subtle that legal intelligence could not handle it, and if we can start in and make a record by which they are bound—and they say they are not bound at the present time—we are in a position by which in the future we can regulate. It is my expectation that the bill that has been passed by the House permitting cooperative bargaining in connection with the plan of the committee of 17, if there is an intelligent administration of the same, will take away many, very many, of the troubles which affect the grain trade at the present time. This matter of speculation is only an incident to that trade. There are a great many that are much worse. Gamblers, or speculators, if you please, under this bill will be permitted to go on and speculate. It is said that there is going to be a limitation under this bill. Unless the Secretary is too severe, he can not limit it. You take a board of trade, or manipulators, and they will have 16 members sitting in it. You limit one. You have got 16 times to multiply in order to get the effect which they desire. And you say you are going to give under this bill the cooperative man a chance in those boards of trade. It is to be seen whether or not that is really an advantage. But this is a position which I think is worthy of our admiration and our vote, namely, we have taken control of that thing which has said heretofore that it is above the law. Every time we get a chance to put a tooth in here, let us put it in. [Applause.]

Mr. PURNELL. Mr. Chairman, I do not want to personally stand condemned or have the bill condemned by the doubtful compliment paid me by the gentleman from Texas [Mr. Blan-TON]. I had not thought it was necessary up to this time to impress upon the membership of the House the fact that there is no attempt in this bill to legalize gambling. I tried in my feeble way yesterday in presenting some of the important features of this bill to set out the things we have sought to accomplish in a preliminary way.

We must remember in handling this subject that we are dealing with a marketing system of grain that has been in existence in this country for many, many years. It is thoroughly rooted; it furnishes a ready sale for the farmer's product at a time when he needs it, and to in any manner attempt to disturb that system without immediately setting up in its place something that is constructive and better means the possibility of the overthrow of our entire system.

Now, what have we done in this bill? We have not attempted to legalize gambling. We do not legalize it. And certainly by the various provisions which we have set out in this bill we have attempted to curb some of the greater gambling speculations. What is the greatest gambling proposition indulged in on the boards of trade? It is manipulation, the concerted buying of large quantities by individuals or by corporations that has for its purpose the bringing down the prices of the farmers' products or unduly raising them, as the case may be. That is manipulation. We set out in the beginning to put an end to it. I said yesterday that when I got into the study of this measure I found that we could not abruptly shut off speculation, and I did frankly say on the floor that, as far as I am concerned, there is little or no difference between speculation and gambling. I do not know, and no one can look into the minds of people and tell, whether they intend actual delivery of grain or not. Neither can the Secretary of Agriculture.

Mr. HARDY of Texas. Will the gentleman yield?

Mr. PURNELL. Not just now. Neither can you draft a bill that will define speculation. But I did say yesterday, and I want to repeat it to-day, that you can not take speculative trading out of our present system without tearing down the whole system. Why? Because the farmer, and particularly the small farmer—and he is in my district and he is your district—who needs a ready sale for his products must, when he has 5,000 or 10,000 bushels of grain to sell, sell that grain at a good price. He can not do it if you wait until some man comes upon the market who actually wants his 5,000 or 10,000 bushels. Then, what happens? Here is what happens: The elevator man says to the farmer who must sell his corn, the man who must have

money with which to pay notes and taxes and help, "I will take your 10,000 bushels of grain and I will pay you 60 cents per or whatever the market price is.

Now, the elevator man has not the money to carry that transaction until he can dispose of the grain. He must of necessity protect himself, and so immediately, when he buys 10,000 bushels, he sells on some board of trade an equal amount at the same price.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. PURNELL. Mr. Chairman, I ask unanimous consent for five minutes more

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. PURNELL. So if the price of the 5,000 or 10,000 bushels goes up or down, it makes no difference to that elevator man who has furnished the market to the farmer. If the farmer brings in the 5,000 or 10,000 bushels, the elevator man immediately closes his hedge on the board of trade. Let us see who has been hurt or helped by that transaction. My friend from Texas calls that gambling. I call it, in more polite language, speculation. But I said yesterday, and I repeat to-day, it may or it may not be gambling.

Mr. BURTNESS. Mr. Chairman-Mr. PURNELL. I can not yield.

Who is helped by that transaction? I find that my farmer is helped by it, and for these two reasons: First, because he is furnished a ready market for his product at a time when he needs to sell it, and, second, because he has got the very highest price that he could get. Why has he received the highest price that he could get? I will tell you why. It is because the elevator man, who paid him 60 cents per bushel, which was the top-notch price on that day, was able to pay the 60 cents a bushel because he protected himself against a loss by selling a hedge.

Now, suppose you take the hedge away. Suppose you take this element of speculation or gambling out of it—and I do not approve of gambling. Suppose you take that element out of the transaction. Can the elevator man still pay 60 cents per You take away from him the right to hedge and sell 10,000 bushels on the Chicago market to protect himself, and you will find a wider spread in the market. The elevator man will say, "I can not give you the 60 cents. I may not be able to sell this wheat for six weeks or two months. I will give you 50 cents. I can not afford to carry the risk. I do not know what I will get for it two weeks from now."

So I say, although it may have some evils in it, although it

may have some features of gambling in it, at the same time we can not wipe it out without making the whole system fall, and in that event the producers of the country, who profit by the transaction, will suffer in the long run. [Applause.]

The CHAIRMAN. The time of the gentleman from Indiana has expired. Mr. HARDY of Texas. Mr. Chairman, I wish to ask unanimous consent to proceed for five minutes. I have not discussed

this bill at all as yet.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for five minutes. Is there objection? There was no objection.

Mr. HARDY of Texas. Mr. Chairman, I want to confess, to begin with, what all of us might as well confess, and that is that this is a very difficult subject. I certainly agree with the gentleman who last spoke [Mr. PURNELL], that every speculation is a gamble, and that all business is a gamble to a larger or smaller extent.

But I want to say with reference to this bill that we first ought to know what we want to do. Do we want to prohibit selling short? Is that the vice of future trading? Is that the evil of this gambling in grain on the board of trade? Do we believe that selling short is a means used to depress prices, and do we want to prohibit selling short to depress prices? we want to prevent it, we can do so without prohibiting hedging under section 4, subsection (a), of this bill. A farmer can sell the actual grain to any buyer. No man need be prohibited from buying or from selling what he has bought. If you will take this bill and turn over to section 4, imposing a tax, and then look at subsection (a), you will see that the provisions of that section will not tax a sale when the seller is a farmer or a prospective grower and sells only what he has or is growing. If he is a farmer having a commodity, or the grower, or the prospective owner or grower, or renter of land on which it is to be grown, he may sell what he has or expects to have. The grain elevator buying from the farmer may turn around without any prohibition and sell what he has bought, but when you follow that with subsection (b), which provides that the Sec-

retary of Agriculture may designate certain markets and in those markets men may sell short, then have you not done away

with all the limitations in the bill? [Applause.]

The question with me is this: Do we want to stop selling short, which is not only gambling but which can be used as an instrument to depress the price of the commodity owned by the farmer, giving the farmer the right to sell, and giving anybody the right to buy upon the exchange, so that the actual possessor of the commodity may find a buyer? You get that if you stop on line 3 of page 3 with the word "or."

Frankly, I confess it is a puzzle. I confess to some misgiving, but I do believe that this bill starts in the right direction. Even though it does not go as far as I suggest, it will give us facts in the future upon which to base maturer and possibly wiser legislation. If the country must needs depend for its market upon the speculative or gambling right of any individual to sell short by millions of bushels, then the rest of the section is necessary, because it will let individuals in these market places established by the Secretary of Agriculture deal unlimitedly. I know it declares the Secretary may limit the sales of any individual, but if I am allowed to sell only half a million bushels I can sell half a million in my own name and sell another half milion in the name of another individual. You can not quantitatively limit my right to sell or to buy. If you give me the right to buy or sell in limited quantity, I will use dummies to make it unlimited.

I am frank to say that we ought to hesitate before we break a system which has been firmly established, which has been here for years, and which Congress has not yet found a way to handle, and which many honest men think it would be harmful to abolish. But if I should vote in accordance with my present understanding of the situation I would vote to strike out all after the word "or" on page 3, and try it. [Applause.] Let us see if an absolute prohibition against selling short will destroy this country or not. Let anybody sell all that they have or have bona fide contracts to buy. Let anybody buy anything that is actually offered for sale, but do not let a man sell short 10,000,000—that is, 10,000,000 more than he has or has honestly contracted to buy-and that is what he can do, I am afraid, under this bill; that is, provided he sells it in some market place designated by the Secretary of Agriculture.

Mr. CHINDBLOM. Mr. Chairman, will the gentleman yield?

Mr. HARDY of Texas. Yes.

Mr. CHINDBLOM. The gentleman says that we might try it out and see if it ruins the country or not. If it does ruin the country, then where are you?

Mr. HARDY of Texas. Then I am in a bad fix. [Laughter.] But I do not believe it will injure the country to prohibit a man from selling short.

Mr. CHINDBLOM. Would it injure the country to break up

the exchanges?

Mr. HARDY of Texas. Would it break them up? If everybody has the right to buy all that I or you or any man has, is that going to break up the exchanges? That is the question. I am willing to vote for this bill as it is, but if I had my way I would perfect it in the way I have suggested. I can not believe that the welfare of the grain grower is unavoidably linked with a vice that seizes hundreds and thousands of men every year and plunges them to destruction by its gambling allurements; that enriches every year hundreds or thousands of other men who have earned nothing; and that may spread its baleful influence by depressing artificially the price of every bushel of wheat grown by the farmer. I hardly think this bill will accomplish much, but it may lead to something.

Mr. GENSMAN. Mr. Chairman, I ask unanimous consent to

address the House for five minutes.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection. Mr. GENSMAN. Mr. Chairman, back in 1890, or about that year, when I was a boy, a man was running for Congress; his name was Jerry Simpson. He promised that he would introduce a bill in Congress that would stop gambling in agricultural products. Thirty years after that time a gentleman from the same district that Jerry Simpson came from in the State of Kansas, by the name of Mr. TINCHER, made the same promise to his constituency, and that promise, gentlemen, is being fulfilled by him here to-day, and it is my desire and hope that the bill of the committee will pass. I assure you that it has my hearty support.

It is very unfortunate in my estimation that those who represent the cotton farmer have not been able to agree as to the extent of the proposed regulation, and have not been able to appear before the Committee on Agriculture with something

definite along the lines of further regulating what I consider one of the most harmful things that the farmer has to contend with.

I have not had the benefit of hearing the debates on this subject in the former sessions of Congress, or being a party to the hearings before the Committee on Agriculture, but I have had the benefit of the advice of the boys down at the forks of the creek. So far as they are concerned, I believe that a very large majority of them advocate the regulating and even the absolute prohibition of gambling in futures, as contemplated by the bill, which, as I understand it, does not destroy what is known on the board as the "hedge." I realize that the buyer is compelled to protect his purchases by the use of the hedge; but, as I understand it, the bill does not hamper that feature of the exchange.

This is a time when the Congress has had the best opportunity to fully realize the effect of grain and cotton gambling. For quite a period prior to last August the exchanges were closed. Prices of farm products did not fluctuate to any great extent during that time. It seemed that the law of supply and demand regulated the prices entirely. As soon as the exchanges were opened the market again became very active and violent fluctuations were an everyday occurrence. No one can deny that this activity was brought about by the fact that that form of speculation had been revived. The argument to the effect that the producer is not hurt, in view of the fact that he is just as likely to get more than his crops are worth as he is to get less than they are worth, is all wrong. The farmer, and especially the southwestern farmer, does not care to gamble with his crop nor to have anyone else do so. It is too serious a matter with him. I might say that his crop is too sacred to him, if you will permit that expression, for him to take chances. Upon his crops rests the question whether or not he will be able in the fall to send his son, who is just out of the local school, to the agricultural and mechanical college, or, perchance, his daughter to the normal school; or, possibly, the indulging of himself and his family in one of the luxuries of life, a Ford car, which he and his family have so well merited by a summer of hard work; or an extra dress or an extra piece of finery or a piano for his wife.

The farmer does not want the best of it; neither does he want the worst of it. He does not want more than his crop is worth as regulated by the law of supply and demand. He is not asking something for nothing. All he wants is a fair and square deal and a price for his products not regulated by a bunch of gamblers, but by the law of supply and demand; and it shall always be my endeavor while a Member of this House to see to

it, as far as I am able, that he gets it. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read

The Clerk read as follows:

SEC. 3. That in addition to the taxes now imposed by law there is hereby levied a tax of 20 cents a bushel on every bushel involved in such transactions, upon each and every privilege or option for a contract either of purchase or sale of grain, intending hereby to tax the transactions known to the trade as "privileges," "bids," "offers," "puts and calls," "indemnities," or "ups and downs."

Mr. CABLE. Mr. Chairman, I offer a substitute for this

The CHAIRMAN (Mr. STAFFORD). The gentleman from Ohio offers a substitute, which the Clerk will read.

The Clerk read as follows:

The Clerk read as follows:

Amendment offered by Mr. Carle: Page 2, line 12, strike out section 3, and insert, in lieu thereof, the following:

"Sec. 3. That it shall be unlawful, by means of telephone or telegraph lines, wires, or other means of communication extending from one State to another or to foreign countries, to make or offer to make or assist in making any contract respecting the purchase or sale either upon credit or margin of any grain, not intending the actual bona fide receipt or delivery of any such grain, but intending a settlement of such contract based upon the difference of the public market quotation of prices made on any board of trade or exchange upon which such grain is dealt in, and without intending a bona fide purchase or sale of the same."

Mr. SANDERS of Indiana. Mr. Chairman, I reserve a point of order against the amendment.

Mr. CHINDBLOM. Mr. Chairman, I reserve a point of order. Mr. TINCHER. I make the point of order that the amendment is not germane.

Mr. CABLE. I will ask the gentleman from Kansas to reserve his point of order.

Mr. TINCHER. I reserve the point of order.

Mr. KINCHELOE. Mr. Chairman, I want to reserve a point of order. I do not want to have to make it now. I believe in fair discussion of this bill. I think everybody ought to have an opportunity to be heard.

The CHAIRMAN. Does the gentleman make the point of

order.

Mr. KINCHELOE. I am just leading up to that, if the Chair will indulge me.

Mr. CABLE. I do not want the gentleman to talk in my time.

Mr. KINCHELOE. Then I make the point of order.

The CHAIRMAN. What is the point of order of the gentleman from Kentucky?

Mr. KINCHELOE. That it is not germane to the section in any way at all.

Mr. CABLE. I should like to be heard on the point of order. The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. CABLE. Mr. Chairman, if this bill will be of any benefit to the people in reducing the price of food, it ought to be supported

Mr. KINCHELOE. I make the point of order that the gentleman is not addressing himself to the point of order.

The CHAIRMAN. The gentleman has a right to explain his amendment in connection with a statement on the point of

Mr. CABLE. If it will benefit the farmer, it ought to be supported. But the only reason why this bill was reported out by the committee is because the committee claims it will absolutely wipe out of existence the practice of puts and calls, ups and downs, and indemnities. In other words, the bill is for one purpose, and that is to abolish grain gambling. Now, with reference to this section, the bill in effect proposes that anybody who intends to gamble or who does gamble in grain shall come to the Secretary of Agriculture and say, "I am a gambler, and I desire to pay 20 cents on every bushel involved in such transactions." Everybody here knows that no one will come in and admit that he is a gambler. Therefore this bill, purporting to be for revenue, is of no effect for this purpose, because if a man fails to pay the 20 cents a bushel there is no criminal prosecution under the act. If the committee will turn to section 8, which attempts to provide a punishment for the violation of this law, they will read that only violations of sections 4 and 5 are made crimes. If a person violates section 4 or section 5, he may be prosecuted, but by section 3 he is specifically exempted. In other words, a man can gamble by puts and calls, ups and downs, and if he does not pay 20 cents a bushel nothing can be done with him.

The committee seeks by this bill to do indirectly that which can be done directly by my amendment, namely, prevent gam-

bling in grain.

The CHAIRMAN (Mr. STAFFORD). The bill under consideration has for its purpose the regulation of boards of trade dealing in grain under a governmental license by means of the taxing power. The substitute offered by the gentleman from Ohio, instead of licensing boards of trade to carry on their dealings, would absolutely forbid all transactions of the character referred to in the bill that are authorized under certain conditions and limitations. Under the general rule of the House relating to germaneness, as found in Rule XVI, without referring to clause 3, Rule XXI, which still further limits the privilege of amendment on revenue bills, which this is, this amendment would be excluded because it is extraneous to that which is under consideration by the committee. It involves an entirely different subject for consideration than that in the bill under consideration. The bill provides for licensing under the taxation power of Congress; the amendment is to prohibit entirely under the commerce clause. It is clearly a different proposal, and therefore without resorting to the strict rule found in Rule XXI that on revenue bills an amendment must be germane, not only to the subject matter but to the item under consideration, the Chair believes that it is not germane under the ban of the general rule, and therefore sustains the point of order.

Mr. GRIFFIN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 2, line 14, strike out the word "such" and, after the word "transaction," strike out the comma, and, in line 16, strike out the words "intending hereby to tax the transactions known to the trade as 'privileges,' 'bids,' 'offers,' 'puts and calls,' 'indemnities,' or 'ups and downs.'"

Mr. GRIFFIN. Mr. Chairman, I am heartily in favor of this bill. Representing a constituency in the city of New York devoted principally to manufacturing and most of whom are consumers, I feel bound to welcome any move in the direction of abolishing gambling in foodstuffs. My only doubt in regard to the measure at all is that it does not go far enough. I wish that the committee had gone to the extent of prohibiting gambling of all kinds, not only in foodstuffs but in all the necessaries of life. [Applause.]

The people of the great cities ought to be brought closer to the farm. That is the defect in our present economic situation. They are kept apart by gamblers and manipulators, and this

bill ought to be welcomed by every man who has the interest of his country at heart. Its purpose, its avowed purpose, is to stop gambling in foodstuffs, and I do not care whether it goes far enough or not, or whether it may ultimately be found to fail or not, but it seems to be a sincere effort in the right direction. To my mind it is sufficient for the present if it puts on record the Members of this House as being in favor of the abolition of gambling in foodstuffs. My amendment is directed to the clarification of the section. You will notice in line 14 that you have the term "such"—such transactions—and the term "such" naturally implies an antecedent. Now, there is no antecedent in the bill prior to the words "such transactions" and the term "such transactions" and the such transactions "such transactions" and the such transactions is the such transactions of the such transactions is the such transactions of the such transactions is the such transactions of the such transactions of the such transactions of the such transactions of the section. tions," and one is utterly at a loss to understand what transactions are meant until you get down to line 16, where the bill drafter has endeavored to correct the error, or style at least, by saying "intending hereby to tax the transactions known to the trade," and so forth. With all due deference I consider that to be rather awkward and it makes the paragraph ambiguous, and I hope that my amendment will be accepted by the committee.

Mr. BURTNESS. Mr. Chairman, I offer a substitute.

Mr. GRIFFIN. Mr. Chairman, I ask that the consideration of my amendment be reserved until later in consideration of the bill.

The CHAIRMAN. The Chair declines to entertain that request, as it is in violation of the rules of the House.

Mr. BURTNESS. Mr. Chairman, I offer the substitute.

The Clerk read as follows:

On page 2, lines 13 and 14, strike out "of 20 cents a bushel on every bushel involved in such transactions." Also strike out the comma following the word "transactions" and insert in lieu thereof "of 20 cents a bushel on each bushel involved therein."

Mr. BURTNESS. Mr. Chairman, the purpose of offering the amendment is the same purpose as that of the gentleman from New York. He, however, has pointed out one defect in the wording as it now exists, in that there is no antecedent to the phrase "such transactions." I believe the wording is subject to other objections. For instance, as you read the section in the reported bill, "there is hereby levied a tax of 20 cents a bushel on every bushel involved in such transactions.", Then you have a comma, and then you start out "upon every privilege or option for a contract either of purchase or sale of grain." I submit that the language is at least ambiguous, that you do not know whether the tax is intended to be upon the bushel or upon the transaction, whether it is intended that you should tax a certain number of bushels in the first instance and again tax the transaction. Perhaps the section would be plainer if the comma had been emitted, because it is evidently the intent that the tax should be on the transaction itself, on the illegitimate or illegal transaction, and that the amount of tax shall be determined by the number of bushels involved in the transaction.

Mr. TINCHER. Will the gentleman yield? Mr. BURTNESS. Yes.

Mr. TINCHER. Does the gentleman know that under existing law there are certain taxes levied on these transactions?

Mr. BURTNESS. But that is not the point. That tax is upon the contract to sell the grain. Here in this case under section 3 the tax is upon the transaction as a put or call.

Mr. KINCHELOE. If the gentleman will yield, it is clear to the gentleman's mind that the words antecedent "to such transactions" refer solely to a transaction in grain upon which there is already an existing tax, and that is what we are trying to remedy. I think it is absolutely clear.

Mr. BURTNESS. In that case you should eliminate the comma following the word "transactions," as you are now proceeding to tax something new, semething that has never been taxed before, to wit, puts and calls, and in order to tax a put and call you have to make it plain you are doing so. Now, I do not know of any case, but if there is a transaction where

there is a tax on at the present time, that is to be considered.

Mr. TINCHER. There is a tax on puts and calls now, and the representatives of the exchanges say it yields a considerable revenue to the Government and a considerable profit to the institutions, so if the gentleman is basing his remarks on the fact that there is not any tax the section relates to that very proposition.

The CHAIRMAN. The time of the gentleman has expired. Mr. BURTNESS. I ask that my time be extended five min-

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. HARDY of Colorado. Will the gentleman read his amendment again?

The CHAIRMAN. Without objection, the amendment will be again reported.

There was no objection.

The amendment was again reported. Mr. BURTNESS. If a former tax e If a former tax existed, it will still exist. I do not know whether the taxes referred to are taxes upon income or revenue, or whatever they are, but surely there must be some change made in the section if it is going to be made plain.

Mr. PURNELL, Mr. Chairman, I want to offer an amendment as an amendment to the substitute. Is it in order?

The CHAIRMAN. An amendment to the substitute will be

in order if it is an amendment.

Mr. PURNELL. If I may have the indulgence of the Chair,
I desire to offer this amendment. I think the language sought to be included is perfectly proper, and in addition to that I want to set forth one other defect in section 3 that was pointed out by the gentleman from Wisconsin [Mr. Cooper]. this amendment. Page 2, line 14, after the word "involved," strike out "in such transactions" and insert "whether the actual commodity is intended to be delivered or only nominally referred to," so that the section as amended would read:

That in addition to the taxes now imposed by law there is hereby levied a tax of 20 cents a bushel on every bushel involved therein—

I do not believe I inserted the word "therein"whether the actual commodity is intended to be delivered or only nominally referred to.

The CHAIRMAN. The Chair will state to the gentleman from Indiana that the legislative situation does not permit at this time the offering of his amendment. The gentleman from New York [Mr. Griffin] offered an amendment. The gentleman from North Dakota offered a substitute. The gentleman's amendment is not an amendment to the substitute. If the amendment of the gentleman from North Dakota be defeated, then the gentleman's amendment will be in order.

Mr. BURTNESS. May I make a suggestion? I ask unanimous consent that the wording suggested by the gentleman from Indiana commencing with the words "whether intended for delivery," and so forth, may be added to the substitute which I have offered following the word "therein." I think that will I think that will

cover the situation absolutely.

The CHAIRMAN. The gentleman from North Dakota asks unanimous consent to modify his substitute in the manner indicated. Is there objection?

Mr. PURNELL. Reserving the right to object, does the gentleman include in that the additional words which were read or only nominally referred to"?

Mr. BURTNESS. Yes.

Mr. PURNELL. Whether the actual commodity is to be delivered or only nominally referred to.

Mr. BURTNESS. Exactly. Mr. PURNELL. That will accomplish the purpose and clear up the whole situation.

The CHAIRMAN. The gentleman asks unanimous consent to modify his amendment as indicated. Is there objection? The substitute amendment will be read for information.

The Clerk read as follows:

Page 2, lines 13 and 14, strike out "of 26 cents a bushel on every bushel involved in such transactions"; also strike out the comma following the word "transactions," and insert in lieu thereof the following: "amounting to 20 cents per bushel on each bushel involved therein, whether the actual commodity is intended to be delivered or only nominally referred to." so that the paragraph will read:

"That in addition to the taxes now imposed by law there is hereby levied a fax amounting to 20 cents per bushel on each bushel involved therein, whether the actual commodity is intended to be delivered or only nominally referred to upon each and every privilege or option"—

And so forth.

Mr. BURTNESS. The clause commencing "whether" should,

of course, be set off with a comma.

The CHAIRMAN. Is there objection to the request that the amendment be modified? [After a pause.] The Chair hears none. The Clerk will report the amendment of the gentleman from North Dakota as modified.

Mr. GRIFFIN. Mr. Chairman, I wish to accept the amend-

The CHAIRMAN. The gentleman from New York asks unanimous consent to withdraw his amendment. Is there objection? [After a pause.] The Chair hears none.

Mr. GREEN of Iowa. Mr. Chairman—
The CHAIRMAN. For what purpose does the gentleman

rise?
Mr. GREEN of Iowa. To discuss the amendment.

The CHAIRMAN. The amendment has not yet been reported, but was only read for information. The Clerk will now report the amendment.

The Clerk read as follows:

Page 2, lines 13 and 14, strike out "of 20 cents a bushel on every bushel involved in such transactions"; also strike out the comma following the word "transactions," and insert in lieu thereof the following: "amounting to 20 cents per bushel on each bushel involved therein, whether the actual commodity is intended to be delivered or only nominally referred to."

Mr. GREEN of Iowa. Mr. Chairman, there has been some reference made to the taxes which are already made upon the sales of produce on the exchanges. There is a tax imposed now by law amounting to 2 cents on each \$100 of the transaction, or, in other words, two one-hundredths of 1 per cent. But, of course, that applies only to actual sales, and it is evidenced, as I remember the law, by a stamp tax placed on the bill of sale. Whether the amendment would harmonize with that provision or not, I can not say, because that provision of the law as it now stands does not tax anything but actual transactions. believe the tax in the bill was intended to be in addition to those provided by law.

While I am on my feet, Mr. Chairman, I would like to say one word with reference to the committee jurisdiction of this bill. This bill would properly come before the Ways and Means Committee, but the Ways and Means Committee is altogether too busy at this time to take charge of it. Had it been referred

to that committee, it would simply have delayed its passage.

The Ways and Means Committee waived its right to consider this bill in order that speedy action might be taken upon it, but this waiver should not be treated as an admission that under the rules the bill should not be referred to it.

Mr. BLAND of Indiana. Mr. Chairman, I rise in support of the amendment. I would like to ask unanimous consent to

extend and revise my remarks in the Record.

The CHAIRMAN. Is there objection? [After a pause.]

The Chair hears none.

Mr. BLAND of Indiana. Mr. Chairman, since I first began to study this bill I have had very great misgivings as to whether it will accomplish the purpose it is intended to accomplish. In fact, at times I have felt it might do more harm than good, and I know I share the feeling of a great many of my colleagues, who have at times been fearful that it might react in some way to the detriment of the producer, and this is certainly the result none of us would desire. What we hope to do by this bill is to prevent the gambling in grains, which so frequently beats down the price of the product of the farm so that the producer does not get adequate returns for his labor and investment.

I am not on the Agriculture Committee, I have not heard the testimony of the great array of able witnesses who appeared before the committee in favor of this bill, nor am I familiar with their line of reasoning in arriving at the conclusion that this bill, worded as it is, will accomplish the desired purpose. I have given the matter some thought, because no one can represent an agricultural community, as I do, without coming in contact with men who rightfully and very earnestly protest against the heartless board-of-trade gambling, which frequently

brings about their great financial losses.

I will say, however, that during my experience in Congress I do not recall seeing more unanimity of opinion supporting any bill than there is in the instance before us. This particular piece of legislation has been indorsed by practically every organization interested in the production of grain. The National Grange, the Farmers' Union, the American Farm Bureau, as well as various well-informed citizens representing the consuming public, and also the Secretary of Agriculture, all demand the passage of this bill. I believe every member of the Agriculture Committee favors this bill, and I know of no Member of Congress who opposes it. Hoping it will do no harm and that some beneficial results may flow from it to the much-discouraged producers of grain, I shall heartily support it.

And in this connection, Mr. Chairman, I think it proper at this time to touch upon other subjects in which the farmers and producers of agricultural products are very much interested. I am in close touch with the agricultural interests of my district, not only by receiving letters, petitions, and memorials from them, but I frequently take occasion to talk over with some of them

the problems that confront them,

During the war most of the producers of agricultural products made money. They did not roll in luxury like some classes of people, because the prices of most of the things they produced in some sections of the country were regulated as a war necessity. When the war was over the demand for the enormous production, which the war had stimulated, soon began to di-On account of the impoverished condition of the people of the Old World and the great difference in exchange rates between their countries and ours they were prevented to a great extent from purchasing our food products. Production began to

increase in the Old World and they have managed to get along without so much of the products of the American farm. are countries, however, that are producing at low cost live stock, grain, and other agricultural products in great quantities which are seeking our higher priced markets for the sale of the same.

Last year we imported 37,000,000 bushels of wheat at \$2.02 per bushel. At the same time we exported 191,000,000 bushels at \$2.68 a bushel. I do not have the time to explain how this condition was brought about, but these are facts verified by the official Government records. Every pound of flour ground from this wheat took the place of American produced flour and American produced wheat. It did not lower the price of bread, because the miller figured the price of his flour upon the price of the wheat that was being exported. Farm organizations have been complaining bitterly because of the importation of farm products at a time when they were in such desperate straits themselves. This Congress has listened to their complaints and has recently passed an emergency tariff bill designed to protect them temporarily until a general tariff law can be enacted.

In the meantime the farmer is being propaganded to the effect that the emergency tariff is "bunkum," because they say we export farm products. The farmer does not know oftimes whether to believe that this law is beneficial to him or not. This kind of false propaganda destroys confidence in the future of American agriculture and hurts the business generally.

We recently passed a bill, and I heartily supported it, giving new life to the War Finance Corporation. This was also demanded by the farming interests on the theory that it would loosen up the money markets of the world and afford them a

better market for their products.

I also supported, during last Congress, measures designed to liberalize the farm loan law and to give the farm loan banks more Government funds so that those who had made investments, or desired to make investments, could borrow money at a

cheap rate on long terms.

I also supported a measure during the last Congress, which, to my way of thinking, was one of the most radical and unusual pieces of legislation that has been passed in many years, and I assure you that nothing less than the most unfortunate financial plight of the farmers of the country could have induced me to have departed from my general rules and principles so far as to have supported this law. The bill I have in mind is the Volstead Farm Act. It specifically authorized producers of farm products, stock raisers, and fruit growers to combine for the purpose of collectively selling, pooling their interest, and so forth, without the same being in violation of the Sherman antitrust law. Ordinarily, it is a very dangerous practice to give certain classes exemption from laws that are wholesome, but I think most men familiar with the subject will agree that the producer of these products is usually at the mercy of the stockexchange gambler, the commission man, and the middleman, as well as the retailer, and unless he had certain privileges given him he can not adequately protect himself. I am glad to see that the producers under this law are getting together and demanding fair prices for the things they produce and are trying to emanicipate themselves from the horde of greedy parasites that fatten upon their products before they reach the consumer.

The other day, before an important committee of this House, a sheep grower testified he shipped a carload of lambs from the Middle West to New York City and that not long after he had shipped them he received a statement from his commission men in New York City demanding 70 cents to complete the payment of the freight and commission charges. In other words, he produced the lambs, shipped them, and was 70 cents worse off than nothing. If you will figure the price the average retail meat dealer asks for pork or beef or mutton, you can readily see that the present market price of live stock is entirely too low. If you ask the packer about it, he quotes you a very low price at which he sold it to the retailer. I, of course, understand that freight rates are very high, but the freight on a pound of pork is certainly not very much. A half pound of meat down here in this city at a restaurant will cost you from 90 cents to \$1.50. The producer did not get more than 9 cents for it. In one county in my district a farmer constituent sold a calf to a butcher with the understanding that he would buy back one quarter of the calf. The price of the calf was agreed upon but nothing was said about the price of the quarter. When he took the quarter, he owed the butcher \$1.65. Thus we see food products sold at a price by the producer that discourages production, while the consumer is required to pay so much that dissatisfaction and discontent prevails over the country on account of the high cost of living.

Anyone familiar with the facts will have to agree that this condition is not one that will readily yield to legislative effort. You can not legislate prices successfully in peace times. We can give the producer helpful legislation, and I know the sentiment of this Congress is in favor of doing so. Representatives of the various classes of producers have been before Congress repeatedly, but admit their inability to suggest legislation that will cure the difficulty and most of them will admit frankly that a large part of the present deplorable condition is due to economic causes arising from the war that time alone can cure. The representatives of the agricultural interests are here now asking us to pass a bill creating a commission to investigate and report conditions to Congress with specific recommendations as to what Congress can do to help them. I shall gladly support such a measure. Agriculture is the foundation of all of our national wealth and greatness and we must do everything humanly possible to see that it prospers.

Another thing we can do, gentlemen, and I believe we will soon do it, and that is to. in some manner, bring about a reduc-tion of freight rates. They are entirely too high and it is very injurious, not only to the farmer but to the producer of every kind of manufactured wealth. I have insisted all along that the railroad rate fixers were cutting off their own noses when they boosted freight rates to their present alarming height. I do not think they obtain as much revenue in the aggregate from the present excessive high rates as they would receive if the rates were lower. The producers of southern vegetables and fruits at this hour are refusing to ship to the North in many instances for the reason that frequently they do not obtain enough for

their produce to pay the freight charges.

I have in my district one of the greatest watermelon and cantaloupe producing sections of the United States, and of the world, for that matter. It is, indeed, a very extensive business and much money is invested in it. The season for transporting these products to the other products to the other products. porting these products to the city market is about here. They know and I know that the probabilities are that for most of their crops sold in distant markets they will not receive sufficient returns to pay the freight. We can not hope for this kind of production to go on if this condition prevails. The railroad therefore loses its customers and the consuming public loses the product and the cost of living increases.

I notice in the morning paper that some railroad magnate has testified before the Senate investigating committee that freight rates are not too high and that a reduction of them would not increase their revenues as a whole; but I, for one, do not believe him. I realize that the operating expenses of the railroads at present are more than their income and that with this condition prevailing railroads can not be run efficiently, the public can not have good service, and that no additional railroads will be built. The operating expenses must be cut and their freight business must be increased, and I am prepared to support any reasonable measure that will fairly and honestly bring about this result.

The farmers in my district are organizing and are informing themselves on things important to their industry, and it is a good sign of the times. I know, however, that they are being furnished a great amount of misinformation and probably are being demagogued and propaganded from a great many sources. I have had several petitions from members of farm organizations, coming from the different sections of my district, which I am satisfied were prepared many hundreds of miles from the district, proposing certain things that many of the signers, had they stopped to think about it at all, in no sense believe in. Some of my farmers have petitioned me to put a tariff on farm products, others have told me they did not need any tariff and that protection to farm products was pure bunk. Some of them have insisted upon a tariff on farm products, but that no tariff be levied upon the things they have to buy; in other words, they favored surrendering the markets of our manufactured products to the cheaper products of the Old World, leaving our toilers who work in the factories, mines, and the mills without a job, and thus cease to become consumers of our farm products.

Now, my friends, our citizenship should be taught that America possesses the greatest natural wealth in practically all things of any nation of the world. We can produce practically everything we need. The protection of it means the production and consumption of it at home. This great production and consumption and the sale of our surplus abroad means our prosperity and happiness. We must not permit one class to try perity and happiness. We must not permit one class to try to exterminate the other. We must all live together and patronize each other. Our markets for everything are the best and greatest markets in the world. We have the highest standard of citizenship, the best fed, best clothed, and best educated people as a nation in the world. We must jealously guard these blessings for ourselves and our posterity.

Northern men in Congress must vote to protect the products of the South and the South should stand for needed legislation.

in the North. The northeastern manufacturer, notwithstanding the recent attitude of New England Members of Congress, dares not crush the producer of the West and Middle West without

destroying the market for his product.

It is no unusual thing for a Member of Congress to get up here on the floor of the House and contend for protection and remedial legislation for his particular class of constituents and then deny all other districts the same privilege. It is a shortsighted policy, and the fellow who pursues it, in my judgment, will not last long in public favor.

The bill we are passing to-day, gentlemen, comes to us from the Agriculture Committee, with the following recommendation:

This measure will absolutely wipe out of existence the practice of "puts" and "calls," "ups" and "downs," and "indemnities." And while it will not abolish speculation, or what is known to the trade as the "legitimate hedge," it will absolutely destroy manipulation, and it will make for uniformity among all markets.

I sincerely hope it may bring about these desired results, because we see frequently the pernicious effect of the activities of the speculative gambler on the grain market. Usually he does not receive or deliver a bushel of grain, nor has he any interest whatever in the success or failure of the man who produces it. His transaction is a cold-blooded one, and he remorselessly beats the price up or down, depending upon conditions, in

order to reap a harvest of unearned wealth.

Some have suggested that the grain stock market affords the market for the farmer and fixes him a price he could not otherwise have and that this act may destroy the market-fixing qualities of the stock exchange system. I am not sufficiently an expert on the question to say whether it will or will not. most vitally interested in the question and those demanding the passage of this bill think that it will not have that result. am told that the producers of coal in the United States are today trying to establish an exchange where the price of coal will be regulated, to the end that they may have a market-fixing medium. If they get this exchange established and the coal gambler does to the coal operator what the grain gamblers have frequently done to the farmer I believe they will regret encouraging the existence of such an institution.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Dakota [Mr. BURTNESS].

Mr. COOPER of Wisconsin. Mr. Chairman, I would like to

have that reported once more. The CHAIRMAN. Without objection, the amendment will be

again reported.

Mr. SANDERS of Indiana. I wonder if we could not have the paragraph read as it would read if amended? The CHAIRMAN. If no objection is raised, the amendment will be read, and then the paragraph as it would read if amended.

The amendment, and the paragraph as it would read if amended, were again read.

Mr. COOPER of Wisconsin. Mr. Chairman, I move to strike

out the last word.

That meets, I think, substantially the point I had in mind vesterday when I interrupted the gentleman from Indiana [Mr. PURNELL]. The gentleman from New York and others have said that there is no antecedent to the words "such transactions." It seems to me that the antecedent is found in the first five lines on page 2, containing the words-

words "board of trade" shall be held to include and mean any exchange or association, whether incorporated or unincorporated, of persons who shall be engaged in the business of buying or selling grain or receiving the same for sale on consignment.

That very clearly is a statement of certain transactions, and the words "such transactions," in section 3, refer clearly to the buying or selling of grain and receiving it on consignment. Therefore, in my judgment, the bill as introduced would have put this additional tax upon and so penalized legitimate transactions, and not puts and calls alone.

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. COOPER of Wisconsin. I will yield.
Mr. SANDERS of Indiana. Can the gentleman give any instance where the tax would be levied under this section? I have read the section very carefully and I have listened very carefully to the amendment, and I can not for the life of me see what either the original section meant or what the section as amended means.

Mr. GREEN of Iowa. Is the gentleman inquiring whether there is any other tax under our revenue laws?

Mr. SANDERS of Indiana. I am inquiring what the section

means, what it will tax.

Mr. COOPER of Wisconsin, I understand that everybody engaged in a transaction of that kind—"puts and calls"—
which is purely gambling, is to be compelled to write their
contracts and that a penalty will be imposed on "puts-andcalls" transactions. And, if the gentleman will permit, this tax is to be imposed to drive that sort of business out of existence. I understood the distinguished gentleman from Texas [Mr. BLANTON] to say a little while ago during the debate that that provision was unconstitutional, because Congress could not do indirectly what it could not do directly.

Mr. BLANTON. I said it could do it directly. There are some gentlemen who seem to think it could not.

Mr. COOPER of Wisconsin. What is the constitutional point

which the gentleman raises?

Mr. BLANTON. The constitutional point is this: That if it is true we can not do it directly by a law putting them out of business then we can not tax them out of business by a tax provision.

Mr. COOPER of Wisconsin. A complete answer to that is found in the history of legislation by Congress. Congress could not pass a law directly to destroy State bank issues of paper money, and so it did by indirection what it could not do directly and passed a law that destroyed such issues by imposing on them a tax of 10 per cent. The gentleman from Texas seems to have forgotten that. It put a tax of 10 per cent on the issues of State banks and so killed them entirely, so that the gentleman from Texas [Mr. Blanton] seems to have forgotten that.

The CHAIRMAN. The time of the gentleman from Texas

has expired.

Mr. SANDERS of Indiana. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Indiana moves to

strike out the last two words.

Mr. SANDERS of Indiana. Mr. Chairman, I do this solely for the purpose of getting information on the subject, if the gentleman from Kansas will be kind enough to answer. I do not know what this original section means; I do not know what this section as amended means. The last three lines say, "intending hereby to tax the transactions known to the trade as 'privi-leges,' 'bids,' 'offers,' 'puts and calls,' 'indemnities,' or 'ups and downs.'" Now that, of course, can add nothing to what has gone before, because that simply says what you are intending to do. What has gone before must be the substance of the provision of a tax law. This is a tax law. I can not for the life of me see what it taxes.

Mr. TINCHER. I am sorry the gentleman can not see it. Perhaps it is due largely to the fact that the gentleman has not paid much attention to the hearings on this bill. To-night, everything being normal, there will be several hundred thousand bushels of calls disposed of on the Chicago exchange, and several hundred thousand bushels of puts. Those are contracts. At present that transaction is evidenced by a memorandum. There is a small tax on it, amounting on the 5,000 bushels of calls to

a few cents.

Mr. SANDERS of Indiana. What is it for? Mr. TINCHER. That is for the right to take 5,000 bushels of grain to-morrow morning on a future contract offered. The tax on that under this bill would be 20 cents a bushel.

Mr. SANDERS of Indiana. I do not understand what the

gentleman means.

Mr. TINCHER. The entire committee has spent several weeks hearing testimony on it; and, seriously, if the gentleman wants to know what "puts" and "calls" are, they are fully covered in the hearings.

Mr. SANDERS of Indiana. I know. What does this section

mean? You say you are going to charge 20 cents a bushel on "calls." What do you mean by that?

Mr. TINCHER. By paying \$5 to-night a man can get a little slip entitling him to 5,000 bushels to-morrow morning at a certain price. That is a call. Does the gentleman understand what that means?

Mr. SANDERS of Indiana. I understand that.

Mr. TINCHER. If this bill passes and that section is in it, if they indulge in that in Chicago they will pay a tax of 20 cents a bushel on that 5,000 call, which would tend slightly to make the business unprofitable, and there would be a tendency to desist.

Mr. SANDERS of Indiana. Who pays it?

Mr. TINCHER. The seller.
Mr. GREEN of Iowa. The seller pays the tax.
Mr. BURTNESS. Mr. Chairman, will the gentleman yield?

Mr. SANDERS of Indiana. Yes.

Mr. BURTNESS. I do not mean to be understood as being familiar with these details, but I understand the difference be-tween "puts" and "calls" is this: I think the "puts" are down below the market on that particular day, and the "calls" are above it-that is, if you want to bet that the market, on the following day before its close, will go down to a certain figure, you make that bet, and it is a "put." There is an opposite party

to it, of course, and if the market does not go down to that figure you must make good for the difference or the margin on the number of bushels involved in that particular "put." The "call" is just the opposite. A man bets that the market will go up on the following day. If it does not go to that figure, the party that makes the bet must make good, and vice versa.

Mr. SANDERS of Indiana. I still insist that the language of this section is meaningless, although the amendment makes it less ambiguous, and I venture the assertion that when this bill comes to final enactment that section will never be in there in

that form.

Mr. MONDELL. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. All debate on the amendment is exhausted. The gentleman asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Chairman, I hope that no gentleman will embarrass me during the few moments that I shall occupy the time of the committee by asking me what is meant by "privileges," "bids," "offers," "puts," "calls," "indemnities," or "ups and downs," for I do not know. [Laughter.] I have heard about them ever since I can remember. When I was a boy and journeyed from an Iowa farm to Chicago and remained there just long enough to discover that it was not a good place for me [laughter], I used to go down to the board of trade occasionally and watch with lively interest the doings in the bear pit. I heard more or less talk about "puts and calls," and so forth. I did not learn much about them then, and I know little more about them now.

I think I do, however, understand the purpose and the intent of the committee. The committee has endeavored, as I understand it, to retain a wide opportunity for dealing and trading, both in cash grain and in futures, and preserving that opportunity is a very important one, I think, for the grain trade and for the grain grower. On the other hand, the committee proposes to outlaw by prohibitive taxation certain purely speculative, purely gambling, transactions; transactions that do not, as a matter of fact, broaden or extend or widen legitimate trading in grain, but transactions which, in the opinion of many people, have a tendency to produce a condition of fluctuation in the market, harmful alike, as they see it, to both

the consumer and the producer.

While I know comparatively little about grain exchanges and their operations, I am not one of those who believe that most of those operations, even those that are speculative, were harmful except to the lambs who are occasionally shorn, and whose shearing, while regrettable, is not a matter over which we need to be especially disturbed, because the lambs can keep away from the clutches of the shearer if they desire to do so.

The desire of the committee has been, as I understand it, to differentiate between those transactions that are legitimate, even those that may be purely speculative, but necessary and helpful to the dealer and not harmful to the grower, and to put the ban on pure, unadulterated, and harmful gambling. Whether the committee has accomplished this purpose in an ideal way I do not pretend to say, but I bel'eve they have approached their task with an understanding of what was needed, and I am inclined to the opinion they have reached a sound conclusion. I want to compliment the committee on having approached this matter from a perfectly sane viewpoint, as it appears to me. There are folks who are misguided enough to believe that we should very greatly curtail opportunities to trade and speculate in commodities. I have never indulged in that kind of pastime myself.

The CHAIRMAN. The time of the gentleman from Wyo-

ming has expired.

Mr. MONDELL. I ask unanimous consent that I may have

five minutes more.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. MONDELL. I believe it would be most unfortunate for the producer of grain or of any nonperishable commodity of large production and consumption if we were to curtail unduly the opportunity to trade in those products, not only to trade in them, but to speculate as to the price of the commodity will be at some time in the future.

The opportunity to do that is, as we all realize, essential to the carrying on of certain classes of business. If the man who bought the farmer's grain had no opportunity to hedge, to insure himself against losses, it would be necessary for him to secure the grain at a price leaving an unquestioned margin between the amount paid and the amount likely to be received;

without an opportunity to protect himself against loss, he and all engaged in the business would join in bidding down the price, bearing the market constantly and continually. The opportunity to hedge, as I believe it is called, to fortify oneself by buying futures, by protecting oneself against the fluctuations of the market, enables the buyer to pay a higher price than he otherwise would be justified in paying for the product. Those of us who are old enough can remember the time when wheat prices were largely fixed in local markets. In those days wheat was hauled very long distances by wagon and often sold for ridiculously low prices. Frequently the farmer had no means of knowing when he started on his long wagon journey what he would receive for the wheat when he reached the market. As a boy I saw wheat pass through the little town in Iowa where I lived, bound for a market 100 miles from the farm where it was grown. When I was 15 years old I was one of a little band of farmers' boys who took four-horse wagonloads of wheat from northwestern Iowa 120 miles to Sioux City, and the road was lined with people hauling grain long distances. We got 56 cents a bushel for it after hauling it 120 miles

Mr. BROOKS of Pennsylvania. Did you know the market

price before you started?

Mr. MONDELL. In those days there was no way of knowing what the market price was, either before we started or when we got there, except that we knew what the man at Sioux City offered us for our wheat. Very frequently the price varied 10, 15, or 20 cents a bushel in towns but a comparatively short distance apart. One thing that the development of trading in these commodities has done has been to fix a market and narrow the margin, in the main, although not always between the prices the producer received and the ultimate consumer paid.

The CHAIRMAN. The time of the gentleman has again

expired.

Mr. MONDELL. I do not like to impose upon the committee, Mr. Chairman

Mr. LONGWORTH. I ask unanimous consent that the gentleman may have 5 or 10 minutes more.

The CHAIRMAN. The gentleman's request is in the alternative. Which does the gentleman ask?
Mr. LONGWORTH. I will say five minutes.

Mr. BLANTON. I offer to amend that by making it 10 minutes, so that the gentleman may finish his speech.

Mr. MONDELL. I think I may be able to conclude in five minutes. I thank my friend from Texas.

The CHAIRMAN. The gentleman declines to entertain the overture of the gentleman from Texas. Is there objection to the request of the gentleman from Ohio [Mr. Longworth] that the time of the gentleman from Wyoming be extended five minutes?

There was no objection. Mr. MONDELL. There are times even in these days of very active trading-and we are passing through such a period nowwhen there is quite a gap between the price which the grower obtains and the price which the exporter or miller receives. That condition sometimes persists after a heavy drop in primary markets, but in the main that gap is very greatly lessened by lively and continuous trading. Realizing that, the committee have not attempted to interfere with what is generally considered legitimate trading, including even classes of trading that may be said to be largely speculative.

Some have suggested that this trading has a tendency to cause and create fluctuations in the value of the product. The fact and create fluctuations in the value of the product. is that wide fluctuations in price are lessened rather than accentuated by trading in futures. I think it is a very fortunate thing for us that the farmers of the country—while they have been under the impression that there were certain classes of operations that should be prohibited-have in the main realized that an active trading market for their products, both cash and future trading, was essential to the maintenance of a fair and

reasonably uniform price.

I confess that I am not an expert in these matters. I confess that I could not answer all questions that might be asked as to what the effect of the committee's bill would be. I have faith, however, that through the hearings the members of the committee have added to the very considerable knowledge they already had and have become thoroughly informed, and that as a result they have brought in a bill that can be defended. While I believe the bill meets the reasonable expectations of those who desire that purely gambling operations in grain should be restrained, it does not unduly curtail or interfere with those operations in the grain trade that in the long run are more essential in the interest of the farmer and grower than in the interest of other parties to grain transactions.

The CHAIRMAN. The time of the gentleman has expired.

All time has expired on this amendment.

Mr. CHINDBLOM, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. CHINDBLOM. Mr. Chairman and gentlemen of the House, during a colloquy a little while ago between the gentleman from Kansas [Mr. TINCHER] and my colleague from Illinois [Mr. RAINEY], the question was raised as to the attitude of the Chicago Board of Trade and of its officers. The impression was given that this organization has changed its mind with reference to this bill. I think perhaps, in reading the Record, some one may arrive at the conclusion that the president of that board of trade, Mr. Griffin, and its members had indorsed H. R. 5676. As a matter of fact, H. R. 5676 was not before the committee when Mr. Griffin appeared before the committee. The only bill which was before the committee, which had been introduced by the gentleman from Kansas [Mr. Tincher], was the bill H. R. 2363, and the hearings before the committee attended by Mr. Griffin were held on April 25, 26, 27, 28, and 29 and May 2, 1921. H. R. 5676 was introduced in the House by the gentleman from Kansas [Mr. TINCHER] on May 3. After the committee had concluded all the hearings on the first bill, the later bill was introduced as the result of the opinion held by the committee after the hearings.

Mr. WILLIAMS. Will the gentleman yield?

Mr. CHINDBLOM. Yes.
Mr. WILLIAMS. May I suggest that the changes in the bill were made because of the suggestions of Mr. Griffin and were

very largely on his ideas.

Mr. CHINDBLOM. I would not doubt my friend's good faith and I have perfect confidence in him, but I doubt if Mr. Griffin is content with the changes that were made by the committee. Mr. WILLIAMS. Has the gentleman read his testimony?

Mr. CHINDBLOM. I have read his testimony, and I find that this is what he says-I read from page 149 of the hear-

I also concur in the statement of Mr. Wells that the Tincher bill has many elements of a constructive character. In principle, I wish to say to you, I indorse the Tincher bill. In precise detail, I believe it needs amendment, largely, to meet practical questions.

The committee made so many amendments that they found it necessary to have an entirely new bill introduced by the chairman. I do not want the opinion to prevail that the gentlemen who constitute the Chicago Board of Trade—and they are gentlemen of high standing in our community, representing some of our best citizenship and are not gamblersmay have been a great deal of confusion arising in the minds of some men by all this talk about gambling. There is more or less speculation in all forms of business in the complex ramifications of trade in our day, but let us not be carried away by such argument. I have wondered sometimes just what this bill is. I wonder whether it is a revenue measure. It certainly will not produce any revenue, because the argument is that the tax of 20 cents a bushel is going to stop the operations that they are designed to reach. I do not know whether it is a bill to stop gambling, but if it is we are encroaching on the police powers of the States. I do not know of any provis on in the Constitution under which we may legislate to stop gambling in the States.

It is said that this bill is in the interest of the farmer. I have voted for farmers' legislation here; a part of my constituency is in the country. I voted for the bill to give them the right to organize collective bargaining associations. I voted for the emergency tariff bill; but do you not think, gentlemen, it is about time that we stopped ascribing every bill that comes here as intended to relieve some particular situation in the life and business of the farmers? They are not coming here supplicating the House and asking for this legislation. Let us legislate on the merits. If this is a good thing, let us pass it; but let us not make the argument that it is being demanded by any part of our citizens or for the interest of any particular class.

Mr. TINCHER. Will the gentleman yield?

Mr. CHINDBLOM. Yes.

Mr. TINCHER. Does the gentleman think that the opinion of the Chicago Board of Trade would be conclusive whether it

was good or bad?

Mr. CHINDBLOM. I do not, not at all; nor do I think the opinion of the farmers is conclusive whether it is good legislation. The main object, as I understand, is to stop gambling, but I venture the suggestion that you are not reaching that [Applause.] You are not, but you are going to impose restrictions on the exchanges of the country that are going to prove in their opinion-and their opinion is worth whiledangerous and disastrous. We are flooded to-day with messages from people who have the right to appeal to us just as much as any other class of the population; and I say, gentlemen, we should not pass legislation as to the effect of which we are not advised. The lengthy arguments that have been made here show that the committee do not think that this will do just what they intend to do, but they have brought in something that they think will be the next best thing.

Mr. GRAHAM of Illinois. Mr. Chairman, I ask unanimous

consent to speak for five minutes.

Mr. TINCHER. Reserving the right to object, I ask unanimous consent that all debate on the pending amendment and on the section close in 10 minutes.

The CHAIRMAN. The debate has already closed and all speeches now are by unanimous consent.

Mr. LONGWORTH. A parliamentary inquiry, Mr. Chairman. The CHAIRMAN. The gentleman will state it.

Mr. LONGWORTH. What is the precise motion before the

House? The CHAIRMAN. The amendment of the gentleman from North Dakota [Mr. Burness] is before the House, and all

debate being conducted now by unanimous consent. Mr. LONGWORTH.

That amendment would be open to further amendment.

The CHAIRMAN. Yes.

Mr. TINCHER. Then, Mr. Chairman, I give notice that I

shall object to further remarks.

Mr. KINCHELOE. Reserving the right to object, Mr. Chairman, is it the gentleman's intention to complete the bill to-

Mr. TINCHER. It is my purpose to complete the bill to-night, Mr. LONGWORTH. I understand that the ruling of the Mr. TINCHER. Chair is that the amendment of the committee is open to further amendment, and therefore gentlemen will have further opportunity to speak.

The CHAIRMAN. The debate on this amendment is closed.

Mr. GRAHAM of Illinois. Mr. Chairman, I know nothing about the practical part of stock or grain transactions on a board of trade. I never bought or sold a dollar's worth of anything on a stock exchange. The reasons were several:

First, I did not have the money; second, I did not have the disposition; and, third, I never did believe in playing somebody else's game. Therefore I need some information about this thing before I can vote intelligently upon it. Now, this amendment that has been proposed by the gentleman from North Dakota seems to me complicates it somewhat. It provides that in addition to the tax now imposed by law there is hereby levied a tax amounting to 20 cents a bushel on each bushel involved therein, whether the actual commodity is intended to be delivered or only nominally referred to. Now, under that amendment, if I understand it correctly, if I go to a friend of mine and make a contract with him by which I get the right to purchase from him a certain amount of corn at a certain time and put up my money on the proposition intending to take the corn, I thereby violate the law.

Mr. TINCHER. That would be true if the remaining part of

this section were not in the law.

Mr. GRAHAM of Illino's. The remaining part of this section provides "upon each and every privilege or option for a con-tract either of purchase or sale of grain," and so forth.

Mr. TINCHER. I am sure, as the section is now-I do not have in mind just how it reads with the amendment-the gentleman would not contend that it would affect his transaction?

Mr. GRAHAM of Illinois. Well, I do not know. Here is the

thing that is in my mind, whether the latter part of this section saying "intending hereby to tax the transactions known to the trade as 'privileges, bids, offers,'" and so forth, limits the preceding and enacting part of the statute, and I think that is a matter of doubt.

Mr. TINCHER. I think there is no doubt about limiting it.

Mr. GRAHAM of Illinois. Here is what I have in mind. I have no doubt that it is necessary and advisable to limit these purely gambling transactions. I think they do a great deal of harm to the farmers of the country and I believe generally. have known corn on the board of trade to vary 10 cents a day in price purely on account of transactions of this kind. I remember in May, 1919, on a speech that Mr. Barnes delivered at Minneapolis, threatening to put corn under a regulation as to price, corn dropped 10 cents in one day and back again in a few days because of that speech. Pure speculation in grain futures ought to be stopped; it does nobody any good; they are illegitimate transactions. But I say to you gentlemen, that I do not believe we ought to curb a legitimate transaction where a person intends to buy the grain.

Mr. BURTNESS. Does the gentleman know of an instance where a person intending actually to buy or sell grain does it

through the medium of a so-called put and call?

Mr. GRAHAM of Illinois. The words "put and call" may have a technical meaning in the grain trade, but when you put them in the statute they have no specific meaning and to ascertain the specific meaning of the words the courts in going over this section will consider the language which precedes those particular words. Does not the gentleman think so?

Mr. BURTNESS. I think myself the statute could be written and better language used, but the statute specifically refers to puts and calls known to the trade, and any court will give it

reasonable and liberal construction.

Mr. GRAHAM of Illinois. The courts may have judicial knowledge of what puts and calls are, but I do not.

Mr. BURTNESS. But if they have not they will find out. The CHAIRMAN. The time of the gentleman has expired. Mr. LONGWORTH. Mr. Chairman, I desire make the motion necessary to obtain the floor—
The CHAIRMAN. The gentleman from Ohio.

Mr. LONGWORTH. In order to get some information on this section. The gentleman from Illinois [Mr. CHINDBLOM] a moment ago intimated a doubt that this was a revenue bill. The distinguished parliamentarian now occupying the chair, however, has ruled that it is a revenue bill, as has also the distinguished parliamentarian who preceded him. Now, this being indubitably a revenue bill, I shall ask some gentleman in charge of the bill whether they have any estimates from the Treasury Department as to how much revenue will be raised? [Laughter.

Mr. TINCHER. Mr. Chairman, I am frank to say to the gentleman that, considering the condition of the Treasury, we thought that there was no danger of having any great surplus. and we did not secure that information.

Mr. LONGWORTH. The gentleman does not think this law

will raise a substantial amount of revenue?

Mr. TINCHER. No; I do not think the gentleman in the consideration of taxes and fariff bills need worry about the sur-

plus that will be created by the passage of this bill.

Mr. LONGWORTH. Well, I only wanted to know whether
this amount of tax proposed is a use of the taxing power to destroy industry or methods of doing business.

Mr. TINCHER. I will say to the gentleman that it is not a use of the taxing power to destroy industry, as I understand the meaning of the word "industry."

Mr. LONGWORTH. I am not in any controversy with the gentleman, because I shall probably vote for his bill. I merely want to know whether this is a use of the taxing power to prevent certain transactions, and if so, how it is you arrived at 20 cents a bushel. Was there an investigation made to ascertain whether that would make such transactions prohibitive?

Mr. TINCHER. I will say to the gentleman, under section 3, which is now under consideration, nearly every State in the Union, including the gentleman's own State, has a State law attempting to abolish that evil or method of gambling. Now, it is my judgment, while we can not pass a national law prohibiting that mode of gambling, that it will not be possible with that tax and they will desist from transactions known as indemnities, privileges, puts, and calls; that there will not be any revenue, because the practice will cease.

Mr. LONGWORTH. I am not averse to the use of the taxing power for putting down certain transactions or industries

which are not to the benefit of the public.

For instance, I supported, some Congresses ago, a bill which put such a high tax on the manufacturers of white phosphorous matches as to make the industry impossible under those circumstances.

mstances. But that is the only precedent I know about. Mr. MASON. I can give the gentleman several other prece-

dents. In the mixed flour bill-

Mr. LONGWORTH. That has never passed the House.

Mr. MASON. The filled cheese bill was passed upon, and the Supreme Court of the United States held that the judicial power could not interfere with the legislative power, and they immediately passed a tax that would be absolutely prohibitive.

Mr. LONGWORTH. There is no question as to the power

to do it. The only point is, I recollect only one precedent to the present bill since I have been a Member of this House. And what I am trying to ascertain is whether the committee is frankly making use of the taxing power to destroy this method of doing business?

Mr. STEVENSON. The child labor act that was passed

tended the same way.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ELLIS. Mr. Chairman, I offer an amendment to the substitute that has been offered. In line 16, after the word "tax," insert the word "only."

The CHAIRMAN. There is no substitute pending. There is

only an amendment pending.

Mr. ELLIS. Then the amendment, or whatever it is called. Consent was given by the Member who moved the amendment that the substitute be considered in its stead.

The CHAIRMAN. The gentleman from Missouri offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Mr. Ellis moves to amend the amendment by inserting, on page 2, line 16, after the word "tax." the word "only."

Mr. ELLIS. Mr. Chairman, I am not sure that the placing of this word in line 16 will be accurate, because of the change in the amendment to the whole section. But I have been impressed by the uncertainty and misgivings of some Members here, the gentleman from Indiana and the gentleman from Illinois, as to just what this section refers to and what transactions we are driving at. I submit that it will tend very much to remove doubt upon that matter if you insert this word, so that it will read "intending hereby"—that is, by this section to tax only the transaction known to the trade as "privileges," "bids," and so forth.

The CHAIRMAN. The question is on agreeing to the amend-

ment to the amendment.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. NEWTON of Minnesota. Division, Mr. Chairman.

The committee divided; and there were—ayes 49, noes none. So the amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Dakota [Mr. Burtness].

Mr. BEGG. Mr. Chairman, may we have the amendment read

The amendment was again reported.

Mr. WALSH. Mr. Chairman, may the section be read as it would appear if this amendment should be adopted?

The Clerk will report the paragraph as it The CHAIRMAN.

would read if amended.

The paragraph as it would read if amended was again read. The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

Mr. CABLE. I rise to a parliamentary inquiry. I would like to ask the Chairman a question relating to section 3 of the bill, which contains the only reference in the bill to what you admit is gambling. Is it intended that the penalty mentioned in section 9 applies to section 3, or is it your intention to exempt gambling from the penalty clause?

Mr. TINCHER. I do not care to take the time to discuss that matter. If the gentleman will examine the section, he will find that it refers to making a report, and there is no

report in this.

Mr. CABLE. If you will examine section 9, you will find it does not apply to section 3 in any way, but applies to sections 4 and 5.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 4. That in addition to the taxes now imposed by law there is hereby levied a tax of 20 cents a bushel on every bushel involved therein, upon each contract of sale of grain for future delivery made at, on, or in an exchange, board of trade, or similar institution or place of bushess except.

or in an exchange, board of trade, or similar institution or place of business, except—

(a) Where the seller is at the time of the making of such contract the owner of the actual physical property covered thereby, or is the grower thereof, or in case either party to the contract is the owner or renter of land on which the same is to be grown, or is an association of such owners or growers of grain, or of such owners or renters of land; or

(b) Where such contracts are made by or through a member of a board of trade which has been designated by the Secretary of Agriculture as a "contract market," as hereinafter provided, and if such contract is evidenced by a memorandum in writing which shows the date, the parties to such contract and their addresses, the property covered and its price, and the terms of delivery, and provided that each board member shall keep for a period of three years from the date thereof and for such longer period as the Secretary of Agriculture may direct a permanent record of such contract for future delivery.

Mr. LINERERGER. Mr. Chairman I rise for the purpose

Mr. LINEBERGER. Mr. Chairman, I rise for the purpose of securing information. I would like to ask the chairman of the committee whether the exception provided in section 9 is intended to exempt the practice commonly known to the trade as hedging? Whether we exempt the hedger, the grower of grain, who goes out and buys a sufficient amount of grain from the

board to cover his own crop?

Mr. TINCHER. There is no question but that the grower of grain is permitted to use the hedging facilities of the market.

Mr. LINEBERGER. This paragraph is intended to cover that'

Mr. TINCHER. Yes.
Mr. BLANTON. Mr. Chairman, I offer an amendment.
The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 3, line 15, after the word "delivery," strike out the period, insert a colon, and add the following: "Provided, That the number of bushels of grain that may be sold under such hedging contracts as are provided for in subdivision (b), wherein actual delivery of the specific grain is not within the contemplation of the parties, but is speculative only, shall be limited to and not exceed double the amount of bushels of the grain actually to be delivered under contracts made on such market."

Mr. SANDERS of Indiana. Mr. Chairman, I reserve a point of order on that.

Mr. BLANTON. Mr. Chairman, the amendment is not subject to a point of order. It is clearly a limitation, and it carries out the idea of my distinguished friend from Kansas [Mr. TINCHER], the chairman of this committee-the idea that he first had about this matter of properly limiting the hedging transaction. provides for only that limitation which he sought to provide for in his original bill; that is, the bill that he introduced at the last session, where he limited it to three times the amount of actual grain involved. This is really three times, because it is double the number of bushels that are actually in existence. I think it will easily insure a flexible market. It will easily permit the proper hedging and will carry out his idea of what should be done, the idea he had six months ago.

Mr. WALSH. Mr. Chairman, will the gentleman yield? Mr. BLANTON. I do.

Mr. WALSH. Is there any definition in the bill of a hedging

transaction?

Mr. BLANTON. Well, there is not any definition of "puts and calls" and "ups and downs," because the trade seems to know what "puts and calls" and "ups and downs" are already. There is somebody going up all the time and somebody coming down.

Mr. WALSH. Is that a form of transaction that is well understood?

Mr. BLANTON. Hedging is well understood on the market; it is well understood by the trade. It is better understood among the trade than the words "puts and calls," because all grain dealers—that is, the actual grain sellers—understand what hedging is, and there are some of them who do not understand thoroughly about "puts and calls" and "ups and down." The farmers all understand what "ups and downs" are, though.

I do not see how my friend from Kansas can object to this

amendment. With this amendment passed I am one of the farmers' Representatives here who can vote for this bill, and I am one of the farmers' Representatives, because three-fourths of the voters of my district are farmers and stockraisers. It is their interest that I seek to represent here first, and with this amendment in the bill I can vote for it conscientiously, but with this amendment not in the bill I will not vote for it, because I believe it legalizes gambling and is against the interests of the farmers that I represent here.

Mr. BURTNESS. Mr. Chairman, will the gentleman yield? Mr. BLANTON. Yes,

Mr. BURTNESS. Does the gentleman take the position that there should be any limitation upon hedging, legitimate hedg-

ing?

Mr. BLANTON. Whenever you go beyond the question of a legitimate insurance to the man who is buying the commodity, then you are going into a gambling transaction.

Mr. BURTNESS. As I understand it, the gentleman intended to limit not only the speculation and gambling, but hedging and what is regarded by everyone familiar with the business as entirely legitimate.

Mr. BLANTON. I am seeking to cut out the speculative gambling in the farmers' product and limit it to legitimate hedging.

Mr. BURTNESS. Why do you limit the hedging? you have no objection to legitimate hedging. You limit it to an amount that might not be sufficient to take care of the grain trade.

Mr. BLANTON. If I want to buy 10,000 bushels of wheat on the market for legitimate purposes, to be actually delivered to me, and I want to insure myself against loss in respect to that contract, I am permitted under this amendment to go upon the market and sell 10,000 bushels of wheat futures, and somebody else is permitted to buy that 10,000 bushels and sell it one time. My amendment permits this. That would be double the amount of the actual wheat involved in that transaction. It involves two different hedging sales. Whenever you go beyond that you are

going beyond the legitimate insurance of hedging and are coming within the pale of gambling transactions. [Applause.]
The CHAIRMAN. The time of the gentleman from Texas

has expired.

Mr. TINCHER. Mr. Chairman, I want to oppose the amendment. I am sorry the gentleman from Texas [Mr. Blanton] could not give this bill sufficient time to write it, so that he could vote for it. While I did not know much about the intricate workings of these boards of trade, I did draw a bill and introduce it, prior to all the hearings on this matter, seeking to prevent fluctuations on the board of trade and still protecting hedging with reference to the business transactions which are connected with the sale of a given commodity. But I am not in that condition where I am not always susceptible of enlightenment, and the witnesses appearing before the Committee on Agriculture convinced me that my bill was weak, in that it would permit corners by the big interests of this country which would be destructive to the producers and consumers of the country, and by the advice and suggestions of men like Herbert Hoover and Clifford Thorne and Mr. Howard and other men versed in the subject, and I may also say I had some suggestion from men in the exchanges, men like Mr. Wells, men of high standing, explaining that a bill containing the provisions of this amendment would afford a certain man, whose name is very familiar in the grain trade, who lives in Chicago, an opportunity absolutely to corner the grain market-for that reason in the new bill and during all the recent consideration by the committee of this matter we have abandoned the theory of controlling it in that manner.

Mr. Chairman, I ask for a vote on the amendment.

Mr. STEVENSON. Mr. Chairman, I move to strike out the last word

Mr. SANDERS of Indiana. Mr. Chairman, I reserve a point of order on the amendment.

Mr. TINCHER. Let us vote on this proposition before the gentleman from South Carolina begins.

The CHAIRMAN. The question is on agreeing to the amend-

I understand a point of order has been made. Mr. SANDERS of Indiana. Mr. Chairman, at the request of the chairman of the committee I will withdraw the point of order.

The CHAIRMAN. The point of order has been withdrawn. The question therefore recurs to the amendment of the gentleman from Texas [Mr. BLANTON].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The gentleman from South Carolina [Mr. STEVENSON] is recognized.

Mr. STEVENSON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from South Carolina moves to strike out the last word.

Mr. STEVENSON. Mr. Chairman, thus far I have not had anything to say about this measure, and it is not my business to mess in other people's troubles. But they keep bobbing in here with suggestions that the cotton people ought to be embraced within the provisions of this measure. This measure is practically the cotton-futures act, enacted in 1916, found in Thirty-ninth Statutes, part 1, page 476. There is nothing particularly new in this bill, except that it deals in pounds in the cotton-futures act and in bushels in this act, and you are simply following, as nearly as it can be made applicable, the legislation laid down for cotton in that cotton-futures act. So that there is no necessity for the cotton people being brought into this legislation. That act may be a good reason why we can afford to follow the gentleman from Kansas on this bill. I expect to follow him on this. That act has been satisfactory so far as it has gone, and the only great complaint there has been about it was that under that act there are 10 grades of cotton that can be delivered on any contract. Now, a man goes on the market to buy the cotton which he wants-a high grade of cotton, and probably the highest. He bids for it in the market and buys it at the exchange price, if he buys on the exchange, with the privilege of requiring his 100 bales of cotton to be delivered. The fellow who sells it is selling it about 2 cents below the spct market. That is about the way the future market runs in com-parison with the spot market. He is selling at about 2 cents below. Therefore when the man who bought the cotton calls for delivery the seller does not want to deliver the grade of cotton that the buyer bought, because he has got to lose some money on it. What does he do? Instead of delivering the highest grade he is going to deliver the lowest grade, because under the law as it now exists he can deliver all of it in any grade he sees fit. The purchaser has no say so about what shall be delivered if it comes within the 10 grades. The result

is that the future market is usually from 2 cents to 4 cents lower than the spot market. So when the farmer goes to borrow money on his cotton at 90 days and spot cotton is selling at 22 cents, if the farmer wants to borrow 18 or 19 cents the banker will say, "No; your note is payable in 90 days and the August or September market is running at only 19 cents. Therefore yoù can not borrow 17 cents, but you can only get 15 cents a pound in the way of a loan on your cotton." And all the time that spot cotton is selling at 22 cents you are governed by the future market in making your loans and in financing your cotton transactions. That is the only great abuse that has grown up and that has been corrected to some extent.

Mr. BURTNESS. Mr. Chairman, will the gentleman yield? Mr. STEVENSON. I yield to the gentleman from North Dakota.

Mr. BURTNESS. Have you noticed any benefits to the producer from the passage of that act?

Mr. STEVENSON. Oh, yes; there has been considerable

benefit.

Mr. BURTNESS. What are some of the benefits?
Mr. STEVENSON. The market has not been nearly as bad as it used to be, especially since it has been limited to 10 grades. At first the Secretary of Agriculture prescribed 20 grades, and there used to be a difference of 5 cents between the future market and the spot market. Now, the only thing we seem to need is legislation which would enable the buyer to specify in what grades 50 per cent of the product shall be de-livered and let the seller specify the other 50 per cent. Then you have got the buyer and the seller on an equality.

Mr. MORGAN. Does the gentleman know that in the transactions of the grain market that is all provided for, because of the fact that the grades are specified on contracts as to one and

two?

Mr. STEVENSON. I am not familiar with the grain market and I am not attempting to interfere with this bill that they have brought in here; I am speaking to the claim that cotton is not embraced in it. I want to show you that cotton is already provided for, and it needs only one additional amend-ment, and then it will be about as well provided for as you can

The CHAIRMAN. The time of the gentleman has expired. All time has expired. Without objection, the pro forms amendmen will be withdrawn and the Clerk will read.

The Clerk read as follows:

The Clerk read as follows:

Sec. 5. That the Secretary of Agriculture is hereby authorized and directed to designate boards of trade as "contract markets" when, and only when, such boards of trade comply with the following conditions and requirements:

(a) When located at a terminal market upon which cash grain is sold in sufficient volumes and under such conditions as fairly to reflect the general value of the grain and the difference in value between the various grades of grain.

(b) When the government thereof provides for the making and filing of a record and reports, in accordance with the rules and regulations and in such manner and form as may be prescribed by the Secretary of Agriculture, showing the details and terms of all transactions entered into by the board or the members thereof, either in cash grain or for future delivery, and which record shall at all times be open to the inspection of any representative of the United States Department of Agriculture and United States Department of Justice, and such record shall be in permanent form and shall show the parties to all such contracts, any assignments or transfers of such contract, the parties to and terms of such assignments, and the manner in which said contract is fulfilled, discharged, or terminated.

(c) When the government thereof prevents the dissemination, by the board or any member thereof, of fake, misleading, or insecurate reports concerning crop or market information or conditions that affect or tend to affect the price of commodities.

(d) When the government thereof provides for the prevention of the manipulation of prices by the dealers or operators upon such board, including a reasonable limitation upon the total quantity of grain of the same kind covered by contracts unfulfilled or unsettled at any one time by or on behalf of the same person commonly called "open trades" in speculative transactions.

(e) When the government thereof admits to membership thereof and all privileges thereon on such boards of trade lawfully formed and c

Mr. McLAUGHLIN of Michigan. I offer an amendment. The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. McLaughlin of Michigan: Page 5, line 4, at the end of line 4 add the following: "Provided, That any such association or its representatives applying for admission for membership on the board of trade be able to and shall comply with and conform to all rules and regulations of such board if the same have the approval of the Secretary of Agriculture."

Mr. McLAUGHLIN of Michigan. Mr. Chairman, the matter to which this subdivision (e) relates has occasioned a good deal of controversy in some parts of the country. It is a matter that has been before the Committee on Agriculture for some time. It appears that representatives of cooperative associations have applied for membership in boards of trade and have been refused, because, as charged by boards of trade, the associations have not been able and thus far have not been willing to conform to the rules of the boards. If it were necessary I might mention some of the rules of the boards of trade that have been invoked against the cooperative organizations, but I think it is not necessary. These cooperative associations feel that injustice has been done them, and in some of the States effort has been made to have laws enacted to compel the admission of the associations to membership and to all rights and privileges of members on boards of trade. Effort has been made to have a law passed by the Congress compelling the boards of trade to admit representatives of the cooperative associations. I think members of the Committee on Agriculture who have given attention to the matter believe as I believe, that these associations ought to be admitted if they are able and willing to comply with reasonable rules and regulations, but that if they can not so comply they ought not to be admitted. It will not do for an individual or an association to claim membership in a board of trade and be unable or unwilling to comply with reasonable rules and regulations. It is charged, and I guess it is commonly admitted, that some of these cooperative associations are not able to comply with the rules of some of the boards of trade, because the rules are unreasonable; that rules are made by the boards for the very purpose of excluding members or representatives of these local associations.

Now, inasmuch as the entire business of these boards of trade is to be under the direction and control of the Secretary of Agriculture, and he will have authority to oversee and, if necessary, to demand changes of rules or regulations, I have thought that we might provide for the admission of the representatives of these cooperative associations if they are able to and if they shall during membership comply with and conform to regulations, and if we provide that these rules and regulations shall be reasonable and found to be so by the Secretary of Agriculture. I offer the amendment with that idea in mind. Everyone knows and will, I am sure, admit that a board of trade must have rules and regulations to which all members must conform, but they should be reasonable and at the same time fairly and honestly administered and applied to all members alike. bill before us, as it now stands, would compel the admission of any cooperative association which might apply, although it might not be able, might not be willing, to comply with proper and necessary conditions, and after admission it might fail or refuse to conform to rules and regulations.

Such a law would be ridiculous; my amendment is intended to provide for admission of such associations as are proper for and capable of membership, and for only such, letting the Secretary determine a controversy between an association and a board of trade.

Mr. KINCHELOE. Will the gentleman yield right there?
Mr. McLAUGHLIN of Michigan. I yield to the gentleman from Kentucky.

Mr. KINCHELOE. The gentleman will remember that during the hearings one of the main reasons given by boards of trade for not admitting members of these associations was that the representative of the association would let the members of his association participate in the profits by reason of being a member of the board.

Mr. McLAUGHLIN of Michigan. Yes; I spoke of the objections that were urged by the boards of trade, and that often the boards of trade would not permit representatives of the cooperative associations to become members. I did not mention the specific objections. The instance which the gentleman from Kentucky gives is one of them.

The CHAIRMAN. The time of the gentleman has expired.
Mr. McLAUGHLIN of Michigan. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. KINCHELOE. Let me ask the gentleman, for information, if his amendment was adopted and they had a rule prohibiting them and the Secretary of Agriculture agreed that that was a valid reason, under your amendment they could not become members?

Mr. McLAUGHLIN of Michigan. That is true. But here is the Secretary of Agriculture being intrusted with authority to regulate and control boards of trade in every particular in most important respects. We are willing to trust him with all the intricacies of the organizations; he can put them out of business if he chooses. It seems to me that we ought to be willing to trust him to insist on reasonable rules and regulations so that cooperative organizations willing to do the fair thing can be protected. And I believe these organizations ought to be willing to trust him. That is why I have offered

this amendment, and I believe it is proper and ought to be adopted.

Mr. STEENERSON. Mr. Chairman, I am opposed to the amendment offered by the gentleman from Michigan. Admission of cooperative societies to grain exchanges should be a matter of right and not of discretion. This question is important and arose as soon as cooperative societies were organized in the wheat-raising sections of the country. The bill, you will observe, authorizes the Secretary to permit these boards of trade to be designated contract markets "when the government thereof admits to membership thereof and all privileges thereon on such boards of trade lawfully formed and conducted cooperative associations of producers having adequate financial responsibility."

That is the only qualification that ought to be required. These boards of trade are organized so as to have absolute control of who shall be members, and as no one can buy or sell in the markets they maintain unless he is a member, or employs a member to act for him, they are in fact closed or private markets instead of open public markets. One of their rules forbids any member from dividing commissions, and this is construed to prohibit admission of cooperative societies, because it is contended they divide profits among members; that is to say, they pay a patronage dividend. My bill declared that all the organizations operating a regular place of business or trading room for members and in which members buy, sell, or exchange grain for themselves or others in interstate or foreign commerce in accordance with the interstate grain standards act are declared public markets, subject to the provisions of the act, and that all rules excluding cooperative societies from membership by reason of the fact that they are organized on cooperative principles shall be void.

The gentleman from Kansas did me the honor in his opening speech on this bill to give me the credit for originating this provision. He said: "There is another paragraph in this bill that I want to mention. That is the provision authorizing the Secretary of Agriculture to compel the grain exchanges to permit the cooperative associations to have membership on the grain exchanges. That was not my idea originally. STEENERSON and several other Members of Congress had bills pending covering that proposition, and several of the States have passed laws covering that proposition, and when we had before our committee the present Secretary of Agricultureand he is a man who has given this subject great study for many years-it was his opinion that while passing this legislation we should incorporate that feature in it. I want to say that our committee had by unanimous vote voted out at the last session of Congress Mr. Steenerson's bill covering that point, and it was his opinion that we should take it; so we have stolen Mr. Steenerson's bill and put it in here in one short paragraph."

While I appreciate the generosity of my friend in giving me so much credit, I protest I never claimed any proprietary right in the idea, and the gentleman and the committee had a perfect right to include the provision in the bill. I had, in fact, asked the committee to do so if thereby it was thought the legislation I sought would be advanced. I am glad it is in the bill, but at the same time I hope the committee will report my bill and let it go on the calendar. My bill is much broader than the present measure and covers all grain exchanges, while this bill may cover only a part.

THE RELATION OF GRAIN GRADES TO COOPERATIVE MARKETING.

The importance of this matter can not be understood without bearing in mind the actual conditions under which grain, especially spring wheat, is marketed in the Northwestern States. Spring wheat under Federal grades is divided into two classes, namely, hard red spring and durum. The first class, however, is divided into three subclasses of six grades each. There are

seven distinct requirements to grade No. 1.

They are, first, cool and sweet; second, test weight, 58 pounds per bushel; third, moisture, not more than 14 per cent; fourth, foreign material, not more than 1 per cent; fifth, damaged kernels, not more than 2 per cent; sixth, mixture of common white, white club, and durum wheat, not more than 5 per cent; and seventh, mixture of humpback wheat, not more than 5 per cent. The following are the requirements for all grades: The first four grades shall be cool and sweet. Test weight: 58 pounds for grade No. 1; 57 pounds for No. 2; 55 pounds for No. 3; 53 pounds for No. 4; 50 pounds for No. 5; sample grade is No. 6. Moisture: 14 per cent for No. 1; 14½ per cent for No. 2; 15 per cent for No. 3; 16 per cent for Nos. 4 and 5. Foreign material: Not more than 1 per cent for No. 1; 2 per cent for No. 2; 3 per cent for No. 3; 5 per cent for No. 4; and 7 per cent for No. 5. Other wheats, not more than 10 per cent for No. 1, which includes 5 per cent of humpback; not more than

5 per cent for No. 2; and damaged kernels, not more than 2 per cent for No. 1; 4 per cent for No. 2; 7 per cent for No. 3; 10 per cent for No. 4; and 15 per cent for No. 5. A sample may fulfill or exceed six requirements but fall a little short in one, and it is graded down. It may have 141 per cent moisture and grade No. 2, involving a loss according to present prices of 8 cents per bushel, or \$80 on a 1,000-bushel car lot. For this onehalf per cent excess water in this car, equal to 5 bushels in weight, which at \$1.50 per bushel would amount to \$7.50, there is a loss of \$80 to the seller, or a penalty of \$72.50, which goes to the buyer. The next car is 14 per cent moisture and No. 1, and mixed with the first car both become No. 1, and so on to the end of the list.

These grades have been the cause of much dissatisfaction since they were adopted five years ago, and we have had hearings almost every year before the Secretary in order to get them simplified and liberalized, but without avail.

At a recent hearing before the Secretary many farmers and grain-inspection officials of the three States testified in favor of changes. I should like to quote all of this, but can here only give part of the testimony of A. J. McGovern, chief deputy grain inspector of North Dakota, as follows:

Mr. McGovern. I just want to take up one phase of the matter, and the other gentlemen from North Dakota will make a more extended explanation. I would like to show you the effect that the sales of wheat have upon the grades and the

grades on the sales.

The Secretary. What line of business are you in?

"Mr. McGovern. I am the chief deputy grain inspector for North Dakota. I will just show you a sample of one dark northern spring wheat. The test weight is 50 pounds; it has one-half per cent of wild peas, which the Federal grades will carry. Take the April 20 market, the No. 1 dark northern; the average sale was \$1.48 at the terminal market at Minneapolis. I show you a sample of No. 2 dark northern spring The test weight is 59 pounds; it contains 1 per cent wild peas. The average sale is \$1.41, a loss of 7 cents per That loss is on account of having one-half per cent more of wild peas than the No. 1. I show you sample No. 3. No. 3 in the Federal grades will carry matter other than cereal grains a total of 2 per cent. I show you a sample of three dark northern spring wheat; test weight 59 pounds, contains 2 per cent wild peas. The average sale on the 20th of April was \$1.22, or a loss of 26 cents per bushel compared with the No. 1 dark northern, on account of having 1½ per cent more of wild peas than the No. 1 dark northern. If you examine this wheat you will find that it is all choice and the same wheat. I show you a sample of No. 4 dark northern spring, test weight 59 pounds; contains 3 per cent of wild peas. The Federal grades will allow matter other than cereal grain a total of 3 per cent. The average sale on the 20th of April, the same date as the other sales, was \$1.11 per bushel, or a loss of 37 cents to the raiser of this grain comparing it with the No. 1 dark northern, on account of having 21 per cent more of wild peas than the No. 1. I show you a sample of No. 5 dark northern spring wheat, with a test weight of 62 pounds, with 5 per cent of wild peas. The No. 5 of the Federal grade carries a total of 5 per cent of matter other than cereal grains. The average sale on that wheat on the 20th of April was \$1.05 per bushel, a loss to the raiser of this grain of 43 cents per bushel, for the reason that it had 42 per cent more than the No. 1 dark northern. I show you a sample of the sample grade dark northern wheat that has a test weight of 62 pounds to the measured bushel that contains 51 per cent. The No. 5 of the Federal grades carries 5. This is one-half per cent more than the No. 5, and places it in sample.

"The average sale of this sample wheat on the 20th of April, 1921, was 96 cents, or a loss to the raiser of this grain of 52 cents per bushel simply because it had 5 per cent more of wild peas than the No. 1, or a difference of 9 cents per bushel between your sample grade that has 5 per cent and the sample which has 52. The man was penalized because it had a half per cent more, or if it went over 5, a quarter, it would go in as sample. Now, these peas are cleaned out. I speak of wild peas because we had samples that had peas in them. We have kingheads; that comes under the head of other materialpeas, kinghead, wild rose, and corn cockle. I thought I had some here to show you, but this can be readily cleaned out, and there are two ways to take care of this at the terminal market. That is, the mixer would take one car of that sample and he would take two or three cars of perhaps a lower grade. You see he has 62 pounds; he can bring that down to 59 pounds and be within the Federal grades. He has 4 pounds there to work on. He could mix that with two other cars, perhaps, of a lower grade; he could make that No. 1 by mixing and losing

that pea.

"The Secretary. These can be separated by the ordinary fanning mill.

"Mr. McGovern. Well, I would not say by the ordinary fanning mill, but the mills have cleaning machines.

"The SECRETARY. Well, these could be separated by a good farm fanning mill.

"Mr. McGovern. Well, it can be separated in the mills, not

by a fanning mill.
"The Secretary. I understood you to say it was easily separable.

"Mr. McGovern. The big mills have separating machines.

"The Secretary. What does it cost to separate it?
"Mr. McGovern. They charge out in our State two cents a bushel for cleaning the grain.
"The SECRETARY. The difference in prices you quoted there

would make it very profitable to separate it. The farmers

could unite and have a cleaning arrangement.

"Mr. McGovern. Well, the farmer is not equipped with the capacity to handle all this grain, not always. He has to ship out a great deal of this grain, but that is the way the Federal grades actually work out. Now, I am a believer. I believe that the United States grain standards act is all right, the law itself, but we have no use for the Federal grades as they are now established. I would like to have the rule made by the Federal Government so that that elevator out in the country could handle this grain. At the terminal markets they have everything there to do with, and have plenty of time. the farmer is thrashing his grain the elevators are very busy. They have usually in the farmers' elevator perhaps two men for a couple of months. The line elevators have one man. Now, they handle a great deal of grain. It is not an unusual thing for a farmers' elevator to take in from 25 to 30 loads a day, and he has to make a record of his grain, but the manager of the farmers' elevator or the country elevator has not the time to inspect this grain under the Federal rule. As far as that moisture content is concerned, I would say that we would not care much about the moisture placed at 15 or any other amount. We think that in the handling of grain if a man running an elevator could not tell whether grain is fit to bin or not, that it is not fit to run in an elevator, and that is the way the elevators are operating. It is all on judgment, without any instruments. They have not the time to test out the moisture. Well, the farmers of North Dakota are very dissatisfied with the grades. They are so much dissatisfied that they have always sent a representative to all of the meetings that have been held by the Secretary of Agriculture. They have been to Montana, Chicago, Washington, Minneapolis, and other places. We have a gentleman here who will speak before we get through, Mr. Hagen, who attended all of those meetings. As long as there are millers here I would like to make this statement that these Federal grades, in my opinion, were made for millers and by millers. Take that as you like. I thank you very much.

The Secretary. I do not think it is quite fair to allow that to go, Mr. McGovern. While I did not have anything to do with it, I have a great deal of faith in the integrity and purpose of the people in the department who have handled this subject in the past. They may have made mistakes, but I do not think

your statement is fair."

There were 15 or 20 other witnesses representing the graininspection bureaus and representing actual farmers who all

spoke to the same effect.

"Mr. Steenerson. I have attended most of these hearings from the very start, both before the Secretary of Agriculture and the man at the head of the Bureau of Markets, Mr. Brand, and others, and when these Federal grades were first proposed, the only justification that he offered was that he had submitted it to the grain trade and it was satisfactory to the grain trade throughout the United States. That is the record. I will furnish the hearing where you can read it yourself. I do not say that he wanted to be against the farmer, but he supposed the trade knew all about it. The theory of this bureau was that the only men that knew about this business were the millers and the scientific chemists they employed, and they formed these grades just exactly as Mr. McGovern has stated."

In my closing argument before the Secretary I said: "Mr. Sec-

retary, I have attended nearly every hearing by the department except one or two in Minneapolis, some of them before the Secretary and some of them before the Bureau of Markets, ever since the year that these grades were established. I have come to the conclusion that, as Mr. Young has pointed out, that these grades are framed upon a system of penalties that are unfair to the producer. Take, for instance, the matter of moisture. Say 14 per cent makes No. 1, but if there is a half per cent over it is degraded No. 2. Now, say that it is 1 per cent, that would only be on a thousand-bushel car; it would only be 10 bush-

els, and at \$1.50, which is the price now, it would be \$15. Instead of that, according to my home paper—I have the clipping here—there would be a reduction in price of 8 cents between No. 1 and No. 2. That is \$80. Because of this 15 per cent of water that is theoretically in there they penalize the man \$80. And so it is with the wild peas here. If they can be separated, or if anybody had said yesterday that they actually damage the flour so that it is unsalable, or something of that kind, but so far as foreign material is concerned by degrading it you lose from 4 to 12 cents.

"Now, I just got this from my home paper in Crookston:

[From Crookston Daily Times.]

## Local grain markets.

Wheat, No. 1 Dark Northern	_ \$1.29
Wheat, No. 1 Northern	_ 1.21
Wheat, No. 2 Northern	_ 1.13
Wheat, No. 3 Northern	_ 1.07
No. 1 Amber Durum	_ 1.24
Wheat, No. 1 Durum	_ 1.20
Wheat, No. 2 Durum	_ 1.18
Wheat, No. 3 Durum	

"I will say that I live in the Red River Valley of Minnesota, the greatest hard-wheat producing part of the United States, and I have myself been engaged in raising wheat in the Red River Valley for 40 years. That is, I have the farm. I have not done the farm work myself. I have been practicing law most of the time, but I have marketed wheat at the elevator and have shipped wheat to Minneapolis, and shipped it before there were any State grades. Originally the chamber of commerce graded the wheat, and the cry went up every year, just as it does now, against the Federal grades, and there was an agitation constantly; it was a part of the campaign; there was a constant agitation. When KNUTE NELSON became was a constant agitation. When KNUTE NELSON became governor he established the State inspection and State weighing system, and whatever has been hinted here by some of -I have lived right there and been in politics-I say to you that during the 20 years before these Federal grades came in the question of grain grades and inspection was taken out of politics. Now, then, I want to say another thing. Of course, I realize that men in matters of judgment are swayed by the point of view of their avocation. They are are swayed by the point of view of their avocation. They are prejudiced, so to speak, and it is perfectly proper for the Secretary or any one of these gentlemen opposing these changes to ask this question about whether we favor Federal standards, Federal grades. I want to tell the Secretary the origin of that. That was started in every hearing by the opponents of the farmers; that is, those that took the other side of the question—the millers and the grain men. all hinted or urged that the opposition was due to the theory that we were opposed to Federal inspection. Now, the history of that matter is this: There was some dissatisfaction in North Dakota and some in South Dakota about the State of Minnesota inspection. They seemed to think that we were regulating their affairs and the markets being there they started an agitation for Federal grades.

"The demand for Federal grades came from North Dakota, and Senator McCumber was the first man to introduce a bill. When it came to the Congress, of course, representing a farming constituency, if they were opposed to Federal grades I would have voted against it, but my best information was that most farmers throughout the United States and in my district favored Federal grades, so that the only opposition that came before committees of Congress was the opposition of the State of Minnesota grain inspection organization. The railroad and warehouse commission, through Mr. Jacobson, did come down here representing the State authorities opposing the legislation on the theory that we had for 20 years built up a successful and satisfactory system under the State laws and he was afraid that the Federal system might not be as good. Now, that is the truth of it, and when the Federal grades were established, Mr. Jacobson, like the rest of us, said: 'Well, although we thought that, if you can make the grades workable and practical we are not opposed to them on principle.' Mr. Jacobson is not a States rights man; he would be perfectly willing to have Federal grades, provided they were just and fair and operated justly. Now, when these questions are proposed to every man that comes up here, 'Are you in favor of Federal grain inspection?'—that question was, I think, brought up, and every Congressman from Minnesota voted for it. Everybody thought as long as they did not have it they wanted it. The idea was good. After they got it, it became very unpopular, and now, of course, if you ask a man 'Are you in favor of Federal grades,' he naturally says, 'Not the grades that we

have now, but if we can get reasonable grades we would favor We are not here opposing the present grades or asking for a modification because we are against a Federal system of We are the originators; these three States are the originators; introduced the first bills 10, 12, 14, or 15 years ago to establish this system, so it is not fair to charge us with being prejudiced against these and therefore not fair judges of its Why, the theory of some department representatives that I talk with and some of the millers and elevator men seems to be that we would oppose any kind of Federal grades, because we are States rights people and want the States to have all this business themselves.

"Now, that is not true. We started out as favorable to this proposition as any human being could be; we were hungering for it; we were wishing for it. It was only when we got it and tried it on that we did not feel satisfied. So that this question about whether we favor States grades as a general principle really has not any bearing. We are all in favor; it is only the abuse that we object to.

"The Secretary. Now you have tried it, as you say, you all favored it to start with. Now you have tried it, do you still have the question of States rights? Do you still think that the

Federal system of grading is preferable?
"Mr. Steenerson. If it could be made satisfactory; yes. And Congress was very careful in providing this system. not suppose that the rules and regulations of the Secretary of Agriculture under this law would be like the laws of the Medes and Persians, not to be changed, because they provided themselves that they should be changed, but they should not be changed without 90 days notice after the change has been decided on. Of course, we have had that demonstrated. We have had 90 days notice and six months. The first notice they would consider changes, and then notice of what little change had been made according to law, of course. Now, I do not want to go into the details. Other men have done that better than I can do, but I want to say one word about the matter that came up when Mr. Shanahan testified. Mr. McGovern, as a closing remark, said that the grades appeared to be as if they were made for millers and by millers, and I made the remark then that that is just exactly what the representatives of the department had defended the grades on, that they were satisfactory to the grain trade. Now, I do not mean to charge the representatives of the department or any official with any dishonesty or any corruption or anything of that kind, but that is their point of view. They were undoubtedly doing what they thought was right, but they were wrong. Now, to prove that they were wrong it is a great satisfaction to me that Mr. Shanahan was on the stand and appeared here, because I never knew before who the real author of these grain grades and standards was.

"Now we know; we don't have to suspect or guess from what Mr. Brand stated before the committee that they were made after consultation with the grain trade; we know that he (Mr. Shanahan) made them; he says so. There was no question about it. These are his words: 'I represent specifically There was no the New York State Millers' Association at this time. Further than that, I represent about 35 years' of close study of this subject and hard work to bring about Federal standard grades. Four of those years were spent here in the Department of Agriculture in charge of that department of the work, and I believe that I can say that the principles upon which these grades were built are mostly mine.' He was an officer of this department and he says, and I have no doubt he believed, he made the grades in the interest of all; he was honest; he intended to do it, but he had a different point of view, and, of course, at that time there had been no dispute as to the grades because the grades did not exist. The dispute as to these grades and their application in practice has existed only since the grades were made. Now, what is more natural than the fact that the father of these grades should have that pride and paternal joy which is natural to everybody to defend them, right or wrong. is human nature, and, of course, he does it. And now, how did He has stated here before the Secretary and he defend them? before this audience that he made these grades in the interest of everybody, to be fair to everybody, and when somebody mentions the millers, he says: 'The miller is the farmer's best friend. as far as wheat is concerned.' I have it right down here in my pencil notes; his interest is the same as the farmer's. Now, a man with that point of view, who was justified in taking that point of view at that time because this dispute had not arisen; he had that idea as everybody else; they don't come in touch with the farmers; a man comes in there and all the atmosphere that surrounds the man that inspects and handles the grain is the point of view of the grain trade. Therefore, they believe and

he believed that the interest of the farmer and the grain men and the millers were the same. Since that time it has developed that there is a division of opinion about these grades between

the farmer and the department and the millers.

Now, then, who is right and who is entitled to consideration? Is it the farmer or is it the miller in this matter? Now, let us The Secretary was kind enough to show me, at my request, the telegrams that came in here yesterday from Portland, Oreg., asking that this hearing on red spring wheat, hard spring wheat, should be postponed until they could be here. Why, they would not know hard spring wheat from barley over there. They raise soft wheat.

"Mr. McMillan. They raise hard wheat.
"Mr. Steenerson. That should be taken figuratively. I hope these gentlemen will bear with me; I do not want to be interrupted. I was simply saying that as a hyperbole. They do not know anything about red spring; they are not interested in it, yet they telegraph the Secretary to postpone the hearing until they can be here, and upon what ground? In the interest of the farmer? They are the philanthropists that will lift the farmer out of the slough of depression by having these grades fixed as they don't want them, and that is the tone of the tele-I know; I have received in the last two or three years letters from almost every one of these men on this matter of coming before Congress. I know their names—all of these mills that are in those telegrams. If you will read those telegrams you will notice that not one of them is appealing to the Secretary to protect the miller. Oh, no! They want protection for the farmer, and they say they know it will injure the farmer. And the question recurs here, Who are the best judges of the farmer's interest—the millers, the speculators and the elevator men, or the farmers themselves? Now, the farmers may not know so very much, but here in this case they are fortified by some pretty intelligent men. Here is Mr. Potter, the president of the Minnesota Farm Bureau; he is a farmer, recognized all over the United States as an authority on farming. Isn't it fair to say that he is prepared to know the interest of the farmer when he is running an elevator and trying to operate under these grades? Here is Mr. Bendixen, a farmer for 25 or 30 years. Does he know enough to know his own interest? Here is Senator Sageng, an actual farmer who has handled wheat, sold wheat, and shipped wheat, and been in the senate for a great many years.

"Is not he a pretty fair judge of the best interest of the Would he be here if he thought this was a fictitious issue and that the miller really was right or that it was for the benefit of the farmer to have these grades modified? And here are the professors; here is a professor in an agricultural college who is in charge of inspection in North Dakota; here is Dr. LADD, the United States Senator, who was here yesterday, and in harmony with the proposition that we advocate. And aside from all these, I will not mention the Railroad and Warehouse Commission of Minnesota, and the two States, because, as I have said, there seems to be an idea among some that they are prejudiced because they want more power in the States, but here are the Congressmen. Does anybody suppose that Mr. Young, of North Dakota, does not really believe what he says? He has had experience in farming and legislated for farmers for 25 years. Now, does he know enough to know their interest, or does he not? Is the miller and the elevator man and the speculator, whether from Buffalo or anywhere else, a better judge of what is practically best for the farmer? Now, it seems to me that is the question here. We have been before the Secretary of Agriculture so many times; we have had it up before the committees of Congress on the proposition to take away the grain-grading authority from the Secretary's office and leave it in another body. I have heard another theory advanced that the farmers do not know their own interest. Now, it is not going to hurt them any to have these modifications. If so, let them show it up wherein they are going to lose money; but do not let them come in here and represent the farmer and say he is going to lose money, because the farmer is here represented so nobody can question; and it is not a sporadic case, it is a continuous struggle for nearly four years to have these grades modified. And it seems to me that in view of the new matters that have been brought up here; in view of the fact that the man that made these grades thought that at the time that when he served the miller he also served the farmer, and he was the dominating spirit in the making of these grades; in view of that fact, which was probably true at that time, true because this division had not occurred.

"Now, then, since this division of opinion between the farmers and the millers has occurred, we appeal to the authorities in behalf of the farmer, because he is the producer; God knows he has a hard time now; the price has been cut

in two and everything that he buys almost is as dear as ever. The farmers feel kindly toward this administration. all speak of the wonderful speech that President Harding made at the Minnesota State Fair; you have heard it mentioned here; and they feel heartened by the friendly attitude of this administration, and the expressions of the Secretary of Agriculture in their behalf, and they feel confident that if the authorities can only see these things in the right light that they will have relief. It can not be possible that the millers understand this better than the farmers themselves. And it is also brought out here that the farmer, the small farmer, a great number of the majority, has to sell his wheat at the local elevator, the same as I now do, although I formerly shipped in carload lots. Those little farmers are the victims of these arbitrary grades, because it has been brought out here that the man who ships in carloads, if he has a good honest representative of the board of trade, he can sell his wheat by sample and it does not make much difference what the grades are. You can sell No. 3 at No. 1 price provided you have the right judgment. I have spent a great many days on the board of trade in Minneapolis and watched these samples and these buyers. They know how to test grain; they can test it to the finest point. They can have a reinspection chemically and everything, but the farmer can not do that. So that the buyers in the terminal markets can protect themselves, but the farmer, as has been explained here, is at the mercy of the elevator man and these grades and rules operating against him. They operate in favor of the man that does not need help because he can help himself. We, therefore, with confidence look forth to a change in these grades. Now, it may be suggested, I think it has been suggested, that the department has already passed on this, but if you will read Mr. Secretary Meredith's decision, if it may be so called, it is based on the theory that the time has not yet arrived to consider these changes. He says that they had only been tested under war-time conditions. The hearing was held in 1920; the grain corporation, the Federal Government, was still in the grain business in 1920. The 1919 crop was handled in part by the United States Grain Corporation.

"The raw crop did not come in until late in the summer, so that when that hearing was held it was true that the Federal Government was in the grain business and that it was not normal conditions. Therefore Secretary Meredith suggests that the time to take this up is after these grades have had a test in normal times. They have now had a year's test under normal times, and here are the men who have told you the results. So

it is not res adjudicata of that question."

THE VALUE OF THE SAMPLE MARKET.

These are the grievances and injustices resulting from the enforcement of the Federal grades for spring wheat. Whether they could be entirely remedied by the proposed changes may well be doubted. But one thing seems clear, that the best way out of the difficulty is to enable the farmer to reach the sample market at the terminal, where grades are not controlling, but where the article can be sold on its intrinsic merit and value.

What has the controversy as to grades to do with the question of cooperative farm organizations to seats on the grain ex-

changes? That is what we are now to point out.

A great deal has been said about the value of standardization of farm products, so they can be sold unsight and unseen, on the brand or mark. That may be very good in some lines, but it has its limitations, especially when it comes to spring wheat. You can have a box of apples run through a sieve and have them uniform in size and of one variety, and you send them to market and they can not be manipulated. The same thing may be said about potatoes and many other products which can be safely sold and bought upon the grade or standard. Not so with wheat, Anyone who will thoughtfully consider what I have said will readily see that the grade often fails to indicate the real milling value of the wheat, and that the grade can be changed by simply running a few cars of different grades through an elevator and mixing them, or the moisture may be reduced or foreign material taken out. That is the reason why in the great milling centers and terminal markets of Minneapolis and Duluth wheat, although inspected and graded as the cars come in, is largely sold by sample on its milling value and at a premium over the original grade price. A car of No. 2 by reason of one-half per cent excess rye may be 60 pounds test weight, and so dry it only contains 12 per cent moisture, and a miller who may have many cars without rye admixture can well afford to pay 10 cents per bushel premium over the grade price.

Millions and millions of bushels more of No. 1 wheat are taken out of the terminal elevators annually than are put in. It goes in as one grade and comes out as another. A good deal is said about the wheat exported, and that it fixes the price here.

The exporter gives just what the grade requires and no more. If he buys 60-pound wheat with 10 per cent moisture, he either sells it to the local miller or mixes it down so it just fills the requirements and ships. But the wheat grower at the country

elevator gets no premium.

The farmers' cooperative organizations, or a federation of such organizations, desire to have their own men on these exchanges whose sole business it shall be to do the best possible for them in the market. By so doing millions of dollars would be saved to the wheat growers annually. When we find that under the present conditions a farmer who has 1,000 bushels of wheat of the best quality is penalized 43 cents, or \$430, because there is 5 per cent of wild peas mixed in it, which at the terminal can be taken out at an expense of \$20, or 2 cents per bushel, and then sold for feed, we can easily understand the enormous profits to the middleman who buys on the grade price. The way to avoid this enormous loss to the farmer is to reach the sample market at the terminals, and this can only be successfully done through farmers' cooperative associations by men of their own choosing. It is a most important section and the most practical section there is in this bill.

The CHAIRMAN. The time of the gentleman has expired. Mr. STEENERSON. Mr. Chairman, I ask unanimous consent

to extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota? [After a pause.] The Chair hears

Mr. STEENERSON. The Secretary of Agriculture, having refused to modify the grades, I have introduced the following

A bill (H. R. 6379) prescribing standards and grades for spring wheat.

Be it enacted, etc., That the grain standards and grades for spring wheat heretofore fixed, established, and promulgated by the Secretary of Agriculture under authority of the United States Grain Standards Act and now in force, are hereby changed and modified so that that part of the regulations relating to spring wheat shall read as follows:

### CLASS 1.

#### HARD RED SPRING.

This class shall include all varieties of hard red spring wheat and may include not more than 10 per cent of other wheat or wheats.

# CLASS 2.

## DURUM.

This class shall include all varieties of durum wheat and may include not more than 10 per cent of other wheat or wheats. This class shall be divided into four subclasses, as follows:

# AMBER DURUM.

This subclass shall include wheat of the class durum consisting of 75 per cent or more of hard and vitreous kernels of amber color. This subclass shall not include more than 10 per cent of wheat of the variety red durum.

This subclass shall include wheat of the class durum consisting of less than 75 per cent of hard and vitreous kernels of amber color. This subclass shall not include more than 10 per cent of wheat of the variety red durum.

### RED DURUM.

This subclass shall include wheat of the class durum consisting of more than 10 per cent of the variety red durum.

#### DURUM MIXED.

This subclass shall contain 80 per cent durum, of which not more than 10 per cent shall be red durum, and 20 per cent of wheat of other classes.

#### GRADE REQUIREMENTS.

#### HARD RED SPRING WHEAT.

This class shall be divided into five grades, as follows: Grade 1-

(a) Shall be cool and sweet:

(b) Shall test weight of 57 pounds per bushel;

May contain not more than 15 per cent moisture;

(c) May contain not more than 15 per cent moisture;
(d) May contain not more than 2 per cent of rye, and all foreign material, except rye, shall be considered dockage;
(e) May contain not more than 2 per cent of damaged kernels, which may include not more than one-tenth of 1 per cent of heat-damaged kernels;
(f) May contain not more than 5 per cent of wheat other than band red arrives which 5 per cent of wheat other than 15 per cent of wheat

than 21 per cent of common white and white club wheat, and 5 per cent of durum and winter wheat, either singly or in any combination; and

(g) May contain not more than 5 per cent of wheat of the

variety humpback. Grade 2

(a) Shall be cool and sweet;

(b) Shall have a test weight per bushel of at least 55 pounds; May contain not more than 15 per cent of moisture;

(d) May contain not more than 3 per cent of rye, and all foreign material, except rye, shall be considered dockage;
(e) May contain not more than 4 per cent of damaged kernels,

which may include not more than two-tenths of 1 per cent of

heat-damaged kernels; and

(f) May contain not more than 6 per cent of wheat other than hard red spring, which 6 per cent may include not more than 3 per cent of common white and club wheat and 6 per cent of durum and winter wheat, either singly or in any combination.

Grade 3-

(a) Shall be cool and sweet;

(b) Shall have a test weight per bushel of at least 53 pounds;

(c) May contain not more than 15 per cent of moisture; (d) May contain not more than 4 per cent of rye, and

all foreign material, except rye, shall be considered dockage;
(e) May contain not more than 7 per cent of damaged kernels, which may include not more than five-tenths of 1 per cent of

heat-damaged kernels:

(f) May contain not more than 8 per cent of wheat other than hard red spring, which 8 per cent may include not more than 4 per cent of common white and club wheat, and 8 per cent of durum and winter wheat, either singly or in any combination.

Grade 4-

(a) Shall be cool and sweet;

(b) Shall have a test weight per bushel of at least 50 pounds:

(c) May contain not more than 16 per cent of moisture;

(d) May contain not more than 5 per cent of rye, and all foreign material, except rye, shall be considered dockage;(e) May contain not more than 10 per cent of wheat other

than hard red spring, which 10 per cent may include not more than 5 per cent of common white and club wheat and 10 per cent of durum and winter wheat, either singly or in any combination.

## SAMPLE.

Shall be wheat which does not come within the requirements of any of the grades from No. 1 to No. 4, inclusive, or which has any commercially objectionable foreign odor except of smut, garlic, or wild onions, or is very sour, or is heating, hot, infested with live weevils or other insects injurious to stored grain, or is otherwise of distinctly low quality, or contains small, inseparable stones or cinders.

### DURUM WHEAT.

Grades for durum wheat: The subclasses amber durum, durum, red durum, and durum mixed shall be divided into five grades for each subclass, as follows:

Grade 1-

Shall be cool and sweet;

Shall have a test weight per bushel of at least 60 pounds;

May centain not more than 15 per cent of moisture:

(d) May contain not more than 2 per cent of rye, and all foreign material, except rye, shall be considered dockage;

(e) May contain not more than 2 per cent of damaged kernels, which may include not more than one-tenth of 1 per

cent of heat-damaged kernels;

(f) May contain not more than 5 per cent of wheat other than durum, which 5 per cent may include not more than 21 per cent of common white and white club wheat and 5 per cent of winter wheat, either singly or in any combination; and

(g) May contain not more than 5 per cent of wheat of the variety red durum in either No. 1 amber durum or No. 1 durum,

Grade 2-

(a) Shall be cool and sweet;

(b) Shall have a test weight per bushel of at least 58 pounds;

May contain not more than 15 per cent of moisture;

(d) May contain not more than 3 per cent of rye, and all foreign material except rye shall be considered dockage;

(e) May contain not more than 4 per cent of damaged kernels, which may include not more than two-tenths of 1 per cent of heat-damaged kernels; and

(f) May contain not more than 6 per cent of wheat other than hard red spring, which 5 per cent may include not more I than durum, which 6 per cent may include not more than 3

per cent of common white and club wheat and 6 per cent of winter wheat, either singly or in any combination.

Grade 3-

(a) Shall be cool and sweet;

(b) Shall have a test weight per bushel of at least 56 pounds;

(c) May contain not more than 15 per cent of moisture; (d) May contain not more than 4 per cent of rye, and all foreign material except rye shall be considered dockage;

(e) May contain not more than 7 per cent of damaged kernels, which may include not more than five-tenths of 1 per cent

of heat-damaged kernels;

(f) May contain not more than 8 per cent of wheat other than durum, which 8 per cent may include not more than 4 per cent of common white and club wheat, and 8 per cent of winter wheat, either singly or in any combination.

Grade 4-

(a) Shall be cool and sweet;

(b) Shall have a test weight per bushel of at least 54 pounds;

(c) May contain not more than 16 per cent of moisture; (d) May contain not more than 5 per cent of rye, and all foreign material, except rye, shall be considered dockage;

(e) May contain not more than 10 per cent of wheat other than durum, which 10 per cent may include not more than 5 per cent of common white and club wheat and 10 per cent winter wheat, either singly or in any combination.

Shall be wheat of the subclass amber durum, durum, red durum, or durum mixed, respectively, which does not come within the requirements of any of the grades from No. 1 to No. 4, inclusive, or which has any commercially objectionable foreign odor except of smut, garlic, or wild onions, or is very sour, or is heating, hot, infested with live weevils or other insects injurious to stored grain, or is otherwise of distinctly low quality, or contains small, inseparable stones or cinders.

SEC. 2. That this act shall take effect and be in force 90

days after its passage.

Mr. TINCHER. I ask unanimous consent that all debate on this amendment and all amendments thereto close in 15 minutes. The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

Mr. CHINDBLOM. Reserving the right to object, how many

will that provide for?

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that all debate on the amendment and section be closed in 15 minutes. Is there objection?

Mr. KELLY of Pennsylvania. Reserving the right to object,

I would like to know what that includes.

The CHAIRMAN. The Chair understands it includes section 5 and the pending amendment and all amendments to the pending amendment.

Mr. KELLY of Pennsylvania. It should not include all the amendments, because I have an amendment I want to offer.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

Mr. JEFFERIS. I object. Mr. TINCHER. Mr. Chairman, I ask unanimous consent that all debate on the section and amendments to the amendment close in 25 minutes.

The CHAIRMAN. Is there objection to the request of the

gentleman from Kansas?

Mr. SANDERS of Indiana. Reserving the right to object, I want to ask the chairman a question. This is the most important section of the bill, and we do not know what amendments are going to be offered, and will not the chairman let the debate run on a little before he makes the request?

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to close debate on the section, the pending amendment, and all amendments thereto in 25 minutes, not excluding the time allowed the gentleman from Minnesota.

there objection?

Mr. KELLY of Pennsylvania. That will not prevent my offer-

ing a perfecting amendment?

The CHAIRMAN. It will not; but there will be no debate on the amendment after 30 minutes. Is there objection? Chair hears none.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. CHINDBLOM. Mr. Chairman, many years ago I read a book which was sent to me in the interest of a propaganda at that time and which was entitled "Government and Company, Limited." That appellation, it seems to me, might well be used Secretary of Agriculture?

in describing the organization which is provided by this section 5—"Government and Company, Limited." The Government is going to take charge of the boards of trade and similar exchanges in the United States. The Secretary of Agriculture is vested with absolute irrevocable power to determine what boards of trade shall be permitted to operate without paying the tax of 20 cents per bushel. More than that, he is given the discretion of determining what amount of this so-called gambling shall be permitted upon a board of trade. Read paragraph (d). In it the Secretary of Agriculture is authorized to designate boards of trade as "contract markets" under certain conditions, one of them being, as stated in paragraph (d):

(d) When the government thereof provides for the prevention of the manipulation of prices by the dealers or operators upon such board, including a reasonable limitation upon the total quantity of grain of the same kind covered by contracts unfulfilled or unsettled at any one time by or on behalf of the same person commonly called "open trades" in speculative transcripers. speculative transactions.

It seems to me that the gentlemen who framed this bill, after having reached the conclusion that there is no way under which they could provide by legislation for the control of speculation on a board of trade, concluded they would pass that question on to the Secretary of Agriculture, and now the Secretary of Agriculture gets carte blanche authority to determine what is reasonable speculation upon the total quantity of grain in open trades" in speculative transactions.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. CHINDBLOM. I do.

Mr. NEWTON of Minnesota. Does the gentleman understand the language the way I understand it? As I understand it, it prescribes that the governing board-that, at least, is what is meant—the governing board of the exchange shall provide rules and regulations against manipulation on the market.

Mr. CHINDBLOM. Certainly; and the Secretary of Agriculture is to determine whether they have adopted proper rules.

Mr. NEWTON of Minnesota. That is as I understand it.

Mr. JONES of Texas. Will the gentleman yield?

Mr. CHINDBLOM. For a brief question,

Mr. JONES of Texas. I just want to tell the gentleman that as to the provision limiting the amount, the bill as originally drafted did not contain it, and it was put in there at the suggestion of the Secretary of Agriculture because he thought it would help him in controlling it.

Mr. CHINDBLOM. If you will read the hearings you will find various members of the committee were afraid of limiting these transactions because they did not know what limit might be necessary to protect hedging in their home districts. Now,

Mr. Chairman-

Mr. HAUGEN. Will the gentleman yield?

Mr. CHINDBLOM. I am going to lose all the time I have to discuss the bill if I yield further. It seems to me we have reached the point where we are going to put back the grain business in the country just exactly where it was under the Food Administration during the war. As a matter of fact, I think one of the most unfortunate results of the war was the continued tendency to maintain organizations which were necessarily established during the war, and where such organizations have been already disbanded to reestablish them in some sort The Secretary of Agriculture at present is a most estimable gentleman; I have no quarrel with him; but no business interests should be placed under the absolute domination and control of any member of the Cabinet of the President of

the United States or of any other administrative officer.

The CHAIRMAN. The time of the gentleman has expired,
Mr. GREEN of Iowa. Mr. Chairman, I rise to support the
amendment offered by the gentleman from Michigan. I have no quarrel with the gentleman from Minnesota when he says under certain regulations cooperative organizations ought to be permitted to become members of these exchanges. I agree with him entirely, but this paragraph, subdivision (e), page 5, provides that they must be admitted without any regulations what-The organization is not allowed to fix any restriction upon them, and so far as I can see the effect will necessarily be the dissolution of the boards of trade, because a board of trade could not have as its members a portion thereof who were not subject to any regulations whatever. Now, the amendment proposed by the gentleman from Michigan is not a farreaching one nor a rigid one. It proposes that they shall be admitted and put under such reasonable regulations as the Secretary of War may fix for that purpose.

Surely, gentlemen could not expect that they should be admitted without any regulations, and if we are not to prescribe the regulations in the bill-and I think we will all agree that we could not very well do that-then who better may determine under what regulations they should be admitted than the

Mr. Chairman, like the gentleman from Indiana [Mr. Bland], I have been uncertain about the effect of this bill, and I am somewhat fearful that it may do more harm than good. If the paragraph under consideration is allowed to stand in its present form, it could not be beneficial. But the fears I have in mind are founded upon theory rather than fact, because the effect of provisions similar to those in this bill have never been tested. I may be entirely wrong. I hope I am. In any event, I think it will be worth while to pass the bill in order that we may settle this question of whether the dealings that are sought to be prohibited by it are harmful. Some of these questions ought to be settled, and the only way to settle them is by trial. The effect it will have will be, on the whole, for the benefit of the farmer and prevent the further depression of agricultural products.

Now, I am not impressed by what the gentleman from South Carolina [Mr. Stevenson] said with reference to the experience with cotton. If I know anything about cotton prices, and I think I do somewhat, although I do not live in a cotton region, there is no agricultural commodity that has depreciated faster in the last year or two, or gone down more in proportion to prewar prices, than cotton has. If the provisions that were enacted, in reference to dealings in cotton exchanges, have had no effectand they are similar to this-then this bill will have no effect. But, Mr. Chairman, I think this experiment ought to be tried. I think it is worth while to try it, and for that reason I shall support the bill if its provisions are reasonable with reference to exchanges. But it seems to me that to leave subdivision (e) as it stands would have the effect to make the carrying on of these exchanges, the great grain exchanges in Chicago and elsewhere, absolutely impossible, because there would be certain members subject to no regulations whatever.

Surely we do not want to do that. The closing of the board of trade in Chicago even for a few weeks would inflict an

enormous loss on the farmer.

There are other provisions in this bill that I do not approve, but I believe they will be changed before it becomes a law. I have great confidence in the combined wisdom of the Agricultural Committees of the House and Senate and believe that I can in the end rely on their judgment better than my own.

Mr. KELLY of Pennsylvania. Mr. Chairman, I desire to pro-

pound a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KELLY of Pennsylvania. First, is the vote to be taken on this pending amendment and then other amendments to be offered, or all of them voted on at the same time?

The CHAIRMAN. The Chair would suggest that the amend-

ments may be considered as pending.

Mr. KELLY of Pennsylvania. I have a separate amendment which I wish to offer.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. Kelly of Pennsylvania: Page 4, line 20, after he word "a," strike out the word "reasonable," and after the word 'limitation" add "to be fixed by the Secretary of Agriculture."

Mr. KELLY of Pennsylvania. Mr. Chairman, I shall vote for this bill as a step in the right direction, but I regret that it does not go further.

The first lines of this subsection (d) express a most worthy purpose, that of preventing the manipulation of prices.

the real evil to be cured and it should be met effectively.

The wiping out of such transactions as "puts" and "calls" in bucket shops will not meet the situation and the real gamblers on the grain exchanges know that very well. They have spent money and waged campaigns in the past to end the com-

petition of these petty gamblers.
"Puts" and "calls" are simply bets on the price of wheat or other grain. If wheat closes to-day at 90 cents the buyer of the "put" offers to bet \$5 that the next day the market will drop to a price under 89½ cents, so that he will be able to "put" the wheat at that price and make a profit. The "call" is just the opposite. The buyer bets that wheat will go to a point above 90½ cents so that he may "call" the wheat and sell at a profit at that price.

Such bucket-shop operations do not fix the price of wheat, They are simply bets on the results of the work of manipula-

tors who do influence the price.

In 1914 the Rules Committee of this House held extensive hearings into bills relating to grain exchanges. The president of the Chicago Board of Trade and members of the board appeared as witnesses. It was declared by experienced men that the change of a single cent per bushel of grain through manipulation changed values in this country \$50,000,000. It was shown that on some occasions prices varied 17 cents a bushel in a single day.

That meant vast changes in values and resulting injury to many persons. The manipulators profited but the producer and the consumer suffered.

At that hearing S. H. Greeley, a former member of the Chicago Board of Trade, testified as follows:

I know what future trading is. I have been in it. I was brought up in it; bred in it from youth. No man on the board of trade that knows anything will deny that in the wheat pit alone, on an average, every day of the year the total amount of the purchases, plus the total amount of the sales in the futures, will at least total 25,000,000 a day, from 9.30 in the morning to 1.15 in the afternoon.

Remember also that less than 25,000,000 bushels of wheat came to Chicago in a year, and here is a trade of 25,000,000 in one forenoon. He goes on to say:

There are those who have boasted that they have traded in 20,000,000 a day, a single firm. Think of it. I myself, although I have been a little dealer, what you might almost term an "insignificant trader," have many a day traded 500,000 bushels to 1,000,000 bushels, and never thought much about it myself at the time.

That is the kind of trading which works injury. of distributing foodstuffs in this country is vastly too high, even with the elimination of all parasites who never handle a bushel of wheat or other grain, but who levy toll just the same.

It seems to me that we should make a determined effort to put all gamblers in foodstuffs out of business. It is not a question of Government interfering with legitimate business; it is a question of abolishing evil practices which work great injury to the American public. It is a governmental duty to prevent any set of men, through a series of chalk marks on a blackboard in a gambling grain exchange, from fixing the prices which a farmer must take for his grain and a consumer pay for his bread.

I seek in my amendment to provide that a definite limitation shall be put upon these deals in imaginary grain, and that the Secretary of Agriculture shall fix that limitation. it said that the Secretary will have that power under the bill, but I doubt it, as a practical proposition.

Mr. KINCHELOE. Will the gentleman yield?

Mr. KELLY of Pennsylvania. Let me finish the statement. I believe this bill gives him the power to approve a limitation suggested by the grain exchange, but if he finds later that it is not the proper limitation and the question goes to court it may be declared that he has no further jurisdiction under the provisions of section 6 of the bill. I want it specifically stated that the Secretary shall have power to say that any person or firm or association shall not go above a proper limitation in the handling of these deals in futures and that the use of "dummies" shall not completely nullify the intent of this bill. Now I yield to the gentleman from Kentucky.

Mr. KINCHELOE. Under your amendment you propose to have the supervision carried on by the Secretary of Agri-

culture?

Mr. KELLY of Pennsylvania. Yes.

Mr. KINCHELOE. Under this bill, before he designates a central market, they fix the limitation.

Mr. KELLY of Pennsylvania. He can designate a grain exchange as a central market upon a limitation set by the grain exchange. That is their action. I would like to see it the affirmative duty of the Secretary to fix the limitation and then change it as conditions warrant. I believe there is a possibility that he will have no such power under this bill.

Mr. Chairman, there is nothing more legitimate than grain raising, and there should be nothing more illegitimate than grain gambling. Let the law of supply and demand fix the price of foodstuffs, not the law or whim of great speculators

who never touch a bushel of grain.

This bill will help to turn the searchlight of publicity upon the whole business and will help in the final remedy of this great evil. I believe, however, that it might be strengthened by giving the representative of the United States Government the right to absolutely control all trading in futures, and I hope the committee will agree to my amendment.

Mr. KETCHAM. Mr. Chairman, I offer an amendment. The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. Ketcham: Page 5, at the end of the section, after the last word of the amendment offered by Mr. McLaughlin of Michigan, add: "Provided, That nothing in this section shall be construed to abridge the right of such cooperative association to permit the division of its profits according to its own by-laws."

The CHAIRMAN. Does the gentleman offer that as an amendment to the amendment?

Mr. KETCHAM. I offer it as a perfecting amendment,

I desire, Mr. Chairman, just to make this statement, that I agree entirely with my colleague [Mr. McLaughlin of Michigan] as to the desirability of his amendment with reference to requiring cooperative organizations, if they gain a place on the boards of trade, to conform to the rules and regulations. But I think it is a common understanding that one of the great points of division between them is at this very point, which is vital to every cooperative association—in fact, the very life of it—the method by which its profits shall be divided. Therefore, with this proviso, it seems to me this amendment which has been proposed by my colleague is very desirable, and I hope it will be adopted.

Mr. GREEN of Iowa. I do not know what study the gentleman has given to the subject, but for my part I think the amendment is very good.

Mr. CHINDBLOM. Mr. Chairman, will the gentleman yield?

Yes. Mr. KETCHAM.

Mr. CHINDBLOM. I would like to ask the gentleman whether the effect of his amendment is not to limit the liability of the association for its membership?

Mr. KETCHAM. No. It is in accordance with all their other

rules, except for this proviso.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, the amendment of the gentleman is entirely unnecessary. It is simply a direction in one respect to the Secretary of Agriculture as to what his findings shall be respecting the rules and regulations of the boards of trade. In my judgment he ought to be left free to exercise his judgment. I agree with the gentleman that one rule of the exchange invoked against farm organizations is unreasonable, in that those organizations are charged with splitting commissions, which is forbidden to all members of exchanges, and the rule says a division of profits at the end of the year or at the end of a season is equivalent to a splitting of commissions. But if you are going to take up this thing by suggestions put into this law to manacle the Secretary and tie his hands by one means and another, it seems to me it would be unwise.

The CHAIRMAN. The time of the gentleman from Michigan

has expired.

Mr. NEWTON of Minnesota. Mr. Chairman, I rise to oppose the motion of the gentleman from Michigan [Mr. Ketcham]. It seems to me that if this matter is to be left to the Secretary of Agriculture it would be very unwise and very undesirable, as the other gentleman from Michigan [Mr. McLaughlin] has just stated, to tie his hands and to prescribe in advance that

this method or that method should be pursued.

Now, in reference to the contention of the gentleman from Pennsylvania [Mr. Kelly] as to subdivision (d), it will be noted that the first paragraph of section 5 provides that the Secretary of Agriculture is hereby authorized and directed to designate boards of trade as contract markets when, and only when, such boards of trade comply with certain conditions, Subdivision (d) is one of the conditions, and that condition is that the governing boards of the exchanges shall provide by their rules for the prevention of manipulation of prices by dealers on such boards, including, as the language of the bill is drawn, "a reasonable limitation upon the total quantity of grain of the same kind," and so forth.

Now, anyone reading the hearings will appreciate how perplexing a problem that question of a limitation on the trade presented, not only to the committee but also to the Secretary of Agriculture, who favored the measure. I think it was the disposition of a good many to fix in the bill a specific limitation, but the objection was made that a limitation made in one season of the year would not fit another season in the year, and so it was thought best by the committee and by the Secretary

to leave it to the boards, subject to regulation by the Secretary.

But the amendment of the gentleman from Pennsylvania [Mr.

Kelly] strikes out the word "reasonable." The gentleman from Pennsylvania would not only go to the length of this bill, and confer upon the Secretary this power, which is quite questionable, but he would also strike from the provision regarding it any question of reasonableness. He might fix it at 1 bushel or he might fix it at 1,000,000 bushels. It seems to me, if you are going to legislate, we should at least have a limitation of reasonableness upon the action of the Secretary.

Mr. KELLY of Pennsylvania. Mr. Chairman, will the gen-

tleman yield?

Mr. NEWTON of Minnesota. Yes.
Mr. KELLY of Pennsylvania. I agree with the gentleman as
to the word "rensonableness," but the gentleman has just suggested that there will be a difference in the different times of the year. Suppose the Secretary goes to court and the court says he has no jurisdiction over that. What shall we do?

Mr. NEWTON of Minnesota. I do not think the court will take such a position, but I do think that the people of this

country will take such a position as to the passage of an act conferring such power on the Secretary without any limitation as to reasonableness. [Applause.]
The CHAIRMAN. The time of the gentleman from Minnesota

has expired.

Mr. TINCHER. Mr. Chairman, so far as I am concerned, as to the amendment of the gentleman from Michigan I have no likes or dislikes concerning it. I think the present Secretary of Agriculture has a very definite idea as to whether these cooperative associations should have the right to join an exchange; and whether the amendment prevails or not, I do not think, if this bill becomes a law, they will be barred from the exchanges because of the way they contemplate spending their profits.

As to the matter suggested by the gentleman from Pennsylvania [Mr. Kelly], it was considered very carefully by us. It is quite an important proposition in this bill, and we decided that to give the Secretary of Agriculture authority to require the exchanges to have rules and regulations, involving, if necessary, the placing of a limitation upon certain classes of trade, would be going far enough, and while I feel that the trade and the country and everyone will be perfectly safe so long as the present occupant of the position of Secretary of Agriculture continues in his place-a man familiar with the subject, as the present Secretary of Agriculture is-yet I do not for the present want to go to the extent of saying to any man who is Secretary of Agriculture, "You shall have the power to fix the limita-" and amend this bill in that respect. I would prefer to have the section passed as it is, so that we can have an opportunity to try the law in this form.

Mr. SANDERS of Indiana. Do any of these boards of trade

now have regulations fixing the amount?

Mr. TINCHER. No; but the boards of trade with whose members we have talked about it rather encourage the proposition that it would not be bad to have the limitation. say to the gentleman that the men representing the legitimate trade, who appeared before our committee representing various boards of trade, are, I believe, in good faith opposed to the manipulator of the market, and that sometimes the absence of

a limit affords an opportunity to manipulate the market.

Mr. SANDERS of Indiana. What limit would the gentleman suggest with reference to the Board of Trade of Chicago?

Mr. TINCHER. Different members suggested different amounts

The CHAIRMAN. The time of the gentleman has expired.

All time has expired. The question is on the amendment of the gentleman from Pennsylvania [Mr. Kelly].

The amendment was rejected.

The CHAIRMAN. The next question is on the amendment of the gentleman from Michigan [Mr. Ketcham] to the amendment of the gentleman from Michigan [Mr. McLaughlin].

Mr. KETCHAM. May I request, Mr. Chairman, that both amendments be read?

The CHAIRMAN. Without objection, the amendment and the amendment to the amendment will be again reported.

The Clerk read as follows:

Amendment by Mr. McLaughlin of Michigan: Page 5, line 4, at the end of the line add the following: "Provided, That any such association or its representative applying for admission to membership on a board of trade be able to and shall comply with and conform to all rules and regulations of such board if the same have the approval of the Secretary of Agriculture."

Also the following:

Amendment by Mr. Ketcham to the amendment offered by Mr. McLaughlin of Michigan: At the end of the amendment add: "Provided, That nothing in this section shall be construed to abridge the right of such cooperative association to prevent the division of its profits according to its own by-laws."

The CHAIRMAN. The question is on the amendment to the amendment.

The amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment of the gentleman from Michigan [Mr. McLaughlin],

The question was taken; and on a division (demanded by Mr. KINCHELOE) there were-ayes 35, noes 27.

Accordingly the amendment was agreed to.

Mr. PURNELL. Mr. Chairman, I desire to offer a perfecting amendment: On page 3, line 24, after the word "when," strike out the words "the government thereof" and insert in lieu the charman. The Chark will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. Punnell: Page 3, line 24, strike out the words "the government thereof" and insert in lieu thereof the words "said board."

Mr. McLAUGHLIN of Michigan. Mr. Chairman, the trouble with that is that we are not talking about any board, so when you speak of "said board" it does not mean anything.

Mr. CHINDBLOM. What does "thereof" refer to?

Mr. PURNELL. Mr. Chairman, notwithstanding the previous agreement, I ask unanimous consent that we may have five minutes in which to discuss this. I think it is very important that we change the phraseology, so that there will be no question about what it means,

The CHAIRMAN. The gentleman asks unanimous consent that, notwithstanding the agreement to limit debate, he have five minutes in which to discuss the amendment. Is there

objection?

Mr. ASWELL, I object,
The CHAIRMAN, Objection is made. The question is on the amendment.

Mr. SANDERS of Indiana. I ask unanimous consent that my colleague may have two minutes in which to explain it. Of course, this limit of debate should not have been fixed.

The CHAIRMAN. The gentleman is speaking out of order now. The question is on the request that the gentleman from Indiana [Mr. Purnell] have two minutes. Is there objection?

There was no objection.

Mr. PURNELL. Mr. Chairman, I have no particular pride of authorship in the words. Some one has suggested that the words "the governing board" be used. Certainly it is ambiguous to say "the government thereof." Everybody knows that refers to boards of trade. I merely want to correct the verbiage so that it will have some semblance of sense. [Laughter.] I ask unanimous consent to withdraw my amendment and instead of that to strike out, after the word "when," the words "the government thereof" and insert in lieu thereof the words "the go: rning board thereof."

The CHAIRMAN. The Clerk will report the amendment

offered by the gentleman from Indiana.

The Clerk read as follows:

Modified amendment by Mr. PURNELL: Page 3, line 24, strike out the words "the government thereof" and insert in lieu thereof the words "the governing board thereof."

The CHAIRMAN. The question is on the amendment.

The question being taken, on a division (demanded by Mr. PURNELL) there were—ayes 33, noes 12.

Accordingly the amendment was agreed to.

Mr. PURNELL. Mr. Chairman, on page 4, line 13, after the word "when," I move to strike out the words "the government thereof" and insert in lieu thereof "the governing board thereof."

Mr. KINCHELOE. Let me suggest to the gentleman that the committee sat down and spent half a day on the verbiage of this bill, and I think as far as that is concerned it ought

to be satisfactory to the gentleman.

The CHAIRMAN. The Chair will call attention to the fact that debate on this section has been closed. The question is on the amendment offered by the gentleman from Indiana [Mr. PURNELL1.

The question being taken, on a division (demanded by Mr. Purnell) there were—ayes 33, noes 18.

Accordingly the amendment was agreed to.

Mr. PURNELL. Mr. Chairman, I offer another amendment.
On page 4, line 18, after the word "when," to strike out the
words "the government thereof" and insert in lieu thereof the words "the governing board thereof."

Mr. JONES of Texas. I offer an amendment to the amendment to strike out from the amendment the word "board" and insert "authority," so that it will read "when the governing

insert "authority," authority thereof."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas to the amendment of the gentleman from Indiana.

The question was taken, and the amendment to the amend-

ment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana.

The question being taken, on a division (demanded by Mr.

Purnell) there were—ayes 36, noes 14.
Accordingly the amendment was agreed to.

Mr. PURNELL. Mr. Chairman, I offer an amendment. On page 5, line 1, after the word "when," strike out the words "the government thereof" and insert in lieu thereof the words "the governing board thereof."

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. Purnell: On page 5, line 1, after the word "when," strike out the words "the government thereof" and insert in lieu thereof the words "the governing board thereof."

The CHAIRMAN. The question is on the amendment offered

by the gentleman from Indiana [Mr. PURNELL].

The amendment was agreed to.

Mr. HUTCHINSON. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 5, line 3, after the word "trade," insert "any duly authorized executive officer of any."

The CHAIRMAN. The question is on the amendment. The question was taken; and on a division (demanded by Mr. NEWTON of Minnesota) there were 30 ayes and 10 noes.

So the amendment was agreed to. The Clerk read as follows:

The Clerk read as follows:

Sec. 6. That any board of trade desiring to be designated a "contract market" shall make application to the Secretary of Agriculture for such designation and accompany the same with a showing that it complies with the above conditions, and with a sufficient assurance that it will continue to comply with the above requirements. The Secretary of Agriculture is authorized to suspend for a period not to exceed six months or to revoke the designation of any board of trade as a "contract market" upon a showing that such board of trade has falled or is falling to comply with the above requirements or is not enforcing its rules of government made a condition of its designation as set forth in section 5. Such suspension or revocation shall only be after a notice to the officers of the board of trade affected and upon a hearing: Provided, That such suspension or revocation shall be final and conclusive unless within 15 days after such suspension or revocation by the Secretary of Agriculture such board of trade appeals to the circuit ourt of appeals for the circuit in which it has its principal place of business by filing with the clerk of such court a written petition praying that the order of the Secretary of Agriculture be set aside or modified in the manner stated in the petition, together with a bond in such sum as the court may determine, conditioned that such board of trade will pay the costs of the proceedings if the court so directs. The clerk of the court in which such a petition is filed shall immediately cause a copy thereof to be delivered to the Secretary of Agriculture, and the Secretary of Agriculture shall forthwith prepare, certify, and file in the court a full and accurate transcript of the record in such proceedings, including the notice to the board of trade, a copy of the charges, the evidence, and the report and order. The testimony and evidence taken or submitted before the Secretary of Agriculture and shall be expedited in every way. Such a court may affirm or set aside

Mr. HILL. Mr. Chairman, I move to strike out the last word. Mr. Chairman and gentlemen of the committee, Baltimore is one of the greatest grain-export ports in the country. I am just in receipt of a telegram from the Baltimore Chamber of Commerce, signed by A. W. Mears, vice president. Yesterday when this bill was taken up by this committee I, knowing little about the bill or about the grain business, telegraphed to the board of trade in Baltimore, the Merchants' and Manufacturers' Association of Baltimore, the Export Board of Trade, and two other grain organizations. I was advised last night by telephone that the chamber of commerce was the organization that knew about the grain-export business. That chamber of commerce held a special meeting this morning on the floor of the chamber, as I am advised, and I have received the following expression of their opinion which will govern my action on this bill.

Mr. DICKINSON. Have they read the bill?

Mr. HILL. Yes; I sent him two copies.
Mr. DICKINSON. Does the gentleman know how large the export of wheat is out of the United States?

Mr. HILL. No; I do not know.

Mr. DICKINSON. Does the gentleman know that it is less

than 10 per cent-

Mr. HILL. I do not know anything about it.

The telegram is as follows:

BALTIMORE, MD., May 12, 1921.

Hon. John Philip Hill,
House of Representatives, Washington, D. C.:
We strongly protest against passage of bill II. R. 5676. Bill as framed would restrict free and open market and cause serious hardship to grain dealers and producers. To finance and handle movement economically banks and merchants must have open-market protection, Governmental control of marketing farm products is impracticable and unnecessary. unnecessary.

BALTIMORE CHAMBER OF COMMERCE. A. W. MEARS, Vice President.

Mr. TEN EYCK. Did the gentleman make any effort to consult the producers in the State of Maryland to ascertain their attitude on the bill?

Mr. HILL. I may say that there is very little grain production in Baltimore City, and I represent Baltimore City.

Mr. TEN EYCK. Did he communicate with the large number

of consumers in Baltimore?

Mr. HILL. I did not, except through the board of trade. Mr. HILL. I did not, except through the board of trade. Mr. TINCHER. How many directors were present at this

meeting of the chamber of commerce?

Mr. HILL. I do not know. One or two gentlemen who appeared before your committee were present, and whose names appear in the record. As I understand, this was the regular meeting of the board of trade this morning.

Mr. PURNELL. Will the gentleman point out the specific

objection that he has to this bill?

Mr. HILL. I consider it an unwarranted interference with

private enterprise.

Mr. KINCHELOE. Knowing how the gentleman is situated and the constituents he represents, does not the gentleman think that the reading of the telegram ought to be incontrovertible proof and justification for the rest of us, who represent consumers and producers, to vote for the bill?

Mr. HILL. No; I do not think that is necessarily true. The fact that some one might object to rye because it is sometimes made into a certain intoxicating beverage is no reason why rye is not good chicken feed. [Laughter.] Mr. Chairman, I with-

draw the pro forma amendment.

Mr. STEVENSON. Mr. Chairman, I offer the following amendment

The Clerk read as follows:

Page 6. line 17, after the word "the," strike out "commission" and sert "Secretary of Agriculture."

Mr. STEVENSON. Mr. Chairman, I am not going to oppose the amendment, but I desire recognition on it. I am not like the gentleman from Baltimore in some respects. I am in favor of this bill, but it strikes me that the section we are now considering is liable to very successful legal assault. I do not know whether there has been any decision or not, but the Secretary of Agriculture is here created as a court to try and determine the rights of the board of trade on complaint made to the Secretary of Agriculture. If he makes a decision adverse to the board of trade then the board of trade is given authority to appeal to the circuit court of appeals, which emphasizes the fact that the Secretary of Agriculture is being constituted a trial court to try a legal matter. And when it goes to the court of appeals the Secretary of Agriculture is authorized to make up a transcript, without any provision for corrections, if there are any differences between the Secretary of Agriculture and the board of trade. Then it provides that the appeal is on that transcript and on nothing else, and the court is to affirm or reverse or modify as it may see fit on the record made by the Secretary of Agriculture.

The gentleman from Kansas is a good lawyer, and I suppose he has looked up the precedents. But it strikes me that he has left this wide open to attack by any board of trade that goes into the courts on the ground that they have given judicial powers to an executive officer not otherwise clothed with the

powers of a court.

Mr. KINCHELOE. Will the gentleman yield?

Mr. STEVENSON. Yes.
Mr. KINCHELOE. If I am not mistaken, if the gentleman will examine the cotton future bill, and the Volstead bill we passed the other day, incorporating farm organizations, he will find that the procedure is the same.

Mr. STEVENSON. No; the Volstead bill provided that if the

Secretary of Agriculture has passed on the matter there is an appeal to the Federal court, but in the Federal court it is passed

upon de novo.

Mr. SANDERS of Indiana. And in this provision for this hearing before the Secretary of Agriculture there is no provision for compulsory attendance of witnesses.

Mr. STEVENSON. I do not find any.

Mr. SANDERS of Indiana. Since it must be tried on the transcript it would not be due process of law under the Con-

Mr. STEVENSON. There are many things which have been held to be due process of law, and while I will follow the gentleman, I think, on that, I am satisfied I am right that where you constitute a man, a court, to try a case, hear the testimony, provide that he and he alone can make up the transcript that goes to the court of appeals and provide what shall be an appeal from him to the court, it is purely a technical legal matter, and on the transcript he makes up it must be considered, I am satisfied that you are going to find that will be constituting an executive officer a judicial officer with very broad powers, and I am inclined to think the committee had better proceed slowly. I want to see the bill pass in such form that it will be right, although I do not propose to offer an amendment

The United States Constitution provides that the executive, legislative, and judicial departments shall be forever kept

separate.

Mr. TINCHER. Mr. Chairman, the only thing I desire to submitted for review are clearly legal, and suggest is the word "commission" was used by an oversight if left as it is, a trial de novo to the court.

and it is clear to any member of the committee that the words should be "Secretary of Agriculture."

Mr. CHINDBLOM. What commission; what is that meant

to refer to?

Mr. TINCHER. It was inadvertently used.

Mr. KINCHELOE. Mr. Chairman, in answer to the contention of the gentleman from South Carolina, I think under the proposition of law his contention would be good; but it is not affected by this procedure. When it goes to the court the proposition that the court has got to decide is whether or not the Secretary of Agriculture has exceeded the authority given by this act, and therefore they can not act intelligently upon the entire evidence except on the evidence upon which the Secretary of Agriculture acted h'mself.

Mr. TINCHER. I do not think there is any prohibition of the authority that we give the Secretary of Agriculture by this law. I am sure we are not violating any constitutional or legal

prohibition.

Mr. SANDERS of Indiana. The fact that the court will use the evidence that somebody else acted upon does not make it

due process of law.

Mr. TINCHER. Oh, no. Fifteen years ago I quit worrying about due process of law, and the courts, the gentleman will notice, have gradually gotten out of that. I know it is a nice thing to worry about due process of law, but there is no reason why Congress should not give the Secretary of Agriculture all the power that we are giving in this bill. There is nothing in the Constitution or any reason why the court should not decide whether he had exceeded that authority, and there is not any reason why Congress should not point out the procedure that the court would follow in arriving at that.

Mr. STEVENSON. Is not that the customary procedure when you appeal from one court to another? Is not that the customary procedure between final tribunals when you appeal from

a lower to a higher court?

Mr. TINCHER. I think from the question asked that the gentleman comes from a section where the practice of law is on the old theory. If the gentleman will come out where they really practice law in recent years, he will find that they have abandoned all that sort of thing.

Mr. STEVENSON. What I wanted to ask the gentleman is

if it is not the exercise of judicial power in this instance?

Mr. TINCHER. Mr. Chairman, I ask for a vote. The question was taken, and the amendment was agreed to. Mr. TINCHER. Mr. Chairman, in line 18, strike out the words "Secretary of Agriculture" and insert the word "his."

The question was taken, and the amendment was agreed to. Mr. EVANS. Mr. Chairman, I offer an amendment. The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. Evans: Page 6, line 21, after the word "unsupported," amend by striking out the word "the" and, in line 22, strike out the words "weight of the."

Mr. EVANS. Mr. Chairman, the purpose of this amendment is to take from the reviewing court the power to pass on the sufficiency of the evidence, the purpose being to give the Secretary of Agriculture the same force in his findings that is given to the finding of a jury. Now, therefore, it is, as was suggested by one of the members of the committee, the privilege of the court to pass only upon the legal questions involved. I think this should be done, because the act itself is administrative. It is not a legal question as to the sufficiency of the evidence, and the Secretary's findings ought to be conclusive as to the facts passed upon, unless there is no evidence in the

Mr. CHINDBLOM. Will the gentleman yield?

Mr. EVANS. Certainly.
Mr. CHINDBLOM. Is it the purpose of the gentleman to perfect the law so as to make the authority of the Secretary of Agriculture as absolutely binding and irrevocable as possible?

Mr. EVANS. My purpose in offering this amendment is to carry out the thought that is in the act itself, that the Secretary of Agriculture shall pass upon these questions. He is an administrative officer. His function is administrative, and the Secretary should have all the power to decide as to the truthfulness of the testimony where he has seen the witnesses. It is to give his findings exactly the same force as the findings of a jury would have.

Mr. CHINDBLOM. In view of the position of the gentleman, would it not be better, I submit, to strike out all this refer-

ence of review to the court of appeals?

Mr. EVANS. No; because the questions which are to be submitted for review are clearly legal, and this would make it,

Mr. CHINDBLOM. I know; but you are robbing the Secretary of Agriculture of some power that he might get.

Mr. STAFFORD. If the gentleman will yield, does the gentleman think that we have the right to limit the power of the Federal courts in the exercise of this function?

Mr. EVANS. The Federal court in this instance is having the power given to it to pass upon an administrative question, Mr. STAFFORD, Will the gentleman permit me further?

Mr. EVANS. Yes. Mr. STAFFORD. The Federal courts to-day have that authority without reference to any legislative enactment.

Mr. EVANS. Oh, no.

Mr. STAFFORD. I beg the gentleman's pardon. Every order of the Post Office Department is subject to review by a Federal court as to whether or not it is within their power to

Mr. EVANS. As to whether a fact exists, but not to control

administrative function.

Mr. MOORE of Virginia. Mr. Chairman, I think the gentleman from Nebraska [Mr. Evans] is correct, if I understand his proposition. As he says, any order that is contemplated will be a mere administrative order. The general rule is that a court reviewing an administrative order sustains it unless there is one of three things found, namely, that it represents an unconstitutional exercise of authority or that it exceeds the limits of the statute or that it is arbitrary in the sense that it is entirely unsupported by evidence. That is illustrated by reference to an order of the Interstate Commerce Commission. The Supreme Court has said time and time again that if the Interstate Commerce Commission, which is an administrative tribunal, passes an order, that order must be held good by the court unless it is beyond the constitutional or statutory power of the commission or unless it is arbitrary, as, for example, entirely without evidence to sustain it.

Now, it seems to be quite undesirable to provide that a court shall determine what is the weight of the evidence when it has had no opportunity to hear the witnesses and no such opportunity to scrutinize the evidence first hand, as was had by the Secretary of Agriculture. The case of the Interstate Commerce Commission is simply illustrative of the whole range of administrative proceedings in which administrative orders are treated by the courts in the manner I have indicated, unless there is some requirement of a statute that calls for a different treatment. and it seems to me there is no good reason why we should in

this instance make an exception to the general rule.

Mr. SANDERS of Indiana. Of course the illustration of the gentleman from Virginia was a case where there was a collateral attack of the orders of the Interstate Commerce Commission, and in that case, of course, the court is limited as he indicates. But if there is an appeal, that is a direct attack and the jurisdiction enlarges. The question has been raised here as to whether or not due process is afforded. Of course, it is not due process if the hearings before the Secretary of Agriculture takes away a property right of these people without compulsory attendance of witnesses or without a judicial tribunal. Now, when it is provided that it limits the court of appeals to the evidence in the case, even where it did not have due process of law, in my opinion that does not cure it,

Mr. MOORE of Virginia. I do not think there can be an appeal in a strict sense from the Secretary to a court. Whatever the language of the bill, an appeal only lies from one court to another. However, the language of this provision does not describe an appellate proceeding; it provides a review by the court upon an original petition being filed.

The CHAIRMAN. The time of the gentleman from Virginia

has expired.

Mr. DENISON. Mr. Chairman, I would like to ask a question of the chairman of the committee. I notice section 6 of the bill provides that the Secretary of Agriculture is authorized to suspend for a period not exceeding six months or to revoke the designation of any board of trade as a "contract " and so forth. In other words, he can not suspend the designation of a board of trade for a period exceeding six months, but he can revoke the designation as a "contract market" for an indefinite time or absolutely. Then the bill pro-vides that the suspension or revocation shall be final unless the board of trade perfects an appeal within 15 days. The result is going to be that a board of trade will have to perfect an appeal in every case. Otherwise the suspension or the revocation will be final. And then if the board of trade perfects an appeal it will not amount to anything, because the suspension can not be longer than for six months anyway. So we have the rather ridiculous situation of compelling a board of trade to perfect an appeal in every case of suspension, even though it may know and admit that the suspension was entirely right

and proper. It seems to me that the committee has undertaken to do something here which they are not accomplishing by the language they have used in this section of the bill.

Mr. TINCHER. I do not think the language is subject to any such criticism. The Secretary of Agriculture is authorized to suspend for a period not exceeding six months, or to revoke the designation of any board of trade as a contract market. Now, then, such suspension shall be after notice to officers, and so forth. If they do not want to stand for the six months' suspension, they can appeal from it; and if they do not do it, it stands for six months. If it is revoked and they do not appeal, their designation is revoked.

Mr. DENISON. Here is what it amounts to: A board of trade must appeal within 15 days or the suspension becomes permanent, and if it does appeal, the six months will probably expire before the appeal can be determined. So they are compelled in every case to appeal to the court of appeals, and if the court of appeals should sustain the Secretary of Agriculture, the six months would probably have expired before the decision would be handed down. You are compelling them to go to an expense that will not accomplish anything in the long run.

Mr. TINCHER. Oh, no. If they do not object to suspension,

they do not have to appeal.

Mr. DENISON. But they either have to go to that expense or the suspension becomes permanent.

Mr. TINCHER. What would the gentleman advocate? Mr. DENISON. I want to say to the committee that I think the suggestions made by the gentleman from South Carolina [Mr. STEVENSON] and the gentleman from Indiana [Mr. SAN-DERS] are very serious objections to this bill, and if there is a vulnerable place in it, it is in this provision we are discussing. I doubt very much whether you are giving due process of law, and I think if this provision is ever tested in the courts it will be found unreasonable and unjust, and, for that reason, illegal.

Mr. TINCHER. I am frank to say to the gentleman that I do not understand him. He says that the provision gives the Secretary of Agriculture authority to suspend for a period of six months, and then says that that order shall remain in force—giving the other man the right to appeal from it. That order shall remain in force unless he does appeal, and it shall remain in force even if he does appeal, unless a temporary order

of some court shall set it aside.

Mr. CHINDBLOM. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Chair will state that there is already an amendment pending. The question is on agreeing to the amendment of the gentleman from Nebraska [Mr. Evans].

The question was taken, and the amendment was rejected. Mr. CHINDBLOM. Mr. Chairman, I rise to ask a question, if I may, of the chairman of the committee.

The CHAIRMAN. The gentleman from Illinois moves to

strike out the last word.

Mr. CHINDBLOM. Was it the matured opinion of the committee that no relief, no remedy, should be given to an applicant for designation as a "contract market," so that if the Secretary of Agriculture refuses an application of a board of trade to be designated as a contract market such board of trade has no right of appeal anywhere? There is no method provided by which it might go to a court of appeals to find out whether the proceedings have been regular.

Mr. TINCHER. Oh, you can not take away from it by any law its right to have its day in court. But any board of trade that does not want to be designated as a contract market under the liberal terms of this bill ought not to have a place

where it could trade.

Mr. CHINDBLOM. But suppose the Secretary of Agriculture arbitrarily refuses to designate or recognize a board of

Mr. TINCHER. Everybody knows that such a board would be entitled to have its day in court, whether this bill provided the

procedure for it or not.

Mr. CHINDBLOM. Where would it have its right to its day

Mr. TINCHER. This bill does not give the Secretary the right of mandamus or anything like that.

### MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate. by Mr. Craven, one of its clerks, announced that the Senate had requested a conference with the House of Representatives on the amendment of the Senate to the bill (H. R. 2435) imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenue; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes, and had appointed Mr.

PENBOSE, Mr. McCumber, Mr. Smoot, Mr. Simmons, and Mr. WILLIAMS as the conferees on the part of the Senate.

The message also announced that the Senate had passed the following resolution:

Senate resolution 76.

Senate resolution 76.

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. William H. Frankhauser, late a Representative from the State of Michigan.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

Resolved, That as a further mark of respect to the memory of the deceased Representative the Senate do now adjourn.

FUTURE TRADING.

The committee resumed its session.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 7. That the tax provided for herein shall be paid by the seller, and such tax shall be collected either by the affixing of stamps or by such other method as may have been prescribed by the Secretary of the Treasury by regulations, and such regulations shall be published at such times and in such manner as shall be determined by the Secretary

Mr. PARKER of New Jersey. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New Jersey moves to

strike out the last word.

Mr. PARKER of New Jersey. I move a formal amendment, Mr. Chairman, in order to say a word about the merits of this bill. I have had an opportunity to-day to study it, and also to study the cotton futures act, which is entirely different. It does not make contracts for cotton futures illegal but simply regulates them wherever made.

The bill now under consideration, unless a man actually has the grain, makes all contracts for future delivery illegal and subject to a prohibitory tax, unless such contracts are made by or through a member of a board of trade which has been designated by the Secretary of Agriculture as a "contract market," and this bill therefore throws the monopoly of all such dealings and of all such contracts into such board of trade.

The bill then goes on in section 5 to say that no such board of trade shall so be designated as a contract market unless it be located at a terminal market upon which cash grain is sold in sufficient volumes." Such great grain markets are well known—Chicago, New York, Kansas City, and a very few others. The brokers in those markets are by this bill given an absolute monopoly of all contracts, whether hedging or otherwise, for the sale of grain for future delivery. This monopoly is a new thing, and these markets are to be regulated by the Secretary of Agriculture.

This is a new departure in the legislation of the United States and in the legislation of any State-to provide that the monopoly of this whole class of business shall be given to the brokers of a few great terminal grain markets. Those brokers already wield enough power. The principle of this bill would be no stronger if it provided that all sales of any goods in the United States should be subject to tax unless they were made in markets established by the United States and supervised and controlled by some United States Secretary. This bill creates a centraliza-tion of power in the Secretary of Agriculture of the United States to give a tremendous monopoly to his agents and the brokers, governors, and managers of these great boards of trade. I can not stand for this as an independent American citizen, and I am therefore forced to vote against this bill in spite of the good objects sought by its promoters. [Applause,] The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 8. That the Secretary of Agriculture may make such investigations as he may deem necessary to ascertain the facts regarding the operations of future exchanges and may publish from time to time, in his discretion, the results of such investigation and such parts of reports made to him under this act, and such statistical information gathered therefrom, as he may deem of interest to the public.

Mr. GRAHAM of Illinois. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. GRAHAM of Illinois. I do not know, gentlemen, that anything that I may say about this will make any difference one way or another. I have a very high regard for the present Secretary of Agriculture. I think he is a very superior man. But I have observed in my service here that whenever a man of any political party is placed in charge of an executive department, immediately it seems to be his effort or his desire to keep alive as many functions or bureaus as he can in his particular department, and to add to them from time to time in the number of clerks and employees in that particular de-

I would respectfully suggest to the gentlemen who are the proponents of this bill—a bill that I expect to vote for in spite

of its many frailties-I would respectfully suggest that it ought to be understood by the Secretary of Agriculture that he is not expected to build up, under the authority of this section of the bill, an immense establishment that will entail an immense expense on the already overburdened people of the United States. This section gives the Secretary of Agriculture almost unlimited power as to what employees he shall have, what information he shall gather, or what he shall publish from time to time; and I dare say if this bill becomes a law, within the life of the present Congress you gentlemen and I will find that we shall have on the pay roll hundreds, or perhaps thou-sands, of additional employees that will be an additional burden upon the Federal Treasury.

Mr. LAYTON. Mr. Chairman, will the gentleman yield?

Mr. GRAHAM of Illinois. Yes.
Mr. LAYTON. In section 12 there is no limitation at all upon the expenditure of money by the Secretary of Agriculture.

Mr. GRAHAM of Illinois. I see no limitation anywhere.

Mr. FESS. Mr. Chairman, will the gentleman yield? Mr. GRAHAM of Illinois. Yes.

Mr. FESS. I should like to have the opinion of the gentleman as to the meaning of the words beginning in line 13 and may publish from time to time, in his discretion, the results of such investigation and such parts of reports made to him under this act and such statistical information gathered therefrom as he may deem of interest to the public.

Mr. GRAHAM of Illinois. He can issue a publication or a number of publications or books. He can also issue from time to time

such statistical information gathered therefrom as he may deem of interest to the public.

Which means everything.

Mr. FESS. The gentleman will recall that during the war we had about 32 departments or bureaus that were issuing bulletins. Mr. GRAHAM of Illinois. Yes.

Mr. FESS. Congress has been trying to cut that out,

Mr. GRAHAM of Illinois. We who have been here during the war Congress and since have seen this thing go on and multiply and multiply, and, gentlemen, it ought to be stopped. We ought to have it understood here and now, and the Secretary of Agriculture ought to understand, that we are not setting up a great expensive department. I think it well enough to say this in advance.

Mr. TINCHER. I do not think it will be true or that it will be understood that we are setting up an expensive department. I want to say that this bill is calculated to afford relief to people who have been asking for relief in the way of a law for 30 years, and the Secretary of Agriculture has not estimated that the administration of this law will cost very much.

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

The Clerk read as follows:

Sec. 9. That any person who shall fail to evidence any such contract by a memorandum in writing, or to keep the record, or make a report, or who shall fail to pay the tax, all as provided in sections 4 and 5 hereof, shall pay in addition to the tax a penalty equal to 50 per cent of the tax levied against him under this act and shall be guilty of a misdemeanor, and upon conviction thereof, be fined not more than \$10,000 or imprisoned for not more than one year, or both, together with the cost of prosecution.

Mr. JEFFERIS. Mr. Chairman, I move to strike out the last word. Mr. Chairman and farmers-everyone here apparently claims to be for the farmer-I have listened to this discussion and studied this bill to some extent. From what I have heard I am satisfied that if passed it will be prolific of business to the lawyers of the country while they ascertain what section 3 means, and also sections 4 and 5. Each section will result in plenty of lawsuits. If the bill is ever held to be legal by the courts, the question is what effect will it have upon the farmer, the man for whom we are undertaking to legislate, if we are to judge by the expressions that have been made here upon the floor.

In the first place, as was pointed out by the gentleman from Illinois [Mr. Graham], it is going to add to the cost of government. But, more than this, it is also going to add to the cost of handling grain and selling grain, by compelling the dealers in grain on boards of trade to keep an immense lot of records and employ a number of employees to audit them.

In that way it will compel them to have a greater degree of

profits in order to pay the increased overhead in the conduct of their business, and thus greater charges will be placed upon

the farmer's grain.

If hedging be necessary in the grain business-and that seems to be the consensus of opinion here-then why curb hedging? Why undertake to hamper it with all these regulations and centralizations of power in the hands of some one in the executive department of the Government? On the other hand, if hedging be unlawful, illegal, or immoral, then and in that event we should prohibit it. Let us make it a criminal offense or else tax it out of existence. But the consensus of opinion seems to be that hedging is necessary in the grain trade. That being true, why hamper and curtail it by a law or by orders issued by the Secretary of Agriculture? We empower him to execute his orders and then vest in him the power of a court to decide the fate of his own rules and regulations, with only an appeal to the circuit court of appeals, if that can be legally done. Secretary is thus the legislative, judicial, and executive official. He is the judge and the jury. It seems to me that the whole thing is only so much camouflage, and that it will not help the farmer. I want to cite to this body the statement of a man whom I consider the best-posted farmer and cooperative dealer in the State of Nebraska. I refer to Mr. J. W. Shorthill, secretary of the Nebraska Farmers' Cooperative Grain and Live Stock Association. In a speech delivered in Omaha in February, 1920, to the grain and stock men of the State, speaking of futures, he said:

But you must not expect your wheat market to be greatly improved by any legislation that Congress may pass on "future trading" in grain, for which the correct term is "speculation." Should Congress regulate or curb or even prohibit "future trading" in grain, it would not increase the price of your wheat one penny. You would get less without it than you do with it.

He was talking to farmers and for farmers. Again he said: There are evils in the grain-marketing system we now have, and I am for the elimination of every one that can be eliminated. I am only trying to tell you that the elimination of future trading in grain is not in the best interests of the farmer. It is in the best interests of a few gigantic corporations with immense capital sufficient to buy and hold the surplus wheat of the country until it is needed. Were future trading eliminated the grain markets of this country would very soon be controlled by a very small combination of big financial interests.

The CHAIRMAN. The time of the gentleman has expired. Mr. JEFFERIS. I ask unanimous consent for one minute additional.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent that his time be extended one minute. Is there objection?

There was no objection.

Mr. JEFFERIS. As was said here by the gentleman from New Jersey, I think it would be well for us to hesitate about this proposed bill, because I believe we will only add greater expense to the sale of the farmer's grain and will not secure for him any benefit. If such be the result, it will come back to haunt us some time. Though we may claim to be giving the farmer some legislation for his benefit, I fear it will only hinder the grain business and be a detriment to the farmer.

Mr. CABLE. Mr. Chairman, I offer an amendment. The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. Cable: Page 7, line 20, after the word "section" insert the figure "3" and a comma.

Mr. CABLE. Mr. Chairman, I believe it is obvious to most of us that this bill is to prevent grain gambling. The chairman of the committee [Mr. TINCHER] has virtually admitted on the floor to-day that this is not a revenue measure. Now, if it is to prevent grain gambling, it should be construed as criminal sections of the law are always construed, and that is strictly. This bill refers to two alleged kinds of gambling; under section 3 puts, calls, offers, and the like, and under section 4 dealing in futures. In other words, it is claimed there are two specific crimes set forth here, but by section 9 this bill only makes it a crime to deal in futures; and my opinion is that those who deal in puts, calls, and the like, also, when they fail to pay the tax, ought to be subject to the same conditions. There ought to be no discrimination between those who operate under section 3 and those who operate under section 4. Construing section 9 as it is in this bill, if a man should engage in puts, calls, and the like and fail to pay the tax he is not subject to the provs ons of section 9, but if he deals in future deliveries he can be punished. For that reason I offer this amendment so that there should be no discrimination in favor of any of those wno gamble in grain.

Mr. BLANTON. Mr. Chairman, I offer a substitute. The Clerk read as follows:

Page 7, line 20, after the word "hereof" insert the following: "Or who shall fail to pay the tax required in section 3 hereof."

Mr. BLANTON. Mr. Chairman, my amendment seeks to do the very thing that the gentleman intends to do by his amendment, but if you read the language that precedes the word in line 10, following which he offers his amendment section," inserting "3," and the comma, you will find that the language applies to many things not in section 3, and his amendment to come in there would be wholly out of place. Following the

word "hereof," in line 20, inserting the language offered in my amendment, would provide that those who fail to pay the tax provided in section 3 would be guilty of a misdemeanor and

subject to the penalty.

Mr. CABLE. Mr. Chairman, for the purpose of saving time, I withdraw my amendment in favor of the amendment of the

gentleman from Texas.

Mr. TINCHER. Let me say, Mr. Chairman, there is no opposition to the amendment offered by the gentleman from Texas. The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The question was taken, and the amendment was agreed to. Mr. BANKHEAD. Mr. Chairman, I move to strike out the last word for the purpose of asking a question. What is the purpose of having the word "all" in line 20? It would be better pharaseology, it seems to me, to say "as provided." This seems rather awkward.

Mr. TINCHER. All means a good lot, and I think it is a

good word. [Laughter.]

Mr. BANKHEAD, Mr. Chairman, I move to strike out the word "all."

The Clerk read as follows:

Page 7, line 20, strike out the word "all,"

The amendment was agreed to.

Mr. SANDERS of Indiana. Mr. Chairman, I offer an amendment to section 9.

The Clerk read as follows:

On line 19, page 7, strike out the expression "or who shall fail to pay the tax.

Mr. SANDERS of Indiana. Mr. Chairman, I think when seetion 3 is so ambiguous that there will be considerable difficulty in determining who might come within the law, we ought not in this act to provide a penalty of imprisonment against the man who fails to pay the tax. We tax him 20 per cent, and that is a heavy penalty. In addition, on his failure to pay the tax, it may cost him a year's imprisonment or a fine of \$10,000. I think that is entirely too drastic and it will force persons to come in under section 3 at their peril and determine what the law is and pay this tax.

Mr. TINCHER. I hope that amendment, Mr. Chairman, will

not prevail. I am sorry that it was not possible for the gen-tleman to be a member of the Agricultural Committee and them to be a member of the Agricultural Committee and help frame this language to meet his entire satisfaction, but we think the bill is clear enough to be understood, and I do not want the penalties taken out of it because the language does not suit my distinguished friend.

The CHAIRMAN. The question is on the amendment offered

by the gentleman from Indiana.

The question was taken; and on a division (demanded by Mr.

SANDERS of Indiana) there were 30 ayes and 61 noes.

So the amendment was rejected. Mr. BLANTON. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 7, line 22, strike out the word "guilty."

Mr. BLANTON. I offer this pro forma in order to get the Mr. Chairman, I am sorry that the distinguished chairman of this committee, our usually genial friend from Kansas [Mr. TINCHER], gets out of humor and condemns each one when we offer suggestions concerning this bill, as was done when the gentleman from Indiana offered his amendment. The gentleman from Kansas gets up and chastises us because we offer suggestions and says he is sorry that we were not present in the committee to help frame this bill. There are lots who are sorry, I can assure my friend, for there are at least 100 men in this House who would be glad to be members of the Agricultural Committee, if they had the opportunity, and they would have been glad to have helped to frame the bill, and it is very probable that if they had been members of the committee they would have been present, just like my dis-tinguished friend from Kansas was, every time that there was a hearing. But the gentleman should not get mad because we get up here and offer suggestions. Suggestions should be offered to every bill that comes before the House, because this is the House of Representatives, composed of 435 Congressmen from 435 districts in the United States, and all the people of the United States have a right to be heard.

Mr. HERRICK. We are all members of the committee to-day,

Mr. HERRICK,

are we not?

Mr. BLANTON. We are, and my friend from Oklahoma [Mr. HERRICK] ever since Congress met has been in his seat constantly every time the Committee of the Whole House on the state of the Union has had legislation under investigation. He has offered some very pertinent amendments here. He offered the only amendment that large ever been offered in the House

THAT THERE I SHOW I WERE THAT

that brought the distinguished gentleman from Wyoming from his sanctum sanctorum to save embarrassment to the other side of the Capitol. I want to say that we should all emulate the example of the distinguished gentleman from Oklahoma by

being in our places, and we have the right to be heard on all legislation.

The CHAIRMAN. The question is on the amendment offered

by the gentleman from Texas.

The question was taken, and the amendment was rejected. Mr. CONNALLY of Texas. Mr. Chairman, I move to strike out the last two words. I want to ask the gentleman from Kansas in regard to section 9, as to the penal clause about these books and making reports. As I understand the bill it is based on the taxing power. You tax all contracts and sales of every kind except—and then you make certain exceptions. Where do you get the authority to make it a penal offense if they do not keep certain books? Is not the penalty severe enough in paying the tax? What right have you to say that man in a legitimate board of trade commits a criminal offense when he does not keep certain books?

Mr. TINCHER. Mr. Chairman, the courts have held in sustaining the taxing authority, in enforcing the taxing power—I can not give the names of the cases to the gentleman now that provisions of this kind are proper. Take, for instance, the income tax law, or any other tax law which requires certain returns, certain records, certain statements to be made, and they can punish a man who fails to do that, whether he is liable to a tax or not. Under the taxing power they are required to report, and it is on that authority that this section

is based.

Mr. CONNALLY of Texas. Your requirement here only applies to those who are free of tax.

Mr. TINCHER. They must do that to be free of the tax. Mr. KINCHELOE. I will say to the gentleman that, in my judgment, here is the gist of this whole bill. Whenever you do not make these fellows keep their record of public trans-

actions, and all of that, I would not give a snap for the bill. Mr. CONNALLY of Texas. The gentleman from Texas is not inquiring as to that, but inquiring as to the authority.

Mr. KINCHELOE. It is the same authority as under the income tax law, where they can say how they shall keep a set of books

The Clerk read as follows:

Sec. 10. That if any provision of this act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the act and of the application of such provision to other persons and circumstances shall not be affected thereby.

Mr. McARTHUR. Mr. Chairman, I move to strike out the last word for the purpose of asking the gentleman in charge of this bill if it is a fact that under the theory upon which this bill is written and prepared the Federal Government could levy a tax against every barber shop, every drug store, every grocery store in the United States, gambling or no gambling? Upon the theory of the taxation of business can not the Government regulate every business?

Mr. TINCHER. It has been pretty clearly demonstrated in the last few years that the Government can levy a tax on

most every business.

Mr. McARTHUR. And tax it out of business. That is all I wanted to know.

The Clerk read as follows:

SEC. 11. That no fine, imprisonment, or other penalty shall be enforced for any violation of this act occurring within 60 days after its passage.

Mr. DENISON and Mr. MASON rose.

Mr. MASON. Mr. Chairman, I have an amendment I desire to offer.

The CHAIRMAN. The gentleman from Illinois [Mr. Mason]

offers an amendment, which the Clerk will report.

Mr. MASON. Line 8, strike out the word "sixty" and insert the word "ninety." I have signed a good many papers, and I always liked 90 days better than 60 days. [Laughter.] I do not think there ought to be any objection to that.

The CHAIRMAN. The Clerk will report the amendment,

The Clerk read as follows:

Page 8, line 8, strike out "sixty" and insert "ninety."

The question was taken.

The CHAIRMAN. The Chair is in doubt.

The question was taken, and the Chair announced the noes appeared to have it.

On a division (demanded by Mr. Mason) there were—ayes 31, noes 34.

So the amendment was rejected.

The Clerk read as follows:

any person; and shall have the power to appoint, remove, and fix the compensation of such officers and employees, not in conflict with existing law, and make such expenditures for rent outside the District of Columbia, printing, telegrams, telephones, law books, books of reference, periodicals, furniture, stationery, office equipment, travel, and other supplies and expenses as shall be necessary to the administration of this act in the District of Columbia and elsewhere, and there is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise approprlated, such sums as may be necessary for such purposes.

Mr. DENISON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I dislike to delay the committee this late in the afternoon, but I want to express myself for two or three minutes. Mr. Chairman, it just happens that I have had considerable correspondence with my constituents with regard to this legislation and I have committed myself by saying that I will vote for the bill. If I had not committed myself in that manner, I doubt seriously whether I would vote for the bill because of very serious objections to it which have been brought out in the course of this debate. It is apparent that the bill is going to pass. Therefore if I should vote against it it would make no difference in the result, but might place me in the attitude of opposing the purpose sought to be accomplished. So I want to make a suggestion to the chairman of the committee and to the other members of the committee who will handle the bill in conference. My suggestion is this: When you get this bill before the Senate or in conference with Members of the Senate change that provision of the bill which confers judicial powers upon the Secretary of Agriculture and constitutes him a trial court from whose decision an appeal is allowed to the court of appeals, where the record can only be considered as the record of an inferior judicial tribunal. I do not believe we can properly go that far. I believe you had better provide for an appeal to the district court, where there shall be a trial de novo before there can be an appeal to the court of appeals.

I want to make this further suggestion. You had better strike out of the bill entirely that provision in section 9 which makes it a penitentiary offense to fail to pay the tax. Such a penalty for the mere failure to pay a tax is unreasonable, and the offense itself is so indefinite that the penalty would I think be not only unjust but unconstitutional. That is the point that was raised by the gentleman from Indiana [Mr. Sanders], and

I think it is a sound objection to this bill.

Then there is another thing. This bill authorizes the Secretary of Agriculture to suspend for any period not to exceed six months the designation of a board of trade as a "contract market." If the board does not appeal within 15 days the suspension becomes final; that is, permanent. If the board does appeal, the suspension can not be for longer than six months even if the board loses its appeal, or it may be for a less time if the appeal is won. In any event the board is compelled to appeal or its suspension is final. For if it appeals and loses, its suspension can not be for longer than six months. Such a law would in my opinion be unjust and unreasonable, and may be held invalid if it is ever tested in the courts.

I think section 3 is too uncertain and indefinite to be of much value as remedial legislation, and there are other provisions of the bill which make its validity quite doubtful, to my mind, and I want to suggest to the committee, with all good intentions, that when they get this bill in the Senate they eliminate some of these objectionable provisions if they expect the bill to stand

the test of the courts.

I am in sympathy, Mr. Chairman, with the purpose of the I think gambling and unfair manipulation and speculation in farm products ought to be stopped by law, if it can be I believe it is impossible to prevent all speculation without doing a greater injury to legitimate transactions. But some forms of speculation and gambling on the grain markets are immoral and unfair and injurious to the farmers and ought to be stopped. This bill may not accomplish much, but it is, I hope, a move in the right direction. We are assured by the committee, who have given careful study to the subject, that the bill will not hurt any legitimate business. If I thought it would do so I would not support it. As it is, I will vote for it for the reasons I have stated.

Mr. STAFFORD. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. Stafford: Page S, line 20, after the word "elsewhere," strike out the remainder of the section and insert in lieu thereof the following: "Within the amount of the appropriation made by law for such purpose."

Mr. STAFFORD. Mr. Chairman, I understand that there is no objection to the amendment by the chairman of the com-SEC. 12. The Secretary of Agriculture may cooperate with any department or agency of the Government, any State, Territory, District, or possession, or department, agency or political subdivision thereof, or mittee. The purpose of the amendment, if I may be permitted

to say just a word, is so as not to grant unlimited authority to the Secretary of Agriculture to rent all kinds of quarters and to incur other expenses as provided in the phraseology of the bill before us. This places the limitation upon the Secretary according to the amount of money that may be voted after con-Mr. WALSH. Will the gentleman yield?
Mr. STAFFORD. I will be glad to do so.
Mr. WALSH. If your amendment is agreed to, there is no

authorization for any appropriation to be made.

Mr. STAFFORD. Oh, yes. The Appropriations Committee can come in and authorize the amount of money for that purpose, Mr. TINCHER. Maybe I did not understand the amendment. I would like to have the section read as it would read if

The CHAIRMAN. The Clerk will report the section as it would read if amended.

The section as it would read if amended was read.

Mr. STAFFORD. Mr. Chairman, to meet the objection raised by my friend, the gentleman from Massachusetts [Mr. Walsh], I ask unanimous consent to change my amendment, the language to be inserted after the word "appropriated" in line 21, so that the clause will read:

And there is hereby authorized to be appropriated within the amount of appropriation made by law for such purpose.

The CHAIRMAN. Is there objection to the modification of the amendment?

Mr. TINCHER. I do not want to destroy the authoriza-

Mr. STAFFORD. It says "there is hereby authorized to be appropriated within the amount of appropriation made by law for such purpose."

Mr. WALSH. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. WALSH. The gentleman knows well that in authorizing money to be appropriated we have invariably employed the phraseology, when we authorize an appropriation, that it shall be out of any money in the Treasury not otherwise appropriated."

Mr. STAFFORD. I agree with the gentleman.

Mr. WALSH. The gentleman has left that out.
Mr. STAFFORD. No; I have retained that language in my

amendment The CHAIRMAN. The question is on agreeing to the amend-

ment offered by the gentleman from Wisconsin [Mr. Stafford]. The question was taken, and the amendment was rejected.

Mr. TINCHER. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. Madden, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 5676, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. TINCHER. Mr. Speaker, I move the previous question on the bill and amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put the amendments en grosse.

The amendments were agreed to.
The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

Mr. WALSH. Mr. Speaker, I demand a reading of the engrossed copy of the bill.

The SPEAKER. The gentleman demands the reading of the engrossed copy.

EXTENSION OF REMARKS.

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent that I may extend my remarks in the Record on the bill now under consideration

The SPEAKER. Is there objection? Mr. McCLINTIC. Mr. Speaker, I object.

PORTO RICO.

Mr. DAVILA. Mr. Speaker, I am going to ask unanimous consent to insert in the Record an article which I have here. But before making my request I want to say once more that the movement of independence in the island of Porto Rico has been greatly exaggerated in the United States; that the people who favor this ideal are very good material out of which to build up loyal American citizens; that we all truly appreciate the privi-

leges of being citizens of this Nation; and that our loyalty to the national flag, without mental reservations, is at the same time the best evidence of our love of the people of Porto Rico. At all events, the issue of independence is really unfortunate, but the common sense and the patriotism of the Porto Ricans induce me to believe that this ideal will disappear from their minds in the not very distant future.

I indorse everything printed in this article except the views

of the writer regarding the governorship.

I really believe, Mr. Speaker, that the people of Porto Rico have a right to elect their own governor, and I hope that the Congress of the United States will recognize this right at the

proper time. [Applause.]

At present we have lost our fight. But we are good losers, and, although the gentleman appointed by the President for the governorship is not a native of the island, he is our fellow citizen and practically a Porto Rican, and I am sure that his administration will tend to strengthen the ties of friendship and brotherhood between the continentals and natives of Porto Rico. We cordially congratulate him on his appointment. He will surely have the cooperation of our people in the discharge of his official duties. We wish him a successful administration.

Now, I ask unanimous consent to print in the Congressional RECORD an article written by Dr. Albert Shaw, which contains very valuable information concerning Porto Rico which may

be useful to the Members of Congress.

The SPEAKER. The gentleman from Porto Rico asks unanimous consent to print in the RECORD an article by Dr. Albert Shaw on Porto Rico. Is there objection? [After a pause.] The Chair hears none.

The following is the article referred to:

PORTO RICANS AS CITIZENS—SOME OBSERVATIONS REGARDING THEIR POLITICAL FUTURE.

[By Albert Shaw.]

Political Futures.

[By Albert Shaw.]

The Porto Ricans, though living under the American flag and loyal to it beyond a question, are now having very elaborate political discussions about their future. These arguments are not closely followed in the United States and are somewhat puzzling, even to puble men at Washington who are sympathetic and open-minded and who really desire to understand. The Porto Ricans themselves are aware that people in the United States read more about politics in Ireland and Canada—and at times more about affairs in Australia, New Zealand, and South Africa—than about what is going on in an island which we annexed more than 20 years ago, and whose people are now American citizens just as truly as are the people of Massachusetts and Virginia.

Most readers in the United States are not aware that the Unionis Party, which has a very large majority in each of the chambers of the Porto Rico Legislature, swept the island in the election last November on a platform which included an "independence" plank. The opposing party, which bears the name Republican, was, apparenty, weakened rather than strengthened by a coalition which it formed with the Socialist Party for election purposes. The strong and capable men of Porto Rico are to be found in both parties, in so far as the future of the island is concerned, the Republicans are wholly in favor of accepting the connection with the United States as permanent. The leaders of both parties, as also their newspaper organs, are warm in their expressions of friendliness to the people of the United States and to the Government at Washington.

The Unionist leaders disavow all thought of securing an independence that should come with any sacrifice of good will on either part. The Porto Rican political spokesmen on, both sides are men of remarkable oratorical ability; and in an election campaign where they seek to gain a large popular following they express themselves more passionately in the discussion of a question like that of independence than when con

almost complete.

About a month after this measure of 1917, known as the Jones Act, had given the people of Porto Rico their present full rights of American citizenship, our Government declared war against Germany. Through their representatives these new citizens did not hesitate to express their loyalty and to accept the responsibilities of the war period. The draft act was cheerfuly supported, and in a short time more than 15.000 young Porto Ricans were in Army camps. When the war was over about 25.000 Porto Ricans had been in uniform, largely under Porto Rican officers, and their training had excellent results in physical and mental development. Just now—April, 1921—we are told that the National Guard of Porto Rico stands at the head of the entire list of States and Territories in filling quotas assigned by the War Department.

The question of Porto Rico's future is indeed an important one from several standpoints. It is true that Porto Rico is not a very large place on the map of the world, but it is loved with intense devotion by its own people; and the fact that they are concerned about their political future is in every way creditable. Little countries, quite as much as big ones, have been swayed by a sense of their own dignity through many centuries of heroic history. It is well, therefore, to consider the Porto Rican question as of importance, first, for the Porto Ricans themselves. Second, it is desirable that the people of the continental United States should understand that Porto Rico is a valuable and worthy member of our political system, whose interests—as affecting our own—must be thoughtfully and wisely considered. In the third place, there are still larger aspects of Porto Rico's possible future that pertain to the entire Western Hemisphere and thus to the world at large.

HOW PORTO RICO IS PROGRESSING.

First, then, let us consider Porto Rico's future from the standpoint of her own people. We are not living in the millennium, and the world struggle for freedom from ignorance, poverty, and disease is a long way from ultimate triumph. That struggle is demanding political, industrial, and social reforms. There are cynics and pessimists who believe that communities are really worse, rather than better, for all our efforts to make democracy effective and to spread abroad the means of social improvement. But most healthy-minded people find it necessary to believe in human progress, and they are upon the whole encouraged by a study of the facts in the case. In considering human welfare at a given moment, in a given place, it is always necessary to compare that place with other places and to compare that given moment with previous periods. Thus there is a great deal of poverty and disease in Porto Rico, and there is widespread ignorance. On the other hand, there are abundant facts on record to show that the Porto Rican people are decidedly better off than they were 20 years ago. Moreover, there are agencies at work which give us reason to believe that there will be greater progress in the next two decades than in the two that are past. In many parts of the world one finds poverty that is more abject and ignorance far more invincible than in Porto Rico. These agencies for betterment should be given an increased momentum. They might transform Porto Rico by the year 1950.

In contrast with an overcrowded population of peasants who are ignorant and poor, one finds highly cultivated and prosperous Porto Ricans, with a steadily growing number of young men and women who are the products of the present school system and who are occupying places as teachers in the schools, as clerks and officials in public employment, and as leaders in professional life and business enterprises. As one turns from contemplation of the terrible distress of races and peoples in central and eastern Europe and in western Asia, it is an impressive t

one of the best.

That the people of Porto Rico should be so ill-advised as to think seriously of exchanging their present assets of external security and of internal freedom and order for adventures in foreign politics, whether in those of the Caribbean countries or those of the continents and the hemispheres, is not to be believed. Complete and unqualified independence "straight off the bat," with Uncle Sam disdained and defied, is surely not the aim of any responsible leaders of the dominant political party in Porto Rico, and it is, of course, emphatically repudiated by leaders of the minor parties.

### EDUCATION AND LANGUAGE.

When we brought Porto Rico under the American flag the island was already densely populated. It is only about 100 miles long from east to west, with an average width from north to south of about 40 miles. Its population of nearly 900,000 20 years ago has now increased to about 1,300,000. The government of the island maintains two official languages and has a bureau of translation. Bills pending in the legislature are printed in Spanish and also in English. Until very lately an appointive executive council served as the upper branch of the legislature. The popular branch elected by the people was naturally made up of native Porto Ricans. The executive council was for a good many years composed principally of English-speaking Americans who had been appointed from Washington as heads of executive departments. Naturally, the house of representatives debated in Spanish and the executive council discussed measures in English.

The beginnings of the American régime were marked by a tremendous effort to create a public-school system and to found institutions for higher training. It was believed that it would be a great advantage to young Porto Ricans to learn English. Many hundreds of teachers from the United States were engaged in helping to establish the standards of common-school education throughout the island. At the present time a large majority of the teachers are native Porto Ricans, although several hundred teachers from the United States are still in service. These Porto Rican teachers, largely trained in the normal school, teach most of the subjects of instruction with English textbooks and with creditable oral English on the part of teachers and pupils. Caro is taken to instruct all pupils in the Spanish language.

Gradually, though not very rapidly, the island is throwing off the burden of illiteracy. It does not become less Porto Rican or less Spanish-American, but it shows signs of becoming more cosmopolitan, and its leaders are discovering the value of being able to read and speak two great languages, e

When the treaty with Spain was concluded at Paris in December, 1898, Spain had signed away her last vestige of authority in the Western Hemisphere. Cuba secured not only her independence from Spain but what, in the economic sense, was more valuable, namely, her deliverance from a huge burden of indebtedness which had been unjustly saddled upon her treasury as representing the cost to Spain of waging war against Cuban insurrectionists. Porto Rico had not been involved in insurrectionary wars, and had not, therefore, been required, like Cuba and the Philippines, to support the cost of the Spanish Empire's internal struggles.

If Porto Rico, like Cuba, had been waging a war of revolution for independence, with a de facto insular government, it is wholly probable that we should have established the Porto Ricans as a separate sovercignty under our protection. But Porto Rico had velcomed the American troops in the summer of 1898, and was doing well under the temporary military administration which we then set up. The easiest way to climinate Spain in the framing of the treaty at Paris was to

transfer the sovereignty of Porto Rico to the United States, This was not then supposed to be conclusive, however, as to the permanent future of the island, and it was taken for granted by many people in the United States—perhaps by most of those who considered it at all—that after a period of kindly tutelage Porto Rico would become self-governing, retaining, however, some permanent connection with the United States for purposes of security and of commercial advantage.

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VALUE OF THE AMERICAN APPILIATION.

Under the Foraker Act our military government of the island was superseded by a civil government in the summer of the year 1900. The local Unionist Party was formed in that period, and it has always had an independence plank in its platforms. For hundreds of year the properties of the people of San Domingo, of Cuba, of Venezuela, of Colombia, of Mexico, and of Central America. They have been familiar with the history and politics of 8 or 10 Spanish-speaking political entitles, forming a ring around the Caribbean Sea.

It is not strange, therefore, that many of the Porto Ricans should think of the destiny of their island as associated with that of the other Spanish-speaking peoples of their general region. Some of them have had dreams of possible future confederations, in which Porto Ricans a permanent connection with the great continental Republic of the United States has seemed more arbitrary than natural—a connection justified perhaps by material advantages, but sadiy lacking in its appeal to sentiment. And it must not be forgotten that all peoples dream of a proud destiny for their country or their region, and are more casily influenced by sentiments of race, of language, and of locality than by the cold statistics of economic advantage.

But we are living in a period when economic considerations have vital bearings upon the happiness and welfare of communities, and it becomes worth while to consider whether all the just claims of local sentiment may not be met without the breaking up of large political and commercial combinations. In central and eastern Europe a number of peoples of more of centrol and control and eastern Europe a number of peoples of more of centrol and control and cast and cast and commercial combinations. In central and eastern Europe a number of peoples of more of centrol and control and cast and commercial

as trade between New York and New Jersey. The production and commerce of the island have increased enormously under the American régime.

Complete independence would subject Porto Rico to the tariff barriers faced by the trade of other Latin-American States. Porto Rican sugar, tobacco, coconuts, grapefruit, and pineapples have as free a market in the United States as the sugar of Louisiana or the fruits of California and Florida, while they have the benefit—in the markets of New York and the Atlantic seaboard—of water freight rates that are lower than the rail rates from the citrus fruit districts of the continental United States.

States.

As for the officeholders, they are now Porto Ricans by a vast majority. The American educators who went to Porto Rico to establish and carry on a modern school system require no apologies. Doubtless some Porto Ricans were more highly cultured than some of these Yankee teachers, but the heads of the system, from Dr. Lindsay's time to that of Dr. Miller, have been not merely men of professional attainments but men of statesmanlike grasp and foresight. They have worked hand in hand with native Porto Ricans, and the school system to-day is a worthy testimonial to the ability of Americans and Porto Ricans to achieve fine results by united effort.

## PRESENT ORGANS OF GOVERNMENT,

Nothing is more noteworthy in the system of Porto Rican government as now at work than the judiciary. At the head of the system of insular justice is the supreme court of five members. The chief justice is a venerable Spanish judge of long experience and great attainments. Of the four associate justices, two are Porto Ricans and two have come from the United States. This body is firm in the confidence and esteem of Porto Rica. Its members are men of great learning and of the highest probity. They are deeply versed in the civil law of the Latin-American countries, and also in the common law and the statutory codes of the United States and England.

Under the Jones Act (the organic act of 1917) the legislature in both branches is elected by universal male suffrage. Besides the senators and representatives chosen from districts, each house has several members elected at large by a system which results in giving minority parties some representation.

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At the head of the executive branch is the Governor of Porto Rico, appointed by the President of the United States, who has a wide range of authority and discretion. The commissioner of education and the attorney general are also appointed by the President at Washington. Heads of the four other principal executive departments (interior, finance, agriculture, health) are appointed by the governor. There are many lesser officials and members of official boards who are named by

the governor. It has been the wise practice of the present governor, Hon. Arthur Yager, of Kentucky, to name for appointive offices residents of repute and ability, some of whom have come originally from the United States, but most of whom are native Porto Ricans.

Thus the policy at Washington as expressed in the Jones Act has been to increase greatly the powers of the Porto Rican voters. The legislature, which is now sitting, meets in regular session once in two years like nearly all of our State legislatures. Its most important duties are budgetary. Its tendency is to promote progress in education, health administration, road building, and so on, but its zeal for more schools, better roads, and sanitary reform is always tempered by the fact that it must raise the money to pay the bills.

Porto Rico has a local income tax dating from the war period, but the surfaxes are at very low rates as compared with those of our national income tax. As regards public finance, the Porto Ricans are in an extremely fortunate position. The island's outstanding indebtedness is only about \$10,000,000. All of the revenues raised by Porto Rican taxation are applied to the island's own purposes and are subject to the disposal of the legislature. In addition to these local revenues the United States Government pays back to Porto Rica for its own uses all the sums collected by our customhouse officers at the island's ports on goods from foreign countries.

FREEDOM FROM FEDERAL TAXES.

#### FREEDOM FROM FEDERAL TAXES.

The Porto Ricans are not subject to our national income or other direct taxes, and therefore are exempt from the burdens imposed by our immense war debt. They are protected by the Army and Navy of the United States, but do not pay any part of the cost of maintaining our defensive establishments. There is a Porto Rican regiment of excellent American troops at San Juan, but it is, of course, a part of the Army of the United States and as such is maintained by the Army appropriations at Washington.

In his recent message to the legislature, Gov. Yager points out the fiscal advantages enjoyed by Porto Rico as compared with Hawaii. Some Porto Ricans have strongly advocated the creation by Congress of a territorial form of government like that of Hawaii and Alaska, with a view to the ultimate admission of Porto Rico as a State in the Union. This is a perfectly logical idea; and undoubtedly the school children of Porto Rico—who are devoted to the Stars and Stripes as a national emblem—look forward to a time when Porto Rico is to attain, as its ultimate status, the proud position of a State in the Union. Gov. Yager, without wasting words, shows the legislature and the Porto Rican people how much better off they are at present than if they were projected into the status of independence on the one hand, or hurriedly admitted to membership in the Union on the other hand.

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Thus the Porto Ricans last year paid only about \$7,000,000 of taxes altogether, while the Hawaiian Islands, with only one-fifth of Porto Rico's population, paid total taxes of more than \$22,000,000. The assessed valuations of Hawaii and Porto Rico, adding together real and personal property, are approximately the same (personalty being underassessed in Porto Rico). Every dollar collected by Porto Rico went into the local treasury for local uses. The Hawaiians, on the other hand, kept less than \$9,000,000 of their tax total for local use, while they contributed more than \$13,000,000 to the United States Treasury. The governor advises Porto Rico to make the most and best of the very fortunate position in which the island finds itself, even though its political status is somewhat anomalous.

## AMERICAN CITIZENSHIP IS APPRECIATED.

With great good sense Gov. Yager earnestly advises the Porto Ricans to tax themselves liberally in order to lift the island above the reproach of illiteracy, to transform its health conditions, and to build up the people of the island in all that makes for individual improvement and

to tax themselves liberally in order to lift the island above the reproach of liliteracy, to transform its health conditions, and to build up the people of the island in all that makes for individual improvement and community welfare.

Meanwhile Porto Ricaus of both parties in the legislature have agreed in asking the authorities at Washington to go still further than the Jones Act in conferring self-government. This would mean, among other things, the popular election of the governor and the relinquishment of appointing power by the President of the United States. Such steps, if taken, would not alter the general relationship of Porto Rieans to the United States. The postal service and various other Federal arrangements would always remind them of "Uncle Sam."

The great political fact in the minds of the people of the island is their American citizenship. There are many thousands of Porto Rieans in New York and elsewhere in the United States. They have only to establish local residence in order to have full political privileges. That is to say, a Porto Rican coming to New York acquires residence and political rights on precisely the same terms as a citizen of Pennsylvania or any other State who comes to New York and acquires a legal residence. A Porto Rican boy may aspire to the Presidency, Great numbers of Porto Ricans voted in the last presidential election. The island is represented at Washington by a Resident Commissioner, who is elected by the people of the island. The office is one that has large possibilities. It would be worth while for Porto Ricans to consider seriously how they might increase the prestige of this office and make it a more conspicuous agency through which to keep the people of the United States informed about Porto Rico's affairs.

The majority party recently passed a joint resolution indorsing Gov. Yager, and intimating that his retention in the executive office would be acceptable to the dominant element in the island. In the nature of the case, there is no reason why a native Port

#### PORTO RICO AS A MEETING PLACE FOR BOTH AMERICAS.

The people of Porto Rico, it would seem to us, as they look to the more distant future, would make no mistake if they should rest firmly upon their United States citizenship, meanwhile making the most of the practical advantages of their position. These advantages appeal strongly to the sympathetic imagination. The two great languages and cultures of the Western Hemispheres bid fair to meet one another in

Porto Rico as at no other point. North America is permanently English speaking, while Central and South America and the West Indies are permanently Spanish speaking. It is exceedingly desirable that we of English-speaking North America should better understand the Latin Americans, and vice versa.

There will always be some North Americans who have acquired intimate knowledge of Latin America, and there will always be many Latin Americans who have studied in our schools and universities, and learned to admire and trust the United States. But there is no other distinctive region in which the two civilizations may touch one another so effectively as in Porto Rico. The climate of the island is wholly delightful, and it will eventually draw hosts of visitors and health seekers. Its narrow coastal plains, with their rich harvests of sugar cane and tropical fruits, have their perpetual summer tempered by stimulating breezes from the Atlantic.

The verdant hills and mountains, which make up the greater part of the island, are also rich in yields of tobacco, ceffee, and many other topical products, or else afford excellent pasturage the year round for cattle by the thousands. The island has its agricultural college, and the United States Government maintains an agricultural experiment station. These should be developed constantly and generously, not only to minister to the further prosperity of the island itself, but to contribute scientific and practical knowledge for the development of all of the tropical and semitropical regions of the Americas. Such an object is one in which the island government and the Washington authorities may well continue to cooperate.

## A FUTURE CENTER FOR SCIENTIFIC RESEARCH AND STEDY.

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A FUTURE CENTER FOR SCIENTIFIC RESEARCH AND STEDY.

This agricultural college is a part of the young University of Porto Rico. One of the aims of the university is ultimately to aid the world in solving the problems of tropical medicine. Comprehension of a need and clear perception of an opportunity are the essential first steps in the achievement of any great human project. Obviously there is great need in the Tropics of medical progress and sanitary reform. Until recently it was supposed that life in the warm climates was less healthful than in the North, and that death rates must always be higher in the Tropics. That opinion is no ionger supported by sclentific experts. The northern latitudes once had their terrible epidemics of smallpox, typhus, and typhoid, and various other maladies which have been brought under control. Low death rates follow the acceptance of hygienic rules and sanitary regulations.

In building the Panama Canal, Gen. Gorgas and the American health authorities transformed the "zone" from a place of deadly epidemics to a health resort. In Cuba, and the Philippines also, our health administration has accomplished notable results. Porto Rico in like manner has furnished an object lesson to encourage further research and effort in the field of tropical medicine and sanitary administration. The health department of the Island, under Dr. Ruiz Soler, is conducted with an intelligent understanding of the work to be done. As in many other tropical regions, the hookworm infection is prevalent, particularly among the people in the country districts. Along the coastal plain there is much malaria, and cases of tuberculosis are far too common. The International Health Bureau of the Rockefeller Foundation is now beginning to cooperate with the authorities of Porto Rico in the warfare against preventable diseases.

Dr. Bailey K. Ashford, colonel in the Medical Corps of the United States Army, wh

crete houses with suitable appointments, and selling these on a long-time plan to workingmen. This policy has been strongly encouraged by Gov. Yeger.

On some of the great sugar plantations villages of model houses are making their appearance, and families promoted from the primitive, palm-built huts to these little homes with sitting room, separate bedrooms, kitchen, shower bath, and toilet facilities, show quick appreciation, with evident improvement in health and standards of living. All great changes must have their beginning, and while the rehousing of Porto Rico's population has gone only a little way, it will be achieved in due time. A generous cut-of-door climate, with bananas and breadfruit growing around almost every little hut in the country districts, makes it possible to live in fairly open shelters in this land of perpetual summer. But better average wages have come to stay, and better food is demanded; thus with teachers everywhere preaching the gospel of domestic science to the pupils better family and social conditions will gradually evolve.

#### TWO-LANGUAGE SCHOOLS, AND THE UNIVERSITY.

TWO-LANGUAGE SCHOOLS, AND THE UNIVERSITY.

The academic courses of the university and the normal training school have already resulted in turning out many young women and many young men who have studied diligently and have carried enthusiasm into their work as teachers in the public schools of the island. The institution that heads the educational system puts on no false front and makes no pretensions. It is doing its best to create standards of culture and to have the school system, from bottom to top, serve as a steadily growing agency for the uplift of the whole population. It is willing to do the plain, necessary work of to-day, while it cherishes visions of a brilliant future. It is thoroughly American in spirit, and its pupils sing "The Star-Spangled Banner" with heartiness, and, what is more, they actually know the words of that song.

When one considers that Porto Rican school children and university students are hearing Spanish, spoken everywhere and are reading Spanish newspapers, just as American pupils in Ohio are living in a one-language region, it is nothing less than astonishing to note the intelligence and the industry shown in these Porto Rican schools in the acquisition of English as a second language. All over Porto Rico one finds hundreds of native teachers who have never been off the island conducting their classes in English. And this does not refer alone to classes in the English language, but to those in arithmetic, geography,

and various other subjects, the children answering questions in oral English with remarkable fuency, considering the circumstances.

It ought to become a fixed policy of the United States Government, in conjunction with the Porto Rican government, to assist large numbers of these Porto Rican teachers to attend summer schools in the United States. There has been enough of this already to have shown that it is wholly prectical and very valuable in its results. It should also, as a matter of public policy, be made easy for teachers from the United States to come and go. Some use of Army transports in the past has shown that more might well be done in the future to encourage an excellent type of teacher from the United States to participate in educational work in Porto Rico.

The University of Porto Rico dares to have a high conception of its future status in helping to promote good understanding between the peoples of North America and those of the Spanish-speaking Republics. No single institution in the future will have a monopoly of any international service of this kind. In due time some North American students will study in universities of South America and many young South Americans will continue to come to the United States. But Porto Rico may properly aim to create an institution of very distinctive leadership, for Porto Rico is the one important Spanish-speaking community that seems destined to remain permanently under the American fag. Its interests from every standpoint compel it to become bilingual. The University of Porto Rico has by all odds the best chance of any institution in the Western Hemisphere to develop itself upon this two-language basis.

In due time it will establish a school of trade and commerce in close association with a school of history, international law, and diplomacy. Eminent publicists from South America may then come to give lectures at the University of Porto Rico to groups of students who understand Spanish perfectly well, while distinguished authorities in government, politic

It takes courage to aim high and to work toward the realization of the largest possibilities. Looking to the future, it is easier to entertain the notion of an independent Porto Rico associated politically with other Latin American entities surrounding the Caribbean Sea. And this conception might be fully justified if the alternative meant a rough and tactless attempt to Anglo-Saxonize Porto Rico or to subject its people to rules, customs, and standards that seem to them both strange and unpleasant. But this is an age in which personal liberty and local distinctiveness seem to be entirely in keeping with large organizations of government, of commerce, and of culture for purposes of common welfare.

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Porto Rico need not fear that she will be a neglected Cinderella in the American household. It is probable that she can play her part in the Caribbean regions with more influence and success if she abandons all thought of a future substitution of her local flag for the Stars and Stripes. Porto Rico will inevitably be managed by Porto Ricans for their own welfare. There is not the slightest danger of domination from Washington for the benefit of continental America and to the harm of Porto Rico. The training and development of the Porto Rican people is much more important just now from the standpoint of democratic progress than the achievement of outward forms of a more complete home rule. Statehood may be expected as the ultimate thing.

In theory, of course, the Porto Ricans should choose their own governor. In practice, however, it would probably be best for Porto Rico, at least for some time to come, that the governor should be named by the President of the United States. Latin-American countries often victimize themselves in the undue excitement and factionalism of electoral contexts. It is the business of the governor, whether appointed or elected, to apply firmness, wisdom, and intelligence to promoting the welfare of the Porto Rican people. It is probably better for the island that the governorship, like the judiciary, should exercise its functions above and beyond the control of local parties.

There has been a good deal of conflict between capital engaged in such industries as those of sugar and tobacco on the one side and abor—organized under socialistic leadership—on the other hand. It might not be best for the island at the present time to have such economic conflicts carried into the political arena in the election of a governor. There would seem to be quite enough opportunity for a

# FINALLY, PORTO RICO MUST BE MECOGNIZED AND AIDED.

From the standpoint of American defense, Porto Rico has the strategic advantages of location that have not at times been sufficiently well understood by the authorities at Washington. In the long run, the tests of efficiency and of economy would be best met by concentrating as far as possible upon harbor improvement and defensive preparations in Porto Rico as bearing upon the protection of the Panama Caual and of all our proper interests in the Caribbean regions.

As an evidence of our regard for Porto Rico and esteem for our fellow citizens there, it would be desirable to appoint a certain number of Porto Ricans to positions in the departments at Washington and also to select several Porto Ricans of suitable education and experience for diplomatic and consular positions. Porto Ricans have the advantage of understanding the language and the customs of other Latin-American countries. With these valuable qualifications, a reasonable knowledge of business conditions here in the United States would make them excellent additions to the personnel of our Diplomatic and Consular Service.

Although our Spanish-speaking neighbors to the southward have had more than four centuries of experience in trying to adapt themselves to the conditions of life in their respective regions, it is well to remember that there are centuries yet to come, and that the future will give ample opportunity to atone for the mistakes of the past. The application of scientific knowledge is the principal agency that we must now rely upon for improvement of individual and of social conditions. The Western Hemisphere must be harmonious in all that makes for the avoldance of war. It can be associated in many ways for intellectual progress and for the wide diffusion of things that make up our modern standards of civilized life. One of the ways in which the people of the United States can best promote the future well-being of our hemisphere as a whole is to contribute toward intensive progress in the beautiful island which recognizes the American flag as its own.

#### EXTENSION OF REMARKS.

Mr. WILLIAMS. Mr. Speaker—
The SPEAKER. The Chair can not recognize the gentleman unless he has the consent of the gentleman who objected to his request before.

Mr. WILLIAMS. I had a little conversation with him just [Laughter.] now.

The SPEAKER.

The gentleman is recognized, Mr. Speaker, I ask unanimous consent to Mr. WILLIAMS. extend my remarks in the RECORD on the grain future bill.

The SPEAKER. Is there objection? [After a pause.] Chair hears none.

Mr. Griffin, Mr. Gernerd, and Mr. Snell were, by unanimous consent, granted leave to extend their remarks in the RECORD.

#### LEAVE OF ARSENCE

Mr. Buchanan, by unanimous consent, was granted leave of absence, indefinitely, on account of illness in family.

#### ADJOURNMENT.

Mr. TINCHER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 25 minutes p. m.) the House adjourned until Friday, May 13, 1921, at 12 o'clock noon.

### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. ELLIOTT, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 89) for the public sale of post-office site on the west side of South Main Street, in the city of Bethlehem, Pa., reported the same without amendment, accompanied by a report (No. 61), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SINNOTT, from the Committee on the Public Lands, to which was referred the bill (S. 594) for the relief of certain exservice men whose rights to make entries on the North Platte irrigation project, Nebraska-Wyoming, were defeated by intervening claims, reported the same without amendment, accompanied by a report (No. 63), which said bill and report were referred to the Committee of the Whole House on the state of

Mr. McKENZIE, from the Committee on Military Affairs, to which was referred the bill (H. R. 5215) granting relief to persons who served in the Military Telegraph Corps of the Army during the Civil War, reported the same without amendment, accompanied by a report (No. 64), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials

were introduced and severally referred as follows:

By Mr. BUTLER: A bill (H. R. 6150) authorizing the removal of certain cases in which the Government is the real party in interest from State courts to district courts of the United States, upon request of the Secretary of the Navy; to the Committee on Naval Affairs

By Mr. COLTON: A bill (H. R. 6151) to authorize the erection of a Federal building at Ephraim, Utah; to the Committee on Public Buildings and Grounds.

By Mr. DALLINGER: A bill (H. R. 6152) to authorize the construction of a drawless bridge across a certain portion of the Charles River, in the State of Massachusetts; to the Committee

on Interstate and Foreign Commerce.

By Mr. BUTLER: A bill (H. R. 6153) providing the method of transferring to the civil service retirement and disability fund the deduction required to be paid from naval appropriations on account of civilian employees of the Naval Establishment; to the Committee on Naval Affairs.

Also, a bill (H. R. 6154) providing for the insurance of currency shipped to disbursing officers of the Navy and Marine Corps; to the Committee on Naval Affairs.

By Mr. GREENE of Massachusetts: A bill (H. R. 6155) to provide for the transfer of the steamship Martha Washington to Cosulich Societa Triestina di Navigazione, an Italian corporation of Trieste, and directing the United States Shipping Board to make delivery of the said steamship; to the Committee on the Merchant Marine and Fisheries.

By Mr. HICKEY: A bill (H. R. 6156) to enlarge, extend, and remodel the post-office building at South Bend, Ind., or to authorize the purchase of a site and the erection and completion for building thereon, in the discretion of the Secretary of the Treasury; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6157) to amend paragraph 10 of section 4 of an act entitled "An act to establish a Bureau of Immigration and Naturalization and to provide a uniform rule for the naturalization of aliens throughout the United States," and to repeal all laws in conflict therewith; to the Committee on Immigration and Naturalization.

By Mr. SUMMERS of Washington: A bill (H. R. 6158) to vest titles to school lands in the State in which the lands are situated, if a proceeding is not instituted before the Department of the Interior within 12 years after the State is admitted to the Union, or within 12 years after the survey of the school land sections was approved, to determine whether such lands were of known mineral character; to the Committee on the Public Lands.

By Mr. VOLSTEAD: A bill (H. R. 6159) to amend existing law with regard to allowances for subsistence to be made employees of the United States while traveling on duty; to the Committee on Reform in the Civil Service.

By Mr. BURDICK: A bill (H. R. 6160) for the erection of a Federal building for the United States post office at Warren, R. I.; to the Committee on Public Buildings and Grounds.

By Mr. TEN EYCK: A bill (H. R. 6161) amending and extending the war risk insurance act, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. ELLIOTT: A bill (H. R. 6162) to preserve historical documents, records, and relics relating to the history of the United States that are now owned or that may come into possession of the Government of the United States; to the Committee

on Public Buildings and Grounds.

By Mr. DUNBAR: A bill (H. R. 6163) to purchase a postoffice site in the city of Huntingburg, Ind.; to the Committee on

Public Buildings and Grounds.

Also, a bill (H. R. 6164) to purchase a post-office site in the city of French Lick, Ind.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6165) to purchase a post-office site in the city of Tell City, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. DRANE (by request): A bill (H. R. 6166) to change the calendar from Gregorian to perpetual, establishing 13 months instead of 12 months for the year; to the Committee on the Judiciary.

By Mr. EDMONDS: A bill (H. R. 6167) amending section 4577 of the Revised Statutes; to the Committee on the Merchant Marine and Fisheries.

By Mr. LANGLEY: A bill (H. R. 6168) to revive the right of action under the act of March 12, 1863 (12 Stat. L., 820); to the Committee on the Judiciary.

Also, a bill (H. R. 6169) to relieve Congress from the adjudication of private claims against the Government; to the Committee on the Judiciary.

By Mr. BOND: A bill (H. R. 6170) to incorporate the Big Brothers and Big Sisters Federation, and for other purposes; to the Committee on the Judiciary.

By Mr. RAKER: A bill (H. R. 6171) for the support and education of the Indian pupils at the Greenville Indian School, Calif.; for repairs and improvements; for new school building, erecting building, and furnishing the same; for purchase of land to connect Government property with public highway; and for other purposes; to the Committee on Appropriations.

By Mr. ANDREWS: A bill (H. R. 6172) to amend an act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920; to the Committee on Reform in the Civil Service.

By Mr. YOUNG: Resolution (H. Res. 90) agreeing to the request of the Senate for a conference on H. R. 2435; to the Com-

mittee on Rules

By Mr. DYER; Joint resolution (H. J. Res. 116) protesting against the treatment of the American newspaper correspondents in Ireland by the British; to the Committee on Foreign Affairs.

By Mr. KINDRED: Joint resolution (H. J. Res. 117) directing the Secretary of the Treasury to acquire, by purchase or otherwise, the property on which the tombs and former homes of Presidents Washington and Jefferson are located; to the Committee on the Library.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BECK: A bill (H. R. 6173) granting a pension to Nellie Thompson; to the Committee on Invalid Pensions.

By Mr. BLAND of Virginia A bill (H. R. 6174) granting a pension to Timothy P. Brennan; to the Committee on Pensions.

By Mr. BOND: A bill (H. R. 6175) authorizing the Secretary of War to donate to the town of Canarsie (Brooklyn), State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CANNON: A bill (H. R. 6176) granting a pension to Aaron V. S. Rouse; to the Committee on Invalid Pensions.

By Mr. DARROW: A bill (H. R. 6177) for the relief of the

owner of the fishing smack Mary S. Dolbow; to the Committee on Claims.

By Mr. DENISON: A bill (H. R. 6178) for the relief of Thomas L. Harris; to the Committee on Military Affairs.

By Mr. DUNBAR: A bill (H. R. 6179) for the erection of a monument to the memory of Gen. George Rodgers Clark, of Clarksville, in the county of Clark, in the State of Indiana; to the Committee on the Library.

By Mr. GOULD: A bill (H. R. 6180) providing for the retirement of John Robert Baker; to the Committee on Military

Affairs

By Mr. HAWLEY: A bill (H. R. 6181) granting an increase of pension to Allen Kirk; to the Committee on Pensions.

By Mr. HICKEY: A bill (H. R. 6182) granting a pension to Anna M. Smith; to the Committee on Invalid Pensions. By Mr. KLECZKA: A bill (H. R. 6183) for the relief of Maj.

F. Ellis Reed; to the Committee on Claims.

By Mr. LAZARO: A bill (H. R. 6184) providing for survey of waterway from Lake Charles, La., to the Sabine River, Tex. and La., through the Calcasieu River and the intracoastal waterway from Calcasieu River, La., to Sabine River, Tex. and La.; to the Committee on Rivers and Harbors.

By Mr. LYON: A bill (H. R. 6185) for the relief of Ethel A.

Fullwood; to the Committee on Claims.

By Mr. McLAUGHLIN of Nebraska: A bill (H. R. 6186) granting a pension to Ellen J. Webb; to the Committee on Invalid Pensions.

By Mr. MacGREGOR: A bill (H. R. 6187) granting a pension to Jennie M. Freeborn; to the Committee on Invalid Pensions.

By Mr. MASON: A bill (H. R. 6188) for the relief of Hugo Singer; to the Committee on Claims.

By Mr. PURNELL: A bill (H. R. 6189) for the relief of William T. Seward; to the Committee on War Claims.

By Mr. ROBSION: A bill (H. R. 6190) granting an increase of pension to Sharlett Farmer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6191) granting an increase of pension to Nancy Adams; to the Committee on Pensions.

By Mr. SANDERS of New York: A bill (H. R. 6192) granting an increase of pension to Alice M. Stafford; to the Committee on Invalid Pensions.

By Mr. SHELTON: A bill (H. R. 6193) authorizing the Secretary of War to donate to the town of Seymour, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs,

Also, a bill (H. R. 6194) authorizing the Secretary of War to donate to the town of Mansfield, State of Missouri, one German

cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TINKHAM: A bill (H. R. 6195) granting a pension

to Janie Jackson; to the Committee on Pensions.

By Mr. VAILE: A bill (H. R. 6196) for the relief of Robert E. Danforth; to the Committee on the Public Lands.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid

on the Clerk's desk and referred as follows:
643. By Mr. BARBOUR: Petition of the Earl Fruit Co., of Sacramento, Calif., urging appropriation to purchase experimental vineyards near Fresno and Oakville, Calif.; to the Committee on Appropriations.

644. Also, petition of Leemoore Post, No. 100, American Legion, Leemoore, Calif., urging relief for the disabled soldiers, etc.; to the Committee on Interstate and Foreign Commerce.

645. Also, petition of Bakersfield (Calif.) Chapter, Daughters of American Revolution, urging the passage of House bill 2412;

to the Committee on the Post Office and Post Roads.

646. By Mr. CHALMERS: Petition of the National Grain Dealers' Association, for Congress to repeal law creating Federal Trade Commission; to the Committee on Interstate and Foreign Commerce.

647. Also, petition of Washington Congregational Church, Toledo, Ohio, urging Congress to take immediate steps for dis-

armament; to the Committee on Foreign Affairs.

648. By Mr. CURRY: Petition of the California State American War Mothers, favoring relief for the disabled soldiers, etc.; to the Committee on Interstate and Foreign Commerce.

649. By Mr. FAUST: Petition of the First National Bank and others, of St. Joseph, Mo., opposing the Tincher bill; to the

Committee on Agriculture.

650. Also, telegrams from A. J. Elevator Co., the Geiger Grain Co., and the St. Joseph Grain Exchange, all of St. Joseph, Mo., protesting against the enactment of the Tincher bill; to the Committee on Agriculture.

651. By Mr. FOCHT: Evidence in support of House bill 4014, for the relief of Mrs. Aletta Ann Querry; to the Committee on

Invalid Pensions.

652. By the SPEAKER (by request); Petition of the Ukrainian Society of Scouts; St. Peter and Paul's Ukrainian Church; American-Ukrainian local committee, of Carnegie, P.:.; and the Ukrainian Society of Transfiguration, Show Mine, Pa., all protesting against the Polish occupation of Ukrainian East Galicia;

to the Committee on Foreign Affairs.
653. Also, petition of the American Ukrainian Society, of Carnegie, Pa., regarding conditions in East Galicia; to the Com-

mittee on Foreign Affairs.

654. By Mr. HUTCHINSON: Resolution adopted by the Corporal Spencer Bloor Post, No. 491, Veterans of Foreign Wars of the United States, protesting against the United States entering into a treaty of peace with Germany until Grover Cleveland Bergdoll, the notorious millionaire slacker, is delivered to the authorities of this country; to the Committee on Foreign Affairs.

655. By Mr. KAHN: Petition of the California Grape Protective Association, relative to the experimental vineyards located near Fresno and Oakville, Calif.; to the Committee on

Appropriations.

656. By Mr. KINDRED: Petition of the Chamber of Commerce of the State of New York, urging improvement of the channel between Blackwells Island and Negro Point Bluff, etc.; to the Committee on Rivers and Harbors.

657. By Mr. KING: Petition of citizens of the eighth district of the State of Illinois, praying for the amendment to the Volstead Act to permit light wines, beer, etc.; to the Committee on

the Judiciary.

658. By Mr. KISSEL: Petition of the General Federation of Women's Clubs, Minneapolis, Minn., opposing the Walsh bill, for the damming of Yellowstone Lake, in Yellowstone National Park; to the Committee on Public Buildings and Grounds.

659. Also, petition of the American Dyes Institute, New York City, urging the protection of the dye industry; to the Committee

on Ways and Means.

660. Also, petition of the National Physical Education Service, Washington, D. C., urging support of the Fess-Capper bill; to the Committee on Education.

661. Also, petition of the Chamber of Commerce, Washington, D. C., urging support of House bill 30; also Senate bill 1084; to

the Committee on Budget.

662. Also, petition of the National Congress of Mothers and Parent-Teacher Associations, Washington, D. C., urging support of the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

663. Also, petition of Frank N. West, East San Diego, Calif., urging support of House bill 285; to the Committee on Military

Affairs.

664. Also, petition of the Brooklyn Chamber of Commerce, Brooklyn, N. Y., relative to defect in section 206 (c) of the transportation act of 1920; to the Committee on Interstate and Foreign Commerce.

665. By Mr. MacGREGOR: Petition of the L. L. Tillman Post, No. 900, American Legion, Akron, N. Y., urging relief for the disabled soldiers; also of the Grain Dealers' National Association of Toledo, Ohio, urging legislation for repeal of the law creating the Federal Trade Commission; to the Committee on Interstate and Foreign Commerce.

666, By Mr. RYAN: Petition of the American Committee for Relief in Ireland urging support of the Irish republic; to the Committee on Foreign Affairs. Petition of the New York State Federation of Labor, urging support of H. R. 18; to the Committee on the Judiciary. Petition of the American Association for Labor Legislation, New York City, urging passage of H. R. 4089 and S. 847; to the Committee on the District of Columbia.

667. By Mr. SIEGEL: Petition of the Harlem Board of Commerce, New York City, urging relief for the disabled soldiers; to the Committee on Interstate and Foreign Commerce.

668. By Mr. SNELL: Resolution of John E. Harrica Post, No. 875, American Legion, Chateaugay, N. Y., for relief of disabled soldiers; to the Committee on Interstate and Foreign Commerce.

669. By Mr. SNYDER: Petition of the Ukrainian Society of Herkimer, N. Y., with reference to affairs in eastern Galicia;

to the Committee on Foreign Affairs.

670. By Mr. TAGUE: Petition of 30 citizens of Boston, Mass., favoring the recognition of the republic of Ireland by the Government of the United States; to the Committee on Foreign Affairs.

671. By Mr. TINKHAM: Petition of citizens of the eleventh congressional district of the State of Massachusetts urging recognition of the Irish republic; to the Committee on Foreign Affairs.

672. By Mr. WATSON: Petition of the Abington Monthly Meeting of Friends, Jenkintown, Pa., opposing military training being introduced in the schools, etc.; to the Committee on Education.

673. By Mr. WINSLOW: Petition of 440 citizens of Milford, Mass., favoring the recognition by the United States Government of the republic of Ireland; to the Committee on Foreign Affairs.

## SENATE.

FRIDAY, May 13, 1921.

(Legislative day of Thursday, May 12, 1921.)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed a bill (H. R. 5676) taxing contracts for the sale of grain for future delivery, and options for such contracts, and providing for the regulation of boards of trade, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4075) to limit the immigration of aliens into the

United States.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 2435) imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenue; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes, agreed to the conference requested by the Senate, and that Mr. FORDNEY, Mr. Green of Iowa, Mr. Longworth, Mr. Garner, and Mr. COLLIER were appointed managers of the conference on the part of the House.

## PETITIONS AND MEMORIALS.

Mr. CAPPER presented a resolution adopted by the National Milk Marketing Conference held at Chicago, Ill., May 3, 1921, favoring the enactment of legislation placing a tariff on agricultural products, which was referred to the Committee on Finance.

He also presented resolutions of the Women's Auxiliary, American Legion, and Benevolent and Protective Order of Elks, No. 412, both of Pittsburgh, Kans., favoring the enactment of legislation providing adequate relief for disabled exservice men, which were referred to the Committee on Finance.

He also presented petitions of sundry citizens of Washington, Abilene, Enterprise, Beattie, Axtell, and Baileyville, all in the State of Kansas, praying for the enactment of legislation to prevent gambling in grain products, which were referred to

the Committee on Agriculture and Forestry.

He also presented a resolution of the Library of Congress
Branch, Federal Employees' Union, of Washington, D. C., favoring the enactment of legislation permitting employees of the Government to purchase supplies from the commissary stores of the Army and Navy, which was referred to the Committee on Military Affairs.

Mr. WILLIS presented resolutions of the Rotary Club of Akron and the Chamber of Commerce of Columbus, both in the State of Ohio, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which were referred

to the Committee on Finance.

Mr. MOSES presented a resolution of Grand Army Post No. 41. of Londonderry and Derry, N. H., favoring the enactment of legislation looking toward world peace, particularly the reduction of armaments, which was referred to the Committee on

Foreign Relations.

Mr. ROBINSON presented a resolution of the Pine Bluff Automotive Dealers' Association, of Pine Bluff, Ark., favoring the enactment of legislation to equalize the differences in the marketing of salvaged automotive equipment, so as to afford protection to the Government as well as to the automotive industry, etc., which was referred to the Committee on Finance.

Mr. LODGE presented a resolution adopted by the annual convention of the Diocese of Massachusetts favoring international disarmament, which was ordered to lie on the table.

He also presented a resolution adopted by the Unity Center of New Thought, of Springfield, Mass., opposing the present naval program and a large standing Army, which was ordered to lie on the table.

He also presented a resolution adopted by the Massachusetts Society, Sons of the American Revolution, of Boston, Mass., favoring the changing of the name of the Panama Canal to the "Roosevelt Canal" as a memorial to Theodore Roosevelt, which was referred to the Committee on Interoceanic Canals.

He also presented resolutions of Thomas Clark Branch, American Association for the Recognition of the Irish Republic, of New Bedford, and George Washington and St. Andrew's Councils, American Association for the Recognition of the Irish Republic, of Roslindale, all in the State of Massachusetts, favoring the enactment of legislation for the recognition of the Irish republic, which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Pittsfield, Mass., relative to the case of East Galicia, praying for the recognition by the United States of the West Ukrainian republic, which was referred to the Committee on Foreign Relations.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred

By Mr. JONES of Washington:

A bill (S. 1769) to provide for the redistribution of general taxes and special assessments due and payable on real estate in the District of Columbia, in cases of subdivision or sales of land therein; to the Committee on the District of Columbia.

A bill (S. 1770) to authorize deduction of war-risk insurance premiums from the war-service bonus payable under the act approved February 24, 1919, and for other purposes; to the Com-

mittee on Finance.

A bill (S. 1771) to authorize the United States, through the United States Shipping Board, to acquire a site on Hazzell Island, St. Thomas, Virgin Islands, for a fuel and fuel-oil station and fresh-water reservoir for Shipping Board and other merchant vessels, as well as United States naval vessels, and for other purposes:

bill (S. 1772) authorizing the Superintendent of the Coast and Geodetic Survey, subject to the approval of the Secretary of Commerce, to consider, ascertain, adjust, and determine claims for damages occasioned by acts for which said survey is

responsible in certain cases;

A bill (S. 1773) to provide and adjust penalties for violation of various navigation laws, and for other purposes; and

A bi. (S. 1774) to amend section 5 of an act entitled "An act to provide for the lading or unlading of vessels at night, the to provide for the lading of unlading of vessels at high, the preliminary entry of vessels, and for other purposes," approved February 13, 1911, as amended by an act entitled "An act to amend an act entitled 'An act to provide for the lading or unlading of vessels at night, the preliminary entry of vessels, and for other purposes,' approved February 13, 1911," approved for other purposes, approved February 13, 1911 February 7, 1920; to the Committee on Commerce.

A bill (S. 1775) to provide for causes of action arising out of Federal control and operation of telegraph and telephone

systems during the war, and for other purposes; to the Committee on Interstate Commerce.

A bill (S. 1776) authorizing the adjustment of the boundaries of the Olympic National Forest, in the State of Washington, and for other purposes; to the Committee on Agriculture and Forestry

By Mr. WILLIS:

A bill (S. 1777) granting a pension to Mrs. E. L. D. Palmer; to the Committee on Pensions.

By Mr. HALE:

A bill (S. 1778) for the relief of Elizabeth Foster Carter; to the Committee on Claims.

A bill (S. 1779) for the relief of Stephen A. Winchell; to the

Committee on Military Affairs.

By Mr. KING:

A bill (S. 1780) to authorize the erection of an experimental oil-shale refining plant at Ogden, Utah, and making an appropriation for such purpose; to the Committee on Mines and Mining.

A bill (S. 1781) making appropriation for the purchase of a site and erection of a public building at Ephraim, Utah; to the Committee on Public Buildings and Grounds.

By Mr. WADSWORTH:

A bill (S. 1782) to appoint Maj. Gen. Hunter Liggett, United States Army, retired, to the grade of lieutenant general on the retired list; to the Committee on Military Affairs.

By Mr. FRELINGHUYSEN:

A bill (S. 1783) granting an increase of pension to Margaret A. Heubach; to the Committee on Pensions.

By Mr. JOHNSON:

A bill (S. 1784) for the relief of John B. Elliott; to the Committee on Claims

By Mr. LODGE: A bill (S. 1785) for the relief of Elizabeth H. Rice; to the Committee on Claims.

By Mr. GERRY:

A bill (S. 1786) for the relief of Charles B. Malpas; to the Committee on Claims.

A bill (S. 1787) to amend an act approved May 18, 1920, entitled "An act to increase the efficiency of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service"; to the Committee on Naval Affairs.

A bill (S. 1788) to incorporate "The Big Brother and Big Sister Federation," and for other purposes; to the Committee

on the Judiciary.

By Mr. MOSES:

A joint resolution (S. J. Res. 56) authorizing a joint committee of both Houses to investigate the Harriman Geographic Code System, now in use by the War Department, with a view to ascertaining the adaptability and application of said system in the several executive departments and administrative branches of the Government, and to rendering a just compensation to the owner thereof; to the Committee on Appropria-

# AMENDMENT TO NAVAL APPROPRIATION BILL.

Mr. STERLING submitted an amendment providing that all orders or contracts for the manufacture of material pertaining to approved projects, heretofore or hereafter placed with Government-owned establishments, shall be considered as obliga-tions in the same manner as provided for similar orders placed with commercial manufacturers, and the appropriation shall remain available for the payment of the obligations so created as in the case of contracts or orders with commercial manufacturers, intended to be proposed by him to the naval appropriation bill, which was ordered to lie on the table and to be printed.

## HOUSE BILL REFERRED.

The bill (H. R. 5676) taxing contracts for the sale of grain for future delivery, and options for such contracts, and providing for the regulation of boards of trade, and for other purposes, was read twice by its title and referred to the Committee on Agriculture and Forestry.

## NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and

The PRESIDENT pro tempore. The question is on the com-

mittee amendment found on page 35, line 7.

Mr. BORAH. Mr. President, I suggest the absence of a

The PRESIDENT pro tempore. The Secretary will call the

The reading clerk called the roll, and the following Senators answered to their names:

Frelinghuysen Ashurst Sheppard Shields Shortridge McKinley Gorry Gooding Hale McNary Moses Nelson Ball Borah Broussard Smith Spencer Stanfield Stanley Sterling Sutherland Swanson Trammell Bursum Cameron Capper Harreld Harris Harrison Newberry Nicholson Norbeck Caraway Colt Culberson Norris Oddie Overman Phipps Pittman Poindexter Heffin Johnson Jones, Wash. Kendrick Cummins Curtis Dial Dillingham Kenyon Keyes Wadsworth Williams King Ladd La Follette McKellar Pomerene Ransdell Reed Robinson Wolcott Ernst Fernald Fletcher

Mr. CURTIS. I wish to announce that the Senator from Pennsylvania [Mr. Penrose], the Senator from North Dakota [Mr. McCumber], the Senator from Utah [Mr. Samoot], the Senator from Connecticut [Mr. McLean], the Senator from Indiana [Mr. Watson], the Senator from New York [Mr. Calder], the Senator from North Carolina [Mr. Simmons], the Senator from New Mexico [Mr. Jones], and the Senator from Massachusetts [Mr. Walsh] are absent in attendance on a meeting of the Committee on Finance.

Mr. PHIPPS. I have been requested to announce that the Senator from Michigan [Mr. Townsend] is detained on business

of the Senate.

Mr. HEFLIN. My colleague [Mr. Underwood] is unavoidably absent on account of a death in his family. I ask that this announcement may stand for the day.

The PRESIDENT pro tempore. Sixty-six Senators have an-

swered to their names. A quorum is present.

Mr. BORAH. Mr. President, the particular item before the Senate is the item on page 35 providing for an increase of \$7,500,000 for fuel and transportation, the exact figures being \$17,500,000 as provided by the House, and an increase is made by the Senate committee to \$25,000,000. I wish to submit some observations upon the increases in the bill, and as a number of amendments providing for increases have been passed over, I presume it is as logical to state them now as at any time.

The House bill carries \$396,000,000, in round figures about \$400,000,000. That is, as it seems to some of us, a very large appropriation for the Navy at this time, almost three times as

much as we expended for the Navy in 1913.

The bill as reported by the Senate Committee on Naval Affairs increases the amount by about \$100,000,000, making the total for the Navy about \$500,000,000; to be exact I think it is \$496,000,000. There is not very much information afforded the Senate in the report of the committee as to why these increases were made. In fact, in regard to this particular item no information is furnished the Senate. In regard to all the items, scarcely any information whatever is provided in the report as to the increases. Without assuming to criticize the committee, of course, it would seem that for an increase of \$100,000,000 over the amount provided by the House and by a committee of the House that is known to be very aggressively in favor of a big Navy, there ought to be very strong and conclusive reasons stated.

Mr. McKELLAR. Mr. President, if the Senator will yield, I wish to say that I did not catch the entire amount appropriated

in the bill as he stated it.

Mr. BORAH. About \$500,000,000—four hundred and minetysix million and some odd dollars, but when we taken into consideration the commitments in the bill, the expenditures which must inevitably follow, in my opinion the bill carries \$650,000,-000, but the actual figures as the proponents of the bill present them are, in round numbers, \$500,000,000.

For instance, let me call attention to the increase in the personnel. The personnel of the French Navy is about 45,000 men; that of the Japanese Navy, from 75,000 to 80,000 men; and that of the British Navy, about 100,000 or 105,000 men. It is variously estimated, but the most accurate figures which I have been able to secure and which I think are reliable are

The British Navy, of course, is now, as the ships are counted and as the proponents of a large navy in this country express it, a very much larger navy than that of the United States. The British Navy has a very much extended service to perform and particularly since the ratification of the Versailles treaty, because Great Britain is now master of one-third of the land of the world and about one-fourth of its population.

So we are providing and the House provided for a personnel of 100,000 men. That would be to all practical purposes the size of the largest navy in the world, to wit, the British Navy,

lacking about 5,000 men.

It is now proposed to increase the Navy personnel to 120,000 men. I submit that, whatever may be one's views with reference to a large Navy, it does seem to me that in these times, when every effort ought to be made that can be made in reasonableness and safety to curtail the expenditures of the Government we can afford to limit our personnel to the size of the personnel of the English Navy, which is now the largest navy in the world. When we are cutting expenses, or at least have promised to cut expenses wherever we can, and when we know that we must deprive the Government of certain appropriations which it really ought to have for civic, industrial, and educational purposes, it seems to me that even the advocates of a great navy ought to be willing to rest with a personnel equal in size to that of the greatest navy in the world.

Mr, FLETCHER. May I ask the Senator whether the figures which he is giving include officers as well as men—whether they

include the whole personnel?

Mr. BORAH. Does the Senator mean of the British Navy?

Mr. FLETCHER. Yes.

Mr. BORAH. I understand they simply include the men, I am quite sure of that.

Mr. KENYON. What is the number of the personnel of the Japanese Navy?

Mr. BORAH. It is from seventy-five to eighty thousand men. Mr. KENYON. Does that include the air service and all other branches?

Mr. BORAH. Yes.

We are, therefore, providing not only a Navy equal in personnel to the greatest navy in the world, but we are now surpassing it by from fifteen to tweny thousand men. cuse for that as assigned by the able proponents of the pending bill is that if we do not have this personnel certain ships will lie idle; in other words, in a time of peace, at a time when economy is absolutely essential to prevent bankruptcy and distress becoming widespread and extended throughout the country, we prefer to keep afloat, as a matter of exhibition and parade, certain ships rather than to save the taxpayers and permit those ships, as the British have permitted their ships to de, to lie idle. If, Mr. President, we now have 120,000 men to keep the ships which we have affeat and in condition, pray advise the American taxpayer the number we shall have to have when 16 additional battleships shall have been finished. We are creating what is known here in Washington as perpetual motion in appropria-This is the method by which these expenditures are now continually increasing.

Mr. POINDEXTER. Mr. President— Mr. BORAH. I yield to the Senator.

Mr. POINDEXTER. One of the reasons for maintaining the personnel is to supply the new ships which are approaching completion. When we recruit a lot of seamen, it is necessary to give them some little training before they can be put on a battleship to operate it. I assume that when the new ships are completed, and we have them available for service in the Navy, some of the older ships will be dealt with, as the Senator from Idaho recommends.

Mr. BORAH. Yes; I have no doubt that some of the old ships will be regarded as obsolete just as soon as the new ships can take their places. The thought occurred to me, however, I will say to the Senator, in view of the distressed condition of the taxpayers of the country, and in view of the fact that we are not now at least contemplating a naval war with any other nation, that we might permit these ships to be d'scarded, as the British have already done as to theirs of a similar type.

British have already done as to theirs of a similar type.

Mr. POINDEXTER. I have just suggested that probably we would adopt that suggestion of the Senator from Idaho.

Mr. BORAH. The only difference between the able Senator from Washington and myself is that I should like to adopt it now and to limit the personnel to 100,000 men.

now and to limit the personnel to 100,000 men.

Mr. POINDEXTER. We could not do that in one day or in one month. It is necessary to take some time in order to prepare men and to discard ships and get new ones and to man new ones.

Mr. BORAH. Have there been any steps taken toward putting out of commission any of the obsolete ships?

Mr. POINDEXTER. Yes.

Mr. BORAH. Has the Senator in mind those particular

ships?

Mr. POINDEXTER. I can not give the Senator from Idaho the names of the ships. I have the data here which I can supply the Senator. Included in the list are a number of the older ships, particularly a great number—something like 100—of destroyers, most of which bear the names of officers of the Navy. I can supply the names to the Senator from Idaho if he desires.

Mr. BORAH. Very well, I shall be glad to have them, because it is very difficult for a layman to know what ships are

obsolete and what are not until the experts have passed upon the question.

Mr. POINDEXTER. I did not mean to say that the destroyers to which I have referred are obsolete. I mean to say that they are being put in reserve; they are being protected; they are being preserved against destruction; but they are not

being kept in full commission.

Mr. BORAH. Mr. President, the British Navy, which the proponents of a large Navy in this country say now is very much larger and more powerful than ours, is getting along with a personnel of 105,000 men. When it comes to seamanship and to adequacy of defense from the seamen's standpoint, I think we may safely rely upon the strength of the British Navy as being ample to secure the British possessions. If that be true, what possible reason can be assigned for the United States adding 20,000 men to the number which the British Navy regards as a sufficient and efficient personnel in order to protect all the wide-flung British possessions?

Mr. President, the condition in this country is a very serious There are at present, it is said, 5,000,000 men in the United States who are out of employment. I read this morning a statement by a priest, in which he stated publicly that in his entire parish there were only seven men employed, and that the people were not only out of employment but that they were hungry and that some of them were actually starving. This condition, Mr. President, has become chronic, and is only preceding a more general condition that will come about, as indicated by the conditions which confront us in West Virginia

this morning.

If the people of this country were satisfied that the Congress was doing what it could do to limit their burdens and expenses, I feel very certain that they would be patient to the very limit in regard to existing conditions, but at a time when business is discouraged, when industry is demoralized, when we are searching for more money in the way of taxes, and when the army of the unemployed bids fair to be as large as the Army of the fighting forces a few months ago, it is very difficult to justify the increase of the House appropriation, which was already large, by \$100,000,000. The psychological effect as well as the actual effect of such things, in view of the distressed condition of the people of the country, is something that one does not like to contemplate.

The Secretary of the Treasury made a report a few days ago, and I invite the attention particularly of Senators upon this side of the Chamber to a paragraph or two from that report.

Mr. Mellon has been a marvelous success in the world of finance in his individual capacity, and I doubt not that he has given to this subject thorough investigation and the best effort possible to arrive at a business basis upon which to operate the Government. He says:

The Nation can not continue to spend at this shocking rate-

And yet, Mr. President, there is positively no chance in this Congress at the rate which we are traveling to lower the expenditures by one dollar. We will cut here and there a little, but one has only to look at the bills which are pending before Congress, and which will pass, to know that at the end of this fiscal year the expenditures for the actual running expenses of the Government will be greater than they were in 1920. If there is any plan upon this side of the Chamber being incubated anywhere to limit the expenditures of the Government it has not yet been revealed.

Mr. POMERENE. Mr. President-

Mr. BORAH. I yield.
Mr. POMERENE. Is not the Senator mistaken about that?
I remember very distinctly that at the last session of the Senate, as the Senator from Idaho no doubt will remember, I was very much interested in trying to secure an increase in the pay of a few policemen out in the Zoological Park, but the Senate was so economical at the time that they would not permit that increase. The mere fact that we are expending four hundred million or five hundred million dollars for the Navy in one session of Congress should not make the Senator from Idaho lose sight of the very striking exhibition of economy to which I have referred.

Mr. BORAH. I thank the Senator for the suggestion, and I modify my remarks to that extent. Secretary Mellon continues:

modify my remarks to that extent. Secretary Mellon continues:

The Nation can not continue to spend at this shocking rate. As the President said in his message, the burden is unbearable and there are two avenues of relief. "One is rigid resistance in appropriation and the other is the utmost economy in administration." This is no time for extravagance or for entering upon new fields of expenditure. The Nation's finances are sound and its credit is the best in the world, but it can not afford reckless or wasteful expenditure. New or enlarged expenditures can not be financed without increased taxes or new loans. Expenditures should not even be permitted to continue at the present rate. The country is staggering under the existing burden of taxation and debt and clamoring for gradual relief from the war taxation.

The Nation should not be permitted to continue to expend at its present rate, and the people are staggering, says the Secretary of the Treasury, under the load which they are now carry-Yet I submit that we have not before us any plan or any program which permits of even a limitation of expenditures to the present figure

We were advised a few weeks ago by a member of the Finance Committee, who presented the figures, that this year we would appropriate \$4,500,000,000, and that at the end of the year we would have a deficit of from \$1,500,000,000 to \$2,000,000,000. The best figures which can be gathered by those who have the courage and are willing to present them is that this Republican Congress, pledged to economy, will increase the expenditures of 1920.

Mr. CURTIS. Mr. President—
The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Kansas?

Mr. BORAH. I yield.

Mr. CURTIS. The Senator, of course, knows that the appropriations for 1922 have already been made, with the exception of those for the Navy and for the Army; and he knows, furthermore, that they were made upon estimates furnished by officials of the former administration. If the Senator will take the time to look at the figures, he will find that the estimates sent in were very materially decreased in all the appropriation bills which were passed. I can speak for all of the bills except the Army appropriation bill, the Navy appropriation bill, and the Diplomatic and Consular bill. Those bills I can not speak about, because I have not the figures at hand, and they did not come before the Committee on Appropriations.

Mr. OVERMAN. We always appropriate less than the esti-

mates; that is always done by every Congress

Mr. BORAH. Yes; of course. Mr. President, in answer to the able Senator from Kansas I will simply repeat-and I put it here in the Record, and I ask the Senator from Kansas in a year from now to read it—that the expenditures of this Congress, for which the Republicans are responsible, will be greater than the expenditures of the preceding Congress.

Mr. CURTIS. Mr. President, I make the prediction that the expenditures will be a billion dollars less than they were this year. The first time the Republicans prepare the appropriation bills upon estimates from their departments the reduction will

be over a billion dollars. I make that prediction.

Mr. KING. Mr. President, will the Senator from Idaho yield? Mr. BORAH. Just a moment, until I get through with this. The expenditures of the last Congress were passed upon by an overwhelmingly Republican Congress, and to say that the estimates were sent in here by Democratic officials and afterwards were cut to some extent by a Republican Congress does not

relieve the Republican Congress at all from the fact of the expenditures as made by the Republican Congress.

Mr. CURTIS. Mr. President, I have before me the figures, and they show that the appropriations, outside the Army and Navy bill which we have made for 1922, are \$898,000,000 below

the appropriations for 1921.

Mr. BORAH. Eight hundred and ninety-eight million dollars? Bless Heaven—\$898,000,000!—and you will see a billion and a half of deficiencies appropriated here without a single effective protest.

Mr. OVERMAN. Mr. President, there is a bill for \$300,000,-000 of deficiencies pending now in the House of Representatives.

Mr. BORAH. Exactly.

Mr. KENYON. Mr. President, I should like to ask the Senator from Kansas whether those figures include the naval bill and the Army bill?

Mr. CURTIS. No; they do not.

Mr. KENYON. So you would have to deduct those from the

\$800,000.000.

Mr. CURTIS. It is \$800,000,000 less than was carried in the bills outside the Navy and Army bills. I said in my first statement that I could not speak for the Army bill or the Navy bill or the Diplomatic bill, because they did not come before the Committee on Appropriations,
Mr. KENYON. I did not understand from the Senator

whether he included the figures of the Army and the Navy or

Mr. CURTIS. I did not; only the bills that were actually passed and which came before the Committee on Appropriations.

Mr. POMERENE. Mr. President, will the Senator yield for question?

Mr. BORAH. I yield.

Mr. POMERENE. How much has the naval appropriation bill of the present Congress been reduced below the naval appropriation bill of the last session?

Mr. BORAH. Not a dollar-not a dollar. It stands right

Mr. POINDEXTER. Mr. President, of course I do not know what the Senator from Ohio refers to as "the naval bill." The bill as it came to the Senate from the House contained a reduction of nearly \$100,000,000. The bill as reported by the Senate committee, including new program and new construction for aviation, is very nearly the same as the appropriations of last year.

Mr. BORAH. Well, Mr. President, the estimates which came from a Democratic administration result in the same bill and the same appropriations as the estimates which came from a Republican administration. There is no difference between the

two bills.

Mr. President, will the Senator permit me? Mr. KING.

Mr. BORAH. I yield.

Mr. KING. Let me call the Senator's attention to the fact that under a Democratic administration in 1914-15 the naval appropriation bill was only \$141,000,000, and the year before \$126,000,000, and the year before \$129,000,000, and so on back to 1900, when it was \$61,000,000. Now it is more than \$500,-000,000, besides commitments which will necessitate an expenditure of \$2,000,000,000 in the next two years.

Mr. BORAH. Mr. President, in the sweep of the years, in the change of Democratic administrations and Republican administrations, taxes continue to increase year by year and decade by decade. Let me call your attention to some figures which indicate how little party politics have to do with decreas-

ing expenditures.

In 1850 the per capita expenditures of the National Govern-

ment were \$1.77.

In 1860 they were \$2.01.
In 1860 they were \$2.01.
In 1890, \$4.75 per capita.
In 1900, \$6.39 per capita.
In 1910, \$7.30 per capita.
In 1919, \$144.77 per capita.

It makes no difference, Mr. President, so far as parties are concerned. If you look back over 50 years, there is a constant rise in the expenditures of the National Government in the per capita burden upon the people. Whether the estimates come from one party or another or are passed by one party or another, when it gets down to the taxpayer there is an increase of burden, regardless of what party is in power.

Mr. STANLEY. Mr. President-

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Kentucky?

Mr. BORAH. I do.

Mr. STANLEY. The Senator should not be discouraged. This amount is raised by direct taxes levied upon the people. Cheer up; the worst is yet to come. These taxes are but a fraction of the indirect burden.

For instance, under the transportation act of 1920, which has operated, according to the testimony before the committee, but one-twelfth of the time, there has been an increase in rates of \$400,000,000. If it had operated for a full year, there would have been an increase of practically \$4,000,000,000. Mr. Hines has estimated that we pay \$5 out of our pockets for every dollar of increase in freight rates. That would be an increase in freight rates of \$20,000,000,000 under one act; so that the little amount the Government takes directly is so small compared with the amount we are taking indirectly that we should not be discouraged or dismayed.

Mr. BORAH. No; in view of the fact that both sides of the

Chamber passed the bill.

Mr. STANLEY. I helped do it. I am not pleading "not guilty.

Mr. BORAH. I continue reading from the Secretary of the Treasury:

The estimated ordinary expenditures of \$4,014,000.000 will on their part be affected by appropriations which are still to be made. The estimated expenditures of the War Department and the Navy Department, aggregating over \$1,100,000,000 for 1922, will depend largely upon the military and naval policy adopted by the Congress at the present session. \* \* \* In the absence of drastic cuts in military and naval expenditures, there is almost no prospect, according to the estimates, of any substantial available surplus even in the fiscal year 1922. \* \* Substantial cuts in current expenditures offer the only hope of effective relief from the tax burden.

The President has told us that this tax situation is unbear-ble. The Secretary of the Treasury has advised us that this shocking expenditure can not continue, and the Secretary of the Treasury has advised us that there is no place to reduce it

except in the Army and Navy appropriations.

Mr. WADSWORTH. Mr. President, I will ask the Senator if he thinks the Shipping Board effers any opportunities for

reduction of expenditures?

Mr. BORAH. I do not know. I am referring to the language of the Secretary of the Treasury. The Secretary of the Treasury says there is no way to cut expenditures except in these two items. I presume he has surveyed the situation with some degree of accuracy and earnestness. It depends upon him, in a large measure, to see that there are presented to Congress the things which ought to be presented in order to reduce expenditures.

Being thus advised, what does this side of the Chamber pro-

pose to do?

A vast amount has been said about cooperation and harmony and teamwork, and we have a great deal of harmony and teamwork on certain matters; but on the question of expenditures we are in utter disharmony. One department of the Government is insisting upon increased expenditures, or holding them to the present level, and another department of the Government advises us that it simply can not be endured, and that this shocking expenditure will lead to disaster. The Secretary of War, who is also a student of finance and has been a success in it, in a speech made a short time ago said:

Something like \$17,000,000,000 must be provided by the Federal Government within the next 30 months to meet its running expenses and refunding operations. This—

Said Secretary Weeks-

is an infinitely greater task than was ever undertaken by any nation in the world in time of peace, and there is no one, skilled in financial operations though he may be, who does not view the prospect with more or less alarm. With this situation facing us it is the height of folly to undertake new commitments if they can be avoided, and I assume that no one will dissent from that proposition.

Seventeen billions of dollars in 30 months, the beginning of which 30 months is marked by discouragement and by demoralization in the industrial and business world. Senators here know that sources of taxation are being dried up day by day; that taxes which have come to us from a certain source come to us from that source no longer, because they say they are not there to give. Men who a few months ago were paying a large income tax would be delighted if they could turn their property over to those who hold a mortgage and step out free. I know men in my part of the country, sir, who a year or two years ago were what we call very wealthy men for our part of the country. They are now in financial ruin. One of them drove his herd into a field a few days ago, a man who was estimated to be worth \$1,500,000 a year and a half ago, and said to the mort-gagee, "You can take it; I am going to the oil wells of Texas." That is only one of many illustrations; and yet, my friends, without any program, without any plan to lift the burden from the men who are bending under it, without even stopping to listen to the appeals which are made to us, we sit here day by day not only not decreasing the expenditures but increasing them—a party which was pledged in the last campaign in every way to economy.

Mr. President, the able chairman of the Finance Committee, the Senator from Pennsylvania [Mr. Penrose], who, unfortunately, by reason of ill health, is detained from the Senate, in an interview upon this question of disarmament the other day said, "My opinion is that the American people are just now more concerned in getting revenue revised and taxes reduced and the sheriff retired to the background than they are in

academic discussion of disarmament.

As I said, the able Senator, the chairman of the Finance Committee, being absent on account of ill health, I address my question to any member of the Finance Committee who is here, or who ought to be here. How do you propose to retire the sheriff? What is your plan? If disarmament is not the plan, what is your plan? Certainly the Senator from Pennsylvania would not be in favor of the United States fully disarming without an agreement among the other nations to disarm, and if you do not have it through agreement it is alto-gether probable you can not have it at all. You can take the word of the Secretary of the Treasury that unless disarmament comes through such an agreement we can not have any reduction at all in our taxes.

It has been stated here before, and I want to state it again, that it may go into the Record, that 93 per cent of the money expended by the Government during the year 1920 was on account of wars, past and future, closed and anticipated; 7 per cent for all the other operations of the Government, civic, educational, and everything which has to do with the building

up of a Government and maintaining it.

The cost of all the civil-service activities of the Government from July 1, 1909, to July 1, 1919, averaged \$2.15 a year per capita, and during that period the cost increased practically with the population. From 1834 to and through 1919, the War Department actually disbursed \$23,002,390,008. In the same period the Navy Department expended \$6,907,369,032. This makes a total for those two departments of \$29,909,759.040.

Now, Mr. President, for comparison, the total cost of the Civil War, from June 30, 1861, to June 30, 1866, was \$3,500,000,000. I have somewhere the total expenditures of the Government for

the first 72 years of its existence, which is a little more than the increase in this naval appropriation bill.

The net cost of the World War to the United States was, up to January 1, 1921, \$24,010,000,000. According to the appropriations passed prior to May 1, 1920, including the deficiency bill, our expenditure for that year was \$5,686,576,000. Of this expenditure there was expended for the War and Navy Departments \$1,424,138,667.57, or 25 per cent of the entire amount; \$3,855,482,000, or 67 per cent, was for previous wars, in the way of pensions, and so forth. For primary governmental functions \$181,000,000 was expended, in round figures, or 43 per cent of the entire expenditures of the Government. There was expended for public works, \$168,203,557.46, or 2.097 per cent of the entire amount. For research and educational development work there was expended \$57,093,660, or 1,001 per cent of the entire expenditures.

For research, for educational work, for the building of citizenship, for the building of character upon which republican institutions must rest, we appropriate 1 per cent of the entire expenditures of five billion and odd dollars, and 93 per cent

Now I ask you, not as an academic question but as a practical proposition, how long can a republican form of government exist under that condition of affairs? It is not guns alone, or ships alone, which constitute the safety and the security of a free government; it is the intellect and the character of the citizenship upon which the government rests. One per cent for laying the basis of character and citizenship and 93 per cent dedicated to the purposes of destruction and death, that is a road to speedy and certain breakdown in republican government.

A few weeks ago we were advised that one of the methods by which we were going to reduce taxes was that of discharging departmental clerks and employees, and it was estimated that we would get rid of at least 20,000 employees. I have no doubt but the able Senator who made that prediction, the Senator from Utah, who has been a consistent and persistent advocate of economy, felt entirely certain as to his figures. Mr. President, suppose we had discharged 20,000 employees, it would not have amounted to the appropriation in this bill for one battleship. It would have been a mere bagatelle compared with the \$4,500,000,000 which we are to expend and the deficit which perhaps will follow. But, now, it appears, Mr. President, what those of us who have been here for years anticipated, that after a careful survey of the situation we can not cut out the employees to the amount of 20,000. We shall do well if we cut out to the number of 5,000.

Mr. POMERENE. Mr. President—
The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Ohio?

Mr. BORAH. I yield. Mr. POMERENE. Allow me to remind the Senator, at the same time, that in connection with the effort to reduce the civil employees 20,000-and I am in sympathy with that-there is also in the pending bill an effort to add to the Navy personnel by 20,000.

Mr. POINDEXTER. Mr. President, I do not want to interrupt the speech of the Senator from Idaho, but I must correct the statement just made by the Senator from Ohio. There is nothing proposed in the bill looking to the increase of the per-

sonnel of the Navy at all. Mr. POMERENE. I ha I have before me the committee report, in which it is stated that the bill as it passed the House made appropriations on a basis of an enlisted strength of 100,000 men in the Navy, and the Senate committee recommends, and has so proposed amendments to the bill, that we shall make appropriations upon the basis of 120,000.

Mr. POINDEXTER. We have 120,000 men in the Navy now. I have the figures here of the date of May 9, strictly up to date, showing that there are 120,687 men in the Navy. The Senate committee bill does not propose to increase that at all,

Mr. POMERENE. It evidently increases the appropriations on that basis, if I understand the report correctly

Mr. POINDEXTER. It reduces the appropriations.

Mr. BORAH. It increases the appropriations over the bill as it passed the House.

Mr. POINDEXTER. That is what misled the Senator from Ohio. The bill as it passed the House proposed to reduce the number. The Senate committee bill is framed on the proposition of maintaining the same number we have now.

Mr. POMERENE. The fact remains none the less that you are increasing the appropriations sufficiently to take care of 20,000 men more than the House provided for.

Mr. POINDEXTER. That is an amendment to the House bill: it is not an increase of the appropriations heretofore made. Mr. BORAH. Mr. President, now let us for a moment take

a little broader survey of the debt situation. Mr. KING. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Utah?

Mr. BORAH. I yield.

Mr. KING. Before leaving the question of a reduction in the number of clerks, I think the RECORD ought to state what the facts are a little more fully than what the Senator has demonstrated. The Senator will recall that one of the leading Republicans of the House stated that there would be at least 40,000 clerks separated from the service as soon as the Republicans came into control; and it was stated frequently during the campaign. Recently a survey has been made, and in a Washington paper a few days ago there appeared this statement:

The beginning of the new fiscal year, July 1, will find more than 80,000 employees on the Government's pay rolls in the Capital.

Congress has been unable, despite all efforts at economy, to reduce the executive establishments to anything approximating their prewar size. Before the war there were 27,000 Federal employees in the District of Columbia.

Just one other statement, if the Senator will parden me:

A similar situation obtains throughout the country. The number of Government workers outside the Capital exceeds 550,000. This is 150,000 more than in normal prewar years, and brings the total of all workers to about 636,000.

Mr. BORAH. Mr. President, it is often stated, in answer to those who would like to curtail naval expenditures and Army expenditures, that the distressed condition of the world, the discontented condition of the world, the unrest throughout the world, will not permit of it at this time. The discontent and disorder which prevail throughout the world at this time are due very largely to the great debt which has been and is being imposed upon the people by reason of these Army and Navy expenditures throughout the world.

Almost equal to the crime of those who were guilty of the bringing on of the war was the crime which the allied and associated powers committed, when, after the signing of the armistice, they each and all began to arm against one anotherfor there was no one else against whom to arm-upon a more stupendous scale than had ever before characterized the nations

of the world.

Let me call your attention to the fact that in 1920, two years after the war had closed, when the German Navy had been destroyed and her army reduced to 200,000, the allied and associated powers, the five great nations, expended for their armies and their navies \$16,442,251,101.

Those powers which were victors together impose upon their people the burden in one year of over \$16,000,000,000 for armament, for armies and navies, and against whom? source of the discontent. That is the source of the disorder. The promise that this war was to end war has resulted in a preparation for the next war upon a scale which the human mind never before conceived.

Now, I ask again of my friends, how are you going to stop it except through an agreement, except through a conference? How are you going to lift the burden which is now creating unrest and dissatisfaction not only throughout Europe, but throughout this country, except by an agreement among the powers which are laying on the debt?

Look at the condition in France to-day. army of 800,000 men. She has her military alliances with some seven or eight of the European powers. She is extending a network of militaristic power throughout Europe, and yet the condition of the French citizen to-day is one of abject poverty. How shall we assist in aiding France to get from under that situation? Shall we do it by building battleships, by increasing our Army and our Navy, or shall we bring about an agreement by which the great naval powers of the world may disarm the ocean and at least initiate a program of peace which will bring poise and contentment to the other nations of the world?

Mr. President, I do not wish to digress to the subject of disarmament. I simply desired at this time to call attention to some of these increases and the general subject of expenditures. I think I shall content myself with that phase of the subject

at this time.

Mr. WADSWORTH. Mr. President, I find it will be impossible for me to be in the Senate this afternoon on account of a hearing before the Committee on Military Affairs, and per-haps out of order in the sense of the Senate not yet having reached the portion of the bill to which I refer, I desire to ask the Senator in charge of the bill for some information concerning section 4, which commences at the bottom of page 53, and has to do with the value placed upon the ration in the Navy when commuted and paid in cash to officers and enlisted men. The first part of the section reads:

That during the fiscal year 1922 the ration for officers and enlisted men of the Navy entitled thereto shall be commuted at the rate of 60 cents per diem.

The Army ration when commuted to officers and enlisted men is 53 cents per diem, and I am wondering why the Navy ration when commuted in this way should be 7 cents higher than that paid in the Army.

Mr. POINDEXTER. Mr. President, the difference in the amount allowed for commutation of rations in the Army and Navy is probably due in a very large measure to the different circumstances under which Army and Navy officers are situated when they receive commutation for rations. The naval service in very large measure when commutation of rations is allowed is in foreign port, and under a much greater variety of conditions in the main than those which surround Army officers who receive commutation of rations.

It is due also in part, no doubt, to the difference which is created by law in the contents of the Navy ration and the Army ration. Of course, I realize that that does not apply to rations which are bought officers who receive commutation of rations, but I have no doubt it had weight with Congress in the enactment of the law. This thing is fixed by the law, which provides 68 cents as the amount allowed for commutation of rations in the Navy.

Mr. WADSWORTH. Does the Senator mean 68 cents?
Mr. POINDEXTER. Yes. The committee propose to reduce it in the pending bill from 68 cents, which is fixed by existing law, to 60 cents, a reduction of 8 cents. I may read the statute which specifies the contents of the Navy ration, bearing in mind all the time that it is not this ration which those who receive commutation of rations are supplied with, but suggesting that the law having fixed the contents of the Navy ration, the cost of that ration fixed by law perhaps had something to do with the amount allowed in commutation of rations to the Navy. The act of June 29, 1906, amending section 1580 of the Revised Statutes, provides that-

Statutes, provides that—

The Navy ration shall consist of the following daily allowance of provisions to each person: One pound and a quarter of salt or smoked meat, with 3 ounces of dried or 6 ounces of canned or preserved fruit, and 3 gills of beans or pease, or 12 ounces of flour; or 1 pound of preserved meat, with 3 ounces of dried or 6 ounces of canned or preserved fruit and 8 ounces of rice or 12 ounces of canned vegetables, or 6 ounces of desiccated vegetables; together with 1 pound of biscuit, 2 ounces of butter, 4 ounces of sugar, 2 ounces of coffee or cocoa, or one-half ounce of tea and 1 ounce of condensed milk or evaporated cream; and a weekly allowance of one-quarter pound of macaroni, 4 ounces of cheese, 4 ounces of tomatoes, one-half pint of vinegar or sauce, one-quarter pint of pickles, one-quarter pint of molasses, 4 ounces of salt, one-half ounce of pepper, one-eighth ounce of spices, and one-half ounce of dry mustard. Seven pounds of lard, or a suitable substitute, shall be allowed for every hundred pounds of flour issued as bread, and such quantities of yeast and flavoring extracts as may be necessary.

The cost of that ration, and upon which no doubt by analogy the allowance of commutation of rations was made-whether or not it should be based upon such an analogy as a subject which undoubtedly was weighed by previous Congresses, in fixing the amount allowed is a matter of mathematical calculation. The lowest cost, taking the basis of the average price of the ingredients which go into this ration and the wholesale prices paid in New York, which is the most favorable condition under which it can be bought, was 63 cents, and upon a full consideration of the entire matter the committee fixed the amount at 60 cents

Mr. WADSWORTH. I can not pretend to an intimate knowledge of the methods of the Navy in procuring the ration. I think it can not be denied, however, that the Navy ration is very little different from the Army ration in its make-up. I do not think it can be contended that the sailors in the Navy are fed upon distinctly better food or more food than the soldiers in the Army, and in listening to the contents of the ration as provided in the law just read by the Senator from Washington it occurred to me that the two rations are very close together; in fact, the two services have often consulted, as I understand it-

Mr. POINDEXTER. Mr. President-

Mr. WADSWORTH. Just a moment, if I may be permitted. I understand, of course, that it costs a little more for the Navy to handle their ration because they have to handle it under more unusual conditions. I assume that handling the ration on shipboard, the keeping of it on shipboard, is a little more expensive than keeping it on shore as it is kept in an Army sup-ply base. Probably more overhead expense is incurred in that at the ship mess, because in that way danger of infection is

regard. But the truth of the matter is that the Army ration to-day costs only 42 and a fraction cents, and it is surprising to me that the Navy ration costs 63 cents. I can not believe that there is that actual difference in value.

Now, as to the commutation. The commutation of rations is a part of the pay, in a very true sense, of officers and enlisted men. The Army commutes its rations to the officers and men who are entitled to commutation of rations, in accordance with the actual cost of the ration year by year. This year the com-muted ration in the Army is fixed at 53 cents, because that was the average cost of the Army ration last year. This coming year it will go down to something like 43 or 45 cents, and the officer or enlisted man who is on a detail which prevents him from eating at a soldiers' mess or taking advantage of the mess facilities provided in camps and Army posts will only get 43 or 45 cents a day for his ration. In other words, he gets that amount in cash with which he is supposed to buy his food. The Navy man on the same kind of detail will get 60 cents to go out and buy the same kind of food the Army man has to buy

I can not understand why there is this great difference. Either the Navy is too high or the Army is too low. fluctuates the value of its ration, when commuted to its officers and men, in accordance with the varying cost. The Navy ration is fixed by law, and law is inelastic and can not comply with the changing conditions of the market which govern the actual value or the actual cost of the ration.

Now, it is stated that so much of the Navy personnel is entitled to commutation of rations because they find themselves in foreign ports. I have not made an examination of the figures as to the cost of living in foreign ports as compared with the cost of living in the principal cities of the United States, but I venture the assertion that the cost of living in foreign ports is lower than it is in New York or Chicago or San Francisco, and that the 60 cents paid to the naval officer or the naval enlisted man as a commuted ration will go further in Hongkong or Tokyo than the 53 cents paid to Army men will go in New York or Chicago.

I think the two services should be upon one basis in this regard. I do not know how much money this amounts to in the course of a year, but the commutation of rations I know is a large item in the Army bill, and it has always been somewhat of a mystery to me why the Navy ration is asserted to cost so much more than the Army ration when they are very much alike in their ingredients. It does cost a little more for the Navy to handle their rations because they have to do it under artificial conditions, but why it should cost 50 per cent more passes my understanding. I merely make the suggestion to the Committee on Naval Affairs that they ascertain why the Navy ration, as compared with the Army ration, costs almost 50 per cent more. Sixty-eight cents, as I am informed by the Senator from Washington, is what the ration is supposed to be costing

Mr. POINDEXTER. That is fixed by law. Mr. WADSWORTH. Yes; by law, and, of course, they will spend it, whereas the Army ration costs only 42.99 cents. There something wrong somewhere.

Mr. SWANSON. If the Senator will permit me, of course the ration for the Army and the Navy is a fixed and certain quantity of ingredients.

Mr. WADSWORTH. And they are very much alike.

Mr. SWANSON. No; it is about 20 per cent more in the Navy. The estimate is that the Navy has about 20 per cent stronger ration than the Army. That is, they can make a selection-

Mr. WADSWORTH. Oh, Mr. President, the Senator surely does not mean that.

Mr. SWANSON. They have so much coffee, so much sugar,

so much vegetables, and various other items.

Mr. WADSWORTH. But the Senator does not think there is 20 per cent more coffee and 20 per cent more sugar for a sailor than for a soldier?

Mr. SWANSON. There is this difference: In the Army when a soldier is at Fort Myer we are willing he shall take his meals in Washington, because the health conditions in Washington are, on the average, probably as good as those at Fort Myer and at other Army posts; but, in the case of the Navy, if a sallor, for instance, is at Hongkong or at any other foreign port where the health conditions are not known he is discouraged from taking meals outside of the ship; everything possible is done to induce him to come to his mess. If a ship goes to Norfolk or to New York and it is not known whether there is an epidemic at the port where the ship anchors the commanding officers of the ship insist that their men, instead of taking meals avoided. If a sailor returning to his ship should bring an infection, such as typhoid fever or other contagious disease because of unfit food, it would nearly destroy the entire efficiency of the ship. The number of those who take their meals off the ship when on leave is reduced as low as possible, because everything is done that can be done for the health of the Navy on account of the peculiar conditions and the close contact of men on shipboard. Any other policy might be disastrous.

Then it is estimated that it takes more food to supply a man engaged in a seafaring life than it does on land, and his ration

Mr. WADSWORTH. Does the Senator consider work in the trenches?

Mr. SWANSON. Work in the trenches is not carried on in peace time.

Mr. WADSWORTH. But the same law in respect to this

matter operates in peace and in war.

Mr. SWANSON. If the Senator will permit me, when a ship goes to Norfolk or to San Francisco or to Galveston or to Hongkong it is not always possible to contract with the lowest bidder for supplies at each place. Consequently more is paid in the Navy than in the Army. It is impossible for the Navy to buy beef of the great contractors all over the United States, because a ship comes into port and leaves in a short time. Therefore it advertises for so much beef or for so many supplies of other kinds as it may need immediately, and, consequently, it costs a little more in order to supply each unit separately.

In addition to that, as the Senator has suggested, cold storage and other expenses for taking care of provisions and supplies in the Navy are greater than similar expenses in the Army. The estimate is that it generally costs about 20 per cent more on account of the conditions in the Navy than it does in the

Army.

Mr. WADSWORTH. But the difference in this instance is

50 per cent.

Mr. SWANSON. The cost may be greater than I have indicated. I think the Navy had a larger supply on hand when

mr. WADSWORTH. Oh, no.
Mr. SWANSON. I think it had more of the character of supplies used by the men. I think some of the sugar used now was bought long ago. In any event, however, this commutation amounts to very little. No officer receives any commutation; the Navy feeds only the enlisted men.

Mr. WADSWORTH. Does the Senator mean to say that the officers of the Navy do not get commuted rations when they

can not avail themselves of any other facilities?

Mr. SWANSON. Officers in the Navy, as I understand, are paid a certain salary and commutation of quarters when the quarters are not furnished; but the ration which we are now discussing is for enlisted men who can not take their meals at the mess. The Navy does not board its officers. The officers of the Navy pay their own board; they have what is called the officers' mess, the expenses of which are paid by private sub-scription amongst the officers. I will ask the Senator from Michigan [Mr. Newberry] if that is not true?

Mr. NEWBERRY. That is true.
Mr. SWANSON. Of course the commutation does not amount to over a few hundred thousand dollars.

An officer in the Navy is not allowed Mr. NEWBERRY.

commuted rations at all.

Mr. WADSWORTH. Then why mention officers in the bill? Mr. SWANSON. I do not know why they are mentioned. It may be that warrant officers receive commutation, but no commissioned officer receives it. The provision may have ref-

wr. WADSWORTH. Then, let us talk about enlisted men.

Mr. SWANSON. Very well, this provision applies to enlisted men.

If, for instance, an enlisted man when his ship reaches Norfolk is ordered to carry a message to Washington and is detailed for that purpose, he can not be at his mess, and accordingly the Government pays his expenses when he is away from the ship. He is given 60 or 63 cents a day to pay his board. I am inclined to think that it costs the man who is detailed more than the allowance given; but the item does not affect any large number of men. It simply affects the enlisted man who can not take his meals at his mess.

In order to fix the commutation a sample is taken and an estimate is arrived at as to what it is going to cost the next year, and that is covered in the appropriation. If the amount expended for this purpose is greater than the appropriation, the increase, whatever it may be, has to be taken care of by a deficiency. The enlisted man is entitled to get the specific things provided.

I do not believe any of the men who are detailed to duty away from their ships receive a commutation that is equal to what it costs them to live off the ship. I believe it costs them more than the commutation allowance.

Why is the commutation fixed? It is fixed for the reason that the enlisted man is entitled to it under certain circumstances when he is detailed away from his mess, but unless Congress fixes a specific amount the Comptroller of the Treasury will not pass the claim when it is filed.

Mr. WADSWORTH. It is not fixed in the Army by law.
Mr. SWANSON. The Army fixes the commutation at the rate

of 42 cents, I understand.

Mr. WADSWORTH. The commutation rate in the Army is fixed by the Quartermaster General with the approval of the Secretary of War, and Congress has no part in it.

Mr. SWANSON. In the case of the Navy it is generally fixed in the statute according to the cost of the ration the year before.

Mr. WADSWORTH. If I may interrupt the Senator, there is the unfairness of treatment of the two services. The Senator recited the case of a sailor who was sent to carry a message, for instance, from Norfolk to Washington. On his way to Washington or on his way back, of course, he can not avail himself of the sailors' mess, and he gets his rations commuted for the time he is detailed to serve away from his mess.

Mr. SWANSON. That is 60 cents under this bill.

Mr. WADSWORTH. A soldier from Fort Myer may be sent to carry a message down to Norfolk, and he gets 53 cents. Why should that be? Next year the soldier will get about 43 cents, while the sailor will still get 60 cents. There is no justice in that. Either the commutation in the Navy is too high or that in the Army is too low.

Mr. POINDEXTER. Mr. President, like so many other apparently insoluble problems, I think this one can be very easily solved by pointing out an error in the premise upon which the whole argument is based. The Senator from New York [Mr. Wadsworth] asked the same question that any man not especially familiar with naval affairs might ask, as to why there was a difference in the cost of the Navy ration and the Army ration; and the Senator suggests as the basis of his criticism of this difference that the two rations are the same.

Mr. WADSWORTH. They are not quite, but very nearly the

Mr. POINDEXTER. And, of course, that assumption being erroneous, any subsequent conclusion based upon it is also The two rations are not the same. We made a most careful inquiry into that matter, and it is certainly a matter about which there could be no doubt when the records of the services are inquired into. The naval ration is fixed I read the law a moment ago-that is, the statute of the United States-and the naval ration is 50 per cent greater in quantity, by weight, than is the ration allowed the Army. The lowest figure of the cost of the Army ration as given here by the Senator from New York is 42 cents. If the Navy ration is 50 per cent greater than the Army ration, adding that 50 per cent to the cost of the Army ration would make, for the difference in quantity, 63 cents as the cost of the Navy ration, based upon the expenses which each is incurring in proportion to rations as they are now. The Naval Committee fixed the cost of the ration at 3 cents lower than that, or 60 cents.

Mr. WADSWORTH. May I ask the Senator where he gets the information that the Navy ration is 50 per cent heavier

than the Army ration?

Mr. POINDEXTER. I get it from the examination which was made at the request of the committee by the Chief of the Bureau of Supplies and Accounts of the Navy Department, and his subsequently carefully prepared statement before the Naval Affairs Committee. I will give the Senator from New York some of the details.

Mr. WADSWORTH. Just a moment. Then, I understand from that, that 50 per cent more food in weight is issued to

sailors than is issued to soldiers?

Mr. POINDEXTER. That is true. There is a much greater

Mr. WADSWORTH. No. The Army ration is— Mr. SWANSON. If the Senator will permit me, a certain kind of food must be furnished in the Navy which it is not essential to provide for the Army. Take the matter of green vegetables and fruits. There is a certain quantity of those which are absolutely necessary for the use of the Navy. Unless the Navy may have a certain amount of vegetables and also fruits, such as oranges and lemons, which furnish a preventive of scurvy, it is a very serious matter. The rations in the two services are bound to be different. The ration for the Navy is fixed by the Medical Department of the Navy. If a thousand

men in the Navy should become sick from an improper ration, it would involve a serious loss. So the Medical Department determines the elements of the ration, and the result has been beneficial to the Vicinity

beneficial to the Navy.

Mr. POINDEXTER. Mr. President, the "comparison of quantities of ration components allowed per man daily for the two services" in some of the principal items are as follows: The Army daily allowance of beef is 20 ounces, while in the Navy the daily allowance of beef is 28 ounces. The Army daily allowance of bacon, in case bacon is substituted for beef, is 12 ounces, while it is 20 ounces for the Navy.

Mr. WADSWORTH. Does that apply to the Marine Corps? Mr. POINDEXTER. No; the Marine Corps ration is based oon the Army ration. This applies only to the Navy.
Mr. WADSWORTH. Is the Marine Corps ration different? upon the Army ration.

Mr. POINDEXTER. It is similar to that of the Army.

The amount of rice allowed in the daily ration in the Navy is 16 ounces, while in the Army it is 8 ounces. Of potatoes the allowance is 20 ounces in the Army and 28 ounces in the Navy. The allowance of beans for the Army is 2.4 ounces and 12 ounces for the Navy. I ask leave to insert in the RECORD, in connection with my remarks, a complete tabulated statement on

The PRESIDING OFFICER (Mr. WILLIS in the chair). In the absence of objection, it is so ordered.

The statement referred to is as follows:

Army garrison ration versus Navy ration.

[Comparison of quantities of ration components allowed per man daily for the two services and the cost thereof. "Unit of cost" prices were obtained from the Navy supply depot, New York, and are those in effect May 1, 1921.]

	Army daily allow- ance.	Navy daily allow- ance.	Unit of cost.	Cost to Navy.	Cost to Army.
Meat:	Ounces.	Ounces.	Pounds.		V. REAL
Beef or mutton, fresh	20	28	\$0.1756	\$0.3073	\$0.2195
Or bacon	12	20	.2485	.3105	.1863
Or meats, tinned	16	16	.2001	. 2001	. 2001
Or turkey, fowl, etc	16	28	.3932	, 6881	.3932
Or eggs	*******	(1)	. 262	.1612	
Bread:	10	00	0711	0000	0000
Bread, fresh	18 18	20 18	.0711	.0888	.0799
Or flour	18	18	. 0425	.0478	.0478
Vegetables:	10	0	007	000=	0001
Rice, hominy, etc	1.6	8	.065	.0325	.0064
Or potatoes	20	28 12		.03167	.02262
Or beans, dried	2.4	12	.061	. 04575	.00912
Fruits:	FEET SULF		0017	0.100	
Fruit, fresh		9	.0857	.0482	
Or fruits, dried	1.28	6	.2156	.04041	.01724
Or jams	1.28	0	.178	.0666	.0142
Beverages:			101	01000	2002
Coffee, ground	1.12	2	.131	.01636	.0092
Or tea	.32	42	.1817	.00567	.00317
Sugar	3, 2	4	.067	.01675	.0131
Milk, evaporated	.5	1 2	.0075	.0061	.00305
Butter	.5	2	2, 385	.048	.012

	Navy.	Army.
Meats Bread Vegetables Fruit Beverages Stigar, milk, butter	\$0.3334 .0683 .0366 .0517 .0110 .0708	\$0. 2497 .0638 .0127 .0157 .0062 .0281
Total:	. 5718 . 3762	.3762

A verage cost.

<sup>2</sup> This is market quotation. N. S. D. still issuing stock of tinned butter at 60

Difference (52 per cent).....

.1956 .....

Comparisons of contract prices, dried provisions, New York, fiscal year 1920, with those in effect May 1, 1921.

	Unit.	1920, average for 1 year.	1921, as of May 1.
Apples, dried	Pound	\$0.1499	\$0.1499
Apricots, tinned	do	. 1276	.1185
Beans, dried	do	.0588	.061
Lims, tinned	do	.0675	.0675
Biscuit.	do	.165	.075
Butter	do	.58	.385
Cocoa	do	1994	.09
Coffee, green	do	.1324	.0867 078

Comparisons of contract prices, dried provisions, New York, etc.-Contd.

	Unit.	1920, average for 1 year.	1921, as of May 1.
Extract, lemon	4-o u n c e bottle.		\$0.35
Flour, wheat	pound do	\$0.05 .4223 .1272	.0128 .269 .1378
Milk, evaporated	do	.1326	.0975 .324 .218
Peaches, tinned. Pears, tinned. Peas, tinned.	do	.171	. 166 175 . 094
Pepper. Pickles Prunes, tinned	do		. 263 . 08 . 102
Raisins	do	.26	.279
Salmon, tinned. Salt. Sirup.	Gallon	.0097	.283 .01 .67
Sugar Tea Tomatoes, tinned	do	.1871 .2093 .0632	.067 .181 .052
Vinegar	Gallon	.38	.343

Comparative statement of prices of fresh provisions as per contracts placed at the port of New York.

Items.	Oct. 1, 1920.	May 1, 1921.
Potatoes:	of Charles	North Color
Irish	\$0,0313	\$0,0145
Sweet	.0279	051
Onions, main crop	. 0307	.0231
Cabbage, early or late	.015	.0278
Bananas	. 0823	.0793
Oranges	. 0823	.0178
Apples	.0423	.0493
Lemons	.0498	. 0467
Fresh beef, in quarters	, 2028	.1627
Fresh veal, in sides	.1847	.175
Fresh mutton, in carcasses	.172	.1483
Fresh beef, frozen, in quarters	.2078	.1632
Fresh veal in sides, frozen	.1923	. 165
Fresh mutton, frozen, in carcasses.	.172	, 1533
Fresh chicken, dressed and drawn, in commercial crates	.5849	. 3298
Chicken, fresh, frozen, in commercial crates	.4021	.3198
Frankfurter sausages, in 25-pound boxes	.2173	.1487
Bologna sausages, in 25-pound boxes	.1773	.1247
Sugar-cured hams, in 100-pound boxes	.379	. 2483
Sugar-cured bacon, in 100-pound boxes	. 35525	. 1942
Fresh beef liver, in 50-pound boxes	.1393	. 1015
Luncheon meat, in 25-pound boxes	. 2232	.1472
Bread:	A CONTRACTOR	
Wheat	.08	. 0572
Graham	.08	.0572
Rolls	.20	. 085
Butter	. 6282	1.385
Cheese, full eream	. 2989	. 2063
Eggs, dozen	. 567	, 2052
Milk, fresh, gallons.	.64	. 285

<sup>1</sup>Current market price; additional price for packing and delivery, \$0.111.

Mr. NORRIS. Mr. President, the particular increase reported by the committee in the item of this bill which is now pending before the Senate, while it amounts to several million dollars, is of itself not of great importance, and were that the only item of increase in the bill I should not intrude myself upon the Senate. However, it is only one of a great many increases which, to my mind, need the careful consideration of the Senate. In my judgment most of them ought not to be made.

Mr. President, I have a few remarks to offer upon the subject of economy-a very unpopular subject in the Senate-and I make a special request that while I am speaking about economy the Presiding Officer and the reporter shall remain in the Chamber. I am not particular about others. I know that what I shall say about economy will not meet with a favorable response from the Senate, but probably will merely subject me to ridicule and criticism.

If a man goes in debt for the purpose of doing some useful thing, creating some new product, developing some new invention of use and benefit to mankind, he can afford to take considerable risk; and even when he is in debt it is sometimes good business to go further in debt for the purpose of increasing the production of manufactured articles for consumption, when a man borrows money to be destroyed, thrown away, he is entering upon a very doubtful enterprise, and he can justify himself only by demonstrating that borrowing the money or going in debt is a necessity. I am not quarreling with my friends who believe in a big Navy. The Secretary of the Navy is in favor of providing for the largest Navy in the world, and so was his predecessor; so I suppose it is an administration feature. I am aware of the arguments that can be made in

<sup>1</sup> Two-thirds dozen.

favor of such a course, and while I do not agree with them and would not agree with them under ordinary circumstances, it seems to me under existing conditions that no man, in justice to the people and the country, can stand for that kind of a pro-No matter how badly we may think we ought to build more battleships and increase armament, no matter how necessary under ordinary conditions we might believe it to be, we are confronted now with the danger of bankruptcy.

The ordinary business man may want something now; but even though it be useful, if he is not financially situated so that he can afford it he will get along without it. He will have to. The ordinary person, if he bought everything that he wanted now, would be a bankrupt to-morrow. It is the same way with a government. We are confronted with a condition in the world and in the United States where bankruptcy is staring civilization in the face. For every dollar that we appropriate here, somebody must toil, somebody must work. It must be produced by labor. There is no escape from it.

We are now in debt away beyond the power of the imagination to conceive. We are now called upon to pay more interest on the debt that we owe than it cost to run the Government

before the war.

In addition to that we have necessary expenses now that we must provide for that did not exist before the war, and for which we must tax in order to pay, so that the expenses of our

Government necessarily must be much greater,

We can not at once get rid of the war machinery. come down gradually. We must pay the soldiers. We must continue to pay them during their lives, and their widows after Some of these things are necessary in fairness to those who fought our battles. We must be just to them, even though the burden is great. But, Mr. President, if in addition to doing those necessary things we are going into the extravagance of undertaking to build the greatest Navy in the world, and maintain in time of peace an Army all out of proportion to any that we ever maintained in time of peace before, we are then calling upon the taxpayers of the country to perform an impossibility, and when we reach that time we all know what the result must be. When we go so far with our taxation that it is impossible for money to be produced, then failure-bankruptcy-stares us in the face.

We are confronted now with a condition in the country where a great proportion of our people are suffering even for the necessaries of life; and, Mr. President, they will not justify, in my humble opinion, the expenditure that Congress is making in the particular bill that we have before us now. For the sake of argument, even concede that we would like to do it; even concede that we ought to do it; it is unwise to attempt to do it, because it is overburdening the people of the United States, the men and the women who have to toil to produce the money

that we spend.

Mr. President, it is easy to say, amid the plaudits of the people, that we want to build up the greatest Navy in the world, that we want to carry our flag on battleships into every port in civilization. That would be nice; I confess I should like to do it myself; but, Mr. President, we can not do it. It is an impossibility. We are going on now at such a rate that unless we stop we shall face ruin; and when the people of the country, realizing that, bowed down with toil, suffering from hunger and shivering with cold, are once aroused they will repudiate what we are doing now and they will repudiate us.

Many of our people are not making both ends meet right now. Outside of the pledges that we made for economy, outside of the promises we made that we would reduce appropriations. even though they were never made, we are confronted now with a condition that absolutely demands that even though under ordinary circumstances these things would be considered by us as necessary, we must not have them now; and when the people realize that instead of reducing taxation we have increased the burdens of taxation they will repudiate us, and they ought to. We shall have to do that, even though we do not increase appropriations, Mr. President; even though we raise no more money than we have been raising. The burden of taxation must be increased, because some avenues of revenue are closed now and others are rapidly closing,

Men who paid income taxes in the year that has just passed will escape paying them now, some because they have no income, and some because they have invented ways of avoiding the law, such, for instance, as stock dividends, and so forth, the result being that the ordinary person pays a larger and a heavier tax, and Congress is hunting now for something to tax. We are looking around in desperation to find something on which we can levy a tax, and we all know that we shall have to increase the tax on many of the necessaries of life.

Mr. DIAL. Mr. President-

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from South Carolina?

Mr. NORRIS. I yield to the Senator. Mr. DIAL. I should like to ask the Senator if it is not the tendency of the present tax legislation to drive people out of business and to discourage people from going into business?

Mr. NORRIS. I think it is; and right there, Mr. President, to show the condition of the people, where they are met, even after they have produced in abundance, with the fact that they can get nothing for what they produce, although in other localities people need the very thing that they produce, let me read

a portion of a letter.

I was reminded of this by an interruption of the Senator from Idaho [Mr. Borah] by the Senator from Kentucky [Mr. STANLEY], when he referred to the other burdens outside of taxation that have been increased, and he referred particularly to freight rates; and, Mr. President, it was a very apt illustration, in my judgment. It makes very little difference whether we carry freight for nothing and pay for it out of the Treasury, or whether we charge for it as we do now; its cost is distributed over all of the people. Every man, woman, and child pays something on everything they eat, everything they use, and everything they wear, for freight rates, for transportation costs. They enter into everything around us and about us; so they constitute one form of taxation that we must all pay, even though we never see an engine or ride on a car.

This man writes me from Holt County, Nebr. As he says in the letter, that is one of the greatest hay-producing sections in the entire world. I think it is probably the greatest hay-producing section in the United States, at least. It produces hay in abundance. It is baled and shipped to market. Most of the land along the valley produces hay. It is the great industry of that particular locality, and it is shipped all over

the United States.

This writer says, in part of the letter:

I had 300 carloads of hay on my ranch which I expected to bale, haul, and ship, and could have done so under the old 1918 rates.

He has just said, in the prior part of the letter, that the freight rates on hay had been increased 100 per cent.

I \* \* \* could have done so under the old 1918 rates, giving employment to men, and used a part of the 457,000 idle freight cars, and would have paid the railroad \$6,000 for hauling the hay to Omaha.

But, as he has said, the freight rate now amounts to \$12,000, which is more than he can get for the hay; and so he goes on and says:

But I could not pay \$12,000, the amount of the new rate; consequently, I had to let the hay rot in the stack. Now, this condition is a bad condition, and what is true with me is true with hundreds of others, and they will be ruined and put out of business, as they have no other business to depend upon.

Mr. President, that is not an exception to the rule; that is the general rule. That obtains all over the United States, in one industry or another. It is a form of taxation which the people of the country are called upon to pay beyond their ability to

ay. It can not be done; it is an impossibility.

Mr. President, I could fill the Congressional Record with letters. I have a letter here from a banker, who owns a farm near the town where he is doing business, and he went out there on Sunday and skinned a steer which had died the day before, together with the help of a man on the farm, and they hauled the hide to town, and the banker was not able to get enough for the hide to pay the man who helped him skin the steer.

He wrote here about his bank, located in a farming community, in a small village, where farmers, like this man, who had stock, who had hay, who had corn, were not able to dispose of it because they could not get out of it enough to pay for the harvesting of it or the hauling of it, as the case might be, but let it rot; so that a large amount of freight which would otherwise, under ordinary circumstances, come to the railroad, did not reach the railroad. It was a loss, not only a total loss to the man who produced it, but a loss to the railroad, and at the other end a loss to the consumer, who had to pay a higher price for the product, whatever it might be, because of the lessening of competition.

This banker said in his letter:

These farmers owe the banks on paper, which, under ordinary circumstances, would be the best in the world. My bank is the same as every other country bank. If we undertook to close out the men who owed, and put upon the market for sale, under the hammer, the products that are mortgaged to us, there would be nobody to buy. A horse worth \$150 would not bring \$10, and if the bankers bought all the products that they had they would go out of the banking business that day, because they would bankrupt themselves in trying to care for it and feed it, and would have no way to dispose of it.

Mr. President, that is the condition of the country now, and here we are called upon to pass an appropriation bill carrying amounts far beyond anything ever heard of in time of peace for the support of the Navy.

Again, let me say, I am not quarreling with the man who wants a big Navy. For the purpose of the argument, I am admitting you are right, although, as I said before, I do not believe you are. But let us admit you are right. You are confronted now with a condition in which, if you take into consideration the welfare of the people who compose this country, you must halt and wait. Mr. President, we can not afford to spend the money that is appropriated in this bill.

Outside of all that, Mr. President, I do not think there is any great demand for it. The menace of the German navy has disappeared. Our Navy, as it stands now, is larger than any navy in the world except that of one country, and even in a war with that nation, taking into consideration our coasts and her coasts, we would have in proportion a larger navy than

she has.

Mr. STERLING. Mr. President-

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from South Dakota?

Mr. NORRIS. I yield.

Mr. STERLING. I ask the Senator whether he saw a statement two or three days ago in the papers to the effect that Great Britain was going to increase her navy by building four superdreadnoughts, or, rather, super-superdreadnoughts, greater than any vessels afloat now?

Mr. NORRIS. Yes; I saw that. Mr. STERLING. I think they are to have a displacement of something over 50,000 tons.

Mr. NORRIS. I saw that statement in the newspapers, and I saw just a short time ago, I think in the Scientific American, a rather scientific analysis of what Great Britain was doing, in which it was shown that Great Britain was doing nothing of

Mr. STERLING. Will the Senator please refer to the number of the Scientific American in which that statement appears? I get the Scientific American and I would like to refer to it.

Mr. NORRIS. I can not do it offhand; I have not got it But there were two articles in the Scientific American some time ago, before the naval appropriation bill was up in the last session. I had it then in my desk, and intended to use it, but on account of illness I was unable to speak on the bill.

Mr. HALE. If the Senator will permit me to interrupt, it has been admitted by a member of the British Admiralty on the floor of Parliament that Great Britain is constructing the

superdreadnoughts referred to.

Mr. NORRIS. Mr. President, of course I can not deny it.

Mr. POINDEXTER. Mr. President, will the Senator permit me just a question?

The VICE PRESIDENT. Does the Senator yield to the Senator from Washington?

Mr. NORRIS. I yield.

Mr. POINDEXTER. The Senator said that the denial which

he saw, as I understood him, was dated——
Mr. NORRIS. It was not a denial; it was a review of Great Britain's naval policy.

Mr. POINDEXTER. That was before the adjournment of the last session of Congress?

Mr. NORRIS. Yes.

Mr. POINDEXTER. The information I have is that this

program has been adopted since that time.

Mr. NORRIS. Mr. President, that only furnishes another reason why we ought to call a halt. The size of the Navy is a relative proposition. In building the Navy we must take into consideration the navies of the other nations of the world, and they must do the same thing. After there passed through the House and was pending in the Senate at the last session a bill providing for this wonderful increase in the building of battleships, and of expenditures for the Navy, after the Secretary of the Navy of the new administration had declared for the largest Navy of the world, it was logical that other nations would take notice of it and increase their naval program, and that is just what Great Britain has done.

Mr. POINDEXTER. It ought to be borne in mind, however, that no naval appropriation bill was passed at the last session; that opposition developed to it in the Senate, and that by oc cupying the time Senators prevented the passage of the bill; but that the Senate did at that time adopt an amendment to the bill declaring in favor of the Nation negotiating for a limitation of armaments.

Mr. NORRIS. Yes; and it will probably do that again. The bill did not become a law. It passed the House; it was reported from the Senate committee; and it would have passed the Senate, as everybody knew, and as Great Britain knew, had adjournment not prevented it. Then it was followed by the Secretary of the Navy announcing that we wanted the largest lies of Great Britain was supported by the people of Great

Navy in the world, and is it to be wondered at, Mr. President,

that other nations should take heed of that course?

We start out on a program here to build the biggest Navy in the world. It will take several years to complete it. But we forget that there are other nations in this race besides us. We can not carry that out without other nations in our class performing the same kind of trick.

We build a battleship bigger than any that floats. other nation takes notice of it and starts out to build a bigger one. The third nation sees what is being done and goes one better and builds a still bigger one. So on around the circle, and when you get around to the place of beginning the first battleship is out of date, fit only for target practice, it is scrapped, and all the money put into it is gone. So this race goes on around a circle. We increase in this bill our Navy program. It means that other nations, whether they want to or not, must increase theirs, and they will.

Mr. BORAH. Mr. President-

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. NORRIS. I yield. Mr. BORAH. The Senator is stating now what actually occurred, according to the contention of naval men of England, to wit, that Great Britain had not laid down a capital ship since the war.

Mr. NORRIS. Since the armistice.

Mr. BORAH. Since the armistice, and that she was not proposing to do so. I am only stating their contention, which I have here on my desk. After it was announced, first by Mr. Daniels, that we would have the largest Navy in the world, then followed by the announcement of Secretary Denby, the demand in Great Britain for building an increased navy was such that the Government was willing to go further, and they have put out those four super-Hood dreadnoughts.

Mr. POINDEXTER. Mr. President, nothing new occurred in

the United States to cause Great Britain to make any such in-

crease in her naval appropriation.

Mr. BORAH. Yes; something new did occur. The Republican administration came into power and announced, through its Secretary of the Navy, that it proposed to have the greatest Navy in the world, and that was at the beginning of the new administration.

Mr. POINDEXTER. It was not proposed by the Republican administration to add to the program which had already been adopted and which was already in process of construction, and had been for several years, having been adopted in 1916.

Mr. BORAH. Precisely so; but the information was given out that the program was to be completed; that the United States was to take the mastery of the sea and to have a Navy which would dominate the sea. Will the Senator from Nebraska which would dominate the sea. permit me to read a paragraph in this magazine?

Mr. NORRIS. I yield to the Senator. Mr. BORAH. I read from an article by Mr. Hurd, who is recognized the world over as an authority on naval affairs, in the April number of the 1921 Fortnightly Review. I will not read all of it, but a paragraph. The article states:

The naval situation is a simple one. The fleets of Germany, Austria-Hungary, and Russia have, to all intents and purposes, disappeared; the navies of France and Italy have become obsolescent, owing to the long interval which has elapsed since they were reinforced by new vessels; only three naval powers can now be regarded as first class. They are Great Britain, the United States, and Japan. The strength of these three navies in capital ships to-day and three years hence is revealed in the following statement:

	1921	1924
United States:	9	
Ships	. 17	33
	467,250	
Displacement, tons	188	1,117,850
Guns		
Foot-tons energy	. 11,989,176	28, 597, 176
Great Britain:	20	
Ships.	. 32	32
Displacement, tons	. 808,200	808, 200 284
Guns	. 284	
Foot-tons energy	. 19,080,000	19,080,000
Japan:		
Ships.	. 11	17
Displacement, tons	319,140	543,140
Guns	108	164
Foot-tons energy	7,480,000	13, 415, 400

That was the program as it was outlined, as it was determined upon by Great Britain prior to the incoming of the Republican administration. After the incoming of the Republican administration, when it was announced that this program was to be completed, that the United States proposed to have the Britain and they began their building program. That ends the proposition which they have been telling us heretofore that in 1924 we will have a greater Navy than Great Britain, because Great Britain does not propose to stop building except upon the theory that we limit our building; and so, relatively speaking, as the Senator very well said, we will have no greater Navy in 1924 than we have now.

Mr. NORRIS. But we shall be a great deal nearer bank-

Mr. BORAH. Yes. Let me read this further paragraph:

Mr. BORAH. Yes. Let me read this further paragraph:

On the eve of Mr. Harding assuming the office of President the American Congress adopted a resolution in favor of a conference being called between the American, British, and Japanese Governments to consider a reduction in the plans for naval construction for a period of five years. That resolution is in line with the policy enunciated by the first lord of the admiralty 12 months ago. It offers the promise of a full, frank, and friendly discussion, which may lift from the peoples of the world the fear that they are about to be drawn into a new phase of naval rivalry which must involve them in standards of expenditure which they can not afford.

If the new American Government will make use of the channels at its disposal for obtaining accurate information, it will discover that this country has already given a lead in the direction of the limitation of naval armaments, and that the British dominions have kept step with it. No ship, large or small, whether for the British fleet, a dominion force, or a foreign fleet, has been laid down in this country for a matter of nearly five years—

Mr. NORRIS. To what country does he refer?

Mr. NORRIS. To what country does he refer? Mr. BORAH. Great Britain—

since, in short, the American shipbuilding program was adopted—and, so far as France and Italy are concerned, those countries have spent practically nothing on new ships for a period of seven years.

By the time the present American program, with its 152 guns of 16-inch caliber, is completed the British Navy will comprise only 14 battleships which will then be regarded as first class, together with 4 battle cruisers.

That was the condition of affairs up until the inspiration to

start rebuilding under the new administration.

Mr. KING. Mr. President, would it disfigure the Senator's speech if at this point I should call his attention to the report made by the Secretary of the Navy with respect to the number of vessels we have?

Mr. NORRIS. No, indeed. I yield to the Senator for that

purpose.

Mr. KING. In the report of December 1, 1920, it is stated that there were in the Naval Establishment of the United States, fit for service on that date, 795 vessels of the following description:

Battleships	13
Armored cruisers	
Monitors	
Cruisers	
Destroyers	
Submarines	
Gunboats	
Patrol boats	Į.
Converted yachts	100
Submarine chasers	,
Tugs and mine sweepers	H
Fuel ships	
Other auxiliaries	ď
Vessels unserviceable for war	3

The Secretary also reported as under construction 165 vessels of various types, which upon their completion would bring the total number of vessels of all descriptions in the Navy up to 960, with an aggregate tonnage of 2,910,316 and an aggregate

horsepower of 12,865,897. Let me say, if I may further intrude upon the Senator, that I have here a comparative statement from Sir James Craig, who recently introduced in the British Parliament the new program—which was necessitated, undoubtedly, as the Senator from Idaho has just suggested, by the prodigious naval program which we are executing—and he shows in that comparative statement the absurdity of the contention made by navalists of the United States about our fleet being inferior to the fleets of

other nations. I thank the Senator.

Mr. NORRIS. Mr. President, there is nothing mysterious about this increase of armament; there is no unnatural law operating. It is perfectly logical. One nation looks to the other nation when it considers how much of an increase it is going to make in its armament. When we start out on a mad race to surpass the world, we must not forget that we can not run that race alone. When we start out with a program that in a certain number of years will put us at the head, we will find before that time is reached that we will have to double and redouble and treble our program in order to keep the lead, if we get it. Every other nation is going to do the same thing. Britain decided after the armistice to let up, but decided to start off again after she found out what America was going to

do, and we are going to have cited in this Chamber and in the House of Representatives the fact that Great Britain is building these great big super-super-superdreadnoughts in order to

have us build some a little larger.

That is going to be the argument used, and so it will go around the circle. It is endless, and we are as a matter of fact in a race for the bankruptcy of civilization. That is the thing that will come if men do not come to their reason before. Bankruptcy stares every nation in the face that engages in that race. While they look upon Italy and France as having been distanced in the contest, the flag has fallen in their face before they reached the quarter pole. When the race is ended and we are bowed down to earth with debt and burdened with taxa-tion, those nations that quit in the race early will be the only nations in the world standing upon their feet and doing business.

We can not engage in this mad race without ruin. It means ruin, and I protest in the name of the people who have to pay the taxes at this exorbitant expense that we are shouldering upon the backs of our people. We are too apt to consider that our resources are inexhaustible. We are too apt to forget that nature's law applies to our Nation-to Uncle Sam-the same as it does to everybody else and to the other nations. We can not go on expending money beyond the sources of our income without suffering the penalty. When a nation meets bankruptcy it is worse than an individual. When a nation goes through the court of bankruptcy every step that it takes is moistened with the blood of innocent human beings. Revolutions follow. Bolshevism follows. Always without exception bolsheviks hold their sway where revolution takes place, and we can, by overtaxing the people of the world and the people of the country more quickly than by any other means known to man, drive this world into bolshevism and destruction, into bankruptcy, into rebellion, into revolution.

Mr. KING. Mr. President, I suggest the absence of a quorum. The PRESIDING OFFICER (Mr. Kenyon in the chair).

The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Harris Harrison Heflin McLean McNary Smith Smoot Broussard Moses
Myers
Newberry
Nicholson
Norbeck
Norris
Oddie
Overman Bursum Heflin
Hitchcock
Jones, N. Mex.
Kellogg
Kendrick
Kenyor
King
Ladd
La Follette
Lodge
McCormick
McCumber
McKellar
McKellar Smoot Spencer Stanfield Stanley Sterling Sutherland Swanson Townsend Calder Capper Caraway Cummins Curtis Dial Dillingham Townsend Trammell Walsh, Mass. Warren Willis Overman Pittman Poindexter Pomerene Ransdell Ernst Fletcher France Gerry Gooding Hale Robinson Wolcott McKinley

The PRESIDING OFFICER. Sixty-three Senators have answered to their names. A quorum is present.

Mr. KING. Mr. President, when the Senator from Nebraska [Mr. Norris] was speaking a moment ago I called his attention to a recent comparative statement presented to the British Parliament by Sir James Craig showing the naval estimates for the year 1921-22. I have before me the parliamentary debates in the House of Commons for Thursday, the 17th of March, 1921, growing out of these estimates. Speaking to the subject before the Parliament, Lieut. Col. Archer-Shee directed attention, inferentially at least, to the determination of the United States to carry into execution a program that called for the construction of a large number of powerful battleships and battle cruisers. He desired to direct the attention of the house to the new policy of the United States, and therefore offered this suggestion:

In the opinion of this house, owing to the great increase in naval strength of other powers, it is necessary that immediate steps be taken to further increase the strength of the Royal Navy in capital ships, and their ancillary vessels, in order to insure that the British Navy be at least equal in strength to that of any other single power.

I call the attention of the Senate to what I stated yesterday, and what has been referred to in the discussion to-day by the Senator from Idaho, that for five years or more Great Britain has not "laid down" a capital ship. When the armistice was signed Great Britain had upon the stocks three Hood cruisers of the most powerful type afloat, upon which she had expended more than \$16,000,000. These mighty embryonic ships were broken to pieces and the amount expended toward their completion was completely lost. As I am advised, Great Britain was waiting to learn what other naval powers would do, and what steps would be taken to secure disarmament. She formulated no program calling for capital ships, and sought to secure an agreement looking to naval reduction. She and other nations appreciated the importance of the question of world disarmament or a

reduction of the naval and military armament; but the United States declined to approve the league which provided a rational and workable system for disarmament, and, driven by a naval-istic and militaristic spirit unworthy of this Republic and in the face of the experiences of the World War and the aspirations of the American people and their desire for world peace, there will be forced through Congress a program that involves the expenditure of more than \$1,000,000,000 in the construction and completion of capital ships and necessary auxiliaries. attitude of the United States has resulted in Japan and Great Britain reconsidering their determination and their programs. We find evidence of that fact so far as Great Britain is concerned in the resolution offered by the speaker to whom I have just referred in the debate on the 17th of March of this year.

Lieut, Col. Archer-Shee further states:

It is a momentous fact that this nation has to take into consideration that by 1925 this great Nation overseas—

Speaking of the United States-

will have built a fleet which will practically make obsolete all of the battleships of our fleet at the present day, with the exception of one, the *Hood*, of over 41,000 tons, a battle cruiser.

In other words, while Great Britain was willing to suspend the construction of battleships-and that was her policy-Nation has announced its purpose to drive through a program that calls for several billion dollars for naval expenditures by 1925, and when the ships are completed most of them will be obsolete, if Great Britain completes the naval program suggested, because of our belligerent naval policy. The speaker proceeds:

To meet that situation the Government proposes to lay down four ships only this year, and that means that these four ships, as the parliamentary secretary has said, can not be commenced until next year.

In my remarks yesterday, Mr. President, I called attention to the fact that the attitude of this Republic has compelled Great Britain to change her policy, and that she is now projecting four "super-Hoods." Those are the ships to which the speaker, Sir Archer-Shee, is referring. He continues:

To meet that situation-

That is, the situation caused by the United States becoming a navalistic power, compels Great Britain to change her program, and she now proposes to lay down four ships. However, I desire to call attention to the fact that none of those war ves sels will be commenced until 1922. I presume there is a hope that the United States will change its expressed determination to carry out the 1916 program or that an agreement may speedily be reached between the naval powers which will permit Great Britain to abandon the tentative plan of four "super-Hoods." Opportunity is to be offered this Nation and other nations to join the moral and peace-loving forces of the world in an effort to secure a reduction of armaments and to alleviate the destructive burdens which are resting upon the people. speaker further says:

It is common knowledge that it takes several months after the matter has passed this House for contracts to be signed, and again six months, in all probability, for the material to be collected after the contracts are signed before the ships are commenced. These ships, therefore, will not be commenced until the beginning of the next year, and they may not possibly, therefore, be completed before 1925 at the earliest. It means that in 1925 we shall have constructed four modern ships, but the United States Navy will be in possession of more than four times the number of heavy ships.

There was further discussion in Parliament, and I see that distinguished Senators are alluded to. The Senator from Illinois [Mr. McCormick], is mentioned by Lieut. Col. Archer-Shee, who states that one of the reasons assigned on the part of the United States for the construction of such a powerful Navy is that it is necessary to "direct cable communications with continental Asia and Central Europe." Then he proceeds quoting from the Senator from Illinois [Mr. McCormick]-

We share the common hope that armaments may be limited, and we may well wish to learn from Britain that if we join her in the limitation of naval armaments she will cease to build, not only on her own account but on Japan's account as well.

Then Lieut. Col. Archer-Shee proceeds:

Referring to the Senator from Illinois-

went on to attack the Anglo-Japanese alliance, and the suggestion that it was directed against America, although that alliance has been clearly shown to the statesmen of the United States to be absolutely free of the slightest threat to the United States.

He refers to the heading:

Harding for disarmament. Hint to the Senate. McCormick's speech so interpreted-

and then proceeds:

Senator McCormick had just been to interview President Harding, and he went to the Senate and gave his views to contradict the views of Senator Borah, who wants to bring about an agreement for naval disarmament. He—

Referring to the Senator from Illinois-

mentioned the Panama differential tolls. They do not want a Navy "large enough to fight England," in the words of Admiral Huse, of New York, in regard to the differential tolls of Panama. That can be dealt with in their own discretion.

The speaker continues:

We are faced with this situation, that by 1925 all our sea communications will be, to a certain extent, jeopardized, because another navy will have taken first place in the world. There is no country in the world which is so dependent on sea communication as this country. There is no other country in the world which has 75 per cent of its foodstuffs imported, and nearly all of its raw material, and which is absolutely dependent for its life upon it. There is no other nation in the world which has such vast possessions all over the world, amounting to one-quarter of the habitable globe and comprising practically one-fourth of the human race.

Mr. President, the record of the parliamentary debate reveals the fact as I read it, that British statesmen construe the action of the United States as being a challenge to the other naval powers of the world. When the Senator from Illinois [Mr. McCormick] visited President Harding and returned to the Senate, as he did during the last session of Congress, and advocated a powerful Navy and supported the proposition to drive through the program of 1915-16, the statesmen of Great Britain and the statesmen of Japan can not be blamed if they regarded his position as that of the administration; and when Senators declared it to be their purpose to outstrip the world in naval construction and reported a bill reaffirming that position, we can not complain if other nations take us at our word and regard our program as conclusive evidence of a determination to maintain naval supremacy. While they were and are seeking an agreement for disarmament, or for a naval holiday, we were spurning their propositions and demanding billions for naval construction; that is, we were insisting upon the execution of a program which when completed would cost billions of dollars

Sir James Craig, to whom I have referred, presented a comparative statement to show the strength of the American Navy as well as the strength of the other great naval powers. this comparative statement we have Great Britain, Japan, Italy, France, and Russia.

The report points out that it is not possible to forecast the relative strength in 1924-25, as this depends not only on the progress made in the respective building programs, but also upon the removal of older ships from the effective list. Sir James Craig adds that it is not considered desirable in the public interest to attempt to give an estimate of comparative values, as had been suggested. In this comparative statement an explanation is given of the naval strength of the nations just named. The letter "A" as employed denotes ships which, named. The letter "A" as employed denotes snips which, owing to their date, may be considered to embody lessons of the war. "B" indicates ships built or designed before this period. For battleships and battle cruisers "B" is divided into "B-1" dreadnaughts, and "B-2" predreadnaughts.

Of battleships "A" Great Britain has none. That is to say,

Great Britain does not possess a single battleship that embodies the lessons of the war. Her ships will be obsolete, as the speaker to which I have just referred stated, when our ships are completed.

The United States now has one vessel that belongs to the category just named, Japan one, Italy none, France none, and Russia none.

Of battleships of the "B-1" class—that is, dreadnaughts-Great Britain has 22, the United States 17, Japan 5, Italy 5,

France 7, and Russia 4.

Of the "B-2" class—that is, predreadnaughts—Great Britain has none, the United States 18, Japan 8, Italy 8, France 9,

Russia 11; but the majority of Russia's are disabled.

Of battle cruisers of the "A" type—that is, that embody some of the lessons of the war—Great Britain has 1, the United States none, Japan none, Italy none, France none, and Russia

Of battle cruisers of the "B-1" type—that is, of the pre-dreadnaught period—Great Britain has 7, the United States

none, Japan 4, Italy none, France none, and Russia none.
Of cruisers of the "A" type, Great Britain has none, the
United States none, and neither of the other nations has any.
Of the "B" type, Great Britain has 2, the United States has
15, Japan has 8, Italy 5, France 17, Russia 9, a portion of which

are disabled.

Of light cruisers of the "A" type, Great Britain has 8, the United States none, Japan 3, Italy, France, and Russia none.

Of the "B" type, Great Britain has 43, the United States 15,

Japan 14, Italy 10, France 11, and Russia 2.
Of flotilla leaders of the "A" type, Great Britain has 10, we have none, Japan has none, Italy has 2, France has 1, and Russia has none.

Of destroyers of the "A" type, Great Britain has 123, and we have 232. My understanding from the testimony is that we have 300; so this report underestimates the number of our boats in this column, as it does in a number of the other columns. Japan has only 30, Italy 6, France 19, and Russia 21, a portion of which are out of service; and I might say that many of these in Great Britain, as indicated by the memoranda here, are obsolescent if not obsolete.

Of submarines, Great Britain has 62 of the "A" type and 34 of the "B" type. We have 45 of the "A" type and 58 of the "B" type. Japan has but 7 of the "A" type and 16 of the "B" type. Italy has 11 of class "A" and 54 of class "B." France has 15 of class "A" and 34 of class "B." Russia has none of

class "A" and 34 of class "B."

Mr. President, this comparative statement reveals that at the present time we have a Navy superior to that of any other nation in the world. I know that that statement is denied by many, but there are many facts to demonstrate its accuracy

aside from the statement just referred to.

I again emphasize the position taken by British statesmen. We can not escape the damning indictment that we have driven Great Britain to revise her program, and to place upon the people of Great Britain additional burdens for naval armament. If we had pursued the path of wisdom and of reason, and had accepted the invitations of the great naval powers for consultation with a view to reaching an agreement for a reduction of armaments, undoubtedly this program would not have been presented, and the bowed nations of the world could have taken new hope in the knowledge that they were to be relieved of burdens which are made imperative if militarism and navalism are to rule the world. Of course when a powerful nation, such as the United States is, gives notice to the world that she intends to continue her naval program and to build the most powerful navy in the world, the suspicions and skepticism and, indeed, resentment are aroused upon the part of other nations. We can not conceive of a nation building these tremendous battleships and at the same time being devoid of some imperialistic ambition.

We attribute imperial ambitions to a nation when it announces a policy calling for a mighty navy or a powerful army. And following an exhaustive war there is greater ground for criticism if a nation declares for the "largest navy in the world."

When Germany was building her navy, and constructing the greatest fighting machine in the world, who could doubt that her ambitions were for territorial conquest, or her purpose to bring humiliation or defeat to some fancied rival in the field of commerce, or of economic and industrial development? very fact that Germany did arm, and that Von Tirpitz permitted to spend millions to construct a navy, excited the fears of other nations, and the result justified their fears; because when the thunderbolts of war had been prepared Germany struck, and the battle lines so extended that we became enveloped, and were compelled to fight for the honor and security of this Nation as well as for the cause of world freedom.

Will the world, with that picture before their eyes, look complacently and without suspicion or skepticism upon a policy by the United States which involves the expenditure of billions for naval armament? Will they not, upon the other hand, following the deductions that naturally arise from such conduct, assume that we have some ulterior designs, some im-

perialistic purpose?

That assumption is manifested in the statement of a number of English statesmen who addressed themselves to the question in the House of Parliament. Their justification is found in our conduct. They were willing to waive construction, but we prevented them from doing it and compelled a modification of

When the Senator from Illinois [Mr. McCormick] returned from Europe and consulted with President Harding and came and made his speech in the Senate of the United States, England took note of it. He was regarded as an ambassador of the President to deliver a message to the Senate of the United States; and when the Senate said, "We are determined to push through that great program," Great Britain very naturally took cognizance of our course, and felt constrained to adopt measures calling for new construction and increased expenditures. Doubtless the statements of the Senator were regarded as expressive of the position of President Harding, and the con-clusion reached that it was the policy of the present administration to have the most powerful Navy in the world. Such statements have frequently been made, that we must have the most powerful Navy in the world; and some of the continental papers and some of the papers in Japan, as I am advised, quoted statements made by Americans to the effect that we should have a Navy equal in size to those of Great Britain and Japan.

Mr. President, we have jingoists in the United States who seem to desire another conflict. They have not been satiated by the blood of the past, and apparently they would be willing to have our country again plunged into war. There are Americans and American newspapers constantly asserting the possibility, indeed the probability, of war between the United States and Japan or Great Britain.

During the last session of Congress the leader of the Republican Party upon the other side [Mr. Longe] moved that the Senate proceed in executive session to the consideration of important questions. I would not speak of it except for the fact that the newspapers the next day and for days following quoted with remarkable accuracy what was stated by the Senator in his able address to the Senate, and the reply which was made by the distinguished Senator from Mississippi [Mr. Will-

Of course, I can not state what occurred in executive session, but the newspapers said that there was imminent danger of war with Japan, that the immigration question and the Yap controversy were likely to provoke conflicts between the United States and Japan, which might culminate in war.

I ask Senators what effect newspaper reports of that kind would have upon other nations? We are presumed to be at amity and peace with Japan and Great Britain, and yet it has been stated upon the floor of the Senate that war with Japan was quite probable and that Japan was the foe we must fear.

Then there are some of our citizens who insist that a conflict with Great Britain is not only possible but probable. There are some people in the United States who are trying to prevent amicable relations between the English-speaking peoples of the world. There are some people in the United States who desire to sow the seeds of discord between this Republic and Great Britain.

Some, we know, are actuated because of their hatred of England and their love of Germany. They would like to see this Republic enter into an alliance with Germany to the exclusion of other nations, and have the two nations flout the rest of the world. They would like to see the league destroyed and Germany relieved from the conditions which the Versailles treaty imposes upon her. A world hegemony-for the United States and Germany-some desire.

During the campaign it was said that when the Republican Party came into power it would not only "scrap" the League of Nations but destroy the Versailles treaty, and that a treaty would be entered into between the United States and Germany under which an alliance would be formed and the United States would furnish raw materials to Germany, and the in-dustries of the latter would thereby be resuscitated and she would become the industrial and the economic power of Europe. America was to contribute to Germany's European primacy, and our supremacy in the Western Hemisphere was not to be questioned.

There are persons who would be glad to see all associations with Great Britain discontinued, who would be glad to see a hard-and-fast treaty binding the United States and Germany.

I might say, parenthetically, that I shall be glad to see the United States and Germany enter into friendly relations, but I am opposed to any policy which divides the United States and her former associates in the World War. I believe, Mr. President, that when the war is over it should be over. I do not believe in maintaining rancor and hatred and resentments. Germany has been defeated. Let her acknowledge her defeat. Let her seek, in an honorable way, honorable relations with the allied nations and with this Republic and I will be glad to join in welcoming Germany not only into the great union of nations of which we form a part—if we can not ratify the Versailles treaty, then I am in favor of a fair and just treaty with Germany.

But make no mistake. The American people are not willing that the United States shall desert the Allies or forsake France and Great Britain and Italy and the other nations which stood with her in the great contest. The American people desire the good will and friendship of the German people, but they are unwilling to betray the Allies, abandon the ideals which inspired this Nation in its glorious efforts. They fought to crush spired this Nation in its glorious efforts. They fought to crush militarism, preserve national honor, and secure the safety of civilization. We want the peace of the world, and Germany is a part of the world, and we must have peace with Germany, as we desire peace with other nations. But we want no war with England, we want no war with Japan, and there is no occasion for controversy between the English-speaking peoples or between the United States and Japan. When we set an example for peace, when we justify our moral leadership in the world, other nations will be glad to follow. Mr. President, the nations of Europe to-day are anxious to know what the policy of the new administration in this country will be.

Mr. BORAH. Would it interrupt the Senator if I should call attention to an editorial in the Scientific American which came

Mr. KING. I should be very glad to yield.

Mr. BORAH. I quote from the Scientific American, for the reason that that magazine has always been an advocate of a great Navy, and in connection with what the Senator said, it seems to me, coming from the source from which it does come, this editorial is worthy of consideration, even by the Senator who is now in charge of the bill. The editorial reads:

#### WHO IS DELAYING DISARMAMENT?

There can be no question whatever that the country at large was dumbfounded to learn, as it did a few months ago, that over 90 per cent of the current national expenditures are to cover the cost of wars that have occurred in the past and that may occur in the future. It was this material fact as much as, and perhaps more than, the moral aspects of the question that produced the practically universal demand for a reduction of naval and military estimates.

In response to the taxpayers, the Government, through its various representatives, from the President down, has stated during the past few weeks that we must at any cost complete the three-year program, including the six shios of the Indiana class, although these last will cost about \$250,000,000. At the same time, in answer to the widespread desire of American citizens that our President should take the lead in calling a conference to discuss disarmament, the people have been told that we can not afford to undertake disarmament alone, and that the President must be given time for due consideration of this matter before calling such a conference. Meanwhile Congress is voting that we spend about \$400,000,000, for this year alone, upon our Navy.

Having reference to the bill as passed by the House. The bill

Having reference to the bill as passed by the House. The bill as reported to the Senate carries about \$500,000,000.

The astounding thing about the statement that we can not consent to disarm until other naval powers agree to do so with us is that the only other naval power that has hitherto surpassed us in strength not only commenced disarmament more than two years ago but has carried the thing to such an extent that, first, it is questionable whether to-day she equals us in the power of her first fighting line; second, it is certain that if we complete our three-year program in its entirety our Navy will exceed the British Navy in capital strength by at least 30 per cent; and, third, if we also round out our Navy, which will be a comparatively inexpensive thing to do, we shall exceed that Navy in actual material strength by at least 50 per cent.

I repeat, Mr. President, that this is from a journal which has for years given attention to the question of the Navy, its proper building, its efficiency, its strength, and its supremacy. It has been recognized as an authority upon the subject, and does not belong to that class who are denominated "small Navy people." The editorial continues:

people." The editorial continues:

Startling facts, but true; for we must remember that the British first-line ships are obsolescent to-day, being with one exception from 5 to 9 years old, and that by the time the 17 capital ships which we have under construction are completed the finest of her ships will be from 8 to 12 years old. The question which we wish to ask Congress on behalf of the people of the United States who wish for economy is: Why is it that, in making these Government statements that we must go slowly in calling for a conference of disarmament, no acknowledgment whatsoeyer is made of the fact that the biggest navy in the world has already made this enormous stride in this very direction? Surely this is a fact pregnant with meaning, upon which the people of America have a perfect right to be informed.

That we are not unduly stressing a minor point, but that we are laying our hand upon a most significant and elemental fact, is proved by the reply to a question raised in the British House of Commons on April 13 as to the number of vessels that had been removed from the naval lists of Japan, the United States, and Great Britain since the armistice. The parliamentary secretary to the admiralty said that the phrase "removed from the naval list" had been taken to mean scrapped, and on this basis the figures are as follows: Japan has scrapped 2 light cruisers and 4 destroyers; the United States has scrapped 35 battleships of the predreadnaught class, 1 cruiser, 3 light cruisers, 21 destroyers, and 14 submarines; and the British Empire has scrapped 38 battleships of the dreadnaught and predreadnaught type, 2 battle cruisers, 87 cruisers, 300 destroyers, including flotilla leaders, and 106 submarines.

With such evidence of good falth before us, why do we hesitate to call a conference for the mutual adjustment of naval strength and the all-round reduction of naval and military financial burdens?

I ask the Senator to pardon me.

I ask the Senator to pardon me.

Mr. KING. The Senator from Idaho is a Republican; I will not vouch for his good standing in his party, but whether his standing be good or bad in the party, he is an able man and a worthy statesman; as a Democrat I want to ask the Senator, as a Republican, why his President-our Presidenthas, if we are to believe the newspapers, indicated that he did not want adopted by the Senate a resolution of the character which the Senator from Idaho heretofore offered, that we should not now attempt to negotiate an agreement or convention with the great naval powers of the world for the purpose of reducing armaments, and relieving the people from the burden of billions of taxes. What reason is there for it?

Mr. BORAH. Mr. President, in the first place, I do not think the President has said it. I do not wish to question the veracity of anybody who has reported it to the newspapers; neither do I wish to question the veracity of the newspapers, But I think a mistake has been made. I do not think the President has said that he did not want that resolution adopted.

My opinion is that if the President of the United States had anything to say to Congress upon so vital a matter, he would say it in a manner which becomes the President of the United States, and he would not pass it through subterranean channels to those whom he thought it might affect, and who might wish, by reason of the fact that the fleshpots of Egypt have not yet been closed, to keep on the good side of the President.

My candid opinion is, from a conversation which I had with the President himself, that he has made no such statement, and I take this opportunity to say that if any gentleman wishes it to be understood that the President has said any such thing, he ought to be willing, in view of the momentous question which is before us, to say it and say it publicly, and state when and how the message was given, and just what it was.

Mr. HALE. Mr. President, I think, in view of the fact that the Senator from Washington [Mr. Poindexter], who is in charge of the bill and who is not here at the present time, was quoted by the newspapers as having made the statement to which the Senator from Idaho refers, that it would be well to wait and make that charge when he comes on the floor of the Senate, and then he can answer for himself.

Mr. BORAH. I had forgotten, if I ever knew, that it was the Senator from Washington who made the statement or that the Senator from Washington did make it. I greatly respect the Senator from Washington as a Senator and as a man.

Mr. HALE. I think the papers stated at one time that he

did make the statement.

Mr. BORAH. I was not seeking to reflect upon the Senator from Washington individually: I had no such thought. I only wished to express the strong belief that if the President had any communication to make to Congress, such communications would be in a dignified and open way and not through subterranean passages and by way of the newspapers.

Mr. HALE. I do not think the Senator need fear that the President of the United States will communicate with Congress or with anyone in a manner that is not dignified and proper.

Mr. BORAH. I assume that that is just what he will do, and therefore I assume he has not communicated in another way. In addition to that, I had a conversation with the President myself.

Mr. HALE. I will say that I went to see the President with the Senator from Washington, and we talked over the question of disarmament, and I gathered from what was said there that the President thought it was not necessary for Congress to go ahead in this way with a resolution asking for disarmament.

Mr. BORAH. If anybody conveyed to the President the idea that Congress was instructing him, they conveyed what is not correct. Congress is not attempting to instruct the President what to do. It is expressing in a manner which the President as a Senator has approved and in a manner quite in harmony with the rights and dignity of the Chief Executive the views of Congress upon a momentous question, in which the people whom the Congress represents are gravely and deeply interested.

Mr. HALE. I presume a request from Congress would be more or less in the nature of an instruction.

Mr. BORAH. No; it is the very opposite. In the Senate Chamber we never pass a resolution instructing the President concerning matters which relate to the President's duties, but we have time out of mind and repeatedly, even when we signed the "37" round-robin proposition, advised the President upon a matter; we requested him at least. I wonder where those 37 have disappeared, who are now so sensitive about passing a simple resolution expressing the desire of the Congress of the United States that something of this kind shall be done.

That was unofficial, was it not?

Mr. KENYON. That was unofficial, was Mr. BORAH. It was signed by Senators. Mr. KENYON. They might prefer an un They might prefer an unofficial round robin. Mr. BORAH. It was signed by Senators. I wish to say, before I sit down, in view of the fact that the Senator from Washington is absent and that it may not be understood when I was speaking that I was speaking about an individual, if the Senator from Washington has a message, while I would much prefer to hear it from the President, I trust the Senator from Washington will deliver the message which the President delivered to him. Then there will be opportunity for the Senator from Idaho to deliver the message which the President delivered to him.

Mr. HALE. I do not know whether the Senator from Washington has a message to deliver to the Senate at the present If he has, the Senator can ask him when he returns to time. the Chamber.

Mr. BORAH. As I said a moment ago, I had a conversation with the President about this matter. I did not put it in the newspapers because I did not assume it was for the benefit of the Congress, and when I saw this other matter published in the newspapers I paid very little attention to it. It did not seem to me to be sufficiently direct or sufficiently authentic to call for consideration.

Mr. KING. Mr. President, when I was interrupted by the Senator from Idaho in order that he might present an editorial from the Scientific American I was commenting upon the report that the President of the United States had indicated that the time was not propitious for Congress to express its views upon the quest on of disarmament. To put it mildly, I was amazed to read that report. It did not seem to square with the views which I had supposed the President of the United States entertained upon the question of the reduction of armament. I could not believe that the Executive would express disapproval, in advance at least, of a course which the Senate and the House of Representatives had the undisputed right to pursue.

I deny that it is the right of the President of the United States, whether Democrat or Republican, to interpose in order to deter the Senate or Congress from expressing its view upon a question of policy so vital to the country and to civilization as the question now before us for consideration. become an offense for the Senate or for Congress to express its views upon the question of armament or disarmament? Mr. President, in 1916 Congress passed a bill which was stronger than a mere resolution such as that which was tendered by the Senator from Idaho directing and empowering the President of the United States to call a conference or to participate in a congress of the nations of the world in order to agree upon a plan to secure world d.sarmament and world peace

Was that an invasion of the prerogatives of the President of the United States? Would it be wrong morally or legally for the Senate of the United States or for Congress now to say that in its opinion the time has come to disarm or to reduce armaments, or to call together the great naval powers of the world for the purpose of securing a convention that will relieve the peoples of the world from the great burdens that are now

pressing upon them?

The Senator from Massachusetts [Mr. Lodge], the leader of the Republicans, in a speech delivered upon the League of Nations, called attention to numerous precedents wherein the Senate had requested the President to adopt certain policies with respect to foreign matters. He justified the Senate's action, if I construed his attitude correctly, in participating in matters relating to our foreign relations. The Senate has more than a legislative function. It is a part of the treaty-making power. If the Senate desires a treaty with other nations that will secure a reduction of armaments, it has the undoubted right to express its views. The Senate has the right to say to the President of the United States, "It is our view and desire that a treaty be negotiated with the other nations looking to the reduction of armament and to the pacification of the world.'

In the days of Andrew Jackson-and that is one of the cases cited by the Senator from Massachusetts-the Senate passed a resolution respectfully urging him to negotiate a treaty of im-

portance to the United States.

What has come over our Republican friends? tremble to-day in the presence of the Executive of the United States? Certainly, the "fleshpots of Egypt," to which the Senator from Idaho referred, would not deter eminent statesmen and brave and courageous men, as all are upon the other side of the Chamber, from adopting a course that their conscience and their judgment and their devotion to country dictated should be pursued.

The Senator from Maine [Mr. Hale] has just indicated, if I interpreted his remarks correctly, that the President of the United States had intimated—and if I quote him incorrectly I hope he will correct me-that this was not quite the time to present the question of disarmament. I would prefer to have the Senator state what was said, because then I can not be put

in the attitude of misquoting him.

I stated that my impression, after talking with the President, was that he considered that this is not the time to go ahead with a resolution of this kind. Of course, the Senator realizes that our foreign relations at the present time are extremely delicate and that the country at large is looking to the President to straighten out those foreign relations.

Under the circumstances I do not think, so far as I myself am concerned, that we need advise the President what to do in the matter of making treaties. I think we can safely leave it to him. So far as the resolution is concerned, there was a resolution when the 1916 program was adopted which was passed by Congress looking forward to disarmament. I think we can let it go at that without taking any action at the present time. I am simply speaking for myself.

Mr. KING. I have confidence in the President of the United I believe him to be a high-minded Christian statesman, and desires the welfare of this country and the peace of the world. But the President of the United States is not omniscient, that he is exhibiting great recklessness,

His vision, great as it is, does not prevent other men from having vision and well-founded convictions upon foreign affairs. There is nothing inappropriate in the Senate, if it desires, expressing its views upon international questions. Some Republican Senators—and I do not say this by way of critic sm—and some Democratic Senators, let me add, felt that President Wilson, before he went to France to negotiate a treaty, would have strengthened his position by consulting with the Senate. That statement was made by Republican Senators in this Chamber and out of this Chamber, if my memory serves me correctly.

Mr. BORAH. While I am very glad he did not, nevertheless if he had the Versailles treaty would have been in very much better condition to-day, I have no doubt, than it is.

Mr. KING. The Senator may be correct.

Does the Senator mean that the President of the United States has not consulted Senators about matters that

have to do with our foreign relations?

Mr. KING. I am not in the confidence of the President. He has not consulted me. I feel quite sure he has not consulted any Senator on this side of the aisle, but I am not complain-I do recall, however, that Senators upon the other side of the aisle cited the course of Washington, when President of the United States, in conferring with the Senate concerning treaties and our foreign relations, and approval was signified by Republican Senators of such policy. There are numerous examples of the Senate, by resolution, expressing its views upon foreign matters. Henry Clay sought to have action taken by the House in relation to the dealings of the United States with South American peoples. President Wilson in various messages to Congress stated his position upon the terms of peace which should be embodied in a treaty with the Central Empires, so that the country was generally advised as to his intentions when he went to Paris to take part in the peace negotiations. It is quite likely he would have avoided some opposition if he had freely consulted with Senators prior to his departure.

Mr. HALE and Mr. HEFLIN addressed the Chair.

Mr. KING. I will yield first to the Senator from Maine [Mr. Hale], because he rose first, and then I will yield to my friend from Alabama [Mr. HEFLIN].

Mr. HALE. I do not care to interrupt the Senator. Mr. KING. Then I yield to the Senator from Alabama.

Mr. HEFLIN. I wish to suggest to the Senator from Utah that my recollection is that President Wilson did confer with members of the Senate and that he submitted a tentative plan of the League of Nations and of the peace treaty to the Committee on Foreign Relations. Is not that true?

Mr. KING. I had that in mind and was about to come to it before being interrupted by the Senator from Alabama, and

I thank him for his interruption.

As I was observing, while it is possible President Wilson might have succeeded better if he had consulted the Senate before going overseas concerning the treaty to be negotiated, nevertheless it is a fact that when he brought back a tentative draft, as the Senator from Alabama suggested, of the treaty, he invited the members of the Senate Committee on Foreign Relations to the White House, when a full discussion took place concern ng the draft, and the President responded to the numerous questions propounded to him. Among those who asked questions of the President was the present President of the United States, who was then Senator from the State of Ohio. President Wilson welcomed suggestions, and carried back proposed amendments which were embodied in the final draft of the treaty.

Mr. President, I see no impropriety in, nay, I think that it is eminently proper for Senators if they have views upon a question of such transcendent and vital importance as the one now under consideration, to respectfully communicate them to the As a part of the treaty making branch of the Government their views may well be of value to the Executive.

Why should not the resolution of the Senator from Idaho [Mr. Borah] be adopted? In view of the statement made by the Senator from Maine [Mr. Hale] as to the President's attitude concerning the question of disarmament I am somewhat curious to see how many Republicans will vote for the resolution. I inquire of my friend from Idaho if there was a single Republican who voted against his resolution when it came before us for consideration a few weeks ago?

Mr. BORAH. My remembrance is that it had unanimous support upon this side of the Chamber, as I presume it will

again have.

Mr. KING. Mr. President, notwithstanding the sagacity of the Senator from Idaho, he assumes the prophetic rôle as to the course of some of his colleagues, particularly where an intimation has come from the Executive. I respectfully suggest

Mr. BORAH. I said I presumed that I would have unanimous support for the resolution.

Mr. KING. The Senator as a lawyer knows that there are conclusive presumptions and rebuttable presumptions; what dignity this presumption will rise to I venture no opinion.

Mr. BORAH. I must presume it, because to presume otherwise would be to presume an influence which ought not to be

exerted upon a Senator.

Mr. KING. I feel sure that this colloquy between the Senator from Idaho and myself will make converts on the other side, and I am sure that Republican Senators now will be constrained, regardless of any fear they may have had lurking in their hearts heretofore, to stand with the able Senator from Idaho in unanimously adopting the resolution which commanded the unanimous support of the Senate only a few weeks ago.

Mr. KENYON. Mr. President— Mr. KING. I yield to the Senator.

Mr. KENYON. I should like to ask the Senator from Utah, in view of the fact that there are now only eight Senators in the Chamber, where he expects these converts to come from as a result of the debate?

Mr. KING. Sometimes, Mr. President, the truth, discovered or proclaimed in this Chamber, percolates beyond these walls. Perhaps those who are absent in body are here in spirit.

Mr. BORAH. And vice versa.

Mr. KING. It is possible that Senators who are absent when measures are under consideration, and who may be disposed to oppose them, may be impressed with the facts here presented, a knowledge of which reaches them; and it is possible that they may receive enlightenment from their constituents, who are not oblivious to questions here presented, particularly where some great moral issue is involved.

I hope the American people will speak upon this question. I hope the Christian men and women of this Republic will lift their voices against a policy that spells war and is a challenge—a menacing challenge—to the peace-loving peoples of the nations of the world. I hope Senators who are not here, and who have in the past given their support to a naval program which develops and strengthens the militaristic spirit, will reconsider, and that the wisdom for which we pray and the spirit of justice and peace, which should be our guide, will influence the final result, and thus promote the welfare and happiness of all.

Mr. President, the matter before us involves more than dollars and cents, although dollars and cents are important. This bill calls for the expenditure of \$500,000,000 directly. It pledges or commits us to the expenditure of considerably more than a billion dollars. It calls for a Navy the maintenance of which will cost the United States more than one-half billion dollars annually. The naval program, huge and expensive as it is, is imperfect and incomplete, and millions of dollars more will be immediately required to complete it. The program is not properly balanced, and hundreds of millions more will be required to complete an efficient and modern Navy. We are to stagger forward borne down by the awful load of taxation which this foolish policy demands. But let us for a moment look at the moral side of the question.

The vital, the supreme questions of life are far above the material standards which alone are followed by some. Wealth may perish and the achievements of the finite mind be destroyed; but the moral and spiritual framework of the universe is enduring. We must fit our actions and our lives into this framework or we fail in our duty and our mission. We should now rise to the moral plane in dealing with this subject. We speak too much of the pecuniary cost of navalism and too little of the moral loss and moral cost which result. What is the just, the righteous course to pursue? What course will most conduce to the peace and happiness of mankind and to the honor and glory of God? Are we serving humanity and the cause of justice by adopting a policy which excites distrust and fear and resentment? We want the confidence and esteem of the world. We want them to love this Nation, not because of its strength and power and wealth, but because of its justice and its unsought and unselfish leadership in the moral world.

The war has left Europe distracted and the people groping for light and salvation. The sufferings and tragedies through which they have passed have shaken their faith in the mercies and goodness of God. They strike out blindly, often madly. In their despair they need help, and the stimulating and inspiring example of a calm, serene, and self-contained people. They have lived in war, and the clash of arms still resound in their ears. This pulsant Nation should steady the world. Thank God, we can do it, and in serving the world we strengthen and serve ourselves. We should cry aloud for

peace, we should set the example for peace. We should with burning zeal seek to draw the frenzied peoples of the earth into a serener life and into the paths of peace and fellowship. America must lead the way. If we are to lead the way for peace, we must act in the interest of peace. It is only a few short months since we held the leadership of the world. This Republic, under the administration of Woodrow Wilson, rose to sublime heights and enjoyed a moral primacy that has never come to any nation in the past.

The great and the small nations believe in us—in our altruism; in our humanitarianism. The Starry Banner of this Nation took on added glory and became the symbol of moral greatness and spiritual power. America, the beloved child of God, became the Prophet and the Savior to mankind. We entered the war without malice or hate; we fought not for revenge or conquest. We gave and gave freely—yes, joyfully—in the cause of justice and to establish peace and righteousness among men. That is what history will say of us. Let us not mar our glorious record. Our work is not finished; the task is not concluded. The world needs us still. Our future, our peace, our welfare, as well as our unfinished work, all cry aloud for further service and continued moral leadership. Let us speak fo peace and point the way to world union under the reign of justice.

President Wilson may have made mistakes, but he struggled to attain his ideals—ideals which will survive and triumph in the end. I say he had ideals. The American people had ideals. He was one of them, and expressed in eloquent words the hopes, the aspirations, and the dreams of the people. They wanted peace; they desired to aid the world to emerge from the lurid flames of war. He went overseas seeking to consummate that great end. Europe, as I have said, was torn, disordered, distracted, and she has not yet recovered from the horrors and agonies of the long years of war. We can not expect the people of Europe to take the same calm, dispassionate view of world questions as will be taken by us. We should now point the way; we should call them back from hate and vengeance, from war and the spirit of war, and point the way of peace and justice and righteousness.

If this Nation shall not lead, what nation, I pray you, sir, will lead? What nation will bear the standard of justice and righteousness and peace in the world if it is not carried by this great Republic? We are the heir of all the ages, the legatees of the wealth, moral and spiritual, and the forces which have come down from the past, and as the servant of a Great Master we are expected to use our talents and not hide them in a napkin, to use the parable of the lowly Nazarene. Our light must so shine so that it will illumine the world. America must take the lead in the great forward movements which

carry humanity.

How are we taking the lead? Is our cause now leading to peace and world amity? When the nations pray for peace and ask us to join them in an international conference for the reduction of armaments, we deny their appeal; and the Senator from Maine says the President of the United States intimates that now is not the time to participate in so worthy a cause. When is the time? Ah, I will tell you, Mr. President, when the time is if we are to follow the navalists. It is when we are irretrievably committed to a navalistic policy. When we are armed to the teeth and when we have the biggest Navy in the world and, perhaps, a Navy larger than the navies of any two powers in the world, then it will be time for us to speak for peace. The argument ought not to commend itself to just men and Christian men.

Where do you find justification in the philosophy of Christ? Where do you find it in morals? Epictetus and the philosophers of ancient times taught a truer philosophy than that. Marcus Aurelius preached a better doctrine than that; the philosophers of China thousands of years ago preached sounder morality. We, a Christian people and the leading Nation of the world, say to those who are crying for peace, "We will give you peace after awhile; when we are fully armed and have naval supremacy in the world, then we will talk peace and the possibility of reducing armaments."

If two men have a controversy, one of them does not say, if he sincerely desires justice, "When I have beaten you, when I have possession of the property in controversy, then we will talk of compromise."

Mr. President I respectfully suggest that if the Chief Executive of the United States should seek to interpose objection to an effort by an expression by Congress of its views upon the question of disarmament, he would be doing himself an injustice and committing a wrong against the American people.

When the Senator from Nebraska [Mr. Norris] had the floor a moment ago the question arose as to the expenditures made by the nations for naval purposes, and in his time and by his courtesy I called attention to naval appropriations made in the year 1914-15. Let me put into the Record other figures.

In 1900-1901 Great Britain expended for her navy-and that included all expenditures for construction, maintenance, and so forth—\$145,000,000 plus. I will give the first figures and not the hundreds of thousands. The United States in the same year expended for her naval purposes \$61,000,000, Germany \$37,000,000, and France \$72,000,000.

In 1901-2 Great Britain expended \$150,000,000, the United States \$68,000,000, Germany \$46,000,000, and France \$67,000,000. In 1902-3 Great Britain expended \$150,000,000, the United

States \$82,000,000, Germany \$48,000,000, and France \$59,000,000. In 1903-4 Great Britain expended \$173,000,000, the United States \$104,000,000, Germany \$50,000,000, and France \$59,000,000. In 1904-5 Great Britain expended \$179,000,000, the United

States \$116,000,000, Germany \$49,000,000, and France \$60,000,000. In 1905-6 Great Britain expended \$161,000,000, the United States \$109,000,000, Germany \$54,000,000, and France \$61,000,000.

In 1906-7 Great Britain expended \$152,000,000, the United States \$98,000,000, Germany \$58,000,000, and France \$59,000,000. In 1907-8 Great Britain expended \$156,000,000, the United \$80,000,000, \$120,000,000, Germany and \$62,000,000.

In 1909-10 Great Britain expended \$181,000,000, the United States \$122,000,000, and Germany \$95,000,000. The Kaiser had determined to prepare in a military and naval way to carry out his ambitious projects and he felt the importance of a large navy. For the same year France appropriated \$64,000,000.

In 1910-11 Great Britain expended \$202,000,000, the United States \$111,000,000, Germany \$103,000,000, and France \$74,-000,000.

In 1911-12 Great Britain expended \$211,000,000, the United States \$123,000,000, Germany \$107,000,000, and France \$80,-000,000:

In 1912-13 Great Britain expended \$224,000,000, the United States \$129,000,000, Germany \$109,000,000, and France \$81,-

In 1913-14 Great Britain expended but \$237,000,000, the United States \$136,000,000, Germany \$112,000,000, and France

-that would carry Great Britain into the period of the war-Great Britain expended \$260,000,000, the United States \$141,000,000, Germany \$113,000,000 only, and France \$123,000,000.

So that, Mr. President, the highest figure reached by Germany for naval expenditures prior to the war and including one year of the war was \$113,000,000, and our highest appropriation was \$141,000,000. Now we are appropriating \$500,000,000 plus, because I make the prediction that if this bill shall pass in its present form we will be called upon to meet deficits and other expenditures for the Navy which will swell this sum millions of dollars. But, as I said a moment ago, and I repeat it, this is not all. This is for maintenance, and only \$90,000,000 to be applied upon the construction plan of 1915, which means hundreds of millions of dollars more. In the minority report which I submitted at the last session upon the Borah resolution I showed that this program would involve, before it was completed, in the neighborhood of three billions of dollars for maintenance and for the construction of other craft which would be demanded as a complement to this program.

Nor does that figure provide for such further construction as might be called for. England and Japan, meeting our challenge, feel compelled to revise their programs, and when we bave spent three billions of dollars our ships will be obsolete in the main, and if the naval madness continues we will be compelled to make further appropriations totaling hundreds of millions of dollars. While the world hungers for peace, our Nation, which should lead in the movement for world peace, is to turn a deaf ear to the piteous appeals.

Will the American people follow such a program? I warn Republicans and Democrats mad with this militaristic spirit; you will be rebuked by the American people. The mothers and fathers of our country, the Christian people of the land, will demand now, as they have done in the past, that war shall end, and that their representatives join with the nations of the world in writing a program which will put into operation what the hearts of all desire.

Mr. KENYON. Mr. President, I am not going particularly to discuss the items in this bill at this time. I understand that the item now to be voted on is the coal item.

Mr. HALE. I believe it is.

Mr. KENYON. I will ask the Senator what page it ap-

Mr. HALE. Page 35.

Mr. KENYON. I want to say just a word about that, Mr. President.

This proposition is to increase the item for coal and other fuel from \$17,500,000 to \$25,000,000. I should like to ask the Senator from Maine if an explanation of that has been made?

Mr. HALE. I think the Senator from Washington [Mr. Poindexter] put into the Record yesterday certain information about that matter. I think he has some further information

to give on the subject.

Mr. KENYON. I hope we shall have that before we are called upon to vote. Of course, Mr. President, I realize that if we have the boats we must have coal for them; but apparently now the American taxpayers are going to be robbed of \$7,500,000 on the coal proposition, which leads me to go back in memory to the last session, when we had the coal proposition before the Manufactures Committee. It had arisen under exactly the same circumstances, apparently, that are arising now to frighten the country on the coal situation, and have everybody rushing to buy coal in order to put up the price. They are having interviews sent out, some statements even coming from Members of the Senate, advising people to hurry up and buy their coal. We tried to get legislation at that time. We reported a bill to the Senate. It, of course, slept the sleep that that kind of a bill generally does in the Senate—a bill for some control of the coal situation in this That was laughed at as freakish legislation, socialistic legislation; but we shall be facing-and mark the prediction-exactly the same condition again in this country in the fall, and the same tactics are being pursued to bring it about, and we are reaping one result of our failure to act at the last session in this increase of \$7,500,000 for coal.

If we had had some kind of control of this great natural resource of the country, the people would have secured the coal in the winter days to come at a less price than they are going to secure it. This is not a good kind of a day to talk about coal; I know that; but I am simply taking this opportunity to reflect back to the negligence of the American Congress in being afraid to attack that great proposition, being so terrified by the great industries that control at least the anthracite coal in the United States that they were afraid to pass any

kind of legislation on the subject. That is one of the items in this bill.

Mr. President, I had not expected to enter into discussion of this naval bill. The Senator from Idaho [Mr. Borah] and the Senator from 'Utah [Mr. King] and the Senator from Nebraska [Mr. Norris] have carried on the discussion very thoroughly. I wish the discussion could go on for a few days, in order that the people of this country, burdened with taxation as they are, that the farmers of this country, as the Senator from Nebraska [Mr. Norris] so well pointed out, struggling with debt and facing bankruptcy, could understand the proposition that the Senate of the United States shall add \$100,000,000 to the \$400,000,000 carried in the House bill. Whenever you happen to say anything about the Navy or question any item in the bill, such as \$2,500,000 for a hangar in California, something for real estate projects, you are met with the inquiry: "Why are you not in favor of an adequate Navy for the purpose of defending your country?" Of course we are. I be-Of course we are. I believe in a strong Navy under present conditions, and we must have a strong Navy until we can reach some plan of partial disarmament for the world. We will never have complete disarmament; that is a dream. If we had had complete disarmament in the world, the barbarians would have taken the world. But there should be some plan to cut down the present armaments and these tremendous naval expenses. There is no doubt in the world that Great Britain is yearning for an opportunity to join with the United States on that proposition.

I do not understand why we do not do something. The Democratic administration did not do anything, but I am in hopes the Republican administration will do something. I see no reason why the Senate of the United States should not express itself on this disarmament proposition. I want to help this administration in every way I can, help make it a success, but I do not propose to surrender my conscience upon any subject, and I do not believe the President of the United States expects or desires anybody to surrender his conscientious convictions upon any of these subjects.

All through this debate there have been 10 or 12 or 5 or 6 Senators listening. No attention is paid to it. I do not suppose that outside of the Naval Affairs Committee there are 10 Senators in this body who can tell anything that is in th's bill.

The word has gone out to pass the committee amendments.

Mr. KING. Mr. President—

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Utah?

Mr. KENYON. I yield.

Mr. KING. Is it not a fact that during the debates on all the great appropriation bills the Senate is usually empty, perhaps half dozen Senators who are interested in appropriations being on the floor? We spend millions of dollars with but very few Senators paying any attention.

Mr. DIAL. I would like to ask the Senator if there was any

minority report presented on this bill?

Mr. KING. With the consent of the Senator from Iowa, I will say to the Senator from South Carolina that I am a member of the Naval Affairs Committee, and I think I am the only one on the committee who is opposed to this bill. I did not file a minority report because of press of business, but I hope my dereliction in that respect will be compensated for by the speeches I have made.

Mr. DIAL. The Senator has done his part.

Mr. KENYON. Mr. President, the point I am trying to make is this, that because Senators object to certain items in the bill, because Senators favor disarmament and a resolution looking to that end, they can not be put in the position of being opposed to a Navy sufficiently strong to protect this country.

I desire to call attention to the following provision on page 5: For new construction and procurement of aircraft and equipment, \$6,125,750; for navigational, photographic, and aerological equipment, including repairs thereto, for use with aircraft built or building on June 30, 1921, \$49,250.

Mr. President, I notice that the Army expense for that identical matter, for which in the naval bill we are asked to appropriate \$6,125,750, is only around \$4,000,000. Why so much more for nearly the same thing in the Army?

Again, the appropriations for aviation in this bill amount to 8,729,000. The naval aviation service, as I am informed \$18,729,000. upon what I believe is good authority, is only about a third that of the Army, and the appropriation for the Army for this purpose is only around \$19,000,000. So that with a third of the equipment and a third of the work, the naval appropriation bill carries within a few hundred thousand dollars of what the

We probably have a right to inquire concerning these articles in this bill without being false to the high standards of our country, and I desire to call attention to another item, on

page 6-

Mr. NORRIS. If the Senator will permit me to make a suggestion, his comparison between the expenditures for the Army and Navy for the same items only illustrates that within the Government itself, within one nation, there is the same competition between different arms of the service that there is between the different nations of the world in regard to the military programs of the several nations. If we build a lot of new battleships, that is used as an argument in other countries to build a lot more, and when they build a lot more we use that here as an argument to increase ours. The item for the Navy of which the Senator speaks will be used as an argument to increase the item for the Army, and after it has been increased in the Army it will be used again as an argument to increase it for the Navy

Mr. KENYON. And that may be true, but I believe that the Army bills, under the chairmanship of the distinguished Senator from New York [Mr. Wadsworth], have been held down to a remarkable degree. Last year they reduced the force of the Quartermaster's Department about 40 per cent, and the Army have made no new purchases of lands, buildings, and things of that character, such as are provided for in this bill.

man of that committee is entitled to much credit.

Mr. HALE. Mr. President, I would like to say, as far as the difference between the Army and Navy in the matter of aviation is concerned, that aviation has been carried on to a great extent in the last few years in the Army, but in the Navy it has not been carried on to such an extent. With the intro-duction of plane carriers, and the probability of having great quantities of airplanes to go out with the fleet, it has become of prime importance to develop this branch of the service, and the committee has considered that in every way aviation in the Navy should be encouraged and kept up, which accounts for the rather large appropriations we have allowed in the bill for that

Mr. BORAH. Mr. President—
The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. KENYON. I yield.

Mr. BORAH. Speaking about aviation, I wanted to ask the Senator in charge of the bill whether or not there has been any test between the Army and the Navy as to the effect which airplanes would have upon battleships as to sinking them?

Mr. HALE. I think there have been tests. I do not think they have reached any satisfactory conclusion, however. think in the maneuvers which are to be held the latter part of next month and in July the matter is to be thoroughly tested out, and it is hoped that we can arrive at some solution of the matter.

Mr. BORAH. It occurred to me that perhaps that test was not hurr'ed prior to the passage of this bill.

Mr. HALE. I have never heard any such reason given for

not holding the test. Mr. BORAH. I have, and I heard it from one of the most distinguished airplane experts in the United States.

Mr. HALE. In the Army?

Mr. BORAH. Yes. He said that the Navy has positively sidestepped the issue, delayed the test, procrastinated on it, and refused the test in one way or another, and they have been

unable to bring it to an issue.

Mr. HALE. I have never heard any such reason given for it, and the committee has never heard of it. I can not conceive

that it is so.

Mr. BORAH. In the first instance, I understood they were to turn over the battleship Kentucky for the purpose of the test. After much delay they concluded that they needed the battleship Kentucky for another purpose. Then they suggested that they would turn over the battleship Alabama, and now there has been some delay about turning over the battleship Alabama.

Mr. HALE. I think a test was made on one of the battleships, and certain claims were made about the hits that were made, and there was some question about whether those claims

were justified.

Mr. BORAH. Yes; and it also appeared that the explosions from bombs from the airplanes had such effect that a photographic view of it was prohibited from being sent out by the Navy. Is there anything to that?

Mr. HALE. I do not know. Mr. GERRY. On those tests that were made on the Indiana the explosions did not take place from bombs that were dropped from the air, but the explosions took place from bombs which were placed on vital parts of the battleship by naval officers in order to see the effect of them, and the testimony of the experts was that even when they were placed on the battleship the resultant explosions were not sufficient to sink the battleship.

Mr. BORAH. What experts? One of the most distinguished experts in the country told me that he would agree to sink in 30 minutes any battleship you people would give him.

Mr. GERRY. Of course, with the Navy unable to shoot back, and the airplane operating not subject to gunfire, which, of course, makes a very different condition than that during war.

Mr. BORAH. I do not know about that proposition. I am simply stating that the aircraft people claim that the Navy refuses the test.

Mr. GERRY. But if the Senator from Iowa will permit me, the test made, when bombs were placed on a battleship so that there could be no question of missing, showed that the explosions were not sufficient to sink the battleship, which seems pretty conclusive evidence that the development of the bomb has not proceeded as far as some of those in favor of it seems to think it has.

Mr. BORAH. I think it was more conclusive evidence that

the Navy did not want to go any further.

Mr. President, it has been conveyed to me in the most authoritative way that the Navy is unwilling to have this test; it has procrastinated and delayed it from one cause or another, particularly until the passage of this measure. I do not know whether that is correct or not. I have my opinion about it, and my opinion is that it is correct, because it is conveyed to me in such a way that I am not permitted to doubt it. But now we are building 16 battleships, which some of the great experts of the English Navy and some of the experts of the American Navy maintain can not withstand the attacks of airplanes.

It would seem that if we are going to expend this vast amount of money, as a mere matter of business we would test that quest on before the money is appropriated; and I am informed that the Navy people are unwilling to have it tested until after

the money is appropriated.

Mr. KENYON. Mr. President, I am merely calling attention to that item as one of the things which it seems to me we ought

to have more light on.

On page 6 is another amendment added to the bill as it passed the House, "for the construction of a hangar for rigid dirigible and other necessary improvements at Camp Kearny, Calif., which are hereby authorized at a limit of cost not to exceed \$2,500,000." This is an item needing explanation.

If we take the House bill, it seems to me we can pass that without question. It seems to me the items which are added to the House bill ought to receive the most careful scrutiny of the membership of this body and ought to be discussed. Here is an amendment for the expenditure of two and a half million dollars for a hangar at Camp Kearny, as referred to before. Can we not get along without that for a while, when we are talking and preaching about economy in this country?

Again, following along through the bill, there is provision for a summer school for boys. I do not know just what the necessity of that is. It does not carry such a large appropriation, only \$200,000, but if it is not absolutely essential at this time

that item ought not to be passed.

The Senator from Idaho has said to-day that we are not hearing much about economy. I wish to say to him that he is going to hear a lot about economy when a certain bill that is now before the Committee on Education and Labor is brought before the Senate in a short while, I hope, a bill that carries a million dollars a year for a few years to help save the mothers and the babies of the country, a bill for stimulation of the States in helping on that problem. When that bill comes before the Senate with only approximately a million dollars a year to be appropriated, I hope the Senator will listen to the speeches that will be made for economy. Two hundred and fifty thousand babies a year dying in this country because they do not have the proper attention, thousands of mothers not properly cared for, a great humanitarian measure that passed the Senate at a previous session, and yet now we are meeting with opposition, with the statement that we can not do that; we must economize. A million dollars a year! The Senator from Idaho will hear plenty of speeches about economy and saving the public money when that bill gets before the Senate, although we can spend two and a half times as much on a hangar out at Camp Kearny in California. Do not be discouraged, I will say to the Senator from Idaho. He will hear enough about economy then. On page 27 of the bill I should like to know something about

this item, if it is not out of place to try to find out something

about it:

The Secretary of the Navy is authorized to acquire 1,000 acres, more or less, at or near Camp Kearny, Calif., for a site for a lighter-than-air aviation station and to pay for the same an average price of not exceeding \$100 per acre out of any funds appropriated for aviation pur-

If that is essential, all right. If that is necessary in taking care of the strong Navy, if we must have it, all right. we do not have to buy a thousand acres of land at this time, let us not do it. So we can wander on through the bill, finding items establishing new bases, new sites throughout the country,

especially in the West, and other items of expense.

I do not know whether we here exactly understand the feelings of the people of the country. I do not know that Senators have been out in the farming communities and know how the farmers of the country are feeling just now, not able to meet their debts, burdened with taxation as they have not been for years, discriminated against by the Federal Reserve Board in the days gone by, credit extended, and then told to liquidate at They are not doing much complaining. They are not ters. They have taken their losses and taken their bumps squealers. as no other class of people in this country have taken them. They are putting in their crops to-day under the most discouraging circumstances they have ever faced, with the old crop largely on their hands, with no market and not knowing but what one crop is going to bump into the other.

Nevertheless they are going ahead with a patience and a courage and an industry that might well be an example to the other people of the country. But they are going to inquire, and they have a right to inquire, when it is impossible for them to get credit to bridge over this difficult period, why the American Senate is so liberal in adding \$100,000,000 to the House bill in the creation of instrumentalities to go out and destroy their fellow beings. They have a right to inquire and they are going to inquire. They are going to take some interest in the politics

of the future.

Is it not a dreadful thing, Mr. President, that the backs of the people of this world must be bent in toil and labor to raise the money to buy things to kill off one another? As long as present conditions exist we have to do it. I do not think any sane man can argue against a strong and powerful navy for this country under present conditions. But why can we not start with the other peoples of the world and try to stop this enormous expenditure of money-one nation after another, as the Senator from Nebraska has pointed out this afternoon, chasing each other in the naval program circle. We are simply answered, "Well, now is not the time. It is impossible to do it For God's sake, when is the time ever coming? After

going through this war, with millions of men killed and billions of property destroyed, was there ever a more propitious time in the whole history of the world to sit down and talk it over with other nations of the world? If this is not the time, then the time will never come.

There is no one doubts Britain's position. Britain and the United States standing together can bring about world disarmament, but we are always met with the one thing-Japan! So we talk war with Japan and Japan talks war with us, and we drift along toward a war which would be the crime of all I do not know how it can be handled, but certhe centuries. tainly let us start on it. I wish we could have a commission of the ablest men in this country to go to Japan, men like Root and Taft and Alton Parker and other men of that character, to meet a like commission from Japan, to put our cards upon the table and be frank and say to them, "We do not want any war; we will not make war on Japan, and you ought not to want war. We are not interfering in your plans and you need not interfere in our plans. What is the matter with you, anyhow? Put your cards on the table. If you want war, you will have to make the war, and if you ever make war on the United States there will not be anything left of your islands. But we do not want war. Silly, foolish thing!" Do not you believe that the good sense of Japan-and they are a sensible people-would meet us on that kind of a proposition?

Let this great Christian Nation, devoted to the highest ideals of the world and leading the world in everything else, lead off frankly in this movement. It would not be long until the whole world would join in it. If we do not do it, we are going to hear from a class of voters in this country that have lately come into the right of suffrage. You laugh about it in the cloakrooms. Some denounce their bills in the cloakrooms and vote for them on the floor. But the great, potential, powerful force of this country that is eventually going to drive Congress to take up some bight at a seventually going to drive Congress to take up some kind of a disarmament proposition and that will drive the world to it is the mothers of the country, the new class of women voters of this country. You will listen to them when you will not listen at all to the men. They are going to force partial disarmament throughout this old world. Mark

Mr. President, I rose merely to talk about coal and I have wandered away. I should like to discuss the bill further at some time before a final vote is reached.

Mr. BORAH. Mr. President, may I interrupt the Senator before he leaves that feature?

Mr. KENYON. Certainly.

Mr. BORAH. The Senator was speaking about Japan. Undoubtedly there is a militarist power in Japan, and any conferdable of the conferdable of ence would have to deal with the militarist party; but there is no longer any doubt that the people of Japan are, just the same as the people of Great Britain and the United States, anxious for disarmament. There is every evidence of that. It is characteristic of governments generally to be militaristic, whether the people are or not. I wish to call attention, if the Senator will permit me-

Mr. KENYON. Certainly. Mr. BORAH. To a statement issued a few days ago by Dr. Iyenaga, a Japanese of very great distinction, who, it is said, speaks for his Government, though not officially. He said

speaks for his Government, though not officially. He said The Japanese Government would welcome a conference looking toward reduction of naval programs. \* \* It is utterly foolish to think that Japan could compete with the United States in a program of huge naval expansion without bringing financial ruin upon the Island Empire. \* \* The dispute over the island of Yap will be settled through diplomatic channels.

Such is the opinion expressed by Toyokichi Iyenaga, director of the East and West News Bureau, and regarded by some as semiofficially reflecting the views of Japan. His declarations, above summarized, as to the general situation between Japan and the United States, the Yap controversy, and Japan's naval expansion, were made in the course of an authorized statement from the Japanese standpoint which Dr. Iyenaga had been requested to prepare for consideration by American readers.

Further on, he said:

Further on, he said:

If either Great Britain or the United States should propose a conference with Japan looking toward reduced naval programs, and as a logical sequence partial disarmament afterwards, it is my profound conviction that the suggestion would be most heartily welcomed by the Japanese Government and the Japanese people. I may say frankly that we Japanese feel that it would be wisest and most proper for the United States to take the initiative in such a movement. It may be remembered that not long ago Mr. Ozaki, formerly Japanese minister of justice, and also mayor of Tokyo, introduced in the Japanese House of Representatives a resolution providing for a conference with Great Britain and the United States looking toward reduction in naval programs and toward a reduction in military programs to be made in accordance with decisions of the League of Nations. This resolution was voted down, one of the chief reasons for its defeat being that Japan feels it would be presumptuous for her to take the initiative in such a move. And Mr. Kato, Japanese minister of naval affairs, said that Japan was willing to consider a reduction in her naval program if the

United States and Great Britain would agree to a conference and succeed in devising a certain formula of naval equipment in accordance with the needs of the respective countries as dictated by geographical, political, and other considerations.

In an article published a few days ago in a Japanese journal it was said:

A powerful protagonist of disarmament has spoken in Japan, the rich Rihei Hyuga, managing director of the Oriental Sugar Manufacturing Co. His liberal and progressive ideas, expressed in a letter to the archmilitarist, Yamagata, has perturbed that proud prince and thrown the military party into a ferment.

In a double sense it is to be hoped that Hyuga will not lose his head and will be able to add such impetus to the movement against militarism that the Japanese will turn from their policy of aggressive imperialism and seek the ways of peace and good understanding with all nations.

all nations.

Among the magnates of southern Japan his opinions evidently are widely shared, but in the north, where battleship building goes on apace, enriching contractors and providing labor with fair wages, the propaganda of reasonable pacifism has failed of its proper effect.

The world must not expect too much of the peace propaganda, even though it is fostered by one of the powerful industrial chiefs of Japan, The militarists have closed the doors against the light as Germany did for 40 years.

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though it is fostered by one of the powerful industrial chiefs of Japan. The militarists have closed the doors against the light as Germany did for 40 years.

Hyuga seems to place great dependence on the education of the Japanese, but it was one of the saddening anomalies of German civilization that education made no headway against militarism. On the contrary, the militarists were able to put the nation's savants at work for militarism and imperialism and even the socialists found themselves insensibly indoctrinated with the views of the junker class in so far as the army and navy were concerned. Scientists, philosophers, historians, novelists, playwrights, the schools, the churches, the press; in fact, all the agencies of instruction played the game of militarism for power, pelf, or petty office.

We fancy that the game is being played with as great or greater effect in Japan, where all the sources of information are controlled with a grip that even the mailed fist in Germany did not possess.

To Yamagata the sugar magnate puts the case in this forcible and vital language:

"What Japan needs is fewer dreadnaughts and more education," he said to the correspondent. "Do you realize," he went on, "that 83 per cent of the boys who want to study in our middle schools, which correspond to your upper grammar-school grades, are unable to do so because there is no room, and that in the higher schools conditions are even worse? How can Japan hope to enter into commercial competition with the people of the West when her teeming new generations are not, and can not be, sufficiently educated? This is so fundamental a truth that it is scarcely worth dwelling upon; yet Japan is ignoring it, hoping to succeed without the essential fundamentals.

"Do you know why universal suffrage would not, perhaps, solve the problem? It is because our people are not educated up to the responsibilities of suffrage. And our elected Diet does not represent the will of the people.

"Do you know why in northern Japan the disarmament campaign

bilities of suffrage. And our elected Diet does not represent the will of the people.

"Do you know why in northern Japan the disarmament campaign has not gone forward so much as in the south? It is because so many firms and individuals in and about Tokyo depend for their very existence upon the building up of the Japanese Navy, which means contracts to shipbuilders and dock companies and profit to the thousand and one interests which fatten on a swollen navy and on increased armaments generally."

I read that to call attention to the fact that while there is the militarist party in Japan and in Great Britain and in the United States, the people in all three of those countries are in the same attitude of mind toward the question of disarmament, and if one great leader should start the movement, should lead it, and ask for a conference, and the Government of any one of the three nations or of the two nations, Great Britain and Japan, should refuse to confer upon the question of disarmament or should refuse to agree to disarmament, neither one of the Governments could withstand the opposition of its people there. The Japanese Government in such a case would be overthrown, or the ministry of Great Britain would be overthrown if they refused to enter into a disarmament agreement.

We can never hope, Mr. President, to accomplish disarmament if we hesitate because the militarist representatives of a particular Government declare that it is impossible, that they will not accede to it. We can only hope to get disarmament if we organize and direct and utilize the public opinion of the different nations and the moral force of the people of the different countries.

Mr. KENYON. The Senator from Idaho does not believe that the people of Japan want war with the United States?

Mr. BORAH. Certainly not.
Mr. KENYON. Nor do the people of any other nation on earth?

Mr. BORAH. I do not believe the Japanese people desire war. As I have said-I do not want to be misunderstood-I have no doubt there is a militarist party there; but so far as the masses of the people are concerned, I do not think they desire war with the United States.

Mr. KENYON. Those who would have to go out and fight are not looking for war?

Mr. OVERMAN. Why is not now the time to take the lead in the movement for disarmament? Has not the Senator from Idaho introduced a resolution looking to that end?

Mr. KENYON. The Senator from Idaho has done so. Mr. OVERMAN. It seems to me if he has done so that we ought to pass it.

Mr. KENYON. I agree with the Senator from North Caro-

Mr. OVERMAN. I heard both the speeches of the Senator from Idaho on the subject, and I heartily indorse them.

Mr. KENYON. I am glad the Senator from North Carolina indorses them. The Senator from Idaho says that the people of all these nations are for disarmament or for partial disarmament, and I agree with that. Is there no way for the people to get what they want?

Mr. BORAH. Let me read another item which I overlooked.

This is a dispatch from Tokyo:

JAPANESE, IN MASS MEETINGS, CALL ON PEERS TO SUPPORT DISARMAMENT. OSAKA, JAPAN, March 12.

At two mass meetings here yesterday, attended by thousands of persons, resolutions were adopted declaring that the budget gives preponderating importance to armaments, which places an unbearable burden on the nation and is contrary to public opinion. It was decided to send messages to the members of the House of Peers, asking their support in the disarmament movement.

Speeches favoring disarmament were made by prominent business leaders. Prof. Suchiro, of Kyoto University, declared that Japan should take the lead in an international discussion for disarmament. If this were done, he said, all questions which have been the subject of discussion between Japan and America would rapidly be solved.

Some one sent me some photographs of these press meetings

Some one sent me some photographs of these mass meetings which were being held in Japan, and it looked to me not only like thousands but hundreds of thousands of people were in attendance upon them.

Mr. KENYON. Mr. President, as the able Senator from Idaho has stated, the people in these different countries are for a movement looking toward disarmament. I believe that is eternally true. Now, if it is, I ask the Senator from Idaho is it possible when the people of various countries want something that there is no way of getting it? Is there a false pride that makes us stand back and makes them stand back for fear that if we suggest it to them we are compromising our position?

Of course, my illustration is not good, for I could not have any quarrel with the Schator from North Carolina [Mr. Over-MAN), but if he and I grow suspicious of one another and people go to him and tell him things I have said about him, and they come to me and tell me things he has said about me, and we grow apart and hard feeling develops, just as in the case of nations; if he and I should sit down at a table and talk the matter over squarely and fairly, we would not have any difficulty.

I fear the people of the different nations are suspicious of one another. Let us talk it over with them and end suspicion. Suspicion is the mother of hate and wrong.

Mr. OVERMAN. I agree with the Senator from Iowa, and I should like to make a suggestion on that point. I understand that some oppose the resolution which, as I understand, has been submitted by the Senator from Idaho. The Senator and I represent in part the people of our respective States. I know what the people of North Carolina think about this question, and he knows what the people of Iowa think about it.

Mr. KENYON. I do.

Mr. OVERMAN. All Senators know what the people of their respective States think about it. Why do we sit here and do nothing when the leadership is being taken by the Senator from Idaho [Mr. Borah] to bring about the thing we want? Why should we hesitate, when we are representing the

people, because somebody is opposed to it?

Mr. KENYON. The Senator from North Carolina and I,

I take it, are not going to hesitate.

Mr. OVERMAN. I am not going to hesitate about it a

Mr. KENYON. I wish the President of the United States to go ahead even if the proposal of the Senator from Idaho does not carry, and I assume he will, for I think he is just as much devoted to the idea as we are.

The Senator from North Carolina says we represent the people of our respective States. The people of the United States are in favor of some proposition looking to partial disarmament; there is no question about that; and as to the people who would drag us into war for Yap you would not find them anywhere near Yap when the war was on. I inquire of the Senator from Idaho if he has presented his proposal for disarmament?

Mr. BORAH. I have given notice of it, and it has been

Mr. KENYON. I hope it will be adopted, and if there is time enough given in this debate for it to get to the country it will be adopted.

Mr. President, I rose to discuss the coal question, and I have wandered far from it. I now ask to have read from the desk an editorial appearing in the Washington Herald on

Monday, May 5, on the coal question. I make the request because the subject enters into this debate. The coal situation is one of the factors that make it necessary to increase the appropriations for the Navy. It is a question we have got to face in legislation before many days. I ask the Secretary to read the editorial, and with that I will desist for the day.

The PRESIDING OFFICER (Mr. Norms in the chair).

Without objection, the Secretary will read as requested.

The reading clerk read as follows:

COAL PRICES MUST COME DOWN.

Coal producers who are berating the public for not loading up now with coal for next winter at war inflation prices might as well save their breath. At a time when steel plants, textile mills, railroads, express companies, and other industries are readjusting war inflation wages, cutting war inflation production costs, and lowering war inflation prices, the coal trade can not expect to stay in the war inflation clouds and get away with it.

What the coal business needs to do to sell its coal is to offer its product to the public at a right price, like any other manufacturer or dealer. If it does not do that the coal trade is not going to sell its coal. It is of no use to tell the public that unless it buys its coal now at the excessive prices demanded for it the public next winter will freeze to death at still higher prices. The public is not going to buy the coal at these excessive prices and the public is not going to freeze to death.

the coal at these excessive prices and the public is not going to freeze to death.

The time has come for plain speaking to the coal producers who think they can sit tight on war inflation wages, war inflation production costs, and war inflation prices to the public when everything must be readjusted. Either they must act to bring about the economic readjustment which is imperative in their business as in every other business—cither they must thus provide the cheaper coal, or Federal, State, and local Governments, backed by all the power that is in the American people, will get on that job for them.

Mr. HEFLIN. Mr. President, I have been very much interested in what the Senator from Utah [Mr. King] has said; in what the Senator from Idaho [Mr. Borah] has said; and also in the remarks of the Senator from Iowa [Mr. Kenyon]. I did not have the pleasure of hearing the Senator from Nebraska [Mr. Norris], as I was in attendance upon the hearings before the Committee on Post Offices and Post Roads at the time he addressed the Senate.

Mr. President, I can not understand how Congress or any part of Congress is going to defend its position in failing and refusing to take a step toward permanent international peace, In 1916 Congress did not think that it was trespassing upon the rights and privileges of the President when it inserted in the naval appropriation bill of that year a provision requesting the President to call the nations of the earth together not later than the end of the war then raging in Europe for the purpose of working out some plan of international peace, for the purpose of bringing about disarmament, for the purpose of settling international disputes by arbitration.

That provision went into the bill, and my recollection is

that there were not 15 Democrats and Republicans in the two Houses of Congress who voted against that provision. As a Member of the other House I supported that provision, and I will support a provision now looking toward the same accom-

plishment.

Are we to be told to-day that the great Government of the United States, the greatest of all the Governments in the world, is not going to be permitted to take her stand on the side of peace in the future? Are we to understand that this Government of the people is going to be taken over by those who profit by the making of guns and ammunition, by the building of battleships and other war equipment and used to put money in their pockets? Are we to understand that the Public Treasury is to be thrown open to those who desire to increase their fortunes at the expense of the taxpayers of America? If that is not the proposition, what is it?

Where is the danger that threatens this great Republic of the western world? What Government is it that now threatens our liberties? What Government is it that causes us to stand in dread and fear of its power? If there is no such Government, why are we called upon to appropriate hundreds of millions of dollars at such a time as this when the taxpayers are already overburdened? It has been intimated that the people who are to profit by such a program are politically powerful. Shall they have their way to the detriment and injury of the

rank and file of the patriotic people of our country?

The people who want taxes reduced and who are opposed to committing the United States in time of peace to a program of unnecessary war preparation are also politically powerful. What consideration are you giving to them? Those who are here urging you to provide stupendous war equipment will make Then there are millions of money if their plans are successful. those who want universal military training in the United States. Certain people will make big money out of that, furnishing guns and other kinds of war implements. That will tax the people many millions more. It is wrong to tax the people for the folly and the crime of plunging them headlong down the

road of militarism, the terrible road down which Germany went to her fall.

Are we going to sit here in silence and permit that to be done? The boys who fought in France and those in training here at home and ready to go have a right to be heard in this matter.

Mr. KING rose.

Mr. HEFLIN. What is this Government for? It is for the benefit and general welfare of the citizen. Would you say that we are conducting it for the benefit and welfare of the citizen when we permit certain concerns to move upon the Treasury and shovel into their own coffers the money of the people? Shall we permit them to impose additional burdens upon the taxpayers by making curious noises in the dark and shaking a little yellow flag in the face of the American people and crying,

"Look out, there is danger from Japan"

Why, Mr. President, it reminds me of the story of the little red ant that placed himself on a railroad track in the West. He stood up on his hind legs and said: "I see coming in the distance a big passenger train, the Cannon Ball, and I am going to wreck it. When the engineer sees me standing erect on the rail he will be filled with dread and consternation, and when he blows the whistle, giving the danger signal, the conductor will cry out in vain to the passengers, who will scream with fear as they poke their heads out at the windows just before I wreck the train and destroy them all." The poor little ignorant, egotistical ant stood there for a moment, but the engineer did not even see him on the long shining rail. The conductor did not know that he was there; the passengers were unaware of the little ant's threatening attitude, and when the train had passed on there was just one little greasy spot left on the rail where the little ant had been.

If Japan has no better sense than to perch on the rail of this Republic's certain road of progress and destiny, there will be nothing left to tell the story of her folly but a little greasy spot. We are able to do this, and other things if necessary, with the

war equipment we now have.

Mr. President, we are told that last year of every dollar wrung from the purse of the people in the way of taxes, 93 cents went for war purposes. Think of it! Ninety-three cents out of every dollar going for war equipment and on the war debt. For educational purposes, the care of our wounded soldiers, farm demonstration work, the building of transportation lines out amongst the millions of people in the way of dirt roads and rivers and harbors, public buildings, and everything else, just 7 cents out of the dollar, and 93 cents is turned into this other channel for war purposes; and the war is over, and I feel that we should do everything in our power to prevent the recurrence of another such war.

I yield to the Senator from Utah.

Mr. KING. Mr. President, the Senator has passed by the point to which I desired to call his attention; but, if I may recur to it-

Mr. HEFLIN. Certainly.
Mr. KING. The Senator was speaking about the munition makers, and those who would profit by the maintenance of this naval program. An admiral who appeared before our committee, in response to a question, as I recall, which I propounded to him stated as follows: I was asking as to whether we could not suspend the naval program for some little time, with a view, of course, to securing an international agreement for a reduction of armaments, and he said:

I would have no figure on that; but the contracts have been let.

Let me say, parenthetically, that some of them, most of them, have been let, but upon some of them no work has been done. As I said yesterday, indecent haste was made in letting those contracts, so as to commit us to that program.

Some of the big concerns throughout the country are going ahead, and the stuff is pouring in, and the greatest loss would be in the holding up of the contracts. That would have a very great effect. I understand that a number of our biggest concerns are practically depending on these to tide them over until they get more work, but that would probably be the principal effect of it.

Mr. HEFLIN. Mr. President, think of that! That is right in line with the thought suggested by the Senator from Iowa [Mr. KENYON]. The farmer could not get any money to tide him over when the crisis was on. He is down, prone upon the ground, and the merchant and banker in his locality are suffering with him. He is selling his substance far below the cost of production. There is no governmental hand that reaches down to him to pull him up and tide him over this awful time of distress; but these other big concerns that the Senator from Utah speaks of say they want this business to keep them going

distress in the agricultural sections than there are of any other class of people.

I am for an adequate Navy. We have to-day the best Navy in the world, except that of Great Britain. We have a great merchant fleet, the greatest in the world except that of Great Britain, and in some respects ours is an improvement over that of Great Britain. We have half the wealth of the world right here in the United States. We are the greatest war power in the world now on land. Great Britain may be somewhat a little more powerful on the sea, but on account of the resourcefulness of this Government and its man power we are the greatest war power in the world to-day; and here you are shaking this little yellow rag and saying, "You had better go ahead and tax your people for big war equipment. The Japs will get you if you do not."

The Senator from Idaho [Mr. Borah] comes in with a resolution asking for a step to be made in the interest of reduction in armament and world peace for the future. Disarmament? No, no. You say, "Wait until we arm ourselves, until we are by far the best armed Nation in all the world, then we will walk out displaying our armor, bristling with bayonets and groaning beneath the weight of our own war equipment and war burdens, and hold up to the other nations of the world the dove of peace." Why not make the effort now to bring about an understanding with regard to war equipment for the future?

The world is weary and sick of war. We must not permit those who love military glory and those who make money out of war equipment to cause us to lose the great opportunity that is ours as a Nation to prevent cruel, murderous war in the future.

I want to remind Senators on the other side that the House, controlled by your party, defeated Congressman Connally's amendment to this bill which merely suggested that the President extend an invitation to the other nations for the purpose of proposing and discussing plans for disarmament and universal peace. Do you indorse that action of the Republican House? Are we not going to be permitted, as I said in the outset, to come out and register our position on the side of peace? Why should we hesitate a moment in the matter of advocating arbitration and disarmament? The people all over the country would like to know.

Mr. President, I did not intend to say anything upon this

subject to-day.

As the Senator from Utah [Mr. King] has said, President Wilson went a long way toward establishing world leadership for this Nation. We had that leadership and your side of this Chamber deliberately threw it away. We stood on the mountain top of the world in the affections and gratitude of the nations. Must the nations of the world who have heard us preach against big standing armies and stupendous war equipment in time of peace now conclude that this Christian Nation was insincere?

Senators, the people of this country are not with you on this proposition. The boys who offered their lives on the far-flung battle line in France are not with you on this proposition. The fathers and mothers of America are not with you on this proposition. The young men and the young women who love peace and hate war are not with you on this proposition. taxpayers who must bear the burden are not with you on this proposition. Those who make big money making battleships and the gun and munition makers, they are the fellows who sit back and clip their coupons and listen to the clink of Federal dollars as they fall into their coffers.

Mr. President, I want to close with this statement: When we support a movement that looks toward disarmament and the settlement of disputes by arbitration, which means peace in the world, we are following the teachings of the lowly Nazarene: we are following the Scripture, which says, "Blessed are the peacemakers, for they shall be called the children of God": and yet the United States Government by the vote of the Republican House is not permitted to come out on the side of peace so that she can be called a child of God. What will be the verdict of the Senate when this matter which affects the present and future of our country is presented to us? Let us vote on the side of the future peace of the world.

RESTRICTION OF IMMIGRATION-CONFERENCE REPORT.

Mr. COLT. Mr. President, I present the conference report on the immigration bill, and I ask for its immediate considera-

I might say that as the bill stands it is the bill as it passed the Senate, with some verbal changes. As Senators know, the bill in the form it assumed as it passed the Senate was an amendment to the bill as it passed the House. The House has receded from the changes which it made in its bill, which sub-

stantially enlarged and liberalized the provisions of the bill as it passed the Senate, notably the provision which exempted from the 3 per cent the subjects of religious persecution, and other exemptions which are contained in the bill as it passed the House, which enlarged the 3 per cent exemptions.

I might say that there is one inconsequential amendment aside from the verbal changes. The Senate conferees did agree to an amendment to the bill as it passed the Senate, which admits children under the age of 18 of American citizens. If they were not admitted it might lead to great hardship. The number of minor children of American citizens who could possibly come in under this provision would be very limited. The Senate conferees did consent to that change in the bill as it passed the Senate. But all the main provisions of the bill as it passed the House, which enlarged the maximum number under the 3 per cent provision, the House receded from and agreed to the bill as it passed the Senate.

I ask unanimous consent for the immediate consideration of

the conference report.

Mr. HEFLIN. Mr. President, I would like to ask the Senator from Rhode Island about how many children the com-

mittee figures will come in under this change?

Mr. COLT. The reports we get from the Commissioner of Immigration are to the effect that the number would be very small, and that they would be brought in only in cases of extreme hardship. Take the case of an alien who has become an American citizen and wants his minor child here, who, of course, was born abroad. This amendment will take that class out and make an exemption of them.

Mr. KING. May I say to the Senator from Alabama [Mr. Heflin] that a number of instances came to the attention of the conferees-and I was one of the conferees-where American citizens had gone over to get their children. The man having taken out his naturalization papers his wife becomes an American citizen, and the committee thought it would be a great hardship to have the father and mother American citizens and the little children overseas denied the right of entrance. The evidence before the committee showed that the number would not be very great. We felt it was a matter of justice and right.

Mr. COLT. And I might say, especially as the House receded

on all the substantial changes.

Mr. HARRISON. As I understand, then, really the main point of difference between the House and the Senate was on the question of the provision to admit those who had been the victims of religious persecution, the adoption of which might have resulted in the admission of hundreds of thousands in addition to the 3 per cent.

Yes.

Mr. HARRISON. The House receded on all those additions to the 3 per cent, except the one proposition of the admission of the children of citizens of America, under 18 years of age?

Mr. COLT. Yes

Mr. HARRISON. And the number will be inconsequential, as I understand it?

Mr. COLT. Yes. Mr. HALE. Mr. President, a question of parliamentary procedure. What is the business now before the Senate?

The PRESIDING OFFICER (Mr. NEWBERRY in the chair). The Senator from Rhode Island has asked unanimous consent for the immediate consideration of the conference report on the immigration bill.

Mr. HALE. Is not the business before the Senate the naval

appropriation bill?

Mr. LODGE. The presentation of a conference report is, of course, a privileged matter at any time. An objection to its consideration can then be interposed.

Mr. HALE. I take it that when the Senator asks for the consideration of the conference report he means to ask that

the naval appropriation bill be temporarily laid aside.

Mr. COLT. I had the permission of the Senator from Washington [Mr. Poindexter], in charge of the naval appropriation bill, to call up the conference report. I ask unanimous consent to temporarily lay aside the naval appropriation bill, if that

Mr. BORAH. I have no objection to that, but I ask the Senators who have the immigration bill in charge if the Senator from Missouri [Mr. REED] knows of this report?

Mr. COLT. I do not think he does. Of course, the Senator from Missouri is aware that the bill passed the Senate with only his vote against it. I am not aware whether he knows about the report or not.

Mr. BORAH. The only thing that leads me to ask is that I know his intense opposition to the measure, and I do not know whether he would like to be present or not.

Mr. KING. I want to say to the Senator from Idaho that the Senator from Missouri is out of the city, in Richmond. I have no information as to when he will return. As I recall, he was the only opponent to the bill when it came to a final vote.

Mr. SWANSON. The Senator from Missouri was at luncheon

in the Capitol Building at 2 o'clock.

Mr. CMOOT. He was in attendance on the Finance Com-

mittee until about quarter past 12 to-day.

Mr. KING. Col. Halsey advises me that he phoned his office less than 10 minutes ago, and the answer was that the Senator had gone to Richmond. That is the only information I have.

Mr. COLT. I ask unanimous consent for the consideration

of the conference report.

The VICE PRESIDENT. Is there objection to the present consideration of the conference report on the immigration bill? The Chair hears none, and the Secretary will read the report.

The report was read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4075) to limit the immigration of aliens into the United States having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as fol-

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following:

"That as used in this act—
"The term 'United States' means the United States, and any waters, territory, or other place subject to the jurisdiction thereof except the Canal Zone and the Philippine Islands; but if any alien leaves the Canal Zone or any insular possession of the United States and attempts to enter any other place under the jurisdiction of the United States nothing contained in this act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens.

"The word 'alien' includes any person not a native-born or naturalized citizen of the United States, but this definition shall not be held to include Indians of the United States not taxed nor citizens of the islands under the jurisdiction of the United

States.

"The term 'immigration act' means the act of February 5, 1917, entitled 'An act to regulate the immigration of aliens to, and the residence of aliens in, the United States'; and the term 'immigration laws' includes such act and all laws, conventions, and treaties of the United States relating to the im-

migration, exclusion, or expulsion of aliens.

"Sec. 2. (a) That the number of aliens of any nationality who may be admitted under the immigration laws to the United States in any fiscal year shall be limited to 3 per cent of the number of foreign-born persons of such nationality resident in the United States as determined by the United States census of 1910. This provision shall not apply to the following, and they shall not be counted in reckoning any of the percentage limits provided in this act: (1) Government officials, their families, attendants, servants, and employees; (2) aliens in continuous transit through the United States; (3) aliens lawfully admitted to the United States who later go in transit from one part of the United States to another through foreign contiguous territory; (4) aliens visiting the United States as tourists or temporarily for business or pleasure; (5) aliens from countries immigration from which is regulated in accordance with treaties or agreements relating solely to immigration; (6) aliens from the so-called Asiatic barred zone, as described in section 3 of the immigration act; (7) aliens who have resided continuously for at least one year immediately preceding the time of their admission to the United States in the Dominion of Canada, Newfoundland, the Republic of Cuba, the Republic of Mexico, countries of Central or South America, or adjacent islands; or (8) aliens under the age of 18 who are children of citizens of the United States.

"(b) For the purposes of this act nationality shall be determined by country of birth, treating as separate countries the colonies or dependencies for which separate enumeration

was made in the United States census of 1910.

"(c) The Secretary of State, the Secretary of Commerce, and the Secretary of Labor, jointly, shall, as soon as feasible after the enactment of this act, prepare a statement showing the number of persons of the various nationalities resident in the United States as determined by the United States census of 1910, which statement shall be the population basis for the purposes of this act. In case of changes in political boundaries in foreign countries occurring subsequent to 1910 and resulting (1) in the

creation of new countries, the governments of which are recognized by the United States, or (2) in the transfer of territory from one country to another, such transfer being recognized by the United States, such officials, jointly, shall estimate the number of persons resident in the United States in 1910 who were born within the area included in such new countries or in such territory so transferred, and revise the population basis as to each country involved in such change of political boundary. For the purpose of such revision and for the purposes of this act generally aliens born in the area included in any such new country shall be considered as having been born in such country, and aliens born in any territory so transferred shall be considered as having been born in the country to which such territory was transferred.

"(d) When the maximum number of aliens of any nationality who may be admitted in any fiscal year under this act shall have been admitted, all other aliens of such nationality, except as otherwise provided in this act, who may apply for admission during the same fiscal year shall be excluded: Provided, That the number of aliens of any nationality who may be admitted in any month shall not exceed 20 per cent of the total number of aliens of such nationality who are admissible in that fiscal year: Provided further, That aliens returning from a temporary visit abroad, aliens who are professional actors, artists, lecturers, singers, nurses, ministers of any religious denomination, professors for colleges or seminaries, aliens belonging to any recognized learned profession, or aliens employed as do-mestic servants, may, if otherwise admissible, be admitted, notwithstanding the maximum number of aliens of the same nationality admissible in the same month or fiscal year, as the case may be, shall have entered the United States; but aliens of the classes included in this proviso who enter the United States before such maximum number shall have entered shall (unless excluded by subdivision (a) from being counted) be counted in reckoning the percentage limits provided in this act: Provided further, That in the enforcement of this act preference shall be given so far as possible to the wives, parents, brothers, sisters, children under 18 years of age, and fiancées, (1) of citizens of the United States, (2) of aliens now in the United States who have applied for citizenship in the manner provided by law, or (3) of persons eligible to United States citizenship who served in the military or naval forces of the United States at any time between April 6, 1917, and November 11, 1918, both dates inclusive, and have been separated from such forces under honorable conditions.

"SEC. 3. That the Commissioner General of Immigration, with the approval of the Secretary of Labor, shall, as soon as feasible after the enactment of this act, and from time to time thereafter, prescribe rules and regulations necessary to carry the provisions of this act into effect. He shall, as soon as feasible after the enactment of this act, publish a statement showing the number of aliens of the various nationalities who may be admitted to the United States between the date this act becomes effective and the end of the current fiscal year, and on June 30 thereafter he shall publish a statement showing the number of aliens of the various nationalities who may be admitted during the ensuing fiscal year. He shall also publish monthly statements during the time this act remains in force showing the number of aliens of each nationality already admitted during the then current fiscal year and the number who may be admitted under the provisions of this act during the remainder of such year, but when 75 per cent of the maximum number of any nationality admissible during the fiscal year shall have been admitted such statements shall be issued weekly thereafter. All statements shall be made available for general publication and shall be mailed to all transportation companies bringing aliens to the United States who shall request the same and shall file with the Department of Labor the address to which such statements shall be sent. The Secretary of Labor shall also submit such statements to the Secretary of State, who shall transmit the information contained therein to the proper diplomatic and consular officials of the United States, which officials shall make the same available to persons intending to emigrate to the United States and to others who may apply.

"SEC. 4. That the provisions of this act are in addition to and not in substitution for the provisions of the immigration laws.

"SEC. 5. That this act shall take effect and be enforced 15 days after its enactment (except secs. 1 and 3 and subdivisions (b) and (c) of sec. 2, which shall take effect immediately upon the enactment of this act) and shall continue in force until June 30, 1922, and the number of aliens of any nationality who may be admitted during the remaining period of the current fiscal year, from the date when this act becomes effective to June 30, shall be limited in proportion to the number admissible during the fiscal year 1922."

And the Senate agree to the same.

LEBARON B. COLT, WM. P. DILLINGHAM, WILLIAM H. KING, Managers on the part of the Senate. ALBERT JOHNSON, J. WILL TAYLOR, JOHN E. RAKER, Managers on the part of the House.

The VICE PRESIDENT. The question is on agreeing to the conference report,

The report was agreed to.

# EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened, and (at 5 o'clock p. m.) the Senate adjourned until to-morrow, Saturday, May 14, 1921, at 12 o'clock meridian.

#### NOMINATIONS.

Executive nominations received by the Senate May 13 (legislative day of May 12), 1921.

DEPARTMENT OF JUSTICE.

UNITED STATES ATTORNEY.

Charles C. Madison, of Missouri, to be United States attorney, western district of Missouri, vice James W. Sullinger, appointed by court.

### UNITED STATES MARSHAL,

Inslee C. King, of Tennessee, to be United States marshal, eastern district of Tennessee, vice Frank W. Flenniken, appointed by court.

# DEPARTMENT OF COMMERCE.

UNITED STATES COAST AND GEODETIC SURVEY.

William Daryl Patterson, of Wisconsin, to be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy, by promotion from junior hydrographic and geodetic engineer, with relative rank of lieutenant (junior grade) in the Navy, vice J. B. Boutelle, retired.

Oliver Scott Reading, of Illinois, to be hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy, by promotion from junior hydrographic and geodetic engineer, with relative rank of lieutenant (junior grade) in the Navy,

vice R. F. Luce, promoted.

### CONFIRMATIONS.

Executive nominations confirmed by the Senate May 13 (legislative day of May 12), 1921.

UNITED STATES MARSHAL.

Peter H. Miller, of Florida, for northern district of Florida, COLLECTORS OF INTERNAL REVENUE.

Robert H. Lucas for district of Kentucky. Bert P. Gage for twenty-eighth district of New York,

POSTMASTERS.

CALIFORNIA:

Alice C. Webster, Antioch. Ambrose E. Burkhart, Bishop. Daniel S. Devine, Hermosa Beach. Finis L. Bigelow, Maricopa, David W. Morris, Modesto. George V. Beane, Mojave. Isabelle F. Sylvia, Pleasanton. William H. Brown, Riverbank.

OREGON.

William J. Warner, Medford.

WASHINGTON.

Henning E. Johnson, Du Pont, . Leonard McCleary, McCleary.

# HOUSE OF REPRESENTATIVES.

FRIDAY, May 13, 1921.

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our gracious Heavenly Father, we bless Thee for Thy holy ministries. While the consciousness of our own existence was lost in sleep Thou wert our guardian angel. We come again asking the sweet sense of Thy presence, as Thy love and wisdom are never exhausted. Pity us in our daily weakness, and help us in our daily labor. Answer all silent cries of those who are burdened and heavy-laden, and turn their tears into jewels and their sighings into prayers. Bless all families that are separated. Be there as well as here, and here as well as there, and may all hearthstones be as true as they are familiar, and as familiar as they are true. Through Jesus Christ our Lord.

The Journal of the proceedings of yesterday was read and approved.

#### QUORUM-CALL OF THE HOUSE.

Mr. GARRETT of Tennessee. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Tennessee makes the point of order that there is no quorum present. It is obvious that there is no quorum present.

Mr. TINCHER. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names

comment of the	CAR ATTERIORS		
Anderson Ansorge Bird Bond Bowers Brinson Browne, Wis. Buchanan Burdick Burke Campbell, Pa. Clark, Fla. Cockran Copley Cramton	Focht Free Fuller Funk Gallivan Gilbert Gorman Gould Graham, Pa. Hukriede Hutchinson Jacoway Kahn Kendall Kennedy Kiess	McLaughlin, Pa. Mann Mead Morin Mudd Nolan O'Connor Ogden Padgett Paige Patterson, N. J. Perkins Perliman Rainey, Ala. Ransley Reed, W. Va.	Sanders, N. Y. Shreve Sisson Slemp Snyder Stiness Stoll Strong, Pa. Sullivan Thomas Tinkham Towner Upshaw Vare Volk Ward, N. Y.
Davis, Tenn. Deal	Kitchin Knight	Riddick Robsion	White, Me.
Dunn Fairchild	Kreider Lea, Calif.	Rodenberg	Williams Winslow
Fields Fish	Lee, N. Y. McFadden	Rogers Rose Rossdale	Wise Wood, Ind.

The SPEAKER. Three hundred and forty-two Members have answered to their names. A quorum is present.

Mr. TINCHER. Mr. Speaker, I move that further proceed-

ings under the call be suspended.

The SPEAKER. The gentleman from Kansas moves to suspend further proceedings under the call. The question is on agreeing to that motion.

The motion was agreed to.

### FUTURE TRADING IN GRAIN.

The SPEAKER. The Doorkeeper will open the doors. The unfinished business of the day is the bill taxing grain futures, on which the previous question was ordered on the third reading. The gentleman from Massachusetts [Mr. Walsh] demanded the reading of the engrossed bill. Does the gentleman from Massachusetts desire to withdraw it?

Mr. WALSH. I withdraw my request.

The SPEAKER. The gentleman from Massachusetts withdraws his request.

The bill was read the third time.

Mr. BLANTON. Mr. Speaker, I offer a motion to recommit. Mr. HILL rose

The SPEAKER. For what purpose does the gentleman from Maryland rise?

Mr. HILL. To offer a motion to recommit the bill to the Committee on Agriculture.

The SPEAKER. The gentleman from Texas offers a motion to recommit. Is he opposed to the bill?

Mr. BLANTON. I am.

The SPEAKER. The gentleman from Maryland also offers

a motion to recommit. Is he opposed to the bill?

Mr. HILL, I am.

The SPEAKER. Is the gentleman from Texas a member of the committee?

Mr. BLANTON. I am not.

The SPEAKER. Is the gentleman from Maryland a member of the committee?

Mr. HILL. I am not.

The SPEAKER. The Clerk will report the motion of the gentleman from Maryland.

The Clerk read as follows:

Mr. HILL moves that the bill taxing contracts for the sale of grain for future delivery, and so forth, be recommitted to the Committee on

Mr. TINCHER. Mr. Speaker, on that I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Maryland to recommit the bill to the Committee on Agriculture.

Mr. BLANTON. Mr. Speaker, I make the point of order that a motion to recommit with instructions is privileged over a motion to recommit without instructions. My motion is to recommit the bill with instructions.

The SPEAKER. Can the gentleman refer the Chair to any

Mr. BLANTON. That was my idea. Of course, I do not carry authorities around with me in my pocket, as the Speaker But I submit to the Speaker that if that is not the rule, it ought to be.

Mr. LONGWORTH. Mr. Speaker, even if it were the rulewhich it is not-the motion for the previous question has been made and the previous question has been ordered. It is too late to make the point of order.

Mr. BLANTON. The preferential question was made before

the previous question was ordered.

The SPEAKER. Regardless of that, the rule is clear. The Chair can entertain a motion to recommit, with or without instructions.

Mr. BLANTON. I submit to the rule.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Maryland to recommit the bill.

The question was taken, and the Speaker announced that the noes appeared to have it.

Mr. BLANTON. A division, Mr. Speaker. The SPEAKER. A division is demanded. Those in favor of the motion to recommit will rise and stand until they are

Mr. BLANTON. Mr. Speaker, in connection with that I ask

for the yeas and nays.

The SPEAKER, The gentleman from Texas asks for the yeas and nays. As many as are in favor of taking this vote by the yeas and nays will rise and stand until they are counted. [After counting.] Fifteen Members have risen—not a sufficient number. The question is on agreeing to the motion to recommit

The House divided; and there were-ayes 45, noes 211.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill. Mr. CHINDBLOM. Mr. Speaker, let us have the yeas and

Mr. McARTHUR. I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were-yeas 269, nays 69, not voting 92, as follows:

Buiwinkle	Cullen	French	
	Curry		
	Dallinger		
		Granam, III.	
Chandler, Okia.	Drewry		
Classon		Hardy, Colo.	
		Hickor	
		Himes	
Crisp	Frear	Hoch	
	Burke Burroughs Burtness Butter Ryrnes, S. C. Campbell, Kans. Campbell, Pa. Cannon Cantrill Carew Carter Chandler, Okla. Christopherson Clague Clarke, N. Y. Classon Clouse Colle Collier Collins Colton Connally, Tex. Connell Cooper, Ohio Cooper, Wis, Coughlin	Burke Burroughs Butterss Butter Byrnes, S. C. Campbell, Kans. Campoell, Pa. Cantrill Carew Charlet Charlet, Okla. Christopherson Clague Clarke, N. Y. Classon Collier Collies Collier Connally, Tex. Connell Cooper, Ohio Coughlin Curry Davis, Minn. Davis, Tenn. Dowislon Dowinick Doughton Dowell Drane Dowell Drane Downlick Doughton Dowell Drane Downlick Doughton Downlick Doughton Dowell Drane Downlick Doughton Downlick Dorwry Driver Dunbar Elliott Elston Colle Evans Fairfield Fess Fitzgerald Flood Flood Focht Cooper, Ohio Cooper, Ohio Coughlin Foster	Burke Burroughs Buttness Buttler Byrnes, S. C. Campbell, Kans. Campbell, Pa. Cantrill Carew Chardler, Okla. Christopherson Clague Clarke, N. Y. Classon Classon Clarke, N. Y. Classon Collier Clouse Collier Collier Collier Collier Connally, Tex. Fitzgerald Cooper, Ohio Cooper, Ohio Cougling Control Connell Cooper, Ohio Collier Cooper, Ohio Collier Cooper, Ohio Cougling Control Course Couling Curry Davis, Minn. Garrett, Tex. Garrett, Tex. Gensman Gernerd Goodykoontz Goodykoontz Goodykoontz Green, Iowa Greene, Mass. Driver Griffin Hadley Griest Griffin Hadley Hadley Hardy, Colo. Hardy, Tex. Hardy, Tex. Hardy, Tex. Hayden Hayden Herrick Hersey Hickey Goughlin Foster Himes

Huddleston	Lowrey	Pringey ·	Swank
Hudspeth	Luce	Purnell	Sweet
Hull	Luhring	Quin	Swing
Ireland	Lycn	Rainey, Ala.	Tague
James, Mich.	McClintic	Raker	
James, Va.	McCormick		Taylor, Colo.
	McDuffie	Ramseyer	Taylor, Tenn
Johnson, Ky.	McFadden	Rankin	Temple
Johnson, Miss.		Rayburn	Ten Eyck
Johnson, S. Dak.	McLaughlin, Mich		Thompson
Johnson, Wash.	McLaughlin, Nebr.		Tillman
Jones, Tex.	McSwain	Reed, N. Y.	Timberlake
Kearns	Maloney	Rhodes	Tincher
Keller	Mansfield	Ricketts	Treadway
Kelley, Mich.	Mapes	Roach	Tyson
Kelly, Pa.	Michener	Robertson	Underhill
Ketcham	Miller	Robsion	Vestal
Kincheloe	Millspaugh	Rouse	Vinson
Kindred	Montague	Rucker	Voigt
Kirkpatrick	Montoya	Sanders, Ind.	Volstead
Kleczka	Moore, Ohio Moore, Va.	Sanders, Tex.	Walters
Kline, Pa.	Moore, Va.	Sandlin	Ward, N. C.
Knutson	Morgan	Schall	Wason
Корр	Mott	Scott, Mich.	Watson
Kraus	Murphy	Scott, Tenn.	Weaver
Lampert	Nelson, A. P.	Sears	Webster
Langley	Nelson, J. M.	Shaw	White, Kans,
Lanham	Newton, Minn.	Shelton	Williams
Lankford	Norton	Sinclair	Williamson
Larsen, Ga.	O'Brien	Sinnott	Wilson
Larson, Minn.	Ogden	Smith	Wingo
Lawrence	Oldfield	Smithwick	Woodruff
Lazaro	Oliver	Speaks	Woods, Va.
Leatherwood	Osborne	Steagall	Woodyard
Lee, Ga.	Overstreet	Stedman	Wright
Lineberger	Park, Ga.	Steenerson	Wright
Linthicum	Parks, Ark.	Stephens	Wurzbach
Little	Parrish	Stevenson	Young
Logan	Patterson, Mo.	Strong Vone	Zihlman
London	Porter	Strong, Kans.	
Longworth	Pou	Summers, Wash.	EXBUIET IN THE
nong worth	Lou	Sumners, Tex.	
	NAY	8-69.	

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ckerman acharach ilanton ritten urton able halmers handler, N. Y. hindblom onnolly, Pa, ale eal empsey upré yer dmonds llis	Favrot Fenn Freeman Glynn Greene, Vt. Hicks Hill Hogan Houghton Humphreys Husted Jefferis Jones, Pa. King Kissel Kunz Layton	McArthur McKenzie MacGregor Madden Magee Martin Mason Merritt Michaelson Mills Moore, Ill. Moores, Ind. Newton, Mo. Olpp Parker, N. J. Petters	Radcliffe Rainey, Ill. Reber Riordan Ryan Sabath Siegel Snell Sproul Stafford Taylor, N. J Tilson Walsh Wheeler Yates
anst	Lehlhach	Potorson	

	NOT V	OTING-92.	
Anderson Ansorge	Funk Gallivan	Lee, N. Y. Lufkin	Rossdale Sanders, N. Y.
Appleby	Garner	McLaughlin, Pa.	Shreve
Bird	Garrett, Tenn.	McPherson	Sisson
Bond	Gilbert	Mann	Slemp
Bowers	Good	Mead	Snyder
Brinson	Gorman	Mondell	Stiness
Browne, Wis.	Gould	Morin	Stoll
Buchanan	Graham, Pa.	Mudd	Strong, Pa.
Burdick	Hawes	Nolan .	Sullivan
Byrns, Tenn.	Hukriede	O'Connor	Thomas
Clark, Fla.	Hutchinson	Padgett	Tinkham
Cockran	Jacoway	Paige	Towner
Codd	Kahn	Patterson, N. J.	Upshaw
Copley	Kendall	Perkins	Vaile
Cramton	Kennedy	Perlman	Vare
Crowther	Kiess	Ransley	Volk
Dunn	Kinkaid	Reed, W. Va.	Ward, N. Y.
Fairchild	Kitchin	Riddick	White, Me.
Fields	Kline, N. Y.	Rodenberg	Winslow
Fish	Knight	Rogers	Wise
Free Fuller	Kreider	Rose	Wood, Ind.
Funer	Lea, Calif.	Rosenbioom	Wyant

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Towner (for) with Mr. Valle (against). Mr. Wyant (for) with Mr. Hutchinson (against).

Until further notice:

Mr. Mann with Mr. Kitchin.

Mr. Good with Mr. Byrns of Tennessee.

Mr. Lufkin with Mr. Garrett of Tennessee.

Mr. KAHN with Mr. GARNER.

Mr. Mondell with Mr. Hawes. Mr. APPLEBY with Mr. PAPGETT.

Mr. Hukriede with Mr. Thomas. Mr. Graham of Pennsylvania with Mr. Sisson.

Mr. Patterson of New Jersey with Mr. Fields, Mr. McPherson with Mr. Gallivan.

Mr. Cramton with Mr. Jacoway. Mr. Shreve with Mr. Lea of California.

Mr. Paige with Mr. Mead. Mr. Free with Mr. Wise.

Mr. Bowers with Mr. GILBERT.

Mr. Perkins with Mr. Stoll.

Mr. Rose with Mr. Upshaw. Mr. Volk with Mr. Brinson

Mr. White of Maine with Mr. Cockran. Mr. Winslow with Mr. Buchanan.

Mr. DUNN with Mr. O'CONNOR. Mr. KINKAID with Mr. SULLIVAN

Mr. Rogers with Mr. Clark of Florida.

The result of the vote was announced as above recorded. On motion of Mr. TINCHER, a motion to reconsider the vote by which the bill was passed was laid on the table.

### EMERGENCY TARIFF.

Mr. Speaker, I ask unanimous consent that Mr. YOUNG. H. R. 2435, the emergency tariff bill, be taken from the Speaker's table, the Senate amendments disagreed to, and that the conference asked by the Senate be agreed to.

The SPEAKER. The gentleman asks unanimous consent that the emergency tariff bill be taken from the Speaker's table, all the Senate amendments disagreed to, and the conference asked by the Senate agreed to. Is there objection?

Mr. LONGWORTH. Mr. Speaker, there is but one amend-

The SPEAKER. There is but one amendment. Is there objec-

Mr. GARNER. Mr. Speaker, reserving my right to object, the gentleman from North Dakota said he wanted to make a statement.

Mr. YOUNG. I was unable to understand just what objections the gentleman had-

Mr. GARNER. Mr. Speaker, I object. The SPEAKER. The gentleman from Texas objects.

### EMERGENCY TARIFF BILL.

Mr. CAMPBELL of Kansas. Mr. Speaker, I submit a privileged report from the Committee on Rules.

The Clerk read as follows:

### House resolution 90.

Resolved, That the bill H. R. 2435, being a bill entitled "An act imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenue; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes," be, and hereby is, taken from the Speaker's table, with the Senate amendment thereto, to the end that the Senate amendment be, and hereby is, disagreed to, and the conference requested by the Senate on the disagreeing votes on said amendment be, and hereby is, agreed to, and the Speaker shall immediately appoint the conferees.

We CAMPRIEL of Kansas, We Speaker the senate of the senate

Mr. CAMPBELL of Kansas. Mr. Speaker, the resolution states in plain terms the purpose it has in view. Objection having been made to sending the bill to conference, the only remedy left to the House is to adopt this resolution, send the bill to conference where the differences between the House and the Senate may be compromised and agreed upon, and the legislation finally passed. If I were opposed to the bill, I would oppose sending it to conference. Being in favor of the bill, I am in favor of sending it to conference so that the differences between the House and the Senate may be agreed upon as early as possible. I yield 30 minutes to the gentleman from Tennessee [Mr. GARRETT]

Mr. GARRETT of Tennessee. Mr. Speaker, in the first place I wish to direct attention to the fact that this rule provides for a condition which does not exist. The rule reads that the conference requested by the Senate on the disagreeing votes on said amendment be and is hereby agreed to. That is not the language of the request of the Senate, as gentlemen will see by examining the Record. They did not ask for a conference on the disagreeing votes. There had been no disagreeing votes. They asked for a conference on the bill and amendment, as I now recollect it. What sort of a situation that presents I leave

for the future to determine.

In the next place, I wish to say that the Senate struck out all of Title II of the House bill and has inserted in lieu thereof Titles II, III, IV, and V as a Senate amendment. This Senate amendment deals in part with subjects entirely new, not mentioned in the House bill when it passed the House. Now it is proposed to send the bill to conference instead of to the Committee on Ways and Means. The conferees will meet. They will make up a conference report which will be returned to the House. The House will have to act upon it in advance of the Senate, and gentlemen will be confronted with the proposition of having to vote the conference report up or down as a whole, without the slightest opportunity of giving any independent consideration whatever to these new subjects that have been placed in the bill by the Senate.

Mr. WALSH. Will the gentleman yield?

Mr. GARRETT of Tennessee. I will yield to the gentleman.

Mr. WALSH. The gentleman states that the Senate put new subjects in the bill?

Mr. GARRETT of Tennessee. Yes; the dyestuff matter was not in the House bill.

Mr. WALSH. It was placed there by way of tariff legislation.

Mr. GARRETT of Tennessee. Yes; but it is a new subject matter. Now, Mr. Speaker, it does seem to me that it is extremely bad policy for this body which is charged under the Constitution with initiating revenue legislation to permit the Senate to place upon a House revenue bill entirely new subject matter when that subject has not had independent consideration in the House and send it to conference without giving even an opportunity for amendment. I dare say that there is not now a gentleman on the floor who is able to explain what is meant by some of the features that have been put on the bill in the Senate. Information which they derive they will derive in conference, when they call persons before them to inform them what it means. Gentlemen, that information ought to be obtained in the Committee on Ways and Means. These new subject matters ought to be brought back to the House, and the House ought to have an opportunity to consider them, and House Members should not be placed in a position of having to vote up or down the conference report as a whole without chance of amendment.

Mr. LONGWORTH. Will the gentleman yield?

Mr. GARRETT of Tennessee. I will.

Mr. LONGWORTH. The gentleman speaks about a number of different subject matters. There is only one, a simple provision extending the existing law to cover six months, and that is not new

Mr. GARRETT of Tennessee. That is the dyestuff title?
Mr. LONGWORTH. Yes; it is not new legislation; it is simply extending the period of the legislation passed during the

Mr. GARRETT of Tennessee. It was not considered in the House in connection with the tariff bill.

Mr. LONGWORTH. It is a perfectly simple matter.

Mr. GARRETT of Tennessee. Will the gentleman state to the House that he now understands the other provisions put on

by the Senate outside of the bill as it passed the House?

Mr. LONGWORTH. Indubitably. [Laughter.]

Mr. GARRETT of Tennessee. The gentleman has no doubt as to the meaning. Does the gentleman intend to explain it to the House while discussing this rule?

Mr. LONGWORTH. When it comes back from conference. Mr. GARRETT of Tennessee. Mr. Speaker, it is not a very good form of legislation. This House is charged with the duty, under the Constitution, of originating revenue legislation, and it should have the opportunity of passing upon new matters injected by the Senate under the general rules and not have to take it or reject it in a conference report.

Mr. STAFFORD. Will the gentleman yield? Mr. GARRETT of Tennessee. I will yield to the gentleman. Mr. STAFFORD. Can the gentleman inform the House what attitude was taken by the House when the Underwood tariff bill came back from the Senate and went to conference?

Mr. GARRETT of Tennessee. It was sent to conference. Mr. STAFFORD. Without having been referred to the Com-

mittee on Ways and Means. It contained thousands of items in dispute, and was not sent back to the committee.

Mr. GARRETT of Tennessee. But there was not injected into the Underwood bill a lot of new subject matters which was not in the bill before the House.

Mr. STAFFORD. Oh, there was a lot of new subject matters put into the bill.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from North Dakota [Mr. Young].

Mr. YOUNG. Mr. Speaker, the gentleman who has just spoken [Mr. Garrett of Tennessee] seems to think that the House ought to have an opportunity to discuss the Senate amendment before it goes to the conferees. I want to remind him that he had an opportunity to-day to have as much time as he wished for the discussion of this matter. 'It was entirely his option to say how much time he wanted for that purpose. I want to say, further—and this is in answer to a number of questions that have been asked to-day—there is no question of bad faith involved in respect to this bill so far as the Finance Committee of the Senate is concerned. It is true that there was an understanding between the Finance Committee of the Senate and the Ways and Means Committee of the House that it would be highly undesirable to attempt to change Title I of the bill, and that it would not be wise to attempt to add any new items to it. We were all agreed as to that. That understanding has been lived up to by the mem-

There was no understanding bers of the Finance Committee. renched as to the antidumping feature of the bill, or in any

other respect except Title I of the bill.

Our friends on the other side of the aisle seem to forget that this is an emergency bill. It is not going to do any good if we keep on considering the bill in the Ways and Means Committee until the gentleman from Texas [Mr. Garner] is entirely ready and willing that the bill should be reported out and passed. If this bill is going to do any good it ought to be passed now, not six months from now. Gentlemen who have studied this subject understand well the great emergency which exists.

At the time this bill was first discussed at the last session of Congress there was about a two years' supply of wool on hand in the United States. Wool has been coming in very fast ever since. It has been coming by the shipload. The surplus has It has been coming by the shipload. greatly increased. Wool has become a drug on the market, so that it is absolutely impossible to sell it at any of the interior markets, and it is not possible to get a bid even at Boston, the chief market for wool. The same is largely true with respect to frozen meat, which has been coming in in tremendous quantities. That has, of course, affected the price of live stock to such an extent that it is now so low in value bankers throughout the West, who are many of them very greatly in need of the money, can not foreclose and realize enough on their mortgages to make it worth while, even if they had the disposition to do so. Wheat is coming in from Canada at the rate of almost half a million

bushels a day.

Mr. HARDY of Texas. Mr. Speaker, will the gentleman yield? Mr. YOUNG. I can not, as I have only five minutes. If we wait for 30 days or even 10 days this law will not do us very much good, so far as wheat is concerned. I mention this to show the highly emergent character of the legislation and the

need for immediate action.

The time of the gentleman from North Da-The SPEAKER. kota has expired.

Mr. GARRETT of Tennessee. Mr. Speaker, I yield 10 minutes to the gentleman from Texas [Mr. GARNER].

Mr. GARNER. Mr. Speaker and gentlemen of the House, the rule submitted by the gentleman from Kansas [Mr. Camp-BELL], according to his explanation, is for the purpose of sending this bill to conference. I deny that that is the object of the rule. The object of this rule is to prevent the House of Representatives from considering the Senate amendment. was surprised when the gentleman from Kansas told the House that the adoption of this rule was the only method by which you could get this bill to conference and get an agreement between the two Houses. The gentleman from Kansas shakes his head, but he did make the statement, and if he permits his statement to stay in the RECORD as he delivered it it will show

that that is just what he did say.

Gentlemen of the House, let me show you what you are doing by this rule. You are sending a bill to conference that the gentleman from Michigan [Mr. FORDNEY], the chairman of the committee, knows absolutely nothing about, and that the gentleman from North Dakota [Mr. Young], who is in charge of the bill, knows nothing about. There is not a man on the floor of the House, not a single one—and I challenge him if there is, to rise in his place—who can give an explanation of what the Senate amendment provides. You have an opportunity to consider the bill; you have an opportunity to amend it, if you will, under the rules of the House. You can send it to the Ways and Means Committee and bring it back into the Committee of the Whole House on the state of the Union and consider it under the 5-minute rule, and have an opportunity to amend it or perfect it, if you desire. Why do you take that privilege away from yourselves? Why do you deny yourselves the right to legislate intelligently in the House of Representatives, when you can do it just as easily and almost as quickly as you can under this rule? You have a majority of 170. Suppose the chairman of the Committee on Ways and Means [Mr. FORDNEY] should let this bill go to the Committee on Ways and Means, as it would under the rules of the House. These are your rules, and they are good rules. Let it go to the Committee on Ways and Means, and within an hour from this moment the gentleman from Michigan [Mr. FORDNEY] can report this bill back to the House of Representatives, and to-morrow morning you could go into the Committee of the Whole House on the state of the Union for the purpose of considering the bill, and consider it under the 5-minute rule, and perfect the Senate amendment, if you choose to do so. That is one way to rapidly consider the legislation, and consider it intelligently.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Yes. Mr. GARNER.

Mr. LONGWORTH. How frequently has it happened in the gentleman's experience that a bill goes to conference in any other way except either by unanimous consent or under a rule?

Mr. GARNER. Oh, the gentleman from Ohio talks about how frequently this is done. We have ceased to legislate here in the House of Representatives under the rules of the House,

Mr. LONGWORTH. Can the gentleman cite me an instance during the eight years when his party was in power where any bill went to conference except by unanimous consent or under

a rule?

Mr. GARNER. Oh, we carried our bills to conference either by unanimous consent or by going back to the committee, except in certain instances, but we did it under the rules of the House in all tariff legislation. In the Underwood bill we sent it back, I remarked to the venerable gentleman from Illinois [Mr. Cannon] this morning something which I think all will recognize as a truism. I said, "Uncle Joe, in the days of yourself and John Dalzell you were pikers compared with what they to-day with reference to special rules." I remember when the gentleman from Illinois occupied the chair and he and the gentleman from Pennsylvania, Mr. Dalzell, would resolve to do so and so and bring in a special rule, but I venture the assertion now that he did not bring in 25 per cent of the number of special rules in order to consider legislation that you do to-day. can you not consider legislation under the general rules of the House? Most of the legislation here is considered either by unanimous consent or under a special rule.

What does this bill do, this sacred bill, in which the gentleman from Michigan [Mr. FORDNEY] said we must not cross a "t' dot an "i" when we were considering it in the House? Some of you gentlemen thought it ought to be amended, but he appealed to you over on that side, and said there was a gentleman's agreement; that the Senate had agreed if we would not amend this bill it would be passed just exactly as we passed it. "I have agreed that we will not amend this bill, and therefore want my Republican colleagues to keep that agreement." You did keep it, and what happened? It does not seem that a gentleman's agreement holds as good in another body as in this. They struck out 10 pages of the Young tariff bill and substituted the Senate's 18 pages. They not only did that, but inserted new matter proposed to extend a law that is an existing law, still on the statute books. Why, the dyestuffs law is still on the statute books, Mr. Longworth, and why do you want to extend it for six months longer when it is already on the statute books?

Mr. LONGWORTH. The gentleman is completely misinformed. That is not the dye law at all; it has nothing to do

with the dye law.

Mr. GARNER. Y understand it is not the dye law, but it is an embargo to be placed on the dye business now existing in the law.

Mr. LONGWORTH. No; it is a law which authorizes—Mr. GARNER. What law?

Mr. LONGWORTH. In regard to the War Trade Board. Mr. GARNER. The amendment of the Senate abolishes the War Trade Board and transfers its activities to the Treasury Department and prolongs its life six months. The War Trade Board is not dead yet.

Mr. LONGWORTH. It will die on the 1st of July.

Mr. GARNER. It is going to extend its life beyond the 1st Now you propose to extend it for six months and transfer the activities from the War Trade Board to the Treasury Department,
Mr. LONGWORTH. Is the gentleman opposed to that pro-

vision?

Mr. GARNER. I want to hear some argument in reference The gentleman from Ohio does not want to get any information about the matter; he does not want it to go to the Committee on Ways and Means and send for Treasury officials, send for the board of appraisers, send for members of the Tariff Commission, send for men who know something about this matter and consider it intelligently, and in that way report it back to the House, in order to give some information about the matter. Here is what you are doing: You younger Republican Members do not amount to anything. At least I think you are coming to that conclusion from the expressions of some of you, and probably you do not. You are a cog, however, in this machine. You vote away your right to amend by adopting this rule. You would have the right under the rules of the House to offer an amendment to this if it were considered under the rules of the House. You are going to take that away from yourselves to-day by adopting a special rule, and so you are not going to give yourselves the humble privilege of even offering an amendment to a bill pending in the House of Representatives. Why, you can not expect to get out of the hands of the organization and ever assert yourself in the House of Representatives and impress upon your constituency or the House itself whether you are worthy to sit here or not if you are going to sit dumbly by and permit the organization or permit the gentleman from

Kansas and the gentleman from Michigan and a few other Members to tell you just what you shall and shall not do. quicker you begin to assert yourselves in the House of Representatives and assert your rights under the rules of the House the better it will be for you and the country, in my judgment, and for that reason I appeal to you to-day to vote down this rule and consider this bill under the rules of the House and offer amendments, if you think it ought to be amended. Are you willing to say this is perfection? It may be; it may be that after due consideration of the matter we would want to concur in the Senate amendment. Now, if we did, why do you take away from yourselves the right to do it? Mr. Speaker, this is the beginning of fiscal legislation which indicates the policy which the gentleman from Kansas and the gentleman from Michigan propose to follow. I am just wondering if the gentle-man from Michigan, when he brings in his tariff bill, intends to pass it under the rules of the House or under a special rule furnished by the gentleman from Kansas. I see the gentleman from Michigan smile, but I would like to know what is in his mind. However, he declines to respond. [Applause.]

Mr. FORDNEY. I will tell the gentleman in a minute. The SPEAKER. The time of the gentleman from Texas has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five min-

utes to the gentleman from Michigan [Mr. FORDNEY]. Mr. FORDNEY. Mr. Speaker, there has never been a tariff bill sent to conference that I can remember since I have been a Member of this House that did not carry some important new measure to be settled in conference. The gentleman from Texas [Mr. GARNER] states that this is a new provision in this bill which provides in reference to the licensing board in regard to dyestuff's. Last year this House, after extended debate on the dyestuff bill, known as the Longworth bill, carried a provision almost identical with the one provided for by the Senate in this bill, and if I am fortunate enough to be one of the conferees who take up the consideration of this bill I am going to go over there and stand by the House provision. I believe that the provisions added to this bill by the Senate relating to the antidumping bill are wholly ineffective and in many instances unconstitutional. [Applause.] The gentleman well knows that this question has been before the House and fairly aired. But the gentleman says, "Oh, yes; there are a large number of new Mem-But let me call his attention to the fact that they bers here." are all Republicans. [Laughter and applause on the Republican side.] And they know a good thing when they see it. They have confidence in the conferees. The provision written in this law as to antidumping is in substance the same as the antidumping provision in the act of 1913, known as the Underwood tariff law, which never was intended to be put in operation. There never has been one single instance in which an attempt has been made to enforce its provision, because under the provisions of that law a conspiracy must be proven between the foreign exporter and the importer.

That is impossible, and the men who wrote the law knew it. Gentlemen, this antidumping provision which we added to the bill is absolutely necessary. Only the day before yesterday both Great Britain and Canada adopted such a provision. The reso-lutions had been offered before, and under their law such resolutions become effective the minute they are introduced. They may be changed under the English or Canadian law, and the rates raised or lowered. Great Britain added 331 per cent duty, and Canada in her provision makes a rate not of 663 per cent, as we did to overcome the depreciated currency, but fixed it at 50 per cent. That is much more drastic than the provision in the

bill that is now going to conference.

I do not wish to take up much time of the House. Personally I do not agree with the Senate amendment, and for that reason I want the bill to go to conference. And the gentleman from Texas [Mr. Garner], one of the best fellows on earth—though nobody but myself knows it [laughter]-knew he was going to object to unanimous consent, He told me so. And the only way to get this bill to conference to-day was by this rule; and, you rascal, you know it. [Laughter.]

The SPEAKER. The time of the gentleman from Michigan

has expired.

Mr. GARRETT of Tennessee. Mr. Speaker, I yield five min-

utes to the gentleman from Oklahoma [Mr. McClintic].

Mr. McClintic. Mr. Speaker and gentlemen of the House, I desire to use the five minutes that have been allotted to me for the purpose of making a statement to the House relative to the Record, which I think will be satisfactory to every Member here, and I hope that no one will object.

As many of you know, for several months I have exercised my own prerogative by objecting to certain extensions which were sought for the purpose of printing speeches in the Record

not made on the floor of the House. At the time I did this I thought the Record needed some attention, and I wish to say to the Members of the House that the motives which prompted me were of the highest, and that I never at any time sought to show any partiality to either a Democrat or a Republican.

A few days ago the distinguished gentleman from North Dakota [Mr. Young], who has charge of this bill, was generous enough to refer to my work in this connection, using the following language:

Mr. Young. Mr. Chairman, reserving the right to object, and I am not going to do so, I wish to say that I believe we have had the most accurate record of the debates and proceedings during the past few months of any time during the past eight years, and it has been due to the fact that the gentleman from Oklahoma [Mr. McClintic] has insisted that the record kept here must be a record of what is actually said and done. I really think it is worth while to have it kept that way. As far as I am concerned, I feel as though the gentleman from Oklahoma [Mr. McClintic] ought to be complimented for taking it upon himself to see that the record of this House is kept in that way.

I appreciate very much his kind statements. say this to the House, that I find it is practically impossible to look after one's duties in connection with the various departments and be present during the consideration of every piece of legislation. I do not wish any Member to ever say that I kept some Representative from having a privilege when another person obtained it at a time when I was not present. So I want to say to the membership of this House that I feel you are to be congratulated for the splendid cooperation you have given me in the past, and I hope that it will not be necessary at any time in the future for me to again interpose an objection to any request that may be made by any Member of this House. plause.

Mr. CAMPBELL of Kansas, Mr. Speaker, answering the violent objections that have just been made to this rule, I yield eight minutes to the gentleman from Ohio [Mr. Longworth].

Mr. LONGWORTH. Mr. Speaker, it is rather regrettable, I think, that we are forced to invoke a rule to send this bill to conference. We had hoped it would go there in the ordinary way, by unanimous consent. Any other method, any objection to unanimous consent, simply serves to delay this emergency legislation a little longer. We have delayed it too long already, gentlemen of the House. [Applause on the Republican side.] This bill ought to have been passed four months ago, and would have been had it not been for a veto by the then occupant of the White House. It ought to have passed both this House and the Senate a month ago, notwithstanding the veto, had it not been for what I will not call obstructive tactics, but, at any rate, unreasonable delay.

I regret also that my friend from Texas [Mr. GARNER] should have brought politics into this matter. There is no politics in the only portion of the bill which is still left open to conference. One of the titles was adopted unanimously, practically, in the Senate, and this provision that both the gentleman from Tennessee [Mr. GARRETT] and the gentleman from Texas [Mr. Garner] are raising such a hullabaloo about, namely, the extension of the power to prevent the unlimited importation of German dyes, received 13 Democratic votes in the Senate. Among them there was no less a person than the late chairman of the Finance Committee, Senator Simmons, and for the benefit of the gentleman from Texas I will read the remarks of that great Democratic leader upon this point. The Senator from North Carolina [Mr. Simmons] said with regard to the so-called dye paragraph:

Mr. President, I think it is the sense of this country that we have not yet reached that point in the development of the dye industry in this country where it is able adequately to meet the requirements of preparedness in case of war; so that, as I regard it and as I think it ought to be regarded, this is a mere extension of a provision necessary to the national defense until we can have reasonable time to develop that industry to the point of making it adequate to supply our demands in case of hostilities between this country and some other country in the world. It is important that we are prepared for all eventualities and that we propose to continue that state of preparedness.

I commend that to the attention of gentlemen upon that side of the House. Why, even our late colleague, the Hon. J. Thomas Heflin, voted for this, and yet you bring a question

of party politics into it.

This is a very simple proposition. There are two points of difference only between the House and the Senate. The Senate has redrafted the antidumping provision of the law, for which a few years ago every single Democrat in this House voted. It is simply a question of accommodating differences, and the gentleman from Texas [Mr. GARNER] and other members of the Ways and Means Committee could delay this thing for weeks by sending for various alleged authorities from the Treasury and other departments in order to do what the conferees can very well do, and what I believe they can do in a very few hours.

So far as the so-called dye provision is concerned, all it does is to extend the present powers of the War Trade Board, which expire either on the passage of the Knox resolution or some similar resolution, declaring peace with Germany, or would expire on the 1st of July because of lack of appropriations. It does not change a particle a law which I believe was passed unanimously in this House, and carried in one of the preparedness bills. And that is all we have to do in conference, either to determine to leave it in our bill or to leave it out. other method than the one we are pursuing to-day, gentlemen, is simply to delay the passage of this emergency legislation. And I submit there is not a man on this side of the House, and there ought not to be a man on that, who will be opposed to sending this bill at once to conference and getting rid of this [Applause on the Republican side.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield three min-

utes to the gentleman from Pennsylvania [Mr. Kelly]. Mr. KELLY of Pennsylvania. Mr. Speaker, I was glad to

hear the gentleman from Ohio [Mr. Longworth] give his attention to this dyestuff and chemical provision, because in my opinion it should be unanimously approved by the Members of this House.

Mr. Speaker, this provision in the emergency tariff bill concerning dyestuffs and chemicals is recognition of the fact that we are on the verge of a new age. We have had the stone age and the iron age and are now in the electrical age. Just ahead is the chemical age, and with an enlightened policy America will be the leader of the world in its accomplishments.

Coal tar is the most important basic material in the chemical world. In my own district for many years countless tons of coal tar from the old-style beehive coke ovens were wasted. Then it was discovered to be one of the most valuable products

in the world.

Now, in the new ovens it is being conserved and used for a thousand uses. Coal tar is the essence of the forests of by-gone years. It is one of the strategic products for war and peace. It wounds and heals. It supplies both munitions and medicines.

Every ton of coal produces 120 pounds of tar. Out of the tar come 10 crude oils, which are converted into 300 secondary products or "intermediates." Through combination of these chemical elements many thousand products are possible. There are to-day at least a thousand separate dyes produced from coal tar.

The entire business has been dominated by Germany. The man who first made a dye from coal tar was an English chemist. In less than two years Germany had a complete monopoly of its

production.

When the war broke out we were importing nine-tenths of our dyes from Germany. Only seven firms and 528 persons were employed in the dye industry in the United States. Cut off from our supply by the war, we suffered greatly. I saw the effect in the publishing business, when the manufacturers of printing ink found it impossible to make a satisfactory ink without the German materials. Many other lines of business

But over and above all was the fact that the dye business and the high-explosive business are the same. From the same coal tar comes picric acid, used in munitions. Within 24 hours it is possible to turn a dye plant into a munitions plant. Germany did that very thing, and, having a monopoly of the dye industry, she had a monopoly of high explosives until American energy and ability overcame all handicaps.

To-day we have 184 concerns engaged in this industry. In my district and elsewhere are young, alert, efficient business men engaged in this new line. They can compete with Du Ponts, but they can not compete with Germany. Without assistance they will be stifled under an avalanche of German goods, made by those who know that control of this industry means to dominate the age of chemistry, with all that means both in peace and war.

I believe this section of the emergency tariff bill to be the best in it. I am glad the Senate added it to the measure as it left the House, and I hope the conferees will agree to it, so that America may be independent of any other country in this most strategic industry. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield four min-

utes to the gentleman from Iowa [Mr. Green].

The SPEAKER. The gentleman from Iowa is recognized for four minutes.

Mr. GREEN of Iowa. Mr. Speaker, I wish to tender my congratulations to my friend from Texas [Mr. Garner], who made some remarks on this conference report, on the ease with which he has turned a political somersault during the progress of this legislation. There was a time when the gentleman from Texas !

was enthusiastically in favor of this bill. Now it seems he is equally positive that it should be delayed and not passed.

He says he wants information. Information about what? Does he want information about the antidumping provision, that we have been discussing here for 10 years or more? Does he want information about this license system on dyes, which we discussed for days at a previous session, in which discussions the gentleman, if I remember rightly, took part? No. What the gentleman from Texas wants and what he is trying to do is to delay the passage of this bill, too long delayed already; so long delayed, indeed, that I fear it will not be able to meet the emergency now upon us, when every day increases the urgency and the necessity for its passage. But, gentlemen of the House, we on the Republican side, recognizing its necessity, intend to put it through as rapidly as possible. [Applause on the Republican side. I

Mr. GARRETT of Tennessee. Mr. Speaker, after the illuminating contributions that have been made to this discussion by the gentleman from Michigan [Mr. FORDNEY] and the gentleman from Ohio [Mr. Longworth] and the gentleman from Iowa [Mr. Green] upon the details of this Senate amendment, it may seem somewhat presumptuous to insist on the House further maintaining its proper dignity and its rights in regard to revenue legislation. But nevertheless there are a few of us, a small band, but a Spartan band [laughter], that still insist upon the maintenance of those rights and the assertion of the dignity of the House of Representatives. [Applause on the

Democratic side.

I called attention in the opening of this very vigorous debate to the fact that the Senate had struck out Title II of the House bill and had inserted as one amendment four titles. All that the House had in the bill, other than tariff features, the Senate has materially changed, and then, in addition to changing that, the Senate has added this new dyestuff matter, concerning which my friend from Pennsylvania [Mr. Kelly] talked so eloquently, and concerning which another friend of mine, the gentleman from Ohio [Mr. Fess], on a former occasion had a few remarks to make. I do not know how Mr. Fess feels about the matter now. My recollection is that he then denounced the dye proposition as wholly indefensible and outrageous. It may be that it is to prevent the gentleman from Ohio from having the opportunity of exposing what he conceives to be the iniquities of this dye provision as contained in the bill under the 5-minute rule in the House that it has been determined to send this matter to conference and have the conferees buck and gag and tie him up on it as a party proposition and place him in the position where he is bound to vote for that which he denounced as evil in order to secure other provisions of the bill. I say perhaps in view of the great prominence of the gentle-man from Ohio that may be one of the principal reasons why this ruthless, cruel, brutal majority has determined to drive this thing through in this outrageous manner. [Laughter and applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I am sure that everybody has been impressed with the sincere, high-minded, but persistent opposition to this rule that the debate has thus far

evidenced.

However, I congratulate the gentleman from Tennessee [Mr. Garrett on his closing remarks as being the only statement made on that side that approached real debate.

Mr. GARRETT of Tennessee. Will the gentleman yield to me in order to allow me to read the remarks made by the gentleman from Ohio [Mr. Fess] concerning this bill on a former

Mr. CAMPBELL of Kansas. If I had the time I would be glad to yield, but I fear I have not the time, [Laughter.] Mr. Speaker, I am still anxious to get this bill into conference, and anxious to get it to a final vote in both the House and the Senate.

Before asking for a vote on the resolution, I move to amend by striking out the words "on the disagreeing votes," in lines 10 and 11.

The SPEAKER. The gentleman from Kansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CAMPBELL of Kansas: Page 1, line 10, after the word "Senate," strike out the words "on the disagreeing votes."

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Kansas.

The amendment was agreed to.

Now, it will read: Mr. CAMPBELL of Kansas.

The conference requested by the Senate on said amendment be, and hereby is, agreed to.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentle-

Mr. CAMPBELL of Kansas. I yield for a question.

Mr. GARRETT of Tennessee. What will be the effect of agreeing to the resolution in that form? What will be the power of the conferees?

Mr. CAMPBELL of Kansas. The power of the conferees

will be this, that the bill-

Be, and hereby is, taken from the Speaker's table, with the Senate amendment thereto—

Mr. GARRETT of Tennessee. I know how it will read,

Mr. CAMPBELL of Kansas (reading)-

to the end that the Senate amendment be, and hereby is, disagreed to, and the conference requested by the Senate on said amendment be, and hereby is, agreed to.

The amendment of the Senate is the matter upon which the

conferees will have to act.

Mr. LONGWORTH. If the gentleman will yield, I will read the motion made by the Senator from Pennsylvania [Mr. Penrose] in sending the matter to conference. The motion is-

That the Senate ask for a conference with the House of Representatives on the bill and amendment.

That is the form of the rule.

Mr. GARRETT of Tennessee. I directed attention to that in

the beginning, I believe.

Mr. CAMPBELL of Kansas. I am indebted to the gentleman from Tennessee [Mr. GARRETT] for calling my attention to the matter that I have just corrected by way of an amendment to the resolution. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolu-

The question being taken, the Speaker announced that the ayes appeared to have it.

Mr. GARRETT of Tennessee. Mr. Speaker, I make the

point of no quorum present.

The SPEAKER. The gentleman from Tennessee makes the point of no quorum present. It is clear that there is no quorum present. The Doorkeeper will close the doors. The Sergeant at Arms will notify absentees. As many as are in favor of agreeing to the resolution will, as their names are called, vote "yea," those opposed "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 232, nays 98,

not voting 100, as follows:

YEAS-232.

	T.F.A.	202.	
Ackerman	Dyer	Kelly, Pa.	Nelson, J. M.
Andrews	Echols	Ketcham	Newton, Mo.
Arentz	Edmonds	King	Norton
Atkeson	Elliott	Kirkpatrick	Ogden
Bacharach	Elston	Kissel	Olpp
Barbour	Evans	Kleczka	Osborne
Beck	Fairfield -	Kline, N. Y.	Parker, N. J.
Beedy	Faust	Kline, Pa.	Parker N. Y.
Begg	Favrot	Knutson	Parrish
Benham	Fenn	. Kopp	Patterson, Mo.
Bixler	Fess	Kraus	Peters
Blakeney	Fitzgerald	Lampert	Petersen
Bland, Ind.	Focht	Langley	Porter
Blanton	Fordney	Lankford	Pringey
Boles	Foster	Larson, Minn.	Purnell
Brennan	Frear	Lawrence	Radcliffe
Brooks, Ill.	Freeman	Layton	Ramseyer
Brooks, Pa.	French	Lazaro	Reavis
Brown, Tenn.	Frothingham	Lea, Calif.	Reece
Burke	Gensman	Leatherwood	Reed, N. Y.
Burroughs	Gernerd	Lehlbach	Rhodes
Burtness	Glynn	Lineberger	Ricketts
Butler	Good	Little	Riddick
Cable	Goodykoontz	Longworth	Roach
Campbell, Kans.	Graham, Ill.	Luce	Robertson
Campbell, Pa.	Green, Iowa	McArthur	Rodenberg
Cannon	Greene, Mass.	McCormick	Ryan
Chalmers	Griest	McFadden	Sanders, Ind.
Chandler, Okla.	Hadley	McKenzie	Schall
Chindblom	Hardy, Colo.	McLaughlin, Mich	Scott, Mich.
Christopherson	Hawley	McLaughlin, Nebr	Scott, Tenn.
Clague	Hays	MacGregor	Shaw
Clarke, N. Y.	Herrick	Madden	Shelton
Clouse	Hersey	Magee	Siegel
Cole	Hickey	Maloney	Sinclair
Colton	Hicks	Mansfield	Sinnott
Connell	Hill	Mapes	Smith
Connolly, Pa.	Himes	Martin	Smithwick
Cooper, Ohio	Hoch	Merritt	Snell
Cooper, Wis.	Hogan	Michaelson	Speaks
Crowther	Houghton	Michener	Sproul
Curry	Hudspeth	Miller	Stafford
Dallinger	Hull	Mills	Steenerson
Darrow	Husted	Millspaugh	Stephens
Davis, Minn.	Ireland .	Montoya	Strong, Kans.
Deal	James, Mich.	Moore, Ill.	Summers, Wash.
Dempsey	Jefferis	Moore, Ohio	Sweet
Denison	Johnson, S. Dak.	Moores, Ind.	Swing
Dickinson	Johnson, Wash.	Morgan	Taylor, N. J.
Dowell	Jones, Pa.	Mott	Taylor, Tenn.
Dunbar	Jones, Tex.	Murphy	Temple
Dupré	Kearns	Nelson, A. P.	Thompson

Tilson Timberlake Tincher	Vestal Volgt Volk	Wason Watson Webster	Williamson Wood, Ind, Woodyard
Treadway Underhill	Volstead Walsh	Wheeler White, Kans,	Wurzbach Young
Vare	Walters	Williams 78—98.	Zihlman
Almon	Drane	Larsen, Ga.	Rouse
Aswell Bankhead	Drewry Driver	Lee, Ga.	Rucker
Barkley	Fisher	Linthicum Logan	Sabath Sanders, Tex.
Bell Black	Flood Fulmer	London Lowrey	Sandlin Sears
Bland, Va. Bowling	Garner	Lyon	Steagall
Box	Garrett, Tenn. Garrett, Tex.	McClintic McDuffie	Stedman Stevenson
Brand Briggs	Goldsborough Griffin	McSwain Montague	Sumners, Tex. Swank
Bulwinkle Byrnes, S. C.	Hammer Hardy, Tex.	Moore, Va. O'Brien	Tague Ten Eyek
Byrns, Tenn. Cantrill	Harrison Hawes	Oldfield	Thomas
Carew	Huddleston	Oliver Padgett	Tillman Tyson Vinson
Carter Collier	Humphreys James, Va.	Parks, Ark. Pou	Vinson Ward, N. C.
Connally, Tex.	Johnson, Ky. Johnson, Miss.	Quin Rainey, Ala.	Weaver Wilson
Crisp Cullen	Keller	Rainey, Ill.	Wingo
Davis, Tenn.	Kincheloe Kindred	Raker Rankin	Woods, Va. Wright
Dominick Doughton	Kunz Lanham	Rayburn Riordan	
	NOT VO	TING-100.	
Anderson Ansorge	Fields Fish	Kreider Loo N V	Rogers Rose
Anthony	Free	Lee, N. Y. Lufkin	Rosenbloom
Appleby Bird	Fuller Funk	Luhring McLaughlin, Pa.	Rossdale Sanders, N. Y.
Bond Bowers	Gahn Gallivan	McPherson Mann	Shreve Sisson
Brinson Britten	Gilbert Go.man	Mason Mead	Slemp Snyder
Browne, Wis. Buchanan	Gould	Mondell Morin	Stiness Stoll
Burdick	Graham, Pa. Greene, Vt.	Mudd	Strong, Pa.
Chandler, N. Y.	Haugen Hayden	Newton, Minn. Nolan	Sullivan Taylor, Colo.
Clark, Fla. Classon	Hukriede Hutchinson	O'Connor Overstreet	Tinkham Towner
Cockran Codd	Jacoway Kahn	Paige Park, Ga.	Upshaw Vaile
Copley Coughlin	Kelley, Mich, Kendall	Patterson, N. J.	Ward, N. Y.
Cramton	Kennedy	Perkins Perlman	White, Me, Winslow
Dale Dunn	Kiess Kinkaid	Ransley Reber	Wise Woodruff
Ellis Fairchild	Kitchin Knight	Reed, W. Va. Robsion	Wyant Yates
	ution was agree		
On this vote		irs were announ	ced:
Mr. WINSLO	w (for) with M	r. Cockran (aga	
		SULLIVAN (again r. Gallivan (ag	
Mr. Rose (f	or) with Mr. K	ITCHIN (against	).
Mr. PAIGE (	for) with Mr. F	ields (against). Isson (against).	
Mr. REBER (	(for) with Mr. S	BUCHANAN (ag	ainst)
Mr. WOODRU	FF (for) with M	fr. Gilbert (aga	
Until furthe	r notice:	**GOM	
		ith Mr. HAYDEN.	
	ith Mr. Wise.	31- 0	
Mr. HUTCHI	NSON WITH Mr.	Mr. Overstreet Upshaw.	
Mr. McPher	son with Mr. T.	AYLOR of Colorae	lo.
	with Mr. CLAR	k of Florida. by with Mr. Stol	
	with Mr. Jacov		
	ith Mr. PARK of		avon.
	of Pennsylvania with Mr. Mead.	with Mr. O'Cox	NOR.
The result of	of the vote was	announced as al	
			Without objec-
There was 1		e following conf	erees.
The Clerk re	ead the names of	f the conferees,	
Mr. FORDNEY, Mr. COLLIER.	Mr. GREEN of Iow	ra, Mr. Longworth	I, Mr. GARNER, and
JII. COLLIER.	IMMIGRATION-C	CONFERENCE REPOR	rt.

Mr. JOHNSON of Washington. Mr. Speaker, I call up the conference report on the bill H. R. 4075, and I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Washington? [After a pause.] The Chair hears

The Clerk read the statement.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4075) to limit the immigration of aliens into the United States having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following:

"That as used in this act-

"The term 'United States' means the United States, and any waters, territory, or other place subject to the jurisdiction thereof except the Canal Zone and the Philippine Islands; but if any alien leaves the Canal Zone or any insular possession of the United States and attempts to enter any other place under the jurisdiction of the United States nothing contained in this act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens.

"The word 'alien' includes any person not a native-born or naturalized citizen of the United States, but this definition shall not be held to include Indians of the United States not taxed nor citizens of the islands under the jurisdiction of the United

States.

"The term 'immigration act' means the act of February 5, 1917, entitled 'An act to regulate the immigration of aliens to, and the residence of aliens in, the United States'; and the term 'immigration laws' includes such act and all laws, conventions, and treaties of the United States relating to the im-

migration, exclusion, or expulsion of aliens.

SEC. 2. (a) That the number of aliens of any nationality who may be admitted under the immigration laws to the United States in any fiscal year shall be limited to 3 per cent of the number of foreign-born persons of such nationality resident in the United States as determined by the United States census This provision shall not apply to the following, and they shall not be counted in reckoning any of the percentage limits provided in this act: (1) Government officials, their families, attendants, servants, and employees; (2) aliens in continuous transit through the United States; (3) aliens lawfully admitted to the United States who later go in transit from one part of the United States to another through foreign contiguous territory; (4) aliens visiting the United States as tourists or temporarily for business or pleasure; (5) aliens from countries immigration from which is regulated in accordance with treaties or agreements relating solely to immigration; (6) aliens from the so-called Asiatic barred zone, as described in section 3 of the immigration act; (7) aliens who have resided continuously for at least one year immediately preceding the time of their admission to the United States in the Dominion of Canada, Newfoundland, the Republic of Cuba, the Republic of Mexico, countries of Central or South America, or adjacent islands; or (8) aliens under the age of 18 who are children of citizens of the United States.

"(b) For the purposes of this act nationality shall be determined by country of birth, treating as separate countries the colonies or dependencies for which separate enumeration

was made in the United States census of 1910.

"(c) The Secretary of State, the Secretary of Commerce, and the Secretary of Labor, jointly, shall, as soon as feasible after the enactment of this act, prepare a statement showing the number of persons of the various nationalities resident in the United States as determined by the United States census of 1910, which statement shall be the population basis for the purposes of this act. In case of changes in political boundaries in foreign countries occurring subsequent to 1910 and resulting (1) in the creation of new countries, the governments of which are recognized by the United States, or (2) in the transfer of territory from one country to another, such transfer being recognized by the United States, such officials, jointly, shall estimate the number of persons resident in the United States in 1910 who were born within the area included in such new countries or in such territory so transferred, and revise the population basis as to each country involved in such change of political boundary. For the purpose of such revision and for the purposes of this act generally aliens born in the area included in any such new country shall be considered as having been born in such country, and aliens born in any territory so transferred shall be considered as having been born in the country to which such territory was transferred.

"(d) When the maximum number of aliens of any nationality who may be admitted in any fiscal year under this act shall have been admitted all other aliens of such nationality, except as otherwise provided in this act, who may apply for admission during the same fiscal year, shall be excluded: Provided, That

the number of aliens of any nationality who may be admitted in any month shall not exceed 20 per cent of the total number of aliens of such nationality who are admissible in that fiscal year: Provided further, That aliens returning from a temporary visit abroad, aliens who are professional actors, artists, lecturers, singers, nurses, ministers of any religious denomination, professors for colleges or seminaries, aliens belonging to any recognized learned profession, or aliens employed as domestic servants, may, if otherwise admissible, be admitted notwithstanding the maximum number of aliens of the same nationality admissible in the same month or fiscal year, as the case may be, shall have entered the United States; but aliens of the classes included in this proviso who enter the United States before such maximum number shall have entered shall (unless excluded by subdivision (a) from being counted) be counted in reckoning the percentage limits provided in this act: Provided further, That in the enforcement of this act preference shall be given so far as possible to the wives, parents, brothers, sisters, children under 18 years of age, and fiancees, (1) of citizens of the United States, (2) of aliens now in the United States who have applied for citizenship in the manner provided by law, or (3) of persons eligible to United States citizenship who served in the military or naval forces of the United States at any time between April 6, 1917, and November 11, 1918, both dates inclusive, and have been separated from such forces under honorable conditions.

"Sec. 3. That the Commissioner General of Immigration, with the approval of the Secretary of Labor, shall, as soon as feasible after the enactment of this act, and from time to time thereafter, prescribe rules and regulations necessary to carry the provisions of this act into effect. He shall, as soon as feasible after the enactment of this act, publish a statement showing the number of aliens of the various nationalities who may be admitted to the United States between the date this act becomes effective and the end of the current fiscal year, and on June 30 thereafter he shall publish a statement showing the number of aliens of the various nationalities who may be admitted during the ensuing fiscal year. He shall also publish monthly statements during the time this act remains in force showing the number of aliens of each nationality already admitted during the then current fiscal year and the number who may be admitted under the provisions of this act during the remainder of such year, but when 75 per cent of the maximum number of any nationality admissible during the fiscal year shall have been admitted such statements shall be issued weekly thereafter. All statements shall be made available for general publication and shall be mailed to all transportation companies bringing aliens to the United States who shall request the same and shall file with the Department of Labor the address to which such statements shall be sent. The Secretary of Labor shall also submit such statements to the Secretary of State, who shall transmit the information contained therein to the proper diplomatic and consular officials of the United States, which officials shall make the same available to persons intending to emigrate to the United States and to others who may apply.

"Sec. 4. That the provisions of this act are in addition to and not in substitution for the provisions of the immigration laws.

"Sec. 5. That this act shall take effect and be enforced 15 days after its enactment (except secs. 1 and 3 and subdivisions (b) and (c) of sec. 2, which shall take effect immediately upon the enactment of this act) and shall continue in force until June 30, 1922, and the number of aliens of any nationality who may be admitted during the remaining period of the current fiscal year, from the date when this act becomes effective to June 30, shall be limited in proportion to the number admissible during the fiscal year 1922."

And the Senate agree to the same.

Albert Johnson,
J. Will Taylor,
John E. Raker,
Managers on the part of the House,
Lebaron B. Colt,
WM. P. Dillingham,
William H. King,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4075) to provide for the protection of the citizens of the United States by the temporary suspension of immigration, and for other purposes, subm t the following statement in explanation of the effect of the action agreed upon by the conferees and submitted in the accompanying conference report.

The Senate amended the House bill by substituting a different text. The action of the conferees brings to the House the original text of H. R. 4075, with three modifications, and a change with reference to the date when the act is to be effective. The changes in the House text may be stated as follows:

(1) The House provision exempting from the 3 per cent limitation aliens residing in the United States who return from a temporary visit abroad is eliminated. This classification is transferred to paragraph (d) of section 2, so that aliens who return from a temporary visit abroad are counted in making up the 3 per cent limit, but may be admitted after such limit is

(2) The provision exempting aliens entitled to readmission under the provisions of the joint resolution entitled "Joint resolution authorizing the readmission to the United States of certain aliens who have been conscripted or have volunteered for service with the military forces of the United States or cobelligerent forces," approved October 19, 1918, is eliminated. Under the resolution of March 3, 1921, aliens coming under the provisions of the act of October 19, 1918, have one year from March 3, 1921, in which to make application to return to the United States, and under this bill will be subject to the percentage restriction.

(3) The following provision of the House bill is eliminated: Aliens who prove to the satisfaction of the proper immigration officer or of the Secretary of Labor that they are actually subjects of religious persecution in the country of their last permanent residence and are seeking admission to the United States solely to avoid the suffering and hardship involved in such persecution.

(4) Other changes affect the date when the act shall take effect. In lieu of May 10, 1921, as proposed in the House bill, the text of the Senate provision, providing that the act shall take effect 15 days after its enactment, is adopted.

The elimination of the provisions mentioned above makes H. R. 4075 more rigid in its restrictive effect than when it left the House.

ALBERT JOHNSON. J. WILL TAYLOR. JOHN E RAKER Managers on the part of the House.

Mr. JOHNSON of Washington. Mr. Speaker and gentlemen, I do not know that anything need be said in further explanation of the bill as agreed on in conference. The statement just read recites the principal changes and also makes the affirmation that the elimination of two of the provisions of the House bill makes the bill more rigid in restriction than when it left the House. I might say that those who have followed this attempt to restrict immigration in the United States for the last two years, and even those who oppose the effort, undoubtedly have noticed that each time a bill goes through the mill it becomes a little more restrictive, and I am inclined to think that if this conference report is accepted by both branches, and if the bill is signed and becomes a law, by the time the year is up Congress will then be ready to enact something still more re-strictive, and particularly with reference to the Mexican border. It has already developed that on account of this prospective legislation and on account of passport difficulties abroad, more attempts than ever are being made to surreptitiously cross the Mexican border.

Mr. SABATH. Will the gentleman yield? Mr. JOHNSON of Washington. Yes.

Mr. SABATH. Why was it not possible to make restrictions

apply to Mexico in this bill?

Mr. JOHNSON of Washington. If we start to provide for a change in the method of handling immigration on the border, we would be obliged to make actual changes in the text of the present immigration laws. The object of this particular bill is to restrict immigration to 3 per cent of the number of aliens who were in the United States in 1910. This bill makes it possible for 355,000 new immigrants to come in legally, and a few in addition under the exemptions. If we are able to hold immigration to that number for a year, the United States will have the whip hand at the ocean ports in regard to immigration. We will be able to control that number of immigrants with some degree of success, and we hope we will then have both men and money for use in the protection of the Mexican border, so that we may shut out surreptitious entries. In other words, if we can get the whip hand at Ellis Island, we will then be able to attend to the situation on the Mexican border.

It is interesting to note that in the last three months the surreptitious entry of Europeans across the Mexican border has number of Europeans caught was 23, and in April the number reached 72, making a total of 119 from European countries, mostly men. They had all come by way of the port of Vera Their nationalities are a matter of interest.

In February of the 24 entries there were 6 Germans, 6 Russians, 5 Austrians, the balance scattered. In March of the 23, 5 were Germans, 7 Spaniards, 5 Poles, balance scattered. April, of the 72 there were 8 Germans, 17 Russians, 8 Poles, 10 Lithuanians, 12 Italians, balance scattered.

Mr. Speaker, the situation on the Mexican border is such that if there is one caught coming in it may be put down as certain many are coming in without being caught. I have a report concerning the situation in Vera Cruz and elsewhere in Mexico that seems to indicate that a full-blown line of smuggling and of fraudulent entry is under way, full blast, in Mexico, for these various people in Europe who, unable to get passports, are now piling up in Mexico intending to come across the border into the United States. I have evidence of the efforts to assist them across the border and to prevent their deportation when they are caught. Part of the Ellis Island situation is now being transferred to the border, and we may look for more of it. I said, it is hoped that this restrictive immigration legislation will relieve immigrant officials elsewhere and permit them to pay some attention to the Mexican border.

Since April 2 five vessels have arrived at Vera Cruz from European ports and have landed more than 500 European im-Apparently Mexico bars none from entry for any cause. But if the moving population of Europe is to be dumped into Mexico, that is Mexico's affair, not ours. It will be our business to prevent such immigrants from crossing the border. It will be our business to shut down on the loose giving of bond for entry, of which I have already some evidence. The situation on the Canadian border is different, owing to our arrangements for our protection with steamship companies landing immigrants at Canadian ports for entry to the United States. We have no such agreements with any steamship lines running to Mexican ports.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. MOORE of Virginia. Does the 355,000 which the gentleman mentioned include Germans who may come in?

Mr. JOHNSON of Washington. Yes.

Mr. MOORE of Virginia. Forty thousand of them? Mr. JOHNSON of Washington. Probably 75,000, if that many desire to come and can secure passports.

Mr. MILLER. Will the gentleman yield for two short ques-

Mr. JOHNSON of Washington. Yes; with pleasure. Mr. MILLER. Under section 4 the provisions of this act are in addition to and not supplemental to the present laws?

Mr. JOHNSON of Washington. Yes.
Mr. MILLER. And it defines what the immigration laws are. What I want to ask the gentleman is, under the treaty or under the law now relating to the exclusion of Asiatic laborers, there is an exemption clause that traders or merchants coming to the country and doing business have a right to come

and live here. Does this act in any way affect that class?

Mr. JOHNSON of Washington. It does not. That is why the

fifth exemption is in the bill.

Mr. Speaker, the clause exempting those fleeing from religious persecution has been dropped. The vote in the Senate was about 4 to 1 against such a clause. I might call attention to the fact that one of the principal changes is in regard to aliens returning from temporary visits abroad. All should bear in mind that aliens legally in the United States and going abroad during this law may return from a temporary visit. The provisions in this bill protect them so that if they return they may be counted within the 3 per cent, but if the 3 per cent is exhausted they may still return without being counted. Each one who returns, within the 3 per cent, will mean one less new immigrant, that is all. At one time we thought we might permit returns of those without counting them at all, but statistics for the last year show that about 120,000 went out and returned.

Mr. JOHNSON of Mississippi. What limitation is put on the

time for them to return?

Mr. JOHNSON of Washington. Six months. A temporary visit is held to be six months. To have permitted that possible number or anyone to go out and return without being counted would have been a considerable liberalizing of the restrictive

The provision under the joint resolution authorizing the readmission to the United States of aliens who have been conscripted or who have volunteered for service with the military forces commenced in earnest. In February there were 24 caught of the United States or the cobelligerent forces has been elimether in the act of entry or after the act. In March the inated for the reason that the few now out who are likely to

desire to return may come in along with the 3 per cent. The legislation which was enacted last March, which served as an act terminating war activities, terminated that return cobelligerent soldier act. But that act gave one year in which they may return, and they still have that right for nine months from the time this would go into effect. Further, all who went out and fought with the Allies or with the cobelligerent forces have had to date something like two years and a half in which to return, which would seem to be about long enough.

The other change affects the date. The Senate made the bill effective 15 days after its enactment for the small fraction of time remaining from now until the beginning of the calendar year, and then for one year beginning July 1. We have accepted Otherwise the text is that of the House bill 4075

Mr. SABATH. Mr. Speaker, will the gentleman yield? Mr. JOHNSON of Washington. Yes; certainly.

Mr. SABATH. Under the provision which the gentleman has mentioned, namely, the permission to those who served with the cobelligerent armies to return under the resolution that we passed, I think, on March 3, 1921— Mr. JOHNSON of Washington. Yes.

Mr. Sofinson of Washington. 1es.

Mr. SABATH. Granting them the right to return under the provisions of that act, they will no longer have that right if the 3 per cent will have been reached. They can not then return?

Mr. JOHNSON of Washington. They can return, if inside the

3 per cent limit; but it must be perfectly clear to the gentleman that they have had two years and a half in which to get back. The exemption which we gave them at that time in order to let them come back excused them from all the provisions of the immigration laws; it let them be physically defective, contract laborers, stowaways, illiterate, crippled, and so forth. In other words, regardless of their condition, mentally or physically, generously we gave them that time and waived the law; and if any of them have stayed out more than two years and a half I think we may well assume that they do not care now to return to the United States as a privileged class.

Mr. SABATH. Then you nullify the act of March 3, 1921. Mr. JOHNSON of Washington. Not for those who may come

within the 3 per cent.

Mr. SABATH. Then the gentleman thinks that those who fought for our country and are still over there should have no right to come back.

Mr. JOHNSON of Washington. Our soldiers, alien and otherwise, are either back or still in the army of occupation. How long would the gentleman like to have a few cobelligerents stay over there and still hold the right to return to the United States? They have had over two years and a half as it is, They may be in the armies of other countries. The time has come for complete allegiance, so far as the United States is concerned, and not for dual allegiance or dual citizenship, or for special privileges for the alien not even within the borders of the United States.

Mr. Speaker, I desire to reserve the remainder of my time. Mr. RAKER. Mr. Speaker, will the gentleman yield me 15

Mr. JOHNSON of Washington. I yield 15 minutes to the gentleman from California [Mr. RAKER].

Mr. MADDEN. Mr. Speaker, before the gentleman begins, will be yield to me, to submit a request for unanimous consent?

Mr. RAKER. Certainly. Mr. MADDEN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Gernerd] may have the privilege of extending his remarks in the Record upon this

The SPEAKER. The gentleman from Illinois asks unanimous consent that the gentleman from Pennsylvania may have the right to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. SIEGEL. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection?

There was no objection.

Mr. JOHNSON of Washington. Mr. Speaker, I would like to have the right to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. JOHNSON of Washington. I now yield 15 minutes to the gentleman from California [Mr. RAKER],

Mr. RAKER. Mr. Speaker, I yield five minutes of that time to the gentleman from Texas [Mr. Box].

Mr. BOX. Mr. Speaker and gentlemen of the House, the chairman of the committee has called attention to the fact that certain portions of our border are not properly guarded, and

that aliens are coming in unlawfully. That is a much more serious matter than is generally understood. The testimony before our committee was that last year some hundred thousand or more had come across the Texas border in that way. Investigation conducted by the committee convinced the committee-that and information coming to me from many sources fully convinces me—that not only people from Mexico and Canada, who are not admissible under our immigration laws, are coming in, but that people of other countries in great numbers are slipping into the United States in that way. Now that we are tightening the restrictions and trying to partially dam the stream, so to speak, the pressure at the weak points will be greater. There will be great numbers of Germans, Russians, Poles, and others coming in. Many Japanese now are coming into California and that portion of the country through both Mexico and Canada. I say these things in the hope of drawing the attention of the Members of the House to this important part of our immigration problem. Any law is futile if it is not enforced. It is effective just to the extent that it is properly enforced. It is idle for us to consume time in enacting restrictive measures and then take no effective steps to enforce them, I take this limited time to call the matter to the attention of the House in the hope that it will receive serious consideration. I think the committee will give it attention. I hope that those who control legislation here will give it such consideration that when these measures looking to better enforcement of the law are brought forward for action they will be adopted.

Mr. RAKER. Mr. Speaker, I yield two minutes to the gentle-

man from Maryland [Mr. Linthicum].

Mr. LINTHICUM: Mr. Speaker, when this bill was under consideration I read into the Record a telegram from Rabbi Morris S. Lazaron, a distinguished rabbi of the city of Baltimore, advocating the passage of the bill. Since the amendment of the bill by the Senate the rabbi has wired me again and requested that I give this telegram the same publicity as the other. In order to do that I take this opportunity to read the telegram, which is as follows:

BALTIMORE, MD., May 4, 1921.

Representative J. CHARLES LINTHICUM,

House Office Building, Washington, D. C.:

House Office Building, Washington, D. U.:

I note with regret that the immigration bill has passed the Senate minus the mitigating and just provisions for religious and political refugees and the reunion of families, which provisions were contained in the bill when I voiced my approval of it and as it passed the House. The situation, therefore, has changed and I can not in justice let the impression pass that I favor unqualified restrictions. I say this not only as a Jew who suffers in his brethren's sufferings but as an American who is loath to see his country depart from its humanitarian policy of offering a haven to those in dire need. May I ask you to give this statement the same publicity which was given the previous one.

Rabbi MORRIS S. LAZARON.

Personally I am as ever strongly in favor of this bill and the restriction of immigration.

The time is at hand when America must first assimilate those who have already entered our borders, must first find work for those of our own citizenship and see to it that America is first for Americans; that American principles and doctrines must prevail; that the Constitution and those things for which America stands must prevail.

I hope the bill will soon be agreed upon and approved. [Applause.]

Mr. COOPER of Wisconsin. Mr. Speaker, a parliamentary inquiry.

The SPEAKER, The gentleman will state it.
Mr. COOPER of Wisconsin, Has any time been fixed for

debate upon the conference report?

The SPEAKER. The gentleman from Washington had one hour within which to move the previous question. If he does not move the previous question within that time, the Chair will recognize some one else for another hour.

Mr. RAKER. Mr. Speaker, I understand the gentleman intends to move the previous question before the expiration of the

Mr. JOHNSON of Washington. Yes; I trust considerably within the hour. I am yielding the gentleman from California 15 minutes now, and I have some time to yield on this side.

Mr. COOPER of Wisconsin. Mr. Speaker, at the present time might I be permitted to ask the gentleman from Washington one question?

Mr. RAKER. I will yield to the gentleman for that purpose. Mr. COOPER of Wisconsin. Will the gentleman yield to me

little time? Mr. JOHNSON of Washington. Would it not be better for the gentleman from California to control the remaining part of his 15 minutes by using it and I will reserve the floor?

Mr. RAKER. Mr. Speaker and gentlemen of the House, the conferees judged the sentiment of the House as well as that of the Senate. The bill passed the Senate with only one vote against it. It passed the House with almost a three-fourths vote. When it came down to the two contested questions, that of permitting those who had resided in the United States to come back at their will without any restrictions at all, the con-ferees believed that it was better to take the Senate amendment so as to count the number who had been residents of the United States and gone abroad in the 3 per cent until that limit had been exhausted and then permit them to come in fol-lowing that beyond the limitation. That is some restriction. The Senate conferees felt as though the Senate was very anxious that too much delay with amendments should not be taken up because the country wants a temporary restrictive measure. And I believe that is the attitude of the House. I am speaking of the attitude on this side of the House, and my friend, the chairman, has spoken for the other side, that that is their attitude and they want a temporary restrictive measure at the present time, so we may in the meantime endeavor to modify our immigration laws to meet the demands that are so pressing and that the people over the country desire, to the end that the great number of undesirables—and I say that advisedly from the hearings and from the information—should not be permitted to come to this country. We find from the February and March, 1921, reports that 150 or more criminals tried to get in in the last two months. Some got in and were deported. You find the line running down to about 7,000 in the last two months, which includes those not admissible. You can see the extreme effort that is being made to get into this country by those who do not belong here. The farmers over this country want relief and they want it through this class of legislation. You find it in the farm journals. You find it in the editorials of those who speak from first-hand experience, and they say they do not want a foreign hoe hand, but they want a real American farmer to do their work. The next provision that created some discussion, that I think the Members of the House should know particularly about, has been very clearly presented by the chairman, and just one word on it from myself is all I desire, and that is in regard to religious persecution.

My recollection is it was attempted to amend it in the Senate by allowing the political refugees. That was defeated about 60 to 13 to show the attitude of the people. It was carried here by not a very large vote, but I believe the Members of this body really desire to restrict, and the provision as it was in the bill as it passed the House practically threw the door wide open. There is no definition as to what a refugee fleeing

from religious persecution was.

Mr. MASON. Will the gentleman yield?

Mr. RAKER. In a moment. So as a matter of fact it might have run into hundreds of thousands of those who claimed they were fleeing from religious persecution. Now, I will yield to the distinguished gentleman from Illinois.

Mr. MASON. As I understand-and if I am mistaken the gentleman will correct me—no one can come in except they comply with our laws on immigration. This bill did not seek

to extend it?

Mr. RAKER. No; this bill did not seek to extend the law which fixed the qualifications for those who desired to come in. In other words, they must not be criminals or be diseased, and various other conditions; but this provision that was in the bill as it passed the House, and as amended without, I believe, due consideration, did change that condition as to those fleeing

due consideration, did change that condition as to those fleeing from religious persecution.

Mr. MASON. May I ask, then, under your present bill as you propose it now, taken in connection with the vise laws and the laws of passport of this country, a man who is a political refugee and who seeks an asylum by reason of religious persecution, although he complies with every part of the immigration law, can not come in here without a passport from his king?

Mr. RAKER. He will come within the 3 per cent.

Mr. MASON. But not without a passport.

Mr. RAKER. Then when he comes within the 3 per cent and the 3 per cent has been exhausted he can not enter the United States, and he is in the same position as others, because if we had left the provision as it stood in this bill as it passed the House there would practically be no restriction. Any man could have come if he said he was fleeing from religious persecution. In other words, that he was suffering; so the bill would have been no restrictive bill at all.

Mr. MASON. As I understand it now, living under the present law, if this passes a man who complies in every particular with the law, if he wishes to come here and adopt this form of

government and likes it and renounces allegiance-I say if he comes here seeking refuge by reason of persecution for religion or politics, he can not enter here, even though he complied with all the laws, unless he has a passport from the king of his

Mr. RAKER. There are two answers to that, and I will answer the first. If he comes within the 3 per cent during that time he could enter into the United States. After the quota has been filled he could not. Now, going to the next question. Under the law we passed almost unanimously by the House and the Senate and approved by the President a man must have a passport. That is the law now.

Mr. MASON. That is the war law.

Mr. RAKER. No; it was the law after the armistice, but, of course, technically we are at war; but we passed it after the war, so there are two conditions. He must have a passport to come in even within the quota, and when that is exhausted he can not, and if he has no passport he can not enter.

Mr. MASON. In other words, the King of the other country

determines for us who is to be allowed to come here?

Mr. RAKER. Oh, no; not at all.

Mr. MASON. Yes.

Mr. RAKER. No; the American people have come to a realization that they have some control themselves.

Mr. MASON. Then you leave it to the King to say who shall

come?

Mr. RAKER. We have some control as to the people who shall enter this country. Now, we are putting some restrictions on as to the number. We are hoping eventually, within the next year, that with the benefit we can get from the American people and those who have given a study of this that we will be able to put on the statute books a law which will permit some better selection of our immigrants than we have at the present time, as well as to provide for their proper distribution, so that the American people will be able to enforce such laws and determine beyond question for themselves who shall be citizens in this country. We want reasonable and proper immigration after we have had time to properly digest and assimilate what we now have with us. The new law should meet our needs and changed conditions. Within the next year we will have such a bill to present to this House.

Mr. MASON. That is what I hoped would be the law now. The following editorial from the Country Gen-Mr. RAKER. tleman, of date March 19, 1921, shows the attitude of the American people on this restriction of immigration question. I insert

it as part of my remarks at this time:

it as part of my remarks at this time:

A steamship arriving in New York the other day brought immigrants of 17 different nationalities. None was from the British Isles or the Scandinavian countries or Holland, and of course none from Germany. These newcomers, therefore, were far removed in speech, customs, habits of thought, and appearance from the original stock of this country. Most of them possessed little beyond the scanty sum required for admittance. Virtually all of them immediately betook themselves to the foreign "colonies" that have been established in American crites as Old World carryovers—districts already overcrowded beyond decent and healthful housing capacity, most of them already containing thousands of idle workingmen.

At the time this steamship and others with like cargoes of human flotsam were coming to our shores Congress was conducting hearings on the subject of immigration. It was listening with the usual congressional gravity to the spokesmen of this, that, or another nationality, all pleading that the way of their brethren abroad into the land of promise and plenty might be free and unhampered. One observer noted, with keen perception, that "there were few spokesmen for America present."

It was admitted during the hearings that any action Congress might take at the time would be only temporary; no attempt would be made to arrive at a well-studied and sound immigration program designed to meet the greatest need and the greatest good of the country as a whole.

Yet that is exactly what we are supposed to have Congress for

and women who pioneered and developed this country of ours. They wrought it from a wilderness and a prairie into a fair and bounteous land. But they wrought it thus for their children and children's children to possess and enjoy and build upon. To allow these pioneers' children to be dispossessed, through a competition they can not and should not meet, can hardly be described as keeping faith with the fathers

Without doubt conditions in numerous European and Asiatic countries are deplorable. Certain peoples, likewise without doubt, are having to suffer unjust oppression and mistreatment. No person with ordinary human feelings can fail to sympathize with these unfortunate ones. But that sympathy is overdone if allowed to take the form of an unlimited ticket of admission to this country. Sentiment ever has been an unreliable substitute for good sense.

A great and revered American saw the danger of a people divided in speech and aims and beset by conflicting allegiances when he spoke out against the converting of this country into "a polyglot boarding house." He clearly discerned that the greatest service Americans could perform for mankind was the maintenance of a nation united in purpose and ideals and with an ever-rising standard of individual welfare.

As long as such a nation exists it will be a stimulus to the peoples

As long as such a nation exists it will be a stimulus to the peoples of other lands to make their own Governments freer and more beneficent. But if we wreck our Nation by receiving an indigestible mass of foreigners, it will be neither a hope nor a haven.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD. Is there

objection? [After a pause.] The Chair hears none. Mr. JOHNSON of Washington. Mr. Chairman, I yield five minutes to the gentleman from Wisconsin [Mr. Cooper].

Mr. COOPER of Wisconsin. Mr. Speaker, I was not in when the gentleman from Washington presented his conference report and made his motion, and I have been able to make only a very hasty reading of this report.

As I understand—and I will ask the gentleman if my understanding is correct-in making up the maximum under the 3 per cent limitation, alien children under the age of 18, of citizens of the United States, are not to be included?

Mr. JOHNSON of Washington. That provision, which was placed in the House bill on the floor, is retained in the bill, The only thing that keeps the children of American citizens -and this refers to naturalized American citizens-is that the children are abroad and have not put a foot on our soil.

Mr. COOPER of Wisconsin. Mr. Speaker, I notice on page 3 this proviso:

Provided further, That in the enforcement of this act preference shall be given, so far as possible, to the wives, parents, brothers, sisters, children under 18 years of age, and flancées of citizens of the United

Is that to apply when the maximum number of aliens of any nationality who may be admitted in any fiscal year shall have been reached? Is that the idea?

Mr. JOHNSON of Washington. No. That proviso is a matter of expressing a preference for the selection up to 3 per cent.

Mr. COOPER of Wisconsin. Then, Mr. Speaker, it conflicts

absolutely with the exception on page 2, in the last two lines of subparagraph (8), which says that-

Aliens under the age of 18 who are children of citizens of the United States-

shall not be considered at all in making up the computation of

Mr. JOHNSON of Washington. Yes; they are merely preferences within the 3 per cent.

Mr. COOPER of Wisconsin. Mr. Speaker, then there is a contradiction, if that is the interpretation the gentleman from Washington puts upon it. Paragraph (a) of section 2, on page 2. says:

That the number of aliens of any nationality who may be admitted under the immigration laws to the United States in any fiscal year shall be limited to 3 per cent of the number of foreign-born persons of such nationality resident in the United States as determined by the United States census of 1910.

And then comes this language:

This provision shall not apply to the following, and they shall not be counted in reckoning any of the percentage limits provided in this act:

\* \* (8) Aliens under the age of 18 who are children of citizens of the United States.

That language takes entirely out of the 3 per cent limitation the alien children of citizens of the United States.

Mr. JOHNSON of Washington. And then follows that when the maximum number of any nationality shall be reached others shall be admitted and not counted. Then come the preferences. Now, while children are clearly exempted, they are still named in the preferences. It can not make any difference.

Mr. COOPER of Wisconsin. On the contrary, I think it can. Until the maximum number of aliens of any nationality who may be admitted has been reached this question of a preference arises.

Mr. JOHNSON of Washington. There is no preference. After that quota is full those who come in are those particularly exempted, and who are named as ministers, actors, lecturers,

admitted notwithstanding the maximum number has been admitted and counted. Those particular limited classes are permitted without a count.

Mr. COOPER of Wisconsin. But by the proviso which I read you give to an official the power to exclude children of citizens. You say in the proviso that children of citizens of the United States may be preferentially treated. You talk in the proviso as if it was a matter of privilege instead of a matter of human right. And yet in subparagraph (8), of (a), in section 2, you expressly exempt aliens under the age of 18 who are children of citizens of the United States.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. COOPER of Wisconsin. Mr. Speaker, I ask for five minutes more.

Mr. JOHNSON of Washington. Mr. Speaker, how much time have I remaining?

The SPEAKER. Thirty minutes.

Mr. JOHNSON of Washington. I yield two minutes to the gentleman from Wisconsin.

Mr. COOPER of Wisconsin. Mr. Speaker, there is an attempt here in proposing preferential treatment for minor children of citizens of the United States not to recognize the fact that a man who is a naturalized citizen has a right to have his minor children with him in this country.

Mr. RAKER. Will the gentleman yield?

Mr. COOPER of Wisconsin. In one moment.

A man who is born a citizen of the United States has the right to have his minor children under his own rooftree. But here is a provision which the House struck out of the original House bill, which in effect permits a representative of the United States Government in a foreign country to say that the minor children of a citizen of the United States may under certain circumstances be excluded. In other words, it is optional with him to vise or not to vise their passports. The law ought without any qualification to provide that minor children-if free from contagious disease and otherwise admissible under the immigration laws of the United States-of citizens of the United States shall be allowed to enter, not that they shall have mere preferential treatment. An alien citizen has all the rights under the Constitution of the United States that you have who are "native and to the manner born."

Mr. RAKER. Will the gentleman yield right there?

Mr. COOPER of Wisconsin. Yes; I yield. Mr. RAKER. Is it not just a little misunderstanding on the gentleman's part? Under the general law the children of a native-born citizen of the United States can come to this country wherever he is.
Mr. COOPER of Wisconsin. Yes.

Mr. RAKER. This provision applies to the children of citizens naturalized, living in a foreign country, and those children are not citizens until they enter the United States.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. COOPER of Wisconsin. I would like to have two minutes to answer that.

Mr. JOHNSON of Washington. Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. Siegel].

The SPEAKER. The gentleman from New York is recognized for 10 minutes.

Mr. SIEGEL. Mr. Speaker, I agree most heartily with what the gentleman from Texas [Mr. Box] has said regarding the urgent necessity of providing a sufficient force on the Texas The entire committee has agreed to that proposition before, and has urged not only a proper force on the Mexican border but also on the Canadian border. But this committee of ours has no power to appropriate. We can recommend, we can urge, we can beg, we can beseech for the proper force, but that is about all that we can do. The troubles described by the gentleman are pretty well known to us. We went into that fully last year, and the Record is full of details showing that thousands and thousands of people crossed both borders without medical examination or any other kind of examination, and are now in Texas and other Southern States, and also in Northern But the responsibility does not rest with our com-States. mittee.

I heard what the gentleman from Wisconsin [Mr. Cooper] said. He is correct in his interpretation, because what is being adopted here is the Senate bill. The Senate bill did not originally have the provision about aliens under the age of 18 or children of citizens of the United States as an excepted class, and therefore the proviso was inserted to the effect that preference shall be given not only to the children but also to the wives of American citizens by naturalization, who themselves singers, nurses, and professors, and so forth. They may be are American citizens by virtue of the naturalization law. There

can be no question about that. A simple reading of the language

establishes my contention.

For the first time in the history of the country we are providing here that no person, no matter how good his character may be, seeking to come here from abroad, suffering from re-ligious persecution, under the terms of our bill as passed here, would have had to establish to the satisfaction of the Secretary of Labor that he was coming here solely to escape religious persecution.

Yet under the terms of this bill as it is presented now to-day such a person can not enter the United States. The same applies so far as political refugees are concerned, and that occurs the moment your 3 per cent is reached, even though he is fit, able, and capable of becoming a full American citizen in the broadest sense of the term. The American consul on the other side says, "You are of the type we want in America, but I can not give you a passport because 3 per cent is about to be reached or has been reached."

We are controlling immigration in two ways now. The Labor Department does not control it. The State Department con-trols it. That department determines how many people shall obtain their visés on the other side, and its officials each month in advance know how many visés will be granted in the coming month on the other side.

There can be no dispute about that, because I put the figures in the Record when this bill was up last month, showing how in certain countries they had granted 245,000 visés during the year 1920 because we had a number of consulates there; the same is true of England, where we granted 89,000, and yet in another country where there had been the greatest kind of suffering as a result of the war, a country where, as Theodore Roosevelt said, the people had undergone more suffering than any other people on the face of the earth, there was granted only 44,000 visés in the entire year.

Mr. RAKER. But notwithstanding that visé there were denied admission during the last year 7,274, and those included persons afflicted with insanity and paupers and professional beggars, and those having tuberculosis, and so forth.

Mr. SIEGEL. I will admit that 7,000 were excluded, but that included those who were being deported, those whose cases were being held up here for quite a time. The Secretary of Labor and his staff are doing all they can to enforce the law strictly. I agree with them in the enforcement of the law, because that is why it is on the statute books. The gentleman's statement simply confirms what I have contended during the entire year. We should have the proper officials who desire to enforce the law, and then we will get it enforced. But that does not do away with this fact, that it is the consular officers on the other side who do determine who shall come here. Any person looking into this question thoroughly knows that to be the fact.

The gentleman from Illinois [Mr. Mason] is right when he says no person can come here except by the will of the Government of the particular country on the other side where he resides, because no person can enter the United States without first obtaining a passport visé from our consul, and if the Government on the other side does not desire that person to

leave that country, he can not leave it without a passport.

I have prepared here the figures of 1919 and 1920, both censuses, which I read. They are as follows:

Country of birth of foreign-born white for continental United States, 1920.

millions provided the second country of the country	United States.	19201	1910
Total foreign-born white, 1920	13,703,987	391,120	355,461
England Sectiand Wales Ireland Norway Sweden Denmark Belgium France (including Alsace-Lorraine) Luxemburg Netherlands Switzerland Germany Poland Austria Hungary Czechoslovakia Ingoslavia Ruthenia Russia	812,414 254,482 67,071 1,035,680 363,599 624,759 189,051 62,648 152,792 112,539 131,262 118,647 1,683,298 1,139,578 37,081 359,285 173,063 3,100 1,398,999	24,873 7,634 2,012 31,070 10,908 18,743 5,672 1,879 4,584 4,584 4,584 1,932 10,779 11,912 10,779 93	277, 205 12,116 19,956 5,449 1,482 3,523 3,624 3,745 75,940 50,117

Country of birth of foreign-born white for continental United States, 1920-Continued.

44 Principal Committee Unique Scriptional International Committee	United States.	1920	1910
Lithuania	135, 139	4.054	west with
Portugal	67, 850	4,054 2,035	1 201
Spain	49, 232	1,479	1,781
Ifaly			
Greece	1,607,458	48, 224	40, 294
Bulgaria	175, 701	5, 271	3,038
	10, 486	315	345
	103,007	3,090	1,978
Turkey, Europe	5,315	159	967
Other Europe	11,541	· 346	1,792
Asia	110, 586	3,318	
Africa.	5, 250	157	
Australia	10,885	327	********
Canada, French	307,681	9,230	
Canada, other	809,455	24, 284	The second
Newfoundland	13,239	397	
Cuba and other West Indies 1	28,024	841	
Mexico.	476,676	14,300	
Central America.	4,082	122	
South America	16,838	505	10 (2 m 2 m 2 m 2 m 2 m 2 m 2 m 2 m 2 m 2
Atlantic islands.	39,003	1,170	
Pacific islands	3,629	109	TO SECURE
Atsea	5,275	168	
Country not specified	3,657	111	*********

1 Except Porto Rice.

Foreign-born white population of the United States: 1920, 1910, and 1900.

	Fore	eign-born v				Increase <sup>1</sup> 1900–1910.	
State.	1920	1910	1900	Num- ber.	Per cent.	Num- ber.	Per
United States.	13,703,987	13,345,545	10, 213, 817	358, 442	2.7	3,131,728	30.
labama	17,662	18,956	14,338	- 1,294	- 6.8	# E10	
rizona	78,099		22,395	31,275	66.8		
rkansas	13,975	16,909	14,186	-2,934	-17.4	24,429 2,723	
difornia		517, 250	316, 505	164, 404	31.8		19.
lorado		126,851	90,475	- 9,897			63.
mnecticut		328, 759	227 206	47,754	- 7.8		
			237, 396 13, 729	9 200	14.5	91, 363	38.
laware			19,520				26.
st. of Columbia		33,842	19, 257	4,197		4,831	24.
orida	43,008	15,072	12,021	9,166			75.
orgia	16,186			1,114	7.4	3,051	25,
sho	38,963	1, 202, 560	21,890				84.
inois	1,204,403	1,202,000	964, 635		.2	237, 925	
diana	150, 868					- 32,298	12.
wa	225,647	273, 484			-17.5		-10.
msas	110,578			-24,612		8,613	
mtucky	30,780	40,053	50,133				-20.
misiana	44, 871	51,782					+ .
ine	107, 390			-2,833			18,
aryland	102,148	104, 174	93,144	- 2,026		11,030	11.
assachusetts	1,077,072	1,051,050		26,022	2.5	-210,936	25.
chigan	726, 214	595, 524		130,690	21.9	55, 328	10.
nnesota	485, 261	543,010 9,389	504, 935	-57,749	-10.6	38,075	7.
ssissippi	8,019	9,389	7,625	-1,370	-14.6	1,764	23.
ssouri	185,893			-43,003	-18.8	13, 121	6.
ontana	93,447	91,644	62,373	1,803	2.0	29, 271	46.
braska	149,652		177,117	-26,213		- 1 252	315
vada	14,802	17,999	8, 581	-3,197	-17.8	9,418	109
w Hampshire	91, 154	96, 558	87,961	-5,404	- 5.6	8,597	9.
w Jersey	738, 761	658, 188	430,050	80,573			
w Mexicow York	29,077	22,654	13, 261	6,423	28. 4		
w York	2,783,773	2,729,272	1,889,523	54, 501	2.0	839,749	
rth Carolina	7,099	5,942	4,394	1, 157	19.5	1.548	
rth Dakota	131, 486	156, 158 597, 245	112,590	-24,672	-15.8	43,568	
io	678, 647	597, 245	457, 900	81,402	13.6		
dahoma 1	39, 951	40,084	20, 390	- 133	3	19,694	96.
egon	102, 149	103,001	53, 861	- 852		49,140	91.
nnsylvania	1,387,298	1, 438, 719	982, 543	-51,421			46.
iode Island	173, 366	178, 025	133,772	- 4,659	-2.6	44, 253	33.
uth Carolina	6, 401	6,054	5, 371	347	5.7	683	
uth Dakota	6, 401 82, 372	100,628	88, 329	-18,256	-18.1	12, 299	П3.
nnessee	15, 479	18, 459	17,586	-2,980	-16.1	873	5.
xas	360, 071	239, 984	177, 581	120, 087	50.0		35.
ah	56, 429	63, 393	52, 804	-6,964	-11.0		
rmont	44, 499	49, 861	44,694	-5,362			11.
rginia	30, 784	26, 628	19,068				39.
ashington	249, 818	241, 197	102, 125		3.6		
est Virginia	61, 899	57,072	22, 379	4, 827	8.5	34,693	155.
sconsin	459,904	512, 569	515, 705	-52,665		- 3,136	100.
yoming	25, 243			- 1,875			

<sup>1</sup> A minus sign (—) denotes decrease. <sup>2</sup> Includes population of Indian Territory for 1900.

My friend from California [Mr. RAKER], who is always very much excited in regard to immigration at all times and places, whether he is in either Washington, California, New York, or elsewhere, was horrified when I said we should use the 1920 census as a basis for our calculations. It must astonish the gentleman that it should be proposed that the 1920 census should be used. That would have shown less than 355,000 people coming into the United States. The total of foreignborn was 13,703,987, which includes Canada and Mexico. You had approximately one million and some odd thousand from Canada, 13,000 from Newfoundland, 16,000 from Mexico, and some thousands from the South American countries. had taken the census of 1920 as a basis, we would have been fairer and squarer than we are by simply saying we will adopt the census of 1910. My friend from California thinks he is always right and never wrong. In this respect he is absolutely wrong, because the figures tell the other story, and I hope he will concede it this trip. [Laughter.]

Now, Mr. Speaker, this bill did not have the approval of the

conferees in the fullest sense of the term, but it is the only kind of legislation which, in the excitement, hysteria, and turmoil of the time, they feel they can possibly put through. The bill does not do justice, and in their hearts and souls they know

it does not. Mr. BEGG. To whom is the injustice done by this bill? Mr. SIEGEL. Injustice is done to thousands of American boys who fought on the other side, who will not be able to bring over to this country either their parents or their small brothers

Mr. BEGG. Does not this bill place them in the specially

preferred class?

Mr. SIEGEL. Oh, no, for this reason: You limit the number to approximately 23,000 from Poland, when there are 55,000 requests from boys who fought for us in the World War, and by your attempted preference you force the American consuls on the other side to try to make a choice and a discrimination between soldier boys who fought for us. This is not justice, and the American people will soon say so, for they want to be fair and humane to all.

Mr. JOHNSON of Washington. I yield 10 minutes to the

gentleman from Illinois [Mr. Sabath].

Mr. SABATH. Mr. Speaker and gentlemen, I agree with the gentleman from California that there is a certain demand for this legislation, but it is due to the fact that a prejudice has been created by the professional restrictionists among people who have not studied the immigration question. I do not agree with the gentleman, however, that the farmers of this country desire this legislation, or that they are clamoring for restric-tions. Just the opposite is true, because last year and even this year we have had many gentlemen here from Texas, Colorado, California, and other States, requesting, demanding, and insisting that relief be granted them, and that we should suspend the literacy test, and that we should not further restrict immigration, so that they could get enough labor to enable them

properly to work and take care of their farms.

Mr. Speaker, I am inclined to believe that if all of the gentlemen had studied this bill as carefully as the gentleman from Wisconsin [Mr. Cooper] has, they would hesitate a long, long while before they would cast their votes for this conference report. Somehow or other no one seems to realize and appreciate how far-reaching this bill is. The gentleman from Wisconsin [Mr. Cooper] tried to the best of his ability within the seven minutes that he had to point out that you are willfully and deliberately legislating against American citizens, and that you give preference to many aliens and permit them to come but you draw the line against the American citizen. If the gentleman from California [Mr. RAKER] and the chairman of the committee [Mr. Johnson of Washington] have copies of the bill before them, I wish they would turn to page 2 of the report, where they will observe that we exempt from the operation of the 3 per cent, in the first place, Government officials, and so on; in the next place, aliens who are in continuous transit through the United States; third, aliens lawfully admitted to the United States who later go in transit from one part of the United States to another through foreign contiguous territory; fourth, aliens visiting the United States as tourists or temporarily for business or pleasure; fifth, aliens from countries immigration from which is regulated in accordance with treaties or agreements relating solely to immigration.

These classes you exempt from the 3 per cent, which means that you exempt the Japanese and the Chinese. They can come in, notwithstanding the 3 per cent, because you deliberately ex-

empt them.

Mr. MASON. They can come in.
Mr. SABATH. Yes; they can come in. There is no limitation in this bill. Sixth, you admit aliens from the so-called Asiatic barred zone. Who are they that they shall be exempted? Seventh, aliens who have resided continuously for at least one year immediately preceding the time of their admission to the United States in the Dominion of Canada, Newfoundland, the Republic of Cuba, the Republic of Mexico, countries of Central or South America, or adjacent islands. You also exempt from the operation of the 3 per cent those who desire to come from Canada; yes, and from Mexico. But you say that the wives, the

brothers, the sisters, the fathers, and the children of American citizens can not come in after the 3 per cent has been reached.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Washington. Mr. JOHNSON of Washington. The gentleman stopped at the end of 7 and did not read 8, and 8 permits the entrance of aliens under the age of 18 who are children of citizens of the United States

Mr. SABATH. Oh, the children under 18. I stand corrected as to that. But here on page 3 you provide further that in the enforcement of this act preference shall be given, so far as possible, to the wives, parents, brothers, sisters, children under 18 years of age, and financées of citizens of the United States, of aliens now in the United States who have applied for citizenship in the manner provided by law, or of persons eligible to United States citizenship who served in the military or naval forces of the United States at any time between April 6, 1917, and November 11, 1918. You say they shall have preference; that is, if they will make their applications within that time and before the 3 per cent limit is reached. But when the 3 per cent limit has been reached none of these people can come, while the first class that I have designated can come, notwithstanding the fact that the 3 per cent limit has been reached. Now, that is manifestly unjust and unfair. I am sure that if you gentlemen would study the bill as carefully as I and as the

Mr. Speaker, it has been stated by the chairman of our committee, the gentleman from Washington [Mr. Johnson], and by others that this is only a temporary measure and that within six months the committee will be ready with a permanent immigration bill, which will be more stringent than this meas-May I inquire how much further the gentleman from Washington and the other members of the committee contemplate going? Mr. Speaker and gentlemen, I am thoroughly familiar with the view of some of the gentlemen of the committee and I realize what their aims are and that they would not hesitate a moment to close permanently and completely our doors to immigration and build, if possible, a Chinese wall

gentleman from Wisconsin [Mr. Coopen] has studied it, and who has pointed out these defects in the bill, I know, in justice

to yourselves, to these deserving men, and to our country, you

around our country.

could not vote for this bill.

It is to them that I wish to state that I firmly believe that this great Nation of ours will never tolerate any such foothardy proposition. On the contrary, in lieu of them bringing in a more stringent bill than this they will be compelled by public opinion, long before this act expires, to repeal it and to bring in a fair and humane immigration bill, because the American people will shortly realize that Congress and others clamoring for this legislation have been imposed upon by false and misleading reports, and in place of having millions unemployed the country will clamor for labor, not only the farmer in the West and in the South but the manufacturer, the mill owner, and many industries all over the United States will be appealing to us for relief.

But I realize that it matters not what I may say or how defective this bill is. Owing to the prejudice that now exists, this measure will become a law. But nevertheless I feel it my duty to point out to you the erroneous and unjustifiable provisions of

Mr. RAKER. The gentleman is familiar with the immigration law?

Mr. SABATH. Yes; in a measure. Mr. RAKER, I would like to ask the gentleman if it is not a fact that the child of an American-born citizen or the child of a naturalized citizen who has resided in this country can come to this country irrespective of this bill or any legislation?

Mr. SABATH. Then why do you put the provisions in this

bill?

Mr. RAKER. For the reason that under section 5 of the immigration act of March 2, 1907, it provides:

SEC. 5. That a child born without the United States of alien parents shall be deemed a citizen of the United States by virtue of the naturalization of or resumption of American citizenship by the parent: Provided, That such naturalization or resumption takes place during the minority of such child: And provided further, That the citizenship of such minor child shall begin at the time such minor child begins to reside permanently in the United States.

Mr. SABATH. In the United States there are thousands of these cases—children of American citizens who do not reside as yet in the United States, but who desire to come and reside bere, but who had no chance or opportunity as yet to come to the United States. It is for that reason I say it is a mistake that you do not exempt from the operation of this law the children of American naturalized citizens. The provision that the gentleman has read shows that my contention is correct.

Now, Mr. Speaker and gentlemen, this bill will preclude the reunion of families. During the war there were thousands of now American citizens who became American citizens during the war while serving in our Army, Navy, and Marine Corps who as yet have been unable to send for their wives or children who are still over there. They are clamoring day after day, appealing to the Department of State and the Immigration Department to secure visés for them so that they may come. I give you my word as a man that I have at least 100 applications of American citizens who served our country during the war who are appealing to me and pleading that I aid them in securing visés for their families to enable them to bring them here. This bill makes it absolutely impossible for any of them to come if the 3 per cent limit is reached before the applications which they have filed are acted upon. It is for that reason that I believe the conference report should be defeated.

Mr. Speaker, some well-inclined men who feel as I do, that we make good our promises to our boys whom we encouraged to enlist and fight for our country, inquire why have they not brought their wives and children over to this country before this time To them I wish to say, because they had no opportunity of doing so. A great majority of the 400,000 aliens who served our country during the war in the Army, Navy, and Marine Corps volunteered, and the balance refused to claim exemption from service, resided in the United States only a few short years, coming here during the years 1910 to 1914, and due to economic conditions in 1913 and 1914 they were unable to send for their wives and children and were vented from doing so after the outbreak of the war in 1914, Two hundred and fifty-six thousand of these aliens serving in our armed forces during the war became naturalized citizens. Very few of these 400,000 were officers, and consequently they had very little left from their pay as privates. Many of them after being released from the service were unable to secure immediate employment, and consequently have been unable to send for their wives and children, saying nothing about their parents and younger brothers and sisters, and even those who found opportunity to accumulate sufficient sums to send for them have been unable in many instances to secure passports from the country of their birth, and in many other instances where passports have been obtained they have been unable to secure the vise of the passports by our consular representatives. Those are the reasons why there are still so many of the wives and children of our service men waiting to be reunited with their fathers and their husbands, which this bill makes impossible.

My colleague, the gentleman from Illinois [Mr. Mason] has inquired whether it will be possible, under the provisions of this bill, to admit political or religious refugees. As I stated before, under the House bill those who could prove to the satisfaction of the proper immigration officer and to the Secretary of Labor that they are actually subjects of religious persecution of the country of their last permanent residence and are seeking admission to the United States solely to avoid the suffering or hardship included in such persecution could come. But the conferees have struck out this provision, and for the first time in the history of our Nation we are going to refuse a haven of refuge to the unfortunate peoples who are persecuted, tortured, and massacred because they believe in worshiping God in accordance with the teachings of their fathers and a class of people who at all times look to this great country of ours for refuge.

Oh, gentlemen, if a similar law were enacted in the seventeenth, eighteenth, or nineteenth centuries, the Huguenots and the Pilgrim Fathers would have been debarred from the shores of this land. Yes, I regret, my colleagues, that they can not come, nor can the political refugee come under the provisions of this bill, or even under our present and still enforced wartime legislation, which has conveniently been extended in the interest, as it appears to me, to the remaining rulers of Europe, as under the passport regulations, even without this legislation, anyone guilty of less majesty would naturally be refused a passport, and without the sanction of the king no passport would be issued him, and without a passport he can not enter the United States.

The House bill had one other reasonable provision which exempted from the 3 per cent resident aliens of the United States who returned from a temporary visit abroad; but that provision has been eliminated and they therefore will be counted in the 3 per cent limit. So the bill is the same harsh measure that passed the Senate in the Sixty-sixth Congress and which was properly pocket vetoed by President Wilson.

Mr. Speaker, before I conclude I can not help but state to the gentleman from Texas [Mr. Box] and to the gentleman from Washington [Mr. Johnson], who are so fearful of the Mexican

immigration, why have you exempted Mexico from the operation of this bill? Do you consider Mexican labor more reliable than the European labor? Personally I am of the opinion that you can not justly entertain that belief because nearly all of those who have pleaded for relief and for the suspension of the literacy test to secure Mexican labor claimed they could not secure Europe labor. The gentleman from California [Mr. RAKER] has also laid great stress on the fact that over 7.000 immigrants have been deported or debarred in the last 60 days, which again proves what I have maintained at all times, that if the present immigration laws were efficiently administered immigration could be reduced and that no undesirables or trouble makers could possibly enter our gates, and there could be no possible excuse for this hasty, ill-considered, discriminatory, and un-American legislation.

Mr. JOHNSON of Washington. Mr. Speaker, I yield three minutes to the gentleman from Wisconsin [Mr. Cooper].

Mr. COOPER of Wisconsin. Mr. Speaker, I have asked for time for the purpose of again pointing out what I think is a clear contradiction in the terms of this conference report. On page 2 it is provided in exception 8 that "aliens under the age of 18 who are children of citizens of the United States" shall not be counted. That is, alien children. I have a constituent, a naturalized citizen, who has a wife and daughters, one 10 and one 14 years of age, in Poland. The mother ded from exposure, wandering about in the Ukraine. They can not come to this country, although he has been a citizen for four years.

Mr. JOHNSON of Washington. Why can not be come?
Mr. COOPER of Wisconsin. Wait a moment. By the proviso on page 3 it is—

Provided further, That in the enforcement of this act preference shall be given, so far as possible, to the wives, parents, brothers, sisters, children under 18 years of age, and flancees of citizens of the United States.

That is, not only alien minor children but all minor children of citizens of the United States.

Mr. JOHNSON of Washington. A child born over the seas is not a citizen of the United States. If the gentleman will get that in his mind, it will make things as clear as the skies.

Mr. COOPER of Wisconsin. I see no clearing up when one section provides an absolute exemption, and says that the law shall not apply to alien children under 18 years of age of citizens of the United States, and the next section provides—

that in the enforcement of this act preference shall be given, so far as possible, to children under 18 years of age of citizens of the United States.

One section provides an absolute right, the other only preferential treatment "so far as possible."

Mr. JOHNSON of Washington. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question now is on agreeing to the conference report.

Mr. MASON. Mr. Speaker, I suggest the absence of a quorum. The SPEAKER. The gentleman from Illinois makes a point of no quorum. The Chair will count. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and as many as are in favor of agreeing to the conference report will, when their names are called, say "aye," and those opposed "no." The Clerk will call the roll.

The question was taken; and there were—yeas 276, nays 33, answered "present" 1, not voting 120, as follows:

# YEAS-276.

Dallinger Darrow Davis, Minn. Davis, Tenn. Dempsey Denison Dickinson Ackerman Bulwinkle Foster Almon Andrews Frear French Frothingham Fulmer Burroughs Burtness Arentz Aswell Atkeson Bankhead Burton Butler Fulmer Garnert, Tenn. Garrett, Tex. Gernerd. Good Goodykoontz Graham, III. Green, Iowa Griest Hadley Byrnes, S. C. Byrns, Tenn. Cable Cannon Barbour Beck Doughton Beedy Cantrill Dowell Begg Bell Benham Drane Carter Chalmers Chandler, Okla Chindblom Drewry Driver Bixler Dunbar Black Blakeney Bland, Ind. Bland, Va. Christopherson Clarke, N. Y. Clouse Hadley Hammer Hardy, Colo. Harrison Dupré Dyer Echols Cole Collins Colton Elliott Elston Hawley Hayden Blanton Evans Fairchild Fairfield Boies Bowling Conton Connally, Tex. Connell Connolly, Pa. Cooper, Ohio Coughlin Hays Herrick Hersey Himes Box Brand Faust Briggs Brooks, Ill. Brooks, Pa. Brown, Tenn. Fess Fisher Hoch Crisp Fitzgerald Houghton Huddleston Curry Focht

Hudspeth	Linthieum	Olpp	Sproul
Hull	Little	Osborne	Stafford
Humphreys	Logan	Overstreet	Steagall
Husted	Longworth	Padgett	Stedman
Ireland		Park, Ga.	Steenerson
James, Mich.		Parker, N. J.	Stephens
James, Va.	Luhring	Parker, N. Y.	Stevenson
Jefferis	Lyon	Parks, Ark.	Strong, Kans.
Johnson, Ky.	McArthur	Parrish	Summers, Wash.
Johnson, Miss.		Patterson, Mo.	Sumners, Tex.
Johnson, S. Dak.	McClintie	Porter	Swank
Johnson, Wash.	McCormick	Pou	Sweet
	McDuffie	Pringey	Swing
Iones, Pa.	McFadden		Taylor, N. J.
Jones, Tex.		Purnell	Temple
Kearns	McLaughlin, Mich	Quin	Thomas
Keller	McSwain	Radcliffe	Tillman
Kelly, Pa.	Madden	Raker	Timberlake
Ketcham	Magec	Ramseyer	Tyson
Kincheloe	Mapes	Rankin	Underhill
King	Martin	Rayburn	Vinson
Kirkpatrick	Merritt	Reavis	
Kissel	Michener	Reber	Volgt
Kleczka	Miller	Reece	Volstend
Kline, N. Y.	Mills	Reed, N. Y.	Walters
Kline Pa.	Millspaugh	Rhodes	Wason
Knutson	Montague	Ricketts	Watson
Kopp	Montoya	Roach	Weaver
Kraus	Moore, Ill.	Robertson	Webster
Kunz	Moore, Ohio	Robsion	White, Kans.
Lampert	Moore, Va.	Rouse	Williamson
Langley	Morgan	Sanders, Ind.	Wilson
Lanham	Mott	Sanders, Tex,	Wingo
Lankford	Murphy	Sandlin	Winslow
Larsen, Ga.	Nelson, A. P.	Schall	Wood, Ind.
Lawrence	Nelson, J. M.	Scott, Tenn.	Woodruff
Layton	Newton, Minn.	Shaw	Woods, Vn.
Lazaro	Newton, Mo,	Shelton	Woodyard
	Norton Norton	Sinnott	Wright
Lea, Calif.	O'Connor	Smith	Wurzbach
Leatherwood	Ogden	Smithwick	Yates
Lee, Ga.			Young
Lehlbach	Oldfield	Snell	Zihlman
Lineberger	Oliver	Speaks	Zillinan

NAYS-33.

Tague Ten Eyck Tilson Vare Walsh Chandler, N. Y. Cooper, Wis. Cullen Greene, Mass, Griffin Hardy, Tex, Mason Mead Moores, Ind, O'Brien Rainey, III, Riordan Edmonds Favrot Fenn Hawes Hill Hogan Kindred Ward, N. C. Freeman Gensman Glynn Ryan Sabath London MacGregor Siegel

ANSWERED "PRESENT "-1.

### Collier

# NOT VOTING-120.

Anderson	Ellis	Kreider	Rucker
Ansorge	Fields	Larson, Minn.	Sanders, N. Y.
Anthony	I'ish	Lee, N. Y.	Scott, Mich.
Appleby	Flood	Lufkin	Sears -
Bacharach	Fordney	McLaughlin, Neb	r.Shreve
Barkley	Free	McLaughlin, Pa.	Sinclair
	Fuller	McPherson	Sisson
Bird	Funk	Maloney	Slemp
Bond	Gahn	Mann	Snyder
Bowers	Gallivan	Mansfield	Stiness
Brennan	Gilbert	Michaelson	Stell
Brinson		Mondell	Strong, Pa.
Britten	Goldsborough	Morin	Sullivan
Browne, Wis.	Gorman	Mudd	Taylor, Colo.
Buchanan	Gould	Nolan	Taylor, Tenn.
Burdick	Graham, Pa.		
Burke	Greene, Vt.	Paige	Thompson
Campbell, Kans.	Haugen	Patterson, N. J.	Tincher
Campbell, Pa.	Hickey	Perkins	Tinkham
Carew	Hicks	Perlman	Towner
Clague	Hukriede	Peters	Treadway
Clark, Fla.	Hutchinson	Petersen	Upshaw
Classon	Jacoway	Rainey, Ala.	Vaile
Cockran	Kahn	Ransley	Vestal
Codd	Kelley, Mich.	Reed, W. Va.	Volk
Copley	Kendall	Riddick	Ward, N. Y.
Cramton	Kennedy	Rødenberg	Wheeler
Crowther	Kiess	Rogers	White, Me.
Dale	Kinkaid	Rose	Williams
Deal	Kitchin	Rosenbloom	Wise
Dunn	Knight	Rossdale	Wyant

So the conference report was agreed to.

The Clerk announced the following additional pairs;

On this vote:

Mr. THOMPSON (for) with Mr. Gallivan (against).
Mr. Michaelson (for) with Mr. Cockran (against).
Mr. Paige (for) with Mr. Volk (against).
Mr. Valle (for) with Mr. Perlman (against).

Mr. HUKRIEDE (for) with Mr. Ansoege (against).

Mr. Sisson (for) with Mr. Rossdale (against). Mr. McPherson (for) with Mr. Sullivan (against). Mr. Hickey (for) with Mr. Carew (against).

Until further notice:

Mr. TREADWAY with Mr. COLLIER.

Mr. BACHARACH with Mr. SEARS. Mr. RODENBERG with Mr. FLOOD.

Mr. TINCHER with Mr. MANSFIELD.

Mr. WHEELER with Mr. BARKLEY,

Mr. FORDNEY with Mr. KITCHIN.

Mr. Bowers with Mr. Jacoway. Mr. FREE with Mr. TAYLOR of Colorado.

Mr. SHREVE with Mr. GOLDSBOROUGH.

Mr. LUFKIN with Mr. FIELDS.

Mr. Graham of Pennsylvania with Mr. Buchanan.

Mr. MORIN with Mr. WISE.

Mr. Towner with Mr. Brinson. Mr. Williams with Mr. Urshaw.

Mr. WYANT with Mr. LARSEN.

Mr. WHITE of Maine with Mr. RUCKER.

Mr. KREIDER with Mr. STOLL.

Mr. Kiess with Mr. Campbell of Pennsylvania.

Mr. HUTCHINSON with Mr. DEAL.

Mr. Patterson of New Jersey with Mr. Gilbert,

Mr. Ellis with Mr. Clark of Florida. Mr. Rogers with Mr. RAINEY of Alabama.

Mr. COLLIER. Mr. Speaker, I voted "yea." I have a pair with the gentleman from Massachusetts, Mr. Treadway. I wish to withdraw my vote of "yea" and answer "present."

The name of Mr. Collier was called, and he answered

"Present."

The result of the vote was announced as above recorded. On motion of Mr. Johnson of Washington, a motion to reconsider the vote by which the conference report was agreed

to was laid on the table.

#### EXTENSION OF REMARKS.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the Record. Is there objection. [After a pause.] The Chair hears none.

#### ADJOURNMENT.

Mr. JOHNSON of Washington. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 45 minutes p. m.) the House, under its previous order, adjourned to meet on Monday. May 16, 1921, at 12 o'clock noon.

# EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows

128. A letter from the Secretary of War, transmitting itemized report of audit of accounts of the American National Red Cross for the fiscal year ending June 30, 1920; to the Committee on Foreign Affairs.

### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bils and resolutions were severally reported from committee, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. KINKAID, from the Committee on Irrigation of Arid Lands, to which was referred the bill (H. B. 4596) to provide for the disposal of certain waste and drainage water from the Rio Grande project, New Mexico-Texas, reported the same with amendments, accompanied by a report (No. 66), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. APPLEBY, from the Committee on Banking and Currency, to which was referred the bill (H. R. 5749) to amend the act approved December 23, 1913, known as the Federal reserve act, reported the same without amendment, accompanied by a report (No. 67), which said bill and report were referred to the House Calendar.

Mr. LITTLE, from the Committee on Revision of the Laws, to which was referred the bill (H. R. 12) to consolidate, codify, revise, and reenact the general and permanent laws of the United States in force March 4, 1919, reported the same without amendment, accompanied by a report (No. 68), which said bill and report were referred to the House Calendar.

## CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 5968) for the relief of Maud Sheffey, and the same was referred to the Committee on War Claims.

# PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CLOUSE: A bill (H. R. 6197) to provide for the purchase of a site and the erection of a United States reforma-tors prison in connection with a farm; to provide for the im-prisonment and employment of certain United States prisoners, and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 6198) authorizing the erection of a public building in the city of Livingston, in the State of Tennessee;

to the Committee on Public Buildings and Grounds.
Also, a bill (H. R. 6199) authorizing the erection of a public building in the city of Dayton, in the State of Tennessee; to the Committee on Public Buildings and Grounds.

By Mr. KLINE of Pennsylvania: A bill (H. R. 6200) to authorize the provision of accommodations for the United States courts in the Federal building at Sunbury, Pa., and to increase the limit of cost for said building accordingly; to the Committee on Public Buildings and Grounds.

By Mr. LEATHERWOOD: A bill (H. R. 6201) to exclude certain alien immigrants from the United States; to the Com-

mittee on Immigration and Naturalization.

By Mr. MONTOYA: A bill (H. R. 6202) to provide for the enlargement of the United States Federal building at Albuquerque, N. Mex.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6203) to appropriate the sum of \$2,026.44 to reimburse the city of Albuquerque, State of New Mexico, for paving done around the Federal building in said city; to the

Committee on Appropriations.

By Mr. PRINGEY: A bill (H. R. 6204) to grant the military target range of Lincoln County, Okla., to the city of Chandler, Okla., and reserving the right to use for military and aviation purposes; to the Committee on the Public Lands.

By Mr. SMITH: A bill (H. R. 6205) to amend section 177 of

the Judicial Code; to the Committee on the Judiciary.

By Mr. EDMONDS: A bill (H. R. 6206) to amend the act entitled "An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea," approved March 4, 1915; to the Committee on the Merchant Marine and Fisheries.

By Mr. KALANIANAOLE: A bill (H. R. 6207) to amend an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended, to establish a Hawaiian homes commission, and for other purposes; to

the Committee on the Territories.

Also, a bill (H. R. 6208) to authorize and provide for the manufacture, maintenance, distribution, and supply of electric light and power within the district of Hamakua, on the island and in the county of Hawaii, Territory of Hawaii; to the Committee on the Territories.

Also, a bill (H. R. 6209) to authorize and provide for the manufacture, maintenance, distribution, and supply of electric current for light and power, within the district of Hana, on the island and in the county of Maui, Territory of Hawaii; to the

Committee on the Territories.

Also, a bill (H. R. 6210) to amend section 2 of an act entitled "An act to ratify, approve, and confirm sections 1, 2, and 3 of an act duly enacted by the Legislature of the Territory of Hawaii relating to the board of harbor commissioners of the Territory, as herein amended, and amending the laws relating thereto," approved March 28, 1916; to the Committee on the Territories.

Also, a bill (H. R. 6211) to ratify, approve, and confirm an act duly enacted by the Legislature of the Territory of Hawaii entitled, "An act to amend an act entitled 'An act to authorize and provide for the construction, maintenance, and operation of a street railway or railways in the district of Honolulu, island of Oahu,' enacted by the Legislature of the Republic of Hawaii, July 7, 1898, and granting a franchise to the Honolulu Rapid Transit & Land Co. to operate a street railway in the district of Honolulu, providing for the operation of the same, and providing for the purchase of the same by the city and county of Honolulu"; to the Committee on the Territories.

By Mr. DALLINGER: A bill (H. R. 6212) to amend the Revised Statutes of the United States relative to proceedings

in contested-election cases; to the Committee on Elections

By Mr. RYAN: A bill (H. R. 6213) to amend the revenue act of 1918 in relation to the estates of soldiers and sailors who were killed or died in the service; to the Committee on Ways and Means.

By Mr. KLINE of New York: A bill (H. R. 6214) authorizing the distribution of abandoned or forfeited tobacco, snuff, cigars, or cigarettes to hospitals maintained by the United States for the use of present or former members of the military or naval forces of the United States; to the Committee on Ways and Means.

By Mr. VOIGT: A bill (H. R. 6215) to amend an act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes, approved June 30, 1906, as amended; to the Committee on Agriculture.

By Mr. WURZBACH: A bill (H. R. 6216) directing the War Department to cancel claim for certain property furnished the Texas National Guard; to the Committee on Military Affairs. By Mr. KISSEL: Joint resolution (H. J. Res. 118) proposing

an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. STRONG of Kansas: Concurrent resolution (H. Con. Res. 17) creating a joint commission to be known as the joint commission of agricultural inquiry; to the Committee on Rules.

By Mr. REBER: Resolution (H. Res. 91) authorizing a clerk for the Committee on Mileage; to the Committee on Accounts.

### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEGG: A bill (H. R. 6217) authorizing the Secretary of War to donate to the town of Bettsville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CHALMERS: A bill (H. R. 6218) granting a pension to Hester Tracy; to the Committee on Invalid Pensions.

By Mr. CLOUSE: A bill (H. R. 6219) to remove the charge of desertion standing against the name of George W. Raney; to

the Committee on Military Affairs.

Also, a bill (H. R. 6220) authorizing the Secretary of War to donate to the city of Davidson, Tenn., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GILLETT: A bill (H. R. 6221) for the relief of Francis M. Atherton; to the Committee on Military Affairs.

Also, a bill (H. R. 6222) for the relief of the widow of Warren V. Howard; to the Committee on Military Affairs.

By Mr. GOULD: A bill (H. R. 6223) for the relief of New

York State; to the Committee on War Claims.

By Mr. HAMMER: A bill (H. R. 6224) authorizing the Secretary of War to donate to the city of Jonesboro, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6225) authorizing the Secretary of War to donate to the city of Randleman, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military

Affairs.

Also, a bill (H. R. 6226) authorizing the Secretary of War to donate to the city of Asheboro, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6227) authorizing the Secretary of War to donate to the city of Sanford, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military

Also, a bill (H. R. 6228) authorizing the Secretary of War to donate to the city of Thomasville, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Af-

Also, a bill (H. R. 6229) authorizing the Secretary of War to donate to the city of Hamlet, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6230) authorizing the Secretary of War to donate to the city of Yadkinville, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Af-

Also, a bill (H. R. 6231) authorizing the Secretary of War to donate to the city of Rockingham, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Af-

Also, a bill (H. R. 6232) authorizing the Secretary of War to donate to the city of Lexington, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Af-

Also, a bill (H. R. 6233) authorizing the Secretary of War to donate to the city of North Wilkesboro, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs

Also, a bill (H. R. 6234) authorizing the Secretary of War to donate to the city of Ramseur, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Af-

Also, a bill (H. R. 6235) authorizing the Secretary of War to donate to the city of Monroe, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Af-

Also, a bill (H. R. 6236) authorizing the Secretary of War to donate to the city of Troy, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6237) authorizing the Secretary of War to donate to the city of Liberty, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Af-

Also, a bill (H. R. 6238) authorizing the Secretary of War to donate to the city of Wadesboro, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6239) authorizing the Secretary of War to donate to the city of Wilkesboro, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military

By Mr. KALANIANAOLE: A bill (H. R. 6240) for the relief of Fred L. Waldron, Limited; to the Committee on Claims.

Also, a bill (H. R. 6241) to correct the military title of Fred

Nugent; to the Committee on Military Affairs. By Mr. LAMPERT: A bill (H. R. 6242) granting a pension to

Clara Jackson; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 6243) granting a pension to Patient Wilder; to the Committee on Invalid Pensions.

By Mr. MADDEN: A bill (H. R. 6244) for the relief of the

heirs of Andrew Allmann; to the Committee on Claims.

By Mr. NEWTON of Missouri: A bill (H. R. 6245) for the relief of Dr. O. H. Tittmann, former Superintendent of the United States Coast and Geodetic Survey; to the Committee on Interstate and Foreign Commerce.

By Mr. PORTER: A bill (H. R. 6246) granting a pension to

Elizabeth Denges; to the Committee on Invalid Pensions.
Also, a bill (H. R. 6247) granting a pension to Josephine
McCready; to the Committee on Invalid Pensions.

By Mr. ROSENBLOOM: A bill (H. R. 6248) granting a pension to Kate Thomas; to the Committee on Pensions.

By Mr. SMITH: A bill (H. R. 6249) granting an increase of pension to Charles McClaren; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6250) for the relief of the Chicago, Milwaukee & St. Paul Railway Co.; the Chicago, St. Paul, Minneapolis & Omaha Railway Co.; and the St. Louis, Iron Mountain & Southern Railway Co.; to the Committee on Claims.

By Mr. SNELL: A bill (H. R. 6251) for the relief of Leo Balsam; to the Committee on Claims.

By Mr. STAFFORD: A bill (H. R. 6252) granting a pension

to August M. Wehe; to the Committee on Invalid Pensions. By Mr. WATSON: A bill (H. R. 6253) granting a pension to John Prickett; to the Committee on Invalid Pensions.

# PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid

on the Clerk's desk and referred as follows:

674. By Mr. APPLEBY: Petition of the Lions' Club of New Brunswick, N. J., favoring protective tariff on eggs and poultry; also petition from citizens of New Jersey, praying for the repeal of the 10 per cent tax on yachts; to the Committee on Ways and Means.

675. By Mr. ARENTZ: Petition of the Women's Auxiliary, Post No. 11, American Legion, Gardnerville, Nev., urging relief for disabled soldiers; to the Committee on Interstate and Foreign Commerce.

676. By Mr. BURTON: Petition of the Ohio Women's Christian Temperance Union, Columbus, Ohio, praying for the passage of House bill 5033; also indorsing prohibition; to the Com-

mittee on the Judiciary.

677. By Mr. BURTNESS: Petitions of Council of American Association for the Recognition of the Irish Republic and State Council of American Association for the Recognition of the Irish Republic, representing thousands of citizens of North Dakota, protesting against the United States joining the international council with England while she is engaged in murderous repression of liberty in Ireland; also petition of citizens of Williston, N. Dak., urging recognition of the Irish republic; to the Committee on Foreign Affairs.

678. By Mr. COCKRAN: Petition of the Edward I. Tinkham Post, No. 598, American Legion, urging relief for the disabled soldiers, etc.; to the Committee on Interstate and Foreign Com-

679. By Mr. CONNOLLY of Pennsylvania: Petitions from the Second Girard Avenue Building Association and the Concrete Building and Loan Association, both of Philadelphia, Pa., urging exemption from taxation of annual incomes from building and loan associations to the extent of \$500; to the Committee on Ways and Means.

680. Also, petition from the Hermann Building and Loan Association, No. 1, of Philadelphia, Pa., urging exemption from taxation of annual incomes from building and loan associations to the extent of \$500; to the Committee on Ways and Means.

681. Also, petition from the Lessing Building Association, of Philadelphia, Pa., urging exemption from taxation of incomes from building and loan associations to the extent of \$500; to the Committee on Ways and Means.

682. By Mr. CURRY: Petition of Sacramento Post, No. 61, Sacramento; Lodi Post, No. 22, Lodi; Sacramento H gh Chapter, No. 31, A. F. of T., Sacramento; and the Richmond Chapter of War Mothers, Richmond, all in the State of California, urging relief for the soldiers disabled by the war, etc.; to the Committee on Interstate and Foreign Commerce.

683. Also, petition of the Earl Fruit Co., of Sacramento, and the California Grape Protective Association, and California Grape Growers' Exchange, of San Francisco, all in the State of California, favoring the purchase by the Government of the experimental vineyards at Fresno and Oakville; to the Committee on Agriculture.

684. By Mr. DALLINGER: Petition of Women's Auxiliary of Post No. 15, American Legion, Stoneham, Mass., urging relief for the disabled soldiers, etc.; to the Committee on Interstate and Foreign Commerce.

685. By Mr. FENN: Petitions of Americans of Ukrainian ancestry, and the veterans of the World War of the same ancestry, of Glastonbury, Conn., relative to conditions now existing in Galicia, etc.; to the Committee on Foreign Affairs. Also petition of the Seicheprey Post, No. 2, American Leg on, and the women's auxiliary of the same post, and the Rau-Locke Post, No. 8, American Legion, of Hartford, Conn., favoring relief for the disabled soldiers; to the Committee on Interstate and Foreign Commerce.

686. By Mr. KIESS: Evidence in support of House bill 1613, granting an honorable discharge to John A. Odell; to the Committee on Military Affairs. Also petition of Enterprise Council, No. 136, Sons and Daughters of Liberty, of Muncy, Pa., favoring the Johnson immigration bill; to the Committee on Immigration and Naturalization. Also petition of the Kiwanis Club and the Williamsport Association of School Principals, urging relief for men and women of the World War; to the Committee on Interstate and Foreign Commerce.

687. By Mr. KISSEL: Petition of American Association for Labor Legislation, New York City, urging the passage of House bill 4089 and Senate bill 847; to the Committee on the District of Columbia.

688. Also, petition of W. N. Stevenson & Co., New York City, indorsing certain section in new tariff bill; to the Committee on Ways and Means.

689. Also, petition of Austin, Nichols & Co., New York City, opposing House bill 5033; to the Committee on the Judiciary.

690. By Mr. KLECZKA: Petition of 42 citizens of Milwaukee, Wis., requesting the repeal of the 10 per cent tax on yachts; to the Committee on Ways and Means.

691. By Mr. LAMPERT: Petitions from rural mail carriers, Reedsville, Wis., covering pay of rural letter carriers; to the Committee on the Post Office and Post Roads.
692. By Mr. LINTHICUM: Petition of United Social Clubs,

Baltimore, Md., urging repeal of Volstead Act; to the Committee on the Judiciary.

693. Also, petition of O. S. Highbarger, Hagerstown, Md., protesting against tax on eyeglasses, etc.; also, petition of W. A. Scharper, Stewart & Co., Arnold Rosenfeld, and Gusdorff & Joseph, all of Baltimore, Md., favoring a sales tax; to the Committee on Ways and Means.

694. Also, petition of Boyden Steel Corporation, Baltimore, Md., favoring House bill 210; to the Committee on Patents.

695. Also, petition of W. S. Hill, Baltimore, Md., favoring House bill 4; to the Committee on Pensions.

696. Also, petition of Baltimore Chamber of Commerce. regarding difficulty in handling business between United States and France due to regulations of French Government; to the Committee on Foreign Affairs.

697. Also, petition of Baltimore Chamber of Commerce, protesting against House bill 5676; to the Committee on Agricul-

698. Also, petition of Carr-Lowry Glass Co., Baltimore, Md., protesting against House bill 4981; to the Committee on Agri-

699. By Mr. MONTOYA: Petition of the Pecos Valley Council, No. 2154, Knights of Columbia, of Roswell, N. Mex., against the passage of the Smith-Towner bill; also, petition of the Clovis Women's Club, Clovis, N. Mex., in favor of the passage of the Smith-Towner bill; to the Committee on Education.

700. Also, petitions of the Albuquerque Lodge, No. 461, Benevelent and Protective Order of Elks, and the Hugh A. Carlisle Post, No. 1, Albuquerque, N. Mex., arging relief for the disabled soldiers; to the Committee on Interstate and Foreign Commerce.

701. By Mr. REBER: Petition of Ukrainians of Minersville, Pa., relative to East Galicia and conditions existing there; to the Committee on Foreign Affairs.

702. By Mr. RIORDAN: Petition of citizens of New York City and Greater New York City, urging recognition of the Irish republic, etc.; to the Committee on Foreign Affairs.
703. By Mr. SINCLAIR: Telegram on behalf North Dakota

State Council, American Association for the Recognition of the Irish Republic, protesting against America's ambassador joining England in international council while that country refuses to recognize the Irish republic; also similar telegram from Carrolton Council, Grand Forks, N. Dak.; to the Committee on Foreign Affairs.

704. Also, petition of North Dakota State Federation of Labor, protesting against the sales tax and repeal of excess-profits

tax: to the Committee on Ways and Means.

705. By Mr. SNEIL: Resolution of the chamber of commerce, Port Henry, N. Y., relative to the care of disabled soldiers and indorsing the program of legislation asked by the American Legion; to the Committee on Interstate and Foreign Commerce.

706. By Mr. WATSON: Petition of the Wrightstown Monthly Meeting of Friends, favoring cessation of Navy building program pending international disarmament conference; to the Committee on Naval Affairs.

# SENATE.

# SATURDAY, May 14, 1921.

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father, we thank Thee that we are under such good guardianship as Thy infinite love and tenderness manifest toward us, and this morning we wish to bring our praises and thanksgiving to Thy throne, supplicating Thy aid through the duties of the day, and helping us to fulfill Thy gracious purpose. Through Jesus Christ our Lord. Amen.

The Assistant Secretary proceeded to read the Journal of the proceedings of the legislative day of Thursday, May 12, 1921, when, on request of Mr. Curris and by unanimous consent, the further reading was dispensed with and the Journal was ap-

PETITIONS AND MEMORIALS.

The VICE PRESIDENT laid before the Senate a concurrent resolution of the Legislature of Hawaii, favoring the enactment of legislat on to permit the immigration into the Territory of Hawaii of a sufficient number of persons, including orientals, as may be necessary to meet an existing labor shortage, which was referred to the Committee on Territories and Insular Possessions.

He also laid before the Senate a petition of the Women's Social and Suffrage Association of Porto Rico, praying for an amendment to the organic act of Porto Rico giving the right of vote to women, which was referred to the Committee on Educa-

Mr. SHEPPARD presented petitions of sundry citizens of Pittsburg and Fate, both in the State of Texas, praying for the enactment of legislation to prohibit gambling in grain and other agricultural products, which were referred to the Committee on

Agriculture and Forestry.

Mr. WILLIS presented resolutions of the Chamber of Commerce of Ashtabula and the Advertising Club of Columbus, both in the State of Oh'o, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which were referred to the Committee on Finance.

He also presented a resolution of the Troy Wagon Works Co., of Troy, Ohio, favoring the enactment of legislation protecting the American automotive industry against dumping of salvaged European equipment on the American market, which was ordered to lie on the table.

He also presented resolutions adopted at meetings of citizens of Cleveland and London, Ohio, favoring the enactment of leg-islation for the recognition of the Irish republic, which were

referred to the Committee on Foreign Relations.

He also presented a telegram in the nature of a memorial of General Pershing Lodge, Brotherhood of Railway Clerks, of Cincinnati, Ohio, remonstrating against the enactment of legislation repealing the excess-profits tax and substituting therefor a sales or turnover tax, which was referred to the Committee on

Mr. TOWNSEND presented a resolution adopted by the Grain Dealers' National Association, at the twenty-fourth annual convention held at Minneapolis, Minn., on October 11, 12, and 13, 1920, favoring the enactment of legislation to repeal the law creating the Federal Trade Commission, which was referred to the Committee on Interstate Commerce

He also presented a petition of sundry citizens of Detroit, Mich., praying for the enactment of legislation standardizing all farm products, which was referred to the Committee on Agricul-

ture and Forestry.

He also presented resolutions of the Women's Auxiliary, American Legion, Post No. 234, of Hart; Women's Auxiliary, American Legion, of Benton Harbor; Women's Auxiliary, American Legion, of Bad Axe; Women's Auxiliary, American Legion, of Mount Clemens; Women's Auxiliary, American Legion, of Houghton; Women's Auxiliary, American Legion, of Flint; and Carl Johnson Post, No. 2, American Legion, of Grand Rapids, all in the State of Michigan, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which were referred to the Committee on Finance.

Mr. NEWBERRY presented a petition of the Stephens Thomson Mason Chapter, Daughters of the American Revolution, of Ionia, Mich., praying for the enactment of legislation to provide a national ocean-to-ocean highway over the pioneer trails of the Nation, which was referred to the Committee on Commerce.

He also presented a memorial of the Jackson Federation of Labor, of Jackson, Mich., remonstrating against the enactment of legislation repealing the excess-profits tax and substituting therefor a sales or turnover tax, which was referred to the Committee on Finance.

He also presented resolutions of Calumet Council, No. 1245, Knights of Columbus, of Calumet; Auxiliary Unit of Sherman Elvin Post, No. 96, of Bad Axe; Women's Auxiliary of Judson E. Ingram Post, No. 80, of Houghton; Ladies' Auxiliary of Oakley Traynor Post, No. 64, of Flint; Women's Auxiliary of Harry Oellrich Post, No. 4, of Mount Clemens; Women's Auxiliary, American Legion, of Benton Harbor; and Women's Auxiliary, American Legion, of Hart, all in the State of Michigan, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which were referred to the Committee on Finance.

Mr. SHORTRIDGE. Mr. President, I present certain peti-tions and memorials signed by sundry citizens of California, praying for the enactment of legislation and providing adequate relief for disabled ex-service men. There are two of these memorials or petitions, namely, one by the Concord Chamber of Commerce, Contra Costa County, Calif., and the other by the Central Labor Council of San Bernardino, Calif. I ask unanimous consent that these two may be printed in the Record. There are many others that I wish merely to present.

The designated petitions were referred to the Committee on Finance and ordered to be printed in the Record, as fol-

lows:

Whereas there has been brought to the attention of the Concord Chamber of Commerce, of Concord, Contra Costa County, Calif., the urgent need of a change in the situation concerning the rehabilitation of disabled veterans of the World War, and remedial action looking toward.

to wit:

1. Adequate appropriations for the bureaus charged with caring for disabled ex-service men.

2. Appropriations to build the necessary hospitals.

3. Passage of the Rogers-Capper bill providing for consolidation of the Bureau of War Risk Insurance, Rehabilitation Section of the Public Health Service, and the Federal Board for Vocational Education—

as pridanged by "1".

as evidenced by "A memorial from the American Legion to the President, the President elect, the Congress, and the people of the United States, directing attention to the situation which surrounds the rehabilitation of disabled ex-service men and suggesting a remedy"; and Whereas said memorial was, at a regular meeting of said chamber of commerce holden on the 2d day of February, A. D. 1921, on motion, daly seconded and manimously carried, fully indersed: Now therefore be it

Resolved, That the said Concord Chamber of Commerce does hereby urgently request the Senators and Congressmen from the State of California strenuously to support and to use all means at their command to hasten the adoption of such remedial measures concerning the situation hereinabove mentioned as may be suggested and advanced by the said American Legion.

Done at Concord, Calif., this 2d day of February, A. D. 1921.

CONCORD CHAMBER OF COMMERCE. GUS E. BARNETT, President.

Attest:

D. L. MACMICHAEL, Secretary.

CENTRAL LABOR COUNCIL,
SAN BERNARDINO, CALIF., February 28, 1921.

Hon. Samuel Shortrides,
Senator from California, Washington, D. C.

Honorable Sir: At a regular meeting of the San Bernardino Central
Labor Council, February 8, 1921, the following was adopted:
"We, your committee appointed to review the memorial submitted
by the American Legion, beg leave to submit our unanimous favorable
report as follows:

"1. Adequate appropriations for bureaus for caring for disabled exservice men.

"2. Appropriations to build and maintain the necessary hospitals.
"3. Passage of the Rogers-Capper bill providing for consolidations of
the Bureaus of War Risk Insurance, the Federal Board for Vocational
Education and Training, and the rehabilitation section of the Public
Health Service.
"We also recommend that if the characteristic council.

Education and Training, and the renabilitation section of Health Service.

"We also recommend that if the above report of your committee is adopted that copy be forwarded to the local press, copy to the Congressmen and Senators representing this district, copy to the American Legion and copy spread on the minutes of this council."

Knowing that you, our newly elected Senator from California, are a believer in fair play and justice to our brave boys who gave their all on the battlefields of France, and also knowing that we, the San Bernardino Central Labor Council, representing 70 per cent of the population of this city, also believe in these ideals that you will not hesitate to use your power and influence to bring out to a successful consummation these propositions outlined above.

SAN BERNARDING CENTRAL LABOR COUNCIL,

[SEAL.] By JAMES L. HILL, Recording Secretary.

Mr. SHORTRIDGE presented petitions of Bernard McCaffery Post, No. 85, of South San Francisco; Corporal Harold W. Roberts Unit, No. 6, United Veterans of the Republic, of San Francisco; White Squadron Post, No. 90, Veterans of Foreign Wars of the United States, of San Francisco; Chamber of Commerce of Santa Monica-Ocean Park; Col. John J. Astor Post, No. 85, Veterans of Foreign Wars, of Oakland; M. Bamberg, No. 83, Veterans of Foreign Wars, of Oakland; M. Bamberg, of Napa; Wheaton Camp, No. 8, United Spanish War Veterans, of San Jose; Merchants Association of San Diego; Women's Auxiliary, United Spanish War Veterans, of Los Angeles; California Chapter, American War Mothers; Capt. Leonard S. Beard, Field Artillery, Reserve Corps, United States Army, of San Francisco; George W. Watson, of Willows, Calif.; R. W. Mingins, of Berkeley, Calif.; J. A. Habegger, of Oakland; the San Francisco Electrical Development League of San Francisco. Francisco Electrical Development League, of San Francisco; the Woman's Club, of Hollywood; Roland W. Bradley Post, No. 138, American Legion, of Holtville; Alex. R. Craven, of Oakland; Frank S. Reynolds Post, No. 26, American Legion, of Bakersfield; Thomas Tucker Post No. 204, American Legion, of Susanville, and San Bernardino Inter Post Council, American Legion, of San Bernardino, all in the State of California, praying for the enactment of legislation providing adequate relief for ex-service men, which were referred to the Committee on Finance.

He also presented a letter in the nature of a petition of M. S. Stevenson, Commander the Disabled Emergency Officers of the World War, of Washington, D. C., praying for the enactment of legislation providing adequate retirement relief for disabled emergency officers of the World War, which was referred to

the Committee on Military Affairs.

Mr. SHORTRIDGE. I also present various resolutions and petitions requesting the President to set on foot a movement to get together the leading nations of the world for the purpose of considering the problem of world disarmament. I ask that they be appropriately referred.

The resolutions and petitions were referred to the Committee

on Foreign Relations, as follows:

Resolutions of Woman's Christian Temperance Union, of Berkeley, and European Relief Council for Northern California, of Pacific Grove.

Petitions of sundry citizens of California; of M. Agnes Adams, of Los Angeles; of Martha L. Criley, of Hollywood; of S. W. Shafer, of Carlotta; and of Louis E. Carlson, of Stockton, all in the State of California; and of R. Mason Lisle, of Paoli, Pa.

Mr. KENDRICK presented resolutions adopted by the Central Labor Union and Local Union No. 2174, United Mine Workers of America, both of Rock Springs, Wyo., protesting against the enactment of legislation repealing the excess-profits tax, and substituting therefor a sales or turnover tax, which were referred to the Committee on Finance.

Mr. POMERENE presented a petition of sundry citizens of Yorkville, Ohio, relative to the case of East Galicia, praying for the recognition by the United States of the West Ukrainian Republic, which was referred to the Committee on Foreign

Relations.

He also presented a resolution of the Troy Wagon Co., of Troy, Ohio, favoring the enactment of legislation protecting the American automotive industry against dumping of salvaged European equipment on the American market, which was ordered to lie on the table.

Mr. ODDIE presented resolutions of Women's Auxiliary Post, No. 11, American Legion, of Gardnerville; Women's Auxiliary Unit Post, No. 4, American Legion, of Carson City; and Washoe County Bar Association, of Reno, all in the State of Nevada, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which were referred to the Committee on Finance.

Mr. WADSWORTH presented a petition of sundry citizens of Brooklyn, N. Y., relative to the case of East Galicia, praying for the recognition by the United States of the West Ukrainian Republic, which was referred to the Committee on Foreign

Relations

Mr. SPENCER presented petitions of sundry citizens of Bois Park, Elwood, Willard, Ash Grove, Perkins, Versailles, Barnett, Conway, Calhoun, Windsor, Beaman, all in the State of Missouri, praying for the enactment of legislation prohibiting gambling in grain and other agricultural products, which were referred to the Committee on Agriculture and Forestry.

He also presented petitions of sundry citizens of Adair and Leasburg, both in the State of Missouri, praying for the enactment of legislation to prohibit gambling in grain and other agricultural products, which were referred to the Committee on Agri-

culture and Forestry.

Mr. KENYON presented a petition of sundry citizens of Corydon, Iowa, praying for the enactment of legislation to prohibit gambling in grain and other agricultural products, which was referred to the Committee on Agriculture and Forestry.

Mr. WARREN presented resolutions of the Central Labor Union and Local Union No. 2174, United Mine Workers of America, both of Rock Springs, Wyo., protesting against the enactment of legislation repealing the excess-profits tax and substituting therefor a sales or turnover tax, which were referred to the Committee on Finance.

Mr. CAPPER presented petitions of sundry citizens of Ensign, Baldwin, Neodesha, and Spivey, all in the State of Kansas, pray-ing for the enactment of legislation to prohibit gambling in grain and other agricultural products, which were referred to the Com-

mittee on Agriculture and Forestry.

Hittee on Agriculture and Forestry.

He also presented resolutions of the Women's Auxiliary, American Legion, of Garden City; the Aid Society, Methodist Church, of Pittsburg; and Women's Auxiliary, American Legion, of Independence, all in the State of Kansas, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which were referred to the Committee on Finance.

He also presented a petition of Local No. 1681, Farmers' Union, of Flush, Kans., praying for the enactment of legislation imposing a tariff on poultry, eggs, and poultry products, which was referred to the Committee on Finance.

# EXPORT OF MEATS TO GREAT BRITAIN.

Mr. CUMMINS. Mr. President, on the 15th of July, 1919, the Senate adopted a resolution requiring the Federal Trade Commission to furnish to it certain documents relating to our export trade in meats from the United States to Great Britain, The commission, in pursuance of that resolution, forwarded to the Senate copies of all the documents. Thereafter, upon the request of the Senate, the commission furnished the originals of certain of the communications and papers. I think that the information has never been used by anyone. It has never been consulted so far as I know.

I move that the Secretary of the Senate be authorized to return the original papers forwarded by the Federal Trade Commission to the commission, keeping the copies that were orig-

inally furnished by the commission. The motion was agreed to.

# COMPARISON OF WHOLESALE FOOD PRICES.

Mr. ROBINSON. Mr. President, I have received a brief letter accompanied by statements as to the wholesale prices of April, 1920, compared with the same of April, 1921. The letter deals also with excessive passenger fares on railroads. I ask that the letter and the statement, which are brief, be printed in the RECORD.

The letter and statement were referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

CONWAY, ARK., May 9, 1921.

Senator Joe T. Robinson, Washington, D. C.

MY DEAR SENATOR: Please accept many thanks for the interest in behalf of the traveling salesmen. I am in hopes that you will be successful in passing your bill. The excessive railroad rates and exorbi-

tant hotel rates have certainly put the traveling men up against a real proposition. A great many of the traveling men are off the road to-day because they can not pay the excessive traveling expenses. This expense in marketing our product is tacked onto the cost which the con-

pense in marketing our product is tacked onto the cost which the consumer has to pay

I am writing to Mr. H. E. Rex, Des Moines, Iowa, secretary of the International Confederation of Traveling Men's Associations, calling his attention to your bill and urging him to use his influence.

I am inclosing you a copy of some data I have prepared showing a comparison of food products April, 1920 and 1921, which shows a decline of 40 per cent. However, the hotels have given us no reduction in rates.

cline of 40 per cent. However, the hotels in rates.

Conditions are very bad in the State; excessive rains, weather continues cold, the farming interest is very much delayed, and unless we can get more favorable weather a further reduction in cotton acreage will be made.

Again thanking you and with best wishes, I beg to remain,

Yours, very fruly,

E. F. Edwards.

Comparison of wholesale prices, April, 1920 and 1921.

	1929	1921	Per cent of decline.
Choice Michigan navy beans. per pound. Rio coffee. do. Better grades do. Highest grade soft-wheat flour per barrel. Flour, baker's do. Meal, white cream do. Meat, dry salt, square cut. per pound. Lard, Snow Drift, 6-8's, 48 pounds to case. Lard compound, tierce basis per pound. Rice, choice Blue Rose do. Sirup, red corn, 6-19's per case. Granulated sugar per pound. 2 pounds standard tematoes per dozen. 2 pounds standard corn do.	3.00 .24 .13½ 4.65	\$0.05\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	29 54 37 38 43 53 43 55 56 76 43 43 34 34 34 34 34 34 34 34 34 34 34
PACKING-HOUSE PRODUCTS.			
Pork loins per pound. Creamery butter do. Country butter do. Pork butts do. Eggs per dozen. Cheese per pound. Forequarter beef do. Hind quarter do. Breakfast bacon, unsliced. Breakfast bacon, best grade, sliced, in L-pound eans, 33 slices.	.81 .66 .50 .25½ .40 .82 .13 .27 .37	.28 .46 .25 .21 .20 .20 .08 .19 .27	16 30 50 18 50 37 37 38 30 27
DEY GOODS.		in Eli	ul Syptill
Sheeting, 101, bleached. Sheeting, 93, bleached. Face towels. Table linens. Bedspreads Bath towels. per dozen.	2,25 1,05 2,25	.415 .375 1.17 .675 1.65 2.50	54 54 48 36 27 28
Percentage of decline			39.66

Since the majority of the hotels and cafés buy at wholesale prices, and for that reason the wholesale price only is given, from the best information gathered in comparison with the markets in April, 1920, and in April, 1921, these prices are believed to be approximately correct.

### RELIEF OF DISABLED EX-SERVICE MEN.

Mr. ROBINSON. Mr. President, I have also received a resolution adopted by the American Legion of Helena, Ark., urging the passage of five distinct measures of legislation of interest to ex-service men. The resolution is brief, and I ask that it be printed in the BECORD.

There being no objection, the resolution was referred to the Committee on Finance and ordered printed in the RECORD, as

follows:

Resolution for relief of the disabled.

THE AMERICAN LEGION,
RICHARD L. KITCHENS POST, No. 41,
Helena, Ark., May 11, 1921.

Whereas as a part of the great body of American public opinion which compelled and supported the entrance of this Nation into the World War for democracy and freedom against autocracy and oppression, we feel solemnly and in duty bound to accept along with the victory our troops so handsomely won the obligation to render to our soldiers, sallors, and marines injured and disabled in the service every aid, comfort, and restitution which through hospital care, financial support, and vocational rehabilitation a grateful nation can give; and Whereas, now more than two years after the conclusion of the war, there remains much to be done in providing adequate hospitalization, compensation, and vocational training for our disabled; and Whereas the American Legion, representing the great bulk of the disabled, as well as all exservice men and women, is, after careful analysis and study, suggesting and supporting a program of relief for the disabled which commends itself to us as most conservative and reasonable; and Whereas with deep consciousness of our debt to the disabled we wish to join our voices with the voice of the American Legion in requesting that the legislation proposed be given earnest consideration by the National Congress: Therefore be it

\*Resolved\*, That we hereby indorse the program of legislation asked by the American Legion of the Sixty-seventh Congress in the interest of the disabled soldiers, sailors, and marines of America, and urge upon

our Representative from this district and our Senators from this State the speedy enactment of the five bills involved, including—

1. Legislation consolidating the three ex-service bureaus.

2. Appropriations for a permanent hospital building program.

3. Legislation decentralizing the Bureau of War Risk Insurance.

4. Legislation to further extend the benefits of vocational training and providing vocational training with pay for all disabled men with disabilities of 10 per cent or more traceable to the service.

5. Legislation providing privilege of retirement with pay for disabled emergency officers of the World War.

RICHARD L. KITCHENS POST, NO. 41, AMERICAN LEGION, L. J. WILKES, Jr., Post Commander.

THOS. H. JACKS, Adjutant.

FIRENCHT RATES ON PERISHABLE PRODUCTS.

FREIGHT RATES ON PERISHABLE PRODUCTS.

Mr. HARRIS. Mr. President, I ask unanimous consent to have placed in the RECORD a letter from the vice president of the Southern Railroad Co. in regard to freight rates on watermelons and other perishable products.

There being no objection, the letter was ordered to be printed

in the RECORD, as follows:

SOUTHERN RAILWAY SYSTEM,
OFFICE OF VICE PRESIDENT,
Washington, D. C., May 6, 1921.

Hon. William J. Harris, United States Senate, Washington, D. C.

United States Senate, Washington, D. C.

My Dear Senator: Asking that you pass this advice to your colleagues who accompanied you in recent visit to my office, I beg to report that an informal conference between representatives of the watermelon growers and representatives of the carriers was had in Macon, Ga., on April 26:

From the report which I have of this conference I am led to believe that while there was some division of opinion as to the effect of the increased transportation charge on the ability of the watermelon producer to market his crop it was probably the feeling of the majority, if not all, that the transportation charge was not an important factor in the situation.

In order that you may see at a glance what the last advance in freight charges represent, using an average load of 1,000 melons at an average weight of 27 pounds each, I invite your attention to the following tabulation. Using Albany, Ga., as a representative shipping point, the advance per melon is as follows:

Cents.

Cents. 4.2 4.8 4.9 4.9 4.8 4.7 2.8 Baltimere, Md.
Philadelphia, Pa.
New York, N. Y.
Buffale, N. Y.
Pittsburgh, Pa.
Chicago, Ili
Cincinnati, Ohio

The citrus producers in Florida and on the Pacific coast and the Georgia peach growers long since learned that they could not get fair returns on their crops by handling through commission houses in the markets of consumption and accepting whatever return the commission man rendered. They, therefore, formed associations and created selling agencies which have produced much more satisfactory results. The distribution under this plan is more intelligent and guitting the market is avoided with its consequent depression of prices.

The interested carriers wish me to say to you that they do not feel that the circumstances warrant reduction in the melon rates.

Yours, very truly,

L. GREEN, Vice President.

Mr. HARRIS. Mr. President, some time ago I conferred with the Interstate Commerce Commission and officials of the Southern Railway about the matter of high freight rates on watermelons and other perishable products raised in Georgia to attempt to assist in saving this business from ruin. The rates are high. The grower gets very little, and he may be discouraged to such an extent that the railroads will lose this business if it ceases to be profitable to the producer. The letter from the vice president of the Southern Railway shows the amount of profiteering going on on the part of the commission merchant and retailer in the eastern, northern, and western markets. I have taken up that phase with the Federal Trade Commission in an effort to secure further information.

# REPORTS OF COMMITTEES.

Mr. SPENCER, from the Committee on Claims, to which was referred the bill (S. 1737) for the relief of Con Murphy, reported it without amendment and submitted a report (No. 50)

Mr. STERLING, from the Committee on Post Offices and Post Roads, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 937) to reimburse Isaiah Stephens, postmaster of McMechen, Marshall County, W. Va., for money and postage stamps stolen (Rept. No. 51); and

A bill (S. 938) to reimburse S. S. Buzzerd, postmaster at Berkeley Springs, Morgan County, W. Va., for cash stolen (Rept.

#### POTOMAC RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (S. 1479) granting the consent of Congress to the Washington & Old Dominion Railway, a corporation, to construct a bridge across the Potomac River, and I submit a report (No. 49) thereon. unanimous consent for the present consideration of the bill,

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

mittee of the Whole, and it was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Washington & Old Dominion Railway, a corporation organized under the laws of the State of Virginia, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Potomac River at a point suitable to the interests of navigation, at or near Point of Rocks, in the county of Frederick, in the State of Maryland, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows

By Mr. FLETCHER (by request):

A bill (S. 1789) authorizing and directing the Secretary of War to issue, or cause to be issued, an honorable discharge to James A. Glass (with accompanying papers); to the Committee on Military Affairs.

By Mr. SHEPPARD:

A bill (S. 1790) to place national guardsmen who entered World War otherwise than through the draft on equal basis as to longevity and continuous service pay with national guards-men who were drafted; to the Committee on Military Affairs.

By Mr. BORAH: A bill (S. 1791) granting an increase of pension to Jane

Allen (with accompanying papers); and
A bill (S. 1792) granting an increase of pension to Celia
Phillips (with accompanying papers); to the Committee on Pensions.

By Mr. CARAWAY: A bill (S. 1793) for the purchase of a site and the erection of a public building at El Dorado, Ark.; to the Committee on Public Buildings and Grounds.

A bill (S. 1794) to authorize the Secretary of War to release the Kansas City & Memphis Railroad & Bridge Co. from reconstructing its highway and approaches across its bridge at

Memphis, Tenn.; and
A bill (S. 1795) prohibiting the enlistment of any member of
the Negro race in the military or naval services of the United
States of America, and directing the discharge of all members of the Negro race now serving in any branch of the military or naval service of the United States; to the Committee on

Military Affairs.

A bill (S. 1796) prohibiting the intermarriage of the Negro and Caucasian races in the District of Columbia and the residence in the District of Columbia of members of those races so intermarrying outside the boundaries of the District of Columbia, and for other purposes, and providing penalties for the violation of this act; to the Committee on the District of Columbia.

A bill (S. 1797) authorizing local drainage districts to drain certain public lands in the State of Arkansas, counties of Greene and Craighead, and subjecting said lands to taxation; to the Committee on Public Lands and Surveys.

By Mr. NEWBERRY:

A bill (S. 1798) for the relief of the heirs of Almon R. Proctor; to the Committee on Claims.

By Mr. WILLIS:
A bill (S. 1799) to authorize coinage of a Grant souvenir gold dollar in commemoration of the centenary of the birth of Gen. U. S. Grant, late President of the United States; to the Committee on Banking and Currency.

By Mr. HARRIS:
A bill (S. 1800) to authorize the President of the United States to place First Lieut. Paul W. Cole, Coast Artillery Corps, on promotion list at former place; to the Committee on Military Affairs.

By Mr. SHORTRIDGE:

A bill (S. 1801) authorizing the President to appoint Hays Malcolm Fernald to the position and rank of captain in the United States Army; to the Committee on Military Affairs.

By Mr. KENYON:

A bill (S. 1802) granting an increase of pension to James W.

Ellis; to the Committee on Pensions.

A bill (S. 1803) to amend section 1 of the act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved July 27, 1916, and section 1 of the act entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, Calif., and for other purposes," approved March 1, 1917; to the Committee on Commerce.

By Mr. DIAL:

A bill (S. 1804) to protect the interest of innocent third persons in property which is used in the unlawful conveyance of goods or commodities; to the Committee on the Judiciary.

By Mr. CAPPER:

A bill (S. 1805) providing additional terminal facilities in square east of 710 and square 712 for freight traffic; to the Committee on the District of Columbia.

By Mr. FRELINGHUYSEN:

A bill (S. 1806) to further amend the interstate commerce act, as amended, to provide for seasonal rates for the transportation of coal; and

A bill (S. 1807) to aid in stabilizing the coal industry; to the Committee on Interstate Commerce.

By Mr. ELKINS:

A bill (S. 1808) granting an increase of pension to James D. Compston; to the Committee on Pensions.

By Mr. SHIELDS:

A bill (S. 1809) granting a pension to William A. Jordan (with accompanying papers); to the Committee on Pensions. By Mr. SUTHERLAND:

A bill (S. 1810) to provide for the purchase of a sife for a public building at Welch, in the State of West Virginia; to the Committee on Public Buildings and Grounds.

By Mr. CARAWAY:

A joint resolution (S. J. Res. 57) admitting Michael Mar-Yosip to the rights and privileges of a citizen of the United States; to the Committee on Immigration.

By Mr. ODDIE:

joint resolution (S. J. Res. 58) authorizing the Secretary of War to loan cots and blankets for the use of the American Legion at the encampment to be held the latter part of July. 1921, at Lake Tahoe, Nev.; to the Committee on Military Affairs.

### AMENDMENT TO NAVAL APPROPRIATION BILL.

Mr. FRELINGHUYSEN submitted an amendment providing that an appropriation of \$25,000 be made for a historical pictorial record of the American Fleet in foreign waters, intended to be proposed by him to the naval appropriation bill, which was ordered to lie on the table and to be printed.

# AMENDMENT TO ARMY APPROPRIATION BILL.

Mr. SHEPPARD submitted an amendment directing the War Department to cancel and abandon the claim of \$18,583.44 for United States property issued to the National Guard of Texas, which was lost, damaged, and destroyed during and immediately after the storm and flood at Corpus Christi, Tex., and surrounding country in September, 1919, etc., intended to be proposed by him to the Army appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

PARTICIPATION OF UNITED STATES IN EUROPEAN AFFAIRS.

Mr. LA FOLLETTE. Mr. President, I present a Senate resolution which I ask to have read and lie on the table.

The VICE PRESIDENT. The resolution submitted by the Senator from Wisconsin will be read.

The resolution (S. Res. 78) was read and ordered to lie on the table, as follows:

Resolved, etc., That the Secretary of State be, and he is hereby, directed, if not incompatible with the public interest, to furnish the Senate information regarding the following points:

1. What negotiations, if any, were had with the representatives of foreign nations, individually or collectively, as a basis for the acceptance by the President of the United States of the invitation ex-

tended through the British ambassador to appoint representatives of the United States to meet with the supreme council, the conference of ambassadors, and the Reparations Commission?

2. What instructions, if any, have been given to the representatives of the United States Government who have been designated by the President to sit with the aforesaid conferences and commissions?

3. Whether the ambassador of the United States to Great Britain was authorized by the President or by the State Department to issue the following statement upon his arrival in Southampton, as reported in the cable dispatches dated May 10, to American newspapers:

"I am glad to have this opportunity of expressing at the outset the message of good will, cheer, and hope which my President has commissioned me to convey to your King. We must realize that if we are to grapple successfully with the great problems of the present and the future we must pass from recollection to action. You have more than our sympathy, for there never was a time when America felt so keenly the moral obligations she owes to the mother country."

#### OPEN EXECUTIVE SESSIONS.

The VICE PRESIDENT. The morning business is closed. The calendar under Rule VIII is in order.

Mr. HARRISON. I call up Senate resolution No. 73 and ask for its immediate consideration. I should like to have the resolution laid before the Senate.

Mr. LODGE. I did not hear the Senator's request.

Mr. HARRISON. I have asked that Senate resolution No. 73 be laid before the Senate for immediate consideration.

Mr. LODGE. Does the Senator move to take the resolution from the calendar?

Mr. HARRISON. The resolution is not on the calendar; it is on the table.

Mr. LODGE. Mr. President, I am not prepared to discuss the resolution this morning, but I make the motion that it be re-

ferred to the Committee on Rules. The VICE PRESIDENT. Without objection, the Chair lays

before the Senate Senate resolution No. 73, which will be read. The reading clerk read the resolution (S. Res. 73), which had been submitted by Mr. Harrison on the 9th instant, as follows:

been submitted by Mr. Harrison on the 9th instant, as follows:

Resolved, That clause 3 of Rule XXXVII of the Standing Rules of the Senate be amended so as to read as follows:

"3. Unless, by the concurrence of two-thirds of the Senators present, it is agreed to consider a treaty in executive session, all treaties shall be considered and acted upon by the Senate in open executive session."

Resolved further, That clause 2 of Rule XXXVIII of the Standing Rules of the Senate be amended so as to read as follows:

"2. All information communicated or remarks made by a Senator when acting upon nominations in executive session concerning the character or qualifications of the person nominated, also all votes upon any such nomination, shall be kept secret. If, however, charges shall be made against a person nominated, the committee may, in its discretion, notify such nominee thereof, but the name of the person making such charges shall not be disclosed. The fact that a nomination has been made, or that it has been confirmed or rejected, shall not be regarded as a secret."

Resolved further, That Rule XXXVIII of the Standing Rules of the Senate be further amended by adding at the end thereof a new clause, as follows:

"2. Unless by the concurrence of two-thirds of the Senates by the senates the senate be further amended by adding at the end thereof a new clause

as follows:

"7. Unless, by the concurrence of two-thirds of the Senators present, it is agreed to consider a nomination made by the President in executive session, all nominations shall be considered and acted upon by the Senate in open executive session."

Mr. JONES of Washington. Mr. President— Mr. HARRISON. I thought I had the floor, Mr. President. The VICE PRESIDENT. The question is on the motion of the Senator from Massachusetts [Mr. Lodge] to refer the resolution to the Committee on Rules,

Mr. JONES of Washington. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Washington will

state his parliamentary inquiry.
\*Mr. JONES of Washington. I understood the Chair to ask whether there was any objection to the resolution being considered by the Senate. If that request requires unanimous consent, I object.

Mr. BORAH. I understand that the resolution which has been lying on the table comes over from a previous day, and therefore does not require unanimous consent.

Mr. HARRISON. Mr. President, this resolution-

The VICE PRESIDENT. The request does not require unanimous consent. The resolution is on the table, and the Senator from Mississippi may move to take it from the table and that the Senate proceed to its consideration.

Mr. LODGE. Mr. President, has the motion of the Senator

from Mississippi [Mr. Harrison] been put?
Mr. HARRISON. The motion is for the immediate consideration of the resolution. I understand, however, there is a motion pending, which was made by the Senator from Massachusetts, to refer the resolution to the Committee on Rules. That is the That is the parliamentary status, I understand.

Mr. LODGE. That will be the status when the resolution shall have been taken up, of course, but the resolution has not

as yet been formally taken up.

Mr. HARRISON. I move that Senate resolution No. 73 be taken from the table and that the Senate proceed to its immediate consideration.

The VICE PRESIDENT. The question is on the motion of the Senator from Mississippi. [Putting the question.]

noes seem to have it. The noes have it. The motion is lost.

Mr. HARRISON. Mr. President, I want to speak on my

motion for one moment.

Mr. LODGE. It is not open to debate at this hour, certainly,

on a motion to take up the resolution.

Mr. BORAH. Mr. President—

Mr. HARRISON. The parliamentary status, as I understand, is this: I did not yield to the Senator from Massachusetts [Mr. LODGE] a moment ago to make his motion to refer the resolution to the Committee on Rules, but I understood that that would be the procedure which he would follow. I would just as soon argue both motions at the same time.

Mr. NORRIS. A parliamentary inquiry, Mr. President. The VICE PRESIDENT. The Senator will state his parlia-

mentary inquiry.

Mr. NORRIS. Is it not true that the resolution has come over from a preceding day and that in the regular order of business it has been laid before the Senate?

The VICE PRESIDENT. It has not come over from a pre-

ceding day, but was on the table.

Mr. NORRIS. Was it not a resolution that went over under

Mr. LODGE. It requires a motion to take up the resolution, if I understand the situation.

Mr. HARRISON. Of course, it would merely delay matters if on a vote of the Senate at this time under that kind of procedure the noes should carry and the motion to take up the resolution should be defeated. I should renew the motion and secure its consideration at some time, so that the motion to refer might be considered. Of course, the Senate will save no time by pressing the proposition that a vote has now been taken and that the Senate has refused to take up the resolution.

Mr. HITCHCOCK. Mr. President, I make the point of order that no motion is necessary to take up the resolution of the Senator from Mississippi. The ruling of the Chair uniformly in the past has been that a resolution which went over until the following day could be called up as a matter of right by

the Senator proposing it.

Mr. LODGE. This is not of that character.

The VICE PRESIDENT. This is not that kind of a resolution. It was presented and allowed to lie on the table at the request of the Senator from Mississippi, and it requires a

motion to take it from the table.

Mr. LODGE. The Senator from Mississippi asked that the resolution lie on the table, and it has been there for a week.

Mr. LA FOLLETTE. Mr. President, it is not necessary that it should come over from the preceding day. If the Chair will simply turn to the rules, page 10, and read the foot note, he will see the following:

On motion by Mr. Hoar:
Ordered, That until otherwise ordered, the Chair shall proceed with
the call for resolutions to be newly offered before laying before the
Senate resolutions which came over—

Not from the preceding day, butfrom a former day.

It has uniformly been the practice here—and I am certain that all the precedents will bear me out in the statement-that any Senator submitting a resolution and asking that it lie on the table may call it up on the succeeding day or on some day following during the morning hours, if he secures recognition, and proceed to the discussion of it. The instances of that sort of proceeding in the Senate are without number.

Mr. HITCHCOCK. Mr. President, in addition to that, it may be said that for some time the practice prevailed in the Senate that the Vice President would lay a resolution coming over from the preceding day before the Senate without a request on the part of its proponent; but some time since the former Vice President [Mr. Marshall] ruled that he would not lay such resolutions before the Senate unless the author of the resolution asked that it be done, and since that time it has been the invariable practice of the Senate, as the Senator from Wisconsin has said, to lay such a resolution before the Senate as a matter of right when the proponent so requested.

Mr. President, the history of this motion, as I Mr. BORAH. recall it, is that the Senator from Mississippi submitted the resolution and asked that it lie on the table subject to call. When the next day came the Senator from Mississippi in his place stated that owing to the absence of the Senator from Massachusetts [Mr. Lodge], who was not able to be present and who desired to be heard, he would let it go over. Under süch circumstances it would be a matter of bad faith and bad practice to state that it had not come over from the preceding day, even if that were the rule. I venture to say, Mr. President, that for

the 14 years I have been here the precedents have been universally to the effect that when a resolution is allowed to lie on the table subject to call either the Chair lays it before the Senate or the Senator who submitted it may call it up at any time, and it then comes automatically before the Senate for discussion.

Mr. HARRISON. Mr. President, a parliamentary inquiry. The VICE PRESIDENT. The Senator will state his par-

liamentary inquiry.

Mr. HARRISON. I desire to know just what is the status. Does the Chair hold that a motion is now pending for the immediate consideration of the resolution, or does the Chair hold that the resolution is up now for the consideration of the Senate?

The VICE PRESIDENT. The Senator from Mississippi made a motion to take his resolution from the table for immediate consideration. That motion was put by the Chair, and the

motion was lost

Mr. HARRISON. Does the Chair hold, then, that the resolution is not now before the Senate?

The VICE PRESIDENT. The resolution is on the table. Mr. HARRISON. I call up Senate resolution 73, and ask the Chair to lay it before the Senate.

Mr. LODGE. Mr. President, a motion to take up the resolu-tion has been made and voted down.

Mr. HARRISON. I have made a request now, I will say to the Senator from Massachusetts.

Mr. LODGE. It is the same subject matter. Mr. HARRISON. Well, if the Senator from Massachusetts thinks that the Senate will save any time by not allowing some expression in reference to this matter, then well and good; but I can assure the Senator that there will be no time saved upon the part of the Senate in preventing the Senate from expressing itself on the resolution.

Mr. LODGE. Mr. President, I have not the least desire to prevent the resolution from coming up, and I have not objected at all. I was only trying to proceed in what seemed to me the proper parliamentary way. I supposed the resolution would come up without objection. I have no objection at all to its coming up. Let it come up. I know it is going to come up, and the motion is going to be voted on which I have made to refer it to the Committee on Rules, and it is a matter of indifference to me when that is done. I should just as soon have it done now as at any other time.

Mr. HARRISON. I thought those were the views of the Senator.

I ask unanimous consent that Senate resolution No. 73 be laid before the Senate for present consideration.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate proceeded to consider the resolution.

Mr. HARRISON obtained the floor.

Mr. LODGE. Mr. President, I now renew my motion that the resolution be referred to the Committee on Rules.

Mr. HARRISON. I yield for the motion to be made. I do not yield the floor.

Mr. LODGE. That is all-simply that the motion may be

The VICE PRESIDENT. The question is on the motion of the Senator from Massachusetts that the resolution be referred to the Committee on Rules.

Mr. HARRISON. Mr. President, there is nothing complicated about this resolution. It merely proposes to change the Standing Rules of the Senate in three particulars. One is to abolish closed and secret executive sessions of the Senate in the consideration of treaties. Another is to abolish secret executive sessions of the Senate touching presidential nominations. The third change that is proposed is that when, in the judgment of the Senate, either nominations or treaties should be considered in closed executive session, by the concurrence of two-thirds of the Members of the Senate present, and voting for a closed executive session they may then be considered in that way.

The secret executive session is one of the relics of antiquity that still remains in the United States Congress. a time in the consideration of all matters by the United States Senate when the proceedings were in secrecy. I think for the first three sessions of the Senate the doors were closed to all visitors, in legislative as well as in executive matters. No eye from the galleries or elsewhere could scan the Senators in the deliberation and consideration of great legislative or executive questions. Of course, that lasted only a very short time. It was done away with because secrecy was repugnant to the American people. They did not believe that these doors should be closed, that the public should be kept from these galleries,

and the American people should not know what was going on behind closed doors.

This country has gradually developed along many lines. Especially has it progressed in the manner of electing men to public office, and in the consideration of public questions. There was a time, and it was not long since, when a few political leaders who termed themselves "bosses" could meet in public places, in the courthouses and at the capitols throughout the country, determine upon a program of electing certain men to office and fix a procedure touching the enactment of certain legislation, and it went through without hitch and without de-lay; but that time has gone. It is hardly more than a recollection now.

As I heard the expression contained in the resolution just presented by the senior Senator from Wisconsin [Mr. LA Fol-LETTE], quoting the remarks of a now very distinguished representative of the American Government in Great Britain, he quoted that representative as having said that he came to them at the Court of St. James without recollections of the past and only looking at the present. And so the day has passed when political leaders met at these places, termed themselves "bosses," and fixed a program that went through in the selection of their hirelings. The change came about because the sentiment of the American people was aroused. Public officials are now elected through primaries. That custom has become so general that we have almost reached the time when our presidential nominees are selected in primaries. Of course, as the Senator from California [Mr. Johnson] knows, sometimes the voice of the people is throttled even after they have had elections for presidential nominees. There are times when a presidential candidate has received the majority of the votes of the State in the selection of delegates to the national convention, but when the delegates get there they do not vote accordingly; and that brings to my mind the fact that now, as far as newspaper reports go, a person has been presented to this body for confirmation who, as the papers say, if they are correct—I do not know—disregarded the instructions of the electorate of his State, and when he got to the Chicago convention he did not vote accordingly.

But while there have been miscarriages of justice, some

violations of instructions, after the people have expressed them-selves at the ballot, the sentiment has gradually developed until to-day almost all presidential nominees are declared by preference of the electors of the various States; and the time will come, Mr. President, when every State will adopt the policy of sending its delegates to the national convention with instructions, according to the popular will of the people, to nominate

candidates for President.

So we are progressing in the right way. The tendency of the times is not toward secrecy, but is toward openness in dealing with the selection of public officials and the consideration of legislative matters.

Mr. President, at times there may be some argument against the consideration of a treaty in the open. There may be some argument in favor of the proposition that at certain times some treaties should be considered in secrecy. I do not, however, admit the contention, but there is more argument for that than there is for the proposition that all treaties should be considered in secrecy. I can not imagine any treaty ever presented to any legislative body that carried with it greater significance and more vital import to the people, that was filled with more delicate possibilities, that involved more questions of the very greatest importance to more people and to more nations, than did the treaty of Versailles; and yet the distinguished leader of the other side presented a motion that the treaty of Versailles be considered in open executive session of the Senate. It received the unanimous support of the Republican side of the Chamber, as well as of this side, and so that treaty was considered in the open. Every debate, every expression touching it, was recorded in the Congressional Record. Every vote taken was transmitted to the people, and the public knew as much about our action as they could possibly know where a matter was considered in the open; and I am sure that if we had the same thing to go over again there is not a Senator here who would defend the proposition of considering the treaty of Versailles anew in secret session.

The same procedure was advanced when the very important treaty with Colombia was presented to the Senate. Upon the motion of the Senator from Massachusetts, backed by the other side of the aisle and reinforced by the votes of this side, we considered in open executive session the treaty between the United States and Colombia. I am quite sure that no harm was done by that. If it was wise in those two instances to consider those treaties in the open, and others that I might enumerate, then I can not imagine any treaty that would come up that should not be considered by the Senate in open session.

But, Mr. President, as strongly as some might believe that treaties should be considered in closed session, certainly there is no argument in this day and time of our advanced political thought for the consideration of nominations for public office behind closed doors. The people have a right to know the character of men that are being thrust upon them in high official positions. There can not be any argument advanced by any Senator against the assertion that the folks back home have a right to know how you vote on the confirmation of presidential Why, we know that in this country for a long time the opinion has prevailed among the people that we close these doors, we exclude from this Chamber everybody but Senators and three or four trusted and confidential employees, and that we traffic here through senatorial courtesy to confirm political nominees. I do not say that that is done, but I say the prevailing sentiment in America is that men have been confirmed through senatorial courtesy and for political purchases without consideration of their trae willing. poses, without sufficient consideration of their true qualifica-What we ought to do is to try to remove that impression in the country. We ought to deal with the people in an open, frank, and candid way. We should so conduct ourselves as to elicit their confidence. It can not be done when secrecy shrouds

It has been argued, and with a great deal of force, that even though we clothe ourselves in official seclusion, even though we bar the doors and place men outside to keep everybody beyond hearing distance, so that our deliberations shall not reach the ears of the public, so that our votes shall not be known by the people back home, somehow or other it trickles out and gets to them.

It does in some kind of way get out very often, and that is one of the main reasons why we should throw open the doors and abolish these secret sessions of the Senate, especially in dealing with presidential nominations. The exact truth, all of the truth, all of the facts, hardly ever escape the executive sessions of the Senate. Some newspaper correspondent gathers his impression from some person; I will not say some Senator, because I can not imagine that a Senator would violate his oath and violate the rules of the Senate and run the risk of the penalties that are imposed in the rules of this body by telling things that happen in the executive sessions of the Senate; and knowing the character of the employees of the Senate, I can not believe they would tell it; but somehow or other it gets out, and very often it does not get out in its true light, and it works injury oftentimes upon some particular nominee. It hardly ever works good to any particular person whose name is up for

So, Mr. President, the best way to cure the evil and to relieve the suspicion in the minds of the people against this body and to really elevate the procedure of the Senate and the character of presidential appointees is to throw the searchlight of publicity on our proceedings and let frankness and candidness exist in our deliberations and in all our official actions. The way to accomplish that is to change the rule as I have proposed and abolish the old order of things—secrecy and seclusion.

Mr. McKELLAR. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Tennessee?

Mr. HARRISON. I yield. Mr. McKELLAR. The Senator will recall that just a few days ago, when the nomination for Internal Revenue Commissioner came in and it was considered by the Senate in so-called secret executive session, the next morning a minute newspaper account appeared in many papers as to what had occurred in the

Senate the evening before.

Mr. HARRISON. Yes; and the accounts were garbled, from the reading of which no one could come to a correct judgment. The Commissioner of Internal Revenue has full sway in the matter of the collection of taxes in this country, exercises his judgment in adjusting claims before that office, in settling various disputes which constantly arise, gives his opinion as to what is the law on questions arising in connection with the tax laws, has tens of thousands of agents throughout the country working under him, and the commissioner of prohibition, I might say, is appointed by him.

The decisions of the various agents under him must find lodg-ment at last in the office of the Commissioner of Internal Revenue. So it may be that great injustice has been done him by the things which have trickled out touching his nomination. But I say this to you, that he will never be able to over-come what has gone to the people respecting him. There will always be some suspicion in the minds of a great many people in America that he should not have been nominated by the

President nor confirmed by the Senate. And even though the Senate might try to rectify the impression, and a majority should express themselves as favorable to his confirmation, there will always be some people in the country who will suspect that there was something wrong touching the nomination, and that he is not a fit man for the place.

The hearing before the Committee on Finance which is now considering that nomination has been in secrecy. ation here was and will be in secrecy. If it had been in the open, if the speeches for and against had been in the open, if everybody had known everything touching the matter, if the public had been taken in and given all the facts, then the people could have formed a correct opinion on the nomination and suspicion would not have attached throughout. So the suggestion the Senator from Tennessee has made illustrates most forcibly that, so far as presidential nominations are concerned, at least, executive sessions of the Senate should be abolished and these doors should be thrown wide open,

In my opinion, Mr. President, it would cause a very high class of men to be nominated for office, because the appointing power would know that the searchlight would be thrown upon them, that every official act of the nominee, all of their training and qualifications, would be analyzed and dissected, and that it would be done openly and aboveboard. The result would be that those in authority would give the matter consideration for a long time before appointments were made.

I read in this morning's paper an article headed as follows: Renominates man Spencer opposed—Harding explains selection of C. C. Madison in letter to the Senator.

There was a nomination which came here, and I knew nothing about it except what I read in the morning Post, and I see in this article that Senator Spencer had held up this appointment for the whole of the last session of Congress. I do not know what argument he used against him; I do not know whether he said he was a man unfitted to be district attorney for the western district of Missouri or not. I do not know all the facts. If I did know, I would not be at liberty to tell my constituents about it. No one will ever know. But the facts are that he held up the appointment of C. C. Madison as attorney in the western district of Missouri for quite a long time, and at this session of Congress the President, as appears in the paper, wrote a letter to Senator Spencer and requested him not to oppose the nomination further. That is a personal matter. Then, in answer to that, I read the following in the paper:

Senator Spencers, replying, said he "cordially recognized" the President's unquestioned right to "make such a personal appointment," and agreed to interpose no objection in the Senate to the confirmation, "though my judgment, as you know," he added, "differs entirely from yours as to this particular appointment."

The American people will never know in what respect Senator Spencer's views differed from the President's touching this appointment. They will never know whether this man is thoroughly qualified for this work, and what there is against his nomination that influenced Senator Spencer for weeks and for months to hold it up in the Senate at the last session and prevent the nomination from being confirmed.

So, Mr. President, it is in order that we may deal openly, fully, freely, frankly, and candidly with these matters that these rules should be changed, abolishing executive sessions, and letting the consideration of presidential nominations and treaties be in the open.

Why, sirs, if one of my constituents should ask me how I voted on the confirmation of some nominee in executive session, under the rules of the Senate I would be subject to a severe penalty if I should tell him. Is that right? Can anyone defend the proposition that such matters as that are not of such concern to my constituents that I am not at liberty to tell him? If I refuse to give the information, I am suspected of wrongdoing; if I give it, I violate the solemn rules of this august body.

Under my resolution if two-thirds of the Senators should, in their judgment, believe that a nomination should be considered secretly, or that a treaty should be considered in executive session, then they could adopt a motion to that effect and it

would be so considered.
One other thought, Mr. President, and then I am through.
The Senator from Massachusetts [Mr. Lodge] has made a motion to refer this resolution to the Committee on Rules. Mr. President, there is no doubt that that would be the orderly procedure to be taken by the Senate. It was the procedure which only a few weeks ago Senators on this side of the Chamber pointed out, and employed every reasonable argument to per-suade Senators on the other side of the aisle to follow, in the matter of changing the rules. But with all the force that was employed, with all the logic and eloquence then expended, we could not get the other side of the aisle to come to our way of thinking.

You will recall the facts, Mr. President, and I am sure Senators will. It was over the organization of this body. At the last session of the Senate we had agreed that a certain number of Senators should compose the committees. We had

reduced the number on many committees.

According to the suggestion of the leadership on the other side of the aisle, the rules had been accordingly amended. It had been done in an orderly fashion, on a recommendation of the Committee on Rules; but at the beginning of this session, without precedent, the distinguished senior Senator from Connecticut [Mr. Brandegee] offered a resolution to change the rules of the Senate, increasing the membership of the committees by one or two, in some instances. We pleaded with the Senator from Connecticut, we pleaded with the Senator from Massachusetts, and other Senators on that side of the aisle, to allow that resolution to go in an orderly way to the Rules Committee, and be considered by them. But we were told, in very emphatic language, "That the steam roller was prepared"; "that the machinery was oiled"; and that they were going to "run roughshod over us"—that it could not go to the Rules Committee, but must be acted on by the Senate.

So it seems to me that it is a strong acrobatic performance the Senator from Massachusetts is now displaying, in asking that this resolution, proposing a change of the rules, which would give openness in expression of Senators and openness and candidness in the consideration of treaties and nominations,

should now be sent to the Committee on Rules.

No one on the other side of the aisle, and no one on this side, will be deceived by the motion the leader of the majority has made. The Senator is opposed to the change proposed, and what he wants to do is to give the resolution a decent burial—that is what the adoption of his motion would accomplish. Why send it to the Rules Committee? We would never be able to get it out of there. That is where it would remain, because, unfortunately, while that committee is composed of some of the most estimable and able Senators in this body, I fear they think on this question as the Senator from Massachusetts does, and there is not as much progressive spirit among the Republicans who serve on that committee as among those on some other committees of the Senate.

So I submit that the motion of the Senator from Massachusetts should not prevail, and those who vote for it will vote just as they would vote on the direct question of the adoption or rejection of this resolution. A vote to send this resolution to the Committee on Rules is a vote against open sessions of the Senate in dealing with nominations and the consideration of treaties, and I sincerely trust that every friend of this idea for open sessions of the Senate in the consideration of nominations and treaties will oppose the motion of the Senator from Massachusetts, so that we can come to a direct vote on the question of the change of the rules to accomplish the purposes we have in mind.

change of the rules to accomplish the purposes we have in mind.

Mr. WILLIAMS. Mr. President, I shall vote against the
motion to send this proposed amendment to the Committee on
Rules, because I believe in meeting every proposition with which

I am faced, unless there is some very good reason to the contrary, directly, instead of meeting it indirectly.

Having said that, it is with great pain and reluctance that I say I am not in agreement with my colleague concerning his resolution itself. I shall not vote for its adoption, and in saying that, Mr. President, I feel almost as if I were having a curtain lecture difference with my wife, because there are no two people in the world closer to one another than my colleague and I, politically, personally, socially, and in every other way.

He has proven himself worthy of his position as a Senator from the great State of Mississippi, and he is improving every day in his worthiness. In other words, his worthiness is in-The time will come when he can see and his friends can see that he is thoroughly fit, par excellence, for the position of a Senator from a State whose Senators, while they have not been superior to the Senators from every other State, have been to a full extent equal to them, beginning with old George Poindexter, who dared to beard Andrew Jackson in his den, continuing through the time of Jefferson Davis and James Z. George, and Albert Gallatin Brown to Edward Cary Walthall. who was pronounced by the late colleague of the Senator from Massachusetts, Mr. Hoar, to be par excellence the gentleman of the United States Senate, and of whom Senator Hoar said that "If I had to select one who would be a typical Senator of the United States, I would select Edward Cary Walthall."

But, Mr. President, there must be common sense in dealing with great public questions. I would not have so much objection to submitting treaties after they get to the Senate to an open discussion. Indeed, modern thought has gone so far that

a great many people are demanding that even the preliminary conversations leading to the negotiation of a treaty shall be public. A great many envious enemies of the late President of the United States, Mr. Wilson, have gone so far as to say that he advocated that sort of thing, when as a matter of fact he never did. He advocated "open covenants openly arrived at," but not openly conversed about while people were trying to arrive at an agreement. It is stupid and foolish to imagine that great nations can talk honestly and sincerely across the board to one another, through their prime ministers and their ambassadors and their other official representatives, when every accidental or incidental word uttered while a man is "thinking out loud" and trying to arrive at an agreed conclusion is going to the press for the next morning. You can not carry on international business that way.

But when a treaty has reached the stage where it has been passed upon by the men who are consulting with one another beforehand and "thinking out loud" as friends seeking an agreement with one another; where it has passed not only that stage but the second stage, which is the stage of negotiation, and has come to the Senate of the United States upon the question whether it shall be ratified or not, I would not have very much objection to its being discussed with the galleries full, although it is a fact in American history, of not very recent growth, though recently much magnified, that the galleries now and then are filled with persons who voice some European desire or some European hate in order to try to influence the Senate of the United States while it is discussing an international question. I need not go into details about that. Every man who is honest here knows that that has occurred, and he also knows that some few weak backboned brethren have been

affected by it.

Mr. President, while I would not, with my warm and personal affection, stand against my colleague, or rather would not get up on the floor and stand against him in argument, if this question were confined simply to the public discussion of treaties, although I would vote against him, I feel called upon to say a few words concerning the absolute impolicy, if not immorality, of the discussion of the confirmation of appointments in open session. I remember since I have been a member of this body that at one time under a Democratic administration the appointment of a man to a high position in the Diplomatic Service was opposed in the Senate upon the ground that he had accepted "hush money" from certain interests in the Orient. I was one of the men who believed the charge and one of the men who voiced it and defeated his nomination. I found out years afterwards that the charge was not true and that I had made a mistake. I remember another case under a Republican administration where there was voiced upon this floor a charge against a man that he had been extremely loose in his associations with the gentler sex. In one case the nomination was defeated and in the other case it was not. In the first case the charge was not true and in the second case it happended that it was true. But when Senators are considering the competency and honesty and worthiness of an appointee why should there go out to the entire country sensational things that would cover with shame his wife or children? There is no common sense in it.

Now, Mr. President, furthermore—and I am going to hurt the feelings of some uplifters, I suppose, though I do not much care if I do, because I have found out that the uplifters' chief aim in life is to lift themselves up—I do not believe that any ordinary private business could be run upon the theory—not the practice, thank God—of civil service which the Federal Government is professing to believe in and carry out.

I would not accept a position as the head of any industry or any enterprise where I could not feel reasonably well assured that my employees were personally loyal to me. I believe that the President of the United States has a right to have men in office under him who are personally and politically loyal to him.

I believe that there are just two exceptions to that rule, and those exceptions are not laid down by me, but were laid down years ago by Thomas Jefferson, the father of American Democracy. Those exceptions are cases of dishonesty or of incompetency.

No President has a right to put a dishonest man or an incompetent man in office, and no Senator has a right to vote for one even when put into office by a President of his own party. But as a rule I shall vote for the nominees of the President of the United States for executive offices unless some real good reason is given to me to oppose them, a reason not only good but going to either the moral character or the mental competency or the physical fitness of the appointee. I have pursued that course under two Democratic administrations and

under two or three Republican administrations, and I shall continue to pursue it. But if in case of every little appointment to every little executive office in the United States—and I have forgotten how many there are—if in connection with all of them every word that every Senator can utter confidentially to another Senator as a witness, even as an honest witness concerning a man's character and standing and reputation, is to go abroad through the galleries and the press to the entire world, sometimes shaming the wife and children of that man, so far as I am concerned I am against it. I do not believe in it.

I can tell you how we can get along much better. Stop this infernal foolishness of senatorial courtesy. I met in the Senate one day a Democratic Senator just going out of the Chamber. He said, "John, I should like to have you vote against the confirmation of a certain man whose name has been sent in for an office in my State." I said, "Why? Is he incompetent or dishonest?" He said, "I do not know anything about him in that respect." Then, remembering this absurdity of senatorial courtesy, I said, "Is he personally persona non grata to you, personally obnoxious?" He said, "I do not know anything about him. I never heard of him before in my life until his name was sent in by President Wilson, but I was not consulted about his appointment." He was a Democratic Senator, too. I said, "My dear boy, unless you can get up and say in the open Senate, according to the traditional formula, that this gentleman 'is personally obnoxious,' I shall vote for him." Four days afterwards that Senator rose in his place in this Chamber and solemnly assured the Senate that "the nominee was personally obnoxious" to him, and the nominee was defeated.

I once went before a subcommittee of a committee of this body to attempt to get a nomination through, and I was solemnly informed by a Senator, a member of the subcommittee, that "if a Senator rose in his place and said that some one was personally obnoxious there was no right to go behind his saying it." I had undertaken to prove that the man could not be really "personally obnoxious," because he had been supporting the Senator up to a short time prior to that, and that the Senator had written him five or six very complimentary and flattering letters before they had parted company politically. But I was informed that they could not hear these facts because the Senator, in his august personality and his august officialness, if not officiousness, had risen or was prepared to rise in his place and say that the nominee was personally obnoxious.

the nominee was personally obnoxious.

Mr. President, before I would rise in a secret session of the Senate of the United States to vent my private spleen or to voice my private enmity or to express my sense of another man's personal enmity to me and defeat his nomination in that way without being able and willing to give some public reason for his defeat, I would resign my seat in this august body.

Get rid of this "courtesy of the Senate." The Senate has a right to pass upon appointments. The Constitution secures it

Get rid of this "courtesy of the Senate." The Senate has a right to pass upon appointments. The Constitution secures it that right, and I suppose that being a constitutionally guaranteed right, it is a right in a sense "in discretion," but in sound morals and ethics it is not a right in discretion, except "in judicial discretion."

The reason for the opposition to a man's appointment to public office to aid the Executive in executing the laws ought to be a public reason, that is, a reason founded upon the character of the appointee, his fitness or his unfitness morally, mentally, or physically, but it ought not to flow out of the personal feeling of a Senator. I can understand very well why it should flow out of his political feelings if the man were from the opposite party, for I myself would insist that the man to be appointed to office should be personally and politically in allegiance to the party in power; but to say that he should be personally and politically in allegiance to an individual Senator is carrying that just a little too far.

But, Mr. President, going back to the original subject of discussion between my colleague and myself, I say that we can not afford to discuss in public the private character of men whose names are sent to this body, nor to read communications about them of the truth of which we ourselves must frequently profess ignorance, but by their reading "give the benefit of the doubt" to the accuser.

I have heard charges read where the Senator submitting them said he was "not at liberty" to give the name of the writer. Moreover, the Senator might be right if he knew and trusted the writer and the latter had written confidentially. I say, that we can not afford to discuss in public the private character of men whose names are sent to this body. One reply is that "the press gets it, anyhow."

Well, if the press does, in the first place, it gets it dishonestly, by dishonesty upon the part of the reporter or upon the part of some Senator; and the very fact that it gets it dis-

honestly makes the news burdened with suspicion, so that it does not carry the weight of evidence with it.

I have witnessed many instances upon this floor where things were said about men that in the old duelling days would have demanded "personal satisfaction," and yet they were true things and ought to have been said, and the nominations ought to have been defeated. But why cover a man's kith and kin with it? Why make it a part of the criminal sensational news of the country?

Mr. President, one more word and I am done. I have not as much sympathy, as have a great many other people, with the appetite for making everything a matter of public news. I have no patience at all with the American reporter who wants to come to me and have a conversation about my daughter's marriage or about what sort of dress she wore at the last reception or ball. Newspaper men ought to confine themselves and their news to public affairs when dealing with public men in public discussion. They are, moreover, entirely too prone to publish everything that looks a little "off color." If they would endeavor half as much to fill their columns with the deeds of nobility and altruism and unselfishness that are going on every day in America, and which are equally sensational if to be exceptional is to be sensational, as they are disposed in their endeavors to fill their columns with notice of every crime and degradation and degeneration of humanity, humanity would be much better off; for, Mr. President, the major part of the make-up of each one of us is quite psychological, and so long as the newspapers do not publish in flaming headlines the deeds of a man who has sent bread to somebody who was starving, or sent clothing to somebody who was naked, or rendered moral or social help to somebody who was tempted, and still continue at the same time to make flaming headlines of every miserable New York plutocratic banker who has had a quarrel with his equally disreputable and prostitute wife, the psychological effect of newspapers upon me and other people is not very good.

I do not believe that newspapers are entitled to have first notice of everything that happens in the world, not even of my baby's birth. Newspapers have their proper function, and their proper function is to get and disseminate the sort of news that informs and improves and helps humanity. Just so far as they fall below that standard they fall below their God-appointed task. A newspaper has no right to have a representative in the galleries of the Senate, sitting there to hear the confidential testimony of the Senator from Idaho about a man from Idaho who has been appointed to an office.

So, Mr. President, I hope, first, that the motion to send this proposed amendment to the rules to the Committee on Rules will be voted down; and I hope, second, that the proposed amendment itself will also be voted down.

Mr. BORAH. Mr. President—
The VICE PRESIDENT. Does the Senator from Mississippi
yield to the Senator from Idaho?
Mr. WILLIAMS. I yield.

Mr. BORAH. The Senator from Mississippi spoke about the "confidential testimony" of a Senator concerning an appointment. That is the kernel of the whole controversy. How can a Senator have any confidential communication concerning the qualifications of a man for a public office? The public alone is interested in his capacity and his qualifications, and it seems to me that I am not permitted to have any confidential communications, that they must necessarily be public because they relate to a public matter—to the capacity of the nominee to serve in a public position.

Mr. WILLIAMS. Mr. President, so far as I am personally concerned, I agree with the Senator from Idaho about that, but there are Senators who take a different view of it. I have never had anything to say about any human being in the Senate of the United States which I had not previously published, and I do not think any Senator ought to have; but that is when the question concerns him and does not concern his family and can not hurt his family. However, the case is different when that sort of question is raised; and there are frequently such cases. If I were off in the cloakroom confidentially with the Senator from Idaho now, I think I could remind him of a case as to which he would agree with me that it was advisable the details were not made public. The charge was perfectly true and the matter was one, so far as the appointee was concerned, that needed not to be absolutely secret; but it was a different question so far as the man's family was concerned; and the man was defeated upon this floor for office and he ought to have been defeated.

But, Mr. President, there is this reason also; I have noticed, as the Senator has noticed, that men never talk to one another quite as frankly, quite as sincerely, and quite as honestly, quite as much man to man and heart to heart, when they are talking

in the presence of galleries and newspaper reporters as when they are simply expressing opinions of the most honest sort privately. The Senator knows that as well as I do.

Mr. BORAH. The difficulty that I have in agreeing with the Senator-and I have very great respect for his opinion-is this: For instance, here is a man who is a candidate for public office. It is true he secures it by appointment instead of election, but, nevertheless, the qualifications which fit him for the office are the same as the qualifications that he ought to have if he were running for office and asking for the general suffrage of the people.

The Senator from Mississippi is a candidate from his State and he undergoes the test of criticism. I do the same, and every other Senator here does likewise; but a man comes here for confirmation after he has been appointed to an office of equal moment, to wit, a Federal judgeship or an internal revenue collector, who has to do with the finances of the United States either in a direct or an indirect way. What possible reason is there for not testing him from the public standpoint in a public discussion, the same as the capacity of the Senator from Mississippi is tested when he is a candidate for the Senate?

Mr. WILLIAMS. Mr. President, the answer is very easy. The answer is that the test is not the same; the test is not a full one; the test is not a sufficiently long-continued one. When I go before the people of my State and run for office or the Senator from Idaho goes before the people of his State we are there in the limelight for months, and not only has every enemy a chance to say everything he chooses, but we have a chance to reply. When the question of a man's fitness for executive office is taken up publicly in the presence of the galleries and the press, if so taken up by routine procedure here, that opportunity for thorough analysis and thorough investigation does not exist.

I have called the Senator's attention or the attention of the Senate-I think the Senator from Idaho was in his seat at the time—to a case which I remembered afterwards with very much regret, where I myself had partially led the fight against and had secured the defeat of an appointee upon the ground that he had received hush money from the Orient. . I afterwards discovered, or thought I did, that I was mistaken, after the man had suffered all the damage possible by defeat of his nomination.

If that had been an open election, there would have been months of it, and I would have changed my own mind before the election took place. If it had been discussed in open ses-sion before the galleries, what I had said, which I thought to be absolutely true, would have hurt that man's wife and his children, but, as it happened, it did not hurt anybody but him, and that politically; he was simply defeated; that was all.

Mr. BORAH. They undoubtedly learned why he was defeated.

Mr. WILLIAMS. I do not know with certainty; but, so far as I know, they did not. They always believed that he was defeated by the personal animosity of certain Senators who had not been treated very politely when they were in the Orient, I believe. But, however that may be, when the question comes to testing me and testing the Senator from Idaho before our constituents we are fair objects to be shot at from the tops of our heads to the soles of our shoes; we have neither public nor private character; it is just the character of Borah or WIL-LIAMS; but whenever a man is to be shot at haphazard by privileged people holding official position, and all that is said against him is to go out to the world without a long opportunity for him to make sufficient reply, much damage is apt to be done incidentally.

Mr. BORAH. But if a man comes before the Senate for confirmation under a nomination he has back of him a very strong following. He has his friends here; he has the appointing power back of him; he has every opportunity in the world to counteract any false charge. While a Senator may make a charge, the appointee has an opportunity through his friends to meet the charge. However, I look at the question a little differently from the Senator. There is another side to the proposition. We know that when these doors are closed and we sit here as a club inside of closed doors

Mr. WILLIAMS. "Club" is a good word.

Mr. BORAH. Yes; that is what we are—a great deal passes through here without any scrutiny at all concerning the most vital matters which affect the interests of the people. I recall two instances, in one of which I have always believed a Federal judge was confirmed who ought never to have been confirmed, and never would have been confirmed if there had been an open test of his appointment and confirmation, and now he is there for

Mr. WILLIAMS. All of his time, anyhow.

Mr. BORAH. Yes; that is, all of his time. There is no way to get him out. I have not any doubt at all but that if a public debate had taken place upon that, he would have been defeated.

Mr. WILLIAMS. Well, that may be true now and then; but it is still true that the test which, as the Senator says, is applied to elective officers and, as might be argued, ought to be applied to executive officers, from the very nature of the case can not be applied here. While the Senator is right in saying that a man, when his name is sent here, has behind him the Executive and the Executive influence, and has behind him his friends, if he has such upon the floor, it may be also true now and then that he has behind him some vindictive enemy who is willing to drive a poniard into his breast. The Senator is right again when he says that the poniard may not be necessarily and perhaps successfully driven; in the majority of cases in the Senate it is not. Senators make allowance for their colleagues' vindictiveness; but if the attempt to drive the poniard went out to the press and to the galleries and everybody else in the world, that man could not possibly escape for all the balance of his life the hurt that had been made by it.

I have known several cases of that sort. The Senator has,

too, I doubt not.

But above all things the Executive has a right, unless there is great reason to the contrary, to appoint to executive office as his subordinates and his assistants in executive power and authority men who are politically and personally loyal to him; and there is no right to torture that into a question of personal and political loyalty to a Senator. Above all things, the Senator ought to help me to get rid of what we call "the courtesy of the Senate.'

Mr. BORAH. I did not know we had any. Mr. WILLIAMS. Oh, yes; we have it—well, not real courtesy, but the courtesy of inimicality toward private people recommended for office without the previous sanction of a Senator who may be, and often is, the bitter personal enemy of the appointee, for no better reason than that the appointee has never admired the Senator as "a statesman."

The VICE PRESIDENT. The question is on the motion of the

Senator from Massachusetts.

Mr. HARRISON. Mr. President, I suggest the absence of a

The VICE PRESIDENT. The Secretary will call the roll, The roll was called, and the following Senators answered to their names:

Ashurst	Harreld	McLean	Simmons
Borah	Harris	McNary	Smith
Bursum	Harrison	Moses	Smoot
Cameron	Heflin	Nelson	Spencer
Capper	Hitchcock	Newberry	Stanfield
	Johnson	Nicholson	Stanley
Caraway	Jones, N. Mex.	Norbeck	Sterling .
Colt	Jones, Wash.	Norris	Sutherland
Cummins			
Curtis	Kendrick	Oddie	Swanson
Dial	Kenyon	Overman	Townsend
Dillingham	Keyes	Phipps	Trammell
Ernst	King	Pittman	Wadsworth
Fletcher	Ladd	Poindexter	Warren
France	La Follette	Ransdell	Watson, Ind.
Frelinghuysen	Lodge	Robinson	Williams
Gerry	McCumber	Sheppard	Willis
Gooding	McKellar	Shields	
Hale	McKinley	Shortridge	

The VICE PRESIDENT. Seventy Senators having answered to their names, a quorum is present. The question is on the motion of the Senator from Massachusetts [Mr. Lodge] to refer to the Committee on Rules the resolution offered by the Senator from Mississippi [Mr. Harrison].
Mr. HARRISON and Mr. NORRIS called for the yeas and nays,

and they were ordered.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. FLETCHER (when his name was called). I have a general pair with the Senator from Delaware [Mr. Ball], who is absent. I transfer my pair to the Senator from Texas [Mr. CULBERSON] and vote. I vote "nay."

Mr. HITCHCOCK (when his name was called). On this

question I am paired with the Senator from Minnesota [Mr. Kellogg]. If at liberty to vote, I should vote "nay" and he would vote "yea."

Mr. GERRY (when the name of Mr. Walsh of Massachusetts was called). The junior Senator from Massachusetts [Mr.

WALSH] is unavoidably absent on official business.

Mr. WATSON of Indiana (when his name was called). transfer my general pair with the senior Senator from Delaware [Mr. WOLCOTT] to the senior Senator from Connecticut [Mr. Brandfree] and will vote. I vote "yea."

Mr. WILLIAMS (when his name was called). First trans-

ferring my pair with the senior Senator from Pennsylvania

[Mr. Penrose] to the senior Senator from Missouri [Mr. Reed], upon this motion I vote "nay."

The roll call was concluded.

Mr. DILLINGHAM. I have a general pair with the junior

Senator from Virginia [Mr. Glass], which I transfer to my colleague [Mr. Page] and will vote. I vote "yea."

Mr. FRELINGHUYSEN. I have a general pair with the junior Senator from Montana [Mr. Walsh]. I transfer my pair to the junior Senator from Indiana [Mr. New] and will vote. I vote "yea." vote. I vote "yea.

Mr. HEFLIN. My colleague [Mr. Underwood] is absent on account of a death in his family. I ask that this announcement may stand for the day.

Mr. KENDRICK (after having voted in the negative). I have a general pair with the Senator from Illinois [Mr. Mc-

CORMICK]. In his absence I withdraw my vote.

Mr. HARRISON (after having voted in the negative). I have a general pair with the junior Senator from West Virginia [Mr. Elkins]. I transfer that pair to the junior Senator from Massachusetts [Mr. Walsh] and will let my vote stand.

Mr. JONES of New Mexico (after having voted in the negative). I have a general pair with the Senator from Maine [Mr. Fernald]. I transfer that pair to the Senator from Georgia [Mr. Warson] and will allow my vote to stand.

Mr. LODGE (after having voted in the affirmative). I have a general pair with the Senator from Alabama [Mr. Underwood]. I transfer my pair to the Senator from Pennsylvania [Mr. Knox] and will allow my vote to stand.

Mr. CURTIS. I desire to announce that the Senator from New Jersey [Mr. Edge] is paired with the Senator from Oklahoma [Mr. Owen].

The result was announced-yeas 42, nays 26, as follows:

	YE.	AS-42.		
Bursum Cameron Capper Colt Cummins Curtis Dillingham France Frelinghuysen Gooding	Harreld Jones, Wash. Keyes Ladd Lodge McCumber McKinley McLean McNary Moses Nelson	Newberry Nicholson Norbeck Oddie Overman Phipps Poindexter Shortridge Simmons Smith Smoot	Spencer Stanfield Sterling Sutherland Townsend Wadsworth Warren Watson, Ind. Willis	
	NA.	YS-26.		
Ashurst Borah Broussard Caraway Dial Fletcher Gerry	Harris Harrison Hefiin Johnson Jones, N. Mex. Kenyon King	La Follette McKellar Norris Pittman Ransdell Robinson Sheppard	Shields Stanley Swanson Trammell Williams	
	NOT V	OTING-28.		
Ball Brandegee Calder Culberson Edge Elkins	Fernald Glass Hitchcock Kellogg Kendrick Knox	McCormick Myers New Owen Page Penrose	Reed Underwood Walsh, Mass. Walsh, Mont. Watson, Ga. Weller	

So Mr. Harrison's resolution was referred to the Committee on Rules.

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Weller Wolcott

# NAVAL APPROPRIATIONS.

Mr. POINDEXTER. Mr. President, I move that the Senate proceed to the consideration of House bill 4803, the naval appropriation bill.

The motion was agreed to.

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# AMENDMENT OF PROHIBITION LAW.

Mr. DIAL. Mr. President, this morning I introduced a bill (S. 1804) to protect the interest of innocent third persons in property which is used in the unlawful conveyance of goods or commodities by which I propose to amend section 3450 of the Revised Statutes of the United States, and I desire to give the reasons why I advocate an amendment of the law.

This section has been the law since 1866. It provides that the vehicles employed in the transportation of liquor shall be forfeited.

I am heartily in favor of prohibition and of its enforcement. At the time that law was passed the means of transportation were very crude. Parties, as a general rule, owned their own conveyances. There was not so much variety in the means of conveying commodities from one section to another.

But in these times, since the invention of the automobile, and since it has become very useful and is here to stay, I feel that this law should be amended. I am not a great advocate of the promiscuous use of automobiles. I feel that possibly double the number are sold that ought to be sold; in other words, that a great many people buy them who can not afford them. However, it is now an established mode of transportation.

It has been brought to my attention that, under the present law, innocent owners of vehicles often suffer, and that innocent creditors often suffer. For instance, if a dealer, or one owning a machine, should sell it on part credit, taking a mortgage, and For instance, if a dealer, or one owning having that mortgage recorded, and later that vehicle should be employed in transporting whisky, it would be forfeited, and there is no way for the innocent creditor to establish his right.

The object of my amendment is to correct that situation. I do not want it understood for one moment that I want it made any easier for parties to engage in this nefarious traffic. I would favor a more rigid regulation, if it were possible to secure it. But in behalf of innocent people and in behalf of trade, I feel that we should amend this law.

Just the other day a case was brought to my attention where a dealer sold a car and took a mortgage for \$1,000, the balance of the purchase money; the car was used in transporting whisky, it was seized, and there was no chance for the holder of the mortgage to recover.

My amendment places the burden of proof upon the innocent owner or the innocent creditor to establish his right, and to show to the court that he did not participate in the unlawful use, that he did not connive at it, was not interested in it, or anything of that kind.

I feel that we should be willing to submit these matters to our courts, and where a state of facts exists whereby the innocent owner or the innocent creditor had done all that could be expected of him under the law his rights should be protected.

Mr. President, I want to make this statement, because I do not want it understood that I desire the bars let down at all. As I said, I would vote for a stricter enforcement of the prohibition law if that could be accomplished.

I do not know that my amendment is perfect, but I am in hopes the Judiciary Committee will improve on it, perhaps, if necessary, and will report out something whereby innocent owners and creditors can be protected.

Recently the United States Supreme Court decided a case similar to the one I cited, and they found that there was no relief for the innocent creditor.

### THE PANAMA CANAL.

Mr. McKINLEY. Mr. President, I wish to say a few words with reference to the Panama Canal.

Since 1898 when the interest of the Nation was centered upon the progress of the Oregon during its historic trip from the Pacific to the Atlantic the Panama Canal has been associated with the Navy.

Last month I accompanied a party of Congressmen to Panama. The purpose of our trip was to become acquainted with the surroundings and to investigate the operation of the canal. Permit me to say in the beginning that the primary reason for the canal is to transfer ships from the ocean upon one side of the

Isthmus to the ocean upon the other side.

In 1920 an average of 7\(^2\) ships per day was put through the canal, and to accomplish this task of transferring the 73 ships per day we maintain at the Isthmus a force of 17,500 civil employees, guarded by an Army and Navy.

The distance from deep water to deep water is 50 miles; of this distance perhaps 10 miles is canal proper, 30 miles lakes created by the dams, and 10 miles of channel through the swamps and shallow water upon either side.

Alongside of the canal from ocean to ocean is a jitney railroad used for local purposes. In the building of this railroad there is said to have been expended \$150,000 per mile. The total cost of the canal, as we know, was about \$400,000,000. The interest upon same at a 3 per cent basis would be \$12,000,000 per year; at 4 per cent, \$16,000,000; at 5 per cent, \$20,000,000 per year. In addition we have just given Colombia \$25,000,000, and as part of the operating expenses we pay the Republic of Panama \$250,000 per year as rental, we having paid them \$10,000,000 at the beginning of the enterprise. From a plague spot of yellow fever and death, the genius and energy of Gen. Gorgas has changed the Canal Zone to one of the healthiest and most sanitary spots on earth.

During the construction of the canal we maintained at the Isthmus a force of about 6,000 or 7,000 white American citizens and 35,000 black West India natives of Jamaica and Barbados.

The canal was opened for regular traffic about January, 1915, six and one-half years ago, and now, in order to put the 73 ships per day through the canal it seems necessary to keep in Government employ at the Isthmus 4,000 white Americans and 14,000 colored West Indians. The wage paid the colored men is about one-third to two-fifths the wage paid the white men.

The city of Cristobal, upon the Atlantic side, has a population of perhaps 30,000, and Panama, upon the Pacific, 50,000. Although both these cities are in the Canal Zone, they are Panaman territory, and the United States is only responsible for health conditions and order. "Responsible" is hardly the right word. Under the treaty the United States can maintain order and health if the authorities of Panama are unable to do so.

Gen. Gorgas expended some \$7,000,000 at the inception of the work in providing these foreign centers of population with sewers, waterworks, paving, and so forth. It was absolutely necessary to create sanitary conditions or the canal could not have been built.

Naturally back in 1900 to 1905 the health reports from Panama were not conducive to white men from the United States going there to work. In order to get white men to go there from the United States the following inducements were

First. Free transportation, in the first instance, and passage

for vacations at \$20 per man (since increased to \$30). Second. Two months' vacation each year at full pay.

Third. Free house rent.

Fourth. Free hospitals and free medical attendance.

Fifth, Privilege to purchase supplies at Government commissary at cost plus 10 per cent.

Sixth. Prevailing rates of wages in the United States with

one-fourth additional added.

These inducements or privileges are still maintained. The wage rate is fixed by the governor, or some man representing him, and two employees, members of the American Federation

The following are some of the wages paid:

Bricklayers, \$1.54 per hour. That means that for an 8-hour day the bricklayer gets \$12.32, and that added together for a month would make something more than \$300 per month.

Carpenters, \$1.33 per hour. Electricians, \$1.26 per hour.
Marble setters, \$1.44 per hour.
Metal lathers, \$1.44 per hour.
Painters, \$1.27 per hour.
Plasterers, \$1.52 per hour. Plumbers, \$1.45 per hour.

These men all get free rent, free medical attendance; free water, light, some of the heavy furniture, free care of lawns, free cartage if necessary to move, 60 days each year of vacation with full pay, a \$30 rate to the United States for vacations. Where there is not room upon Government vessels the Government makes up the difference between \$30 and the rate of \$79 on United Fruit Co, vessels, and the actual amount paid by the Government in the month of June in the year 1919 was \$19,000 for this one item alone.

I was told that it cost the Government \$400 per year, or \$33 per month, to keep the houses in repair, and that the total for this upkeep and trimming of lawns was about \$800,000 last

This beautifying work is well done and the communities of

Ancon and Balboa are wonderful beauty spots.

Gatun Lake, as you know, is 85 feet above the level of the ocean. The 7g vessels per day are handled on each side by three locks each averaging a lift of 283 feet. The daily report for March 16, 1921, shows 893 men on the monthly pay roll for lock operation alone. In the locks at Sault Ste. Marie, where during the senson an endless stream of vessels go through, they are handled by their own power. At Panama it is thought best to move them through the locks with electric mules.

There is 1 motorman to an engine or mule. To put through the 7% ships per day 108 motormen are kept upon the pay roll.

The route of the old Panama Railroad is under the lake. There is no through business for a railroad, but for the convenience of the population in Cristobal and Panama and the canal employees a single-track railroad was built alongside the canal at a cost of \$150,000 per mile—some say it cost \$220,000 per mile. Three regular passenger trains per day and one freight and mixed train are operated, and perhaps additional service that might in a month amount to one other train. The distance is 50 miles, or, say, a total train movement per day of, say, 500 miles. In addition, naturally, there are some work trains and yard switching connected with 50 miles of road. Railroad trainmen contracts in the States are based upon 100 miles as being a day's work for a crew. Five hundred miles of train movement per day at Panama would look as if it would take five crews, but in March, 1921, there were 29 engineers and 29 conductors upon the monthly pay roll.

As part of the original cost of construction there was erected

upon the Atlantic and Pacific side coal-handling plants said to

be the most perfect in the world.

March 16, 1921, 1,020 employees were on the pay roll of the coaling stations alone.

In 1920 an average of 3 tons per day per man was handled. One of their steam shovels or clams will handle a ton in a

Part of the overflow water from Gatun Lake is turned into electric power to operate the locks and to farnish power and light for the houses and shops. The private electric company furnishing power and light for Panama and Cristobal have asked to buy the dump power or wasted power that the canal can not use, offering 2 mills a kilowatt hour for same, but no contract has been made and the surplus water runs to waste.

There is a joint committee at the Isthmus to settle claims. against the Government. In 12 months-1918 to 1919-it cost \$65,000 for the expenses of the committee, and they made set-

tlements to the amount of \$90,000.

We own at Cristobal one of the finest cold-storage plants in the world. We are in the cattle business at Panama; cattle are bought in the United States or Colombia. If you have cattle you must have a ranch, so we improved 4,000 acres of the land we owned at a cost of \$1,323,000, or \$331 per acre-nice ranch. We invested \$221,000 in a dairy and cows, and in 1918-19 lost the interest on the money and \$34,000 additional in its operation. In March, 1921, Government milk was seiling at 32 cents a quart, and across the street, in Panama, at 22 cents a quart. We invested \$190,000 in a chicken farm and lost \$46,000 in one year's operation. Government chickens are selling at 45 cents to 60 cents a pound, and eggs from 60 cents to 70 cents per dozen.

The local street-car company buys its cast-iron brake shoes in the States delivered at Panama for \$1 each. The Government shops offered to make them for \$5 each—16 pounds of cast

One of the higher Army officers at the Isthmus told me he had three joints of stovepipe made at the Balboa shops, pipe that at that time could be bought in a stove shop up here at 30 cents a joint. His cost \$4.50.

A young engineer said he bought a small steam pump from the commissary for \$65. After 15 minutes pumping with same he found it was too small. He asked to return same. said all right but it must be inspected. The inspection fee for looking at the \$65 steam pump was \$21.85.

In closing I wish to state that all the employees from the governor down were extremely courteous and gave the Members of Congress every opportunity for investigation.

## NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes

The PRESIDING OFFICER (Mr. McNary in the chair). The question is on the committee amendment on page 35, line 7, in the item for "Fuel and transportation," where it is proposed to strike out "\$17,500,000" and to insert in lien thereof.

"\$25,000,000."

Mr. BORAH. After a conversation I had with the Senator from Washington [Mr. Poindexter], I would like to have this amendment go over. I will say to the Senator from Washington that at present I do not observe any other amendment which I desire to have passed over, but I would like to have this one go over; because it has been debated and I know it would be very difficult to get a vote on it at this time.

The PRESIDING OFFICER. Without objection, the amend-

ment will be passed over temporarily.

The next amendment of the Committee on Naval Affairs was, on page 35, after line 15, to add the following additional proviso:

Provided further, That the United States Shipping Board shall not require payment from the Navy Department for the charter hire of vessels furnished or to be furnished from July 1, 1918, to June 30, 1922, inclusive, for the use of that department when such vessels are owned by the United States Government.

The amendment was agreed to.

The next amendment was, on page 37, line 3, to increase the total appropriation for construction and repair of vessels from "\$22,500.000" to "\$29,400,000."

The amendment was agreed to.

The next amendment was, on page 37, after line 16, to insert: The statutory limit of \$300,000 for repairs and changes to capital ships of the Navy as provided in the act making appropriations for the naval service for the fiscal year ending June 30, 1917, approved August 29, 1916, is hereby changed to \$500,000.

Mr. BORAH. Upon that amendment I make the point of or-

der that it changes existing law, and is general legislation.

Mr. POINDEXTER. Mr. President, I do not think the point of order is well taken, as it is a limitation upon the appropriations contained in the bill for repairs upon vessels, which is a well-recognized exception to the general rule as to legislation on appropriation bills. It fixes the conditions and terms under which the money appropriated for repairs shall be expended, and for that reason it is obvious, it seems to me, that the point of order is not well taken. It is a limitation upon the appropri-

It occurs to me that it is not a limitation, but is an increase of the appropriation; and that it changes existing law there can be no doubt, because it reads:

The statutory limit of \$300,000 for repairs and changes to capital ships of the Navy as provided in the act making appropriations for the naval service for the fiscal year ending June 30, 1917, approved August 29, 1916, is hereby changed to \$500,000.

It is a change of existing law, and also increases the appropriation.

Mr. POINDEXTER. It does not increase the appropriation, Mr. President. The effect of it is simply to fix a condition or a limitation upon the manner as to how the money appropriated shall be expended, though it is true that the limitation is fixed at a rate different from that fixed before. It does not change the amount.

The PRESIDING OFFICER. The present occupant of the chair is of the opinion that the point of order is well taken, and it is sustained.

The next amendment was, in the items for Bureau of Engineering, on page 38, after line 8, to insert "including not to exceed \$2,500 for the purchase of land necessary for radio shore stations"; and on page 39, line 4, to increase the total appropriation for Bureau of Engineering from "\$20,500,000" to "\$28,-000,000.

The amendment was agreed to.

The next amendment was, on page 39, after line 4, to insert:

Submarine engines: For the renewal of engines of submarines L-1, L-2, L-3, L-4, L-9, L-10, L-11, and M-1, to be available until expended, \$2,000,000.

The amendment was agreed to.

The next amendment was, in the items for Naval Academy, on page 39, line 24, to increase the salary of the secretary of the

Naval Academy from "\$2,750" to "\$3,000."

Mr. BORAH. Mr. President, this amendment proposes to increase the salary of the Secretary of the Naval Academy from \$2,750 to \$3,000, an increase of \$250?

Mr. POINDEXTER. That is correct. The circumstances under which the amendment was reported by the committee are that the present incumbent of the position has held the place for 20 years. He is a very valuable man and has under him a force of clerks, mechanics, and laborers, some of whom receive a higher salary than he does. This man keeps all of the records of the midshipmen and makes up all the returns. He is a civilian and lives at Annapolis and has no emoluments of any character or description except his pay, and it was regarded by the committee as a mere act of justice and entirely reasonable to make this slight increase in his pay.

The PRESIDING OFFICER (Mr. Jones of Washington in The question is on agreeing to the committee the chair). amendment.

The amendment was agreed to.

The next amendment was, on page 40, line 7, to increase the total of the appropriations in the paragraph from "\$161,350" to "\$161,600," and in line 9, to increase the total pay of professors and others, Naval Academy, from "\$546,350" to "\$546,600."

The amendment was agreed to. The next amendment was, in the items for commissary department, on page 41, line 10, to strike out "\$238,415.99" and insert "\$390,415.99."

The amendment was agreed to.

The next amendment was, on page 41, line 16, to increase the total of the appropriations for civil establishment, Naval Academy, from "\$1,035,395.83" to "\$1,187,645.83."

The amendment was agreed to.

The next amendment was, on page 43, line 13, to change the total appropriation for Naval Academy from "\$2,273,595.83" to \$2,425,845.83.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Naval Affairs was, on page 44, line 18, to increase the appropriation for pay of enlisted men of the Marine Corps from "\$11,550,300.75" to "\$13,620,000."

The amendment was agreed to.

The next amendment was, on page 46, line 18, to increase the total appropriation for pay of the Marine Corps from "\$17,533.891.90" to "\$19,603,591.14."

The amendment was agreed to.

The next amendment was, on page 47, line 9, to increase the appropriation for provisions, Marine Corps, from "\$3,958,950" to "\$5,672,402."

The amendment was agreed to.

The next amendment was, on page 47, line 12, to increase the appropriation for clothing, Marine Corps, from "\$1,000,000" to \$2,250,000.1

The amendment was agreed to.

The next amendment was, on page 47, line 18, to increase the appropriation for fuel, Marine Corps, from "\$590,000" to \$1,000,000."

The amendment was agreed to.

The next amendment was, on page 48, line 11, to increase the appropriation for military stores, Marine Corps, from "\$500,000" to "\$757,400.

The amendment was agreed to.

The next amendment was, on page 48, line 17, to increase the appropriation for transportation and recruiting, Marine Corps, from "\$750,000" to "\$946,000."

The amendment was agreed to.

The next amendment was, on page 49, line 6, to increase the appropriation for forage, Marine Corps, from "\$100,000" to "\$120,000."

The amendment was agreed to.

The next amendment was, on page 49, line 9, after the word "advertising," to strike out "washing and cleaning bed linen, towels, and articles of regulation clothing in use by enlisted men" and inserting "washing bed linen, towels, and other articles of Government property.

The amendment was agreed to.

The next amendment was, on page 51, line 3, to increase the total appropriation for contingent expenses, Marine Corps, from \$2,000,000" to "\$3,185,200."

Mr. BORAH. Mr. President, I ask the Senator from Washington to allow that amendment and the one following, beginning in line 5, page 51, increasing the appropriation from \$9,348,950

to \$14,381,002 to go over.

Mr. POINDEXTER. I have no objection to that.

The PRESIDING OFFICER. Without objection, the request will be granted. The amendment following, in line 13, should also go over, and, in the absence of objection, that order will be made.

Mr. BORAH. That amendment should also go over.

The reading of the bill was resumed.

The next amendment of the Committee on Naval Affairs was, at the top of page 52, to insert:

Increase of the Navy: The construction of two airplane carriers of the most modern type and equipment and most advantageous size is hereby authorized at a limit of cost of \$26,000,000 each, including hull, machinery, armor and armament, and the sum of \$15,000,000 is hereby appropriated toward their construction. The authorization for 12 destroyers heretofore granted is hereby revoked.

Mr. BORAH. I ask that the amendment just stated and the one following, beginning on line 8, page 52, and ending on line 16, may be passed over.

The PRESIDING OFFICER. The Senator from Idaho asks that the two amendments be passed over. Without objection, that order will be made.

The reading of the bill was resumed.

The next amendment of the Committee on Naval Affairs was, on page 53, after line 14, to insert the following additional section:

SEC. 2. That hereafter no enlisted man in the Navy shall be paid a reenlistment gratuity, or any proportionate part thereof, in excess of an amount equal to one month's pay for each year of service in the last expiring enlistment of such enlisted man.

The amendment was agreed to.

The next amendment was, on page 53, after line 19, to insert the following additional section:

SEC. 3. That hereafter such moneys as may be appropriated under the Bureau of Yards and Docks for public works, exclusive of repairs and preservation, shall be available until expended.

The amendment was agreed to.

The next amendment was, on page 53, after line 23, to insert the following additional section:

SEC. 4. That during the fiscal year 1922 the ration for officers and enlisted men of the Navy entitled thereto shall be commuted at the rate of 60 cents per diem; and the commuted value of the ration for midshipmen shall be \$1.08 per diem; and commuted rations stopped on account of sick in hospital shall be credited at the rate of \$1 per ration to the naval hospital fund.

The amendment was agreed to.

The next amendment was, on page 54, after line 4, to insert the following additional section:

SEC. 5. That section 1481 of the Revised Statutes shall apply to all branches of the naval service: Provided, That hereafter no officer shall be retired under the provisions of said section who has not at the time of retirement attained the permanent rank of captain in the Navy.

The amendment was agreed to.

The next amendment was, on page 54, after line 9, to insert the following additional section:

Sec. 6 That as consideration for a suitable site and requisite rights, privileges, and easements for a receiving and distant-control radio station in Porto Rico the Secretary et the Navy be, and he hereby is, authorized to exchange or lease for such period as he may deem proper my land under naval control in Porto Rico not otherwise required for naval purposes: Provided, That in time of war or national emergency, if necessary, the Navy Department shall have without cost free and unlimited use of any land so exchanged or leased.

The amendment was agreed to.

The next amendment was, on page 54, after line 19, to insert

the following additional section:

SEC. 7. That officers of the Navy who have been or hereafter may be promoted or appointed to the grades or ranks of permanent commander, captain, or rear admiral shall take rank and precedence in their respective grades or ranks ahead of officers holding temporary appointments therein: Provided, That from May 22, 1917, until the date of the approval of this act officers of the Navy shall take rank and precedence from the date of their original commission in the rank or grade, whether permanent or temporary.

The amendment was agreed to.

The next amendment was, on page 55, after line 2, to insert the following additional section:

SEC. 8. That the Secretary of the Navy is authorized to transfer to the Fleet Naval Reserve at any time within his discretion any enlisted man of the naval service with 16 or more years' naval service: Provided, That men so transferred with less than 20 years' service shall receive the retainer pay now prescribed by law for transferred members of the Fleet Naval Reserve of 10 years' naval service.

The amendment was agreed to.

The next amendment was, on page 55, after line 9, to insert the additional section:

SEC 9. That section 8 of the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes," approved June 4, 1920, is hereby suspended until January 1, 1923, in its application to persons honorably discharged from the Army, Navy, Marine Corps, and Coast Guard between April 6, 1917, and January 1, 1920; Provided, That persons convicted of a felony or a crime involving moral turpitude are excepted from the operation of the suspension herein provided.

The amendment was agreed to.

The next amendment was, on page 55, after line 19, to insert the following additional section:

the following additional section:

Sec. 10. That the last paragraph of section 2 of the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes," approved June 4, 1920, is hereby amended to read as follows:

"That all officers of the Naval Reserve Force and temporary officers of the Navy who have heretofore incurred or may hereafter incurphysical disability in line of duty shall be eligible for retirement under the same conditions as now provided by law for officers of the Regular Navy who have incurred physical disability in line of duty: Provided, however, That application for such retirement shall be filed with the Secretary of the Navy not inter than June 30, 1922."

The amendment was agreed to.

The next amendment was, on page 56, after line 7, to insert the following additional section:

the following additional section:

SEC. 11. That in all cases where it shall be made to appear to the satisfaction of the President that a commissioned or warrant officer or an enlisted man with the charge of descrition now standing against him on the rolls and records of the Navy or Marine Corps has served honerably in the war with the German Government, either in the military forces of the Allies or in other branches of the military, service of the United States, the President is horeby authorized, in his discretion, to cause an entry to be made on said rolls and records of the Navy or Marine Corps, relieving said officer or enlisted man of all of the disabilities which he had heretofore or would hereafter suffer by virtue of said charge of describin thus appearing against him.

The amendment was agreed to.

The next amendment was, on page 56, after line 20, to insert the following additional section:

SEC. 12. That the benefits provided in the act of June 4, 1920, for beneficiaries of officers dying in the service shall apply in the cases of all officers who died on active duty between November 11, 1918, and June 4, 1920.

The amendment was agreed to.

The next amendment was, on page 56, after line 24, to insert the following additional section:

Sec. 13. That the accounting officers of the Treasury are authorized and directed to filow in the settlement of the accounts of disbursing officers of the Navy and Marine Corps payments made by them for civilian outfits furnished enlisted men of the Navy and Marine Corps upon discharge for bad conduct, undestrability, or inaptitude since November 13, 1917.

The amendment was agreed to.

The next amendment was, on page 57, after line 5, to insert the following additional section:

SEC. 14. That the paragraph in the act approved March 3, 1921, making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes, providing for temporary employees in the office of the Solicitor for the Navy Department, is hereby amended to read as fol-

lows:
"For temporary employees in the office of the Solicitor for the Navy Department, \$20,000: Provided, That no person shall be employed horeunder at a rate of compensation exceeding \$1,800 per annum except the following: One at \$6,000, one at \$2,400, one at \$2,250."

The amendment was agreed to.

The next amendment was, on page 57, after line 16, to insert the following additional section:

SEC. 15. That any suit at law or in equity now pending or hereafter brought in any State court on account of any contract for services or materials for the performance of any contract, or any part of the work contemplated by any contract, made by or for the Navy Department during the period of the war with Germany, and for which services or materials that the department might be held bound to reimburse its contractor in the amount determined in such suit, may be removed by the defendant therein to the district court of the United States for the proper district if so requested by the Secretary of the Navy, and if the United States thereafter assumes the defense of such suits as the real party in interest, the procedure therein and the defense thereaf shall be subject to the rules of court and the law applicable to the defense of suits against the United States.

Mr. BORAH. Mr. President, may I ask the Senator in charge of the bill what is the effect of that amendment? It was read so rapidly that it was difficult to comprehend its meaning. I do not understand the following provision in the amendment:

And for which services or materials that the department might be held bound to reimburse its contractor in the amount determined in such sult, may be removed by the defendant therein to the district court of the United States for the proper district if so requested by the Secretary of the Navy, and if the United States thereafter assumes the defense of such suits as the real party in interest, the procedure therein and the defense thereof shall be subject to the rules of court and the law applicable to the defense of suits against the United States.

Would not that be true in any event?

Mr. POINDEXTER. It would be true, undoubtedly, if the United States enters the case as a party. I do know that the concluding lines which the Senator has read are necessary. The language as a whole was adopted by the committee from a lill which was reported favorably by the House Committee on Naval Affairs. The purpose of the amendment is to enable the United States to protect its interest in the first instance in suits which are brought on account of Government business against contractors and to enable the United States to enter its appearance and defend the suits.

Mr. BORAH. Mr. President, I will not detain the Senate by discussing the amendment now, and shall not object to its being agreed to, with the understanding that in case anything should occur we may reconsider it later. I do not ask that it go over, but that it may be reconsidered in the event that seems desirable. The amendment has been called to my attention by some Senator, but I do not recall at the moment by whom.

Mr. POINDEXTER. I have been informed that the junior Senator from Wisconsin [Mr. Lenroot] was interested in the I have no objection to reopening it in case any Senmatter.

ator should care to do so.

Mr. HALE. Mr. President, the junior Senator from Wisconsin [Mr. Lenboot] called my attention to this amendment and suggested that he thought it was not necessary to include the last clause, beginning with line 1, on page 58. I think he would be entirely satisfied if there were left out all after the word "Navy," the third word in line 1.

Mr. BORAH. We can reconsider it if necessary,

Mr. POINDEXTER. It can be reconsidered if that is desired. The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Naval Affairs was, on page 58, after line 5, to insert the following additional section :

Section:

Sec. 16. That there is hereby created and established in the Department of the Navy a bureau of aeronautics, which shall be charged with matters pertaining to naval aeronautics as may be prescribed by the Secretary of the Navy, and all of the duties of said bureau shall be performed under the authority of the Secretary of the Navy, and its orders shall be considered as emanating from him and shall lave full force and effect as such.

There shall be a chief of the bureau of aeronautics, appointed by the President, by and with the advice and consent of the Senate, from among the officers of the active list of the Navy or Marine Corps, for a period of four years, and who shall, while holding such position, have the corresponding rank and receive the same pay and allowances as are now or may hereafter be prescribed by or in pursuance of law for chiefs of bureaus of the Department of the Navy.

An officer of the active list of the Navy or Marine Corps may be detailed as assistant chief of the bureau of aeronautics, and such officer shall receive the highest pay of his grade, and, in case of the death, resignation, absence, or sickness of the chief of the bureau, shall, until otherwise directed by the President, as provided by section 179 of the Revised Statutes, perform the duties of such chief until his successor is appointed or such absence or sickness shall cease.

There shall be a chief clerk at a salary of \$2.250 per annum. The Secretary of the Navy is authorized to transfer to the bureau of aeronautics such number of the civilian, technical, clerical, and messenger personnel, together with such records, equipment, and facilities now assigned for aeronautic work under the various bureaus of the Department of the Navy or Marine Corps as in his judgment may be necessary. The unexpended and unobligated portion of all moneys heretofore appropriated for any bureau of the Department of the Navy or Marine Corps as in his judgment may be necessary. The unexpended and unobligated portion of all moneys heretofo

The number of officers and culisted men of the Navy and Marine Corps detailed to duty in aircraft and involving actual flying, and to duties in connection with aircraft, shall bereafter be in accordance with the requirements of naval aviation as determined by the Secretary of the Navy.

Mr. LA FOLLETTE. I request that section 16 be passed over

for the present.

Mr. POINDEXTER. I have no objection to that.

The PRESIDING OFFICER. At the request of the Senator from Wisconsin, and without objection, section 16 will be

passed over. Mr. POINDEXTER. Mr. President, I should like to take this occasion, so long as section 16 has been referred to, to state its purpose. It is not designed to create any new service in the Navy Department; it is simply to coordinate and unite the various services connected with aviation that already exist in the Navy Department and to put them all under one head; instead of having it as now a section, as it is called, of the Bureau of Operations, to make it a bureau itself under a bureau chief, who, of course, will be a naval officer. I apprehend that the effect will be not only to improve the Air Service of the Navy but to reduce expenditures. It does not extend outside of the Navy Department; it simply relates to the Air Service in the Navy Department.

The PRESIDING OFFICER. Without objection, section 16 will be passed over. The Chair is informed that there was one amendment inadvertently omitted, which will now be stated.

The READING CLERK. On page 6, at the beginning of line 8, it is proposed to strike out "six" and insert "seven," so as to make the clause read:

Provided, That no part of this appropriation shall be expended for maintenance of more than seven heavier than air stations on the coasts of the continental United States.

The amendment was agreed to.
The PRESIDING OFFICER. This completes the reading of the bill and the consideration of all the committee amendments except those which have been passed over.

ADJOURNMENT.

Mr. POINDEXTER. I move that the Senate adjourn. The motion was agreed to; and (at 2 o'clock and 30 minutes p. m.) the Senate adjourned until Monday, May 16, 1921, at 12 o'clock meridian.

# SENATE.

## MONDAY, May 16, 1921.

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father, we thank Thee that Thou dost know us altogether. Thou knowest our downsitting and our uprising and understandeth our thought afar off. We therefore ask that the words of our mouths and the meditations of our hearts may be acceptable in Thy sight, O God, our strength and our Redeemer, And thus may we live for Thy glory. We ask in Jesus' name. Amen.

The reading clerk proceeded to read the Journal of the proceedings of Saturday last, when, on request of Mr. Curtis and by manimous consent, the further reading was dispensed with and the Journal was approved.

Mr. CURTIS. Mr. President, I suggest the absence of a

quorum.

The VICE PRESIDENT. The Secretary will call the roll. The reading clerk called the roll, and the following Senators answered to their names:

Glass Gooding Hale Harreld Ashurst McKellar McKanley McLean McNary Myers Nelson Newberry Nicholson Norbeck Norris Oddie Overman Phipps Pittman Pomerene Ransdell Reed Shortridge Simmons Smith Ball Borah Broussard Harreld Harris Harrison Heffin Johnson Jones, N. Mex. Jones, Wash. Kellogg Kendrick Kenyon Bursum Cameron Capper Caraway Smoot Spencer Stanfield Stanley Sterling Swanson Townsend Culberson Cummins Curtis Dial Trammell Underwood Wadsworth Walsh, Mass, Walsh, Mont. Keyes King Ladd La Follette Lodge McCormick Edge Ernst ernald Warren Watson, Ga. Willis Reed Robinson Frelinghuysen Gerry Sheppard

Mr. WALSH of Massachuseits. I have been requested to announce that the Senator from Pennsylvania [Mr. Penrose], the Senator from North Dakota [Mr. McCumber], the Senator from Indiana [Mr. Warson], and the Senator from Vermont [Mr.

DILLINGHAM] are engaged in a hearing before the Committee on Finance.

The VICE PRESIDENT. Seventy-six Senators having answered to their names, a quorum is present.

INVITATION TO QUANTICO, VA.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Navy, which was read, as follows:

NAVY DEPARTMENT, Washington, May 13, 1921.

Washington, May 13, 1921.

Hon. Calvin Coolidge,

Yice President of the United States, Washington, D. C.

My Dear Mn. Vice President: The Marine Corps east coast base is located near Washington, on the Potomac River, at Quantico, Va. It was there that its overseas regiments were trained during the war and where its expeditionary forces are now stationed. I am anxious to have the Members of the Senate visit Quantico so that they may have an opportunity to observe the work of the Marine Corps.

I am therefore writing to request you to extend to the Members of the Senate an invitation to go to Quantico on Thursday, May the 19th. The President has kindly placed the U. S. S. Mayflover at our disposal and that vessel will get underway at the Washington Navy Yard at 8 a. m. on the above-mentioned date. The Senators will be provided dinner and supper at Quantico and the Mayflower will return with them to Washington in the evening, arriving probably not earlier than 11 p m. However, Quantico is on the Richmond, Fredericksburg & Potomac Railroad, and there will be a number of trains available for those desiring to return at an earlier hour.

Arrangements will be made to issue individual nontransferable cards to the Senators who desire to accept this invitation. These cards should be presented at the navy yard gate and at the gangway of the Mayflower.

Trusting that a large delegation will be able to make the trip and

should be presented at the navy yard and Mayfolper.

Trusting that a large delegation will be able to make the trip and with best wishes to you, I am, as always,
Wery sincerely, yours,

EDWIN DENBY.

Secretary of the Navy. The same invitation for the same day is being extended to the Members of the House of Representatives.

Mr. OVERMAN

Mr. OVERMAN. What is the date?

The VICE PRESIDENT. Thursday, May 19. The communication will lie on the table.

#### PETITIONS AND MEMORIALS.

Mr. WILLIS presented petitions of sundry citizens of Cleveland, Ohio, praying for the enactment of legislation for the recognition of the Irish republic, which were referred to the Committee on Foreign Relations.

Mr. WALSH of Massachusetts presented a petition of the Ukrainian-American Citizens' Club, and sundry citizens, of Boston, Mass., relative to the case of East Galicia, praying for the recognition by the United States of the West Ukrainian Republic, which was referred to the Committee on Foreign Relations.

Mr. CAPPER presented resolutions of the Federation of Women's Clubs, of Pittsburg; the Women's Foreign Missionary Society, Methodist Episcopal Church, of Pittsburg; and the Lions' Club, of Topeka, all in the State of Kansas, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which were referred to the Committee on Finance.

He also presented a petition of sundry citizens of Rago. Duquoin, Basil, Adams, and Belmont, all in the State of Kansas, praying for the enactment of legislation to prohibit gambling in grain and other agricultural products, which was referred to the

Committee on Agriculture and Forestry.

Mr. KEYES presented a resolution of Henry J. Sweeney Post, No. 2, the American Legion, of Manchester, N. H., favoring the enactment of legislation providing adequate relief for disabled ex-service men, which was referred to the Committee on Finance.

Mr. KING presented a petition of Emil Gathmann and George A. Durnin, of Baltimore, Md., and Olga Gathmann Foley, of Washington, D. C., praying that they be allowed to furnish free of cost to the Government, for use at a proposed test of airplane versus battleship, one unloaded bomb having a capacity of approximately 2 tons of trinitrotoluol (T. N. T.), etc., which was

proximately 2 tons of trimitrotomol (1. N. T.), etc., which was referred to the Committee on Naval Affairs.

Mr. SHEPPARD presented a resolution of Bee County Post, No. 274, American Legion, of Beeville, Tex., protesting against the United States concluding a separate peace with Germany; also any movement looking to disarmament or the curtailment of appropriations for maintenance of the Army and Navy and the Air Service Department, which was referred to the Committee on Foreign Relations,

## AMERICAN GLOVE MANUFACTURING INDUSTRY.

Mr. SHORTRIDGE. Mr. President, I present a communication from the California Glove Co., which contains an impor-tant statement of facts and thoughtful suggestions in regard to the American glove manufacturing industry. Attached to the letter there is a tabulated statement showing the comparative items of expense of manufacture, namely, the expense or cost of manufacture in America and in the competing foreign country. The communication may be helpful in framing a tariff bill designed to protect and encourage the American industries, including this very important one. I ask that it be printed in the RECORD and referred to the Committee on Finance.

There being no objection, the communication and panying statement were referred to the Committee on Finance and ordered to be printed in the Record, as follows:

CALIFORNIA GLOVE Co., Napa, Calif., May 5, 1921.

California Glove Co., Napa, Calif., May 5, 1921.

Hon. Samuel M. Shorthdee,

The Senate, Washington, D. C.

Dear Sir: We should like to bring to your attention the imperative necessity of affording tariff protection to the kid and light leather-glove manufacturers of the United States. The present crisis in this industry can only be met by tariff regulation, and we urge you to do all in your power to have a duty on leather gloves of 50 per cent ad valorem on United States valuation included in the bill now before Congress.

Prior to the war imports of ladies' leather gloves amounted to a yearly average of \$5,000,000, and the duty assessed thereon gave the Government approximately \$3,200,000.

In 1920 imports increased to about \$13,250,000 and the duty had shrunk to such an extent that the Government received approximately \$1,660,000, a revenue loss of about \$2,000,000.

Allow us also to draw your attention to the inclosed comparative schedule of wages paid by the glove manufacturers in France and the United States. You will readily see that direct competition with foreign manufacturers is impossible.

We have been building a business in street, dress, motor, and sporting gloves, which will be utterly ruined unless the influx of the cheaper European merchandise is checked. We can not ask our operators to adopt a lower standard of living, nor could we, were they willing, as the California minimum wage law would not permit them to.

You will feel more interested in its matter, perhaps, when we tell you that California ranks fourth among the States in the production of gloves, and we sincerely hope you will do whatever lies in your power to assist this growing industry.

California Glove Co., R. Raymond, President.

Reference: Statistics of United States imports and duties. Commerce Reports, April 14, 1921.

French scale and exchange rate taken from the United States Department of Commerce publication, Commerce Reports, issue of Apr. 15, 1921 (average exchange rate from May, 1920, to March, 1921).

Operation.	French scale, dol- lars per dozen.	Our scale, dollars per dozen.
Making: Inseam Pique	\$0.44 .73½	\$1. 15 1. 97
Silking: Single draw. Brosser. Two needle stitch around. One row union. Two rows union.	. 11½ . 09 . 18½ . 08½ . 14	.20 .24 .27 .31
Two rows around top and slit	,10	. 35
Buttons: Button stay One button Two buttons Three buttons	.03½ .02½ .03½ .04½	.33 .10 .15 .20
Laying off: Gauge. Pique Biarretz and flare top. Mousquetaire, 6 to 12 buttons. Mousquetaire, 13 to 18 buttons. Average price for cutting gloves.	.04½ .05 .07 .06 .08 .91½	.30 .25 .35 .60 .60 2.58

#### REPORTS OF COMMITTEES.

Mr. SHIELDS, from the Committee on the Judiciary, to which was referred the bill (S. 1184) to suppress the sale of pistols, revolvers, and other firearms of like form, size, and description, commonly used in the commission of felonious homicides and assaults, and to provide punishment for violation of the provisions of the same, reported it with an amendment, and submitted a report (No. 53) thereon.

Mr. FRELINGHUYSEN, from the Committee on Interstate Commerce, to which were referred the following bills, reported them each without amendment, and submitted reports thereon:

A bill (S. 1806) to further amend the interstate commerce act, as amended, to provide for seasonal rates for the transportation of coal (Rept. No. 54); and

A bill (S. 1807) to aid in stabilizing the coal industry (Rept.

No. 55).

Mr. OVERMAN, from the Committee on the Judiciary, to which was referred the bil. (S. 425) fixing the salaries of certain United States attorneys and United States marshals, reported it with amendments, and submitted a report (No. 56) thereon.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KENYON:

A bill (S. 1811) to amend the Federal farm loan act, as amended; to the Committee on Banking and Currency.

By Mr. WALSH of Massachusetts (by request): A bill (S. 1812) for the relief of the owners of the barge Consolidation Coasticise No. 24,

A bill (S. 1813) for the relief of the owner of the steamer Mayflower and for the relief of passengers on board said steamer:

A bill (S. 1814) for the relief of the owner of the steam lighter Cornelia:

A bill (S. 1815) for the relief of the owners of the barge Havana:

A bill (S. 1816) for the relief of the owner of the lighter Vim; and

A bill (S. 1817) for the relief of the owners of the schooner Horatio G. Foss; to the Committee on Claims

A bill (S. 1818) to pension blind or partially blind children of persons who served in the Army, Navy, or Marine Corps of the United States during the Civil War; to the Committee on

By Mr. WILLIS:

A bill (S. 1819) granting a pension to Sarah Prim (with accompanying papers); to the Committee on Pensions.

By Mr. TRAMMELL:

A bill (S. 1820) to provide for Federal cooperation for increasing the productive agricultural area of the United States by the reclamation of swamp and arid lands therein; to the Committee on Irrigation and Reclamation.

By Mr. CARAWAY:

A bill (S. 1821) to authorize the payment of 50 per cent of the proceeds arising from the sale of timber from the national forest reserves in the State of Arkansas to the promotion of agriculture, domestic economy, animal husbandry, and dairying within the State of Arkansas, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. STANFIELD:

A bill (S. 1822) for the relief of George W. Samson; to the Committee on Military Affairs.

By Mr. McNARY:

A bill (S. 1823) for the relief of George W. Samson; to the Committee on Military Affairs.

A bill (S. 1824) to provide for the relief of certain officers of the Naval Reserve Force, and for other purposes; to the Committee on Naval Affairs.

A bill (S. 1825) to permit payment of the principal amount and interest of lost, destroyed, cr stolen obligations of the United States to the owner thereof in cases in which such obligations are not presented for payment within one year after the date of maturity or the date of renewal; to the Committee on Finance.

By Mr. LODGE:

A bill (S. 1826) to authorize the construction of drawless bridges across a certain portion of the Charles River in the State of Massachusetts; to the Committee on Commerce.

By Mr. HALE:

A bill (S. 1827) granting an increase of pension to Fred F. Harris (with accompanying papers); to the Committee on Pensions.

By Mr. DIAL:

A bill (S. 1828) for the relief of James F. Jenkins; to the Committee on Claims,

By Mr. ASHURST:

A bill (S. 1829) for the relief of Walter Runke; to the Committee on Indian Affairs.

By Mr. HARRELD;

joint resolution (S. J. Res. 59) authorizing the Secretary of the Interior to protect certain restricted members of the Five Civilized Tribes, and for other purposes; to the Committee on Indian Affairs.

By Mr. SHEPPARD;

joint resolution (S. J. Res. 60) authorizing the Secretary of War to loan tents and cots for use of the American Legion at the encampment to be held during July and August, 1921, at Corpus Christi, Tex.; to the Committee on Military Affairs.

AMENDMENT TO NAVAL APPROPRIATION BILL,

Mr. LA FOLLETTE submitted an amendment providing that no battleship, battle cruiser, scout cruiser, torpedo-boat destroyer, submarine, or airplane carrier herein appropriated for shall be employed in any manner to coerce or compel the collection of any pecuniary claim of any kind, class, or nature, of any individual, firm, or corporation, or to enforce any claim of right to any grant or concession for or on behalf of any private

poration of the United States, incitizen, copartnership, or tended to be proposed by him to the naval appropriation bill, which was ordered to lie on the table and to be printed.

OH, PROSPECTING IN FOREIGN COUNTRIES (S. DOC. NO. 11).

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, which was read as follows:

To the Senate:

I beg to refer to the Senate's resolution of March 10, 1920, requesting the President, if not incompatible with the public

interests, to inform the Senate-

"First, as to what restrictions, if any, are imposed, either directly or indirectly, by France, Great Britain, Holland, Japan, or any other foreign country, or the dependencies thereof, upon the citizens of the United States in the matter of prospecting for petroleum or in the acquisition and development of lands containing the same within the territory subject to the jurisdiction and influence of such countries.

"Second, if such restrictions exist, what steps have been taken by the Government of the United States to secure their removal and equality of treatment in respect of citizens of the

United States.

"Third, if any restrictions are imposed by the Government of Mexico upon citizens of the United States in regard to the acquisition or development of petroleum-bearing lands within its jurisdiction which are not imposed upon nationals of other foreign countries.

Fourth, if any such discriminating restrictions are imposed by the Government of Mexico upon citizens of the United States, what steps have been taken by the Government to secure removal of such restrictions and the equality of treatment in respect to

citizens of the United States."

I transmit herewith a report by the Secretary of State, fornishing information requested by the resolution, supplementary to that embodied in a report submitted May 14, 1920, as far as such information can be supplied compatibly with the public

WARREN G. HARDING.

(Enclosure: Report by the Secretary of State.)

THE WHITE HOUSE, May 16, 1931.

Mr. LODGE. I ask that the message, with the accompanying papers, be referred to the Committee on Foreign Relations and printed for the use of Senators

The VICE PRESIDENT. The message, with the accompanying papers, will be printed and referred to the Committee on

Foreign Relations.

THE CALENDAR.

The VICE PRESIDENT. Morning business is closed. The calendar under Rule VIII is in order.

The bill (8, 656) to create a bureau of aeronautics in the Department of the Navy was announced as first in order, Mr. PITTMAN. Let that bill go over, Mr. President. The VICE PRESIDENT. Under objection, the bill will go

EXCHANGE OF GOVERNMENT LANDS IN HAWAII.

The bill (S. 1021) to provide for the exchange of Government lands for privately owned lands in the Territory of Hawaii was announced as next in order.

Mr. UNDERWOOD. I ask that the bill be read.

The reading clerk read the bill, and the Senate, as in Committee of the Whole, proceeded to its consideration as follows:

mittee of the Whole, proceeded to its consideration as follows:

\*\*Re it enacted, ctc., That the President be, and he is hereby, authorized, when in his opinion the public good demands it, to exchange any land or any interest in land owned by the United States now or hereafter set apart for military purposes in the Territory of Hawali, or any interest therein of equal value located in that Territory and selected by the Secretary of War, and thereafter to set apart for military purposes the lands or interest therein so acquired: \*\*Provided,\*\* That the Attorney General of the United States shall first pass upon and approve the title to the privately owned lands or interest therein to be acquired by the United States before any exchange of lands shall be made under the provisions of this act.

\*\*Sec. 2.\* That the value of the lands or interests to be so exchanged shall be determined by three appraisers, one of whom shall be appointed by the Secretary of War, one by the owner of the private property, and the third shall be chosen by the two appraisers so appointed, when approved by the military commander of the Hawaiian Department, may be paid out of the current appropriations for contingencies of the Army.

Mr. WALSH of Montana. Mr. President, I desire to inquire of the chairman of the Committee on Military Affairs how ex-tensive would be the power granted by this bill if passed? The power appears to be entirely unlimited. How much land does the Government of the United States own for military purposes in the Hawalian Islands?

Mr. WADSWORTH. I came into the Chamber just as the Senator was asking his question, but I may say that the War Department in making the request upon Congress for the authority proposed to be conferred by the bill did not state the acreage involved. The extent of the acreage, as I understand, is uncertain and would depend upon changing conditions and the negotiations which could be made with private owners in exchanging land which the Government does not need for any purpose for land which the Government would like very much to have.

I call the attention of the Senator from Montana to the report of the committee on the bill which will be found in the Senator's calendar file. This bill, I may say, passed the Senate at the last session. A similar bill has been reintroduced, again examined by the Committee on Military Affairs, and has again been reported favorably. I will read a portion of the report on the bill, which states:

Owing to changes in the plans for defense of these islands, brought about principally by the changes in methods of warfare during the past five years, it is necessary that additional tracts of land be obtained in the near inture. In time of peace private land can be taken only by condemnation, and as it can be condemned or purchased only by special authority of Congress a total of delays and an increase in values frequently necessitates an additional appropriation owing to the advance in price between the time of the request for the appropriation and the condemnation judgment.

The information from the department is that it is possible that the department will want to acquire several tracts, most of which are comparatively small in acreage. To do that ordinarily would require condemnation proceedings, which in turn would require a special act of Congress authorizing the condemnation proceedings, and an examination by Congress of the maps and surveys of every single tract involved, necessitating of course, as I read from the report a moment ago, long delay. In the meantime the department would not be able to exchange the lands for anything like the favorable terms on which it is hoped it can exchange them under general authority such as is contained in the bill.

Mr. WALSH of Montana. Mr. President, I fully approve the policy of the bill. If the Government owns lands which have been set apart for military purposes in the Hawallan Islands that do not seem to be particularly suited to military purposes or for which there is no immediate need, and there are lands which are held in private ownership which ought to be acquired for military purposes, it would undoubtedly be advisable to give some authority to the Secretary of War to make the ex-change, but under this bill there is no limitation whatever, Any land which is held in the Hawaiian Islands for military purposes, no matter what may be its extent, may be exchanged for other lands now held in private ownership. It seems to me that the proposed grant is far too comprehensive; that it ought to be limited in some way or other, so that everything which we have there may not be granted away or an unlimited area acquired for military purposes.

Then, too, the difference is to be paid out of moneys to be appropriated. We have not any kind of an idea about how much

money will be required.

Mr. WADSWORTH. Mr. President, it is not contemplated that there shall be any payment of money; there is merely to be an exchange of land. Mr. WALSH of Montana. Yes; but the difference in value is to be paid.

Mr. WADSWORTH. Yes; in the event that the Government requires more private lands than it can exchange for the present held lands

Mr. WALSH of Montana. So there is proposed to be conferred general authority to acquire any quantity of land, the difference in value to be paid outright. That is to say, the Government may exchange 5 acres of land now within a small military reservation for 5 000 acres of land held in private ownership, the two tracts will be appraised, and the difference will be paid to the owner of the private property. There is no limit to the amount which can thus be acquired?

Mr. WADSWORTH. I may call the attention of the Senator from Montana to the last sentence in the bill which provides:

The expense necessary to effect the appraisements herein anthorized, when approved by the military commander of the Hawalian Department, may be paid out of the current appropriations for contingencies of the may b

Mr. WALSH of Montana. The payments are limited only by the appropriation made for all contingent purposes of the Army.

Mr. WADSWORTH. The appropriations for contingencies in the Army amount to about \$50,000 altogether. It is a very triffing sum, out of which the Secretary of War has to meet all emergencies which may come up of every kind and char-

Mr. WALSH of Montana. That is another consideration which does not affect the question of the unlimited power to make the exchange. I think that the bill ought to be recommitted with instructions to limit the authority in some man-

Mr. ROBINSON. Mr. President, the chairman of the Committee on Military Affairs will recall that in the Committee on Military Affairs I raised almost the identical questions that have been suggested by the Senator from Montana. After a consideration of the subject, however, and in view of the necessary limitations upon the practical application of the power conferred under this bill, I reached the conclusion that it was in the interest of good administration to report and pass the

There are a number of cases where it is desired to make ex-change of land now held for military purposes for privately owned land. If the policy which it is desired to follow is carried out without legislation it would require a very long time to secure the land needed by condemnation proceedings, and it would probably cost more to do it in that way than it would to permit the exchange under the bill.

The measure is fairly safeguarded by requiring that the President shall make the exchange. If we do not give the general authority proposed to be conferred by the bill it will be necessary in each particular case for the President to come to Congress for the power to make the exchange, which, of course, would occasion very great delay and in many instances prevent the exchange on terms satisfactory to the Government.

Mr. KING. Mr. President-

Mr. ROBINSON. I yield to the Senator from Utah.

Does this bill contemplate that, in addition to parting with land which the Government owns in order to obtain other land which it requires, it shall pay money.

Mr. WADSWORTH. No.

Mr. ROBINSON. No; it does not.

Mr. KING. . Then, why not adopt an amendment providing that no exchange hereby authorized shall require the payment

of any money by the United States?

Mr. ROBINSON. I do not see any objection to such an amendment, because that is the effect of the bill in any event. The only expenditure that can occur under this bill, as I recall, is that of the fund for contingent expenses of the Army there may be paid the expenses of appraising the lands which are to be acquired.

Mr. WADSWORTH. That is all.

Mr. ROBINSON. The bill requires that the lands which are acquired by the Government by exchange shall be appraised by three persons, one to be selected by the President, another to be selected by the person owning the land, and those two to select the third appraiser, and the expenses of appraisal are to be paid out of the contingent fund of the Army, which, as stated by the Senator from New York, is a very small fund.

I have no objection to such an amendment as that suggested

by the Senator from Utah; I do not see the necessity of it; but I take it that, if the Senator from Utah thinks it is necessary, the Senator from New York will probably consent to such an

amendment.

Mr. WADSWORTH. I have no objection whatsoever. I may say to the Senator from Utah, however, that this bill does not authorize the payment of any money for land, and therefore money could not be paid. The bill merely authorizes an money could not be paid. exchange of lands.

Mr. ROBINSON. Nor does it authorize contracts for the pay-

ment of money

Mr. NORRIS. Mr. President, may I ask the Senator from New York a question? Mr. WADSWORTH. Certainly. Mr. NORRIS. Does it authorize the conveying of land that

the Government now owns?

Mr. WADSWORTH. Yes; that is the purpose, to authorize the Government to exchange land that it does not need for land that it does need, the Attorney General to pass upon the title and appraisement to be made under authority of the Secretary of War.

Mr. NORRIS. What land has the Government there that it

does not need?

Mr. WADSWORTH. Perhaps I can get that from the The report does not give the metes and bounds of the lands that the Government does not need, nor does it give any description of them. The department merely states that it has lands which it does not need, and that there are other lands which it does need, and it would like to make the exchange.

I will read again, as I did a moment ago:

Owing to changes in the plans for defense of these islands, brought about principally by the changes in methods of warfare during the past five years, it is necessary that additional tracts of land be obtained amount that is fit for agricultural purposes is very small. It

in the near future. In time of peace private land can be taken only by condemnation, and as it can be condemned or purchased only by special authority of Congress a total of delays and an increase in values frequently necessitates an additional appropriation owing to the advance in price between the time of the request for the appropriation and the condemnation judgment,

Mr. NORRIS. I heard the Senator read that. Mr. WADSWORTH. Further on, the report says:

In isolated instances it may be possible that the military authorities would desire an addition of land of no greater value than \$5,000, but in practically all instances where additional lands are desired the value is so great that the above acts would be of no help in obtaining the same.

Referring to some acts cited in the report.

Mr. NORRIS. Can the Senator give us any information about the land that it is contemplated will be disposed of, and how we happened to get it, and for what purpose we got it?

Mr. WADSWORTH. The Government acquired it at the time Hawaii was annexed to the United States and has had it ever

since.

Hr. NORRIS. It was Government land then? Mr. WADSWORTH. Yes; it was part of the Crown lands of the original Hawaiian Government,

Mr. NORRIS. Does the Senator know to what sort of milli-

tary use the new lands are to be put?

Mr. WADSWORTH. For fortification purposes and for the protection of military structures now owned and operated by the Government.

Mr. NORRIS. These Crown lands are subject to entry, are

they not, under some law similar to our homestead law?

Mr. WADSWORTH. They are the property of the United

States Government to-day.

Mr. NORRIS. Yes; I understand they are, but a good many of them are agricultural lands located in various places in the islands?

Mr. WADSWORTH. I can not give the Senator an accurate

description of them. I have never seen them.

Mr. SMOOT. Mr. President, I will say to the Senator that large acreages now owned by the Government are subject to the operation of existing laws affecting the Hawaiian Islands.

Mr. NORRIS. I presume they are like our public lands here: some of them are valuable, and some of them are of no particular value.

Mr. SMOOT. That is true.

Mr. NORRIS. But they are subject to entry by the people of Hawaii for homestead purposes?

Mr. SMOOT. They are. Mr. NORRIS. And it is that land that it is intended to trade for other land that the Government wants for military pur-

Mr. WADSWORTH. I am not certain whether the land which the Government wants to trade, which it now possesses, is valuable for agricultural purposes or not. I do not know.

Mr. NORRIS. Probably some of it is and some of it is not. Mr. WADSWORTH. Very likely; and probably a great deal of the land which the Government owns now and has held for military purposes, and which it does not need and wants to trade, is also good for agricultural purposes. It is merely a

readjustment of ownership. Mr. SMOOT. Mr. President, I will say to the Senator from New York that I think most of the land the Government desires that is in private ownership is on the island of Oahu. That is the island in which Honolulu is situated, and most of our defenses are located on that island. More than likely the land that they desire to trade for land located on the island of Oahu is land located in some of the other islands. They have very little public land left in the island of Oahu; but in the islands of Hawaii, Molokai, Maui, and Kauai the Government

still owns great quantities of public lands.

Mr. NORRIS. Mr. President, it seems to me that we ought to have more information than we have in regard to this land before we pass a bill that will permit the War Department to trade it off. It may be that it is necessary to do what they contemplate doing; but I notice from the report, indefinite as it is, that it says this exchange is desired because of changes in the methods of defense brought to the attention of the authorities by operations in the recent war. It may be entirely proper. but I think we ought to know definitely where the land is that we are going to trade off, what kind of land it is, and see that we are not getting rid of land that we ought to retain for home-stead purposes. I always feel, on general principles, that the Government ought not to dispose of its property unless there affirmatively appears a good and sufficient reason for it.

Mr. President, only a very small portion of the land in the Hawaiian Islands is fit for cultivation. I have forgotten now

is a very mountainous country, as we all know, and that which is fit for cultivation, as a rule, is very valuable land. There is not much of it. The islands themselves are small, and when the uninhabitable portions and the mountainous portions are taken from the good land there is not very much left. If we are going to utilize all of the good land there for the purpose of building sufficient defenses to defend the bad land, we had better let it go and let somebody get it that can put it to

It may be that next year the War Department will experience another change; the military defense will be on a different basis, and the land that we get now will have to be traded off for some other land that is more valuable for military purposes. The danger is that we shall get all the good lands in the Hawaiian Islands turned over to the Government for military purposes and have nothing left to cultivate.

It seems to me that before we take a step of this kind and give this blanket authority for the trading of land without any knowledge as to where it is, or what kind of land it is, or what its value may become, we ought to have some definite information in regard to it.

I do not know enough about it to oppose the bill. It may be something that is necessary; but we are giving authority here that is almost unlimited as to the public lands of the Hawaiian Islands. It strikes me that we ought to get more definite information as to the facts before we are asked to legislate on

Mr. WADSWORTH. Let me say to the Senator that the committee, in examining this bill at the last session and this session, made up its mind that it was a good business proposition from the Government standpoint. It is true that the committee did not require of the department an exact description of the lands contemplated in these exchanges; but, if the Senator desires, for one I am entirely willing that the bill may go over, and I will ask the department to send us whatever maps or surveys they have showing the contemplated exchanges. I can not say to the Senator whether it is agricultural land or not.

Mr. NORRIS. I should like to say to the Senator that I do not want to be put in the position of objecting to the legislation, because I do not know enough about it; but I will ask that the bill go over for the present, and ask the chairman of the committee to get that information.

Mr. WALSH of Montana. Mr. President, before the bill is

disposed of I want to say a further word.

On further reflection, I am disposed to question the wisdom of the principle, even, of this measure. We have never pursued any such policy whatever with reference to military reserved. vations within the United States. Everybody recognizes that when land is set apart for a military reservation it is altogether likely to acquire some special value, so that in our own country when land once set apart for military purposes is no longer desired for that purpose it does not fall into the general body of the public lands, to be disposed of in accordance with general law, but a specific act is passed concerning the disposition of such abandoned military reservations. We never authorized the Secretary of War to exchange those lands no longer needed for military purposes for other lands within the United States which might be desired by the Secretary of War for those purposes. If it is necessary to establish another military reservation anywhere and to acquire lands, either by purchase or by exchange, a special act of Congress is passed authorizing the acquisition either by purchase or by exchange.

Why should we pursue a different policy with reference to the Hawaiian Islands? If we have some land there which is no longer necessary for military purposes, why should it not be disposed of? If we need some other land there for military purposes, and we can acquire that land by the exchange of lands which we now own but which are not necessary for military purposes, why not do the same thing with respect to that that we do with respect to military reservations within the United States-introduce a special act authorizing the exchange of such lands as we have for the lands to be acquired?

Then an inquiry can be made with respect to the character of the lands which are to be exchanged, just the same as we

do here with respect to the lands to be acquired.

I see no reason for applying one principle within the United States and quite a different one within the Hawaiian Islands. believe that it would be altogether better, if lands in the Hawaiian Islands are to be acquired for military purposes, to introduce a bill for the acquisition of such particular lands; and if it seems desirable to exchange for them lands that we already own, it can be so provided in the bill.

The VICE PRESIDENT. The bill will be passed over.

BILLS PASSED OVER.

The bill (S. 384) to require judges appointed under authority of the United States to devote their entire time to the duties

of a judge was announced as next in order.

Mr. KENYON. Mr. President, I should like to ask the Senator from South Carolina if we can not take up this bill at some future time. I do not want to be continually objecting to the consideration of the bill. I am perfectly willing that the bill shall come up. There are some very interesting amendments offered to the bill, applying to Members of Congress the same rule that the Senator wants to apply to Federal judges, and the matter might require some debate.

Mr. DIAL. Mr. President-

Mr. KELLOGG. I object to the bill being considered,

Mr. DIAL. I am not ready to take up the bill to-day. At an early date I shall move to take it up, and hope to dispose of it, possibly after the military bill is disposed of. I have no objection to its going over now.

Mr. KENYON. I should like to ask the Senator what is meant in the bill by a "high misdemeanor"? The term "high

misdemeanor" is used.

Mr. DIAL. That is the term commonly used for very serious offenses

Mr. KENYON. The Constitution uses the term "high crimes and misdemeanors," but I have been wondering just what was intended in this bill by the term "high misdemeanor." Is it any different from an ordinary misdemeanor under the Federal statutes?

Mr. DIAL. That is mentioned in the Constitution. We will

take up that matter when we get to it, Mr. President.

The VICE PRESIDENT. Under objection, the bill will be passed over.

The bill (S. 214) to amend section 24 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, was announced as next in

Mr. KING. Let the bill be read.

The reading clerk proceeded to read the bill.

Mr. KING. I object to the consideration of that bill. I thought it related to poor defendants.

The VICE PRESIDENT. Objection being made, the bill will

be passed over.

The bill (S. 724) for the relief of Henry J. Davis was an-The bill (S. 124) 10.
nounced as next in order.
Mr. OVERMAN. Let the bill go over.
Mr. OVERMAN. The bill will be passed over.

### ORION MATHEWS.

The bill (S. 725) for the relief of Orion Mathews was announced as next in order.

Mr. KING. Let the bill be read, Mr. President.

The bill was read, as follows:

Bo it enacted, etc., That in the administration of the pension laws and laws conferring rights and privileges upon honorably discharged soldiers, Orion Mathews, late of Battery D, Second Regiment United States Artillery, shall be held and considered to have been honorably discharged as a private from said battery and regiment on the 22d day of March, 1865: Provided, That no pension shall accrue prior to the passage of this act.

Mr. KING. May I ask the Senator from Montana if this is the bill to which attention was called a few minutes ago?

Mr. MYERS. It is.

Mr. KING. Reserving the right to object, I ask that the report of the committee may be read.

The report submitted by Mr. Myers on the 4th instant was

read, as follows:

The Committee on Military Affairs, to which was referred the bill (S. 725) for the relief of Orion Mathews, having had the same under consideration, report thereon with the recommendation that the bill do

(8, 125) for the rener of thereon with the recommendation that the bill do pass.

The bill was referred to the War Department for information and report, and in a communication addressed to the Secretary of War by The Adjutant General the following notation appears:

"The records of this office show that Owen Mathews, name also borne as Orion Mathews, enlisted May 18, 1861, at New York, to serve three years, and was assigned as a private to Company E. Third United States Artillery; that he was transferred August 26, 1861, to Company D. Second United States Artillery; and that he was honorably discharged as a private February 23, 1864, by reason of expiration of term of service. He reenlisted on the same day to serve three years and was assigned as a private to the same organization, and he deserted March 22, 1865, at Pleasant Valley, Md. Nothing has been found of record to show that he thereafter returned to military control or reported his whereabouts or the cause of his absence to the military anthorities of the United States."

The purpose of this bill is to correct the military record of Mr. Mathews. The records of the War Department show that he enlisted May 18, 1861, at New York, and was assigned to Battery E. Third United States Artillery. He was honorably discharged February 23, 1864, at Brandy Station, Va. He reenlisted in the same battery the same day for a period of three years and is reported as having deserted March 22, 1865. Thus it will be seen his first service taken in connection with his second covered a period of nearly four years. The

committee is further informed that Mr. Mathews served in 40 or more battles. He was wounded at Antietam and also lost a thumb in a subsequent engagement. His name appears upon the honor roll of his company, and set opposite thereto appears also the fact that he was injured at Antietam.

In view of his long and faithful service and the fact that he only is reported as having left his regiment just before the immediate close of the war, the committee is of the opinion that the relief contemplated by the bill should be granted.

Mr. KING. I shall be glad to have the Senator from Montana make an explanation, but the fact nevertheless appears, as far as the report shows, that this man deserted. After giving honorable service he reenlisted. His country was further in need of his services. Knowing what the obligations and the hardships incident to military service were, he reenlisted, and, following that reenlistment, he deserted. Unless there is some further explanation I shall feel constrained to object to the consideration of the bill.

Mr. MYERS. Mr. President, there are some peculiar features about this case, and some which particularly commend it to favorable consideration. In the first place, the soldier enlisted for three years, served his country for three years, and at the expiration of the term of his enlistment he was automatically mustered out. Then he reenlisted almost immediately for three years more. He had an excellent record. He participated in a large number of battles, and received benerable mention for his honorable mention for his honorable mention for his honorable mention. honorable mention for his bravery and faithful service.

There are some affidavits in the case which show that the reason why he disappeared from his company on the 22d of March, 1865, a short time b fore the surrender of Gen. Lee at Appomattox, was that in Maryland in some way he became separated from his company, in some maneuvers, or retreat. I think he was sick for a short time, and when his company moved its location he was not able to follow it. As I remember the circumstances, he was at a private farmhouse, and remained there sick, I think, until after the surrender of Gen. Lee at Appomattox on the 5th of April, 10 days or 2 weeks later, and then, thinking the war was all over, according to my recollection, he simply went home, and did not think he had to report again. It was a matter of ignorance on his part largely, and he just did not report, thinking the war was over, which, of course, technically left him a deserter, because he was unaccounted for. This is my recollection of the affidavits. I do not know why they were not included in the

This bill has passed the Senate several times, but, through lack of opportunity, has never yet been gotten up in the House. The Senator from Utah objected to one of my bills, just preceding this one, as to which I make no comment, but this is so particularly meritorious that I think he ought to let one of the two go through. Those are the facts of the case, and I am well informed as to them; a similar bill has passed the Senate several times, and I would like to have it pass the Senate once more. Therefore I hope the Senator will not object at this

time.

Mr. KING. Mr. President, if I had introduced this bill myself I should object to it. I shall avail myself of the opportunity to-day to examine the record, and if I find that it is as the Senator states-and I have no doubt he states it as he recalls it-I shall join with the Senator in asking for its consideration. I ask that it may go over for the present.

The VICE PRESIDENT. On objection, the bill will be

passed over.

RILLS PASSED OVER.

The bill (S. 581) to repeal the act prohibiting increased pay under lump-sum appropriations to employees transferred within one year was announced as next in order.

Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 582) to repeal section 5 of the act approved June 22, 1906, entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1907, and for other purposes," was announced as next in order.

Mr. WARREN. Let that one also go over.
The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes, was announced as next in order.

Mr. LODGE. That will go over for the present.

The VICE PRESIDENT. The bill will be passed over. The bill (S. 158) for the relief of certain estates was announced as next in order.

Mr. KING. Let that go over. The VICE PRESIDENT. The bill will be passed over.

REUBEN R. HUNTER.

The bill (S. 906) for the relief of Reuben R. Hunter was considered as in Committee of the Whole and was read, as

Be it enacted, etc., That the United States Employees' Compensation Commission is hereby authorized and directed to award and pay to Reuben R. Hunter, of Deming, N. Mex., who suffered a total and permanent loss of sight in both eyes as a result of voluntarily fighting a forest fire on Government land in the vicinity of Cloudcroft, Otero County, N. Mex., in May, 1904, in an effort to protect valuable standing timber and other property of the United States, compensation at the rate of \$66.67 per month from September 7, 1916, for the period and in the manner provided by the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, for the payment of compensation for permanent disability of a civil employee resulting from personal injury sustained while engaged in the performance of his duty.

Mr. SMOOT. Mr. President I desire to offer an amendment

Mr. SMOOT. Mr. President, I desire to offer an amendment to the bill so as to make a direct appropriation of \$5,000 to Reuben R. Hunter. I will state the amendment, and then read the bill as it would be when amended. My amendment is to strike out, in line 3 and 4, the words "United States Employees' Compensation Commission is hereby authorized and directed to award and pay," and all after the words "United States," on line 10, page 1, and insert "Secretary of the Treasury," and to substitute "\$5,000" for the allowance proposed, so as to make the bill read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any moneys in the Treasury not otherwise appropriated, the sum of \$5,000 to Reuben R. Hunter, of Deming, N. Mex., who suffered a total and permanent loss of sight in both eyes as a result of voluntarily fighting a forest fire on Government land in the vicinity of Cloudcroft, Otero County, N. Mex., in May, 1904, in an effort to protect valuable standing timber and other property of the United States.

Mr. WALSH of Montana. Will the Senator state the reason

why he suggests the change?

Mr. SMOOT. I will tell the Senator why I think the change ought to be made. In all such bills in the past the beneficiaries have been paid a lump sum. Last Monday we passed two bills appropriating the exact amount provided for in my proposed The cases, I will say to the Senator, were exceedingly distressing. It seems to me that if we undertake now to recognize the payment of what virtually is a pens on, provided for under the laws to-day as pensions and insurance to the soldiers of the recent war, we will find, when the applications come for service pensions for the war veterans—and they will be coming-I will say to the Senator this class of people will make claim that they have been treated the same as soldiers during the time of the war, and they will want pensions. I do not think that would be the proper course to pursue; and therefore I very much prefer to have a direct appropriation

Mr. JONES of New Mexico. Mr. President, when I introduced the bill at the last Congress for the relief of Mr. Hunter I provided for the appropriation of a lump sum of \$10,000. The matter was gone into very carefully by the Committee on Claims, of which the Senator from Missouri [Mr. Spencer] was then the chairman, as he is now; and after much consideration the committee decided that it would be better not to make a lump-sum appropriation, but to allow a pension, and I think, while it is not called a pension in the bill, it is that in

I may say to the Senator from Utah that since last Monday, when we were discussing this matter, both on the floor of the Senate and in private conversation, I have been studying the situation a great deal, and I believe it is better for the Government, and it is only justice to the claimant, to put it in

the form recommended by the committee.

This young man was serving the Government in putting out a forest fire. There was vast value in money saved to the Government through the efforts to put out that fire. This young man suffered the total loss of both eyes. I saw him last fall when I was home, and I say to the Senate that a more pitiful spectacle I have seldom seen. He is a young man, about 24 or 25 years of age, totally blind; he is dependent; he has no resources on which he can rely for his support; and he is, in effect, a charge upon the community.

I submit that it is better for him to have this monthly allowance for his keep than to have a lump sum appropriated, because he would not be able to use that sum in building up a business for his permanent support. The committee reached the conclusion that cases of this sort should be put upon precisely the same basis as those who are in the direct service of the Government, and it is the purpose of the bill, really, to give this man, who volunteered his services to save the property of the Government, the same advantage and the same relief which

he would have obtained had he been in the actual employ of the

Mr. WALSH of Montana. I inquire of the Senator from New Mexico whether it would not be possible to give this man the advantages of vocational training in some way or other?

Mr. JONES of New Mexico. I am sure that would be of

very great benefit.

Mr. WALSH of Montana. As the Senator knows, the blind victims of the war are being taken care of in that manner, and are being put in the way of earning their own living. Would it not be still better that provision should be made for his training vocationally than either to give him a pension or to make a lump-sum appropriation for him?

Mr. JONES of New Mexico. Of course, I think that would be a very great benefit to him; but there has been no suggestion of that sort made hitherto, and the matter has come up in this form. I think that question might very well be considered later and under other circumstances, because under the present law those who have suffered an injury in the service of the Government not only get the training to which the Senator from Montana has referred but they get this allowance afterwards.

I think it would be very proper for me to introduce a supplemental bill permitting this man to have the same training that is provided for those who were injured in the war, but that would not interfere in the slightest with the provision here, because this provision does not exceed that which is allowed to those people who have lost their sight, even though they get the additional advantage of vocational training at the hands of the Government.

I think that is a matter which should be considered later. For the suggestion, I thank the Senator from Montana, but it seems to me the bill ought to be passed now. This young man has suffered the injury, and I submit that a lump-sum appropriation of \$5,000 is no compensation for the injury and does not adequately express the feeling which our country should have for those people who have suffered such injuries in the

voluntary service of their country.

Mr. SMOOT. Mr. President, only a week ago to-day there was a bill before the Senate in which we granted \$5,000 that was so far above the case now before the Senate as to the real suffering and actual conditions existing that they are not to be compared. In fact, in the case a week ago, as I said, one would hardly know that the person was a human being. He is suffering all the time and nothing can be done for him. He will not live very long, I suppose, and the Senate voted to give him \$5,000.

Mr. SPENCER. Mr. President-

Mr. JONES of New Mexico. Will the Senator yield for a

I yield first to the Senator from Missouri.

Mr. SPENCER. I presume the fair and correct basis is not for the Government to get rid of its obligation to pay a certain sum of money and then forget it. The correct basis is to fairly compensate the man for the injury which he received in the Government employ so that as long as that injury lasts he shall get continued compensation. If we give this man \$5,000 it may well happen that within six months it will be gone and the man who has been injured in the Government service will have nothing left for his support. The policy of the Compensation Bureau is to give a monthly sum that he can not squander, that he can not lose, that provides for his injury. absolutely what the commission recommended in this case, that \$66.67 shall be sent him every month. It seems to me from the Government side of the case the action of the committee in accepting that recommendation is a wise one.

Mr. SMOOT. We undertook to do that in the insurance of soldiers who were in the war. We passed a provision that they should have \$57.50 a month based on \$10,000 insurance. I believe it will not be long before that law will be repealed. There have been bills introduced in the House and at the last session there was a bill introduced in the Senate to repeal that law and to pay a lump sum to the beneficiaries. I think I have receired thousands of letters asking that they be paid a lump sum. I did not think it was proper to pay a lump sum. I think if a lump sum should be paid it would not take very long for the beneficiaries, being young and healthy, to spend it.

Here is a man who has lost his sight. I do not know whether he has any family or not, but if he has one with \$5,000 he could buy himself a farm, and his family could take care of him; he could live on the farm and do something himself. It was for that reason, together with the other reasons stated, when we passed a bill here only a week ago giving a lump sum that I suggested to the Senator from New Mexico that we make this change.

I now yield to the Senator from New Mexico.

Mr. JONES of New Mexico. I recall in discussing the matter with the Senator from Utah that in the case he had in mind for the relief of the individual to whom he referred by making a lump-sum appropriation of \$5,000, on last Monday, ferer was not expected to live a great while. I think the Senator from Utah made that statement. That is quite a different case from the one under discussion. If there had been an injury instead of a total loss of sight, then a lump sum might be proper. In that case the unfortunate individual probably can not live long, and I think a lump-sum appropriation might very well be made there.

But here is a young man otherwise in good health who will undoubtedly live a number of years. We do not give lump sum appropriations for the relief of those who are disabled in the Government service. We prefer, and I think it is the wisest policy, to pension them, allowing them a monthly allowance. Why there should be any distinction here, I must say to the Senator from Utah, I can not see. It seems to me we are doing a just and wise thing to put this individual on the same basis that we have put all those who were in the public service, because he met with his misfortune in the public service.

Mr. SMOOT. The Senator is mistaken when he says we pay insurance in monthly installments to all the ex-soldiers. is true as to the original term insurance that was taken out during the war, but Congress, the Senator will remember, has changed that so that wherever the term insurance has been transferred into regular insurance, and that was done under the law, they are paid the lump sum the same as all the insurance companies pay. I objected to it at the time, but it was carried, and I think carried improperly, too. However, that

is the case as it exists to-day.

Mr. SPENCER. Mr. President—

Mr. SMOOT. I yield to the Senator from Missouri.

Mr. SPENCER. This man is not a farmer. He was working as a miner, earning about \$3.50 a day. By occupation he is a broom maker. He never had \$5,000 in his life, and the chances are more than even that if he were given \$5,000 he would be cheated out of it within a year and be a charge on the community. Why put \$5,000 into the man's hands when, with a wisdom that is greater than our own, he says, "Pay me \$66.67 a month in order that I may live on, weakened as I am by this injury received in the Government service "? Why is not that the right thing to do?

Mr. SMOOT. I am rather inclined to think that is a very good thing, but I think all ought to be treated alike. I believe if we are going to carry it out in one case we had better carry it out generally and have all cases exactly the same. Therefore, if there is any question about it, I shall withdraw my amendment and let the bill pass, so far as I am concerned.

Mr. JONES of New Mexico. I thank the Senator.

Mr. SMOOT. It is only complying with what I think ought to apply to all the veterans of the war. I think the Senator from New Mexico voted against me when I tried to apply that to the insurance when it was transferred to term insurance.

I thank the Senator from Utah Mr. JONES of New Mexico.

for withdrawing his amendment.

Mr. LODGE. Mr. President, I am very glad the Senator from Utah has withdrawn his amendment. It seems to me this is one of the most deserving cases that I ever heard of. It is obviously to the interest of the man to give him monthly payments. He certainly deserves it. He is carrying a lifelong injury, under which he may have to suffer for many years. I sincerely hope the bill will pass in its present form.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXCHANGE OF ARMS AND EQUIPMENT.

The bill (S. 1574) authorizing the Secretary of War to exchange with foreign nations desiring same samples of arms and equipment in use by the Army of the United States was announced as next in order.

Mr. LA FOLLETTE. Let that go over. I do not know what it means.

The VICE PRESIDENT. On objection, the bill will go over. FEDERAL LIVE-STOCK COMMISSION.

The bill (S. 659) to create a Federal live-stock commission, to define its powers and duties, and to stimulate the production, sale, and distribution of live stock and live-stock products, and for other purposes, was announced as next in order.

Mr. NORRIS. Mr. President, that is a bill of such nature that we could not expect to consider it under the call of the calendar; but I want to state while we are passing over the bill that as soon as the appropriation bills are out of the waythe present unfinished business and the Army appropriation bill,

if that is ready to follow-I shall, under instructions of the Committee on Agriculture and Forestry, ask the Senate to take up this bill and dispose of it.

The VICE PRESIDENT. The bill will be passed over.

#### STOLEN MOTOR VEHICLES.

The bill (S. 1060) to amend an act entitled "An act to punish the transportation of stolen motor vehicles in interstate or foreign commerce," approved October 29, 1919, was announced as next in order.

Mr. KING. Let the bill go over.

Mr. NELSON. I ask unanimous consent to make a brief statement before the bill goes over.

Mr. KING. I will reserve my objection until the Senator

makes his statement.

Mr. NELSON. The bill involves simply an amendment of the law. We passed an act approved November 29, 1919, in reference to the transportation of stolen automobiles in interstate commerce. I will read the part of the section that it is proposed to amend:

That whoever shall transport or cause to be transported in interstate or foreign commerce a motor vehicle, knowing the same to have been stolen—

I will say that the first section of the law defines what a motor vehicle is; it includes trucks and all kinds of motorsknowing the same to have been stolen, shall be punished by a fine-

And so forth.

The only amendment proposed to be made in the law is to put in the word "embezzlement," so as to include not only cases where the automobile is stolen, but as well cases of embezzle-The distinction is very well put by the Supreme Court of the United States in the case of Moore v. The United States (160 U. S., 269), where the court says:

Embezzlement is the fraudulent appropriation of property by a person to whom such property has been intrusted or into whose hands it has lawfully come. It differs from larceny in the fact that the original taking of the property was lawful or with the consent of the owner, while in the case of larceny the felonious intent must have existed at the time of the taking.

This bill simply proposes to amend the law so as to cover those cases where a man may have hired an automobile or may have come into possession of an automobile and afterwards concluded to embezzle it. I think it is a proper amendment to the law, and when he understands it I do not think the Senator

from Utah will object to it.

Mr. KING. Mr. President, I did not support the measure of which this bill is amendatory. I felt that the bill was unnecessary; but my principal objection was founded upon the thought that we were strengthening a policy which sought to devolve upon the General Government the enforcement of duties and obligations which belong to the States. Under the inter-state commerce clause of the Constitution we are building up a penal code which embraces offenses defined and punished by the States and which seeks to take over the police powers of the States. We are to live under the Federal Government, not under State governments. The Federal Government under this expanding authority and this new creed will protect our lives and our property and provide all legislation which heretofore it was felt the sovereign States should enact.

We have in every State statutes against larceny and embezzlement. If there is a felonious taking and carrying away of personal property, whether an automobile or any other form of

personal property, the State statutes provide punishment.

Mr. NELSON. Will the Senator allow me to interrupt him right there?

Mr. KING. Yes. Mr. NELSON. This bill only proposes to cover cases arising in interstate commerce. It simply relates to the transporta-tion of embezzled property in interstate commerce, not in State commerce.

Mr. KING. I grant that; but the Senator from Minnesota knows that there must be a venue law, there must be some place where the offense is committed, and the embezzlement must be established in a Federal court, the same as in a State court. It is nevertheless embezzlement now, even though the offender flees into another State. If a person commits a trespass and steals an automobile he is punishable under State statutes though he flees beyond the boundaries of the State in which the larceny was committed. The asportation may be in one State, but it is still a crime though refuge is taken in another State. Some States have laws which make the taking "continuous" for the purpose of establishing venue, so that the offender might be punished in one or more States for the larceny of the same property. So, also, if a person lawfully

in possession of a motor vehicle takes it into another State and then disposes of it and converts the proceeds derived from the sale to his own use, he could be punished under the State laws. "Interstate embezzlement" is State embezzlement, and is punishable in every State of the Union.

I grant that this measure may be regarded as a proper complement to the bill passed some time ago making it a Federal offense to take from one State into another a motor vehicle which had been stolen. There are persuasive arguments in favor of the Federal Government punishing the larceny of motor vehicles where they are taken from one Commonwealth to another, and it is not illogical that if it takes cognizance of the larceny of such vehicles it should likewise punish where they are "embezzled."

But there are strong objections to legislation of this character; I do not attempt to present them or to discuss the questions necessarily involved in their consideration. I believe that the tendency, strongly manifest now, is to have the Federal Government assume burdens and responsibilities resting upon the States; this I regard as most unfortunate and dangerous to the future of this Republic. We must not lose sight of the fact that the Federal Government is subject to express limitations and that its power results from specific grants. framers of our Constitution never intended that the Federal Government should enact a criminal code to meet the general and common delinquencies of the people. It was not intended that larceny and robbery and embezzlement and other acts or omissions which the legislatures of the various States have denominated offenses should pass under the cognizance of Congress and be included in a Federal penal code. Of course, it was understood that in the exercise of its undoubted authority the General Government would not only be justified but, indeed, compelled to enact penal statutes. Counterfeiting is properly the subject of Federal cognizance. Many acts and omissions readily suggest themselves as being the subjects of Federal consideration. But I want to protest against the persistent efforts to project the Federal Government into the domain of the States. The Federal Government is not only by its paternalistic and bureaucratic policies assuming duties and responsibilities which indubitably belong to the States, but it is enacting legislation which imposes upon it the responsibility of maintaining law and order and carrying out police and

municipal rules and regulations.

In other words, the General Government is becoming an overlord. It is dominating the States; it controls the construction of their roads and their highways; it determines their health relugations and their methods of sanitation; it floods the lands with its officials and agents and employees, whose activities carry them into the lives and habits and manners of millions of people, and whose authority is asserted to not only shape the policies of States, counties, and municipal subdivisions, but also the very lives, habits, and conduct of the people. As "all roads led to Rome" in more than a physical sense, so in our country to-day "all paths lead to Washington." With the Federal officials here and the thousands who get their inspiration from bureaucracy here, carrying to the people throughout the land the message of paternalism, there is constituted an active, never sleeping, aggressive, and vigilant army engaged in weakening the States and conducting effective and powerful propa-ganda for the aggrandizement of the National Government and the strengthening of its authority, and particularly the executive branches thereof. If we may separate what might be denominated the criminal from the civil powers of the Government, I think it may be said that the Federal Government, having achieved remarkable success in the conquest of the States along civil lines, is addressing itself with undoubted success toward conquest in the field of criminal jurisprudence. Acts and omissions which have heretofore constituted State offenses are transferred to the category of Federal offenses. Criminal statutes are passed by Congress and regulations formulated by executive officials the violation of which is made an offense, and thousands and tens of thousands of Federal agents find profitable employment throughout the land in enforcing these criminal laws and punitive regulations. States discover that matters of which they formerly took cognizance the Federal Government now seeks control; that acts which they have in the past punished as offenses the Federal Government is now taking jurisdiction over and penal statutes are enacted by it. Every State has statutes against larceny and robbery; they have provided comprehensive penal codes for the protection of life and property and for the punishment of those who commit offenses. They punish for the larceny of automobiles or for the embezzlement of property. I am not willing to confess that life and property are unsafe under the protection of our Commonwealths or that they are incompetent to deal with those questions relating to the domestic welfare of

Many States have prohibition statutes and yet by reason of the activity of the Federal Government in dealing with the question of prohibition there is perhaps a lessening of the vigilance of the State officials in the enforcement of State statutes relating to this matter. And that is to be expected if the Federal Government assumes control over subjects which the States have in the past considered within their domain, and this results in a growing disposition upon the part of the States to permit the Federal Government to control the entire matter. And if this feeling is strengthened that Congress can pass criminal statutes relating to the protection of life and property there will be constant appeals to Congress to assume control there-There is a law now pending to make it an offense to rob a Federal reserve or a farm loan bank, and this notwithstanding the fact that States have ample provisions to punish for robbery. I invite the attention of Senators to the fact that we are transferring from the States to the Federal Government the responsibilities which belong to the States. We are weakening the States, sapping their vitality and vigor, destroying the faith and confidence of the people in their own Commonwealths and in their own capacity for self-government. We are constantly investigating matters within the States, of a purely local and domestic character, and we are destroying those boundaries between the States and the Federal Government the preserva-

tion of which is essential if this Republic is preserved.

We hear the slogan often, "Back to the farm!" We should have devised another slogan, "Back to the States!" There should be a revival of State pride and State authority and an awakening of the people to the imperative necessity of preserving those rights which they have reserved to themselves. Where a duty clearly rests upon the Federal Government it should assume it without hesitation and discharge it with fidelity. But it should strengthen the States rather than weaken them. It should neither invade the States nor should it enter what has been denominated the "twilight zone." There weaken them. are matters national in character sufficiently important to engage the attention of the Federal Government; it should not

intrench upon the States.

The VICE PRESIDENT. Objection to the consideration is withdrawn.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That sections 3 and 4 of an act entitled "An act to punish the transportation of stolen motor vehicles in interstate or foreign commerce," approved October 29, 1919, be, and hereby are, amended so as to read as follows:

"Sec. 3. That whoever shall transport or cause to be transported in interstate or foreign commerce a motor vehicle, knowing the same to have been stolen or embezzled, shall be punished by a fine of not more than \$5,000, or by imprisonment of not more than five years, or both.

"Sec. 4. That whoever shall receive, conceal, store, barter, sell, or dispose of any motor vehicle, moving as, or which is a part of, or which constitutes interstate or foreign commerce, knowing the same to have been stolen or embezzled, shall be punished by a fine of not more than \$5,000, or by imprisonment of not more than five years, or both."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

### RURAL POST ROADS.

The bill (S. 1072) to amend the act entitled "An act to provide that the United States shall aid in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes, was announced as next in order.

Mr. LODGE. Let that bill go over, Mr. President.
The VICE PRESIDENT. On objection, the bill will go over. Mr. PHIPPS. Mr. President, will the Senator from Massachusetts withdraw his objection to the consideration of the bill for a sufficient length of time to allow the Secretary to read the report which was made on the bill? It is a short report, and I think the bill is of importance and is entitled to consideration

Mr. LODGE. Certainly it is a measure of importance. My objection was due to the fact that the bill is of so much importance that I could not see how we could possibly dispose of it in the 40 minutes remaining of the morning hour.

Mr. PHIPPS. This bill is precisely similar to the bill which was favorably reported at the last session, and I have heard

no objection to it.

Mr. LODGE. I withdraw my objection to the bill.

Mr. LA FOLLETTE. I reserve the right to object to the bill after the report is read.

The VICE PRESIDENT. The bill will still be open to objection. The Secretary will read as requested.

The Secretary read the report (No. 40) submitted by Mr. PHIPPS on the 11th instant, as follows:

The Secretary read the report (No. 40) submitted by Mr. Phipps on the 11th instant, as follows:

The Committee on Post Offices and Post Roads, to whom was referred the bill (S. 1972) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes, having considered the same, report favorably thereon, with the recommendation that the bill do pass without amendment.

The purpose of section 1 of this bill is to amend next to the last sentence of the first paragraph of section 6 of the original Federal aid act, approved July 11, 1916, to read as follows:

"The Secretary of the Treasury shall thereupon set aside the share of the United States payable under this act on account of such project, which shall not exceed 50 per cent of the total estimated cost thereof, except that, in the case of any State containing unappropriated public lands exceeding 5 per cent of the total area of all lands in the State, the share of the United States payable under this act on account of such projects shall not exceed such 50 per cent of the total estimated cost thereof, plus a percentage of such total estimated cost equal to one-half of the percentage which the area of such State."

By this additional language the cooperation now required from the States in the building of post roads would be reduced in those States in which the unappropriated public lands belonging to the Federal Government exceed 5 per cent, in the proportion which the area of such public lands in the State bears to the total area of unappropriated public lands for the states which contain large areas of unappropriated public lands in Indian reservations, to avail themselves of their allotments by appropriating a smaller amount of Federal and allotted to any State but enables the States which contain large areas of unappropriated public lands in Indian reservations, to avail themselves of their allot

Ing yearly a greater percentage of their average wealth than are those States in which there is greater concentration of wealth and higher land values.

4. Already several of these States are facing the possibility of losing some portion of their possible allotments from the Federal funds because of the obligations placed upon them to maintain all Federal-aid roads, which seriously affects their ability to meet through State revenues the allotments which have been made.

The clause extending the benefits of this provision only to those States whose area contains more than 5 per cent of public land is intended merely to simplify administration, as there are many States in which the area of public land is negligible but which, nevertheless, would have to be taken into consideration were not some such limit imposed.

would have to be taken into consideration were not some supposed.

Section 2 of the bill is applicable to all States and amends the existing law so that any sums apportioned to any State may be available for expenditure in that State until two years after the close of the fiscal year for which they were allotted instead of one year, as at present provided. This amendment to the original act lessens the possibility of a State losing a part of its allotment of funds because of inability to meet the Federal appropriation.

Section 3 of the bill is necessary in order to carry out fully the provisions of section 1. It merely provides that the present limit of \$20,000 per mile which may be contributed by the Federal Government should be increased in those States in which the percentage of participation required of the State is decreased under the terms of section 1 of the bill.

This proposed legislation has had the approval of the Bureau of Publical in terms.

pation required of the State is decreased under the terms of section 1 of the bill.

This proposed legislation has had the approval of the Bureau of Public Roads, Department of Agriculture. This bill is identical in terms and language to Senate bill 4899, which was reported favorably during the third session of the Sixty-sixth Congress and went to the calendar.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. KING. Mr. President, I have understood from the chairman of the Committee on Post Offices and Post Roads [Mr. Townsend] that his committee was making an investigation of the subject of Federal aid in the construction of highways, and that he would be prepared to report a bill in the near future dealing in a comprehensive way with the entire subject. I invite the Senator's attention to the fact that there is a resolution now pending before the committee which calls for an investiga-tion concerning the expenditure of Government funds in connection with road construction, the method of operation, whether economies have been observed, and whether the overhead has not been too great. The information which has come to me from various sources indicates that there has been waste and inefficiency in the construction of roads; that the prodigal expenditures have brought inadequate returns; that there has not been proper cooperation between the Federal Government and the States; that there has been an attempt to standardize where standardization would mean an increased cost without securing any commensurate benefits.

It seems to me that if the committee is dealing with the subject generally and is making an investigation or proposes to make an investigation we might with propriety defer action on highway legislation until the whole subject is brought before us in a general measure. I offer no objection to the pending bill; indeed, if I understand its purpose, I am in favor of it. We have so much piecemeal legislation that I have often felt that it would be far better if we reported general and complete measures instead of bills dealing with some minor or partial phase of a question only. Slight legislative attacks, instead of a general and comprehensive one, do not always prove best for the country. May I inquire of the Senator from Michigan if the committee of which he is chairman proposes to report soon?

Mr. TOWNSEND. Mr. President, the Committee on Post Offices and Post Roads is at present considering the very questions to which the Senator has referred. We are holding daily hearings on a bill which is before that committee. We have invited to appear before the committee those who have expressed a desire to be heard, and others who have not, representing every possible phase of highway improvement.

I will say to the Senator that the resolution which the Senator has introduced and has had referred to the Committee on Post Offices and Post Roads has not received consideration by our committee up to the present time, largely for the reason that the committee have had no time to consider it, and, furthermore, it was in the process of considering the question generally.

In reference to what the Senator says about this bill being postponed, I desire to state that it has no reference to the future beyond the present appropriation. We are carrying a similar provision in the bill which we now have before us; but this bill is for the purpose of apportioning to particular road projects the money already appropriated by Congress in existing law, so that it will not involve any change in that matter, whatever consideration we may have of the resolution offered by the Senator from Utah.

I think there can be no possible objection to the passage of the bill now before the Senate, and it seems to me but an equitable arrangement to be made with those States which are denied the privilege of taxation because of containing so large an amount of public lands; and, I repeat, it applies simply to the appropriation already made. I do not believe there is any objection at all to the bill itself.

Mr. PITTMAN. Mr. President, I hope the Senator from Utah will not object to the consideration of this bill.

Mr. KING. I have not objected.

Mr. PITTMAN. The Senator may be opposed to the bill after he has heard it presented; but I wish to call his attention to the fact that there is an emergency existing with regard to the passage of this bill, if it is to be passed at all, and therefore it should at least be considered.

On the 1st day of July a new fiscal year begins in all of the States, or practically all of them. The Government under the good roads act, as it is called, allotted to each one of the States its proportionate part of a fund which must be expended under the law. In allotting that money the bill provided that the Government could not put up over 50 per cent of the fund as against a similar amount put up by the State. That was done in contemplation of equal cooperation on the part of the Federal Government and the State governments and was very fair in the States where the property is in the hands of the citizens of the State, and therefore subject to taxation by the State. Now, as to public-land States, we find ourselves in this fix—and I shall only take one State as an illustration.

In the State of Nevada the State is required at this time to put up dollar for dollar with the Federal Government, whereas as a matter of fact only 7 per cent of the total land area of that State is subject to taxation by the State. Therefore the principle under which there was to be equal cooperation between the State and the Federal Government does not apply in a State like the State of Nevada.

The principal object of the bill that has been reported is to take care of that particular inequity. There is, we will say, \$6,000,000 allotted for cooperation in the building of roads in the State of Nevada. That money is all going to be spent by the Federal Government in the building of roads in that State. This amendment in no way affects that appropriation. It does not increase it or decrease it. It simply provides that in the expenditure of that \$6,000,000 the State cooperation shall be in the same proportion that the taxable lands of the State bear to the total land area of the State.

That seems to be a very reasonable proposition. The Government owns the other land. If you do not do that, what is the position? The position is that the Federal Government desires to spend \$6,000,000 in building roads across the State of Nevada. It has already approved, through its Federal road board, the building of three great trans-State highways across that State, connecting with similar highways in Utah and California.

Those roads can not be built under present law unless the State puts up dollar for dollar with the Federal Government. It is physically impossible for the State of Nevada, with its small area of taxable property, to meet that \$6,000,000 demand in any period of time.

Over 90 per cent of those roads that are laid out across that State are to-day on land owned by the Federal Government. Over 90 per cent of the travel across those roads is by citizens of other States than the State of Nevada. I am taking that State simply as an illustration of what this amendment means; that is all. Other Western States are in exactly the same fix. The report of the Senator from Colorado [Mr. Phipps] has shown that.

Mind you, this is not a new act. The House of Representatives, which is composed of, we will say, 85 or 90 per cent of men living in the East and in the populous centers, has approved this principle; and I say to you that when the House of Representatives approves a policy solely for the benefit of public-land States, it must have compelling equity back of it.

At the last session of Congress a bill was passed through the House of Representatives known as the Sells bill. It had for its purpose exactly what the pending bill has, namely, that in those States where the Government owned large portions of the public land the participation of the State should be reduced in the proportion that the area of private lands bears to the unappropriated Federal Government lands.

That bill came over to the Senate and was referred to the Committee on Post Offices and Post Roads. Subsequently to that time, as the report of the committee shows, the committee at the last session reported out a bill known as S. 4899. It was identical with this bill.

In another case I call your attention to the fact that just at the end of last session, when it appeared impossible to act on anything but appropriation bills, I offered an amendment to the Post Office appropriation bill attempting to accomplish exactly what this bill accomplishes. I shall not read that amendment. I simply ask leave to put it in so that it may be observed by the House if the matter comes before them.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

Except that in any State in which the percentage of total land area to which the title of the United States is unqualified or exempt under the Constitution or laws of the United States from taxation by or under the authority of such State exceeds 10 per cent of the total area of the land in the State, the Secretary of Agriculture shall reduce the ratio of cooperation on the part of the State the percentage that the area of the said land to which the United States has unqualified title, together with the land area so exempt from taxation in the State, is to the total area of all lands in the State.

Mr. PITTMAN. Mind you, this matter was discussed at the end of the last session by the Senators in this body. The amendment that I then offered was more favorable to the western public-land States than is the one provided in the bill now offered, and vet I understand why the Senator from Colorado and the Committee on Post Offices and Post Roads adopted the form that has been favorably reported. It is a compromise. It had received the approval of the Agricultural Department, but what I want to call attention to is this:

At the last session, in discussing the amendment that I offered to the Post Offices and Post Roads appropriation bill, which was then opposed by the chairman of the committee and I think solely on the ground that he did not desire it attached to an appropriation bill, it became necessary before the Senate could vote upon that amendment to set aside the rules of the Senate, and that required a two-thirds vote. I failed to get a two-thirds vote of the Senate, but a majority of the Senators voted even to set aside the rules of this body so that they might adopt that amendment; so it seems to me that we should act on this bill immediately. I know that if such an amendment is not acted on before the 1st day of July, the State of Nevada will not be able to enter into any new contracts for building roads, and road building will cease in the State of Nevada at a time of the year when road builders should be working to the very highest possible extent and at a period when there are thousands of idle laborers who could be advantageously employed on this Government work.

I have used the State of Nevada only as an illustration. The bill applies to all the public-land States.

Mr. JONES of New Mexico. Mr. President, I am heartily in favor of the passage of this bill. I do not propose to discuss its merits. I shall only express my approval of it and hope it will pass this body. There are some amendments which I should like to suggest to it, but owing to the parliamentary status of the bill I shall not propose them at this time. I therefore simply request that the bill pass as reported by the committee.

Mr. KENYON. Mr. President, the Senator from Wisconsin [Mr. La Follette] was called out of the Chamber.

Mr. PHIPPS. He offered no objection to the bill.

Mr. KENYON. He wanted to get some correspondence from
the governor of his State about it. That is the situation. I have no objection myself, but he asked me to protect him in the matter.

Mr. TOWNSEND. I am very certain that he must have referred to some other bill, such as the general road bill, which I have introduced. I do not think there is any objection to this bill.

Mr. KENYON. I suggest that we let it go over until the Senator from Wisconsin comes in.

Mr. TOWNSEND. We have only a short time before the expiration of the morning hour.

Mr. KENYON. If that is not done, I shall object to it, because he has asked me to protect him in the matter. If the Senator can wait until he comes in, I shall not object.

Mr. PHIPPS. Let the bill go over temporarily. The PRESIDING OFFICER (Mr. STANFIELD in the chair) Without objection, the bill will be passed over temporarily.

Mr. PHIPPS subsequently said: I ask that the Senate again

take up for consideration Senate bill 1072.

The Senate, as in Committee of the Whole, resumed the consideration of the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### DISTINGUISHED SERVICE CROSS.

The bill (S. 1360) authorizing the award of the distinguished service cross or distinguished service medal, provided for in the act of July 9, 1918, to Army officers brevetted for gallantry during the War with Spain, Philippine insurrection, or China relief expedition, was announced as next in order.
Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

#### AMENDMENT OF DISTRICT OF COLUMBIA CODE.

The bill (H. R. 4586) to amend the act entitled "An act to establish a code of law for the District of Columbia, approved March 3, 1901," and the acts amendatory thereof and supplementary thereto, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the act to establish a code of law for the District of Columbia, approved March 3, 1901, and the acts amendatory thereof and supplementary thereto, constituting the code of law for the District of Columbia, be, and the same are hereby, amended as

follows:
Strike out section \$33a and insert in lieu thereof:
"Src. \$33a. Whoever, being in possession of personal property received upon a written and conditional contract of sale, with intent to defraud, sells, conveys, conceals, or aids in concealing the same, or removes the same from the District of Columbia without the consent of the vendor, before performance of the conditions precedent to acquiring the title thereto, shall be punished by a fine of not more than \$100, or by imprisonment for not more than 90 days."

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

### BENJAMINE O. KERLEE.

The bill (S. 494) for the relief of Benjamine O. Kerlee was considered as in Committee of the Whole, and was read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated to Benjamine O. Kerlee the sum of \$51,200, for injuries received while employed in the service of the Grenment as a workman in the Kaniksu National Forest in the State of Idaho during the year 1915.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

### SCHOOL LAND IN THE DISTRICT OF COLUMBIA.

The bill (S. 990) to provide for the sale by the Commissioners of the District of Columbia of certain land in the District of Columbia required for a school site, and for other purposes, was next in order on the calendar, and was read as follows:

was next in order on the calendar, and was read as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia be, and they are hereby authorized to sell at public or private sale, at a price not less than the true value of the abutting property based on the assessment, all that part of the subdivision of Granby acquired by the commissioners of primary schools of Washington County by deed from George H. Baer and wife dated the 25th day of June in the year 1869, excepting that part of said land lying within the lines of Twentieth and Jackson Streets as recorded in book 52, page 174, of the records of the office of the surveyor of the District of Columbia, the land herein anthorized to be so conveyed being assessed among the records of the office of the assessor of the District of Columbia, the land herein anthorized to be so conveyed being assessed among the records of the office of the assessor of the District of Columbia, as parcel 156 sub 38 and parcel 156 sub 39, reserving, however, so much of said land as is in the judgment of said commissioners necessary for

alley purposes, the portion of land so reserved not to be included in said sale: Provided, That the entire proceeds of such sale by the said Commissioners of the District of Columbia shall be covered into the Treasury of the United States to the credit of the revenues of the District of Columbia.

Mr. WARREN. Let the bill go over. Mr. JONES of Washington. I hope the Senator from Wyoming will not insist that the bill shall go over. My recollection of the situation is that there was a parcel of land set aside 40 or 50 years ago for a school site in the District, which has never been used. A street was laid out through it, leaving some small portions on either side of the street which are not suitable for school purposes. The territory all around has been built up, and there is every reason why this property should be disposed of. It can not be used for school purposes; it never has been used for school purposes; and it ought to be disposed of. I hope the Senator will not object.

Mr. WARREN. I withdraw my objection.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### UNITED STATES MILITARY ACADEMY.

The bill (S. 1358) to provide for maintaining the Corps of Cadets at the United States Military Academy at its maximum authorized strength, and for other purposes, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with an amendment, on page 2, line 1, after the word "cadets," to strike out the period and all down to and including the words "additional cadets," in line 8, so as to make the bill read:

read:

Be it enacted, civ.. That whenever, following any regular entrance examination, the number of candidates authorized under existing law to report for admission to the United States Military Academy from any State is not sufficient to fill the quota of cadets authorized from that State, a sufficient number of qualified alternates therefrom, not otherwise authorized to report for admission as such, selected in their order of merit established at such examination, to fill said quota shall be admitted and charged to that State as additional cadets: Provided, That the admission of alternates as authorized herein shall not interfere with or affect in any manner whatsoever any appointment otherwise authorized by law, and that if by the operation of this or any other provision of law the Corps of Cadets shall exceed its maximum authorized strength the admission of alternates as herein prescribed shall cease until such time as said corps may be reduced below its authorized strength. authorized strength.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

### BILLS PASSED OVER.

The bill (S. 1439) to amend an act entitled "An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended by the act of July 11, 1919, was announced as next in order.

Mr. WARREN. I ask that that may go over.

The PRESIDING OFFICER. On objection, the bill will be

passed over

The bill (S. 1467) to carry into effect the findings of the Court of Claims in favor of Elizabeth White, administratrix of the estate of Samuel N. White, deceased, was announced as next in order.

Mr. WARREN. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

### CON MURPHY.

The bill (S. 1737) for the relief of Con Murphy was next in order, and was read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,000 to Con Murphy, for personal injuries sustained by him while in the performance of his duty as janitor in the Custodian Service, Federal Building, Cheyenae, Wyo.

Mr. KING. Let that go over.

Mr. WARREN. I hope the Senator from Utah will not object

Mr. KING. I withhold the objection, if the Senator desires

to make an explanation of the bill.

Mr. WARREN. I happen to know about this case, because it is for the relief of a man who was formerly an employee of mine. He took a place as the custodian of public property, and was injured about a week before the passage of the act providing

Mr. KING. I observe that he tripped over a little carpet some one was tacking down, and he claimed to have been hurt,

and possibly was hurt

Mr. WARREN. I think the Senator is looking at some other bill. This is a very worthy case. A bill for his relief passed the Senate before, but failed to pass the House, because it was reached too late. I hope the objection will be withdrawn.

Mr. SMOOT. Does the Senator know what salary the man

was drawing?

Mr. WARREN. I do not now recollect.
Mr. SMOOT. The appropriation should be for an amount

equal to the annual salary he was drawing.

Mr. WARREN. That has not been the rule in cases of this kind, where a man is very badly hurt. This occurred prior to the passage of the general law covering cases of this kind.

Mr. SMOOT. He should not get any more than those who

are compensated under the existing law.

Mr. KING. This does not seem to me to be a meritorious case, and I insist on my objection.

The PRESIDING OFFICER. The bill will be passed over.

ISAIAH STEPHENS.

The bill (S. 937) to reimburse Isaiah Stephens, postmaster of McMechen, Marshall County, W. Va., for money and postage stamps stolen was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Isaiah Stephens, postmaster at McMechen, Marshall County, W. Va., out of any money in the Treasury not otherwise appropriated, the sum of \$2,070.58, the same to be in payment of certain money and postage stamps taken from the post office at McMechen, Marshall County, W. Va., November 12, 1910, by unknown persons

The bill was reported to the Senate without amendment, ordered to be engrossed for the third reading, read the third time, and passed.

#### S. S. BUZZERD.

The bill (S. 938) to reimburse S. S. Buzzerd, postmaster at Berkeley Springs, Morgan County, W. Va., for cash stolen was considered as in Committee of the Whole, and was read, as

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to S. S. Buzzerd, postmaster at Berkeley Springs, Morgan County, W. Va., out of any money in the Treasury of the United States not otherwise appropriated, the sum of \$120.30, the same to be in payment for certain cash taken from the post office at Berkeley Springs, Morgan County, W. Va., on February 13, 1914, by unknown persons.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDING OFFICER. This completes the considera-

tion of the calendar.

### NAVAL APPROPRIATIONS.

Mr. POINDEXTER. I move that the Senate proceed to the consideration of House bill 4803, the naval appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

The PRESIDING OFFICER. The pending amendment is the

first amendment of the committee that was passed over, which

will be stated.

The Assistant Secretary. On page 8, line 14, amendment of the committee, passed over at the instance of the Senator from Idaho [Mr. Borah], where the committee proposed, in the item for "Transportation and recruiting," under the Bureau of Navigation, to strike out "\$3,500,000" and insert in lieu thereof "\$4,500,000."

Mr. POMERENE. Mr. President, I am not sure that I am advised as to the character of the pending amendment, but I am Mr. POMERENE. anxious to submit a few observations upon another feature of

the bill, and I may as well make them now.

I have been very greatly disappointed at the report made by the Committee on Naval Affairs. I was led to believe when this Congress convened that we would have a program of economy. I recognize that we can not always do the things we would like to do. I would not only be willing to vote for this bill, with its vast appropriations, if it were necessary to the defense of our country, but I would be willing to double the amount appropriated, or treble it, or quadruple it, if it were necessary

I am one of those who have been hoping that we might arrive at some plan of adjustment of international differences without resorting to war. I think I have a little more faith that this can be brought about than some of my brethren in the Senate. In any event, I am willing that an effort shall be made.

When I recall the treaty of Versailles I remember very distinctly that in one of the covenants we provided for a scheme for disarmament. Forty-two nations ratified that treaty and

pledged themselves to it. The United States did not see fit to ratify the treaty. But I can not forget the fact that for years the leaders of both political parties in this country have been talking about disarmament, and now, in the face of all of our professions in that behalf, we are exerting ourselves as never before in the history of our country to increase our armament.

We are told by those who are friendly to this measure that it is simply carrying out a program which was adopted in 1916.

I am well aware that in 1916 we adopted a scheme or program, but let me remind Senators that was in the midst of the great World War. While in 1916 I was hoping against hope almost that we might not be drawn into that maelstrom, it seemed to me as one day followed another we were getting nearer to it. I have no doubt that when this program was first submitted by the Navy Department, and afterwards adopted by the Senate and by the House, it was with the thought that we might be drawn into that war, and hence the great plan of preparation which we laid out.

But, Senators, the adoption of that plan was in the midst of the World War, though we were not a party to it then. the situation is different, and to-day we are not in the war, and in my humble judgment we are not likely to be forced into another war, at least for years to come. The nation, I think, that was feared generally throughout the world was Germany, but Germany as a naval power for the next 10 years lies prostrate, and there are only two other nations that are ever dreamed of in connection with possible war. Great Britain; the other Japan. It may be I am a little overenthusiastic, but I can not conceive it to be possible that the two great English-speaking nations of the world are likely to go at each other's throats. When that happens the doom of civilization will have been sounded. I have no more fear of a war with Great Britain than I have this day of a war with Canada. Does anyone dream of war with Canada, with a boundary line 3,000 miles in length, without a fort anywhere, without anyone even knowing where the imaginary line is? We never think of war, and there is no more danger of a war with Canada to-day than there is of a war between the State of Ohio and the State of Pennsylvania; so that whether Great Britain has a navy in excess of ours or not does not disturb me in the least.

The other nation is Japan. I recognize the fact that there are men in the United States as well as in Japan who are constantly talking about the possibility of war, and because now perhaps there is a little controversy over the little Isle of Yap there are some good people who become seized with a fit of hysteria and constantly tell us that we are going to have war over a little island that is of no value whatsoever, except as a station for a commercial cable. Already Italy and France have declared themselves in favor of the position of the United States, and I think I am correct when I say that Great Britain likewise has so declared. But whether I am right or not, I am convinced of this, that, Yap question or no Yap question, there is not going to be war in the immediate future between Japan and the United States.

Mr. President, the Senator from Idaho [Mr. Borah] has presented an amendment which simply requests the President to invite the Governments of Great Britain and Japan to send representatives to a conference in order to ascertain whether or not they can agree upon some plan of disarmament, and, if so, to submit it to our Government.

I have presented another amendment having for its purpose

the same object, in which I desire to make it discretionary with the President as to whether he shall suspend building operations for a period of six months to ascertain whether or not we can bring about some agreement for disarmament.

The two proposed amendments do not conflict. Mine, as I construe it, is simply complementary to that of the Senator from Idaho. Why should not the one or both be adopted? What is to be lost by it? Why is there objection to it?

I have heard it said on the floor of the Senate that disarmament relates to our international affairs, and it is perhaps encroaching upon the power of the President. Not so. The question of furnishing the funds with which to build and maintain a navy is not an international question, it is a domestic question, and whether we will or not we can not shirk the responsibility for these great appropriations at this particular time.

Again I hear the objection made that already the contracts for most of these ships have been let, that the contractors will sustain damage if we do not continue the building of the vessels in accordance with the scheme we adopted in 1916. Senators, admitting that the United States will suffer some financial loss by reason of that fact, the financial loss which we will suffer will not be one-half the moral loss we shall sustain if we do not adopt some plan which will look to negotiations for a reduction of our naval armament.

Senators, we have a long record of professions in behalf of disarmament, but now, when there is absolutely no danger from any known source, we even refuse to take the first step looking toward disarmament when we can do it with entire safety to When President Wilson joined with the other ourselves. powers in favor of a scheme for disarmament, and after 42 nations have approved it and have substantially said to the world that they desire to disarm, what position is the United States of America in when we profess to be in favor of disarmament, and when it comes to our performances we are not only in favor of armament, but we are in favor of the greatest armament in all the world? No; if we are going to pass the pending bill without an amendment attached to it something like that of the Senator from Idaho or like the one which I have presented, we have practically closed the door to all hope on behalf of the world in favor of disarmament.

Mr. President, let me take a few moments of the time of the Senate to call attention to the present condition. I have before me a comparative statement of the navies of Great Britain, the United States, and Japan. This is a statement submitted to the Senate at the last session by the distinguished Senator from Washington [Mr. Poindexter], who has charge of the pending bill. He first gives the present strength of the several navies. Next he gives a statement as to what will be their condition in 1923, and next he gives the relative positions when the final program is completed in 1927. These figures relate to the

larger ships only.

At present, according to this statement, the United States has 16 first-line battleships and battle cruisers, Great Britain has 26 first-line battleships and battle cruisers, and Japan has just 10 first-line battleships and battle cruisers. In 1923 the United States will have 27 battleships and battle cruisers, Great Britain 28, and Japan 16, and when the final program is completed in 1927 we shall have a grand total of 144 ships of the type contained in the statement, Great Britain 180, and Japan 63. In other words, with our completed program we shall have more than two ships to Japan's one.

I ask that the whole statement from which I have read be incorporated in the RECORD, at the end of my remarks, for reference.

The PRESIDING OFFICER (Mr. Nicholson in the chair). Without objection, it is so ordered.

Mr. POMERENE. Now, let me present some figures, which are based upon tonnage. I take the figures from the Navy Year

Book, Document 302, Sixty-sixth Congress, second session: Great Britain, on November 1, 1919, had a total tonnage, built and building, of 2,829,661 tons; the United States, 2,067,478 tons; Japan, 980,426 tons; France, 799,873 tons; Italy, 434,724 tons; Russia, 524,324 tons; and Germany, 116,886 tons. In other words, on the basis of tonnage alone we had on November

1, 1919, more than two tons to Japan's one. We had almost as much tonnage as Japan and France and Italy put together.

As bearing upon the same subject, I wish to call the attention of the Senate to the report of the Naval Affairs Committee of the other House, made on April 22, 1921. The bill to which it relates provided appropriations for a Navy of 100,000 men. The

The number appropriated for will permit of keeping in full commission at least 384 vessels, which is 32 vessels more than we had altogether in the Navy in 1916. A larger number of men would simply provide for keeping in full commission a greater number of small craft. For example, since 1916, 279 torpedo-boat destroyers either have been built or are in course of construction. The force appropriated for will permit of keeping 96 torpedo-boat destroyers in full commission.

Mr. President, it does seem to me that this is a reasonably strong Navy under present circumstances, but the friends of the pending measure insist upon adding to it all the while and adding to our burdens. What is to be gained by it? Anything? I am sure nothing will be gained from the standpoint of American satisfaction; nothing from the standpoint of the taxpayer; nothing from the standpoint of the world's peace.

Mr. President, on yesterday I picked up the Sunday Star, of Washington. I was very much interested in an article by the

former Secretary of the Navy, Hon. Josephus Daniels.

I think he has been one of the ablest Secretaries of the Navy we have had, and I have a sincere affection for him as a friend. In the midst of the consideration by the Senate of the raval appropriation bill I was impressed with two or three statements which he makes in this article. In the beginning of the article he asks the questions:

What is to be the fighting craft of the future? Must the dreadnaughts be scrapped? Have the submarines and the aircraft revolutionized warfare?

was to be the method of naval warfare in the future. Then the honorable ex-Secretary, in concluding his statement, says:

The Secretary of War joined me in asking the joint board of the Army and Navy to work out plans by which the experiment should be conducted in a way to truly test whether the airplane has put the dreadnaught out of business. The plans were perfected and the test will be made.

A little later he says:

Nobody can predict what the ship of to-morrow will be. We can not foresee the developments of flight or the full possibilities of the submersible. Every new weapon of destruction calls forth its counterweapon. My own advice would be—if the advice of an "ex" is ever wanted—"wait until the big experiment is pulled off at Hampton Roads before deciding what the ship of the future is to be. And then—in spite of Lord Fisher's cocksureness that the big ship is headed for innocuous desuetude—do not scrap any weapon that sails on the sea, dives under the sea, or flies in the air. All three are safer than dependence on any one alone."

I dare say his statement is the result of his constant touch for a period of eight years with the great naval experts of the United States, aye, of the world. I think Mr. Daniels goes further in this matter than I would; but an experiment has been arranged the purpose of which is to determine what kind of warcraft we shall have at sea. That experiment is to take place in a month or two; but, no; the expenditures from the National Treasury, if the Naval Affairs Committee shall have its way, must continue. We must build the very craft the usefulness of which we do not know, although we can get some definite information regarding that question in a very short while.

Mr. President, I received the other day, as I have no doubt other Senators received, a copy of a letter which Mr. John Hugh O'Neill, a mechanical engineer, wrote to the President under date of May 5. He calls attention to the revolution in warcraft. I want to read a paragraph or two from the communication written by him:

munication written by him:

Airplanes have become of revolutionary importance through the accomplishment of interference-proof radio control for guiding airplanes, explosive and gas bombs, speed boats and torpedoes. Other distance control devices have been used successfully. Control up to the moment of impact removes the uncertainty of aim from self-propelled or gravity-propelled explosive carriers.

What would an admiral in command of a fleet do if, with no enemy visible, he should receive a report that the undersea listening devices had detected many torpedoes coming toward his ships? Could he run from the torpedoes? They travel 60 miles per hour. Could he avoid them? Their aim would be corrected up to the moment of impact from airplanes above. Would the blisters save the battleship and battle cruisers? The torpedoes would be set to run under the unprotected bottoms and there detonate by magnetic influence. Could his shallow-draft destroyers escape?

The magnetic detonation would be as fatal to them. His fleet would be destroyed without his having any opportunity to flee, to defend himself, or to strike the enemy.

These long range torpedoes with the magnetic detonation may be discharged from submarines and controlled and guided by radio from either the submarine or an airplane overhead. They may also be dropped from airplanes and guided in the same way, while the guiding plane may be 10,000 to 20,000 feet in the air. The only possible defense against such an attack would be by superior air force, but that can not be relied upon during conditions of poor visibility or at night.

I refer to this letter because it demonstrates conclusively the uncertainty of the present science of naval warfare. Of course it may be answered in part that there will be constant improvement, constant development, constant invention. I admit all this, and I agree that, if there were any reasonable prospect of a war in the near future, we should be guided by the present state of the science of naval arfare and not by possible future developments; but it is because of the fact that there is, as I see it, no such danger that we should haste a little slowly before we place upon the shoulders of the already overburdened taxpayers the enormous amount provided for in

Mr. President, it is true that during the war enormous sums of money were expended by the United States for aircraft, a part of which no doubt was wasted, but during that period we knew that the aircraft science was changing every three or four months. I take it that no one to-day would insist upon voting the large supplies for aircraft that were voted during the years of the war before we became actually engaged in it.

What objection can there be to our suggesting to the President that he call a conference? Has any objection been made on the floor of the Senate that appealed to even the Senator who made it? Shall we go on and incur all this expense, and it may be in the next year or two learn that if we had attempted to bring about a conference it would have resulted in partial disarmament?

The question is simply this: Shall we make an effort for disarmament before the expenditure or shall we make it afterwards? It seems to me there is only one side to that proposition. If we make a reasonable effort to agree to some plan of These very questions were answered pro and con by Senators at the last session to the best of their ability; but not one of them was able, I dare say, to satisfy his own mind as to what complete our program. Aye, we can go further, and we can say, if need be, that we will have a fleet that shall surpass even the greatest of the fleets of the sea.

Mr. President, let us look for a few minutes to the financial side of this question. I have been amazed as I have scanned the appropriations which have been made for naval purposes during the past 10 years or more. They are as follows:

For the fiscal year 1910 we appropriated \$136,935,199.05. For the fiscal year 1911 we appropriated \$131,510,246.01. For the fiscal year 1912 we appropriated \$126,478,338.24. For the fiscal year 1913 we appropriated \$128,908,196.96. For the fiscal year 1914 we appropriated \$141,050,643.53. For the fiscal year 1915 we appropriated \$145,503,963.48.

For the fiscal year 1916 we appropriated \$149,763,563.45. For the fiscal year 1917 we appropriated \$312,888,060.25.

For the fiscal year 1918, when we were already in the war, we appropriated \$516,607,387.08.

For the fiscal year 1919 we appropriated \$1,888,765,691.01. For the fiscal year 1920 we appropriated \$616,096,838.88. For the fiscal year 1921 we appropriated \$433,279,574.

The House provides in the pending bill, in round numbers, for the appropriation of \$400,000,000, and the Senate committee adds another \$100,000,000 to it, making \$500,000,000 now, a sum almost equal to the appropriations for 1918 and only surpassed by the appropriations for naval purposes in the years 1919 and

Mr. KING. Mr. President-

The PRESIDING OFFICER (Mr. Curus in the chair). Does the Senator from Ohio yield to the Senator from Utah?

Mr. POMERENE. I yield to the Senator. Mr. KING. If the Senator will pardon me, there was a deficit in the fiscal year 1921 of \$61,980,372.94, which was allowed, so that the aggregate was \$495,259,946.94; and there were other deficits, which swell the totals which have been given by the Senator through a term of years.

Mr. POMERENE. I am obliged to the Senator for that information. It simply confirms what has been my view; and I dare say that before the end of the fiscal year 1922 there will be another \$100,000,000 of deficit added to this bill.

Mr. KING. Would the Senator object to my stating the grand total for 1915, 1916, 1917, 1918, 1919, and 1920?

Mr. POMERENE. I should be glad to have the Senator in-

corporate it in the RECORD.

Mr. KING. It is \$5,397,895,197.33.

Mr. POMERENE. Now, Mr. President, let us look further into the finances of the country for a few minutes.

Before we entered the late war our total public debt was a fraction over \$1,000,000,000. At the present day, as a result of the war, our total public debt is, in round numbers, \$24,-000,000,000. It will require almost a billion dollars to pay the interest on that debt every year. The Finance Committee is constantly searching for new sources of revenue. The Appropriations Committee, when it comes to small appropriations, is constantly crying out for economy; but when it comes to great appropriations for the military or the naval branches of the Government, we hear nothing about economy.

Mr. KENYON. Mr. President-

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Iowa?

Mr. POMERENE. I yield to the Senator.

Mr. KENYON. Referring to the statement the Senator has just made, I have wondered why that was. I notice that members of the Appropriations Committee, who are generally objecting to appropriations, do not object to anything in this bill, and do not seem to pay much attention to it.

Mr. POINDEXTER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Washington?

Mr. POMERENE. If the Senator from Iowa has completed his question-

Mr. KENYON. Yes; I am through.

Mr. POMERENE. I yield to the Senator from Washington. Mr. POINDEXTER. I was just going to say that possibly one reason why they are not objecting is that although a number of the ablest Members of this body have interested themselves in opposition to various features of the bill, not one of them has furnished to the Senate a single particle of information as to undue cost in the case of any item that is in the bill, or any extravagance in the carrying out of the authorizations that are provided. I have waited with a good deal of interest to receive some aid and some instruction upon that point, and I suppose the members of the Appropriations Committee have.

Mr. BORAH. Mr. President—
The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Idaho?

Mr. POMERENE. Just a moment, if the Senator will permit me. I am not saying that the Committee on Naval Affairs is paying too much for steel, too much for equipment, or too much for supplies. I do not know. I am objecting to the whole program of new construction at this time. That is the difference between the Senator from Washington and myself.

Mr. POINDEXTER. Mr. President-The PRESIDING OFFICER. Does the Senator from Ohio further yield to the Senator from Washington?

Mr. POMERENE. I yield to the Senator. Mr. POINDEXTER. The Committee on Naval Affairs has never undertaken to fix the price of steel or to supervise the construction of buildings. It is necessary to leave those matters to a very large extent with the executive branch of the Government. The Committee on Naval Affairs is peculiarly interested in finding out whether the money that is appropriated for those purposes is well used, and in a number of instances it has undertaken to correct practices on the part of the executive branch of the Government in the way of the extravagant expenditure of money.

Mr. POMERENE. Mr. President, I do not intend to say for one moment that the Naval Affairs Committee has passed judgment on the price of supplies or the price of these ships. Perhaps it ought to. The only objection that I have to the Committee on Naval Affairs is that when some man in gold lace steps into the room of the Naval Affairs Committee and whispers "Yap!" straightway every member of that committee

gets naval hysterics.

Mr. BORAH. Mr. President—
The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Idaho?

Mr. POMERENE. I yield to the Senator.

Mr. BORAH. I wish to say that the remark of the Senator from Washington [Mr. POINDEXTER], that he has waited with some degree of solicitude for some evidence of extravagance with regard to these appropriations, indicates that the able Senator is discussing one phase of the matter, or has one phase of it in mind, and that we who are opposing the bill have an entirely different phase of it in mind.

As said by the Senator from Ohio, I do not contend that the Naval Affairs Committee has knowingly indorsed the payment of money for something which it is supposed to get which it is not getting, or that it has indorsed the payment of extravagant prices. I concede to the Naval Affairs Committee entire integrity of view with reference to the manner in which the appropriations shall be expended. What we do say, however, is that although you may be getting your steel at the lowest figure, and although you may be building your ships at the lowest figure, and although you may be doing all that you are doing at the est figure, and you may be doing all that you are doing at the lowest possible figure, you ought not to do those things at this time; that that of itself constitutes an extravagance.

Let me call the Senator's attention to this fact: He is from the West. He has had some experiences like the rest of us Westerners have had. Let the Senator wait until an appropriation bill comes along here carrying an appropriation to reclaim some of the arid lands of the West and find out where the members of the Appropriations Committee are. They will not be absent from this Chamber. It would not make any difference if you could show that you were building reclama-tion projects for one-half what you ought to pay the farmers of the West for their teams; they would object to building them at all, because they would say: "We can not afford it." Now, by reason of the fact that we are expending this tremendous sum of money, we are starving almost every enterprise which has to do with the building up of this country. Those things which bring relief, which will enlarge production and aid the citizen in his enjoyment of life, are being starved and stunted because we can not afford the money.

You can take the cost of one battleship here, \$40,000,000. and make hundreds and thousands of homes throughout the West for people who are now actually home hungry and land hungry for the purpose of making themselves places where they may live as respectable citizens. When that kind of enterprise is presented here, the Senator from Washington knows well that it is not a question of whether or not you are paying a proper price for it, but the contention is that "we must not do it now; we have not the money."

Take another instance: The soldier boys who came back to this country physically incapacitated went into places where you would not keep your horse overnight, which they called hospitals. I have visited them and seen them under conditions that I actually thought were a discredit to this country; and we were told that the Government was in such condition reference to its finances that we could not afford at this time to expend the money! That is what we say is extravagance, to

wit, to spend money for destruction and death when you have not the money to properly care for the Nation's brave soldiers. Mr. KING. Mr. President-

The PRESIDING OFFICER. Does the Senator from Ohio

field to the Senator from Utah?

Mr. POMERENE. I yield to the Senator. Mr. KING. I want to go a little further than the Senator from Idaho, and accept the friendly challenge which has been submitted by the distinguished Senator from Washington [Mr. POINDEXTER]. I think there have been pointed out upon the floor of the Senate numerous instances in which various items have been swollen to proportions that are absolutely indefensible.

I stated the other day that the overhead of maintaining the Navy Department was entirely too great. We are maintaining too many employees. For a Navy of 100,000 or 127,000 men the expenditures are entirely too much. I challenge those expenditures, the number of the civil employees in the department, in the various camps, and in the navy yards. I challenge the expenditures for oil and for coal as being entirely too much. I challenge the expenditures which have been made for steel and for the various supplies which have been purchased for the Navy, and say that they are entirely too much. I think it is discreditable to the United States and to the Navy Department that the cost of maintaining the Navy approximates the tremendous figures that are found in this bill.

Mr. POMERENE. Mr. President, there is great force in what the Senator from Utah said about these overhead expenses; but they are only a bagatelle compared with the amount involved

in this appropriation bill.

The Senator from Idaho [Mr. Borahl] has referred to what could be done with this vast sum of money to ameliorate the condition of the American people. He has only referred to three or four or five instances in which we could improve the mental, the moral, and the physical well-being of the people of this country. There are many other projects, such as good roads, to which I might advert. I felt the necessity of econoroads, to which I might advert. I felt the necessity of economizing to so great an extent during the last session that when it came to the road building program, though I am a friend of Federal aid for road building, I voted against it; and I am not now going to be put in the inconsistent position of voting against an appropriation for road building to put the money into some ships that would be out of date in five or six or seven or eight years.

Mr. President, the able Secretary of the Treasury, on April 30, 1921, addressed a letter to the chairman of the Ways and Means Committee of the House bearing upon the state of the I am afraid that a good many Senators have not even read that letter. The situation, from a financial standpoint, is appalling. The expenditures during the coming year will amount to nearly five billions of money, and where are we

going to get it?

We can economize. The Secretary of the Treasury calls attention to the fact that of the expenditures about \$850,000,000 will be for the War Department, \$500,000,000 for the Navy Department, about \$600,000,000 to the railroads, and about \$650,000,000 interest on the public debt for nine months of the year. The estimate of the expenditures of the War and Navy Departments for the year 1922 will aggregate \$1,350,000,000. Where are we going to get it?

The estimated collections of internal taxes for the year 1922 are \$3,700,000,000, based on the provisions of existing law. This estimate is \$850,000,000 less than the estimated collections for

1921, due to the shrinkage in business.

That revenue was largely derived from income taxes and excess-profits taxes. I think everyone concedes that the amount of revenue we are going to get from excess profits, even if the tax is continued as it now is, is going to show a great shrinkage as compared with the revenue from that source last year. The same may be said of the income taxes. Where are you going to get this money? You must provide additional sources of revenue or borrow. You must go to the one source or to the other.

Mr. President, if there ever was a time in the history of this

country when our expenditures should be kept within the revenues it is now, when business everywhere is staggering Many of our friends from the South and the under the load. West speak of the condition of the farmers, and I share their concern for the deplorable condition in which the farmers find themselves. But the farmers are in no worse condition than are the manufacturers of the country or the laborers. The laborers are in a worse condition than either the farmers or the employing manufacturers. Out in the great State of Ohio, which I have the honor in part to represent, I am constantly hearing reports to the effect that at least 40 per cent of the men are out of employment. What relief is there for them? Is it to be

found in great appropriation bills? You can not have great appropriation bills without adding to the taxes which burden us, and you can not add to the taxes without adding to the cost of living, and when the man who is out of work or his wife goes to the grocery store or the dry goods store for the necessaries for their family and is told that the prices at least are kept from coming down because of conditions at Washington, what answer are we to make?

Mr. President, is there any likelihood of our entering into an agreement to disarm? Does anyone doubt the fact that Great Britain would be glad to have an agreement? I am told authoritatively, as I believe, that during the last year or two she has not even laid a bottom for a new ship, unless it is

within the last few weeks.

Is Japan eager to go on with her armament proposition? The Japanese people are in the same condition, industrially and financially speaking, as are the people of the United States, and the able Senator from Idaho [Mr. Borah] at the last session of Congress called attention to an interview which was given by Count Ishii in Switzerland, to the effect that the Japanese people would be only too eager to enter into some agreement looking to disarmament, but that Japan was compelled to go on with her program because of what we were doing here.

Senators, we can talk disarmament to the world, but what is to be the influence of our talk when here in the Senate Chamber every thought of this committee is to add to the armament?

Mr. President, I do not know whether or not I can be pardoned for an observation I am going to make. When our great President, Mr. Wilson, was in Paris talking about world peace and disarmament, here in the United States of America we were talking about universal military training, about adding to our Navy, about adding to : Il our military forces. Consistency ought to be a jewel in Government circles as well as elsewhere.

Mr. President, we can go throughout the country and we can put the question in this wise to the people, "There is great danger of war with Great Britain; there is great danger of war with Japan. Do you no: think we had better have a big Navy?" And every one who is frightened, as the Naval Affairs Committee are when gold lace appears and says there is danger,

will say "Yea."

But I submit this observation: If we put the question up to the American people to-day and say, "Do you want to provide a big Navy now, or do you think that before attempting a big Navy we should attempt to get an agreement for disarmament first, before incurring the expenditures?" nine out of ten of the men and women of this country would vote in favor of negotiating for some disarmament agreement first, before adding to our Navy.

Mr. President, yesterday the New York Times printed a part of the address made by former Senator Elihu Root before the American Society of International Law, and in the course of that address, in referring to present world conditions, he said:

The weakness of the practice hitherto has been in the fact that no one had a right to insist upon a conference; no one was under obligation to attend a conference. The step in advance, plainly indicated as the natural development of this most useful practice into a systematic institution, is to establish an administrative agency whose duty it shall be to call such a conference in time of threatened danger on suitable request, and to place all nations under obligation to attend the conference when called.

That is our difficulty. When war approaches, and the neutral nations seek to get a conference, no one is compelled to attend. But there is no war now. Statesmen throughout the world are saying, "Let us have disarmament," but the Senate of the United States chokes when you talk about any agreement, aye, any negotiation even, for disarmament.

Suppose the great President of the United States should tomorrow send a note to Great Britain or to Japan and ask them, in diplomatic language, to send representatives to confer with our representatives on the subject of disarmament. Does any Senator here believe that either Great Britain or Japan would

refuse to honor that request?

No; both of these nations are aware of the fact that if there is any one nation that can afford above another to have a great navy, it is the United States of America. It will not impoverish us as much to build it as it will impoverish Great Britain or Japan. But some one will say that is the reason why we should go on. No; that points our vantage. I do not want our people to be in the position of the people of Great Britain or of Japan. I want this Nation to continue to be the first nation looking to the possible solution of the great international problems of the world.

Mr. President, in 1916, I believe, in the naval appropriation bill, the American Congress expressed its view at that time as to what we should do in connection with the solution of

international difficulties. I read that statute in part:

It is hereby declared to be the policy of the United States to adjust and settle its international disputes through mediation or arbitration, to the end that war may be honorably avoided. In view of the premises the President is authorized and requested to invite at an appropriate time, not later than the close of the war in Europe, all the great Governments of the world to send representatives to a conference which shall be charged with the duty of formulating a plan for a court of arbitration or other tribunal to which disputed questions between nations shall be referred for adjudication and possible settlement.

We have not represend that tratistic Mean would have the

We have not repealed that statute. No one would have the effrontery to present a joint resolution to repeal it. The pending amendment of the Senator from Idaho [Mr. Borah] and my own go one step further. The amendment of the Senator from Idaho asks, in substance, that the President shall be requested to invite a conference. My own amendment suggests that the President, in his discretion, may suspend this expenditure for new development for a period of six months in order to give a chance to regulate a plan to disarm. That is all; and yet the Committee on Naval Affairs wants this appropriation of \$500,000,000 to go through without any disposition to bring about any plan of disarmament. There is only one interpretation that I can place upon their attitude toward the proposed amendment, and it is that they are not in favor of disarmament.

The time to save money is before it is expended and not afterwards. The time to take a step looking to peaceable solution of international affairs is before we have the engines of war;

not after we have them. If we are going on to complete our naval program, Great Britain will not be outdone if her finances hold out, Japan will go on, and we will have less likelihood of having adopted a program for disarmament after they are all armed than we have now.

Mr. President, it is not very often that I run counter to the wishes, thought, and judgment of a great appropriation committee, but I feel very deeply upon this subject, and without any mental reservation whatsoever I say to the members of the Committee on Naval Affairs that they are making the mistake of their lives if they refuse to take this short step toward disarmament.

What are the suffering citizens of the United States going to say when, burdened as they are, we add to their troubles instead of trying to relieve them?

Mr. President, for the reasons which I have thus attempted to state I shall support the amendment of the Senator from Idaho as well as ask the Senate to vote upon the amendment which I have proposed. Even with those amendments added, if the Senate Committee on Naval Affairs are going to insist on adding another \$100,000,000 to the House bill, I have not yet made up my mind whether I shall vote for it or not. Let us all be true to the pledges which we made, whether we are Democrats or Republicans, and cast a vote once at least in this administration for economy.

#### APPENDIX.

Memorandum showing present comparative strength of navies of the United States, Great Britain, and Japan; also comparative strength of same nations in 1923; also comparative strength when the final program is completed in 1927, as submitted by Senator Poindexter in his address to the Senate Feb. 11, 1921, Congressional Record, volume 60, page 3127.

THE WASHINGTON TO THE REST OF THE REST OF THE REST OF THE REST.		DELIVER SERVICE AND DESCRIPTION OF THE PROPERTY OF THE PROPERT
United States.	Great Britain.	Japan.
First-line battleships 16. Battle cruisers. None.	First-line battleships	Battleships Battle cruisers 4
Total	Total	Total
remine el son el page el page de la	IN 1923.	
Battleships (first line) 21: 6.	Battleships (first line) 22 Battle cruisers 6	Battleships. 8 Battle cruisers 8
Total	Total	Total
-USB II IV WE	EN THE FINAL PROGRAM IS COMPLETED IN	
Battleships (first line) 21 Battle cruisers 6	Battleships (first line) 22 Battle cruisers 6	Battleships 12 Battle cruisers 12
Total	Total	Total
Battleships:         16           First-line         16           Second-line         16           Under construction and authorized         11	Battleships: 26   Second-line 20   Under construction and authorized 0	Battleships:   6
Total	Total	Total:
Battle cruisers: On hand	Battle cruisers:	Battle cruisers: On hand. 4 Under construction and authorized. 8
Total	Total	Total
Light cruisers:  First-line. 0 On hand. 0 Under construction and authorized 10 Second-line. 3	Light cruisers: First-line. 44 Second-line. 24	Light cruisers: On hand. Under construction and authorized
Total: 13	Total. 68 Under construction and authorized: 0 First-line. 5	A CONTRACTOR OF THE CONTRACTOR
	Grand total 78	Making a grand total of
Submarines:         52           First-line.         52           Second-line.         44           Fleet submarines.         2		Submarines: On hand
Total 98 Under construction and authorized: First-line submarines 142 Fleet submarines 4	Total 162 Under construction and authorized: Fleet submarines 18	
Grand total1744	Total 180	Total

## Summary of naval appropriation acts.

Date of act.	Congress.	Amount.	Fiscal year.	
Mar. 3, 1909	Sixtieth, second session. Sixty-first, second session. Sixty-first, third session. Sixty-second, second session. Sixty-second, third session. Sixty-third, second session. Sixty-third, third session. Sixty-fourth, first session. Sixty-fourth, second session. Sixty-fourth, first session.	\$136, 935, 199, 05 131, 510, 246, 01 126, 478, 338, 24 128, 908, 196, 96 141, 050, 643, 53 145, 503, 963, 48 149, 763, 563, 45 312, 888, 060, 25 516, 607, 387, 08 1, 888, 765, 691, 01	1910 1911 1912 1913 1914 1916 1917 1918 1919	

Page 685, Navy Yearbook, Doc. 302, 66th Cong., 2d sess.

Relative future standing based on tonnage built and building Nov. 1, 1919.

Countries.	Stand- ing.	Built.		Building.		Total.	
		Ships.	Tonnage.	Ships.	Tonnage.	Ships.	Tonnage.
Great Britain. United States. Japan. France. Italy. Russia. Germany.	1 2 3 4 5 6 7	812 339 129 222 237 101 36	2, 691, 211 1, 070, 576 540, 426 552, 755 287, 923 254, 148 116, 886	34 243 203 19 29 60	138, 450 996, 902 440, 000 247, 118 146, 801 270, 176	846 582 332 241 266 161 36	2, 829, 661 2, 067, 478 980, 426 799, 873 434, 724 524, 324 116, 886

Page 783, Navy Yearbook, Doc. 302, 66th Cong., 2d sess.

The VICE PRESIDENT. The pending question is on agreeing to the first amendment of the committee which was passed

Mr. BORAH. Mr. President, I demand a yea-and-nay vote on the pending amendment.

The yeas and nays were ordered.

Mr. BORAH. I think we had better have a quorum before we vote. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll. The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Hale	McKellar	Shortridge
Bali	Harris	McKinley	Simmons
Borah ·	Harrison	McLean	Smith
Broussard	Heffin	McNary	Spencer
Bursum	Hitchcock	Moses	Stanfield
	Johnson	Nelson	Stanley
Capper	Jones, N. Mex.	Newberry	Sutherland
Caraway		Nicholson	Swanson
Curtis	Jones, Wash.		Trammell
Dial	Kellogg	Norris	
Dillingham	Kendrick	Oddle	Underwood
Edge	Kenyon	Overman	Walsh, Mass.
Ernst	Keyes	Poindexter	Walsh, Mont.
Fletcher	King	Pomerene	Warren
Frelinghuysen	Ladd	Reed	Watson, Ga.
Gerry	La Foliette	Robinson	Weller
Glass	Lodge	Sheppard	Willis
Gooding	McCumber	Shields	

The VICE PRESIDENT. Sixty-seven Senators having an-

swered to their names, a quorum is present.

Mr. CURTIS. May the amendment be stated to the Senate

so that we may understand what it is, Mr. President?

The VICE PRESIDENT. The Secretary will state the

The READING CLERK. On page 8, line 14, the Committee on Naval Affairs reports an amendment to strike out "\$3,500,000" and to insert "\$4,500,000."

The VICE PRESIDENT. The question is on agreeing to the committee amendment.

Mr. LA FOLLETTE addressed the Senate. After having spoken for nearly two hours,

Mr. BORAH. I understand that it is desired to have an executive session.

Mr. LA FOLLETTE. I will yield the floor at this point for the day, as I understand there is a desire for an executive session.

Mr. HALE. Is there any particular hurry about having an executive session?

Mr. NORRIS. Then let us adjourn without it.
Mr. HALE. I do not see any reason for adjourning now. I think we can keep on for a while.

Mr. LA FOLLHTTE. I move that the Senate adjourn. Mr. HALE. I hope the Senate will not adjourn.

On a division, the motion was agreed to; and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, May 17, 1921, at 12 o'clock meridian.

# HOUSE OF REPRESENTATIVES.

MONDAY, May 16, 1921.

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, we have been in Thy holy keeping. Thou hast clothed us with the gifts of life as a garment. Open Thy window and hear us again from the temple of Thy fatherhood, as we are cheered by Thy promise which is with us:

As far as the East is from the West, so far has He removed our transgressions from us. Like as the father pitieth his children, so the Lord pitieth them that fear him. He knoweth our frame; he remembereth that we are dust.

Set upon us this day the seal of Thy approval and in Thine own good time bring us into the Father's house, which is the haven of eternal summer. Through Jesus Christ. Amen.

The Journal of the proceedings of Friday, May 13, 1921, was read and approved.

#### EXTENSION OF REMARKS.

Mr. YATES. Mr. Speaker, on a recent occasion a pilgrimage was made to the tomb of Lincoln at Springfield, at which the Hon. Federico Pezet, the ambassador to the United States from the Republic of Peru, delivered a very notable and very brief address. I ask unanimous consent to extend my remarks by inserting it in the RECORD. It is the first address ever delivered by a South American in honor of Abraham Lincoln.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the Record by printing the address delivered by Ambassador Pezet. Is there objection? [After a pause.] The Chair hears none.

#### PENSIONS.

Mr. BLAND of Indiana, from the Committee on Invalid Pensions, submitted a report on the bill (H. R. 2158) to provide for the monthly payment of pensions, which was referred to the Committee of the Whole House on the state of the Union.

## EXTENSION OF REMARKS.

Mr. HICKS. Mr. Speaker, I ask unanimous consent to extend in the RECORD my own remarks on the subject of the curtailment of naval armament.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the Record on the subject indicated. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Speaker, I make a similar request.

The SPEAKER. The gentleman from Wyoming makes a similar request.

Mr. GARNER. These are to be, as I understand it, your own remarks?

Mr. MONDELL. The remarks I desire to publish are some remarks that I made myself in the city of Philadelphia on Friday evening

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

# CONTESTED-ELECTION CASE OF RAINEY AGAINST SHAW.

The SPEAKER. The papers in the contested-election case of Rainey against Shaw have been received, and the Chair refers them to the Committee on Elections No. 2.

# MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4075) to limit the immigration of aliens into the United States.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 1479. An act granting the consent of Congress to the Washington & Old Dominion Railway, a corporation, to construct a bridge across the Potomac River.

# EXTENSION OF REMARKS-EINSTEIN THEORY.

Mr. KINDRED. Mr. Speaker, if it is not too late to ask unanimous consent, I would like to ask such consent to extend my remarks in the RECORD on the nonpolitical subject of the Einstein theory of relativity,
The SPEAKER. The gentleman from New York asks unani-

mous consent to extend his remarks in the Record on the theory

of relativity. Is there objection?

Mr. WALSH. Well, Mr. Speaker, reserving the right to object, ordinarily we confine matters that are to appear in the

Record to things that one of average intelligence can understand. Does the gentleman expect to get the subject in such shape that we can understand the theory?

Mr. KINDRED. I will say to the gentleman that I have been laboring earnestly with this theory for three weeks, and am

beginning to see some light.

Mr. WALSH. What legislation will it bear upon?

Mr. KINDRED. It may bear upon the legislation of the future as to its general relations with the cosmos. [Laughter.]

I dislike very much to object.

Mr. KINDRED. I trust the gentleman will withhold an objection. If I can satisfy the gentleman in any other direction and apply it to the relativity of the political parties, I shall also make that request.

Mr. WALSH. Oh well, with that qualification I will not

object.

Mr. LONGWORTH. The gentleman might save that for his speech on the tariff.

Mr. KINDRED. I accept the suggestion.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. KINDRED]? [After a pause,] The Chair hears none.

#### UNANIMOUS-CONSENT CALENDAR.

The SPEAKER. To-day is unanimous-consent day, and the Clerk will call the calendar.

#### BRIDGE ACROSS POTOMAC RIVER.

The first business on the Calendar for Unanimous Consent was the bill (H. R. 2218) granting the consent of Congress to Washington & Old Dominion Railway, a corporation, to construct a bridge across the Potomac River.

The SPEAKER. Is there objection to the present considera-

tion of the bill?

Mr. WALSH. Mr. Speaker, reserving the right to object, is not this a measure for which a bill has come over from the Senate?

Mr. MOORE of Virginia. Yes; and that bill is identical with

Mr. WALSH. Is the gentleman going to ask that the Senate bill be laid before the House?

Mr. MOORE of Virginia. Yes, sir.

Mr. WALSH. Then I think action should be deferred until the gentleman asks that the Senate bill be laid before the House, whereupon this bill will be laid on the table.

The SPEAKER. Is this identical with the Senate bill?
Mr. MOORE of Virginia. Yes.
The SPEAKER. The Chair thinks that could come up by unanimous consent, or come up some other day.

Mr. MOORE of Virginia. I ask unanimous consent that
Senate bill 1479 be substituted for the House bill.

The SPEAKER. The gentleman asks unanimous consent for the present consideration of the Senate bill in place of the House bill. Is there objection? [After a pause,] The Chair hears none. The Clerk will report the Senate bill.

The Clerk read as follows:

An act (S. 1479) granting the consent of Congress to the Washington & Old Dominion Railway, a corporation, to construct a bridge across the Potomac River.

the Potomac River.

Be it enacted, etc., That the consent of Congress is hereby granted to the Washington & Old Dominion Railway, a corporation organized under the laws of the State of Virginia, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Potomac River at a point suitable to the interests of navigation, at or near Point of Rocks, in the county of Frederick, in the State of Maryland, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER The granting of Congress is hereby granted to the construction of the construct

The SPEAKER. The question is on the third reading of the

Mr. LAYTON. Mr. Speaker, I would like to know if this carries any national obligation or takes any money out of the Treasury!

Mr. MOORE of Virginia. No; it does not.

The bill was ordered to be read a third time, was read the third time, and passed.

By unanimous consent, the House bill, H. R. 2218, was ordered to lie on the table.

# CODIFICATION OF THE LAWS.

Mr. LITTLE. Mr. Speaker, by direction of the Committee on the Revision of the Laws I move to suspend the rules and read the title only and pass the bill H. R. 12, entitled "A bill to consolidate, codify, revise, and reenact the general and permanent laws of the United States in force March 4. 1919," in 12,740 sections, as finally approved by the committee and printed under its direction pursuant to public resolution 24,

passed December 23, 1919, a copy of which is in the possession of the Clerk

The SPEAKER. The gentleman from Kansas moves to suspend the rules and read the title only and pass the bill H. R. 12, which the Clerk will report.

The Clerk read as follows:

Mr. LITTLE, by direction of the Committee on the Revision of the Laws, moves to suspend the rules, read by title only, and pass the bill H. R. 12, entitled "A bill to consolidate, codify, revise, and reenact the general and permanent laws of the United States in force March 4, 1919."

The SPEAKER. Is a second demanded?

Mr. WALSH. Mr. Speaker, I raise a point of order upon that motion

Mr. MOORE of Virginia. Mr. Speaker, I demand a second.

Mr. LITTLE. I ask unanimous consent, Mr. Speaker, that a second be considered as ordered.

The SPEAKER. The gentleman from Kansas asks unanimous consent that a second be considered as ordered. Is there objection?

Mr. WALSH. Of course, the motion is not in order. All that does not amount to anything. Is it proper to receive a motion to suspend the rules and pass a bill by reading its title only?

The SPEAKER. It was done in the last Congress. Chair thinks if nobody demands the reading of the bill it can be done.

Mr. WALSH. I just wanted to know if that was permissible. would like to ask the gentleman from Kansas a few questions. The SPEAKER. Without objection, a second will be considered as ordered.

Mr. WALSH. Would the gentleman from Kansas take up some time in explaining the changes that have been made?

Mr. LITTLE. We shall have about 20 minutes between us, the gentleman from Virginia [Mr. Moore] and myself, and perhaps some arrangement can be made.

Mr. WALSH. Mr. Speaker, I withdraw my objection.
Mr. PARKER of New Jersey. Mr. Speaker, it is my understanding that no codification bill has ever yet been passed without involving many changes of the law. I do not like legislation of this kind. I make a point of order against it.

Mr. MONDELL. I hope, Mr. Speaker, that the gentleman will not make the point of order. This is a codification, not a revision. The House passed this bill near the end of the last session under a similar resolution.

Mr. LITTLE. Unanimously.

Mr. MONDELL. There is no change of law. This is simply codification of the law, and one that is badly needed.

Mr. PARKER of New Jersey. Can I be assured that there are no changes in the law?

Mr. MONDELL. I think the gentleman can be assured of

Mr. PARKER of New Jersey. Because the last codification that was passed, as I remember, during the time when Mr. Moon, of Pennsylvania, was in charge of it, from that committee, in-

volved a great many changes.

Mr. MONDELL. The gentleman from Kansas has taken a very different view of his duties and those of the committee from what the gentleman from Pennsylvania and his committee did. They have attempted to make a codification without changing the law. In the former case the committee frankly admitted that they had made important modifications.

Mr. PARKER of New Jersey. There were a great many changes, and even when the bill was read we were unable to find

out or have a full argument about it.

Mr. MONDELL. I think the gentleman can be satisfied with the statement of the gentleman from Kansas [Mr. Little] and the gentleman from Virginia [Mr. Moore] as to this codification.

Mr. PARKER of New Jersey. If there are no changes, I have no objection.

Mr. CANNON.

This does not change or amend, but merely codifies existing law?

Mr. MONDELL. Yes. If there is any change, we have been unable to find it.

Mr. MOORE of Virginia. Mr. Speaker, this bill represents a compilation of all of the general and permanent statutes that were in force on the 4th of March, 1919. If the bill should be enacted into law, the purpose of the committee is to bring in an independent bill, which will specify the number of copies that are to be printed and their disposition. The thought is that the free distribution ought to be quite general, so that all of the agencies of the Government may be supplied and all of the Federal courts and perhaps the courts of record in the several States. Besides, the thought is that a sufficient number of copies should be printed to enable the public to purchase the compilation at something like \$5 per volume. The bill contains

12,740 sections, without taking into account the final chapter, containing 7 sections, which makes certain explanations and This final chapter corresponds with the final reservations. chapter contained in the codification of 1878, as we usually refer to it. The very fact that legislation in these days so rapidly increases in volume points to the importance and re-cessity of this work. The truth is that a compilation should long ago have been undertaken in the long period that has elapsed since the previous compilation was made.

Mr. BLAND of Indiana. Mr. Speaker, will the gentleman

Mr. MOORE of Virginia. Yes. Mr. BLAND of Indiana. I was inquiring about the index of these volumes which it is proposed to send out to the various departments. Has the committee a comprehensive index to the compilation?

Mr. MOORE of Virginia. The committee has not made an index, just as no committee of Congress ever makes an index of the Statutes at Large issued after the end of every Congress.

Mr. BLAND of Indiana. Does the gentleman think it will be of much service unless there is a thorough index made to these volumes that are going to be printed and circulated?

Mr. MOORE of Virginia. There is no sort of doubt that

careful index will be made.

Mr. BLAND of Indiana. But it will not be in the volumes that the committee is going to ask to have circulated to the

departments and to the courts at this time?

Mr. MOORE of Virginia. The index will appear in every volume that is disposed of after the bill is enacted into law, whether disposed of under the free-distribution process or disposed of by sale.

Mr. BLAND of Indiana. If, however, it is indexed before these volumes are circulated, special indexers will have to be

put to work to do that job.

Mr. MOORE of Virginia. The indexing will be made immediately after the bill is passed. If the bill should be passed, then the codification will be indexed as a matter of course

Mr. BLAND of Indiana. Has the committee authority to index them, and will they be indexed; and if so, under what

Mr. MOORE of Virginia. If it is necessary to provide for the indexing by the independent bill to which I have alluded, it will be done in that way. But my understanding is that existing law provides for the matter of indexing.

Mr. LITTLE. Mr. Speaker, will the gentleman yield.

Mr. MOORE of Virginia. Yes.

Mr. LITTLE. There is provision for an editor in the Department of State who does that, but there is an appropriation

for that work in the library.

Mr. MOORE of Virginia. There will be no difficulty on that point. We have not undertaken any indexing at this time before the passage of the bill, because it would have been superfluous. As I was saying a moment ago, in modern times, when legislation increases with such rapidity, the need of codification becomes constantly more evident-codification from time to time. One of the most marked tendencies in Government in the last few hundred years has been the rapid enlargement of statute law. When the bill was under consideration last December I illustrated this by mentioning the fact that a long time ago at one session of the English Parliament only one statute was passed. That was a session held at Yarmouth, and the single statute had relation to the Yarmouth fisheries. In this country the first Congress, which set our system in motion, and was, therefore, called upon to do a great deal of work in the way of marking out the future course of the Government, enacted only 94 statutes, whereas in the last Congress there were introduced in the Senate and the House a total of 21,967 bills and joint resolutions, and 594 statutes were enacted. Of course, there is not any method of preventing the tendency to legislate being accelerated constantly. not undertake to check ourselves, as I believe the historian Gibbon says one of the Greek assemblies did. He or some one else has stated that the Locrians in their assembly had a rule providing that when a member of the assembly introduced a bill a rope should be put around his neck, with the prospect of capital punishment being at once applied in the event of the bill being defeated. Some gentlemen nod their assent to the intimation that such a rule would serve a good purpose here. One gentleman now in my eye, who seems to entertain that view, I have no doubt would be very soon strung up if that were our practice. [Laughter.]

Briefly summarized some of the main advantages of this compilation will be these: First, the people who conduct the Government will have quick means of ascertaining what the law is; second, the courts will have within reach a compilation that I included in this volume?

can not only be consulted but be admitted in evidence; and third, the general public, any lawyer, or any layman, instead of wearily searching around in a multitude of books for the law, will be able to find the law in one compact volume.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. WALSH: I have not the bill before me, but I noticed in going through it that there are a number of instances where two sections of the present Revised Statutes have been combined and made one section. Upon what theory did the committee act in following that method?

Mr. MOORE of Virginia. The committee has not undertaken to preserve the numbering of the statutes as contained in the Statutes at Large, or to keep the statutes necessarily separate from each other, but what the committee has attempted is to refrain from amendment, so that when two statutes appear in one section of this codification it may be safely assumed that

they appear as they were enacted.

Mr. WALSH. But in some instances, I will say to the gentleman, I do not think that is so. There have been consolidations made of two sections which always heretofore have been carried as separate sections, and I wondered whether the committee had any particular rule which it followed in cases like that.

Mr. MOORE of Virginia. The sections in this codification ordinarily preserve the original language. Sometimes it was found that clearly, and without any mere implication, one section repeals the provision of another, and in such a case the committee has thought proper to leave out the provision that is clearly repealed. I do not think, if I understand my friend's question correctly, that it can be assumed that we have made any change in doing what he says has been done, and changed the law from what it would be if this compilation had not been made.

Mr. WALSH. No; but the fact is that in consolidating two sections the consolidated matter, which heretofore has been carried as two sections, under your bill is considered in one section. The liability of error and omission is greater, it seems to me, than if the original sections were kept as they have been heretofore through all these years.

Mr. MOORE of Virginia. Ordinarily the consolidation has

not involved any change in phraseology.

Mr. WALSH. The gentleman's committee is sure of that?

Mr. MOORE of Virginia. I believe the gentleman can take that for granted. We have been very earnest in the effort to make no substantial change in the law, but to leave the law as of 4th of March, 1919, as it then stood. Mr. DEMPSEY. Will the gentleman yield?

Mr. MOORE of Virginia. I will.

Mr. DEMPSEY. Is it the purpose of the committee to have one large, cumbersome volume printed, with the old thick paper,

as the sole official issue of the statute?

Mr. MOORE of Virginia. The committee in that regard will, of course, have to defer to Congress. When Congress provides for the way in which the printing shall be done and for the distribution of the volume, my own thought is-and I know it is the thought of others-that a number of volumes should be printed on thin paper for the use of those who will desire it in that form.

Mr. DEMPSEY. Referring to the question propounded by the gentleman from Massachusetts [Mr. Walsh], I take it that where there has been a consolidation of two sections that you write a note, probably under the new and consolidated section, giving the section and stating that it is a consolidation of two ormer sections.

Mr. MOORE of Virginia. There is no mention made specifically of the fact that there are consolidations, but there is a reference in every instance to the original section from which

the compiled section is derived. Mr. DEMPSEY. In this case there would be a reference to

the two sections. Mr. MOORE of Virginia. Yes; to the two sections.

Mr. DOWELL. Will the gentleman yield? Mr. MOORE of Virginia. I will.

Mr. DOWELL. Can any firm publish this document after it is published by the Government?

Mr. MOORE of Virginia. Not unless the Congress should so authorize, and my own view is that no private concern should be permitted to publish it.

Mr. DOWELL. That is my view.

Mr. MOORE of Virginia. The publication should be under the control of the Congress, and the sale should be under the control of the Congress, and the price put as low as possible.

Mr. DOWELL. One further matter. I understood the gentleman from Kansas to say that the temporary legislation is not Mr. MOORE of Virginia. The volume is confined to laws of

a general and permanent nature.

Mr. DOWELL. Now, as I understood him-perhaps I am mistaken-the war-risk insurance legislation came within the temporary provisions and was not included in this volume. Is that correct, or did I misunderstand him?

Mr. MOORE of Virginia. That legislation was not included in the volume as originally made up, but because of the importance of that legislation it was thought best to place it in

this volume, and that has been recently done. Mr. DOWELL. And it is in it now?

Mr. MOORE of Virginia. Yes.

Mr. GREEN of Iowa. Mr. Speaker, if the gentleman will permit, I just want to say to the House that I had occasion to examine the method which the committee was pursuing in the preparation of this revision, and I was very much struck with the painstaking care in which the experts of the committee were going over and over it again. High-class experts, such as were used of the prominent legal publishers of the country, were doing the work, also men who were in love with the work, who took a great pleasure in bestowing hours of work on small points to make sure to be absolutely and entirely correct. I think this revision has been done with a care that has never before been bestowed on any revision of our laws.

Mr. MOORE of Virginia. I am very much obliged to the gentleman, and on that point it may be said that the committee has done everything that is humanly possible to insure accuracy. The chairman of the committee has given himself to the work very steadily and laboriously. The committee has had the services of very competent men who may be properly called experts. It has had the benefit of a mass of criticism from various sources. For instance, I happen to have here a letter written by a very able Federal judge—Judge Trieble, of the United States District Court for the Eastern District of Arkansas-under date of March 24, addressed to the chairman of the committee, in which he says:

I am going over your act as I find time, and, confining myself solely to the title of the judiciary, I can not express my admiration for this work.

Then in addition the committee has had the benefit of a test which could not once have been employed, the test afforded by comparison of this codification with unofficial compilations made by private publishers. There has been comparison with the Thompson compilation, with the West Publishing Co.'s compilation, with the Barnes compilation. Furthermore, as the chairman of the committee has said, the matter has been referred to the departments.

The committee has had the benefit of their suggestions and advice. So there is hardly any conceivable method that has been omitted, and we perfectly recognize that the House takes upon faith to a large extent what the committee has done to guarantee the accuracy of the work so far as accuracy is

humanly possible.

Mr. HARDY of Texas. Will the gentleman yield?

Mr. MOORE of Virginia. I will. Mr. HARDY of Texas. To illustrate the advantage of conferring with the department, take the Bureau of Navigation, and that bureau has already compiled a set of statutes applicable to that subject alone, and they were consulted in the compilation of this. That illustrates the matter of consulting the departments.

Mr. MOORE of Virginia. That illustrates it.
Mr. HARDY of Texas. And I presume nearly every other

department has issued publications for its own use.

Mr. MOORE of Virginia. I so understand. It may also be assumed that if we had worked for a much longer time than the two years the work has taken we could not have more completely avoided possible imperfections and errors,

Mr. McSWAIN. I think the gentleman is to be complimented. I would like to ask if it is contemplated to bring in any provision for keeping the revision up to date in the future? In other words, have you considered laying upon the Department of Justice the obligation of saying that the permanent general laws as they are enacted shall be separated and a provision reported for enactment, say, every 10 years?

Mr. MOORE of Virginia. I have had that matter in mind. My belief is that the Committee on the Revision of the Laws ought to be expected to make a periodical codification of the statutes enacted subsequent to March, 1919. This should probably be done more frequently than every decade; it perhaps ought to be done not less frequent than every five years, a supplement being gotten out at intervals of not less than five

Now, one great advantage will attach to this compilation, if it is enacted into law, namely, that it will place the laws of report the bill.

the United States within the reasonable purchasing ability of everybody. I understand that none of the unofficial publications can be bought for less than \$10. I am not sure that is the minimum figure. The maximum was beyond \$100.

The SPEAKER, The time of the gentleman from Virginia

has expired.

Mr. LITTLE. Mr. Speaker, I yield to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, I want to express the appreciation of the House to the Committee on the Revision of the Laws for the very splendid work they have done in connection with the codification of the statutes, a work that has been much needed for a long time. Those who have had to do with the enforcement of the law for years realize the difficulty of knowing just what the law is. This codification will bring into one compact volume, or possibly two volumes, the permanent statutes, making them available and understandable.

want to particularly express my appreciation of the splendid work done by the gentleman from Virginia [Mr. Moore] and the chairman of the committee, the gentleman from Kansas [Mr. LITTLE]. Those two gentlemen have given much time, earnest work, and study to this codification. The gentleman from Kansas [Mr. LITTLE] is particularly entitled to credit for the work that has been done. As chairman of the Committee on Revision of the Laws he might have assumed, as other chairmen have, that we could get along with the laws as they are, scattered through the session laws, and thus avoid the laborious work of codification. But he and his committee have taken their duties seriously, and this splendid codification is the result. The gentleman from Kansas has given much time and effort to this work, and he is entitled to great credit for that which he has accomplished.

If we shall enact this code at this session, as I hope we shall, it will be one of our most notable achievements, one for which the Congress will be entitled to great credit, and for which the

people will, I am sure, be very appreciative. [Applause.]

Mr. LITTLE. Mr. Speaker, I ask unanimous consent that those who have spoken on the bill may be permitted to revise

and extend their remarks.

The SPEAKER. The gentleman from Kansas asks unanimous consent that those who have spoken on this bill may have permission to revise and extend their remarks. Is there objection? [After a pause.] The Chair hears none. The question is on the motion of the gentleman from Kansas to suspend the rules and pass the bill.

The question was taken, and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

### UNANIMOUS CONSENT CALENDAR

The SPEAKER. The Clerk will call the next bill on the Calendar for Unanimous Consent.

# BRIDGE ACROSS WILLAMETTE FALLS, OREG.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 2173) authorizing the construction, maintenance, and operation of a private drawbridge over and across Lock No. 4 of the canal and locks, Willamette Falls, Clackamas County, Oreg.

The SPEAKER. Is there objection to the present considera-

tion of this bill?

Mr. WALSH. Mr. Speaker, reserving the right to object, I would like to ask the gentleman who introduced the bill what State this corporation is organized under?

Mr. McARTHUR. I can not answer the gentleman. I presume, under the law of the State of Oregon. It is a local con-

cern-a pulp and paper mill.

Mr. WALSH. Ordinarily in passing these bridge bills we set out in the law what State the corporation is a citizen of, and also provide that the permission or authority is given in accordance with the provisions of the act of March 23, 1906. Now, both of those have been omitted from this bill. I wondered if there was any reason for it.

Mr. McARTHUR. I can not answer the gentleman's question as to whether the corporation is organized under the laws of my State or some other State, but I assume it is organized under the laws of the State of Oregon, because it is purely a local

corporation.

Mr. WALSH. Does the gentleman have any objection to an amendment requiring that this authority be exercised under the act of March 23, 1906?

Mr. McARTHUR. None whatever. If the gentleman will offer it, I will be glad to accept it.
Mr. WALSH. Mr. Speaker, I withdraw my reservation and offer an amendment.

The SPEAKER. Objection is withdrawn, and the Clerk will

The Clerk read as follows:

A bill (H. R. 2173) authorizing the construction, maintenance, and operation of a private drawbridge over and across Lock No. 4 of the canal and locks, Willamette Falls, Clackamas County, Oreg. Be it enacted, etc., That the Crown Willamette Paper Co., a corporation, is hereby authorized, subject to the approval of the Chief of Engineers and Secretary of War, to construct, maintain, and operate a private drawbridge, connecting the units of its industrial plant, over and across Lock No. 4 of the canal and locks, Willamette Falls, Clackamas County, Oreg., and to use the canal right of way for abutments or other construction work.

Also the following committee amendment was read:

Page 1, line 5, after the word "War," insert "and to such conditions as they may prescribe."

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. WALSH. Mr. Speaker, I offer an amendment to come in at the end of the section. Strike out the period, insert a comma, and add the words:

In accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

That is the usual phraseology carried in bridge bills. The SPEAKER. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 2, line 2, after the word "work," strike out the period and insert a comma and the following language: "in accordance with the provisions of the act entitled 'An act to regulate the construction of bridges over navigable waters,' approved March 23, 1906."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 2, on line 2, insert: "Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved."

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. McArthur, a motion to reconsider the vote whereby the bill was passed was laid on the table.

EXCHANGE OF GOVERNMENT LANDS IN HAWAII.

The SPEAKER. The Clerk will report the next bill on the Unanimous Consent Calendar.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 4598) to provide for the exchange of Government lands for privately owned lands in the Territory of Hawaii.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. WALSH. Reserving the right to object, Mr. Speaker, this matter involves the transfer of title of land in Hawaii, and it is a military matter of some importance, and I think it ought not to be acted upon by unanimous consent. I shall object, but I shall ask that it go to the foot of the calendar.

The SPEAKER. The gentleman from Massachusetts, as the Chair understands, objects but consents that it go to the foot of the calendar?

Mr. WALSH. Yes.

The SPEAKER. The gentleman from Massachusetts objects. Is there objection to its going to the foot of the calendar?

There was no objection. The SPEAKER. The Clerk will report the next bill.

BRIDGE ACROSS TUG FORK OF BIG SANDY RIVER, W. VA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 4091) granting the consent of Congress to the Borderland Coal Corporation to construct a bridge across the Tug Fork of Big Sandy River, in Mingo County, W. Va.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. WALSH. Mr. Speaker, reserving the right to object, I would like to ask the gentleman having the measure in charge under the laws of what State was this corporation organized?

Well, Mr. Speaker, still reserving the right to object, I would state that I think in passing these bridge bills we ought to have some uniformity in the phraseology. We always have had heretofore. It seems that there ought to be written into the

law, when we give consent to a corporation, some language identifying the corporation and confining it to the corporation just specified. I did not insist on it in the case of the other bill, and I do not insist on it now. I am simply making the suggestion. I withdraw that reservation.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Borderland Coal Corporation, its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Tug Fork of Big Sandy River, at a point suitable to the interests of navigation, and at or near Borderland, in the county of Mingo, State of West Virginia, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

BEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER. The Clerk will report the next bill.

OPERATION OF GOVERNMENT RADIO STATIONS.

The next business on the Calendar for Unanimous Consent was the resolution (H. J. Res. 7) to amend section 2 of the joint resolution entitled "Joint resolution to authorize the operation of Government-owned radio stations for the use of the general public, and for other purposes," approved June 5, 1920.

The title of the resolution was read.

The SPEAKER. Is there objection? Mr. BLANTON. I object, Mr. Speaker.

The SPEAKER. Objection is heard. The Clerk will report the next bill.

## RIGHTS OF FISHERY, PEARL HARBOR, HAWAII.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 2499) to provide for the acquisition by the United States of private rights of fishery in and about Pearl Harbor, Hawaiian Islands.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WALSH. Reserving the right to object, Mr. Speaker, I would like to ask if this is the identical measure that we passed through the House before?

Mr. BUTLER. If the gentleman will permit me to answer the question, I will say that I introduced the bill. It was referred to the Committee on the Territories. It is the same bill that the House passed last term. It was reported unanimously by the Committee on the Territories then and now. I shall be glad to make such explanation as I can if the gentleman desires.

Mr. WALSH. I wish the gentleman would just refresh the recollection of the committee as to the necessity for this par-

ticular legislation before I withdraw my objection.

Mr. BUTLER. Mr. Speaker, this is to acquire the fishing rights in the harbor at Hawaii. The Government at an enormous expense has erected a naval station there, and I suppose it has been 12 or 15 years in securing its completion. Indeed, it is hardly completed yet. It is our naval station in the Pacific Ocean. Prior to our commencement of the station certain fishing rights were sold to corporations and to individuals in this harbor. Boats enter this harbor that we can not prevent, including fishing smacks and other fishing boats. We can not keep them out.

I want to say to my friend that I introduced this bill with some hesitation, because I did not know what it would cost us to acquire these rights. I thought there was sufficient restraint placed in the bill to allow us to safely make this survey. If we can not agree upon the figures, or even if they should agree upon the figures, the price must be reported to Congress for its ratification. Inquiry has been made for some time to learn what these rights would probably cost, but we can not discover what they will cost.

Mr. WALSH. Will the gentleman yield?
Mr. BUTLER. Certainly.
Mr. WALSH. Are these rights of such a nature that public vessels of the United States can not occupy the space there in the water?

Mr. BUTLER. United States vessels have the right under our agreement with Hawaii to occupy the waters, but it is for the protection of the naval base there that they desire to acquire these rights so that they may control the waters against the boats that come in the harbor and about which they can make no inquiry. During the war period we seized the rights, but at the termination of the war period any of these boats can come in and occupy these waters, approach the naval station, and it is absolutely undesirable, for military reasons, that they

should have this unrestrained permission. I repeat, Mr. Speaker, that I hesitated somewhat about introducing the bill because we were unable to ascertain what these rights would cost. But we have a provision in the bill which you will find on page 2, that we shall retain in Congress the control until we know their cost. This bill was recommended by the former Secretary of the Navy, Mr. Daniels, and it is recommended by the present Secretary of the Navy, Mr. Denby.

The bill was sent to me, as I said, officially, and I introduced

it, when it was referred to the Committee on the Territories. Now, this is the situation. I can say this, that the military men insist that it is highly desirable, and both Secretaries of the Navy insist that it is necessary we should have control of these waters against these fishing boats that do and may come in.

Mr. WALSH. No one will dispute that. There are no foreign vessels allowed in there now and this is to keep out any of

the United States fishing vessels.

Mr. BUTLER. Oh, no; any fishing vessel has the right to come in there. My recollection is that there is some provision under which the foreign vessels might be kept out.

Mr. WALSH. I am reading from the report.
Mr. BUTLER. The report has all the information that I I do not criticize any gentleman for being particular about this bill.

Mr. McCLINTIC. Will the gentleman yield?

Mr. BUTLER. I will.

Mr. McCLINTIC. I notice that there is an appropriation carried in the bill of \$5,000.

Mr. BUTLER. Yes.

Mr. McCLINTIC. Is that sufficient to pay for all these rights?

Mr. BUTLER. That is only to pay for the expense of the survey, to ascertain about what the fishing rights will cost. I confess that I did not know there were any such rights until just before I introduced this bill. I assisted in obtaining legislation which authorized us to fortify Hawaii because I thought it was a military necessity. I suppose if I had known that these fishing rights existed I would have voted for the legislation, hoping that some way might be found to get rid of them,

Mr. McCLINTIC. Those fishing rights were conferred when

the Territory became a part of the United States.

Mr. BUTLER. Oh, a long time ago.

Mr. McCLINTIC. If we appropriate the \$5,000, that is simply to make a survey to ascertain what the fishing rights will cost.

Mr. BUTLER. It is, and I will say that I am sorry the \$5,000 will not be sufficient money to pay for the fishing rights. Mr. McCLINTIC. I am afraid we are entering on dangerous

ground, because the rights continue way around the island.

Mr. BUTLER. But this is only for the fishing rights in the

Mr. McCLINTIC. We have appropriated about \$7,000,000 for that island, and if they are not sufficiently patriotic to allow us

Mr. BUTLER. Oh, my friend is wrong; it is not fishing rights for us; it is a military necessity to control the waters in front of our naval base and keep these foreign fishing vessels

out when we see fit. Mr. McCLINTIC. Mr. Speaker, I ask unanimous consent that this bill go to the foot of the calendar.

Mr. BUTLER. I do not criticize the gentleman for objecting, but I can not give him any further information.

Mr. McCLINTIC. I object.

TRANSFER OF ALASKAN NORTHERN RAILWAY BUILDING TO THE DEPARTMENT OF JUSTICE.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 5222) to provide for the retention by the Government of the property in Seward, Alaska, known as the Alaskan Northern Railway office building, and its use for court

The SPEAKER. Is there objection?

Mr. WALSH. Reserving the right to object, I would like to hear some reason for this exchange being permitted, and why the Alaskan Northern Railroad Co. has not utilized this property.

Mr. SUTHERLAND. Mr. Speaker, this bill authorizes the Secretary of the Interior to transfer to the Department of Justice a building formerly owned by the Alaskan Northern Railroad Co., at Seward, Alaska. The Northern Railroad was purchased by the Alaskan Engineering Commission under the act of 1914, authorizing the President to construct a railroad in Alaska. A subsequent act of July 1, 1916, provided for the sale of the property and material purchased or constructed by the engineering commission. But there is nothing in the act providing for the transfer from one department to another, so the Secretary of the Interior desires to transfer it to the Depart-

ment of Justice to be used as a court building at Seward, Alaska. There is no other Government-owned building there, and when the court is held at Seward it requires rental of a privately owned building.

Mr. WALSH. Will the gentleman yield?

Mr. SUTHERLAND. I will.

Mr. WALSH. Will this require the expenditure of funds to

fit the building for court use?

Mr. SUTHERLAND. I should say not, Mr. Speaker, for there are several large chambers in the building well adapted for court purposes. The court would be there only in a transient The district court is established at Valdez, and they

would hold court at Seward once or twice a year in this building

Mr. WALSH. What is it that has happened that makes it no longer desirable for the Department of the Interior?

Mr. SUTHERLAND. The operations of the railroad are conducted largely from Anchorage, 114 miles north, so that this building, formerly belonging to the Northern Railroad Co., is no longer required for use at this time by the commission.

Mr. PARRISH. Mr. Speaker, further reserving the right to object, about what is the value of that building?

Mr. SUTHERLAND. To-day in Seward I do not believe it would be possible to find a purchaser for it at any reasonable price. I believe the building is worth from twenty to twenty-five thousand dollars.

Mr. PARRISH. What has been the arrangement heretofore

made for holding court at that place?

Mr. SUTHERLAND. On one occasion they held court in this building. Formerly they paid rental for privately owned build-

Mr. BLANTON. Mr. Speaker, reserving the right to object, as I understand it, this building now belongs to the Government of the United States?

Mr. SUTHERLAND.

Mr. BLANTON. It is under the supervision and control of the Secretary of the Interior?

Mr. SUTHERLAND. Yes.

Mr. BLANTON. And this bill is merely to permit the Secretary to transfer it to the Department of Justice in order that another department may use it? Mr. SUTHERLAND. Yes.

Mr. BLANTON. Why was not that stated in the text of the

bill in the preamble?

Mr. SUTHERLAND. I do not know. The bill was drafted in the Department of Justice. The point of the bill is that there is no authority for a transfer. There is authority for a sale, but no authority for a transfer from one department to another under the act for the construction of the railroad.

Mr. BLANTON. And it costs the Government nothing to use

Mr. SUTHERLAND. Nothing.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report the bill.

The Clerk read the bill, as follows:

The Clerk read the bill, as follows:

Be it enacted, etc., That the property commonly known as the Alaska Northern Railway office building, being situated on lots 16 to 20, inclusive, in block 16, of the town of Seward, Alaska, which was acquired by the United States under the provisions of the act of March 12, 1914, entitled "An act to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes," shall not be sold under the provisions of the act of July 1, 1916, entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1917, and for other purposes," or other like acts, but shall be retained by the United States for use by the officials of the United States district court and the Department of Justice.

The Secretary of the Interior is authorized to transfer the custody of said building to the Attorney General for use as above indicated.

All laws or parts of laws to the extent they are in conflict with the provisions of this act are repealed.

The SPEAKER. The question is on the engrossment and

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

DIKE ACROSS MUD SLOUGH, ON ISTHMUS INLET, OREG.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 3018) granting the consent of Congress to H. H. Haynes to construct a dike across Mud Slough, on Isthmus Inlet, in section 23, township 26 south, range 13 west, of Willamette meridian in Oregon.

The SPEAKER. Is there objection to the present considera-

tion of the bill?

Mr. WALSH. Mr. Speaker, reserving the right to object, I will ask the gentleman from Oregon whether this is across navigable waters?

Mr. HAWLEY. It is not navigable water. It is simply a slough opening from Isthmus Inlet. At high tide the water

will rise probably to a foot or 18 inches over the land which is now covered with the tule reeds. It is a large, flat area, and when drained, if the dike is put across and the salt water shut out, the surrounding fresh water will wash out the salt and the land becomes very valuable agricultural land.

Mr. WALSH. If it is not across navigable waters, is the

consent of Congress needed because it affects public land?

Mr. HAWLEY. It cuts off a small area of the tidal basin of the Coos Bay watershed, and for that reason the Department of War has always held it is necessary to have legislation

before dikes can be constructed.

Mr. WALSH. But usually the construction work is done under the act regulating the erection of bridges over navigable

waters, is it not?

Mr. HAWLEY. Yes; I think, wherever the water is navigable; but this water is not navigable. This was submitted to the Department of War, and they held that this kind of legislation was necessary.

Mr. WALSH. Does the gentleman mean to say that he got some information from the War Department other than that

contained in the report?

Mr. HAWLEY. I think possibly a letter. The report is printed. I have had several instances similar to this in other places in the district.

Mr. WALSH. Does the gentleman think it necessary to amend this bill to carry the authorization under the provisions of the act of March 23, 1906, which regulates the construction

of bridges and structures over navigable waters?

Mr. HAWLEY. I think not; because this is not navigable water, and never can be. The dike is to be constructed under the supervision of the War Department, as especially provided for in the act. The legislation was sent to them for a report, and they made no such report. The Committee on Interstate and Foreign Commerce considered the matter at the last session and reported it in exactly this form, with one amendment. There is one amendment in the bill to-day not in the former

I withdraw the reservation of objection. Mr. WALSH.

The SPEAKER, Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to H. H. Haynes, and his successors and assigns, to construct and maintain a dike and approaches thereto across the Mud Slough on Isthmus Inlet at or near its mouth in section 23, township 26 south, range 13 west, of Willamette meridian in Oregon, in the county of Coos, in the State of Oregon: Provided, That the work shall not be commenced until the plans therefor have been filed with and approved by the Chief of Engineers, United States Army, and by the Secretary of War: Provided further, That no dam or dike constructed under the consent hereby granted shall be used to develop water power nor to generate electricity.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

With the following committee amendment:

Page 1, line 4, strike out the word "successors" and insert the words "legal representatives."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. PARRISH. Mr. Speaker, I move to strike out the last word for the purpose of asking the gentleman from Oregon a question. Is there any likelihood that the adjacent landowner's property will be damaged by the construction of this dike?

Mr. HAWLEY. On the contrary, they will all be benefited. Mr. Haynes, who is to construct the dike, owns the land at the mouth of the slough. All of the property owners back of him will be benefited. They will not contribute except voluntarily. They have all asked that this be done.

Mr. PARRISH. There is no question of damages?

No. The port commission of Coos Bay has Mr. HAWLEY. strongly indorsed this construction.

Mr. PARRISH. There will be no question of damage?

Mr. HAWLEY. No.

The SPEAKER pro tempore (Mr. Longworth). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HAWLEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

SALE OF POST-OFFICE SITE, BETHLEHEM, PA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 89) for the public sale of post-office site on the west side of South Main Street in the city of Bethlehem, Pa.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, reserving the right to object, would ask the gentleman in charge of the bill a question.

Mr. KIRKPATRICK. Yes.

Mr. BLANTON. This bill is to authorize the sale of this land to a bank?

Mr. KIRKPATRICK. To a hotel. As far as the bill is concerned, it authorizes a public sale with an upset price. hotel people are interested in it.

Mr. BLANTON. The purpose of the bill is to enable a hotel which owns property adjoining the Government property to

Mr. KIRKPATRICK. Yes.

Mr. BLANTON. At about \$1,000 more than the Government paid for that property, I believe. Mr. KIRKPATRICK. Yes.

Mr. BLANTON. And the Government bought it about 10 years ago?

Mr. KIRKPATRICK. In 1912.

Mr. BLANTON. Is it not possible that this property is worth several thousand dollars more than the Government will obtain for it by a sale of this kind?

Mr. KIRKPATRICK. I doubt that very much. I do not think the conditions in the city of Bethlehem are such that for a considerable time this property can be sold to any better

Mr. BLANTON. Of course, if the Government has no use for the property it should be sold.

Mr. KIRKPATRICK.

Mr. BLANTON. But is there any possibility of the Government wanting a Government building here at some time in the near future?

Mr. KIRKPATRICK. I do not think there will be the slightest possibility of that

Mr. BLANTON. How close is this site to the nearest post office? Mr. KIRKPATRICK. The gentleman means this particular

point of ground?

Mr. BLANTON. This particular part of the city

Mr. KIRKPATRICK. I should say it was within a half a

Mr. BLANTON. And the people of Bethlehem now get their mail at a post office within half a mile?

Mr. KIRKPATRICK. There is a new post-office building there, and in addition there is a substation in the city of Bethlehem practically just across the street from this plot.

Mr. BLANTON. The gentleman can assure us if this bill

is passed that during his term in Congress he will not be coming back here asking the Congress to appropriate money to repurchase another site in Bethlehem?

Mr. KIRKPATRICK. I think I can very safely assure the

gentleman of that.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. Reserving the right to object, will the gentleman state what buildings are on this plot?

Mr. KIRKPATRICK. There are a very few old residences.

Mr. WALSH. Are they occupied?
Mr. KIRKPATRICK. They are now occupied by tenants who are paying a small rent to the Government.

Mr. WALSH. Will the gentleman state with reference to the present post-office facilities at South Bethlehem, I believe

Mr. KIRKPATRICK. It is all one city now. Mr. WALSH. It used to be South Bethlehem?

Mr. KIRKPATRICK. Yes, sir.

Mr. WALSH. Are they entirely adequate?
Mr. KIRKPATRICK. I think they are entirely adequate.

Mr. WALSH. For the community? Mr. KIRKPATRICK. Yes, sir.

Mr. WALSH. I withdraw my objection. Mr. ROUSE. Mr. Speaker, reserving the right to object, what did the Government pay for this site?

Mr. KIRKPATRICK. Nineteen thousand dollars.

Mr. ROUSE. What rental does the Government pay for the substation across the street?

Mr. KIRKPATRICK. I can not tell the gentleman what the amount of rental is.

Mr. ROUSE. It is not equal to that sum?

Mr. KIRKPATRICK. Oh, no.
Mr. ELLIOTT. Mr. Speaker, if the gentleman will yield, this bill came before the Committee on Public Buildings and Grounds in the last session. It was a bill introduced by Mr. Steele, of Pennsylvania. This is how it originated: There are two towns, Bethlehem and South Bethlehem, separated by a river. A few years ago the Government bought a post-office site in each of those towns, and then before they built a post

office on each of those sites the two towns were consolidated under one incorporation. The Government built a post office in one town, which is sufficient to take care of all the postoffice business-the whole thing. Now the Government has one post-office site on its hands for which it has no use. Secretary Honston last session asked that this bill be enacted, as the Government had no use for the property. It has been referred this time to Secretary Mellon, and he comes back with the same report, and the Committee on Public Buildings and Grounds has twice made a unanimous report on this bill. I see no reason why it should not go through, as the Government needs the money worse than it does this site.

Mr. SEARS. Will the gentleman yield?

Mr. KIRKPATRICK. I will.

Mr. SEARS. How leng will the present post office take care

of the business of Bethlehem?

Mr. ELLIOTT. As far as that is concerned, I assume there is an ample site there, because the Treasury Department says that it will not have any use for one of the sites, that they have ample post-office facilities for the city of Bethlehem at the present time.

Mr. KIRKPATRICK. If the gentleman will permit, I will say that the new building costing between \$100,000 and \$150,000

will be ample for a long time.

Mr. SEARS. I asked the question because I have a place in my district where the building cost over \$100,000, put up about 12 years ago, and now it is not half large enough, and I was wondering if that is the case in reference to Bethlehem.

Mr. KIRKPATRICK. From my knowledge of the situation,

I think it will be umple for a long time.

Mr. WALSH. Reserving the right to object, at the present site where the office is located are the grounds sufficiently large to permit additions to the building if they should become necessary in the future?

Mr. KIRKPATRICK. I would like to say to the gentleman that, from my recollection, there is some ground around that

building, but I am not certain as to the extent.

Mr. WALSH. How did it happen that they own this site in Bethlehem and rent this substation across the street? Were there any buildings upon it which could be utilized?

Mr. KIRKPATRICK. No; there are only three or four very

old houses there.

Mr. WALSH. How long has that substitution been built?

Mr. KIRKPATRICK. Ever since I remember the city of

Bethlehem.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears

The Clerk rend as follows:

A bill (H. R. 89) for the pablic sale of post-office site on the west side of South Main Street, in the city of Bethlehem, Pa.

Be it enacted, etc., that the Secretary of the Treasury be, and he is hereby, authorized and directed to sell at public sale the post-office site and buildings thereon erected, situate on the west side of South Main Street, in the city of Bethlehem, Pa., after proper advertisement, and at such time and upon such terms as he may deem for the best interests of the United States, for a sum not less than \$20,000, and to execute and deliver to the purchaser the usual quitclaim deed therefor, and to deposit the proceeds derived from such sale in the Treasury of the United States as a miscellaneous receipt.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. Kirkpatrick, a motion to reconsider the vote by which the bill was passed was laid on the table.

### RADIO STATION.

Mr. CHINDBLOM. Mr. Speaker, I ask unanimous consent that House joint resolution No. 7, to which objection was made a while ago, may go to the foot of the calendar. The gentleman from Texas who made the objection tells me that he has no

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois? [After a pause.] The

Chair hears none,

DESERT-LAND ENTRIES, RIVERSIDE COUNTY, CALIF.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 5223) to exempt from cancellation desert-land entries in Riverside County, Calif.

The SPEAKER pro tempore. ent consideration of the bill? Is there objection to the pres-

Mr. WALSH. Reserving the right to object, I would like the gentleman to give some explanation of this matter. There have been, as I understand, two or three other acts passed for the benefit of this group?

Mr. BARBOUR. The first act was passed in 1912.

Mr. WALSH. And at what situation have they arrived that requires further legislation?

Mr. BARBOUR. There is a prospect of getting water there that can be utilized for agricultural purposes. Heretofore they have had to haul their water in there. It is desert land, and can not be improved agriculturally unless irrigated. There is a project in contemplation at this time-and the Sixty-sixth Congress authorized an investigation of it—for storing the water of the Colorado River and using it for irrigation in southern California. If that is done and the project goes through, these entrymen will undoubtedly be able to irrigate their lands, prove up on them, and get their patents under the desert-land law. At the present time they can not do it. The Secretary of the Interior points out in his letter that it is absolutely impossible to irrigate these lands under the present conditions.

Mr. WALSH. But we gave them an extension. Why did not

they get this perfected during the time of the last act?

Mr. BARBOUR. They can not do it themselves. Mr. WALSH. What do they want? Do they want the Government to do it for them?

Mr. BARBOUR. No. The proposition contemplates that the Government shall do its share in reclaiming the public land.

Mr. WALSH. It always does that.

Mr. BARBOUR. It always does that; but the privately owned land will pay its part of the cost of this project and maintaining and operating it.

Mr. WALSH. Why is it that they can not get this necessary support? I presume it is financial support that they need.

Mr. BARBOUR. I do not know that I understand. Support of what?

Mr. WALSH. To carry out this plan.

Mr. BARBOUR. It is entirely too big a proposition for these desert entrymen. It contemplates the storage of the waters of the Colorado River.

Mr. WALSH. If it is extended until 1925, the ultimate date mentioned here, does the gentleman think they will be able to work out a plan whereby this storage can be completed?

Mr. BARBOUR. I think so. That will depend somewhat on the action of Congress. The last Congress passed legislation to appropriate \$20,000 for the purpose of investigation.

Mr. WALSH. Does the Government lose anything?

Mr. BARBOUR. Absolutely nothing. Furthermore, there is nobody who can go in there and prove up on these lands, because they simply can not get the water,

Mr. McKENZIE. Will the gentleman yield? Mr. BARBOUR. I will.

Mr. McKENZIE. About how many of these entrymen are there?

Mr. BARBOUR. About 800.
Mr. McKENZIE. Do they live far from this territory?
Mr. BARBOUR. Most of them live somewhere near it. They
do not all live right on it. They could not.
Mr. McKENZIE. Is this land utilized for any purpose at all?
Mr. BARBOUR. No practical purpose, because it is covered with sagebrush and mesquite and small, stubby growth.

Mr. McKENZIE. Prior to 1912, was there some agitation that there was going to be a dam in there and that this land would become valuable?

Mr. BARBOUR. I do not know whether it was discussed at that time or not. The reclamation of lands lying along the valley of the Colorado River has been discussed in a general way for a good many years, but it has been only a desultory, general discussion of something that might take place in the future. We are now down to a definite project. The Reclamation Service is making and has made an investigation under the resolution passed by the Sixty-sixth Congress, which carried an appropriation of \$20,000 for that purpose. So we are now getting down to something definite.

Mr. McKENZIE. I want to say to the gentleman that I am not opposed to this proposition, but I want to get the informafion.

Mr. BARBOUR. I understand, Mr. McKENZIE. What I want to know is whether or not the gentleman or anyone else has the information whether or not the possible construction of a dam which would make this land available for agriculture by the use of water from the dam caused 800 individuals, assuming that to be true, to go in there and enter on this land?

Mr. BARBOUR. I do not think there was any definite

prospect of a reclamation project there at that time.

Mr. McKENZIE. Are they really bona fide entrymen who expect to develop this land, or are they men who are simply interested from a speculative standpoint?

Mr. BARBOUR. They are bona fide. In fact, the act is limited to bona fide settlers and entrymen.

Mr. McKENZIE. You are acquainted with all the facts and you are prepared to make that statement?

Mr. BARBOUR. Yes.

Mr. SMITH. I may state to the gentleman from Illinois that at the time these entries were made the Department of the Interior did not require the entrymen to prove that they had a water right. The entrymen made entry of the lands expecting to get water; otherwise, of course, they would not have made application under the desert land law. But they found that it was impossible, without the cooperation of the Government in connection with the reclamation of public lands, to secure capital to construct their own project.

Mr. McKENZIE. Mr. Speaker, will the gentleman from

Idaho vield?

Mr. SMITH. Under the present construction of the desert land law no one can enter desert land unless he has an actual water supply in sight, and if this law is not passed these men will lose all they have put into it in the way of improving the land and getting it ready for the water, and any qualified person can enter the land under the homestead law.

Mr. McKENZIE. Can the gentleman tell whether or not these men have actually expended money on this land, or simply

have filed on it?

Mr. SMITH. Many of them have spent considerable money preparatory to having the water placed upon it. Some of them have expended several thousand dollars, I am told.

Mr. McKENZIE. Then, it would be an injustice to these par-

ticular individuals to allow these entries to lapse?

Mr. SMITH. Undoubtedly so; and the Government would not lose anything by having the legislation enacted. It simply holds the entries intact until the water is made available, when these entrymen can come in and prove up and get title.

Mr. McKENZIE. These entries are made in good faith?

Mr. SMITH. Undoubtedly. No one would enter this land without the possibility of getting water on it.

Mr. McKENZIE. In case this dam is erected and the water supplied to the land, what can they raise on it?

Mr. SMITH. Almost anything that can be raised on irrigated lands anywhere.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. SMITH. Yes. Mr. WALSH. The gentleman says that no one would enter upon this land without the prospect of getting water?
Mr. SMITH. That is true.

Mr. WALSH. Was that prospect there when they did enter? We have passed three different acts to help them out thus far. Mr. SMITH. That is so, but this is a great undertaking, and it is not easy to get capital to carry on these projects.

Mr. WALSH. Is the gentleman sure that capital is not hanging in the background somewhere waiting until the legislation is fixed just right, when they will come right down and take

possession of this vast territory?

Mr. SMITH. That might be possible if this law is not enacted. If it is enacted these men who have gone there in good faith will get title to it to the exclusion of the speculator.

Mr. PARRISH. Mr. Speaker, reserving further the right to object, I want to ask a question or two of the gentleman in charge of the bill. How many acres are included in this land?
Mr. BARBOUR. There are in the neighborhood of 800 entry-

men and about 160 acres to each one. It would be about 128,000

Mr. PARRISH. One hundred and twenty-eight thousand acres?

Mr. BARBOUR. Yes; about that.
Mr. PARRISH. How much has been expended on this land?

About how much?

Mr. BARBOUR. I can not state definitely, but they have gone in there and attempted to build homes and otherwise improve the land. The amount expended by all those persons I can not state, but there has been a considerable amount of improvement done there. They have also paid 25 cents an acre to make their entries.

Mr. PARRISH. How many extensions have they had heretofore?

Mr. BARBOUR. They had one in 1912. I think they have had two or three extensions.

Mr. PARRISH. I notice that this bill gives the Secretary of

the Interior the right in his discretion to grant them two years more after the expiration of the time extended in this bill.

Mr. BARBOUR. The reason for that is this; The Secretary of the Interior states that the only way they can improve these lands at all is to get water on them for irrigation purposes, and the only way they can get water on them for irrigation

purposes is by the construction of this contemplated project. Now, it is at least possible that the project will not be completed in two years; in fact, it is very probable that it will not be completed in two years. If it is not, this bill would give the Secretary of the Interior the right without further legislation to grant an additional extension of two years.

Mr. PARRISH. As I understand the purpose, it is to hurry the final improvement of this land and make improvements final on this land, so that the land may be opened up to actual use and the country benefited by it. I was thinking that this last proviso might well go in because it would impress these people with the idea that Congress expected them to do something. If this two-year extension is left on here they will think nothing need be done for the first two years and the effect will be negligible. The fact is that Congress wants that land to be put in productive shape as soon as possible, and that impression would be given if we would leave off that last

Mr. BARBOUR. Under ordinary circumstances I think the gentleman's suggestion would be good, but the only way to get any benefit out of the land is to improve it, and the only way to improve it is to bring water from some distant place, the Colorado River. They can not do that unless they cooperate with other sections and other communities that are proposing to utilize this water of the Colorado River. It has got to be a big joint proposition.

Mr. PARRISH. Would the gentleman object if an amendment

were offered cutting off these last two years?

Mr. BARBOUR. It would probably mean that in two years more we will be in here again asking for this same legislation, because this proposed irrigation project is a big proposition, and to assume that it will be completed and this land will be reclaimed inside of two years would be assuming more than I would care to.

Mr. PARRISH. If we eliminate this last provision for the two years, will it not have a tendency to give them the impression that we want to see some progress made on this project?

Mr. BARBOUR. The additional extension is left to the discretion of the Secretary of the Interior, and it is assumed that he will not grant it unless there is a good reason for it.

Mr. PARRISH. I suppose they would rather deal with him than with Congress. I do not want to object to the bill, but I felt that they ought to move along with some degree of speed on these improvements.

Mr. BARBOUR. I agree with the gentleman that with the three extensions already granted they ought to be doing all that they can under the circumstances, and I believe that they are.

Mr. PARRISH. I felt when I got up on my feet that I would object unless you struck out this two-year extension, but with the explanation of the gentleman I will not object.

Mr. BARBOUR. It has been stated by the gentleman from Illinois [Mr. McKenzie] that these entrymen can not take the initiative in the proposed reclamation project because included in it is Government land and also privately owned land. It is a big proposition. To hold them solely responsible for the inaction of other people would not be doing exact justice. are giving them an opportunity for two years. Then, if the project is incomplete or not far enough along so they can complete their proofs, the Secretary of the Interior is authorized to grant them two years more. Frankly, I do not think it can be completed in two years.

Mr. PARRISH. I was thinking that the same Congress, or practically the same Congress, would be here at the expira-tion of the two years, and if they knew that they had to come back to this Congress and make another application they might

hurry up some.

Mr. BARBOUR. There may be a few changes in the House during the next two years. [Laughter.]

Mr. COOPER of Wisconsin. Mr. Speaker, will the gentleman

Mr. BARBOUR. I will. Mr. COOPER of Wisconsin. Did the bill of 1912 confer on these persons the same legal right that you would reaffirm in this bill?

Mr. BARBOUR. The Secretary of the Interior discusses that bill in a letter which is set forth in the report. I do not recall whether they are the same or not. I notice that he says the present bill is identical in terms with the act of April 11 1916, except as to the limitation of the time during which the entries are suspended."

Mr. COOPER of Wisconsin. Beginning on line 9, page 2, the

bill contains this language:

the said entrymen are unable to procure water to irrigate the said lands above described through no fault of theirs, after using due diligence, or the legal questions as to their right to divert or impound

water for the irrigation of said lands are still pending and undetermined by said May 1, 1923, the Secretary of the Interior is hereby authorized—

And so forth.

Have not the legal rights been determined? They began in 1912 and before that, and here is the suggestion that the legal rights may not be determined until 1923. That would be 11 years after the first bill; what is the matter with the legal

Mr. SWING. If the gentleman will yield, the Colorado River, from which these entrymen must get their water, is not only an interstate stream but an international stream, and while we have been active in this matter of trying to settle the water rights, it has been 12 years since there has been a government in Mexico with which our Government could negotiate any treaty. There is a shadow of controversy or a claim on the part of the Mexican land of a right to some of this water. International law as expounded by Judge Harmon in the Rio Grande case denies that right, but as long as there is some such contention the rights are not settled.

Mr. COOPER of Wisconsin. Judson Harmon was a member of the Cabinet of President Grover Cleveland, who ceased to be President on the 4th of March, 1897. A long time elapsed between 1897 and the time when the trouble began in Mexico. During all that period Diaz was President, at the head of a

responsible Government.

Mr. SWING. The opinion of Judson Harmon was in relation to the Rio Grande, but, notwithstanding the opinion, the United States proceeded to grant a part of the water of that river, rising on American soil, to Mexican lands. Our Government may take the same course with regard to the Colorado

River, but personally I hope not.

Mr. COOPER of Wisconsin. If the Government of the United States as long ago as 1912 by act of Congress, confirmed twice since that time, to give these people the right in this water, have not their legal rights been determined? Congress gave them

Mr. SWING. Yes; the right to the land. Mr. COOPER of Wisconsin. And is not the water included

Mr. SWING. The former acts did not include the water rights.

Mr. COOPER of Wisconsin. When did the water rights first

become involved, in 1916?

Mr. SWING. I do not think any of the bills undertook to change the rights in or to the waters of the Colorado River. might say that under these acts, as heretofore passed, settlers put up money and went to considerable expense making an investigation themselves. At first they thought that they could finance the construction of the irrigation system themselves, but it was found that it was too big a project for these settlers or any other settlers at that place to handle. Mr. Davis, of the Reclamation Service, is out there to-day making a final report; his preliminary report is already printed and is a House docu-

Mr. COOPER of Wisconsin. That will not settle the legal rights.

Mr. SWING. No; but the situation is slightly different to-day from what it was before. They proceeded under the time given them by the preceding acts of Congress to make surveys at their own expense. In addition to the \$20,000 that the Government put up under the Kinkaid bill of last Congress the various localities interested put up \$75,000 in addition to that and the Government is now expending the same mapping out this lower Colorado River project, which will include a federation of the agricultural interests, of flood control and protection and of the power interests. Even the city of Los Angeles, 200 miles away, wants to contribute to the project in return for a share of the power.

Mr. COOPER of Wisconsin. The words in line 13 are:

If the rights are still pending and undetermined by May 1, 1923, the Secretary of the Interior is authorized to grant a further extension of two years.

Has litigation been begun? Mr. SWING. Not litigation.

Mr. COOPER of Wisconsin. How are legal questions "pend-

unless an issue has been raised in some court?

Mr. SWING. This entire phraseology was adopted from the 1916 law so as not to raise any new questions, we thought. That phraseology was put in at that time because of the exist-ence of contentions by Mexican lands to an international water right.

Mr. COOPER of Wisconsin. Water in the Colorado River? Mr. SWING. Yes.

Mr. SINNOTT. Mr. Speaker, if the gentleman will yield, there is a case now before the Supreme Court, which has been there for several years, involving the water of the Colorado

Mr. BARBOUR. And if the gentleman from Wisconsin will permit, I will say that so far as I am concerned I do not think there is any legal question as to the right to use the water of the Colorado River.

Mr. COOPER of Wisconsin. I do not see how there can be if the Congress of the United States by law has conferred that

right.

Mr. BARBOUR. I do not think there is any question. They have not conferred that right on Mexico. The water originates in the United States, and as long as it is flowing within our boundaries I do not think there is any question but that it is our water; but there are people who contend that as the river goes down into Mexico and the natural flow of the river carries the water into Mexico the Mexicans have some legal rights.

Mr. COOPER of Wisconsin. They do not have any legal right at all until it gets to Mexico. This is all land wholly within the borders of the United States, and on a stream which at that point is also within the United States.

Mr. BARBOUR. I agree with the gentleman.
Mr. COOPER of Wisconsin. And Congress gives them the right to take it. Then, in 1923, how will there be any legal rights "still pending"? There is no litigation about these rights now.

Mr. BARBOUR. I do not think there are any legal rights, but if somebody took the case into court, contending that because the Colorado River flows through Mexico, Mexico is entitled to the flow of the water as it leaves the boundaries of the United States uninterfered with-if somebody undertakes to establish such rights in courts, then very likely in 1923 there will be legal questions pending.

Mr. COOPER of Wisconsin. And then the Secretary of the

Interior can give them two years more?

Mr. BARBOUR. Yes.

Mr. COOPER of Wisconsin. That is not inserted for the purpose of insuring an extension of time, is it?

Mr. BARBOUR. Oh, it is not limited entirely to the legal questions. It says:

If the said entrymen are unable to procure water to irrigate the said lands above described, through no fault of theirs, after using due dili-gence, or the legal questions as to their right to divert, etc., are still pending.

The SPEAKER. Is there objection?

There was no objection.
The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

The Clerk read the bill, as follows:

Be it enacted, etc., That no desert-land entry heretofore made in good faith under the public-land laws for lands in townships 4 and 5 south, range 15 east; townships 4 and 5 south, range 16 east; townships 4, 5, and 6 south, range 17 east; townships 5, 6, and 7 south, range 18 east; townships 6 and 7 south, range 19 east; townships 6 and 7 south, range 20 east; townships 4, 5, 6, 7, and 8 south, range 21 east; townships 5, 6, and sections 3, 4, 5, 6, 7, and 8 south, range 21 east; township 7 south, range 22 east; township 5 south, range 23 east, San Bernardino meridian, in Riverside County, State of California, shall be canceled prior to May 1, 1923, because of failure on the part of the entrymen to make any annual or final proof falling due upon any such entry prior to said date. The requirements of law as to annual assessments and final proof shall become operative from said date as though no suspension had been made. If the said entrymen are unable to procure water to irrigate the said lands above described through no fault of theirs, after using due diligence, or the legal questions as to their right to divert or impound water for the irrigation of said lands are still pending and undetermined by said May 1, 1923, the Secretary of the Interior is hereby authorized to grant a further extension for an additional period of not exceeding two years.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. BARBOUR, a motion to reconsider the vote by which the bill was passed was laid on the table.

RELIEF OF EX-SERVICE MEN ON NORTH PLATTE IRRIGATION PROJECT.

The next business on the Calendar for Unanimous Consent was the bill (S. 594) for the relief of certain ex-service men whose rights to make entries on the North Platte irrigation project, Nebraska-Wyoming, were defeated by intervening claims.

The SPEAKER. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, is the bill very long?

The SPEAKER. It is not.

Mr. GARRETT of Tennessee. May we not have the bill reported?

The SPEAKER. The Clerk will report the bill.

The Clerk reported the bill, as follows:

The Clerk reported the bill, as follows:

Be it enacted, etc., That the ex-service men qualified to make entry under the homestead laws, who were successful at the drawing held March 5, 1920, for farm units on the North Platte irrigation project, Fort Laramie unit, Nebraska-Wyoming, and to whom approved water-rental applications were duly issued, but who were prevented from making homestead entries for the lands covered by such applications because of the reinstatement of certain conflicting homestead entries, shall each have a preferred right of entry under the homestead laws at the next opening of lands under said project, for not less than 30 days before the date set for the opening of such lands to other entry: Provided, That this act shall not be considered as entitling any person to make another homestead entry who shall have received the benefits of the homestead laws since being prevented, as aforesaid, from exercising the right acquired at the said drawing on March 5, 1920.

Mr. MONDELL. Mr. Speaker, I think I can state the facts with regard to this case very briefly. A year ago last March, I think it was, there was an opening of public lands on what is known as the North Platte reclamation project, in eastern Wyoming. Several thousand acres which had been reached with the canals and were ready for entry and cultivation were opened in accordance with law. Under the law as it now stands, exservice men have preference rights in those openings, and there are so many ex-service men seeking those opportunities that the lands go exclusively to ex-service men. In this particular case I think there were some 85 tracts of from 40 to 80 acres each opened to entry. Those who sought to make entry were required to make a payment in advance to the officials of the Land Office of 5 per cent of the construction cost, amounting in this case to from \$250 to \$400. There were many applicants, and among the applicants there were, I think, eight men who, after their entries had been received and after they had gone on the land, were confronted by persons claiming that they had prior homestead rights to these lands, that they had made entry years before, and that they had not fully abandoned. In the case of all but two of those contests the ex-service men won. They proved that these parties had, as a matter of fact, no valid existing right. In the case of two of these men, however, the former homesteader was successful in establishing his right to the land, so he made the payment and became the settler, and that left these two men without any claims. They had remained in the locality for some time; they had, in fact, gone upon the lands and put some improvements upon them, all of which, of course, they lost when the former claimant had his claim sus-

All this bill does is to provide that when the next opening of lands on that project shall occur-and that will be some time next fall-these two ex-service men may be allowed to make entry without taking the chance, as other comers wouldthey would not in the drawing draw numbers that would authorize them to make locations.

Mr. WALSH. Mr. Speaker, will the gentleman yield?
Mr. MONDELL. Yes.
Mr. WALSH. How did it happen that these applications for reinstatement were not known at the time this land was

thrown open?

Mr. MONDELL. At one time, quite a good many years ago, considerable amount of this land had been entered under the homestead law. The major portion of it was abandoned. It seems that in the two cases referred to the former entryman was able to establish before the Land Office the fact that he had not legally abandoned his rights, and that he still had a right which he could enforce. Possibly the land officers or the Reclamation Service should have known of that, but one familiar with the conditions can readily understand that at the time the opening was planned these men might not have been actually upon the land and still have a right that they could have enforced.

Mr. SINNOTT. If the gentleman will yield, the Secretary of the Interior states that the local land office inadvertently failed to notify the project manager.

Mr. WALSH. Yes; I know that he states that.

Mr. MONDELL. There were quite a good many old claims there. I do not know that it was anyone's fault, because in many of those cases nothing but a contest will establish the fact of whether an old entry made quite a number of years ago has been actually abandoned.

Mr. WALSH. But a little payment on the part of these two ex-soldiers would probably result in a withdrawal of this whole claim. Is not that what it was instituted for?

Mr. MONDELL. I do not know but what they would have been able to buy these people off. Mr. WALSH. That is why they made application for re-

instatement.

Mr. MONDELL. Well, I would not say that; the application for reinstatement may have been made in good faith

Mr. WALSH. Coming right out of a clear sky just before or after the passage of this legislation.

Mr. MONDELL. They were able to reestablish their rights, and they are now living on the land, making their payments, and it leaves those two men without any land. They are still living in the vicinity. It so happens, I will say to my friend, that last fall, in coming through that section engaged in the landable work of doing some fence repairing, I chanced to meet one of these gentlemen and saw from a distance the areas they had filed upon.

Mr. WALSH. That is not the spot where the gentleman met

with the accident by falling off the hay wagon?

Mr. MONDELL. No; that is not that occasion. There was no injury done at this particular time.

Mr. WALSH. I withdraw the objection.

Mr. GARRETT of Tennessee. I withdraw the reservation, The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

The Clerk read as follows:

Be it enacted, etc., That the ex-service men qualified to make entry under the homestead laws, who were successful at the drawing held March 5, 1920, for farm units on the North Platte irrigation project, Fort Laramie unit, Nebraska-Wyoming, and to whom approved water-rental applications were duly issued, but who were prevented from making homestead entries for the land covered by such applications because of the reinstatement of certain conflicting homestead entries, shall each have a preferred right of entry under the homestead laws at the next opening of lands under said project, for not less than 30 days before the date set for the opening of such lands to other entry: Provided, That this act shall not be considered as entitling any person to make another homestead entry who shall have received the benefits of the homestead laws since being prevented, as aforesaid, from exercising the right acquired at the said drawing on March 5, 1920.

The bill was ordered to be read a third time, was read the

The bill was ordered to be read a third time, was read the

third time, and passed.
On motion of Mr. Sinnott, a motion to reconsider the vote by which the bill was passed was laid on the table.

LOAN OF COTS AND BLANKETS, OHIO STATE ENCAMPMENT.

The next business on the Unanimous Consent Calendar was H. J. Res. 106, authorizing the Secretary of War to loan cots and blankets for the use of the Grand Army of the Republic at the Ohio State encampment, to be held at Greenville, Ohio. in June, 1921.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. WALSH. Mr. Speaker, reserving the right to object, I would like to ask if this matter has been referred to the War Department for report?

Mr. CABLE. Yes, sir; and the Secretary of War wrote a letter to the committee saying that he had no objection to the loan of these cots and blankets.

Mr. WALSH. Is this the usual form in which these loans have been made?

Mr. CABLE. It is, Mr. WALSH. This joint resolution is drawn in the usual form?

Mr. CABLE. It is drawn in the usual form and provides for bond and no expense to the Government.

Mr. WALSH. My impression was in making these loans they made them either to the local post or to the departments in the various States. This seems to be the executive committee of the Grand Army of the Republic.

Mr. CABLE. Well, the intent is to loan them to this particular post. Of course, this is a State encampment, and it goes to the Grand Army of the Republic; but the executive committee of the particular post is to take care of the bond and protects the Government, and that is the reason the bill is drawn in that manner.

Mr. WALSH. I withdraw the objection.

The SPEAKER. Is there objection? [After a pause.] The Chair bears none.

The Clerk read as follows:

The Clerk read as follows:

Resolved, etc., That the Secretary of War be, and he is hereby, authorized to loan to the executive committee of the Grand Army of the Republic, at Greenville, Ohio, having in charge the arrangements for the State encampment of said order, to be held in Greenville, Ohio, in June, 1921, such blankets and cots as may be required at said meeting: Provided, That ne expense shall be caused the United States Government by the delivery and return of such property, the same to be delivered to said executive committee at Greenville, Ohio, at such time prior to the date of such meeting as may be agreed upon by the Secretary of War and the chairman of said executive committee: Provided further, That the Secretary of War shall, before delivering such property, take from the said chairman of said executive committee a good and sufficient bond for the safe return of said property in good order and condition, the whole transaction to be without expense to the Government of the United States of America.

Mr. LONGWORTH. Mr. Speaker, I move to strike out the last word for the purpose of asking a question. Is legislation necessary for this purpose?

Mr. CABLE. Yes, sir. In the Sixty-sixth Congress there were three or four of these bills passed. It was necessary to

have legislation to get cots and blankets but not tents.

Mr. LONGWORTH. I know that a number of bills like this has been passed continually, and I had the idea rather that the War Department has had authority without legislation.

Mr. CABLE. No; the law provides for the loan of tents but

nothing else.

Mr. LONGWORTH. Only tents?

Mr. CABLE. Yes, sir.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. Cable, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

GRANT OF PUBLIC LANDS TO CONVERSE COUNTY, WYO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 2428) granting certain lands to Converse County, Wyo., for a public park.

The Clerk read the title of the bill.

The SPEAKER. Is there objection? Mr. WALSH. Mr. Speaker, reserving the right to object, I notice that the only really meritorious suggestion that the Secretary of War made as an amendment to this bill the committee carefully avoided including in the measure, namely, that Converse County, in the grand and noble State of Wyoming, should pay a dollar and a quarter an acre for these 3,088 acres I would like some explanation as to why we should of land. make this gift to this county, which probably is famous in the annals of that State, and certainly will be after this legislation

Mr. MONDELL. Mr. Speaker, the gentleman from Massachusetts did not address his remarks to me; but if I may be al-

Mr. WALSH. I thought I would bring a reply from the

gentleman.

Mr. MONDELL. Very briefly. In the old days of the frontier there was a very celebrated frontier post, known as Fort Fetterman, guarding the middle reaches of the North Platte, and some distance from that post in the hills a small area of very rough territory, covered with scrub pine to some extent, was set aside as a post wood reserve. It was the practice in the early days, if there was any timber in the vicinity of a frontier post, to set aside a small tract and reserve it for the purpose of furnishing logs, rails, and firewood for the post. In due time, with the growth and development of the country, the passing of the savage and of the pony express. Fort Fetterman was abandoned and the wood reserve was restored, in accordance with the law made and provided for such purpose, to entry and settlement. The wood reserve was not, however, of a character appealing to the settler and home maker. It was rough, rocky, and contained very little good timber. What timber there had been was upon the slope of the canyon, and had been denuded for the use and benefit of Fort Fetterman.

And so while settlers irrigated the valleys all about, and towns of considerable size and importance were established in the vicinity, and the community became prosperous and well settled, most of the area of the former wood reserve along Box Elder Canyon still remained public land. The Box Elder Canyon is exceedingly picturesque, the sides are highly colored, owing to the action of the air on the sandstone, containing a considerable amount of iron, which forms the walls of the canyon. The bottom of this very picturesque canyon is a narrow valley, and in the course of time the people of the surrounding region acquired the habit of going into the Box Elder Canyon, establishing camps there, and using it as a picnic ground. It has been so used for quite a number of years. The people of Converse County, and of the city of Glenrock, particularly, some miles away, have made much use of the valley for camping and picnic purposes.

Mr. LONGWORTH. What do you

What do you mean by a "city" in

Wyoming?

Mr. BLANTON. I think, Mr. Speaker, this is so important a

matter that we ought to have a quorum present.

Mr. MONDELL. I will be very brief. They desire to take ad use this canyon valley for park purposes. The attitude of and use this canyon valley for park purposes. the Interior Department seems to be that, though the lands have no value, and settlers might have long since taken the land in 320 or 640 acre areas without payment or price, but have not seen fit to do so, inasmuch as there is an old custom that when we part with public lands we generally receive at least a stipend of \$1.25 per acre, we should in this case also. This is what I

desire particularly to call to the attention of the gentleman from Massachusetts [Mr. Walsh]. There is a law "under which areas attractive by reason of their scenic beauty may be set aside as national monuments." Whereupon the Federal Government proceeds more or less rapidly, less rapidly generally, to the care and development of these areas at Federal expense. And some said, "Why not make this a national monument?" The answer to that is that we already have quite too many national monuments which the Federal Government is called upon to care for and protect. Here is a small area of land of no value for agricultural purposes, attractive for its unusual scenic beauty, within reachable distance of quite a number of communities that desire to use it for park purposes. have not large sums to invest. They are willing to build roads and to improve the property, but they do not think they ought to pay \$1.25 an acre for the land, and in that I agree with them.

Mr. WALSH. Will the gentleman yield for a question? Mr. MONDELL. If I have the floor.

Mr. BLANTON. Mr. Speaker, reserving the right to object to this colloquy

The SPEAKER. The gentleman from Massachusetts [Mr. WALSH] reserved the right to object.

Mr. WALSH. Are those two communities prosperous and picturesque?

Mr. MONDELL. The communities are reasonably prosperous

and the canyon is picturesque.

Mr. WALSH. I notice that the town council—

Mr. MONDELL. Of Glenrock? Mr. WALSH. Yes; of Glenrock, and the Glenrock Community Club have both resoluted upon this subject?

Mr. MONDELL. They have.

Mr. WALSH. And voted unanimously to assist in every way to support and improve and keep up the park in case it is set

aside for park purposes?

Mr. MONDELL. Yes, sir. The gentleman will note that this a transfer in trust for park purposes only and reserving to the Government all minerals that may be found. It is not a title in fee. It is a transfer in trust for specific purposes, and depending entirely upon the maintenance of the park for the use of the public.
Mr. KNUTSON.

Will the gentleman yield?

Mr. MONDELL. We have, by the way, a little park down in Oklahoma that we have been trying to get rid of for the last few years, trying to give it to the State of Oklahoma. It costs us from \$7,500 to \$8,000 a year to care and provide for it. No one down there wants it. They are perfectly willing to load it on the Federal Government, and under the law this area could be taken and made a national monument, and in the course of time, I suppose, we would appropriate for its care. I do not think we ought to do that.

Mr. BLANTON. Will the gentleman yield?

Mr. MONDELL. I yield. Mr. BLANTON. Is not that about the first piece of real property that the gentleman has ever heard of Oklahoma turning down?

Mr. MONDELL. Well, I think the Oklahomans realize that so long as they may utilize the property and Uncle Sam pay the

keep, that is a very satisfactory arrangement.

Mr. KNUTSON. Will the gentleman yield?

Mr. MONDELL. I do not so much blame the Oklahomans, except that they ought to take the park as a matter of State

Mr. KNUTSON. What is the probable value of this tract of land?

Mr. MONDELL. It has been lying there since the beginning of time, subject to homestead entry, in tracts of 320 or 640 acres for some years without any payment whatever, and no one

has cared to take it. If the gentleman can form any opinion as to its value from those facts, he ought to be informed.

Mr. KNUTSON. In view of the fact that the gentleman has added another word to our vocabulary, the word "reachable," I think the land has already been paid for, and I suggest the gentleman from Massachusetts [Mr. WALSH] withdraw his observed.

Miss ROBERTSON. Can you tell me the name of the park you referred to?

Mr. MONDELL. In Oklahoma?

Miss ROBERTSON. Yes.
Mr. MONDELL. That is Platt National Park.

Miss ROBERTSON. Does the gentleman know how it was named?

I do not know how it came to be named. Mr. MONDELL.

Miss ROBERTSON. Does the gentleman know who was one of the best friends, if not the very best, the Indians of Oklahoma ever had?

Mr. MONDELL. Well, one of the very best is the lady who

is now speaking [applause]; and, I think, probably the best.

Miss ROBERTSON. No. I speak of former Senator Platt, of Connecticut, and we have felt that it was of far more than a local interest that Senator Platt should be thus honored. If we had had what we thought was fitting for him, it would have been something far better and far nobler, for he was the friend of all who needed help, not only in the United States, among the Indians, but he gave his life practically for the We felt there should be a wonderful monument to Senator Platt, our friend, and it has been to me a dear ambition that I might help in making this one more worthy. [Applause,]

Mr. MONDELL. Many of us remember Senator Platt and honor and revere his memory, and in what I said I did not intend to criticize the people of Oklahoma. I was rather calling attention to the fact that they have a satisfactory situation, as they view it, in the present status of that park and benefit

by it. [Applause.]

Mr. WALSH. May I call the attention of the gentleman to the statement of the Secretary, that it has been the policy of Congress in grants of this character to require payment for the

land conveyed at the rate of \$1.25 per acre?

Mr. MONDELL. The general practice of Congress, when we sell land to individuals, the land having no great value, has been to charge the minimum price, \$1.25 an acre. That was the price that preemptors paid, and that is the price for which the Government has parted with land that had no considerable value. But this is not a sale of land to individuals. It is a transfer of lands in trust to a community for a public purpose, and in making that transfer to a community for a specific public purpose, relieving the Treasury of the possibility of expenditure in the future, I think the Government may very well waive the payment which is required where sale is made in fee to an individual, the individual expecting to secure some benefit thereby.

I do not think this is without precedent. My recollection is that in some cases we have transferred tracts of land either for parks or for the protection of the water supply of cities or

towns without charge.

Mr. BLANTON. I would state to the gentleman that I would feel less inclined to object to the bill if the gentleman knows of any great future contingency in Wyoming depending upon the immediate passage of this bill, affecting his own interests or otherwise?

Mr. MONDELL. None whatever. I do not know, Mr. Speaker, that my interests will be affected one way or another by the passage of this bill. It is a matter that we have had before the Congress for some time, and I think a worthy measure.

Mr. WALSH. I suppose the gentleman would have no objection to an amendment to the bill providing that this cannon shall in the future be known as "Mondell Canyon"? [Laugh-

Mr. MONDELL. "The gentleman" would certainly object to that, because no request has come from the people interested to have that done. While I thank the gentleman from Massachusetts for the suggestion, I think it would be much better to have it recorded "Box Elder Canyon."

Mr. WALSH. It might be named for Senator Mondell. The SPEAKER. Is there objection to the consideration of

this bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

The Clerk rend as follows:

Be it enacted, etc., That the public lands within the areas hereinafter described be, and the same are hereby, granted and conveyed to Converse County, Wyo., in trust, for the purposes of a public park, reserving, however, to the United States all oil, coal, and other mineral deposits within said lands and the right to prospect for, mine, and remove the same, to wit: Lots 3 to 6, inclusive, and lots 12 to 19, inclusive, in section 6; lots 1 to 16, inclusive, in section 7; lots 1 to 12, inclusive, in section 18; and lots 1 to 4, inclusive, and the east half of the northwest quarter and the east half of the southwest quarter in section 19, in township 32 north, range 74 west, and all of sections 1, 12, 13, and 24, in township 32 north, range 75 west, of the sixth principal meridian; but nothing herein contained shall in anywise affect any claim or title heretofore acquired or asserted to any of the lands herein described.

Sec. 2. That the grant herein is made upon the express condition that within 30 days of the receipt of any request therefor from the Secretary of the Interior, the county clerk shall submit to the said Secretary of the Interior a report as to the use made of the land herein granted the county during the preceding period named in such request, showing compliance with the terms and conditions stated in this act; and that in the event of his fallure to so report, or in the event of a showing in such report to the Secretary of the Interior that the terms of the grant have not been complied with, the grant shall be held to be forested and the Attorney General of the United States shall institute suit in the proper court for the recovery of said lands.

With a committee amendment as follows:

Page 1, beginning with line 8, strike out the word "lots" and all of lines 9, 10, and 11, and on page 2, all of lines 1 to 5, inclusive, and the words "of the sixth principal meridian," on line 6, and insert in lieu thereof the following: "Lots 12 to 19, inclusive, in section 6; lots 1 to 16, inclusive, in section 7: lots 2, 3, 4, 7, 9, 10, 11, and 12, in section 18; the northeast quarter northwest quarter of section 19, township 32 north, range 74 west; lots 5, 6, and 7, the south half northwest quarter, northwest quarter southeast quarter, and southwest quarter of section 1; lots 1 to 15, inclusive, and the west half northwest quarter of section 1; lots 1 to 19, inclusive, of section 13; lots 1 to 8, inclusive, lots 11 to 15, inclusive, and lots 17 to 20, inclusive, of section 24, township 32 north, range 75 west, sixth principal meridian, containing approximately 3,088.26 acres."

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. WALSH. Mr. Speaker, I offer an amendment to sec-

The SPEAKER. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

Mr. WALSH. Add, at the end of the section, "This grant is

made on the payment of \$1.25 per acre."

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Massachusetts.

The Clerk read as follows:

Amendment offered by Mr. Walsit: Page 2, line 22, at the end of the line, add "This grant is made on the payment of \$1.25 per acre."

Mr. WALSH. Mr. Speaker, in offering that amendment I simply desire to state that it is in accord with the recommendation of the Secretary of the Interior, who has stated that in grants of this character-and I assume that he means grants of land to communities for park or recreational purposes—they pay the nominal price of \$1.25 per acre; and I think we ought to see that this \$3,860 should be paid between these two com-

munities and be permitted to go into the Treasury.

Mr. HARDY of Colorado. Mr. Speaker, I am opposed to the amendment. I would take the view in this matter that the land is practically worthless. It will never be occupied by settlers, and it can never be sold for anything in the world except the oil and mineral rights, which it probably does not possess and which are reserved under this bill, if any should be found. This park will be used by this little community and the public, and I do not see any reason why you should not give the grant to them without the payment of money. It is a burden on these little towns out West to build the roads to these parks. and as years go along thousands of people are coming in from near-by States and from States as far as Massachusetts in their cars and flivvers; and inasmuch as the communities are keeping those parks open for the benefit of the people traveling West, it seems unfair to ask that this little town, which I have no interest in and which I never heard of in the world before, and I dare say the gentleman from Massachusetts never heard of in his life before, should pay cash for this ground. These people want to open up that little park for the public and make it impossible for some tourist-promoting grafter to file on a part of it and set up a gate in front of it and charge people for entering. I think it would be an imposition on the people to charge \$1.25 an acre for this land that is probably not worth 30 cents, and therefore I think we ought to let that land be opened, and we ought to give it to them as the bill is written.

Other States and communities have come to Congress asking that similar tracts be set aside as national parks or national monuments which necessitates an annual appropriation for their care and maintenance. In a case like this, the same purpose is served as in that of a national monument, the tract is thrown open for the use of the public, becomes a camping ground and recreation place for thousands of traveling tourists, as well as for outings of near-by folks and the local community takes care of the roads, trails, and maintenance. It is good business for Congress to encourage this sort of public spirit on the part of local communities. It is a good thing for the public generally to have these parks set aside and kept open for their use. when a community will assume the burdens of development and perpetual care of the park, surely Congress ought not to quibble about the payment of the paltry sum suggested in this case. I hope the House will vote against the amendment offered by my

provident friend from Massachusetts.

Mr. SINNOTT. Mr. Speaker, I rise to oppose the amend-ent. I think that the language in the letter of the Secretary is probably a little broader than he intended to have it. do not recall having before the committee since I have been a member of the committee a grant exactly similar to this. is true it has usually been the policy of the department to require the payment of \$1.25 an acre, but that policy rather obtains where a fee simple title passes to the grantee. There is no fee simple title passed under this bill. As the gentleman from Wyoming stated this morning, it is merely a grant in trust for a public purpose, which public purpose might be and is performed in a great many States by the Government through the instrumentality of a national park or a national monument. Now, inasmuch as the grant is for a public purpose, why burden this little community by making it pay \$3,000 or \$4,000 for this rocky canyon. That money can be expended for road work or for putting the trails into better condition or on some plan of beautifying and making the canyon more accessible to the. I hope the amendment will not prevail.

The SPEAKER. The question is on agreeing to the amend-

The question was taken; and on a division (demanded by Mr. BLANTON) there were 10 ayes and 55 noes.

So the amendment was rejected.

The Clerk completed the reading of the bill.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time,

was read the third time, and passed.

On motion of Mr. Sinnorr, a motion to reconsider the vote whereby the bill was passed was laid on the table.

#### SUBMARINE CABLES.

Mr. WINSLOW. Mr. Speaker, I have been authorized and directed by the Committee on Interstate and Foreign Commerce to ask unanimous consent for the privilege of filing a report on the bill S. 535, to prevent the unauthorized landing of submarine cables in the United States, and amendments thereto, as late as midnight to-morrow night.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to file a report on the bill S. 535 as late as

midnight to-morrow night. Is there objection?

Mr. GARRETT of Tennessee. Reserving the right to object, may I ask the gentleman if it is the plan to have consideration

of this bill on Wednesday?

Mr. WINSLOW. I am not able to state that as a positive fact. One reason is that we will have to see what the action of the House is on that day, and also will have to confer with the Committee on Rules, which opportunity we have not yet had.

Mr. GARRETT of Tennessee. It might come up on Calendar Wednesday without a rule; I do not know where the call rests.

The SPEAKER. The call rests with the Committee on Banking and Currency, and second with the Committee on Interstate and Foreign Commerce.

Mr. MONDELL. Mr. Speaker, I think if the committee desires to call up the bill on Wednesday, they will have an opportunity to do so under the Calendar Wednesday rule.

Mr. GARRETT of Tennessee. May I ask the gentleman from Wyoming if it is thought that the House will adjourn over to-morrow.

# ADJOURNMENT OVER.

Mr. MONDELL. It is my intention to ask that when the House adjourns to-day it adjourn over until Wednesday, due to the fact that the chairman of the Committee on Appropriations is ill, and it is impossible to report out the deficiency bill. Mr. Speaker, I will ask unanimous consent now that when the House adjourns to-day it adjourn until Wednesday next.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that when the House adjourns to-day it adjourn

until Wednesday. Is there objection?

There was no objection.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. Winslow]?

There was no objection.

EXECUTION OF PENSION PAPERS IN FOREIGN COUNTRIES.

The next business on the Calendar for Unanimous Consent was the bill H. R. 5585, relating to execution of pension papers in foreign countries.

The SPEAKER. Is there objection to the present considera-

tion of the bill?

Mr. WALSH. Reserving the right to object, I ask the gentleman in charge of the measure to give us some explanation of

why we should extend this privilege or authority.

Mr. KNUTSON. Mr. Speaker, during the war and in fact at the present time we are represented in the Central Powers in Europe by the Spanish Government. The representatives of the Spanish Government who are representing this country have taken depositions and acknowledgment of papers in pension claims, which can not be recognized under existing law, and the Secretary of the Interior has recommended to the Pension Committee the passage of this measure. I will say for the benefit of the House that on March 3 last there was approved an act relating to patents which is almost identical with this act.

There seems to be need for this legislation. It has been reported out unanimously by the Pension Committee after due

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That all applications for pension and affidavits made for use in connection with applications for pension filed since August 1, 1914, or hereafter to be filed, in which the oath was executed or shall hereafter be executed before or authenticated by a consular officer, or other representative qualified to administer oaths, of a Government acting in the interest of the Government of the United States, shall have the same force and effect as if said oath had been executed by the applicant before a consular officer of the United States.

Mr. KNUTSON. Mr. Speaker, I yield five minutes to the

gentleman from Texas [Mr. Blanton].

Mr. BLANTON. Mr. Speaker, I asked for time to call the attention of the House to the following: In the Washington Times for Thursday, May 12, there is a heading "War Risk hit by the committee." It mentions the report of the Parker investigators, wherein they criticize the War Risk Bureau and state that its positions in most cases are filled by those who have had very little experience. They call attention to the fact that out of 16,000 employees in the department 5,000 to 8,000 should handle this work. The report alleges that inactive, inefficient employees are kept there through political reasons.

Mr. BEGG. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. BEGG. Does the article say that there are 16,000 em-

Mr. BLANTON. Yes; but you understand I am not repeating this as a fact, because I do not know. I am only reporting what I see in the paper.

Mr. BEGG. I think the facts are that there are less than

8.000.

Mr. BLANTON. The Times says that the report of the investigators shows there are more than 16,000 in the Department of War Risk, where from five to eight thousand, including department heads, should handle the work. However, regardless of the Times's criticism, there is room for criticism there. I am not criticizing this department because it is under the present administration. I criticized it even when under the former administration.

I carried some soldier correspondence down there the other day to the new director which surprised him. It referred to the case of an ex-service man who is out in a certain western hospital. He had written that he had not been able to get his compensation for some time. I sent that letter to the department, saying that he was in this hospital, and wanting to know why the compensation was not allowed. The man was in needy circumstances.

The department said that they had called for a medical report but they had not been able to get it. I called up the health service, under whose charge it was at that time, in April. They showed that they had sent two different medical reports to the War Risk Bureau. I had their statement showing when these were received by the War Risk Bureau. Then I wrote a letter asking why this compensation should not be allowed and sent on because of these reports. They wrote back and said they could not get a medical report and that they had lost track of the man; that they could not find him; that he was lost; that one check which had been sent to him had been furned back and had been canceled, and that they could not do a thing until they could find the man and could get a medical report, and with that letter was attached the soldier's letter giving all of the information wanted. When I took that whole correspondence down to the director it convinced him of the fact that many of the employees who handle these cases merely glance at the letters they receive and answer them without reading them closely or going to the records in the case.

Mr. SINNOTT. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. SINNOTT. Will the gentleman state how long it took.

Will the gentleman state how long it took Mr. SINNOTT.

him to get an answer to his letter to the department?

Mr. BLANTON. From three days to two weeks, in different cases. The point I am trying to make now is a point which I have made here on the floor a number of times within the last eight months, and that is this: Down there in that big War Risk Building they have three different files for each ex-service man, each one of them kept on a different floor. You can write a letter down there to-day concerning one of your constituents who is in needy circumstances, who may be bedridden, who may have a wife and little children and be absolutely dependent upon the compensation that should go to them and the insurance that he should get under his policy. Yet two days after that, or next week, you can go down there and sometimes it will take 10 clerks a half day to look up your letter. It may be in one file on one floor or it may be in another on a different floor. You will have to go from one floor to the other to get together the component parts of that file. In my belief there should be just one file kept for each ex-service man, and kept in one place, and then they can find out exactly the record of the case, because then every letter that goes there will go in that particular file and not be scattered.

Mr. McSWAIN. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. McSWAIN. I want to say as an ex-service man, as a man who has in his district a Public Health Service, No. 126, where tubercular ex-service men are treated, that I have had a great deal of experience personally with the Bureau of War Risk Insurance. On the third day that the present director became a director I applied to him in person to send a man to my district to see these men in the Public Health Service hospital who were said to be dying.

The SPEAKER. The time of the gentleman from Texas

has expired.

Mr. KNUTSON. Mr. Speaker, I yield five additional min-

utes to the gentleman.

Mr. BLANTON. I yield to the gentleman from South Caro-

Mr. McSWAIN. I said to the director: "I want you to cut the red tape and send sourebody in person to look these men in the eye and pass upon their cases, because somebody must take the responsibility of passing upon their cases, and even a subordinate upon the ground can pass upon them better than the highest paid official in Washington can do by mail.

Mr. McSWAIN. He not only sent one man at my request, but he sent two men, and the American Legion post in my town is greatly delighted with the work that these two men are rendering. I believe that so far as Col. Forbes can do, from my slight personal business with him, he is prepared to cut out the red tape and to go to the heart of the matter. I feel that I ought to say this in justice to him. [Applause.]

Mr. BLANTON. Mr. Speaker, I would state in justice to Col. Forbes that I believe he is doing everything humanly possible that any one man can do; but one man can not look after and attend to nearly a million cases down there. It takes the cooperation of every single employee in his department. They must put some personal interest in it. They must have some interest themselves in the work that they are doing if our ex-service

men are going to get the proper relief.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Yes.
Mr. BLANTON. Yes.
Mr. MADDEN. It is said by everyone who has had experience in these cases—that there has been marked improvement in the service

since Col. Forbes took charge.

Mr. BLANTON. I think there has been marked improvement to the extent that my colleague stated—if you go down there personally, he will act for you immediately. I went down there Friday evening to get him to make an order that every single tubercular patient that is in Hospital No. 25, at Houston, Tex., should be sent away from there immediately to western hospitals. He took that matter up by telegram and ordered men sent out who had been trying to get out for months. He will act promptly when you call on him personally, but the trouble is that there are thousands and thousands and thousands of cases down there that have never come under his personal supervision.

Mr. BEGG. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. BEGG. Has the gentleman's experience led him to a conclusion that would make him think that the delay in these cases is because of the Public Health Service and the War Risk Bureau failing to function properly?

Mr. BLANTON. The particular matter of health reports has lately been transferred from the Public Health Service to

the direct supervision of the director himself,

Mr. BEGG. I understand that, but prior to this time?

Mr. BLANTON. My idea is from a close investigation of this matter that the employees themselves as a general rule-of course there are exceptions—have not that intimate personal interest in the matter that they should have—not the feeling they ought to have for the welfare of the men and their dependent families, who are entitled to the very best of service.

Mr. DOWELL. Will the gentleman yield?

Mr. BLANTON. I will.

Mr. DOWELL. Col. Forbes has not been in control of the office but a few days. Does not the gentleman believe that if there are employees there who do not attend to their business

that there will be vacancies there in a short time if he carries

on the work he has started?

Mr. BLANTON. I doubt it very seriously, because just what this paper says is true. It was true before you came into power and it is true now. There are twice as many employees in every single department of this Government to-day than ought to be there, and they are there largely for political reasons. They were there for political reasons when we were in power and they are still there now for political reasons when you Republicans are in power, and the reason there are still a great many inefficients is that if they are discharged they will come to you and say, "I have been discharged; go and get me my job;" and you go back and get a job for them, and you find it in one department or another.

Mr. HUDSPETH. If my colleague will yield, in justice to Col. Forbes, let me say this to my colleague: An order was issued, I think, by his predecessor sending these tubercular ex-soldiers from El Paso and Fort Baird to other places where the climate was not as high and where these men objected to going, and Col. Forbes rescinded the order and said they could

stay at El Paso.

Mr. BLANTON. He certainly did. He rescinded the order theretofore made. But that is another case. I was referring to the general order transferring all tubercular patients from Houston to western hospitals.

The SPEAKER. The time of the gentleman has again ex-

pired.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. Knutson, a motion to reconsider the vote

by which the bill was passed was laid on the table.

The SPEAKER. The Chair finds the last two bills that are on the Calendar for Unanimous Consent have not been there for three days, but inasmuch as we have finished the call of the calendar, if anyone desires to ask unanimous consent to consider either one of those bills the Chair will recognize him.

HOMESTEAD CREDIT TO WIDOWS.

Mr. FRENCH. Mr. Speaker, I ask unanimous consent that the House now consider the bill H. R. 70 on the Unanimous Consent Calendar.

The SPEAKER. Is there objection to the consideration of the bill which the Clerk will report?

The Clerk read as follows:

A bill (H. R. 70) to allow credit for husbands' multary service in case of homestead entries by widows, and for other purposes.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, I wish the gentleman from Idaho would explain what this bill does and why it was not included in previous legislation?

Mr. FRENCH. Mr. Speaker, this bill was passed, I will say, by the last House, and it provides that there shall be extended to the widows of the recent war and those who saw service on the Mexican border the same rights that have been extended under the law to the widows of Civil War veterans and Spanish-American veterans, with the further provision at the end of the paragraph as to children of entrywomen that when the mother dies during the infancy of the child it may be assumed that the requirements of the law have been complied with, and patent shall issue. That is merely as to minority.

Mr. WALSH. That is the new aspect of legislation?
Mr. FRENCH. That is the new aspect of the legislation. I will say that it is based upon the experience of the department in cases that had arisen under the law touching Civil War widows and widows of the Spanish-American War.

Mr. WALSH. How many pending cases are there that this

might apply to?

Mr. FRENCH. Oh, there is no way of knowing that. The law at present does not provide that the widows of the recent war and the soldier's in service on the Mexican border may take entry at all; so, of course, manifestly there are no widows who have attempted to acquire land under the law. The widows of veterans of the Civil War and Spanish War have had this right for years, but not so the widows of the recent war and of soldiers who served on the Mexican border.

Mr. WALSH. Did not we pass some legislation extending the time for the completion of their entries for men who en-

tered the service?

Mr. FRENCH. That was as to men, but the bill the House passed as to widows failed in the other body.

Mr. WALSH. I withdraw the reservation.

The Clerk read as follows:

Be it enacted, etc., That in the case of the death of any person who would be entitled to a homestead under the provisions of the act of Congress approved February 25, 1919 (Public, No. 273), entitled "An act to extend the provisions of the homestead laws touching credit for

period of enlistment to the soldiers, nurses, and officers of the Army and the seamen, marines, nurses, and officers of the Navy and the Marine Corps of the United States, who have served or will have served with the Mexican border operations or during the war between the United States and Germany and their allies," his widow, if unmarried and otherwise qualified, may make entry of public lands under the provisions of the homestead laws of the United States and shall be entitled to all the benefits enumerated in said act, subject to the provisions and requirements as to settlement, residence, and improvement therein contained: Provided, That in the event of the death of such homestead entrywoman prior to perfection of title, leaving only a minor child or children, patent shall issue to the said minor child or children upon proof of death and of the minority of the child or children without further showing or compliance with law.

The committee amendment was read as follows:

The committee amendment was read, as follows:

Page 1, line 5, strike out "(Public, No. 273)" and insert "Fortieth Statutes at Large, page 1161."

The question was taken, and the amendment was agreed to. Page 2, line 2, strike out "their" and insert "her.'

The question was taken, and the amendment was agreed to. The bill as amended was ordered to be engrossed and read third time, was read the third time, and passed.

On motion of Mr. French, a motion to reconsider the vote by which the bill was passed was laid on the table.

DRAINAGE WATER FROM RIO GRANDE PROJECT, NEW MEXICO-TEXAS.

Mr. HUDSPETH. Mr. Speaker, I ask unanimous consent to call up the bill H. R. 4596.

The SPEAKER. The gentleman from Texas asks unanimous consent for the present consideration of the bill which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 4596) to provide for the disposal of certain waste and drainage water from the Rio Grande project, New Mexico-Texas.

The SPEAKER. Is there objection?
Mr. WALSH. Mr. Speaker, reserving the right to object, of

course the bill is not what the title now indicates.

Mr. HUDSPETH. The bill has been amended by a committee amendment.

Mr. WALSH. It has been amended so as to dispose of waters which are or may become available later on. I would like to reserve the right to object to hear a statement from the

gentleman.

Mr. HUDSPETH. This bill, I will state to the gentleman from Massachusetts [Mr. Walsh], provides for the sale of certain waters in the lower part of the Texas-New Mexico Rio Grande project. There is a system of drainage that has been almost completed up and down the valley. These ditches run quite a considerable amount of water. Certain farmers having no contract rights to the water have been using it, and this bill provides that the Secretary of the Interior can charge for the use of the water, but it does not obligate him to furnish any certain amount, and he may cease it at any time that he thinks the project may need the entire supply. It is to convert the surplus water into a revenue that will go into the project.

Mr. WALSH. The gentleman will note that the committee has recommended striking out the words "waste and drainage." Does the gentleman object to substituting the word "surplus"?

Mr. HUDSPETH. I would not; but the majority of the committee thought that it should not be done, because they thought it might take the control of the waters out from under the United States Government. And you will see from the letter that that is the contention of the Secretary of the Interior also.

Mr. SINNOTT. The committee did not want to give the interpretation that this water was waste and drainage water and

subject to the laws of the State.

Mr. HUDSPETH. They thought it might take it from the United States and turn it over to the State, which we do not It is surplus water that is being used and not paid for.

Mr. WALSH. You are going to run into a controversy, just the same, with the language of the bill.

Mr. HUDSPETH. I do not think so, under the laws of Texas. Mr. WALSH. How about the laws of New Mexico?

Mr. HUDSPETH. This is altogether in Texas, the lower art of the project. It is not contemplated to cover any of part of the project. the waters in New Mexico.

I notice the words "New Mexico" are affixed Mr. WALSH. in the bill with the word "Texas."

Mr. HUDSPETH. It is known as the Texas-New Mexico project, and this is the part that is altogether in Texas.

Mr. WALSH. I thought it was the Rio Grande reclamation project.

Mr. HUDSPETH. It is what is commonly known in that country as the Elephant Butte, or Texas-New Mexico project. Mr. WALSH. Does the Secretary of the Interior think that

this might involve some question by using the words "waste" or "drainage" or "surplus"?

Mr. HUDSPETH. He suggests in his letter, which is in the report, I will state to the gentleman, striking out the words "waste and drainage." The committee had already made that suggestion, and I agreed to it.

Mr. WALSH. I have no objection to considering the bill. The SPEAKER. Is there objection? [After a pause.] The hair hears none. The Clerk will report the bill, Chair hears none.

The Clerk read as follows:

bill (H. R. 4596) to provide for the disposal of certain waste and drainage water from the Rio Grande project, New Mexico-Texas.

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and empowered to dispose of the waste and drainage waters which are or may become available at or near the lower end of the Rio Grande reclamation project, New Mexico-Texas, which was constructed under the provision of the reclamation act of June 17, 1902 (32 Stat., p. 388), on the best terms obtainable without incurring any obligation for delivery of any specific quantity of water at any future time.

SEC. 2. That the proceeds of the disposal of said waters shall be ered into the reclamation fund to the credit of the Rio Grande

Also the following committee amendments were read:

Page 1, line 4, strike out the words "waste and drainage."
Page 1, line 10, at the end of the line, strike out "at," and on page 2, line 1, strike out the words "any future time" and insert "or for failure at any time to deliver any water because of the enlargement of the project, change of plan, or any other reason whatsover."

The SPEAKER. The question is on agreeing to the committee amendments.

The amendments were agreed to.
The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title of the bill was amended to read as follows: "A bill to provide for the disposal of certain water from the Rio Grande project, New Mexico-Texas."

On motion of Mr. Hudspeth, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE OF ABSENCE.

Mr. Clouse, by unanimous consent, was granted leave of absence, on account of important business.

ADJOURNMENT.

Mr. LONGWORTH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 13 minutes p. m.) the House, under its previous order, adjourned until Wednesday, May 18, 1921, at 12 o'clock noon.

# EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

129. A letter from the Secretary of the Treasury, transmitting estimate of appropriation, in the sum of \$3,200, for the improvement of the Billings, Mont., post-office building (H. Doc. No. 83); to the Committee on Appropriations and ordered to be printed.

130. A letter from the Acting Secretary of the Navy, transmitting a tentative draft of a bill authorizing the Secretary of the Navy to grant special allowances for maintenance to officers and enlisted men of the Navy and Marine Corps serving under unusual conditions; to the Committee on Naval Affairs.

131. A letter from the Acting Secretary of the Navy, transmitting a tentative draft of a bill to provide for the Dental Corps of the Navy, and for other purposes; to the Committee on Naval Affairs.

132. A communication from the Clerk of the House of Representatives, transmitting contested-election case of Henry T. Rainey v. Guy L. Shaw, from the twentieth congressional district of Illinois (H. Doc. No. 84); to the Committee on Elections No. 2 and ordered to be printed.

### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows

Mr. BLAND of Indiana, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 2158) to provide for the monthly payment of pensions, reported the same with an amendment, accompanied by a report (No. 69), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. VESTAL, from the Committee on Coinage, Weights, and Measures, to which was referred the bill (H. R. 4900) to fix standards for hampers, round-stave baskets, and splint baskets for fruits and vegetables, and for other purposes, reported the same with amendments, accompanied by a report (No. 70), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WEBSTER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 535) to prevent the unauthorized landing of submarine cables in the United States, reported the same with amendments, accompanied by a report (No. 71), which said bill and report were

referred to the House Calendar.

### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows

A bill (H. R. 4299) granting a pension to Mary A. Blair; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 5701) granting an increase of pension to Margaret Hickman; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows

By Mr. CARTER: A bill (H. R. 6254) authorizing the President of the United States to call an international conference on disarmament; to the Committee on Foreign Affairs

Also, a bill (H. R. 6255) for the purchase of a site and erection thereon of a public building at Atoka, Okla.; to the Committee on Public Buildings and Grounds.

By Mr. HUSTED: A bill (H. R. 6256) authorizing suits against the United States in admiralty for collisions caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. McFADDEN: A bill (H. R. 6257) to amend sections 5155 and 5190 of the United States Revised Statutes, relating to branches of national banking associations, and for other purposes; to the Committee on Banking and Currency.

Also, a bill (H. R. 6258) to exempt from taxation certain property of the Daughters of the American Revolution in Washington, D. C.; to the Committee on the District of Columbia.

By Mr. TIMBERLAKE: A bill (H. R. 6259) for the consolidation of forest lands in the Colorado National Forest, Colo., and for other purposes; to the Committee on the Public Lands.

By Mr. VAILE: A bill (H. R. 6260) to vest titles to school lands in the State in which the lands are situated, if a proceeding is not instituted before the Department of the Interior within 12 years after the State is admitted to the Union, or within 12 years after the survey of the school-land sections was approved to determine whether such lands were of known mineral character; to the Committee on the Public Lands.

By Mr. WARD of North Carolina: A bill (H. R. 6261) for the erection of a post-office building at Edenton, Chowan County, N. C.; to the Committee on Public Buildings and Grounds. By Mr. SUTHERLAND: A bill (H. R. 6262) to add certain

By Mr. SUTHERLAND: A bill (H. R. 6262) to add certain lands to Mount McKinley National Park, Alaska; to the Committee on the Public Lands.

By Mr. LANGLEY: A bill (H. R. 6263) to amend an act entitled "An act providing additional hospital facilities for patients." tients of the Bureau of War Risk Insurance and of the Federal Board for Vocational Training, Division of Rehabilitation, and for other purposes," approved March 4, 1921; to the Committee on Public Buildings and Grounds,

By Mr. JACOWAY: A bill (H. R. 6264) to permit deduction of expenses for meals and lodging in computing net income for income-tax purposes; to the Committee on Ways and Means.

By Mr. WURZBACH: Joint resolution (H. J. Res. 119) authorizing the Secretary of War to loan tents and cots for use of the American Legion at the encampment to be held during July and August, 1921, at Corpus Christi, Tex.; to the Committee on Military Affairs.

By Mr. CARTER: Joint resolution (H. J. Res. 120) authorizing the Secretary of the Interior to protect certain restricted members of the Five Civilized Tribes, and for other purposes;

to the Committee on Indian Affairs,

By Mr. HARRISON: Joint resolution (H. J. Res. 121) direct-

estate known as Monticello, in the State of Virginia, including the former home of Thomas Jefferson and the lands surrounding the same, being about 640 acres, located in Albemarle County, Va.; to the Committee on the Library.

### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. APPLEBY: A bill (H. R. 6265) authorizing the Secretary of War to donate to the town of Bay Head, Ocean County, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BECK: A bill (H. R. 6266) for the relief of Albert E.

Laxton; to the Committee on Claims.

By Mr. BLAND of Indiana: A bill (H. R. 6267) granting a pension to Sarah P. Dobbins; to the Committee on Invalid Pen-

By Mr. BYRNS of Tennessee: A bill (H. R. 6268) granting a pension to Johanna Lee Mulvihill; to the Committee on Invalid Pensions.

By Mr. CABLE: A bill (H. R. 6269) for the relief of George

R. Gary; to the Committee on Military Affairs. By Mr. CARTER: A bill (H. R. 6270) authorizing the Secretary of War to donate to the city of Atoka, State of Oklahoma, one German cannon or fieldpiece; to the Committee on Military

By Mr. EVANS: A bill (H. R. 6271) for the relief of Andrew

Spence; to the Committee on Military Affairs.

By Mr. FLOOD: A bill (H. R. 6272) for the relief of Evarts

Walton Opie; to the Committee on War Claims.

By Mr. FOCHT: A bill (H. R. 6273) granting an increase of pension to Edward H. Harpster; to the Committee on Pensions. By Mr. KUNZ: A bill (H. R. 6274) for the relief of Sam Scala; to the Committee on Claims.

By Mr. LANGLEY: A bill (H. R. 6275) granting an increase of pension to Lee Begley; to the Committee on Pensions.

Also, a bill (H. R. 6276) granting a pension to Scott Tussey; to the Committee on Pensions.

Also, a bill (H. R. 6277) granting an increase of pension to Louisa Tincher; to the Committee on Invalid Pensions.

By Mr. LAWRENCE: A bill (H. R. 6278) granting an increase of pension to David F. Elliott; to the Committee on Invalid Pensions.

By Mr. LUHRING: A bill (H. R. 6279) granting a pension

to Katharine Denzer; to the Committee on Invalid Pensions. By Mr. LYON: A bill (H. R. 6280) authorizing the Secretary of War to donate to the city of Maxton, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs

By Mr. McARTHUR: A bill (H. R. 6281) for the relief of James McMullen; to the Committee on Military Affairs.

By Mr. McFADDEN: A bill (H. R. 6282) granting a pension to Viola Andrews; to the Committee on Invalid Pensions.

By Mr. MAPES: A bill (H. R. 6283) granting a pension to Mary E. Cann; to the Committee on Invalid Pensions.

By Mr. RIORDAN: A bill (H. R. 6284) for the relief of Charles Lacey Plumb (Inc.); to the Committee on Claims. Also, a bill (H. R. 6285) for the relief of the estate of Agnes

H. Robinson, deceased; to the Committee on Claims.

By Mr. SNYDER: A bill (H. R. 6286) granting a pension to Monahan; to the Committee on Invalid Pensions

By Mr. SPROUL: A bill (H. R. 6287) for the relief of John Beattie; to the Committee on Claims.

By Mr. STEVENSON: A bill (H. R. 6288) for the relief of James F. Jenkins; to the Committee on Claims.

By Mr. TINCHER: A bill (H. R. 6289) granting a pension to William H. Willard: to the Committee on Invalid Pensions.

By Mr. WOODRUFF: A bill (H. R. 6290) for the relief of

Ethel Proctor; to the Committee on Claims.

By Mr. WOODYARD: A bill (H. R. 6291) granting an increase of pension to Alice M. McCoy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6292) granting an increase of pension to Margaret Staton; to the Committee on Invalid Pensions.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid

on the Clerk's desk and referred as follows:
707. By the SPEAKER (by request): Resolution by the Board of Aldermen of the city of New York favoring the enactment of legislation by the United States Congress which will after ing the Secretary of the Treasury to acquire by purchase the a period of not less than three years bring in the general use of metric weights and measures, with due regard for the commercial and manufacturing interests of America; to the Committee on Coinage, Weights, and Measures.

708. Also (by request), resolutions adopted by the American Ukrainian Society Shevchenko, of Carnegie, Pa., in regard to military affairs in different sections of Europe; to the Com-

mittee on Foreign Affairs.

709. By Mr. BARBOUR: Resolution adopted by the Taft Chamber of Commerce, of Taft, Calif., indorsing the program of legislation of the American Legion for the relief of the disabled veterans of the World War; to the Committee on Interstate and Foreign Commerce.

710. Also, resolutions adopted by the To Kalon Vineyard Co., of Oakville, Calif., and the California Associated Raisin Co., of Fresno, Calif., requesting appropriation for the purchase of experimental vineyards near Fresno and Oakville, Calif.; to

the Committee on Agriculture.

711. By Mr. BYRNS of Tennessee: Papers in support of House bill 6268 granting a pension to Johanna Lee Mulvihill, widow of J. C. Mulvihill; to the Committee on Invalid Pensions.

712. By Mr. CAMPBELL of Pennsylvania: Petition of the citizens of the Thirty-second district of Pennsylvania, urging modification of the Volstead Prohibition Act to permit use of beer and light wines; to the Committee on the Judiciary.

713. By Mr. CAREW: Resolution adopted by the Edward I. Tinkham Post, No. 598, American Legion, urging relief of disabled soldiers; to the Committee on Interstate and Foreign

Commerce.

714. By Mr. COOPER of Wisconsin: Petition of the M. Hrushevsky Association, on the case of East Galicia; to the

Committee on Foreign Affairs.

715. By Mr. DALLINGER: Resolutions adopted by the Pilgrim Publicity Association (Inc.), to protect the dyestuff industry by Government control of importations of foreign dyestuffs under license; to the Committee on Ways and Means.

716. By Mr. FROTHINGHAM: Resolution by Weymouth Council, No. 729, East Weymouth, Mass., urging relief of disabled soldiers; to the Committee on Interstate and Foreign

Commerce.

717. By Mr. FUNK: Petition of the Twentieth Century Club of Pontiac, Ill., indorsing House bill 4096 and protesting against the damming of Yellowstone Lake; to the Committee on Water Power.

718. By Mr. GREENE of Massachusetts; Petition of Mrs. George M. Gifford and 800 others of the fourteenth district of Massachusetts, favoring recognition of the Irish republic; to the Committee on Foreign Affairs.

719. By Mr. KISSEL: Petition of Edward L. Tinkham Post, No. 598, American Legion, urging relief for the disabled soldiers, etc.; to the Committee on Interstate and Foreign Commerce.

720. Also, petition of Louis Heyman & Bros., New York City, regarding tariff on umbrellas; to the Committee on Ways and Means

721. Also, petition of Finver Bros. & Co., New York City, regarding tariff on umbrellas; to the Committee on Ways and Means

722. Also, petition of Herman Hamberger Co. (Inc.), New York City, regarding the Fordney tariff bill; to the Committee on Ways and Means.

723. Also, petition of American Committee for Relief in Ireland, New York City, urging relief by Congress; to the Committee on Foreign Affairs.

724. Also, petition of Patrick J. Lehany, of Brooklyn, N. Y., urging the recognition of the Irish republic; to the Committee on Foreign Affairs.

725. Also, petition of Miss Betty Lynch, of Brooklyn, N. Y., urging the recognition of the Irish republic; to the Committee on Foreign Affairs.

726. By Mr. KLECZKA: Petition of 32 citizens of Milwaukee, Wis., requesting repeal of the 10 per cent tax on yachts; to the Committee on Ways and Means.

727. By Mr. LAWRENCE: Evidence in support of House bill 6278, granting an increase of pension to David F. Elliott; to the Committee on Invalid Pensions.

728. By Mr. MALONEY: Resolutions of Lynn Post, No. 6, Department of Massachusetts, American Legion, and Lawrence Post, No. 15, and Women's Auxiliary, North Andover Post, No. 219, urging relief for disabled veterans; to the Committee on

Interstate and Foreign Commerce.
729. By Mr. NORTON: Petition of Mr. John G. Zapf and 119 others of Cleveland, Ohio, urging the Congress of the United States to take the necessary action to bring about the recognition of Ireland as a republic by the Government of the United States; to the Committee on Foreign Relations.

730. By Mr. RHODES; Resolution by the Young Men's Christian Association of Flat River, Mo., favoring relief for disabled soldiers; to the Committee on Interstate and Foreign Commerce

731. By Mr. RIORDAN: Petition of James J. Gunning and 120 others of the eleventh congressional district of New York, favoring the recognition of Ireland; to the Committee on For-

eign Affairs.

732. By Mr. SANDERS of New York: Petition of the Orleans County Rod and Gun Club (Inc.), protesting against the continuance of the present tax of 10 per cent on sporting goods; to the Committee on Ways and Means,

733. By Mr. YOUNG: Petition of the Women's Auxiliary, Barry Hoof Post, No. 72, American Legion, of Napoleon, N. Dak., praying for the enactment of legislation for the relief of disabled soldiers, etc.; to the Committee on Military Affairs.

734. Also, petition of a mass meeting held at Williston, N. Dak., praying for the recognition by the United States Government of the republic of Ireland; to the Committee on Foreign Affairs.

735. Also, memorial of the North Dakota State Federation of Labor, of Grand Forks, N. Dak., remonstrating against the repeal of the so-called excess-profits tax and the passage of the so-called sales tax; to the Committee on Ways and Means.

736. Also, letter in the nature of a petition praying for the passage of Senate bill 1072, providing for Federal aid for highway projects; to the Committee on the Post Office and Post Roads.

787. Also, petition of the Women's Auxiliary Unit, Ernest DeNault Robertson Post, No. 14, American Legion, of Jamestown, N. Dak., praying for the enactment of legislation to provide for the relief of disabled soldiers, etc.; to the Committee on Military Affairs.

738. Also, telegram in the nature of a memorial from Carrollton Council of the American Association for Recognition of the Irish Republic, of Grand Forks, N. Dak., remonstrating against the United States joining in the international council with Eng-

land, etc.; to the Committee on Foreign Affairs.

739. Also, resolution of the National Editorial Association, of St. Paul, Minn., indorsing the present zone postage law and remonstrating against the proposed repeal thereof; to the Committee on Ways and Means,

## SENATE.

## Tuesday, May 17, 1921.

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father, we thank Thee that we are living in a day of great responsibilities, of splendid possibilities, and opportunities for service; and we humbly ask that we may be helped in fulfilling our tasks to the generation of which we form a part. Graciously guide our thoughts and supply unto us wisdom. We ask in Jesus Christ's name. Amen.

The Vice President being absent, the President pro tempore took the chair.

The reading clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. Curris and by unanimous consent, the further reading was dispensed with and the Journal was approved.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed without amendment the following Senate bills:

S. 504. An act for the relief of certain ex-service men whose rights to make entries on the North Platte irrigation project, Nebraska-Wyoming, were defeated by intervening claims; and

S.1479. An act granting the consent of Congress to the Washington & Old Dominion Railway, a corporation, to construct a bridge across the Potomac River.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 70. An act to allow credit for husbands' military service in case of homestead entries by widows, and for other

H. R. 89. An act for the public sale of post-office site on the west side of South Main Street, in the city of Bethlehem, Pa.;

H. R. 2173. An act authorizing the construction, maintenance, and operation of a private drawbridge over and across Lock

No. 4 of the canal and locks, Willamette Falls, Clackamas County, Oreg.;
H. R. 2428. An act granting certain lands to Converse County,

Wyo., for a public park;

H. R. 3018. An act granting the consent of Congress to H. H. Haynes to construct a dike across Mud Slough, on Isthmus Inlet, in section 23, township 26 south, range 13 west, of Willamette meridian in Oregon;

H. R. 4091. An act granting the consent of Congress to the Borderland Coal Corporation to construct a bridge across the Tug Fork of Big Sandy River, in Mingo County, W. Va.;

H. R. 4596. An act to provide for the disposal of certain

water from the Rio Grande project, New Mexico-Texas; H. R. 5222. An act to provide for the retention by the Government of the property in Seward, Alaska, known as the Alaska Northern Railway office building, and its use for court purposes; H. R. 5223. An act to exempt from cancellation certain desert-land entries in Reverside County, Calif.;

H. R. 5585. An act relating to execution of pension papers in

foreign countries; and

H. J. Res. 106. Joint resolution authorizing the Secretary of War to loan cots and blankets for the use of the Grand Army of the Republic at the Ohio State encampment, to be held in Greenville, Ohio, in June, 1921.

#### CALL OF THE ROLL.

Mr. CURTIS. Mr. President, I make the point of no quorum. The PRESIDENT pro tempore. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names;

Ashurst	Glass.	McCormick	Sheppard
Ball	Gooding	McKellar	Shields
Borah	Hale	McKinley	Shortridge
Broussard	Harreld	McLean	Smith
Bursum	Harris	McNary	Smoot
Calder	Harrison	Moses	Spencer
Cameron	Hellin	Nelson	Stanfield
Capper	Johnson	Newberry	Sutherland
Caraway	Jones, N. Mex.	Nicholson	Townsend
Culberson	Jones, Wash.	Norbeck	Trammell
Cummins	Kellogg	Norris	Underwood
Curtis	Kendrick	Oddie	Wadsworth
Dial	Kenyon	Overman	Walsh, Mass.
Edge	Keyes	Phipps	Walsh, Mont.
Ernst	King	Poindexter	Warren
Fernald	Ladd	Pomerene	Watson, Ga.
Fletcher	La Follette	Ransdell	Watson, Ind.
Frelinghuysen	Lenroot	Reed	Willis
Gerry	Lodge	Robinson	Wolcott

The PRESIDENT pro tempore. Seventy-six Senators have answered to their names. There is a quorum present.

### PETITIONS AND MEMORIALS.

Mr. WALSH of Montana presented a joint resolution of the Legislature of Montana, which was referred to the Committee on Banking and Currency, as follows:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the following is a true and correct copy of senate joint resolution relating to the indorsement of the McFadden bill, to protect the gold monetary reserve of the United States by stimulating the gold production, enacted by the seventeenth session of the Legislative Assembly of the State of Montana and approved by Joseph M. Dixon, governor of said State, on the 1st day of March, 1921.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State.

Done at the city of Helena, the capital of said State, this 2d day of March, A. D. 1921.

[SEAL.]

C. T. STEWART, Secretary of City.

C. T. STEWART, Secretary of State. By CLIFFORD L. WALKER, Deputy.

# Senate joint resolution 7.

Relating to the indorsement of the McFadden bill, to protect the gold monetary reserve of the United States by stimulating the gold pro-

o the honorable Senate and House of Representatives of the United States in Congress assembled:

States in Congress assembled:

Whereas there is now pending before the Congress of the United States a bill known as the McFadden bill, H. R. 13201, which said bill has for its objects, among other things, the following:

1. To promote the production of gold and the development of the gold reserves of the United States, making such enterprise possible by overcoming and removing the existing impossible conditions as far as may be.

2. To enhance the production of gold for monetary purposes in the United States and increase the amount of gold which will remain in this country for such and other purposes, by producing a remedy for present conditions which have caused almost entire cessation in gold mining in the United States, resulting in a demonition, constituting a grave danger to the gold supply and narrowing the basis of the monetary standard at a time when civilization is most dependent upon the maintenance of such basis; and
Whereas the United States, together with the leading nations of the world, has adopted gold as the unit of monetary measurement, the standard medium of exchange; and

Whereas the gold-mining industry of the United States is lagging and the production shrinking, endangering the security of the monetary gold reserve, for the purpose of maintaining adequate protection for such reserve an urgent demand for an immediate remedy exists;

gold reserve, for the purpose of maintaining adequate protection for such reserve an urgent demand for an immediate remedy exists; and
Whereas the character of gold mining has in general changed from that of placer gravel and shallow rich quartz mining, with cheap labor, long hours, and cheap supplies, as was its character at the time the coinage value of gold was fixed, more than 100 years since, to that of deep, low-grade quartz mining, requiring expensive machinery and appliances, additional skilled labor, working short hours and the consumption of expensive oils and fuels, which, together with the present cost of labor, powder, steel, timbers, fuels, appliances, oils, and every other supply and material used in mining, have advanced the cost until the product of gold mines is rarely equal in value to its coinage value, and gold mining to-day is prohibitive, with a very few minor exceptions; and
Whereas the condition of the gold-mining industry in Montana and the entire western portion of the United States gives cause for the prompt and early enactment of the legislation proposed: Now, therefore, be it

Resolved by the Senate and House of the Seventeenth Legislative Assembly of the State of Montana, That the Legislature of Montana memorialize the Congress of the United States for the adoption of said McFadden bill and the imperative need for its immediate enactment.

Resolved, That the Senators and Representatives in Congress from the State of Montana be requested to use all honorable means to secure the immediate enactment of the said McFadden bill into law; and be it further

Resolved, That a copy of this joint resolution be forwarded by the secretary of state of the State of Montana to the Senate and to the House of Representatives of the United States, and also that copies thereof be transmitted by the secretary of state to the Senators and Representatives in Congress from the State of Montana, with the request that they use every effort within their power to bring about an accomplishment of the end and

Approved March 1, 1921.

Jos. M. DIXON, Governor.

Filed March 2, 1921, at 10 o'clock a. m.
C. T. STEWART, Secretary of State.

Mr. WALSH of Montana presented a joint memorial of the Legislature of Montana, which was referred to the Committee on Indian Affairs, as follows:

UNITED STATES OF AMERICA, State of Montana, ss:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the following is a true and correct copy of house joint memorial entitled "A memorial to the United States Senate and House of Representatives framed for the passage of legislation providing for the opening of the Belknap Indian Reservation and the allotment of the lands embraced therein enacted by the seventeenth session of the Legislative Assembly of the State of Montana and approved by Joseph M. Dixon, governor of said State, on the 1st day of March, 1921.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State.

Done at the city of Helena, the capital of said State, this 2d day of March, A. D. 1921.

[SEAL.]

C. T. STEWART, Secretary of State, By CLIFFORD L. WALKER, Deputy.

C. T. STEWART, Secretary of State, By CLIFFORD L. WALKER, Deputy.

House joint memorial 11.

A memorial to the United States Senate and House of Representa-tives framed for the passage of legislation providing for the opening of the Belknap Indian Reservation and the allotment of the lands embraced therein.

o the honorable Senate and House of Representatives of the United States in Congress assembled:

Whereas legislation is now pending before the Congress of the United Stats providing for the allotment of the Indian lands located within the Belknap Indian Reservation within the State of Montana, and for the opening up of said reservation to settlement; and Whereas the passage of such legislation would be vastly beneficial to the Indians resident upon said reservation, and to the inhabitants of the State of Montana, for the reason that it would definitely establish the tracts set aside for the Indians entitled to said lands, so that they might proceed to permanently improve and develop said lands; that it would likewise have a tendency to make the Indians resident upon said reservation, many of whom served this country as soldiers in the recent World War, more independent and self-reliant; Now, therefore, be it

Now, therefore, be it

Resolved by the house (the senate concurring), That we, the members of the Seventeenth Legislative Assembly of the State of Montana, do hereby petition and earnestly pray the Congress of the United States to enact the legislation referred to, and such legislation as may be necessary to accomplish the opening up and allotment of the lands within said Belknap Indian Reservation; and be it further

Resolved, That a copy of this memorial be forwarded by the secretary of state of the State of Montana to the Senate and to the House of Representatives of the United States and to the Senators and Representatives from the State of Montana in Congress.

Fight 1. Girson.

FRED L. GIBSON,

Speaker of the House.

Nelson Story, Jr.,

President of the Senate.

Approved March 1, 1921.

Jos. M. DIXON, Governor.

Filed March 2, 1921, at 10 o'clock a. m. C. T. Stewart, Secretary of State.

Mr. WALSH of Montana presented a joint resolution of the Legislature of Montana, which was referred to the Committee on Public Lands and Surveys, as follows:

UNITED STATES OF AMERICA. State of Montana, ss:

I. C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the following is a true and correct copy of an act entitled "A resolution memorializing Congress for the passage of legislation authorizing the State of Montana to lease State lands for such periods and on such terms and conditions as provided by the Legislative Assembly of the State of Montana," enacted by the seventeenth session of the Legislative Assembly of the State of Montana, and approved by Jos. M. Dixon, governor of said State, on the 5th day of March, 1921.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State.

Done at the city of Helena, the capital of said State, this 10th day of March, A. D. 1921.

[SEAL.]

C. T. STEWART, Secretary of State, By CLIFFORD L. WALKER, Deputy.

C. T. STEWART, Secretary of State, By CLIFFORD L. WALKER, Deputy.

House joint resolution 1.

A resolution memorializing Congress for the passage of legislation authorizing the State of Montana to lease State lands for such periods and on such terms and conditions as provided by the Legislative Assembly of the State of Montana.

To the honorable Senate and House of Representatives of the United Etates in Congress assembled:

Whereas under the act of Congress approved February 22, 1889, entitled "An act to provide for the division of Dakota into two States and to enable the people of North Dakota, South Dakota, Montana, and Washington to form constitutions and State governments and to be admitted into the Union on an equal footing with the original States, and to make donations of public lands to such States, commonly known as the 'enabling act,'" the State of Montana is restrained from leasing State lands for periods of more than five years; and

strained from leasing State lands for periods of more than five years; and
Whereas for the purposes of properly developing the State lands and accomplishing for the State of Montana the greatest benefits from the leasing of the State lands granted to the State by the United States, particularly lands now considered as having real or potential value for stone, coal, cil, gas, other hydrocarbons, and other minerals, the said limitation of five-year leases contained in the enabling act is too brief and has resulted in failure of the State lands to be developed for said purposes on an equal footing with public and privately owned lands similarly situated: Now, therefore, be it

be it

Resolved by the House of Representatives of the State of Montana (the Senate concurring). That the Congress of the United States be, and is hereby, petitioned to enact suitable legislation amending the said enabling act and authorizing the State of Montana to lease her State lands for such periods of time and on such terms and conditions as may be from time to time provided by the Legislative Assembly of the State of Montana: Provided, however, That in the leasing of lands for agricultural and grazing purposes the duration of any lease shall not be for a longer period than five years; be it further Resolved. That copies of this memorial be forwarded by the secretary of the State of Montana to the Senate of the United States, and that copies of this memorial be forwarded by the secretary of state of the State of Montana to the House of Representatives of the United States, and that copies thereof be transmitted by the secretary of state of the State of Montana to the Senators and Representatives in Congress of the State of Montana.

FRED L. GIBSON,

FRED L. GIBSON,
Speaker of the House.
NELSON STORY, Jr.,
President of the Senate.

Approved March 5, 1921.

Jos. M. DIXON, Governor.

Filed March 7, 1921, at 9.30 o'clock a. m. C. T. STEWART, Secretary of State.

Mr. WALSH of Montana presented a joint memorial of the Legislature of Montana, which was referred to the Committee on Finance, as follows:

UNITED STATES OF AMERICA, State of Montana, ss:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the following is a true and correct copy of an act entitled "Memorial to the Congress of the United States to enact such legislation as may be necessary to impose an import duty on chrome ore for the protection of producers of chrome ore within the United States," enacted by the seventeenth session of the Legislative Assembly of the State of Montana and approved by Jos. M. Dixon, governor of said State, on the 5th day of March, 1921.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State.

Done at the city of Helena, the capital of said State, this 10th day of March, A. D. 1921.

[SEM.]

C. T. STEWART, Secretary of State.

By CLIFFORD L. WALKER, Deputy.

C. T. Stewart, Secretary of State. By Clifford L. Walker, Deputy.

House joint memorial 14.

Memorial to the Congress of the United States to enact such legislation as may be necessary to impose an import duty on chrome ore for the protection of producers of chrome ore within the United States.

protection of producers of chrome ore within the United States.

To the honorable Senate and House of Representatives in the Congress of the United States of America: Four memorialists, the members of the Seventeenth Legislative Assembly of the State of Montana (the Senate and House concurring), respectfully represent—

Whereas during the war between the United States and the Imperial German Government and her allies certain western mining States of the Union did develop and produce large quantities of chrome ore; and Whereas such production was at the request and for the benefit of the Government of the United States while so engaged in said war and so made possible by the price then prevailing upon such ores, due to the fact that foreign ores were not then being imported into the United States; and

Whereas since the cessation of hostilities such quantities of chrome ore have been, and are now, being imported into the United States at prices far below what domestic ore can be placed upon the market for; and

Whereas those mining enterprises in the Western States, including the State of Montana, have spent large sums of money in the development of chrome ore, and other like ores, and have been unable to operate their respective properties since the cessation of hostilities by reason of the large influx of foreign ores, and if such importation is to continue the domestic mining enterprises of chrome ores will be unable to compete with foreign producers, and large sums of money heretofore invested in the development of these mining enterprises will be lost to the American people; and
Whereas the only means of restoring such domestic mining enterprises to the profit of both the laborer and capital of the United States is to place a tariff on the importation of chrome ore into the United States, and in order to stimulate and keep alive such industry it is the judgment of this legislative assembly that a tariff should be assessed against all importations of chrome ore in such an amount as will enable the domestic producers of chrome ore to compete with foreign producers: Therefore be it

\*Resolved\*\*. That it is the sense of this legislative assembly that the

Resolved, That it is the sense of this legislative assembly that the Government of the United States should, at the earliest possible moment, place a tariff upon the importation of chrome ore in such an amount as will protect the domestic producers of such ore; and be it

amount as will protect the further Resolved, That a copy of this memorial be forwarded to the Senate and House of Representatives of the United States and to our Senators and Representatives in Congress.

Fred L. Gibson,

FRED L. GIBSON,
Speaker of the House,
NELSON STORY, Jr.,
President of the Senate.

Approved March 5, 1921.

Jos. M. Dixon, Governor.

Filed March 7, 1921, at 9.30 o'clock a. m. C. T. Stewart, Secretary of State.

Mr. WALSH of Montana presented a joint memorial of the Legislature of Montana, which was referred to the Committee on Education and Labor, as follows:

UNITED STATES OF AMERICA, State of Montana, 88:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the following is a true and correct copy of memorial concerning House bill 10925, known as the Sheppard-Towner bill, now pending congressional action, enacted by the seventeenth session of the Legislative Assembly of the State of Montana and approved by Joseph M. Dixon, governor of said State, on the 5th day of March, 1921

In testimony whereof I have hereunto set my hand and affixed the great seal of said State.

Done at the city of Helena, the capital of said State, this 10th day of March, A. D. 1921.

[SEAL.]

C. T. STEWART, Secretary of State.

Of March, A. D. 1921.

[SEAL.]

C. T. STEWART, Sceretary of State.

By CLIFFORD L. WALKER, Deputy.

House joint memorial 16.

Memorial concerning House bill 10925, known as the Sheppard-Towner bill, now pending congressional action.

the honorable Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the members of the Seventeenth Legislative Assembly of the State of Montana, the senate and house concurring, respectfully represent:

fully represent:

Whereas it is the belief of this assembly that the deaths of 15,000 women who annually sacrifice their lives in childbearing in the United States constitute a serious reflection upon our humanitarianism and educational facilities; and Whereas approximately 150 mothers die each year in Montana from ignorance of natal hygiene or from inability to secure proper care and attention; and Whereas this number constitutes 2½ per cent of the total deaths in Montana, or 1 out of each 40, from all causes; and Whereas we believe that childbearing should not continue to be a journey into the valley of the shadow of death; and Whereas House bill 10925, known as the Sheppard-Towner bill, now pending congressional action, and designed to inaugurate a campaign for the education, protection, and relief of expectant mothers through a Federal central agency, and to offer Federal aid to States for localized campaigns, is proposed as a corrective measure: Therefore be it

Resolved, That we urge early enactment of this measure by Congress and its support by our own Representatives in that body,

Resolved further, That a copy of this memorial be forwarded by the secretary of state of the State of Montana to the Senate and House of Representatives of the United States, and that copies thereof be transmitted by the secretary of state of the State of Montana to the Montana Senators and Representatives in the Congress of the United States.

FRED L. GIBSON,
Speaker of the House,
NELSON STORY, Jr.,
President of the Senate,

Approved, March 5, 1921,

Jos. M. DIXON, Governor,

Filed March 7, 1921, at 9.30 o'clock a. m. C. T. Stewart, Secretary of State.

Mr. ODDIE presented a memorial of Central Labor Union of White Pine County, Nev., remonstrating against the enactment of legislation repealing the excess-profits tax and substituting therefor a sales or turnover tax, which was referred to the Committee on Finance.

Mr. NELSON presented petitions of sundry citizens of the State of Minnesota, praying for the enactment of legislation for the recognition of the republic of Ireland, which were referred to the Committee on Foreign Relations.

Mr. KEYES presented a resolution of the Women's Auxiliary Unit, No. 41, American Legion, of Whitefield, N. H., favoring the enactment of legislation to provide adequate relief for disabled ex-service men, which was referred to the Committee on Finance

He also presented a petition of sundry citizens of New Hampshire, praying for the enactment of legislation to tax contracts for the sale of grain for future delivery and options for such contracts, and providing for the regulation of boards of trade, etc., which was referred to the Committee on Agriculture and Forestry.

Mr. TOWNSEND presented resolutions adopted by the University of Michigan Post, American Legion, of Ann Arbor, and Underwood Orr Post, No. 34, American Legion, of Tecumsel, both in the State of Michigan, favoring the enactment of legislation for the relief of disabled ex-service men, which were referred to the Committee on Finance.

He also presented a resolution adopted by Wolverine Lodge, No. 942, Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees, of Jackson, Mich., protesting against the enactment of a sales tax law, which was referred to the Committee on Finance.

He also presented a resolution adopted by Charles A. Learned Post, No. 1, American Legion, of Detroit, Mich., favoring certain sections of the so-called Davey bill relative to the protection of the national colors from dishonor and calumny at home by either citizens or aliens and to prevent our constitutional institutions of government from being undermined by radical propaganda or overthrown by force and violence, etc., which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Wayne County, Mich., praying for the enactment of legislation to create a department of education, which was referred to the Committee on Education and Labor.

Mr. WILLIS presented a resolution of Carrollton Council, American Association for the Recognition of the Irish Republic, of Cincinnati, Ohio, protesting against American representatives participating in the allied council and favoring the enactment of legislation for the recognition of the Irish republic, which was referred to the Committee on Foreign Relations.

He also presented a resolution of sundry citizens of Cleveland, Ohio, favoring the enactment of legislation for the recognition of the republic of Ireland, which was referred to the Committee on Foreign Relations.

He also presented resolutions of the Women's Auxiliary to Albert E. Baesel Post, No. 91, of Berea, and Zanesville Post, No. 29, American Legion, of Zanesville, both in the State of Ohio, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which was referred to the Committee on Finance.

He also presented a resolution of the National Consumers' League, of New York City, N. Y., favoring the enactment of legislation for the protection of maternity and infancy, which was referred to the Committee on Education and Labor.

Mr. CAPPER presented petitions of sundry citizens of the State of Kansas, praying for the enactment of legislation to prohibit gambling in grain and other agricultural products, which were referred to the Committee on Agriculture and Forestry.

He also presented a resolution of the Women's Auxiliary, American Legion, of Minneapolis, Kans., favoring the enactment of legislation providing adequate relief for disabled exservice men, which was referred to the Committee on Finance.

Mr. McLEAN presented a petition of the Woman's Christian Temperance Union, of Middlesex County, Conn., praying for the enactment of supplemental legislation more adequately to enforce the so-called Volstead prohibition act, which was referred to the Committee on the Judiciary.

to the Committee on the Judiciary.

He also presented telegrams in the nature of petitions of J. Schiott, president automotive association; C. L. Dennis, of Bridgeport Lodge, No. 289, Loyal Order of Moose; Stephen D. Bagley, secretary International Boiler Makers and Iron Ship Builders; and sundry citizens, all of Bridgeport, Conn., praying that an amendment be made to the naval appropriation bill awarding the contracts for six submarines to the Lake Torpedo Boat Co., which were ordered to lie on the table.

He also presented a petition of James W. Milne Camp, No. 14, United States War Veterans, of Rockville, Conn., praying for the enactment of legislation for the relief of veterans of the Spanish-American War and their dependents, which was referred to the Committee on Pensions.

He also presented telegrams in the nature of memorials of Nathan Hale Council, American Association for the Recognition of the Irish Republic, of Ansonia; and Daniel Webster Council, American Association for the Recognition of the Irish Republic, of Bristol, both in the State of Connecticut, protesting against

America joining an international council with England, which were referred to the Committee on Foreign Relations.

He also presented a resolution adopted by the Connecticut Leaf Tobacco Association at its annual meeting held on April 20, 1921, at Hartford, Conn., favoring the enactment of legislation increasing the duty on imported cigar-wrapper tobacco to \$1 per pound, which was referred to the Committee on Fluance.

He also presented a resolution of the Connecticut Veterinary Medical Association, of Hartford, Conn., favoring the enactment of legislation reclassifying civil-service employees, which was referred to the Committee on Civil Service.

He also presented a resolution of the Derby Business Men's Association, of Derby, Conn., favoring the enactment of a sales tax law, which was referred to the Committee on Finance.

He also presented a resolution of Division No. 3, Ancient Order of Hibernians, of Waterbury, Conn., favoring the enactment of legislation for the recognition of the Irish republic, which was referred to the Committee on Foreign Relations.

He also presented resolutions of Orville LaFlamme Post, No. 15, of Jewett City; Women's Auxiliary to Darrow Post, No. 48, American Legion, of Guilford; and Women's Auxiliary Danbury Post, No. 60, American Legion, of Danbury, all in the State of Connecticut, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which were referred to the Committee on Finance.

### REPORTS OF COMMITTEES.

Mr. WALSH of Montana, from the Committee on the Judiciary, to which were referred the following bills, reported them each without amendment and submitted a report as indicated:

A bill (S. 257) providing for an additional judge for the dis-

trict of Montana (Rept. No. 57); and

A bill (S. 258) concerning actions on account of death or personal injury within places under the exclusive jurisdiction of the United States.

Mr. SHIELDS, from the Committee on the Judiciary, to which was referred the bill (8, 1183) to amend section 107 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, as heretofore amended, reported it without amendment.

## ROWENA S. BUMPHREY.

Mr. CALDER. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 58, submitted by the Senator from Michigan [Mr. Townsend], to report it favorably without amendment, and I ask for its present consideration.

The resolution was read, considered, and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate to Rowena S. Bumphrey, widow of Marvin H. Bumphrey, late a messenger in the employ of the Senate, a sum equal to six months' salary at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

## HEARINGS BEFORE COMMITTEE ON INDIAN AFFAIRS.

Mr. CALDER. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 62, submitted by the Senator from Kansas [Mr. Curis], to report it favorably with an amendment, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the resolution.

The amendment was, after the words "recess of the Senate," in line 9, to strike out the words "and at such time and place as it may deem necessary, the expenses of travel incident to the sessions of said committee or any subcommittee thereof to be paid from the contingent fund of the Senate," so as to make the resolution read:

Resolved, That the Committee on Indian Affairs, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers; to administer oaths; and to employ a stenographer at a cost not exceeding \$1.25 per printed page to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

The amendment was agreed to.

The resolution as amended was agreed to.

### ROBERT F. ROSE.

Mr. CALDER. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 64, submitted by the Senator from Iowa [Mr. Kenyon], to report it favorably, and I ask unanimous consent for its present consideration.

The resolution was read, considered, and agreed to, as fol-

Resolved. That the Secretary of the Senate be, and hereby is, authorized and directed to pay out of the appropriation for expenses of inquiries and investigations, fiscal year 1921, contingent fund of the Senate, the sum of \$30 to Robert F. Rose for reporting and transcribing a hearing held on January 13, 1921, for the Committee on the Philippines, United States Senate, on Senate bill 4785.

#### BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WALSH of Massachusetts (by request):

A bill (S. 1830) for the relief of the Consolidation Coastwise Co.; to the Committee on Claims.

By Mr. CUMMINS:

A bill (S. 1831) to amend section 237 of the Judicial Code;

A bill (S. 1832) to amend section 237 of the Judicial Code; to the Committee on the Judiciary.

By Mr. KING:

A bill (S. 1833) to provide for a uniform national bank cur-

rency; to the Committee on Banking and Currency.

A bill (S. 1834) providing one German cannon or fieldpiece for the town of Vernal, Utah; to the Committee on Military

By Mr. CALDER:

A bill (S. 1835) to permit any national banking association to establish branches within the corporate limits of the city,

town, or village in which it is located; and

A bill (S. 1836) to amend the act approved December 23, 1913, known as the Federal reserve act, and to amend section 5236 of the Revised Statutes; to the Committee on Banking and Currency

By Mr. CURTIS:

A bill (S. 1837) to amend section 32 of the act of Congress approved July 17, 1916, known as the Federal farm loan act; to the Committee on Banking and Currency.

### AMENDMENT TO NAVAL APPROPRIATION BILL.

Mr. KENYON submitted an amendment providing that no person owing allegiance to any country other than the United States of America shall be eligible to hold office as a member of the colonial councils of the Virgin Islands of the United States nor to hold any public office under the government of said islands, and that the income tax laws now in force in the United States of America and those which may hereafter be enacted shall be held to be likewise in force in the Virgin Islands, except that the proceeds of such taxes shall be paid into the treasuries of said islands, intended to be proposed by him to the naval appropriation bill, which was ordered to lie on the table and to be printed.

## AMENDMENT TO DEFICIENCY APPROPRIATION BILL,

Mr. OVERMAN submitted an amendment providing for the acquisition of a site and erection of a public building at Gastonia, N. C., intended to be proposed by him to the second de-ficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

## MARTHA THOMAS.

Mr. CALDER submitted the following resolution (S. Res. 79) which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate to Martha Thomas, widow of George W. Thomas, late an employee of the Senate in the Senate garage, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

## NAVAL APPROPRIATIONS.

The PRESIDENT pro tempore. The morning business is closed.

Mr. POINDEXTER. I move that the Senate proceed to the consideration of H. R. 4803, the naval appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4803) making appropriations for the naval service for the fiscal year

ending June 30, 1922, and for other purposes.

The PRESIDENT pro tempore. The pending amendment is the amendment of the committee, on page 8, line 14, to strike out "\$3,500,000" and insert "\$4,500,000" in the item for transportation and recruiting, Bureau of Navigation. The question is on agreeing to the amendment, on which the yeas and nays have been ordered.

Mr. KING. Mr. President, before voting upon the amendment I desire to submit a few observations. Opposition to the pend-

but in various parts of our country. There is a general feeling that Congress has not responded to the sentiment of the people, and is supporting a policy which strengthens the militarists of the land, and makes the reduction of armament by the naval powers of the world more difficult. We entered the war not only because of the aggressions of Germany and in vindication of the honor of our country but for the purpose, if possible, of ending war or lessening the probabilities of war. Senators and others have treated with cynicism or ridicule the statement made by President Wilson that we had in view the making of the world safe for democracy. And yet, if the world were not made safer from the horrors and evils of war, it failed in part, at least, in its purpose. We had no lust for conquest or desire for indemnities. We saw the world being destroyed by the red tide of war, and a civilization which was the fruit of centuries of growth and civilization threatened by a powerful foe. We battled to destroy militarism; the victory will not be complete if the hideous form of militarism still menaces the world.

Our country is not the apostle of force and imperialism; it is the exponent of freedom; it speaks for the rights of man and of men, and for these humanitarian principles which have guided those who sought justice in the world.

Mr. President, the overwhelming majority of the people of the world do not want war, and they would welcome any instrumentality, any movement that would mitigate the horrors of war, and, if possible, terminate war. They desire to address themselves to the processes of peace and to the achievement of those high purposes which will advance the moral and intellectual forces in the world. Is it possible that the Great War has taught us nothing, and that nations are to continue arming and preparing for conflicts-employing Governments only for warlike purposes? Is our legislation to be directed to war or to peace and the questions relating to social progress

Instead of talking peace and the means of establishing peace and securing the blessings flowing therefrom, we are devoting much of our time in the Senate and in the House to preparations for war. While some nations are sincerely striving to provide world peace and concord, others, or elements within them, are exhibiting the same materialistic and warlike spirit which it was hoped had been driven from the hearts of the people. But the people, the great inarticulate mass of the world, are trying to blot from their minds the scene of bloodshed and sorrow which the war produced, and to give their lives to the arts of peace, and to bring prosperity and happiness to the world. Shall we join the militarists and strengthen the movement to exalt the standard of a discredited and destroying creed?

I protest against this Nation becoming the military power of the world. We did not fight Germany in order to transfer from the Kaiser to the President the crown of military supremacy.

We have pride in the democratic victories won, in the industrial and economic conquests made, the social and political advancements secured, in the moral and spiritual progress which has made our country the foremost Nation of which history speaks.

There must be no departure from the ideals and splendid inspiration which have guided this Nation in the past.

We must aid the world, we must bind up the wounds of the people and turn their scarred and too often their resentful faces from the sordid and cruel things of life toward the beatific picture which the future presents to those who seek the truth and desire a divine providence to control the hearts and lives of men and nations.

But we are asked to support a military and naval policy which will impose a burden of more than \$1,000,000,000 a year upon the American people.

We are now to embark upon a course which will cost this country annually more than it cost to meet all the expenses of the Government only a few years ago. The spirit of war is encouraged by these enormous appropriations demanded for the Army and the Navy.

Is it possible that we have learned no lessons from the war, and that we propose to spend more for armies and navies in the future than at any time in the past?

I do not want to be misunderstood. I am not asking for the demobilization of our entire Army, nor am I asking that we sink our Navy and construct no more warships. I am insisting that we seek to carry out in an international way what we have proclaimed our domestic or national policy to have been, namely, that of peace and amity with all nations. I am asking that before we become committed to a program that will require billions for naval expenditures that we seek in good ing measure has been urged not only on the floor of the Senate faith to procure an international convention which will call for international disarmament or a reduction and limitation of armament.

The signatories to the Versailles treaty indicated their desire to bring about world disarmament. Let us aid in accomplishing that manifested purpose, and not by force of our example constrain nations to return to the heavy task of preparation for war.

If we fail, if the great powers of the world will not join with us in restricting armaments, if they evince a purpose to return to the smoke and flames and horrors of the past, then it will be time enough for us to put aside the garments of peace and put on the mailed armor of war. I insist that we are the key to the situation. This Nation leads the world; its example will be followed. If our country speaks for peace, all America will join in the glorious symphony. Other nations desire to march with this Republic; they expect it to carry the banner of progress and to be the protagonist of the forces of justice.

How shall we respond? The proposition is to build the biggest Navy in the world, to tax the American people more than

one billion dollars annually for our Army and Navy.

If after efforts have been made to secure an agreement with the naval powers of the world for a reduction of armament we fail, and they proceed to build navies and conscript armies, then we will take all necessary steps to defend our country and to meet any and all foes.

But the duty, the solemn and imperative duty, rests upon us to employ every honorable means to take the weapons of war from the hands of men and to place therein the blessed instru-

ments of peace.

But the great powers of the world are praying that we join them in a conference for the purpose of formulating a plan to secure relief from the military burdens now afflicting the world.

Mr. President, I insist that the bill before us is expressive of the opinion of the General Naval Board and is a Navy Department measure rather than a progressive, scientific, and modern measure. It is the embodiment of an archaic policy and a disregard of the lessons and experiences of the war. The bill was prepared to carry out an old program—one desired in 1915—and is a slavish adherence to bureaucratic methods.

Bureaucracy is notoriously inefficient and irresponsive to liberal and progressive policies. If there is to be no agreement among nations for disarmament, then I favor a modern

and efficient naval program.

We are called upon to carry out an antiquated naval policy, to spend hundreds of millions for capital ships without adequate provisions being made for a well-balanced Navy.

Speaking of the report of the General Board of the Navy, ostensibly dealing with the Borah resolution, but in reality defending the 1915-16 naval program, Admiral Sims says:

I think the report is very largely mistaken. It looks to me very much like a report the arguments of which are drawn up to prove what they originally believed. It looks to me like a document of that kind. As I stated informally a little while ago, so conservative are military people in their attitude toward new incidents that that is the first development we always have.

It is this report which we are called upon to indorse by this proposed bill.

I submitted to the Senate my views upon this report on the 24th of February last, and I then set forth some of my views upon the matters now before us. The report which I submitted

is in part as follows:

"The committee's report seems to be founded upon the view of this distinguished admiral, and fails to take into account, as I view the case, conditions and factors existent in the world, which introduce meliorating currents and moral forces that compel a judgment at variance with that expressed by the board and the committee.

"This view seems to be that the war taught no lesson except that savagery and sanguinary struggles are eternal; that the moral forces in the world are too feeble to establish justice and usher in a reign of righteousness and peace; and that humanity is predestined to walk in the darkness to a tragic end.

"This view is a negation of the vital and progressive forces in the world, and forever condemns mankind to Sisyphean struggles. The report, in one aspect, proceeds upon the erroneous assumption that the resolution proposed to abandon battleships, and the majority of the committee proceeds upon the assumption that the question for determination is one primarily of the abandonment of the battleship, rather than supplementing that type of vessel by other craft operating in the air and in the sea. This misconception of the resolution has resulted in the fallure of the committee to respond to the question implied in the resolution. It is not the part of probity and good judgment to ignore the fact that the science of naval architecture and armament has

been constantly progressing, and we may not even now say that the ultimate type in any arm of the service has been developed. The report of the General Board is a slavish adherence to the past and betrays a determination to regard with jealousy, if not disdain, the unmistakable lessons brought to our attention by the recent war and the scientific investigations more recently made by those who believe in the future of aeronautics and in the primacy of submarines and submersible types of vessels. It is bureaucratic and reflects bureaucratic influences and policies.

"Emphasis is laid upon the fact that the battleship is the basis of sea power; that it is paramount, and 'that nothing that occurred during the World War has served to change the opinion of the General Board as to the vital importance in war of

the battleship.'

"In my opinion, the report of the General Board is the plea of an advocate in defense of a policy rather archaic in conception and at variance, in some respects at least, with facts and

experiences developed at a later period.

"A careful review of this report leads to but one conclusion, that battleships constitute the principal unit of sea power, and that we must continue their construction in increasing numbers notwithstanding the enormous cost. It is admitted that if there is no agreement between nations to limit armaments, then, in addition to the Navy projected by the General Board, we must expend hundreds of millions of dollars for submarines and torpedo boats and the various forms of aircraft employed in naval warfare. It would seem from the report that the lessons of the war called only for greater expenditures for naval warfare,

"Giant dreadnaughts of more than 43,000 tons and costing tens of millions of dollars are to be built; but the board concedes they are impotent, or at least inadequate, without battle cruisers costing still more, and also various other

types of surface craft, submarines, and airplanes.

"A one-plane navy, the report is compelled to admit, is incomplete, and it discusses torpedo-carrying aircraft and bombing planes and submarines, and concedes them a humble place as auxiliaries of the battleships, but as I have indicated does not ascribe to them that important place in naval warfare which the facts demonstrate that they occupy.

"I repeat, in my opinion the report of the General Board is reactionary not only in its consideration of the future of naval warfare, but in its complete disregard of all those social and moral factors which are powerfully operating in

the world to-day.

"I have stated that the science of naval architecture is progressive and that a blind devotion to past types is fatal. On December 11, 1906, His Majesty's ship Dreadnaught was commissioned. It was the product of Lord Fisher's constructive genius and was hailed as the most powerful naval vessel in the world, though it carried only ten 12-inch guns and had a displacement of but 17,900 tons and a speed of 211 knots. This vessel became the type of the modern singlecaliber big-gun battleship. In our own Navy the battleships Connecticut, Georgia, New Jersey, Rhode Island, Louisiana, and Virginia, which were commissioned in 1906, and the Arkansas, Minnesota, Wyoming, and Vermont, which were commissioned in 1907; the New Hampshire, commissioned in 1908; and the Michigan and South Carolina, which were commissioned in 1910, were all mixed-caliber battleships, and upon the standard of the new dreadnaught type established by Great Britain in 1906 were obsolete vessels at the time they were commissioned. This is a direct example of the mistaken policy in pressing naval construction in ignorance of contemporary improvements in naval architecture and standard naval types.

"It was August 31, 1911, before the *Utah*, the first American dreadnaught, was commissioned. This was nearly five years after the commission of the first British dreadnaught. There are now eight of these dreadnaughts in commission, the *Utah*, *Florida*, *Delaware*, *North Dakota*, *Wyoming*, *Arkansas*, *New York*, and the *Texas*. The displacement of the *Utah* was 21,195 tons. Since then we have the superdreadnaught of 32,600 tons, and of these superdreadnaughts we now have in commission the *New Mexico*, *Idaho*, *Nevada*,

Pennsylvania, and Tennessee.

"I do not agree with the General Board and the committee that the naval program of 1916 should be carried out, nor do I accept the view that a suspension, or at least a partial suspension, of that program would be unwise, or that efforts should not be made to bring about a reduction in armaments, not only in the United States, but throughout the world; and I submit a few reasons in support of my position.

"First, let me invite attention to the 1916 program. In 1915 the General Board of the Navy 'devised and recommended' a naval program; it was based upon the then existing types of naval vessels and the then existing theories of naval warfare. The board did not have the experience and lessons of the war; and the program was devoted to the creation of types of vessels then employed. This program was embodied in the act of August 29, 1916. The intervention of the war and the need of destroyers and submarine chasers to combat the submarine menace and to protect our battleships was so great that the entire construction capacity of the country was directed to the production of these fast craft, as a result of which the program of 1916 was held in abey-It is true that during and since the war considerable work has been done upon some of the ships provided by this program; but it is now proposed to proceed with the construction projected in 1915, regardless of its costs or the lessons of the war, and the Navy Department is exercising all possible pressure in order to consummate this purpose.

"The act of Congress of 1916 authorized the construction of 10 first-class battleships, at a cost not to exceed \$11,500,000 each; 6 battle cruisers, at a cost not to exceed \$16,500,000 each; 10 scout cruisers, at a cost not to exceed \$5,000,000 each; 50 torpedo-boat destroyers, at a cost not to exceed \$1,200,000 each; and 9 fleet submarines, 58 coast submarines, of which were to cost not exceeding \$1,200,000 each and a residue not to exceed \$700,000 each; 3 fuel ships, at a cost not to exceed \$1,500,000 each; 1 repair ship, 1 transport, 1 hospital ship, at a cost not to exceed \$2,350,000 each; 2 destroyer tenders, 1 fleet submarine tender, 2 ammunition ships, at a cost not to exceed \$2,350,000 each; 2 gunboats, at

a cost not to exceed \$860,000.

"From the hearings before the Senate it developed that all the construction authorized by the acts just referred to has been undertaken, except that the contracts for 12 destroyers, 1 transport, and 6 seagoing submarines have not been let. Admiral Coontz testified that the bureau did not intend to build these, but desired authority to construct two airplane carriers at a cost of \$58,000,000 in their stead.

"Though the act of 1916 authorized the construction of 10 battleships, there are 11 under construction, 1 having been

previously authorized.

"The pertinent fact is that we have now under construction and in various stages of completion 17 capital ships, plans for which were laid down more than five years ago. These ships divide themselves into three groups, as follows:

FIRST GROUP.

Where building.	State of com- pletion.	Ton- nage.	Horse- power.	Knots.
Mare Island, Calif	95. 5 93. 0	32,300 32,600	28,500 28,900	21 21
New York Shipbuilding Cor-	66.7	32,600	28,900	21
Newport News Shipbuilding & Dry Dock Co.	57.6 44.5	32,600 32,600	28,900 28,900	21 21
	Mare Island, Calif. Newport News Shipbuilding & Dry Dock Co. New York Shipbuilding Corporation. do. Newport News Shipbuilding	Where building. of completion.  Mare Island, Calif. 95.5 Newport News Shipbuilding 93.0 & Dry Dock Co. New York Shipbuilding Corporation. 66.7 Newport News Shipbuilding 57.6 Newport News Shipbuilding 44.5	Where building. of completion. nage.  Mare Island, Calif. 95.5 32,300 Newport News Shipbuilding 93.0 32,600 & Dry Dock Co. New York Shipbuilding Corporation. 57.6 32,600 New York News Shipbuilding 44.5 32,600	Where building.   Ofcompletion.   Tonnage.   Prover.

"The average state of completion of the ships in this group is 71.46 per cent. These ships are of the superdreadnaught approximately equal displacement, horsepower, and speed, and all except the California mount 16-inch guns. California mounts 14-inch guns. Their completion would give the Navy 21 capital ships of the dreadnaught and superdreadnaught type of the most modern construction and effectiveness, which, with 21 second-class battleships now in commission, would give us a Navy of 42 battleships.

SECOND GROUP.

Name.	Where building.	State of com- pletion.	Ton- nage.	Horse- power.	Knots.
South Dakota North Carolina Indiana Montana Iowa	New York Navy Yard Norfolk Navy Yard New York Navy Yard Mare Island Navy Yard Newport News Shipbuilding & Dry Dock Co.	22.3 21.8 18.2 16.6 13.1	43, 200 43, 200 43, 200 43, 200 43, 200	60,000 60,000 60,000 60,000 60,000	23 23 23 23 23
Massachusetts	Bethlehem Shipbuilding Cor- poration.	1,2	,43, 200	60,000	23

<sup>&</sup>quot;The average state of completion of the ships in this group is 15.53 per cent. These battleships are all designed to mount I

twelve 16-inch guns. They are over 10,000 tons heavier in displacement than the superdreadnaughts in the preceding class, have more than double the horsepower, and only a speed of 2 knots in excess of the five superdreadnaughts in the preceding class. There are no battleships or battle cruisers in the British Navy or the Japanese Navy of equal displacement and power.

THIRD GROUP (BATTLE CRUISERS).

Name.	Where building.	State of com- pletion.	Ton- nage.	Horse- power.	Knots.
Saratoga	New York Shipbuilding Cor- poration.	13.3	43, 500	180,000	33.25
Lexington	Bethlehem Shipbuilding Cor- poration.	7.7	43, 500	180,000	33. 23
Constellation	Newport News Shipbuilding & Dry Dock Co.	5.1	43, 500	180,000	33.25
Constitution United States Ranger	Philadelphia Navy Yarddo Newport News Shipbuilding & Dry Dock Co.	2.3 2.3 1.0	43, 500 43, 500 43, 500	180, 000 180, 000 180, 000	33. 25 33. 25 33. 25

"The average state of completion of these battle cruisers is 5.28 per cent.

"The part of the program covering the construction of destroyers, submarines, and auxiliaries is comparatively small measured by the cost of the capital ships.

"The authorization of Congress in 1916 was for ships the cost of the most powerful of which was not to exceed \$16,500,000, and the execution of the entire program was estimated at approximately \$544,700,000. Notwithstanding the limits placed by Congress in the act, appropriations have been made from time to time since then, until they now aggregate approximately \$500,000,000 and yet the naval program of 1916 is not complete. In my opinion it will require at least five hundred millions more for the completion of the ships authorized in the act of August 29, 1916, and with their completion, as I shall show later, hundreds of millions of dollars additional will be required for the construction of undersea boats and for airplanes and the necessary naval airships, without which the capital ships would be of but little if any value.

In the hearings before the Senate committee one of the admirals, who was a leading member of the General Board of the Navy, stated that the cost of the capital ships would be \$45,000,000 each. Upon this basis the ultimate cost of the 17 capital ships will be \$765,000,000. When we add to this vast sum the cost of scout cruisers, torpedo boats, destroyers, submarines, transports, fuel ships, tenders, gunboats, and auxiliaries it is certain that the further cost for the completion of

the 1916 naval program will exceed \$1,000,000,000.

"But with this expenditure, stupendous as it is, the chapter is not ended. Additional carrier ships at enormous costs will be required, submarines of greater range and power will be imperatively needed, bombing planes, torpedo planes, and scout planes in large numbers will be necessary. A great flotilla of surface ships constituting an auxiliary fleet and the aerial and submarine vessels will cost hundreds of millions additional. More naval bases will be required, larger docks must be added, and hundreds of millions will be spent in harbors and upon naval bases for the protection of this great fleet which is to be created if the policy of the naval board is to continue unchallenged. I assert with the utmost confidence that the 1916 program, plus what will be imperatively needed to properly supplement it, including naval bases, yards, docks, and construction plants, will cost the United States more than \$1,500. 000,000.

"Already it is planned to construct at Alameda, Calif., a naval base the cost of which will exceed \$100,000,000, notwithstanding the fact that there is a suitable base at Mare Island, upon which \$30,000,000 have been spent.

"Nor is the chapter yet ended. According to the demands of the Navy Department more than 120,000 officers and men are now required to man the ships already in use. When the naval program is completed at least 25,000 additional men will be required. This item alone will add to the naval budget tens of millions of dollars annually. At least 1,500 officers and men are required to properly man a capital ship. The requisitions of the Navy for the next fiscal year for maintenance alone amount to over \$500,000,000. It is safe, therefore, to assume that for the maintenance of the Navy after the completion of the 1916 program an annual expense will be entailed exceeding that stupendous sum. And still the chapter is not closed.

"Vessels will become obsolete and tens of millions of dollars will be required annually to replace them. New types will be developed, and their construction will be demanded. A burden so staggering will not be submitted to, in my opinion, by the American people. It is to be noted that the completion of the 1916 building program, even by its projectors, promises no relief from further construction. We know that such a promise would be insincere and absolutely impossible of fulfillment. Indeed, the General Board desires at this time to supplement the 1916 program by adding thereto 3 battleships, 1 battle cruiser, 30 cruisers, 8 gunboats, 18 destroyers, 12 mine-laying submarines, 6 cruiser submarines, 4 airplane carriers, 3 destroyer tenders, and 3 submarine tenders, the cost of which would exceed \$600,000,000.

"At this point let me say that I am not in favor of 'scrapping the Navy'; not do I support a 'little Navy' policy. I believe that our Army should be reduced to the utmost possible limits, but that we should maintain a strong and efficient Navy; but I contend that the policy proposed ignores past experiences, and commits the American people to an oppressive burden of taxation, and suggests a course that will subject this Government to criticism upon the part of other nations and to a distrust of our professions of friendship and international good will. Moreover, this projected naval policy will offer obstacles great, if not insuperable, to an agreement between the great powers to secure material reductions in armaments, military and naval, and to create an organization vital and potential in the interest of world peace, and for the determination of international controversies.

"In my opinion, the five battleships which are approaching completion should be finished. Work upon the remaining battleships, six in number, should be at once discontinued. One

ships, six in number, should be at once discontinued. One cruiser should be completed, but the construction of the remain-

ing five should be suspended, if not wholly discontinued.

"We have 300 destroyers. They are modern and the most effective vessels of their class in the world, and are entirely adequate for the present. A few submarines of the largest type are needed. At least one plane carrier, and possibly two, should be constructed within a reasonable time, together with the necessary complement of aircraft. Perhaps some additions of auxiliary craft should be made to the fleet. This program, in my opinion, should suffice for the present. I should add, however, that many of the vessels now on the Navy list should be immediately withdrawn from service.

"If this plan were adopted there would be an immediate saving to the Government of between four hundred and fifty and five hundred millions of dollars. The ultimate saving would be very great, amounting to tens of millions of dollars annually. It would result in a reduction of the personnel of the Navy and would subtract tens of millions of dollars annually from the operating expenses of the Navy Department. The upkeep of these huge capital ships is at least \$3,000,000 per annum. The British estimate that the annual upkeep of the battle cruiser *Hood*, which is a smaller vessel than the capital ships projected in the 1916 program, is at least £539,000 per annum.

"The capital ships now being constructed are 860 feet in length, and their draft is so great that there are but few harbors wide and deep enough for them to enter. The fuel cost for the capital ships is enormous and the increasing scarcity of oil only adds to the already stupendous cost of operating a

fleet of this character.

"The 11 battleships now under construction may be divided into two classes for the purpose of determining the percentage of completion. In the first class there are five vessels which range in state of completion from 44.5 to 95.5 per cent, the average state of which is 71.46 per cent. Four of these vessels, the Colorado, Maryland, Washington, and West Virginia, are being constructed in private yards, and the fifth, the California, which is nearly completed, is being constructed at the Mare Island Navy Yard. In the second class there are six battleships which range in state of completion from 1.2 to 22.3 per cent, the average of which is 15.53 per cent. Four of these vessels, the South Dakota, Indiana, Montana, and North Carolina, are being built in navy yards; the Iowa and Massachusetts in private yards. The Iowa is 13.1 per cent complete and the Massachusetts 1.2 per cent complete. The ultimate cost of these six battleships, which are less than 22.3 per cent complete, upon the basis of forty-five millions per unit will be at least \$370,000.000

"As stated, the first group of battleships, consisting of the California, Maryland, Colorado, Washington, and West Virginia, should be completed. Work upon the second group of battleships should be suspended or discontinued. The average state of completion of the battle cruisers represents two and a fraction per cent of the cost, and the work upon the Ranger is only

1 per cent. My understanding is that the department in estimating the 'state of completion' took into account materials on hand but not yet used; indeed, the contracts for a number of the ships have been but recently entered into and the keels of a number have not been laid. Work upon the cruiser Saratoga, which shows 13 per cent state of completion, should be continued, but, as stated, work upon the remaining five cruisers should be suspended.

"The six battle cruisers are all of one type. They have a length of 850 feet, a beam of 101 feet 8½ inches, a mean draft of 31 feet, a displacement of 43,500 tons, engines of 180,000 horsepower, and an estimated speed of 33½ knots per hour. The battle cruisers are heavier than any of the 11 battleships under construction, although six of the battleships are to have a displacement of 43,200 tons, and four of 32,600 tons, and one 32,300 tons. The engine power, however, of the cruisers is to be three times that of the heaviest battleships and more than six times that of the lesser battleships. It is apparent that the battleships, modern as they are, are far outranked in engine power, speed, and general effectiveness by the battle cruisers.

"The keels of three of these battle cruisers were laid September 25, 1920, and one was laid in January, 1921. Of course, the purpose of the board is to construct a navy designed to be the greatest and most powerful in the world regardless of cost or of world conditions. The British Navy has but one vessel of the large battle cruiser type, namely, the *Hood*, which was launched in 1919; it has a displacement of 41,200 tons and is 2,300 tons less than that of the projected American battle cruisers.

"The armament of the *Hood* consists of eight 15-inch guns; whereas the armament of our projected battle cruisers is to be eight 16-inch guns. The speed of the *Hood* is 31.5 knots, and the speed of the American battle cruisers is estimated to be 33.25. The British have five other so-called battle cruisers, but they were launched between 1911 and 1916. Their displacement is only 26,500 tons and they carry eight 13½-inch guns. I might add that the British program, devised just before the war, included the construction of four ships of the *Hood* type and the keels of all were laid. At the end of the war the British Admiralty 'scrapped' the three keels, notwithstanding \$8,170,000 had been expended in work upon them. This action was taken deliberately by the British Admiralty. Undoubtedly their position was influenced, if not controlled, by the experiences and lessons of the war. Yet, in the face of the position of the British Admiralty, the Navy Department and General Board insist upon the construction of six battle cruisers, exceeding the *Hood* in displacement, engine power, armament, and speed.

"On the basis that these battle cruisers are to have an ultimate cost of \$45,000,000, their present average state of completion represents an average outlay of \$2,376,000 each. It is altogether likely that the actual outlay is not nearly so great as indicated. The act of 1916 fixed the limit of cost on these cruisers exclusive of armament at \$16,500,000. Upon this basis the average state of completion of 5.28 per cent would indicate an average outlay upon each vessel of \$87,120. It is assumed, moreover, that the figures submitted by the Navy Department showing the state of completion of each vessel, refer to the completion of the hull and do not include the installation of the armament of the ship; and yet in the face of the fact that the British Admiralty scrapped the keels of three battle cruisers upon which there was an average outlay of \$2,733.333 each, the General Board is laying the keels and is proceeding with the construction of six battle cruisers, and insist that there shall be no suspension of work, although the money actually laid out is much less than that expended upon the British vessels.

"Another fact should be taken into account in determining whether there should be a suspension of active work under the 1916 program. The cost of construction is very much greater now than it will be within the next two or three years. The contracts let for their construction are based upon the high levels established during and immediately after the war. These high cost levels operate as a disturbing factor in all industrial circles. They are impediments to economic readjustments and obstacles to a return to sound and just business and economic conditions.

"The contracts are under the cost-plus plan, a system which has proven in practice to make for waste and extravagance. It would be the part of wisdom, in my opinion, to suspend work upon all of the ships under construction, except the ones to which I have above referred, nor should contracts be let for the construction of those which I have indicated as necessary for the Navy until conditions in our industrial life have materially changed.

"It will be, of course, contended that a suspension of work upon the program will involve a considerable loss. The majority report of the committee states that the material loss from a six months' suspension upon the program would be between \$15,000,000 and \$25,000,000. Admiral Taylor in his testimony supported this view.

Admiral Coontz, when asked what the cost would be if

construction were suspended, stated:

"I would have to figure on that, but the contracts have been let and some of the big concerns throughout the country are going ahead and the stuff is pouring in. and the greatest loss would be in the holding up of the contracts. That would have a very great effect. I understand that a number of our biggest concerns are practically depending on these to tide them over until they get more work, but that would be probably the principal effect of it.

"This statement is exceedingly interesting. It has been repeatedly charged that munitions factories and steel corporations and plants engaged in building war vessels were behind programs calling for military armaments and big navies. We know that in Germany the Krupps and the manufacturers of steel and war munitions were the most active propagandists in favor of imperialism and world power and mighty armaments and big navies. It is needless to say that the influence of these cor-porations and those controlling these huge industrial concerns were largely responsible for German militarism and the imperialistic policies of the German Empire; but they came to grief and brought their country to ruin.
"We are told now that a number of our 'big concerns' are

practically 'dependent' on these naval contracts. I confess that this reasoning does not commend itself to my approval. These concerns are constructing ships which were to have cost but sixteen and one-half millions (without armament) at a present cost of forty-five millions each, including armament. Their interest, of course, is very great in the execution of the 1916 program. It means undoubtedly millions of dollars profit to the shipbuilders and the armament makers and the steel plants of the United

States. Within comparatively few years the cost of battleships

has been advanced from \$320 to \$1,000 per ton.

"I submit that even if a suspension of construction of the entire program would result in a loss of \$25,000,000, the gains would be very much greater. In the first place the cost of construction at a later period would be materially diminished, within a year it should be materially diminished. Within a year it should be reduced from 25 to 50 per cent. suspension of work upon the entire program for six months, even if work were then resumed upon every ship, would save the Government, in my opinion, considerably more than \$100,000,000. A number of the ships, it will be remembered, are being constructed in Government yards and the loss there from a suspension of work would be unimportant.

"Again referring to the cost of maintaining our Navy, atten-tion is called to the estimates, or rather the requisitions for the fiscal year 1922. These requisitions cover maintenance, exclusive of appropriations for new construction, and amount to \$495,515,731.47, and in addition thereto requisitions for the civil establishments of the Navy in the amount of \$3,050,040, and requisitions for 'permanent annual and indefinite appropriations' of \$13,197,696, making an aggregate of \$511,763,764.47. In other words, merely for the maintenance of the Navy we are asked to appropriate over half a billion of dollars for the coming year. The amount asked for current construction upon the 1916

program for the next fiscal year is \$184,000,000.

"The cost of maintaining capital ships now in course of construction is enormous. The indicated horsepower of the six battle cruisers alone aggregates 1,080,000 horsepower, to be produced by the consumption of oil. This in itself is a frightful waste when we consider that the total hydraulic power developed at Ningara Falls, both on the American and Canadian sides of the river, aggregates 697,000 horsepower, and the total potential horsepower at Muscle Shoals, Ala., is 100,000 horsepower primary, and 350,000 horsepower secondary. Millions of money have been expended to produce 697,000 horsepower at Niagara Falls which would otherwise flow to waste, and yet the Navy proposes to expend hundreds of millions of dollars to construct battleships, six of which alone will consume 1,080,000 horsepower, which will not be reproduced in money or goods, but will be utterly wasted, at least in the economic and industrial sense.

"The Federal Government has expended but \$1,000,000,000 in rivers and harbors from the foundation of the Government until the present time. The great inland waterways and the enormous harbors, important and so essential to our commerce, have received but \$1,000,000,000 in more than 130 years. We have expended upon our Navy more than \$6,500,000,000 since 1884, and now are asked to assume a burden of from 500 to 750 or 800 millions of dollars for immediate naval construction and

a continuing burden of hundreds of millions of dollars annually for the maintenance and development of our naval power.

"It might be interesting to know that 16 first-class battleships completed between 1910 and 1917 cost but \$167,611,692, and that the 23 battleships completed from 1895 to 1908 cost but \$139,-222,541; and the cost of all wars in all lands from 1793 to 1860 was but a little over \$9,000,000,000."

The Navy Department adheres to a program five years of age, a program that was devised regardless of the lessons of the war, and we refuse to halt or to take counsel in order that we may appraise the lessons of the war and make proper applica-

tion thereof in our naval policy.

The Senator from Idaho [Mr. Borah] has not advocated the destruction of the Navy, the "scrapping" of the Navy; and those who favor the resolution which he has offered are just as patriotic, just as desirous of maintaining the honor of the flag as are the most militaristic and navalistic men who may be found upon this floor or outside of this Chamber.

Why should there be such a religious adherence, let me ask, to a policy that was framed in 1915? I have asked that question in the past and I propose to ask it again and perhaps again if by so doing we may engage the attention of the naval authorities and compel them to turn their attention from the past to a comprehension of the issues and the problems of the

present.

The lessons of the World War, Mr. President, have revealed one thing, namely, that a one-plane Navy is wholly insufficient; yet we seem to be adhering to the plan of a one-plane Navy. There is but little talk of the submarine, of submarine development, of the development of the Deisel engine, of the metamorphosis which the submarine has made in naval warfare, but we are talking of dreadnaughts and cruisers and battleships-of the one-plane Navy. We seem incapable of looking under the water or lifting our eyes to the skies and attempting to construct a modern three-plane Navy. We were slow to utilize the airplane as a naval force and we have been hopelessly backward in the development of the submarine.

Mr. President, the basic idea of the 1915 program was the capital ship. Indeed, it was practically the entire program. The importance of airplanes is wholly unappreciated, and no

proper provision is made for the submarine.

Let it be stated, Mr. President, that the aggregate cost of this program was to be approximately \$500,000,000; but what is the situation now? We have spent \$500,000,000 in its execution, and it will take more than \$500,000,000 to complete it. Let me call attention to the progress which has been made under that program.

Mr. POINDEXTER. Mr. President-

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Washington?

Mr. KING. I yield to the Senator.

Mr. POINDEXTER. Is the Senator from Utah talking about the 1916 program?

Mr. KING. Yes

Mr. POINDEXTER. Then the quotation of the Senator from Wisconsin [Mr. La Follette] yesterday from the Senator from Utah that it would cost \$1,500,000,000 to complete the program is \$1,000,000,000 out of the way. I understand the Senator from Utah now to state that it will cost a half a billion dollars to complete it?

Oh, no. The Senator from Utah has not made the statement just attributed to him by the distinguished Sena-

tor from Washington.

Mr. POINDEXTER. I did not attribute any statement to the Senator at all; I was quoting the statement made by the

Senator from Wisconsin.

Mr. KING. I did not hear the statement of the Senator from Wisconsin, but I venture the assertion that the Senator from Washington misinterpreted his statement. I think this is what the Senator from Wisconsin stated, that approximately \$500,-000,000 had already been expended upon the 1915-16 program, and that it would cost more than \$500,000,000 additional in order to complete it, and then—and this is substantially what I said in the minority report to which I have just referred, because the manifest incompleteness of the Navy would be so manifest we would immediately be compelled to expend hundreds of millions to actually complete it-that is, add the indispensable complements-as a result of which the 1915 program would impose a cost of approximately \$1,500,000,000.

Mr. POINDEXTER. Mr. President—

Mr. KING. I yield.

Mr. POINDEXTER. I understood the statement just now made by the Senator from Utah was that to complete the program would cost \$500,000,000. I have turned to the minority report filed by the Senator from Utah, which was quoted by the Senator from Wisconsin, and on page 8 I find this statement:

I assert with the utmost confidence that the 1916 program, plus what will be imperatively needed to properly supplement it, including naval bases, yards, docks, and construction plants, will cost the United States more than \$1,500,000,000.

The only discrepancy in the two statements is a billion

Mr. KING. Mr. President, as I have said, I did not hear all of the address of the Senator from Wisconsin. The Senator from Washington did hear it. Therefore, of course, I accept his statement as to what the Senator from Wisconsin said. However, the Senator has just read from the minority report which I submitted, and I reaffirm the statement therein made that the 1915-16 program, which was to cost approximately \$500,000,000, will, in my judgment, cost \$1,500,000,000. Then, when we have completed that program we will not have a modern or an efficient Navy, but will be compelled to appropriate hundreds of millions of dollars in order to have a modern and efficient Navy; and, in the meantime, because of our navalistic attitude, we will have forced Great Britain and Japan into the expenditure of large sums and into the construction of ships larger and more powerful than those provided for in this program. It is therefore quite likely, if we pursue the unwise course which this measure indicates, that when we have expended one and a half billion dollars we will have an obsolescent, if not an obsolete, Navy. Mr. FRELINGHUYSEN rose.

Mr. KING. I yield to the Senator from New Jersey, who I

understand desires to present a matter to the Senate.

Mr. FRELINGHUYSEN. I ask unanimous consent at this time to present a resolution which has been adopted by the Women's Auxiliary of the American Legion of the Department of New Jersey, which has just been placed in my hands by a committee from that organization which is now here. The resolution declares against disarmament at the present time. I ask that the resolution be printed in the RECORD. I thank the Senator for his courtesy.

There being no objection, the resolution was ordered to lie on

the table and to be printed in the RECORD, as follows:

Resolution by the Women's Auxiliary of the American Legion, Department of New Jersey.

whereas through the publicity given the views of certain well-meaning women the impression is gaining ground that the women of the Nation desire immediate disarmament; and Whereas there is no body of women with greater right or better qualified to speak on this subject than the mothers, wives, sisters, and daughters of veterans of the World War, such as those who comprise the Women's Auxiliary of the American Legion; and Whereas although such women, having freely risked and in thousands of cases lost their loved ones in the service of our Nation must therefore fully realize the horrors of war, the blessings of peace, and the desirability of disarmament when the proper time comes, nevertheless these women, above all others, are impressed with the facts: First, that it took the United States a year to prepare a coordinated Army and Navy for effective service in the World War; second, that had we not powerful allies fighting for us during that period of preparation, the result might have been disastrous in loss of lives and possible defeat to our unprepared forces; third, that primarily wars are not the result of armaments, but, contrawise, wars existed before armaments, and armaments are the result of the desire not to be defeated in probable wars; fourth, that the present international situation, as well as past history, gives no promise that the dreams of the ultrapacifists are about to be realized and the days of war to end; and fifth, that other nations, some of whose armaments exceed that of the United States, are not disarming: Now, therefore, be it

fifth, that other nations, some of whose armaments exceed that of the United States, are not disarming: Now, therefore, be it

Resolved, That the women who have been so closely touched by war prefer to pay for armament of a size and efficiency which will make all nations hesitate to attack us, rather than to pay vastly more dearly not only in money, but in lives, in a war of unprepared against well-prepared forces; and be it

Resolved, That these women believe that it is better to risk the real or fancied dangers of an Army and Navy composed of our own citizens, rather than to lay eurselves open to the dangers from the military and naval forces of other powers; and be it

Resolved, That these women, as represented by the Women's Auxiliary American Legion, Department of New Jersey, while urging every reasonable means for hastening the day when disarmament may be possible, and while praying to Almighty God that such a time may come soon, do nevertheless hereby respectfully petition the President of the United States of America and the Congress thereof to maintain an adequate and efficient military and naval force which will be capable of fully protecting the rights and ideals of these United States as long as the present need for such forces continues to exist; and be it further

Resolved, That a copy of these resolutions be sent to the President of the United States, to the representatives, to the national commander of the Senate and House of Representatives, to the national commander of the American Legion, and to the public press.

Claire Oliphant (Mrs. O. D.), president Women's Auxiliary of the American Legion, Department of New Jersey; Mrs. E. F. Uliuda Eberstadt, first vice president; Mrs. B. S. Bemmer, secretary; Mrs. L. W. Smith, treasurer; Mrs. R. E. Shoemaker, executive committee; Mrs. B. Shoemaker, executive committee; Mrs. A. L. Parker, executive committee; Mrs. Amanda Hyde Barnes, executive committee; Mrs. Amanda Hyde Barnes, executive committee; Mrs. Amanda Hyde

Mr. KING. Mr. President, of course it is a mere coincidence that the distinguished Senator from New Jersey should ask me to yield in the course of an impromptu address which I am making in favor not of disarmament but of a rational naval policy in order that a plea against disarmament might be submitted.

Mr. FRELINGHUYSEN. I will say to the Senator that I had no intention of presenting the resolutions in any relation whatsoever to his speech. It was simply a duty that I had to perform for these ladies who are here, and I thank the Senator

again for his courtesy.

Mr. KING. I have no doubt it was a very pleasant duty; I should have been delighted to discharge it myself; but I say it is a remarkable coincidence, and of course it is only a coincidence that this particular petition for armament for a war policy-because that is the effect of it-for an adherence to a navalistic policy which imposes billions of expenditures in the long run without commensurate results, should be offered during the course of my remarks. It is a pleasant diversion. I regret that I shall not find time during the day to address myself to its incongruities and false premises and imperfect deductions.

Mr. President, let me say by way of interpolation that in certain manufacturing districts in the United States where there are munition plants and powder factories and navy yards and naval plants petitions can readily be secured, signed by hundreds if not thousands, in favor of a powerful Navy and the expenditure of hundreds of millions annually for war or fighting ships. I have no doubt that Mr. Krupp in his lifetime and his daughter Bertha upon his death and the munition workers in the factories and the officers of corporations in Germany would have daily signed petitions in favor of a great German navy and a mighty army. We know that a militaristic and navalistic policy dominated Germany and burdened the people so that every workingman carried a soldier upon his back. Are there some here who are endeavoring to transplant that spirit to this Republic? Is this spirit of militarism to be regnant here and at this hour when the world is bankrupt and famine and want show their horrid forms in many lands? Those who seek territorial conquests or imperialistic policies or who are blind to the needs of the world will advocate big navies and standing armies and warlike preparations.

Mr. President, I was calling attention to the 1916 program

and to the condition of completion of those ships.

On May 10 of this year progress was reported by the Navy Department, the Bureau of Construction and Repair, with respect to the percentage of completion of these battleships.

Mr. NORRIS. Mr. President, will the Senator permit me to interrupt him before he goes into that building program?

Mr. KING. I yield. Mr. NORRIS. The Senator was talking, just before that, about the militaristic spirit which has developed. He was referring to Germany. I presume the Senator is aware that the militaristic spirit not only did what the Senator said it was doing, but that it pervaded society; it became part and parcel of almost every citizen's life. Every German citizen was not only carrying a soldier on his back, but he grew up to look with reverence upon the men who carried a sword or was dressed in a uniform; and that spirit can not long prevail until the fellow who carries a sword and is dressed in a uniform is affected by it also, and he assumes unto himself a right and a privilege that ordinary persons do not possess, and that is acquiesced in by the civilians until the military spirit is developed and diffused through the people generally to such an extent that the ordinary person gets off the sidewalk when a man with a sword comes along. He does not assert even the rights that the law gives him. He usually submits to it willingly, because he has inculcated in him part of that spirit.

Mr. KING. I assent to the statement which the Senator

makes:

Mr. NORRIS. I presume it is well known that the entire German people was pervaded with that kind of spirit. It became part and parcel of every man's life and every woman's Now, I should like to get the Senator's idea as to whether or not Germany is any exception in that respect to any other people under like conditions. If it were carried on to the same extent, would not the same result come here in free America or in Great Britain or in any other country? Is it not a law of nature that such results take place if we go to the extremes in military lines?

Mr. KING. Mr. President, I think the Senator from Nebraska quite accurately appraises human nature and the deep-rooted characteristics of the German race. The German people, I think, are among the greatest people in the world; they love music and poetry and the finer things of life. They gave to the world poets and philosophers and musicians and educators whose names will live through the centuries. Inherently, they

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differed but little from other progressive and vigorous races, The war spirit, the militaristic spirit, was a development. Of course, when Napoleon invaded Germany and conquered States and kingdoms inhabited by the German people it developed a militant spirit, or, rather, a spirit of nationalism; but still the German people were not more inclined for war than their contemporaries. The German people devoted themselves to husbandry, to agriculture, to chemistry, to the development of the physical sciences, to art and music, and the civilizing forces in the world. Their progress during the half century preceding the World War was phenomenal and is a tribute to the greatness of the German people.

Bismarck's policy was founded upon the hegemony of the German Empire in Europe. He wanted to consolidate the German States into a strong imperial government. He sought to obtain a portion of the territory belonging to Denmark, and he waged an aggressive war upon Austria, and provoked a war with France—a militaristic party, a pan-German element developed and finally controlled the policies of the Empire. The false philosophy of Nietzsche and Treitchske and Bernhardi was accepted by many and the splendid and sublime philosophy of Kant was disregarded. The desire for power, the incarnation of the State, the callous disregard of the rights of the people and of small States, the crass materialism which resulted clouded the minds of the people and led them into the paths of militarism. Even the schools were dominated by this false philosophy and this still more dangerous psychology. Kaiser saw that if he could control education he could more readily convert the peace-loving people of Germany into the support of a militaristic and imperialistic policy. He accordingly attempted to bring the entire educational system of Germany under the control of the bureaucratic forces of Berlin. There are some Americans to-day who are determined to bring our educational system under the bureaucratic and paternalistic forces of Washington.

Let me say, in parentheses, that while most other nations in the world are decentralizing, our Nation is centralizing. We are trying to build up an oppressive paternalism in Washington, enter into the States, direct the lives and thoughts of the people, control their system of education, and prescribe their conduct. All roads are to lead to Washington and all power is to be centered in Washington. As all roads, physical and otherwise, led to Rome in the days of Rome's primacy, so now the imperialists and the paternalists of our own country would have all roads lead to Washington and all power be conferred upon Federal officials at Washington and all light for the guidance of the people emanate from Washington.

It is contended that the people are incompetent for self-gov-ernment. This view implies the incompetency of the people for self-government. So here in the United States is a school of thought which seeks to develop the same policy of centralization which was enforced by the imperialists of Germany and which resulted in the World War and in the humiliation of the German Empire. Centralization of political power has always developed a militaristic spirit. Perhaps it may be said that militarism tends to a consolidation of political power in the hands of a few or a class. However that may be, democracy is the antithesis of militarism. Wherever you find an autocratic government you will find a strong military government.

Russia illustrates the point. The Czar was an autocrat. He ruled the Russian people in a despotic manner. his will by the bayonet and the sword. In time intellectualism began to undermine his Government; the people shook off their chains, lifted their eyes to the sun, and perceived that the earth and its joys and blessings were for them as well as for others, and that freedom was a patrimony to be enjoyed by all.

The Czar was overthrown, and the provisional government of Kerensky was established; but the new-found freedom dazzled the people, they were not yet steady upon their feet and yielded to another autocratic force more merciless and cruel than that which had been overthrown. Communism, hideous and bloody, came, and it has drenched Russia with blood and maintained with bayonet and sword. It demanded that a small minority should govern the "proletariat," that the bourgeoisie should be destroyed, and that a red army should be formed to impose its will upon the people.

This minority, not more than 150,000, led by Lenin and Trotski are exercising to-day a despotic sway more oppressive than was ever exercised by the Czar. The soldier and the bayonet, the application of force and power, these are the instruments of imperialism or "proletarian communism." Some persons who had opposed the Czar and fought for democracy and for liberty immediately became seized with a desire for power, and they contended for an army to enforce the mandates of the communistic government.

So, Mr. President, wherever you find centralization of power in a government, you find the militaristic spirit following. If the American people build up a great centralized government in Washington, the militaristic spirit will follow as the night follows the day, and we will be demanding big armies and great navies regardless of the condition of the world.

We are departing from the spirit of our Government and overriding the States. Bureaucracy is gaining in power in our land; it will demand a big Navy, a strong Army, and will be

proud to have the trappings of military power. So, Mr. President, replying to the Senator from Nebraska, the German people present no new phase in life or character. The French people for years were militaristic. Under Napoleon they developed militarism. The Austrian people were militaristic. The Turks were militaristic. They had an autocratic Government, and that autocratic Government was buttressed by bayonets and swords and the fighting units of the army.

Now, Mr. President, I return to what I was stating concerning the percentage of completion of the 1916 program. The battleship Massachusetts is one of the 1915-16 ships. The percentage of completion of that ship on February 10 was 1.02 I thought I had the date when the contract was entered into, but I do not seem to have that data here. At any rate, Mr. President, the contract for the construction of the battleship Massachusetts was not entered into, as I recall, until a few months ago.
Mr. NORRIS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Nebraska?

Mr. KING. I yield. Mr. NORRIS. To what battleship does the Senator refer?

Mr. KING. The Massachusetts.

Mr. NORRIS. I wish the Senator would tell us what has become of the other battleship Massachusetts. We had a battleship Massachusetts, did we not?

Mr. KING. Yes. Mr. NORRIS. Where is that battleship?

Mr. KING. I must confess my inability to answer the Sen-

Mr. NORRIS. Should not this new battleship be named the Massachusetts the second? The Senator ought to give the Senate the information about the other battleships. It has been only a few years since that was one of the proudest vessels that We are not going to have two battleever floated on the water. ships named Massachusetts?

Mr. KING. I think not. I regret, Mr. President, that I can not give the Senator the information for which he is inquiring,

which I ought to possess.

I wish the Senator in charge of the bill, who is far more familiar with the history of our battleships and our naval development than I am, would impart that information to the Senate. I should like to know myself.

Mr. POINDEXTER. The old battleship Massachusetts is

one of the oldest battleships in the Navy and it is to be put out

of commission. The name is to be bestowed on the new one.

Mr. NORRIS. Mr. President, if the Senator will permit me
to interrupt him again, it would be interesting at this stage of the discussion, then, it seems to me, to find out just how long the battleship Massachusetts the first was in commission, and whether, as a matter of fact, it was not as great a battleship as

was constructed in its day.

Mr. KING. Mr. President, I will say to my friend from Nebraska that the battleship which we are building now, at a cost of between forty and fifty million dollars, will be obsolete in five years from now if we provoke Great Britain and Japan to adopt a navalistic policy which calls for super *Hoods*, which have a displacement of 55,000 tons and 20-inch guns. The Massachusetts will have 16-inch guns.

Mr. NORRIS. The Senator is getting to the point I was trying to lead him to, that by the time this program we have started out on so bravely, now a few years old, but not completed, is completed these ships, if history repeats itself, will be

obsolete.

Does the Senator think that we can announce to the world that we are going into this great program, constructing the biggest fleet in the world, without inciting other nations to get into that race? Is it not unreasonable to expect such an outcome? Are the other nations going to remain idle while we proceed and use all our resources in building up the biggest Navy of the world; and if they get into it, will it not be necessary for us every year to revise our plans, and instead of building a battleship that costs \$40,000,000 build one that costs \$100,000,000?

Mr. POINDEXTER. Mr. President-The PRESIDENT pro tempore. Does the Senator from Utah yield to the Schator from Washington?

Mr. KING. I yield.

Mr. POINDEXTER. I want to call attention to the dimensions of this old ship. I appreciate the argument made by the Senator from Nebraska, or suggested by him, that we ought to rely on such ships as the old Massachusetts and not build new ones, because possibly at some future time the new ones might in their turn become out of date. I can not look into the future and see to what extent naval development may go. That is a matter of hypothesis and conjecture. Modern ships of the first line of all naval powers displace as high as 40,000 and 50,000 tons. The old Massachusetts had a displacement of only 11,688 tons, a draft of 26.5 feet, and was 350 feet and 11 inches long. So it is very easy to see the position the United States would be in if we adopted the policy that is argued for by the opponents this bill and rely upon ships of that class.

Mr. NORRIS. Mr. President, may I interrupt the Senator

from Utah again?

Mr. KING. I yield. Mr. NORRIS. Of course, if we knew that within the next year or two years we were going to engage in a war there might be some reason, perhaps, to back us up in our determination to outstrip the other nations of the world and build the biggest battleships. But history has shown—and it seems to me that the case of the Massachusetts illustrates it, and that is the reason why I brought it out in my question-that the battleship which is constructed to-day and put into commission will be out of date to-morrow, so that if we start out on the theory that we are going to get the biggest navy in the world just for the purpose of having the biggest mavy in the world, we will find by the time we have completed it that our entire Navy is out of date. It seems to me that we should at least divide it up and have a few ships that would be up to date instead of trying to build them all at once and let them all go out of date without anything left to meet the newer ships that other nations will build.

Mr. POINDEXTER. I do not want to protract the debate, but I can not refrain from making the remark that under this bill, as reported by the Senate committee, which is identical with the bill as passed by the House in so far as provision for the construction of ships of the line is concerned, we will have, to all intents and purposes, a naval holiday. It would be impossible, with the appropriations provided in the bill, to proceed at more than 25 per cent of the normal rate of progress in the construction of battleships.

The policy of keeping the Navy up to date, of course, was settled a long time ago. One small ship of the American Navy to-day could very quickly destroy and sink to the bottom of the sea the entire United States fleet of 1861. But I apprehend that there are very few people who would claim that we should have continued, in the face of the progress of the world, to rely upon the ships of a previous

Mr. KING. Mr. President, the Senator from Washington says, if I understand him correctly, that when we complete this 1915-16 program we may have a naval holiday.

Mr. POINDEXTER. No; the Senator misunderstood me. I said we will have a naval holiday now, so far as construction is concerned, if this bill is passed as reported by the Senate committee, because there is not money enough provided in the bill—the Senate committee bill being the same as the bill that passed the House—to proceed with the construction of these battleships except at a rate of 25 per cent of the normal rate of construction, the purpose of the department being to use a sufficient amount of the appropriation provided for construction to proceed with the construction of battle cruisers, of which the United States has none at all now, at a rate of 60 per cent of the normal rate of progress of construction, and proceed with the construction of light cruisers at the rate of 50 per cent, leaving only sufficient funds to proceed with the construction of the battleships at a rate of 25 per cent.

Mr. NORRIS. Mr. President—
The PRESIDENT pro tempore. Does the Senator from Utah yield further to the Senator from Nebraska?

Mr. KING. I yield.

Mr. NORRIS. If the method and the money provided in the pending bill constitute a naval holiday, if the expenditure yearly of \$400,000,000 on the Navy is a holiday, I wish the Senator would tell us how much the expenditure would be when we

tinish the holiday and get into actual business.

Mr. KING. Mr. President, I was about to say that I did not understand the definition of "holiday" as it has been sup-

plied to us by the Senator from Washington.

Mr. POINDEXTER. I should like to answer the question just asked by the Senator from Nebraska.

Mr. KING. I yield for that purpose.

Mr. POINDEXTER. It would take about \$80,000,000 additional to proceed with construction at the normal rate.

Mr. NORRIS. Then the difference between a naval holiday and a naval working-day is, in round numbers, \$100,000,000. I suppose that is assuming the other nations stay out of the race. It would probably be increased a few dollars if they get into it.

Mr. KING. Mr. President, it does not pay to palter with words. What is a "naval holiday"? What do we mean by that? The Senator from Washington is advocating with his splendid ability the completion of the 1915-16 program, which will require an expenditure, as I have heretofore stated, of \$1,500,000,000. We have expended about \$500,000,000 toward its execution and we are to continue appropriations until there have been expended substantially \$1,500,000,000; and yet the Senator says we are now in the midst of a splendid and glorious holiday.

Mr. POINDEXTER. No; I did not.

Mr. KING. I strike out the adjectives and leave the holiday. Mr. POINDEXTER. I am glad the Senator strikes out the adjectives, because they form the most striking part of the Senator's statement.

Mr. KING. That may be true, because the word "holiday"

is quite meaningless to the Senator.

Mr. POINDEXTER. Mr. President, because the Senator's statement may, without some reflection on the part of the Senate and the country, create an erroneous impression, I wish to call his attention to the fact that there is a discrepancy of \$1,000,000,000 between his statement of to-day and his statement of yesterday. I wish to make this statement on my own account-

Mr. KING. Does the Senator mean my statement of yesterday?

Mr. POINDEXTER. Yes; the statement that was read from the Senator's minority report that to complete the 1916 program would cost \$1,500,000,000. This morning the Senator stated it would cost \$500,000,000, leaving out the \$1,000,000,000, rather a reckless use of figures in a matter of so much importance as this, and upon which judgment is asked on the basis of cost.

Mr. KING. The recklessness exists with the distinguished Senator from Washington, not with the Senator from Utah,

Mr. POINDEXTER. Oh, no; not at all-

Mr. KING. Please let me complete this sentence and then I shall be glad to yield.

Mr. POINDEXTER. I make this statement and put it against the statement of the Senator from Utah, that to complete the 1916 program will not cost an additional \$500,000,000, much less the \$1,500,000,000 which the Senator stated it would cost.

Mr. KING. I repeat that the Senator from Washington is reckless in attributing recklessness to the statement which I made. The Senator did me the honor to read an excerpt from the minority report which I submitted. In that minority report I stated the limitation provided by the act of Congress of 1916 as to the cost of that program, and I stated that notwithstanding the limitation the completion of the ships authorized would approximate \$1,000,000,000 and that with the supplemental vessels which would be imperatively needed, plus the naval bases which would be required in virtue of that construction, the cost would be \$1,500,000,000 when completed.

Mr. POINDEXTER. It will not cost within \$1,000,000,000

of the figure just stated by the Senator from Utah.

The Senator knows that we have already, upon Mr. KING. the program which is the apple of his eye, appropriated nearly \$500,000,000. Why does he not stop if the program is completed? We have spent slightly more than \$500,000,000 under that program and the Senator is here demanding still more. The Senator now knows and is compelled to admit that he, as a member of the Naval Affairs Committee, will be knocking at the door of Congress for \$500,000,000 more to complete that pro-

Mr. POINDEXTER. I thought the Senator said it would be \$1,500,000,000.

I regret that the Senator has not learned Mr. KING. arithmetic; he has so many other accomplishments. We have already spent over \$500,000,000; it will cost approximately \$500,000,000 to complete the ships mentioned in the program, and when we add to that what I stated in my report we will have expended substantially \$1,500,000,000 for the completionnot the completion from now on until the ships shall be put into commission but for the completion of the program. Moreover, the Senator is now asking for millions more for airplane carriers and naval bases, which will swell the figures which

he insists comprise the 1916 program.

I make the prophecy now to the able Senator from Washington that the program for which he is pleading to-day, plus the indispensable accessories, will cost the United States Government more than \$1,500,000,000. In that statement I am not taking into account the annual maintenance charges that will be augmented by virtue of this increase of the Navy. The annual maintenance charges will be not less than \$400,000,000. No one can tell with certainty what they will be.

In my opinion, if the 1915-16 program is completed, the Government will be compelled to pay during the next three years nearly or quite two and one-half billion dollars. That assumes that there will be no agreement for reduction of naval arma-And if our navalistic policy is followed by Great Britain we will be called upon to spend hundreds of millions more, because our 1915 ships will be antiquated and can not stand against the larger and more powerful vessels which Great Britain is now contemplating building, because of our

belligerent course.
Mr. NORRIS. Mr. President-

Mr. KING. I yield to the Senator from Nebraska.

Mr. NORRIS. Has the Senator taken into consideration that as this program grows and the ships grow in size as the program proceeds, he has not enumerated all the accessories? Has the Senator thought that we will have to rebuild the Panama Canal to put the ships through; that the locks will have to be torn out and rebuilt? The very next step will make the battleships too large to go through the Panama Canal. All the harbors on the coast will have to be deepened so that the ships can come in and go out. The Senator has not touched the accessory expense, in my judgment. We will have to remodel every harbor, every dry dock, every canal, every lock, everything connected with the handling of the Navy.

Mr. KING. The statements made by my friend from Ne-

braska are pertinent and are substantially correct. things, of course, must be visualized if we are honest with ourselves and with the people. The people must be made to understand the aftermath of the program which on its face may not seem to call for such stupendous amounts. It is like the building of a house; the architect submits an innocent-looking plan and estimate, but when the house is completed, with the changes and developments and modifications, with the growing and expanding views of the architect, it will frequently be found that the house has cost three or four times more than the

original figures submitted.

What the Senator from Nebraska said is true. Before this program is completed, which we are constructing during a "naval holiday," I venture the assertion that the greater part

of the ships will be obsolete.

I invited attention in the beginning of the debate two or three days ago to the discussion in the Parliament of Great Britain, within the past few weeks, with respect to the naval policy of the United States. Great Britain had indicated to us and to the world a desire for a naval holiday. Winston Churchill, one of the statesmen of Great Britain, had pleaded for a naval holiday. Other English statesmen had asked for a suspension of naval construction in order that there might be an international arrangement that would call either for disarmament or for a material reduction in naval armaments. Great Britain has not built a capital ship for five or six years. She laid down four keels of cruisers of the Hood type; but one was completed, and though there were three upon the stocks, upon which there had been expended nearly \$16,000,000, she scrapped them within the past 18 months, and not only scrapped them but scrapped hundreds of her war vessels and thus gave to the world evidence of her good faith and of a desire to end this naval rivalry which is bankrupting nations. How did we meet those pacific approaches of Great Britain?

Japan, may I say to the Senator, likewise gave the same pacific manifestations. I have here, if the Senator will be interested in it, the statement of Viscount Ishii, the Japanese ambassador to France, who stated that if the United States desired to establish a naval holiday Japan would be among the first to agree to it. Mr. Charles A. Selden, a brilliant American journalist, interviewed Viscount Ishii, and submits an article, to-

gether with the interview. He says:

This assurance was given by the ambassador in the course of a statement made in response to a request for an interpretation of the recent discussion on the American and Japanese naval programs. Count Ishii

Now he is quoting Count Ishii:

The general plan of construction of the Japanese fleet was formulated immediately after the Russo-Japanese War.

The Senator will recall that years ago, when Russia manifested a desire to crush Japan, to prevent the latter's expansion, and sought to reach out and take possession of the entire Pacific coast north of the legitimate boundaries of China, Japan felt compelled to fight for her existence, and that war provoked in Japan, I will not say a militaristic spirit, but a spirit calling for defense; at that time she outlined her naval program. It was inspired by the lessons of that great naval struggle.

Mr. Selden in this article continued:

The Japanese admiraity adopted as a type of a strategic unit a system of eight battleships and eight battle cruisers.

We hear a great deal about the Japanese program of 8-8. In our Naval Committee hearings-and I am betraying no secret-naval officers seemed to be frightened by the Japanese program of 8-8-eight battleships and eight cruisers-a program that was formulated at the close of the Russo-Japanese War. Japan has not yet completed that program, which was initiated at least 10 or 12 years ago.

Mr. POINDEXTER. Has the Senator completed his point? Mr. KING. I have not completed my point, but I yield.

Mr. POINDEXTER. As a tribute to the old ship Massachusetts, in view of the fact that it has been mentioned, I should like to state that its construction was authorized in 1890. It was completed and commissioned June 10, 1896. It served with great usefulness and distinction in the Spanish-American War, participated in the blockade of Habana and in the destruction of Cervera's fleet. It served throughout the great World War a most useful purpose as a training ship, and was not put out of commission until the close of that war. ship has had a long period of useful and distinguished service. The original cost of the ship was \$4,000,000; complete with armor and armament it cost \$6,047,117.95. I have the figures from the department. Therefore the Senator from Utah can readily see how ridiculous it would be for the United States to rely upon a ship of that size and age, with armor and armament procured for those figures, to maintain American rights against modern battleships of the world.

Mr. KING. I hope my friend will not be offended if I use his word and say how "ridiculous" it seems for us to complete the 1915-16 program, which was born in the year 1915, prior to the experiences of the World War, when we know that many, if not all, of the ships therein provided for when they are completed will be obsolescent if not obsolete.

Mr. POINDEXTER. I can not let that statement go un-challenged, Mr. President. The fact of the case is that, while the naval program to which the Senator from Utah refers was authorized in 1916, it has not yet been executed. The types and the designs of the ships were not fixed until we had had the experiences of the great World War, and the final equipment of the ships, the armor and armament, has not yet been determined.

Mr. LODGE Mr. President-

The PRESIDING OFFICER (Mr. SHORTRIDGE in the chair). Does the Senator from Utah yield to the Senator from Massachusetts?

Mr. KING.

Mr. KING. I yield to my friend from Massachusetts. Mr. LODGE. I wish to make an inquiry as a matter of curiosity. I have heard the Senator from Utah reiterate here many times that we should be found with "obsolete or obsolescent" ships. Those are very admirable words; I like to hear them; but are the ships of the other nations not to become obsolete or obsolescent? When are other nations going to build? If they build, when will they build?

Mr. KING. Does the Senator from Massachusetts pause for

a reply now?

Mr. LODGE. Yes; I ask when other nations will build?

Mr. KING. If the Senator from Massachusetts had done me the honor to listen to my rather disconnected remarks the other day, he would have seen that I discussed that matter. I called attention to the fact that recently in the British Parliament the question was brought up for discussion by Sir George

Mr. LODGE. Yes; I know what was said in Parliament. Mr. KING. And the attention of that body was directed to the fact that the United States was adopting a naval policy

which called for the expenditure of millions of dollars Mr. LODGE. But that is not an answer to my question.

Mr. KING. I will ask the Senator to allow me to complete my sentence. The policy was then approved that Great Britain should lay down next year four super *Hood* warships, each one of which would have a displacement of 55,000 tons and carry 20inch guns. If we persist in our program, those ships will be constructed, and the Senator from Massachusetts knows that a super Hood with 55,000 tons displacement and 20-inch guns would make the American battleships obsolescent if not obsolete.

Mr. LODGE. No; I do not think they will be larger ships than ours. Our battle cruisers, unfortunately, I am sorry to say, have only just been begun. So there is nothing to prevent their enlargement and nothing to prevent their improvement. My point is that our ships have got to be built during the same period that the ships of other nations are being built.

Mr. KING. If the Senator will pardon me, that is exactly what I am coming to. If we had pursued a wise, statesmanlike policy we would before this-and not having previously done so we would do it now as soon as possible-have approached Great Britain and Japan and agreed upon some plan for the reduction of armaments; but if we persist in driving through by brute force or by legislative skill this program, of course Great Britain has no other alternative than to proceed with the expen-

diture of large sums for naval construction.

Mr. LODGE. What is to prevent Great Britain and Japan from suggesting to us that we stop building ships?

Mr. KING. They have suggested it.

Mr. LODGE. Have they?

Mr. KING. They have indicated over and over again—Mr. LODGE. Officially?
Mr. KING. I was just reading from Count Ishii.

Mr. LODGE. Have they done so officially?

Mr. KING. I did not say officially, but they have suggested it in the covenant of the League of Nations. They have given

adherence to the policy.

Mr. LODGE. Oh, well—

Mr. KING. I know that any reference to the league immediately excites the smiles and ridicule of my distinguished friend. Mr. LODGE. Not at all; but that is in the dead past.

Mr. KING. It may be in the dead past; that question I will not discuss now, but it was evidence of a sincere desire upon the part of those nations who were signatory to the treaty to have an agreement.

Mr. LODGE. I do not intend to go into that, but that clause in the League of Nations covenant amounted to nothing, and the

Senator from Utah ought to know that.

Mr. KING. That presents a case where two men differ. The covenant of the league has a specific and admirable plan to secure disarmament. And if the United States had ratified the treaty we would not now be discussing a naval bill calling for hundreds of millions of dollars. I repeat, our 1916 ships when complete will be "out of date" if Great Britain builds "super They will be obsolescent. They will be incapable of meeting the larger and more powerful ships.

The Senator says we can build larger ones. That is true. But we have this program. It is being carried out. It calls for ships of smaller size and lighter guns than the super *Hoods*. We can, of course, build larger ships. That means more money.

So we will have to scrap 1915-16 ships to build war vessels larger than the super *Hood*, so the rivalry is to continue.

Mr. NORRIS. Mr. President-Mr. KING. I yield.

Mr. NORRIS. I should like to say, first, that I do not agree with the Senator from Utah [Mr. King] that the clause to which he refers in the Versailles treaty had any meaning. think it was worse than nothing.

Mr. KING. Let me say that I do not want the Senator from Nebraska to lead me aside, because I may feel compelled to

reply to a matter not quite pertinent to the discussion.

Mr. NORRIS. The Senator from Utah may reply to it if he wishes and continue that debate. I did not care to get into it until the Senator mentioned the matter. I can not go with him on that. However, I wanted to make a suggestion to the Senator from Utah in reply to what the Senator from Massa-chusetts [Mr. Lodge] has stated about the naval program. It seems to me that what the Senator from Massachusetts has said and what the Senator from Utah stated in reply illustrates just what these naval programs mean, whether we or any other nation are behind them.

The fact that we have started on this program has incited Great Britain, after she had called a halt and scrapped many vessels which she had started to build-and it seems to me her course in the matter is perfectly logical-to build four ships that are bigger than anything we had thought of. The answer to Great Britain from us must be that we will build four more bigger than those she has built. If they have built vessels of 55,000 tons displacement, we must start in and build vessels of 75,000 tons displacement. If the ships of Great Britain, as I understand they are, are something over 1,000 feet in length, we must build ships 1,500 feet in length. If the ships of Great Britain have 20-inch guns, we must have 25-inch guns. And

then comes the next step, that we must tear the Panama Canal to pieces and rebuild it, as well as all our harbors and dry docks.

Mr. KING. And then we must impose more burdens upon the

people by taxation.

Mr. NORRIS. Yes; that will probably come before any of these programs are completed, and the world will be bankrupt and revolution will occur in every country in order to get rid of Bankruptcy is what it means.

Mr. BORAH. Mr. President—
The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Idaho?

Mr. KING. I yield to the Senator from Idaho. Mr. BORAH. As I understood the Senator from Massachusetts, the inference from the inquiry which he put to the Senator from Utah was that while our ships are becoming obsolete, necessarily the ships of other countries were also becoming obsolete; that as we were building their ships also would become obsolete. That is literally true, and that is what makes the whole program so utterly useless. Let me read an article from the Edinburgh Review, which has only recently come to this country. The article is written by Admiral Bridge, who for 50 years was in the British Navy, who has held some of the highest positions in that navy, and who has written two books proposes power. Then the year question which was consoled. upon sea power. Upon the very question which was covered by the remarks of the Senator from Nebraska in a measure, concerning the method by which a ship is made obsolete because of the fact that another nation builds a superior ship and the race to ruin, so far as money is concerned, continues just the same, he says:

The battleship Dreadnought dated from 1966. It was widely pro-claimed that she had rendered all foreign ships of her class then existing obsolete.

We must be permitted to use that term.

We must be permitted to use that term.

It was not admitted that if such were the case she must also have rendered obsolete many ships of our own, though of recent construction. The Dreadnought had a displacement of 17,900 tons, being bigger than any battleship in the world. The Germans took the hint conveyed in our admitted, indeed vaunted, intention of putting their ships on the obsolete list by building a bigger one of our own. With less than the ordinary German slowness they replied to our Dreadnought of 1906 with the Nassau class of 18,600 tons in 1907. We were bound by the terms of our "go-one-better" policy and found ourselves obliged to reply to the Nassau with the Collingwood of 19°50 tons. Then the Germans took up the running and built the Heligoland of 22,400 tons. The pace was being forced, but we were not going to give up the race, so we turned out the Orion of 22,500 tons. The next move was with the Germans, who built the Kaiser class of 24,410 tons. At first our reply must have seemed feeble to those who regarded superior bigness as a guarantee of invincibility, for we answered with the King George, Ajax, etc., of only 23,000 tons. We soon pulled ourselves together and built the Iron Duke, Marborough, etc., of 25,000 tons. The Germans topped this figure with their König class of 25,390 tons. We had to show them that in war fought on the building slips we were not going to be beaten, so we produced the Queen Elizabeth, with the imposing displacement of 27,500 tons. Then the real war broke out. Of course, during the competition the cost of individual ships was mounting. The Dreadnought had cost nearly a million and a half—

That is, a million and a half pounds-

That is, a million and a half pounds—

By the time that we had reached the Iron Duke the cost per ship was over two millions. In the case of the Queen Elizabeth it was higher still. It should be remembered that each ship named was usually only one amongst several.

There was exactly the same rise in dimensions, and, of course, in cost when we engaged in a competition of "battle-cruiser" building. Our Inflexible (1905-6) was of 17,250 tons; the German Von der Tann (1907-8) was of 19,100 tons. The Germans advanced by successive steps, 22,640, 24,610, and 26,180 tons. Our advance was less gradual. We built the Lion (three ships) of 26,350 tons, thus outdoing the biggest German figure; and then we jumped to the Tiger, 28,500. The increase in caliber of heavy guns was slower. Until 1909-10 the heavlest gun mounted in our battleships was the 12-inch. In the period following we went on to the 13,5-inch; after that our battleships carried 15-inch guns. The German corresponding ships carried either 11-inch or 12-inch guns, and the latter was their largest caliber at Jutland.

either 11-inch or 12-inch guns, and the latest at Jutland.

This summarized history of our "building-slip" contest ought to be interesting to any who care to contemplate the future. In the war our biggest battleship had a displacement of 27,500 tons; our biggest battle cruiser 28,500. The flagship of the commander in chief at Jutland is stated to have cost somewhat more than two millions. Our most recent ship, the Hood, has a displacement of 41,200 tons.

Mr. POINDEXTER. Mr. President, does the author contend, in giving those figures, that Great Britain made a mistake in building those ships?

Mr. BORAH. He does contend that she made a mistakethat Germany and England both made a mistake. He is not contending that one should disarm and that the other should

Mr. POINDEXTER. Has the Senator ever stopped to reflect what the condition of Great Britain would have been if she had not built those ships and had them at the time of the Great War with Germany?

Mr. BORAH. I admit that, provided Germany had refused

to sign the agreement.

Mr. POINDEXTER. But she did refuse, did she not?

Mr. BORAH. Exactly. That is, they did not reach an

agreement.

Mr. POINDEXTER. Great Britain made an effort to get Germany to disarm. Everybody agrees to the conclusion that the Senator reaches, but the great difficulty is to carry it out. If the Senator can say the magic word and make the magic gesture by which the world will be relieved of these things, we will all applaud him.

Mr. BORAH. Mr. President, it is not a question of saying the magic word or making the magic gesture; it is a question of

taking a single step in that direction.

Mr. POINDEXTER. We passed a resolution here at the last Congress suggesting such a step; and yet the Senator-and I say it without any criticism whatever-even though that resolution was attached to the bill, still continued to oppose the bill, and through his efforts and the efforts of others it failed to become a law. I assume that if it had passed steps would have been taken toward that end.

Mr. BORAH. Then I assume if the Senator assumes that he will put nothing in the way of putting it on this bill.

Mr. POINDEXTER. That is entirely correct.

Mr. BORAH. Is the Senator willing to put it on this bill? Mr. POINDEXTER. I am, absolutely. I have no objection whatever

Mr. BORAH. Very well; that is good. That is one step Mr. POINDEXTER. I hope we can proceed, then, if the Senator thinks that is of so much importance. I am not objecting to the debate; I think that is very desirable; but I hope the Senator will aid us to get a vote on the bill within a reason-

Mr. BORAH. Of course, I think this debate has been perfectly legitimate. I think it is exceedingly important. Members of the Navy have said to me that they regarded the discussion which has been going on as extremely important; that it had interested the whole country and everybody in what kind

of a Navy we were getting.

Mr. POINDEXTER. We can not have too much light on these matters; I agree with that. I have felt somewhat handicapped myself in joining in the discussion, because there seemed to be some evidence that there was a desire to jeopardize the passage of the bill by protracted discussion. I do not want to join in a movement of that kind.

Mr. BORAH. Mr. President, I have a resolution here. I do not ask the Senator to accept the amendment. I suppose

Senators will want to vote on it.

Mr. POINDEXTER. I have not seen it. I do not know the form of it.

Mr. BORAH. It is the same in substance as that I proposed before.

Mr. POINDEXTER. But if it is such an amendment as the Senator had before-I voted for it before, and there is no reason why I should not vote for it again.

Mr. BORAH. Then I understand that the Senator will

not raise a point of order against it?

Mr. POINDEXTER. I will not. I think it is subject to a point of order, but it is not my purpose to make the point of order.

Mr. BORAH. That is good.

Mr. President, I want to say to the Senator that he has wholly misunderstood my position if he has ever understood. that it was my desire to have the United States disarm without an agreement upon the part of Great Britain and Japan to do the same thing. I have always been an advocate of a strong Navy. I was particularly an advocate of a strong Navy at the time Germany and England were in that naval race, because so long as they were in that naval race it was apparently impossible to get a hearing on the question of disarmament at all, and therefore the United States must for her security take steps which would protect her through a strong Navy. I have said many times, and I repeat it now in order that it may be accentuated, that I do not want the United States to disarm standing alone. I am not so confident as to the purposes and objects of either Great Britain or Japan that I could ask my country alone to stand disarmed.

What I do desire-and I am perfectly delighted to know that I have the sympathy of the able Senator from Washington-is to ask Great Britain and Japan down at the council table, where the publicity of the world is beating in upon the transaction, "Are you willing to disarm? The United States takes the first step. We call you together. Are you willing to disarm? If you are not willing to disarm, the United States and the whole world will know that there is only one thing for the United States to do, and that is to protect herself through another method."

Mr. POINDEXTER. I am perfectly delighted to hear the Senator make that announcement. Other than that, the differences of opinion are mere matters of detail and mere matters as to the methods of attaining the object. I am in hearty agreement with what the Senator has said; but so far as my views upon the matter-which are unimportant-are concerned, if I had had the power or the opportunity, when the nations of the world were assembled around the peace-conference table at Versailles after the Great War, I would have submitted to the representatives of the great naval powers of the world the proposition which the Senator from Idaho makes, and I believe that that was the opportune moment when it should have been disposed of.

Mr. NORRIS. Mr. President-

Mr. BORAH. Let me complete this article, because I think it is extremely enlightening, coming from this old admiral. On the question of competition in the naval race, it says:

Our most recent ship, the *Hood*, has a displacement of 41,200 tons. It has been said that her cost was about seven millions. The probable cost of each future ship of the class—if any are to be built—is put at nine millions. If, therefore, we engage in another "building-slip" competition it looks as though we must take 41,200 tons and 29,000,000 as constituting the datum line or "scratch" from which we shall have to start. These figures refer to capital ships only; a navy must include many other classes.

And so forth. Then it says:

And so forth. Then it says:

Having taken a rapid view of the course of our prewar "building-slip" competition with Germany, we may, without in any way prejudging international conditions, see what would be likely to happen should the United States and the British Empire—for it will be the British Empire and not Great Britain alone—engage in a similar competition. About the middle of January, 1921, the United States Secretary of the Navy communicated to a committee of the House of Representatives two sets of figures belonging to what is called the "1916 program." It is well known what these figures import. It is that there is in contemplation an increase of the United States Navy that will make it by a good way the greatest—at any rate in tonnage—in the world. For the moment the most interesting thing which can be extracted from the figures is the increasing displacements of individual battleships. As already stated, our latest capital ship displaces 41,200 tons. The six American ships the names of which come lowest on the list, thereby indicating the most recent date of design, are to have a displacement of 43,200 tons, thus surpassing our Hood by no less than 2,000 tons. The heavy guns proposed for these ships are to be twelve 16-inch guns, 50 calibers in length. It may be well asked, is there to be no limit to the size of men-of-war? Anyhow, it can be seen what competition in bigness would be pretty sure to involve. Naval megalomania is evidently a widespread disease.

Then it says further—the matter which was mentioned by the Senator from Nebraska [Mr. Norris]:

It may also be said that great size of individual ships will render certain channels or canals impassable. Will displacements exceeding 43,000 tons allow of passage through, say, the Suez Canal? Will they allow of passage through the Panama Canal? To enlarge the canals or make new ones will cost money. Will it be better to spend that money in adding to the number of ships?

And so forth.

Mr. President, going back to the suggestion made by the Senator, of course Great Britain would have made a mistake if she had not gone ahead after Germany declined to enter into the agreement. However, let me say that there is a very serious dispute as to who did decline to enter into the agreement. It was a case almost such as we have now. Each nation was asking that the other take the first step, and neither was willing to take the first step, and therefore no first step was taken. What would have happened had England called a conference and asked for an agreement, we do not know. What would have happened had Germany called a conference and asked for an agreement, we do not know. We only know that no one of them was willing to take the first step; and that, Mr. President, is all that the Senators here who are supporting the resolution are asking-namely, that the United States call these nations into a conference, take the responsibility, and place it upon the power that refuses to enter into the conference. As I said the other day, it is my deliberate judgment that the masses of Japan and the masses of Great Britain will overturn any government which refuses to lift the burden of taxation upon them if they have an opportunity to do it, and do it in safety.

Mr. FLETCHER. Mr. President, may I interrupt the Senator?

Mr. KING. I yield to the Senator from Florida.

Mr. FLETCHER. I differ from some of those who have referred to the Versailles treaty, of which the Senator from Utah made mention. I believe there was a definite, certain, and workable plan outlined in the Versailles treaty for the reduction of armaments all over the world. It was a plan agreed upon by the representatives of every civilized nation on earth, and it was one of the strongest points arguing to me, at least, in favor of ratifying that treaty. It did provide a plan whereby there could have been agreed upon by all the nations and put into world operation a reduction of armaments as to the armies and the navies all over the world and the saving of this enormous burden of taxation to which reference has been made.

We saw fit, however, to reject that treaty, and therefore that plan, as far as we are concerned, is not in operation. Still, as the Senator has suggested, it has been agreed upon by other

nations who are working under the treaty to-day.

Mr. President, I have always favored any sort of movement looking to disarmament the world over and the saving of these enormous taxes which it will be necessary to levy upon the people of the various countries in order to support big navies and big armies, growing bigger and bigger all the while. I deplore such a prospect as that; and at the time when this proposition was before the Senate when the last Navy bill was up the amendment offered by the Senator from New Jersey [Mr. Edge]—which was in substance the proposal of the Senator from Idaho-received, as I recall, the vote of every Member of the Senate then present. There were some recorded as not voting who were not present, but it is my recollection that there was not a single vote against the proposal made at that time.

I think the prospect is now that there will be really no oppo-sition to that proposal. But we are not to sit here, I take it, and in accordance with the views expressed by the Senator from Idaho he would not have us sit and wait until this arrangement is perfected and carried out, and the plan agreed upon, in the

meantime leaving ourselves crippled upon the seas.

I would call attention, Mr. President, to this fact, that not only has it been known all over the world what the policy of the United States was in this regard, but we have not been derelict in advising all nations everywhere that we were willing to come to a disarmament understanding and agreement. Not merely passing a resolution, or giving voice to some sentiments upon that subject, we wrote into the law that was enacted by Congress and approved by the President as far back as August 29, 1916, this provision:

In view of the premises, the President is authorized and requested invite, at an appropriate time, not later than the close of the war

And it has not yet closed, so far as we are concerned, apparently-

all the great Governments of the world to send representatives to a conference which shall be charged with the duty of formulating a plan for a court of arbitration or other tribunal to which disputed questions between nations shall be referred for adjudication and peaceful settlement, and to consider the question of disarmament, and submit their recommendations to their respective Governments for approval.

That was nearly five years ago. Are we to wait about the building of ships until this sort of policy can be carried into effect by reaching an understanding with all the nations of the world? We started five years ago with that proposition, and where have we gotten?

Mr. BORAH. Where did we stop? That is the question, Mr. FLETCHER. The law is still on the statute books, unrepealed.

Mr. BORAH. It is a dead letter. Mr. FLETCHER. The war is still pending, so far as we are concerned. There is ample time to act upon that law now. That is to say, it is still in effect. It can be followed now; it can be pursued now. But I am willing to go on further record in this matter and, as I did before, support now the proposal of the Senator from Idaho for this understanding, if it can be reached. But I simply submit that we can not fill our responsibilities and our duties and properly protect our country if we are to wait until the final consummation of some program which may or may not be agreed upon, and when it may be 10 years after you get into conference before you settle upon a definite policy.

Mr. KING. Mr. President, I supposed that the Senator from

Florida was coming as a friend and ally. I shall beware of the Greeks when they come bearing gifts. He has become now a coadjutor of the Senator from Massachusetts [Mr. Lodge], and an able supporter of the Senator from Washington [Mr.

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Mr. FLETCHER. I agree with the Senator in that proposition.

Mr. KING. The Senator seems to take the position that because we enacted a statute a number of years ago, in 1916, authorizing the President to take steps to secure disarmament, and never did anything under it, except that which was done at Paris in the Versailles treaty, all the rest of the world ought to take cognizance of it and suspend naval construction.

I invite the Senator's attention to the fact that the nations participating in the Paris conference wrote into the Versailles treaty a provision which called for a rational and practical method of disarmament. I do not desire to revive the discussion of the League of Nations, as I suggested to the Senator from Nebraska [Mr. Norris], but I am compelled to make this observation, Mr. President, in reply to what the Senator from Florida said, and in reply to what the Senator from Massachusetts said, that that was not only an invitation, but was a

guaranty and a pledge by all the signatories to that treaty, that they would bring about disarmament.

What did we do? The Senator from Massachusetts asked if these nations have extended an invitation to the United States What was the Versailles treaty? It was more than an official invitation; it was a solemn obligation upon the part of those powers to proceed to secure disarmament. President Wilson and our representatives also signed the treaty. The American people approved of the plan to bring about world disarmament. Whatever objections they felt to the league, there was universal approval of the idea that nations should cease competitive armament. The other nations signing the treaty are willing to proceed with the plans for disarmament. This Nation stands aloof and demands the construction of battleships and cruisers costing hundreds of millions. The treaty obligations were, strictly speaking, multilateral, not unilateral. The obligations, though perhaps several, were essentially joint. The obligation resting upon one nation to disarm could not be executed unless nations respected the same obligation.

Now, the implication of the Senator is that there has been no invitation to us to join in a plan for disarmament. I submit that they have asked us to meet for the purpose of securing an agreement. Indeed, they have pledged themselves with us to work for that end. They have done it in a solemn treaty. They have provided a plan for disarmament. They have appointed a commission to work out a rational and feasible plan for disarmament, and the President of the United States was invited to send a representative to participate in the conference to secure disarmament. We failed to respond. Was not that an official invitation? When the League of Nations, those great nations, including Japan, France, and Great Britain, asked us to attend a conference, if only in a "consultative" capacity, in order to work out a plan for disarmament and we declined, what else could they do, what conclusion could they reach, other than that we have spurned their proposition?

My friend from Florida said we signified to the world by that empty statute that we passed that we were for peace. What have we done to emphasize our declaration for peace or to bring the nations of the world into conference to secure a reduction in armaments or disarmament?

Mr. POMERENE. Mr. President-

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Ohio?

Mr. KING. I yield.
Mr. POMERENE. The Senator asks what we have done for the cause of peace. Every time that subject comes up every Senator and every Representative talks in favor of it, but when it comes to legislation for an increase of our Navy they vote against a policy looking toward peace.

Mr. KING. Exactly. The Senator from Ohio has stated the situation accurately. We have rendered magnificent lip service, but we have done nothing to convince the nations

that we desire naval disarmament.

The distinguished ex-Secretary of the Navy, Mr. Daniels, while the nations of Europe were pleading for disarmament, announced that if we did not enter the League of Nations, then we would have to build the biggest Navy in the world. I do not want to criticize Mr. Daniels. I think the position which he took was unwise and provocative necessarily of international suspicion and skepticism, if not resentment. They asked us for bread and we gave them a stone. They sought to propitiate the United States and to secure its active cooperation to secure world disarmament, and ex-Secretary Daniels said, "We are going to build the biggest Navy in the world." Japan and Great Britain were compelled to take notice of that belligerent attitude which we assumed. However, I should say that Great Britain refused to take any action to meet this threat of Secretary Daniels until the past few weeks.

Moreover, Mr. President, here in Congress we announced that we were going to carry out the 1915-16 program. Great Britain said, "We are so desirous of peace and of world disarmament we will construct no more capital ships. We will break up three that are on the stocks. We will not only make promises and pledges for d'sarmament, but we will demonstrate our desire for disarmament by refusing to appropriate for capital ships and by destroying some that are upon the stocks."

How did we meet that invitation? By an expressed determination to drive through this program, which when completed will call for the expenditure of a billion and a half dollars, plus the tremendous expenses for maintenance which will devolve upon us from year to year.

Japan said she wanted to disarm, and when I was interrupted some time ago I was reading what Count Ishii had said:

I have shown what Great Britain did. I showed the other day, from the debates in Parliament, that after Great Britain had broken up those ships upon the stocks and stated she would build no more capital ships, she was compelled, because of our attitude, to reverse her position, modify her program, and announce a policy to lay down next year the hulls of four super Hoods. Before reading what Count Ishii said, let me comment upon that just a moment. What does the construction of four super *Hoods* mean? I said a moment ago, in response to the Senator from Nebraska [Mr. Norris], that when we had our ships completed, if Great Britain had adhered to the recent determination to build these four super Hoods, our Navy would then be practically obsolete. What chance would the Massachusetts, which we are now building, have against a super Hood, with its 20-inch guns, with its longer range, and with its greater fighting power? Absolutely none.

So, Mr. President, we are building a Navy now which we know will drive Great Britain and Japan to the building of larger vessels. And we must know that when they have constructed such vessels the 1915-16 ships will be antiquated, out

of date, unable to meet the more powerful ones.

Let me add, Mr. President, as I stated in the report from which I read, that I am not in favor of "scrapping" the Navy, nor am I in favor of a little Navy. If we are to have a Navy, I want the best Navy, the best in the sense that it is the most efficient, the most modern, and the most scientifically equipped. That does not mean we must have the most ships, that does not necessarily mean we must have the greatest tonnage; but if we are to have a Navy we want a modern Navy and efficient Navy.

My position has been that with the manifest desire of the European nations to have a naval holiday, we ought to meet them not only half way, but more than half way. We ought to suspend the construction of some of these battleships and cruisers, pending an honest effort to secure naval disarmament or

naval reduction.

But of course, Mr. President, if we continue this policy and rebuff those who make advances to our Nation, we foreclose the opportunity for a successful modus vivendi for the termination of naval construction. If we continue this policy, how are we going to reach an agreement? How are you going to bring about disarmament if we proceed to drive through a program which calls for greater armament? What is the rational and sensible thing to do? To immediately call our naval experts together, ascertain what can be done toward suspending the construction of a portion of the 1916 program, and enter upon negotiations with Japan, Great Britain, and other nations for the purpose of reaching a satisfactory agreement for naval disarmament, partial or complete.

Such a course would not require an indefinite period. Within a very few months we would be able to determine whether a resumption of naval construction should begin or whether some other course should be pursued. In the minority report which has been submitted I stated that six of these great battleships, notwithstanding their tremendous cost, had been advanced to such a degree of completion that, wasteful though I regard it

to be, we should complete them.

I repeat that we are closing the door to international agreement to secure reduction of armament. When we get this program completed, indeed before we complete it, it will be found that naval authorities and experts are here demanding that we

appropriate for other larger vessels.

I make the prophecy that in the next naval appropriation bill, if we do not reach an international agreement, there will be a demand that we authorize the construction of battleships larger than the super Hoods. If Great Britain begins the construction of four, demand will be made that we construct six or eight. Each will cost from \$60.000,000 to \$70,000,000. Our navalists will not consent for Great Britain to outstrip the United States, so they will insist upon a 70,000-ton ship with 22-inch guns. Thus the mad race will again be on.

So the 1915-16 program does not end naval construction. It only begins it. When we complete the expenditure of the \$1,500,000,000 we have nothing—that is, we will have an obso-

lescent or obsolete Navy.

Returning to the statement of Count Ishii, he said:

At the recent assembly of the League of Nations at Geneva the Japanese delegates supported a resolution on the subject of disarmament.

This limitation of armaments is so desirable for all that it must be established on a fair basis, taking into account the geography and economic conditions in each country.

There is an invitation, or, rather, a manifestation of the pacific character of Japan. Let me read, now, a few words from a very interesting newspaper article which appeared in the Star of this city. It was written from London, and, among other things, said:

The speeches of Secretary Daniels-

I referred to them a moment ago-

regarded here as needlessly provocative, were taken as so much "bluff." But now the report of the Naval Board and the debates in Congress, coupled with what Ambassador Geddes appears to have said here concerning the attitude of the Republicans, has at last convinced Englishmen that they are up against the first serious threat to their lordship of the sea in several centuries.

They believed that we earnestly desired peace and naval disarmament, or at least a reduction of armaments, and even the belligerent speech of Secretary Daniels did not disillusion them; but when we proved, through this program and debates in Congress, the fact that we are to have the biggest Navy in the world, and there was constant discussion in the United States of the possibility or probability of war with Great Britain or Japan, it might have been expected that sooner or later those nations would take notice of the matter and adopt such course as prudence seemed to dictate.

The article continued:

The article continued:

Figures obtained from an informed quarter in London concerning the strength of the two fleets in 1924, a year ahead of the time at which Daniels said they would be equal, foreshadow even within three years a crushing American superiority. The Battle of Jutland, fought in May, 1916, is the only action in which first-class modern armored ships have met, and the lessons of that fight have been applied to all ships built since by any navy, so that experts here declare that post-Jutland battleships, battle cruisers, or destroyers will be infinitely better than warships laid down in times of peace and inexperience.

By 1924 the United States will have 12 battleships of post-Jutland design, carrying 14-inch guns or guns of larger caliber; the British will have none.

America will have 9 pre-Jutland superdreadnaughts, strong enough to hold their places in the first line; England will have 18.

Then the writer proceeds:

Then the writer proceeds:

Then the writer proceeds:

According to the Admiralty, therefore, of ships of the first line, America will possess 27 and Britain 22 in 1924, but the true disparity of strength will be much greater than those indicated by these figures.

There is some suppressed indignation at Secretary Daniels for giving the American public to understand that in 1925, in spite of an American "equality" in big ships, the British will have more light cruisers, destroyers, and submarines. If the American public is sanctioning the naval program with a view to obtaining naval equality with Great Britain, the authorities here think the Americans are being misled, and that what is aimed at in Washington is not equality, but tremendous superiority.

If belief that American naval power will ever be used for aggressive purposes exists, it is of recent growth and is developing slowly. In the same breath that men now say how unthinkable it is that the United States could plan to attack England, they each, however, repeat Lord Northcliffe's query, "Against what enemy is America feverishly arming?" On looking about the world and seeing none, misglvings are beginning to mingle with their confidence.

Vice Admiral Mark Kerr, who commanded the British fleet in the Adriatic during the war, discussed the question of armament and the character of vessels, and said:

The character of the late war at sea was entirely conditioned by the fact that we held the whole German naval force in a bottle. We commanded the exits to the seas of the world. Only by defeating our grand fleet could the Germans get their commerce raiders out. \* \* In a war with America we could not stop American cruisers, submarines, and converted merchantmen from putting out from any one of the hundred ports on your thousands of miles of coast line in such numbers that no matter how big our fleet might be, were it four times the present size, our commerce would stop everywhere excepting in European waters.

He proceeds then to a discussion of the importance of sub-marines and air vessels, and states, with reference to the difficulty of attempting to carry on a naval war with a power at a great distance:

The grand fleet—ours or yours—would put forth heavily laden with coal and sall 2,500 miles or so across the ocean. When it arrived in the region where the enemy fleet might appear it would continue to sall about at high speed for fear of submarine attack by day; at high speed for fear of submarine attack by day; at high speed for fear of destroyer attack by night, until much of its coal was gone. As the bunkers became empty the great ships would get higher in the water; their protective armor would rise nearer to the surface of the sea until they would be riding so high that in case of action the chances of being holed below the water line would be greatly increased. The invading fleet would merely commit suicide by approaching near to a defended base, in view of modern submarines, mines, and coastal defenses. So it would remain steaming about, hoping the other fellow would come out and fight.

Then he discussed the advantages of the defenders, the neces-

Then he discussed the advantages of the defenders, the necessity of submarines for coastal defense and for extensive cruis-

The question was then asked, "Then you believe that England should not build against the American battleships?" He replied:

I certainly do. I think, moreover, that if your people found out that we were taking no notice of your expensive toys they would very soon get tired of spending a billion dollars or so in four years to incumber the water with these contrivances.

He is making an argument in favor of the submarine and the airplane as necessary adjuncts, indeed more important in the modern naval warfare than the capital ship.

Now, I wish to say a few words about the defects of the program. As I observed at the outset, we are adhering to a one-plane Navy program instead of a three-plane plan. We are adhering to the capital-ship idea and are not developing sufficiently the submarine. The submarines that we have are wholly inadequate if we are to have a well-balanced and efficient Navy. We have not a submarine that is competent to engage in an extensive cruise. The engines in many of them are defective. Many of them will do for coastal purposes, but we have not developed the submarine nor does the 1915-16 program pay sufficient attention to its development; we squander money upon the capital ship and fail to provide suitable or sufficient submarines.

I wish to read from the New York Tribune of recent date a statement which may be of interest. The article was written by a naval expert of splendid ability and extensive experience:

The Navy of the United States as it exists to-day is a one-idea Navy. It is practically built upon prewar conceptions. Generally speaking, its material and its offensive power dates from 1914 and its building program was conceived in 1916—five years ago. It is purely a surface Navy, which will be limited to the defensive in modern warfare, because it is totally lacking in those modern auxiliary forces and weapons that are necessary for its protection against attack from an up-to-date enemy and without which it can not strike an effective blow, even in self-defense.

We should not delude ourselves. Our own people and possibly Con-

We should not delude ourselves. Our own people and possibly Congress are alone deceived as to the comparative helplessness of our fleet. If we are so foolishly shortsighted as to neglect the development of modern offensive and defensive weapons in our Navy, we can not safely assume that our future enemy will be equally foolish. The fact that we are not wide awake is no proof that our enemy is asleep.

#### SUBMARINE WEAKNESS.

It has been shown that our Navy has no submarines that can accompany the fleet in tactical operations or in a battle at sea; that we have no long-range cruising submarines that can operate against an enemy's coast or commerce overseas or obtain information and report upon the enemy's movements; that we have no mine-laying submarines for important offensive uses against an enemy fleet or coast. In short, our submarine force, as it exists to-day, is suitable only for the local defense of our country and its foreign possessions.

Reviewing briefly the deficiencies of our Navy in submarines and aviation, we discover that with the utmost energy in building up modern submarine and air forces our fleet must remain a one-plane, surface force for at least three years. During this interval it can not possibly command the sea against a three-plane navy. It would fight at a perilous disadvantage.

But to-day, with the experience of the war in full view, realizing as we must what the submarine actually did and noting the recent triumphs in aviation, with the plain lessons to be derived therefrom, must we not conclude that a surface fleet alone can not possibly control the sea? Is it not clear that such a fleet pitted against an up-to-date three-plane fleet will receive blows from above and beneath the surface of the sea which it is powerless to resist or to return?

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Mr. President, Great Britain, realizing that battleships can not withstand aerial attacks, is compelled, because of our foolish course, to revise her program and to project these super *Hood* vessels. I am advised—and, I think, authoritatively—Mr. President, that these new vessels which we are compelling Great Britain to construct will have steel protection over their decks that may, as far as possible, ward off attacks from the air. Protection to the hulls is needed, and no doubt Great Britain will give attention to this important matter. I have been advised that it is proposed to attach to the ship what is denominated "macaroni tube armor."

I do not know that I can describe the mechanical construction of this new device for the protection of hulls against torpedo attacks, but Great Britain, if we force her to further construction, will build vessels that will present improvements to render greater immunity from torpedo attacks. If that be true, our battleships will be relegated practically to the scrap heap. By the time they are completed they will be out of date.

We now have a one-plane Navy, and we propose to continue to have a one-plane Navy. We are wedded to the capital ship; we can not lift our eyes from the surface; we refuse to look under the surface; we refuse to build proper submarines and we are inadequately protecting the Navy in the matter of aircraft.

So my complaint, Mr. President, concerning the 1916 program is, first, that it is an impediment to international agreement to reduce armament; secondly, if we can not reduce armament, if we can not reach an international agreement looking to that end, then we must have a modern, scientific, up-to-date Navy. We are, however, building a Navy now under this program which is not up-to-date, which is not modern, which pays no attention to the lessons of the World War, and which will be obsolete by the time it is constructed. If we exercised wisdom and statesmanship and prudence, we would suspend the construction of many of the vessels; we would appeal to the nations of the world in a friendly way for an international agreement; and I am sure our approaches would not be denied. When we met with the nations of the world we could agree upon a limitation of armament, if not upon disarmament, which would relieve the American people and the world from the great burdens which threaten to increase as the years go by.

Permit me to read further from the report submitted by me in February and to which I have referred during the course of these remarks.

"What is the reason, then, for this feverish haste to impose upon the American people further burdens for naval armament? Europe is exhausted financially and otherwise. Even the most clamorous and strident for a powerful American Navy must admit that there is not a single power of Europe which menaces us, nor could a combination of all the powers of Europe imperil the United States either upon land or upon sea. I freely admit that Great Britain's Navy is stronger than ours, but even if Great Britain were our enemy and engaged in war against us, her navy, powerful as it is, would be impotent against our coasts.

"The United States has a superior torpedo destroyer flotilia, and with the development of the submarine, the torpedo, mines, and airplanes, not only for coast defense but for combat at sea, it would be impossible for Great Britain to successfully operate against our coasts or to land troops upon our shores. The testimony of Admiral Sims, as well as the views of the greatest naval experts of the world, confirm that view. Of course, it is obvious that Japan is less able to attack our coasts than is Great Britain.

"The nations of Europe are not building war vessels. They are trying to satisfy their hunger, and meet the ravages of disease and restore order in distracted and suffering countries. They want peace, not war; bread and meat and clothing and medicines and an opportunity for work and production. are building no battleships; and aside from the bolsheviks of Russia, they are seeking no conflicts. Military ambitions are dead and the prostrate peoples of Europe are looking to America not for bombs and bullets and war but for food and clothing and our surplus commodities, and for material help and aid in their distracted and tragic situation. When this Nation was assailed by Germany and the cause of civilization was imperiled, we cast our lot with the Entente Allies, and with them battled in a common cause until the right triumphed. During that great contest, as well as since, we have exhibited in many ways our deep sympathy for the peoples of Europe and have manifested a sincere desire for their welfare. They are not plotting against us. Even the defeated nations are seeking the friendship of the American people. Great Britain desires no war with the United States, nor with any nation. It would be absolutely impossible for her to wage war against the United

"Naval experts who are fair and honest are compelled to admit the impossibility of the United States encountering any danger at the hands of Great Britain. Admiral Sims in his testimony before the Senate committee stated in substance that we needed no coast defenses other than for the protection of our naval bases. The development of aerial warfare, the submarines, the mines, and the torpedo boats, make invasion of this country from the sea absolutely impossible. Not even the wildest jingoes dare to express a fear of invasion by land of the United States from the north or from the south. Against whom shall we arm? Against what power shall we continue to build giant navies, at a cost of hundreds of millions, if not billions of dollars?

"It would be cruel to even intimate that there is any apprehension from the Latin Republics. The United States entertains a deep and lasting affection for the Republics to the south of us. Their welfare and development has been a matter of deep solicitude upon the part of the United States. The Monroe doctrine was promulgated as a shield against imperial ambitions of despotic European powers. We desire the friendship of the people of Mexico and Central and South America. It is the sincere desire of the people of this Republic that they shall be bound in amity and good will to the peoples of the vigorous and splendid Republics upon this

"We turn to Asia. What foe have we there? And against whom shall we marshal our great resources and build a still more powerful Navy? China entertains not only respect but deep affection for this Republic.

"The chauvinistic elements in the land are endeavoring to sow the seeds of discord and to provoke war between the United States and Japan. Writers, political orators, powerful magazines, and newspapers seek to inflame the public mind against the Japanese Empire, and to induce the belief that war between the United States and that far-away people is at our very door. It would seem that there are those in our midst who are intriguing and plotting for the purpose of destroying peace and amity now existing between this Republic and Japan and between this Republic and Great Britain. In my opinion, these intrigues will fail. War between the United States and Great Britain is unthinkable. It would not only be a tragedy, it would be a calamity—a catastrophe so overwhelming that no one but the most insensate and calloused could regard it except with horror. Why should Great Britain desire

war with the United States? She covets none of our territory, nor do we covet hers. She has been benefited by our commerce and her trade has been important in our development. Great Britain has been our best customer and has absorbed our surplus commodities to the value of hundreds of millions, indeed,

billions, of dollars annually.

"Japan respected her treaty with Great Britain and joined with the Entente Allies against the Central Empires. Though of the Orient, she has absorbed much of the spirit of the Occident, and has exhibited qualities that entitle her to be regarded as one of the leading nations of the earth. Upon a little island thousands of miles from our shore, she seeks only the welfare of her people and opportunity for growth and development. Her birth rate of between six and seven hundred thousand per annum compels her statesmen to seek fields for legitimate territorial expansion.

"Asia lies before her and at her door; to Asia she will turn. She seeks no conquest upon this hemisphere, and, in my opinion, sincerely desires the good will and friendship of this nation as well as of all other nations of the earth. Japan is burdened with debt and possesses but few resources and limited national

wealth.

"The imprudent, not to say irrational and menacing, talk upon the part of some Americans is calculated to impress her people with the thought that we entertain hostile designs against them and other nations. In 1904 Japan believed she was menaced by Russia and mobilized her strength and gained a notable victory. Germany's activity in the Orient before 1914, together with her aggressive policy in China, constituted a menace to Japan and was calculated to arouse her fears and lead her to adopt a military policy of some magnitude. and honest consideration of the aggressive designs of France, Great Britain, Italy, Russia, and Germany with reference to China's territory will lead to the conclusion that Japan's position in the Orient was endangered, and justified her belief that her interests in Asia, potential or otherwise, were to be sacrificed to imperialistic policies by the strong nations of Europe. Japan's geographical position must be considered and her relations to China and other Asiatic territory must not be ignored. These conditions undoubtedly filled the Japanese with apprehension and inspired Japan to adopt a policy regarded as necessary for her preservation.

But I do not believe that the Japanese people desire war

with the United States or with any country.

"Japan entered the League of Nations, and upon signing the treaty of Versailles submitted a statement which revealed her desire for peace and for an honorable station among the nations of the world. Her representative sits in the council of the League of Nations and she has consistently supported the policy of the league, which seeks world disarmament and the settlement of international controversies by peaceful means instead of the employment of military and naval force. In my opinion there is much exaggeration concerning Japan's naval program, Testimony before the committee was unsatisfactory concerning Japan's naval program. An admiral, speaking of the same, stated that she had 'laid down only one battle cruiser up to the present time, so far as we know.' 'Her program,' he stated, 'involved the building of 12 light cruisers, but 5 only are down and building.' With reference to destroyers he stated:

"We do not exactly know how many are building, but we know that at least 10 are building now of the 47. She is building 10 submarines of the first line. Those are vessels of about 900 tons each. She is building 9 submarines of the second line.

"The evidence before the committee also establishes what everyone knows to be the fact, that Japan is dependent upon other nations for steel and perhaps other materials needed in the construction of a naval fleet. Moreover, the resources of Japan are limited and she could not long continue any competitive naval program with the United States or Great Britain and other European nations. Japan can not contemplate an attack upon Mexico or any of the Latin American Republics. There is no quarrel between her and any nation to the south of us.

"Any attack by Japan upon Mexico or Central America, or any of the Republics in South America, would unite the Western Hemisphere, perhaps including the Dominion of Canada, against her: It would be supreme folly for Japan to even contemplate such a course. Nor is it conceivable that she would attempt to land troops upon our shores or to send her fleet across the Pacific. If Great Britain's fleet would be powerless against -and that is the testimony of competent naval exour shoresperts, then it is preposterous to assume that Japan, 12,000 miles distant from our shores, could be more successful.

"I refuse to join with the jingoists in our country who are determined to perpetuate the old order of things and who stubbornly resist a world-wide movement which, in my opinion, will prove irresistible for world disarmament and for a union of the peoples of the world in the interest of peace.

The proposition to make the American Navy the greatest in the world is a proposition to indulge in this extravagant luxury merely because our country is rich and powerful enough to do so. No support for this course can be found in our needs for naval defenses. The British Government has publicly stated that the United States, if it chooses, can have the biggest Navy, and it is very much to be doubted if the English Admiralty will undertake to challenge or match the construction of capital ships for the consummation of the project, which has the Navy Department behind it, to give our Navy the first place in the world.

"If it be claimed that our Navy must be the greatest in the world, in order to defend our commerce and defend our coasts, let me reply that this is precisely what was said by the Germans in their ambition to overmatch the British Navy. fact was that the great German Navy was no more a necessity to defend the commerce of Germany than a great Dutch Navy was necessary to defend the commerce of Holland, or a great Danish Navy to defend the commerce of Denmark. Danish ships, Dutch ships, Greek ships, and Belgian ships have as much freedom of commerce upon the seas as have the ships of the United Kingdom or the United States. There is no warrant for the assertion that the protection of commerce requires great armament. The nations which have a preponderance of naval power to-day will not use their naval superiority to interfere with the liberty of maritime commerce in time of peace. is every assurance that the world may depend upon this, and it is not necessary to defend every merchantman that plies the seas with the attendance of a ship of war.

"The great naval powers of the world to-day offer no obstacle to the utmost freedom of trade and commerce upon the part of the smallest and weakest nation, and the liberties which the powers ask for themselves they have freely accorded and will freely accord to the ships of every nation. The day has come when the United States must cease its prodigal and useless outlays in time of peace, for the making of armaments and the construction and maintenance of great ships to be moved and maneuvered at an annual cost of hundred of millions of dollars. Our naval policy must cease to be dominated by the professional naval view, and the influence of men who have a more comprehensive conception of the advantage and welfare of our country must become dominant in the naval policy of the

Government.

"The League of Nations offers a practical and feasible plan to secure world disarmament. The reactionary policy of the United States seems to be an impediment to the realization of the practical conceptions of the league. All members of the league earnestly desire to be relieved from military and naval If the United States should enter the league, the burdens formulated plan of the league to secure disarmament would, in my opinion, be earnestly carried forward by all members of the league until its full fruition was realized. But, if this Nation does not enter the league it should cooperate with its members for the purpose of achieving those beneficent purposes which inspired its conception. It can be readily understood what effect the action of the United States in refusing to ratify the Versailles treaty or to enter the League of Nations would have upon the rest of the world. Notwithstanding this Nation has no imperialistic ambitions or a desire to obtain territory belonging to other nations, its course and its present attitude undoubtedly have produced skepticism in the minds of some nations with respect to the sincerity of our declarations.

When the Secretary of the Navy and others declare that we must have the most powerful Navy in the world, and when demands are made to execute a program that will cost more than a billion and a half dollars, and entail upon the United States an annual expenditure of at least one-half billion dollars for its maintenance, other nations may not be criticized if they express some concern regarding our purposes. In my opinion, we can not reconcile our declarations that we desire peace and disarmament with the avowal that we shall complete the 1916 program and supplement it with modern aircraft, submarines,

etc., at a cost of millions of dollars.

"If we believe in relieving the world from the burdens of military and naval disarmament, let us set the example. The psychology of our action in carrying forward a militant naval program will be bad. It will tend to drive the world back into old paths-into policies based upon alliances and the balance of power, into the shadows and darkness from which we emerged when military autocracy in Europe was overthrown and when the right of determination was accorded to the peoples We should suspend the naval program to the exof the world. tent herein indicated and either enter the League of Nations or address ourselves to obtaining an agreement with the great powers for the dimitation of armaments and the establishment of tribunals for the settlement of international controversies.

"The wealth and power of the United States, together with its isolated position, give us the primacy of the world. We should lead in every movement for justice and righteousness and peace. This propaganda for a Navy to outstrip the world has little or nothing behind it excepting an appeal to the national pride and vanity. The adding of capital ship to capital ship is bound to raise misgivings on the part of other nations and will incline them to ascribe ulterior and imperialistic purposes to our Government and will engender distrust and jealousy against a people who in their hearts sincerely desire the welfare of humanity. If the United States desires, as it should, to have the emulation of other nations, we should set them an example. Do we desire that they shall emulate us in the construction of men-of-war, or that they shall emulate us in our defense of the principles and purposes of international peace and justice?

"Whither are we to lead the world? That is the question. Shall it be along the lines of arms and war, or upon the paths of peace and trade and constructive progress, which shall turn the work and materials of the world to the increase of goods and riches and wealth, for the blessing of all the nations? Do we desire to impress the world with fear and terror of our country or with that respect and trust and confidence which an adherence to the principles of liberty, of justice, and of peace will invite from all other nations? These questions are before us. Our answer will determine the fate of the world."

Mr. BORAH. Mr. President, I suggest the want of a quorum. The VICE PRESIDENT. The Secretary will call the roll. The reading clerk called the roll, and the following Senators

answered to their names:

McKellar McKinley McNary Gooding Shortridge Ashurst Hale Harris Borah Broussard Bursum Calder Cameron Harrison Moses Smoot Harrison Heffin Johnson Jones, N. Mex. Jones, Wash. Kellogg Kendrick Moses Myers Nelson Newberry Norbeck Norris Oddie Spencer Sterling Sutherland Capper Caraway Colt Curtis Swanson Townsend Trammell Underwood Kenyon Keyes Ladd Overman Phipps Poindexter Ransdell Wadsworth Watson, Ga, Willis Dillingham Elkins Ernst Fernald Fletcher La Follette Lenroot Lodge McCormick Reed Sheppard Shields Wolcott Frelinghuysen

The VICE PRESIDENT. Sixty-six Senators having answered to their names, a quorum is present.

### SALE OF FIREARMS.

Mr. SHIELDS. Mr. President, on yesterday I reported from the Committee on the Jadiciary favorably and with an amendment the bill (S. 1184) to suppress the sale of pistels, revolvers, and other firearms of like form, size, and description, commonly used in the commission of felonious homicides and assaults, and to provide punishment for violation of the provisions of the same. At the meeting of the committee the Senator from Connecticut [Mr. Brandeger] was not present on account of thiness. He is opposed to the bill, and he has communicated with me this morning, telling me of his illness and of his inability to be present, and stating that he wishes to be heard before the committee upon the bill. It is only common courtesy and, I think, justice that he should be heard. I therefore ask that the bill may be recommitted to the Committee on the Judiciary in order that the Senator from Connecticut may have an opportunity to be heard there upon the measure.

The VICE PRESIDENT. Without objection, the bill will be taken from the calendar and recommitted to the Committee on

the Judiciary.

## HOUSE BILLS AND JOINT RESOLUTION REFERRED.

The following bills and joint resolution were severally read twice by their titles and referred as indicated below:

H. R. 70. An act to allow credit for husbands' military service in case of homestead entries by widows, and for other purposes; to the Committee on Public Lands and Surveys.

H. R. 89. An act for the public sale of post-office site on the west side of South Main Street, in the city of Bethlehem, Pa.; to the Committee on Public Buildings and Grounds.

H. R. 2173. An act authorizing the construction, maintenance, and operation of a private drawbridge over and across Lock No. 4 of the canal and locks, Willamette Falls, Clackamas County Oreg: to the Committee on Commerce

County, Oreg.; to the Committee on Commerce.

H. R. 2428. An act granting certain lands to Converse County,
Wyo., for a public park; to the Committee on Public Lands and

Surveys.

H. R. 3018. An act granting the consent of Congress to H. H. know whether the Haynes to construct a dike across Mud Slough on Isthmus the information.

Inlet, in section 23, township 26 south, range 13 west, of Willamette meridian in Oregon; and

H. R. 4091. An act granting the consent of Congress to the Borderland Coal Corporation to construct a bridge across the Tug Fork of Big Sandy River, in Mingo County, W. Va.; to the Committee on Commerce.

H. R. 4596. An act to provide for the disposal of certain water from the Rio Grande project, New Mexico-Texas; to the

Committee on Irrigation and Reclamation.

H. R. 5222. An act to provide for the retention by the Government of the property in Seward, Alaska, known as the Alaska Northern Railway office building, and its use for court purposes; to the Committee on Territories and Insular Possessions.

H. R. 5223. An act to exempt from cancellation certain desertland entries in Riverside County, Calif.; to the Committee on Public Lands and Surveys.

H. R. 5585. An act relating to execution of pension papers in

foreign countries; to the Committee on Pensions.

H. J. Res. 106. Joint resolution authorizing the Secretary of War to loan cots and blankets for the use of the Grand Army of the Republic at the Ohio State encampment, to be held in Greenville, Ohio, in June, 1921; to the Committee on Military Affairs.

#### NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

Mr. KENYON. I offer an amendment to the pending bill,

which I ask to have printed and lie on the table.

The VICE PRESIDENT. The amendment will be printed and lie on the table.

Mr. LA FOLLETTE resumed the speech begun by him on yesterday. After having spoken for nearly two hours, he said:

Mr. President, I have no doubt that the natural reluctance of naval officers to commit what Admiral Sims calls professional suicide has a great deal to do with their insistence upon the construction of the capital ships in the face of the opinions I have quoted. But I see another reason why this unceasing demand for enormous appropriations for the construction of capital ships is made. Before I take that up, as it invites me to a field of investigation touching what I regard as the improper and corrupting influences back of this proposed legislation, and as it will take me some time to lay the facts I have gathered bearing upon that issue before the Senate, and as I have now spoken for nearly two hours, I will, Mr. President, at this convenient point in my argument surrender the floor for the day.

Mr. CURTIS obtained the floor. Mr. HARRISON. Mr. President—

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from Kansas yield to the Senator from Mississippi?

Mr. CURTIS. I was about to move that the Senate go into executive session, but I will withhold the motion if the Senator

from Mississippi desires to give a notice.

Mr. HARRISON. I wanted to ask a question of the Senator in charge of the bill,

Mr. CURTIS. He is out of the Chamber for the moment. I shall send for him.

Mr. HARRISON. It may be that the Senator from Idaho [Mr. Borah] can give me the information, or that the Senator from Kansas can give it. I should like to know just what is the status of the proposed amendment of the Senator from Idaho touching disarmament. Has there been any agreement resched touching the matter?

reached touching the matter?

Mr. BORAH. There has been an agreement reached, which I think is of the general import that there will be no point of order raised against it. Further than that, there is no agree-

ment

Mr. HARRISON. I am curious to know the position of the President, in view of the fact that certain statements were made by the Senator from Washington [Mr. Poindexter], in charge of the bill, and by the Senator from Maine [Mr. Hale], who has had charge of the bill quite a good deal of the time. After their conferences with the President a statement was issued to the effect that the President is opposed to the resolution on disarmament offered by the Senator from Idaho. I am wondering if he has come around to that Senator's way of thinking on the proposition and has given his consent that the acting chairman of the Naval Affairs Committee and the Senators on the other side of the aisle shall acquiesce in it. I do not see the Senator in charge of the bill present. I do not know whether the Senator from Kausas [Mr. Curtis] can give the information.

Mr. CURTIS. The Senators on this side of the Chamber are going to vote their sentiments on the question when it comes before the Senate.

Mr. HARRISON. Is there any understanding that they are

to vote for it?

Mr. CURTIS. I do not know. Every Senator will be free to vote his own good judgment. That is the way we do over here; every Senator votes the way he chooses.

Mr. HARRISON. You have the steam roller working splendly. May I ask the Senator from Idaho [Mr. BORAH] whether there will be a point of order made against his amend-

ment?

Mr. BORAH. I feel very certain there will not be a point of order raised against it. Of course, anyone on this side has a right to raise a point of order, but the Senator in charge of the bill stated upon the floor that he did not propose to raise any point of order. That is the only agreement that there is.

At this point Mr. Poindexter entered the Chamber.

Mr. HARRISON. I presume, then, that no one will make a point of order as to the amendment offered by the Senator from Idaho and it will go through. The Senator from Washington is now in the Chamber. It will curtail the debate quite largely if that is the understanding. It is the understanding of the Senator from Washington, I understand, that no point of order will be made against the amendment offered by the Senator from Idaho.

Mr. POINDEXTER. I only spoke for myself personally and not for the committee or any other Member of the Senate.

Mr. HARRISON. I stated before the Senator came in that in view of what has been said in the debate, and in view of statements that were issued by Senators in interviews with newspapermen, it seems that the President was against the proposition of the Senator from Idaho. Has the President changed on that proposition? Does it meet with his approval, may I ask the Senator?

'Mr. POINDEXTER. I am not authorized to speak for the President. I assume that he will make his wishes known to the Senate in the proper way.

Mr. HARRISON. The Senator has had no word from the President of a public nature, I presume?

Mr. POINDEXTER. No. nothing of a public nature.

Mr. POINDEXTER. No; nothing of a public nature.
Mr. CURTIS. Mr. President, I had the floor and yielded to
the Senator from Mississippi.

Mr. HARRISON. Yes.
Mr. CURTIS. If there is no further legislative business—
Mr. POMERENE. Mr. President, will the Senator yield?
The PRESIDING OFFICER (Mr. WOLCOTT in the chair).

Does the Senator from Kansas yield to the Senator from Ohio?

Mr. CURTIS. Certainly, if the Senator wishes to give a notice.

Mr. POMERENE. I desire to give notice of a motion to suspend the rules in connection with the amendment which I proposed the other day.

The PRESIDING OFFICER. The notice of motion will be

read.

The Assistant Secretary. The Senator from Ohio [Mr. Pomerene] gives notice that under Senate Rule XL he will move to suspend, if necessary, paragraph 3 of Rule XVI in order to present to the Senate the amendment to House bill 4803, which he submitted on May 4, as follows:

At the proper place insert the following: "Provided, That the President is hereby authorized, in his discretion, to delay for a period of six months, in whole or in part, the building program provided for in this act in order to enable him to arrange for a conference with the Governments of Great Britain, Japan, and such other powers as to him may seem proper, with the view of reducing substantially the naval building programs of the several Governments se participating in said conference, and if they agree upon such plan of reduction, the President is hereby further authorized to suspend, in whole or in part, the said building program in order to enable him to carry out any agreement thus made."

Mr. POMERENE. The Senator from Washington, who has charge of the bill, has very generously stated that he would not make a point of order against the amendment proposed by the Senator from Idaho [Mr. BORAH]. I hope that he will not play favorites, and that he will not make any point of order

against the amendment which I have proposed.

Mr. POINDEXTER. I shall not play favorites. I shall not make any point of order against any amendment proposed by the Senator from Ohio that is identical with the one proposed

by the Senator from Idaho.

Mr. POMERENE. It is not identical with it, but it has for

its object the same purpose.

Mr. POINDEXTER. My understanding was that it was quite different, but I have not examined it and can not speak about it. The reading of it was omitted at the desk just now. Thomas O. Cooper.

Mr. POMERENE. It relates to the matter of getting a conference with other nations looking to disarmament. In substance it provides that the President, in his discretion, may suspend any part of the program for new construction for a period of six months in order to enable him to negotiate with the other nations for a plan of disarmament.

#### EXECUTIVE SESSION.

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened.

### DRAWBRIDGE AT WILLAMETTE FALLS, OREG.

Mr. CALDER. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 2173) authorizing the construction, maintenance, and operation of a private drawbridge over and across Lock No. 4 of the canal and locks, Willamette Falls, Clackamas County, Oreg., and I submit a report (No. 58) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the Crown Willamette Paper Co., a corporation, is hereby authorized, subject to the approval of the Chief of Engineers and Secretary of War, and to such conditions as they may prescribe, to construct, maintain, and operate a private drawbridge, connecting the units of its industrial plant, over and across Lock No. 4 of the canal and locks, Willamette Falls, Clackamas County, Oreg., and to use the canal right of way for abutments or other construction work, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### RECESS.

Mr. POINDEXTER. I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 4 o'clock and 15 minutes m.) the Senate took a recess until to-morrow, Wednesday, May 18, 1921, at 12 o'clock meridian.

## NOMINATIONS.

Executive nominations received by the Senate May 17, 1921. DEPARTMENT OF STATE.

AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY.

Richard Washburn Child, of Massachusetts, to be ambassador extraordinary and plenipotentiary of the United States of America to Italy.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

Jacob Gould Schurman, of New York, to be envoy extraordinary and minister plenipotentiary of the United States of America to China.

## TREASURY DEPARTMENT.

## COLLECTORS OF INTERNAL REVENUE.

Gunder Olson, of Grafton, N. Dak., to be collector of internal revenue for the district of North Dakota, in place of William E. Byerly.

Acel C. Alexander, of Oklahoma City, Okla., to be collector of internal revenue for the district of Oklahoma, in place of Hubert L. Bolen, resigned.

Daniel T. Gerow, of Jacksonville, Fla., to be collector of internal revenue for the district of Florida, in place of James

Jesse W. Clarke, of Syracuse, N. Y., to be collector of internal revenue for the twenty-first district of New York, in place of Neal Brewster, resigned.

## NAVAL OFFICER OF CUSTOMS.

Arthur F. Foran, of New Jersey, to be naval officer of customs in customs collection district No. 10, with headquarters at New York, in place of H. Otto Wittpenn.

### COLLECTOR OF CUSTOMS.

Roy Campbell, of Laredo, Tex., to be collector of customs for customs collection district No. 23, with headquarters at San Antonio, Tex., in place of Thomas A. Coleman, resigned.

SPECIAL EXAMINER OF DRUGS, MEDICINES, AND CHEMICALS.

William R. Messick, of Lewes, Del., to be special examiner of drugs, medicines, and chemicals in customs collection district

DEPARTMENT OF THE INTERIOR. EXAMINER IN CHIEF OF PATENTS.

Sidney F. Smith, of Massachusetts, to be an Examiner in Chief in the Patent Office, vice Fairfax Bayard, resigned.

FIRST ASSISTANT COMMISSIONER OF PATENTS.

William A. Kinnan, of Michigan, to be First Assistant Commissioner of Patents, vice Melvin H. Coulston.

ASSISTANT COMMISSIONER OF PATENTS.

Karl Fenning, of Cleveland, Ohio, to be Assistant Commissioner of Patents, vice Lester B. Mann, failed of confirmation.

PROMOTIONS IN THE REGULAR ARMY.

To be colonels.

Lieut. Col. Fitzhugh Lee, Cavalry, from December 14, 1920. Lieut. Col. Ralph Brewster Parrott, Infantry, from December 23, 1920.

Lieut. Col. Harry Parker Wilbur, Coast Artillery Corps, from January 6, 1921.

Lieut. Col. Stanley Hamer Ford, Infantry, from January 19.

Lieut. Col. Robert Hauro Brambila, Infantry, from February

Lieut. Col. Elijah Bishop Martindale, jr., Coast Artillery

Corps, from February 1, 1921. Lieut. Col. John Nicholas Stract, Infantry, from February 1,

Lieut. Col. Earle White Tanner, Infantry, from February 11,

1921 Lieut. Col. Henry Slocum Wagner, Infantry, from February

26, 1921. Lieut. Col. Frederick Guy Knabenshue, Infantry, from March

12, 1921. Lieut. Col. Thomas Jefferson Powers, Infantry, from March

16, 1921.

Lieut. Charles Steuart Wallace, Signal Corps, from March 18, 1921

Lieut, Col. William Sanders Scott, Quartermaster Corps, from March 19, 1921,

Lieut. Col. Robert Henry Rolfe, Quartermaster Corps, from

Lieut, Col. Martin Lalor Crimmins, Infantry, from April 23,

Lieut. Col. Louis Ford Garrard, Quartermaster Corps, from

April 27, 1921. Lieut. Col. James Monroe Love, jr., Infantry, from April

1921.
 Lieut. Col. Paul Hester McCook, Infantry, from April 27,

Lieut. Col. Frederick William Coleman, Finance Department,

from April 27, 1921. Lieut, Col. Frederick Singleton Lewis Price, Infantry, from

April 27, 1921.

Lieut. Col. George Bahnsen Pond, Infantry, from April 27, 1921.

Lieut. Col. Dana True Merrill, Infantry, from April 27, 1921. Lieut. Col. Theodore Anderson Baldwin, jr., Infantry, from April 27, 1921.

Lieut, Col. Arthur Latham Conger, Infantry, from April 27. 1921

Lieut, Col. James Brown Kemper, Infantry, from April 27,

Lieut. Col. John Winthrop Barnes, Infantry, from April 27, 1921.

Lieut. Col. George Elmer Thorne, Infantry, from April 27,

Lieut. Col. Alfred Alos, Infantry, from April 28, 1921. Lieut. Col. Frank Wheaton Rowell, Infantry, from April 29,

Lieut. Col. Hugh Aloysius Drum, Infantry, from May 9, 1921. Lieut. Col. James Breadner Allison, Signal Corps, from May

Lieut. Col. John Lesesne DeWitt, Infantry, from May 9, 1921. Lieut. Col. Clifton Comly Kinney, Infantry, from May 9, 1921. Lieut. Col. Gordon Nathan Kimball, Judge Advocate General's Department, from May 9, 1921.

Lieut, Col. George Sabin Gibbs, Signal Corps, from May 9.

1921 Lieut. Col. James Fuller McKinley, Cavalry, from May 9, 1921.

Lieut. Col. James Albert Woodruff, Corps of Engineers, from

Lieut. Col. William Kelly, Corps of Engineers, from May 10,

Lieut. Col. Lewis Hethaway Rand, Corps of Engineers, from May 10, 1921.

Lieut. Col. Edward Murphy Markham, Corps of Engineers, from May 11, 1921.

Lieut. Col. Thomas Herbert Jackson, Corps of Engineers, from May 11, 1921.

## To be lieutenant colonels.

Maj. Guy Eugene Bucker, Infantry, from November 25, 1920. Maj. Rawson Warren, Cavalry, from November 26, 1920. Maj. John Henry Read, jr., Ordnance Department, from December 14, 1920.

Maj. Robert Gray Peck, Infantry, from December 16, 1920. Maj. Robert John Binford, Infantry, from December 19, 1920. Maj. John Augustus Brockman, Infantry, from December 21, 1920

Maj. Charles Conaway Burt, Coast Artillery Corps, from December 22, 1920.

Maj. Sheldon Webb Anding, Infantry, from December 23, 1920.

Maj. William Gaither Murchison, Infantry, from December

27, 1920. Maj. Joseph Howard Barnard, Quartermaster Corps, from January 6, 1921.

Maj. Rodman Butler, Quartermaster Corps, from January 19, 1921

Maj. Howard Stanley Miller, Coast Artillery Corps, from January 26, 1921.

Maj. Clarence Lininger, Cavalry, from January 28, 1921. Maj. Edward Murray Offley, Cavalry, from January 29, 1921. Maj. John Cocke, Cavalry, from February 1, 1921.

Maj. Elvin Henry Wagner, Infantry, from February 1, 1921. Maj. John Thomas Donnelly, Cavairy, from February 1, 1921. Maj. William Henry Menges, Finance Department, from Feb-

ruary 2, 1921. Maj. Ronald Earle Fisher, Cavalry, from February 8, 1921. Maj. Thomas Watson Brown, Infantry, from February 10,

Maj. Otis Robert Cole, Infantry, from February 11, 1921.

Maj. Charles Emery Hathaway, Cavalry, from February 26,

Maj. Joseph Victor Kuznik, Cavalry, from February 27, 1921. Maj. Edward Raymond Coppock, Cavalry, from March 4, 1921.

Maj. Shelby Carl Leasure, Infantry, from March 12, 1921. Maj. Peter John Hennessey, Cavalry, from March 16, 1921.

Maj. Kenyon Ashe Joyce, Cavalry, from March 18, 1921. Maj. Charles Frederick Herr, Infantry, from March 18, 1921.

Maj, Francis Joseph Behr, Coast Artillery Corps, from March 19, 1921.

Maj. Fred Hays Turner, Infantry, from March 24, 1921 Maj. Howard Carlyle Tatum, Cavalry, from April 23, 1921. Maj. Arthur George Fisher, Cavalry, from April 27, 1921.

Maj. Edwin Oliver Saunders, Judge Advocate General's Department, from April 27, 1921.

Maj. Walter Krueger, Infantry, from April 27, 1921.

Maj. Asa Leon Singleton, Infantry, from April 27, 1921. Maj. Arthur LeRoy Bump, Infantry, from April 27, 1921.

Maj. George Grunert, Cavalry, from April 27, 1921. Maj. Harry Westervelt Gregg, Air Service, from April 27,

Maj. William Rivers Pope, Cavalry, from April 27, 1921 Maj. Staley Alfred Campbell, Infantry, from April 27, 1921.

Maj. John Rowe Brewer, Infantry, from April 27, 1921. Maj. Olney Place, Cavalry, from April 27, 1921.

Maj. Leo Asa Dewey, Infantry, from April 27, 1921. Maj. John Pope McAdams, Infantry, from April 28, 1921.

Maj. Thomas Hood Cunningham, Cavalry, from April 29, 1921. Maj. John Robert Musgrave, Coast Artillery Corps, from May 9, 1921.

Maj. Sidney Derby Maize, Cavalry, from May 9, 1921. Maj. Richard Wetherill, Infantry, from May 9, 1921.

Maj. Hartman Lewis Butler, Coast Artillery Corps, from May 9, 1921.

Maj. John Bryson Barnes, Infantry, from May 9, 1921.
Maj. Thomas Taylor Duke, Infantry, from May 9, 1921.
Maj. Harry Arthur Wells, Infantry, from May 9, 1921.
Maj. Ralph Middleton Parker, Cavalry, from May 10, 1921.
Maj. George Warren Harris, Infantry, from May 10, 1921.

Maj. Edward Gregg McCleave, Infantry, from May 10, 1921.

Maj. Pat M. Stevens, Infantry, from May 11, 1921.

Maj. William Holt Peek, Quartermaster Corps, from May 11, 1921.

## REAPPOINTMENTS IN THE REGULAR ARMY.

#### FIELD ARTILLERY.

To be first lieutenant with rank from May 9, 1921. Jefferson Cleveland Campbell, late second lieutenant, Field Artillery, Regular Army.

#### COAST ARTILLERY CORPS.

To be first lieutenant with rank from May 7, 1921. Claud Thomas Gunn, late first lieutenant, Coast Artillery Corps, Regular Army.

#### INFANTRY.

To be first lieutenant with rank from May 7, 1921. Paul Edward Jackson, late first lieutenant, Infantry, Regular Army.

## APPOINTMENT IN THE NAVY.

### MARINE CORPS.

George A. Plambeck to be a first lieutenant in the Marine Corps from the 4th day of June, 1920.

## CONFIRMATION.

Executive nomination confirmed by the Senate May 17, 1921.

#### DEPARTMENT OF JUSTICE.

UNITED STATES ATTORNEY.

Charles C. Madison to be United States attorney, western district of Missouri.

## SENATE.

## WEDNESDAY, May 18, 1921.

(Legislative day of Tuesday, May 17, 1921.)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

### PETITIONS AND MEMORIALS.

Mr. ROBINSON presented a petition of William L. Clemmons, of Tamo, Ark., praying that action be taken looking toward the control and elimination of the Mexican bean beetle and boll weevil, which was referred to the Committee on Agriculture and Forestry.

Mr. CAPPER presented a petition of sundry citizens of Perry and Oskaloosa, both in the State of Kansas, praying for the enactment of the so-called adjusted compensation bill for the relief of ex-service men, which was referred to the Com-

mittee on Finance.

He also presented a resolution adopted by the Women's Auxiliary of Robert Roy Brown Post, No. 34, American Legion, of Kingman, Kans., favoring the enactment of legislation providing adequate relief for disabled ex-service men, which was referred to the Committee on Finance.

He also presented a resolution of the Congress Heights Citizens' Association, of Washington, D. C., favoring the enactment of legislation to prevent the spread of venereal diseases and to promote social hygiene, which was referred to the Committee on the District of Columbia.

Mr. HARRIS presented a resolution of the Brunswick (Ga.) Board of Trade, protesting against the enactment of the socalled Harrison naval stores bill, which was referred to the

Committee on Agriculture and Forestry.

Mr. SHEPPARD presented petitions of sundry citizens of O'Donnell, Jefferson, Higgins, Goldthwaite, Alba, Dalhart, Weatherford, Owens, Lorenzo, Kiveland, Plaska, and Bells, all in the State of Texas, praying for the enactment of legislation to prohibit gambling in grain and other agricultural prod-ucts, which were referred to the Committee on Agriculture and

## ARMY APPROPRIATIONS.

Mr. WADSWORTH. I report back favorably with amendments from the Committee on Military Affairs the bill (H. R. 5010) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes, and I submit a report (No. 59) thereon.

Mr. NORRIS. May I ask the Senator from New York if he

expects to call up the bill at an early day?
Mr. WADSWORTH. I do.

The PRESIDENT pro tempore. The bill will be placed on the calendar.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. STANLEY:

A bill (S. 1838) to amend section 4887 of the Revised Statutes, relating to patents; to the Committee on Patents.
By Mr. McCORMICK:

A bill (S. 1839) to create the department of public welfare, and for other purposes; to the Committee on Education and Labor. By Mr. ELKINS:

A bill (S. 1840) granting an increase of pension to Alexander

Reed; to the Committee on Pensions.

A bill (S. 1841) to reimburse L. W. Dragoo, formerly post-master at Smithfield, Wetzel County, W. Va., for money, money orders, and postage stamps stolen; to the Committee on Claims. By Mr. OWEN:

A bill (S. 1842) authorizing the Wichita and affiliated bands of Indians in Oklahoma to submit claims to the Court of Claims; to the Committee on Indian Affairs.

By Mr. LODGE:

A joint resolution (S. J. Res. 61) authorizing the Joint Committee on the Library to provide for the restoration and completion of the historical frieze in the Rotunda of the Capitol; to the Committee on the Library.

By Mr. WILLIS:

A joint resolution (S. J. Res. 62) directing the Secretary of the Treasury to appoint a commission to investigate and appraise the value of Jamestown Island, Va., and to make recommendations to Congress regarding the purchase; to the Committee on the Library.

# AMENDMENT TO DEFICIENCY APPROPRIATION BILL.

Mr. OVERMAN submitted an amendment providing that the Secretary of the Treasury be authorized and empowered to acquire, by purchase, condemnation, or otherwise, certain additional land across the alley which joins the east side or rear of the present site of the customhouse, appraisers' stores, etc., building at Wilmington, N. C., as an addition to the present site, and to pay for such additional land from the unencumbered balance of the appropriations heretofore made for the acquisition of a site and the erection of the customhouse, appraisers' stores, etc., intended to be proposed by him to the second deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

## ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the President pro tempore:

S. 594. An act for the relief of certain ex-service men whose rights to make entries on the North Platte irrigation project, Nebraska-Wyoming, were defeated by intervening claims;

S. 1479. An act granting the consent of Congress to the Washington & Old Dominion Railway, a corporation, to construct a bridge across the Potomac River; and

H. R. 4075. An act to limit the immigration of aliens into the United States.

## NAVAL APPROPRIATIONS.

Mr. POINDEXTER, Mr. President, I ask that the naval appropriation bill be laid before the Senate and that the question be put on the pending amendment.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and

for other purposes.

The PRESIDENT pro tempore. The pending question is on the first amendment of the committee which was passed over, the amendment on page 8, line 14. The yeas and nays have been ordered on the pending amendment. The Secretary will call the roll.

Mr. HARRISON. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the

The reading clerk called the roll, and the following Senators

EITHOMETER TO	ELLCAR MINISTERS		
Ball	Cummins	Gooding	Jones, Wash.
Borah	Curtis	Hale	Kellogg
Broussard	Dial	Harreld	Kendrick
Bursum	Dillingham	Harris	Keyes
Cameron	Edge	Harrison	King
Capper	Ernst	Heflin	La Follette
Caraway	Fletcher	Hitchcock	Lenroot
Colt	Frelinghuysen	Johnson	Lodge
Culberson	Gerry	Jones, N. Mex.	McCormick

McKellar McKinley Oddie Overman Smoot Walsh, Mass. Walsh, Mont. Spencer Stanfield Stanley Sutherland McLean McNary Moses Nelson Owen Phipps Poindexter Watson, Ga. Weller Williams Pomerene Swanson Willis Robinson Sheppard Shortridge Townsend Trammell Underwood Wadsworth Newberry Nicholson Wolcott Norbeck Norris Smith

The PRESIDENT pro tempore. Seventy-three Senators have asswered to their names. There is a quorum present. The answered to their names. Secretary will state the pending amendment.

The READING CLEEK. On page 8, line 14, under the head of "Bureau of Navigation," for transportation and recruiting, the committee proposes to strike out "\$3,500,000" and to insert " \$4,500,000

Mr. LENROOT. Mr. President, before the roll is called upon the amendment, I should like to ask whether any explanation has been made of the necessity for an increase of \$1,000,000 over the amount provided by the House. May I ask the Senator from Washington?

Mr. POINDEXTER. It is all based upon a mere matter of calculation of the necessary expenses of transportation and recruiting, which constitute about 90 per cent of the amount of the appropriation. The bill is based upon an estimate of the same number of men that we have at the present time.

The actual cost under this item for the same number of men during the current fiscal year was \$5,000,000, half a million dollars more than the amount reported by the Senate com-There will be, according to facts which are known positively, a larger number of expirations of terms of enlist-ment during the fiscal year provided for by this appropriation than during the current fiscal year. For that reason the Navy Department made an estimate of \$6,000,000.

The appropriation under this head in 1915 was \$980,000; in 1916, \$880,000; in 1917, \$1,254,752.84 with a deficiency of \$6,-517.10; in 1918, \$1,479,752.84 with a deficiency of \$6,989,559.04; in 1919, \$12,000,000, with a deficiency of \$6,735,764.70; in 1920, \$9,000,000 with a deficiency of \$3,000,000; in 1921, \$3,500,000, with a deficiency of \$1,500,000, making a total for 1921, the current fiscal year, of \$5,000,000.

There will be in the neighborhood of 43,000 expirations of enlistments during the coming fiscal year, and if they are to be replaced, as is contemplated by the bill, it will be necessary to recruit men, to pay their traveling expenses, and to pay the traveling expenses to their homes of the 43,000 men whose terms Under these conditions and upon the testimony of the officers of the Navy Department who were very closely examined by the committee, it was considered that the amount allowed in the report of the committee is very reasonable, the intention being to avoid a deficiency if possible.

Mr. LENROOT. The Senator gave the amount expended in

Will he give it again?

Mr. POINDEXTER. Eight hundred and eighty thousand dollars.

Mr. LENROOT. Will the Senator state the personnel of the Navy at that time?

Mr. POINDEXTER. I will furnish that to the Senator. I can not state it at this moment.
Mr. LENROOT. Was it about 100,000?

Mr. POINDEXTER. Oh, much lower than that; something

like 55,000, my recollection is.

Mr. LENROOT. Very well. Taking the figures the Senator now gives us—55,000, costing \$800,000—it is now proposed that 120,000, or a little more than double, shall cost \$1,600,000. Does the Senator believe that transportation costs have increased about 300 per cent since 1916?

Mr. HALE. Two cents a mile was allowed for mileage at

that time, and it is now 5 cents a mile.

Mr. LENROOT, I understand. Does the Senator say that transportation costs have increased 300 per cent?

Mr. HALE. One hundred and fifty per cent; from 2 cents

Mr. LENROOT. That is 150 per cent, yet here is an increase in the total of about 300 per cent. I wish to say that the subject of transportation is not very different in the Navy from what it is in the Army. Transportation is a subject, the ex-penditure for which can be controlled and ought to be controlled by Congress. There is only one fixed liability for transportation, and that is the transportation cost for discharged men and the transportation cost for newly enlisted men. With the exception of those two items, transportation is absolutely in the control of the department.

We have the same thing in the War Department, as I happen to know, being a member of the Committee on Military Affairs. The Secretary of War has told us that the subject of transpor-

tation can be controlled. The department can get along and they will get along with whatever Congress chooses to give them. It will mean, of course, that there will not be as many officers or as many men transferred from San Francisco to New York and from New York to San Francisco upon their own application; there will not be as much travel at the expense of the Government if this appropriation remains at \$3,500,000; but it will not injure the efficiency of the Navy in the least degree,

I am very sorry to say it, I do not like to say it to the Senate, but it does seem to me that we have got to cut out the overhead if we are going to maintain a Navy and an Army of which the

people of this country will approve

Taking it for granted that 40,000 enlistments will expire, I should say that the average transportation charge would not be over \$25 a piece, and assuming that there will be the same number of new enlistments the aggregate travel allowance for those items would be \$2,000,000.

Of course, the different departments want all the money they can get; they continue to make extravagant estimates; and we are not going to stop such expenditures unless we hold down the appropriations and refuse to grant deficiency appropriations. In other words, the departments have got to be forbidden to create any deficiencies except where the liability is created by law.

Mr. McCORMICK. Mr. President-

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Illinois?

Mr. LENROOT. I yield.

Mr. McCORMICK. Why does the Senator from Wisconsin think that the average transportation charge would be \$25 and no more?

Mr. LENROOT. Well, the enlistments naturally come from the coast cities.

Mr. McCORMICK. What leads the Senator to believe that? The Senator surely knows the percentage of the men at the Great Lakes station as compared with other stations.

Mr. LENROOT. During the war I will admit, of course, that that percentage was large; but I think if the Senator will investigate the subject he will find that a very large proportion of the enlistments now come from along the different coasts, where the transportation charge is negligible. For instance, if the enlistment be in New York, there is no transportation or the charge is merely nominal. The Senator will admit that. The largest charge from the interior would be from Chicago to the Atlantic coast or from west of the Rocky Mountains to the Pacific coast.

Mr. President, the Secretary of the Treasury has indicated that in his opinion there are only two fields in which substantial reductions may be made; those are in the Army and in the The Army is trying to make reductions. The Committee on Military Affairs has been cutting out overhead expenses and limiting the appropriations which are to be made for civilian employees. I ask the Senator from Washington now how many

civilian employees there are in the Navy?

Mr. POINDEXTER. I think there are between 60,000 and 70,000.

Mr. LENROOT. There were something over 90,000 last Feb-

ruary, were there not?

Mr. POINDEXTER. I can not tell the Senator how many there were last February.

Mr. LENROOT. Taking the number to be 60,000, and the personnel being 120,000, does the Senator think that any kind of economy will warrant one civilian employee for every two of the enlisted personnel?

Mr. POINDEXTER. Mr. President, I rather think that would depend entirely upon the amount of work that may be carried on by the civilians. At the present time we have a very large construction program and a large repair program, and most of the civilian employees are engaged upon that work. If that is cut down, we should have fewer civillan employees; but if it is increased we should have more.

Mr. LENROOT. May I ask the Senator from Washington how many clerical civilian employees there are in the Navy Department?

Mr. POINDEXTER. May I ask the Senator from Wisconsin how many there are? He has studied this particular item. Suppose he informs the Senate about this matter.

Mr. LENROOT. I think I have a right to ask members of the committee for information upon a question to which they are giving their entire time.

Mr. POINDEXTER. I have answered a good many questions that the Senator has asked.

Mr. LENROOT. But, Mr. President, we are not going to have economy unless the committee having charge of the appropriation bills goes into these questions and limits appropriations

The Senator from Wisconsin is talking Mr. POINDEXTER. about something now that does not relate in any great degree to the appropriation which is pending before the Senate and to which he is addressing himself. The pending items is the appropriation for transportation.

Mr. LENROOT. That is true, but I have been confining my remarks during the few minutes I have spoken—and this is the

first time that I have spoken--very closely to the bill.

Mr. President-

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Maine?

Mr. LENROOT. I yield.

Mr. HALE. I can give the Senator from Wisconsin the number of clerical employees in the Navy Department.

Mr. LENROOT. I shall be very glad to have it. Mr. HALE. The number of clerical employees in the Navy Department is 12,058.

Mr. LENROOT. Has the Senator the figures as to the

other employees?

Mr. HALE. The number I have given includes clerical, drafting, and technical employees in the Navy Department.

Mr. LENROOT. Has the Senator from Maine a list of the other special employees in the department?

Mr. HALE. It is not here at the moment, but I can obtain

it for the Senator.

Mr. LENROOT. Mr. President, to get back to this item, as the Senator thinks I should confine myself to it-and I am inclined to agree with him-the matter of transportation can be controlled. The transferring of officers and men across the country for some trivial reason ought to be stopped. It is being stopped in the Army; it is stopped to-day. The Secretary of War has issued the most rigid orders against any transpor-tation except that which is absolutely necessary. If the Congress is going to go on and grant items like this without any attempt to control them, of course we are not going to have any economy in this administration. I wish to make the general statement right now that, unless we make reductions in the appropriations for the Army and the Navy, considering the fixed charges with reference to interest upon our loans, with reference to the care of our soldiers, so that we may be able to reduce taxation in the next four years, Republican as I am, I want to say this morning that four years from now, when the votes are counted, members of some other party will do the cheering and not members of the Republican Party.

Mr. HALE. Mr. President, I should like to ask the Senator if his objection is based principally upon the 5 cents that is allowed for mileage for the enlisted men who are returned to

their homes?

Mr. LENROOT. My principal objection is not based upon at. My principal objection is based upon the fact that I have no doubt the Navy is doing what the War Department did until recently, allowing transportation indiscriminately, so long as they had money in the fund with which to pay for it, without regard to economy.

Mr. HALE. Mr. President, how much is the Senator allowed

Mr. LENROOT. I am allowed 40 cents a mile.

Mr. HALE. And the men in the Navy are allowed 5 cents. Mr. WATSON of Georgia. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Georgia?

Mr. LENROOT. I yield.

WATSON of Georgia. Mr. President, we are very much interested in hearing the dialogue between Senators on the other side of the Chamber, but we can not hear anything except the answers of the Senator from Wisconsin. In order to enjoy the colloquy as it should be enjoyed and to profit by it as we should profit by it, we should hear the questions as well as the an-I ask, therefore, that the Senators asking questions will lift their voices so that we may hear them.

Mr. LENROOT. It is no answer, Mr. President, to say that Senators and Representatives receive 40 cents a mile for all of the travel that they have between Washington and their homes during the course of a year. The principal objection that I make is not to the 5 cents a mile allowed upon enlistment and the 5 cents a mile allowed upon discharge; that is only a part of the \$4,500,000 which the committee proposes to appropriate. But what I do object to is the indiscriminate transfer of some officer who thinks he would rather serve upon some ship on the Pacific Ocean than at his station on a ship on the Atlantic Ocean, to serve his own desires. Tell me

dollars out of the Treasury of the United States under this transportation item when the service can be carried on just as well without the transfer? My point is, this transportation matter can be controlled. We can get along without the extra \$1,000,000 if the amendment is defeated. It is only a million dollars; and what is a million dollars? A million dollars is a drop in the bucket. That seems to be the attitude of many Senators; but it is the sum of the millions of dollars that is causing the tax burdens to-day, and, if it be true—and I am confident it is true—that the Navy Department can provide for all necessary transportation with \$3,500,000, then the Senate is not justified in adopting this amendment.

Mr. POMERENE. Mr. President, will the Senator yield? The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Ohio?

Mr. LENROOT. Yes. Mr. POMERENE, Is the increase of \$1,000,000 based upon the recruiting and the traveling that will be necessary for a Navy of 100,000 men, as provided for in the House bill, or is it based upon a Navy of 120,000 men, as contemplated under the bill reported by the Senate committee?

Mr. LENROOT. I assume it is based on 120,000 men.

Mr. POINDEXTER. That is correct.
Mr. President, I think I ought to say before the vote is taken on this amendment that, so far as the object of the Senator from Wisconsin is concerned, as he has stated it, I am sure the committee is in absolute and full sympathy. If it had been shown to the committee that more money is proposed to be appropriated in this item than will be required to meet the actual and necessary expenses to be incurred by the Navy Department for transportation and recruiting and the incidental items in a small amount which are supplemental to it, the committee would not have made the recommendation for this increase; but the recommendation is based upon tabulated figures of necessary expenses, and there has been nothing shown to the Senate by the Senator from Wisconsin or by any other Senator to indicate that in any way whatever the information furnished to the committee is incorrect.

Mr. POMERENE. Mr. President-

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Ohio?

Mr. POINDEXTER. In just a moment I will yield. The greater part of this appropriation is intended to pay the traveling expenses of enlisted men from their homes to recruiting stations, from recruiting stations to the points at which they receive their training, and from there to the stations to which they are assigned for service.

I have already stated that there will be a very large number of enlisted men discharged during the next fiscal year; in fact, the number will be much larger, which is a very important consideration, than during the current fiscal year or during preceding fiscal years, for the reason that since the period to which the Senator has referred the terms of enlistment have been reduced. Prior to the war the term of enlistment was four years. As we entered the war the term of enlistment was reduced to two years and three years and four years, it being left optional with the men as to what term they should enlist for. By reason of the short enlistment period there will be a greater number of expirations of enlistment during the next fiscal year than in preceding years.

The discretionary matter of which the Senator spoke con-cerning the travel of officers and the expenses which the Navy Department need not incur if they want to economize does not enter to any appreciable extent into this amount which is under discussion. If the Senator will permit me, I will give him some of the items that constitute the total of \$4,500,000; in fact, according to the request and to the calculations of the Navy Department the items amounted to considerably more than that, but they were reduced by the committee in its report. I have already stated the estimates; I have already stated the expenses actually incurred during the current fiscal year, which amounted to \$5,000,000.

In this item of transportation and recruiting, under the recommendations and the estimates of the Navy Department, there was an item for travel allowance of enlisted men discharged on account of expiration of enlistment and for men discharged under honorable conditions prior to expiration of enlistment, 34,603, plus 9,600, or 44,203 men, not at \$25 a man, as the Senator from Wisconsin has suggested, and I do not understand that the Senator gave that figure as the result of any examination or close calculation, but just as an offhand estimate. The figures that we have, which I understand are why there should be incurred an expense of several hundred based upon actual calculations of the known cost of the services

required to be rendered, are \$38.19 per man, making a total of \$1,688,112,57

Another item is transportation for replacements of 44,203 men-that is, for men to take the places of those whose term of enlistment has expired, referred to in the first item.

Mr. LENROOT. Mr. President, may I ask the Senator a question at that point? Does that 44,000 mean net loss or does

it include reenlistments?

Mr. POINDEXTER. That does not include the reenlistments. The figures of 44,203 men do not relate to reenlistments. They relate to discharges from enlistment, men going to their homes whose enlistments have expired.

Mr. LENROOT. What was the total number of discharges-

that is, at the expiration of enlistment?

Mr. POINDEXTER. I have just stated the total number 44.203

Mr. LENROOT. Do none of those reenlist?

Mr. POINDEXTER, Undoubtedly a great many of them will reenlist, and you have to pay them when they reenlist, when

they are returning from their homes.

Mr. LENROOT. Does the Senator mean if they do not go home at all? Suppose a man reenlists in foreign waters; does

he get his travel allowance both ways?

Mr. POINDEXTER. I understand that a man whose term of enlistment has expired is entitled under the law to a travel allowance to his home.

Mr. LENROOT. And back? Mr. POINDEXTER. Not back unless he reenlists.

Mr. LENROOT. I say if he reenlists?
Mr. POINDEXTER. Yes; if he reenlists he is entitled, then, just as a man who enlists the first time, to his travel pay back to whatever station he is assigned to.

Mr. LENROOT. He gets greater advantages, then, than Members of Congress do, because I never knew a Member of Congress to draw a travel allowance where the session ended one day and a new session began the next day.

Mr. POINDEXTER. I have heard a good deal of discussion about that. I do not know what the fact is in that regard.

Another item constituting this amount is transportation for replacements of the 44,203 men, plus other losses, 23,160 mendesertions, deaths, retirements, and so forth-at \$38.19 per man for reenlistments, and \$53.83 per man for the first enlistment, \$3,258,141.09. The Senator will notice the difference between the average amount allowed in travel pay for a new enlistment and that allowed to a man reenlisting. That difference, I am informed-and I have no reason at all to doubt it-is caused by the circumstance that a new man enlisting for the first time is sent to a training station, and he gets his travel pay to the training station. After he has completed his training he is sent to the station to which he is assigned for duty and gets his travel pay there, making the total greater than in the case of a reenlisted man, who does not go to a training station, but goes directly to his station of duty.

Mr. LENROOT. Is it possible that when a man enlists in the Navy and gets into the service, and his first station, we will say, is the Great Lakes Station, the Government then pays him 5 cents a mile from the Great Lakes Station to his ship? Is

that true? Is that possible?

Mr. POINDEXTER. He gets his actual traveling expenses. Mr. LENROOT. That is less than 5 cents a mile. It is not. then, the same as when he travels from the place of enlistment to the training camp?

Mr. POINDEXTER. We are informed by the men who have charge of these accounts that the average cost of that service is \$53.83, being 5 cents a mile under the law when the man goes to the training station, and his actual expenses from the training station to the station to which he is assigned for duty.

Mr. HITCHCOCK. Mr. President

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Nebraska?

Mr. POINDEXTER. I yield to the Senator.
Mr. HITCHCOCK. Will the Senator state what bonus the man who reenlists also receives?

Mr. POINDEXTER. One month's extra pay.

Mr. HITCHCOCK. I think we reach a point here where the same criticism can be made of the Navy that is made of the Army organization—that we are spending entirely too much money to convert the Army and the Navy into mercenary establishments.

Mr. LENROOT. Mr. President, will the Senator yield? will state to the Senator that in the bill reported this morning from the Military Affairs Committee we are repealing the allewance for reenlistment, which amounts to \$90 per soldier.

Mr. HITCHCOCK. And my judgment is that that should also be done with the Navy. We ought not to offer inducements

for men to reenlist. We ought rather to insist upon their going back to civil life, or at least offer them no inducement for reenlistment, and draw into the Army and into the Navy new men for training, so that both the Army and the Navy may be converted into schools. This method of offering men a bonus for reenlistment, and then giving them, in addition, travel pay, both going and coming, adds a large item of expense both to the Army and to the Navy, and, in my opinion, is a detriment.

Mr. POINDEXTER. That is another question that is not

involved in the appropriation that is immediately under discussion. I will say in connection with it, however, that there has been very great difficulty in securing men for the Navy. I have already pointed out the number whose terms are expiring and the number of reenlistments has been very small. The number of new enlistments also has been very small.

Mr. HITCHCOCK. Mr. President, I suggest that this is a very opportune time to do in the Navy bill what has been done in the Army bill-that is, repeal this bonus-because the fact is that during periods of depression of this sort there is always an excess of applications for enlistment in the Army, and I presume the same is true of the Navy.

Mr. POINDEXTER. I think that is a situation that might

very well be discussed.

Mr. FLETCHER. Mr. President-

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Florida?

Mr. POINDEXTER. I yield to the Senator from Florida. Mr. FLETCHER. In the Army the bonus or amount allowed on reenlistment, as I recall, was three months' pay, \$90, which of course is a good deal larger than the item in the Navy. We are saving something over \$1,000,000 by repealing that provision in the law. I understood the Senator to say that the bonus in the Navy was only one month's pay, which of course is not quite so large a sum, but it might be worth saving. ever, we are saving over \$1,000,000 by striking out that bonus provision in the Army bill, which was three months' pay, or \$90 for each man.

Mr. POINDEXTER. I think, before acting on that, the matter ought to be investigated. It has not been taken up, as it is not involved in any amendment proposed by the committee to this bill. It has not been presented in any form whatever,

and it ought to be inquired into.

Mr. FLETCHER. In connection with this item I assume, of course, that if the amount is not needed or required

Mr. POINDEXTER. That is not included in this item.
Mr. FLETCHER. No; but I say, in connection with this item, if the amount carried in the bill is not required for that purpose, it will not be spent.

Mr. POINDEXTER. It will not be spent, of course.
Mr. LENROOT. Mr. President, I want to ask the Senator from Florida whether he has known any time during the last eight years when an allowance for transportation was not spent by the department to which it was allowed?

Mr. FLETCHER. I can not answer as to that; but of course they are not obliged to spend the money simply because we

appropriate it. If they want to economize, they can do so.

Mr. HITCHCOCK. I will say to the acting chairman of the Naval Affairs Committee that if he makes his investigation among the officers of the Navy, he will probably find, as the Committee on Military Affairs has found, that officers of the Army will always insist on retaining the bonus paid for reenlistment, because they want to avoid the burden of training new men. The very thing which I think they should be compelled to do is the thing which the officers of the Army desire They want these old men, because it is not necessary to train them; and I want to say to the Senator that it seems to me that that question is involved in this item, because the reenlisting of men appears to involve the payment of twice the amount of travel allowance that would be necessary if new men were enlisted and not reenlisted.

Mr. POINDEXTER. New men, of course, have to be trained. There is a great advantage in having old men reenlist. One reason for the number of men that is requested for the Navy is the predominance of new men and their total unfitness for naval service until they have gone through a period of training. I readily understand the attitude of naval officers and Army officers that the Senator from Nebraska speaks of, and for that reason in almost every instance the estimates and the requests from those officers for appropriations have been modified to a very considerable extent by the committee.

I want to add just one or two other items that constitute

this amount.

In addition to the discharges and the enlistments and the re-enlistments, there is included transportation for men in the service between ships and stations at the calculated amount of an average sum of \$6.36 per year per man for 120,000 men, or \$763,200.

Transportation of enlisted men of the Naval Reserve Force to and from duty, with subsistence and transfer en route, or cash in lieu thereof, actual expenses, \$303,394.

Then there is included the expense of recruiting. Of course it is absolutely necessary that an organization for recruiting men should be maintained, and that amounts to \$378,000.

Buildings are necessary for this purpose. For the rent of rendezvous and the expenses of maintaining recruiting stations, \$264,574.

Mr. President, those constitute the items going to make up

the amount estimated by the department.

Mr. POMERENE. Mr. President, will the Senator yield for another question, please?

Mr. POINDEXTER. Gladly.
Mr. POMERENE. I notice in the report submitted by the Senator from Washington, on behalf of the committee, this

The bill as it passed the House made appropriations on the basis of an enlisted strength of 100,000 men in the Navy. Your committee rec-ommends, and has so proposed amendments to the bill, making appro-priations upon the basis of 120,000 men as the strength of the Navy.

Was there any provision in the House bill which limited the naval force to 100,000, or is there any provision in the proposed Senate amendments which increases the strength to 120,000?

Mr. POINDEXTER. There is no direct or express provision

either by the House or by the Senate committee.

Mr. POMERENE. Then, Mr. President, I suppose we should pass the bill as it is. What provision is there in this legislation which would indicate that these expenditures were to be made

for a Navy of 100,000 or for a Navy of 120,000?

Mr. POINDEXTER. The limitation of the amount appropriated will necessitate a Navy with a personnel of not over

Mr. POMERENE. Then, in the Senate committee bill as it is, we are providing for very substantial increases, and in this particular item an increase of \$1,000,000, and we do not know whether that is to be for a naval force of 100,000 or a naval force of 120,000.

Mr. POINDEXTER. Yes; we know that, Mr. President, because it can not be paid out except under the scrutiny of the comptroller and of the Auditor of the Treasury for the Navy Department, for the purposes specified in this bill, under which

the expenses are limited by law.

Mr. POMERENE. Then, Mr. President, if the provisions of the bill as it passed the House should prevail, these expenditures may be incurred for a Navy of 100,000 or a Navy of 120,000, without any restrictions whatsoever upon the Navy Department. Is that right?

Mr. POINDEXTER. The only restriction, so far as the law is concerned, outside of the physical restriction of the amount of money there is to do the work with, is the law which authorizes 143,000 men. That is the authorized strength of the Navy. Mr. POMERENE. Let me make another suggestion-

Mr. POINDEXTER. I would like to interpolate a remark right here, in order that there may not be any misunderstanding. I got the impression, from some remarks the Senator from Ohio and other Senators made the other day, that possibly they were under some misapprehension as to the basis of the appropriation recommended by the Senate committee as to the personnel in the Navy. It seems that they spoke of it as an increase in the Navy. It is not contemplated by the Senate committee, in fixing this amount, that there should be any increase of the Navy. The only change that was made in the bill by the Senate committee was an increase in the appropriation made by the House, for the reason that the House appropriations were made upon the calculation of a reduction of the Navy of 20,000 men.

Mr. POMERENE. Mr. President, I think the question which asked during the colloquy to which the Senator from Washington refers was not quite as accurate as it should have been: but I based my inquiry upon statements which the Senator from Washington had made in his report, which I read just a

It seems to me that the Senator from Washington, by the statement he has just made, indicates another weakness in this bill, namely, that under present legislation there can be a Navy of 143,000, instead of 100,000, as provided for in the bill as it passed the House, or 120,000, as provided for in the estimates of the Senate committee bill. So that if the Navy should see fit to recruit up to the legal strength of 143,000, as a result we would have an enormous deficit at the end of the fiscal year.

I was about to make this suggestion to the Senator. He has indicated that one of the reasons for the increase of \$1,000,000

upon this particular item is the fact that the Senate Committee on Naval Affairs contemplated a Navy of 120,000, instead of 100,000. Would it not be much better for the Senate to take its sense as to whether it wanted a Navy of 100,000, or a Navy of 120,000, or a Navy of 143,000? It would shed at least a little light upon this question in the minds of some of us who feel that we ought to have a program of economy here, instead of these extravagant appropriations, as they seem to me,

I do not understand how any Senator can vote with satisfaction to himself on this very question as to whether we shall increase this item \$1,000,000, when we do not know whether the

Navy will be 100,000 or 120,000 or 143,000.

Mr. POINDEXTER. We know it can not be over 120,000,

because they will not have money for more than that.

Mr. POMERENE. How do we know that? They will be coming in on a new deficiency bill, calling attention to the large deficit, because there was, it may be, an increase of the Navy over and above the 120,000.

Mr. KING. May I inquire of the Senator from Washington whether it is his purpose to place a limit on the personnel in this bill by way of an amendment, or is he going to permit the bill to pass in its present form with respect to that question, so that, as suggested by the Senator from Ohio, the same personnel which now exists might be maintained and a deficit be presented from time to time to meet the expenses of the increased personnel?

Mr. POINDEXTER. Mr. President, it is not the purpose of the Senator from Washington to propose that amendment, because he is not authorized by the committee to do it. The law

fixes the authorized limit.

Mr. KING. Will the Senator from Washington accept an amendment, if it shall be tendered by some other Senator or by myself, limiting the personnel to 100,000?

Mr. POINDEXTER. I can not say at this time that I would

accept it. I have no authority to accept it.

Mr. KING. I understand that. Would the Senator accept an amendment limiting it to 120,000?

Mr. POINDEXTER. The purpose of the bill is to limit the Navy to 120,000. That is what it is now. Mr. KING. I will say to the Senator, so that he may be advised, that before the debate shall have been concluded I

shall offer an amendment restricting the personnel to 100,000.

May I inquire of the Senator, in view of the fact that the appropriation bill for last year, under the head of "Bureau of Navigation," carried only \$3,500,000, if he feels there is a necessity now of an appropriation of \$4,500,000? I think I understood the observation of the Senator that a number of enlistments would expire, which might necessitate some increased expenditures; but, as I understand, the expirations last year were as great as the expirations in the current year, if not greater, because at the height of the war we had more than 500,000 in the Navy. Certainly there must have been a large number of persons who have withdrawn from the Navy.

Mr. POINDEXTER. Of course, we are not put to the neces-

sity of acting on conjecture and speculation as to that. That is a matter of record in the Navy Department, and the fact is that the expirations during the current year were very much less than they will be during the coming fiscal year. Furthermore, the amount provided last year was not \$3,500,000, but a total of \$5,000,000, or \$500,000 more than the amount

carried in this bill.

Mr. KING. I have before me the bill for the last year. Mr. POINDEXTER. There was another bill, I will say to the Senator.

Mr. KING. A deficit?

Mr. POINDEXTER. Yes; of a million and a half.

Mr. KING. To recur, I have before me H. R. 13108, Sixtysixth Congress, an act making appropriations for the naval service for the fiscal year ending June 30, 1921, and under the head of Bureau of Navigation, and under a subhead "Transportation and recruiting," the same heads which are found in the present bill, and under which heads the same items carried in the pending measure are delineated, the appropriation was \$3,500,000. The Senator now advises me that, notwithstanding that very large appropriation, there was a deficit.

Mr. POINDEXTER. A deficit caused by actual expenditures.
Mr. HITCHCOCK. Mr. President, I would like to ask the
Senator this question: Does the testimony before the committee indicate whether the department can in any degree control this matter of mileage? It seems to me that we ought to ascertain what the department is doing in that particular. Is it sending men clear across the continent, and sending men back across the continent? We found in some of the investigations before the Committee on Military Affairs that that has here-

tofore been a fault.

Rall

Mr. POINDEXTER. The Navy is administered much more

efficiently and economically than is the Army.

Mr. HITCHCOCK. What has the evidence shown? indications are that the average distance traveled per man is 760 miles. If the recruiting can be done near the seashore, that seems to me like a very long average distance per man.

Mr. POINDEXTER. The Senator can get some idea about

that, I think, from the figures I gave a moment ago, which seem to me to be quite significant, that the average travel pay for men discharged going to their homes is \$38.19, and the mileage in that regard is not a thing that the Navy Department can regulate. They can not determine where a man's home is. The men go to their homes, wherever they may be. The average for men newly enlisted going from their homes to the recruiting station, and from the recruiting station to whatever place of duty is assigned them, is \$53.83, while the average travel pay of men in the service, which is the class of men the Senator is now referring to, transferred by the Navy Department from one post of duty to another, which is a matter under the control of the Navy Department, was only \$6.36.

Mr. HITCHCOCK. That was on the theory that every one

of the 120,000 men was given travel pay.
Mr. POINDEXTER. No.
Mr. HITCHCOCK. Yes; it averaged \$6 for 120,000 men.

Mr. POINDEXTER. Yes; the entire number.

Mr. HITCHCOCK. An average of \$6 for 120,000 men. Of course, there were a great many of them who received no allowance of that sort. Now, I want to ask the Senator this question: Does not the Navy Department control the points at which it can make enlistments, and does not this indicate that on an average it is making the enlistments 760 miles from the place at which the men will be needed? It seems to me that is a matter the committee ought to investigate. It has been found that all of the travel-pay allowance, both in the Army and the Navy, is consumed every year, and is it not possible for the Navy, as well as the Army, to make its enlistments at such points as will not involve such a heavy burden upon the Gov-ernment? An average distance of 760 miles seems to me entirely too great.

Mr. POINDEXTER. Of course, one of the great naval training stations of the country is in the interior, the greatest we have, the Great Lakes Naval Training Station, and newly enlisted men are sent to that training station; then they are sent from that training station to the seacoast for duty. Of course, the distance there is necessarily quite large, something like

1.500 miles from the coast to the training station.

I think there undoubtedly must be some opportunity for economy along the lines the Senator from Nebraska has suggested, and I apprehend that some attention has been paid to that. I do not think there has been any unnecessary distance involved in the lines of travel marked out by the department. It has recruiting stations at various places in the country. The fact is that it has recruiting stations at every point where it was considered probable they could receive a sufficient number of desirable men to justify the maintenance of the stations.

The PRESIDENT pro tempore. The yeas and nays have been

ordered on agreeing to the pending amendment.

Mr. WILLIS. 'Mr. President, there is some confusion about the pending question. I ask that the amendment be stated again before we vote on it.

The PRESIDENT pro tempore. The Secretary will state the

pending amendment.

The Assistant Secretary. The amendment will be found on page 8, in line 14, under the heading of Bureau of Navigation, for transportation and recruiting, where the committee pro-

poses to strike out "\$3,500,000" and insert in lieu "\$4,500,000."
Mr. LENROOT. Mr. President, my attention has been called to a statement which I made that might easily be misunderstood. I stated that the mileage allowance to Representatives and Senators is 40 cents a mile, having in mind, of course, the round trip. The actual mileage is, as we all know, 20 cents per mile each

The Senator from Washington [Mr. Poindexter] assured us that in 1916, with a personnel of 55,000, we appropriated, in round numbers, \$800,000. For a little more than double that personnel it is now proposed to appropriate \$4,500,000, an increase of 550 per cent. Mr. President, the country will not stand for that.

The PRESIDENT pro tempore. The Secretary will call the roll on agreeing to the amendment of the committee.

The Assistant Secretary called the roll.

Mr. SIMMONS (after having voted in the negative). I wish to inquire if the junior Senator from Minnesota [Mr. Kellogg] has voted.

The PRESIDENT pro tempore. That Senator has not voted. Mr. SIMMONS. I have a general pair with that Senator. transfer my pair to the Senator from Nevada [Mr. PITTMAN] and let my vote stand.

Mr. COLT (after having voted in the affirmative). I have a general pair with the junior Senator from Florida [Mr. TRAM-MELL]. I transfer my pair to the junior Senator from Indiana [Mr. New] and let my vote stand.

Mr. HALE. I transfer my pair with the senior Senator from Tennessee [Mr. Shields] to the junior Senator from Vermont

[Mr. Page] and vote "vea."

Mr. JONES of New Mexico (after having voted in the nega-five). I have a general pair with the senior Senator from Maine [Mr. Fernald]. I transfer my pair to the Senator from South Carolina [Mr. SMITH] and allow my vote to stand.

Mr. LODGE. I wish to announce that the Senator from Pennsylvania [Mr. Penrose] is paired with the Senator from

Mississippi [Mr. WILLIAMS].

I wish also to announce that the Senator from Connecticut [Mr. McLean] is paired with the Senator from Montana [Mr. MYERS].

The result was announced-yeas 31, nays 39, as follows:

L.E.	40-01.	
Fletcher Frelinghuysen Gerry Hale Keyes Lodge McCumber	Moses Nelson Newberry Oddie Poindexter Spencer Stanfield	Sutherland Swanson Wadsworth Walsh, Mass. Walsh, Mont. Watson, Ind. Weller

Ball Bursum Calder Cameron Colt Edge Elkins Ernst	Fletcher Frelinghuysen Gerry Hale Keyes Lodge McCumber McKinley	Moses Nelson Newberry Oddie Poindexter Spencer Stanfield Sterling	Sutherland Swanson Wadsworth Walsh, Mass. Walsh, Mont Watson, Ind. Weller
The second second	NA	YS-39.	
Ashurst Borah Broussard Capper Caraway Cummins Dial Dillingham Glass Gooding	Harreld Harris Heffin Hitchcock Johnson Jones, N. Mex. Jones, Wash. Kendrick Kenyon King	La Follette Lenroot McCormick McKellar McNary Overman Owen Phipps Ransdell Reed	Robinson Sheppard Simmons Stanley Townsend Underwood Watson, Ga. Willis Welcott
A STATE OF THE REAL PROPERTY.	NOT V	OTING-26.	the second second second

Knox Ladd McLean Myers New Nicholson Brandegee Norris Culberson Curtis Page Penrose Smoot Trammell Warren Williams Pomerene Pittman Shields Shortridge Fernald France Harrison Kellogg Norheck

So the first committee amendment passed over was rejected, The PRESIDENT pro tempore. The next committee amendment passed over will be stated.

The Assistant Secretary. The next amendment of the committee passed over will be found on page 22, line 6, in the

total for the Bureau of Yards and Docks.

Mr. BORAH. Mr. President, I ask the Senator in charge of the bill if he will have any objection to voting at this time upon the item on page 30, which covers the question of increased personnel. I merely suggest it because of the fact that the debate, which has gone on with reference to the amendment upon which we voted, would be largely applicable to the item to which I refer and which is found on page 30, involving an increase from \$72,421,647 to \$87,798,447. Is there any reason why we should not take a vote upon that item at this time?

Mr. POINDEXTER. We passed over several other amend-

ments preceding that one.

Mr. BORAH. I will state my only object. The amendment to which I refer is so nearly akin to the other that it occurred to me it might be well to vote upon it at this time. However, I do not wish to interfere with the Senator's desire in the matter.

Mr. POINDEXTER. I should be very glad if we could vote upon the amendments passed over in order as they come up.

Mr. BORAH. Very well.

The PRESIDENT pro tempore. The pending amendment of the committee will be stated again.

The Assistant Secretary. The next committee amendment passed over is found on page 22, line 6, under the heading "Bureau of Yards and Docks, maintenance," where the committee proposes to strike out "\$7,500,000" and to insert mittee proposes to strike out "\$9,000,000."

Mr. BORAH. That is an increase of \$1,500,000. Upon that I ask for the yeas and nays.

The yeas and nays were ordered, and the Assistant Secretary proceeded to call the roll.

Mr. COLT (when his name was called). Making the same announcement as on the last vote in regard to my pair and its transfer, I vote "yea."

Mr. WILLIAMS (when his name was called). First transferring my pair with the senior Senator from Pennsylvania [Mr. Penrose] to the senior Senator from Louisiana [Mr. Ransdell], I vote "nay."

The roll call was concluded.

Mr. HALE (after having voted in the affirmative). I inquire if the senior Senator from Tennessee [Mr. Shields] has voted? The PRESIDENT pro tempore. The Chair is informed that

that Senator has not voted.

Mr. HALE. Making the same announcement as on the last vote in regard to my pair and its transfer, I will allow my vote

to stand.

Mr. JONES of New Mexico (after having voted in the nega-ve). I transfer my general pair with the Senator from Maine [Mr. FERNALD] to the Senator from Nevada [Mr. PITTMAN], and allow my vote to stand.

Mr. OVERMAN (after having voted in the negative). I have general pair with the senior Senator from Wyoming [Mr. I inquire if that Senator has voted?

The PRESIDENT pro tempore. The Chair is informed that the Senator from Wyoming has not voted. Mr. OVERMAN. Having a general pair with the Senator from Wyoming, I withdraw my vote.

Mr. KENDRICK. I transfer my general pair with the Senator from Illinois [Mr. McCormick] to the senior Senator from Texas [Mr. Culberson] and vote "nay."

Mr. WALSH of Montana (after having voted in the affirmation of the contant from Navy Japany [Mr. Feb.

tive). I notice that the Senator from New Jersey [Mr. Fre-LINGHUYSEN] has not voted. I have a pair with that Senator, and under the circumstances I am obliged to withdraw my vote.

Mr. CURTIS. I desire to announce that the Senator from Connecticut [Mr. McLean] is paired with the Senator from

Montana [Mr. MYERS]. The result was announced-yeas 38, nays 33, as follows:

YEAS-38 Moses
Nelson
Newberry
Nicholson
Oddie
Poindexter
Shortridge
Smith Sterling Sutherland Swanson Trammell Wadsworth Walsh, Mass. Watson, Ind. Ashurst Ball Broussard Bursum Fletcher Fletcher Gerry Gooding Hale Jones, Wash. Kellogg Keyes Lodge McCamber McKinley Calder Cameron Colt Curtis Smith Weller Spencer Stanfield Elkins Ernst NAYS-33. Norbeck Norris Owen Phipps Pomerene Reed Robinson Borah Heffin Townsend Underwood Watson, Ga. Williams Hitchcock Jones, N. Mex. Kendrick Capper Caraway Cummins Dial Kenyon King La Fellette Willis Dillingham Glass Wolcott Harreld Harris Sheppard Simmons McKellar NOT VOTING-25. New Overman Smoot Stanley Walsh, Mont. Warren Johnson Culberson Edge Fernald Knox Ladd McCormick McLean McNary Myers Page Penrose Pittman Ransdell Shields Frelinghuysen Harrison

So the amendment reported by the committee was agreed to. Mr. KING. I desire to give notice that in the Senate I shall demand a separate vote upon the amendment just adopted.

The PRESIDENT pro tempore. The Secretary will state

the next amendment passed over.

The Assistant Secretary. On page 22, line 18, after the word "exceed," it is proposed to strike out "\$150,000" and to insert "\$250,000," so as to read:

Provided further, That expenditures from appropriations contained in this act for the maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, including the compensation of operators, shall not exceed \$250,000.

Mr. KING. Mr. President, I am astonished somewhat at the lack of generosity on the part of the committee. Nearly every officer, apparently, both in the Army and in the Navy, feels constrained to have an automobile and a chauffeur. I think it is unfair for us to deny them such advantages and luxuries. I can not at all understand why we should limit the amount to \$250,000, and, in view of the last vote, I should feel like asking that it be increased to \$300,000.

To be serious, Mr. President, I think that the amount allowed by the House in this case is entirely too much, and I sincerely hope the Senate committee amendment will be disagreed to.

Mr. POINDEXTER. Mr. President, the expenditure for the current year for this item was \$600,000, and the committee cut it down to \$250,000.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the committee,

Mr. HITCHCOCK. I should like to ask some member of the committee how many automobiles the item provides for? How many officers will be provided with automobiles under it

Mr. POINDEXTER. The Navy has 391 and the Marine Corps has 115, a total of 506, of which 173 are passenger cars at the present time.

Mr. HITCHCOCK. That is, \$250,000 only provides for 173

passenger cars?

Mr. POINDEXTER. Oh, no; it provides for all of the freight cars and all the trucks, and the pay of chauffeurs.

Mr. BORAH. This does not cover anything except passenger cars, does it?

Mr. POINDEXTER. Yes.
Mr. HITCHCOCK. The provision says "motor-propelled passenger-carrying vehicles." It is limited to passenger automobiles which are used by officers.

Mr. POINDEXTER. That is correct.

Mr. HITCHCOCK. I ask how many automobiles are covered by the \$250,000 proposed to be appropriated?

Mr. POINDEXTER. One hundred and seventy-three.
Mr. HITCHCOCK. Where are those passenger vehicles operated?

Mr. POINDEXTER. They are operated at all of the naval stations wherever they have automobiles at all. In some places they still use horses, but I think wherever the horses have been supplanted by motor cars this appropriation will I have in mind the navy yard at Puget Sound. The last time I was there they were still driving horses to haul passenger-carrying vehicles. There are some cars maintained here in the city of Washington.

Mr. HITCHCOCK. This item is for passenger cars for naval officers only under the one heading "Bureau of Yards and

Docks"; it does not include passenger cars provided for naval officers elsewhere. Am I right in that?

Mr. POINDEXTER. What is the question?

Mr. HITCHCOCK. Is there any other appropriation in this bill for passenger-carrying motors for officers?

Mr. POINDEXTER. No.: thore is none.

Mr. POINDEXTER. No; there is none.
Mr. HITCHCOCK. Is the item limited to automobiles used by officers at navy yards and docks?

Mr. POINDEXTER. No; it covers the entire appropriation, so far as the Navy is concerned, for this purpose,

Mr. HITCHCOCK. It is limited to the heading "Bureau of Yards and Docks."

Mr. POINDEXTER. Yes; it comes under that heading, but

it is the only appropriation carried by the bill on that subject.

Mr. SWANSON. Mr. President, will the Senator permit me?

The PRESIDING OFFICER (Mr. OVERMAN in the chair). Does the Senator from Nebraska yield to the Senator from Virginia?

Mr. HITCHCOCK. I yield. Mr. SWANSON. Mr. President, this item does not increase the appropriation one cent. The House bill limited the amount that could be employed in connection with the motor-propelled passenger vehicles to \$150,000. Some of the passenger vehicles covered by this item are used also for other motor-transportation purposes, for carrying various commodities. The pre-ceding clause in the bill prohibits the use of any of the money appropriated by the bill for the purchase of passenger-carrying vehicles, and unless the amount allowed by the Senate committee is provided it will be impossible to use all the motorpropelled vehicles now on hand. I repeat the item does not increase the appropriation; it is merely a question of administration. Under the limitation of the House bill it will not be possible to purchase additional passenger-carrying vehicles, and, as I have intimated, the carrying of passengers is not the only use to which they are put, for they can be used and are used a great deal for other purposes,

Mr. BORAH. For what purpose?

Mr. SWANSON. The Navy has so many passenger vehicles, which can be used for various purposes and to transport various A limitation has been put on by the House that no part of the appropriation contained in the bill shall be used for motor-propelled passenger vehicles except to the extent of \$150,000. The Senate committee have simply increased the limitation of \$150,000 to \$250,000 without increasing the appropriation, as I understand.

Mr. HITCHCOCK. I should like to know what the considerations were which led the committee to increase the limit on

passenger vehicles from \$150,000 to \$250,000.

Mr. SWANSON. I was not at all the hearings of the committee, but my understanding in a general way is that they have these passenger vehicles, and all of them can not be used if the limit is not increased. We would simply have to scrap them, throw them away, and lose the money they cost. If they

are operated they can be used to a considerable extent to transport things in the same way that a motor truck is used. There is no increase in the appropriation. It simply shows the caviling way in which people are fighting this bill. It is for the Senate to say whether they want to scrap these passenger vehicles, throw them away, and not be able to use them. They can not be used without somebody to run them.

Mr. HITCHCOCK. Does the Senator imply that these passenger vehicles are to be used for the transportation of freight?

Mr. SWANSON. Some freight can be carried in them. The number of them has been stated. If you think it wise to put on this limitation without increasing the appropriation, it is left to the administration. They say that they can get along with \$1,300,000 if you allow this amount to stay in. Without that they say they can not do it, as I understand.

Mr. BORAH. Mr. President, may I ask the Senator a ques-

tion?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. HITCHCOCK. I yield.

Mr. BORAH. Does the Senator recall how much the bill of

last year appropriated for this item?

Mr. SWANSON. I do not recall. I have not it here. If the Senator will look at one of those large bills it will be found there. The Senator from Washington can give that informa-

Mr. POINDEXTER. The expenditures were \$600,000.

Mr. SWANSON. It is no increase at all, Mr. BORAH. How much did we appropriate?

Mr. POINDEXTER. Four hundred and fifty thousand dol-

lars, as I recall.

Mr. BORAH. Yes; that is it exactly. We appropriated four hundred and odd thousand dollars, and they have a deficit in that item of some two hundred thousand dollars. Mr. President, that disposes of the argument of the able Senator from Virginia, because apparently they would not pay any attention to it

Mr. HITCHCOCK. Mr. President, I know nothing about the merits of this matter, but it has been a somewhat notorious fact that during the course of the last three or four years the Government has been investing in an unusual number of automobiles, and we know that there is more or less of a public scandal here in Washington, because those automobiles are not used for governmental purposes. They are used for social They are a part of the perquisites of the offices held purposes. by these officers. Now, it may be necessary to have these 173 automobiles employed in Government service at the yards and docks of the United States Navy, but if it is necessary there ought to be some showing. The committee ought to make a showing, and reveal to the Senate why the House provision limiting the amount that may be expended for passenger vehicles to \$150,000 ought to be increased to \$250,000.

I am going to vote against the amendment until there is a showing here as to why the Government needs more than that number of passenger vehicles for governmental purposes around

its vards and docks.

Mr. POINDEXTER. The committee has already made a showing, but I can give the Senator the details of the service which is covered by this limitation.

I want to say, in connection with the matter, that it seems to me that the Senator from Nebraska [Mr. HITCHCOCK], who I believe is a member of the Committee on Military Affairs, without adverting in any unfriendly way to the War Department, bases his opinion very largely upon the information he has received in that committee. The conditions in the two

services are entirely different.

I know personally of one naval officer who was the commandant of a very important naval station, and who was allowed a passenger car for the performance of his official The law prohibited him from using the car for any personal use, and he interpreted that strictly as meaning that he could not go to a store with his car to buy supplies for his family, or could not go to keep a business engagement; and the consequence was, rather than submit to humiliating limitations of that kind, that he put the car in a garage and did not use it at all. It so happened that he was able to buy a cheap car himself which was not subject to those limitations, and which he used for both personal and official purposes. I do not think there are anything like the abuses in the Navy Department, in the use of these official cars, that the Senator from Nebraska refers to.

It is estimated that during 1922 the cost of running a seven-passenger car, including a chauffeur, will be \$225 a month, and that the cost of a five-passenger car will be \$50 a month less. If the chauffeur is not required, the estimate will next amendment of the committee passed over.

be \$120 a month less. On this basis, and assuming that onehalf of the five-passenger cars will not require chauffeurs, and that there will be two five-passenger cars to one sevenpassenger car, the limit of \$150,000 would provide for only 27 seven-passenger cars and 54 five-passenger cars, with a margin of \$2,580, in place of 173 and 333, respectively, which the Navy at the present time has, coming over from the larger establishment that grew out of the war. The committee considered that that reduction was uneconomical and would interfere with the business of the Navy at the very numerous stations which it is compelled to maintain. It therefore made an allowance of \$250,000, which will provide, according to the figures I have given, for 45 seven-passenger cars with chauffeurs, and 90 five-passenger cars, one-half with chauffeurs and one-half without chauffeurs, leaving a margin of \$4,300.

The PRESIDING OFFICER. The question is upon agreeing

to the amendment of the committee.

Mr. HITCHCOCK. I call for the yeas and nays.

The yeas and nays were ordered, and the Assistant Secre-

tary proceeded to call the roll.

The PRESIDING OFFICER (when Mr. Overman's name was called). The present occupant of the chair has a general pair with the senior Senator from Wyoming [Mr. WARREN], and therefore withholds his vote.

The roll call was concluded.

Mr. FERNALD. I have a general pair with the senior Senator from New Mexico [Mr. Jones]. Not knowing how he would vote on this question, I transfer that pair to the junior Senator from Indiana [Mr. New] and will vote. I vote "yea."

Mr. SUTHERLAND. Has the senior Senator from Arkansas

[Mr. Robinson] voted?

The PRESIDING OFFICER. He has not.

Mr. SUTHERLAND. I have a general pair with the senior Senator from Arkansas. I transfer that pair to the senior Senator from Connecticut [Mr. Brandegee] and will vote. I vote "yea.'

Mr. FRELINGHUYSEN. I transfer my general pair with the junior Senator from Montana [Mr. WALSH] to the senior Senator from Iowa [Mr. CUMMINS] and will vote. I vote

Mr. LODGE (after having voted in the affirmative). that my general pair, the Senator from Alabama [Mr. Underwood], has not voted. I therefore transfer my pair with that Senator to the Senator from Pennsylvania [Mr. KNox] and will let my vote stand.

Mr. WOLCOTT (after having voted in the negative). understand that the senior Senator from Indiana [Mr. WATson] has not voted. I have a general pair with that Senator, which I transfer to the senior Senator from Nevada [Mr.

PITTMAN], and will allow my vote to stand.

Mr. TRAMMELL (after having voted in the affirmative). Since having voted, I find that my pair, the Senator from Rhode Island [Mr. Colt], is absent. On that account I shall have to withdraw my vote.

Mr. CURTIS. I have been requested to announce that the Senator from Pennsylvania [Mr. Penrose] is paired with the

Senator from Mississippi [Mr. WILLIAMS].

The result was announced-yeas 39, nays 29, as follows:

YEAS-39. Fletcher Frelinghuysen McLean Moses

Ashurst Ball Bursum Gerry Glass Hale Calder Cameron Curtis Dillingham Jones, Wash, Kellogg Keyes Lodge McKinley Elkins Fernald

Nelson Nelson Newberry Nicholson Oddie Phipps Poindextet Ransdell Shortridge

Smith Spencer Stanfield Sterling Sutherland Swanson Wadsworth Walsh, Mass. Weller

NAYS-29.

Heflin Hitchcock Kendrick Kenyon King La Follette Lenroot Borah Capper Carawa Dial raway Gooding Harreld Lenroot McCumber Harris Harrison

McKellar Norbeck Norris Owen Pomerene Reed Sheppard Simmons

Townsend Watson, Ga. Willis Wolcott

Smoot

NOT VOTING-28.

Brandegee Broussard Colt Culberson Cummins

Johnson Jones, N. Mex. Knox Ladd McCormick McNary Myers

New Overman Page Penrose Pittman Robinson Shields

Stanley Trammell Underwood Walsh, Mont. Warren Watson, Ind.

So the amendment was agreed to.

The PRESIDING OFFICER. The Secretary will state the

The Assistant Secretary. On page 23, lines 14 to 18, both inclusive, under the item "Navy yard, Charleston, S. C.: Dredging, to continue, \$40,000," the committee proposes, after the numerals on line 14, just read, to insert:

The expenditure of the appropriation of \$1,150,000 for the construction of a large dry dock, navy yard, Charleston, S. C., continued in the naval appropriation act for the fiscal year 1919, approved July 1, 1918, is hereby suspended until July 1, 1924.

Mr. POINDEXTER. Mr. President, in regard to that amendment, so far as I am individually concerned, speaking for myself alone, upon a letter which I have received from the Secretary of the Navy, in which he states that in his judgment the object which the committee had in mind can be conserved by the Secretary of the Navy without this amendment, I have no objection to its being rejected.

Mr. REED. Mr. President, the Senator states that the object of the amendment can be "conserved" by the Secretary of the Navy without the amendment. That is interesting, but not very

definite. Will it be?

Mr. POINDEXTER. I only have the statement of the Secretary of the Navy. The object the committee had in view was to gain time for a further consideration of the entire matter and a further examination into it. The Secretary of the Navy advises me that no expenditure will be made for this dry dock until a further and thorough examination into the question has

Mr. REED. Has the Senator the communication?
Mr. POINDEXTER. I do not have it at hand, but I can supply it to the Senator in a few moments.

Mr. SMITH. I have a copy of the letter, that I hand the

Mr. REED. The letter which the Senator from South Carolina hands me reads as follows:

THE SECRETARY OF THE NAVY, Washington, May 14, 1921.

Hon. Carroll S. Page,
Chairman Naval Affairs Committee,
United States Senate,
Washington, D. C.

Washington, D. C.

My Dear Senator: In regard to the naval bill, I wish to call your attention to the item providing for a dry dock at Charleston. The authorization of this dry dock was placed in the bill some time ago. The present bill as drafted provides that the dry dock shall not be built until the year 1924.

I would suggest to the committee that this restriction seems unnecessary. An emergency might arise in which we should want an early appropriation. If the authorization to build the dry dock remained in the bill without time limit and the emergency did arise, we could promptly avail ourselves of that authorization and proceed with work that might become very necessary.

I might add that there is no intention to ask for such appropriation, but it seems to me that the time limit should be removed from this particular item. We can then deal with any situation that might arise.

Sincerely, yours,

Edwin Denby.

Is that the letter the Senator from Washington had in mind?

Mr. POINDEXTER. Yes; that is a copy of it.

Mr. REED. Mr. President, it seems to me that the attitude of the Secretary clearly is that the Navy Department should be left in a position to expend this \$1,150,000 if they desire, and not to expend it if they do desire to take that course.

I do not know what the merits of this item may be. The Senator tells us that they propose to reexamine the question. If the question is one which ought to be reexamined, if the Navy Department is in doubt itself with regard to it, it seems to me

very unwise to appropriate the money.

Mr. SMITH (in his seat). It is not an appropriation; it is an authorization. That is a misprint.

Mr. REED. What is the difference between an appropriation

and an authorization?

Mr. SMITH. Under an authorization the appropriation is to be made in the future, but contracts can be entered into. An appropriation makes the money available on the passage of the act.

Mr. POINDEXTER. Did the Senator ask me a question? Mr. REED. I asked the Senator from South Carolina, who had spoken to me aside, what distinction he drew between an appropriation and an authorization? Of course, I understand that there is a technical distinction, but if we authorize the Navy Department to do something, and they do it, we will be pretty nearly compelled to make the necessary appropriation, it seems to me. I am not here contending against building a Navy; I want to make some remarks on that in a few moments; but I am in serious doubt about allowing the Navy Department to commit us to the extent of \$1,150,000 on a matter on which they themselves at the present time have not made up their opinion. That is the way the question presents itself to my mind, and I would like to have some light on it. Of course, \$1,150,000 is not worth stopping over in these days. I have had no statement yet which satisfies me in regard to it.

Mr. LENROOT. Mr. President, will the Senator yield for a question?

I am yielding the floor.

Mr. LENROOT. I would like to ask the Senator from South Carolina, or the Senator from Washington, if there is actually any appropriation made for this purpose?

Mr. SMITH. No; it is an authorization.
Mr. LENROOT. And they would be required to come to Con-

gress before they could proceed with any work?

Mr. SMITH. Yes; and I have the word of the Secretary that

he will take that course.

Mr. KING. Mr. President, I am not satisfied that there is no appropriation which is available.

Mr. SMITH. There is none.

Mr. KING. If there is no appropriation available, then the

letter of Secretary Denby is misleading

Mr. SMITH. Mr. President, I would like to explain the situation. This is a mere authorization, and before the appropria-tion can be made the Secretary will have to come to the com-mittees of Congress to get the appropriation. He has said that he would make no effort under the law without appealing to

Mr. KING. As I construe the letter the Senator from Missouri just read, it indicated that if some contingency should

Mr. SMITH. He would come to Congress and ask for an appropriation under the authorization; that is all. Mr. KING. Does the letter indicate that the Secretary con-

strues the present law, whatever it is, as not sufficient to authorize the construction of a dry dock, no matter how serious the contingency might be?

Mr. SMITH. He would have to get an appropriation before

he could go further.

Mr. KING. Does the letter indicate that?

Mr. SMITH. Yes; the letter indicates that, and it says, "I might add that there is no intention to ask for such an appro-

Those are the words of the Secretary.

Mr. KING. Mr. President, I agree with the Senator from Missouri, if I understand his position. I think it is unwise to leave a matter of this character in the situation suggested by the Secretary of the Navy. If an appropriation has been made it should not be left suspended, like Mahomet's coffin, between heaven and earth, dependent upon the whim or caprice of some naval official. However, I do not care to go into a discussion of the matter.

It may be that a major naval base will be required at Charleston, S. C. It would seem that one will be required somewhere on the Atlantic coast south of Cape Hatteras or at a convenient and strategic point in the Caribbean Sea. The question is largely one of naval strategy, and I am awaiting with interest the report of the committee appointed to make an investigation and to recommend where such base should be established. The report was promised months ago, and I hope it will be ready at an early date. A subcommittee was appointed, consisting of the Senator from Delaware [Mr. Ball], the Senator from New Hampshire [Mr. Keyes], and myself, to examine into the Charleston Navy Yard project, and a report has been sub-mitted. I do not care to go into that at this time. Before definitely passing upon the question of the location of the major naval base I desire to have the report of the strategy committee appointed by the Navy Department to pass upon this

But while I have the floor I want to make this general observation, Mr. President. There are too many naval bases and navy yards, too many docks, too much waste, too much overhead, just as the Senator from Wisconsin [Mr. Lenboot] stated a moment ago. It is indefensible, Mr. President, that with the Navy which we propose to have for the coming year the overhead expenses should be between \$300,000,000 and \$400,000,000. With a personnel of probably a hundred thousand, with \$90,-000,000 carried by this bill for construction, we will still have in the neighborhood of \$400,000,000, the major portion of which will be used for maintenance.

No one can examine these items, Mr. President, and these stupendous totals without reaching the conclusion that the expense of our Navy is entirely too great. I do not see how it can be defended. The officers of the Navy Department and the officers of the War Department have not exhibited that spirit of economy which is necessary; indeed, there has been waste and extravagance, prodigal waste, in some of the activities of these departments. Congress seems absolutely powerless to pre-vent extravagance in the departments of the Government. Appropriations are enormous, and yet limitations are ignored and enormous deficits created. We are apparently powerless in the grasp of officialdom.

But appeals for economy made here fall upon deaf ears. Congress often declares for economy and threatens reductions, but it seldom carries out such threats. The votes on this bill indicate that no matter what showing might be made, if naval officials come before committees and ask for a given amount they usually get it. Congress too often abdicates its prerogative and becomes a registering machine of the edicts and demands of bureaucracy and the officials of the Government. In the days of German militarism the military cabal received what it asked for. It would seem that whatever the navalistic program demands is granted. There are items in this bill which I think ought not to be allowed, and the aggregate amount demanded seems to me to be indefensible.

I do not see any evidence of retrenchment in the bill. I see no evidences of economic reform in the administration of the Government since our Republican friends took possession.

I am not criticizing or speaking in a partisan way. reaucracy is stronger than either party and officialdom has the Republicans by the throat as it had the Democratic administration by the throat. You Republicans upon the other side of the Chamber are already confessing your impotency to cut the cord that binds you, and you will go on making these prodigal ex-I hope the result will be as implied by the distinguished Senator from Wisconsin, that four years from now some one else will come here for the purpose of effectuating

Mr. President, there is something somewhat disconcerting if not remarkable with respect to democracies and representative governments. In such governments there is more talk of economy than in monarchies and autocratic forms of government, but I sometimes think that republics are the most extravagant and expensive governments in the world. The action of bodies charged with making appropriations is not always consistent, or especially when compared with the views and private conduct of their members. Is there something in party action or mass action that develops a party or mass conscience? is the psychology of mass action or mass responsibility? It presents a phenomenon somewhat difficult to explain. Judge Dillon, in the preface to his work on municipal corporations, discusses the propensities of municipal bodies to support appropriations and measures which the members, if they had to act individually, would unhesitatingly condemn.

Municipal authorities have in years past enacted franchises

and other measures that could not be defended in morals. Often men who were honest, whose characters were unimpeachable, have lost their former sense of honor when they were able to share the responsibility of their acts with others. It would seem that individual morality is stronger than group or corporate morality.

The pending bill calls for appropriations that are entirely disproportionate to the needs of the service or the benefits to be derived. We are still under the influence of war days and think in billions and see pictures of governmental opulence. Appeals for reductions will, I am afraid, prove futile. We made one gallant charge to-day and saved \$1,000,000. But the next charge that was made we were defeated, and the following one we were routed. I presume the succeeding charges which will be made by those who would like to see some economies effected will result in the hopeless defeat of those who are trying to defend the

I hope that the Republican Party will practice economy, but there is no evidence as yet. In some departments increases will be shown. The promises of prewar expenditures will be unfulfilled. If the majority party can give the American people an economical and a wise administration, no one will rejoice more than I. I would rather see the Republicans in power and have them give good government to the people than to have the Democrats in power and have them give bad government. American people want good government. They want economy. The day ought to come when we can set our faces resolutely against these extravagant and extortionate demands daily made upon the Treasury of the United States.

Mr. LENROOT. Mr. President, I should like to ask the

Senator from Washington what was the purpose of the committee in proposing the pending amendment?

Mr. POINDEXTER. It was the purpose of the committee to give further consideration to the matter before the money was

Mr. LENROOT. Did the committee understand that there was no appropriation for this purpose?

The committee understood that there Mr. POINDEXTER. was an appropriation.

Mr. LENROOT. That there was an appropriation?

Mr. POINDEXTER. That was the understanding of the committee, and that is the fact as I understand it.

Mr. LENROOT. Here is a question of fact which it seems to me ought to be cleared up before the Senate votes upon the pending amendment. It is pretty clear that the committee must have understood that there was an appropriation, or there would be no purpose in the amendment. The Senator from South Carolina [Mr. SMITH] contends that there was no appropriation, but merely an authorization. If there is an appropriation, it seems very clear to me the amendment ought to be adopted. If there was no appropriation, of course, it is not necessary to legislate upon the subject at all, because before anything could be done

Mr. POINDEXTER. If the Senator will pardon me for interrupting him, I do not think there can be any doubt about the question whether there was an appropriation.

Mr. LENROOT. The Senator is certain that an appropriation has been made?

Mr. POINDEXTER. Yes.

Mr. CURTIS. The letter of the Secretary indicates that no appropriation has been made and that the Secretary will not call for an appropriation until it is absolutely necessary; that only the authority had been given which would justify an appropriation if estimated for by the department, or rather make it in order.

Mr. POINDEXTER. If that was the idea of the Secretary, the Secretary was misinformed in regard to it. In the act approved July 1, 1918, for the navy yard at Charleston, S. C., there was provided for the construction of a dry dock, \$1,150, 000, with a limit of cost of \$4,000,000, and that has been continued in force until expended. My understanding of the atti-tude of the Secretary of the Navy is that he will not contract for the expenditure of this money until the opportunity has been given for a full consideration of the entire matter.

Mr. LENROOT. Right there I wish to ask the Senator from Washington whether it was not the theory of his committee that the committee and Congress should have an opportunity to

make that investigation and pass upon it? Mr. POINDEXTER. That is correct.

Mr. LENROOT. But under the letter of the Secretary of the Navy, if the amendment is not agreed to, Congress will have nothing to say about it, Congress will have no control over it. and if the Secretary concludes, whatever might have been the opinion of Congress, that the work should go on, he is at liberty to expend the money. That certainly could not have been the theory of the committee and the theory of the Senator from Washington.

Mr. SMITH. The Secretary states emphatically in his letter that no expenditure will be made without the authorization of Congress even in this case.

Mr. LENROOT. The Secretary evidently does not understand at all from his letter what has been done by Congress.

Mr. SMITH. Oh, yes; he is thoroughly advised as to what has been done.

Mr. LENROOT. I submit that he is not, because the letter states that there is only an authorization, and the Senator himself in response to my question told me the same thing.

Mr. SMITH. It is practically nothing but an authorization. There is appropriated in this bill only \$40,000 for ordinary dredging.

Mr. LENROOT. But the Senator from Washington has just told us, and has read from the previous appropriation act, that \$1,150,000 was appropriated, and the Secretary may use it to-morrow

Mr. SMITH. No; that died with the other act. It was carried in the 1919 appropriation act and is not contained in this Mr. SMITH.

Mr. LENROOT. But the Senator from Washington, stated that it has been continued and is in force to-day.

Mr. SMITH. I think the Senator from Washington was in error, because it was carried in the 1919 appropriation act but is not carried in this bill.

Mr. LENROOT. Then what could have been the purpose of the amendment to prohibit the appropriation next year if it was not available?

Mr. SMITH. I do not think the amendment really would have accomplished anything at all, because the Senator knows enough about appropriations to know that the appropriation must be repeated in this bill to become effective.

Mr. LENROOT. Not if some other provision has been made making it available until expended, and the Senator from Washington states that that is what has been done.

Mr. SMITH. I think it was carried in the 1919 appropriation act, but it was not carried in the other act, and we have the word of the Secretary of the Navy that no action on his part will be taken without conference with the committee,

Mr. LENROOT. No; the statement of the Secretary of the Navy is that, if necessary, he would come to Congress and call for an appropriation, but if an appropriation already exists there would be nothing for Congress to act upon, and, of course, he would not come to Congress in that event.

Mr. CURTIS. May I ask the Senator from Washington, with the permission of the Senator from Wisconsin, has he the act continuing the appropriation or making it available until it is

expended?

Mr. POINDEXTER. Yes; I have it in my hand.

Mr. CURTIS. What does it provide?

Mr. POINDEXTER. It is the same act in which the appropriation was made.

Mr. CURTIS. Does it continue the appropriation until ex-

Mr. POINDEXTER. I do not wish any misapprehension-Mr. CURTIS. No; we do not wish any misapprehension; we

Mr. POINDEXTER. In the act approved July 1, 1918, under the head of public works, which heading contains the appropriation to which I have just referred, the total appropriated for public works was \$46,694,375, and it is then provided that—

The amounts herein appropriated therefor, except for repairs and preservation at navy yards and stations, shall be available until ex-

Mr. LENROOT. Why, certainly. Now, what does the Sena-

tor from South Carolina say?

Mr. SMITH. As I understand it, and after my conference with the Secretary, I was under the impression, and I still believe, that no action whatever will be taken in reference to this matter until the committee is asked to make an appropri-

Mr. LENROOT. But there has been an appropriation made.
Mr. SMITH. I say, until the committee is asked to make
an appropriation; in other words, no contracts will be given out until Congress has acted upon it. I have that not only from the Secretary himself, but I have it in his letter to the chairman

of the committee as well.

Mr. LENROOT. Mr. President, this matter has been the subject of controversy for a number of years. If Congress wishes to surrender all control over this project to the Navy Department and have nothing to say about it, then, of course, the suggestion that the amendment be not adopted is good; but if Congress does desire to retain control over it, if Congress is to determine the question of this navy yard, then the amendment ought to be adopted, because the Secretary of the Navy clearly was in error in his letter when he stated that there was only an authorization made and that in any event he would have to come to Congress for an appropriation. From his letter it is very clear that he proposes to make the investigation. He will come to the conclusion as to whether or not this shall go on; and Congress, unless the amendment is adopted, will be deprived of all control over it. Clearly, it seems to me, the amendment ought to be adopted.

Mr. BORAH. Mr. President, I had understood that there had been no appropriation made for this particular enterprise; that there had only been an authorization for it. Upon that understanding I had made certain statements, but the language of the act does not admit of two constructions. There was an appropriation made; it is a continuing appropriation; and it is there subject to call whenever the Secretary of the Navy desires to use it. So it occurs to me, Mr. President, that unless this amendment is adopted, as the Senator from Wisconsin [Mr. LENROOT] has said, Congress has absolutely lost control of it.

Mr. SMITH. May I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from South Carolina?

Mr. BORAH. I yield, Mr. SMITH. It would be absolutely silly and useless for the Secretary of the Navy to start with that amount unless there was a sufficient amount to complete the project in any event, even though he were to disregard everything and go ahead, for the authorization calls for the completion of the project. Thinking in the emergency which confronted us the work was going to be commenced immediately, there was at that time an authorization for expenditure of the amount named. The emergency having passed, the Secretary could not go on and complete anything until he comes to Congress and gets the remainder of the authorization, which, under the terms of the act, amounted to something over \$4,000,000.

For that reason he very properly stated that he would not attempt anything at all and would make no move until he came to Congress to get the proper appropriation looking toward the completion of the project; in other words, that he would submit the facts to Congress in order to ascertain whether or not they desired that the project should be proceeded with.

Mr. BORAH. Then the amendment does not change the situation so far as the enterprise is concerned. The only matter in controversy here is whether Congress shall hold the discretion to proceed with it or whether it shall permit the Secretary of the Navy to hold that discretion. He can go ahead and expend the \$1,150,000 if he wishes to do so. While he could not complete the work with it, yet, of course, after the expenditure of \$1,150,000, which the Secretary will have expended, acting according to his judgment, there will be no answer to the proposition when the matter gets back here, that, having expended \$1,150,000, we ought to go ahead; the same as it is now said that, having spent 8 per cent upon certain unfinished ships of the Navy, we can not afford to stop; that having spent 8 per cent, we must spend the remaining 92 per cent.

So, Mr. President, it is a simple question. It does not make any difference to the enterprise in the State of the Senator from South Carolina if the Secretary of the Navy carries out his program because the completion of the project is to be held up until Congress acts. If the Secretary of the Navy does not act until Congress makes the final appropriation, of course the State of the Senator from South Carolina will not have derived

any benefit.

Mr. SMITH. A committee or commission, known as the Helm Commission, is now investigating as to whether or not a dry dock shall be built somewhere in the South, either on the South Atlantic or on the Gulf, and all parties are agreed that, as the war emergency has passed, nothing will be done and no recommendation will be made until that commission reports. If it reports adversely to the proposition, nothing will be done; if it reports favorably, it may report for the location of a dry dock at some other place than Charleston.

Mr. LENROOT. Will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Wisconsin? Mr. SMITH. Certainly.

Mr. LENROOT. In view of the Senator's statement, I should like to ask him what possible harm can come from the adoption of the amendment, if the Secretary of the Navy has got to come to Congress in any event before he proceeds further with the project?

Mr. SMITH. It seems to me that in case the commission reports in favor of the construction of the dry dock and Charleston should be fortunate enough to be the place recommended, it would not then be necessary to get a law passed, for the author-

ization would already be in existence.

Mr. LENROOT. It is in existence now. This proposition is

merely to suspend the appropriation.

Mr. SMITH. Yes; that is true as to the authorization; but we do not know when the commission will report or what conditions may arise. It is a mere authorization, and the Senator from Wisconsin knows that not a nickel will be spent on the project under this administration until Congress is advised.

Mr. LENROOT. But how under the Senator's own statement can the adoption of the amendment harm the project?

Mr. ROBINSON. Mr. President, if the Senator will yield to me, I desire to say that I can easily see how the adoption of the amendment might occasion delay and, perhaps, prevent the completion of the project after it shall have been approved by what is called the Helm Commission. If the amendment is not adopted and the commission makes a favorable report as to the location of the dry dock at Charleston, the Secretary of the Navy, as soon as he decides that it is proper to do so, can -to-morrow or the next day-proceed with the work so far as the appropriation goes; but if he is denied the privilege of doing that under the amendment, even if the report should be made at an early date, he could certainly not proceed prior to July 1, 1924. In the meantime rival points, other places along the coast, might desire to prevent action by Congress. The Senator from South Carolina in the proposition as it now exists has a strategic advantage that I am not surprised he is not quick to yield.

Mr. JONES of Washington and Mr. DIAL addressed the

The PRESIDING OFFICER. The Senator from Washington. Mr. JONES of Washington. Mr. President, I desire to ask the Senator in charge of the bill whether or not the committee gave any consideration to the status of the money which had been appropriated for dredging a channel up to the Charleston dry dock. My recollection is that when the dry dock was provided for we incorporated a provision in the river and harbor act, conditioned upon the construction of the dry dock, appropriating, I think, about a million and a half dollars for dredg-

ing a channel there. If the expenditure of the money for the building of the dry dock is to be suspended, it seems to me that we should also suspend the payment of the money appropriated for dredging a channel up to the dry dock. Did the committee give that matter any investigation and ascertain what had

been done under the appropriation for dredging?

Mr. POINDEXTER. That is a matter in the jurisdiction of the Committee on Commerce, of which my colleague is chairman.

Mr. JONES of Washington. I know that that is true.

Mr. POINDEXTER. I understand, however, that that appropriation is still in effect, and that a great deal of it has been expended. There is, however, a balance remaining which the department is still authorized to spend.

The original estimated cost of this project, according to the statement which I have here, was \$7,540,000.

This amount of money contemplated a 40-foot channel 1,000 feet wide. Included in this amount was \$1,000,000 for the purchase of a dredge. I am informed the department has since abandoned as unnecessary the project for purchasing the dredge.

necessary the project for purchasing the dredge.

The rivers and harbors act of 1918 appropriated \$1,500,000 for this project. The 1920 annual report of the War Department states that to carry on the work for the next fiscal year will cost \$1,900,000. In this amount was included \$400,000 for reconstructing a dredge. The War Department now considers that it is possible that this expenditure will not be necessary. On inquiry at the War Department as to the probable cost of a 600-foot channel, 40 feet deep and 1,000 feet on turns, advice was given that while it would be necessary to make a careful estimate of this it was considered that the cost would be about a half of the original estimated cost; that is, \$3,770,000.

Of the amount, namely \$1,500,000, appropriated in the rivers and harbors act approved by Congress July 18, 1918, for dredging Cooper River, \$995,296.49 has been expended.

In addition to the foregoing there is now covered by existing contracts and outstanding liabilities, \$434,042.52.

Work on contract dated December 1, 1919, with the United Dredging Co. was started in November, 1920. Amount of this contract was approximately \$259,927.

The work on this particular contract was 27 per cent complete on December 1, 1920.

The work on this particular contract was 27 per cent complete on December 1, 1920.

That is the report which we have from the Chief of Engineers

of the War Department. Mr. JONES of Washington. In other words, practically all of the \$1,500,000 appropriated is either expended or obligated,

as I remember the figures the Senator read. Mr. POINDEXTER. Much the greater part of it has been

expended.

Mr. JONES of Washington. Of course that appropriation was made distinctly upon the condition that the dry dock was to be built. That was the only reason that the Committee on Commerce recommended the appropriation. I was thinking of proposing an amendment to the amendment of the committee suspending the expenditure of any amount heretofore appropriated in the river and harbor bill for that purpose, although, according to the report read by the Senator from Washington,

there is not very much left.

Mr. POINDEXTER. Mr. President, I ask that the question

be stated.

Mr. JONES of Washington. Mr. President, I offer an amendment to the committee amendment to be added at the end of the committee amendment.

The PRESIDENT pro tempore. The amendment will be stated.

The READING CLERK. At the end of the committee amendment, on page 23, line 18, it is proposed to add:

And the expenditure of any sum heretofore appropriated in the river and harbor act for dredging a channel to said dry dock is hereby sus-pended until the said date.

Mr. JONES of Washington. That, Mr. President, is simply intended to carry out the real purpose when the appropriation was made. As I said awhile ago, the river and harbor appropriation was made expressly upon the understanding and condition that if the dry dock is not necessary, if it is not to be built, that appropriation should not be expended. While the amendment, of course, can not interfere with the expenditure of money already utilized, it is intended to suspend the further expenditure of money, just as the committee amendment is intended to suspend the expenditure of money heretofore appropriated for the dry dock, for the same period of time that the committee desires to suspend the expenditure of the other

Mr. SMITH. I should like to state that in any event the dredging has to be done in that channel and some preliminary dredging work has been carried on. I wish to state further that there is a very small appropriation from the unappropriated balance carried in the current river and harbor act that would be used in any event to dredge the channel which is already in existence.

Mr. JONES of Washington. The amendment I have pro-posed does not relate to any amount which may have been

allotted under the lump-sum appropriation. The current river and harbor act does not provide any specific amount for the dredging to which the Senator from South Carolina refers.

Mr. SMITH. That is the point I am making

Mr. JONES of Washington. It relates to the appropriation made in the river and harbor act expressly for dredging a channel up to the dry dock. That is the act of 1918. I did not have the date of it until the Senator in charge of the bill

Mr. SMITH. I will explain to the Senator that was jointly done, because the dredging had to be done in any event, as he will see from the report. There was a very small amount left over from the amount appropriated for that purpose, and that was carried in a lump sum as an unappropriated balance to carry on the ordinary dredging to keep open the channel.

Mr. JONES of Washington. Oh, Mr. President, the Senator is mistaken if he thinks that any legislation has been enacted under which the original amount of \$1,500,000 could be expended for any other purpose than dredging a channel up to the dry dock, conditioned upon the construction of the dry dock. With what the department may have allotted out of some appropriations heretofore made for ordinary dredging to keep the channel in ordinary condition the amendment I have proposed has nothing to do. All that the amendment which I have proposed is intended to do is to suspend the payment of any part of the appropriation made by the act of 1918 for the express purpose of dredging a 40-foot channel up to the dry dock. It is not intended to affect the ordinary expenditure that may be necessary to maintain the present channel in its present condition.

Mr. POMERENE. Mr. President, unless the Senators have some information to the contrary, it would seem to me that the

original appropriation has already been expended.

Mr. JONES of Washington. It looks like it has practically been expended from the report read a moment ago by the Sen-

ator in charge of the bill.

Mr. POMERENE. The original appropriation in the river and harbor bill reads in this way:

Charleston Harbor and Channels, S. C.: Continuing improvement and for maintenance, \$110,000; for improvement to provide a channel 40 feet deep and 1.000 feet wide, extending from the sea to the Charleston Navy Yard, \$1,500,000: Provided, That this work shall not be undertaken until the proposed new dry dock at this navy yard, carrying a depth of 40 feet of water over the blocks, has been authorized.

Mr. JONES of Washington. The amendment I have proposed is not intended to interfere with the \$110,000 item; it simply relates to the \$1,500,000 which was based expressly upon the con-

dition that the dry dock shall be constructed.

Mr. DIAL. Mr. President, there is already a dry dock at Charleston. The dry dock that we are speaking of here is an additional one, proposed to be built at some time in the future. It is necessary to get up to the present dry dock. Therefore the amendment of the Senator from Washington ought not to prevail.

In addition to that there is a very extensive naval base above the dry dock up the river. The Government has spent something like \$17,000,000, I think, in providing those terminals, and it is necessary to dredge the river in order to get up to Therefore the amendment ought not to be agreed to.

In addition to what the Senator from Arkansas said about what would happen if this amendment should be agreed to, it would be necessary to come back here and have it repealed, and nothing could be done until 1924. The hands of everybody would be tied unless Congress should repeal it before that time, and we know how difficult it is to get laws repealed.

It does seem to me, in view of what has been done and all the money that has been spent and the great necessity there for dredging to this dry dock, that the hands of the Secretary of the Navy should not be tied, but we should leave the matter There have been various investigations and various reports. My understanding is that all the reports have favored this location, so it seems to me that we could well leave the matter to the discretion of the Secretary of the Navy. Nobody can be hurt. They have all branches of the Government, and can trust the Secretary of the Navy.

Mr. FLETCHER. Mr. President, as I gather the situation there, this channel is required independently of this particular dry dock. It is needed there because it is necessary to have a channel in order to reach the terminals and the base and also the present dry dock. I think it would be a mistake to undertake to suspend the appropriation for this channel carried in the river and harbor bill, because whether the particular dry dock mentioned in this bill is ever provided for or not this channel is needed in any event.

I think we ought not to adopt the amendment.

Mr. JONES of Washington, Mr. President, I desire to ask the Secretary to change the amendment I have offered so as to make it read as follows:

And the expenditure of any unexpended portion of the \$1,500,000 appropriated in the river and harbor act of 1918 for the construction of a 40-foot channel to the navy yard is hereby suspended until said date.

That identifies it very clearly.

Mr. POINDEXTER. I would suggest to my colleague that while perhaps he is more familiar with the river and harbor appropriations than I am, if that suspension is adopted there ought to be some provision made to protect the contracts already entered into. It ought to be limited to the unexpended portion, or that portion which is not already obligated by contract.

Mr. JONES of Washington. I worded it "the unexpended ortion." I did not know that this provision was in the bill. portion." I have not examined the bill fully. I did not know that this amendment was here, and I take it that this could be taken care of in conference if anything further is necessary to protect the interests of the Government; but I have framed my amendment now so that it covers only the unexpended portion. I might put in the words "or unobligated." I will ask to insert those words, so that it will read "unexpended or unobligated

Mr. FLETCHER. "Unexpended and unobligated."

Mr. JONES of Washington. Yes; "unexpended and unobligated portion" of the appropriation.

The PRESIDENT pro tempore. The Secretary will state the amendment to the amendment as now proposed.

The READING CLERK, It is proposed to insert, at the end of the committee amendment, the following:

And the expenditure of any unexpended and unobligated portion of the \$1.500,000 appropriated in the river and harbor act of 1918 for the construction of a 40-foot channel to the navy yard is hereby suspended until said date,

Mr. DIAL. Mr. President, I desire to say that this is the only repeal of an appropriation already made and not yet expended that I know of. They have singled out this particular place, and I feel that it is unjust to the country at large to tie the hands of the Secretary of the Navy in this manner. The subject was thoroughly investigated before the appropriation or the authorization was made, and it was thought to be neces-

We do not ask for any hurry about building a dry dock. We merely want the appropriation left as it is; and I feel that it is not treating our section in a proper way to take the action that is proposed. This is the only attempt I know of, and possibly the only attempt that was ever made, to repeal an appropriation after it has been authorized.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Washington [Mr. Jones] to the amendment of the committee.

Mr. JONES of Washington. I call for the yeas and nays. The yeas and nays were ordered, and the Reading Clerk

proceeded to call the roll.

Mr. OVERMAN (when his name was called). eral pair with the senior Senator from Wyoming [Mr. WARREN]. I transfer that pair to the senior Senator from Texas [Mr. Culberson], and will vote. I vote "nay."

Mr. ERNST (when his name was called). I am paired with the senior Senator from Kentucky [Mr. Stanley]. I transfer that pair to the senior Senator from Connecticut [Mr. Brande-GEE] and will vote. I vote "yea."

Mr. KING (after having voted in the affirmative). I have a general pair with the senior Senator from North Dakota [Mr. McCumber]. I discover that he is absent from the Chamber. Not knowing how he would vote on this question, I am compelled to withdraw my vote.

Mr. FLETCHER (after having voted in the negative)

have a general pair with the Senator from Delaware [Mr. He has not voted. I transfer that pair to the Senator from Nevada [Mr. PITTMAN] and will allow my vote to stand.

Mr. LODGE. I have been requested to announce that the Senator from Pennsylvania [Mr. Penrose] is paired with the Senator from Mississippi [Mr. WILLIAMS].

The result was announced-yeas 37, nays 29, as follows:

YEAS-37.

Gooding Hale Bursum Johnson Jones, Wash. Kellogg Keyes Ladd La Follette Cameron Capper Colt Cummins Dillingham Elkins Lenroot Lodge Ernst Frelinghuysen

Borah

McKinley Moses Newberry Nicholson Norris Oddie Phipps Poindexter Pomerene Smoot

Spencer Stanfield Sutherland Townsend adsworth Watson, Ind. Willis NAYS-29.

Ashurst Broussard Heflin Hitchcock Reed Robinson Caraway Dial Fletcher Glass Kendrick McKellar Myers Nelson Sheppard Shields Simmons Smith Harris Harrison Overman Ransdell Swanson Trammell

Underwood Waish, Mass. Waish, Mont. Watson, Ga. Wolcott

NOT VOTING-30.

Ball Brandegee Calder Culberson Curtis McLean McNary New Norbeck Owen Page Penrose Pittman Gerry Harreld Jones, N. Mex. Kenyon King Knox McCormick McCumber Edge Fernald France

Shortridge Stanley Sterling Warren Weller Williams

So the amendment of Mr. Jones of Washington to the amendment of the committee was agreed to.

The PRESIDENT pro tempore. The question now is upon the amendment of the committee as amended.

Mr. LODGE. Mr. President, I merely wish to say, in regard to the amendment, that it seems to me wholly needless in view of the letter of the Secretary of the Navy. I think it would be well to drop it from the bill, and leave the management of the matter with the Secretary of the Navy. So I shall have to vote against the amendment.

Mr. BORAH. Mr. President, it may be that the Senator from Massachusetts has made the suggestion he has just submitted because he has the same understanding I have, and I desire to ask the Senator from Massachusetts if I am correct.

As I understand the situation at the present time, it is that \$1,150,000 was appropriated in the 1918 act, and that it is a continuing appropriation. If this amendment is not adopted, then it will be wholly in the discretion of the Secretary of the Navy to expend that \$1,150,000, will it not?

Mr. LODGE. Yes; in the discretion of the Secretary.

Mr. BORAH. In other words, the letter of the Secretary of the Navy does not change anything at all. I suppose, without having written that letter, he would not have failed to exercise his discretion.

Mr. LODGE. He simply asks to have it left to his discretion, and I think it is well to do it.

Mr. BORAH. It was within his discretion before. There was nothing mandatory; there was nothing to compel him to ex-

Mr. LODGE. No; but it would not be in his discretion if this amendment were adopted.

Mr. BORAH. That is precisely it. In other words, we draw the discretion to us instead of leaving it to the Secretary of the Navy. If the Secretary of the Navy desires to go ahead and expend it, he may do so?

Mr. LODGE. Undoubtedly.

Mr. ROBINSON. Does not the Senator from Idaho think he ought to be permitted to do so, if he reaches the conclusion, after a second investigation of the matter, that the work ought to be cared for?

Mr. BORAH. No; I do not. Mr. ROBINSON. That is the exact point of difference between the Senator from Idaho and myself.

Mr. BORAH. Precisely so. In regard to that item I take exactly the same position that I take in regard to these other items. I simply want to trim it down to the provisions of the bill as passed by the House.

Mr. President, on this question I ask for the yeas and nays. Mr. LA FOLLETTE. May I ask the Senator a question?

Mr. BORAH. Certainly.

Mr. LA FOLLETTE. Is not this the unexpended appropria-tion concerning which a bill was introduced by the Senator from Iowa to repeal the authority to spend this money; and is it not a fact that a committee of the Senate, after investigating the matter, unanimously reported in favor of the passage of the bill? Is it not also true that an effort was made to get that bill before the Senate day after day for consideration late in the last session, when a single objection made it possible to prevent its passage?

If that be true, Mr. President, and I am informed that it is true, then unless we adopt this provision as now amended and revoke the authority to spend \$1,150,000 we will leave with the Secretary of the Navy the discretionary authority to expend \$1,150,000 for a project against which a committee of the Senate has reported within the last three months. The Senator from Delaware [Mr. Ball] was the chairman of the committee which made the investigation; and I submit that in view of that report we ought to adopt this amendment and thereby make certain that this sum of money will not be expended.

I see the Senator from Delaware is here, and I would be glad, if the Senator from Idaho will yield further, to inquire of the Senator from Delaware what the facts are in this matter.

Mr. BALL. Mr. President, the brief report gives more definitely probably than I could give offhand just the condition

Charleston already has one very good dry dock, not large enough to take the present large dreadnaughts, but a very good dry dock. The committee found that the dredging of the channel 40 feet in depth and 1,000 feet in width, for a distance of 22 miles, which was provided for these large dreadnaughts, would probably cost from eight to ten million dollars. The lowest estimate of the engineer to keep that channel open was \$500,000 per annum.

There was no bid made to construct the dry dock. Bids were authorized by the Government, but none were made. engineer in charge estimated that they probably could construct the dry dock for \$8,000,000, but in addition to the construction of the dry dock it would require probably \$2,000,000 for the equipment and additional wharfage. So the entire expense of dredging the channel for the 1,000 feet in width and 40 feet in depth, together with the dry dock, would be in the neighborhood of \$20,000,000. I think probably at present

it could be constructed for somewhat less.

The Secretary of War, notwithstanding the fact that we understood that no appropriation was to be expended on this project, did expend all made available by the Rivers and Harbors Committee, which was \$1,500,000, and I received a letter, I think in February, stating that he thought the project was about one-tenth completed. If it was only one-tenth completed with the expenditure of \$1,500,000, of course it would cost more than the \$10,000,000. But he further said in the letter that he thought the other nine-tenths could be completed for about \$3,000,000. So his latest estimate for the completion of the dry dock was between three and four million dollars, notwithstanding the fact that the letter stated it was only one-tenth completed.

Those are the facts. Their present dry dock is large enoughabout 560 feet, I think-to take vessels the size of the Utah. We have on the Atlantic coast 19 dry docks. We have on the Pacific coast only 4, aside from Pearl Harbor and Balboa. The Government has certain rights of use in the dry dock at Hunters Point, but the one at Hunters Point is the only large dry dock on the Pacific coast north of the canal. The others, with the exception of two, are smaller than the Charleston

dry dock.

The board appointed by the President to investigate the necessity of dry docks on both the Atlantic and the Pacific Oceans recommended that the Pacific needed the additional dry docks so much worse than the Atlantic that they would not recommend the construction of the large one at Charleston at that time. They wanted, further, to make more definite ex-amination of the southern waters, thinking probably a dry dock might be located farther south. There is a long stretch of water between Norfolk and the canal. Charleston is the only harbor, probably, available now. But it is 22 miles from deep water. The dry dock is about 7 miles above the city of Charleston, where the commercial docks are.

Mr. LA FOLLETTE. What did the bill which the Senator reported favorably from the Committee on Commerce at the

last session propose?

Mr. BALL. It provided entirely for the repeal of that appropriation, but the Senator from South Carolina and I discussed the matter very carefully, and we thought probably if this was merely held in abeyance for a few years, until the Pacific Ocean was properly cared for and the engineers had further time to examine the southern coast, it might be necessary to construct this to protect our coast. I can not give you the number of miles from Norfolk around, but it is a long stretch

Mr. SMITH. Mr. President, I would like to say to the Senate that a special expert committee was appointed to investigate the necessity of dry docks along the Atlantic seaboard. It developed during the war that we did not have docks of sufficient dimensions to take certain ships that we had. This expert naval committee proposed four, one to be located at Boston, which was completed, the Commonwealth dry dock, which the State itself started and the Government bought; one at Phila-delphia, one at Norfolk, and one at Charleston. The first three I mentioned were contracted for, and are now perhaps completed.

I want the Senate to bear in mind that from Cape Hatteras to Portsmouth, N. H., a distance of 700 miles, we already have !

18 dry docks. From Cape Hatteras to Galveston, Tex., a distance of 2,000 miles, there is one dry dock. That dry dock is of dimensions to take the smaller vessels.

In view of the fact that the southern coast confronted the South Atlantic, Caribbean, the Gulf of Mexico, and the Panama Canal, that committee thought a dock south of the dangerous

Cape Hatteras ought to be constructed.

Previous to the appointment of that expert naval committee there was a commission appointed, known as the Helms Commission, who were to investigate where to place a dry dock to protect the South Atlantic. Guantanamo was mentioned. That board is still investigating.

The authorization for the dry dock at Charleston, S. C., was made by experts appointed by the Navy Department regard-

less of anything like politics or sectionalism.

It would be interesting for me to call attention to the fact that north of Hatteras, on the North Atlantic seaboard, we have expended perhaps all that is now necessary, something like \$700,000,000. South of Hatteras we have only one dry dock. that at Charleston, a small one, involving an expenditure for the coast south of Hatteras of only \$60,000. So that the en-tire South Atlantic, the Gulf of Mexico, and the Caribbean Sea are without any adequate facilities for the larger naval vessels and the merchant marine.

In view of the fact that this authorization is now in the hands of the Secretary of the Navy for any recommendation he may make, and in view of the fact that he has asked the Senate not to suspend, by act, this power to act in the circumstances, and in view of the fact that none of us know what emergency may arise calling for the use of a dock in the South Atlantic—he recommends to the Senate, as the Senator from Massachusetts has said, that the matter be left to his discretion—that it will involve no appropriation, it will involve no expenditure of money, as the Secretary said in his letter, I sincerely hope, without any further discussion of the question, that the expenditure during these brief years will not be kept in abeyance.

Mr. DIAL. Mr. President, from information which I have received from the Navy Department, I believe it is intended to lessen the width of the channel, and therefore decrease the

cost considerably.

I wish to correct the statement of the Senator from Rhode Island that the commercial docks are located down town. As a matter of fact, the naval base is above the dry dock, still farther up the river.

Mr. LENROOT. Mr. President, I hold in my hand the report of the subcommittee of the Committee on Naval Affairs upon this project, and I wish to read the recommendations which

that committee made:

that committee made:

After considering all the testimony, your committee is of the opinion that the work on the proposed project at Charleston Harbor—i. e., improvement of channel and construction of a large dry dock—should not continue at present, for the following reasons:

(1) No expenditure should be made until the navy-yard commission appointed under an act of Congress to investigate and report as to the necessity, desirability, and advisability of establishing additional navy yards or naval stations has made its final report.

(2) The cost of this dry dock at the present time, together with the necessary dredging, would be in the neighborhood of \$20,000,000.

(3) There seems to be no urgent need for this vast improvement at Charleston. The yard has never been utilized to its full capacity, nor has the present dry dock been utilized to take care of ships of its capacity.

(4) The yard was originally intended as a yard for the repair of small craft, and it is the recommendation of your committee that it should be continued at the present time as such. To make it an economical yard, your committee was impressed with the need of additional wharfage.

That report is signed by Senators BALL, KEYES, and KING.

That report is signed by Senators Ball, Keyes, and King. Mr. President, I am very much surprised at the statement of the Republican leader, the Senator from Massachusetts [Mr. Lodge], wherein he advocates a rejection of the amend-I have confidence in the Secretary of the Navy; I have confidence in the head of every department of our Government to-day; but is the Senator from Massachusetts willing, because he has confidence in the head of a department, that it shall always be without restriction? Is the Senator from Massachusetts willing, because we have confidence in the head of a department, that Congress shall not perform its duty? The Senator's own committee has had a bill here repealing this very appropriation, and now the Senator from Massachusetts suggests that if the Secretary of the Navy wants to go ahead with it and expend this \$1,500,000, and obligate us to no one knows how many millions more, he is entirely willing to do so.

I am not willing. I am surprised that the Senator from Massachusetts is. It is not the way that we ought to start out in this administration in the making of appropriations and attempting to carry out a proper and a successful policy.

Congress ought to pass upon this question. It is too important; it involves too many million dollars to be delegated to anyone, no matter how much confidence we may have in him; and the amendment clearly should be agreed to in view of what has transpired, because it was first stated on the floor when the debate began that there was no appropriation, that there was merely an authorization, that nothing could be done with-out coming to Congress, and it took some time to get the facts with reference to that matter before the Senate and demonstrate that there was an appropriation. Then it was stated that the amendment was not necessary because the Secretary of the Navy would not undertake to spend a dollar without coming before Congress and asking for a further appropriation.

Now, the Senator from Massachusetts says that he is willing to let the Secretary of the Navy go ahead and spend this \$1,500,000 and obligate Congress for fourteen or fifteen million dollars more for a dry dock for which his own committee, the committee of which he is a member, has reported against an appropriation and an authorization. The Committee on Naval Affairs has had a bill before the Senate proposing to repeal even that. That is the situation.

Of course, I understand very well that whenever the Senator from Massachusetts, the Republican leader, takes a position he carries with him a great many votes. Nevertheless, I do submit that he has not given any reason for the position that he now

Mr. LODGE. Mr. President, I have been familiar with this project for a good many years and I have opposed the expenditure of money there. I am perfectly aware that sooner or later between Cape Hatteras and the Gulf of Mexico there will have to be some dry dock for the use of the Government, some harbor that our ships can use. This work was begun at Charleston, but I thought improvidently begun.

I am frank to say that when I made the statement I did, it was because I had entire confidence that the Secretary of the Navy would not involve us in any large project there without submitting it to Congress. I ought to have known, but I did not know until the debate came up and until I spoke, in fact, that that \$1,500,000 was still unobligated and unspent. I knew that a large portion of the money for the channel had been spent. I thought the other had expired with the last appropriation act. I did not know that it was still available. I think some restriction ought to be placed on the expenditure of that money. I did not suppose that this involved us in the expenditure of a million more dollars. I thought the money, if spent and obligated, had ended with the last appropriation act, but in that I was mistaken and I wish to say frankly to the Senate that I did not so understand it.

The PRESIDENT pro tempore. The question is on the amendment of the committee as amended, on which the year and nays

have been demanded.

The yeas and nays were ordered.

Mr. REED. I ask that the amendment as amended may be read.

The PRESIDENT pro tempore. The amendment of the committee as amended will be read.

The Assistant Secretary. On page 23, line 14, after the words "Navy yard, Charleston, S. C., dredging, to continue, \$40,000," it is proposed to insert:

The expenditure of the appropriation of \$1,150,000 for the construction of a large dry dock, navy yard, Charleston, S. C., continued in the naval appropriation act for the fiscal year 1919, approved July 1, 1918, is hereby suspended until July 1, 1924, and the expenditure of any unexpended and unobligated portion of the \$1,500,000 appropriated in the river and harbor act of 1918 for the construction of a 40-foot channel to the navy yard is hereby suspended until said date.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Assistant Secretary proceeded to call the roll.

Mr. OVERMAN (when his name was called). I have a general pair with the Senator from Wyoming [Mr. WARREN]. I transfer that pair to the Senator from Texas [Mr. Culberson] and vote "nay."

Mr. WOLCOTT (when his name was called). I have a general pair with the senior Senator from Indiana [Mr. Watson]. In his absence I transfer that pair to the Senator from Nevada [Mr. PITTMAN] and vote. I vote "nay,"

Mr. FRELINGHUYSEN (after having voted in the affirmative). Has the junior Senator from Montana [Mr. WALSH]

voted?

The PRESIDENT pro tempore. That Senator has not voted. Mr. FRELINGHUYSEN. I transfer my general pair with the junior Senator from Montana [Mr. Walsh] to the junior Senator from Indiana [Mr. New] and allow my vote to stand.

Mr. EDGE (after having voted in the affirmative). Has the senior Senator from Oklahoma [Mr. Owen] voted?

The PRESIDENT pro tempore. That Senator has not voted. Mr. EDGE. I have a general pair with the senior Senator from Oklahoma. I transfer that pair to the senior Senator from Connecticut [Mr. Brandegee] and allow my vote to stand.

Mr. LODGE. I wish to announce that the Senator from Pennsylvania [Mr. Penrose] is paired with the Senator from Mississippi [Mr. WILLIAMS].

The result was announced—yeas 40, nays 28, as follows:

Elkins

#### YEAS-40. King

Borah Bursum Calder Cameron Capper Colt Cummins Dillingham Edge	Ernst Frelinghuysen Gooding Hale Harreld Johnson Jones, Wash. Kellogg Keyes	Ladd La Follette Lenroot McCumber McKinley McLean Moses Newberry Nicholson	Oddie Phipps Poindexter Pomerene Spencer Stanfield Sutherland Wadsworth Willis
HUNDEDE!	NA NA	YS-28.	
Ashurst Broussard Caraway Dial Fletcher Glass Harris	Harrison Heflin Kendrick McKellar Myers Nelson Overman	Ransdell Reed Robinson Sheppard Shields Simmons Smith	Stanley Swanson Trammell Underwood Walsh, Mass. Watson, Ga. Welcott
	NOT V	OTING-28.	
Brandegee Culberson Curtis Fernald France Gerry Hitchcock	Jones, N. Mex. Kenyon Knox Lodge McCormick McNary New	Norbeck Owen Page Penrose Pittman Shortridge Smoot	Sterling Townsend Walsh, Mont. Warren Watson, Ind. Weller Williams

So the committee amendment as amended was agreed to. The PRESIDENT pro tempore. The next committee amendment passed over will be stated.

The READING CLERK. On page 23, after line 18, it is proposed to insert:

Naval station, Key West, Fla.: For the development of a submarine base, to complete, \$800,000, to be immediately available.

Mr. BORAH. Mr. President, this amendment went over at

my request. I stated at the time that certain facts had been given me with regard to it, but I did not then have them in such a condition that I could rely entirely upon them. I should like to ask the Senator from Florida [Mr. Fletcher] what are the facts about this naval station? To what extent will the amount proposed to be appropriated complete the naval station at Key West?

Mr. FLETCHER. Mr. President, I understand the appropriation will complete the present development as proposed at Key West. There has been some reduction from the original plan. The situation is that the navy yard commission in its report dated December 30, 1916, gave it as its opinion that it was advisable to locate and develop a submarine base on the Gulf of Mexico. Following that, in April, 1918, the plan for this development at Key West was completed. The plan was approved by the commander at Key West and by the commander of the submarine forces, and also received the approval of the Secretary of the Navy. Then an item providing for this base appeared in the naval appropriation act for the fiscal year 1919, and contracts were authorized up to the amount of \$1,500.000. Under that authority various contracts were entered into.

The present state of the work is that living quarters for the

enlisted men, bachelor officers, mess arrangements, storehouse facilities, and recreation facilities have been provided for a division of 10 submarines. Then, increased machine-shop facilities and power supplies are available to a limited extent. Proper berthing facilities have been started; the piling has been driven, but the planking has not entirely been put in. dredging of the basin is under way, but has not been entirely completed, although it has been partially completed. breakwater was built, but that needs to be covered over with marl in order to protect it and keep the water from going in and out and destroying it. That is the present situation.

Of course, unless the work is completed a great deal of what has been spent there will go for naught; it will be wasted. If it is not completed, we have got to cancel the contracts that are now outstanding, and the contractors, of course, will have claims against the Government for damages. It is estimated, on the part of the Navy Department as well as on the part of the contractors themselves, that practically the damage which would result from canceling the contracts and the consequent loss to the contractors-for they have brought their equipment and their machinery there and have made arrangements to go on with the work and have much material on hand, and so forth-will amount to very nearly as much as this appropriation; in other words, the Government will lose the benefit of the development of the base and will lose what it has

put in, unless we carry on to completion this work that has been started and is under way. The estimate contained in the bill of \$800,000 is the estimate of the department. They cordially recommend it. They say that amount will complete the work. I do not believe that it quite carries out the original plan. The Senator from Idaho probably has that in mind. A part of the original plan will be now abandoned. It is not considered so important as it was when the plan was agreed upon in 1918

Mr. BORAH. The Senator from Florida understands that

the extension has actually been abandoned?

Mr. FLETCHER. Yes. Mr. BORAH. And that this appropriation of \$800,000 is not simply a step toward another appropriation?

Mr. FLETCHER. No; not at all.

Mr. BORAH. Mr. President, I shall not ask for a yea-andnay vote on the amendment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

Mr. REED. Mr. President, a moment ago I voted against striking out the clause relating to the navy yard at Charleston, although I had previously raised a question as to the propriety of that amendment which brought on some considerable debate. The amendment is to the effect that the Secretary of the Navy shall not expend any part of the \$1,150,000 heretofore appropriated, and I raised the question as to why it was proposed to discontinue the appropriation. I did so in the hope that we might get some light with reference to the situation. cient statement, in my judgment, was made to the Senate to justify a discontinuance of the appropriation. About all that was done was to make it plain that a project once entered upon is now to be partially suspended. In my humble judgment this is a very unfortunate situation for the Senate to find itself in. It is a very regrettable thing if the naval authorities have not yet finally and conclusively determined whether a dry dock should be established at Charleston. If a dry dock is not to be established there, it is perfectly clear one should be established at some place on the southeasterly coast, because 2,000 miles of that coast is without a dry dock sufficient in size to accommodate our large naval vessels.

According to the best naval authorities I have been able to examine, the defense of the coast of Florida is of the greatest strategic importance, because, among other things, it commands communication between the Panama Canal and our eastern coast line. Upon that question I intend to address the Senate at an early date in support of a resolution which I offered some weeks ago asking the President to open negotiations with Great Britain and France to inquire whether they would consider relinquishing to the United States the control they now possess over the West India Islands and the Bermudas.

I want to say to the members of the Foreign Relations Committee that the resolution to which I refer has received no consideration by that committee, as far as I am advised; at least no report has been made. I hope a report will be made at an early date; otherwise I shall be obliged to move to take the

matter from the committee.

While I am on my feet I want to address myself to the bill, and particularly to what is known as the Borah amendment.

If there is any one lesson to be gathered from this war and from the events which have followed it, it is that a nation which is able to defend itself has its rights respected; that if it is unable to defend itself, the equity and justice of its position amounts to but very little when arrayed against that justice is the cupidity or the interest of some great power or powers.

I am repeating what has been said so often upon this floor when I remark that in modern history there is no parallel for the outrageous treatment accorded China when her territory was secretly bartered away by her own allies at the very moment she was assisting them in their struggle for existence. More than that I say there are few instances in angle there. More than that, I say there are few instances in ancient history that will parallel this act in its wickedness, its atrocity, its chicanery, its fraud, and its treachery.

There are other examples growing out of this war, all of which teach us that it is the nation with a just cause plus the ability to defend that cause which receives consideration and fair treatment. If China had been able to rattle her sword, if she had been a powerful nation, England and France and Japan never would have dared repeat the performance of old which is summed up in the sentence:

"They part my garments among them, and cast lots upon my vesture."

I hold, therefore, to the theory that the United States must be prepared to defend itself against all comers; that if we are so prepared we will not be involved in wars except of our own

choosing; that if we are not so prepared we may be plunged into wars of defense at any time.

We speak of expense, and we should speak of expense; but the interest that we are now compelled to pay upon a national debt accumulated as the result of one war, if expended for only two years of time upon a Navy, would have made the United States invincible upon the waters of the seven seas. I have no hesitation in saying that if the United States had possessed such a Navy, Germany never would have sunk an American ship, never would have fired upon the American flag, never would have wantonly murdered a single American citizen. She attacked us because she believed three things: First, that we were unwilling to fight; second, that we could not fight if we wanted to; third, that even if we had the ability and disposition to fight we could not get ready to fight in time to prevent her overcoming France and England.

If those three propositions had not been grounded in German faith, Germany would not have assailed us, and we probably

never would have been engaged in this war.

Life is a terribly practical thing, and national life is as practical as individual life. We must meet conditions as they are, and not as we would have them. Men who go about dreaming and talking of the regeneration of man may, while they speak from well-intentioned hearts, do infinite damage to their country and to civilization.

WARFARE OF TO-DAY DEPENDS UPON FAST, ADEQUATE, AND WELL-PROTECTED TRANSPORTATION.

With that as a preliminary, I desire to remark that the importance of control of the sea has in the last century, in my judgment, multiplied a hundredfold. A century ago wars were restricted in their areas. An army could proceed only as far as it was able to carry its supplies by the slow oxcart or horse team over muddy roads, and therefore the size of the army and the field of its operations was exceedingly limited. When a nation sought to go farther from its base than a reasonably short distance, that nation found itself overwhelmed; and even Napoleon, the mightiest military genius the world has ever produced, wrecked his fortunes and the fortunes of France because he ventured into the heart of Russia. But if Napoleon had been situated as a modern military commander is situated, he probably would have overwhelmed Russia, and returned in triumph to his native land. If he had had back of his army a network of railroads, capable of bringing forward supplies and recruits, he could have continued to maintain his foothold in the very heart of the Empire of Russia. Lacking that, when winter came supplies became short and recruits could not be delivered to him, and he found himself driven out, not so much by the valor of Russian soldiers as by the adversities of nature and the onslaught of starvation.

But, Mr. President, all that has been changed upon the land. To-day every part of the habitable world is bound together by a network of railroads, so that it is possible now to move men a thousand miles within the time that an army formerly could be moved 50 or 100 miles. It is possible to bring up supplies with remarkable rapidity, so that an army can move from its base hundreds of miles where it formerly could move scores of miles, because its base travels along with it. It is possible to gather at every port of the world, at the borders of every country of the world, the wealth of food and clothing and munitions and supplies. This, then, means that for all practical purposes it may be said that every country's resources can be delivered at the seashore. It accordingly follows that control of the seas is a hundred times more vital to-day than a similar control would have been a century ago.

CONTROL OF THE SEA WON THE WORLD WAR.

Why, Mr. President, because she controlled the seas, Great Britain was able to mass the resources of the civilized world upon the battle fields of France. Because the United States and Italy and Japan found the seas open and unobstructed they were able to deliver their vast resources of men and metal and supplies to the aid of England and of France upon the battle fields of Europe. In this war women were knitting and men were working in the most remote parts of the world, and the materials they produced were being delivered within 30 or 40 or 50 days on the battle front.

The whole world was brought into requisition with all of its esources of money and of materials, and scores of countries, from those in the remotest north to countries far south of the Equator, contributed their quotas of men. All of that was possible because England controlled the seas. If the German fleet could have kept afloat, if her vessels had dared venture out upon the waters, it would have been impossible to deliver the war materials or the troops themselves.

You can not send troopships laden to the guards with human beings across 3,000 miles of water in the face of an enemy that is able to maintain even a few ships at large upon the seas. One single cruiser could send to the bottom in 15 minutes of time a dozen troopships carrying almost an army of men.

We talk of landing our troops in England and in France with the loss of only a few lives. Why was that possible? Because the English Navy had created a cordon around the North Sea, holding the German ships imprisoned therein. I repeat, if that German fleet had been upon the high seas, able to maintain itself in a battle with the British fleet, we probably would not have landed a single regiment of soldiers in France. If we had, the toll of death would have been so fearful that we would have paid more than it was all worth.

The nation that commands the seas is in a position of such frightful eminence and power that I am unwilling my country shall be in a position to become the victim of that power.

I do not say this for the purpose of stirring up any feeling toward Great Britain. I believe of all nations in the world we are more closely allied with Great Britain—by language, by blood, by traditions, and by law—than we are with any other country. But I recognize the fact that every Britisher is British. From the humblest subject of that land to the highest of its titled aristocracy they are British. The interest of their nation is dear to their hearts. They are a valorous and a wonderful people. May we always be at friendship with them.

WE SHOULD NOT BE CONTENT TO ALLOW GREAT BRITAIN OR ANY OTHER NATION A COMPLETE DOMINANCE OF THE SEA.

But there is another side to that problem. If we should be content, as some argue, to allow Great Britain to maintain a complete dominance of the sea, if we should trust them to that extent, then why should they not trust us with equal confidence to build as many vessels as we think necessary for our safety and defense? It will not do for you to say to me, "I am your friend. I love you with the sincerest affection, and therefore you should not fear me, though I go about armed to the teeth. But if you shall dare to take a single step toward arming yourself, I will regard it as an unfriendly act."

If this friendship and trust exists, it ought to be a mutual friendship and trust. If confidence can be reposed by us in the British Empire, then surely the British Empire can repose confidence in us, for, Mr. President, the history of the two countries strongly indicates that the greater trust ought to be reposed in the disinterestedness of the United States. We have had the power, sir, for nearly a century of time to extend our borders and to overrun Mexico. We have had the power for the last 40 or 50 years to overwhelm the South American countries. We have the power to-day to do it unaided and unassisted. Why have we not done it? Because the United States has never embarked upon an imperialistic policy. It has never sought to extend its borders by fire and sword. It does not undertake to subjugate other peoples. Wherever its flag has gone outside of the borders of the United States it has gone when it was borne by the hands of those who sought to liberate, and not by the hands of those who sought to carry the sword of enslavement.

On the other hand—and I speak now with all the kindliness which I am capable of expressing, in the gentlest manner in which I am able to put forth the thought—Great Britain's history not only for 100 years but for 200 years, aye, for 500 years, has shown that she is wedded to the policy of conquest. For centuries her armies undertook to overwhelm France. For centuries of time the English Channel was thick with vessels carrying English soldiers to invade French soil. For centuries of time she sought to carry out similar policies all over the world. Spain felt the stroke of her mighty arm, and Spanish possessions were wrested from the Spanish Crown and people. The West Indies are a part of that spoil. Canada is the spoil she levied upon France.

By this policy of Great Britain her dominion has been extended over one-third of the habitable world and over onethird of all the creatures God has put here to people His footstool.

She has repeatedly in controversy after controversy stood out for the last possible exaction of territory as against the United States. She endeavored to hold at the close of the Revolution every foot of territory in North America that she possibly could. Controversies existed for years between Great Britain and this then weak Republic over stretches of territory which we maintained she was without right to hold, but which she undertook to hold by the planting of her colonies and by the building of forts.

She continued that policy until at one time the campaign slogan of one of the political parties was "54-40 or fight."

I shall not stop to review that history to-day; I am only briefly referring to it. But following that, she interfered with us in a desire to acquire Cuba. She interfered with us when

we sought to build the Nicaragua Canal in 1861, and before that. She interfered by claiming a right over part of the South American and Central American coasts. She is even now—or, if not now, very recently has been—asserting a dominance in the Mosquito coast. She holds islands which command, in my opinion absolutely command, the eastern entrance to the Panama Canal, and you might as well have no canal at all as to have it plugged up at one end.

In the war between the North and the South she opened her ports for the fitting out of piratical craft to prey upon the commerce of the United States and to sweep our flag from the ocean. She joined with France in the conspiracy to evade the Monroe doctrine and to establish a kingdom in Mexico, and we were obliged to submit to it until the war between the States was ended, and then they made their exit; but they did not make it until the shadows of American bayonets began to be cast across the horizon of the immediate future.

She undertook to violate the Monroe doctrine, and to establish herself in Venezuela during the Presidency of Grover Cleveland. Her statesmen at that time violently denied the existence of the Monroe doctrine and declared it to be a mere impudent American assertion. She yielded upon that matter when Grover Cleveland had delivered an ultimatum the violation of which meant war, and nothing but war.

This being the situation, while I desire to cultivate every friendly relation with Great Britain, while I hope, and I repeat, while I pray that these two great nations shall always remain at peace, I nevertheless am unwilling that the United States shall be in a position so that in 48 hours of time, or at the longest three weeks of time, her war vessels will be at the bottom of the ocean, or compelled to take refuge under the guns of American forts.

We might just as well look cold facts in the face. It is not any longer a question of valor. Valor will always count its part, but a very weak and a very cowardly man, backed by a dozen policemen, can overwhelm and overcome the most valiant man who fights single-handed.

But the Britisher is neither weak nor cowardly. He is brave, intrepid, and reaches the highest planes of courage.

It therefore follows that a little fleet, such as the United States possesses, is at a tremendous disadvantage in any contest with the mighty fleet of the mistress of the seas. Though our men be brave, aye, though we love to think them braver than the others; though they be skilled, and as Americans we love to think them more skilled than British seamen, although that is a very questionable assumption, yet if the commander of a British fleet is able to bring to bear upon a single American vessel three or four vessels of equal size or two or three vessels of superior tonnage and superior metal, the inevitable result happens, just as the smaller of two locomotives coming into collision upon a railroad track is bound to suffer most from contact with one of vastly superior weight.

Mr. WATSON of Georgia. Will my friend from Missouri yield?

Mr. REED. Just let me finish this thought, please.

Modern battles are not mere questions of courage. They are questions that are settled by the weight of metal, by the superior speed of ships. A vessel that can shoot one mile farther than another vessel and can keep out of the other vessel's range can sink the other vessel without ever being hit. Dewey taught us that lesson at Manila Bay. He knew the range of the Spanish guns and he could outrange them, so he lay off just far enough that the Spanish could not hit him while he annihilated the Spanish fleet. Russia learned that awful lesson in her contact with Japan. I believe not a single Japanese ship went to the bottom, certainly none of her first-class vessels, and yet within a few moments after coming within range the Russian fleet was at the bottom of the ocean.

Therefore, if we maintain a Navy inferior in strength to the navy of Great Britain, we may at any moment, in case so disastrous a thing as trouble between these countries should occur, find ourselves in a position that our harbors could be seized or patrolled and controlled, that they could be embargoed, that our commerce could be swept from the seas, when Great Britain drawing upon the resources of the world could do us incalculable damage.

It is not enough, sir, to say that no nation can invade us. I confidently believe that no nation or combination of two or three nations can land enough troops on our soil to ultimately overcome us in a life and death struggle. But that our coast cities could be ravished, that our commerce could be destroyed, and that we could be pent up within our own borders, lest we have in our possession sufficient means to defend ourselves upon the waters, is undoubtedly true.

I yield now to the Senator from Georgia.

Mr. WATSON of Georgia. I should like to ask the Senator from Missouri if the question before the Senate now is not whether we shall suggest to the President that he propose a conference with the very dangerous possible enemies whom he himself has selected for the very purpose of making those enemies less dangerous in the future?

Mr. REED. That is the very question I am coming to discuss, and if the Senator will bear with me I think I shall reach

it in a few moments.

Mr. ROBINSON. The Senator from Georgia does not mean to characterize those nations as enemies? I presume he means rivals.

Mr. WATSON of Georgia. It is not a question of what I think about it-

Mr. ROBINSON. Or anyone else.

Mr. WATSON of Georgia. I am asking the Senator from Missouri.

Mr. REED. If the Senator will permit me, I have just about reached, or shall in a few moments reach, that point of my remarks, and I would prefer answering in the regular course.

marks, and I would prefer answering in the regular course.

Mr. WATSON of Georgia. If I may be permitted to make myself plain, my idea is this: If it be treason, or virtually that, to request the President of the United States to confer with those possible future enemies—if it be treason, if it be undemocratic to do that much, how in the name of God can we ever start disarmament?

Mr. REED. If the Senator will bear with me I think he and I will be in perfect agreement in about five minutes. I am discussing the question as it exists, and I shall discuss it for the purpose of leading up to a discussion of the Borah resolution; that is, I am discussing it as I think it exists. Of course, there

are differences of opinion.

Fourth of July talk is all right. It has done a great deal of good in this country. It has kept the fires aglow with enthusiasm and love of country in the heart of the American boy. It has made him the best type of youth that the world has ever produced. I hope to hear it continued, but I never want that confiding faith to end in some frightful disaster taught upon the field of war and the story written in the blood of sacrifice poured from the veins of unarmed men. I do not wish to see the spectacle ever presented of America standing with white lips, set jaw, and straining eyes, looking out over the seas in her imagination and picturing to herself a little American fleet, one-half or one-fourth the size of the fleet of her antagonists, and with breathless terror awaiting the news as to whether her gallant boys have gone to the bottom. I never wish to see that.

LEADING NAVIES COMPARED.

Without taking the time of the Senate to read it, I desire to put into the Record a very short tabulation showing the respective sizes of the navies of Great Britain, the United States, and Japan.

The PRESIDENT pro tempore. Without objection, it is so

ordered.

The tabulation is as follows:

Comparison of capital ship strength of the United States, Great Britain, and Japan in 1921 and 1924.

[From the Scientific American, Feb. 12, 1921, p. 130.]

Country.	Year.	Capital ships (com- bined battle- ships and battle cruisers).	Total displace- ment.
United States	1921 1924 1921 1924 1921 1924	17 33 32 32 32 11 17	Tons. 467, 250 1, 117, 850 808, 200 808, 200 319, 140 543, 140

Mr. REED. While the war was raging we heard very much talk that it would be the last war ever fought among civilized nations. We all hoped that would possibly eventuate, and when the representatives of the various nations of the world gathered around the peace table I sincerely trusted that there would be a quickly made peace with Germany in which that nation as a preliminary would be disarmed, that Austria would be disarmed, that Turkey would be disarmed, and that proceeding from that point the various nations would be required solemnly to obligate themselves to agree to a general program of limitation of armament to be adopted as a part of the very conditions of peace.

When I say disarmed, let me explain that I do not mean totally disarmed, for that is a dream that can not be realized. Total disarmament would mean that the white civilization of the world might be overwhelmed at any time by the vast hordes of other peoples. But it is quite one thing for the white nations of the world to be armed to defend themselves against a possible foe of a different color, and for the white nations of the world to arm themselves to the teeth against each other. Hence, I hoped that a sensible plan of limitation of armament could be agreed upon and that it would be insisted upon.

About the first announcement we had on that question came from certain British statesmen to the effect that they did not propose to consider the question of freedom of the seas, adding cynically that "Great Britain now has it, and proposes to hold it." Everybody understood that they were not talking of freedom of the seas for commerce, but that they were talking of the

command of the seas by themselves.

A little later various of those statesmen in high authority stated that Great Britain in the future as in the past would put her reliance in her floating fortresses. So when finally the battle flags were furled and the peace conference met there was no serious consideration given to the question of limitation of armament upon land or sea except that the enemy who had been overcome should be disarmed.

Following that the action of all nations except Germany and Austria has demonstrated that they do not propose to cease building battleships. Japan is busily engaged on that program and we might just as well face that situation also.

NAVAL PROGRAMS OF OTHER NATIONS.

The appropriation of England for her navy this year—and I have figures here that I believe are indisputable—is \$460,495,000. Her appropriation for her army is \$531,575,000. With those figures before us it is idle to haggle about what kind of ships she is building. We may trust British seamen and the British Admiralty to see to it that she is building the best she knows how; and she knows how as well as any other nation on earth.

France, although she suffered in the World War beyond description, has appropriated, if we count the depreciated franc at 20 cents, the equivalent of \$225,000,000 for her navy and \$1,800,000,000 for her army. Just what a franc may actually be worth, as it works out for the cost of this program. I am unable to say

as it works out for the cost of this program, I am unable to say.

Japan has appropriated for her army 347,500,000 yen and for her navy 538,500,000 yen. A yen is the Japanese dollar, I understand. It is actually worth, however, about 50 cents in our money, but Japan will probably produce these vessels—those, at least, which she builds at home—for 50 per cent of the price it costs us. So we might as well count the yen as a dollar when we come to balancing the results.

These are the naval and military programs of the nations I have named, and I am very sure that I have been able to give

the Senate figures that are practically accurate.

The facts can not be disregarded. These ships are being built for some purpose. Let us say that the purpose of each country is to defend itself, nevertheless they are unwilling to leave themselves in the position they now are; they want to improve their ability to defend themselves. Every schoolboy knows that every nation now that engages in war insists that it is defending itself. No matter whether it strikes the first blow or the second blow, it protests that it struck in self-defense, and, as a matter of fact, we do know that a nation frequently must strike the first blow, although acting absolutely in self-defense. We also understand that it is the most foolish policy in the world for a nation under any circumstances to hold that it must wait until its soil is actually invaded, and then stand on its defense, when by striking a blow at a distance it can save its soil from invasion. We fought the German war in self-defense, and we fought it 3,000 miles from our shores. So much for that.

There was a dispute on the floor of the Senate within the last day or two as to the character of ships Great Britain is building. There have been various contradictory accounts printed in the newspapers and various statements made upon the Senate floor that have not agreed; but, Mr. President, the truth is that, outside the British Admiralty, no one knows exactly what Great Britain is doing. I have, however, some information here which, although I can not tell the source of it on the floor of the Senate, I shall be glad to communicate to any Senator privately. I can say that the information is the last word upon the question and, so far as it goes, is unquestionably and indubitably correct. A part of it is entirely public; I simply can not tell Senators the source of the collation. Here is a statement made by the first lord of the Admiralty of Great Britain, explanatory of the navy estimates of 1921–22.

Mr. POMERENE. When was it made?

Mr. REED. Just a few weeks ago. He was discussing the question of the replacement of obsolete ships, and stated:

Of these 30 ships the older types are becoming obsolescent and can not be reckoned as efficient fighting units for more than a few years longer. The need for their gradual replacement by modern ships embodying the lessons of the war can, therefore, no longer be disregarded. In this connection it must be remembered that no capital ship of the Royal Navy has been laid down and completed since 1916, and it is obvious that as the fleet is reduced in numbers the ships of which it is composed must be of up-to-date type and of the highest efficiency. The sum of £2,500,000 has, therefore, been included in these estimates as a first installment for "replacement" ships. Further details of the proposed expenditure will be laid before Parliament as soon as possible,

He continues:

He continues:

It can not be too strongly emphasized that in making this long-delayed beginning with the replacement of obsolete ships the Government neither commits itself to nor contemplates any building "programs" in answer to those of any other power. Indeed, it trusts that it may be possible, as a result of frank and friendly discussion with the principal naval powers, to avoid anything approaching to competitive building either now or in the future. But meanwhile it would be a dereliction of duty on the part of the Admiralty to allow the efficiency training or morale of the Royal Navy to deteriorate through neglect to provide it with material which is equal to the best and in which it can feel confident. It is also imperative to avoid an irrevocable loss of time and building facilities which might make it impossible to maintain our sea security should it be threatened.

In connection with this, I have information from the same

In connection with this, I have information from the same source that no other Government has been permitted to know exactly what the new type of British ship is to be; the information regarding that question is that it is as large, if not larger, than the *Hood* type of ship. The dimensions of ships of the *Hood* type are: Length, 810 feet; length over all, 860 feet; breadth, 104 feet; draft, 28½ feet; displacement, 21,200 tons; speed, 31.33 knots per hour.

Information which comes through the press is to the effect that the new ships being built are much larger than the Hood type; but as to that I have no information except that which is accessible to all Senators in newspapers and periodicals.

This, then, brings us face to face with the proposition that the "Mistress of the Seas" proposes to remain mistress of the seas; that Japan is rapidly increasing her armament upon the ocean; that France is doing likewise, and we may naturally expect more or less effort in that direction.

The lord of the British Admiralty, it is true, states that their program is not intended as a part of a race with other nations, and "he trusts it may be possible that, as a result of frank and friendly discussion with the principal powers, to avoid anything approaching competitive building either now or in the future." But in the meantime he states it is Great Britain's duty to continue preparation.

Mr. President, what is sound policy for Great Britain in this respect and under the circumstances I have discussed is sound policy for the United States. If they who already have a commanding position upon the seas can not afford to wait even an hour but must keep their anvils ringing and their factories smoking pending the hoped-for settlement or adjustment, then certainly that is the part of wisdom to be pursued by the United States

WE CAN NOT AFFORD TO REDUCE OUR NAVY UNTIL THERE IS A CONCERT OF ACTION BY THE OTHER LEADING POWERS.

I differ-I think I differ-from the position taken by the author of this resolution, known as the Borah resolution, in one respect. If I understand his position, it is that we should discontinue-or at least if we do not discontinue our building program we should hesitate in it, awaiting the result of a conference to be called in pursuance of his resolution. It is my opinion that we will strengthen the hope and make much more certain or probable the successful fruition of the policy suggested in the resolution if in the meantime we, if necessary, pay the price of continuing a large naval program, so that when our representatives, if this resolution is agreed to, shall meet to confer with those of France and Japan and Great Britain, the representatives of the other nations will understand by our act that unless they do come to an agreement we are prepared to go ahead, that we are going ahead, and that if necessary we will build a navy great enough to command the respect of every nation on this earth and to enforce our rights on every sea of the world. I think on that one matter I take a different view than the Senator from Idaho.

BORAH AMENDMENT THE LOGICAL SOLUTION FOR REDUCTION OF NAVIES.

Mr. President, coming now to the resolution itself, it has been claimed by all of these nations that they are not building for the purpose of menacing other nations, but only for their They have sought to justify the building of huge fleets by the argument that other nations are building huge I want to find out, the Senate of the United States ought to find out, and the country ought to find out whether or not those protestations are in good faith. The world ought to know whether or not there is any sincere purpose in the hearts of any of these foreign statesmen to lift from the

peoples of the world the burden of maintaining immense arma-There is no occasion for us to indulge in dreams or ments. It is a question that can be settled about the council table, and settled very speedily. Either they will be willing to agree fairly to a program of restriction of armament or they will be forced to reject that proposition. I want that question put on the table of the world. question put on the table of the world's conference. the nation that will refuse to agree to a program of limitation of armament to take the onus of its act and to stand before the world responsible at the bar of public opinion and in the sight of Almighty God for its refusal. If they shall be willing to reduce armaments, I am willing to go to any reasonable length in order to produce that result, to any length that will not jeopardize our own country; but if they refuse to agree to a plan of limitation of armament, it will be, to me, conclusive evidence that they propose to put their trust in the might of their arms and not in the equity of their cause, and all the talk we have heard in regard to their willingness to disarm has been delivered in bad faith and for the purpose of deceiving us and other nations. When that proposition is made plain, if it unhappily shall be made plain, then I propose, as far as I am concerned, to use what little influence I possess to put the United States in a position where the combined power of the earth can never crush us.

So, Mr. President, I earnestly support the resolution offered by the Senator from Idaho. It was wisely conceived. It brings to a sharp issue a question that may remain in nebula for years if the resolution is not passed, and I can not understand how any opposition to it should exist in this Chamber. Those of us who have had in the past great confidence in agreements between nations, going into a much broader field than this, ought to be satisfied to go at least this far. Those of us who have not had the degree of confidence to which I refer, nevertheless ought to be willing to go this far in order that the question may be once and for all settled. Are the nations of the world sufficiently enlightened and advanced and Christianized and have they enough good judgment and common sense to agree to limit the burden of armament and thus bring relief to their exhausted treasuries and their exhausted peoples?

The PRESIDENT pro tempore. The Secretary will state

the next amendment passed over.

The READING CLERK. On page 25, after line 14, it is proposed to insert:

Submarine base, New London, Conn.: Toward the completion of a submarine base at New London, Conn., \$50,000. Mr. BORAH. Mr. President, did we pass over the Naval

Hospital, San Diego, Calif.?

The PRESIDENT pro tempore. That amendment was

agreed to.

Mr. BORAH. I only desire to say that that was passed over at my request. I understand that it is purely a hospital proposition.

Mr. POINDEXTER. Entirely so, and I think very much needed. There is a very large naval base there and a great number of men are gathered at that point.

Mr. BORAH. I withdraw any opposition to it.

The PRESIDENT pro tempore. The question is on the amendment proposed by the committee which has just been stated by the Secretary.

The amendment was agreed to.

The PRESIDENT pro tempore. The Secretary will state the next amendment passed over.

The READING CLERK. The next amendment passed over is, on page 24, after line 22, to insert:

Submarine and destroyer base, Guam: Toward the development of a submarine and destroyer base, and for mine and ammunition storage, island of Guam. \$1,499,000.

The amendment was agreed to.

The READING CLERK. The next amendment passed over is, on page 26, after line 3, to insert:

Naval air station, Sand Point, Wash.: Toward development for heavier-than-air equipment, \$600,000; toward grading, filling, and clearing, \$200,000; in all, \$800,000.

The amendment was agreed to.

The READING CLERK. Also the following:

Naval submarine base, San Pedro, Calif.: Toward development of a submarine base, \$1,000,000.

The amendment was agreed to.

The READING CLERK. Also the following:

Naval supply base, Alameda, Calif.: Toward dredging, excavating, and grading, \$1,500,000.

The Secretary of the Navy is authorized to accept from the city of Alameda, Calif., free from encumbrances and without cost to the United States Government in excess of \$1, a certain tract of land on San Francisco Bay, containing 5,340 acres, more or less, for use as a

site for a naval base, being the land described in a certain deed made on the 5th day of February, 1926, by and between the city of Alameda and the United States of America. Also to accept free from encumbrances and without cost to the United States Government, in excess of \$1, certain other land adjoining said tract, being the land lying between the southwesterly boundary line of said tract and the pierhead line in front thereof.

Mr. BORAH. Mr. President, I think the Senator from Washington had a talk with the Senator from Utah about that.

Mr. POINDEXTER. In view of the absence of the Senator from Utah, I ask that that amendment be passed over again.

The PRESIDENT pro tempore. It will be passed over. The READING CLERK. The next amendment passed over is, on page 27, at the top of the page, to insert:

The Secretary of the Navy is authorized to accept from the city of Los Angeles, Calif., free from encumbrances and without cost to the United States Government in excess of \$1, a certain tract of land in the harbor of Los Angeles, Calif., containing 225 acres, more or less, for use as a site for a naval submarine base.

The amendment was agreed to.

The READING CLERK. Also the following:

The Secretary of the Nary is authorized to accept from King County, State of Washington, free from encumbrances and without cost to the United States Government in excess of \$1, a certain tract of land containing 400 acres, more or less, located at Sand Point on Lake Washington, for use as a site for a naval aviation base.

The amendment was agreed to.

The READING CLERK. Also the following:

The Secretary of the Navy is authorized to acquire 1,000 acres, more or less, at or near Camp Kearny, Calif., for a site for a lighter-than-air aviation station and to pay for the same an average price of not exceeding \$100 per acre out of any funds appropriated for aviation purposes.

Mr. BORAH. I ask that that go over in connection with the

naval base at Alameda.

The PRESIDENT pro tempore. It will be again passed over. The Chair assumes that the amendment, in line 19, on page 27, must also be passed over.

Mr. BORAH. Yes.

The PRESIDENT pro tempore. It will be done.

The READING CLERK. The next amendment passed over at the request of the Senator from Idaho is, on page 30, line 22, after the words "Hospital Corps," where the committee proposes to strike out "\$72,421 627" and insert "\$87,798,447."

Mr. BORAH. Mr. President, it will take some time to dis-

pose of that amendment. We shall have to have a quorum here.
Mr. POINDEXTER. I have no objection to that being tem-

porarily passed over.

The PRESIDENT pro tempore. The amendment just read

will be passed over. The READING CLERK. The next amendment passed over is, on

page 31, line 5 Mr. BORAH. Mr. President, all of those amendments on pages 30 and 31 should go over together, because they are all

The PRESIDENT pro tempore. The totals on page 31 will

be passed over.

The Reading Clerk. The next amendment passed over is on page 34, line 10, passed over at the request of the junior Senator from Utah [Mr. King], where the committee proposes to strike out "\$3,500,000" and insert "\$5,200,000."

Mr. LENROOT. Mr. President, I should like to ask the Senator in the strike of the strike out "\$0,500,000".

ator from Washington whether that increase would be affected

by the increase in the personnel?

Mr. POINDEXTER. No; except in so far as the stores on hand are concerned. It is a mere matter of bookkeeping, establishing an account of the value of the supplies that are already on hand which were secured during the war and which are to be allotted as the occasion arises.

Mr. LENROOT. There is only an increase of \$500,000 in the

total.

Mr. POINDEXTER. Yes.

The PRESIDENT pro tempore. The question is on agreeing to the amendment which has just been stated by the Secretary.

The amendment was agreed to.

The READING CLERK. Also, on page 34, line 10, in the grand total, it is proposed to strike out "\$9,000,000" and in lieu thereof to insert "\$9,500,000."

The amendment was agreed to.
The READING CLERK. The next amendment of the committee passed over is, on page 34, after line 10, to insert:

That the clothing and small-stores fund is hereby increased out of any funds in the Treasury not otherwise appropriated so as to equal the value of the stock on hand in the clothing and small-stores account on March 31, 1921, as shown by the records of the Bureau of Supplies and Accounts; and hereafter the clothing and small-stores fund shall be charged with the value of all issues of clothing and small stores made to enlisted men and apprentice seamen required as eutilise on first enlistment, not to exceed \$100 each, and for civilian clothing not to exceed \$15 per man to men given discharge for had conduct, for undesirability, or inaptitude, and the uniform gratuity paid to officers of the Naval Reserve Force.

The amendment was agreed to.

The READING CLERK. The next amendment of the committee passed over is in the appropriation for fuel and transportation, on page 35, line 7, where the committee proposes to strike out "\$17,500,000" and to insert "\$25,000,000."

Mr. BORAH. Mr. President, that is an amendment upon which there was a great deal of discussion. Of course, I am perfectly willing to go ahead, but we shall have to have a quorum

on it.

Mr. POINDEXTER. I have no objection to passing over the amendment temporarily.

The PRESIDENT pro tempore. The amendment will be

passed over.

The READING CLERK. The next amendment of the committee passed over is, on page 46, lines 18 and 19, where the committee proposes to strike out "\$17,533,891.90" and to insert "\$19,603,591.14," so as to read:

In all, pay, Marine Corps, \$19,603,591,14.

Mr. LENROOT. Was the amendment on page 44 agreed to? The PRESIDENT pro tempore. The Chair is advised that the amendment on page 44, to which the Senator from Wisconsin refers, has already been agreed to.

Mr. LENROOT. Then this is just a total. Why was it

passed over?

Mr. LODGE. This is merely a total.

Mr. LENROOT. I would like to ask the Senator from Washington a question with reference to the amendment on page 44, That increase is dependent on the increase in the personnel of the Marine Corps and the enlisted men of the Navy, is it not?
Mr. POINDEXTER. It was to provide for an increase of

4.000.

Mr. LENROOT. I ask that the vote by which the committee amendment, on page 44, line 18, to strike out "\$11,550,300.56" and to insert "\$13,620,000," was agreed to be reconsidered, and that it be passed over to be taken up with the personnel question.

Mr. POINDEXTER. I have no objection to that.

The PRESIDENT pro tempore. Without objection, the vote by which the amendment on page 44 was agreed to is reconsidered, and that amendment, together with the committee amendment on page 46, lines 18 and 19, will be passed over temporarily.

The READING CLERK. The next amendment of the committee passed over is, on page 51, line 3, under the subhead "Contingent, Marine Corps," where the committee proposes to strike out "\$2,000,000" and to insert "\$3,185,200."

The amendment was agreed to. The READING CLERK. The next amendment of the committee passed over is, on page 51, line 5, where the committee proposed to strike out "\$9,348,950" and to insert the following: "\$14,-381,002; and the money herein specifically appropriated for the maintenance of the Quartermaster's Department, Marine Corps, shall be disbursed and accounted for in accordance with the existing law as maintenance, Quartermaster's Department, Marine Corps, and for that purpose shall constitute one fund.

In all, for the maintenance of Quartermaster's Department, Marine Corps, \$14,381,002; and the money herein specifically appropriated—

And so forth.

so as to read:

Mr. POMERENE. I ask that that amendment may go over. The PRESIDENT pro tempore. The amendment will be

passed over temporarily.

The READING CLERK. The next amendment of the committee passed over is, on page 51, line 13, after the words "Total, Marine Corps, exclusive of public works," where the committee propose to strike out "\$26,882,841.90" and to insert "\$33,-984,593.14."

The PRESIDENT pro tempore. This being a total, including

items heretofore passed over, it will be passed over temporarily.

The READING CLERK. The next amendment of the committee passed over is, on top of page 52, to insert:

Increase of the Navy: The construction of two airplane carriers of the most modern type and equipment and most advantageous size is hereby authorized at a limit of cost of \$26,000,000 each, including hall, machinery, armor and armament, and the sum of \$15,000,000 is hereby appropriated toward their construction. The authorization for 12 destroyers heretofore granted is hereby revoked.

Mr. BORAH. Mr. President, what is the effect of revoking the authorization heretofore made? That is to say, how much additional appropriation does this make; \$15,000,000?

Mr. POINDEXTER. It does not make any additional appropriation, but it removes the authority for the appropriation of about \$26,000,000. The revocation of the authorization has no connection with the other part of the paragraph in which it is placed, except its location. It relates to a different subject.

Mr. BORAH. I see.

Mr. LENROOT. May I ask the Senator whether any appropriation has been made for the 12 destroyers, the authority for which is hereby revoked?

Mr. POINDEXTER. No.

Mr. BORAH. This simply provides for a revocation of the authorization.

Mr. POINDEXTER. They have been authorized, and that authorization is somewhat similar to the dry-dock authorization that has been discussed to-day.

Mr. BORAH. I would like to have a vote upon that when we get to it.

Mr. POINDEXTER. Is the Senator referring to the plane carriers, or to the revocation?

Mr. BORAH. To the plane carriers. Mr. POINDEXTER. The Senator from Wisconsin was referring to a different subject.

Mr. BORAH. Yes; I understood that.

Mr. LENROOT. Mr. President, just a word. This is one of the amendments of the committee I am in favor of, because I believe that if we are to have an efficient Navy, with the progress that is being made in chemical warfare and airplane development, it is absolutely necessary that we have airplane

While I shall favor this amendment, later on I shall move to reduce the appropriation of \$90,000,000, I think it is, because I do not believe that we ought to go on with the completion of the battleships we are now constructing, which are not near completion, because I believe that it will be absolutely necessary to make provision so changing the designs of those ships as to make them airplane carriers as well, at least in part. So, while I am in favor of this, I hope that the appropriation here made for this new construction may be deducted from appropriations made later on in the bill to carry out the present program, to at least the extent of the appropriations here made.

Mr. BORAH. Mr. President, the Senator has stated the position which I occupy in regard to that matter precisely. In other words, I would like to see some of the battleship money transferred to this kind of work. I dislike very much to see the battleship program go forward together with this program, because I think the expenditure is entirely exorbitant. But if we could suspend building upon the six battleships of the Indiana type and utilize the money for this purpose, it would be precisely what I would like to see.

Mr. KING. Mr. President, before action is taken upon this, may I inquire of the Senator from Washington what action is contemplated to coordinate the aerial service of the Army, the Navy, and the mail service? There has been a great deal of talk about bringing into one organization all aeronautical activity, particularly the constructive work necessary to secure airpianes. Does it not seem to the Senator that we might save great deal if provision were made in this bill or some other bill for the unification of all agencies engaged in the procuring of airplanes

Mr. POINDEXTER. Mr. President, that question was before the Senate some time ago in the consideration of a bill that was reported by the Military Affairs Committee, submitted by the War Department, the object being for the control of aviation to be practically under the War Department. That is my opinion of what the object was of the principal parties who were promoting the legislation. But the Senate rejected the bill and it has not been brought forward again.

This bill contains a provision for the coordination of all aviation activities in the Navy Department. It does not undertake to include the Army or the Post Office Department. There is nothing in the bill to provide for such equipment as the Senator from Utah suggests in the way of Government backing, the purpose being to encourage and to patronize private airplane manufacturers, with a view of building up the industry on a much more economical and efficient basis than the Government can establish it.

Mr. KING. If the Senator will pardon me, I hope nothing which I said conveyed the impression to the Senator that I favored the Government going into the business of manufacturing.

Mr. POINDEXTER. I did not so understand the Senator, but I understood that he was raising the question as to the appropriation carried in the bill for factories, but there is nothing of that kind.

Mr. KING. I had in mind rather the coordination of all departments of the Government that have to do with the operation of airplanes. It does seem to me that the time has come when, instead of having the Army and the Navy and the Post Office Department each buying its own equipment, duplicating work, each having its own mechanicians and experts, and so on, it would be far better and far more economical if there should be a coordination of all of these branches of the Government.

I can feel some apprehension that if we passed the bill in its present form it would tend to prevent an organization which would make for economies. Before making any appropriations' we ought to unify the agencies engaged in the acquisition of airplanes.

Mr. POINDEXTER. On the contrary, Mr. President, instead of the bill tending toward the separation of these different services, it tends toward the unification of them in so far as naval aviation is concerned, accomplishing within the Navy the very purposes which the Senator from Utah favors. The Senate committee gave very careful consideration to the proposition the Senator suggests, of combining all the different aviation services under one head, and the difficulties and objections to that program which seemed to be absolutely insurmountable were pointed out. The naval aviation service is fundamentally different from the land service. Men in the naval aviation service are required to have knowledge of ships and of the sea which landsmen are not required to have, and unless they have that training, they will be absolutely helpless in the face of the conditions which naval aviators have to contend with.

Mr. KING. I do not agree with the Senator that the difficulties to which he has alluded are as powerful as indicated, It is likely that naval aviators must have some different training from that given to land aviators; but there can be no objection to the establishment of some governmental agency or interdepartmental organization that shall have general supervision over the question of aviation and particularly over the question of procuring equipment, air and sea planes, and the erection of manufacturing plants, if the Government is compelled to enter upon the manufacture of planes in order to supply the Army, Navy, and mail service. I see no reason why there should be so many purchasing agencies, so many supply depots, repair and construction plants, and the vast army of employees whose work and service overlap. There are too many fields and too much machinery; we seem unable to coordinate governmental activities. The policy is diffusion, the scattering of forces directed to the same general purposes, the creation of new bureaus and departments. If an evil exists, our only remedy is to create more machinery and furnish more positions for the people.

I am afraid if this provision remains unmodified it will tend to drive further apart the agencies in the various departments that are directed to aircraft and the general subject of aeronautics. There should be cooperation of all agencies directed to aeronautics, but this bill will strengthen the position of those who feel there can be no coordination of the aviation sections of the Government. Instead of trying to bring together those departments in matters that clearly could be controlled by one organization, this will in my opinion tend to divide and make more difficult the unification of the aviation branches of the Government.

I wish to inquire of the Senator from Washington whether or not he regards the matter now under discussion as a part of the paragraph found on page 51, "total increase of the Navy heretofore authorized, \$90,000,000," and so on?

Mr. POINDEXTER. No; it is not a part of that.

Mr. KING. Because, if so, I wish to offer an amendment now to that paragraph.

Mr. POINDEXTER. No; it is not a part of the preceding

paragraph.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The READING CLERK. The next amendment passed over will be found on page 52, after the amendment just agreed to, to insert the following:

The limits of cost heretofore authorized and below enumerated are increased as follows: Battleship No. 44, from \$12,750,000 to \$14,750,000; battleship No. 45 to battleship No. 48, both inclusive, each, from \$15,000,000 to \$17,000,000; destroyer tender No. 3, from \$3,400,000 to \$4,500,000; submarine tender No. 3, from \$3,400,000 to \$4,200,000; submarine No. 119 to submarine No. 122, both inclusive, each, from \$1,750,000 to \$1,925,000.

Mr. BORAH. May I inquire if that is a change of the law as it is now?

Mr. POINDEXTER. It is only a change of the law in so far as the particular item of appropriation is concerned. will say to the Senator that those ships are nearing completion, that the original limitations fixed for them were established in 1916, and that the increased cost of labor and material since that time has made it practically necessary to enlarge the limitation in order to meet the Government contracts.

Mr. BORAH. May I ask this further question? Are these battleships, the increased price of which is provided for here, the ships which are now practically completed?

Mr. POINDEXTER. They are nearing completion.

Mr. BORAH. To what extent, would the Senator say? Mr. POINDEXTER. I think I can inform the Senator.

have the condition here as of May 10, 1921. Battleship No. 44, the California, being constructed in the Mare Island Navy Yard, is 96.5 per cent completed.

Mr. KING. Mr. President, may I ask the Senator where the committee find the figures "\$12,750,000" or the figures "\$14,-750,000," because it is well known that the California has cost and will cost very much in excess of either of those figures.

Mr. POINDEXTER. The Senator probably has in mind the

armor and armament which is not included in those figures; that is, the guns which are very expensive and which are being constructed for that ship, all of which, together with the defensive armament, are not included in this item.

Mr. KING. Will the Senator state just what part of the completed vessel will be cared for by the appropriation of sub-

stantially \$15,000,000?

Mr. POINDEXTER. The entire vessel, except the armor and armament-all the machinery and engines and the hull of the vessel and the complete equipment, except the armor and armament.

Does the Senator state that the difference be-Mr. KING. tween the vessel brought to the degree of completion which he has indicated and the vessel when completed for naval operations is the difference between that figure and \$40,000,000 or \$45,000,000, because the California will cost at least \$40,000,000. It seems to me incredible that the armor, the defensive part of the vessel to which the Senator has just referred, would amount to the difference between substantially \$15,000,000 and \$40,000,-000 or forty million odd dollars.

Mr. POINDEXTER. There is some uncertainty as to the caliber of the guns which will be placed upon some of these ships. Of course, the cost of the armor depends to some extent upon the final determination of that question. But the fact is nevertheless as stated, that the machinery and the hull of the vessels are included in the limitation of cost stated here. The additional cost for the completed vessel in commission is the

cost of the armor and the armament.

Mr. KING. May I inquire of the Senator whether or not there is charged to this boat its share of the overhead of the maintenance of the Mare Island Navy Yard, or does the \$14,000,000 or \$15,000,000 carried by this provision merely provide for the machinery and the hull and the material to bring the boat up to that degree of completion before the protective armament and the guns are provided?

Mr. POINDEXTER. My attention was diverted and I did not catch the first part of the Senator's question.

Mr. KING. What I am trying to get at is what part of the overhead of the yard is charged to the ship. Is any part of it?

Mr. POINDEXTER. Yes.

Mr. KING. Or do they cover that by any kind of separate appropriation for the purpose—I do not say intentionally—of keeping down the bookkeeping cost of the boat?

Mr. POINDEXTER. No; we do not do that. A reasonable proportion of the overhead expenses of the yard is charged to A reasonable

the ship which is built in that yard.

Mr. KING. Does the Senator know that the upkeep of the navy yard at Mare Island, while it is perhaps the most economical of any yard the Government has and certainly the most efficient, must be tremendous? Indeed I have some figures here which show that we spend there annually a great many million dollars in wages and in the maintenance of the yard.

Mr. POINDEXTER. They are building two capital ships

there now, and, of course, a very large number of men are employed in the construction of those ships. In addition to that it is a destroyer base, and a great deal of work is being done upon destroyers. Some destroyers are being constructed there. It is a very extensive manufacturing plant. That accounts for the cost of maintenance. The yard has made a good record. In fact, as to economy and efficiency of construction, they claim to have made the record of the United States. I do not admit that altogether, because I think the Puget Sound Navy Yard is fully equal to that.

Mr. WILLIS. Mr. President, I understood the Senator from Washington to say that battleship 44 is 96 per cent completed.

Did I correctly understand him?

Mr. POINDEXTER. Ninety-six and five-tenths per cent. Mr. WILLIS. I can not understand, if it is 96 per cent completed, how it comes about that an additional appropriation of \$2,000,000 is necessary for the additional 4 per cent.

Mr. POINDEXTER. This is not an appropriation,

Mr. WILLIS. It is an authorization.

Mr. POINDEXTER. Yes; it is an authorization.

Mr. WILLIS. It is \$2,000,000 of additional expense to complete 4 per cent of the construction. What is the total cost of the ship?

Mr. POINDEXTER. The total cost of the ship is the limit of cost stated here, which, so far as it can be figured out at the present time, is \$14,750,000 for the hull and machinery, exclusive of armor and armament. I assume that a great deal of construction has been done upon the ship which is not yet paid for. Contractors complain a great deal about the delay of the Government in paying as promptly as they should, and that might account for it.

Mr. WILLIS. If 96 per cent is completed, it does not appear to me that it ought to take \$2,000,000 additional to construct

the remaining 4 per cent.

Mr. POINDEXTER. I see what appears to the Senator from Ohio to be a very natural question to ask, but if the Senator had had experience in settling up contracts with the Government, or if any of his constituents ever had such experience, he would readily realize that the amount of money paid out does not by any means indicate the amount of work done.

Mr. WILLIS. May I ask one other question? In the next item there is an increased authorization of some \$8,000,000 for the four ships. Is that because of increased cost of material,

or has there been a change in the plans of the ships?

Mr. POINDEXTER. There has been some change in the plans of the ships, but not as much in these ships as there has been in other ships in the program, because these ships are very far advanced toward completion. However, there have been some changes since the original limitation of cost was fixed. limitation was fixed in 1916 before we entered the war, and the Senator can readily appreciate the effect of the increased wages and cost of material upon the cost of construction.

Mr. WILLIS. I understand. I have heard some discussion about a change in the plans of some of the ships, to make out of them airplane carriers. Is that contemplated in this appropri-

ation?

Mr. POINDEXTER. Not at all. I do not think that has been considered by the Navy, because these ships have proceeded to such an extent as to be impracticable for that use, so far as these particular ships are concerned.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The READING CLERK. The next amendment passed over will be found on page 58, to insert section 16, passed over upon the request of the senior Senator from Wisconsin [Mr. La Fol-

Mr. BORAH. That went over at the request of the Senator from Wisconsin [Mr. LA FOLLETTE]. He desires to offer an amendment to it.

Mr. POINDEXTER. Then I ask that it be passed over. The PRESIDENT pro tempore. It will be passed over.

## EXECUTIVE SESSION.

Mr. LODGE. In view of the lateness of the hour, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Thursday, May 19, 1921, at 12 o'clock meridian.

## NOMINATIONS.

Executive nominations received by the Senate May 18 (legislative day of May 17), 1921.

THIRD ASSISTANT POSTMASTER GENERAL.

Warren Irving Glover, of New Jersey, in place of A. M. Dockery, resigned.

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES.

MEDICAL CORPS.

To be captain.

First Lieut, Harry Aloysius Bishop, Medical Corps, from May 9, 1921. CHAPLAINS.

Chaplain with the rank of lieutenant colonel. Chaplain Joseph Lawrence Hunter, from March 26, 1921.

Chaplain with the rank of major.

Chaplain Oscar Jefferson Waldo Scott, from April 17, 1921.

#### CONFIRMATIONS.

Executive nominations confirmed by the Senate May 18 (legislative day of May 17), 1921.

DEPARTMENT OF JUSTICE.

ASSISTANT ATTORNEY GENERAL.

William W. Hoppin, of New York (conduct of customs cases). UNITED STATES ATTORNEYS.

Al. F. Williams, of Kansas, district of Kansas. Frank Lee, of Oklahoma, eastern district of Oklahoma. John L. Slattery, of Montana, district of Montana.

TREASURY DEPARTMENT.

COLLECTORS OF INTERNAL REVENUE.

Gunder Olson, for the district of North Dakota. Daniel T. Gerow, for the district of Florida.

DEPARTMENT OF AGRICULTURE.

CHIEF OF THE WEATHER BUREAU.

Charles F. Marvin.

INDIAN SERVICE.

SUPERINTENDENT FOR THE FIVE CIVILIZED TRIBES IN OKLAHOMA. Victor M. Locke, ir.

COAST AND GEODETIC SURVEY.

HYDROGRAPHIC AND GEODETIC ENGINEER, WITH RELATIVE RANK OF LIEUTENANT IN THE NAVY.

William Daryl Patterson.

POSTMASTERS.

NEW YORK.

Mary J. O'Brien, Bedford. A. T. Smith, Tully. William M. Philleo, Utica.

PENNSYLVANIA.

Alfred B. Bowe, Port Carbon.

# HOUSE OF REPRESENTATIVES.

WEDNESDAY, May 18, 1921.

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

The Lord is our refuge and strength, and underneath are the everlasting arms. Thy right hand has been merciful in its power, and may our names ever be written in its palm. Give inspiration as well as direction to all of our labors, that they may be acceptable in Thy sight. Look upon all those that mourn and touch them with Thy healing spirit. Give support to the bruised reed and lift up the heads that are bowed in grief. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Monday, May 16, 1921, was read and approved.

CONTESTED-ELECTION CASE OF KENNAMER AGAINST RAINEY.

The SPEAKER. The papers in the contested-election case of C. B. Kennamer against L. B. Rainey, from the seventh congressional district of Alabama, will be referred to the Committee on Elections No. 3.

# PENSIONS.

Mr. ROBSION. Mr. Speaker, I desire to submit a report from the Committee on Pensions on the bill H. R. 4, known as the Knutson bill, and ask that the report be read.

The SPEAKER. The Clerk will read it.

The Clerk read as follows:

Report to accompany the bill (H. R. 4) granting relief to soldiers and sailors of the War with Spain, Philippine insurrection, and Chinese Boxer rebellion campaign; to widows, former widows, and dependent parents of such soldiers and sailors, and to certain Army

The SPEAKER. Referred to the Committee of the Whole House on the state of the Union.

Mr. GARRETT of Tennessee. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARRETT of Tennessee. Are the pension bills similar to that always reported from the floor, or do they go through the box?

The SPEAKER. The Chair is not advised.

Mr. CAMPBELL of Kansas. I understand that a general pension bill reported by the Committee on Pensions is privileged and is usually reported from the floor of the House,

The SPEAKER. The Chair thinks it is not. The Chair thinks it comes through the basket in regular order.

Mr. GARRETT of Tennessee. The reason why I make the inquiry is this: I wanted to make a point of order if it were submitted from the floor.

The SPEAKER. The Chair thinks it goes through the basket. The Chair submits to the House a letter from the Secretary

Mr. BLAND of Indiana. Mr. Speaker, before passing that question, does the Chair rule that a report from the Committee

on Invalid Pensions goes through the basket?

The SPEAKER. This is not from the Committee on Invalid

Pensions. It is from the Committee on Pensions.

Mr. BLAND of Indiana. Either of them.

The SPEAKER. The rule specifies the Committee on Invalid Pensions, but not the Committee on Pensions.

Mr. BLAND of Indiana. I understand the question of the gentleman from Tennessee [Mr. GARRETT] covered both com-

The SPEAKER. No. The question of the gentleman from Tennessee simply referred to this bill.

Mr. ROBSION. Mr. Speaker, I ask unanimous consent that

it be reported from the floor of the House.

Mr. GARNER. It has been reported. The ruling of the Chair did not set aside the fact of its being reported to the

The SPEAKER. It is reported as far as its being read goes. That has already been done.

Mr. ROBSION. Mr. Speaker, I ask unanimous consent— Mr. WALSH. No point of order has been made. The SPEAKER. The Chair thinks that what the gentleman from Tennessee [Mr. GARRETT] said substantially constituted a point of order.

Mr. GARRETT of Tennessee. I will make the point of order. All the gentleman has to do is to drop it in the basket.

Mr. ROBSION. I ask unanimous consent that the report be printed in the RECORD.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that the report be printed in the RECORD. Is there objection?

Mr. WALSH. Oh, well, Mr. Speaker, we ought not to start and establish that precedent as to pensions. I object.

VISIT TO MARINE CORPS BASE AT QUANTICO, VA.

The SPEAKER. The Clerk will report the letter from the Secretary of the Navy.

The Clerk read as follows:

NAVY DEPARTMENT, Washington, May 13, 1921.

Hon. Frederick H. Gillett, M. C..

House of Representatives, Washington, D. C.

My Dear Mr. Speaker: The Marine Corps east coast base is located near Washington on the Potomac River at Quantico, Va. It was there that its overseas regiments were trained during the war and where its expeditionary forces are now stationed. I am anxious to have the Members of the House visit Quantico so that they may have the opportunity to observe the work of the Marine Corps.

I am therefore writing to request you to extend to the Members of the House an invitation to go to Quantico on Thursday, May 19. The President has kindly placed the U. S. S. Mayhower at our disposal, and that vessel will get under way at the Washington Navy Yard at 8 a. m. on the above-mentioned date. The Members will be provided dinner and supper at Quantico, and the Mayhower will return with them to Washington in the evening, arriving probably not earlier than 11 p. m. Quantico, however, is on the Richmond, Fredericksburg & Potomac Railroad and there will be a number of trains available for those desiring to return at an earlier hour.

Arrangements will be made to issue an individual nontransferable card to each Member who desires to accept this invitation. These cards should be presented at the navy yard gate and at the gangway of the Mayhower.

Trusting that a large delegation will be able to make the trip, and with best wishes to you, I am, as always,

Very sincerely, yours,

EDWIN DENEY,

Secretary of the Navy.

Mr. HICKS. Mr. Speaker, I would like if I could have just a minute to speak on that.

The SPEAKER. The gentleman from New York asks unanimous consent to address the House for two minutes. Is there objection?

There was no objection.

Mr. HICKS. The invitation that has been extended by Secretary Denby, of course, is self-explanatory. I merely wish to give some information about trains. In the evening there will be a musical recital by the enlisted men, which, of course, will be very interesting; but in case some of the Members desire to return to Washington by train before the Mayflower leaves they can return by the train that leaves Quantico at 4.50, arriving in Washington at 6.15, and by another train which leaves Quantico at 5.16, arriving at 6.30; and in addition to the train and the ship, the roads from here to Quantico are extremely

well built and transport by automobiles will be almost as comfortable a way of going down as by train or boat.

Mr. BLANTON. Mr. Speaker, will the gentleman yield? Mr. MADDEN. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

Mr. GARRETT of Tennessee rose.

Mr. HICKS. I yield to the gentleman from Tennessee.

Mr. GARRETT of Tennessee. I wish to ask the gentleman if he can give the House, for the benefit of those who desire to accept the invitation, any idea or information as to the order of business to-morrow?

Mr. HICKS. I will refer that to the gentleman from Wyo-

Mr. MONDELL. Mr. Speaker, the deficiency bill has been reported. My understanding is that it will require two days, or part of two days, at least, to dispose of it, in all probability. We hope to dispose of the bill that is called up to-day before we adjourn, and then when we meet again, whether it be tomorrow or the day after, to take up the deficiency bill; if that is disposed of, it is about all I have anticipated we would do this week. It is therefore a question as to whether we shall recess to-morrow on account of the trip that has been suggested, or stand in recess over Saturday. Personally, either arrangement would be entirely satisfactory to me. But inasmuch as the Committee on Appropriations has reported its deficiency bill and they desire to take it up to-morrow, I feel as though I should not prefer a request that the House stand in recess to-morrow. However, if the chairman of the Committee on Appropriations desires to prefer a request that the House stand in recess tomorrow, with the idea that we would take up the deficiency bill Friday and complete it Saturday, such an arrangement would be entirely satisfactory, so far as I am concerned.

Mr. GARNER. Will the gentleman yield for a question? Mr. MONDELL. If I have the floor.

The SPEAKER. This is all by unanimous consent.

Mr. GARNER. Does the gentleman intend to pass an apportionment bill at this session; and if so, at what stage? Several legislatures are going to meet, and many inquiries have been made if we were going to have an apportionment bill;

and if so, when,

Mr. MONDELL. If the gentleman from Texas will modify his inquiry a little. His inquiry directed to me was, Does the gentleman intend to pass an apportionment bill at this session? The gentleman from Wyoming does not, as the gentleman from Texas knows, pass bills, does not report bills, and it is not for him to say whether an apportionment bill shall be presented and passed. But if the gentleman desires the opinion of the gentleman from Wyoming as to what should be done, the gentleman from Wyoming will frankly say to him that, in his opinion, the House within a reasonable time, and certainly at this session, should report and pass an apportionment bill.

Mr. GARNER. Get the steering committee and the machinery in motion and the bill reported out, and when we have

nothing else to do we can pass it.

Mr. BLANTON. Will the gentleman yield? Mr. MONDELL. If I have the floor.

Mr. BLANTON. I notice that invitation was extended to 435 Members of the House, The gentleman indicated that the House might be in session to-morrow. If the invitation was accepted pretty generally, it would not be of much advantage to the chairman of the Committee on Appropriations to consider a bill unless he had a quorum present. Has the gentleman taken into consideration the fact that that might make the chairman a little more amiable toward a request the gentleman from Wyoming might make that we take a recess to-morrow?

Mr. MONDELL, The chairman of the Committee on Appropriations is entirely amiable, but I have no information as to his frame of mind on this matter. He is here and can speak

for himself.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to ad-

dress the House for two minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent to address the House for two minutes. Is there objection?

Mr. SEARS. Upon what subject?

Mr. MADDEN. Upon this subject.
Mr. SEARS. The gentleman has objected several times to Mr. SEARS. my addressing the House, but I have no disposition at this time

to make any objection to his addressing the House.

Mr. MADDEN. Mr. Speaker, I hope the House will not feel called upon to adjourn to-morrow to go on a junket, for that There is an important bill from the Comis what it means. mittee on Appropriations that calls for appropriations for the United States Government activities, and of course the acceptance of an invitation to go to Quantico will simply add to

the expense of the Government. It does not seem to me that at this time, when everybody outside the Government is trying to economize in every way they can, that we should add to the extravagant expenses of the Government.

Mr. GARNER. Will the gentleman yield? Mr. MADDEN. Yes.

Mr. GARNER. Does the gentleman suggest that the admin-

istration ought not to have issued the invitation?

Mr. MADDEN. I have nothing to do with what they undertake; I am simply saying that I am opposed to taking the time away from the actual business of the House that ought to be considered.

Mr. BLANTON. Will the gentleman yield?
Mr. MADDEN. Not now. For myself I hope the House will remain in session and do the business that is before it. If they want to adjourn over Saturday, that is another thing. A great many Members of the House live only a few miles away and like to go home on Saturday. They are willing to work the rest of the week. I hope that nothing will be done in respect to this invitation that will prevent the House going on with the important business before us.

Mr. BLANTON. If the gentleman will yield, the gentleman spoke of going on a junket trip to-morrow. The gentleman is aware of the fact that it has become almost the universal practice to have a week end so that the Members may junket home. The gentleman from Chicago does not go home and the gentleman from Texas does not go home; they do not get any junket out of it. So if there is going to be a general invitation, why not have the recess to-morrow instead of Saturday?

Mr. MADDEN. When the Members go home over Saturday they go at their own expense. If they go to-morrow, they go at

the Government's expense, and I am opposed to it.

The SPEAKER. The Chair has been requested to say that Members who desire to go on the trip to-morrow can get their tickets at the room of the Naval Committee of the House.

Mr. HUMPHREYS. Mr. Speaker, I want to ask the gentleman from Iowa, or the gentleman from Wyoming, or the gentleman from Illinois a question. The gentleman from Illinois said that this would be a very expensive trip to the Government. What will be the items of expense that the Government will be put to if the Members of Congress go to Quantico to-mor-

Mr. HICKS. If I may be allowed, the Mayflower is in commission at the present time with a full crew, and the expense of going there and back will be merely the coal that will be The entertainment given to Members of Congress will be on behalf of the officers and not at the expense of the Government of the United States. [Applause.]

Mr. HUMPHREYS. And the Mayflower is going to Quantico,

anyhow.

Mr. HICKS. That is correct.

Mr. HUMPHREYS. Then, what will be the items of expense? Mr. HICKS. Well, there may be a certain amount of wear and tear to the decks of the ship and some gasoline used in motors, but I can not believe that it will amount to much expense, and I believe that to go down there and see what the Marine Corps are doing will be a splendid inspiration to Congress and give us information that we all ought to have. [Applause.]

Mr. CARTER. I would like to ask the gentleman, who is responsible for all this expense that the gentleman from Illinois has discovered, who is responsible for issuing the invitation and

starting it?

Mr. HICKS. The Secretary of the Navy, and I commend him for his thoughtfulness.

Mr. GOOD. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

The SPEAKER. The gentleman from Iowa asks unanimous consent to address the House for two minutes. Is there objection?

There was no objection.

Mr. GOOD. Mr. Speaker, with regard to the House accepting the invitation to go to Quantico to-morrow, I am convinced that a very large number of the Members of the House prefer to go down and visit this camp. A good deal is always said in the press and from the public platform, and sometimes on the floor of the House, in denouncing such visits as "junkets."

My experience has been that when committees can go to a place like Quantico, or any other place where there is a Government activity, and become acquainted with it by personal contact, seeing the things that are being done, and so forth, they are better able to pass judgment upon them afterwards, and upon similar things, than they are if they have to accept the statement of some Member of the House in respect to conditions, although the statement may be absolutely true and reliable. believe a vast majority of the Members want to go to-morrow.

I personally can not go. I shall present the deficiency bill as seen as I have the opportunity, but I would hate to present a deficiency bill that has as many intricate and troublesome questions in it as this one has when the House is not feeling very kindly toward the committee. If, therefore, some member of the Committee on Appropriations shall become responsible for denying the Members a right to take a trip of this kind, we might not expedite the transaction of Government business. shall not object, Mr. Speaker, so far as any request is made, but, not being interested, I do not believe that the request should come from me.

Mr. MONDELL. Mr. Speaker, in view of the statement of the chairman of the Committee on Appropriations, I ask unanimous consent that when the House adjourns to-day it adjourn

to meet on Friday next.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that when the House adjourns to-day it adjourn to meet on Friday next. Is there objection?

There was no objection.

#### DEFICIENCY APPROPRIATION BILL.

Mr. GOOD, by direction of the Committee on Appropriations, reported the bill (H. R. 6300) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes, which was read a first and second time, and, together with the accompanying report, ordered printed and referred to the Committee of the Whole House on the state of the Union.

Mr. BYRNS of Tennessee. Mr. Speaker, I reserve all points

of order on the bill.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 2173) authorizing the construction, maintenance, and operation of a private drawbridge over and across Lock No. 4 of the canal and locks, Willamette Falls, Clackamas County, Oreg.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House

of Representatives was requested:

S. 906. An act for the relief of Reuben R. Hunter;

S. 1060. An act to amend an act entitled "An act to punish, the transportation of stolen motor vehicles in interstate or foreign commerce," approved October 29, 1919;

S. 1072. An act to amend the act entitled "An act to provide that the United States shall aid in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes;

S. 494. An act for the relief of Benjamine O. Kerlee;

S. 990. An act to provide for the sale by the Commissioners of the District of Columbia of certain land in the District of Columbia required for a school site, and for other purposes;

S. 1358, An act to provide for maintaining the Corps of Cadets at the United States Military Academy at its maximum

authorized strength, and for other purposes;

S. 937. An act to reimburse Isaiah Stephens, postmaster of McMechen, Marshall County, W. Va., for money and postage stamps stolen; and

S. 938. An act to reimburse S. S. Buzzerd, postmaster at Berkeley Springs, Morgan County, W. Va., for cash stolen. The message also announced that the Senate had passed

without amendment the bill (H. R. 4586) to amend the act entitled "An act to establish a code of law for the District of Columbia, approved March 3, 1901," and the acts amendatory thereof and supplementary thereto.

# ENROLLED BILLS SIGNED.

Mr. RICKETTS, from the Committee on Enrolled Bills, re-ported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

An act to limit the immigration of aliens into the H. R. 4075. United States

The SPEAKER announced his signature to enrolled bills of

the following titles:

S. 594. An act for the relief of certain ex-service men whose rights to make entries on the North Platte irrigation project, Nebraska-Wyoming, were defeated by intervening claims; and

S. 1479. An act granting the consent of Congress to the Washington & Old Dominion Railway, a corporation, to construct a bridge across the Potomac River.

## CALENDAR WEDNESDAY.

The SPEAKER. To-day is Calendar Wednesday. The Clerk will call the roll of committees.

The Clerk proceeded with the call of committees, and called

the Committee on Banking and Currency.

Mr. GARNER. Mr. Speaker, the Clerk has called the Committee on Banking and Currency but once. It has been customary heretofore to call each committee the second time. I therefore expect that the Committee on Banking and Currency will be called the second time.

The SPEAKER. The Clerk will call the committee the

second time.

The Clerk again called the Committee on Banking and Currency.

Mr. GARNER. Mr. Speaker, let me ask if the gentleman from Pennsylvania [Mr. McFanden], the chairman of the Com-

mittee on Banking and Currency, is present?

Mr. MONDELL. I am informed that the chairman of the Committee on Banking and Currency does not expect to call up any bill to-day.

The SPEAKER. The Clerk will proceed with the call. Mr. GARNER. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. Is there objection? There was no objection.

Mr. GARNER. Mr. Speaker, an important bill has been re-ported from the Committee on Banking and Currency, a bill in which the wheat and cotton growers of the country are very much interested. The law known as the Edge Act is very deficient in the matter of arranging foreign credits, and I do hope that the gentleman from Wyoming will use his influence with the gentleman from Pennsylvania, the chairman of the Com-mittee on Banking and Currency, to get that bill before the House as soon as possible. It is of vast interest; it is a matter in which the farming industry of this country is very much interested, and I was in hopes that it could be passed to-day, within the hour.

Mr. MONDELL. Mr. Speaker, the bill in question to which the gentleman refers is no doubt an important bill, although there is considerable difference of opinion as to whether it would greatly help the farmer and the cotton grower, as the gentleman's statement would seem to indicate. The Committee on Interstate and Foreign Commerce have a very important bill which they desire to pass to-day. It is not only of importance but presents a matter requiring early attention. The State Department is very anxious to have the matter considered at an early date. In view of these considerations, the chairman of the Committee on Banking and Currency does not intend to insist upon the right of his committee to-day.

Mr. STEVENSON. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. STEVENSON. Does the gentleman have any idea that within the next week or two the measure to which the gentleman from Texas referred will be gotten up?

Mr. MONDELL. Just how soon we can reach it I can not

say, but I trust within a reasonable length of time.

Mr. WALSH. Mr. Speaker, I demand the regular order. Mr. KING. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. Is there objection.

Mr. KING. Mr. Speaker, at the request of the floor leader, withdraw my request.

The SPEAKER. The Clerk will proceed with the call of committees

The Clerk proceeded with the call.

LANDING OF SUBMARINE CABLES IN THE UNITED STATES.

Mr. WINSLOW (when the Committee on Interstate and Foreign Commerce was called). Mr. Speaker, by direction of the Committee on Interstate and Foreign Commerce I call up the bill (S. 535) to prevent the unauthorized landing of submarine cables in the United States, which I send to the desk and ask to have read.

The Clerk read the bill, as follows:

The Clerk read the bill, as follows:

Be it enacted, etc., That no person shall land or operate in the United States any submarine cable directly or indirectly connecting the United States with any foreign country, or connecting one portion of the United States with any other portion thereof, unless a written license to land or operate such cable has been issued by the President of the United States without alleense granted by the President of the United States without a license granted by the President may continue to operate without such license for a period of 90 days from the date of approval of this act.

SEC. 2. That the President may withhold or revoke such license when he shall be satisfied that such action will assist in securing rights for the landing or operation of cables in foreign countries, or in maintaining the rights or interests of the United States or of its citizens in foreign countries, or will promote the security of the United States, or may grant such license upon such terms as shall be necessary to assure just and reasonable rates and service in the operation and use of cables so licensed: Provided, That the license shall not contain terms or conditions granting to the licensee exclusive rights of landing or of operation in the United States: And provided further, That nothing herein contained shall be construed to limit the power and jurisdiction heretofore granted the Interstate Commerce Commission with respect to the transmission of messages,

SEC. 3. That the President is empowered to prevent the landing of any cable about to be landed in violation of this act. Any district court of the United States exercising jurisdiction in the district in which any cable is about to be landed or is being operated in violation of this act, or has been landed in violation of this act, shall have jurisdiction to enjoin the landing or operation of such cable, or to compel by injunction the removal of such cable. If a license to land a cable shall be granted under this act, and if the conditions of such license shall not be complied with, any district court of the United States exercising jurisdiction in the district in which such cable shall have been landed shall have jurisdiction by injunction to prevent the operation of such cable or cause the removal thereof.

SEC. 4. That whoever knowingly commits, instigates, or assists in any act forbidden by section 1 of this act shall be guilty of a misdemeanor and shall be fined not more than \$5,000, or imprisoned for not more than one year, or both.

SEC. 5. That the term "United States" as used in this act includes the Canal Zone, the Philippine Islands, and all territory, continental or insular, subject to the jurisdiction of the United States of America.

SEC. 6. That no right shall accrue to any Government, person, or corporation under the terms of this act that may not be rescinded, changed, modified, or amended by the Congress.

Amend the title so as to read: "An act relating to the landing and operation of submarine cables in the United States."

With the following committee amendments:

With the following committee amendments:

Page 1, line 8, after the word "provided," strike out the word

Page 1, line 3, after the word "any," insert the word "such."
Line 9, after the word "date." strike out the words "of the approval of"; and after the word "act," insert "And provided jurther, That the conditions of this act shall not apply to cables, all of which, including both terminals, lie wholly within the continental United States."

line 5, after the word "satisfied," insert "after due notice

and hearing.

Mr. WINSLOW. Mr. Speaker, I would like to make any arrangement that is necessary for a division of time.

The SPEAKER. No arrangement is necessary. man from Massachusetts has one hour, at the end of which time he can move the previous question if he so desires. The House, of course, by unanimous consent, can come to any agreement it Does the gentleman make any suggestion?

wishes. Does the gentleman make any suggestion?

Mr. WINSLOW. Mr. Speaker, the gentleman from Illinois [Mr. Denison] has indicated a desire to oppose the bill, and

has suggested that he would like to control the time.

The SPEAKER. Has the gentleman from Illinois a request to submit?

Mr. DENISON. Mr. Speaker, I have forgotten just at this

moment the amount of time allotted under the rule.

The SPEAKER. The rules do not make any provision. comes up under the ordinary rules of the House. The gen-tleman from Massachusetts has one hour, and then if he yields the floor some one in opposition can be recognized for one hour, but if the gentleman from Massachusetts moves the previous question within the hour, as he has the right to do, and the House should sustain him, there would be in that case only one hour of debate.

Mr. WINSLOW. Mr. Speaker, I think we will proceed with

The SPEAKER. The gentleman from Massachusetts has one

hour which he can use as he pleases.

Mr. WINSLOW. Mr. Speaker and gentlemen of the House, this S. 535 is a very important bill. The passage of the legislation proposed by this bill will affect very materially the internal interests of this country, and also the policy of this country in respect of all local cable matters in connection with foreign countries. The time for debate is not long. Members of the Committee on Interstate and Foreign Commerce are very well advised as to all the features of the bill and the history connected with it. Several of them will explain the matters of particular interest to the Members, and they will take up the history of cable legislation, the matter of authority over cables, and other questions which are pertinent to the discussion of this bill. The report has been prepared on behalf of the committee by the gentleman from Washington [Mr. Webster] and is a very informing statement of the general proposition. order that we may get at the bill without delay and with the least duplication of statement in reference to its provisions, I will now yield 15 minutes to the gentleman from Washington [Mr. Webster]. [Applause.]

Mr. WEBSTER. Mr. Speaker, the bill now under considera-tion undertakes to define a broad national policy with respect to the important matter of submarine cable landings and operation in the United States and to set up a suitable machinery to give expression to that policy. Briefly the bill contemplates that the President shall have the power to prevent the landing of cables on the shores of the United States unless the parties interested bring themselves within the provisions of this bill. It confers upon the President the power to grant licenses and to grant licenses upon conditions. It grants him the power to prevent the unauthorized landing of such cables. It empowers him to regulate the operation of cables to a certain degree and

may be operated contrary to the provisions of the bill. The measure comes to the House at this time under a peculiar urge-the urge of an extraordinary emergency of very farreaching importance. It may conduce to clearness, Mr. Speaker, if the general situation is sketched in brief. The authority of the President of the United States to deal with the matter of submarine cable landings and operation has been asserted and exercised in this country for more than half a century. The first instance giving rise to the exercise of the power occurred during the administration of President Grant in 1869. In that year a French cable company, enjoying certain monopolistic privileges in France with reference to communication between that country and America, undertook to land a sub-marine cable on the shores of the United States. President Grant considered that he could not stand by and permit a thing of that sort to be done. He interposed objection and insisted that before this cable could invade our shores the monopolistic feature of the French grant should be abandoned, and that citizens of America engaged in similar enterprises should be accorded the same rights in France as the French company was seeking in the United States. In his message to the Congress in 1875 President Grant defined a wise, broad, and wholesome policy with reference to this matter. I believe it will be very helpful if we have these fundamental principles well in mind.

He said in part:

He said in part:

In the absence of legislation by Congress I was unwilling, on the one hand, to yield to a foreign State the right to say that its grantees might land on our shores while it denied a similar right to our people to land on its shores, and, on the other hand, I was reluctant to deny to the great interests of the world and of civilization the facilities of such communication as were proposed. I therefore withheld any resistance to the landing of the cable on condition that the offensive monopoly feature of the concession be abandoned and that the right of any cable which may be established by authority of this Government to land upon French terrifory and to connect with French land lines and enjoy all the necessary facilities or privileges incident to the use thereof upon as favorable terms as any other company be conceded.

I. No line should be allowed to land on the shores of the United States under the concession from any other power which does not admit the right of any other line or lines formed in the United States to land and freely connect with and operate through its land lines.

II. No line should be allowed to land on the shores of the United States which is not by treaty stipulation with the Government from whose shores it proceeds or by prohibition in its charter or otherwise to the satisfaction of this Government prohibited from consolidating or amalgamating with any other cable-telegraph line or combining therewith for the purpose of regulating and maintaining the cost of telegraph.

In the meantime, and unless Congress otherwise directs I shall not

with for the purpose of regulating and maintaining the cost of telegraph.

In the meantime, and unless Congress otherwise directs, I shall not oppose the landing of any telegraphic cable which comples with and assents to the points above enumerated, but will feel it my duty to prevent the landing of any which does not conform to the first and second points as stated, and which will not stipulate to concede to this Government the precedence in the transmission of its official messages, and will not enter into a satisfactory arrangement with regard to its

Mr. Speaker, since the definition of this broad policy by President Grant, distinguished Secretaries of State and Attorneys General, among them Fish, Evarts, Frelinghuysen, Bayard, Blaine, Day, Hay, Root, Richards, Griggs, Wickersham, and McReynolds, have upheld the right of the Chief Executive to deal with submarine cable landings. There seems to be but a single break in this chain of thought, and that occurred during the administration of President Cleveland when Secretaries Gresham and Olney held to the contrary view, taking the position that there is no inherent power in the Executive to control cable landings. With that single exception, however, the policy has been uniform. It was renewed immediately after the termination of the Cleveland administration and has continued down to and including the time when Mr. Justice McReynolds, then Attorney General of the United States, re-asserted it. The exercise of this power now is challenged in the courts of the country, the facts giving rise to the litigation being briefly these: The Western Telegraph Co. is a British corporation enjoying monopolistic cable concessions in South America. It entered into a contract with the Western Union Telegraph Co. of this country under the terms of which the British company was to extend a line of cable from a point in Brazil to the island of Barbados. The Western Union Co. undertook to lay a line of cable from Miami Beach, Fla., to Barbardos, so as to connect with the British company's line and establish through communication between the United States and Brazil. In the effort to carry out its part of the contract the Western Union Co. made application to Secretary of State Colby for an executive permit in pursuance of the settled policy applicable to such cases. There is some controversy as to what transpired in detail, but there is no room for debate as to this naked fact: It did not receive the permit sought. Notwithstanding this, the Western Union Co. pro-ceeded to lay its cable without permission and without authority, taking the position that no permission was necessary.

At this point President Wilson ordered the Secretary of the

authorizes him to bring about the removal of any cables which Navy to send a battleship to the point where the Western

Union was carrying on its operations and to compel them to cease. Rear Admiral Anderson, in charge of a war vessel, proceeded to Miami, Fla., and there compelled the Western Union to stop its work in the laying of the cable. Whereupon the Western Union Co. applied to the district court of the District of Columbia for an injunction against the Secretary of the Navy, restraining him from interfering with the company in the laying of its cable. That case is now held under advisement in the district court. Later the United States of America in its governmental capacity, and as such, went to the Federal court for the southern district of New York and instituted an action against the Western Union Co., wherein an injunction was sought against the Western Union Co. restraining it from further attempting to lay the cable. The case was presented to the district court at length. Judge Hand, of that court, seems to have held that there is no authority vested in the President of the United States to control the matter of cable landings, especially where the case is one involving an American company which has complied with the provisions of the so-called post roads act of July 24, 1866. The case was appealed to the circuit court of appeals for the second circuit, and the opinion of Judge Hand was affirmed. The United States has appealed the case to the Supreme Court, where it has been fully presented, and is now under submission for final decision

It will readily be seen that if the opinion of the circuit court of appeals is sustained it will be on the theory that under the commerce clause of the Constitution the sole power over submarine cables-instrumentalities of commerce-is vested in the Congress. In consequence the President will be shorn of his power, the settled policy of the Nation will be cast aside, and unless some appropriate congressional action is taken to meet the situation the United States of America will be reduced to the humiliating spectacle of being the only nation in Christendom which does not have some machinery whereby it may protect its shores against invasion by foreign cable companies. That is the urge of this bill at this time. I sincerely hope that the Members of the House will be impressed with the seriousness of the situation and will not leave this Nation exposed to that humiliation.

It might be said in passing that there is broad room for difference of opinion as to whether this power does not already rest in the President. It is a mooted question, and save the litigation to which I have referred, has never been passed upon

directly by any court.

I am inclined to the view, however, that whatever the law may be at this time, there can be little room for difference of opinion as to where the authority ought to be lodged. In all the countries of which I know the power to deal with submarine cables is an executive power. Frequently these cables are laid as the result of negotiations between this country and foreign nations, and it seems highly appropriate that the President of the United States shall be the spokesman for this country in conducting its diplomatic operations.

There has been some difference of opinion as to the details of the bill, but I believe the fundamental thought underlying the measure, that the Executive shall be clothed with ample power and authority to deal with this question, is approved by every thoughtful person who has devoted any attention to the question.

The SPEAKER. The time of the gentleman from Washington

has expired.

Mr. WINSLOW. Mr. Speaker, I yield five minutes more to the gentleman.

Mr. JONES of Texas. Will the gentleman yield for a brief question?

Mr. WEBSTER. I yield.

Mr. JONES of Texas. Is there any other American company that desires to do business in this same territory that this com-

pany connects with?

Mr. WEBSTER. The All-American Cable Co. now has cable connection with South America on the western coast, and that company, too, is in the enjoyment of certain monopolistic privileges. It is the purpose of this bill to define a general and comprehensive policy which will place it in the power of the Chief Executive to protect the rights of the people of this country and of this Nation as such as to grants that are now in existence as well as those which may come into existence and to eliminate monopolistic or other objectionable features which in his judgment are inimical to the interests of this country.

It can not be truthfully said that a uniform course has been pursued with respect to the policy of denying the right to cable companies to land on our shores if they have monopolistic privileges abroad. Such has been the policy, but it has not at all times been strictly followed. As to the economic wisdom of the policy, I prefer not to go into it for lack of time.

The first section of this bill provides:

That no person shall land or operate in the United States any sub-marine cable directly or indirectly connecting the United States with any foreign country, or connecting one portion of the United States with any other portion thereof, unless a written license to land or oper-ate such cable has been issued by the President of the United States.

Some contention has been made that it is not within the power of the Congress to delegate this authority. It is said that if the Congress has the power to enact this law at all it has it in virtue of the commerce clause of the Constitution; and that under the A B C rule that legislative functions may not be delegated, the bill is open to attack on constitutional grounds. I have given careful thought to that question, and I know it has been considered by other members of the committee. I am convinced in my own mind that this bill is not open to that attack. We have the power to set up an executive or an administrative agency through which we may give expression to our legislative functions. The only objection is, have we so defined the rules and regulations as to save the bill against the criticism that it confers arbitrary power? But the courts of this country have dealt with this question many times. There is not a thing novel about that problem. The courts have recognized this directing and guiding principle, that if the subject being dealt with is of such a character that it is not practicable to set up definite guideposts and standards, the power may be delegated in more general terms and the courts will find the means to give expression to the legislative purpose. The agency created may be intrusted with very broad discretionary powers in cases of that kind. If a case can be conceived that comes within that broad principle, it is one dealing with an international problem such as the landing of cables upon our shores, each instance of which embodies new conditions, new facts, new circumstances, and new situations. I am convinced that this bill is not open to the attack I have just suggested.

Mr. HUSTED. Will the gentleman yield? Mr. WEBSTER. I will yield. Mr. HUSTED. The Western Union Co., as I understand it, actually made application for permission to connect with the British cable at Barbados?

Mr. WEBSTER. Yes

Mr. HUSTED. And that request was denied?

Mr. WEBSTER. Yes. Mr. HUSTED. What was the objection to the Western Union connecting with the British cable at Barbados?

Mr. WEBSTER. I will be glad to answer that. discloses this

The SPEAKER. The time of the gentleman has again expired.

Mr. WINSLOW. I yield five minutes more to the gentleman. Mr. WEBSTER. The Western Union Co. made application to Secretary Colby for executive permit to lay its cable.

At that time an international conference had been called to canvass the entire international situation with respect to submarine cable landings and operations. The Congress had passed an act authorizing the appointment of delegates to represent this country in that conference, and it was the thought of Secretary Colby that until that question had been gone over and fully considered the permit should be withheld. That was also the view of President Wilson. Subsequently some dispute arose as to whether the application had been denied or merely held in abeyance. But the fact remains that it was not granted

Mr. DEMPSEY. Mr. Speaker, will the gentleman yield for a question?

Mr. WEBSTER. Certainly.
Mr. DEMPSEY. Does the gentleman see anything in this message of President Grant's that has any possible bearing on the question at issue in this bill? Does not President Grant simply deal with two questions, first, the landing of foreign cables, and second, restraining those who propose to connect their cables with our local companies and the landing of such cables, unless the monopolistic features are restrained and controlled?

Mr. WEBSTER. It has a much broader significance. There the President of the United States was called upon to exercise a power of doubtful existence in order to protect the shores of this country against invasion by foreign cable companies. not wish to see this Nation longer exposed to that hazard.

Mr. DEMPSEY. Yes; but I understand that this bill is proposed at this time with reference to the building of a line from Barbados to this country by an American company. that be in any way affected by the two precedents advanced by President Grant? What relation has that to the question raised here?

Mr. WEBSTER. The point made by President Grant was that this country would not allow a connection to be made here by a foreign company if the country from which it came would not allow an American company to lay its cables on their shores. In this case the line of the American company connects at Barbados with the cable of a British company, which has a monopoly in Brazil, and that principle will be involved because other American companies can not go into Brazil and enjoy the same privileges which the British company has there.

Mr. DEMPSEY. The logic of the gentleman's statement is this, that the landing of an American cable in Barbados is equivalent to the landing of a foreign cable in the United States.

Mr. WEBSTER. No. The landing of a cable in Barbados and connecting it up with the British company holding a monopoly in South America is the gist of the proposition.

They connect with any company that they Mr. DEMPSEY. come in contact with in the course of the cable they lay?

Mr. WEBSTER. No. The British company agrees to extend its line to Barbados, and the Western Union to the same point, for the purpose of connecting up and establishing through communication with monopolistic Brazil,

Mr. MADDEN. Mr. Speaker, will the gentleman yield? Mr. WEBSTER. Yes.

Mr. MADDEN. As a matter of fact, are not all the Western Union cable lines owned by the English people and only leased by the Western Union Co.?

Mr. WEBSTER. I am not prepared to answer that question. Mr. MADDEN. I think we disclosed that state of facts in the hearings of the Committee on the Post Office and Post Roads during the discussion of the control of telegraph and cable lines

Mr. WEBSTER, I am not advised as to that matter.

Mr. JONES of Texas. Mr. Speaker, will the gentleman yield?

Mr. WEBSTER. Yes.

Will the British company allow the Mr. JONES of Texas. use of its lines by any other American company in Brazil?

Mr. WEBSTER. Under the terms of the British grant in South America no company can lay a cable to South America connecting any two ports now served by the British company. The only way the Western Union can get in there is through the contract entered into with the British company.

Mr. JONES of Texas. Has the British company insisted

upon that exclusive right?

Mr. WEBSTER. It has insisted upon it.

Mr. OLIVER. Mr. Speaker, will the gentleman yield?

Mr. WEBSTER. Yes.

Mr. OLIVER. There can be no question of the right of Congress to impose the prohibition provided for in section 1; but, as the gentleman says, it is a mooted question whether Congress has the right to delegate the authority conferred by the subsequent sections. Would it not be well to guard against possible adverse decision on such mooted question by inserting a provision that any part of this bill declared unconstitutional shall not invalidate other parts of the bill?

Mr. WEBSTER. In my opinion such a provision in a law

performs no office at all.

The SPEAKER. The time of the gentleman from Washington has again expired.

Mr. OLIVER. The courts have held that such a provision does perform an important office, and Congress has wisely inserted such a proviso in many bills passed during recent years.

Mr. WINSLOW. Mr. Speaker, I reserve the balance of my

The SPEAKER. The gentleman from Massachusetts reserves the balance of his time. The Chair will recognize the gentleman from Illinois [Mr. Denison] in opposition.

Mr. WEBSTER. Mr. Speaker, I ask unanimous consent to

revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. DENISON. Mr. Speaker and gentlemen of the House, it is with some embarrassment and reluctance that I oppose this bill. It is a great deal easier to go along with my committee, to be a good fellow, and let the action of the committee be unanimous. But I am opposed upon fundamental grounds to this bill, and therefore I can not conscientiously vote for it; and I did not want to simply vote against it without expressing in my feeble way some of the reasons which prompt me to do so. Therefore I am going to make a few general observations upon the bill, without any attempt whatever to defeat it, but in order to call the attention of the Members of the House to some of its provisions and to the general policy which the bill embodies.

The Constitution provides that all legislative power shall be vested in Congress; and at another place the Constitution provides that the Congress shall have power to regulate commerce with foreign nations and between the different States. words, the Constitution places the power to regulate commerce with foreign nations and among the several States exclusively in the Congress.

Now, this question of the landing of a cable on our shores or the connecting of this country with another country by means of a telegraph line or a cable line is simply a commercial question, a question of commerce. Congress has so said in legislation, and the courts have so held in judicial decisions, so that we have involved here nothing but a question of commerce, foreign commerce, and we are now considering legislation that will regulate it.

Mr. LINEBERGER. Mr. Speaker, will the gentleman yield?

Mr. DENISON. Yes.

Mr. LINEBERGER. Are not strategic questions involved in time of war?

Mr. DENISON. Not at all, because in time of war the President can, under his war powers, take over all cable lines and all telegraph lines, and everything else that is necessary for the public safety. There is no question of the national security inpublic safety. There is no question of the national securively determined by the securive volved here. This is purely a question of commerce.

Mr. HUSTED. Mr. Speaker, will the gentleman yield?

Mr. DENISON. Yes.

Mr. HUSTED. Is it the gentleman's position that if the court upholds the contention of the Government that this legislation is unnecessary?

Mr. DENISON. Yes.

Mr. HUSTED. And if the court upholds the contention of the Western Union Telegraph Co. it is the gentleman's position that we have delegated to the President authority that we have no right to delegate; that it is a matter within the regulation of

commerce with foreign nations.

Mr. DENISON. That is practically my position. I think I can state it definitely. First, let me say that I am not particularly concerned with this lawsuit now pending in the Supreme Court between the Western Union Telegraph Co. and the Government. Let me say, gentlemen of the House, that that is a controversy growing out of competition between two cable companies, the Western Union and the All-American. This bill was prepared in the office of the attorneys of the All-American Co., the competitor of the Western Union. It was offered in the Senate by request, and so stated by the Senator who introduced The only witnesses who appeared before our committee for the bill were Elihu Root, attorney for the All-American Co., and a solicitor for the State Department.

Mr. WINSLOW. Will the gentleman yield? Mr. DENISON. Yes.

Mr. WINSLOW. Will the gentleman amend that by saying Elihu Root, jr.?

Mr. DENISON. Yes; Elihu Root, jr.; that is correct. Mr. JONES of Texas. Will the gentleman yield?

Mr. DENISON. I will.

Mr. JONES of Texas. I want to ask for information: While Congress is given the power to control commerce, is not this largely an administrative function? Of course, when Congress is controlling the commerce it must necessarily have machinery for carrying out its power, and if it can confer on the Interstate Commerce Commission administrative functions, can it not confer upon the President administrative functions?

Mr. DENISON. Yes; but that is not what we are doing in this bill. This bill does not merely confer upon the President administrative functions. It confers upon him arbitrary and plenary power, without any limitations or rules of guidance prescribed by Congress. I do not want to make a misstatement. When I said that one of the witnesses for this bill was Elihu Root, that was correct; but, of course, it was Elihu Root, jr., a son of Elihu Root, sr., and, as I understand, a member of the same law firm, but of that I am not sure. I think, however, that was stated in the testimony.

Mr. NEWTON of Minnesota. I believe that Elihu Root, sr., is an advisory member of the law firm that is counsel for the

All-American Co.

Mr. DENISON. So this is a contest between two competing companies that want to get the cable business of South America. The State Department has become involved in the matter, and therefore the State Department has come before the committee and urged this legislation. The Government and the Western Union got into litigation because the Western Union started to land a cable at Miami, Fla., believing it had the legal right to do so. They asked for a permit, following a long-prevailing custom, and the permit was held up, not denied but held up, until finally they got the cable laid and ready to connect with the shore, when the Navy Department sent down gunboats and stopped them.

Then the Government went into court. The case was fried in the district court and the Government's contention was not sustained. It went to the court of appeals and the Government was not sustained, and now the matter is in the Supreme Court, and a decision will be handed down prob-ably in about two weeks. The Western Union has made this investment and is ready to connect up its cable, as it has been advised it has a right to do. If it loses its contention, it will take its medicine and accept its loss; and if it wins, it ought to have the right to land its cable. This legislation is intended to anticipate the decision of the Supreme Court, so that if the Western Union wins in court it will not be allowed to land anyway. With that controversy I am not concerned. I was willing to help pass an emergency bill to prevent the landing until Congress can enact some comprehensive legislation. I do not care anything about the controversy between the two companies. What I am addressing myself to is the fundamental principle and policy involved in the pending bill.

Mr. WEBSTER. Will the gentleman yield?

Mr. DENISON. Yes. Mr. WEBSTER. The gentleman has stated that there is nothing involved in this measure except a controversy between

two commercial cable companies.

Mr. DENISON. No; I did not say exactly that; I said this is a controversy between the two cable companies, and the State Department has become involved in it.

Mr. WEBSTER. Does the gentleman want a hiatus to exist growing out of the affirmation of a judgment by the Supreme Court to the effect that the President has no authority in the premises because of the authority invested in Congress and then have Congress fail to provide for that

condition of things?

Mr. DENISON. The gentleman from Washington evidently did not hear my last statement. I think I said that personally I was willing to pass an emergency bill to prevent their landing in case the Supreme Court's decision was in their favor, but I am not in favor of this bill as emergency legislation. It does purport to be emergency legislation, but is, in fact, enacted as a general policy, and I am opposed to it on fundamental grounds.

Mr. DAVIS of Tennessee. Will the gentleman yield?

Mr. DENISON. Certainly. Mr. DAVIS of Tennessee. In regard to what the gentleman from Illinois said about the Department of State being drawn into the controversy, is it not a fact that the reason it was drawn into it was because the Western Union made application for this permit and, pending the Government action, the Western Union undertook surreptitiously to land the cable and the

State Department undertook to defeat it?

Mr. DENISON. The gentleman from Tennessee is not exactly correct. The Western Union did make application for a permit in accordance with the usual custom. It was delayed, and in the meantime the Western Union had brought the cable over from England and landed it at Norfolk in order to let off enough to reach from the shore to the 3-mile line; they paid the duty on that, and then sent it down to Miami to make the connection. Perhaps they had an intimation from the State Department that the permit would not be issued. At any rate, they had bought the 1,600 miles of cable in good faith, I think, and had brought it over on a cable ship, and when you get a cable on a ship you have to do something with it; the only place you can put it is in the sea.

But I do not want to be understood as taking any part in the controversy between these cable companies as to whether they have the right to land or not. The controversy involves the alleged general power of the President to control the landing of all cables on our shores, as well as the alleged right to lay the cables under the so-called post roads act of Congress of 1866. These have long been disputed questions. They are now before the Supreme Court. They ought to be finally settled by judicial decision. If the Government's position is sustained, then, of course, the Western Union can not lawfully land its cable. If the Government's position is not sustained, then the Western Union has acted entirely within its legal rights. I am not particularly concerned with that question now.

I am discussing this bill now on fundamental grounds. am opposed to Congress disposing of any more of the duties and powers that are conferred upon it by the fundamental law of the land. I have been criticized back in Illinois because Congress has in recent years conferred upon the President so many of its powers. I defended our actions here for the last three years upon the ground that we were at war and that it was necessary to confer these extraordinary powers upon the President in a time of emergency. I went over my district

during the last campaign and defended my action in voting to confer these extraordinary powers upon the President during the war, but at the same time I told the people of my district that since peace has been restored and there are no emergencies jeopardizing our national security, I would not again vote to confer upon the President or anybody else the constitutional powers that belong to Congress itself.

Mr. WEBSTER. Mr. Speaker, will the gentleman yield?
Mr. DENISON. Yes.
Mr. WEBSTER. Does the gentleman contend for the principle that the Congress itself shall exercise this power in each case, and if any cable company attempts to land upon our shores, that before we could interfere with it somebody must come to Congress and get a special bill passed?

Mr. DENISON. My position is that before any cable company should be allowed to land upon our shores it should first have to come to Congress for permission to do so, and I am going to tell the gentleman where I have very splendid authority for the position that I take. I want to call the attention of the House to a great change in the tendency of our times. In 1896 a French cable company wanted to land upon the coast of Massa-chusetts, as I understand it. This old question arose as to whether or not they had to have a permit from the President

before they could do so.

The administration held, Mr. Gresham being Secretary of State, that there was no authority in the President under our Constitution, in the absence of legislation by Congress, to say whether or not a cable company should or should not land. That was the holding of that administration. The question attracted public attention and came to Congress. A bill was introduced covering the subject, and I am going to read you the bill, because I want the Members of the House to know how the House of Representatives and the Senate looked upon this question at that time. Here is the bill which was brought into the House with a unanimous report of the Committee on Interstate and Foreign Commerce, and, as I understand it, was brought into the Senate with a unanimous report of the Committee on Commerce of that body.

Mr. BANKHEAD, Did it pass?
Mr. DENISON. The bill passed the House, but it did not pass the Senate, as the matter was otherwise disposed of; but it shows the attitude of the Congress at that time. The bill reads as follows:

Be it enacted, etc., That the shore end of any new submarine telegraphic cable line or system that shall be established after the passage of this act, which line or system shall be protected in any foreign country by exclusive landing rights or by any other special privileges or franchises, shall not be permitted to land or operate on the territory of the United States until the consent of the Congress of the United States shall have been obtained therefor. But this prohibition shall not apply to the renewal or renewals of any submarine telegraphic cable or cables now in operation.

Mr. WINSLOW. Mr. Speaker, will the gentleman yield?

Mr. DENISON. Yes. Mr. WINSLOW. W Will the gentleman kindly state the date of that bill and what were the causes that impelled its passage?

Mr. DENISON. A French cable company wanted to land on the shores of Massachusetts, as I remember it. The question of obtaining a permit to do so came before the President, and the Secretary of State at that time held that there was no law under which the President had any authority to either give or deny the permit. So the matter came into Congress. That was in 1896.

It may be of interest to read briefly an extract from a Senate report on that bill.

The report said:

For these reasons it seems desirable, in view of the great increase of cable business, that the methods by which permission is to be hereafter obtained to land and operate any cable, whether American or foreign, should be established by Congress.

The circumstances and conditions surrounding, as well as the character of these projects for laying a submarine cable, must of necessity be peculiar to itself, and any general law enacted would undoubtedly fall far short of covering all such projects so as to place them on an equal commercial footing or of fully protecting the public from unjust discriminations.

Your committee are of opinion that each salt

criminations.

Your committee are of opinion that each cable company, whether American or foreign, should be required to apply to Congress for permission to land and operate any cable that may be laid subsequent to the approval of this bill. That requirement will give ample opportunity to Congress to ascertain whether the project is inimical to invested American capital and the business that has been established thereby, and to so regulate the conditions under which permission shall be granted on each application as to insure the best service to the general public for this most essential means of communication between the United States and the outside world.

Mr. HUSTED. Mr. Speaker, will the gentleman yield? Mr. DENISON. Yes. Mr. HUGTED. Is it the gentleman's understanding that under this bill the President may grant a license practically.

to any company he chooses or refuse a license to practically any company he chooses?

Mr. DENISON. He can.

Is the gentleman's objection to the bill HUSTED. grounded upon the fact that it is an illegal delegation of authority or merely an unwise delegation of authority, or both?

Mr. DENISON. My objection to the bill is that in my judg-

ment it is subject to both of the objections stated.

Mr. KINCHELOE. Mr. Speaker, will the gentleman yield?

Mr. DENISON. Yes.

Mr. KINCHELOE. As I understand the gentleman, he is in favor of temporary legislation that will protect the Government in case the Supreme Court decides favorably to the Western Union.

Mr. DENISON. Yes.

Mr. KINCHELOE. But is opposed to this bill as permanent

Mr. KINCHELOE. Under that state of facts the only alternative that we have in voting is either to vote for this bill or to take the chances of the Government suffering if the Supreme Court decides for the telegraph company. In other words, the situation which the gentleman is advocating is not before us.

Mr. DENISON. I can not help that situation. Of course, I

do not think the Government is going to suffer at all in any

Mr. KINCHELOE. If we fail to enact any legislation at all, and we have to enact this or none, and the Supreme Court decides favorably to the Western Union, why will not the Government suffer?

Mr. DENISON. I do not think the Government will suffer all. Private interests may suffer because of advantages gained by their competitors. But the Government has no interests that will suffer in the least.

Mr. KINCHELOE. Then what is the need of any legisla-

tion?

Mr. DENISON. It must be left to the gentlemen who are advocating this bill to show the need for the legislation. The only need that I can see is that if the Government loses its contention, then the Western Union Co. can land its cable and begin sending commercial messages to and from Brazil in competition with another cable company. Congress can enact legis-lation at any time that will regulate it after it has landed, so that there is no emergency, in my judgment, or any very serious need for this legislation now.

Mr. KINCHELOE. What emergency did the gentleman have reference to when he said that he would be willing to vote for

emergency legislation?

Mr. DENISON. It is the one I have just mentioned; some may call it an emergency to let this American company land its cable without a permit from the State Department; that is all the emergency there is, so far as I can see.

Mr. DAVIS of Tennessee. Mr. DENISON. I will. Will the gentleman yield?

Mr. DAVIS of Tennessee. Is it not a fact that the policy embodied in this bill is exactly in accord with the policy of the act that the Congress passed, almost without opposition, lodging with the Secretary of Commerce the authority to license radio companies and prohibiting anybody from engaging in the . radio business without having such a license?

Mr. DENISON. I am not familiar with that act.

Mr. DAVIS of Tennessee. There is such a law that the Congress passed.

Mr. DENISON. I do not know what the regulations are as provided for in that act.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. DENISON. I will.

Mr. NEWTON of Minnesota. The gentleman has stated that he believed in meeting this emergency with a specific offer of legislation-

Mr. DENISON. What specific offer of legislation?

Mr. NEWTON of Minnesota. Something along the line of the bill which passed the House some years ago, and which the gentleman has read.

Mr. DENISON.

Mr. NEWTON of Minnesota. But does the gentleman think that particular bill, if it passed the House, will meet this emergency?

Mr. DENISON.

Mr. DENISON. I certainly do. Mr. NEWTON of Minnesota. Until it could be passed by both Houses and be approved by the President and become a law, with a Supreme Court decision that would be favorable to the company it would be only a matter of hours before the cable was landed; and here is an entirely different bill and an entirely different policy, and does not the gentleman think that it would

be a matter of a good many weeks and possibly months before the differences between the House and Senate might be recon-

Mr. DENISON. No; I do not think so. I think if there is really an emergency, as some seem to think there is, the emergency would appeal to the Senate just as much as to the House, and they could pass that kind of a bill just as quickly as this. This bill will have to go back to the Senate and differences will have to be adjusted.

Mr. NEWTON of Minnesota. Is not this designed more

quickly to meet the emergency?

Mr. DENISON. I understand it is so designed, but it does not meet the situation any more quickly than would such a bill as the one which passed the House in 1896.

I have read what the Senate thought on that proposition in 1896, and I now read from the House report which accompanied

the bill that passed the House:

the bill that passed the House:

It is therefore desirable that the method by which permission is to be obtained to land and operate any future cables, either American or foreign, should be established or well defined. The circumstances surrounding and the character of each project for laying a submarine cable are likely to be peculiar to itself, and any general conditions which might be established would fall far short of covering all of such projects so as to place them all on an equal commercial footing.

The object of this bill, therefore, is to require each company, whether American or foreign, to apply to Congress for permission to land or to operate any cable that may be laid subsequent to its approval. That procedure will give ample opportunity to the Government and to the Congress to ascertain whether the project is inimical to invested American capital, and the business that has been established thereby, and to so regulate the conditions under which permission shall be granted on each application as to insure the best service to the general public for this most essential means of communication between the United States and the outside world.

Mr. CHALMERS. If the gentleman will permit I just want

Mr. CHALMERS. If the gentleman will permit, I just want to state that the gentleman from Kentucky stated my position I would be willing to vote in favor of that bill of 1896, but unless there is some such adequate measure offered now I shall have to vote for this bill.

Mr. DENISON. Well-

Mr. BANKHEAD. If the gentleman will permit, is this the only instance in which the cable company has landed where a license was not obtained from the Executive?

Mr. DENISON. No; there are a good many cables now operating in the United States without any license at all.

Mr. BANKHEAD. This bill provides that any such cable now laid within the United States without a license granted by the President may continue to operate without such license for a period of 90 days from the date this act takes effect. The passage of this bill will effect the rights of other companies whose cables are already laid in this country?

DENISON. If we pass this bill as reported here the President will have the power to refuse to grant a permit to any company now operating in this country, and if such company continues to operate its cable without a permit after 90 days from the passage of this act its officers will be liable to a fine of \$5,000 and to imprisonment for not more than a year.

Mr. JONES of Texas. What is the purpose of that? Mr. DENISON. The gentleman will have to ask those in

favor of the legislation to explain that; I will not have the time. That is one reason for my opposition to the bill.

Now, I have presented in these two reports on the bill of 1896 the view that the House and Senate took of their duty in connection with this question at that time, namely, in 1896. that day the statesmen thought that Congress ought to itself function and ought to itself exercise its constitutional power of regulating foreign commerce and passing on requests for landing cables on our shores whenever such requests were made.

Now, every time a railroad company wants to build a bridge across a navigable river they have to come to the Congress for a permit to do that; but this bill transfers from the Congress to the Executive this constitutional power that the fathers placed exclusively in our hands. It just simply shows, gentlemen of the House, the tendency of our times. As far back as 1896 the statesmen of the country thought that Congress itself ought to exercise the constitutional powers given to it; but in these days the tendency is for Congress to pass the buck and get rid of the duties and the responsibilities which were conferred upon it by the Constitution; in these days the tendency of Congress seems to be to transfer to some one else all its constitutional functions except those of raising revenue and making appropriations. So we are creating commissions and bureaus until the cost of conducting our Government has become almost unbearable, and it is due largely to the fact that the legislative body is constantly by legislation of this kind transferring its own constitutional functions to the Executive, who has to perform them through bureaus and commissions,

In my humble opinion, the quicker Congress comes to a full realization of its own constitutional powers and responsibilities and limitations, and the sooner Congress stops delegating those powers and duties to the President and to commissions and boards and bureaus, the better it will be for the welfare of the Republic.

Mr. OLIVER. Will the gentleman yield?

Mr. OLIVER. Will the second Mr. DENISON. I will.

Mr. OLIVER. The gentleman is in favor of legislation prohibiting the landing or operating of cables without application being first made to Congress and favorable action thereon?

Mr. DENISON. I am. Mr. OLIVER. Now, this bill could be so amended as to meet the objections the gentleman points out of enacting the prohibitive section, which is section 1, and giving to the President authority, pending final action by Congress on applications, to grant permits.

Mr. DENISON. It could be so amended.

That would meet all the objections the gentle-Mr. OLIVER.

man has advanced.

Mr. DENISON. As I stated a moment ago, in view of the fact some think there is an emergency here, I would be in favor of passing a law that would continue in effect 60 or 90 days and stop the landing of the Western Union cable until appropriate legislation could be enacted; but I could not have my way about it, and I am simply addressing my remarks to the bill as the committee reported it.

Mr. MOORES of Indiana. Will the gentleman yield for a

hypothetical question?

Mr. DENISON. Yes.

Mr. MOORES of Indiana. It will be a very brief one. It is conceivable that we might be in trouble with a nation, let us say Korea or China, and that that nation might be unfriendly to us. Owning a cable to Vancouver or Victoria, at a time when Congress was not in session; if it should undertake to lay a line between, let us say, Victoria and Seaftle, could not that line be put in before Congress could be called together?

Mr. DENISON. The law being that they could not put it in without the consent of Congress, all the President would have to do would be to send the Navy there and stop it, because they

would be doing an unlawful act.

Mr. MOORES of Indiana. But, if the Supreme Court in the

pending case should hold they could not do it-

Mr. DENISON. But I am advocating legislation requiring the consent of Congress to lay the cable, and if that was the law then no company could lay a cable on our shores without an act of Congress permitting them to do so. That is what we ought to do. In other words, I say that that is a legislative function under the Constitution. The power to regulate commerce with foreign nations is conferred on Congress, and Congress ought not to transfer it to the Executive or to anybody else, but ought to pass a law specifying plainly that no cable shall be laid connecting our country with a foreign country without the consent of Congress.

Mr. KINCHELOE. Has the gentleman prepared an amendment, or a motion to recommit, that will meet his views on this

Mr. DENISON, I have not. I presented my views to the committee and the committee did not accept them, and I am now simply stating the reasons why I can not vote for this bill.

Mr. WEBSTER. Will the gentleman yield?

Mr. DENISON. I yield.

Mr. WEBSTER. I understood the gentleman to say that he

is opposed to the principle that the congressional power should not be delegated to the Executive or anybody else. On what basis does the gentleman justify the conferring of power on the Interstate Commerce Commission to regulate our domestic commerce?

Mr. DENISON. Congress has completely regulated the powers of the Interstate Commerce Commission by legislation, We enacted comprehensive legislation regulating interstate commerce and created the Interstate Commerce Commission to administer that legislation. Would anybody in Congress have voted to give the Interstate Commerce Commission absolute power to control commerce between the States without any regulation or limitation whatever by legislation? Certainly we would not have done that. And therefore I am not in favor of giving the President this unlimited power.

Mr. HUSTED. Will the gentleman yield? Mr. DENISON. I yield.

Mr. HUSTED. I am quite in sympathy with the gentleman's position that this bill in its present form is an illegal delegation of congressional authority. I can not reconcile the gentleman's position, however. The gentleman says he is opposed to permanent legislation of this character, but is in favor of emergency legislation. If opposed to permanent legislation, how could be favor emergency legislation to this same effect?

Mr. DENISON. I did not say I was opposed to permanent legislation on this subject, but I am opposed to this bill as permanent legislation.

Mr. HUSTED. I am presupposing a bill drawn along this

Mr. DENISON. I am opposed to it as permanent legislation because I am opposed to the policy.

Mr. HARDY of Texas. Will the gentleman yield?

Mr. DENISON. I will yield.

Mr. HARDY of Texas. Is not the gentleman leaving the House in a position that does not exactly seem equitable when he presents a view, which is very forcibly presented and very persuasive, and yet declines to offer an amendment to the bill conforming to his view?

Mr. DENISON. Well, I think there is something in what the gentleman states, yet I do not know just what I ought to do. As a member of the committee, I can not disclose discussions that took place in the committee. I am not trying to defeat this bill. I simply wanted to explain my vote against it and present my views, and am taxing the patience of the House in so

doing no doubt.

Mr. HARDY of Texas. You are not taxing my patience, but I believe it is a little unfair to the House to convince us that your position is right, and then give us no alternative between passing this bill and permitting a company, through the decision of the Supreme Court, to perfect something Congress would not want done; in other words, to unite a British monopoly to our shores with an American company. That is the substance of it, as I understand it.

Mr. DENISON. It is allowing a British company to connect with our shores through an American company. But while it does that you have got to look at it from both ends. allows an American cable company to break through a British monopoly in Brazil and go into every part of Brazil and connect American commercial interests with the business interests of that great country. If the Western Union is allowed to carry out its project, it breaks the British monopoly in Brazil, although its competitor, the all-American company, may suffer a loss of part of its South American business as a result.

Mr. HARDY of Texas. If a bill is passed in conformity with your views, that would be an equal restraint on that company

in this bill?

Mr. DENISON. Yes. I think there ought to be legislation on this subject, and I think Congress ought to itself function and retain control over it; and when any cable companies desire to come to this country they ought not to be permitted to land until Congress has by special act said whether they shall or shall not have the right to do so.

Mr. GARRETT of Tennessec. Will the gentleman yield?

Mr. DENISON. I will.

Mr. GARRETT of Tennessee. I would like to see if I understand the gentleman's position. He would favor legislation in each particular instance wherein it was desired by a cable company to land upon our shores, just as now required, as the gentleman pointed out with a great deal of force, in the case of building a bridge across a navigable stream, where we pass a bill every time such a request is made?

Mr. DENISON. Exactly. That is my view. Now, I am going to state briefly some other objections to this bill. I am opposed to it for this reason: You will notice in section 1 it provides that "no person shall land or operate in the United States any submarine cable," and so forth, so that it applies to cables that are and have been here perhaps for 20 or 30 years and that they can not continue operating without a permit from the President.

It provides that any such cable now laid within the United States without a license granted by the President may continue to operate without such license for a period of 90 days from the date when this act takes effect. In other words, there are comparatively few cables that are now operating by presidential permit. There are others that are operating by special acts of Congress. There are a number of cables that are operating by special acts of Congress. There are others that have been laid under the so-called post roads act passed by Congress in 1866. So that most of the cables that are now operating in this country have no presidential permit. Yet every one of them, if we pass this law, will have to apply to the President for a permit to operate, and if they do not get it within 90 days, then after that time they can not send a message or do a thing without committing a crime for which they may be sent to the penitentiary for a year or fined not to exceed \$5,000.

Mr. HOCH. Mr. Speaker, will the gentleman yield right

there on that point? Mr. DENISON. Yes.

Mr. HOCH. If we are to have a license system at all, does not the gentleman think that all cable companies should be compelled to submit to the same conditions? Would not that be done under the bill you suggest by congressional grant? If certain companies have come in without conditions attached, does not the gentleman think they should be compelled to comply with conditions?

Mr. DENISON. No. I think where a cable company has already landed and is operating by special act of Congress it should be allowed to go ahead and transact its business, and not be subjected to the danger of having its permit canceled, unless it be for some unlawful act that it does or something that it fails to do. In other words, let them go ahead and operate, unless they do something that will justify the cancella-

tion of their permit.

Now, then, my next objection is-

Mr. HARDY of Texas. Mr. Speaker, will the gentleman yield right at that point?

Mr. DENISON. Yes.

Mr. HARDY of Texas. The remarks of the gentleman just made seem to be very cogent. The gentleman has studied this question more than the rest of us. We are novices. the gentleman think that fairness to the House would require him to prepare an amendment such as he thinks ought to be prepared to meet this emergency?

Mr. DENISON. Well, the gentleman asks a question that I

can not very well answer.

Mr. HARDY of Texas. I would not want to prepare an amendment to carry into effect the views of the gentleman, which the gentleman has just stated after much study, and yet the gentleman's views coincide with mine.

Mr. DENISON. I would be glad to have the gentleman offer an amendment, although I do not care to offer one myself.

Now, I call the attention of the House to the second section of the bill. Here is where the President is given such extraordinary power. It provides as follows:

That the President may withhold or revoke such license when he shall be satisfied, after due notice and hearing, that such action will assist in securing rights for the landing or operation of foreign cables in foreign countries or in maintaining the rights or interests of the United States or of its citizens in foreign countries—

Now, he is not only given power by this language to withhold a license where one is applied for, but he is also given power to revoke the license of any company that is licensed to operate in this country when he is satisfied of certain things. Here is what they are: First. That such action will assist in securing rights for the landing or operation of cables in foreign countries.

Now, that is not limited to this particular company, so that if we pass this bill in this form, here is what the President can do: He can say to the Western Union Co., "I desire to revoke your permit to do business because you connect up in some way with some foreign country"-perhaps Japan or some European country-" and that country will not treat our other American companies right, and therefore we will not let you do business in this country."

Mr. HUSTED. Mr. Speaker, will the gentleman yield?

Mr. DENISON. Yes.
Mr. HUSTED. Some gentleman said that if the powers delegated to the Interstate Commerce Commission were legal, then the powers delegated in this bill are legal. Now, in order to draw fair comparison would it not be about this: If you conferred upon the Interstate Commerce Commission the power to say that the New York Central could not run, that the Pennsylvania could not run, that the Southern Railway could run under certain conditions, that the Delaware, Lackawanna & Western should not run except under certain conditions, then you would be delegating a power similar to the powers that are delegated here, and therefore I contend that nobody would say that such powers could be legally delegated.

Mr. DENISON. Yes; the gentleman is exactly correct. was going to come to that. The Interstate Commerce Commission could stop the operation of any interstate railroad if the commission thought that some State through which that railroad ran was enacting a law that was not just to other railroads. But would anybody vote for such a law as that? Yet in this bill you are conferring upon the President the power to cancel the right of any cable company to operate whenever, in the first place, he shall be satisfied that such action will assist in securing rights for the landing and operation of cables in foreign countries.

Now, the next instance is this: The President can revoke the license of a company whenever he shall be satisfied, second, "that such action will assist in maintaining the rights or interests of the United States or of its citizens in foreign coun-

tries." Whenever the President thinks that by canceling the permit of a cable company to operate he can assist in securing the rights or interests of American citizens in some foreign country, he can cancel their rights to do business in this country

In other words, suppose we had an American cable connecting this country with Japan. It might be that it has had this permit for years, and is doing a successful business; and yet the President may conclude that we may have some people who are interested in a mine in Japan whose interests are not being properly protected there, and therefore he will simply try to protect those interests by canceling the permit of this cable company to do business. That will not do.

That is absolutely in my judgment illegal, and if it is not illegal it is in my judgment immoral. It is not right to confer such a power on the President, authorizing him to destroy a business that may be perfectly straight and honest, a concern that may have had the right to do business for years, in order to promote the interests of other citizens who have no connection at all with cables in some other country. What do you think of

Mr. DEMPSEY. And where the company has committed no offense.

Mr. DENISON. Yes; the right to cancel a permit is entirely outside of anything the company may have done or not done. It gives to the President an arbitrary power, which he can use whenever in his judgment he thinks he can accomplish some ulterior purpose

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. DENISON.

Mr. GRAHAM of Illinois. If a ship company having docks in this country were operating a line of carriers across the Atlantic, would the gentleman say that it ought to be within the power of anybody to cancel the permit of that company even if it had vested rights, when it was necessary for the welfare of the country

Mr. DENISON. Well, the gentleman says "the welfare of the country." Who would say when it was necessary for the welfare of the country?

Mr. GRAHAM of Illinois. That is all this bill is.

Mr. DENISON. Who would say when it is for the welfare of the country? That is but one of the minor provisions of this bill.

Mr. GRAHAM of Illinois. The President. Mr. DEMPSEY. Will the gentleman yield?

Mr. DENISON. Yes. Mr. DEMPSEY. Has the gentleman ever heard of vested property interests being destroyed by summary action of the Executive without any hearing, without any trial, without any legal process, absolutely at his say so, because he believes that they should be destroyed?

Mr. GRAHAM of Illinois. I do not want to take the time of the gentleman from Illinois, but I want to say that if Congress

could do it they would do it that same way.

Mr. DEMPSEY. Oh, no.

Mr. GRAHAM of Illinois. Does the gentleman believe that by the prohibition act, or by the constitutional amendment, we had the right to destroy vested property in breweries and distilleries all over the United States?

Mr. DENISON. Mr. Speaker, I shall not have time in the hour allotted me to discuss that question. [Laughter.] If my colleague from Illinois does not recognize the difference between legislation or a constitutional amendment affecting intoxicating liquors and legislation conferring upon the President the power to arbitrarily destroy the property of cable companies, operating under special act of Congress or under general legislation of Congress, I can not in the short time I have explain the difference so he would understand it.

I am opposed to the bill for the further reason that in my humble judgment it authorizes the President, in effect, to destroy property belonging to private individuals without due

process and with no provision for compensation. I know there is room for difference of opinion among lawyers in regard to I have read the decisions and I can not get it out of my mind that we are authorizing the taking of private property without due process and without any provision for compensa-tion. To that extent it is very doubtful whether this legislation will be held to be legal or in accordance with the protec-

tion and guaranties of the Constitution.

But, aside from that question, even if we can do it constitutionally, I do not think Congress itself ought to authorize anyone to destroy property rights without due process and without making compensation, as can be done under the provisions of this bill. In other words, the right of a cable company to do business when its operation has been perfectly lawful, amounts to property of great value. Hundreds of millions of dollars have been invested in this business, and I do not think Congress ought to confer upon the President the power to act arbitrarily and injure or destroy those rights when the companies may not have done anything or failed to do anything. I do not think the President or anyone else ought to have that right in order to accomplish some other purpose, such as protecting the rights of somebody else in some other country.
Mr. JONES of Texas. Will the gentleman yield?

Mr. JONES of Texas.

Mr. DENISON. Yes.

Mr. JONES of Texas. Could not this matter be covered by general legislation which would apply to all cable companies. and require them to comply with the conditions before they entered any ports?

Mr. DENISON. That was done once. That is one of the contentions of the Western Union Co. In the post roads act of

July 24, 1866, there was this provision:

Any telegraph company now organized, or which may hereafter be organized, under the laws of any State, shall have the right to construct, maintain, and operate lines of telegraph through and over any portion of the public domain of the United States, over and along any of the military or post roads of the United States which have been or may hereafter be declared such by law, and over, under, or across the navigable streams or waters of the United States; but such lines of telegraph shall be so constructed and maintained as not to obstruct the navigation of such streams and waters, or interfere with the ordinary travel on such military or post roads. travel on such military or post roads.

Now, the Supreme Court in construing that held that the word "waters" includes the 3-mile limit in the ocean, and therefore the Western Union has contended that under that general act they had the right to lay their cables through the waters out to the 3-mile limit.

Mr. MADDEN. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. MADDEN. Of course, that law applied only to business transacted in the United States. The bill before the House is for business transacted throughout the world.

Mr. DENISON. This post roads act simply gives general authority to lay telegraph lines over and under the waters of the

United States

Mr. MADDEN. The bill that the gentleman has read the provision from has nothing to do with cable messages, but to the telegraph system within continental America.

Mr. DENISON. The Supreme Court has held that it applies to cables as well as to telegraph lines. That is one of the questions now before the Supreme Court. Of course, I do not know how the court is going to construe it, but, at any rate, a number of cables have been landed under authority of that law and are now being operated under that authority, and the question whether they can continue is before the Supreme Court now. It may be that the court will hold that it does not apply to this

Mr. Speaker, how much time have I remaining?

The SPEAKER pro tempore (Mr. Walsh). The gentleman

has six minutes remaining.

Mr. DENISON. Mr. Speaker, I am opposed to the general policy of this bill. I believe Congress ought to itself retain and exercise the powers it will confer upon the President by this bill. I think other provisions of the bill, to which I have not had time to allude, are unfair and unwise. I would support a bill that would prohibit any cable from being landed on our shores and connecting with any foreign country without the express consent of Congress and upon such terms as Congress might desire to impose.

Mr. Speaker, I yield six minutes to the gentleman from New York [Mr. Dempsex].

Mr. DEMPSEY. Mr. Speaker, this bill confers a naked and arbitrary authority on the President to prevent the landing of cables and to revoke the rights of all companies which are at present doing bus ness in the United States. We have had a similar bill before this Congress recently, a bill which dealt with similar rights, providing for those rights, and that is the general water power bill. It is well that we should examine that bill and see what Congress did in dealing with a subject of this kind. The rights are precisely similar; in one case it deals with inland waters and in the other with the waters of the ocean. It is simply dealing with the rights of waters which are navigable, and that is all there is to it.

Mr. HUSTED. Will the gentleman yield?

Mr. DEMPSEY.

Mr. HUSTED. The Constitution makes absolutely no distinction in the matter of regulating commerce between the States or fore gn nations; it all comes in under the same provigion of the Constitution, and the same power applies equally to

Mr. DEMPSEY. That is a very helpful suggestion. If the

find that instead of dealing in this offhand way with the matter, instead of the drastic and arbitrary provisions of this bill, all necessary and appropriate provisions were inserted. us see what those provisions were, what the situation here is, and what we are threatened with.

The charge is freely made that this is a contest between two companies, and that this bill is to leave the decision to be made privately, behind closed doors, without hearings, without publicity, without all of the things that safeguard the Executive and save and prevent scandal. Let us see what was done in the general water power bill, dealing with a subject of this kind. First, a written application must be made to the three Secretaries who have control. Immediately upon the filing of that application a public notice is required to be given through the press, and then the applicant has to do certain things. He must begin the construction of his work within a stated time, while the President under this bill could grant a license without limit as to time, a license for all time, and there would be no compulsion upon the part of the applicant to even begin his work. One company, therefore, that wanted to prevent competition, could very readily obtain a license and then never do anything about it. Next, in addition to beginning the work, under the general water power bill the applicant is compelled to complete the project within a certain time. Besides, in order to insure a permit, the applicant must submit himself to regulation either by the public service commission of the State in which he operates or by the Interstate Commerce Commission as to rates, so that the rates shall be just and equal and shall be controlled by a commission which has supervision of matters of that kind and is familiar with them and can deal with them intelligently and adequately. No such provision is made here. It is all left to the arbitrary, unguided action of the Chief Executive, who has no time to devote to any such purposes.

Mr. CHINDBLOM. Mr. Speaker, will the gentleman yield?

Mr. CHINDSEY. Yes.
Mr. CHINDBLOM. What Cabinet officer would this come under, in all probability?

Mr. DEMPSEY. I would say that the commission should be formed as in the case of the general water power

Mr. CHINDBLOM. No; I mean now as the bill stands.

Mr. DEMPSEY. Probably the Secretary of State.

Mr. CHINDBLOM. Of course, the President would have to

refer it to somebody.

Mr. DEMPSEY. There is no provision in the bill for referring it to anybody. We can simply guess at what might be done, without direction that anything shall be done, and one man's guess is just as good as another man's guess, and it has no basis whatever in this legislation. Go through the water power bill and you find page after page protecting those who apply for the license, protecting the Government, protecting the consumers, protecting those who use the water power, protecting them in the minutest details, making it all subject to publicity, making it all subject to established rules and regulations, and providing for every contingency in so fair a way that men who are to invest their millions of money are able, with abundant and adequate information, to know just what they are going to do, how they can do it, and how long they are going to be permitted to do it. All of those things, each and every one, are lacking in this bill. It is easy enough to point out, you say, what should be done, but you do not propose a remedy. I propose a remedy, and that is to send this bill back to the committee and permit them, in the light of the general water power bill. which furnishes an exact course to be followed, to produce such a bill as will meet the situation.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. WINSLOW. Mr. Speaker, I yield 10 minutes to the gentleman from Missouri [Mr. Hawes].

Mr. HAWES. Mr. Speaker, I am impressed with the idea that the two last speakers had their minds concentrated on a domestic situation. This question is essentially one for the State Department, as our foreign relations exceed in importance other considerations.

The Western Union Telegraph Co. contracted with the Western Telegraph Co., a British concern which has a monopoly of interport communications in Brazil, to connect the United States by cable with Brazil by way of Barbados; the English end to be from Brazil to the Barbados, and the American end from Miami Beach, Fla., to the Barbados.

The Secretary of State, pending negotiations then in progress, refused to issue a license to the Western Union to land on the

Miami Beach.

This company attempted to land without such license and was gentlemen will turn to the general water power bill, they will prevented from doing so by an American warship.

tempted landing was a violation of American tradition and the established policy of the Presidents of the United States from Grant to Harding. So that back of the destroyer that watches the 3 mile limit off the coast of Florida, there are 50 years of American precedent proclaiming the power of the President to license or withhold license for cable landing.

This power is exercised and watched with zealous care by all the great nations of the world, and is by them exercised for the benefit of the great foreign nations not only in matters of government but in matters of news communication and trade.

For illustration: England has a restricted policy regarding the landing of cables on her shores. She demands the control over international rates and, where formerly her permits were

for 31 years, they are now limited to five years.

France and Japan have similar restrictions and regulations. There is but one broad question involved in this bill, Shall a private citizen or a corporation dictate or obstruct the foreign policy of this Government, or shall it be directed by the President, through our Secretary of State or some other agency selected by him?

The last Secretary of State, following the almost unbroken precedents of his predecessors, exercised this power and brought on this controversy, and the present Secretary of State demands that the power shall be retained and so clearly expressed by

Congress that it will never be disputed.

Congress has the right to exercise this power, but it must be delegated for execution to the Executive or some commis-

sion created by act of Congress.

I am therefore disappointed that the distinguished gentleman from Illinois [Mr. Denison], in his objections to this bill, did not point out the proper depository for the power that we know should be exercised.

Mr. DEMPSEY. Mr. Speaker, will the gentleman yield?

Mr. HAWES. Yes.

Mr. DEMPSEY. Why could not a commission composed of, say, three Secretaries exercise this power under practically the terms adopted by the Congress in both branches in the general water power bill, and why is not that absolutely in point, and why would it not answer the purpose which the gentleman is raising in every way?

The gentleman asks a question that the West-Mr. HAWES.

ern Union asked of our committee.

Mr. DEMPSEY. But I did not get my question from the Western Union.

Mr. HAWES. This is a power that Congress may exercise, but if Congress delegates this power it must be to that branch of the Government which is in direct diplomatic conversation

with the foreign nations of the world.

Mr. DEMPSEY. Oh, yes; the Secretary of State I suggested. HAWES. If the gentleman suggests that the power should be vested, as the Western Union suggested, in the Postmaster General, the Secretary of State, and the Secretary of Commerce, there would seem to be no objection, but it would be a power delegated by this Congress to some other agency to exercise, and the wisdom of our committee was that the power could be exercised by the President, and he could, if he wished, call to his assistance the Secretary of State, the Postmaster General, and the Secretary of Commerce.

As the Executive now conducts our intercourse with foreign nations and-subject to congressional check-directs our foreign policy, there can be but little dispute as to where the power

should be lodged.

Where a Government function can be performed by the State upon the fundamental question of local self-government, I shall vote to retain the exercise of that power in the State.

Where a Government function can be controlled by Congress, I shall vote to retain that power in the hands of Congress.

Mr. HUSTED. Will the gentleman yield? Mr. HAWES. Yes, sir.

Mr. HUSTED. Does the gentleman happen to know whether this bill in its present form has been approved by the present Secretary of State?

Mr. HAWES. I do.

Mr. HUSTED. It has been?

Mr. HAWES. It has been approved. I consider this an administration measure, and as a Democrat it gives me great pleasure vigorously to support it, because I may disagree on

other matters. [Applause.]

Where a question arises as to extending the power of the Executive, I should lean toward its retention by Congress, But where the exercise of the power is one that clearly does not belong to the State and must be delegated by Congress, its proper depository is in the Executive: And where the executive power which it seemed to possess by tradition and precedent is questioned by a private corporation, it then clearly

becomes the duty of Congress to without delay settle all uncertainty and place the power with the President in a manner which can not be disputed.

In the present controversy the dignity of the State Department must be preserved, and in its transactions with foreign nations it can not successfully conduct the affairs of our people when its authority is questioned, its warning ignored, or its ruling set aside by an American citizen or an American cor-

Mr. DENISON. Will the gentleman yield?

Mr. HAWES. I hope those who have charge of time will let

me finish my speech. However, I yield,

Mr. DENISON, I was simply going to suggest to the gentleman from Missouri, if this properly belongs to the Department of State, then Congress can not deprive it of it; they still have it, because if it properly belongs to it the Congress can not by its action take it away from it.

Mr. HAWES. The gentleman is familiar with the history of this case, which is that for 50 years the Executive has asserted that he possessed this power, and it has not been disputed by any foreign nation or by another branch of the Government, and is now for the first time disputed by a private corporation.

If there is haste upon the part of private enterprise, may we not presume that that haste is no greater or of more competing need than that of a great National Government?

If we are in doubt upon the subject, is it not wise to decide

that doubt in favor of the Government?

When this law passes, all American citizens and foreign nations can have a hearing before a proper officer, who, while considering the contentions of private enterprise, can also give thought to the benefits which will accrue to all the American

If he exercises this power arbitrarily, wrongly, or unfairly, Congress can in future legislation correct the wrong and provide

the remedy.

of my time.

If this undisputed authority gives to the President the power of trade by an appeal to international comity, he will be in a

legal position to do so.

If he desires to secure cable communications upon which no foreign power can "listen in," so that we can safely discuss affairs of state with officers abroad, he can do so. If he wants to break a British monopoly in a friendly nation in the interests of American enterprise, he will have some power with which to

With this power the Executive can trade and also, upon occasion, retaliate.

The SPEAKER. The time of the gentleman has expired. Mr. HAWES. I have been interrupted so frequently that I

have hardly started my speech.

Mr. BARKLEY. Mr. Speaker, I hope to get recognition in my own right later, and if the gentleman from Massachusetis desires me to yield to the gentleman, I will yield five minutes

Mr. WINSLOW. If agreeable, I will yield the gentleman five additional minutes.

The SPEAKER. The gentleman is recognized for five additional minutes.

Mr. HAWES. During the early part of the war the immense German cable service was cut by our English, French, and Japanese allies, and this cable service has not yet been restored to Germany and probably will not be restored at the present time. England has taken over a portion of it, France another portion, and Japan still another portion.

It would seem that the United States had at least an equity.

in the old German service, and this power given to the Executive carries with it an implication that it may be used to secure

our share of the former German cable service.

Germany had two cables from Long Island via the Azores to Emden, Germany. These were cut in the English Channel and one landed in France and the other in England. Later the French Government operated one of these cables, and their final disposition has not been settled.

The German Dutch cable seized by the Japanese is now held by them through their control of the island of Yap. In diplomatic language, the least that can be said of these vast cable communications is that their ownership is still in controversy.

To what use the old German cables will be put is a subject all by itself and requires mention, not discussion, at this time.

This power to withhold, issue, or revoke cable licenses carries with it the unmistakable right to secure for us an equity in the German cables in both the Atlantic and the Pacific. But, in addition, it gives to the Executive an undisputed right to negotiate and trade for equal rights and privileges for our own citizens in foreign countries by controlling the American end of all cables reaching our country.

The controversy, therefore, between the Western Union and the All-American Co., by directing our attention to this matter, will ultimately force a consideration of matters relating to cable control and regulation.

Transportation by rail, highway, water, and wire are all matters that have a public aspect and can therefore not be left for decision exclusively to the private person or cor-

poration

To the south we find many republics formed upon the plan of our own. Their call of friendship and trade reaches us with compelling voice. Our trade competitors have the support of their Governments in the strong rivalry which exists, of cordial intercourse and exchange of products.

Our citizens must be placed upon a parity and given equal opportunity with the citizens of any other nation, and must have back of them an energetic, cooperating Government influence to hold their own with the citizens of competing nations.

The right of visé, by which the sender of a message can regu-

late the route of delivery, should not be impaired.

Our shippers of freight in this country now have that right and it should be given in undisputed form to the sender of a message.

We must demand from foreign cable service at least the same consideration that they receive in the United States.

While the cable may be said to have originated in the United States, England now has almost a monopoly of the world's business; and, in addition, because of the skill of her workmen, has a monopoly of the manufacture of cables.

The SPEAKER. The time of the gentleman has again ex-

Mr. DENISON. Mr. Speaker, I ask unanimous consent that the gentleman may be permitted to extend his remarks in the

The SPEAKER. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none,

Mr. HAWES. The United States should have a direct cable with every important center in the world. Both in times of peace and war our Government should have the means of rapid communication with its agents throughout the world, uninterrupted by the agents of any foreign power, and it can only have such service if the power of control of American cables is in the hands of the Executive.

Private and Government ciphers offer some protection in the matter of maintaining secrecy of confidential communications, but given a large number of messages, coming from the same source, the expert, by repeated comparisons, frequently secures the key, and the Government over whose lines the message passes reads the code.

Mail is too slow, so there is always the danger of State information reaching a trade rival or foreign Government agency.

Trade rests primarily upon having something to sell and an opportunity for sale, and sale to-day is controlled by each day's market price. The buyer must know this price daily. He must have an opportunity to make offer quickly, to make an inquiry that brings a prompt answer, and this can be done only by the radio or the cable.

Shipping is dependent largely upon cable service, and American ships should not be dependent upon English cables, and American captains should not be compelled to send their mes-

sages back home over an English line.

If we enter into competition for the world's trade we can not do it successfully without American-owned communications.

Practically all of our news service to the world passes over the wires of foreign countries, and this is particularly true of the Latin-American Republics, where, with the exception of the service partly rendered by the All-American Co., all of our news items go first to England and from there, over the English cables, to the Republics of the south.

Without additional cable service we can not compete with the English and French in giving the American viewpoint to the A common understanding and a daily news service brings that contact between nations which is necessary for successful trade, and we do not at present have that service with

the Republics of South America.

American commerce has only developed as American news service has developed. There is a demand for increased service of this kind, but it is dependent upon the cable and the cable rate.

In the Pacific we are nearly helpless because the German service to China and Japan is discontinued, of which the English Reuter service has a practical monopoly since the German service was discontinued.

If this law is the first step which directs American attention and enables the American Government to build up American enterprise and places the power of the Nation back of American endeavor to compete with foreign monopoly in friendly nations. the effort is well worth the experiment.

Our newspaper copy and daily description of American life should reach Latin-American countries with the same facility and at equal price with the European news. The only reason why the world's news service is now largely in the hands of English and French syndicates is because those countries control the cables.

Cable communication for news should be supplemented by the wireless, and it should be the policy of our Government to permit, under proper restrictions and regulations, the uses of our radio service for this purpose whenever it is practicable.

News goes with the cable; trade goes with the news; and national honor goes with efficient Government service exercising

a power that can not be disputed.

We ask that ship for ship and gun for gun the American Navy shall not be excelled by any other nation. Should we not add that in world communication we should not be excelled by any other nation? [Applause.]

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentle-

man from Massachusetts yield?

Mr. WINSLOW. I will. Mr. GARRETT of Tennessee. Has there been any arrangement made about time?

Mr. WINSLOW. I understood that at the end of the hour

Mr. WINSLOW. I understood that at the choved, under my control the previous question will be moved.

Mr. GARRETT of Tennessee. Of course, if that is the plan I do not intend to object, but I was wondering whether there would be objection to extending the time a little while?

Mr. WINSLOW. The arrangement was made that way and it might disturb gentlemen if it is not carried out.

Mr. RAYBURN. I want to say the gentleman from Kentucky [Mr. Barkley] a moment ago stated that he expected to take the floor for an hour in his own right. He will not have an hour in his own right, or any time, except as the gentleman from Massachusetts yields him, unless by unanimous consent the time is extended. The gentleman from Illinois controls what remains of the one hour and the gentleman from Massachusetts The gentleman from Illinois controls what what remains of the other.

Mr. WINSLOW. The arrangement originally was that the time was to be controlled by Mr. Barkley and myself, but later on that was abandoned, and later yet Mr. Denison decided that he would like to exercise the option of an hour by virtue of his opposition to the bill.

Mr. RAYBURN. I did not wish that there should be any misunderstanding on the part of the gentleman from Kentucky as to whether he is to get any time, because he is not, unless by unanimous consent-

Mr. WINSLOW. By arrangement in the distribution of time Mr. Barkley was to have 15 minutes, and later he yielded 5 minutes to the gentleman from Missouri, so he now has 10 minutes, which I hope he will use. Mr. Speaker, I yield 5 minutes to the gentleman from Kansas [Mr. Hoch].

Mr. HOCH. Mr. Speaker and Members of the House, it is, of course, impossible to say much on a question of this magnitude in five minutes. The only serious attack that has been made upon this legislation is this: That while this power should be exercised somewhere, it should be lodged in the Congress rather than in the President. That is the only contention. I think that the gentlemen who urge that view fail entirely to emphasize the essentially international character of cable landings. The landing of a cable connecting this country with foreign shores is so essentially, so fundamentally, a matter involved in international negotiations that it would absolutely defeat the whole purpose of the legislation if we were to force them to come to Congress in each particular instance to secure the landing of a cable. Gentlemen, I shall not say anything just anti-British. No one finds any fault with Great Britain for looking after her interests, and you will find if you will look in the most cursory way into these matters that the British foreign office is always behind British business enterprise in any quarter of the world that you may go, and if we, in the furtherance of American business enterprise, are to be compelled to go to the slow and cumbersome processes of Congress, which many times may not be in session, we will absolutely lose out in the race for the world's business. Take this particular instance here in which this situation arises. Here is a British company that has a British monopoly in Brazil seeking entrance into the United States through the medium of a cable line from Miami to the Barbados Islands, halfway down to Brazil. Our Gov-ernment through its Executive has been in the course of nego-tiations to overcome the British monopoly in Brazil. Now, are we to put all this up to Congress and take away from the Presi-

dent the power to say that before they land and do business here they must give up the monopoly in Brazil? If so, as a practical matter you will have left no power with which to carry out the purpose in such international matters. Is it of no consequence to American business whether American messages are delivered over an American line or a British line? Reference was made to the All-American Co. I hold no brief for the All-American Co., but briefly here is the situation: Here is the All-American Cable Co., a company of American business men, absolutely controlled by American capital, which runs a cable down from New York to Panama and along the west coast of South America.

That company has sought to get into Brazil from the south. Now, then, what will happen if you permit this contract be-tween the Western Union and the British company to go into effect? Every message that I might want to send or that you might want to send from your home to Rio de Janeiro, for instance, delivered to the Western Union Co .- and remember that the All-American Cable Co. is solely a cable company and has no interior lines in the United States by which to gather -if you permit this contract to go through, then the message delivered for Rio de Janeiro from my home in Kansas to the Western Union will be delivered over the British monopolistic system to Rio de Janeiro. They insist that I would have no power to say that I want that message delivered, after the Western Union has started with it, over an American line, but carrying out their contract with the British company, after getting hold of that message they would deliver it over the British line into Rio de Janeiro. They deny the right of "via," directing otherwise.

I wish I had time to go more fully into that phase or aspect of the matter in controversy. While in a measure it is a contest between two great companies to control the future business of Brazil, one of the companies is controlled by American capital and the other is a partner of a British company controlled by British capital. And I prefer to have American messages carried over the line from the time the message starts from my hand to the time it is delivered in a foreign country, and all the way along the line, in control and under the super vision solely of American interests. [Applause.] And this particular controversy is but typical and suggestive of the situations which this legislation is to provide for.

Mr. DENISON. Will the gentleman yield?

Mr. HOCH. I will.

Mr. DENISON. The gentleman just made the statement that the Western Union is controlled by British capital. I wish the

gentleman would take that out of the RECORD.

Mr. HOCH. No; the gentleman misunderstood me, or else I spoke inadvertently. I intended at least to say that the British company at the other end of the line was so controlled, and that company would have the American message at the time and place of delivery.

Mr. WINSLOW. Mr. Speaker, I yield the remaining time to the gentleman from Kentucky [Mr. Barkley].

Mr. BARKLEY. Mr. Speaker and gentlemen of the House. every one will recognize that no matter how liberal we are in debate on Calendar Wednesday, no Member can hope to discuss the details of an important technical bill like this in the time allotted to any of us. I desire briefly to visualize the situation, as it occurs to me, that has brought about this legislation and the urgency for its immediate enactment.

I think it was testified that in 1919 Mr. Newcomb Cariton, president of the Western Union Telegraph Co., went to England, and while there he negotiated a contract with what is known as the Western Co., which is a cable company owned by British interests. Under the terms of that contract the British company were to build a cable from Brazil to Barbados, and the Western Union Co. was to build the rest of the line from Barbados to the United States. There are already cables reaching from Europe to South America, owned almost exclusively by British interests, not necessarily by this Western Co., but by British capital. Early in 1920, or perhaps before that, the Western Union Telegraph Co. made application to the State Department for a license to land the American end of this cable from Barbados to the United States at Miami, Fla. In March, 1920, the Secretary of State indicated to the Western Union Telegraph Co. that the license would not be granted, and that the State Department did not look favorably upon the landing in the United States of a cable, although owned entirely by American interests, that connected up with a foreign cable which at the other end connected with the company which possessed exclusive monopolistic rights in a foreign country. And by that I mean that no other company that might land in Brazil or connect its cable with any part of Brazil, where the Western British Co. now has a station, can collect messages

from throughout Brazil and send them to the United States. They will allow an American cable, for instance, to land at one point in Brazil for the purpose of refreshing its current, but it is not permitted to gather messages or serve the people of Brazil in any way, and if that particular cable company desires to send to the United States over its line a message originating in Brazil it must send it over a foreign line that has the exclusive right to gather messages in Brazil.

Mr. BANKHEAD. Will the gentleman yield?

Mr. BARKLEY. I will.

Mr. BANKHEAD. Does the gentleman mean by that that the Government of Brazil has bestowed this monopoly upon the

Mr. BARKLEY. Yes, sir. The Government of Brazil has bestowed that exclusive concession upon the British Western Co., and the concession does not expire for a number of years,

Mr. BANKHEAD. And we have no treaty provision with Brazil for prohibiting the granting of such a monopoly?

Mr. BARKLEY. Apparently not. Not only did the State Department notify the Western Union Co. in March, 1920, but they also did the same thing in April, and the last notice was given in August, 1920, in which they advised the Western Union Telegraph Co. that they would not be granted the right to land this cable at Miani, Fla. They had their minds made up to land it anyway. Now, mind you, the Western Union Co. has cables now in the United States that are operated and which were landed under license or per-

mits granted by the President.

The right of the President to issue a permit was never questioned wherever he acted favorably on an application, but where the permit was refused the Western Union Co. for the first time questioned the right of the President to do it, and went into court to test whether he has that right. The first action was brought by the Western Union against Josephus Daniels, then Secretary of the Navy, to enjoin his sending a battleship down there to prevent the landing of the cable. The Government instituted injunction proceedings in the southern district of New York to prevent the landing of the cable, and that question is now pending before the Supreme Court. The fundamental question to be decided there is not whether the Government has the right to regulate the landing of cables, not whether the Congress has the right to regulate the landing of fereign cables in the United States, but whether, Congress having given no power to the President, he has the power to prevent it. And if the Supreme Court shall render a decision upholding the contentions of the Western Union Telegraph Co., they have on the ground a cable ship that will land that cable in less than 24 hours. So that is the reason for the urgency for the enactment of this bill; that is the reason why it ought not to be permitted for a corporation or an individual or a combination of individuals to thwart the Army, the Navy, the Congress, the Supreme Court, and the President of the United States [applause] and land a cable upon our shores without any lawful authority. [Applause.] And if the Supreme Court shall sustain their contention and they do land, they land lawfully, because if nobody in the United States Government has the power to prevent their landing, and they land, then it is a lawful landing.

Mr. HARDY of Texas. Mr. Speaker, will the gentleman yield for a question?

Mr. BARKLEY, Yes.

Mr. HARDY of Texas. Would the same result be accomplished if this bill were amended so as to prohibit the landing of such a cable or until Congress by legislation authorized such landing?

Mr. BARKLEY. Of course, it would prevent the accomplishment of this landing or any other landing. But Congress would then have to pass a special act every time the question arose.

Mr. DAVIS of Tennessee. Mr. Speaker, will the gentleman

vield?

Mr. BARKLEY. Yes.

Mr. DAVIS of Tennessee. I just wanted to call the gentleman's attention to the fact that the Western Union Telegraph Co. recognized the right of the President to issue licenses, even in this instance, by making application to the President.

Mr. BARKLEY. Yes. The gentleman is right about that. They assumed that the authority that had been exercised by the President for 50 years was a lawful and legal authority, and, recognizing it as such, they made their application for a permit, and when the President refused to grant it, then they went into court and denied that he ever had the power either to grant or to refuse a permit.

Now, the gentleman from Illinois [Mr. Denison] has made a very able argument here against conferring this power upon the President upon constitutional grounds. But before I get to

that I desire to say that there is not another nation in the world that has any cable communication with the outside world that does not have a law regulating the landing of cables on their shores. I do not regard it as being very vital or fundamental whether Congress shall retain the right to pass upon any individual case or whether that authority shall be delegated to the President. The fact is that the issuance of a license or a permit is an executive function. It is not a legislative function. We conferred that same power upon the Secretary of Commerce and Labor in 1912, and that law is still in force, except that the Secretary's name was changed to the "Secretary of Commerce' when we empowered him to issue licenses for radio stations in the United States that desired communication with the outside world. And there is no radio company or station anywhere in the United States now that can operate except under a license issued to it by the Secretary of Commerce. It might have been argued that in each case the Congress has the right to issue the license and fix the terms upon which the radio station may be operated; but these are merely executive and administrative functions and duties which the Congress confers. Nobody contends that the Congress has not the right either to permit or to prevent the landing of these cables in the United States. If we have the power to prevent, why, we have the power to prevent in each case the granting of a permit, and if we have the power to permit we have the power to permit in each case. But it is impossible for Congress to legislate in advance and provide for all the minutiæ and all the stipulations that will be necessary in providing for the landing of each cable in the United States. It may be that these powers may be arbitrarily exercised by the President of the United States. I presume if they are arbitrarily exercised by the President of the United States, and without reason, the courts will have the right to review the executive actions of the President and indicate those that are beyond his reasonable powers. But this cable or any other cable that is laid ought to be laid under regulations and under a license, and the terms ought to be stipulated in the permit.

This question arose, I think, in 1869 because a French cable

company desired to land its cable in the United States, and the French Government at that time had given to certain interests the right to a cable monopoly in France, and no American cable could land in France upon the same terms that the French cable was proposing to land in the United States; and President Grant, exercising what he thought was his right, refused to allow them to land, because reciprocal rights were not en-

joyed in France by American cable companies.

This bill proposes to give the President of the United States the same power. If any cable is about to be landed from a for-eign country that refuses to deal fairly and reasonably and impartially with an American cable company, the President will have the power to prevent the landing of that particular cable until the country from which it is projected shall grant to the American interests the same right to land cables in their country on terms of entire equality with all other cables that may

be landed there.

Gentlemen, I am sure, will realize the importance of this measure not only in South America but in all the world. We are seeking to expand our commerce. The matter of cable communication is vital in the extension of commerce, and that is why the British Foreign Office is behind every cable company that starts out from a British possession and lands anywhere in the world. The terms of the contract between the British company and the Western Union practically amount to a monopoly in the United States of the messages that are to be sent by the British company from South America. They are all to be sent here through the Western Union. All the messages that are to be sent over the British cable to South America are to be sent from here by the Western Union, and all the messages that are to be sent from Brazil to the United States are to be distributed throughout the United States by the Western Union telegraph lines; so that the effect of the contract that has been made between these two links of the same concern, for all practical purposes, is to create a monopoly in the United States, and the only other avenue of escape is to use the facilities of the Postal Telegraph Co., which does only about 15 per cent of the telegraph business of the United So that the effect of the landing of this or any other cable similarly situated will be to permit a foreign cable, beginning in a country that may be unfriendly to American cablesbecause granting a monopoly to a foreign concern-will be to permit a foreign cable to use the Western Union Telegraph Co. as a cat's-paw to get into the United States, when no American company can land in Brazil to do business in Brazil.

Not only that, but if this thing goes through and the contract is carried out and their plans are permitted to be developed and completed, they will sew up all South America by reason of this monopoly. They already have a line of communication running around not only the eastern coast of South America but also on the western coast to Lima, Peru, and they are projecting a line running from Lima to Colon, which would encircle all South America by these foreign connections, and then they would use the Western Union in this country as the neck of a telegraphic bottle that would encircle the entire continent of South America.

I hope this bill will be enacted; and if it is I think the interests of all the people of the United States will be conserved. [Applause.]

Mr. WINSLOW. Mr. Speaker, I offer the following amend-

The Clerk read as follows:

After the word "act" and the period, in line 22, page 2, of the bill, strike out the rest of the section and insert in lieu thereof the following language:

"When any such cable is about to be or is landed or is being operated without a license, any district court of the United States exercising jurisdiction in the district in which such cable is about to be or is landed, or any district court of the United States having jurisdiction of the party, shall have jurisdiction at the suit of the United States, to enjoin the landing or operation of such cable or to compel by injunction the removal thereof."

Mr. WINSLOW. Mr. Speaker, I move the previous question on the bill and amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. The Clerk will report the first amendment. The Clerk read as follows:

Page 1, line 8, strike out the word "however" and the comma that

The amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment. The Clerk read as follows:

Page 1, line 9, after the word "any," insert the word "such."

The amendment was agreed to. The Clerk read as follows:

Page 1, line 12, strike out the words "of the approval of," and after the word "act," insert the words "takes effect: And provided further, That the conditions of this act shall not apply to cables all of which, including both terminals, lie wholly within the continental United States."

The amendment was agreed to.

The Clerk read as follows:

Page 2, line 5, after the word "satisfied," insert the words "after due notice and hearing."

The amendment was agreed to.

The Clerk read as follows:

After the word "act" and the period, in line 32, page 2, of the bill, strike out the rest of the section and insert in lieu thereof the following language:

"When any such cable is about to be or is landed or is being operated without a license, any district court of the United States exercising jurisdiction in the district in which such cable is about to be or is landed, or any district court of the United States having jurisdiction of the parties, shall have jurisdiction at the suit of the United States, to enjoin the landing or operation of such cable or to compel by injunction the removal thereof."

Whe amondment was a greed to

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended.

On motion of Mr. WINSLOW, a motion to reconsider the vote whereby the bill was passed was laid on the table.

# LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. Kearns, for three days, on account of official business. To Mr. MILLER, for three days, on account of official business. To Mr. Quin, for the balance of the week, on account of offi-

cial business at the Military Academy, West Point.

To Mr. Fisher, for three days, on account of important offi-

cial business.

DYES AND CHEMICALS.

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

The SPEAKER. The gentleman from Ohio asks unanimous consent to address the House for two minutes. Is there objec-

There was no objection.

Mr. LONGWORTH. Gentlemen of the House, there is in the caucus room of the House Office Building an extremely interesting exhibit this week. It is of the coal-tar chemicals, showing their vast importance, both in time of peace and war, and showing the interdependence of the dye industry with the making of explosive and poisonous gases, perfumery, and medicine prop-

erties. I believe gentlemen can get more information in half an hour over there than they can get in reading volumes. It proposed to have two illustrated lectures, one to-morrow night and one Friday night, on these general subjects, and I would strongly advise every Member who possibly can to see the exhibits and attend the lectures. It will be of immense advantage when we come to discuss the chemical schedule in the coming tariff bill.

#### EXTENSION OF REMARKS.

Mr. GRAHAM of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the bill just passed. The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BARKLEY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the cable bill.

The SPEAKER. Is there objection?

There was no objection.

#### PENSIONS.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent that the gentleman from Mississippi [Mr. RANKIN], on behalf of the minority, may have five legislative days in which to file minority views on the bill H. R. 4, the pension bill, reported by the gentleman from Kentucky [Mr. Robsion] this

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the gentleman from Mississippi have five days to file minority views on the pension bill reported this morning. Is there objection?

There was no objection.

## BRIDGE ACROSS THE RED RIVER OF THE NORTH.

Mr. WINSLOW. Mr. Speaker, I call up the bill (S. 82) to extend the time for the construction of a bridge across the Red River of the North at or near the city of Pembina, N. Dak.

The Clerk read the bill, as follows:

Be it enacted, etc., That the time for commencing and completing the construction of a bridge and approaches thereto authorized by the act of Congress approved June 5, 1920, to be constructed by the counties of Pembina, N. Dak., and Kittson, Minn., across the Red River of the North at a point suitable to the interests of navigation at or near the city of Pembina, N. Dak., are hereby extended one and three years, respectively, from the date of approval hereof.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. MAPES. Mr. Speaker, the general bridge act requires that the construction of a bridge be started within a year from the time the act authorizing it by Congress goes into effect. The law requires also that the bridge should be completed within three years. Congress authorized the construction of this bridge some time ago, but because of the abnormal conditions and the expense it has not been started. This bill simply renews the permission to start the bridge at any time within a year from its passage, and extends the time for its completion for three years from its passage,

The SPEAKER. The question is on the third reading of the

bill

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. Mares, a motion to reconsider the vote whereby the bill was passed was laid on the table.

# DISBURSING CLERK, BUREAU OF WAR RISK INSURANCE.

Mr. WINSLOW. Mr. Speaker, I call up House joint resolu-tion 31, authorizing and directing the accounting officers of the Treasury to allow credit to the disbursing clerk of the Burcau of War Risk Insurance in certain cases,

The SPEAKER. The gentleman from Massachusetts calls up

a joint resolution, which the Clerk will report.

The Clerk reported the title of the joint resolution.

# ENROLLED BILL SIGNED,

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 4586. An act to amend the act entitled "An act to establish

a code of law for the District of Columbia, approved March 3, 1901," and the acts amendatory thereof and supplementary thereto.

## ADJOURNMENT.

Mr. WINSLOW. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 2 o'clock and 55 minutes p. m.), in accordance with the order heretofore made, the House adjourned until Friday, May 20, 1921, at 12 o'clock neon.

# EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

133. A letter from the Secretary of Commerce, transmitting estimate of the amount of useless executive papers turned over to the Public Printer to sell, said amount is estimated to be 33,437 pounds; to the Joint Committee on Disposition of Useless Executive Papers.

134. A communication from the Clerk of the House of Representatives, transmitting contested-election case of C. B. Kennamer v. L. B. Rainey, from the seventh congressional district of Alabama (H. Doc. No. 85); to the Committee on Elections

135. A letter from the Chief Justice of the Supreme Court of the District of Columbia, transmitting petition of the judges of the Supreme Court of the District of Columbia, praying that they be relieved from making any more appointments of members of the Board of Education of the District of Columbia; to the Committee on the District of Columbia.

136. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, on a preliminary examination of Stockton Harbor, Me.; to the Com-

mittee on Rivers and Harbors.

137. A letter from the Secretaries of War and Navy and the Attorney General, transmitting information regarding the situation that exists as a result of the use by the Government of patented inventions relating to radio communication and the development in that art; to the Committee on Military Affairs.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HAYDEN, from the Committee on the Public Lands, to which was referred the bill (H. R. 2422) for the relief of setthers and entrymen on Baca Float No. 3, in the State of Arizona, reported the same with amendments, accompanied by a report (No. 73), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ROBSION, from the Committee on Pensions, to which was referred the bill (H. R. 4) granting relief to soldiers and sailors of the War with Spain, Philippine insurrection, and Chinese Boxer rebellion campaign; to widows, former widows, and dependent parents of such soldiers and sailors; and to certain Army nurses, reported the same without amendment, accompanied by a report (No. 74), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GOOD, from the Committee on Appropriations, to which was referred the bill (H. R. 6300) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes, reported the same without amendment, accompanied by a report (No. 75), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ANDREWS, from the Committee on Public Buildings Mr. ANDREWS, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 6263) to amend an act entitled "An act providing additional hospital facilities for patients of the Bureau of War Risk Insurance and of the Federal Board for Vocational Training, Division of Rehabilitation, and for other purposes," approved March 4, 1921, reported the same without amendment, accompanied by a report (No. 76), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN, from the Committee on Agriculture, to which was referred the bill (H. R. 6320) to regulate interstate and foreign commerce in live stock, live-stock products, dairy products, poultry, poultry products, and eggs, and for other purposes, reported the same without amendment, accompanied by a report (No. 77), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. STEENERSON, from the Committee on the Post Office and Post Roads, to which was referred the joint resolution (H. J. Res. 113) for the relief of certain persons employed in the Postal Service, reported the same with an amendment, ac-companied by a report (No. 78), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

# REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. JONES of Pennsylvania, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 5549) for the relief of Henry Jones Ford, reported the same without amendment, accompanied by a report (No. 72), which said bill and report were referred to the Private Calendar.

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BUTLER: A bill (H. R. 6293) relating to the pay and allowances of officers of the Dental Corps of the Navy, and for other purposes; to the Committee on Naval Affairs.

By Mr. SNYDER: A bill (H. R. 6294) promoting civilization and self-support among the Indians of the Mescalero Reservation in New Mexico; to the Committee on Indian Affairs.

By Mr. A. P. NELSON (by request): A bill (H. R. 6295) authorizing the Baltimore & Ohio Railroad Co. to construct an elevated railroad siding adjacent to its tracks in the city of Washington; to the Committee on the District of Columbia.

Also, a bill (H. R. 6296) to amend section 32 of the act of Congress approved July 17, 1916, known as the Federal farm loan act; to the Committee on Banking and Currency.

By Mr. HICKS: A bill (H. R. 6297) authorizing the construction of an airplane carrier for the Navy of the United States; to the Committee on Naval Affairs.

By Mr. LEHLBACH: A bill (H. R. 6298) to provide for the classification of civilian positions within the District of Columbia and in the field services; to the Committee on Reform in the Civil Service.

By Mr. PARKS of Arkansas: A bill (H. R. 6299) to prevent the sale of cotton in future markets; to the Committee on Agriculture.

By Mr. GOOD: A bill (H. R. 6300) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. RYAN: A bill (H. R. 6301) to prevent open conflict between various State and Federal officers; and to allay the present unrest of labor in every State of the Union, and to amend the national prohibition act; to the Committee on the Judiciary.

By Mr. SCOTT of Tennessee: A bill (H. R. 6302) to erect a post-office building in the city of Huntingdon, State of Tennessee; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6303) to provide for a road to Shileh National Military Park; to the Committee on Roads,

Also, a bill (H. R. 6304) to erect a post-office building in the city of Lexington, State of Tennessee; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6305) to erect a post-office building in the city of Savannah, State of Tennessee; to the Committee on Public Buildings and Grounds.

By Mr. TAYLOR of Tennessee: A bill (H. R. 6306) to provide for a site and erect a public building thereon at Knoxville, Tenn.; to the Committee on Public Buildings and Grounds.

By Mr. ZIHLMAN: A bill (H. R. 6307) to punish the giving of checks or drafts within the District of Columbia on any bank or other depositary, wherein the person so giving such check or draft shall not have sufficient funds or credit for the payment of same; to the Committee on the District of Columbia.

By Mr. HICKS: A bill (H. R. 6308) providing for an historical pictorial record of the American fleet in foreign waters during the late World War; to the Committee on Naval Affairs.

By Mr. FOCHT: A bill (H. R. 6309) to regulate pawnbrokers and their business in the District of Columbia; to the Committee on the District of Columbia.

Also (by request), a bill (H. R. 6310) to amend sections 5 and 6 of the act of Congress making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1903, approved July 1, 1902, and for other purposes; to the Committee on the District of Columbia.

By Mr. FULLER: A bill (H. R. 6311) authorizing the Secretary of War to dismiss condemnation proceedings and to negotiate new leases for or to purchase certain tracts of land at Camp Grant, Winnebago County, Ill.; to the Committee on Military Affairs.

By Mr. GRIFFIN: A bill (H. R. 6312) to define and regulate lobbying; to the Committee on the Judiciary.

By Mr. HADLEY: A bill (H. R. 6313) authorizing the Secretary of Commerce to grant a right of way for a public highway to the county of Skagit, Wash.; to the Committee on the Merchant Marine and Fisheries.

By Mr. SANDERS of Indiana: A bill (H. R. 6314) to amend subdivision (a) of section 209 of the transportation act, 1920; to the Committee on Interstate and Foreign Commerce.

By Mr. STEVENSON: A bill (H. R. 6315) to amend section 5 of the United States cotton futures act, approved August 11, 1916, as amended; to the Committee on Agriculture.

Also, a bill (H. R. 6316) to provide for proper cooperation between the Comptroller of the Currency and the Federal Reserve Board; to the Committee on Banking and Currency.

By Mr. SWANK: A bill (H. R. 6317) providing for the appointment of an additional district judge for the eastern district of the State of Oklahoma; to the Committee on the Judiciary.

By Mr. BRITTEN; A bill (H. R. 6318) providing for sundry matters affecting the Naval Establishment; to the Committee on Naval Affairs.

By Mr. BUTLER: A bill (H. R. 6319) authorizing certain special allowances for maintenance to personnel of the Navy and Marine Corps; to the Committee on Naval Affairs.

By Mr. HAUGEN: A bill (H. R. 6320) to regulate interstate and foreign commerce in live stock, live-stock products, dairy products, poultry, poultry products, and eggs, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. LANGLEY: A bill (H. R. 6321) providing for the relief of certain contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. LONGWORTH; Joint resolution (H. J. Res. 122) to safeguard the revenue, and for other purposes; to the Committee on Ways and Means.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANSORGE; A bill (H. R. 6322) authorizing the Secretary of War to donate to the Parents' Association of Public School No. 52, Broadway and Academy Streets, New York City, two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. BARBOUR: A bill (H. R. 6323) for the relief of Frank M. Stewart; to the Committee on the Public Lands,

By Mr. BURDICK: A bill (H. R. 6324) for the relief of Patrick Fay, alias Owen Carroll; to the Committee on Military Affairs.

By Mr. DEMPSEY: A bill (H. R. 6325) for the relief of Andrew Cullin; to the Committee on Military Affairs.

By Mr. DICKINSON: A bill (H. R. 6326) granting a pension to Ephraim Dillow; to the Committee on Invalid Pensions.

By Mr. DOMINICK: A bill (H. R. 6327) granting an increase of pension to Emily E. McKee; to the Committee on Pensions.

Also, a bill (H. R. 6328) for the relief of the Anderson Phosphate & Oil Co.; to the Committee on Claims.

Also, a bill (H. R. 6329) for the relief of Hassie Cantrell; to the Committee on Claims.

Also, a bill (H. R. 6330) for the relief of Cecilia Rebecca Fretwell; to the Committee on Claims.

By Mr. EDMONDS: A bill (H. R. 6331) for the retirement of Frank Schoble, jr., and Raymond E. Day, first lieutenants in the United States Army; to the Committee on Military Affairs. By Mr. FISHER: A bill (H. R. 6332) for the relief of Marion

By Mr. FISHER: A bill (H. R. 6332) for the relief of Marion B. Patterson; to the Committee on Claims.

By Mr. FROTHINGHAM: A bill (H. R. 6333) for the relief of the estate of George B. Chase, deceased; to the Committee on War Claims.

By Mr. FULLER: A bill (H. R. 6334) granting an increase of pension to Maria J. Loop; to the Committee on Invalid Pensions

Also, a bill (H. R. 6335) granting a pension to Emma F.
 Freeland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6336) granting a pension to Emeline Johnson; to the Committee on Invalid Pensions.

By Mr. FUNK: A bill (H. R. 6337) authorizing the Secretary of War to donate to the town of Metamora, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GORMAN: A bill (H. R. 6338) granting a pension to Melissa J. King; to the Committee on Pensions.

By Mr. HARDY of Texas: A bill (H. R. 6339) for the relief of Carrol A. Dickson; to the Committee on the Post Office and

By Mr. HAYDEN: A bill (H. R. 6340) granting a pension to William Simms; to the Committee on Pensions.

By Mr. HOUGHTON: A bill (H. R. 6341) for the relief of William Ramsey; to the Committee on Military Affairs.

By Mr. HUDSPETH: A bill (H. R. 6342) for the relief of the parents of Francisco Gamboa, deceased; to the Committee on Claims.

By Mr. JACOWAY: A bill (H. R. 6343) for the relief of the heirs of John W. Fein, deceased; to the Committee on Claims.

By Mr. JOHNSON of Kentucky: A bill (H. R. 6344) authorizing the Secretary of War to donate to Lincoln Farm, Hodgenville, Ky., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6345) for the relief of Pleasant M. Heath;

to the Committee on Military Affairs.

By Mr. KING: A bill (H. R. 6346) for the relief of Channon & Emery Stove Co.; to the Committee on War Claims.

By Mr. KNUTSON: A bill (H. R. 6347) granting an increase of pension to Katharine Luby; to the Committee on Pensions.

By Mr. LONGWORTH: A bill (H. R. 6348) for the relief of Mrs. L. D. Goldsberry; to the Committee on Claims,

Also, a bill (H. R. 6349) granting a pension to Rosalie Meehan; to the Committee on Pensions.

Also, a bill (H. R. 6350) granting compensation to Iona Wathan Taylor; to the Committee on Claims.

Also, a bill (H. R. 6351) for the relief of Edward J. Sharp;

to the Committee on Claims. By Mr. McCORMICK: A bill (H. R. 6352) for the relief of

Katherine Macdonald; to the Committee on Claims. Also, a bill (H. R. 6353) for the relief of William O. Malla-

han; to the Committee on Military Affairs.

Also, a bill (H. R. 6354) for the relief of Peter S. Kelly; to the Committee on Military Affairs.

By Mr. MacGREGOR: A bill (H. R. 6355) granting a pension to Nancy Smith; to the Committee on Invalid Pensions.

By Mr. A. P. NELSON: A bill (H. R. 6356) for the relief of Mrs. Ben Gauthier; to the Committee on Claims.

By Mr. PARKER of New York: A bill (H. R. 6357) for the relief of the estate of George W. Lee, deceased; to the Committee on Claims

By Mr. PERKINS: A bill (H. R. 6358) authorizing the accounting officers of the Treasury to pay A. E. Ackerman the pay and allowances of his rank for services performed prior to the approval of his bond by the Secretary of the Navy; to the Committee on Naval Affairs.

By Mr. PURNELL: A bill (H. R. 6359) granting a pension to Margaret Gray; to the Committee on Invalid Pensions.

By Mr. RICKETTS: A bill (H. R. 6360) granting a pension to Florence A. David; to the Committee on Invalid Pensions.
Also, a bill (H. R. 6361) granting a pension to Clara B. Jinks;

to the Committee on Invalid Pensions.

By Mr. ROSE: A bill (H. R. 6362) granting a pension to

Emma L. Helsel; to the Committee on Invalid Pensions. By Mr. ROSSDALE: A bill (H. R. 6363) authorizing the Secretary of War to donate to the Veterans of Foreign Wars of the United States, Bronx Post, No. 95, New York City, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SCOTT of Tennessee: A bill (H. R. 6364) authorizing the Secretary of War to donate to county sites in Hardin, McNairy, Chester, Madison, Henderson, Benton, Henry, Decatur, Perry, Fayette, Hardeman, and Carroll Counties, in the State of Tennessee, two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. SNELL: A bill (H. R. 6365) granting an increase of pension to Amanda M. Selleck; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 6366) authorizing the Secretary of War to donate to the city of Knoxville, State of Tennessee, two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. TINCHER: A bill (H. R. 6367) granting an increase of pension to Maria C. Fick; to the Committee on Invalid Pensions.

By Mr. TINKHAM: A bill (H. R. 6368) for the relief of Stephen J. Crotty; to the Committee on Military Affairs.

By Mr. WATSON: A bill (H. R. 6369) granting a pension to Paschal C. Hibbs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6370) granting a pension to Reuben Clymer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6371) granting a pension to George W. Horn; to the Committee on Invalid Pensions.

By Mr. ZIHLMAN: A bill (H. R. 6372) granting an increase of pension to William Coleman; to the Committee on Invalid Pensions.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

740. By Mr. ARENTZ: Petition of the Churchill County Farm Bureau, urging the United States Reclamation Service to again establish practice of selling timber to the farmers of the Newlands project; to the Committee on the Public Lands. Also, petition of the Knights of Columbus of Nevada, indorsing the stand taken by the Knights of Columbus convention at New York City urging the recognition of the Irish republic, etc.; to the Committee on Foreign Affairs. Also, petition of citizens of Jarbridge, Elko County, Nev., requesting time for annual assessment work on mining claims be extended to the end of the fiscal year instead of calendar year; to the Committee on Mines and Mining.

741. By Mr. BARBOUR: Resolution adopted by the Stanislaus County Board of Trade, of Modesto, Calif., urging a reconsideration of the transportation act of 1920; to the Committee on Interstate and Foreign Commerce.

742. Also, resolution adopted by the Board of Supervisors of the County of Tulare, Calif., urging a reconsideration of the transportation act of 1920; to the Committee on Interstate and

Foreign Commerce. 743. By Mr. CAREW: Petition of the United Canary Breeders' of America, New York City, urging the passage of the MacGregor bill for the protection of canaries, etc.; to the Com-

mittee on Ways and Means. 744. By Mr. DYER: Petition of citizens of St. Louis, Mo., in favor of beer and light wines, etc.; to the Committee on the

745. Also, petition of citizens of St. Louis, Mo., in favor of beer and light wines, and opposed to Sunday blue laws; to the Committee on the Judiciary

746. By Mr. FUNK: Petition by the Chamber of Commerce of Pontiac, Ill., indorsing the program of legislation asked by the American Legion of the Sixty-seventh Congress in the interest of disabled soldiers, sailors, and marines, etc.; to the Committee on Interstate and Foreign Commerce.

747. By Mr. KAHN: Resolutions adopted by the California Grape Growers' Exchange, relative to the experiment vineyards located near Fresno and Oakville, Calif.; to the Committee on Agriculture.

748. By Mr. KIESS: Statement by John Wesley Haynes in con-

nection with House bill 5851, granting him an honorable discharge; to the Committee on Military Affairs.

749. Also, resolution of Women's Auxiliary, Champaign Post, No. 84, American Legion, Wellsboro, Pa., favoring certain legislation benefiting ex-service men and women of the World

War; to the Committee on Interstate and Foreign Commerce. 750. By Mr. KISSEL: Petition of John Kelly, 203 Kent Street, Brooklyn, N. Y., containing 15 petitions with 450 signatures, urging the recognition of the Irish republic; to the Committee on Foreign Affairs.

751. Also, petition of the Retail Jewelers' Association, New York, favoring a sales tax; to the Committee on Ways and

752. Also, petition of American Defense Society (Inc.), New York, favoring solidarity among the Allies; to the Committee on Foreign Affairs.

753. Also, petition of Bogen, Berman & Fox (Inc.), York, regarding tariff on umbrellas; to the Committee on Ways and Means.

754. Also, petition of Board of Aldermen of the City of New York, regarding disabled soldiers; to the Committee on Interstate and Foreign Commerce.

755. By Mr. KUNZ: Petition of Herman Hacker and others, of the eighth district of Illinois, favoring legislation permitting the manufacture of beer and light wines; to the Committee on the Judiciary.

756. By Mr. MACGREGOR: Report of the committee on general welfare, in favor of resolutions relative to public solicitation of funds for disabled soldiers, their care and training, and communication from American Legion in connection therewith. and adoption of a substitute resolution for the whole; to the Committee on Interstate and Foreign Commerce.

757. Also, resolution of Edward I. Tinkham Post, American Legion, favoring legislation for the relief of the disabled of the World War; to the Committee on Interstate and Foreign Com-

758. By Mr. PERKINS: Resolution of the Saddle River Township Building & Loan Association, approving the proposed legislation exempting to the extent of \$500 from income tax derived from the holding of such shares; to the Committee on Ways and Means.

759. By Mr. RAKER: Resolution adopted by the Santa Barbara County Federation of Women's Clubs, of California, indorsing the California Indian court of claims bill; to the Committee on Indian Affairs. Also, petition of California Associated Raisin Co., urging purchase and equipment of vineyards in California; to the Committee on Appropriations. Also, letter from Maurice D. Leehey, of Seattle, Wash., urging the extension of time for performance of annual labor upon mining claims; to the Committee on Mines and Mining. Also, petition of Feather River Division, Brotherhood of Locomotive Engineers, protesting against any sales tax; to the Committee on Ways and Means

760. Also, resolution by Soangetaha Tribe, No. 256, Improved Order of Red Men, of Westwood, Calif., urging the enlargement of the Federal arsenal at Benicia, Calif.; to the Committee on Appropriations. Also, petition of the California Association of Insurance Agents, protesting against Senate bill 847 and House bill 4089; to the Committee on the District of Columbia. Also, petition of E. C. Brown, of De Witt, Calif., urging relief for starroute contractors; to the Committee on the Post Office and Post Roads. Also, petition of To Kalon Vineyard Co., urging purchase and equipment of California vineyards; to the Committee

on Appropriations.

761. Also, letter and resolution from San Mateo Post, No. 82, American Legion, of San Mateo, Calif., urging legislation in behalf of ex-service men; to the Committee on Ways and Means. Also, letter and resolution from the California Cattlemen's Association, indorsing the Young emergency tariff bill; to the Committee on Ways and Means. Also, resolutions adopted by the California Grape Protective Association, the Earl Fruit Co., and the California Grape Growers' Exchange, urging the appropriation of sufficient money to purchase and develop vineyards in

California; to the Committee on Appropriations.

762. Also, resolutions in support of Court of Claims bills II, R. 4383 (67th Cong.) and H. R. 12788 (66th Cong.) by the following women's club; Redondo Beach Women's Club; Alpha Literary Club; Wednesday Morning Club; Pasadena Shake-speare Club; Women's Athletic Club and W. A. Club, of Lone Pine; Ruskin Art Club; Women's Improvement Club; Indian Welfare, C. F. W. C., San Francisco district; Indian Welfare, C. F. W. C., San Joaquin Valley district; Los Angeles Travel Club; Home Culture Club; Tropico Thursday Afternoon Club; Los Angeles Audubon Society; Mrs. Anna F. Marable and Mrs. C. H. Adams, C. F. W. C.; Los Angeles Section Council of Jewish Women, C. F. W. C.; Washington Heights Club, of Pasadena; Monrovia Women's Club; Averill Study Club; Women's Club of Hawthorne; Oxnard Monday Club; Women's Club of Holly-wood; College Women's Club; Woman's Osteopathic Club, Los Angeles; Channel Club, C. F. W. C.; Irondale Miscellany Club; Ojar Valley Women's Club; Lone Pine (Calif.) V. A. Club; Inyo County Federation of Women's Clubs; California Badger Club; and American University Study Club; to the Committee on Indian Affairs.

763. Also, letter from the California Federation of Women's Clubs, urging defeat of the Walsh bill for the damming of Yellowstone Lake, and urging the passage of the Smith-Towner bill (H. R. 7); to the Committee on Education. Also, resolution adopted by the Chamber of Commerce of Whittier, Calif., relative to the condition confronting the producers and shippers of the west coast; to the Committee on Interstate and Foreign Commerce. Also, letter from the Contemporary Club, of Red-lands, Calif., protesting against the Walsh bill; to the Committee on the Public Lands.

764. By Mr. RHODES: Resolution for the relief of the disabled of the World War, submitted by the Women's Auxiliary of American Legion of Perryville, Mo.; to the Committee on Inter-

state and Foreign Commerce.

765. By Mr. ROSSDALE: Resolution for relief for the disabled ex-service men, submitted by the American Legion Post, No. 598; to the Committee on Interstate and Foreign Commerce.

766. By Mr. RYAN: Petition of Patrick Burke and 28 other citizens of New York City, favoring the recognition of the Irish republic; to the Committee on Foreign Affairs.

767. By Mr. SINCLAIR: Petition of James F. Cannon, Tioga, N. Dak., for increased compensation for rural mail carriers; to the Committee on the Post Office and Post Roads.

768. Also, petition of citizens of Dickinson, N. Dak., in mass meeting assembled, calling upon the United States to recognize the Irish republic; to the Committee on Foreign Affairs.

769. Also, petition of Crosby Lodge, No. 108, Ancient Free and Accepted Masons, Crosby, N. Dak., in favor of the Smith-Towner bill; to the Committee on Education.

770. By Mr. SNYDER: Petition of the F. P. Helmuth Post, American Legion, Clinton, N. Y., urging relief for the disabled soldiers of the late war with Germany; to the Committee on Military Affairs.

771. By Mr. STRONG of Pennsylvania: Petition of members of the Glass Bottle Blowers' Union and citizens of Hawthorn, Pa.; also resolutions of Punxsutawney Central Labor Union, Punxsutawney, Pa.; also letter of Union Trades Councils of Western Pennsylvania, J. H. Arnold, general secretary, opposing the proposed sales tax; to the Committee on Ways and Means.

772. By Mr. TINKHAM: Petition of Joseph F. Flynn and 145 others, of Roxbury, Mass.; Martin Burke and 119 others of the eleventh congressional district of Massachusetts; and Louise J. Letzelter and 237 sundry others citizens of Massachusetts, favoring recognition of the Irish republic by the United States; to the Committee on Foreign Affairs.

773. By Mr. NORTON: Petition of William F. Boege and 89 others, of Cleveland, Ohio, urging the Congress of the United States to take the necessary action to bring about the recognition of Ireland as a republic by the Government of the United

States; to the Committee on Foreign Affairs.
774. By Mr. WATSON: Petition of meeting of women in Philadelphia Sunday, March 27, 1921, favoring disarmament; to

the Committee on Foreign Affairs.

## SENATE.

# THURSDAY, May 19, 1921.

The Chaplain, Rev. J. J. Muir, D. D., offered the following

Our Father, we bless Thee that our lives are in Thy hands. Thou dost determine the bounds of our habitation. humbly ask that at this time with sorrow sitting in high places Thy great consolation may be had. We thank Thee for the distinguished service rendered by him so high in position and so large and faithful in purpose. God grant that at this time there may be realized by the widow's heart that her Maker is her husband.

Speak, we beseech of Thee, to all in affliction. May we understand much more clearly that the life has come to us and immortality better realized through the gospel of Thy grace, in

Christ Jesus. Amen.

On request of Mr. Lodge, and by unanimous consent, the reading of the Journal of the proceedings of the legislative day of Tuesday, May 17, 1921, was dispensed with and the Journal was approved.

DEATH OF CHIEF JUSTICE WHITE.

The PRESIDENT pro tempore. The Chair lays before the Senate the following communication:

SUPREME COURT OF THE UNITED STATES, Washington, May 19, 1921.

The VICE PRESIDENT.

SIE: I am directed by the Supreme Court of the United States to notify the Senate, through you, that the Chief Justice of the United States died in this city at 2 o'clock this morning.

I have the honor to be,

Very respectfully,

JOSEPH MCKENNA,

JOSEPH MCKENNA, Justice, Supreme Court.

Mr. LODGE. Mr. President, with a very deep sense of public sorrow mingled with a most unfeigned feeling of personal grief I rise to make the formal motion of recognition by the Senate of the loss which has befallen the country in the death of the Chief Justice of the United States. He filled one of the greatest offices which it is permitted to man to hold. None, I think, among civilized men surpasses it in dignity and power. late Chief Justice honored his great place quite as much as the office honored him.

He brought to his high duties not merely the training of his profession but that of the statesman, of the man versed in public affairs, and in that great tribunal both equipments are alike necessary. He was devoted to his work, learned in the law, high-minded, impartial, always fearless in every scene of

life, and a lover of his country in every fiber of his being.

His modesty was equal to the greatness of his place, and no one who knew him I believe ever spoke of him without some accompanying word of affection. He was a great lawyer, a fine character, and always human and sympathetic. We do not forget that he went from this body to the court which he was so long to lead and adorn. It is our privilege to number him among those who have greatly added to the renown of the Senate of the United States. But he did his life work in the great court of which he was the head, withdrawn of necessity from the dusty ways of men; but he never forgot that he was one of them. He administered justice and declared the law. higher task can be imposed upon any man. No larger praise can be bestowed than to say that Chief Justice White met his great task in full measure, and, as we can now say by the closing grave, with a victorious spirit to be always hereafter

admired by his fellow countrymen.

Mr. President, I move that a committee of six Senators be appointed by the Chair to join with such committee as the House may appoint to attend the funeral of the late Chief Justice and to take such other steps as may be necessary in regard to the funeral ceremonies.

Mr. RANSDELL. Mr. President, the State of Louisiana is in very deep sorrow to-day over the death of her most distinguished son. For the past 30 years, since the late Chief Justice became a Senator in this body from Louisiana, he has shed more luster upon that Commonwealth than any other citizen. In fact, I may say, sir, that for the last 50 years he has been easily the most prominent citizen of that State, if not the most prominent in all its history.

Mr. White occupied many prominent positions in Louisiana before coming to the United States Senate, and filled all of them For the past 10 years he has been the head of the highest judicial tribunal on earth. The United States Supreme Court is the only court which has the power to nullify the acts of the highest legislature of the land. No other court, so far as I am informed, of a sovereign country has that power.

Chief Justice White filled the high position with the greatest credit to himself and to his country. His influence was very marked upon the judicial system of the Nation. I doubt, sir, if any Chief Justice or member of that court since the days of John Marshall had greater influence upon the judiciary than had Mr. White. It was a marked tribute to this great man when he, a citizen of the far South, an ex-Confederate soldier, and a Democrat in politics, was selected to be Chief Justice by Mr. Taft, the Republican President. It was a tribute, sirs, not only to Mr. White but to President Taft himself, for he is a great jurist, and he could have been influenced by nothing but the remarkable fitness of Mr. White for that position. He recognized him as preeminently the man for the place, and, seeking to do the best that could be done, he selected him.

Mr. President, one of the striking characteristics of Mr. White was the beautiful, simple, Christian life that he led. His life was as pure and innocent as that of a little child. He was a sincere, devout Christian. His mighty intellect, certainly one of the greatest intellects of this or any other age, taught him to love God and to obey the laws of God and man. He lived that kind of life all the time from his birth 75 years ago to his death, and that beautiful life, sirs, should be an inspiration to all men, especially in this day when there is so much of agnosticism, infidelity, and indifference among men in both low and high places.

Mr. President, there are many things which might be said about Mr. White, but I think I have said enough. I wish to add to my remarks brief resolutions of respect adopted this day by the Louisiana delegation in Congress. With permission, I shall

add them without reading.

By unanimous consent the resolutions were ordered to be printed in the RECORD, as follows:

printed in the RECORD, as follows:

The following resolutions were adopted at a meeting of the Louisiana delegation in the Senate and House of Representatives:

"Resolved. That in the death of Edward Douglas White, Chief Justice of the Supreme Court of the United States, the most powerful judicial tribunal on earth, the Nation has lost one of its most illustrious, useful citizens, and Louisiana her most eminent son. No member of this court since the days of Marshall has exercised greater influence on the judiciary of his country, or more richly earned the title of the great Chief Justice.

"Resolved, That the clean, Christian, religious life and good example of Justice White for 75 years, in many trying positions as private citizen in his native State, member of the supreme court, United States Senator, Associate Justice for 17 years of the United States Supreme Court, and 10 years its Chief Justice, is an inspiration to all men who love God and country and believe in humble obedlence to divine and human law.

human law.

"Resolved, That Louisiana is justly proud of this great man whom she loaned to the Union for many years, and deeply laments his loss. As Members of Congress from Louisiana, speaking in her name, we voice these sentiments of respect and honor toward our beloved dead."

The PRESIDENT pro tempore. Senators who favor the mo-tion made by the Senator from Massachusetts will say "aye." It is unanimously agreed to, and the Chair appoints as the committee named in the motion the Senator from Massachusetts [Mr. Lodge], the Senator from Alabama [Mr. Underwood], the senior Senator from Louisiana [Mr. Ransdell], the junior Senator from Louisiana [Mr. Broussard], the Senator from Minnesota [Mr. Nelson], and the Senator from North Carolina [Mr. OVERMAN].

Mr. LODGE. Mr. President, I move as a further mark of respect to the memory of the late Chief Justice of the United States that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 12 o'clock and 12 minutes p. m.) the Senate adjourned until to-morrow, Friday, May 20, 1921, at 12 o'clock meridian.

## SENATE.

FRIDAY, May 20, 1921.

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father, we thank Thee that Thou art the same yesterday, to-day, and forever, and hence Thy mercies never fail; and that we are the recipients of those mercies as the days go by. Be pleased to be with us this day. Direct our paths according to Thine own good pleasure. Remember our land, our President, and all related to the Government of this great Nation. humbly ask in Jesus Christ's name. Amen.

The reading clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. Curtis and by unanimous consent, the further reading was dispensed with and the Journal was approved.

NONIMPORTATION OF CONTAMINATED SHAVING BRUSHES.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a tentative draft of a bill to prohibit the importation or inter-state sale of shaving or lather brushes containing horsehair which might be contaminated with anthrax, which was referred to the Committee on Finance.

#### PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a petition of the supreme court judges of the District of Columbia, which was referred to the Committee on the District of Columbia and read, as follows

A petition to the Congress of the United States.

WASHINGTON, D. C., May 17, 1921.

Washington, D. C., May 17, 1921.

The undersigned, your petitioners, who are for the time being "the supreme court judges of the District of Columbia," as so described in the act of Congress approved June 20, 1906, entitled "An act to fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia" (34 Stat. L., p. 316), respectfully petition your honorable body to be relieved from making any more appointments of members of the board of education of the District of Columbia.

And your petitioners will ever pray.

Walter I. McCoy.

WALTER I. MCCOY, ASHLEY M. GOULD. WENDELL P. STAFFORD, F. L. SIDDONS. WILLIAM HITZ. JENNINGS BAILEY.

Mr. FLETCHER presented a joint resolution of the Legislature of Florida, which was referred to the Committee on Commerce, as follows:

Mr. File Chilk presented a joint resolution of the Legislature of Florida, which was referred to the Committee on Commerce, as follows:

Joint resolution in the nature of a memorial to the Senators and Representatives of the State of Florida in the Congress of the United States of America with reference to the establishment of reservations for the purpose of preserving, protecting, and propagating food fishes on their natural breeding grounds in the State of Florida.

Whereas numerous of the waters, including lakes, rivers, bays, and estuaries lying within the boundaries and coming under the jurisdiction of the State of Florida, comprise and contain natural breeding grounds for food fishes; and

Whereas the use of scines, gill nets, and other devices and equipment on said breeding grounds have damaged, and in some instances totally destroyed numbers of different species of food fishes local to the waters of the State of Florida, and has seriously depleted the general supply of food fishes in the State, which is one of its greatest natural resources; and

Whereas unless some immediate steps are taken to prevent the continued destruction of the State's food fishes by the present existing improper practices, the entire food fish supply of the State will at an early date be completely exhausted: and

Whereas the past attempts and the present efforts of the State toward the protection and conservation of this great natural resource have and do meet with the serious objection of volitical preferments and their undesirable local influences; and

Whereas the United States Government through its Fish Commission is desirous of assuming jurisdiction over and control of all such portions of the waters of the State of Florida as are natural breeding grounds for food fishes in the State, for the purpose of making said natural breeding grounds within the State of Florida on their natural breeding grounds within the State of Florida on their natural breeding grounds within the State of Florida is the owner of said natural bree

Whereas such assumption of jurisdiction over the natural breeding grounds of food fishes in the State of Florida by the United States Government will result in material benefit, not only to the State of Florida but to the United States at large, in that it will vastly increase the supply of food fishes of which the State of Florida is one of the United States' greatest producers: Therefore be it

Florida but to the United States at large, in that it will vastly increase the supply of food fishes of which the State of Florida is one of the United States' greatest producers: Therefore be it

Resolved by the Legislature of the State of Florida, That our Senators and Representatives in the Congress of the United States of America be, and they are hereby, requested and empowered to procure the passage of an act of Congress placing any waters lying within the boundaries of the State of Florida and under its jurisdiction which are designated by the United States Fish Commission as natural breeding grounds for food fishes under the jurisdiction and authority of the United States Fish Commission, and giving and granting power to said commission to make such reasonable regulations as it may deem necessary for the purpose of preserving, protecting, and propagating said food fishes on said breeding grounds, and fixing suitable penalty for the violations of said regulations, reserving therein, however, the privilege to private individuals to take, catch, and appropriate any of such food fishes with and by no other means than with hook and line, or cast net which shall not exceed a length of 9 feet or a spread of 18 feet. Be it further Resolved, That before the United States Government shall assume jurisdiction over any of the natural breeding grounds for food fishes in the State of Florida for the purposes above expressed, the breeding grounds to be controlled by the United States Fish Commission shall be selected and designated by the said United States Fish Commission through its proper agents by physical markings on the boundaries of such reservations can be certainly and definitely located, and also by written selection or designation, which said written selection or designation a her part of the State of Florida, and the original or a certified copy thereof filed with the Secretary of State. Be it further Resolved, That this resolution shall not be construed to constitute an abandonment by the State of Florida

STATE OF FLORIDA,
Office of Secretary of State, 88:

Office of Secretary of State, ss:

I. H. Clay Crawford, secretary of state of the State of Florida, do hereby certify that the foregoing is a true and correct copy of a "Joint resolution in the nature of a memorial to the Senators and Representatives of the State of Florida in the Congress of the United States of America with reference to the establishment of reservations for the purpose of preserving, protecting, and propagating food fishes on their natural breeding grounds in the State of Florida."

Joint resolution, Florida Legislature, session 1921, as filed in this office on May 17, 1921.

Given under my hand and the great seal of the State of Florida, at Tallahassee, the capital, this the 17th day of May, A. D. 1921.

[SEAL.]

H. CLAY CRAWFORD.

Secretary of State.

Mr. FLETCHER also presented a memorial of the Legislature of Florida, which was referred to the Committee on Interstate Commerce, as follows:

OFFICE OF THE SECRETARY OF STATE,
STATE OF FLORIDA,
Tallahassee, May 17, 1921.

Hon. Duncan U. Fletcher,

United States Senate, Washington, D. C.

MY Dear Sir: I am inclosing herewith certified copies of house memorial No. 2 and of joint resolution No. 296, both of which have recently been passed by the legislature.

Yours, very truly,

H. CLAY CRAWFORD. Secretary of State.

A memorial to the Interstate Commerce Commission of the United States of America, asking that the American Railway Express Co. be required to furnish the strawberry growers of Florida express re-frigerator cars to transport their strawberries to northern markets similar to the service now given Louislana.

frigerator cars to transport their strawberries to northern markets similar to the service now given Louislana.

Whereas there is grown in the several counties of the State of Florida annually many thousand bushels of strawberries; and

Whereas the only present method of transporting said strawberries by carload lots is by freight refrigerator cars, which is very unsatisfactory and disastrous to the strawberry growers of Florida because of the long schedule by freight refrigerator service, and if the American Railway Express Co. is not required and ordered to furnish the strawberry growers of Florida express refrigerator cars to transport their strawberry crops annually to the northern markets the strawberry growers of Florida will be forced to abandon the growing of strawberries and the State of Florida will lose one of her largest and most valuable sources of revenue: Therefore be it

Resolved by the Legislature of the State of Florida, That the Interstate Commerce Commission of the United States of America be, and is hereby, requested to require and order the American Railway Express Co. to furnish the strawberry growers and shippers a sufficient number of express refrigerator cars to transport and carry their strawberry crop annually to the northern markets.

Resolved futher, That our Representatives in Congress be, and are hereby, respectfully requested to use every honorable means to have the Interstate Commerce Commission of the United States of America to order and require the American Railway Express Co. to furnish the strawberry growers and shippers of Florida sufficient number of express refrigerator cars to transport and carry their strawberry crop annually to the northern markets.

Resolved further, That the secretary of state be instructed to mail a copy of this memorial under the great seal of the State to the Interstate Commerce Commission of the United States of America and to each of our Senators and Representatives in Congress of the United States.

STATE OF FLORIDA,
Office of Secretary of State, 88:

Office of Secretary of State, ss:

I. H. Clay Crawford, secretary of state of the State of Florida, do hereby certify that the foregoing is a true and correct copy of "A memorial to the Interstate Commerce Commission of the United States of America, asking that the American Railway Express Co. be required to furnish the strawberry growers of Florida express refrigerator cars to transport their strawberries to northern markets similar to the service now given Louisiana." Memorial Florida Legislature, session 1921, as filed in this office on April 29, 1921.

Given under my hand and the great seal of the State of Florida at Tallahassee, the capital, this the 17th day of May, A. D. 1921.

[SEAL.]

H. CLAY CRAWFORD,

Secretary of State.

Secretary of State.

Mr. FLETCHER also presented a telegram signed by Davis Forster, chairman national executive committee, American Legion, of Orlando, Fla., which was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

ORLANDO, FLA., May 17, 1921.

DUNCAN U. FLETCHER, Senator, Washington, D. C.:

The following resolution was adopted and referred to national executive committee by the State convention of the American Legion, which convened in Orlando to-day:

which convened in Orlando to-day:

"Whereas the American Legion stands for justice and right and self-determination of all the people of earth; and

"Whereas from all the information that can be obtained the plebiscite which was recently held in Silesia failed to show that such right was given and upheld to the people of the said Province, but it appears that said plebiscite was conducted and carried on by the Germans through methods that produced fear and failed to show the true sentiment of the vast majority of the people living in that part of Poland; and

"Whereas it appears that large numbers of persons who were not citizens or inhabitants of the said Province of Silesia were brought into the country for the sole purpose of swelling the German vote: Now, therefore, be it

"Resolved. That the convention assembled of the American Legion

Now, therefore, be it

"Resolved, That the convention assembled of the American Legion of the State of Florida do hereby protest against the annexation of silesia to Germany as a result of the said plebiseite, and that the Senators and Representatives of the State of Florida at Washington, D. C., be requested to use such influence as they can bring to bear to have another plebiseite called in said Province where the right of self-determination may be justly and lawfully enforced, or that some other means may be devised which would guarantee a fair and impartial vote by the majority of the citizens and inhabitants of the country."

Please give copies to other Representatives from Florida.

Davis Forster,

Chairman National Executive Committee.

Mr. BROUSSARD presented a resolution adopted by the constitutional convention of the State of Louisiana on the 9th of May, 1921, which was referred to the Committee on Interstate Commerce and ordered to be printed in the Record, as follows:

CONSTITUTIONAL CONVENTION OF LOUISIANA, 1921.

Resolution 127.

Resolution 127.

Whereas the Interstate Commerce Commission, through its interpretation of the transportation act, 1920, has indicated its purpose to assume for itself full and exclusive authority to regulate the railroads and all instrumentalities entering into the field of transportation, and thereby to divest the legislatures of the several States of substantially all power to regulate the intrastate rates and service of the railroads within the respective States; and

Whereas in conformity with this policy and acting upon what it claims to be the inient of Congress in the enactment of section 13 (4) of the transportation act, 1920, the Interstate Commerce Commission has made orders which seek to compel increases and other changes in intrastate rates in a number of States, without regard or heed to the protests of the governments of those States; and

Whereas the authority it has assumed for itself permits the Interstate Commerce Commission to wield the greatest power ever exercised by any body in peace times, which if allowed to take its logical course must inevitably develop into a bureaucratic system repugnant to the American theory of government; and

Whereas it is unjust and unnecessary to permit the development of a system which will compel a citizen of Louisiana or any other State either, to forego relief for local transportation problems or seek it solely through the Interstate Commerce Commission at Washington at great expense in time and money; and

Whereas before the passage by Congress of the transportation act, 1920, there was no serious conflict between Federal authority in the regulation of interstate commerce and State authority in the regulation of interstate commerce; and

Whereas all government, whether through Federal or State agency, is directed to the sole end of promoting the welfare and happiness of the people, it is our firm conviction that it is neither sound nor practical government to deny to the people of the several States the undisputable benefits of State regulation of commerc

States: Therefore be it

Resolved by this constitutional convention, That the Congress of the
United States is hereby respectfully petitioned to so amend the transportation act, 1920, as to protect and preserve the powers of the
several States with relation to intrastate rates, services, and facilities,
and the local affairs of the common carriers within the States, and
to make such amendment or amendments in language so plain that the
authority of the States in their respective territories shall be maintained without opportunity for misinterpretation. And be it further
Resolved, That the secretary of this convention be, and hereby is,
directed to transmit a certified copy of this resolution to each United
States Senator and each Representative in Congress from Louisiana.

Adopted by the constitutional convention of the State of Louisiana on the 9th day of May, A. D. 1921.

HEWITT BONAUCHAND President of the Convention.

O. H. SIMPSON, Secretary of the Convention.

Mr. BURSUM presented a resolution adopted at a meeting of the governors of the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming, which was referred to the Committee on Irrigation and Reclamation (to accompany Senate bill No. 1853) and ordered to be printed in the RECORD, as follows:

as follows:

Whereas the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming have by appropriate legislation authorized the governors of said States to appoint commissioners representing said States for the purpose of entering into a compact or agreement between said States and between said States and the United States respecting the future utilization and disposition of the waters of the Colorado River and the streams tributary thereto; and Whereas the governors of said several States have named and appointed the commissioners contemplated by the legislative acts aforesaid; Now, therefore, be it

Resolved, That the Congress of the United States be, and it is hereby, requested to provide for the appointment of commissioners on behalf of the United States to act as members of said commission. And be it further

of the United States to act as members of said commission. And be starther

Resolved, That the proposed draft of a bill for presentation to Congress, a copy of which is hereto attached, be offered as a suggestion for legislation for the purposes aforesaid. And be it further

Resolved, That Gov. Thomas E. Campbell, of Arizona, and the governors of the other States in the Colorado River Basin, or such representatives as they may severally designate, be, and they hereby are, authorized to present this resolution to the President and to the Congress of the United States.

We, the undersigned, do hereby certify that the foregoing resolution was adopted by unanimous vote at a meeting of the governors of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming, held at the capitol, at Denver, in the State of Colorado, on the 10th day of May, 1921.

Thomas E. Campbell,

Governor of Arizona.

THOMAS E. CAMPBELL,
Governor of Arizona.
WM. D. STEPHENS,
Governor of California,
By W. F. McClure,
State Engineer.
OLIVER H. SHOUP,
Governor of Colorado.
EMMET D. BOYLE,
Governor of Nevada.
MERRITT C. MECHEM,
Governor of New Mexico.
CHAS. R. MABEY,
Governor of Utah.
ROBERT D. CAREY,
Governor of Wyoming.

Mr. KEYES presented resolutions of Tracy Ross Post, No. 20, American Legion, of Woodsville; and Gordon-Bissell Post, No. 4, American Legion, of Keene, both of the State of New Hampshire, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which were referred to the Committee on Finance.

Mr. SHEPPARD presented petitions of sundry citizens of Hondo and Post, Tex., praying for the enactment of legislation to prohibit gambling in grain and other agricultural products, which were referred to the Committee on Agriculture and

Forestry.

Mr. TOWNSEND presented resolutions of Grand Rapids Teachers' Club, of Grand Rapids; Burdick Guest Post, No. 239, Women's Auxiliary Unit, of Otsego; Women's Auxiliary of American Legion, of Orion; Grand Rapids Exchange Club, of Grand Rapids; Phillips Elliot Hodges Post, No. 22, American Legion, of Saginaw; William Fields Post, No. 256, of St. Louis; Washtenaw County Federation Woman's Clubs, of Ann Arbor; and Menominee Rotary Club, of Menominee, all in the State of Michigan, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which were referred to the Committee on Finance.

He also presented a resolution of Mason County Pomona Grange, No. 52, of Ludington, Mich., remonstrating against the enactment of legislation providing a daylight saving law, which was referred to the Committee on Interstate Commerce.

He also presented petitions of sundry citizens of Ann Arbor, Mich., praying for the enactment of legislation to preserve the national forests, which were referred to the Committee on Agriculture and Forestry.

Mr. CAPPER presented petitions of sundry citizens of Augusta and Irving, Kans., praying for the enactment of legislation to prohibit gambling in grain and other agricultural products, which were referred to the Committee on Agriculture and Forestry.

He also presented a resolution of Temple Local, No. 1431, Farmers' Union, of Brown County, Kans., remonstrating against the enactment of legislation repealing the excess-profits tax and substituting therefor a sales or turnover tax, which was referred to the Committee on Finance.

He also presented a resolution of the McPherson Rotary Club, of McPherson, Kans., favoring the enactment of legisla-tion providing adequate relief for disabled ex-service men, which was referred to the Committee on Finance.

He also presented a memorial of the American Association for the Recognition of the Irish Republic, of Topeka, Kans, remonstrating against the United States joining an international council with England, which was referred to the Committee on Foreign Relations.

He also presented a resolution of Nikkletown Grange, No. 1722, of Gridley, Kans., favoring the enactment of legislation looking toward disarmament, which was referred to the Com-

mittee on Foreign Relations.

Mr. KENDRICK presented telegrams in the nature of memorials of Laramie Council, American Association for the Recognition of the Irish Republic, of Laramie; and Rocksprings Council, American Association for the Recognition of the Irish Republic, of Rocksprings, both in the State of Wyoming, remonstrating against the United States joining an international council with England, which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Farrall, Wyo., praying for the enactment of legislation to prohibit gambling in grain and other agricultural products, which was referred to the Committee on Agriculture and Forestry

Mr. NEWBERRY presented resolutions of the Grand Rapids Exchange Club, of Grand Rapids; Grand Rapids Teachers' Club, of Grand Rapids; William Fields Post No. 256, American Legion, of St. Louis; Carl A. Johnson Post, No. 2, American Legion, of Grand Rapids; Washtenaw County Federation of Women's Clubs, of Ann Arbor; Underwood-Orr Post, No. 34, American Legion, of Tecumseh; Rotary Club, of Menominee; and the University of Michigan Post, American Legion, of Ann Arbor, all in the State of Michigan, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which were referred to the Committee on Finance.

He also presented a resolution of the Charles A. Learned Post, No. 1, American Legion, of Detroit, Mich., protesting against radical activities and the spreading of radical propaganda in the United States, especially by aliens who are not citizens of the United States; also favoring the enactment of legislation to protect our national colors from dishonor and calumny at home either by citizens or aliens, etc., which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Ann Arbor, Mich., praying for the enactment of legislation to preserve the national forests, which were referred to the Committee on Agri-

culture and Forestry.

Mr. WILLIS presented a resolution adopted by the Chamber of Commerce of the United States at its annual meeting on April 27-29, 1921, at Atlantic City, N. J., favoring the enactment of legislation providing adequate relief for disabled ex-

service men, which was referred to the Committee on Finance. He also presented a resolution of Canton Central Labor Union, of Canton, Ohio, protesting against the enactment of legislation repealing the excess-profits tax and substituting therefor a sales or turnover tax, which was referred to the Committee on Finance.

He also presented a resolution of the Woman's Christian Temperance Union, of Norwalk, Ohio, favoring the United States initiating and participating in a conference on world disarmament, which was referred to the Committee on Foreign Relations.

He also presented a resolution of the International Brotherhood Welfare Association, of Cincinnati, Ohio, favoring the enactment of legislation empowering the Department of the Interior to proceed with public works in connection with the reclamation of waste and arid lands, and such other public works as will furnish useful employment, which was referred to the Committee on Irrigation and Reclamation.

# EDUCATIONAL MOTION-PICTURE THEATERS.

Mr. JONES of New Mexico. On behalf of the Senator from Oklahoma [Mr. Owen] I ask leave to have inserted in the RECORD a resolution of the Motion Picture Theater Owners of America relating to vocational education, together with the names of the parties who joined in the passage of the resolu-

There being no objection, the resolution was referred to the Committee on Education and Labor and ordered to be printed in the RECORD, with the names appended, as follows:

At a meeting of the officers and the executive committeemen of the Motion Picture Theatre Owners of America, held Tuesday, May 17, at the Hotel Washington, Washington, D. C., the following resolution was unanimously adopted:

"The Motion Picture Theatre Owners of America, having had always in mind the promotion of all projects of public welfare through the medium of their screens, do hereby offer their services to the people of our country in exhibiting in their theaters, free of charge, at special performances, a series of motion-picture films touching upon and dealing with vocational education. The object of these films is to ald young men and women in the high schools or other educational institutions of similar grade and character and to assist all other persons in determining the vocation for which their talents and inclinations seem to fit them best, the intent being to visualize all important industrial and scientific pursuits, as well as the activities of trade, commerce, and agriculture in such a manner as to place before the spectators a fair and complete picture of each subject.

"We invite the cooperation of all persons interested in advancing the cause of vocational education."

The national officers present at the meeting were: Sydney S. Cohen, of New York, president; E. T. Peter, Dallas, Tex., treasurer; Sam Bullock, Cleveland, Ohio, executive secretary; M. Van Praag, Kanass City, Kans., recording secretary; C. C. Griffin, Oakland, Calif., first vice president; Joseph Hopp, Chicago, Ill., second vice president; C. W. Gates, Aberdeen, S. Dak., fourth vice president.

Members of the executive committee present were: C. L. O'Reilly, New York City, president of the Motion Picture Theatre Owners of New York; John S. Evans, Philadelphia, Pa., president of the Motion Picture Owners of New Jors, Philadelphia, Pa., president of the Motion Picture Theatre Owners of Northern Ohio, president of the Motion Picture Theatre Owners of Northern Ohio, president of the Motion Picture Theatre Owners of Northern Ohio, president of the Motion Picture Theatre Owners of Northern Ohio, president of the Motion Picture Theatre Owners of Northern Owner

Mr. OWEN subsequently said:

Mr. President, the resolution introduced this morning, at my request, by the Senator from New Mexico [Mr. Jones] and printed in the Congressional Record by order of the United States Senate, is of such far-reaching patriotic importance I am impelled to call it especially to the attention of the Members

of the Senate who were not present.

The meaning of this resolution of the officers and the executive committeemen of the Motion Picture Theatre Owners of America of May 17 at Hotel Washington, in Washington, D. C., is that the owners of 17,000 motion-picture theaters open their theaters, free of cost and at some considerable expense to themselves, to the young men and women of the high schools and other educational institutions of America, and will exhibit films dealing with vocational instruction.

The purpose is to enable the young men and women of America to visualize all important industrial and scientific pursuits'as well as the activities of trade, commerce, and agriculture in such a manner that they may wisely and happily

choose their own life activities.

The motion-picture theaters are entitled to very great credit for their generous, patriotic, and wise contribution to the welfare of our young people and to the thanks and warm ap-

preciation of Congress and of the country.

The Bureau of Commercial Economics, under the management of Dr. Francis Holley, is in position to furnish these educational and vocational films, and is doing this work as a labor of love and pure altruism. This bureau is now circulating very many millions of feet of instructive films gratis. No one ever pays to see these films. No patriotic organization in America in altruism is doing more splendid and useful work than this great bureau that will unselfishly furnish these films to the 17,000 motion-picture theaters whose doors are open, without expense, to the youth of the Republic to view these educational films.

### LADIES' MOUNT VERNON ASSOCIATION,

Mr. DIAL. Mr. President, recently there has been a good deal of talk around Washington about the Government acquiring, by purchase or condemnation, Mount Vernon. I feel a deep interest in that property and a great pride in the part that a patriotic lady of my State played in organizing the Ladies' Mount Vernon Association and purchasing that property and preserving it intact to the present time. This lady was Miss Ann Pamela Cunningham, of my county of Laurens in South Carolina, who was the first regent and whose memory will be forever cherished.

I hope we shall hear no more of this talk of the Government taking the property from that association. association purchased it and has preserved it until the present time. At that time the place had been cut up and a great deal of the land had been sold. The household furniture had been sold and scattered. These patriotic ladies went to work and bought the main property, all that portion which had been sold off, which could be had, and collected all the furniture that they could find.

I have here an editorial from the Spartanburg Journal and Carolina Spartan, of Spartanburg, S. C., setting forth a good history of this property, which I desire to have printed in the

RECORD as a part of my remarks.

The PRESIDENT pro tempore. Without objection, the edi-

torial will be printed as requested.

The editorial is as follows:

[From the Spartanburg Journal and Carolina Spartan, Tuesday, May 17, 1921.]

"TRYING TO DEGRADE MOUNT VERNON.

"'Officers of patriotic organizations of the District,' we are told by the Washington Post, are advocating that the Federal Government take over the financial care of Mount Vernon and that 'the general feeling was expressed (by the so-called officers of patriotic organizations, presumably) that the place rightfully should be controlled by the Government.' The Post says further that Col. James A. Drain, commander of the District Department of the American Legion, said last Friday night that 'Mount Vernon should be taken over by the Government as soon as possible.' And, continuing, Col. Drain was gracious enough to say this:

"The ladies who with great public spirit have taken care of the place deserve the greatest credit. The very nature and character of the estate, as the home of Washington and as his final resting place, however, make it highly desirable that it be owned by the United States Government. I am heartily in favor of the movement to abolish the fee required at present for entrance to the estate.

"Then Mrs. Francis X. St. Clair, State regent of the District, said that the proposition will be taken up at the next meeting of the District Chapter of the Daughters of the American Revolution-the meeting was to be held last night-and that she would introduce resolutions placing the organization on record favoring the Government purchase. That is such an easy way to do a patriotic thing—offer a resolution that the D. A. R. of the District would offer no objection if the Government should buy the property of some other organization. It would like to take 'pilgrimages of patriotic citizens there to pay tribute to the Father of his Country,' but without going through the form of paying anything at the gate out of its own precious pockets for keeping the grave of the Father of his Country green. Mrs. Francis X. St. Clair is reported by Mr. McLean's paper thus:

"I certainly think Mount Vernon should belong to the Government. It should be free, and open always to receive the pilgrimages of patriotic citizens who go there to pay tribute to the Father of his Country. To my mind it is decidedly un-American to charge an admission fee. The women should be left on the commission which would manage it in recognition of the work they have done in keeping up the house and grounds.

"Then Col. John McElroy, District department commander of the Grand Army of the Republic, said:

"It is an admirable idea. It ought to be done immediately, and I hope that Congress at the present session will pass legislation which will place this great national shrine under Government control. Steps should be taken at once to abolish the fee which is now charged for admitting citizens to the estate.

"Not to be outdone by the representatives of other 'patriotic (?)' organizations

"James J. Murphy, adjutant of the Department of the District, United Spanish War Veterans, unqualifiedly indorsed the proposition that the Government should buy the tract immediately and control it as a Government reservation. By appropriating money from general taxation funds, the Government could maintain the place, and thus do away with the objectionable fee, he said.

"But this it not all. President A. D. Spangler, of the Sons of the American Revolution of the District, is 'decidedly in favor of the Government taking over Mount Vernon and keeping it open free to the public. 'I feel certain,' President Spangler said, that the movement will meet with great favor everywhere and that measures providing for the necessary steps will be passed President Spangler was frank enough, after by Congress.' disposing of the property, to praise the manner in which the Ladies' Mount Vernon Association had maintained the buildings and ground, but insisted that 'the Government should control a place of such national historic interest.

It will be noted that all these patriotic persons seem to be of the grafting habit of mind. Col. Drain would 'abolish the fee required at the entrance'; Mrs. St. Clair would make the place open free always; Col. McElroy would 'abolish the fee'; Adjutant Murphy would 'do away with the objectionable fee'; and the representative of the Sons of the Revolution is decidedly in favor of the Government taking Mount Vernon and 'keeping it open free to the public.' And they are all in favor

of an appropriation by the Government.

"So far as we know, Mount Vernon is not for sale. It belongs to the Mount Vernon Ladies' Association. It was built in 1743 by Lawrence, half brother of George Washington. On the death of Lawrence Washington and of his only daughter, George Washington inherited the estate and went there to live soon after his marriage in 1759. He died and was buried there in 1799. In view of the effort now being renewed in Washington by societies and persons wanting to get something for nothing, the following little story of the present owners of the property—the Mount Vernon Ladies' Association—taken from an up-to-date handbook of Washington' will be of interest:

'an up-to-date handbook of Washington' will be of interest:

"The associations of Washington with the place during his lifetime and the presence of his tomb here made Mount Vernon a shrine of patriotism. When in 1855 John Augustine Washington, being without means to maintain the estate, offered it for sale, a patriotic daughter of South Carolina, Ann Pamela Cunningham, resolved to save the Washington home as a permanent shrine of patriotism. With a high courage, which in its very daring augured success, she devoted herself to the tremendous task of raising the sum of \$200,000 required for the purpose. In 1858 the Mount Vernon Ladies' Association of the Union was organized, with Miss Cunningham as regent, and vice regents representing 12 States. Contributions were solicited and popular support was enlisted. Edward Everett gave the proceeds of his lecture on Washington and of certain writings and thus put into the association treasury the handsome sum of \$69,000 as his personal contribution. Wazhington Irving contributed \$500. Thousands upon thousands of school children gave 5 cents each. The full sum was in hand before the end of 1859, and in 1860 Mount Vernon became the property of the association. A further fund was provided for permanent care and maintenance. Portions of the original estate that had been sold have been acquired again; buildings which had fallen into ruin have been restored; the deer park under the hill has been restocked; the mansion has been repaired; many articles of furniture and adornment have been restored to the several rooms; numbers of valuable relics and mementoes of George and Martha Washington and of their times have been deposited here. The restoration, equipment, and keeping of the respective rooms have been intrusted to the pious care of the women of the different States represented in the board of vice regents. The privilege of visiting Mount Vernon and the satisfaction of knowing that it is to be cherished for all time we owe to this ladies' association and beyond it to Ann Pa

'Dissenting from the view expressed by the State regent of the District that 'it is decidedly un-American to charge an admission fee, there being nothing more characteristically American than the charging of fees, the ladies of the Mount Vernon Association will rightly appraise the suggestion that the State regent of the District would consent to their continued management of Mount Vernon at the general expense, a suggestion which we have no doubt they would instantly reject should it be made to them with authority.

"We have said so much about this matter because of the very special interest South Carolina has in the Mount Vernon Association. The effort of the 'patriotic' organizations to open the way at the expense of the Government for the conversion of Mount Vernon, the home of Washington, preserved through the patriotic service and sacrifices of the women of the country for 63 years as a shrine to which all true men and women could go to renew their vows of loyalty to the principles of the American founders—we say that the effort of the 'patriotic' organizations of the District to desecrate this sacred place by making it the common playground for all undesirable Americans is too shameful to contemplate."

Mr. DIAL. I also have in my hand and wish to read a portion of the last address that Miss Cunningham made with reference to this particular subject, as follows;

Ladies, the home of Washington is in your charge—see to it that you keep it the home of Washington. Let no irreverent hand change it; no vandal hands descerate it with the fingers of progress. Those who go to the home in which he lived and died wish to see in what he lived and died. Let one spot in this grand country of ours be saved from change. Upon you rests this duty.

Mr. President, I consider that every patriotic citizen of the United States ought to feel under lasting obligation to this patriotic society, and I trust that the Mount Vernon property will be preserved forever in its present state.

A short while ago, about the time the Masons had a meeting in this city, some protests were raised about the pitiful sum of 25 cents being charged as an entrance fee to Mount Vernon. have no authority to speak for the Masons, as a whole, but being one of that organization I repudiate the imputation going out that any Mason in the world would object to paying the pitiful sum of 25 cents to visit that charming spot. I hope that

it will not be spread abroad that the Masons originated the idea of the Government trying to take the property from the said association.

I do not feel that anyone can have any just objection to paying that small fee for seeing this historic place. It is a mere pittance; it is too small to be considered. It is not more than a great many people hand the waiter for serving breakfast. I trust that the words of Miss Cunningham will be heeded here, and that the property will be preserved in its present state

As my friend from Florida [Mr. Fletcher] suggests to me, the fee is necessary in order to maintain and keep up the prop erty and to have it looked after and preserved. No one should have any thought of objecting to the payment of so small a sum; its collection is not for the purpose of making money.

hope, at least, we shall never hear any objection of that kind in the Senate of the United States.

Not only that, but I desire to say I do not know of any law under which the Government could condemn that property unless, perhaps, it might want to take it for the establishment of a national park or for some purpose of that sort. I know of no law in pursuance of which we could condemn and take possession of the place where Washington was buried any more than we could condemn and take possession of the place where any other citizen of the United States happened to be buried. The property could not be condemned except on the theory of eminent domain. That would be possible, but it certainly would not be popular with right-thinking people, and we should dismiss the thought.

#### SANDA COURT STRUCTURE.

Mr. CALDER. Mr. President, about two years ago I called the attention of the Secretary of the Navy, the Secretary of War, and the Secretary of State to a frame structure that had been erected in one of the inner courts of the State, War, and Navy Building. It is a frame building erected in entire disregard of any building laws, a structure which never would have been permitted in any city by any private concern, and, moreover, a great fire hazard.

At the last session of Congress I asked for information through a resolution tending to show that there was great neglect upon some one's part in not having that frame building removed. I have taken it up with the departments of the Government again, and they insist that the room is necessary, they urge me to call it to the attention of the Public Buildings Commission, of which I think some Senators are members.

In this connection I have just received a letter from the National Board of Fire Underwriters. They call my attention to the fact that in that building are contained some of the most important of our public documents, our important treaties, many original papers of the United States, including the Constitution of the United States and the Declaration of Independence, They suggest to me that steps should be taken at once to remove this fire hazard, which some day may destroy the building with its valuable papers. I send the letter to the Secrethe Senate, as well as for the governmental departments and the country. Those responsible for the continuation of this great risk must do so with the full understanding that if a fire should ever get underway the present condition of the build-ing would almost certainly assure its total destruction.

Mr. BORAH. Mr. President, may we have order, so that we can hear the letter read?

The PRESIDENT pro tempore. The Senate will be in order. Mr. CALDER. I ask that the letter may be read for the information of the Senate.

The PRESIDENT pro tempore. The Secretary will read as requested.

The reading clerk read as follows:

THE NATIONAL BOARD OF FIRE UNDERWRITERS, New York, May 18, 1921.

Hon. William M. Calder,

Senate Office Building, Washington, D. C.

My Dear Senator Calder: It was discouraging to learn that in spite of your earnest efforts you had thus far been unsuccessful in securing the removal of Sanda Court from the State, War, and Navy Building. It is a most unfortunate situation and one fraught with much danger to a vast quantity of public records and documents. I can not but feel that if the matter were fully understood and the hazard appreciated some way would be found to provide space as a substitute for that still occupied in Sanda Court by the State Department, and so remove the only excuse for the continued existence of that wooden monstrosity.

I am informed that a bill has been introduced in the Congress authorizing the erection of a suitable building as a repository for all our public documents and records of historic value. This is quite proper; such a building should have been provided long ago. But at the best it will be several years before this desired object can be accomplished. In the meantime can we not at least arouse enough public spirit to safeguard the two most valuable public documents which this country possesses—the Constitution of the United States and the Declaration of Independence. As already explained to you in previous communications, they are really in peril, quite apart from the hazard produced by Sanda Court.

In my opinion, a small expenditure, probably not more than \$10,000

Court.

In my opinion, a small expenditure, probably not more than \$10,000 or \$15,000, would amply protect these two documents without the necessity of removing them from the metal cabinet in which they are kept or even removing them from the library in which they are now placed; neither would the room be disfigured or seriously encroached upon, and there would be reasonable assurance that the building might suffer serious burn out without endangering them.

It is pretty certain that if the public realized the risk surrounding these cherished documents and the ease with which they could be protected the protest would be so insistent that a way would be promptly found to accomplish the desired object.

If a committee of three or five experienced fire-protection engineers were to be requested to spend a few hours inspecting the building, I am confident they would confirm my statements and remove any doubt as to my being an alarmist. The men should have knowledge of the behavior of fire in large buildings and also of fire-prevention construction.

Such a committee could decide upon details of construction to remove the existing hazard, and, considering the purpose of the work, they would probably be glad to serve for the bare cost of traveling expenses.

Do you not think there is some way that this can be brought about?

Young very trade. 

IRA H. WOOLSON, Consulting Engineer.

Mr. CALDER. Mr. President, that letter is signed by a gentleman in New York who is the chief engineer of the National Board of Fire Underwriters, and probably one of the best informed men in America on fire protection. He has gone to great pains to examine the building, without any cost to the Government, and I earnestly urge members of the Public Buildings Commission, of which I believe the Senator from Utah [Mr. Smoor] and the Senator from Virginia [Mr. Swanson] are members, to take up the matter at once and safeguard against any possible loss to the Government through neglect in continuing that monstrosity.

I ask that the letter be referred to the Committee on Public

Buildings and Grounds for their information.

The PRESIDENT pro tempore. It will be so referred.

INVESTIGATION OF CLOTHING INDUSTRY.

Mr. CALDER. I report back favorably without amendment from the Committee to Audit and Control the Contingent Expenses of the Senate Senate resolution No. 63, submitted by the Senator from Idaho [Mr. Borah], authorizing the Committee on Education and Labor to hold hearings and to investigate the conditions in the clothing industry in the United States

Mr. BORAH. The resolution having been passed on by the Committee to Audit and Control the Contingent Expenses of the Senate, I ask that it be referred to the Committee on Educa-

tion and Labor.

The PRESIDENT pro tempore. Without objection, it will be so referred.

REPORTS OF COMMITTEES.

Mr. SPENCER, from the Committee on Military Affairs, to which was referred the bill (S. 834) to authorize the appointment of an ordnance storekeeper in the Army, reported it with an amendment and submitted a report (No. 60) thereon.

Mr. BALL, from the Committee on the District of Columbia, to which was referred the bill (S. 205) relating to the fiscal system of the District of Columbia, and for other purposes, re-

perted it without amendment.

Mr. McKINLEY, from the Committee on Public Buildings and Grounds, to which was referred the joint resolution (S. J. Res. to grant authority to continue the use of the temperary buildings of the American Red Cross headquarters in the city of Washington, D. C., reported it without amendment.

Mr. KENYON, from the Committee on Education and Labor, to which was referred the bill (S. 1039) for the public protection of maternity and infancy and providing a method of cooperation between the Government of the United States and

the several States, reported it with amendments, and submitted a report (No. 61) thereon.

Mr. FERNALD, from the Committee on Public Buildings and Grounds, to which were referred the following bills, reported them each without amendment, and submitted a report

as indicated:

H. R. 89. An act for the public sale of post-office site on the west side of South Main Street, in the city of Bethlehem, Pa.;

S. 924. An act for the acquisition of a site and erection of a

public building at Gastonia, N. C. (Rept. No. 62).

Mr. SUTHERLAND, from the Committee on Military Affairs, to which was referred the bill (S. 667) for the relief of John B. H. Waring, reported it without amendment, and submitted a report (No. 63) thereon.

Mr. WARREN, from the Committee on Public Buildings and

Grounds, to which was referred the joint resolution (S. J. Res. 25) authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to the dead of the First Division, American Expeditionary Forces, in the World War, reported it with an amendment and submitted a report (No. 64) thereon.

# BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JONES of New Mexico:

A bill (S. 1843) for the relief of Eugenia Ascarate Griggs; to the Committee on Claims.

By Mr. STANFIELD:

A bill (S. 1844) to preserve the live-stock industry of the United States, to release for commercial, agricultural, and industrial purposes certain funds of banks, live-stock loaning and and for other purposes: to the Committee on Agriculture and Forestry.

By Mr. SHEPPARD:

A bill (S. 1845) for the relief of Pettus H. Hemphill: to the Committee on Military Affairs.

By Mr. McLEAN:

A bill (S. 1846) to amend section 5202 of the Revised Statutes of the United States; to the Committee on Banking and Currency.

By Mr. SUTHERLAND:

A bill (S. 1847) to amend an act approved February 12, 1901, entitled "An act to provide for eliminating certain grade crossings on the line of the Baltimore & Potomac Railrond Co., in the city of Washington, D. C., and requiring said company to depress and elevate its tracks, and to enable it to relocate parts of its railroad therein, and for other purposes"; to the Committee on Interstate Commerce.

By Mr. NEWBERRY:

A bill (S. 1848) authorizing the Secretary of War to donate to the University of Michigan, Ann Arbor, Mich., one German cannon; to the Committee on Military Affairs.

By Mr. STANLEY:

A bill (S. 1849) to suspend further publication of the so-called slacker lists" without sufficient evidence of their correctness; to the Committee on Military Affairs.

By Mr. WILLIS:

A bill (S. 1850) granting a pension to Mary Estella Ferris (with accompanying papers); to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 1851) to repeal section 15a of the act to regulate commerce, as amended by section 422 of the transportation act, 1920; to the Committee on Interstate Commerce.

A bill (S. 1852) granting an increase of pension to Fermon L. Botkin (with accompanying papers); to the Committee on

Pensions.

A bill (S. 1853) to provide for a compact commission between the States of Arizona, California, Colorado, Nevada, New Mex-Utah, and Wyoming, and between said States and the United States, respecting the disposition and utilization of the waters of the Colorado River for irrigation and other uses. and for other purposes; to the Committee on Irrigation and Reclamation.

By Mr. COLT:

A bill (S. 1854) granting a pension to Mary Williams (with accompanying papers); to the Committee on Pensions.

By Mr. JONES of Washington:

A bill (S. 1855) to save daylight in the District of Columbia; to the Committee on the District of Columbia.

By Mr. McKELLAR:

A bill (S. 1856) to reimburse Horace A. Choumard, chaplain in Twenty-third Infantry, for loss of certain personal property;

to the Committee on Claims. By Mr. JONES of Washington:

A bill (S. 1857) placing postmasters under civil service; to the Committee on Post Offices and Post Roads.

By Mr. CALDER:

A bill (S. 1858) to reimburse Charles W. Prelle for property destroyed by an automobile truck operated by the Post Office Department; to the Committee on Claims.

A bill (S. 1859) granting an increase of pension to Andrew

Henri Hart; and

A bill (S. 1860) granting a pension to Frank H. Williams; to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 1861) authorizing the Court of Claims to adjudicate the claim of Capt. David McD. Shearer for compensation for the adoption and use and acquisition by the United States Government of his patented inventions; to the Committee on Claims.

By Mr. McCORMICK:
A bill (S. 1862) to amend chapter 231, known as the Judiciat Code, act of March 3, 1911, volume 36, United States Statutes at Large, section 79, page 1110; to the Committee on the Judiciary.

### AMENDMENTS TO APPROPRIATION BILLS.

Mr. CURTIS submitted an amendment intended to be proposed by him to the second deficiency appropriation bill proposing to appropriate \$10,000 for the purchase of a site for a branch of the Free Public Library in the southeastern section of the District of Columbia, and conferring authority upon the Commissloners of the District of Columbia to accept from the Carnegic Corporation of New York not less than \$50,000 for the purpose of erecting a suitable branch library building on such site, subject to the approval of the commissioners and the board of trust companies, to amend the War Finance Corporation act, library trustees, etc., and also proposing to appropriate for

buildings and grounds for the schools of the District of Columbia, as follows:

For the erection of an 8-room extensible building on the site in the immediate vicinity of the Mott School, \$140,000;

For the purchase of additional land adjoining the John Eaton School, \$12,000;

For the erection of an 8-room addition to the John Eaton School, \$140,000;

140.000;
For beginning the erection of a junior high school north of Taylor Street and east of Fourteenth Street on the land now owned by the District of Columbia, \$100,000, and the commissioners are hereby authorized to enter into contract or contracts for said building at a cost not to exceed \$300,000;
For the purchase of a site for a junior high school building in the vicinity of the Gage, Emery, and Eckington Schools, \$50,000;
For beginning the erection of a junior high school on the site in the vicinity of the Gage, Emery, and Eckington Schools, \$50,000;
For a new site in the vicinity of the Smothers School, \$50,000;
For a new site in the vicinity of the Smothers School, \$5,000;
For the erection of a 4-room building on the site to be purchased in the vicinity of the Smothers School to replace the Smothers School, \$70,000;

\$70.000;
For the purchase of a site for a 16-room extensible building in the vicinity of and north of Lincoln Park, \$30,000; for the erection of an 8-room extensible building on the site to be purchased in the vicinity of and north of Lincoln Park, \$140,000;
For the erection of a 4-room addition to the Monroe School, \$75,000;
For the purchase of a site adjoining the Lovejoy School, \$6,500;
For the purchase of a site west of Sixteenth Street NW., in the Ingleside section, \$40 000;
For the purchase of a site for a 16-room building adjoining the Buchanan School, \$30,000;
For the erection of an 8-room extensible building adjoining the Buchanan School, \$140,000;
For the purchase of a new site in the vicinity of the Bell School, \$20,000;
For the erection of an 8-room building on the site to be a site to be a site for the purchase of a new site in the vicinity of the Bell School, \$20,000;
For the erection of an 8-room building on the site to be a site to be a site for the site to be a site to be a site for the site to be site to be a site for the site to be section.

\$20,000;
For the erection of an 8-room building on the site to be purchased in the immediate vicinity of the Bell School, to ultimately replace the Bell School, \$140,000;
For the erection of a building for the care of tubercular pupils, \$160,000;
For regains and alterations of the Harrison School, now used for

\$160,000;
For repairs and alterations of the Harrison School, now used for colored tubercular children, \$17,000;
For the purchase of a site in the vicinity of Woodley Park, \$40,000;
For the purchase of land adjoining the Armstrong Manual Training School, \$20,000;
For the purchase of additional land north of the Hayes School, \$5,000;
For the purchase of additional land adjoining the Emery School, \$20,000.

\$8.000;
For the purchase of additional land adjoining the Peabody School,

\$20,000 the purchase of additional land adjoining the Adams School,

\$25,000;
For the purchase of additional land adjoining the Webb School, \$1,500;
For the purchase of additional land adjoining the Harrison School,

\$15,000; In all, to be disbursed and accounted for as "Buildings and grounds, public schools," and for that purpose shall constitute one fund.

The amendment was referred to the Committee on Appropriations and ordered to be printed.

Mr. CURTIS also submitted an amendment providing that in order to keep the expenditures for printing and binding within or under the appropriation for the fiscal year 1922 the heads of the various executive departments and Government establishments be authorized to discontinue the printing of any annual or special reports under their respective jurisdiction, etc., intended to be proposed by him to the second deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment providing that in order to house all governmental activities in Government-owned buildings, no part of any money appropriated for the fiscal year 1922 shall be available for payment of rent in the District of Columbia, provided that such provision shall not be so construed as to affect any leases heretofore entered into for a period of more than one year, and that the Quartermaster of the Army be authorized and directed to do all the moving incident to carrying out the provisions of this section, intended to be proposed by him to the second deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. NORRIS submitted an amendment, intended to be pro-posed by him to the Army appropriation bill, which was ordered to lie on the table and to be printed, as follows:

On page 67, after line 24, insert the following: "For the preparation of plans, the initiation of work, including the employment of all necessary engineering, technical, clerical, and other services, and for any and every purpose connected therewith, for the development of hydroelectric power at Great Falls, in accordance with the report of Maj. M. C. Tyler in Senate Document No. 403, Sixty-sixth Congress, third session, \$200,000, and the development of such power is hereby authorized at an expense not exceeding the amount of cost estimated in said report, and within such limit of cost the Federal Water Power Commission is hereby authorized to make any modifications or changes in the plans of said improvement as may be considered advisable by said commission."

Mr. CALDER submitted an amendment providing that upon the original enrollment in the Naval Reserve Force, all members other than officers of various classes and members of the Fleet Naval Reserve, shall be confirmed in the lowest rating of their respective branches of the service, etc., intended to be proposed by him to the naval appropriation bill, which was ordered to lie on the table and to be printed.

#### NAVAL APPROPRIATIONS.

The PRESIDENT pro tempore. Morning business is closed, The calendar under Rule VIII is in order.

Mr. POINDEXTER. I move that the Senate proceed to the consideration of House bill 4803, the naval appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

The PRESIDENT pro tempore. The pending amendment will be stated.

The READING CLERK. The pending amendment is the amend-

ment of the committee, on page 26, after line 9, to insert:

ment of the committee, on page 26, after line 9, to insert:

Naval supply base, Alameda, Calif.: Toward dredging, excavating, and grading, \$1,500,000.

The Secretary of the Navy is authorized to accept from the city of Alameda, Calif., free from encumbrances and without cost to the United States Government in excess of \$1, a certain tract of land on San Francisco Bay, containing 5,340 acres, more or less, for use as a site for a naval base, being the land described in a certain deed made the 5th day of February, 1920, by and between the city of Alameda and the United States of America. Also to accept free from encumbrances and without cost to the United States Government in excess of \$1, certain other land adjoining said tract, being the land lying between the southwesterly boundary line of said tract and the pierhead line in front thereof.

Mr. SMITH obtained the floor.

Mr. SMITH obtained the floor.

Mr. BORAH. I ask the Senator if he would object to having a vote on the pending amendment before he proceeds? I understand there is not going to be any discussion on the amendment.

Mr. SMITH. Do I understand that there is to be merely a viva voce vote or a roll call?

Mr. BORAH. A roll call.
Mr. SMITH. Mr. President, I should like to accede to the request of the Senator from Idaho, but the matter that I desire to discuss this morning is more or less germane to and perhaps will influence to some extent some of us, at least, in the vote on the pending amendment.

The PRESIDENT pro tempore. The Senator from South Carolina will proceed.

Mr. SMITH addressed the Senate. After having spoken for

# MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed without amendment the bill (S. 82) to extend the time for the construction of a bridge across the Red River of the North at or near the city of Pembina, N. Dak.

The message also announced that the House had passed with amendments the bill (S. 535) to prevent the unauthorized landing of submarine cables in the United States, in which it requested the concurrence of the Senate.

The message further announced that the House had passed a joint resolution (H. J. Res. 123) to provide funds for the repair of the elevator in the Washington Monument, in which it requested the concurrence of the Senate.

The message also communicated to the Senate the resolutions of the House unanimously adopted as a tribute to the memory of Hon. Edward Douglass White, late Chief Justice of the United States.

### ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 4586) to amend the act entitled "An act to establish a code of law for the District of Columbia, approved March 3, 1901," and the acts amendatory thereof and supplementary thereto, and it was thereupon signed by the President pro tempore.

### WASHINGTON MONUMENT ELEVATOR.

Mr. WARREN. I ask the Senator from South Carolina to yield to me for a moment, that a joint resolution just received from the House of Representatives to repair the Washington Monument elevator may be considered. The elevator has broken down, and the public is entirely inconvenienced. The President has asked that the matter receive early attention. The House has passed the joint resolution and I should like to have it taken up at this time.

Mr. SMITH. If it does not lead to any lengthy debate, I will yield.

Mr. WARREN. I will withdraw it if it leads to any debate.

Mr. SMITH. Very well.
The PRESIDING OFFICER (Mr. ASHURST in the chair) The Chair lays before the Senate a joint resolution from the House of Representatives.

The joint resolution (H. J. Res. 123) to provide funds for the repair of the elevator in the Washington Monument, was read

twice by its title.

Mr. POINDEXTER. What is the emergency making it necessary to interrupt the consideration of the naval appropriation

Mr. WARREN. The elevator can not be run at all. It will not take longer than the time required to read the resolution and vote upon it to pass it. People are disappointed every day when they come to Washington and can not go up in the Monu-

Mr. POINDEXTER. The elevator is out of commission?

Mr. WARREN. It is.

Mr. POINDEXTER. I reserve the right to object in case

there should be debate over it.

Mr. WARREN. I ask that in the RECORD the joint resolution may be referred to the Committee on Appropriations, and I am already instructed by that committee, if so referred, to ask for its immediate consideration.

The PRESIDING OFFICER. The joint resolution will be

referred to the Committee on Appropriations.

Mr. WARREN. I report it back favorably from the Committee on Appropriations and ask unanimous consent for its present consideration, with the understanding that I shall not pursue the consideration of it if it leads to any debate.

There being no objection, the joint resolution was considered as in Committee of the Whole, and it was read as follows:

Resolved, etc., That the sum of \$900 of the appropriation for the fiscal year 1922 for care and maintenance of the Washington Monument is hereby made immediately available, and for special repairs to the elevator and other mechanical equipment of the Monument, there is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500, to continue available until June 30, 1922.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. WARREN. I ask that two brief letters from the President to the chairman of the House Committee on Appropriations may be inserted in the RECORD.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the letters will be inserted in the RECORD.

The letters are as follows:

THE WHITE HOUSE, Washington, May 20, 1921.

Hon. James W. Good,

Chairman Committee on Appropriations,

House of Representatives, Washington, D. C.

House of Representatives, Washington, D. C. House of Representatives, Washington, D. C.

My Dear Mr. Good: It has just come to my knowledge that the running of the elevator in the Washington Monument has been stopped because of wear in the machinery connected therewith. It is understood that the cost of such repairs as may be necessary to permit the operation of the elevator to be resumed will amount to about \$900, but that the appropriation for the present fiscal year is so far exhausted that there is not a sufficient balance for this purpose, and the Deputy Comptroller of the Treasury has expressed an opinion informally that it would not be legal to have the repairs made now and pay for them out of the appropriation which has been provided for the fiscal year beginning July 1.

As many visitors will be prevented from ascending to the top of the Monument until the elevator is again running, it is submitted whether your committee would not authorize the payment from the appropriation for 1922 of the cost of making these repairs at once.

I should be glad if this matter could be acted upon favorably in order that the public may not be deprived any longer than is necessary of the facilities for visiting the top of the Monument.

Sincerely, yours,

Warren G, Harding.

WARREN G. HARDING.

THE WHITE HOUSE, Washington, May 20, 1921.

Hon. James W. Good, M. C., Chairman Committee on Appropriations, House of Representatives, Washington, D. C.

House of Representatives, Washington, D. C.

My Dean Mr. Good: Referring to my letter of this date to you on
the subject of permitting a portion of the appropriation for the care
of the Washington Monument for the fiscal year ending June 30, 1922,
to be used to pay for repairs which are needed at the present time to
the machinery of the elevator, it appears that the sheaves upon which
the cables of the elevator car run should be replaced with new sheaves
and that other repairs to the clevator machinery should be made in
order that it may be placed in first-class condition. It is estimated
that this will cost about \$2,500, and it is recommended that a deficiency appropriation for the fiscal year 1922 be provided at as early
a date as possible, in order that the necessary replacement may be made
during the present summer.

The regular appropriation for the maintenance of the Monument
for 1922 will not permit of this extraordinary expenditure being made
therefrom.

therefrom. Very truly, yours,

WARREN G. HARDING.

EMERGENCY TARIFF-CONFERENCE REPORT.

Mr. McCUMBER. Will the Senator from South Carolina yield to me, that I may submit a conference report?

Mr. SMITH. I yield for that purpose.

Mr. McCUMBER. The chairman of the committee of conference on the disagreeing votes of the two Houses on the emergency tariff bill, the senior Senator from Pennsylvania [Mr. PENROSE], is unavoidably absent from the Senate and he has asked me to submit the conference report.

I desire simply to say in presenting this report that there has been no substantial change whatever in the bill with the exception that the dye provision which was to continue for six months is amended to continue for only three months. I ask the Senator from North Carolina [Mr. SIMMONS] if in view of this statement there would be any objection to asking unanimous consent for the present consideration of the report and disposing of the matter?

Mr. SIMMONS. I did not know that it was the purpose of the Senator to ask for the immediate consideration of the re-

Mr. SMITH. If it is going to lead to discussion I must ob-

Mr. McCUMBER. If it is going to lead to discussion I shall not insist on the consideration of the report at this time.

Mr. SMITH. It is being discussed now.

Mr. SIMMONS. I am not going to discuss it. gest to the Senator from North Dakota [Mr. McCumber] that if he will withhold his request for a short time I shall be able to give him an answer as to its consideration to-day.

Mr. McCUMBER. I will just submit the report now, and we

will take up the matter later.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2435) imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenue; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States: to regulate the value of foreign money; and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by said amendment, insert the following:

> "TITLE II .- ANTIDUMPING, "DUMPING INVESTIGATION.

"Sec. 201. (a) That whenever the Secretary of the Treasury (hereinafter in this act called the 'Secretary'), after such investigation as he deems necessary, finds that an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation into the United States of a class or kind of foreign merchandise, and that merchandise of such class or kind is being sold or is likely to be sold in the United States or elsewhere at less than its fair value, then he shall make such finding public to the extent he deems necessary, together with a description of the class or kind of merchandise to which it applies in such detail as may be necessary for the guidance of the appraising officers.

"(b) Whenever, in the case of any imported merchandise of a class or kind as to which the Secretary has not so made public a finding, the appraiser or person acting as appraiser has reason to believe or suspect, from the invoice or other papers or from information presented to him, that the purchase price is less, or that the exporter's sales price is less or likely to be less, than the foreign market value (or, in the absence of such value, than the cost of production) he shall forthwith, under regulations prescribed by the Secretary, notify the Secretary of such fact and withhold his appraisement report to the collector as to such merchandise until the further order of the Secretary, or until the Secretary has made public a finding as provided in subdivision (a) in regard to such merchandise.

" SPECIAL DUMPING DUTY.

"SEC. 202. (a) That in the case of all imported merchandise, whether dutiable or free of duty, of a class or kind as to which the Secretary has made public a finding as provided in section 201, and as to which the appraiser or person acting as appraiser has made no appraisement report to the collector before such finding has been so made public, if the purchase price or the exporter's sales price is less than the foreign market value (or, in the absence of such value, than the cost of production)

there shall be levied, collected, and paid, in addition to the duties imposed thereon by law, a special dumping duty in an

amount equal to such difference.

(b) If it is established to the satisfaction of the appraising officers that the amount of such difference between the purchase price and the foreign market value is wholly or partly due to the fact that the wholesale quantities, in which such or similar merchandise is sold or freely offered for sale to all purchasers for exportation to the United States in the ordinary course of trade, are greater than the wholesale quantities in which such or similar merchandise is sold or freely offered for sale to all purchasers in the principal markets of the country of exportation in the ordinary course of trade for home consumption (or, if not so sold or offered for sale for home consumption, then for exportation to countries other than the United States), then due allowance shall be made therefor in determining the foreign market value for the purposes of this

(c) If it is established to the satisfaction of the appraising officers that the amount of such difference between the exporter's sales price and the foreign market value is wholly or partly due to the fact that the wholesale quantities, in which such or similar merchandise is sold or freely offered for sale to all pur-chasers in the principal markets of the United States in the ordinary course of trade, are greater than the wholesale quantities in which such or similar merchandise is sold or freely offered for sale to all purchasers in the principal markets of the country of exportation in the ordinary course of trade for home consumption (or, if not so sold or offered for sale for home consumption, then for exportation to countries other than the United States), then due allowance shall be made therefor in determining the foreign market value for the purposes of this section.

" PURCHASE PRICE.

"SEC. 203. That for the purposes of this title, the purchase price of imported merchandise shall be the price at which such merchandise has been purchased or agreed to be purchased, prior to the time of exportation, by the person by whom or for whose account the merchandise is imported, plus, when not included in such price, the cost of all containers and coverings and all other costs, charges, and expenses incident to placing the merchandise in condition, packed ready for shipment to the United States, less the amount, if any, included in such price, attributable to any additional costs, charges, and expenses, and United States import duties, incident to bringing the merchandise from the place of shipment in the country of exportation to the place of delivery in the United States; and plus the amount, if not included in such price, of any export tax imposed by the country of exportation on the exportation of the merchandise to the United States; and plus the amount of any import duties imposed by the country of exportation which have been rebated, or which have not been collected, by reason of the exportation of the merchandise to the United States; and plus the amount of any taxes imposed in the country of exportation upon the manufacturer, producer, or seller, in respect to the manufacture, production, or sale of the merchandise, which have been rebated, or which have not been collected, by reason of the exportation of the merchandise to the United States.

"EXPORTER'S SALES PRICE.

"SEC. 204. That for the purpose of this title the exporter's sales price of imported merchandise shall be the price at which such merchandise is sold or agreed to be sold in the United States, before or after the time of importation, by or for the account of the exporter, plus, when not included in such price, the cost of all containers and coverings and all other costs, charges, and expenses incident to placing the merchandise in condition, packed ready for shipment to the United States, less (1) the amount, if any, included in such price, attributable to any additional costs, charges, and expenses, and United States import duties, incident to bringing the merchandise from the place of shipment in the country of exportation to the place of delivery in the United States; (2) the amount of the commissions, if any, for selling in the United States the particular merchandise under consideration; (3) an amount equal to the expenses, if any, generally incurred by or for the account of the exporter in the United States in selling identical or substantially identical merchandise; and (4) the amount of any export tax imposed by the country of exportation on the exporta-tion of the merchandise to the United States; and plus the amount of any import duties imposed by the country of exportation which have been rebated, or which have not been collected, by reason of the exportation of the merchandise to the United States; and plus the amount of any taxes imposed in the country of exportation upon the manufacturer, producer,

or seller in respect to the manufacture, production, or sale of the merchandise, which have been rebated, or which have not been collected, by reason of the exportation of the merchandise to the United States.

"FOREIGN MARKET VALUE.

"SEC. 205. That for the purposes of this title the foreign market value of imported merchandise shall be the price, at the time of exportation of such merchandise to the United States, at which such or similar merchandise is sold or freely offered for sale to all purchasers in the principal markets of the country from which exported, in the usual wholesale quantities and in the ordinary course of trade for home consumption (or, if not so sold or offered for sale for home consumption, then for exportation to countries other than the United States), plus, when not included in such price, the cost of all containers and coverings and all other costs, charges, and expenses incldent to placing the merchandise in condition packed ready for shipment to the United States, except that in the case of merchandise purchased or agreed to be purchased by the person by whom or for whose account the merchandise is imported, prior to the time of exportation, the foreign market value shall be ascertained as of the date of such purchase or agreement to purchase. In the ascertainment of foreign market value for the purposes of this title no pretended sale or offer for sale, and no sale or offer for sale intended to establish a fictitious market, shall be taken into account.

" COST OF PRODUCTION.

"SEC. 206. That for the purposes of this title the cost of production of imported merchandise shall be the sum of-

"(1). The cost of materials of, and of fabrication, manipulation, or other process employed in manufacturing or producing, identical or substantially identical merchandise, at a time preceding the date of shipment of the particular merchandise under consideration which would ordinarily permit the manufacture or production of the particular merchandise under consideration in the usual course of business;

"(2) The usual general expenses (not less than 10 per cent

of such cost) in the case of identical or substantially identical

merchandise:

"(3) The cost of all containers and coverings, and all other costs, charges, and expenses incident to placing the particular merchandise under consideration in condition, packed ready for

shipment to the United States; and

"(4) An addition for profit (not less than 8 per cent of the sum of the amounts found under paragraphs (1) and (2)) equal to the profit which is ordinarily added, in the case of merchandise of the same general character as the particular merchandise under consideration, by manufacturers or producers in the country of manufacture or production who are engaged in the same general trade as the manufacturer or producer of the particular merchandise under consideration.

"EXPORTER.

"SEC. 207. That for the purposes of this title the exporter of imported merchandise shall be the person by whom or for whose account the merchandise is imported into the United States:

"(1) If such person is the agent or principal of the exporter,

manufacturer, or producer; or

"(2) If such person owns or controls, directly or indirectly, through stock ownership or control or otherwise, any interest in the business of the exporter, manufacturer, or producer; or

"(3) If the exporter, manufacturer, or producer owns or controls, directly or indirectly, through stock ownership or control or otherwise, any interest in any business conducted by such

person: or

"(4) If any person or persons, jointly or severally, directly or indirectly, through stock ownership or control or otherwise, own or control in the aggregate 20 per cent or more of the voting power or control in the business carried on by the person by whom or for whose account the merchandise is imported into the United States, and also 20 per cent or more of such power or control in the business of the exporter, manufacturer, or producer.

"OATHS AND BONDS ON ENTRY.

"SEC. 208. That in the case of all imported merchandise, whether dutiable or free of duty, of a class or kind as to which the Secretary has made public a finding as provided in section 201, and delivery of which has not been made by the collector before such finding has been so made public, unless the person by whom or for whose account such merchandise is imported makes oath before the collector, under regulations prescribed by the Secretary, that he is not an exporter, or unless such person declares under oath at the time of entry, under regulations prescribed by the Secretary, the exporter's sales price of such merchandise, it shall be unlawful for the collector to deliver the merchandise until such person has made oath before the collector, under regulations prescribed by the Secretary, that the merchandise has not been sold or agreed to be sold by such person, and has given bond to the collector, under regulations prescribed by the Secretary, with sureties approved by the collector, in an amount equal to the estimated value of the merchandise, conditioned: (1) That he will report to the collector the exporter's sales price of the merchandise within 30 days after such merchandise has been sold or agreed to be sold in the United States, (2) that he will pay on demand from the collector the amount of special dumping duty, if any, imposed by this title upon such merchandise, and (3) that he will furnish to the collector such information as may be in his possession and as may be necessary for the ascertainment of such duty, and will keep such records as to the sale of such merchandise as the Secretary may by regulation prescribe.

### "DUTIES OF APPRAISERS.

"Sec. 209. That in the case of all imported merchandise, whether dutiable or free of duty, of a class or kind as to which the Secretary has made public a finding as provided in section 201, and as to which the appraiser or person acting as appraiser has made no appraisement report to the collector before such finding has been so made public, it shall be the duty of each appraiser or person acting as appraiser, by all reasonable ways and means to ascertain, estimate, and appraise (any invoice or affidavit thereto or statement of cost of production to the contrary notwithstanding) and report to the collector the foreign market value or the cost of production, as the case may be, the purchase price, and the exporter's sales price, and any other facts which the Secretary may deem necessary for the purposes of this title.

### "APPEALS AND PROTESTS.

"Sec. 210. That for the purposes of this title the determination of the appraiser or person acting as appraiser as to the foreign market value or the cost of production, as the case may be, the purchase price, and the exporter's sales price, and the action of the collector in assessing special dumping duty, shall have the same force and effect and be subject to the same right of appeal and protest, under the same conditions and subject to the same limitations; and the general appraisers, the Board of General Appraisers, and the Court of Customs Appeals shall have the same jurisdiction, powers, and duties in connection with such appeals and protests as in the case of appeals and protests relating to customs duties under existing law.

# " DRAWBACKS.

"Sec. 211. That the special dumping duty imposed by this title shall be treated in all respects as regular customs duties within the meaning of all laws relating to the drawback of customs duties.

# " SHORT TITLE.

"SEC. 212. That this title may be cited as the 'Antidumping act, 1921.'

### "TITLE III .- ASSESSMENT OF AD VALOREM DUTIES.

"Sec. 301. That whenever merchandise which is imported into the United States is subject to an ad valorem rate of duty or to a duty based upon or regulated in any manner by the value thereof, duty shall in no case be assessed on a value less than the export value of such merchandise.

# "EXPORT VALUE.

"Sec. 302. That for the purposes of this title the export value of imported merchandise shall be the price, at the time of exportation of such merchandise to the United States, at which such or similar merchandise is sold or freely offered for sale to all purchasers in the principal markets of the country from which exported, in the usual wholesale quantities and in the ordinary course of trade, for exportation to the United States, plus, when not included in such price, the cost of all containers and coverings and all other costs, charges, and expenses incident to placing the merchandise in condition, packed ready for shipment to the United States, less the amount, if any included in such price, attributable to any additional costs, charges, and expenses, and United States import duties, incident to bringing the merchandise from the place of shipment in the country of exportation to the place of delivery in the United States, and plus, if not included in such price, the amount of any export tax imposed by the country of exportation on merchandise exported to the United States.

# " REFERENCES TO 'VALUE' IN EXISTING LAW.

"Sec. 303. (a) That wherever in Title I of this act, or in the tariff act of 1913, as amended, or in any law of the United States in existence at the time of the enactment of this act relative to the appraisement of imported merchandise (except sec-

tions 2874, 2976, and 3016 of the Revised Statutes, and section 801 of the revenue act of 1916), reference is made to the value of imported merchandise (irrespective of the particular phrase-ology used and irrespective of whether or not such phraseology is limited or qualified by words referring to country or port of exportation or principal markets) such reference shall, in respect to all merchandise imported on or after the day this act takes effect, be construed to refer, except as provided in subdivision (b), to actual market value as defined by the law in existence at the time of the enactment of this act, or to export value as defined by section 302 of this act, whichever is higher.

"(b) If the rate of duty upon imported merchandise is in any manner dependent upon the value of any component material thereof, such value shall be an amount determined under the provisions of the tariff act of 1913, as in force prior to the enact-

### ment of this act.

"Sec. 304. That when used in this title the term 'Tariff act of 1913' means the act entitled 'An act to reduce tariff duties and provide revenue for the Government, and for other pur-

# poses,' approved October 3, 1913. "TITLE IV.—GENERAL PROVISIONS.

"STATEMENTS IN INVOICE.

"Sec. 401. That all invoices of imported merchandise, and all statements in the form of an invoice, in addition to the statements required by law in existence at the time of the enactment of this act, shall contain such other statements as the Secretary may by regulation prescribe, and a statement as to the currency in which made out, specifying whether gold, silver, or paper.

### "STATEMENTS AT TIME OF ENTRY.

"Sec. 402. That the owner, importer, consignee, or agent, making entry of imported merchandise, shall set forth upon the invoice, or statement in the form of an invoice, and in the entry, in addition to the statements required by the law in existence at the time of the enactment of this act such statements, under oath if required, as the Secretary may by regulation prescribe.

### "CONVERSION OF CURRENCY.

"Sec. 403. (a) That section 25 of the act of August 27, 1894, entitled 'An act to reduce taxation, to provide revenue for the Government, and for other purposes,' is amended to read as follows:

"'SEC. 25. That the value of foreign coin as expressed in the money of account of the United States shall be that of the pure metal of such coin of standard value; and the values of the standard coins in circulation of the various nations of the world shall be estimated quarterly by the Director of the Mint and be proclaimed by the Secretary of the Treasury quarterly on the 1st day of January, April, July, and October in each year.'

"(b) For the purpose of the assessment and collection of duties upon merchandise imported into the United States on or after the day of the enactment of this act, wherever it is necessary to convert foreign currency into currency of the United States, such conversion, except as provided in subdivision (c), shall be made at the values proclaimed by the Secretary under the provisions of section 25 of such act of August 27, 1894, for the quarter in which the merchandise was expected.

"(c) If no such value has been proclaimed, or if the value so proclaimed varies by 5 per cent or more from a value measured by the buying rate in the New York market at noon on the day of exportation, conversion shall be made at a value measured by such buying rate. For the purposes of this subdivision such buying rate shall be the buying rate for cable transfers payable in the foreign currency so to be converted; and shall be de-termined by the Federal Reserve Bank of New York and certified daily to the Secretary, who shall make it public at such times and to such extent as he deems necessary. In ascertaining such buying rate such Federal reserve bank may in its discretion (1) take into consideration the last ascertainable transactions and quotations, whether direct or through the exchange of other currencies, and (2) if there is no market buying rate for such cable transfers, calculate such rate from actual transactions and quotations in demand or time bills of exchange.

"(d) Sections 2903 and 3565 of the Revised Statutes are repealed.

"(e) Section 25 of such act of August 27, 1894, as in force prior to the enactment of this act, and section 2903 of the Revised Statutes, shall remain in force for the assessment and collection of duties on merchandise imported into the United States prior to the day of the enactment of this act.

"INSPECTION OF EXPORTER'S BOOKS.

"Sec. 404. That if any person manufacturing, producing, selling, shipping, or consigning merchandise exported to the United States fails, at the request of the Secretary, or an appraiser, or person acting as appraiser, or a collector, or a general appraiser, or the Board of General Appraisers, as the case may be, to permit a duly accredited officer of the United States to inspect his books, papers, records, accounts, documents, or correspondence, pertaining to the market value or classification of such merchandise, then while such failure continues the Secretary, under regulations prescribed by him, (1) shall prohibit the importation into the United States of merchandise manufactured, produced, sold, shipped or consigned by such person, and (2) may instruct the collectors to withhold delivery of merchandise manufactured, produced, sold, shipped, or consigned by such person. If such failure continues for a period of one year from the date of such instructions the collector shall cause the merchandise, unless previously exported, to be sold at public auction as in the case of forfeited merchandise.

"INSPECTION OF IMPORTER'S BOOKS. "SEC. 405. That if any person importing merchandise into the United States or dealing in imported merchandise fails, at the request of the Secretary, or an appraiser, or person acting as appraiser, or a collector, or a general appraiser, or the Board of General Appraisers, as the case may be, to permit a duly accredited officer of the United States to inspect his books, papers, records, accounts, documents, or correspondence, per-taining to the value or classification of such merchandise, then while such failure continues the Secretary, under regulations prescribed by him, (1) shall prohibit the importation of mer-chandise into the United States by or for the account of such person, and (2) shall instruct the collectors to withhold delivery of merchandise imported by or for the account of such person. If such failure continues for a period of one year from the date of such instructions the collector shall cause the merchandise, unless previously exported, to be sold at public auction as in the case of forfeited merchandise,

"DEFINITIONS.

"SEC. 406. That when used in Title II or Title III or in this

"The term 'person' includes individuals, partnerships, cor-

porations, and associations; and

"The term 'United States' includes all Territories and possessions subject to the jurisdiction of the United States, except the Philippine Islands, the Virgin Islands, the islands of Guam and Tutuila, and the Canal Zone.

"RULES AND REGULATIONS.

"Sec. 407. That the Secretary shall make rules and regulations necessary for the enforcement of this act.

"TITLE V .- DYES AND CHEMICALS.

"SEC. 501. (a) That on and after the day following the enactment of this act, for the period of three months, no sodium nitrite, no dyes or dyestuffs, including crudes and intermediates, no product or products derived directly or indirectly from coal tar (including crudes, intermediates, finished or partly finished products, and mixtures and compounds of such coal-tar products), and no synthetic organic drugs or synthetic organic chemicals, shall be admitted to entry or delivered from customs custody in the United States or in any of its possessions unless the Secretary determines that such article or a satisfactory substitute therefor is not obtainable in the United States or in any of its possessions in sufficient quantities and on reasonable terms as to quality, price and delivery, and that such article in the quantity to be admitted is required for consumption by an actual consumer in the United States or in any of its possessions within six months after receipt of the merchandise.

"(b) Upon the day following the enactment of this act the War Trade Board Section of the Department of State shall cease to exist; all clerks and employees of such War Trade Board Section shall be transferred to and become clerks and employees of the Treasury Department and all books, documents, and other records relating to such dye and chemical import control of such War Trade Board Section shall become books, documents and records of the Treasury Department.
All individual licenses issued by such War Trade Board Section prior to the enactment of this act shall remain in effect during the period of their validity, and the importation under such licenses shall be permitted. All unexpended funds and appropriations for the use and maintenance of such War Trade Board Section shall become funds and appropriations available to be expended by the Secretary in the exercise of the power and authority conferred upon him by this section.

"SEC. 502. That this title may be cited as the 'dye and chemical control act, 1921."

And the Senate agree to the same.

P. J. McCumber, REED SMOOT. Managers on the part of the Senate. J. W. FORDNEY, W. R. GREEN, NICHOLAS LONGWORTH. Managers on the part of the House.

BOIES PENROSE.

# SUBMARINE CABLES.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 535) to prevent the unauthorized landing of submarine cables in the United States, which were, on page 1, line 8, to strike out "however"; on page 1, line 9, after "any" to insert "such"; on page 1, line 12, to strike out "of the approval of"; on page 1, line 12, after "act" to insert "takes effect: And provided further, That the conditions of this act shall not apply to cables, all of which, including both terminals, lie wholly within the continental United States"; on page 1, line 14, after "satisfied," to insert "after due notice and hearing"; on page 2, line 15, after "act," to strike out the remainder of the section and insert "When any such cable is about to be or is landed or is being operated, without a license, any district court of the United States exercising jurisdiction in the district in which such cable is about to be or is landed, or any district court of the United States having jurisdiction of the parties, shall have jurisdiction, at the suit of the United States, to enjoin the landing or operation of such cable or to compel, by injunction, the removal thereof," and to amend the title so as to read: "An act relating to the landing and operation of submarine cables in the United States."

Mr. KELLGOG. I move that the Senate concur in the amend-

ments of the House.

Mr. KING. Mr. President, may I inquire of the Senator what changes, if any, have been made?

Mr. KELLOGG. I can state them in a moment.

The only material change is that made by amendment numbered 4, excepting cables laid between portions of continental United States. The telephone companies thought the bill as passed by the Senate would interfere with their lines laid under rivers and harbors. There was no such intention, and I do not think the bill would have interfered with them, but such cables have been excepted.

The second amendment simply limits the right to bring a suit to the United States. I think it was limited in that way anyhow, but the House thought it should be made clear.

That is all there is to it.

The PRESIDENT pro tempore. The Senator from Minnesota moves that the Senate concur in the House amendments.

The motion was agreed to.

# NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

Mr. SMITH. I have not entered into this debate, Mr. President, up to the present time because I felt that, perhaps, the committee which had this matter in charge, as patriotic men, had investigated the situation and thoroughly ascertained the needs of the Government, and that the bill reported by them reflected these needs; but there are repeated in this bill certain evils and misrepresentations in reference to our coastal de-fenses and our naval bases that need to be brought to the

attention of this body.

After the World War broke out, when we were swept into that maelstrom and the call came to defend this country from a possible overrunning by the forces that were rapidly gaining the ascendancy in Europe, when we thought it was our patriotic duty not only to defend the honor of the American flag which had been outraged upon the high seas but to carry our resentment as well as our defense against our enemy to the shores of a foreign country, and the summons came to the American boys to respond to the defense of America, it is not on the record that that section of the country which I in part have the honor to represent was derelict in its duty.

Ah, Mr. President, when that red line of battle was rapidly sweeping over the soil of devoted France and approaching even the shores of England, when the British had their backs to the wall and could go no farther, and France was bled white, the record shows that the Thirtieth Division, composed of southern boys, broke the Hindenberg line and let in the first ray of hope

to the struggling and devoted armies of the Allies.

There was no sectional question then raised; but now that we come to the question of appropriating money gathered from all the people for the common defense of this country against a contingency that none of us knows when and where it may arise, is it possible that the old prejudice, the old sectional prejudice, will leave this country exposed to an enemy because some desire that no appropriations be made south of a given point?

I am going to submit to the Senate some figures and statistics covering the entire expenditures of our Government from its inception to the present day, showing where we have expended the money for the naval defense of America. Before I enter upon that, however, Mr. President, when, day before yesterday, the question arose as to whether or not we would continue an appropriation made in 1918 to provide adequate docking facilities in the South Atlantic and leave the question to the Secretary of the Navy and to a naval commission as to whether or not in their wisdom they would use the money, or whether its expenditure would be postponed for four years, the vote of the Senate was for postponement, and yet we are proposing to vote into this bill money for the immediate construction of battle-ships that in case of accident can not enter a harbor south of Cape Hatteras.

There has been so much misrepresentation as to the facilities at Charleston that for a little while I am going to devote myself not to what I, who would be a prejudiced witness perhaps, have thought or said about it, but what admirals of the Navy charged with the duty of investigating the question have had to say.

I have submitted to writing the preliminaries leading up to the matter, but I do not propose to lose the interest of those who are doing me the honor of listening to me by confining myself entirely to manuscript. This matter, however, is of such im-portance and involves a principle of such magnitude that I think I am justified in calling it to the attention of the Senate. If it is a common country, then let us commonly defend it. If we take the taxes from all the people to build dry docks and battleships, then protect all the people in every section. There has been shed on the sanguinary fields of France as much blood from southern veins as from the veins of those of any other section, and they will do it again. Thank God, south of Mason and Dixon's line, in that devoted center, is the purest and most unadulterated American blood in America to-day! If ever war or foreign foe should invade this country, or threaten its invasion, in every other portion of this country compatriots of theirs in great numbers would be found; but in my section of the country, thank God, the population is from the loins of those who sleep on the battle fields of the Revolution. Every step in the progress and development of this country has been nurtured by the blood of the forbears of the white population of the South, pure and unadulterated; and yet hear me when I come to what has been done for the common defense, when I come to the sordid material appropriation of money under the guise of the defense of the Government.

There has been so much misrepresentation, both intentional and unintentional, in reference to the Charleston Navy Yard and the general naval situation on the South Atlantic coast from Hatteras to Key West, and from Key West to Galveston, that I shall take the time of the Senate to go into this matter in

more or less detail and at length.

In the first place, it might be well to consider what preparations have been made for defense on the Atlantic seaboard. I take it that the stupendous appropriation for naval purposes is primarily, fundamentally, for the defense of our country. Let us see how this work has been done.

From the beginning of Federal appropriation for naval purposes to June 30, 1919, there has been appropriated-listen; I want every Senator on this floor to hear this-there has been appropriated, from the first appropriation bill ever passed for naval purposes in this Government to June 30, 1919, north of Hatteras, \$632,369,264.12. Let me repeat that. Up to June 30, 1919, there had been appropriated north of Hatteras, in a distance of 580 miles, \$632,369,264.12. South of Hatteras to Galveston, a distance of two thousand odd miles, for all naval purposes in all the history of this country there had been appropriated \$69,404,213.47; and that includes aircraft and other training stations, and so forth.

There are north of Hatteras at present 18 dry docks, including the 3 largest dry docks that are capable of berthing our largest capital ships and largest ships of the merchant marine. South of Hatteras there is 1 small dry dock; north of Hatteras there are 18 Government dry docks. North, in a distance of there are 18 Government dry docks. North, in a distance of will not vote to repeat and repeat the blue 580 miles, there are 18 Government dry docks. South of Hat-

teras, in a distance of two thousand odd miles, there is 1 small dock, located at Charleston, with a small floating dock at New Orleans. This coast line south of Hatteras is the base of defense of the South Atlantic, Caribbean Sea, Gulf of Mexico, and Panama Canal.

Now I want to get the location and number of these docks.

Portsmouth, N. H., 1 dock. Boston, 2 docks; South Boston, 1 dock; total, 3.

New York, 4.

Philadelphia, 3.

Norfolk, 6, 3 of which are Emergency Fleet Corporation docks on naval property.

South of Hatteras, Charleston, 1. Mr. President, under the act of Congress of August 29, 1916, a committee was appointed to investigate this whole situation and to report their findings to Congress. The following, in part, is the wording of that act:

The President is hereby authorized to appoint a commission of five officers-

And then it goes on to state what they shall do on the Pacific coast. On the South Atlantic-

Said commission shall investigate and report upon the necessity, desirability, and advisability of improving existing or establishing an additional navy yard or naval station on the Atlantic coast south of Cape Hatieras or on or near the United States coast of the Gulf of Mexico or in the Caribbean Sea, of a character adequate for the proper naval defense of that portion of the country. Said report shall contain all the information of like character as directed in the preceding paragraph relating to the investigation and report as to the Pacific coast.

Mr. WATSON of Georgia. Mr. President, will the Senator allow me to interrupt him?

Mr. SMITH. I yield. Mr. WATSON of Georgia. Is the Senator aware of the fact that the port of Brunswick, Ga., is one of the very finest in the South Atlantic and that it does not get one dollar under this bill or any other!

Mr. SMITH. Yes, Mr. President; unfortunately that is the ase. I hate to say this; God knows I do. If the facts did not force me to do it I would not do it, because I am the last one to stand here and even intimate sectional difference in this, the dawn of the world's resurrection from the late cataclysm of blood and murder.

Surely if the time ever was when North and South and East and West should join hands under a common flag for the hope and prosperity of a common country it is now; and the other day, when this question came up of the defense of 2,000 miles of the Atlantic seaboard, I did regret more than I can express to see that party lines were drawn almost to the vote.

Mr. FLETCHER. Mr. President, may I interrupt the Senator to call attention to one fact? There was an old established navy yard at Pensacola. It was a Government reservation of splendid development. There is no finer harbor in the country than Pensacola. A ship can come limping into that harbor on the darkest night drawing 35 feet of water. The entire American Navy can float in that harbor. That navy yard was abandoned when Secretary Meyer was Secretary of the Navy. The Government had bought a splendid dry dock at Habana, Cuba, right after the Spanish-American War and brought it to Pensacola and operated it there for a while. That dry dock was transported to somewhere in New Hampshire, or some other point in the North, and sold for about one-fourth of what it cost the Government, and the navy yard abandoned.

Mr. SMITH. Perhaps the reason was that Pensacola is

located in the South.

This commission was to be composed of admirals of the Navy, or at least none below the rank of commander; so we had Rear Admiral Helm, George McElroy, W. L. Capps, Rousseau, and Chambers. These composed this commission to investigate where, if at any place on the South Atlantic coast, this great

dry dock should be placed. Now, listen! Of course, located in the section that it is, Charleston Harbor immediately came in for gross misrepresentation. This misrepresentation, as I said before, has come from those who, parrotlike, willing witnesses, swift witnesses, were reiterating misrepresentations, statements taken from the mouths of those who knew better. Now, listen to what Admiral Helm said before this commission was appointed. Before quoting him, let me say the defense of this country is a common matter. It is a common burden. It is a common duty, and those on the other side should hear the presentation of the cold, unvarnished facts.

I do not propose to stand here and vote for an appropriation the volume of which may be needed for the defense of my country, but the allocation of which is to be borne in a pork barrel and put where it is not needed; and, so help me God, I will not vote to repeat and repeat the blunder that I am trying

Right in this connection let me call your attention to a table that I got from the Navy Department yesterday. I want to give you some facts in reference to our coast line, and where you will defend it, and who is to defend it, and for what purpose you will defend it. That is what I propose to show. Now, listen 1

How many ships have we in the Navy up to the present time, and what are their sizes?

We have in actual commission, fit for service, 817; under con-

struction or authorized, 104; total, 921.

What is the size of these ships? The Arizona, Arkansas, Delaware, Florida, Idaho, Mississippi, Nevada, New Mexico, New York, North Dakota, Oklahoma, Pennsylvania, Tennessee, Texas, Utah, and Wyoming, comprising 16 of these vessels, requiring the largest docks, are an average of something over 500 feet in length. They run 600, 554, 510, 600, 575 feet, and so forth, averaging about 550 feet, costing per ship \$12,000,000, \$10,000,000, \$8,000,000, \$14,000,000, \$20,000,000, and so forth. In addition to these we have a few larger sized vessels, the California, the Colorado, the Maryland, the Washington, the West Virginia, the South Dakota, the Indiana, the Montana, the North Carolina, the Iowa, and the Massachusetts, averaging over There are in that class 11, which, added to the 16, make 27 averaging 600 feet or over in length. Then we have the Lexington, the Constellation, the Saratoga, the Ranger, the Constitution, and the United States, 850 feet each.

Where can these vessels be taken care of? Mark you, we have 33 of these monstrous vessels, and in case of war or accident, where could they be docked? In all the Pacific coast, which is more than 2,000 miles, and in more than 2,000 miles of the South Atlantic, along the whole American coast, where could they be docked in case of accident or for repair?

According to information furnished by Rear Admiral D. W. Taylor, the present dry docks that could accommodate these vessels are, one at Boston, one at Philadelphia, one at Norfolk, one at New York, one at Puget Sound, and one at Pearl Harbor, in the Hawaiian Islands.

Mr. ROBINSON. Mr. President-

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Arkansas?

Mr. SMITH. I yield. Mr. ROBINSON. Is there no dry dock on the Atlantic coast south of Norfolk that is capable of docking large vessels in the

Mr. SMITH. Not one. The *Utah* is the largest that can be docked south of Norfolk. I read the report from the admiral showing that the *Utah* is the largest type that can go into Charleston, and I will give the dimensions of the Utah, as well as the dimensions of the Charleston dry dock. The dock is 548 feet long, and the Utah is 510 feet long, and all of these other vessels I have named are longer than that.

Mr. ROBINSON. The Senator has just stated that there are docks at Boston, Philadelphia, and New York which are

capable of docking all of these large vessels.

Mr. SMITH. Yes.

Mr. ROBINSON. What explanation has the Senator to give of the fact that the entire Atlantic coast line south of Norfolk has no provision of that character? What is the reason?

Mr. SMITH. There is none upon the face of the earth that I know of, except that north of Hatteras was the territory of the predominant party for 50 years, and south of Hatteras represents the minority of this Chamber.

Mr. ROBINSON. Will the Senator yield further?
Mr. SMITH. Certainly.
Mr. ROBINSON. It seems unaccountable that the entire

American coast line south of Norfolk should be without any facilities capable of rendering this very indispensable service to the Navy of the United States. Have the commissions or commiltees who have investigated the matter given a reason for the distribution of these large dry docks in one small portion of the coast line?

Mr. SMITH. I am going to read from the report of the admiral pleading for dry docks south of Hatteras.

Mr. ROBINSON. When was that plea made?

Mr. SMITH. Just let me read it.

Mr. WATSON of Georgia. Will the Senator from South Carolina allow me just a word in answer to the Senator from Arkansas'

Mr. SMITH. Certainly. Mr. WATSON of Georgia. Two of the finest natural ports, not in any way due to dredging but made by nature, thrown out of the hands of God, are Port Royal and Brunswick, and neither of those names, "Port Royal" or "Brunswick," occurs in this bill or in any other bills pending in this Chamber.

Mr. ROBINSON. Mr. President, will the Senator yield for a further statement?

Mr. SMITH. Certainly.

Mr. ROBINSON. That is well known by everybody who has a reasonable degree of knowledge of the subject, and I am looking for some one in this Chamber who has repeatedly declared his antagonism to proceeding with the building of the only dock capable of docking these vessels on that part of the Atlantic coast to give a reason for his attitude.

Mr. SMITH. That is the reason why I am speaking to-day. I am asking what reason there is, other than one based on sectionalism or the "pork barrel," for betraying the country. It is nothing short of that. There is not a Senator in the sound of my voice but who knows that every foreign country is thoroughly aware of the defenseless condition of 2,000 miles of the

coast of our common country.

In addition to that, where is the greatest natural waterway of this great continent? Where does the father of waters enter into the sea? Where is the point of attack by the naval force that split the Confederacy and sounded its doom? It was on the Mississippi River, the father of waters. Yet not a single dock is built south of Hatteras to take care of the untold millions of dollars invested in capital battleships, and but one on the western coast. They did build one at Pearl Harbor, but from a study of the conditions surrounding that improvement I find that there is a reef just outside of Pearl Harbor, or is alleged to be, which makes it impracticable to dock a ship there. that even beloved Hawaii has not the advantage of a big dry dock, in a practical sense.

Mr. ROBINSON. Mr. President-

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Arkansas?

Mr. SMITH. I yield. Mr. ROBINSON. It would seem that in the exercise of a reasonable precaution respecting the subject, at least one of those large docks would be provided for the Pacific coast, and that at least one, probably more, for the long stretch of coast line to which the Senator has just referred as being totally

unprovided with such facilities.

Mr. SMITH. Mr. President, I will anticipate what I had to say. It may be I shall have to repeat it; but I intend to go into the preliminary report of the Helm Commission. I was told by members of the Naval Affairs Committee that one of the reasons which induced them to offer bills for the repeal of the authorization of the dry dock and deepening of the channel at Charleston was that the Helm Commission, to which I have referred, had not yet reported, and that perhaps that commission might recommend one at Guantanamo, on the island of Cuba. They were not going to let it come to the continent of America, but they might recommend Guantanamo, Cuba, a for-eign country, for the defense of the South Atlantic, the Gulf of Mexico, and the Caribbean Sea, as well as the Isthmian Canal, into which canal we put more than \$400,000,000 of the American people's money.

I am going to leave it to the other side to explain why 18 dry docks were built and \$700,000,000 have been spent along 500 miles of our coast to the north of Hatteras, and for actual naval purposes less than \$30,000,000 in 2,000 miles to the south of Hatteras, and now come here with a bill to appropriate half a billion dollars and ask us to vote for the construction of battleships costing \$40,000,000 each, which, in case of a naval engagement south of Hatteras, would have no place to go for repairs. Hatteras is the boneyard of ships and the most dangerous part on the Atlantic seaboard, clearly dividing the North and South. In case an engagement should occur south of Hatteras-and every admiral who has expressed an opinion says this is the region where the next naval battle is likely to occurthere is not a single dry dock, and not only not a single dry dock but not a channel deepened sufficiently in that entire 2,000 miles of southern coast to admit anchorage and harbor for the distressed vessel.

Yet we are asked to increase this enormous number of ships by 11 or 12 more, all of which can be docked north of Hatteras

Let us hear what Admiral Helm had to say.

Mr. SIMMONS and Mr. BALL rose.

The PRESIDENT pro tempore. Does the Senator from South Carolina yield; and if so, to whom?

Mr. SMITH. I yield to the Senator from North Carolina first,

and then I will yield to the Senator from Delaware.

Mr. SIMMONS. Before the Senator proceeds with the Helm report. I want to ask him if the discrimination to which he has referred could have been defended at any time in our history, or if it can be defended now, since we have built the Panama

Canal and adopted this policy of constantly shifting our naval vessels from one ocean to the other ocean, making it necessary, In the course of the process, for them to go down and come up the coast?

Mr. SMITH. It is absolutely indefensible, and I stood on the floor of the Senate and in my modest way—characteristically modest—simply asked that they not put a time limit on a defense of all my section, but leave it to my friend the enemy, Mr. Denby, for none of us knows what hour a war cloud may rise, when it would be too late.

Now I yield to the Senator from Delaware.

Mr. BALL. I beg the Senator's pardon for interrupting him, but there are some statements the Senator is making, I think probably thoughtlessly, that should be corrected.

Mr. SMITH. I would be delighted to have that done, for I

am trying to stay well within the facts.

Mr. BALL. The first is as to the location of dry docks. There are 18 dry docks on the Atlantic coast. The Senator charges sectionalism, North and South, in controling the location of those dry docks. You will find seven of those dry docks in the South, and one of the largest at Norfolk. There are 7 in the South, and there are 11 in the North. Most of the northern dry docks are small, several of them being only 300 feet in length.

Mr. ROBINSON, Mr. President—
The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Arkansas?

Mr. SMITH. Certainly.

Mr. ROBINSON. Is there any dry dock on the Atlantic coast south of Norfolk capable of taking the vessels which the Senator from South Carolina described a moment ago?

Mr. BALL. There is not; and I would like to state fur-

Mr. ROBINSON. I call the attention of the Senator from Delaware to the fact, then, that he has corroborated literally the statement made by the Senator from South Carolina. statement of the Senator from South Carolina was that there is a large dry dock at Boston, another at New York, and another at Philadelphia, and that there is none south of Norfolk large enough to dock the vessels which he described. The Senator from South Carolina has not said, if I understood him correctly, that there are no dry docks south of Norfolk. His statement was that there is no large dock south of Norfolk capable

of taking the large naval vessels.

Mr. SMITH. There is but one dock, and that a small one, south of Norfolk, and that is at Charleston, and a small floating dock at New Orleans; and I included in my statement—

I would like to finish my remark-

Mr. ROBINSON. The Senator from South Carolina has the floor, and the Senator from South Carolina can say who can Will the Senator from South Carolina yield to me for a further statement?

Mr. SMITH. Certainly. Mr. ROBINSON. The improvement and enlargement of the dry dock at Charleston is the subject matter of this controversy, and if this appropriation is permanently held up or denied, there will be no large dry dock south of Norfolk for a great

Mr. SMITH. I wish to call the attention of the Senator from Delaware to a misstatement he made a moment ago. When I read the table I included Norfolk as well as the others. Hatteras was the dividing line, and it is very plain why it was necessary to put this at Norfolk, because between the two capes-Cape Charles and Cape Henry-is the entrance to that inland waterway, the Chesapeake, that necessarily must take care of the situation there. Therefore, on account of its situa-

Mr. BALL. Mr. President—
The PRESIDING OFFICER (Mr. Ashurst in the chair).
Does the Senator from South Carolina yield further to the Senator from Delaware?

Mr. SMITH. I yield.

Mr. BALL. I wish to interrupt just once more to complete my statement. The provision in the bill does not repeal the order for authorization for a large dry dock at Charleston. It merely prevents the expenditure of any money until 1924, and it was agreed by the Senator from South Carolina that that provision should be put in the bill at that time.

Mr. SMITH. Yes, Mr. President; and I am coming to

Mr. BALL. I wish to state further the reason why the committee that was sent to make this investigation, after having studied the reports of the engineers that were authorized to locate the various dry docks, took any action of this kind. The action was taken on account of the condition existing on the Pacific coast. We have no large dry dock on the Pacific coast at all except at the Panama Canal and at Pearl Harbor. On the entire Pacific coast we have only the one large dry dock, and that is but 100 feet longer than the dry dock at Charleston. The committee considered it necessary that the first large dry dock to be built should be constructed on the Pacific coast, There is where the immediate demand exists for a large dry dock.

Mr. ROBINSON. Mr. President, will the Senator from South Carolina yield to me that I may ask the Senator from Delaware a question?

Mr. SMITH. Certainly.

Mr. ROBINSON. I wish to ask the Senator from Delaware, who has just given the information that the committee thinks a large dry dock should be built on the Pacific coast before any further dry dock is built on the Atlantic coast, if the committee went into the question to find out why no dry docks had heretofore been constructed on the Pacific coast and why that has not been done before this time?

Mr. BALL. Why it has not been done?

Mr. SMITH. Yes.

Mr. BALL. I should like to answer that question by stating that the board was only appointed in 1916 or 1917 to make the investigation, or just before the war. The war came on and they then were assigned to other duties and they have not had

time for that reason to complete their investigation.

Mr. SMITH. Mr. President, I must decline to permit any further extended interruption, although I shall be glad to vield for a question. I wish to say in response to the remark just made by the Senator from Delaware to the effect that the commission to investigate this condition was only appointed in 1916, that appropriations for dry docks have been going on for many years throughout the history of this country and the question has not yet been answered. Was it not known by this body that we had a Pacific coast line to defend? Was it not known by this body that we had a South Atlantic coast line to defend? Surely our Naval Committee is not composed of men who do not know the geography of their country and must get information from a specially appointed board about where things are located.

Mr. President, I wish for a little while to address myself to answering the charges that have been made on this side, to my astonishment, as well as on the other side, not to my astonishment, that Charleston is absolutely impractical for the purposes of a large dry dock. Before ever this commission was appointed in 1916 to acquaint the American people with the fact that we had 2,000 miles of South Atlantic seaboard and 2,000 miles of Pacific coast that might need defense in case of an emergency, Admiral Helm said, when he was commandant of the Charleston Navy Yard, the following:

of the Charleston Navy Yard, the following:

During the last 12 years since the establishment of the navy yard at Charleston the enterprise has come in for a vast deal of misrepresentation. Nevertheless, even under hostile administrations, it has grown and expanded; the fact is, as all naval men recognize, that with the opening of the Panama Canal the Charleston Navy Yard becomes an invaluable asset of the Navy. The prime purpose of the canal is to afford a quick means of transferring our battleships from our Atlantic to our Pacific coast. The incomparable superiority of the Charleston Navy Yard lies in the fact that not only is it the nearest yard of first-class equipment to the Panama Canal, but it is the only yard south of Norfolk which is impregnable against attack by sea. Charleston, although under seige throughout two great wars, has never been captured by water. Its defenses to-day guarantee it against such a fate in future and make the Charleston Navy Yard, sheltered from storm and protected against any hostile fleet, the great strategic base from which any possible naval warfare of the future is most likely to be conducted.

That was Admiral Helm's testimony in 1914. Now listen to

That was Admiral Helm's testimony in 1914. Now listen to Admiral Edwards in reference to the same matter. The Cenator from Ohio [Mr. POMERENE], the other day when this question was up, said that he wanted a little more light. I hope and trust that in my feeble efforts I am giving him some little light about Charleston, about the defenses of our coast, and about our appropriations. Admiral Edwards said, in an article prepared by him for the Engineering Review in 1916:

by him for the Engineering Review in 1916:

It behooves the thoughtful and progressive officer of the Navy to give immediate, extended, and careful consideration concerning the possibilities of development of the Charleston (S. C.) naval station. Whether viewed from a financial, industrial, or strategic standpoint, the progressive, if not the rapid development of this naval station intimately concerns the efficiency and operation of the fleet.

For military and strategic reasons it appears of paramount importance that there be developed on the Atlantic coast at some point south of Cape Hatteras a naval station capable of docking and repairing our largest and most important battleships. The protection of the Isthmian Canal, a project that involved an expenditure of about \$400,000,000, combined with the general existing belief upon the part of naval experts that if the fleet of the United States will ever be called upon to engage in battle the contest will take place in the Caribbean, makes it a matter of importance to the efficiency of the fleet that there be developed on the mainland of the Atlantic coast (and independent of any projected outlying naval base) a first-class naval station,

That refers to Guantanamo on the island of Cuba, but he said, independent of that, that a first-class naval station shall be here established.

Continuing, he said:

The channel and harbor conditions-

I invite the attention of the Senator from Ohio to this, because I inferred from his query of me that he was in doubt as to Charleston being a proper place for a yard of this dimension.

The channel and harbor conditions of the Charleston Navy Yard, together with its industrial possibilities, appear to be measured by some of our naval experts from conditions existing about the period of the close of the Civil War. As evidence of the satisfactory existing character and extent of the channel conditions on the navy yard water front, it is only necessary to state that the battleship Connecticut about two years ago, with packed bunkers and a full supply of ammunition and stores, made a complete turn in the channel in front of the navy yard and proceeded to sea without the aid of tugs.

Of course, that was before the day of the enormous battleships

necessitating a deepening of the channel.

Now, Mr. President, from the report of this commission I want to put into the Record not what those locally interested but what those who were charged with this investigation say about this business, and see what excuse our Naval Committee and those charged with the solemn responsibility of preparing an adequate defense for this country have for their action in this respect. I quote from a report by Admiral Rodgers, made in response to an inquiry from that commission:

in response to an inquiry from that commission:

2. Attention is first called to the very able report of the "Board organized for the purpose of examining into expediency of changing the location of the naval station from Port Royal, S. C., to some point in the State of South Carolina at or near the city of Charleston," of which Rear Admiral Frederick Rodgers, United States Navy, was president, a copy of which is appended marked "A."

The report of this board lays down nine principal requisites for a naval station on the southern Atlantic coast of the United States and gives an excellent account of conditions existing here at the time it was written (1900–1901) with certain predictions as to depth of channel and railroad connections, and a guaranty of water supply, all of which may be said to have been fulfilled.

The scope of the Rodgers Board, however, was limited to a consideration of the relative merits of Port Royal and the vicinity of Charleston only, whereas the problem now presented takes in the consideration of the "necessity, desirability, and advisability of improving existing or establishing an additional navy yard or naval station on the Atlantic coast south of Cape Hatteras or on or near the United States coast of the Gulf of Mexico or in the Caribbean for the proper defense of that portion of the country."

Now listen!

Now listen!

Now listen!

In answering question 1 it is therefore necessary to take into consideration the geographical location of Charleston as compared with other places on the coast, Gulf, and Caribbean, as indicated above.

Question 1 (pt. 1). "What do you consider the principal advantages of Charleston as a navy yard?"

In answering this question the following are considered as being the requisites for a navy yard in the vicinity indicated:

(a) Proper geographical location.

(b) Accessibility from the sea.

(c) Immunity from attack.

(d) Protection from unusual storm tides.

(e) Safe and commodious anchorage in the immediate vicinity of the naval station.

(f) Health and sanitation, including a good water supply.

(g) Railroad and steamship facilities.

(h) A good labor supply.

(i) The suitability of the site selected as to extent of water front and as to character of soil for foundation of docks and heavy buildings.

(j) Reasonable cost of establishment, including cost of dredging in the approaches and on the water front.

It is my belief that Charleston has the preponderance of advantages in these items over any other location available in the limits as set forth above.

Then the report proceeds:

Then the report proceeds:

Then the report proceeds:

The advantages, taken in order, are as follows:

(a) Geographical location of Charleston: The distance from Portsmouth, N. H., to Hampton Roads, Va., is about 580 miles. In this distance we have the following navy yards: (a) Portsmouth, (b) Boston, (c) New York, (d) Philadelphia, (e) Norfolk, five in all.

From Hampton Roads to Key West there is a stretch of coast of approximately 1,000 miles, Charleston being slightly north of the center of this stretch, about 415 miles from Hampton Roads and 588 miles from Key West. In all this coast line Charleston is the only harbor offering facilities for a navy yard with positive assurance of a deep channel from the sea at a reasonable cost of original construction and yearly maintenance and with a protected anchorage ground for a large number of vessels of deep draft.

An idea of the advantage of location may be formed from the following:

lowing

Charleston is nearer than Hampton Roads to all Gulf ports by about

Constitution of the Consti

Its central position on the long stretch of coast below Cape Hatteras and its comparative proximity to the Gulf, Caribbean, and isthmian ports make Charleston a port of strategic importance.

The document goes on and gives the reports of the different admirals. On page 245, volume 6, it is said:

I further believe it desirable and advisable to seek a suitable base on the Caribbean, and if such can be found work on Guantanamo to cease and military equipments transferred to new base, as I believe Guantanamo can not be held against an enemy having control of the sea and would become an asset to him if taken.

I shall enlarge on this after a while, but here is what he has to say about the Charleston Harbor:

to say about the Charleston Harbor:

Answer. 1. Necessity: I believe that the improvement of this yard for defense of coast south of Cape Harteras and for a harbor of refuge for disabled vessels in time of war is a necessity.

The enormous extent of our coast makes the problem of defense different from that of any other country and necessitates a larger number of bases for protection and from which the enemy may be attacked or harassed, with sufficient docks and equipment to make repairs to such vessels as may need them. Such bases should offer safe ancherage for a large number of vessels, with protection from bombardment from an enemy's vessels or attack by torpedo boats or submarines. Charleston is a port where all of these requirements may be developed at a reasonable outlay and maintained at a reasonable cost.

The cost of one capital ship at the present day is more than sufficient to improve this yard and harbor far beyond the recommendations made herein.

The cost of one capital ship at the present day is more than sufficient to improve this yard and harbor far beyond the recommendations made herein.

The first consideration for protection should, of course, be given to the coast from Norfolk up, as this is our most vital point, from which the sources of supply of all war material is controlled.

The offensive fleet must be kept mobilized in force, as only an offensive action can produce a decided victory, but should a fleet sufficiently superior to make the risk of battle inadvisable approach and our fleet withdraw to the shelter of coast defenses it is to my mind questionable in view of the experience of the present war whether it is proper tactics to withdraw all vessels into one port or within a limited area.

As an example, the present German fleet, as far as we know, is now and has been for some time confined to a very limited area by what is probably a superior fleet. Had Germany a large sea front, with other protected bases where vessels could be berthed, equipped, or built, the problem of keeping the sea free from German war vessels would be much more difficult than it is now. The capture of a well-protected harbor on the mainland of a country having facilities for movement of troops and at a distance from the bases of the attacking force is a difficult undertaking, as is evidenced by the attack of the allied powers on the Dardanelles.

An inferior fleet may safely lie in such a harbor and await conditions that will warrant a battle, selecting their own time. The attacking enemy must keep open his lines of communication for supplies and an adjacent base known to be capable of berthing a considerable force and distant far enough by sea to require the separation of a still stronger unit of the attacking fleet to watch it, but in easy communication by communication.

Distant outlying bases, however, though well fortified, but dependent upon the control of means of communication no longer exists, as is evidenced by the capture of Port Arthur by the Japanese

Mr. President, I wish to read an extract which is found in the report of the same commission:

Admiral Benson, Chief of Naval Operations, uses the following words his evidence before the Committee on Naval Affairs on March 10,

in his evidence before the Committee on Naval Affairs on March 16, 1916:

"I do think that we ought to have a good yard somewhere south of Hatteras, with docks and places where ships in case of injury in battle, or for other reasons, could get into dock without having to come to our northern yards. There is the case of the Lion in the Dogger Bank battle, which is a very good illustration of how a vessel may be saved after she is badly injured by being able to get into dock without having to go too far; and my ideas are not changed—or, I mean to say, the necessity for it has been emphasized—as to having some place down in that vicinity where we could have docks to which vessels could be taken."

in that vicinity where we could have docks to which vessels could be taken."

Whether an outlying naval base should also be established on some island in the Caribbean is another question. That is of use only in the event we control the sea. This is a question of establishing a yard for use by all ships of the Navy, whether we do or do not control the sea. To construct and equip a first-class yard beyond the protection of our land forces would be to make such a yard a dangerous liability instead of an asset in the event of a naval defeat.

The port of Charleston is located about 400 miles south of Hatteras. It is directly north of the Panama Canal and its salling distances of the warious ports on this coast as well as the sailing distances of the various ports on this coast as well as the sailing distances from the other yards on the North Atlantic to the Panama Canal via the Windward Channel are as follows: Portsmouth, N. H., 2.174 miles; Boston, Mass., 2.157 miles; New York, N. Y., 1.974 miles; Philadelphia, Pa., 1.946 miles; Norfolk, Va., 1.779 miles; Wilmington, N. C., 1,612 miles; Charleston, S. C., 1,564 miles; Savannah, Ga., 1,574 miles; Jackson-ville, Fla., 1,527 miles.

There is no port on the South Atlantic coast which is nearer, and with better rail connections to the centers of industry, from which can he rapidly assembled skilled workmen and supplies, from that port of Charleston. Nor is there any port better situated with reference to our arsenals and Army posts, from which could be drawn military forces and ammunition for its protection. While a yard located lower down the coast might be slightly nearer Panama and the West Indies, it is seen from the sailing distances above given that this difference is inconsiderable.

On the other hand, there is no harbor on the South Atlantic outside of the harbor of Charleston, and possibly the harbor of Port Royal, wherein a large fleet could be assembled, and one of the essential elements of a yard of the first magnitude is the possibility of assembling a l

There are other extracts from the report of the admirals along the same line, which I ask to have inserted in the RECORD

as part of my remarks.

The PRESIDING OFFICER. If there is no objection, it will be so ordered.

The matter referred to is as follows:

[Page 13, S. Doc. 334, 64th Cong., 1st sess. Being a report by Rear Admiral John R. Edwards,]

While representatives of the naval committees may patiently listen to suggestions that would locate all of our Atlantic coast naval bases at points north of Cape Hatteras, it is quite certain that the great majority of both naval committees view with surprise the attitude of naval experts upon this subject. This belief is due to the fact

that although there have been numerous attempts during the last 50 years to abandon certain naval stations on the Atlantic coast, the only substantial success attained in this direction has been in the case of New London, and even it was reopened several months ago as a repair base for the submarine flotilla.

Mr. SMITH. Now, in Senate Document No. 344, Sixty-fourth Congress, page 22, Admiral Edwards said:

Charleston, S. C., has the same tariff freight rates to the coal fields of Virginia as Norfolk. As it has likewise modern coaling piers, high-grade fuel can be shipped as cheaply from Charleston as from Norfolk or Newport News.

And let me add right here, Mr. President, that since that statement was made the Standard Oil Co. has erected there, at a cost of millions of dollars, a tank distributing service.

Mr. DIAL. Mr. President-The PRESIDING OFFICER. Does the Senator from South

Carolina yield to his colleague?

Mr. SMITH. I do.

I merely desire to remind my colleague that Mr. DIAL. Charleston is the largest loading oil station on the eastern coast of the United States.

Mr. SMITH. It is, as my colleague calls my attention to the fact, the largest oiling station on the eastern coast. Vessels coming from the Gulf, unable to carry the fuel necessary to carry them across the ocean, refuel at Charleston. Of course, such facilities are limited to those vessels that can come up a channel now 30 feet deep. The proposition of the Navy Department was to dredge the channel to a depth of 40 feet. I shall have something more to say about the question of the expense of the dredging and deepening of the channel in the remarks which I shall make. However, continuing with Admiral Edwards. He says:

It is an extensive and important center for distributing fuel oil. Every railroad system traversing the coastal region between the south-ern Appalachians and the sea has terminal piers at this port.

Listen:

It has more deep-water frontage and deep-water anchorage ground than any harbor on our South Atlantic coast. It is the logical and national deep-water Atlantic terminal scaport for the industrial activi-ties of east Tennessee, South Carolina, and the southern portion of

hattonal deep-water Atlantic terminal scaport for the industrial activities of east Tennessee, South Carolina, and the southern portion of North Carolina.

No American fleet could operate for a protracted period in the Caribbean without establishing on the Atlantic coast a naval base south of Cape Hatteras, and Charleston is the only port on that stretch of coast which can be adequately developed into such a base.

Mr. POMERENE. Who says that?

Mr. SMITH. I am still quoting from Admiral Edwards.

Despite the expenditure involved in such development—and the ultimate outlay should not be less than \$8,000,000—this important work should be commenced without delay. A modern dry dock should be constructed, at least two deep-draft battleship piers built, a 150-ton stationary or revolving crane installed, additional industrial shops and storehouses obtained, a magazine for powder and projectiles provided, a suitable hospital established, additional barracks erected, and the channel to the sea improved.

Now, listen:

The development of this station means more to naval preparedness than the building of even two battleships, for it would compel every possible naval foe to extend its battle line several hundred miles, and at least a half dozen more opposing ships would have to be employed in such service.

Mr. HARRIS. Mr. President—
The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Georgia?

Mr. SMITH. I do. Mr. HARRIS. During the last war the greatest trouble we had in conducting the war was due to the congestion of freight in New York Harbor and that section of the East. Is it not true that if we had had these large docks in the South, on the Atlantic, and the Pacific it would have relieved that congestion, besides making it easier for ships to reach both oceans through the canal?

Mr. SMITH. I am coming to that later. I had the honor of being the chairman of the Interstate Commerce Committee of this body when we were in the midst of the World War, and I shall refer to that later in my speech. The differential in freight rates on freight originating in the Mississippi Valley for export congests our great transcontinental lines going to these eastern ports by virtue of the saving in the tariff discriminating against the South Atlantic and the Gulf coasts.

Mr. POINDEXTER. Mr. President, may I ask the Senator

a question?

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Washington?

Mr. SMITH. I yield.

Mr. POINDEXTER. Is it not true that the railroads give a differential rate in favor of the port of Charleston as against interior intermediate points from the great northern distributing centers-New York, Philadelphia, and Boston?

Mr. SMITH. I will ask the Senator to repeat his query.

Mr. POINDEXTER. I say, is it not true that the railroads give a discriminating freight rate, a lower freight rate, to the city of Charleston from the great northern distributing points, such as Boston, as against intermediate and interior points on the same line?

Mr. SMITH. The Senator refers to the long and short haul

clause in our railroad law Mr. POINDEXTER. Yes.

Mr. SMITH. Which was true of every seaport in America; but that is neither here nor there, Mr. President.
Mr. POINDEXTER. Will the Senator allow me to follow

that up by another question?

Mr. SMITH. Yes

Mr. POINDEXTER. That being the case for the purpose of preventing the movement of commodities by water, is it not true that you never can build up the maritime interests of the city of Charleston as long as that condition exists?

Mr. SMITH. I agree with my good friend from Washington that a great deal of damage has been done to the water shipment of the products of this country by virtue of the malad-

justed long and short haul.

Mr. POINDEXTER. I will promise the Senator not to interrupt him further, but I should like to ask just one other question

Mr. SMITH. I yield.

Mr. POINDEXTER. Is it not true that the merchants of Charleston insist on retaining that discriminatory and preferential railroad rate for the purpose of compelling the goods to move by rail instead of moving by water, with the consequent building up of ship lines into that port?

Mr. SMITH. No, Mr. President; I have no evidence to that effect. All that Charleston has been asking, as well as other southern ports, is that whatever rates apply to goods for export originating in the interior should apply to the South Atlantic and Gulf as well as the northern ports. Under the last Railroad Administration we did get that concession, and now we are being denied it again. All that we asked in the world was that when goods originating in the interior for export were put upon the railroad to be carried to the seaboard the South Atlantic and the Gulf should be given the same rate that was given to the North Atlantic and the eastern ports. But what are the facts? The Senator is a member of the committee, and he

origin of the goods in the interior.

Mr. POINDEXTER. I am opposed to that discrimination, because I think that the fundamental rule of railroad rates ought to be uniformity. There ought not to be discrimination.

knows that the discrimination ran as high as 45 and 50 per cent in favor of the northern and eastern ports, regardless of the

Mr. SMITH. That is true, Mr. President. Mr. POINDEXTER. But, if the Senator will pardon me, I fail to see the consistency of those who oppose discrimination as between the northern ports and southern ports and favor discrimination as between Charleston and the neighboring cities of South Carolina.

Mr. SMITH. Every man familiar with the railroad problem knows that the problem of the proper adjustment of railroad rates to the needs of the citizens that dwell in the interior is as nice a problem as ever confronted a people. The rate structure is a scientific thing based upon economic truths; and I was not competent, with my limited knowledge of railroads and freight-rate making, to say dogmatically what should be the adjustment from an interior point to a seaport in order to take care of the life of an interior town. Atlanta is an illustration; but the bare statement of the facts, which can not be controverted, only proved that not only in the matter of the appropriation and construction of great naval bases was our section discriminated against, but in the structure of a tariff or freight rate our people were bled white. It is not an accident; no.

Mr. POINDEXTER. Mr. President-

The PRESIDING OFFICER. Does the Senator from South Carolina further yield to the Senator from Washington?

Mr. SMITH. I yield.

Mr. POINDEXTER. May I ask the Senator what incentive there would be-and I ask the question in perfect good faithfor the Federal Government to expend a large sum of money to construct a 40-foot channel into the port of Charleston if you are going to allow a system of freight rates which would prevent any ship lines from operating into that port?

Mr. SMITH. A moment ago the Senator said that Charleston and the seaport towns were being favored, and now his argument seems to be that they are going along lines that would dry them up. I will make the statement that had the same facilities been given by the Federal Government to the South Atlantic and Gulf ports that have been given to the northern and eastern ports, we would not have found ourselves in the

embarrassing, costly, and dangerous condition that we found ourselves in when we began to mobilize our resources for the prosecution of this war, and found that the only adequate terminals and docking facilities were in the port of New York; and it got so congested that you could not get the loaded cars in and the empties out. It was just the neck of a bottle, a point to which all the commerce of America converged, and which it could not get in nor out of. In addition to that, the cold winter of 1917-18 created such an ice congestion that it was impossible to bunker the ships even after you got the coal there, while under the kiss of a southern sun adequate harbors south were breathing a prayer to God that they might be utilized to save devoted civilization. That was the condition. The Senator knows it, and we all know it; but the great god of gold and greed had to be satiated before the suffering people could be

Mr. POMERENE. Mr. President— The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Ohio?

Mr. SMITH. I do.

Mr. POMERENE. If the Senator is going to discuss this question of freight rates

Mr. SMITH. No.

Mr. POMERENE. I want to remind him that his section of the country is not the only section which is suffering. Let me give just a very few figures.

I have before me the rate on apples from Seattle, Wash., to Portland, \$1.25 per hundred; but the rate from Seattle, Wash., to Columbus, Ohio, is \$2.081.

The rate from Boston, Mass., to San Francisco and Seattle on agricultural implements is \$1.70; but from Cincinnati, Lima, and Toledo, Ohio, to San Francisco and Seattle it is \$2.764.

The rate on machinery and parts from Boston to San Francisco and Seattle is \$2; but from Cincinnati, Lima, and Toledo to San Francisco and Seattle it is \$3.03\frac{1}{2}.

I have quite a number of other figures here, so I hope the Senator from South Carolina will not think he is the only man who

is suffering from these discriminations. Mr. SMITH. That is getting into a very fertile and interesting field, which some of us will be called upon to discuss in the near future in reference to the adjustment of this beautiful system we have right now known as railroad transportation. We will discuss that and we will go into all this subject. The point I was making, if the Senator from Ohio will observe, was that there was a broad, flat discrimination against the South Atlantic and Gulf ports in favor of the North Atlantic and eastern ports in all of the tariffs, and I just called attention to that to reinforce my argument about this sectional discrimination.

Mr. President, I do not like to weary the Senate, but I have quoted this much from those naval officers who have been and are in a position to know, in refutation of the ignorant and stupid misrepresentation of Charleston Harbor.

Subsequently to the appointment of the Helm Commission the Navy Department appointed a body of experts to plan a naval program. I want to emphasize that for the benefit of those Senators who are now in the Chamber. Subsequently to the appointing of the Helm Commission a commission of experts was appointed to formulate a naval program, which naval program is now before the Senate, minus Charleston Harbor, for it was included in the original program.

Now, listen:

The Navy Department appointed a body of experts to plan a naval program to meet adequately the needs of this country as they were startlingly developed and made manifest by the World War. Prominent in this program was the recommendation for four large dry docks of dimensions sufficient to take care of the largest naval and merchant vessels. The points at which these were to be placed were Boston, Philadelphia, Norfolk, and Charleston. The three docks north of Hatteras, of course, have been completed or are in process of completion. The one at Charleston was authorized at a cost not to exceed \$4,000,000. with the dredging of a channel from the sea to the navy yard, a total distance of 15½ miles from the navy yard to deep water. Right at this point I want to pause to say that it was said by the Senator from Delaware [Mr. Ball] the other day on this floor, when this item was up, that the distance from the Charleston Navy Yard to the sea was 22 miles, when here is Col. Abbott's own statement to the effect that it is 151 miles.

The Senator also said that about \$1,500,000 had been expended already on this channel under this authorization, and that it was only about one-tenth completed. I want to read a letter from Admiral Parks touching on that.

Mr. DIAL. Mr. President-

The PRESIDING OFFICER (Mr. FLETCHER in the chair). Does the Senator from South Carolina yield to his colleague?

Mr. SMITH. I yield.

Mr. DIAL. Is it not a matter of fact that practically all of these various places are a long distance away from the yards? Mr. SMITH. I am coming to that, and will give the distances from the different yards.

Mr. President, Admiral Parks, in reference to this matter,

Information concerning proposed Dry Dock No. 2, navy yard, Charleston, S. C. Cost of naval dry docks and appurtenances.

Now, I am coming to the dredging. I have gone into the drydock subject about as extensively as I think is necessary. He said:

STATUS OF DREDGING COOPER RIVER PROJECT.

The original estimated cost of project was \$7,540,000. This amount of money contemplated a 40-foot channel 1,000 feet wide. Included in this amount was \$1,000,000 for the purchase of a dredge. The War Department now considers that this will not be necessary. The rivers and harbors act of 1918 appropriated \$1,500,000 for this project. The 1920 annual report of the War Department states that to carry on the work for the next fiscal year will cost \$1,900,000. In this amount was included \$400,000 for reconstructing a dredge. The War Department now considers that it is possible that this expenditure will not be necessary. On inquiry at the War Department as to the probable cost of a 600-foot channel 40 feet deep, 1,000 feet on turns, advice was given that while it would be necessary, of course, to make a careful estimate of this, it was considered that the cost would be about a half of the Original estimated cost, namely, \$3,770,000.

Yet the Senate was solemnly told by a member of the Naval Affairs Committee that, according to his computation, it would cost in the neighborhood of \$10,000,000; and this is the report of the official having the matter in charge.

He said further:

Of the amount, namely, \$1,500,000, appropriated in the rivers and harbors act approved July 18, 1918, for dredging Cooper River, \$995,-296.49 has been expended.

In addition to the foregoing, there is now covered by existing contracts and outstanding liabilities, \$434,042.52.

Work on contract dated December 1, 1919, with the United Dredging Co., was started in November, 1920. Amount of this contract was approximately \$259,927.

The work on this particular contract was 27 per cent complete on December 1, 1920.

So that, according to the statement of the expert, the dry dock and the deepening of the channel on that immense coast line, for the protection of our common country, could be completed and put into commission for less than \$8,000,000, when one battleship now in course of construction will cost \$40,000,000, and will ride the seas with no place to go except in a little bight of 500 miles in the North Atlantic, and as far south as Newport

That is the contention I am making. Is this a common country? Are we commonly taxed for common defense and common improvements? Are the boys drafted for a common sacrifice on the battle field? Then, in the name of God, when you put the burden of taxation upon the shoulders of the people, give each and every one adequate treatment in the matter of defense.

I did not raise this sectional question. The figures and the logical facts raised it, not I. I would be unworthy to represent the State of South Carolina, and in part the Southern States, as well as the Northern States, if I sat here and allowed an infamous thing like this to go without my protesting it to the best of my ability; and, so help me God, I will do it.

Who is going to stand here and excuse the expenditure of \$700,000,000 on 500 miles, and for actual naval defense less than

\$30,000,000 on 2,000 miles?

The Senate would not even permit the authorization to stand, the mere authorization. I suspect that the reason the two bills were introduced to repeal the deepening of the channel and the construction of the dry dock was that there was a chilling fear that Mr. Daniels, the Secretary of the Navy, might give out the contract and foreclose the matter. Therefore these bil's were rushed in, and he was asked to defer any action until Congress could decide what it was going to do with those two bills. So that we establish this precedent, if some one introduces and there is passed a bill for the authorization of the improvement of anything, or for any good purpose, if you want to stop it, introduce a bill and ask the executive officer in charge to stop carrying out the will of Congress until its subsequent will can be ascertained. That is historical; that is a fact. Mr. Daniels did accede.

Mr. STANLEY. Mr. President—
The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Kentucky?

Mr. SMITH. I yield.

Mr. STANLEY. Was there any evidence of a like precipitancy in stopping similar work on improvements north of Hatteras?

Mr. SMITH. Has the Senator heard anybody offer an amendment to arrest the expenditure of what is necessary to finish the dry dock or dredge the channel at Philadelphia, or anywhere else, similar to the amendment offered by the Senator from Washington [Mr. Jones], that the unexpended balance of the money appropriated for dredging the Charleston Channel should be held up? The Senator has not heard such an amendment offered.

Mr. SIMMONS. Mr. President—
The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from North Carolina?

Mr. SMITH. I yield. Mr. SIMMONS. The Senator has confined himself very largely to discussing the necessity of dry docks south of Hatteras for the use of naval vessels. The Government now is the owner of a vast number of vessels which are engaged in foreign trade, trade with both coasts of South America, as well as with Does not the Senator think that these dry docks, though originally constructed for the purpose of subserving the requirements and needs of the Navy, could be used and should be used for the purpose of furnishing like service for Government-controlled vessels navigating the waters of the South Atlantic and the Pacific?

Mr. SMITH. The answer to that question would be yes; of course; and all the admirals, in discussing the construction of these dry docks, call attention to the fact that in peace times the large vessels now used in the merchant marine service can be docked in those dry docks, and by paying for that dockage they will help decrease the expense of the Government, and that income to the Government would very materially lessen the cost of the upkeep to the taxpayers. Of course, they are an adjunct, they are a necessary part, of the great commercial enterprises

of this country

Mr. SIMMONS. Now I wish to ask the Senator, in that connection, if there are any docks south of Hatteras, private or otherwise, adequate for the requirements of our merchant marine?

Mr. SMITH. There are no docks south of Hatteras which

can take any of the large modern freight ships; none.

Mr. SIMMONS. While our traffic along that coast largely a coastwise traffic, I suppose there were private docks that might accommodate the small vessels engaged in that traffic; but now that the Government itself is establishing regular lines employing large vessels, unless the Government shall construct dry docks, the vessels navigating those waters will be without means of repair in case they are disabled along the coast

Mr. SMITH. Absolutely. Mr. President, in this connection, the question that is being debated here on the floor is a question raised by the Senator from Idaho [Mr. Borah]. He has raised the question before this body as to whether or not the time is not now opportune for the great civilized, educated nations of the earth, who understand what war is, what it means, to meet for the purpose of considering whether or not steps should not be taken to lessen the enormous and incalculable burdens of taxation laid upon the peoples of the earth to prepare themselves to defend themselves against the passions and greed and avarice of men and nations. I am of opinion that the Senate is doing a great work for civilization, and we call its attention to these vast expenditures in moneys, because no one can calculate the loss in lives. We are asked to do this

Yet in carrying out this program the question for every one of us to answer is, Are we doing it in good faith? Are we providing for the common defense? I claim that the figures I have submitted answer that in the negative. You would not even allow the Secretary of the Navy to have an appropriation of \$1,150,000 to begin the work on the south Atlantic for 2,000 miles of defenseless coast, and yet you ask us to vote \$40.000,000 apiece for 11 battleships, but provide no dry dock in 2,000 miles of our south Atlantic and Gulf coast for them to go to in case of accident. I maintain it is not good faith. You are not doing it in good faith. If you are carrying out the naval program of 1916, carry it out. You were carrying it out all right until you got to Charleston, and there you balked, though we had the testimony of every admiral that a dry dock there was essential and necessary.

Mr. JONES of Washington. Mr. President-

The PRESIDING OFFICER (Mr. OVERMAN in the chair). Does the Senator from South Carolina yield to the Senator from Washington?

Mr. SMITH. Certainly.

Mr. JONES of Washington. The Senator was going on to a

came in a moment ago the Senator referred to the amendment which I offered day before yesterday and I thought the Senator made a statement from which an inference could be drawn, anyhow, that the Senator, I believe, did not really intend to convey.

I think the Senator understands my position in the matter. I did not offer my amendment because of any antagonism, even to the proposition in which the Senator is so much interested at Charleston, but the Senator knows that the appropriation for dredging a 40-foot channel was based specifically upon the proposition to construct a dry dock there, and that that appropriation would not have been made except after provision for the dry dock had been made.

I wish to say to the Senator that members of the Commerce Committee have urged me to recommend to the Senate a repeal of that item, contained in the river and harbor appropriation act. I have always taken the position that that should not be done unless the dry dock was abandoned, and that I would not recommend the repeal of that legislation unless action was taken looking to a repeal of the dry-dock provision. So the sole reason which induced me to offer the amendment was because the Committee on Naval Affairs, which has charge of the drydock appropriation, recommends the suspension of the expenditure of that money. It was not because of any animosity, as I said, not even upon the merits or demerits of the Senator's proposition.

So the suggestion of the Senator that the amendment was not offered properly, I think, was hardly right. The Senator said we would not think of doing a thing like that at Philadelphia, for instance. I would do the same thing at Philadel-

phia or any place else under similar conditions.

Mr. SMITH. I am glad to hear the Senator make such a statement; but, even were no dry-dock project involved, that 40-foot channel is a naval and commercial necessity and a crying need. Every admiral from whose evidence I have read has testified that, placed 400 yards apart, the naval vessels of America could anchor in the harbor of Charleston in case of danger; that in case of the necessity for loading our great commerce there are piers there sufficient to take care of our Government during the time of war; that in that respect Charleston has not an equal, to say nothing of a superior, in all the country. If that channel were dredged 600 feet wide and 40 feet deep from the terminal to the sea, the harbor of Charleston and the port of Charleston would give safe retreat and anchorage to the biggest vessels in the American merchant marine or the American Navy.

The two propositions should not have been coupled together. They were coupled together upon the statement that neither one nor the other should be appropriated for unless both were authorized. Both were authorized, one of them is now in the course of completion, to cost, according to Admiral Parks, not to exceed, under the new conditions, \$3,770,000 and the dry dock \$4,000,000, making about \$8,000,000, about 15 per cent of

what one battleship would cost.

Mr. JONES of Washington. I am not going to question or controvert what the Senator has said. I am not going to controvert what he said with reference to the importance of the harbor as a commercial proposition. But I think in all fairness the Senator will concede that when the appropriation of \$1,500,-000 was made, it was made upon the specific ground that the dry dock was to be constructed and that-

Mr. SMITH. I think that the Senator has the cart before the horse. I think the dry dock was made dependent upon the What would be the use of having a dry dock without

the channel?

Mr. JONES of Washington. Oh, no; not before the Commerce Committee.

Mr. SMITH. I do not know about that. Mr. JONES of Washington. That is the only committee I have anything to do with in that connection.

Mr. SMITH. The Senator will accede to this logic-

Mr. JONES of Washington. It is not a question of logic. It is simply the fact that I wish to place in the Record, and that is The Senator is contending as to the importance of this as a commercial proposition. It may be all that he says it is. But that question was not presented to the Commerce Committee in connection with the river and harbor appropriation, and the appropriation was not based on that ground. We can consider that when we have another river and harbor appropriation bill before the committee, and I shall be glad to do it so far as that is concerned, but in justification of my position in offering the amendment I wanted the fact to appear that so far as the Commerce Committee is concerned it did not recommend new topic, and I did not wish to interfere with that. As I the appropriation until it was assured that the dry dock would be built, and my recollection is that a provision was put in

expressing that thought.

Mr. SMITH. That may be, but I wish to answer that to show the logic of the situation. If the channel were deepened vessels could come in and use the harbor. If the channel was not deepened, what good would a dry dock do? We could not get vessels into it or out of it.

Mr. JONES of Washington. That was the very thing involved. The dry dock would be useless without the channel, and therefore the dry dock would not be built until we provided for the channel, but if the dry dock had not been there upon the showing made that the commercial needs required a 40-foot channel—my recollection is it was a 30-foot channel that was ample for commercial purposes—

Mr. SMITH. The Senator is aware that with a 40-foot channel, if there was no dry dock, the channel could be used for com-

mercial purposes anyway.

Mr. JONES of Washington. Oh, certainly. The only thing I wanted to get at was that the appropriation for the channel was based specifically on the proposition of the construction of the dry dock, and that was the reason we put it in. That was the sole reason why, as the committee had recommended suspension of the expenditure of the money for a dry dock, I offered the amendment recommending suspension of the other matter.

Mr. SMITH. But it will be observed that the Senator offered that amendment before the vote on the other amendment to the naval bill had been taken.

Mr. JONES of Washington. I could not offer it at any other

Mr. SMITH. Oh, yes; it could have been effered afterwards. The bill had not gone into the Senate and the amendment could have been effered at another time.

Mr. SWANSON. Mr. President-

Mr. SMITH. I yield to the Senator from Virginia.

Mr. SWANSON. I wish to say something as to the statement of the Senator from Washington in regard to the dry dock at Charleston. I do not think there has been any dispute among naval authorities as to whether we ought to have a channel there or whether Charleston is a good place to locate a dry dock to take the largest vessels. There was an effort to have a dry dock located at Guantanamo, Cuba, Panama, or Porto Rico. After looking over the matter thoroughly it was decided that Charleston was the best place, because if we located the dry dock outside of continental United States it would take an army to protect it in case of future war, and consequently they would always want a lot of troops there in the event trouble should arise.

The delay in establishing the dry dock at Charleston was occasioned because they did not have a channel deep enough for the largest ships. There are other harbors on the Atlantic coast that possibly might be as good as Charleston, but they do not have a navy yard there. At Brunswick and other places there would have to be a navy yard built. If we were going to have a channel up to Charleston, it would save the construction of a new navy yard, and it was decided almost unanimously that Charleston was the place at which it should be located. The dry dock was never authorized until the Commerce Committee, which had control of dredging, in considering the river and harbor appropriation bill had authorized the dredging provided the dry dock was put there.

Mr. JONES of Washington. Yes; provided the dry dock was

put there.

Mr. SWANSON. That action was taken prior to the action by the Committee on Naval Affairs. It meant what? It meant that if a dry dock was put there for a combination of commercial purposes and naval purposes the expenditure would be justified. I think some of those Senators advocated this delay, against which I voted. The reason why they wanted a similar amendment last year was because they could not get the Navy Department to say they would spend the money until they were assured that they would have the dredging, and the present Secretary, I understand, has no purpose, unless he is stifled he will get the dredging, to have a dry dock there. He would not make the expenditure unless he is going to get the dry dock.

If we abandon the dredging, which we can not do—the Committee on Naval Affairs can not appropriate for dredging—there is no use to have a dry dock that we can not get to, but if we will furnish the money for dredging and give the channel needed there the Committee on Naval Affairs have unanimously decided and everybody connected with the naval situation thinks that Charleston is the best place for a dry dock. Why do you think that? First, because if we put the dry dock in Cuba or Panama or elsewhere it would take a large army to

protect it. Second, at Charleston we do not have to build a new navy yard. We already have a good navy yard at Charleston, and all that is needed there is to dredge the 40-foot channel to take the biggest ship. Then, thereafter we should have the dry dock constructed there. If we abandon the dredging, it is certainly foolish to build a dry dock when the large ships could not get up to it.

Mr. SMITH. I just wish to say in this connection that between the Naval Committee on the one side and the Commerce Committee on the other side it is like what was said

about the old doctrine of predestination:

I can and I can't, I will and I won't, I am damned if I do and damned if I don't,

It is a vicious circle. We will not build a dry dock until you deepen the channel, and we will not deepen the channel until you have the dry dock. Between the two Charleston is in a bad fix.

Mr. SWANSON. If the Naval Committee had had within their jursidiction the matter of the dredging, they could have considered the question of an appropriation for that purpose. But as soon as the appropriation was made for the dredging the Naval Affairs Committee promptly acted, in both the House and the Senate, on the matter of the dry dock. There had been a delay because of the 40-foot channel. The Senator knows and everyone believes that if we get the proper depth of water there, Charleston would be the best place for a dry dock south of Cape Hatteras, and we ought to have one there.

Mr. SMITH. I wish to read right in this connection—
Mr. JONES of Washington. Will the Senator permit me to
interrupt just at that point?

Mr. SMITH. Certainly.

Mr. JONES of Washington. I thought that the Senator at least in fairness to me would concede what I thought there was no-controversy about as a fact. I am not controverting the Senator's position. I tried to make my attitude clear. Mr. SMITH. I accept the Senator's statement about it, of

course.

Mr. JONES of Washington. It does seem to me the Senator in his zeal is taking a rather unfair attitude. I have not looked up the record to see which bill was p seed first—

Mr. SMITH. I accept the Senator's statement as to his in-

tent and purpose and his understanding.

Mr. JONES of Washington. But it is a question of fact. I am very confident that the naval bill passed the Senate before the river and harbor bill passed. I do know this as a fact, as a member of the Commerce Committee, that the appropriation was put in the river and harbor bill not for commercial purposes at all, but solely upon the idea that the Naval Committee had decided to provide for a dry dock, and that, of course, they should not have a dry dock up there without an adequate channel to enable ships to get to it. I merely wanted the facts to appear in the Record, and that is all.

Mr. DIAL. I should like to ask the Senator from Washington a question. I do not know about the different dates, as to which came first, but perhaps the magnificent Government terminals were built up the river beyond the proposed dry dock in

expectation that the channel would be dredged.

Mr. JONES of Washington. That I know nothing about. All I know is that the river and harbor committee acted solely upon the assumption that the Government was going to build the dry dock there, and of course it was necessary to have a channel. That is all that I really know about the matter.

Mr. DIAL. No doubt, then, the Government, after Congress had appropriated the money for the channel and for the dry dock, built the terminals above there, believing, of course, that

the dredging would be completed.

Mr. JONES of Washington. I do not know as to that.

Mr. DIAL. While I am on my feet I want to say that the reason the contract for the dry dock was not let was because the Government could not obtain bids within the limit. That was due to the fact that some question arose as to the character of the foundation of the dock. At that time the foundations were defective in some other places, and the contractors would not, therefore, bid on the work. The Secretary of the Navy, however, had soundings made and found there was no trouble about the foundations; but, nevertheless, the work was held up.

Mr. SMITH. I wish to say in this connection that I shall discuss what has been done to ascertain the facts as to the foundation for a dry dock of the proportions contemplated at Charleston, and I shall quote the words of the Secretary of the

Navy who had this matter in charge.

There has been much ado about the distance of Charleston from the sea and the cost of maintaining a channel to the sea.

Mr. POMERENE. Mr. President-

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Ohio?

Mr. SMITH. I do.

Mr. POMERENE. I am compelled to go to a committee meeting within a few minutes. The Senator from South Carolina has not as yet completed his discussion of this subject. Will the Senator yield to me for about two or three minutes, in order that I may make several suggestions in this connection, so that he may amplify them if he so desires?

Mr. SMITH. I shall be very glad to yield for that purpose

without yielding the floor, of course.

Mr. POMERENE. I would not for one moment ask the Senator from South Carolina to do that.

The PRESIDING OFFICER. The Senator from South Carolina yields to the Senator from Ohio.

Mr. DOMERRAN.

Mr. POMERENE. The Senator from South Carolina earlier in his remarks referred to those Senators who voted in favor of the committee amendment as being actuated by sectional preju-

Of course, I did not mean all of them.

Mr. POMERENE. I was one of the Senators who voted to retain the amendment.

Mr. SMITH. Will the Senator allow me to interrupt him right there?

Mr. POMERENE. Certainly.

Mr. SMITH. When I made that statement I was merely generalizing. Of course, I did not mean all of the Senators. There were some Senators whom I am sure were in the category of my good friend from Ohio. He was anxious that there be a reduc-tion in expenditures, but in this particular, as Paul said of the Jews, he had "a zeal of God, but not according to knowledge." I think I have furnished him with the knowledge.

Mr. POMERENE. I hope the Senator will furnish complete knowledge on the subject before he concludes his address. the Senator's charge had any reference to me, I wish emphatically to deny it. There has not been anything of sectionalism in anything I have said or done in this behalf. With the information I had, if Charleston Harbor had been in the State of Ohio I would have voted against the construction of the dry dock. I have never cast a sectional vote in the 10 years I have been here in the Senate, and I never shall so long as I am here; but, Mr. President, I want to present the situation as it occurred in my own mind.

This matter came up some years ago, and at the time it was repeatedly stated on the floor of the Senate-I think I can not be wrong about it-that Charleston Harbor was not a proper place for a dry dock. As evidence of that fact it was asserted that before the ships could be taken into the harbor it would be necessary to do a vast deal of dredging in order that the ships might reach a place where they could be placed in the The Senator from South Carolina has somewhat met that criticism, I am free to say, and I shall be glad to read what he may later say, though I can not now remain in the Chamber to hear him.

Mr. SMITH. I want to call the Senators' attention particularly to Boston, Philadelphia, and New York in connection with

the necessity of dredging.

Mr. POMERENE. I understand that; but that is not an allcontrolling feature. I did not mean to say that; but during
the history of this controversy, as I recall, it has been stated that there are several places on the southern coast where dry docks could be built. The Senator from Georgia a moment ago referred to Brunswick, and, as I now recollect, his former colleague, Senator Smith, referred to that place at one time. So there is a question in my mind, not as to whether there should be any dry dock on the southeasterly coast, but the question in my mind is as to where it should be located. I would be very much interested in hearing the Senator from Georgia tell us of the merits of Brunswick as compared with the merits of Charleston.

I recognize the fact that there has been a substantial expenditure of money at Charleston, and I do not want to waste that. It may be that it is the best place on the southeastern coast. If it is, then I am for it; but it seems to me-and I say this with all due respect to my friend, the Senator from South Carolina-that he has not quite fairly stated the issue as it is presented to the Senate.

It is not the purpose, as I understand, of the committee to cancel this appropriation. The purpose is simply to suspend it for a given length of time. I see no evidence of any disposi-tion on the part of anybody ultimately to deny to Charleston the proposed improvement. The Senator from South Carolina the other day said that there was no appropriation, but that it was simply an authorization. He stated, no doubt, what he thought to be the fact, and I have no doubt he based his statement largely upon the letter which was written by the Secretary of the Navy and not from a fresh examination of the legislation itself. Neither do I intend to reflect upon the Secretary of the Navy. I dare say that he wrote that letter and used the word "authorization" inadvertently.

Of course, no Member of the Senate and no member of the Cabinet would purposely misrepresent the situation. The letter which was written did not correctly state the effect of the legislation; but the Secretary indicated that he was not going to proceed with this work except when it would suit his plans in view of future contingencies. I submit to the Senator that if that was his purpose, it was no other purpose than that which Senators had in their minds who favored the amendment re-

ported by the committee.

I think the Senator from South Carolina must agree that, as a general proposition, it would be very unwise, except in time of war, to vote large sums of money to a Government official and say to him, "You can use it if you wish, but if you do not wish to use it you shall not use it." That is one of the difficulties. It seems to me that my friend is borrowing a good deal of trouble when he indicates that the improvement is to be denied. I frankly say to the Senator that if I were convinced that Charleston would not be a proper harbor and could not be made a proper harbor, I would vote to cancel the appropriation heretofore made; but I am not going to do anything of that kind

until I have reasonable assurance to that effect.

Now, as I am obliged to leave the Chamber, I simply wanted to suggest that thought to the Senator and let him develop it

further, if he should see fit so to do.

Mr. SMITH. I shall take up the intimation which the Senator has made. Of course, however, he is reasoning from a wrong premise. He overlooks the fact, or seems not to include it in his reasoning, that Charleston is one of the four places selected by a commission of experts where there is involved the proper defense of the coast. At Boston the Commonwealth Dock was bought from the State and completed; at Philadelphia, 63 miles from the sea, a dry dock was completed, and although when they were seeking for the foundation they found a river down there 2 feet deep that washed the whole thing out, yet, at a cost of many millions, they completed it. They will have to dredge the channel there, according to the report which I have here.

A dock was also built at Norfolk because of the unquestionable necessity at the great gateway of the Chesapeake Bay between Cape Charles and Cape Henry of defending that inland waterway. However, before the Secretary of the Navy could give out the contract for Charleston the armistice occurred. When he asked for bids they were all upon the iniquitous costplus basis, and, believing that he could make a better bargain by waiting, as he says in his letter to me and to the chairman of the committee, which I have and which I will put in the RECORD, he preferred to defer the letting of a contract until he could secure a cheaper basis upon which to give it out. He went so far as to take the yard hands and the civil engineers and develop the pump-well section, in order to determine the character of the foundation upon which the dry dock was to rest. He did that at a very reduced cost, and ascertained that the foundation was all that could be asked for.

The Senator from Ohio seems to forget that this is a part and parcel of the naval program that we are now supposed to

be carrying out.

Mr. BORAH. Mr. President— Mr. SMITH. I yield to the Senator from Idaho. Mr. BORAH. I understood the Senator to say that the

Charleston project was a part of the 1916 program. Mr. SMITH. A part of it; yes. Mr. BORAH. I did not know that.

Mr. LENROOT. When was this adopted?

Mr. SMITH. This was in pursuance of the report of the experts. I will read the Secretary's letter to the chairman of

Mr. POINDEXTER. Mr. President, may I interrupt the Senator a moment? The 1916 program did not have anything at all to do with dry docks or navy yards. It was a program of ship construction.

Mr. BORAH. That is what I supposed.

Mr. SMITH. I may have been under a misapprehension. I see from the report of the experts that this is an authorization for the construction of a system of dry docks. I may have been in error in that respect; but, anyhow, it is a necessary adjunct to your naval construction, for the reason that the Secretary says in his letter to the chairman of the Naval Affairs Committee that when the Vaterland was converted into an American vessel there was not a dry dock in this country that could take it. It would be absolutely a white elephant on our hands if we did not provide some docking facilities where this vessel could go in; and the vessels whose construction was contemplated, and whose names I enumerated this morning, part of which have been completed and part of which are on the ways now, could not at that time have gotten into a single dry dock in America. Therefore, the Senator from Idaho will see that it would have been senseless to have built these superdreadnaughts and not have had a single dock in America that could take one of them.

Therefore, a natural sequence was that if you built these superdreadnaughts you must build places of berthing, and the

places of berthing were apportioned as follows:

Boston, Norfolk, Philadelphia; south of Hatteras, Charleston. They built them in Norfolk, they built them in Boston, they built them in Philadelphia, but they arrested and stopped the program at Charleston; and that has been the history of 50 That is the point I make.

Mr. LENROOT. Mr. President, will the Senator yield?
The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Wisconsin?

Mr. SMITH. For a question; yes.

Mr. LENROOT. The Senator complains of sectionalism in the action taken day before yesterday. The Senator being in error when he said there was no appropriation, when he admitted later that there was; I want to ask him whether he did not assure the Senate time and time again, all day long, that nothing would be done with this dry dock without first coming to Congress for another appropriation?

Mr. SMITH. Yes. I was taking the word of the honorable

Secretary of the Navy.

Mr. LENROOT. That being so, how is the Senator harmed by the adoption of the amendment of which he complains?

Mr. SMITH. Simply for this reason: He would come to Congress, and it would still be there. You say "No; we will not even trust our own Secretary of the Navy to do the thing that ought to be done south of Hatteras. We will stop it now, and leave no discretion at all to him." That is the idea.

Mr. LENROOT. Mr. President, the Secretary of the Navy will

be just as free to come to Congress next year and ask for the full amount of the appropriation for this dry dock as if this amendment had not been adopted, but it will require the action

Mr. SMITH. Precisely; but the action of Congress the other day gives the answer to him before he comes. That is what I am complaining of. You had the authorization. It was doing no harm, but was fraught with great potential good in the defense of the country; and you, among others, said: "We can not even trust our Secretary of the Navy to do it, even though a foreign fee were to menace this country, and he would need that authorization and that appropriation to go immediately to the construction of that which would defend this

Mr. LENROOT. But the Senator said that the appropriation that is now being postponed was so small that nothing could

be done without a further appropriation, anyway.

Mr. SMITH. It could not, just like all appropriations; and the Senator need not stand here and attempt to beg the question and becloud the minds of his peers, the Senators. The authorization provided not to exceed \$4,000,000, of which \$1,150,000 was to be immediately available. That bill died. The Senator from Washington, having the bill in charge, called my attention to a subsequent paragraph in the act that I had not seen, that provided that except for expenditures for the upkeep, and so forth, the amount, so many hundred millions, would be continued. The Senator knows and I know that any appropriation carried in a bill that is not specifically denominated a continuing appropriation dies with the bill in which it is made, and if he had read the paragraph making the appropriation of \$1,150,000 without finding the subsequent paragraph he would have been under the same impression that I was.

But the authorization was still there; the appropriation was still there; the danger of Josephus Daniels was gone. It was absolutely in the hands and power of the Republican Party. Mr. Denby, like every great, impartial man, regardless of what party he comes from, realized the necessity for the defense of 2,000 miles of our coast; and as the law stood it simply left it in his hands and in the hands of the Congress, because even though he may have made an error in saying "authorization" in place of "appropriation," you know and I know that he would no more have given out a contract for the construction of that dry dock without consulting Congress than he would have given it out if there had not been an appropriation. The Senator knows that.

The reason why these two bills were introduced to repeal the authorization for dredging the channel and building the dry

dock was frankly stated to me. It was because they were afraid Josephus Daniels would give out the contract and foreclose the possibility of their stopping any improvement in the South Atlantic. It is useless for us to beg this question. The purpose and object of it all is well known. I believe that the country has as many friends on the other side as it has on this side, and if they were left to voice their sentiments they would have voted down that amendment. Here are your admirals; here are all the men interested, big men who do not stop to think whether they are Republicans or whether they are Democrats, but merely that they are officers of this Government to defend it. They have come and plead for protection on the South Atlantic, the Caribbean, and the Gulf of Mexico. have scouted the idea of putting a great dry dock, with its tremendous expense, on the coast of Cuba.

In case of war you would have to have an army to defend it, whereas if located at the strategical point of Charleston you have a devoted American citizenship back of it, with easy communication with the supplies from the interior; and no man but a hidebound, unworthy American would dare stand up here and advocate that that area should be left defenseless simply because it was in the South. Many a poor devil has been hung on less evidence of crime than the evidence of sectionalism

that I have given you to-day.

Mr. President, I am not going to take up very much more of the time of the Senate. I have submitted these figures. I have

given you the testimony of the admirals.

Now I want to read the letter of the commander of the Charleston Navy Yard, written to Senator Ball two days after the subcommittee of the Naval Affairs Committee had gone to make their adverse report in reference to Charleston:

[Copy.]

JANEARY 20, 1920.

My Dear Senator: I greatly regret that I was not present when the Naval Affairs Committee of the Senate inspected this yard, as there were many things I wished to discuss with them. Unfortunately at that time I was making an inspection of my district, especially the inland waterways, so I did not get information regarding the intended arrival of the committee until it was too late to meet you.

You have asked me to give my views regarding the proposed deepwater channel at Charleston, the dry dock, and the immediate needs of the yard. I do so at some length.

Regarding the question of a large dry dock, there are three reasons why, in my opinion, such a dock should be located south of Hatteras My study of strategy makes me firmly of the opinion that in any naval war in which this country may become involved in the Atlantic the battle would probably be fought south of Cape Hatteras, in which case a harbor with a deep channel and a dry dock capable of receiving disabled ships would be absolutely indispensable. This phase of the question, however, has undoubtedly been presented to the committee over and over again, and I will not waste your time by discussing it further.

Second. I was in command of the American patrol detachment during the war and my mission was to safeguard American and allied interests in the Caribbean and Gulf of Mexico. In preparing my "estimate of the situation" I found that about 1,500,000 tons of shipping passed through the Straits of Florida each way monthly, and after the submarines appeared off our coast was routed by Charleston. Had the commanding officers of the German submarines been of the same caliber as those during the first year of the war, and had they handled their vessels with nerve, they would have been able to limp into the part of taking these damaged vessels the dock would have more than paid for itself. Without this dock, and under such conditions, we would have been absolutely swamped. As the submarine is essentially the weedpon of a weak naval power, and it is by no mean

merce of Charleston will largely increase, in which case a dry dock capable of accommodating large merchant vessels at this port might be a paying proposition.

The committee is undoubtedly better informed than I am in regard to the ultimate cost of these projects and as to whether they can be completed within the amount appropriated.

As regard the present pressing needs of the yard, there are: First. Docking facilities: The docking facilities of this yard are entirely inadequate to handle the volume of work, and, consequently, it is not being conducted as efficiently as it should be. Many vessels on which repairs are authorized have to work their turn to come alongside the wharves and are at present secured to delphins in the stream or at anchor. To remedy this situation it is recommended that the concrete pier No. 314, at the foot of Third Street, navy yard, be extended out to the deep-water line. There is now available about \$198,000, which probably will be utilized for this purpose and extend the pier 230 feet, leaving 180 feet for which there is no appropriation, the estimated cost of which work would be about \$150,000.

The outer end of pier No. 317, which is parallel to the stream, should be extended to the southward about 350 feet, making a berthing space of 750 feet, which would provide for two moderately large vessels to lay alongside and also provide a berth inside for smaller craft and vessels out of commission. The approximate cost of this project would be \$200,000.

Second. Another marine railway for docking vessels up to 2,000 tons, similar to the one now in the yard. This marine railway had proven to be indispensable and is in use to its maximum capacity with craft

waiting to take their turn. In fact, the present marine railway and the small dock now in the yard are inadequate for carrying out the work now allotted this yard and which will undoubtedly be increased in the future. Not only is a marine railway's first cost less than that of a dry dock but its operation is less expensive. To duplicate the present marine railway would cost \$180,000.

Third, Officers' quarters. One of the causes that militate more against the efficiency of this yard than any other is the lack of officers' quarters. The yard is situated between 7 and 8 miles from the city, the transportation facilities being the electric railway, which is always over-crowded and sometimes unreliable. At least two hours a day of the officers' time is devoted to getting to and from the yard. Housing facilities in Charleston at present are practically nonexistent and decent accommodations are beyond the officers' means. The captain of the yard, who during the absence of the commandant becomes acting commandant, had no quarters at the yard, as there are none available for him. He is responsible for the good order and discipline of the yard, for all yard craft, fire protection, berthing and movement of vessels, and, generally speaking, is the right-hand man of the commandant of the district, who is also the commandant of the yard, Capt. R. E. Pope. United States Navy, automatically became acting commandant, and was at night 8 miles from the navy yard; a dangerous situation. He has been unable to secure any quarters for his family in Charleston within his means, so that his family is separated from him during his tour of shore duty. Capt. D. P. Mannix, United States Navy, assistant to the commandant of the district, has been fortunate enough to secure a house at \$150 per month, or \$66 more than his allowance for rooms. To remedy this condition it is preposed to convert the present naval hospital in the yard, and is fitted as a 100-bed hospital, while the naval hospital is intende for John bear of the present naval hos

E. A. ANDERSON, Rear Admiral, U. S. Navy, Commandant.

Hon. L. H. Ball, United States Senate, Washington, D. C.

Copy to: Navy Department, Operations; Hon. WM. H. King, United States Senate; Hon. Henry W. Keyes, United States Senate; Hon. R. S. Whaley, House of Representatives.

Mr. President, I want to say, in conclusion, that I have said thus much and given these facts as I have given them for the

purposes I have stated.

I do not believe that a man on the other side can rise in his place and justify the expenditure of \$700,000,000 for docks along 500 miles of our coast and the construction of 18 dry docks in the same distance and leave undefended and vote to repeal, even, the authorization of a defense of 2,000 miles, which 2,000 miles is the danger point in America.

Mr. BORAH. Somebody in favor of the bill ought to defend it. As I am opposed to the bill, I can not, I confess.

Mr. SMITH. I do not think the Senator from Idaho is well within my idea of what I heard him say the other day, that he is opposed to the bill. I think the Senator would not be opposed to the bill-

Mr. POINDEXTER. Why should those who are in favor of the bill defend it, when the bill is what the Senator from South Carolina is attacking?

Mr. SMITH. It is not the bill I am attacking, and that is where the Senator is in error. I am not attacking the bill. I am attacking the action of the Senate committee in regard to certain amendments. I do not believe an American citizen is worthy of his citizenship who would, by any act of his, invite attack on his country.

The Senator from Idaho is right. Let us call a conference of the world's great powers and see if there is not some rational basis upon which we can mutually agree to lift this burden of war preparedness from the shoulders of the overtaxed people. But until such an agreement is reached we can not let up one jot or tittle in preparing against such an unforeseen and unexpected cataclysm as came like a clap of thunder out of a

clear sky on August 1, 1914.

The Senator from Idaho would not do it; I would not do it. There is no American citizen but who would be in favor of adequate naval defense. I am more in favor of that than I would be of increasing the Army. The very peculiar relation of our coast line to the other nations of the earth makes this naval appropriation one which can be defended. I am not attacking the bill. I am attacking the unjust discrimination in the amount you say is necessary to defend the country. The plea I am making is that if you are going to appropriate this money, to defend the country, in the name of the god of justice and the god of common sense defend the country and do not pour it all into a little bight 500 miles long, which already has a dry dock on an average of every 25 miles, with an expenditure of \$700,000,000.

There is the argument I am making. I have not said one word thus far in derogation of the bill. The Senate committee in every respect in reference to the number of vessels and with reference to the personnel of the Navy I hope have used the discretion, the judgment, the research, and the industry they were called upon to use. It is a grave and solemn task they have. But if we are to measure the degree of their judgment and discretion by the distribution of this money, then I would vote against their whole bill. I believe that the patriotism and the manhood and the wisdom of those on the other side will reverse their judgment and see that justice is done.

I must vote for an adequate defense, even though I am left defenseless. The responsibility will be upon the officers who execute it; but you are tying their hands now when you say that they can not defend 2,000 miles of our coast by establishing

an adequate naval base.

Mr. DIAL. Mr. President, I ask my colleague this question: Even if the proposition of the Senator from Idaho should prevail, and we should have no war vessels, would they not need a dry dock for the merchant marine? The Government owns a great many ships and it is necessary to repair them from time to time.

Mr. SMITH. I started to remark a moment ago, Mr. President, that I have not discussed the industrial development of this country, which in a large part depends on the proper development and utilization of our South Atlantic and Gulf ports. That will come when I stand in my place—God willing that I live until that time-and discuss the modification of the railroad bill, for that will come; it must come. At that time I shall discuss the importance of this from a transportation standpoint. Every Senator here recognizes that the two go hand in

But I want to reiterate that all of us had suffered alike in anxiety for our blood and bone that was across the ocean standing face to face with the most desperate enemy the world ever knew, as well as in the loss of property, the embarrassment and consequent demoralization of our commercial relations. When the armistice had hardly been signed, the Republicans came into power, and immediately upon their coming into power they rushed to introduce two bills to repeal authorization for the development of the dry dock at Charleston and the deepening of the Charleston Channel.

I plead with Senators on the other side not to do this thing. Surely, with the Federal Government in your hands and a majority of the State governments in your hands, you can at least demonstrate to the country that you are big enough and broad enough and catholic enough to meet the conditions, even though

you must spend some money in the South.

That is all I am asking. I wanted to bring these figures here to bring you to a startling realization of the fact that you would not even allow an authorization to stand; would not even allow an appropriation which does not appear in this bill, which was made possible by the bill of 1918, to stand. I ask my friends on the other side if they can not reverse their action and prove that I am entirely mistaken as to the attitude of this Senate; that they will not repeat what has been so manifest in the action of Senates that have gone before?

We all love America. We all want to see it properly defended. But what kind of a spirit are you engendering by the mani-

festation of such startling figures as these?

I have made my plea, Mr. President. I have given the facts in reference to the appropriation of this money for the improvement of the harbor at Charleston, and I am going to ask the Navy Department to furnish me with figures showing the total amount of money appropriated for the building of ships from the beginning of this Government until the present day, in addition to that I have already given. I hope that my friends

and colleagues on the other side of the aisle will see fit, when this comes into the Senate, to reverse their action and allow this matter to stand, as it is so manifestly needed in that section of our country.

### EMERGENCY TARIFF-CONFERENCE REPORT.

Mr. SMOOT. Mr. President, a few moments ago the Senator from North Dakota [Mr. McCumber] asked unanimous consent for the consideration of the conference report on the emergency tariff bill. The Senator from North Carolina [Mr. Simmons] asked that it might go over for a few moments, until he could ascertain if there was any objection to its present consideration on the other side of the aisle. The Senator from North Dakota informs me that there is no objection, and he joins with me in asking unanimous consent for its present consideration. So I ask the Senator from Washington [Mr. Poindexter] if he will not allow the report to be presented to the Senate at this time, and if it leads to any discussion at all I will not insist that it shall be considered.

The PRESIDENT pro tempore. Is there any objection to the request of the Senator from Utah?

Mr. POINDEXTER. With the statement of the Senator from Utah and upon that condition, reserving the right to object, I

will not object at this time.

Mr. ROBINSON. Mr. President, I do not know that the consideration of the request at this time will occasion any very great discussion, but I do think that a brief statement should be made to the Senate, by the Senator from Utah or some one else, in explanation of what the conferees did: and I shall ask that that be done if the request is taken up at this time.

Mr. SMOOT. About the only change that was made in the bill as it passed the Senate was in the provision relating to dyestuffs. In the bill as it passed the Senate that provision was to remain in operation for six months. The conferees agreed to cut the time down to three months.

Mr. ROBINSON. With that exception, the bill is as it passed

the Senate?

Mr. SMOOT. Just as it passed the Senate.

Mr. ROBINSON. I think we understand what that is. Mr. SIMMONS. Mr. President, when I left the Chamber I

had understood that I would be notified before the report was called up.

Mr. SMOOT. I desire to say to the Senator from North Carolina that the Senator from North Dakota [Mr. McCumber] had told me that he had seen the Senator from North Carolina,

and that that Senator had no objection to it at all. Mr. SIMMONS. Mr. President, I have no objection to its being called up; but, as the Senator from Arkansas has just said, it is very proper that we should have a statement as to

what the conferees have done. The Senator from Utah has correctly stated what was done. It is practically the same bill that passed the Senate, except the change with reference to the licensing provision as to dyestuffs, which was reduced from six months to three months. I

do not object to the present consideration of the report.

The PRESIDENT pro tempore. Is there objection to the present consideration of the conference report on the emergency tariff bill? The Chair hears none, and the question is on agreeing to the conference report.

Mr. SIMMONS. Upon that question I ask for the year and

The yeas and nays were ordered, and the reading clerk pro-

ceeded to call the roll.

Mr. FLETCHER (when Mr. TRAMMELL's name was called). I desire to announce that my colleague [Mr. Trammell] is necessarily absent. He is paired with the Senator from Rhode Island [Mr. Colt]. I ask that this announcement may stand for the day.

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. Penrose] to the senior Senator from Missouri [Mr. REED] and vote "nay.

Mr. WOLCOTT (when his name was called). Has the senior Senator from Indiana [Mr. WATSON] voted?

The PRESIDENT pro tempore. That Senator has not voted. Mr. WOLCOTT. I have a pair with that Senator, and in his absence I am not at liberty to vote. If at liberty to vote, I would vote "nay."

Mr. DIAL. I transfer my pair with the Senator from Colorado [Mr. Phipps] to the Senator from Rhode Island [Mr.

GERRY] and vote "nay."

Mr. EDGE. I transfer my pair with the senior Senator from

Oklahoma [Mr. Owen] to the senior Senator from Maryland [Mr. France] and vote "yea."

Mr. WOLCOTT. I transfer my general pair with the senior Senator from Indiana [Mr. Watson] to the senior Senator from Texas [Mr. Culberson] and vote "nay."

Mr. HARRISON. I wish to announce the absence of the Senator from Rhode Island [Mr. GERRY], the Senator from Nevada [Mr. PITTMAN], and the Senator from Oklahoma [Mr. Owen] on official business. I was requested to state that if the Senator from Rhode Island [Mr. GERRY] were present he would vote

The result was announced-yeas 53, nays 25, as follows:

#### YEAS-53

Ball Borah Brandegee Broussard Bursum Calder Cameron Capper Cummins Curtis Dillingham Edge Elkins	Frelinghuysen Gooding Hale Harreld Johnson Jones, Wash. Kellogg Kendrick Kenyon Keyes Knox Ladd La Follette	Lentor Lodge McCormick McCumber McKinley McLean McNary Nelson New Newberry Nicholson Norris Oddie Poindexter YS—25.	Ransdell Sheppard Shortridge Smoot Spencer Stanfield Sterling Sutherland Wadsworth Warren Willis
Caraway Dial Fletcher Glass Harris Harrison Heflin	Hitchcock King McKellar Moses Overman Pomerene Robinson	Shields Simmons Smith Stanley Swanson Underwood Walsh, Mass.	Walsh, Mont. Watson, Ga. Williams Wolcott
Colt Culberson Fernald France Gerry	NOT VO Jones, N. Mex. Myers Norbeck Owen Page	Penrose Phipps Pittman Reed Townsend	Trammell Watson, Ind, Weller

Gerry So the conference report was agreed to.

# NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes

The PRESIDENT pro tempore. The pending amendment will be stated.

The READING CLERK. On page 26, after line 9, under the subhead "Naval supply base, Alameda, Calif.," the committee propose to insert "Toward dredging, excavating, and grading, \$1,500,000," and so forth.

Mr. ROBINSON. Mr. President, I have received a large number of communications severely criticizing this appropriation as unnecessary and unjustifiable. Opportunity has not been afforded me to go into the matter in detail so as to reach a conclusion as to whether the information so given me is accurate and reliable.

It has been said that within a few miles of this proposed naval base is already a navy yard owned and occupied by the Government for approximately 60 years, namely, Mare Island, and that the adoption of this provision contemplates the abandonment of Mare Island, or at least that this course could be implied in the creation of a naval base at Alameda. I have said that I do not know whether the complaints which have been made against the proposition are justified, but it is said that the Alameda location is a swamp which it will require the expenditure of millions of dollars to reclaim, and that in the reclamation of that swamp privately owned property near by will be appreciated in value millions if not hundreds of millions of dollars. It is also claimed by some that Mare Island, with the expenditure of a comparatively small sum, can be made to accomplish every purpose which the Government has in view in the establishment of a naval base at Alameda.

This subject, I find, was gone into quite extensively before the Committee on Naval Affairs, perhaps a year ago. I have not had an opportunity of reading the testimony. I realize fully the importance and necessity of a naval base on the Pacific coast. There is already one at San Diego, and there is a navy yard at Mare Island, 25 or 30 miles from Alameda. Before this item is disposed of I think some member of the committee who stands sponsor for it ought to give a very full explanation of the reasons that prompted the committee to report the

The subject, I believe, was investigated at great length before a committee of the body at the other end of the Capitol, and it was also investigated by a special joint committee of Congress. It is perfectly clear that if, with the expenditure of a small sum, Mare Island can be expanded into a naval base adequate for the requirements of the service, there is neither need nor justification for this initial appropriation, which, I am told, means the expenditure of \$60,000,000 to \$100,000,000 before the enterprise is finally consummated.

Mr. POINDEXTER. Mr. President, just one word as to the amendment. It does not contemplate the expenditure of \$100,-000,000, nor the expenditure of anything approaching any such

Mr. ROBINSON. Will the Senator yield to me?

Mr. POINDEXTER. In just one moment. It does not contemplate the expenditure of any more money than is required for improving the water-front land, which the city of Alameda offers to give to the Government. The balance that will be expended upon this site would depend altogether upon what Congress chose to construct upon the land. The idea of the committee was that we would construct on this land storehouses and other supply equipment available for the Pacific Fleet coming into San Francisco Harbor. It is not intended to establish a navy yard; it is not in the contemplation of the committee that it should in any way supplant or displace the Mare Island Navy Yard. Personally I am opposed to abandoning the Mare Island Navy Yard. I think it is an efficient, economical, and successful yard and it would be a mistake to abandon it.

Mr. ROBINSON. Will the Senator yield?

Mr. POINDEXTER. In just one moment I will yield.

Briefly speaking, the circumstances are these: The depth of water over what are known as the Pinole Shoals to Mare Island Navy Yard is sufficient to float the largest capital ships without their full equipment of armor and armament; it is amply sufficient to float the hulls containing the machinery when the ships are constructed in the yard, even for the great capital ships, to say nothing of the smaller ships; but the depth of water is not sufficient to enable the great ships of the Navy, equipped with their armor and their great guns, to come up through this tortuous and rather shallow channel to Mare Island. Consequently, the idea of the committee was, so long as we are maintaining a great fleet in the Pacific, and the prospect being that the entire fleet will spend a great portion of its time, or at least should spend a great portion of its time, in Pacific waters, that there should be a supply base in San Francisco Harbor, from which could be obtained the necessary supplies for the maintenance of the fleet without requiring these fully equipped vessels to go through the long channel, of some twenty-odd miles, from San Francisco to Mare Island.

Mr. ROBINSON. Mr. President, the Senator from Washington states that it is not contemplated that there shall be expended the sum of \$100,000,000, or any such sum, but he has not stated what sum it is proposed to expend there. I assume that in making this comparatively small initial authorization for the expenditure of \$1,500,000 the Committee on Naval Affairs knew that a much larger amount likely would follow if this first appropriation should be made. I now ask the Senator from Washington what is the estimate for the total expenditure contemplated by this item? What is it expected to cost to

establish a naval base at Alameda?

In that connection, while the Senator from Washington is looking over his memoranda-

Mr. POINDEXTER. I can tell the Senator what he is de-

sirous of knowing. Mr. ROBINSON.

I should like to call attention to the hearings before the special joint committee of Congress on Pacific coast naval bases, at page 93, wherein Capt. Edward L. Beach, a witness testifying before that joint committee, made the statement that the establishment of this naval base would cost

between \$60,000,000 and \$100,000,000.

I further call attention to the fact that on the same page Capt. Beach quotes the Helm report, page 40, paragraph 99, as stating that "the present dry docks at Mare Island can accommodate 90 per cent of the vessels of the fleet as completed in 1921." Above that, on the same page, he makes the declaration that \$26,000,000 expended at Mare Island would accomplish what the expenditure of between \$60,000,000 and \$100,000,000 will accomplish at Alameda.

Mr. POINDEXTER. What witness is it whose testimony the

Senator from Arkansas is quoting?

Mr. ROBINSON. I am quoting from the testimony of Capt. Edward L. Beach.

Mr. POINDEXTER. I think he is the commandant at the Mare Island Navy Yard. The committee was of the opinion that it would not cost any more to improve the water-front property and construct buildings upon it at Alameda than it would to make the improvement at Mare Island.

Mr. ROBINSON. But I again ask the Senator from Washington what the committee thought it would cost to provide a

naval base at Alameda?

Mr. POINDEXTER. I was just going to tell the Senator.

that the remainder of the cost of the project would depend en-tirely upon the disposition of Congress as to what structures should be erected upon the land, the purpose of the committee being to erect certain storehouses there, probably at a cost of

\$3,000,000 or \$4,000,000.

Mr. ROBINSON. Of course, if nothing but storehouses were erected there, the cost might be limited as suggested by the Senator from Washington; but if a dry dock adequate to accommodate the big ships of the Navy and the improvements necessary to provide adequate facilities for the naval service be built there it is quite likely that the total sum would reach \$60,000,000 or \$100,000,000. Can the Senator from Washington say that it is not intended to do anything at Alameda except to erect some storehouses?

Mr. POINDEXTER. That depends entirely upon whose opinion the Senator is inquiring into. I have no doubt that there are many people who would like to see a great navy yard established at Alameda, but that was not the opinion of the committee and I trust it will not be the opinion of Congress. Nothing can be done there except by the permission of Congress.

Mr. ROBINSON. I understand that.

Mr. POINDEXTER. The committee favors and the amendment before the committee simply proposes the establishment of a supply base, reclaiming 500 acres of land for the amount contained in the appropriation, the land being donated to the Government. The expenditure of a larger amount is absolutely subject to the discretion of Congress. The committee believes the expenditures will be kept within a reasonable limit.

Mr. ROBINSON. Is there any reason why a supply base can not be established and maintained at Mare Island on land

now owned by the Government?
Mr. POINDEXTER. There is no reason at all why it can not be. The question, however, is whether it is economical and desirable to expend this money for reclaiming and improving land at Mare Island or in the vicinity of Mare Island instead of making the supply base nearer to San Francisco Harbor and eliminating, as I said a moment ago, the difficulty of armored ships navigating the Pinole Shoals in order to go up to Mare Island to get supplies.

Mr. ROBINSON. It does not appear to me as either sound policy or consistent with economical administration to maintain at Mare Island a large naval establishment into which the Government has already put more than \$60,000,000 and within 35 miles of it maintain another establishment that could be readily provided for, according to the admission of the Senator in

charge of the bill, in conjunction with Mare Island.
Mr. POINDEXTER. I should like to say—

Mr. ROBINSON. Just a moment. If this appropriation is made and we reclaim 500 acres of land at Government expense, the next Congress will hear the unanswerable argument that we have property of great value which is being utilized for no substantial purpose and that it is our duty then to supply, in conjunction with that property, dry docks and other facilities adequate for the entire naval fleet.

The Senator from Washington has admitted that that policy is strongly urged by many who favor this appropriation. He has admitted that behind this small appropriation is an effort to secure larger governmental activities at Alameda to which I have referred, and which will cost between \$60,000,000 and \$100,000,000. A representative of the Government of the United States, the commandant of Mare Island, came before the joint commission, and in testimony which I have been trying to look over since this amendment was submitted to the Senate denounced this amount as unnecessary and declared that, in his opinion and under his responsibility as an officer of the Government, whatever extensions the service needs in that locality ought to be made at Mare Island, and that they could be made there for less than half the amount that necessarily will be expended at Alameda.

Mr. POINDEXTER. Mr. President-

Mr. ROBINSON. I yield to the Senator from Washington.

Mr. POINDEXTER. Does the witness explain why the dredging and the filling of land and the improvement of a water front can be done at less cost at Mare Island than it can be done at Alameda? The committee had no evidence that that was the case. The committee examined into the matter very carefully, and it was of the opinion that it would cost equally as much to do the same work at Mare Island as at Alameda. The Government does own some land at Mare Island, but at Alameda it will own the land if this amendment is adopted, because it is being donated to the Government.

Mr. ROBINSON. Mr. President, the evidence of Capt. Beach and my argument are based upon the theory that this proposal We thought that it would cost for reclaiming 500 acres of is not in fact limited to the mere reclamation of a small area land the sum of \$1,500,000. The committee was of the opinion of land and the building of a few storehouses; and if you will say in this amendment, if you will declare the policy which you assert is the policy of the Naval Affairs Committee as a matter of legislation, that it is intended to restrict the activities there to the establishment and maintenance of a naval supply base proper, and to the construction and operation of storehouses, the force of the objection I am making will be greatly weakened; but your failure or refusal to do that gives credence to the argument that behind it is a proposition to waste \$25,000,000 or \$30,000,000 of public money.

Mr. SWANSON. Mr. President, will the Senator yield to me? Mr. ROBINSON. I yield with pleasure to the Senator from

Mr. SWANSON. The question as to what disposition to make of Mare Island has been debated in the Senate for seven or eight years. When I was chairman of the committee it was a recurring question with us every year. As the Senator from Washington has said, Mare Island is one of the best navy yards in the country. I think it is one of the best constructing yards in the country. The largest ships can be constructed there. The channel fills up every year, and it takes a great deal of money, although not an excessive amount, to keep it open. The largest battleships can be constructed there, but after you get a battleship constructed and put on its men and put on its guns and equip it for the purposes for which it is designed it can not come to Mare Island on account of the depth of the water and the danger and narrowness of the channel. Consequently there has always been a question as to what disposition should be made of Mare Island. Until we had larger ships it was absolutely all right, but since we have gotten larger ships it has been a recurring question continually before the Naval Affairs Committee.

Some people thought the navy yard ought to be at Alameda. Some people thought it ought to be at Hunters Point. Some people thought that Mare Island ought to be developed and the

channel broadened and deepened and kept open.

We had hearings last year upon the question. debatable question. The Navy has been divided on it. Last year, to get rid of this debatable question, which has kept us from having a supply base at San Francisco, a joint committee of the House and Senate was appointed to go there and examine it on the ground, see the land, see the channel, hear everybody pro and con, and make a report to Congress as to where the naval base should be located.

It would be absolute folly to create a new yard there. It would be an absolute waste and extravagance that ought not

to be tolerated for one minute by Congress.

Mr. McKELLAR. Mr. President, if the Senator from Ar-

kansas will yield, a yard where?

Mr. SWANSON. A navy yard at Alameda, or any other place except at Mare Island. You do not want any other navy yard at San Francisco but the Mare Island yard. They have been trying for a long time to get you to abolish it, and sell it, and create another naval base and navy yard combined; but it answers all the purposes of a navy yard. It is one of the best navy yards in the country, well located, fine and splendid in its results and in its achievements; but a navy yard is not a naval base or a supply base. If the entire fleet is in the Pacific you have got to have a place where supplies for it can be stored. In order to take on those supplies a ship must go in there equipped. It must go in there with its men on and with its guns on. To take them off to go up to Mare Island and put them on again after going there would be a useless expense.

In addition to that you have got to have a place where men can sleep, where men can rest at times from the sea. After a man has been on the sea for three months he gets restless. is bound to have more or less of a place to go off to recreate for 10 days or 2 weeks in order to get in good health again. can not have a supply base unless you have a place where men can get off the ships for a certain length of time. It is utterly

impossible to keep a fleet going in any other way.

The question as to where such a base ought to be located has been a debated question. I was not a member of this joint committee. Circumstances prevented me from being on it. have never reached a conclusion as to where the base ought to be located, but I should like to ask the acting chairman of the committee a question. As I understand, the joint committee, composed of the Senator from Montana, the Senator from Utah, and Mr. PADGETT, of the House, unanimously decided that this was the best solution of the question. Am I correct in that? Did the joint committee make a report?

Mr. POINDEXTER. Oh, yes; they made a report.

Mr. SWANSON. Were they unanimous?

Mr. POINDEXTER. Yes; my recollection is that they were unanimous.

Mr. ROBINSON. In this connection, let the Senator say what they did report, what recommendation they made, if the Senator from Virginia has no objection.

Mr. SWANSON. I have no objection. I have not read that report. Circumstances prevented me from giving to this bill the attention that I have given to it heretofore; but unless that committee, which has been on the ground and examined all these various rumors that have been connected with real estate deals, has reported in favor of this provision, I am not in favor of including it in the bill. I wish the Senator from Montana were here. He was on that committee. The Senator from Utah and the Senator from Delaware, I think, were on that committee. I think the Senator from Delaware was chairman of the committee.

There is no necessity for a dry dock there. The Government has a dry dock at Hunters Point, near there, which can dock every ship that the Government needs to have docked.

Mr. POINDEXTER. The Government does not own that

dock, but it is available to the Government.

Mr. SWANSON. The Government has a contract that gives it the preference in the use of it, instead of building a dry dock. The bill that was passed when I was chairman of the committee gave the preference to the Government, which is cheaper and better than for the Government to build a dry dock there.

Mr. POINDEXTER. I should like to say to the Senator from Virginia that the bald and fundamental fact is, as I understand—and the Senator will correct me if I am not accurate that the capital ships of the Navy, armed and equipped as they will be when they are put into commission, can not go to Mare Island an account of the depth of water.

Mr. SWANSON. I have said that they could not go to Mare Island. That is true. That is the reason why it was made a supply base; but I was illustrating what I have said by referring to Hunters Point, where you have a dry dock. You need no dry dock at Alameda. At Hunters Point you have a

dry dock.

Mr. POINDEXTER. I agree with the Senator that we need

no dry dock there.

Mr. SWANSON. Consequently, there is no purpose to build a dry dock at Alameda. Now, to show the object of this thing more plainly, it is limited to a naval base. I would not favor it for anything unless it is limited to a naval base. I would vote for no appropriation, now or in the future, that contemplates the abolition of Mare Island as a navy yard.

Mr. BORAH. Mr. President, it has been said over and over again that ships can not go into Mare Island. How much will it cost to fix up the channel so that they can go in? It will cost practically nothing for it in comparison with what you are

expending on the other place.

Mr. BALL. Mr. President

Mr. SWANSON. The Senator from Delaware was chairman of the joint committee.

Mr. ROBINSON. I ask Senators to remember that I have the floor. I yield to the Senator from Delaware to make a statement.

I merely wish to state that it will be impossible for the capital ships to go to the present works at Mare Island, on account of the narrowness of the stream. It would be impossible to make it possible for them to enter.

Mr. BORAH. The Senator does not mean to say that it is impossible to make it possible for them to go there?

Mr. BALL. I mean to say that it would be impossible to construct a channel that would permit the capital ships to go there and enter the dry dock.

Mr. BORAH. That is not in accordance with the testimony which the Senator took as a member of the joint committee.

Mr. BALL. The testimony is that dry docks can be constructed two miles and a half below the present dry docks. There was no proposition to construct dry docks at the present site, but to utilize the other buildings and other parts of the supply base there, the machine shops and all those things, and to construct a dry dock two miles and a half below.

Mr. ROBINSON. Mr. President, the very purpose of the investigation by the joint committee I have already referred to was to make a study and determine which is the best site for a great base-Carquinez Straits, Alameda, or Hunters Point.

Mr. BALL. Carquinez Straits is two miles and a half below the present dry dock.

Mr. ROBINSON. Yes; and that is substantially near the present dry dock. That is the very point. The geographical designation is not important. It is the proximity that is contemplated that is important.

Mr. BALL. Mr. President, the geographical position is impor-

tant when the dry docks are there.

Mr. ROBINSON. I did not say "the geographical position"; said "the geographical designation." I maintain that it is I maintain that it is the position that is important and not the designation.

The purpose of this investigation was to determine the best place for a great naval base, and that contemplates a repairing station and docking facilities. It is so stated in the report of the officers who made the study that it was a part of their duty to pass upon that question. I will refer to that document. In that study, as I say, it is shown that the primary purpose of the investigation was to determine the relative value of this place, not merely as a supply base in the sense spoken of by the Senator from Washington, but in the broader sense mentioned in the report, namely, that of providing adequate docking and repair activities.

[Copy, Western Union telegram.]

tioned in the report, namely, that of providing adequate docking and repair activities.

[Copy, Western Union telegram.]

Congressman C. F. Crbry.

House of Representatives, Washington, D. C.:

Following military study just received from eminent authority: before an according to the company of the company

likely to be developed in the future, the danger to the lower-bay sites from enemy bombardment, especially during the absence from port of our fleet, is a material disadvantage as compared with the Carquinez Straits site.

Straits site.

"(b) Attack by land or air forces.—Such operations presuppose the enemy to be established ashore in the eastern Pacific. Unless our fleet is considerably inferior to the enemy fleet they are negligible possibilities. The contingency is so remote as hardly to warrant taking into account. If there is any advantage in these particulars it rests with the Carquinez Straits site.

"1. Seamanship aspects.—The severe southerly gales which are frequent about San Francisco during the fall and winter are a positive drawback to the lower-bay sites, which are much exposed to wind and sea from that quarter. Docking, the operation of small craft, and other ordinary processes will necessarily be interrupted seriously during such gales.

quent about san Francisco during the fall and winter are a positive drawback to the lower-bay sites, which are much exposed to wind and sea from that quarter. Docking, the operation of small craft, and other ordinary processes will necessarily be interrupted seriously during such gales.

"The Carquinez Strait site, on the other hand, is advantageously situated in this respect, being well sheltered by the close proximity of high land in the dangerous quarter. The frequency of fog in San Francisco Bay renders navigation somewhat difficult. There is less fog in the upper bay, which offers some advantage to the Carquinez site for the handling of vessels in the immediate vicinity of the station. On the other hand, this is counterbalanced by the longer average distance which ships must travel to reach Carquinez than would be necessary to reach a lower-bay site. The tidal currents are inconveniently great, but virtually appear to disclose an important advantage of the lower-bay sites in the greater width of the harbor in their vicinity, thus permitting large ships to be maneuvered more safely. Undoubtedly this is of some advantage. But whether or not this condition should be a decisive consideration in eliminating Carquinez Strait must depend upon the degree of inconvenience and the danger involved in maneuvering large ships in Carquinez Strait and whether such danger and inconvenience can be reduced to a reasonable minimum by ordinary means, such as wharves, tugs, buoys, etc.

"Perhaps the best way to determine this essential fact is by comparison with other places at which large vesels are maneuvered under circumstances similar to those which would obtain at Carquinez Strait, including similarity of tidal conditions. The space immediately adjacent to the Carquinez Strait site that would be available for the maneuvering of large ships incident to dock-yard purposes corresponds almost exactly in width to similar space at Rosyth. Scotland, the great British dock yard which served the larger units of the grand fleet dur

riority in respect to exposure to gates for which there remedy,

"Conclusion.—(1) From a military standpoint the only important difference between the Carquinez site and the Lower Bay locations is a considerable superiority possessed by the Carquinez site on account of its being more secure against enemy bombardment from seaward. (2) From a seamanship standpoint there is no important defect in the Carquinez site. In balancing the several advantages and disadvantages of the two general localities (Carquinez and Lower Bay) the superiority is in favor of the Carquinez Straits project.

"Captain, United States Navy."

E. L. Beach,

Captain, United States Navy.

Now, I ask the Senator from Washington again what was the recommendation of this committee with respect to that question, whether the joint commission recommended the mere establishment of a naval supply base to cost three or four million dollars, or whether it recommended the establishment of such a base as is contemplated in that study and the probable expenditure of between \$60,000,000 and \$100,000,000, as is stated by Capt. Beach?

Mr. POINDEXTER. The best answer to that is the report of the committee. I had to write the report myself, and submitted it to the committee as I understood the views of the committee to be. If the Senator wants me to read it, I will do so; it is very brief.

Mr. ROBINSON. I do not ask the Senator to read it into the RECORD at this time. I assumed that the Senator, his committee having justified the recommendation of this amendment on the basis of the investigation and report by the joint commission, would be able to state the substance of the report. I can read it almost as well as the Senator from Washington.

Mr. POINDEXTER. The Senator from Arkansas is quite imperious in his demand as to the manner in which I shall

answer his question.

Mr. ROBINSON. Mr. President, in reply to that suggestion, did any other Senator than the Senator from Washington think

that when I asked him for the substance of the report of the committee I expected him, in my time, to read a 15-page printed report in order to answer the question whether this joint commission had recommended the limit of activities at Alameda contemplated by the policy of the Senator from Washington, or whether it had reported recommending the broader activities to which I have already referred?

I do not think that in declining in my time to permit the

Senator to read the whole report I acted in an imperious manner. The Senator, of course, can take the floor and read the

report in his own time.

Mr. POINDEXTER. The report deals with a great many different bases. I was going to read only about 10 lines, which relate to Alameda.

Mr. ROBINSON. I will be glad to yield to the Senator for that purpose, if he will be kind enough to read such part of the report as he thinks germane to this question.

Mr. POINDEXTER. The report reads:

Mr. POINDEXTER. The report reads:

The large acreage at Alameda makes possible a naval base which will permit not only of dry docks on satisfactory pile foundations, berthing space, repairs shops, etc., but also of shipbuilding facilities to any extent desired, base for fuel, oil, and coal, and other naval supplies, aviation fields, training, and other stations. This would give ample opportunity for the development of an adequate naval base with all of its activities concentrated at one point.

If such a base is developed at Alameda, the existing dry docks located at Hunters Point will still be available for Government use in case of emergency. Under the direction of the committee, numerous estimates of costs were prepared for comparative purposes, which are to be found in Appendix B.

Nearly all of the site, containing approximately 5,340 acres, offered by the city of Alameda is submerged, and it is estimated that the entire area can be dredged and filled to meet the needs of the proposed base at an approximate cost of \$6,000 per acre; however, plans for present development contemplate the filling in of only approximately 500 acres.

The Alameda site has excellent advantages of labor supply, trans-

500 acres.

The Alameda site has excellent advantages of labor supply, transportation, and communication.

Mr. ROBINSON. Mr. President, I think the portion of the report read by the Senator from Washington justifies the conclusion that the joint committee differs with the Senator from Washington as to what the policy of the Government should be in making this improvement. I think the report upon which the Senator justifies his amendment, and which the Senator has just read, contemplates, in the plainest language, an implied recommendation that there not only be established a naval base at San Francisco, in the ordinary sense of that term, but all of the auxiliaries to make a complete naval base, including dry docks adequate for every ship in the service and repair shops adequate for the entire fleet.

That conclusion is reinforced by the further statement of the committee read by the Senator from Washington that the dry docks at Hunters Point could be used for emergency purposes. What is the meaning of that statement, if it does not contemplate an abandonment of their use for general purposes? It does not take a lawyer of rare intelligence to construe that language. It means that we will make Alameda a principal naval base, with dry docks and repair shops, and that we will retain whatever we have at Mare Island for emergency purposes. I say that if the Senator bases this amendment on that report, every Senator here is justified in reaching the conclusion that this initial appropriation of \$1,500,000 means the expenditure in the end of between \$60,000,000 and \$100,000,000, as stated by the Government expert who made the investigation.

The Atlantic coast south of Norfolk, as shown by the Senator

from South Carolina [Mr. SMITH], has no dry dock; a long stretch of 2,000 miles without a dock adequate to provide for the big naval ships. Mare Island has a dock which, according to the testimony of apparently the best-informed expert I have been able to consult on the subject, namely, Capt. Beach, is already adequate to meet the requirements of 90 per cent of the ships in the naval service. With the expenditure of \$26,000,000, he says, you can do at Mare Island what it will cost you between \$60,000,000 and \$100,000,000 to accomplish at Alameda.

Reference was made by the Senator from Delaware [Mr. Ball] a while ago to the inability of ships to enter at Mare Island, and the Senator from Idaho [Mr. Borah] had something to say with regard to the contrary proposition. Let me read just a few lines of what this witness, who is the commandant at Mare Island, said about it, and I believe every Senator will take his conclusion as being in the nature of reliable expert testimony.

If, by comparatively small expense, the Carquinez Straits Station can be made to take care of the additional 10 per cent—

That is, after having said that Mare Island would take care of the 90 per cent-

is it economical, good business, and good judgment to locate within 35 miles another naval base at a cost which will vary between \$60,000,000 and \$100,000,000 and throw away the 90 per cent capability that Mare

Island is reported by the Helm Board to have, and further, probably ultimately, to sacrifice the Government's investment at Mare Island and its splendid capabilities?

Mr. POINDEXTER. Mr. President, it was stated to the Senate Naval Affairs Committee by officers of the General Board of the Navy that they contemplated building up ultimately a great navy yard and naval station, combining all the possible activities of a naval base, at Alameda. One of them, I think, fixed a limit of a hundred years before it would be fully developed.

If the Senator proposes, because there is a possibility of building up another navy yard at Alameda, that we will not have anything there at all, will not have any supply base there, then I think his position is perfectly well founded in fact. If the Senator will read this amendment closely, he will notice that it provides for a naval supply base, and I think that word "supply" is very significant. It was intended when it was put there to be significant, to be a limitation upon this appropriation, the idea being that we could establish a supply base there with a reasonable expenditure of money, and that Congress had sufficient power to restrain the future expenditures in the development of that yard within reasonable limits and for reasonable purposes.

Mr. KING. Will the Senator from Arkansas yield?

Mr. ROBINSON. Certainly.

Mr. KING. The testimony which has been taken conclusively establishes the fact that the General Board contemplates the construction in the near future of a great naval base at Alameda, and there was a great deal of evidence as to the salvage of the plant at Mare Island. All of the testimony contem-plated the destruction of the Mare Island Navy Yard and the construction of a stupendous naval base in the near future at Alameda at a cost of all the way from fifty to seventy-five or a hundred million dollars. The Senator from Arkansas is correct.

Mr. ROBINSON. I thank the Senator from Utah. The Senator from Utah is a member of the Committee on Naval Affairs, and no doubt he has been studying the subject very carefully. I have no object except to bring to the attention of the Senate what I believe this item really means, and I think the discussion of the matter with the Senator from Washington has made the conclusion I stated in the beginning almost unanswerable, that whatever may be his individual views regarding the amendment, it rests upon a Government policy of abandoning Mare Island, at which has been expended \$60,000,000 of Government money, and of establishing in place of it another naval base which shall in time, in the early future, carry on all of the activities which are now being conducted at Mare Island.

The question for you to decide, in voting on this amendment, is not whether you want to reclaim 500 acres of land which a city is willing to give to the Government in order to have other land appreciated in value; that is not the question here, but the question is whether you want to scrap \$60,000,000 worth of property at Mare Island and spend between sixty and one hundred million dollars at Alameda, within 35 miles of Mare Island.

Why do you suppose the city is giving 500 acres of land at Alameda to this Government? Is it from a patriotic desire to serve the United States?

Mr. McKELLAR and Mr. BALL rose.

The PRESIDING OFFICER (Mr. Capper in the chair). Does the Senator from Arkansas yield, and if so, to whom?

Mr. ROBINSON. I yield to the Senator from Tennessee

because he rose first.

Mr. McKELLAR. I call the Senator's attention to the fact that the reclaiming of the land will cost \$3,000 an acre.

Mr. ROBINSON. Six thousand dollars per acre.
Mr. McKELLAR. Five hundred acres at \$1,500,000 would be \$3,000 an acre.

Mr. ROBINSON. But I think the estimate in the report is that it will cost \$6,000 an acre.

Mr. McKELLAR. I have no doubt that eventually it will do so, but the initial cost is \$3,000 an acre.

Mr. ROBINSON. Of course, there have been individuals who from patriotic motives have made gifts to the Government, and it may be that San Francisco desires to demonstrate that spirit. I would be the last Senator here to discredit such a purpose, but there is a large tract of comparatively valueless land in that vicinity. The establishment of a naval base there and the reclamation of 500 acres of land by the Government means a multiplication of the value of the remaining land to the extent of between five and ten to one.

Mr. BALL, Mr. President-

Mr. ROBINSON. I now yield with pleasure to the Senator

from Delaware.

Mr. BALL. While the Senator is dealing with the proposition of scrapping the property at Mare Island for which a large amount of money has been expended, I should like to call his attention to evidence which was submitted to the committee by Admiral Rodman.

Mr. ROBINSON. If the Senator will pardon me he can do that a little later. I wish to continue the evidence of this—

Mr. BALL. I merely desired to say that money spent at Mare Island, no difference how much additional money may be expended there, in the opinion of the leading admirals will be only an additional waste and that it can not be used.
Mr. ROBINSON. Why?

Mr. BALL. It would only take a moment to read his evidence, if the Senator will permit me.

Mr. ROBINSON. All right; I shall be very glad to have the Senator do that. From what page does the Senator read?

Mr. BALL. Page 186:

Mr. BALL. Page 186:

Of these two yards, Mare Island is prohibitive to our capital ships, and we are building larger ones. It is prohibitive to them, I say, and every capital ship that we have must go to Bremerton as conditions obtain to-day. We have, roughly, I believe, 186 ships in this fleet now. But we are way, way behind in our plans for maintenance, upkeep, and docking, because we haven't the facilities here for the nucleus of the United States fleet that would come to this coast in time of threatened danger. If the Atlantic Fleet were to come to this coast to day it would be swamped and ships would have to go out of commission, a great many of them, because they could not be maintained.

He clearly sets forth in this evidence that Mare Island can never be used for the care of capital ships, no difference how much money we spend there. If we move the yard  $2\frac{1}{2}$  miles farther down onto ground where it is almost impossible to build dry docks or where it would be very expensive to do it, then with the great cost of maintenance of the channel, it could be maintained. But the maintenance of the channel compared with the cost of the yard there and the base at Alameda would be such that it was the opinion not only of the committee but of the board and all the engineers that Alameda was the economical place at which to locate it.

Mr. ROBINSON. Now, Mr. President, that statement also justifies the assertion that the real purpose of proceeding at Alameda is not to build a few storehouses to contain naval supplies, but that it is to abandon Mare Island and make Alameda

a general naval base.

Mr. KING. They have let the cat out of the bag. Mr. McCORMICK. May I interrupt the Senator? Mr. ROBINSON. I will yield to the Senator in a moment,

but before I do, let me read a little more that Admiral Rodman said before he stated what the Senator from Delaware [Mr. Ball] quoted him as saying:

When I came to the coast, one of the missions, among other things, assigned to me was to prospect this coast, both for strategic reasons and from the view of maintaining our fleet. Heretofore we have had every reason to believe, and correctly so, that the naval machine would find itself at work in the Atlantic. It did. In fact, up to this point nearly all of our development has been on the east coast. To-day we have on the Pacific coast two yards, one at Bremerton and one at Mare Island. You all know the number on the Atlantic. Of those two yards, Mare Island is prohibitive to our capital ships.

And so forth.

It was just upon that last point that I was quoting the commandant at Mare Island when I was interrupted and diverted from a discussion of the proposition as to what can be done at Mare Island. I am not going to read all the testimony that bears upon this subject, but I think in view of the course the debate has taken I will print it in the Record. The evidence shows that already there can be cared for at Mare Island 90 per cent of all the ships of our Navy in 1921, and that by a small expenditure the remainder can be cared for at or near that point. I read:

It is a matter of statistics that there is much less fog at Mare Island than in lower San Francisco Bay. Further, that in the 66 years that ships have been coming to and from Mare Island I have never heard of a single ship that ever went aground proceeding from San Francisco to Mare Island. In the last 21 months that I have been on duty here, there have been many hundreds of ships going to and from the lower bay to Mare Island. There has never been one that ever went aground or reported that it could not navigate because of the fog, or that was interfered with by the fog. It is to be remembered that there is not much fog at Mare Island.

The only important difficulty about providing for all the ships at Mare Island is the channel which can be kept dredged as stated by, I think, the Senator from Washington, at a comparatively small annual expense, so that with the expenditure of \$26,000,000 at Mare Island, according to the statement of this expert, we can enjoy all the facilities for our Navy that will be provided at Alameda by the expenditure of between \$60,000,-000 and \$100,000,000 more money, and at the same time avoid the scrapping of the property at Mare Island. Mr. KING. Will the Senator yield to me just a moment?

Mr. ROBINSON. With pleasure.

Mr. KING. Apropos of the statement made by the Senator from Delaware [Mr. Ball] about Admiral Rodman, it looks as though some of the admirals are carrying on a persistent propaganda in favor of Alameda. If they would look more after their naval duties and less after naval sites in the interest apparently of some section in the country. I think they would be serving the country better.

Admiral Halstead has recently been compelled to give out an interview, and in support of the statement which the Senator has made as to the purpose to destroy Mare Island to make Alameda a great naval base, he states in the concluding sentence of his interview recently published in the San Francisco

Chronicle:

The milk in the coconut lies in the fact that the Government have twenty millions invested in the Mare Island plant.

Of course that is not correct.

Mr. ROBINSON. That is, \$20,000,000 the year before the investigation was made?

Mr. KING. That interview was only a day or two ago. It simply shows he is not accurate in his statement.

Mr. ROBINSON. There was \$20,000,000 spent in 1919.

Mr. KING. Admiral Halstead continued:

Some people want to salvage that by making a base out of it, but it is throwing good money after bad for an all-time proposition. The sooner you get your base at the right place the sooner you are on the right track.

The point I am trying to make is that he is seeking to scrap Mare Island and establish an immense naval base at Alameda. Mr. McCORMICK. Will the Senator permit me to interrupt

at that point?

Mr. ROBINSON. With pleasure.
Mr. McCORMICK. I should like to recall the circumstances under which the special committee was sent to California. It was upon my motion, if I remember correctly. A member of the committee had asked for an appropriation of \$500,000 to be expended on the Alameda site. There were members of the committee who felt that if any sum were to be expended in San Francisco Bay upon any site other than Mare Island it should be only after the most thorough investigation and with a view to the establishment ultimately of a single great naval base, whether at Mare Island or elsewhere.

Some Senator a moment ago alluded to "letting the cat out of the bag." It seemed to me that the committee went there with the avowed purpose of determining whether Mare Island was to be abandoned or not. I know when I moved for the appointment of the committee that was the idea which presented itself to me. If the report had been conclusive that because the channel was inadequate and could not be made adequate, if it had been conclusive that Mare Island was unsafe, because open to enemy gun fire, then we ought to plan to abandon Mare Island and find another site.

If the Senator will bear with me for a moment, because I was interested in this project in its very beginning-

Mr. ROBINSON. I gladly yield. Mr. McCORMICK. If Mare Island is unsuitable for a naval base, then that ought to be determined beyond peradventure, Mare Island, no matter what has been expended there, ought to be abandoned.

Mr. SWANSON. Will the Senator from Illinois permit me? Mr. ROBINSON. I have the floor and I yield to the Senator from Virginia.

Mr. SWANSON. The difference between a naval base and a navy yard is that submarines can be constructed and smaller ships and various work of that kind done at a navy yard. We very rarely have the two combined. The navy yard and the naval base very frequently interfere with each other: I do not favor abandoning Mare Island as a navy yard and losing all we have and losing all the expenditures we have made there. I favor supplementing it with a naval base.

Mr. BORAH. That may be the object and purpose of the Senator from Virginia and he may be voting that way.

Mr. ROBINSON. And of the Senator from Washington. believe it is because he said so, but I am making the point-

Mr. SWANSON. If the Senator will permit me, I should like to know how else it can be done except by changing the language of the amendment, because the language of the amendment is plain and clear that we have no plan for any abandon-ment of Mare Island. Now if the Senator can think of stronger language to show that this will be a naval supply base, I should like to have it inserted.

Mr. BORAH. When the next bill comes along the language

in which the Senator is now so deeply interested will disappear

and other language, which creates a permanent structure, will appear upon the scene.

Mr. SWANSON. If the Senator will permit me, the difference between him and me in this matter is this: I say the only way we are going to keep Mare Island from being abolished is by supplementing its needs by the establishment of a naval base. If we shall not provide for the establishment of a naval base there within a reasonable time to supply the ships and to enable vessels desiring to do so to come in and obtain supplies, there will be a proposition to abandon Mare Island and to create another navy yard. I have never favored the abolition of Mare Island, which is an efficient navy yard. All that is needed to

supplement it is a naval supply base.

Mr. BORAH. Down at the bottom of this thing nobody contends that it is anything but an abandonment. The Navy understands that it is an abandonment; the people of California understand that it is an abandonment; everybody understands that it is an abandonment. That is just the reason, Mr. President, why at this time I am opposed to this proposition. We are not dealing with the thing as it actually is but we are dealing with it in a way that ultimately we shall be called upon to carry out that which the Senator says now is never intended to be carried out. Now, let us determine this matter for the present, and then let us have a report which shall pass upon the question of the abandonment of Mare Island.

Mr. SWANSON. If the Senator will permit me, what suggestion has he to make? We have a fleet in the Pacific, which will be increased. The fleet in the Pacific can not get supplies, for there is now no naval base at San Francisco. If the Senater can offer a cheaper and a better method to accomplish the desired result, I should like to have him offer an amendment to that end. His proposal would simply involve a delay of two or three years, when the matter has already been delayed for several years, for we have put it off trying to reach a conclusion. We sent a committee there. What is needed is a naval supply base. I am opposed to the abandonment of Mare Island as a navy yard. If the pending proposition was not designed to provide a naval supply base, I would not give it my support. If the Senator can show me any other way in which we can get a naval supply base for the fleet which is now in the Pacific and which will be there in the future, I will be glad to support it.

Mr. ROBINSON. Mr. President, I will use a little of my own time myself and then I shall be glad to yield, unless the Senator from Idaho wishes now to conclude.

Mr. BORAH. No.

Mr. ROBINSON. The Senator from Illinois [Mr. McCor-MICK | has admitted what I thought to be true when I took the floor.

Mr. McCORMICK. The Senator from Illinois has assertednot admitted

Mr. ROBINSON. I thank the Senator. The Senator from Illinois was the originator of the investigation. It was his purpose that the joint committee should investigate and answer the question, Shall we scrap Mare Island and create a new naval base and docking and repair station in proximity to it? He himself says that that was the question which the joint committee was expected to answer.

The Senator from Washington [Mr. Poindexter] read the report of the joint commission, and while it does not answer the question as fully as it might be answered—that is, it does not say in answer to the question whether we shall scrap Mare Island, yes, and in answer to the further question whether we shall build at another point, yes or no—it enters into a discussion of the whole subject. The report of the General Board, handed me by the Senator from Delaware [Mr. Ball] while I have been speaking, apparently to convince me to the contrary, shows that the whole object of that investigation and study was the determination of that very question. Now, after the commission reports impliedly but not expressly in favor of it—
Mr. POINDEXTER. The report is very expressive on the sub-

ject, Mr. President, if the Senator will pardon my reading from the report.

Although I was right in the middle of a Mr. ROBINSON.

sentence, I will yield to the Senator.

Mr. POINDEXTER. I did not intend to break into the middle of a sentence

The Senator has already broken in. Let Mr. ROBINSON. him make his statement if he will.

Mr. POINDEXTER. On page 7 of this document the committee reports:

The existing navy yard on Mare Island was established in 1854 and has been gradually developed since until the total investment of the Government in the yard up to date is approximately \$32,000,000—

Not \$60,000,000, as the Senator said.

Mr. ROBINSON. I quoted the statement of Capt. Beach, the commandant.

Mr. POINDEXTER. The report continues:

The cost of replacing or of constructing anew at this time such a plant as is now established at this yard, or its equivalent, is estimated at approximately \$15,000,000, and the salvage value of the plant at \$8,000,000.

Leaving a balance of \$8,000,000 of loss in case it were abandoned.

However, the Navy General Board has reported to the Secretary of the Navy in regard to this site as follows:

"The Mare Island Navy Yard, happily situated in many respects, has continually labored under the disadvantage of a location on a shallow and muddy estuary reached by a dredged channel several miles long through Pinole Shoal, making access difficult. The proposed plan to crect a supplementary establishment at the lower end of Mare Island on a very restricted site does not remove the disadvantages due to Pinole Shoal, and it introduces a new disadvantage because the existing shops will then be 2 miles from the new development. But even should the shops at the upper end of the island in time be moved to the new site—which would almost surely follow—the resulting base would still be cramped and unsuitable.

"The site for docks and sites for heavy machinery in proximity to them are limited. Future development is difficult. The muddy estuary and extensive San Pablo Bay flats have always to be reckoned with.

"The cost of the proposed layout is relatively low because the facilities will have been increased by only two dry docks and additional plers. The General Board considers that this layout would not meet the need for an adequate base on the Pacific coast, and that expansion would be difficult and costly.

That ends the extract from the General Board report. The committee report proceeds as follows:

In view of all of these considerations the joint committee concludes and so recommends that the site offered by the city of Alameda be selected, with a view to the development thereon of a naval base. The navy yard at Mare Island is an excellent navy yard, well equipped and efficient, and should be continued in its present activities as a navy yard for construction and repair purposes as differentiated from an operating and supply base; and the naval base to be established at Alameda should for the present be limited to an operating, docking, and apply base supply base

Mr. ROBINSON. Mr. President, the Senator from Illinois struck the keynote when he said that there ought to have been a frank determination of the matter which the committee inves-The committee ought to have said, in view of the purpose for which the investigation originated, whether Mare Island is impracticable for the further uses of the Navy in order that Congress might be apprised as to what it was doing; but, in view of the report of the General Board, the statement of Admiral Rodman, quoted by the Senator from Delaware, and the purpose for which the investigation was originated, I think I am justified in the conclusion that the adoption of this amendment really means the abandonment of Mare Island as a naval station, as a navy yard. That is the way it is understood by the people of California. The people who have homes in the vicinity of Mare Island understand that the question that was considered by these agents of the Government was whether, under existing conditions, Mare Island ought to be abandoned or whether it ought to be enlarged and made available for the use of all the fleet. Under these circumstances, just as sure as we make this appropriation, the next naval appropriation bill will contain a large sum for the building of dry docks and repair facilities at Alameda.

The report of the General Board shows that for years that policy, in a general way, has been under consideration. The study that was made of the subject was with a view not to limit the activities at Alameda to providing naval supplies and furnishing them to ships, but to doing everything that is necessary to be done in a modern naval base, including docking facilities, repairs, and the keeping of necessary supplies.

The statement of the Senator from Illinois and of the Senator

ator from Utah, considered in connection with the testimony which I have read and the statements of the Senator from Washington and the Senator from Delaware, warrant that conclusion.

Now listen. If, in the interest of the naval service, this thing ought to be done, I am for it; but I do not want to commit this Government to a policy of that nature on the theory that we are doing something else when we make the move. There is not an admiral in the Navy of the United States who does not understand that this appropriation is an entering wedge to the ac-complishment of a larger policy leading to the abandonment and scrapping of Mare Island and the establishment of a naval station nearer San Francisco, perhaps, in what will become finally a more convenient location, what may become a better location, by the expenditure of millions of dollars. Not only do the officers in the Navy look at it in that way, but the people of California understand it in that way. Everybody but the acting chairman of the Committee on Naval Affairs and the Senator from Delaware, who ought to know most about it, have that understanding of it.

The Senator from Delaware seems to justify the item on the ground that Mare Island ought to be scrapped because it can not be made adequate for the requirements of the service under modern conditions, but at the same time he impliedly declares there is no such purpose contemplated or in prospect.

Mr. BALL. Mr. President, will the Senator yield? The PRESIDING OFFICER (Mr. WILLIS in the chair). Does the Senator from Arkansas yield to the Senator from Delaware?

Mr. ROBINSON. I yield to the Senator from Delaware.

Mr. BALL. I merely desire to correct the Senator. The Senator from Delaware voted in committee not to scrap Mare

Island, but that Mare Island should be maintained.

Mr. ROBINSON. And so did the Senator from Washington; but the two Senators are doing what means the scrapping of Mare Island to everybody but themselves. The Senator has helped me to make my point, which I had difficulty in express-Everybody but the Senator from Washington and the Senator from Delaware, everybody, including the Senator who originated the investigation out of which this item grows, knows that the adoption of the item probably means much more than appears on the face of the item.

Mr. POINDEXTER. Mr. President, there has not been any concealment at all about it. I stated to the Senator a moment ago that the members of the Naval General Board who appeared before the Senate Naval Affairs Committee were very frank and very explicit in their statement that it meant the abandonment of the Mare Island Navy Yard, according to their

plan. It is up to Congress to say what shall be done.

Mr. ROBINSON. Yes; and now, in accordance with their plan, the Senator from Washington, as acting chairman of the committee, has reported this amendment.

Mr. POINDEXTER. No.

Mr. ROBINSON. Why, of course, it is up to Congress.
Mr. POINDEXTER. It has not been reported on their plan
at all, because it is a supply base, and their plan was for a general naval base.

Mr. ROBINSON. Of course, Congress has the power to make or not to make the appropriation; but if everybody except the Senator from Washington and the Senator from Delaware realizes that in the adoption of this amendment we are committing ourselves to the abandonment of Mare Island and the creation of a new naval base and navy yard near by, when the next appropriation bill is under consideration the theory of the Naval Board and others will prevail, as I think it has prevailed and does prevail in the present bill, in fact.

Of course, Congress can say, after it authorizes a project, that it will not carry it out. It has done that a few times; but the agitation on this subject originated in a contention on the part of authorities in the Navy and others that Mare Island for modern uses had become antiquated, and they wanted to get away from it. The joint committee went there to investigate the matter, and out of that investigation has grown an item which, on its face, is a compromise of the proposition; but the adoption of a naval base at Alameda, within 35 miles of Mare Island, where it could be placed, is a long step toward the abandonment of Mare Island, because everybody knows that this Government is not going to build a new, complete naval station with dry docks and repair shops, as these officers in their reports contemplate, at Alameda, and retain one at Mare Island.

All of my contention from the beginning has been that in adopting this item we ought to understand fully what we are doing. If we vote for it, we do not vote for it on the theory that an expenditure of \$3,000,000 or \$4,000,000 will be made at Alameda. We might just as well understand that we are committing ourselves to the policy of the General Board, so that in the course of time, and as soon as Congress can be induced to provide the necessary funds, we will be abandoning the property at Mare Island, whatever it is worth, whether it is worth \$50,000,000 or \$25,000,000, and we will be expending at Alameda a large sum, whether it is \$25,000,000 or \$60,000,000

We can not determine this question without answering the question which the joint committee was appointed to investigate in the beginning. If the Congress wants to scrap Mare Island because it thinks the contention of the Senator from Delaware, supported by the statement of Admiral Rodman, is correct—that Mare Island can not be made adequate for the requirements of a modern navy-then let us do so with a full understanding of the consequences of our act, and the assertion of our responsibilities. If you want to make it impossible that hereafter the action of Congress in adopting this provision shall be construed to have in fact committed itself to the broader policy which underlies the proposed legislation, you

can do that by language that even the Senator from Delaware and the Senator from Washington will understand as other people understand it.

You can make it so plain that even I can understand it, so that there will be no doubt about it. If you want to carry out the policy which you say is yours, namely, not to abandon Mare Island, I challenge you to write into the bill a provision that Congress has no purpose to abandon Mare Island or to abate the activities of the Government at that place.

Mr. SWANSON. I shall be glad to vote for such a provision.

The PRESIDING OFFICER. The Senator from Arkansas

has the floor

Mr. ROBINSON. Oh, I understand that the Senator from irginia would agree to anything to get this item by.

Mr. SWANSON. The Senator is mistaken, and I resent that. I care nothing about this item—not a bit more than does the Senator from Arkansas—for or against it. I have fought all the

time the abandonment of Mare Island.

Mr. ROBINSON. Well, Mr. President, my remark was a feeble attempt at humor. I think I have stated before that I am frequently under the necessity of having either to apologize

for or to explain my jokes.

Mr. SWANSON. I will state, further—— The PRESIDING OFFICER. The Senator from Arkansas has the floor. Does he yield to the Senator from Virginia?

Mr. ROBINSON. I yield, with pleasure.

Mr. SWANSON. If this contemplates the abolition of the navy yard at Mare Island, which has cost over \$60,000,000 a step which I fought ever since I have been on the Naval Affairs Committee—I am opposed to the amendment. I have never said I was in favor of anything excepting an additional supply base for Mare Island; but if the purpose is what is indicated by the Senator from Illinois I am against it, and I want to state that I have always taken that position.

Mr. ROBINSON. I know that the Senator from Virginia is in earnest now, and I know that the Senator from Washington, having expressed the same purpose, will offer an amendment

which will make it clear to my satisfaction.

Mr. POINDEXTER. I will accept an amendment to that effect, as far as I am concerned, if the Senator from Arkansas will propose it.

Mr. SWANSON. I want that made clear and specific. first time I ever spoke on that subject, which was when I was chairman of the committee, I stated that under no circumstances would I ever consent to the abolition of Mare Island as a navy yard. It is as good as any navy yard we have.

Mr. POINDEXTER. That was the unanimous report of the

joint committee that examined the matter.

Mr. SWANSON. It ought to be made clear, and it ought to be made clear that this is nothing but a naval supply base to supply Mare Island.

Mr. ROBINSON. With all due respect to the Senator from Virginia, I doubt whether when he studies the subject he will agree to such a proposition as that or the assertion of it in this bill. If you are going to put a naval supply base at Alameda. you will find irresistible pressure to put there a repair station. You will find irresistible presure to put there dry docks.

Mr. LA FOLLETTE. Mr. President-

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Wisconsin?

Mr. ROBINSON. I yield, with pleasure, to the Senator from

Mr. LA FOLLETTE. Can the Senator from Arkansas conceive of any language that could be written into this bill with respect to this amendment or any other provision in the bill that would bind any future Congress or any other committee?

Mr. ROBINSON. Certainly not.

Mr. LA FOLLETTE. If it will not interfere with the Senator's argument, let me say this:

It is just about 12 years ago that on this floor I attacked Mare Island, Portsmouth, Charleston, and a number of other ports where dry docks were appropriated for and had for years been appropriated for in the naval appropriation bills. I thought at the time that I made an argument that was convincing that dry docks never ought to have been located at those points. I quoted the opinions of naval experts. It was shown in the course of the discussion from the authorities quoted here that the naval vessels we were then building could not be taken safely into Portsmouth and docked, and that there had been a powerful influence exerted against the construction of larger vessels because they could not be docked in Portsmouth. I have not much doubt but that Mare Island is faultily located, and I have not any assurance from anything I have listened to here that Alameda is any better.

The trouble with almost all of these propositions is that there are influences back of them that succeed in putting them over, and ultimately the country finds that it has been imposed upon, and we are loaded down with appropriations for years, and finally a demonstration is made that we have squandered a lot of the public money and that you can not work out the proposition; and back of it all lies, I think, a very fundamental defect in the way in which we legislate.

I do not believe there ought to be a man on the Committee on Naval Affairs who has a navy yard in his State. I do not believe there is any difference between the moral standpoint of those Senators and that of the rest of us; but we are all human, and we are all subject to the influences which are brought to bear on us, and to the selfishness that is in all human nature to secure the largest possible appropriations for our States. If we adopted the policy of excluding from the membership of the committees that have charge of rivers and harbors all Senators and all Members who have harbors located in their districts, I think, we would have a bill that is more in accordance with the interests of the general public; and let me say to you that it is no longer than 12 years ago that the Speaker of the House of Representatives declined to put upon the Naval Affairs Committee a single man in the House of Representatives with a navy yard in his district.

I do not know how long that policy of reform was adhered to over there, but I know it was thoroughly investigated at the time this very naval appropriation bill that I speak of was under discussion, and it is to be found in the debates on that subject.

Mr. President, I beg the Senator's pardon for intruding upon his argument in this way, but I venture to suggest that as the debate on this appropriation bill develops here it discloses rather startling conditions. Take the Charleston proposition, which was debated day before yesterday. We ran along here in the debate with members of the committee present, and with everybody who ought to be informed of it in attendance upon the debate, upon the assumption that no appropriation had ever been authorized, and it took something like a half or threequarters of an hour's or an hour's debate to disclose the true facts with respect to it.

With reference to this important item-we started out with the assumption that Mare Island was all right; that there is not any proposal to abandon it; and that there never was anything contemplated by anybody excepting the establishment at Alameda of some warehouses, and all that. In the course of the debate it has unwound itself, until now it is quite apparent that the stakes are being driven and the surveys being made, and we will be laying the foundations in this legislation for an enormous appropriation, duplicating what has been done at Mare

I beg the Senator's pardon for breaking into his argument. Mr. ROBINSON. Mr. President, of course this Congress can not bind a future Congress. If we adopted an amendment like that suggested by the Senator from Virginia and mentioned by myself, declaring that the policy in establishing a naval supply base at Alameda did not contemplate the abandonment of any activities now carried on at Mare Island, the next Congress could and probably would say that on questions of policy each Congress is the judge for itself, and in all probability they would declare that it having been known when this question arose that the real policy of the naval authorities was to shift from Mare Island to somewhere else, and this debate having proceeded as it has and a compromise being reached, if we make such a declaration of policy as I referred to in what perhaps was an ill-considered effort on my part at humor as readiness to compromise to get the item by, it would not settle anything

I think this debate has developed the fact that while the Senator from Virginia and the Senator from Washington, the latter the acting chairman and the former the ranking member on the Committee on Naval Affairs, desire to confine the operations at Alameda to a naval supply base, as strictly defined, those who are responsible for the naval policy of the Government in an executive way, those in whose minds the project at Alameda originated, desire and intend that Alameda shall be made a great navy yard, with dry docks and repair stations as well as warehouses, and I have not the slightest doubt that forceful arguments can be made to support that When we legislate, we ought to do it with a full knowledge of the facts and circumstances surrounding the case and what the probable consequences of our action at this time will be.

That was the purpose for which I rose to address the Senate, and I had expected to consume but a few minutes, having had little opportunity to look into the RECORD. I have felt, and do

feel, that this item is not understood by the Senate: that on its face it does not reveal its true purposes and probable effect, and if I have succeeded in making that clear I have accomplished what I rose to do.

Mr. McCORMICK. Mr. President, before this debate closes I wish to refer again to the circumstances under which the joint committee went to the Pacific coast. The decision to send a subcommittee to the coast was taken by the conferees on the Navy bill during the last Congress.

The senior Senator from California at that time [Mr. Phelan] had urged upon the committee the importance of appropriating \$500,000 or \$1,000,000 to be expended at Alameda. The conferees, or at least some of them, believed that it would be a mistake to appropriate a small sum to establish a new and small supply base or depot. There were some of them who shared the view held some years ago by the Navy Department that it was unwise to stud the coasts of the country with naval bases and navy yards as the heavens are studded with stars. They believed that this appropriation in the long run would contribute very little to the national defense unless there were some fundamental strategic reasons for creating at Alameda or at Mare Island a single great base. They felt it would be a mistake to have in San Francisco two naval bases, yards, or whatever you may call them.

For that reason they refused to include in the bill an appropriation comparable with this one and for an intimated purpose comparable to this one, and in view thereof decided that a joint committee should go to the coast to determine the great question as to the site for the permanent great naval base on the Pacific coast.

I submit that the report does not even pretend to decide that question. I speak, if you please, as one Member of this body who supports the general contention of the committee, and who purposes to vote for the principal items reported by the committee. But I add in this connection that there is no evidence in the report which would justify our making an appropriation of this size for the purpose declared by the committee. The committee had reported that it favored an appropriation of \$10,000,000, because the overwhelming evidence of the naval experts themselves was that Mare Island must be abandoned, and then there would be an argument in support of the committee's contention. The result is that I am reluctantly compelled, from my knowledge of the purposes of the trip of the joint committee to the coast, to oppose the appropriation for Alameda.

# DIPLOMATIC RELATIONS WITH GREAT BRITAIN.

Mr. McKELLAR. Mr. President, I have listened to the debate on the establishment of a naval base at Alameda with a great deal of interest. I think the Senator from Arkansas deserves great credit and has done a great public service in calling attention to this situation. This Alameda amendment ought to be defeated by all means, and I expect to vote against it. It is a wholly useless expenditure of the public funds, and will doubtless lead to still further waste and needless extravagance in the future.

But, Mr. President, I did not rise for the purpose of discussing the naval bill at this time. I rose to call the attention of the Senate to a very ludicrous description of our foreign relations which appeared in the Washington Post this morning, most of it on the leading columns of the front page. I desire to read, first, very shortly from an article by that brilliant and gifted newspaper spokesman of the Senate majority, Mr. Albert W. Fox. In discussing our foreign relations Mr. Fox said this morning:

morning:

Instructions sent by Secretary of State Hughes to Ambassador George Harvey, who will represent President Harding at the next meeting of the supreme council, make it clear that the United States Government does not wish to in any way become involved in the Upper Silesia boundary dispute, but that this Government does naturally wish to be kept advised as to what decisions are reached by the European powers. Mr. Harvey will therefore act as observer without giving advice or participating in the deliberations relative to a solution of this European problem. There will be no possible opportunity for the European powers to draw the United States into the position of mediator or unpire as between the contentions of France and Great Britain, and, furthermore, there will be no encouragement of the idea that America is taking the first steps toward involvement in European political disputes. All this was made clear yesterday by officials of the Harding administration who are particularly anxious that the policy which the United States Government is pursuing be properly understood.

Mr. President, that is a perfectly clear statement by this

Mr. President, that is a perfectly clear statement by this gifted and brilliant writer who so often writes for the Republican majority in the Senate, and I am quite sure that this statement of the case will be pleasing to the eloquent Senator from California [Mr. Johnson] and the just as eloquent Senator from Idaho [Mr. Borah] and the able and distinguished Senator from Wisconsin [Mr. LA FOLLETTE], who is facing me at this moment. I am quite sure the doctrine of noninterference with

European affairs could not be any better stated. It is clear and specific, says this writer, that Mr. Harvey had been instructed not to take any part in the consideration of the Silesian question.

But, Mr. President, what does the Associated Press say in the same paper on the same first page? I read from the Associated Press dispatch in this morning's issue of the Washington Post, which, I believe, is the leading Republican paper, or administration paper, in this city:

The American ambassador, George Harvey, in his speech at the Pilgrims' dinner this evening, announced that he had just received instructions designating him to represent the President on the supreme council with regard to Silesia.

I wonder how that affects the Senator from Wisconsin and other irreconcilables? Does this not look like they are going Is it the first involvement in European affairs? Is it the new association of nations? The Associated Press says Col. Harvey has instructions to take part in the Silesian question. Mr. POINDEXTER, Is he in favor of Mare Island?

Mr. McKELLAR. No; I think he is like the Senator from Washington; he does not know anything about Mare Island, as has been demonstrated here in the debate on this floor this afternoon.

Mr. President, I do not know which of these two gentlemen is right. I do not know whether the Associated Press is right or not; it is usually right, and it is backed up by Mr. Harvey's own words in a speech he made last night. But one or the other of them is right, and my irreconcilable friends on the other side can take that position indicated by Mr. Fox if they want to, and those who do not believe with them can take the other position indicated by the Associated Press. It is just a matter of choice.

But, strange as these statements may be, I call attention to two others in this morning's Post that are just as remarkable a description of our foreign relations.

I quote the following from Col. George Harvey's speech made

last night at the Pilgrims' dinner in London:

It follows, then, that the present Government could not, without be-trayal of its creators and masters, and will not, I can assure you, have anything whatsoever to do with the league or any commission or com-mittee appointed by it or responsible to it directly or indirectly, openly or furtively.

The supreme council is acting or the other commissions appointed by it are acting for the league, certainly directly or indirectly, and yet this is a statement from our ambassador to England that we will not have anything to do with it or them. I am sure that would please the Senator from Wisconsin! There can not be any question about it! But how was Col. Harvey's remarks on this subject received over there? Why, I do not think some of these gentlemen paid very much attention to what our ambassador said on the subject, because here is what Mr. Lloyd-George said in reply to our ambassador's speech, evidently ignoring Col. Harvey's assertions about commissions or councils. I call particular attention to this very remarkable speech of Mr. Lloyd-George. It is worth reading. Its irony is manifest. It was indeed remarkable, and it wound up somewhat in this way:

I am glad, then, that the ambassador's appointment coincides with the decision of the United States to be represented adequately in the councils of the nation. I am glad that the new ambassador has been chosen as the representative of the United States and that he will be present at the coming meeting. It is essential for the peace of the world that America should be in.

Mr. President, I do not think I can add to these four very remarkable contradictory statements that appeared in one of the official local organs, if not the most official of all the organs of our friends on the other side of the aisle. There are here four statements. I call them to the attention of the Senate, and especially to my irreconcilable friends over on the other side, and as well to the attention of my friends over there who are not quite so irreconcilable. Here it is, a statement made on the best of authority that we are not going in; that we will not have anything to do with European matters; that we will not sit on any commission or any council. Anybody who believes that way can refer to that evidence. On the other hand, here Col. Harvey is congratulated at the end of Lloyd-George's speech upon coming in, congratulating the United States upon its decision to come in, and it is said we are coming in. I do not know what to think. Some of them say they are going in. Some say they are staying out. Only time will tell. We will wait and see.

Mr. SMITH. Just pay your money and take your choice.

Mr. McKELLAR. Yes.

Mr. ROBINSON. Has the Senator concluded what he has to say on that point?

Mr. McKELLAR. I have.

Mr. ROBINSON. I had hoped that while the Senator from Tennessee was pointing out the remarkably conflicting posi-

Mr. McKELLAR. I did not essay to do that. My only purpose to-day, if the Senator will permit me, was just to call attention of the Senate and the country to the remarkably conflicting positions that appeared in the one issue of the paper.

### RETROACTIVE TARIFF.

Mr. ROBINSON. That was just what I had started to say, that while the Senator was pointing out the remarkable and conflicting statements by the American ambassador to England, who said that he was authorized to sit in the council in discussions relating to Silesia, and who in an address also stated that we will have nothing whatever to do with European affairs, the Senator might also have referred to what I believe to be even a more remarkable policy advanced by one of the leaders of the majority at the other end of the Capitol with reference to a domestic problem.

The press contained the astonishing statement this morning, I believe it was, that one of the recognized leaders of the majority had introduced in the body at the other end of the Capitol a joint resolution for the consideration and action of Congress, proposing to put into effect the rates of a new tariff bill just as soon as that bill shall have been reported by the Ways and Means Committee of the House of Representatives. I suppose there are a great many legislative measures that are properly characterized as peculiar and remarkable, but certainly in the history of the American Congress there has never been a more astonishing

proposition than that to which I am now referring.

A committee of one of the branches of Congress is to consider and report upon a bill vitally affecting the business interests and industries of the country, and immediately upon the reporting of that bill by the committee, no matter what the House itself may think, and no matter how this body may choose to amend the bill, it is proposed by a leader of the majority that the Ways and Means Committee of the House of Representatives shall have the power to legislate on the manifold subjects that are involved in the tariff bill by putting into effect the recommendations of the committee during the consideration of the bill by the Congress

Mr. SWANSON. Who was that leader? Mr. ROBINSON. I presume there would be no impropriety in responding to the question asked by the Senator from Virginia, in view of the fact that I have stated that he is a recognized leader. I refer to a gentleman who is well known throughout the Nation as a student of tariff questions and a leader of the majority in the House of Representatives-Representative Longworth, of Ohio, a member of the Ways and Means Committee.

Of course we all know that under the Constitution of the United States no bill can become a law until it has been passed by both Houses and signed by the President or, in the event of his refusal to sign it, passed over his veto. But here is a proposition of the utmost importance in domestic affairs that parallels in its eccentricity the incident referred to in our foreign relations by the Senator from Tennessee [Mr. Mc-

Congress is to be asked and urged to put a bill into effect before it has passed either body. Oh, no; you will never pass a joint resolution of that character through this body. Unmitigated and amazing as the rapacity may be-oh, I should not say rapacity; I should say eagerness-of those who propose to follow the emergency tariff bill with permanent legislation upon that subject, you can not disregard the plain provision of the In order that its prospective, wholesome benefits Constitution. may be realized by the country before the country knows what they are, and before the Congress has had an opportunity to consider the measure and to amend it, we are to put into effect a new and permanent tariff bill fixing increased rates of tariff duties to be levied upon imports by the very simple process of a joint resolution of Congress. The proposal is both remarkable and shocking.

Mr. President, we are getting in the habit of "joint resoluting." We started out to make technical peace and settle our international difficulties by a joint resolution of Congress. That joint resolution passed the Senate at the last session and was immediately passed by the body at the other end of the Capitol. It was known when that joint resolution passed that it could never become effective; that the then President of the United States would veto it; and that the votes were not to be had to pass it over his veto.

I can not recall now the date when the Senate during the present session passed the joint resolution repealing the declaration of war in which we charged Germany with high crimes

against this Nation, its citizens, their lives, and their property. But for a long time it has remained undisposed of in a committee at the other end of the Capitol. Some one near me states that the Knox resolution passed on the 29th of April, almost one month ago. We were told here that the world and the United States were tired of a technical state of war; that we had failed to ratify a treaty of peace defining the terms and conditions upon which this Government could go forward to the achievement of its high destiny in its dealings with other nations; and that a legislative peace was an immediate necessity; but for some reason it has never yet been acted upon by the body at the other end of the Capitol.

I said when the joint resolution was before the Senate that the repeal of the resolution declaring war was unprecedented and unjustified, whatever might be the view of Senators as to the necessity for a resolution recognizing a state of peace; that the repeal of the declaration of war could have no other effect than to strike from the record the charge that this Nation made when it called its sons to arms against Germany, that Germany, in violation of the law of nations established and recognized through a thousand years of progress, had slaughtered our citizens and destroyed their property. Other Senators asserted the same viewpoint. We were in haste to get out of the state of war into a state of peace, and we passed the Knox resolution through the Senate. By some mysterious process which has not been made public it has been held up and no action taken.

Now, this Government, according to the statement of its diplomatic representative at the Court of St. James, has authorized him to sit in, or with, or by, or near the supreme council and advise and assist in its effort to adjust certain European troubles. Along with the exceptional policy, which we are told by the press is shortly to be carried into effect—this policy of repealing the declaration of war and of making a legislative peace-we are proceeding to do what the administration's spokesman said would never be done. When the American ambassador to the Court of St. James takes his seat with the council he will be regarded as the official representative of the United States. This Government will be held responsible for his actions, which must relate to governmental prob-lems. Is it proposed that he proceed in his personal capacity? Does the administration seek to control European politics through the influence of a private citizen of the United States to be exerted upon the supreme council?

In addition to that, in the most important concerns of domestic affairs, we are being asked by a leader of the majority to put into effect a bill reported by his committee when the committee reports that bill. Surely this is a remarkable proposal. It is no more remarkable than the proposals and incidents in relation to our foreign affairs, which have been recited by the Senator from Tennessee [Mr. McKellar]. It is a parallel to them in absurdity, and I want the Record to reflect this parallel.

Mr. SIMMONS. Mr. President-

The PRESIDING OFFICER (Mr. WADSWORTH in the chair). Does the Senator from Arkansas yield to the Senator from North Carolina?

Mr. ROBINSON. I yield.

Mr. SIMMONS. I wish to say to the Senator from Arkansas that astonishing as is the proposition of the member of the Ways and Means Committee of the other House to which he has alluded, a more amazing thing to my mind is the fact and I understand it is a fact-that that Member of the House is not himself the initiator nor the responsible agent probably in making that proposition; but this amazing proposition comes from one of the most prominent members of the Cabinet of the President of the United States.

Mr. ROBINSON. Mr. President, truly this is the day of astonishing revelations.

EXECUTIVE SESSION.

Mr. LODGE. In order to give time to the Senator from Tennessee to find out the connection between the supreme council and the League of Nations, I move that the Senate now proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 15 minutes spent in executive session the doors were reopened.

RECESS UNTIL MONDAY.

Mr. LODGE. I move that the Senate take a recess until

The motion was agreed to; and (at 5 o'clock and 35 minutes m.) the Senate took a recess until Monday, May 23, 1921, at 12 o'clock meridian.

### NOMINATIONS.

Executive nominations received by the Senate May 20, 1921. COLLECTOR OF INTERNAL REVENUE.

Harmon L. Remmel, of Little Rock, Ark., to be collector of internal revenue for the district of Arkansas, in place of Jack Walker, resigned.

COAST GUARD.

Lieut. (engineering) Horatio Nelson Wood, to be lieutenant commander (engineering) in the Coast Guard of the United States, to rank as such from May 14, 1921, in place of Lieut. Commander (engineering) H. U. Butler, retired.

APPOINTMENTS BY TRANSFER IN THE REGULAR ARMY OF THE UNITED STATES.

SIGNAL CORPS.

Capt. Bruce Glenn Kirk, Infantry, with rank from July 1,

COAST ARTILLERY CORPS.

First Lieut. Roland Lester Spencer, Air Service, with rank from July 1, 1920.

AIR SERVICE.

Capt. George Stewart Warren, Cavalry, with rank from July

REAPPOINTMENTS IN THE REGULAR ARMY OF THE UNITED STATES. COAST ARTILLERY CORPS.

Clem Oliver Gunn, late second lieutenant, Coast Artillery Corps, Regular Army, to be first lieutenant with rank from May 11, 1921.

### CONFIRMATIONS.

Executive nominations confirmed by the Senate May 20, 1921. COLLECTOR OF INTERNAL REVENUE.

Jesse W. Clarke for the twenty-first district of New York. CUSTOMS SERVICE.

NAVAL OFFICER OF CUSTOMS.

Arthur F. Foran for customs collection district No. 10, headquarters at New York.

SPECIAL EXAMINER OF DRUGS, MEDICINES, AND CHEMICALS. William R. Messick for customs collection district No. 11, headquarters at Philadelphia, Pa.

PUBLIC LAND SERVICE.

ASSISTANT COMMISSIONER GENERAL LAND OFFICE. George R. Wickham.

REGISTER OF LAND OFFICE, MONTROSE, COLO. Henry J. Baird.

RECEIVER OF PUBLIC MONEYS, DENVER, COLO. Charles D. Ford.

IN THE ARMY.

CORPS OF ENGINEERS.

First lieutenant.

Volney Archer Poulson.

ORDNANCE DEPARTMENT.

Captain.

Robert Perry Mortimer.

COAST ARTILLERY CORPS. First lieutenant.

Joseph Edwin McGill.

QUARTERMASTER CORPS. Captain.

James Lester Albright.

First Lieutenant.

Glen Dison Gorton.

FIELD ARTILLERY. First lieutenants.

Ivan Leon Foster. Housan Wayne Duncan.

AIR SERVICE.

Major.

Harold Aron Strauss.

SIGNAL CORPS. First lieutenant.

Rex Walter Minckler.

INFANTRY.

Captains.

Howard Nichols Merrill. James Julian Pirtle.

MEDICAL CORPS.

Cantains.

William Donaldson Fleming. Ralph Ellis Murrell.

> POSTMASTER. NEW JERSEY.

Clarence H. Wilbur, Freehold,

# WITHDRAWALS.

Executive nominations withdrawn May 20, 1921.

AIR SERVICE.

Lieut. Col. Theodore Anderson Baldwin, jr., Infantry, with rank from July 1, 1920.

REGISTER OF LAND OFFICE, BROKEN BOW, NEBR.

Truman W. Bass to be register of the land office at Broken Bow, Nebr., which was sent to the Senate April 25, 1921.

### HOUSE OF REPRESENTATIVES.

FRIDAY, May 20, 1921.

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Lord God, rebuke us not in Thine anger nor chasten us in Thy displeasure, but hear our supplication and receive our prayer. Give us possession of ourselves that we may do Thy will and find in it increased knowledge and power. The sickle has been thrust into the golden harvest and our country bows in sorrow at the bier of our distinguished jurist. He wrought in harmony with Thy divine plan and will and balanced those virtues that make secure the kingdom of God on earth and in heaven. Take away the gloom of our human weakness and give us the gleam that beats forever against the Father's throne of love and of mercy. With him righteousness and simplicity were the terminal points of all progress. Such men can not die, for Thou wilt protect their immortality. Let the morning light of hope and promise break in the chamber of death and may it flash through the gate and light the way to heaven above, where the mysteries of the night are forever dissolved into the glories of the undying day. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Wednesday was read and approved.

EMERGENCY TARIFF BILL.

Mr. GARRETT of Tennessee. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. FORDNEY. Mr. Speaker, I desire to present a confer-

Mr. GARRETT of Tennessee. I object to the presentation of the conference report unless it can be understood it will not be taken up until Monday.

Mr. FORDNEY. We want to take it up as soon as we can,

but we want to present it. If we meet to-morrow, we want to take it up to-morrow.

Mr. MONDELL. Mr. Speaker, I think under the circumstances perhaps it will not be possible to take up the conference report until Monday morning, but I think we ought to take

it up on Monday morning.

Mr. GARRETT of Tennessee. There is no objection to that. Mr. GARNER. Mr. Speaker, with that understanding I am sure there will be no objection.

Mr. GARRETT of Tennessee. Mr. Speaker, I withdraw the point of no quorum.

Mr. FORDNEY. All right, let it go until Monday morning. Mr. Speaker, I submit a conference report for printing under

The SPEAKER. The gentleman from Michigan submits a conference report for printing under the rule. The Clerk will report it by title.

The Clerk read as follows:

An act (H. R. 2435) imposing temporary duties upon certain agricultural products to meet present emergencies and to provide revenue; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes.

The SPEAKER. Ordered printed under the rule.

#### SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 494. An act for the relief of Benjamine O. Kerlee; to the

Committee on Claims,

S. 906. An act for the relief of Reuben R. Hunter; to the Committee on Claims.

S. 937. An act to reimburse Isaiah Stephens, postmaster of McMechen, Marshall County, W. Va., for money and postage stamps stolen; to the Committee on Claims.

S. 938. An act to reimburse S. S. Buzzerd, postmaster at Berkeley Springs, Morgan County, W. Va., for cash stolen; to

the Committee on Claims.

S. 990. An act to provide for the sale by the Commissioners of the District of Columbia of certain land in the District of Columbia acquired for a school site, and for other purposes; to the Committee on the District of Columbia,

S. 1060. An act to amend an act entitled "An act to punish the transportation of stolen motor vehicles in interstate or foreign commerce," approved October 29, 1919; to the Committee

on the Judiciary.

S. 1072. An act to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes; to the Committee on Roads.

S. 1358. An act to provide for maintaining the Corps of Cadets at the United States Military Academy at its maximum authorized strength, and for other purposes; to the Committee on

Military Affairs.

#### WASHINGTON MONUMENT ELEVATOR.

Mr. GOOD. Mr. Speaker, I present a House joint resolution and ask for its immediate consideration.

The SPEAKER. The gentleman from Iowa presents a House joint resolution and asks for its immediate consideration. The Clerk will report the joint resolution.

The Clerk read as follows:

House joint resolution (H. J. Res. 123) to provide funds for the repair of the elevator in the Washington Monument.

Resolved, etc., That the sum of \$900 of the appropriation for the fiscal year 1922 for care and maintenance of the Washington Monument is hereby made immediately available; and for special repairs to the elevator and other mechanical equipment of the Monument there is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500 to continue available until June 30, 1922.

The SPEAKER. Is there objection to the present consideration? [After a pause.] The Chair hears none.

The joint resolution was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. Goon, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows

To Mr. Driver, for 10 days, on account of important official business.

To Miss Robertson, for Monday, Tuesday, and Wednesday, May 23, 24, and 25, on account of important personal business

To Mr. McSwain, for six days, on account of important busi-

# DEATH OF CHIEF JUSTICE WHITE.

The SPEAKER. The Chair lays before the House the following communication, which the Clerk will report.

The Clerk read as follows:

SUPREME COURT OF THE UNITED STATES, Washington, May 19, 1921.

Hon, Frederick H. Gillett, Speaker of the House of Representatives.

Sin: I am directed by the Supreme Court of the United States to notify the House of Representatives, through you, that the Chief Justice of the United States died in this city at 2 o'clock this morning.

I have the honor to be,
Very respectfully,
JOSEPH MCKENNA.

JOSEPH MCKENNA, Justice, Supreme Court.

Mr. MONDELL. Mr. Speaker, I present the following resolution and ask for its immediate consideration.

The SPEAKER. The gentleman from Wyoming presents a resolution, which the Clerk will report.

The Clerk read as follows:

### House resolution 92.

Resolved, That the House has heard with profound sorrow of the death of the Hon. Edward Douglass White, Chief Justice of the Supreme Court of the United States.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That a committee consisting of the Speaker, the majority and the minority ficor leaders, the chairman and ranking minority member of the Committee on the Judiciary, and the Members of the Louisiana delegation be appointed on the part of the House to join the committee appointed on the part of the Senate to attend the funeral.

Mr. MONDELL. Mr. Speaker, in the death of Chief Justice White the Nation has lost the services of a great jurist, the State of Louisiana and the country has lost a great citizen. He was a great man, faithful, fair, and fearless, and adorned the highest place in the judicial system of the Republic. We all profoundly mourn his loss. I yield to the gentleman from Louisiana [Mr. DUPEE].

Mr. DUPRÉ. Mr. Speaker, the motion of the gentleman from Wyoming [Mr. Mondell] is eminently fitting. Edward Douglass White deserved well of the Republic. He was a valiant soldier, a great lawyer, a learned and just judge, a far-seeing statesman, and, more than all, a simple, Christian gentleman. We of Louisiana, which gave him to the Nation, mourn him particularly, and we join with a sorrowing country in the expression of warm sympathy to his stricken widow and bereaved relatives.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the resolution was unanimously agreed to.

The SPEAKER. The Clerk will report the additional resolu-

The Clerk read as follows:

Resolved, That as a further mark of respect the House do now adjourn. The motion was agreed to; accordingly (at 12 o'clock and 13 minutes p. m.) the House adjourned to meet to-morrow, Saturday, May 21, 1921, at 12 o'clock noon.

# EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

138. A letter from the Secretary of the Treasury, transmitting tentative draft of a bill to prohibit the interstate sale of certain articles contaminated with anthrax; to the Committee on Interstate and Foreign Commerce.

139. A letter from the Secretary of the Treasury, transmitting request for consideration of certain estimates of appropriation required by the Coast Guard for claims arising from collision and contained in House Documents Nos. 897 and 583, Sixtysixth Congress (H. Doc. No. 86); to the Committees on Appropriations and Claims and ordered to be printed.

140. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Hampton Creek, Va.; to the Committee on Rivers and Harbors.

141. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of James River, Va., as far up as Camp Eustis; to the Committee on Rivers and Harbors.

142. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Red River, Ark., Okla., and Tex., from Fulton, Ark., to Denison, Tex. (H. Doc. No. 87); to the Committee on Rivers and Harbors and ordered to be printed.

### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. GARNER, from the Committee on Ways and Means, to which was referred the bill (H. R. 2466) to constitute Fort Worth, in the State of Texas, a port of entry and to extend to said port the privileges of section 7 of an act approved June 10, 1880, entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," reported the same without amendment, accompanied by a report (No. 80), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

# PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials

were introduced and severally referred as follows:

By Mr. MONDELL: A bill (H. R. 6373) authorizing an appropriation for the payment of the portion of the cost of the Big Bend drainage district of Riverton, Wyo., applicable to Indian lands; to the Committee on Indian Affairs.

By Mr. SABATH: A bill (H. R. 6374) to amend the act to allow the bottling of distilled spirits in bond, approved March 3, 1897; to the Committee on Ways and Means.

By Mr. SNYDER: A bill (H. R. 6375) authorizing appropriations and expenditures for the administration of Indian affairs, and for other purposes; to the Committee on Indian Affairs

By Mr. SWANK: A bill (H. R. 6376) to amend the act establishing the eastern judicial district of Oklahoma; to the Committee on the Judiciary

By Mr. McDUFFIE (by request): A bill (H. R. 6377) to repeal section 6 of the act of Congress approved May 29, 1884; to the Committee on Agriculture.

Also (by request), a bill (H. R. 6378) to create a department of conservation; to the Committee on Agriculture.

By Mr. STEENERSON: A bill (H. R. 6379) prescribing standards and grades for spring wheat; to the Committee on Agriculture.

By Mr. WILLIAMS; A bill (H. R. 6380) to amend an act entitled "An act to incorporate the Masonic Mutual Relief Association of the District of Columbia," approved March 3, 1869, as amended; to the Committee on the District of Columbia.

By Mr. JOHNSON of Washington: Resolution (H. Res. 93) to authorize the Committee on Immigration and Naturalization to sit during sessions and recesses; to the Committee on Rules. By Mr. MacGREGOR: Resolution (H. Res. 94) directing the

Attorney General to institute proceedings to nullify legislation of the State of Pennsylvania with reference to tax upon anthracite coal; to the Committee on the Judiciary.

By Mr. MICHAELSON: Resolution (H. Res. 95) to appoint

a committee of Members of the House of Representatives to investigate charges made by Congressman Callaway and statements made by M. Gabriel Hanoteaux and Sir Gilbert Parker relative to foreign propaganda spread in the United States prior to the declaration of war by the United States against Germany. and to obtain information regarding foreign propaganda; to the Committee on Rules.

By Mr. MOORE of Virginia: Resolution (H. Res. 96) proposing modifications of the rules of the House of Representatives; to the Committee on Rules.

By Mr. LONGWORTH: Joint resolution (H. J. Res. 124) to safeguard the revenue, and for other purposes; to the Committee on Ways and Means.

By Mr. PORTER: Joint resolution (H. J. Res. 125) terminating the state of war between the Imperial and Royal Austro-Hungarian Government and the United States of America; to the Committee on Foreign Affairs.

Also, joint resolution (H. J. Res. 126) terminating the state of war between the Imperial German Government and the United States of America; to the Committee on Foreign Affairs.

### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOWERS: A bill (H. R. 6381) to reimburse Beuson

Jacobs, postmaster of Little Falls, W. Va., for certain postage stamps stolen; to the Committee on Claims.

By Mr. CROWTHER: A bill (H. R. 6382) granting an increase of pension to Emil Voris; to the Committee on Pensions. By Mr. DOWELL: A bill (H. R. 6383) granting an increase

of pension to Willis Hood; to the Committee on Pensions. By Mr. DUNBAR: A bill (H. R. 6384) granting a pension to Ellen E. Brock; to the Committee on Invalid Pensions.

By Mr. FAIRFIELD: A bill (H. R. 6385) granting a pension to Eliza J. Brunson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6386) authorizing the Secretary of War to donate to the city of Fort Wayne, county of Allen, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6387) authorizing the Secretary of War to donate to the city of Ligonier, county of Noble, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6388) authorizing the Secretary of War to donate to the city of Garrett, county of Dekalb, State of In-diana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6389) authorizing the Secretary of War to donate to the city of South Whitley, county of Whitley, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6390) authorizing the Secretary of War to donate to the city of New Haven, county of Allen, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6391) authorizing the Secretary of War to donate to the city of Butler, county of Dekalb, State of Indiana, one German cannon or fieldpiece; to the Committee on Military

Also, a bill (H. R. 6392) authorizing the Secretary of War to donate to the city of Churubusco, county of Whitley, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6393) authorizing the Secretary of War to donate to the city of Kendallville, county of Noble, State of Indiana, one German cannon or fieldpiece; to the Committee on

Military Affairs.

Also, a bill (H. R. 6394) authorizing the Secretary of War to donate to the city of Auburn, county of Dekalb, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs

Also, a bill (H. R. 6395) authorizing the Secretary of War to donate to the city of Lagrange, county of Lagrange, State of Indiana, one German cannon or fieldpiece; to the Committee on

Military Affairs.

Also, a bill (H. R. 6396) authorizing the Secretary of War to donate to the city of Angola, county of Steuben, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6397) authorizing the Secretary of War to donate to the town of St. Joe, county of Dekalb, State of Indiana, one German cannon or fieldpiece; to the Committee on

Military Affairs

Also, a bill (H. R. 6398) authorizing the Secretary of War to donate to the town of Corunna, county of Dekalb, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6399) authorizing the Secretary of War to donate to the cemetery trustees of Scipio Cemetery, Allen County, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6400) authorizing the Secretary of War to donate to the town of Harlan, county of Allen, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6401) authorizing the Secretary of War to donate to what is known as Presidents Corners, in the county of Allen, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6402) authorizing the Secretary of War to donate to the Howe Military School, in the city of Howe, county of Lagrange, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FAUST: A bill (H. R. 6403) for the relief of David

Housel; to the Committee on Military Affairs.

By Mr. HILL: A bill (H. R. 6404) granting a pension to Drucilla T. Collier, widow; to the Committee on Invalid Pen-

Also, a bill (H. R. 6405) for the relief of Louis A. Cornthwaite; to the Committee on Claims,

By Mr. LONGWORTH: A bill (H. R. 6406) granting a pension to John Ballmann; to the Committee on Pensions.

By Mr. McDUFFIE: A bill (H. R. 6407) for the relief of

Maj. Francis M. Maddox, United States Army; to the Committee on Claims.

By Mr. MILLS: A bill (H. R. 6408) to carry out the decree of the United States District Court for the Eastern District of Pennsylvania in the case of the United States of America, owner of the steam dredge *Delaware*, against the steamship A. A. Raven, American Transportation Co., claimant, and to pay the amount decreed to be due said company; to the Committee on Claims.

Also, a bill (H. R. 6409) for the relief of A. S. Rosenthal Co.;

to the Committee on Claims.

By Mr. OLDFIELD: A bill (H. R. 6410) granting an increase of pension to Amanda J. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6411) granting a pension to Mace Williams; to the Committee on Pensions.

Also, a bill (H. R. 6412) granting a pension to William H. Gadberry; to the Committee on Invalid Pensions.

By Mr. SABATH: A bill (H. R. 6413) granting a pension to Maria D. Emmanuel; to the Committee on Pensions.

By Mr. SWING: A bill (H. R. 6414) granting a pension to E. Puterbaugh; to the Committee on Invalid Pensions.

By Mr. WHITE of Kansas: A bill (H. R. 6415) granting an increase of pension to Clara Fowler; to the Committee on In-

By Mr. WILLIAMS: A bill (H. R. 6416) granting a pension to James Steele; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6417) granting a pension to Mary Bennett; to the Committee on Pensions.

# PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid

on the Clerk's desk and referred as follows:

775. By Mr. ARENTZ: Resolution adopted by the Women's Auxiliary Unit of the American Legion at Yerington, Nev., indorsing the program of legislation asked by the American Legion of the Sixty-seventh Congress in the interest of disabled soldiers, sailors, and marines of America; to the Committee on Interstate and Foreign Commerce.

776. By Mr. CAREW: Resolutions adopted by the Board of Aldermen of the City of New York, favoring resolutions relative to public soliciting of funds for disabled soldiers, their care and training; to the Committee on Interstate and Foreign Com-

777. By the SPEAKER (by request): Petitions from 1,732 persons, transmitted by A. B. Booth, State president of Louisiana, American Association for the Recognition of the Irish Republic, favoring recognition of the Irish republic; to the Committee on Foreign Affairs.

778. Also (by request), resolutions adopted at a meeting of the City Council of Los Angeles, Calif., protesting against the abandonment or curtailment of any part of the Navy Department program for the development of naval bases and shore-equipment stations on the Pacific coast; to the Committee on Naval Affairs

779. Also (by request), petitions of the American Ukrainian Sisterhood of St. Lubow and the Sisterhood of St. Anna, of Carnegie, Pa., protesting against military occupation in different parts of Europe; to the Committee on Foreign Affairs.

780. By Mr. KISSEL: Petition of the Diamond Match Co., New York, relative to tariff on lumber; to the Committee on

Ways and Means.

781. Also, petition of Patrick Rynne, of Brooklyn, N. Y., urging the recognition of the Irish republic; to the Committee on Foreign Affairs.

782. Also, petition of the American Hardware Manufacturers' Association, New York, in connection with transportation; to the Committee on Interstate and Foreign Commerce,

783. By Mr. LINEBERGER: Petition of the Whittier Chamber of Commerce, urging Congress to reconsider the transportation act of 1920, and to eliminate the objectionable features therein pointed out; to the Committee on Interstate and Foreign Commerce.

784. By Mr. LUCE: Petition of citizens of Massachusetts, urging the recognition of the republic of Ireland; to the Com-

mittee on Foreign Affairs.

785. By Mr. OSBORNE: Memorial consisting of telegrams from the Chamber of Commerce of Santa Barbara, Calif., and 12 other organizations and individuals of California, recommending the approval of appropriations for defense of Pacific coast and protesting against withdrawal of Pacific Fleet; to the Committee on Appropriations.

786. By Mr. RIORDAN: Petition of Mrs. Bridget A. Hartnett and 97 others, of the eleventh congressional district of New York, favoring recognition of the republic of Ireland; to the

Committee on Foreign Affairs.

787. By Mr. ROSSDALE: Resolution of the Retail Jewelers' Association of New York and vicinity, favoring a tax of 1 per cent on jewelry sales in lieu of the continuance of the present 5 per cent tax; to the Committee on Ways and Means, 788. By Mr. SABATH: Resolutions adopted by the National

Consumers' League at a meeting held in New York City on May 12, urging favorable action on the Sheppard-Towner bill; to the

Committee on Interstate and Foreign Commerce.

789. By Mr. SINCLAIR: Petition of the Commercial Club of Bismarck, N. Dak., urging the passage of legislation for the relief of disabled soldiers; to the Committee on Ways and Means.

790. Also, petition of the North Dakota State Federation of Labor, calling upon the Government of the United States to recognize the Irish republic; to the Committee on Foreign Af-

791. By Mr. SNYDER: Resolution of the Rome (N. Y.) Chamber of Commerce, indorsing the enactment of certain legislation for the relief of the disabled and wounded members of the American Legion; to the Committee on Interstate and Foreign Commerce.

792. Also, petition of the Rome (N. Y.) Rotary Club, urging relief for the disabled soldiers of the late war with Germany; to the Committee on Interstate and Foreign Commerce.

793. By Mr. TAGUE: Petition of 30 citizens of East Boston, Mass., for action to bring about recognition of the republic of Ireland by the United States Government; to the Committee on Foreign Affairs.

794. Also, resolution adopted by Massachusetts State Council, Knights of Columbus, asking that the republic of Ireland be recognized by the United States Government; to the Committee

on Foreign Affairs.

795. Also, memorials of the Women's Auxiliary, Bunker Hill Post, No. 26, American Legion, of Charlestown, Mass., and of the Women's Auxiliary, Orient Heights Post, No. 45, American Legion, of East Boston, Mass., concerning relief for disabled veterans of the World War; to the Committee on Interstate and Foreign Commerce.

796. By Mr. TINKHAM: Petition of Michael B. O'Donnell and 197 others of the eleventh district of Massachusetts, favoring the recognition of the republic of Ireland; to the Com-

mittee on Foreign Affairs.

797. By Mr. WOODYARD: Petition of the Woman's Club, of Huntington, W. Va., favoring passage of the Smith-Towner bill;

to the Committee on Education.

798. Also, petition of the Huntington Chamber of Commerce, Huntington, W. Va., favoring enactment of certain legislation for the relief of the disabled veterans of the late war; to the Committee on Interstate and Foreign Commerce.

799. Also, petition of the Ladies' Aid Society, First Methodist Church, Huntington, W. Va., favoring censorship law relative to moving pictures; to the Committee on Interstate and For-

eign Commerce.

800. Also, petition of the Huntington Advertising Club, Huntington, W. Va., favoring repeal of law relative to circulation and ownership of daily newspapers; to the Committee on the Post Office and Post Roads.

801. Also, petition of members of the Woman's Auxiliary of the First Presbyterian Church, Huntington, W. Va., favoring censorship of moving pictures; to the Committee on Interstate and Foreign Commerce.

# HOUSE OF REPRESENTATIVES

SATURDAY, May 21, 1921.

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our blessed heavenly Father, Thou art the tree of life, and from its branches fall the fruits and fragrance of Thy mercy until they touch the margin of the old earth. For every morning begins with Thy love and the angel of the Lord encampeth behind the wings of the night. Then help us to accept Thy Word that all things work together for good to them that love God. For we can not love Thee and die. Lead us by the right way and give us sweet rest at eventime. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Thursday, May 19th, was read and approved.

### MESSAGE FROM THE SENATE.

A message from the Senate by Mr. Craven, one of its clerks, announced that the Senate had agreed to the conference report on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2435) imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenue; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes.

The message also announced that the Senate had passed without amendment joint resolution (H. J. Res. 123) to provide funds for the repair of the elevator in the Washington Monu-

ment.

## SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below.

S. 1300. An act for the relief of the heirs of Agnes Ingels, deceased; to the Committee on Claims.

# ENBOLLED BILL AND JOINT RESOLUTION SIGNED.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill and joint resolution of the following titles, when the Speaker signed the same:

H. R. 2173. An act authorizing the construction, maintenance, and operation of a private drawbridge over and across Lock Numbered Four of the canal and locks, Willamette Falls, Clackamas County, Oreg.

H. J. Res. 123, Joint resolution to provide funds for the repair of the elevator in the Washington Monument.

The Speaker announced his signature to enrolled bill of the

following title:

S. 82. An act to extend the time for the construction of a bridge across the Red River of the North at or near the city of Pembina, N. Dak.

ENROLLED BILLS, HOUSE OF REPRESENTATIVES, PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RICKETTS from the Committee on Enrolled Bills reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 4586. An act to amend the act entitled "An act to establish a code of law for the District of Columbia, approved March 3, 1901," and the acts amendatory thereof and supplementary thereto.

H. R. 4075. An act to limit the immigration of aliens into the United States.

### THE REVENUE.

Mr. LONGWORTH. Mr. Speaker, by the direction of the Committee on Ways and Means I submit a report to accompany House joint resolution 124 for printing under the rules.

The SPEAKER. The gentleman from Ohio presents a re-

The SPEAKER. The gentleman from Ohio presents a report from the Committee on Ways and Means which the Clerk will report.

The Clerk read as follows:

Report from the Committee on Ways and Means on House joint resolution 124, to safeguard the revenue, and for other purposes.

Mr. GARNER. Mr. Speaker, I do not know that it is necessary to reserve points of order on a joint resolution of this kind, but if it is I want to reserve whatever is necessary. I do not understand it is necessary to report this from the floor of the House, but that is the policy the gentleman has pursued, and therefore I reserve whatever points of order are necessary.

The SPEAKER. The report is referred to the Committee of the Whole House on the state of the Union and ordered printed.

#### DEFICIENCIES.

Mr. GOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 6300, and pending that motion I would like to ask the gentleman from Tennessee [Mr. Byrns] if we can agree on time for general debate.

Mr. BYRNS of Tennessee. Has the gentleman any suggestion to make? There have been requests for time on this side.

Mr. GOOD. I have not many requests on this side. It is necessary to reach some items in the bill as quickly as possible. I think we can get along over here with about three-quarters of an hour.

Mr. BYRNS of Tennessee. I suggest to the gentleman that I think possibly we can get along on this side with, say, an hour

and fifteen minutes. Make it two hours and a half.

Mr. GOOD. Mr. Speaker, I ask, then, that the general debate be limited to two hours and a half, half of the time to be controlled by the gentleman from Tennessee [Mr. Byrns] and one-half by myself.

The SPEAKER. The gentleman asks unanimous consent that the time for general debate be limited to two hours and a half, one-half to be controlled by himself and the other half by the gentleman from Tennessee. Is there objection? [After a pause.] The Chair hears none.

The question is on the motion of the gentleman from Iowa that the House resolve itself into the Committee of the Whole House on the state of the Union.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the deficiency appropriation bill, with Mr. CAMPBELL of Kansas in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 6300) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes.

Mr. GOOD. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none.

Mr. GOOD. Mr. Speaker, I yield 10 minutes to the gentle-

man from Wisconsin [Mr. Frear].

Mr. FREAR. Mr. Chairman, during the past few weeks there has been carried on a discussion in the public press and also in the Congressional Record relative to American air-

craft production during the last war. I do not care to discuss it in any manner whatsoever. The matter is closed so far as the committee of which I am a member is concerned; but I felt it is due to the committee to ascertain whether any question or criticism could be made fairly of the committee for failure to represent to this House the facts in the case. Therefore, in regard to production of airplanes and in regard to the amount of money expended or contracted for in aircraft production, I wrote a letter to the Secretary of War asking him to secure the information from aircraft witnesses who gave us the sworn testimony contained in the record, and I have the letter of Secretary Weeks, which I desire to have read. That is the only answer based on the best testimony available which the committee desires to make. It speaks for itself, and we have made efforts for several weeks to secure data of amounts of contracts canceled after the investigation was held. is promised later according to the letter.

The CHAIRMAN. The gentleman from Wisconsin asks. unanimous consent to have the letter read in his time. Is there objection? [After a pause.] The Chair hears none. The Clerk will read the letter.

The Clerk read as follows:

The Clerk read as follows:

Wan Department,
Washington, May, 14, 1921.

MY Dear Mr. Frear: Your communication of the 2d instant was forwarded to the Chief of Air Service with instructions that he turnish me with the information required to answer your queries. For your convenience I have quoted your inquiries and followed each by the answer as submitted by the Chief of Air Service:

"Question I. Is the statement correct as farmished by the Air Service to our committee appearing on page 2856 of the record that the total amounts appropriated for aviation purposes up to June 30, 1919, was \$1,219,566,424, after deducting revocations, and that the obligations outstanding with expenditures on June 30, 1919, the date this testimony was offered, for aviation reached \$1,055,652,147.66, of which amount over \$1,050,000,000 was appropriated after our entrance into the war. If the above statement is true, what amounts were returned to the Treasury out of the appropriations and when were such returns made? Were such returns subsequent to the date of the report made by the Air Service to our committee?

"Answer. The statement of appropriations for aviation purposes, including the Signal Corps, D. M. A., and B. A. P., as printed on page 2856 of the hearings before the aviation subcommittee, is correct.

"The statement of obligations appearing on the same page is also

"The statement of obligations appearing on the same page is also

page 2856 of the hearings before the aviation subcommittee, is correct.

"The statement of obligations appearing on the same page is also correct for the dates quoted.

"The Treasury Department is the source of information as to amounts returned to the Treasury. As a matter of courtesy to you the Chief of Air Service is attempting to secure through the Chief of Finance a statement of the amount returned to the Treasury from appropriations for Air Service purposes.

"Question 2. In the Senate subcommittee's report on aviation, composed of Senator Thomas and Senator Reed, Democrats, and Senator New, Republican, appears this statement, found on corrected page 3850 of the hearing of the subcommittee on aviation:

"On April 6, 1917, the United States entered the war. On Inne 8, 1917, public announcement was made that a great fleet of 25,000 airplanes was about to be created and would be decisive of warmonths before an effective army could be put in Europe." July 24, 1917, Congress, appropriated \$649,000,000 to carry out the aircraft program. The fund has been either by actual expenditure or by commitments exhausted. A further appropriation of \$884,304,758 has been found necessary.

"In the opinion of the committee a substantial part of the first appropriation was practically wasted. While an Army of three and one half million men had been raised, the aircraft situation is as follows:

"(a) Six hundred and one De Haviland 4s have been embarked for France up to August 1, 1918. Of these 67 reached the front by July 1.

"(b) We have not a single American-made chasse or bembing plane upon the battle front.

"(c) We have not a single American-made heavy bombing plane upon the battle front.

"(d) We have not a single American-made heavy bombing plane upon the battle front.

"(d) We have not developed or put in quantity production a successful Chasse or fighting plane."

"Was this statement made by the Senate subcommittee to the effect that \$1,524,000,000 had been appropriated by Congress correct, and was it true as there f

Act of July 24, 1917	3	\$640, 000, 000
Act of July 9, 1919.  Air Service, production, 1919:		124, 304, 758
Act of July 9, 1918		760, 000, 000
Total	4	E94 204 FF

"and that this page further discloses obligations of \$711,483,410.20 on June 30, 1918, against the appropriation of \$640,000,000.

"He has also directed my attention to the fact that it is also shown on this page that the obligation against this appropriation had by June 30, 1919, been reduced to \$606,872,404.10.

"The Chief of Air Service has further suggested that it should not be overlooked that an appropriation exhausted by commitments is not exhausted, in fact, until deliveries have been made of the services or material called for by contracts for which an appropriation had been obligated."

"Ouestion 3. In the House report on trivial No. 2021.

obligates. "Question 3. 'In the House report on Aviation No. 637, Feb. 16, 1920, appears a statement, page 2.

"'During our 19 months of war with Germany the American Con-ess appropriated for the Signal Corps and aviation purposes as follows:

rocation of excess after the war (Feb. 5, 1919) \_\_\_\_

Balance available for use. 1, 205, 336, 424
Expended or obligated to June 30, 1919. 1, 051, 511, 988

"The above statement is approximately correct (Exhibit 9, p. 2856.)

"During this period expenditures or commitments of over
\$1,000,000,000 produced the following machines used by American aviators on the French fighting front:

None

American-built pursuit or combat planes

American-built bombing planes

American-built observation planes (d. H. 4's)

Machines bought from our allies

Total planes on French front Nov. 11, 1918 740

"'(Pp. 178, 179, 180, 185.)
"'Was that statement correct or was it incorrect, as sworn testimony appears on the pages recited in the record?
"'Is the following statement true as it appears on page 46 of the hearings under date of July 31, 1919; as follows:
"'Mr. Frear. And we did not during the whole period of the war get a fighting machine or bombing plane?
"'Secretary Baker. Not a fighting machine or bombing plane of American manufacture."
"Answer, Correct testimony was given before the existion only

"Ar. Ferral And we did not during the whole period of the war get a fighting machine or bombing plane?"

"Secretary Baker. Not a fighting machine or bombing plane of American manufacture."

"Answer. Correct testimony was given before the aviation subcommittee as to the amounts of expenditures and obligations; as to machines of various types produced by the United States or purchased from our allies; and as to the number of airplanes in use at the front, in reserve, and in use at other places.

"The Chief of Air Service asked to be excused from expressing any opinion as to the interpretation that may have been placed on this testimony by a congressional committee in its report.

"Likewise, testimony was given before this committee as to the use of the De Haviland 4 as a bombing plane, but the Chief of Air Service does not feel that it is proper that he should, in the manner you request, discuss a statement made under oath by a former Secretary of War.

"Question 4. What amount of money was received by the Treasury Department from canceled contracts for aviation purposes subsequent to the appointment on June 17, 1940, of the House Committee on Expenditures in the War Department?"

"Answer. As stated in answer to your first question, the Treasury Department is the source of information in regard to amounts of money returned thereto. The Chief of Air Service will diligently endeavor to secure the information you desire and will be pleased to furnish same when obtained."

The Chief of Air Service has stated that on the 2d instant a copy of the data furnished the publishers of Aviation was forwarded to you; that these data were not forwarded earlier because it was understood from your letter of April 18 that you had received same from the publishers of this magazine.

From the information furnished me by the Chief of Air Service, it would appear that there is no question as to the correctness of statements regarding appropriations and obligations which were given to your committee. At the time such statements were gi

JOHN W. WEEKS, Secretary of War.

Hon. James A. Frear, House of Representatives, Washington, D. C.

Mr. BYRNS of Tennessee. Mr. Chairman, I yield 19 minutes to the gentleman from South Carolina [Mr. Stevenson].

Mr. STEVENSON. Mr. Chairman and gentlemen, in view of the recent deliverance of our ambassador to England, who appears to be fixing, apparently, the foreign policy of this Govappears to be fixing, apparently, the foreign policy of this Government, I desire to comment a little on a few remarks which he made before the St. Andrew's Society, of Charleston, S. C., in 1906, published in his book entitled "The Power of Tolerance, and Other Speeches," and in an editorial of Mr. Ball, in Columbia State, April 23, 1921. Why he used the term "Power of Tolerance" I am unable to determine, as nobody has ever found that he ever undertook to exercise that power. He has always been the most intolerant man that has ever engaged in newspaper life in the United States. The gentleman introduced himself in the following language, and I call the atten-tion, especially of this (the Republican) side, to that deliver-

I have a right to address a southern audience. The first of my ancestors to arrive in this country landed in Massachusetts in the seventeenth century. The last of my ancestors born in another country came from Scotland in the nineteenth century. My two grandfathers hewed out their names in the wilderness of Vermont nearly a hundred years ago. In those days the least of evils to be appreciated was race suicide, and many were the sons and grandsons to whom fell the duty and honor of sustaining the beliefs and maintaining the traditions of those earnest men. The community was less narrow

socially than politically, but there was surely no advantage to any resident in affiliating himself with a small minority. Despite this environment and the drawbacks attendant upon it, neither of those two men nor any one of their descendants, to the best of my knowledge, ever voted for a candidate for public office who was not a Democrat. At the outbreak of the Civil War, of my immediate ancestors living, were two grandfathers, my own father, and nine uncles. They were northern men, not one of them had crossed the Mason and Dixon line. They regarded slavery with abhorrence, but not one of those twelve men ever lifted a hand against his white brother in the South. From their meager store and from necessity eleven of them furnished the Federal Government with sums of money fixed for the procurement of substitutes. One uncle, perhaps the best able of the twelve do so, absolutely refused and chewed the cud of bitter reflection for nearly two years in the county jail. I make no boast of their action. I claim for them no credit.

I should think he would not. He ought not to have done it before a South Carolina audience.

He had not, even up to 1906, come to any conclusion as to whether he would have fought in the Civil War, if he had had a chance, on the side of the Union.

Whether at the time, under those circumstances, I should have done as they did, I do not know, but the facts are family history and constitute the basis of my assertion that I have an absolutely and unqualified right to speak to you men of the South the words of a fraternal heart.

That is the gentleman who to-day is fixing the foreign policy of this Government according to his ideas, a gentleman who comes to a South Carolina audience and attempts to ingratiate himself with that audience, every one of whose ancestors had faced battle on a hundred fields for the cause in which they believed, and who had a profound contempt for any man who boasted that he and his ancestry were so yellow that most of them hired substitutes and some of them were so stingy that they went to jail rather than to spend the money to hire substitutes. That is the gentleman who fixes the foreign policy of this Government.

I will state, by the way, that that introduction was not very cordially received by that audience. I take it for granted that this distinguished gentleman, when he approaches the seats of the mighty, when he comes into the presence of the Crown of England, will make himself fraternally at heart with the Englishmen by saying that his people over in Vermont—the State that my friend Greene comes from—in the days of Lexington, and Bunker Hill, and Saratoga, and King's Mountain, never, while they were there, popped a cap at the British, or that nobody could make them hire a substi-tute, and that therefore they laid down and did nothing, or sympathized with the British during that contest.

That is the logical conclusion. If he came to the conclusion that an introduction of that kind before a South Carolina audience would make him a man who would be fraternal with our people, he would certainly come to the conclusion that the same kind of an introduction as to his ancestry would make him all right with the English people. [Laughter.]

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. STEVENSON. Yes. Mr. GREENE of Vermont. Was it the gentleman's purpose, in referring to me and to my State, to involve me in this mess and make it incumbent on me to defend Vermonters:

Mr. STEVENSON. Not at all. The people of Vermont, the Green Mountain boys, did not show that kind of a spirit, and none of them ever came down and claimed the right that I know of to cultivate a fraternal spirit by boasting of the infamy of their ancestors.

Mr. GREENE of Vermont. The gentleman has read into the RECORD exactly my own sentiments on that.

Mr. KINCHELOE. Mr. Chairman, will the gentleman yield? Mr. STEVENSON. Certainly.

Mr. KINCHELOE. Does the gentleman think he still has that idea as to American patriotism—is why he states that we went into this war because we were afraid not to fight?

Mr. STEVENSON. I was coming to that. He says we went into this war not for the matter of the preservation of humanity or the liberties of the world, but because we knew we had to fight, and it was to save our hides that we went into that controversy instead of to save the civilization of the world.

That is your ambassador to St. James. The President in one of his speeches in the campaign before the election said. propose to give you an association of nations with teeth in it." Has he delegated this gentleman to organize that association? If so, he is developing in that direction, because it will be an association that will have at least a "mouth" in it, and a mouth is necessary to put teeth in, because that is what he has

always been—mouth, and nothing else. [Laughter.]
Well, we were to have all of our foreign policies reversed. guess the reversal processes will begin with this distinguished gentleman who boasts of the yellow condition of his ancestors

during the Civil War. Let us see what we have done up to this time about reversing the foreign policy of this Government. On the question of the mandate and rights of this Nation in Mesopotamia the policy of the former administration is being absolutely followed by the present administration. As to the question of the rights and the policy of this Nation in the island of Yap our present administration is standing squarely in the On the track made by the administration that preceded it. question of our dealings with Russia the present administration has not varied an iota from the administration that was before it. On the question of cable control, just a few days ago this House-practically unanimously-passed a resolution to follow the leadership of the Democratic administration on that very important question.

The CHAIRMAN. The time of the gentleman from South

Carolina has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I yield to the gentleman two minutes more.

The CHAIRMAN. The gentleman from South Carolina is recognized for two minutes more.

Mr. STEVENSON. On the question of the treaty with Colombia, whereby we reestablish relations with the Government of the United States of Colombia, the administration sent the treaty. negotiated in 1916 by a Democratic administration and rejected because two-thirds could not be gotten to ratify it, to the Senate. and it has been ratified and become the law governing the relations between this country and Colombia.

Mr. BYRNES of South Carolina. Mr. Chairman, will my col-

league yield for a question?

Mr. STEVENSON. Certainly. Mr. BYRNES of South Carolina. The gentleman has referred to Col. Harvey, and to the fact that he has not been a soldier.

Where did he receive the title of "colonel"?

Mr. STEVENSON. Col. Harvey, at this same meeting of the St. Andrew's Society, where the governor of South Carolina was present, after the wine was presented-and there is no greater place than Charleston for that—was dubbed across the table by the governor of South Carolina with the salutation that the governor of South Carolina is by tradition understood to have addressed to the governor of North Carolina on a notable occasion. He was dubbed "colonel" by the governor of South Carolina, and has carried that sobriquet ever since. [Laughter.] He is popularly known down there as a "champagne colonel."

Mr. KING. Mr. Chairman, will the gentleman yield?

Mr STEVENSON. Yes.

Mr. KING. Was not that the same place where Col. House got his title? [Laughter.]

I am informed that Col. House

Mr. STEVENSON. Oh, no. I am informed tha got his title at a banquet in Chicago. [Laughter.]

There is another thing that the present administration has followed. It has followed the policy of the Wilson administration in the matter of backing up the banks of this country in making a loan to China. There was no change of policy there.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. STEVENSON. I regret I have not the time.

It was one of the crying shames of this country, according to Republicans, that Gen. Pershing, instead of Gen. Wood, was sent to France. Yet we find the present administration has indorsed that proposition by making Gen. Pershing the Chief of Staff of this country, instead of the great and heroic Gen. Wood. [Applause.]

Judge Hughes, when a candidate for President, in 1916, denounced the appointment of E. Lester Jones as head of the Geodetic Survey and called him an incompetent "horse doctor."
Mr. Harding reappointed this "horse doctor" in March, with

the statement that his services were indispensable.

President Wilson put post offices under the civil service and Harding has followed suit with a scheme that the politicians hope to use to cover the spoils system which they hope to run. Indeed, the Republican administration is thus far walking mostly in the tracks of the Democratic administration, but they appear to be walking backward and stumbling occasionally.

Mr. BYRNS of Tennessee. Mr. Chairman, I yield five minutes to the gentleman from Oklahoma [Mr. SWANK].

The CHAIRMAN. The gentleman from Oklahoma is recog-

nized for five minutes.

Mr. SWANK. Mr. Chairman, last Monday while the gentle-man from Wyoming [Mr. Mondell] was discoursing on the beauties of Box Elder Canyon I was called out for a conference with some of my colleagues from Oklahoma and did not have an opportunity to hear all of the gentleman's address. Tuesday evening, while reading the Record, I was somewhat surprised to see that he had taken a shot at Platt National Park, in Oklahoma. He said:

We have a little park down in Oklahoma that we have been trying to get rid of for the last few years, trying to give it to the State of Oklahoma. It costs us from \$7,500 to \$8,600 a year to care and provide for it. No one down there wants it. They are perfectly willing to load it on the Federal Government, and under the law this area could be taken and made a national monument, and in the course of time, I suppose, we would appropriate for its care. I do not think we ought to do that.

I think the Oklahomans realize that so long as they may utilize the property and Uncle Sam pay the keep, that is a very satisfactory arrangement.

I wish that the gentleman from Wyoming could visit the Platt National Park, at Sulphur, Okla., and partake of the healthgiving properties of the water there. He would feel better when he came back here. [Laughter.] I wish that he could see the beautiful scenery in that park, situated in the foothills of the famous Arbuckle Range. If he could only bathe in the pools formed from that sulphur water from 800 feet under the ground and see the many wonderful results achieved from the use of the water he would never again advocate giving away Platt National Park. Mr. Chairman, on the many occasions that I have visited the park I have seen, as a result of the use of that water, the lame to walk, the blind to see, the deaf to hear, and the despondent to be made happy.

Oklahoma willing to load it on the Federal Government? It was set aside by the Government for park purposes, and there is no more reason for its being taken over by the State than there is for other States to take over the parks within their borders.

As my colleague [Miss Robertson] said, it was named in honor of Senator Platt and should remain an honor to his memory. He was a friend to man, and this park is patronized by people of all classes. Why, Mr. Chairman, in the summer months it is difficult to accommodate the people who visit there. They fill the beautiful little city of Sulphur and also the camping grounds. This is a city of beautiful homes, and Murray County has an enterprising, intelligent, law-abiding citizenship.

Oklahoma, it is true, could maintain the park, and do it well, but there is no reason why she should do so. This is a park-of great interest and benefit to the people of moderate circumstances, many of whom, like some of us here, are unable to visit the more costly and expensive health resorts. In Platt National Park they can bathe in her health-restoring waters, drink the same, and many have been restored to health in this way who

but for this park would have suffered all through life.

I am surprised that any Member of this House who voted for the \$396,000,000 naval appropriation, \$331,000,000 for the Army, voted against the amendment to reduce the Army to 150,000 men, should object to a little, measly appropriation for a park that has done so much good as the Platt National Park. The gentle-The gentleman from Minnesota [Mr. KNUTSON] asked the gentleman from Wyoming the value of this park. I will answer that while this is a place of great natural beauty its chief value is in restoring people to health. Its value can no more be measured in silver and gold than the reputation of the eminent Senator in whose honor it was named. People go there from all sections of the Nation, and all testify to the curative properties of the water.

She has sulphur water of all kinds, shades, and degrees, medicine water, Brimode and pure water. If the majority whip of the House will make a short visit there, bathe in the waters, fill up on its wonderful properties, I will guarantee that he will have better luck in keeping the members of his party lined up. That water makes a man want to go, and enriches [Laughter.] him with that manly vigor so essential to true manhood.

[Laughter.]

Mr. DYER. They have nothing else to drink down there, have [Laughter.]

Mr. SWANK. The gentleman evidently has never been there. [Laughter.]

Mr. SMITH. Is any admission fee charged to this park?

Mr. SWANK. No.

Mr. SMITH. For automobiles?

Mr. SWANK. No.

I notice in the RECORD that my colleague from Texas [Mr. BLANTON] asked the gentleman from Wyoming if that was not the first piece of real property that the gentleman ever heard of Oklahoma turning down. I will say to the gentleman from Texas that the great State of Oklahoma wants nothing that is not hers, and this park belongs to the Government. When Oklahoma goes after anything to which she has claim, she goes in an orderly manner and pursues her remedy, if necessary, through the courts of the land. She never resorts to violence, force, nor the military, except as a last means. She proceeds as she did in the old Greer County case and the Red River bed case which has just recently been decided in her favor by the Supreme Court of the United States.

Mr. BLANTON. Will the gentleman yield?

Mr. SWANK. I yield to the gentleman from Texas.

Mr. BLANTON. I was defending the good people of Oklahoma from the insinuation that they would not take something good when it was offered to them.

Mr. SWANK. I am much obliged to the gentleman. The report of the Director of the National Park Service for the fiscal year ended June 30, 1920, says: "With a slight increase in the annual appropriation for Platt National Park in Oklahoma, the service has been able to make improvements and purchase equipment to take care of some of its most crying needs. The sewer system has been extended and facilities for performing more maintenance work have been purchased. has been difficult, however, to keep the park from retrograding because so many things had to be neglected last year, when the annual appropriation was cut to \$6,000. The superintendent on several occasions last year found it necessary to use his personal funds to make minor improvements, steps that he should not have been obliged to take under any circumstances."

The act of Congress creating the National Park Service says:

The service thus established shall promote and regulate the use of the Federal areas known as national parks, monuments, and reservations hereinafter specified by such means and measures as conform to the fundamental purpose of the said parks, monuments, and reservations, which purpose is to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.

As the director says, these parks do not belong to one State or to one section. No, Mr. Chairman, Platt National Park does not belong to Oklahoma, but belongs to the Nation. More people visit the park from other States than from Oklahoma. The legislature of Oklahoma recently appropriated \$389,700 to establish a hospital for our soldiers of the World War in Sulphur, where the park is located. The "Ozark Trail" and the "Bankhead Highway" also go through Sulphur, and this park is destined to become one of the west resolution to become one of the west resolution. become one of the most useful in the United States and none will return a greater interest on the money invested.

Platt National Park, like some of our other parks, is segregated primarily to conserve the mineral waters for the use of the people of the country, and some free Government bathhouses should be maintained for the people who are unable to go to the more costly resorts. The Government spends millions of dollars to protect the health of her people and it is money well spent. Platt National Park should receive an appropriation sufficient to enable it to serve the purpose for which it was created and to continue bringing people back to health.

Think of a little appropriation like \$6,000 for the maintenance of a park that does so much good and makes so many people happy. I do not believe that the gentleman from Wyoming intended to reflect on the people of Oklahoma and hope that he will withdraw his opposition to this park and give us his assistance in such a worthy enterprise for the good of the public. [Applause.]

Mr. BYRNS of Tennessee. I yield 15 minutes to the gentle-

man from South Carolina [Mr. BYRNES].

The CHAIRMAN. The gentleman from South Carolina [Mr.

BYRNES] is recognized for 15 minutes. [Applause.]
Mr. BYRNES of South Carolina. Mr. Chairman, the amount recommended by the committee in this bill, making appropriations to supply the deficiency for the fiscal year ending June 30, 1921, is \$100,680,427.25, which sum is \$119,606,338.08 less than the amount the executive departments of the Government asked for.

During the last two years, whenever an appropriation bill was considered in this House, the Republican leader [Mr. Mon-DELL] never failed to make a speech calling attention to the reduction in the estimates, and claiming that such reductions represented a saving to the people. Now that the executive departments under the Republican administration have asked for 55 per cent more than the Appropriations Committee say they need for the rest of the fiscal year, I am anxious to know whether the gentleman from Wyoming will issue a statement to the country claiming that by this reduction we have saved \$119,000,000.

In a carefully prepared statement, which the gentleman from Wyoming inserted in the RECORD of June 5, 1920, setting forth the total appropriations made for the fiscal year which is about to close, he claimed that the Congress had reduced the estimates submitted by the departments \$1,400,000,000. As a matter of fact there was little or no reduction in the estimates at all. But, admitting the accuracy of his statement, it represented a reduction in the total estimates submitted of less than 25 per cent. Referring to these estimates the gentleman from Wyoming [Mr. MONDELL] made the following state-

I regret to have to say that many of the officials of the administration were neither accurate, informed, nor properly mindful of the truth in their arguments before committees in support of the estimates.

The very best that can be said of the attitude of the officials who urged extravagant expenditures is that they may have spoken through ignorance rather than out of a deliberate purpose to mislead. I make this statement with regard to the attitude of departmental officials with regret, but with full knowledge that it can not be denied by anyone sufficiently familiar with the facts to have an opinion of the subject worthy of consideration.

Having denounced in such strong language the officials of the administration then in power, even to the extent of questioning their veracity, because they submitted estimates 25 per cent in excess of the amount he claimed the Congress appropriated, I tremble to think of the language he will now use in denouncing the departmental officials under the Republican administration for submitting estimates 55 per cent in excess of what the Appropriations Committee says they will need to run the Government for the balance of this fiscal year.

In the statement of the gentleman from Wyoming to which I

have referred, which was issued upon the adjournment of Con-

gress in June, 1920, Mr. Mondell stated:

Subtracting this sum of appropriations for 1920 and prior fiscal years from the above total we have the sum of \$4,373,395,279.07 as the total of appropriations, regular, permanent annual, and miscellaneous, for the fiscal year ending June 30, 1921—the coming fiscal year.

He further stated that all possible deficiencies would not amount to more than \$70,000,000. Since that time his party put through the Congress, in March, 1921, the first deficiency bill, appropriating \$275,256,005.21. This second deficiency bill as reported to the House appropriates \$100,680,427.25. that the deficiencies instead of amounting to \$70,000,000 have amounted to \$375,936,432.46. When this amount of deficiencies is added to the amount which Mr. MONDELL stated would cover all appropriations, it makes a total of \$4,749,331,711.53, and yet in the face of this statement by the distinguished Republican leader we are told by the Secretary of the Treasury in a letter he recently addressed to the chairman of the Ways and Means Committee that he estimates the department exand Means Committee that he estimates the department expenditures for this fiscal year at \$5,000,000, excluding expenditures for the Postal Department, and the Treasury Department to-day states that, including the expenditures for the Post Office Department, the total disbursements for this fiscal year will amount to at least \$5,600,000,000. So the actual disbursements of the Treasury are approximately \$1,000,000,000 more than the Republican leader of this House says the Congress appropriated, and the question arises, Who got the billion and how did they get it?

The explanation, of course, is that prior to the last election, in order to mislead the people as to the amount of money that was being appropriated, the Congress departed from the settled policy which had heretofore controlled its appropriating committees, and instead of appropriating directly for each department the amount of money the Congress thought was needed for its activities, resorted to a system of indirect appropriations authorizing the expenditure of money through reappropriations, revolving funds, and from the proceeds of the sale of

Government property.

As a result of this indefensible system it is an impossibility for any man to state with accuracy the total amount of money made available by Congress for expenditure during this fiscal year. After a most careful investigation, however, I am confident that with the passage of this bill the total amount authorized by Congress to be spent during this fiscal year by the departments of the Government will approximate \$6,000; 000,000. This is no reckless statement. When the gentleman from Wyoming stated in June, 1920, that the total appropria-tions, regular, permanent annual, and miscellaneous would amount to \$4,373,395,279.07, I issued a statement asserting that the total expenditures would amount to five and a half billion dollars. The Secretary of the Treasury now shows that I was conservative, inasmuch as he says the actual disbursements from the Treasury will exceed that figure.

Because I want the House to know how it has been done, I wish to call your attention to some of the legislative provisions which account for the expenditure of a billion dollars more than the Republican leader stated would be spent. When a department would submit an estimate for some work which the committee believed should be carried on, instead of appropriating the money an investigation would be made to ascertain whether in some other fund in the same department or in some other department there was an unexpended balance which at the end of the fiscal year would be covered back into the Treasury, and then a legislative provision would be inserted in the bill

providing that the unexpended balance of some fund instead of being covered back into the Treasury should be made available for the next fiscal year for the specific purpose the Congress desired to provide for. By this legislation the Republican leader could claim that the estimate had been denied, that no

appropriation was made, and at the same time the money would be made available for expenditure.

I can not cite all the instances of such legislation for the fiscal year, but to indicate the extent of the practice I cite the

Reappropriation unexpended balance available for expenditure for fiscal year 1921.

#### MILITARY ESTABLISHMENT.

MILITARY ESTABLISHMENT.

Registration and selection for military service (act June 5, 1920, 41 Stat., 951). Reappropriation of 1920 balance.

Building, Infantry School, Camp Benning, Ga. (act June 5, 1920, 41 Stat., 963). Reappropriation of 1919 balance from "General appropriations, Quartermaster Corps"

Unexpended balances in 22 different funds for fiscal year 1918, made available for fiscal year 1921, to pay contract claims (act June 5, 1920, 41 Stat., 1026)

Unexpended balance of appropriations for military and naval compensation for fiscal year 1920 made available for compensation claims (41 Stat., 881).—Chemical Warfare Service, Army (act June 5, 1920, 41 Stat., 510). Reappropriation of 1919 balance. Ordnance storage facilities (act Mar. 6, 1920, 41 Stat., 510). Reappropriation of prior balance from "Armament of fortifications"

General appropriations, Quartermaster Corps (act Mar. 23, 1910, 36 Stat., 257; Comp. Dec., May 11, 1914). Moneys arising from disposition of serviceable quartermaster's supplies to remain available throughout the fiscal year following that in which disposition was effected—Transfer from 1920 to 1921

NAVAL ESTABLISHMENT.

#### NAVAL ESTABLISHMENT.

NAVAL ESTABLISHMENT.

Freight, Bureau of Supplies and Accounts (act Mar.
1, 1921, 41 Stat., 1169). Reappropriation of 1919
balance from "Maintenance, Quartermaster's Department, Marine Corps"

Maintenance, Quartermaster's Department, Marine
Corps (act Mar. 1, 1921, 41 Stat., 1170) Reappropriation of 1920 balance.

Naval supply account fund (act Mar. 1, 1921, 41 Stat., 1169). Transfer of prior balances on all Naval Establishment appropriations.

Establishing an additional amount equal to the value of supplies in naval supply account on Mar. 30, 1921.

An instance of an indefinite appropriation is that contained in the guaranty section of the Esch-Cummins Act. Under this appropriation the Treasury has paid out to date.

It is estimated that this provision will cost \$2,000,000 additional.

#### REVOLVING FUNDS.

Expenses under Railroad Administration:
Federal control of transportation systems (transportation act, Feb. 28, 1920, sec. 202; 41 Stat., 459)

Reappropriation of balances under revolving fund; also funds derived from operation of the carriers or otherwise arising out of Federal control, and all moneys that have been or may be received in payment of the indebtedness of any carrier to the United States arising out of Federal control.

Loans to railroads after termination of Federal control (transportation act, Feb 28, 1920, secs. 206, 210; 41 Stat., 461, 468). Repayments of loans credited to this appropriation

# UNITED STATES SHIPPING BOARD,

UNITED STATES SHIPPING BOARD.

Stat., 891)

It was estimated that this amount would be available for expenditure by the provisions making available the balance on hand July 1, 1920; the amount received during the fiscal year 1921 from the operation of ships; not to exceed \$15,000,000 from deferred payments from ships sold prior to approval of act; not to exceed \$25,000,000 from plant material sold during the fiscal year 1921; and not exceeding \$30,000,000 from ships sold during the fiscal year 1921.

Another instance of a reappropriation is that found in section 7, act approved May 21, 1920 (fortifications appropriation act), which provides-

That the funds appropriated by any Government bureau or department may, in connection with the procuring, by purchase or manufacture, of stores or materials of any kind, or the performing of any service between any bureaus or departments, be transferred to the bureau or department making the procurement or performing the service, and that the "funds so placed with the procuring bureau shall remain available for a period of two years for the purpose for which the allocation was made."

The effect of this last proviso is to make that much of the appropriation originally granted by a bureau for the single year specified by the appropriation act available for obligation and expenditure during a period of two additional years, or three years in all.

1,000,000.00

\$764, 000. 00

75, 176, 969, 51

25, 000, 000, 00

2,000,000,00

5, 000, 000, 00

30, 793, 993, 76

5, 000, 000. 00

3, 000, 000.,00

114, 000, 000, 00

280, 000, 000, 00

541, 734, 873, 27

400, 716, 746, 63

52, 021, 568, 55

1, 669, 572, 95

225, 000, 000, 00

In the merchant marine act, approved June 5, 1920, will be found an important example of recent legislation to appropriate receipts in the form of an appropriation of the receipts of the Shipping Board for certain purposes and under certain limitations.

Another instance of recent legislation creating revolving funds is found in the sundry civil bill approved March 4, 1921, under the caption "Federal Board for Vocational Education."

I know that the House recalls the occasion upon which the Railroad Administration submitted an estimate of \$120,000,000 to be expended in winding up its obligations with the carriers, and the Congress instead of appropriating the money provided in a deficiency bill that \$30,000,000 should be transferred from the loan fund authorized in the transportation act, and the balance of \$90,000,000 should be provided by the War Finance Corporation purchasing at par the Liberty bonds held by the Railroad Administration.

In view of the extent to which this practice of covering up appropriations has grown during the last two years, it is not surprising that Secretary Mellon, charged with the duty of administering the finances of the country, should in a letter to the chairman of the Ways and Means Committee warn the Republicans of this Congress against a continuance of their indefensible course. In his letter he stated:

Reduction of appropriations, moreover, will not of itself be effective to reduce expenditures unless at the same time Congress avoids or controls measures which result in expenditure without an apparent appropriation. Reappropriations of unexpended balances, revolving-fund appropriations and appropriations of receipts, and other indefinite authorizations of expenditure have in the past been responsible for hundreds of millions of dollars of actual cash outgo.

Of course, he is correct, and if we continue this system of appropriating we can only expect chaos and confusion to reign in the accounts of the Treasury Department.

Commenting upon the letter of the Secretary of the Treasury, the Washington Post, recognized as one of the spokesmen of the present administration, said editorially:

Strict economy in public expenditures must be observed, the Secretary declares, if the Government is to get along on \$4,000,000,000 a year, and he warns Congress that the country can not continue to spend money "at this shocking rate," which is \$5,000,000,000 for the current fiscal year. Also he places his finger upon one of the most fruitful sources of extravagance when he deplores the reappropriation of unexpended balances, revolving fund appropriations, appropriations of receipts, and other indefinite authorizations of expenditure. Under cover of these general terms many hundreds of millions have been taken from the Treasury.

The Post is correct. This method of covering up appropriations will lead to extravagance. When those charged with the framing of appropriation bills, instead of making appropriations, make the funds available by legislation, and then declare to the House and to the country that they have reduced the estimates and saved money, they deceive the House as well as the country. They can not complain if some members reach the conclusion that having saved such enormous sums by reducing estimates they can afford to be liberal and vote for amendments that increase the direct appropriations.

This system of reappropriating balances encourages extravagance on the part of the departments. They will soon realize that in order to get an additional appropriation it is only necessary to find an unexpended balance in some fund and then appeal to the Congress to make it available on the ground that it does not increase the total of appropriations, the result being that this money instead of being covered back into the Treasury at the end of the fiscal year will be spent for some other purpose.

It is most unfair to the people of the country who are entitled to know what it is costing to run the Government. As it stands to-day it would take an immense corps of legislative experts and auditors to ascerta'n what the Government is costing the people of the United States for the fiscal year 1921.

In view of all of these facts, in view of the earnest appeal of the Secretary of the Treasury, and the editorial utterances of the Washington Post, I am surprised and disappointed that the bill now submitted to the House contains more legislative provisions reappropriating unexpended balances than any previous bill reported to this House. No man reading the bill can tell exactly how much money is authorized to be spent by the departments of the Government. To avoid making direct appropriations, legislative provisions authorize the departments to transfer funds from one account to another, and the chances are in many cases the departments will returnbefore the end of the fiscal year for other deficiencies caused by such transfer of funds.

The CHAIRMAN (Mr. CABLE). The time of the gentleman from South Carolina has expired.

Mr. BYRNES of South Carolina. Mr. Chairman, will the gentleman yield me three minutes more?

Mr. BYRNS of Tennessee. I yield the gentleman three minutes more.

Mr. BYRNES of South Carolina. One of the appropriations to which I have called attention provides that a certain activity can be carried on from funds derived from 22 different funds, unexpended balance. in the War Department. No bookkeeping system on earth can ever keep the accounts of this Government straight if we continue that policy. What is the necessity for it?

I do not hesitate to say that last year, before an election, we could all understand that there was some excuse, because all parties make efforts to hold down appropriations and try to create the impression that they are doing it, and if it were necessary then it was all right, but certainly there is no election coming on this year, and there is no reason why we should continue a system that a Republican Secretary of the Treasury says caused hundreds of millions of dollars to be expended last year.

Therefore, I ask the Members on the Republican side of the House in the consideration of this bill to join us and let us get back to a normal condition, where if one of the departments comes here and asks for an appropriation and show they are entitled to it, they will receive the money. Let us give them what they show they actually need and no more, and when they come and ask for deficiencies let us refuse to give them the deficiency, and if they incur deficiencies, then let us have the deficiency statute penalizing such conduct enforced. Then if at the end of the fiscal year your leader can make a statement to the country showing that we have appropriated so much money, the country will be able to depend upon it as approximating what the Government is costing them, and you will not be in the fix where your leader said our appropriations would amount to \$4,300,000,000, while the Secretary of the Treasury says he is actually spending \$5,600,000,000.

Mr. GOOD. Mr. Chairman, will the gentleman yield? The gentleman wants to be fair.

Mr. BYRNES of South Carolina. Certainly. I yield.
Mr. GOOD. The gentleman knows that there is a difference between appropriations and expenditures. You take expenditures that are available for three years if the contract is made within the year. For this year, at the beginning of the fiscal year, there was a balance appropriated of \$1,500,000,000 in the War Department that had not been expended. Therefore, when the Secretary of the Treasury was speaking about expenditures he was talking about all of the money that goes out of the Treasury, while I was talking, as was the gentleman from Wyoming [Mr. Mondell], about appropriations.

Mr. BYRNES of South Carolina. Oh, no. I know what the gentleman would say, but the gentleman was talking about \$4,300,000,000 as appropriated.

Mr. GOOD. Yes.

Mr. BYRNES of South Carolina. And it did not include reappropriations which I show him by the record amounts to \$541,000,000, and he did not include indefinite appropriations, amounting to \$400,000,000 more, authorized by the guaranty section of the Esch-Cummins Act.

The CHAIRMAN. The time of the gentleman from South

Mr. BYRNS of Tennessee. Mr. Chairman, I yield three minutes to the gentleman from Texas [Mr. Jones.]

Mr. JONES of Texas. Mr. Chairman, I hold in my hand a copy of the eulogy delivered by my former colleague, Mr. Joe H. Eagle, on the life, character, and services of the late lamented Champ Clark. Through an oversight these remarks were not presented in time to be printed in the Record for the last term, and I present them at this time for the purpose of asking to be allowed to have them printed in the Record now. A little history in connection with the delivery of this speech might be interesting to those who knew and served with the brilliant Joe Eagle. On the evening set apart for the delivery of the eulogies a number of speeches had been made. I chanced to go into the cloakroom, where Joe was sitting, and asked him why he did not go out there and make a real speech such as every one knew he could make.

He replied that he felt he would have liked to say a few words about dear old Champ, but that the docket was crowded and he had not made any preparation for that purpose, I immediately went to the chairman of the committee on arrangements (Mr. Rucker, of Missouri), and suggested that he call upon Mr. Eagle, which he said he would be delighted to do. I then notified Mr. Eagle that he would be called upon. Thus without preparation and with only a few minutes' notice—the

matter having started largely in banter-was delivered what I think is one of the most beautiful eulogies this House has ever heard.

To those who knew and had the pleasure of serving with Joe Eagle this was not surprising. He is one of the most charming men in conversation, one of the most eloquent and gifted orators, and one of the gentlest and finest spirits that ever graced the halls of the Congress. He belongs to the old-time school; he adorned this House and we shall miss him. I present this speech as actually delivered, with scarcely a word changed and ask that it be printed in the Record just in the form it was so eloquently spoken.

The CHAIRMAN, The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD as indicated. Is there objection? [After a pause.] The Chair hears none.

Mr. BYRNS of Tennessee. How many more speeches the gentleman from Iowa have?

Mr. GOOD. Only one. Mr. BYRNS of Tennessee. Mr. Chairman, it has often been said upon the floor of the House that in the consideration of estimates submitted the Committee on Appropriations never permits politics to enter into the committee room, and that is largely true. There may have been some instances in which politics or partisanship has cut some figure, but in the main, and I may say practically all the time, the Committee on Appropriations gives consideration to the estimates without regard to partisan or political effect. And every one will agree that this is the proper attitude. Questions involving the appropriation and expenditure of the public funds should not be governed or controlled by partisan bias, but they should be decided solely from the public interest. On Thursday there was printed in the Washington Post an editorial on the subject of the pending deficiency bill. Every one, of course, knows the highly partisan attitude of the Washington Post and its earnest, unquestioning support of the present administration, and I refer to this editorial only because of a manifest misstatement and an unjust criticism made therein in regard to the preceding administration in its handling and expenditure of the public funds. I wish to read just a portion of that editorial. It is headed "Stopping extravagance," and it states:

The action of the House Committee on Appropriations in reporting a general deficiency bill carrying \$100,680,000, which amount is \$120,000,000 less than the aggregate asked by the executive departments, is in line with the policy of President Harding in requiring the departments to keep their expenditures within the limits fixed by Congress. He has impressed his views upon the members of his Cabinet, and they are endeavoring to follow the course he has mapped out. They are not held responsible for the deficiencies of the current fiscal year, for the reason that the departments were under the control of the preceding administration during two-thirds of the year.

Further on it says:

During the last administration he was a slow bureau chief who did not run up expenses and exceed his appropriations. The rivalry among the departments and bureaus was incessant. No attention was paid to the repeated warnings of Congress. Under the shield of the President, the departments boldly invaded the prerogative of Congress and committed the Government to tens of millions of unauthorized expenditures.

Now of course we all know that during the war, when billions of dollars were being spent over night, almost, in defense of this country for the purpose of carrying on war, deficiencies were necessarily created with the full consent of the Congress in some of the defense activities, notably the War and Navy, but the writer of this editorial was either inexcusably ignorant of the contents of the bill about which he was writing or he was extremely careless in his statement of the facts on account of his evident desire to give some political aid to the present administration at the expense of the preceding administration. If he had studied the estimates, he would not have called this a deficiency bill and sought to leave the impression on his readers that the large estimates were submitted for this year and therefore in part chargeable to the last administration. He would have found that out of the \$220,286,765.33 of estimates which were sent forward to the Congress that \$138,229,677.16 was for the next fiscal year and only \$82,057,088.17 really represented

deficiencies for the present fiscal year.

This bill which is presented here as a deficiency bill for the present fiscal year carries out of the \$100,000,000, which is sought to be appropriated, the sum of \$29,271,313.34 for employees and activities for the fiscal year 1922, beginning July 1 of this year. So I say that if the writer of this editorial had taken the pains to examine the estimates as a careful editor jealous of the truth and anxious not to mislead his readers would have done, he would not have been guilty of making the statement referred to and attempting to make the readers of his paper believe and the country believe that the large estimates submitted and the \$100,000,000, which is proposed in this deficiency bill represents expenditures purely and simply for the present year and therefore chargeable in the bill.

part to the last administration. Now we all know that the last Congress was Republican in majority just as this Congress is Republican in majority. When the appropriations gress is Republican in majority. When the appropriations were made for the year 1922 in the last Congress it was well known that there would be a Republican administration after March 4. Gentlemen who were chairmen of the various subcommittees having in charge the various bills providing appropriations necessary for the next fiscal year stated upon the floor of the House in presenting their bills that they had allowed all they believed to be necessary to carry on the Government, and yet before the year has commenced, within two or three months after the present administration has taken charge, we find the heads of the departments of the present administration coming to the Congress not asking alone for deficiencies in their departments for this year but asking addi-

tional money for the year 1922. This bill carries \$100,680,427.25. This is \$119,606,338.08 less than the total estimates submitted which were \$220,286,765.33. Of that amount as I have stated for the fiscal year 1921 and prior years there was estimated an aggregate of \$82,057,088.17, and for the fiscal year 1922 \$138,229,677.16. Gentlemen on the majority side were very critical of the last administration for the large estimates submitted. We were promised that the present administration would follow a different policy. But here we find that in the first estimates submitted, the departments have asked for much more than twice the amount which the committee finds to be necessary. This does not measure up to the off-repeated promises of economy, or with the statements issued to the press by both the President and the Secretary of the Treasury. It is preaching without practice and that will neither reduce expenditures or lower taxes. This bill carries for the year 1922 statutory salaries aggregating \$169,643,000, making provision for 105 new employees after June 30. In addition to that it makes certain lump sums available for employees during the next fiscal year. There is a total of \$585,000 in lump sums made available for new employees in the fiscal year 1922 making a grand total, with amount allowed for specific salaries and employees specifically enumerated, of \$1,280,640. And that is not all the story with reference to the new employees provided in this bill if it becomes a law as presented, because it makes available for clerk hire a balance of \$3,750,000 which is now in the Treasury under the title of Expense of Foreign Loans.

True, that organization exists to-day and has existed for some time; true, the Secretary of the Treasury, I think with some reason, insisted that it must be extended during the next fiscal year, 1922, and I call attention to it for the purpose of informing the House that despite the claims that were made when the regular supply bills for 1922 were passed the first of the year as to the large reduction of employees this Congress by this deficiency bill is making appropriations for the year 1922 before deficiencies have actually occurred and is actually increasing the number of Government employees here in the District of Columbia by the amounts I have stated. But that This bill proposes to revive a certain section of the Liberty loan act and in so far as expenses incurred in new issues of certificates of indebtedness are concerned it makes it possible for the Secretary of the Treasury to use one-tenth of 1 per cent of the entire issue for the payment of those employees in the work of issuing these new certificates. bill makes available for additional employees for 1922 \$1,289,-643, by the way of lump sum and specific appropriations for employees, and the balance to the credit of expenses of foreign loans, amounting to \$3,750,000, or a total of \$4,285,218.47, plus

what one-tenth of 1 per cent of new issues may amount to.

The gentleman from Wyoming, the majority leader, had much to say last February, when these bills for 1922 were pending, relative to the great economies which were being effected by the reduction of employees. He heralded that as a great economy and loudly proclaimed that it was an evidence of the intent of his party to faithfully keep its promises of economy, but how very painful is his silence now when at the request of the present administration appropriations are to be made increasing the number of employees above the number contemplated when those bills were passed.

Reference has been made to the practice of making reappro-I have always insisted that that is poor business priations. What ought to be done is to cover unexpended balances into the Treasury and then make direct specific appropriations of whatever money is needed for Government activities. That is the only way whereby the country will be able to know what is being expended by the Government. The practice of reappropriating money instead of making direct appropriations is misleading, unnecessary, unbusinesslike, and makes possible extravagant appropriations which do not appear on the face of

This bill carries reappropriations amounting to more than \$482,000. There is a transfer of \$250,000 from the Census Bureau to the Bureau of Standards, increasing the appropriation for the Bureau of Standards for 1922 in that sum. Now, if that sum was not needed, as the Secretary of Commerce said, by the Census Bureau, the businesslike thing would have been to cover it back into the Treasury and then make a direct appropriation to the Bureau of Standards. propriation for the Bureau of Foreign and Domestic Commerce is increased in the sum of \$250,000 for the encouragement of export industries. That is an appropriation to which I gave my hearty support, because I believe at this time of all times this Government should make every effort to improve and extend our domestic and foreign commerce.

After all, gentlemen, there is going to be very little economy effected in the reduction of Government expenses here in the District of Columbia. Oh, we may save a few millions of dollars, but as compared with the four or five billions of dollars which will be spent by the Government during the year it

will amount to very little.

The only way whereby a big saving can be made is by reducing the expenses incurred in the maintenance of the Army and Navy, and this can be done if we can obtain an international agreement for disarmament. I hope therefore that the President will very soon keep his promise to the American people and call a conference of the nations for the purpose of discussing the question of disarmament. Until he does that, and until some agreement is reached whereby our Navy as well as our Army can be reduced, we can not hope for that great reduction in expenditures on the part of our Government, which will enable a reduction in taxation, so greatly needed and demanded by business and by the people.

I do not intend to discuss this bill in detail. The gentleman from Iowa [Mr. Goon], of course, will do that. I felt that it was proper to call the attention of both sides of this House to the fact that this is not merely a deficiency bill, but that is goes further and carries nearly thirty million for the fiscal year 1922.

This bill creates a new position to be known as First Assistant Secretary of the Treasury, and fixes his salary at \$10,000. This is on the theory that the Secretary of the Treasury, and that he needs man of high affairs man ury needs assistance, and that he needs men of big affairs, men who can give close attention to the many important details of his office, so as to permit him to give his attention to the greater problems. During the war, and for the period of the war, Congress created two additional assistant Secretaries of the Treasury, but under the express terms of the law those positions have now expired. And when the gentleman from Indiana [Mr. Wood] presented the legislative bill at the last session of Congress he declared that they were no longer necessary. But this bill undertakes to provide in their stead a new position, to be known as the First Assistant Secretary of the Treasury, at Oh, it was stated that they wanted \$10,000 as a salary because they desired to get a real big man. But my experience has been that the question of salaries does not often cut much figure in that respect. I have heard it argued on the floor of this House that in the creation of new boards and commissions we must provide salaries of \$10,000, or \$12,000, or even \$15,000, because it would enable the President to pick out the very best men. And yet I have discovered frequently that in the last analysis, men are appointed by promotion here in the department. Personally, I believe if this position was to have been created a salary ought not to have been paid greater than those paid to the present Assistant Secretaries in the Treasury Department and other departments.

Mr. STEVENSON. Is this Assistant Secretary of the Treasury proposed to be in addition to the office of Undersecretary of Treasury, that British office which is proposed to be established by a bill to reform the Federal Reserve act, and make him the representative of the Secretary of the Treasury on the Federal Reserve Board? I suppose the gentleman is familiar with that. He is to have \$12,000 a year.

Mr. BYRNS of Tennessee. An undersecretary was asked for, but I think it was the idea of the committee that this First Assistant Secretary of the Treasury should take the place of the undersecretary.

Mr. STEVENSON. It was proposed to call him the "undersecretary.'

Mr. BYRNS of Tennessee. The estimates proposed an undersecretary at \$10,000, and when some one was asked the particular reason for desiring an undersecretary in the Treasury Department it was stated that Great Britain has an undersecretary of finance, or something of that sort. That is the only reason I heard advanced for the title-a reason that did not appeal to me. The committee declined to call him the "under-

secretary," but gave the salary, which was the thing most desired, and have named him the "First Assistant Secretary of

Mr. STEVENSON. The bill I mentioned, I will state to the gentleman, is pending before the Committee on Banking and Currency still, to make him the Undersecretary, and make him the representative of the Treasury Department on the Federal Reserve Board.

Mr. BYRNS of Tennessee. I am opposed both to the position and the salary. We have now three permanent Assistant Secretaries of the Treasury. There are several such officers in all of the departments, and when we undertake to fix the salary at \$10,000 for one Assistant Secretary, Congress can not in justice to itself and in justice to the other positions of equal dignity and importance deny to them a salary of \$10,000. If this position is to be created, if the Secretary of the Treasury needs an additional assistant for the next fiscal year, which I deny, he ought to be put on a par with the other Assistant Sec-

retaries and paid the same salary.

That it not all, gentlemen. This bill creates the positions of Commissioner of Deposits and Commissioner of Accounts, at \$6,000 a year-positions that are now in existence, but not provided for by specific appropriations; positions paid out of the expense of foreign loans, and which have been in existence since December, 1919. It was claimed with some force that these positions are needed during the next fiscal year to look after the immense securities of the Government, including foreign loans, amounts due by railroads, deposits in Government depositories, and the like. Whether they will be needed in the ensuing fiscal year is a matter of conjecture, and it would have been far better, therefore, to have permitted them to remain on the lump-sum roll rather than to have made the positions permanent and statutory. We all know how very difficult it is to abolish an office after it has been permanently established.

The point I wish to make is this, that last February, when the legislative appropriation bill was pending before the House, gentlemen on this side of the Chamber in charge of the legislative bill assured the House and the country that they were not needed and claimed great credit for striking them from the rolls. They announced a great program of economy and declared that the present administration would adhere rigidly Nevertheless, within three months after the to the program. inauguration of the President we find this Congress about to restore those positions for the next fiscal year at the instance and request of his administration.

I am in favor of every appropriation and every position necessary for the proper conduct of governmental affairs, but I am not in favor of providing big positions and big salaries merely to provide places for the faithful. [Applause.]

Mr. STEVENSON. Mr. Chairman, I ask unanimous consent to revise and extend the remarks that I made this morning.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. BYRNES of South Carolina. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. BYRNS of Tennessee. Mr. Chairman, I make the same

The CHAIRMAN. Is there objection?

There was no objection.
Mr. SWANK. Mr. Chairman, I make the same request. The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. GOOD. Mr. Chairman, I know that there is quite a prejudice—one which I myself entertain to some degreeagainst deficiency appropriation bills. I think a part of the prejudice of the public and of some of the Members of the House against deficiency bills grows out of a failure to understand the process of making up appropriation bills. The estimates that were made for the fiscal year ending June 30, 1921, were made back in the fall of the year 1919. They were sub-mitted to Congress at the opening of the session in December of that year and published in the Book of Estimates. The appropriations were made more than 15 months prior to the end of that fiscal year. Of course much can transpire between the time of making these appropriations and the actual spending of the money that requires modification and changes. The committees having jurisdiction of appropriations for all of these years have, I think, wisely adopted the policy of reducing estimates wherever they thought the estimates could be safely reduced, and they have reduced them upon this theory, that it would be unwise to appropriate for all of the services including the emergencies that might arise, because if you were to appropriate for all the seen and unforeseen contingencies you would make the appropriations so large that it would invite the rankest extravagance in the administration of the appropriations.

So Congress has taken this view of the matter, that we would cut down the appropriations to the minimum, and if, perchance, some unforeseen emergency should arise, or if the cut in the estimate proved too drastic, Congress would be in session and

would grant a deficiency appropriation.

That has been the theory of these different committees and the theory of Congress, no matter which political party has been in power; and I submit it has not been a bad theory during the time when we have had no budget system, no law by which we had checks and balances upon appropriations. I believe that the budget law that will soon, I hope, be enacted will obviate many of the necessities for deficiencies. After all, no matter what law we have, an executive official is human, surrounded by human beings, heads of various bureaus, and if they are worth anything they want their bureaus to grow and develop, and they want to spend not only all the money appropriated, but they want additional appropriations at all times.

I have never complained much about that. I think it shows a healthy condition. The thing that Congress has done, and must do in the future-and is doing now-is to exercise some regulatory power over these bureaus, to see to it that the moneys they expend are wisely expended, and that their growth and development is not too rapid, and that they do not spend money for useless things. No matter what system we have, I think that will be the province of Congress and the Committee on Appropriations, and no matter what political party is in power, it

ought to exercise that power in a fearless way.

The gentleman from Tennessee [Mr. Byrns] alluded to the fact that this bill contains a great many items that are subject to points of order. That is unquestionably true. I can recall few years ago when the gentleman from Tennessee [Mr. who had charge of the Post Office appropriation bill, brought into the House an item carrying \$100,000,000 for a single year for good roads. My recollection is that the bill carried, in round figures, \$250,000,000, all told, available for expenditure for good roads for three years, and he here asked the membership of this House to waive all points of order against the bill, the good roads appropriation being subject to a point of order. Not a member on the Democratic side of the House or on the Republican side of the House raised his voice in protest, believing that on a great supply bill the membership of this House can be trusted to do the thing that ought to be done for the public good even though no actual authorization exists. The estimates submitted for the present fiscal year were submitted by the last administration for activities which they thought the Government ought to perform; and when a new administration comes into power and finds that the appropriations are not made in accordance with the administrative program, it has seemed to me, as I believe it ought to seem to every Member of this House, without regard to politics, that we ought to give the man whom we have entrusted with the administration of the affairs of the Nation a fair chance to do the things which he regards to be essential in order that the Government shall function in a strong and healthy way.

For, example, Mr. Morrison, of the Federation of Labor, states in the morning paper that almost 1,400,000 men are out of employment in the United States to-day; that last March 1,300,000 were out of employment and who wanted work but could not find it in America. Unquestionably we are face to face with great economic and industrial problems that were bound to come following the World War. While we are slowly getting back to something like a normal condition, it will be necessary to adopt new methods, new policies, and to aid industry wherever we can aid it if there is to be a minimum of unemployment in the United States. Hon. Herbert Hoover was selected Secretary of Commerce. He brings to the department great experience, experience in both domestic and foreign commerce, the experience of a very successful business man. Much depends upon the commerce of America to-day. Much depends on how we stimulate and develop American commerce and the foreign trade, upon how rapidly we put these idle men back to work. Mr. Hoover took a survey of his department and found that we had appropriated more money than he would need for taking the census of the United States, and he said that if he could have \$250,000 that was appropriated for that purpose, and that he did not need, and use it to help American industry to get back onto its feet, it would assist us to take our place in the great race of industrial development. Without adequate

appropriations he is powerless to do that which is necessary for the improvement of the industries of America.

Some of us do not realize just what has been done in the past by that department. Only a few years ago we were not manufacturing in the United States a single pound of parchment paper. And that was natural. No one manufacturer could afford to spend the money to build a laboratory and there carry on investigations that might lead to the successful manufacture of parchment paper; but the Government of the United States in the Department of Commerce set up a laboratory, made a scientific investigation, and gave to the paper manufacturers of the United States a formula for the manufacture of parchment paper, and to-day they are following that formula and are making every pound of parchment paper we use, and they are now exporting that kind of paper abroad. That is one of the achievements of that great department while the Democratic party was in power.

During the war we found ourselves without optical goods. We found the United States had no adequate source of supply We found that to enable it to manufacture optical goods. optical glasses were being manufactured all over the world under an old and archaic plan, by which a large retort was built by hand of potter's clay, and after 1,000 pounds of molten glass had been prepared and the impurities driven out, then the heat was withdrawn, and after a while the retort, which cost \$50 or \$60, was broken down and the glass was put in pans and the heat applied again, and after the glass flattened out in the pan to the thickness of about half an inch or more, then the electric cutter was applied and the pieces were cut to the dimensions desired for use in the manufacture

of optical goods.

When the war came on this Department of Commerce had so far standardized the manufacture of optical glass that within thirty days there was set up at Pittsburgh in the Bureau of Standards plant a retort built in standardized molds at slight cost, with a spigot at the bottom, and after all the impurities were driven out the molten glass was drawn out in ingots of the size and shape desired. The result was that while under the old plan there was a loss of 80 per cent in the manufacture of the glass, under the new plan there was a loss of less than 21 per cent. It is that kind of work that the Government of the United States is able and equipped to perform, has purposed and has been giving to the industries, and the bureau has given to the optical goods manufacturers of America a standard which will save millions upon millions of dollars, which will inure to the benefit of all our people.

Some of us were amazed during the war to understand why it was that Germany seemed to be so far advanced in the sciences and arts. Subsequently we learned that Germany had three great scientific departments in her Government, which she maintained at large expense, and assistance and aid were furnished the industries of Germany; and if you will look through her appropriation you will observe that the one question with Germany was not how little could her scientific departments function upon, but how much could they spend in an economical way in developing the industries of Germany? To-day we look about us in America and see industry languishing, and hear the voice of the Secretary of Commerce calling to us to give him the power to do something for commerce and for industry. He can do it, but as the bill stands his hands are tied and he is incapable of doing anything except to count the men and women and the failures in America.

And so, when we came to write this bill, notwithstanding the fact that many of its provisions are subject to a point of order, we made up our minds that we should have a bill here that would result in bringing successes to America and would permit a report of failures only. [Applause.] I suppose, from present indications, we will have to bring in a rule to make some of these provisions in order. I want to say to you that after going over the estimates for more than five weeks, after trying to trim them as much as they could be trimmed, it was my deliberate judgment that there is not a single dollar in this bill that is not necessary, and I think it is of great importance that

every dollar it carries should be appropriated.

The gentleman from Tennessee [Mr. Byrns] chides us a little-good-naturedly, of course-with regard to the number of positions that we have restored. The gentleman from Indiana [Mr. Wood], who is chairman of the subcommittee on the legislative, executive, and judicial bill, with the other members of his subcommittee performed a great service; and by modifying in some measure the terms of the legislative bill we do not in any respect criticize that service or the ability of the men who performed it. What is done here is done with their complete acquiescence and consent.

For example, down at the Bureau of War Risk Insurance for this year we are expending \$8,500,000 for clerical assistance,

It was the desire of everyone to reduce that force to the minimum. Yet it was never the desire so to reduce that force that the men who followed the country's flag in the recent war should not be enabled to receive promptly the compensation provided for them by law. The sundry civil bill for next year carries \$125,000,000 for compensation alone. The Bureau of War Risk Insurance collects millions upon millions of dollars in premiums and disburses tens of millions of dollars a year to the widows and orphans of the deceased soldiers of that war.

What the legislative bill did was not only to cut down the force from eight and one-half millions to six millions, but also placed a limitation upon the number of persons who could be employed in excess of \$1,800,000 a year. The limitation, as I recall, was that not more than 266 persons shall be employed at This bill raises that increase salaries in excess of \$1,800 a year. for the whole service, including the 8 regional officers, to 450, of which 215 receive a salary of \$1,800 each. In the disbursement of about \$200,000,000 a year to the soldiers and their dependents of the war we can not afford to so cripple the establishment that makes the disbursements to 1,500,000 different soldiers. It takes a considerable force to carry on such a work. I do not know how you think about it, but I am unwilling to say, as far as I am concerned, that an \$1,800 clerk or a \$2,000 clerk should be intrusted with deciding this great question as to the amount of compensation, as to the degree of physical disability and similar decisions that must be made by this department-I am not willing to say that their salary shall not be adequate. We must have in this department a trained force of men of business experience who will pass judgment upon questions involving the disbursement of about \$200,000,000 and the welfare of 1,500,000 soldiers. Those of us who were here during the war remember how that department grew so rapidly that it was not able to function. I say that without disparagement to the men who did the best they could to bring order out of chaos, but it grew so rapidly that it was humanly impossible for it to function, and we were receiving letters every day from the mothers, fathers, sisters, and brothers who could not hear with regard to the claims that had been filed three or six months before. Let us not bring about a similar condition.

What the committee proposes to do is to give a force that is adequate, so that when the soldiers or the relatives of a deceased soldier makes application to the Bureau of War Risk Insurance they can have their controversy decided, and decided without great delay in time. They are entitled to that.

This matter was taken up with Mr. Wood of Indiana, but nothing was done in the way of increasing this limitation without his acquiescence and consent. The great work the committee did was in cutting down the estimates two and a half million dollars; and the director says that even with the increased limitation in the number of high places he believes the office can be administered within the \$6,000,000.

Now, the gentleman from South Carolina [Mr. Byrnes] complains because he thinks we are going to spend a good deal of money this year. Except in a speech which, I think, I made in Atlantic City on the 27th of last month, I have never attempted to deal with the question of expenditures for a given year, because that is a very, very difficult thing to do. I have dealt with appropriations only for a given year. But now, for the enlightenment of the gentleman from South Carolina and other Members, I want to give him just what we have appropriated for this year, including the sums carried in this act.

The total appropriations for the Sixty-sixth Congress, second session, for the fiscal year beginning July 1, 1920, and ending on the 30th of June of this year, amount to \$4,780,829,510.30, but this appropriation carries deficiencies for prior fiscal years amounting to \$486,492,383.45, leaving the appropriation as made by the last Congress for this fiscal year at \$4,294,337, And this sum includes \$500,050,000 in the transportation act available for expenditure in 1920, 1921, and 1922 and later years, and does not include any amount to pay the guaranty to carriers which has been estimated at \$600,000. Then there was the first deficiency bill in 1921, which included a great many items for prior years that I have not deducted, but the total aggregate is \$275,256,505.21. The amount carried in this bill applicable to this year is \$74,270,781.20. The items carried in the miscellaneous appropriation act at the beginning of this session was approximately, in round numbers, \$2,000,000, making a total for all purposes of \$4,645,863,913.32, as against the original estimate of \$5,365,460,031.60, and supplemental estimates in excess of \$157,000,000, making a total estimate of the former administration for the fiscal years which end the last of June \$5,500,000,000, or a reduction, if every dollar is carried in this bill, of almost \$1,000,000,000.

Mr. BYRNES of South Carolina. Will the gentleman yield? Mr. GOOD. I will.

Mr. BYRNES of South Carolina. The gentleman does not include in his statement any reappropriations that were provided by legislation for expenditure by the Shipping Board.

Mr. GOOD. No; I have not included that, but I say that where estimates were made twice I deducted one estimate, so that it is as broad as it is long. We have not pyramided the estimates.

Mr. BYRNES of South Carolina. The gentleman did not deduct the estimates for the Shipping Board?

Mr. GOOD. I took the original estimates only. Mr. BYRNES of South Carolina. It does not follow the statement which the gentleman put in the RECORD last May.

Mr. GOOD. I think it does. I did not know that this debate was to take this range, and so I have asked the clerk to prepare the figures for me and if I am in error I shall be glad to change them in the RECORD.

Mr. BYRNES of South Carolina. I have put in the RECORD the statement of \$541,000,000 which is the expenditure of the Shipping Board, and that accounts for the difference which the gentleman makes in the estimates

Mr. GOOD. Now I submit that some of the things that have been going on rendered it a little hard to make estimates fast enough to keep up with the delinquencies of the administration along certain lines. There was a time two years ago when there was a sale for all Government property and the Committee on Appropriations demanded that sales should be made then along business lines. We demanded that the sale of wooden ships should be made at any price at a time when we were told the Shipping Board could sell them at a fair price. We demanded that they should sell the steel ships, the cargo ships, for less than \$165 a ton but they were asking over \$200 a dead-weight ton, when business was good and men wanted them and were willing to buy them. Over here at Hog Island when we had completed all of our work and the last rivet had been driven, they had 75 or 80 steel freight cars that had cost them \$2,200 apiece to procure.

The board had no use for them at all. I am told that a man came along and said that he would like to buy the freight cars; they asked him how much he would pay for them. He replied that he would give them just what they cost-\$2.200 They replied no, that they did not believe they had better sell them at that time, but that they would lease them to him for a while. They were leased for a nominal rental. that they were put on the market at auction, after the peak was over, when nobody wanted to buy freight cars, and 15 of them sold for only \$1,400 each, 10 for about a thousand dollars each,

and the rest of them stand there to-day rotting out.

Mr. HARDY of Texas. Mr. Chairman, will the gentleman vield?

Mr. GOOD.

Mr. HARDY of Texas. The gentleman spoke of selling the ships. Is the gentleman aware that when Mr. Payne was the Chairman of the Shipping Board he appeared before the Committee on the Merchant Marine and Fisheries and stated to that committee that he had used every possible endeavor to sell those ships at a reasonable price, not to exceed the world market price, and that he could not find any buyers for 25 per cent of them?

Mr. GOOD. I do not know what Mr. Payne stated before the Committee on the Merchant Marine and Fisheries. I think it was a great misfortune that after Mr. Payne was placed on the Shipping Board he was not permitted to remain there. One of the failures of the Shipping Board has been, from its very inception, the tying together of men who could not work together and the changes in the management. Gen. Goethals, a man who wants to go-and go like thunder-all of the time, was tied up with a man from San Francisco who was so stubborn that he would not go at all, and yet that combination was expected to build ships to carry on the war.

Mr. HARDY of Texas. I happen to know the man from San

Mr. GOOD. And I happen to know him, too. I do know that the Committee on Appropriations urged that these ships be sold, and the old board seemed to be afraid of criticism that the sales would show too much loss. There never would have been any criticism to speak of if those boats had been sold at a price that was fair, taking into consideration what the tonnage of the world costs, so long as they were not sold abroad. Here we are trying to build up a merchant marine, and then just think of the foolish policies that we have been adopting in respect to the sale of these ships. Before the war the cargo tonnage of Great Britain cost her less than \$26 a dead-weight The cargo belonging to the United States cost us less than \$45 a dead-weight ton. While a good deal of this tonnage was sunk, and especially European tonnage, yet when you take into consideration that the cost at which the new tonnage was acquired, the cargo tonnage of Europe to-day does not stand her more than \$65 or \$70 a dead-weight ton, if it stands that much, and here we were talking about putting a great merchant marine upon the seas to fly the American flag, and for a year and a half after the armistice the Shipping Board was talking about getting Americans to buy our boats at \$200, \$185, and more recently \$165 a dead-weight ton when they would have to compete with bottoms that cost their competitors less than 875 per dead-weight ton. There ought to have been a fixed policy, and it ought to have been announced two and a half When the war was over our policy should have years ago. been to sell American ships at a price and upon such terms as that they could compete with the world, because if you sell on any other basis you will never keep an American merchant marine on the high seas.

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman

yield?

Mr. GOOD. Yes.
Mr. BYRNS of Tennessee. The gentleman recalls, of course, that at one time, when the Shipping Board were making efforts to sell, they were met by an injunction, issued in the District

Not in respect to these ships. The injunction had reference to the sale of the German ships that were taken over. I think there were 13 of them. I think that injunction was a very great mistake, but it applied only to the 13 captured German ships.

Mr. BYRNS of Tennessee. The gentleman will recall the further fact that it was distinctly stated to the committee that practically all the ships that had been sold had been turned

back to the board by those who had purchased them.

Mr. GOOD. Of course. They were sold at a price that purchasers never expected to pay for them and never could pay unless the high prices for freight continued, and nobody expected that they would continue. It was a gamble upon the part of the purchaser, but if the whole thing had been set up on a substantial basis and the ships had been sold, and this extra cost of \$125 a dead-weight ton or more had been written off as the cost of the war, as it should have been, there would have been a different story to tell. I am not complaining because these ships cost too much money. What I am complaining about is that we did not sell them on a basis so that American shipowners could compete with their foreign competitors, and thus avoid this great loss in operations by the Government.

Mr. BYRNS of Tennessee. Does not the gentleman think

that if there is any criticism to be visited on anyone for failure to sell these ships, that criticism lies more at the door of Con-

gress than at the door of the Shipping Board?

Mr. GOOD. Oh, not at all. Mr. HARDY of Texas. Mr. Chairman, will the gentleman

I can not answer two questions at once, and I think the question of the gentleman from Tennessee is worthy of a moment's reflection. What has Congress to do with the management of this corporation? The Emergency Fleet Corporation is the biggest corporation in all the world. It had more than \$3,000,000,000 of property, or did have before it sold any of it. The administration of that greatest corporation in all the world called for an executive ability of the highest order, and yet, strange to say, from the time of its very inception we had change after change in executive heads. We had Goethals and Denman, we had Schwab and Piez, we had Hurley and Payne and Benson and others, and how in the name of common sense could you expect to have anything except disorder, failure, and loss all along the line when you were changing your drivers every six months?

Mr. BYRNS of Tennessee. I suggest to the gentleman that we have no drivers at the present time. There has been a vacancy on the board for several months. There are no members of the board at the present time because the President for some reason has neglected to make the appointments.

Mr. GOOD. We still have Admiral Benson, and I hope that in the very near future we may have a Shipping Board, and I hope it will be composed of men whose business experience has been broad enough to assist them in grappling with big undertakings. I believe the President will soon make the appointments of the members of the board, and when made the high character of the men appointed will justify any delay occasioned by the fact that the President would be satisfied only with men who will fill the bill and who will stay by the job.

I know it is a big question, and what I have said is not intended as a reflection on the big men who were at various times

placed at the head, but my criticism was that the President changed the head and the personnel of this organization alto-gether too frequently, and the result bears failure, extravagance, and losses,

Mr. BYRNES of South Carolina. There is no way of keep-

ing a man in his job.

Mr. HARDY of Texas. Will the gentleman yield?

Mr. GOOD. Yes; he could during the war.
Mr. HARDY of Texas. The question is in connection with
what the gentleman from Tennessee stated, as to whether it was not the fault of the Congress rather than the Shipping Board. May I state that the Shipping Board came

Mr. GOOD. I will answer a question, but-

Mr. HARDY of Texas. Does the gentleman know whether Mr. Payne did not seek the advice of the Committee on the Merchant Marine and Fisheries and ask for the passage of a law that would determine the policy of this Government as to the sale of these ships, and we passed the law and that policy was pursued by the Shipping Board? We passed a law directing him as to the method of sale and-

Mr. GOOD. The law has been on the statute books all along authorizing and directing the sale; that authority is in the original act. Is it necessary for the Congress, when it creates a great corporation with \$3,000,000,000 capital and turns its administration over to the President, to say to it where it must sell its freight cars or 100 pounds of scrap? Is it possible that when we have a great corporation of this kind that provides for the administration of its affairs by the President that Congress itself must commence to carry on the administration?

It would be a mistake; it would result in a dismal failure to throw any such burden as that upon the Congress, just as it resulted in failure in this case when we gave the President the

Mr. HARDY of Texas. Will the gentleman yield for one more question there? Does the gentlemen think that the Shipping Board would have been justified in ignoring the policy prescribed by the law passed by the Congress as to the sale of these ships?

Mr. GOOD. Congress authorized the sale of these ships-Mr. HARDY of Texas. Upon certain conditions, which they

could not comply with.

Mr. GOOD. What I am complaining about is not the failure to carry out the policy that was granted, 18 months after the armistice was signed. I am complaining because of the failure to carry out the provisions of the original act that authorized the sale. There was never any time, long before Congress passed the law referred to, when the Committee on Appropriations was trying to get the Shipping Board to sell these ships and we refused to give appropriations, but told them to sell the ships and use the money. But the board refused to sell. Less than six months ago the director of operations came before us and said that he would have for next year an operating surplus of more than \$50,000,000. The hope of making these large profits prevented the board from adopting a policy for disposal of the ships. Now they did not send the director of operations before us at the recent hearings. Oh, no! he was an optimist, he saw larger profits in operations, but they sent the assistant before us, and he says that the losses in operations for the last three months of this year will amount to \$18,000,000. He said that they would have that much loss next year before they get on a paying condition. Do you know that you have a fleet down here in the lower Potomac of 274 wooden boats chained up together, and every three months you are compelled to pay over \$111,000 to keep those ships that you can not give away? You can not find a man who will take one of those ships if you will give it to him. We are paying now about \$500,000 a year, and at one time they told us they could Why did not they do it? sell them.

Mr. BLANTON. Will the distinguished chairman of the greatest committee in the House yield to an humble Member of

Mr. GOOD. I will yield to the very distinguished Member from Texas.

Mr. BLANTON. The gentleman speaks of the want of policy. During the entire Sixty-sixth Congress, which was in session two years, the gentleman was the real boss of the House of Representatives when his party had a majority of 47 Members.

Mr. GOOD. I will yield for a question but not for a eulogy.

[Laughter.]

Mr. BLANTON. I want to ask him if during that whole two years, when he had control of this House, if he ever sought to give a policy to the Shipping Board, which was the creature of this Congress

Mr. GOOD. Oh, the gentleman from Tennessee [Mr. Byrns] and the other members of the committee and I added my humble voice to the plea and begged them to sell the ships.

Mr. BLANTON. Oh, but you should have directed them to

sell at a certain price-

Mr. GOOD. And the gentleman would have made a point of order against the bill if it had contained such a provision.

Mr. BLANTON. I do not make points of order against wise

Mr. GOOD. Then the gentleman will not make a point of

order on any of the provisions of this bill.

Mr. BLANTON. No, but I am going to make points or order on some things, because I do not believe in paying \$10,000 for men whom the gentleman was once in favor of taking off of

instead of adding to boards.

Mr. GOOD. Now, so much for the Shipping Board. I hope in the very near future we shall have some businesslike administration of that office. We have done everything we can to compel this board to sell these ships, but now there is no sale at any price. They are operating ships at a considerable loss. They have something like 600 steel vessels tied up at the piers, and in many cases it is costing us \$1,500 per month for each vessel while it is tied up. They also made a contract of charter with other companies, which was a most foolish and unbusiness-like charter. Under that charter, for example, a concern with, say, 10 large steamships and having trade routes established, finds because of the depression that their trade fell off and their steamers went out of various ports with very small cargoes. Finally it commenced to tie up its boats. Then it went to the Shipping Board and said that they could use three of the Shipping Board's cargo vessels, and entered into a charter arrangement with the Shipping Board for three vessels. Then it would tie up its 10 boats because they were running at a loss and it would send out the three boats which it had chartered from the Shipping Board under a contract that if the company made any money the profits were to be divided with the Shipping Board, and if they lost the Government of the United States would pay every penny of the loss. That is the condition, and yet you wonder why it has been necessary to bring in deficiency bills.

Mr. FESS. Will the gentleman yield?

Mr. GOOD. I yield for a question.
Mr. FESS. Is the running of the ships at a loss due to the lack of cargo, or what is it?

Mr. GOOD. At the present time it is due practically to a stoppage of the movements of freight. There is not enough freight to be moved, and it is a rare thing that a vessel now leaves a port with a cargo sufficient to pay its expenses.

Mr. FESS. I have had the impression also, if the chairman please, that some of our legislation in the past has been rather detrimental to the shipping interest, such as the seamen's act

that we passed. Is that impression right or wrong?

Mr. GOOD. I really could not tell the gentleman in regard to I do not believe the committee has ever taken any testimony on that subject. I am inclined to think from what I have read that the La Follette Seamen Act, if that is what the gentleman refers to-

Mr. FESS. That is what I refer to. Mr. GOOD. That it costs a great deal more to operate under that act than is required to operate under the maritime laws of

other countries. That has been my understanding.

Mr. FESS. If the gentleman will permit another question: If the Government is running the ships at a loss it is going to be difficult, is it not, to sell them at almost any price? How can private enterprise run the ships profitably under the same con-

Mr. GOOD. They can not, of course, sell under present conditions. But conditions are very abnormal. The freight movements will begin again, and business will be revived again throughout the world very soon, I have no doubt. I think we are at a very low ebb at the present time, and as trade commences and commerce commences to flow there will be a demand for these ships, and I have no doubt there will be a demand for them to carry commerce at a profit.

Mr. FESS. It strikes me that since we are so anxious to build up a merchant marine the present condition is a very

discouraging one.

Mr. GOOD. Well, it may be discouraging, but I think it is not without hope. I believe that in the very near future we will be able, when the situation becomes a little more normal throughout the world, to again establish trade routes on which commerce may be carried profitably.

Now, what we have done in this bill is this: We have ap-

propriated only an amount of money necessary to complete the 34 cargo vessels. We do not carry anything to pay claims, to pay losses, for operations, or anything of that kind. But here

are contracts for the construction of ships that must be carried Ninety-eight per cent, as I recall, of the vessels of the Shipping Board are completed, and of the 2 per cent that remain to be completed they are 70 per cent completed. It will require approximately \$61,000,000 or \$62,000,000, maybe a little more, to complete those vessels. If the Government of the United States does not provide the money with which to pay those claims, to pay wages as they come due in the shipyards, we would be liable to damages, and we felt we should appropriate here enough money to pay for the balance of the construction of those ships, and leave the funds now in the hands of the Shipping Board and receipts estimated at \$50,000 on for next year for cancellations and for operations. The Shipping Board estimated the expenditures for cancellations for next year would amount to \$40,000,000.

Mr. GARRETT of Tennessee. Will the gentleman yield for a

question?

Mr. GOOD. Yes.

Mr. GARRETT of Tennessee. I recall that when the sundry civil act for 1921 was under consideration the gentleman from Iowa was very much opposed to making direct appropriations, and insisted upon a provision to the sundry civil act which largely necessitated the rule that was then brought in. that in this act direct appropriations are made. May I ask the gentleman what change of conditions has come about to cause him to change his views?

Mr. GOOD. The amount, as I recall, in this bill for completing the construction program is about \$62,000,000 for the Shipping Board for the remainder of the year and for next year. When the sundry civil estimates was under consideration in the committee the director of operations estimated the operating profit would amount to \$60,000,000 for next year.

Now he says there is a loss of \$18,000,000 in this year, and my recollection is he estimates the loss will be the same amount for the same three months of the next year, then he hopes to at least break even. The wiping out entirely of the profit that was anticipated, based on the statements of the director of operations, makes it necessary for us to supply the money from some other source; and there is only one source, and that is by direct appropriation. But we do not make the fund available for all purposes. We make it available only for the extinguishment of these contracts; and I think the gentleman will agree it will be a mistake if we make the Government liable in damages by closing down certain yards because there is no money available.

Mr. GARRETT of Tennessee. I have no criticism to make.

I think the appropriation should have been made.

Mr. GOOD. But the gentleman will see that if we are right now, and need only \$61,000,000, we were right before, when the director of operations estimated a net gain from operations of \$60,000,000; while now the assistant director says they will not make any of the \$60,000,000 for operation which they counted on when the sundry civil bill was under consideration. Here was an expert on operations. We knew nothing about it. He said the profits would amount to \$60,000,000 for the next year; now he says there will be only losses.

Now we also carry \$15,000,000 in this bill for the Federal Board for Vocational Education. When the sundry civil bill was under discussion the director of the vocational board came before the committee, and stated that they were not paying out money as rapidly as they anticipated, and that would have an unexpended balance at the end of this fiscal year, on June 30, of \$15,000,000; and, if we would make that amount available for next year, we could reduce their estimates by that amount. We did so. Now, then, they come back and say that they have spent practically all the money they had for vocational rehabilitation. They claim now that they will not have \$15,000,000 on June 30, but must have \$15,000,000 more to pay the obligations up to the 1st of July.

What has happened is this; we might as well be frank about it: When this industrial depression swept over the country about the first of year, young men and old lost their jobs, and as the young men who were in the late war lost their positions they naturally-it was only human-put their names on the Federal pay roll through the Federal Board for Vocational Education, and the result is this great influx of persons who are now demanding vocational training. It will require \$30,000,000 more for vocational education for this year than it was estimated would be required for the last four We have placed in the bill the amount that was estimated for the purpose.

You talk about deficiencies. Look at one of the estimates in the Navy Department. Here was an item originally estimated in the naval bill, for fuel in the Navy. Mr. Daniels originally estimated for only \$10,000,000 for fuel for the Navy.

Congress gave him the \$10,000,000, and before they had practically started with this fiscal year they came back and said they had to have \$20,000,000 more, and Congress gave it to them. Now they again come back and say they must have \$6,600,000 more for the rest of this fiscal year. They say that practically all their fuel was gone when they came before the committee early in April; that all the money that had been appropriated for fuel for the Navy for the year, \$30,000,000, had been expended, and they wanted \$6,600,000 Certainly there was great laxness and looseness in making the estimate in that case. Now we carry \$6,000,000. It will be necessary, however, for them to tie up more of their vessels, but inasmuch as the naval bill as it passed the House recently is predicated upon the belief that some of these vessels must be tied up, it occurred to the subcommittee that we might as well commence that tying-up process on the 1st day of June as on the 30th day of June, and we have reduced the estimate by \$600,000 for that reason.

There is also carried for hospitalization in this bill \$8,700,000 under the Bureau of War Risk Insurance. All of it is due to the increased number of patients that are receiving hospital treatment.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield for a question?

Mr. GOOD. Yes.

Mr. ANDREWS. Is that for maintenance alone?

Mr. GOOD. It is for maintenance as well as supplies and things of that kind.

We carry in the bill—and I will not take time to allude to but a few of them—many items of legislation. Some of the items will probably provoke some discussion. A few years ago the Government took over several of the quarantine stations. And in taking over this New York station we provided that the same fees collected by the State of New York for that service should be continued. Last month we collected in fees at the quarantine station at New York \$118,000, which will more than pay all expenses. That quarantine station is more than selfsupporting. We collect practically nothing in fees at Philadelphia, at Boston, and at Baltimore. We carry in the bill a provision that gives the Secretary of the Treasury the right to establish and collect fees that are reasonable, not excessive of the cost.

Now, the Red Star Line, I think it is, whose boats sail from New York, has changed its place of sailing from New York to Boston, and we have to provide additional facilities there. But the Secretary has no authority to collect additional fees for the fumigation of ships and for the services that are rendered at quarantine stations. At the New York quarantine station we collect altogether approximately \$700,000 or \$800,000 a year. There are some of these services that ought to be self-supporting.

Take, for example, the Steamboat-Inspection Service. Every year we pay out a million and half dollars in inspecting boilers. Seven per cent of it is in connection with ocean vessels, and a large part is in connection with river and lake craft. The Secretary came before us and said if he had authority, without imposing hardship on anyone he could collect the cost for that service. That whole service is for the benefit of the steamships and the public that uses them, and the public pays for the service. That whole cost can be assessed and collected, and one million and a half dollars saved to the taxpayers. As we take on new services we should try and see if it can not be self-supporting. It seemed to the committee that this service ought to pay the expense of its administration.

Mr. FESS. Mr. Chairman, will the gentleman yield there?

Mr. GOOD. Yes.

Mr. FESS. Is not that the practice with every other Government outside of our own?

Mr. GOOD. Yes; and the same is true in regard to inspection service wires.

Now, in regard to the hospitalization of the soldiers, we passed a bill, just before Congress adjourned, carrying \$18,500,000 for hospitals. But that bill was drawn at a time when the survey by the department had not been completed. President Harding, shortly after he was inaugurated, called in Dr. Billings, of Chicago, one of the greatest diagnosticians in the United States, and also Dr. White, an expert, and one or two other men prominent in their profession, and these men volunteered and went out and made a survey of the hospital facilities in the United States in which to provide hospital facilities for the soldiers.

They came back with a unanimous report. They point to what has been done at Johnson City, Tenn., where, by the expenditure of a million dollars, they made available a thousand beds for tubercular patients and created the best tubercular hospital

in the world to-day. They examined the experiment, where, with the expenditure of another million dollars, the Board of Managers of the Soldiers' Homes reconstructed the hospital at the old soldiers' home at Marion, Ind., where they have provision to-day for the most scientific treatment of a thousand patients suffering with nervous disorders. These physicians have said that if the Secretary of the Treasury had authority to use the fund appropriated in a businesslike way, using the money for the enlargement of this Government institution, if it could be enlarged profitably, spending the money for building an addition to this one, if an addition was needed, and placing the hospitals of the country where the sick men of the country live, so far as possible, they would be able to provide hospitals for less than one-half of what they could get the same bed capacity for by going out now and building entirely anew, as they will be compelled to build under the recent act.

More than that, we have 10 soldiers' homes. The soldiers of the Civil War in those homes are on an average more than 78 years old and are passing off very rapidly. They will soon be gone, and they have gladly given up barracks, have gladly segregated themselves into certain buildings; and to-day the American Legion stands back of this movement as the most sensible movement that can be provided in order to secure hospitals for the soldiers at the earliest possible time. We have carried in this bill a provision, subject to a point of order it is true, which permits the Secretary of the Treasury to take that fund and use it where it can be used to the best advantage to secure hospital facilities at the earliest possible date and with-

out wasteful expenditures.

There are other provisions in the bill. One of them will involve some discussion. To-day we have in the office of the Secretary two young men as assistant secretaries drawing \$5,000 a year each, whose terms of office expire on the 1st of July.

Mr. HUDSPETH. Will the gentleman yield for information? The gentleman stated that the fund to which he referred is now placed at the disposal of the Secretary of the Treasury, who has the locating of these hospitals.

Mr. GOOD. Yes.

Mr. HUDSPETH. He has no board behind him?

Mr. GOOD. The Secretary of the Treasury has that power and under the present law locates the hospitals.

Mr. HUDSPETH. He must report the locations which he was selected.

Mr. GOOD. Yes; but he has secured this board that is to help him in locating these hospitals and in formulating his plans. Now, the Secretary of the Treasury came before us and asked

for an assistant. These two assistant secretaries go out soon. The Secretary pointed out that just at the time there were so many problems thrown upon the Secretary of the Treasury. He has many bureaus and Government activities under his jurisdiction. There are about 40 different bureaus under the Secretary of the Treasury. Many of them have grown up because of the war. Many of them we can not get away from if we would. We must continue to look after property acquired during the war, that was turned over to the Secretary of the Treasury. In this bill we provide for an Assistant Secretary of the Treasury at \$10,000 a year, which salary is the same as that paid to the members of the Federal Farm Loan Board, and I think it is only reasonable and just. He needs this kind of an assistant. The estimate designated him as under secretary, but as there was some objection to this we designated him as First Assistant Secretary of the Treasury. Whatever we call him we should give the Secretary the assistant,
The CHAIRMAN. The time of the gentleman from Iowa

has expired.

Mr. BLANTON. Mr. Chairman, I want to prefer a request for unanimous consent that the time be extended in spite of the agreement-

The CHAIRMAN. The time was fixed in the House, and it can not be changed by the Committee of the Whole.

Mr. BLANTON. But if no one makes a point of order against the request

The CHAIRMAN. The Chair can not entertain the request. Mr. BLANTON. This is a very important bill.

THE CHAIRMAN. The unanimous-consent agreement was reached in the House, and the committee has no right to change it.

Mr. BLANTON. It might save some points of order being made later.

Mr. BYRNS of Tennessee. Mr. Chairman, I believe I have

10 minutes remaining.
The CHAIRMAN. The gentleman has 10 minutes remaining. Mr. BYRNS of Tennessee. I yield 10 minutes to the gentleman from Maryland [Mr. LINTHICUM].

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Mr. LINTHICUM. Mr. Chairman, in making the request to revise and extend before beginning my remarks I do so because I see the futility of covering a vast question of this nature in 10 minutes, but I shall proceed as fast as possible. It is a question that strikes at the very vitals of American life. It is a question which the whole Atlantic seaboard and much of the western country are most deeply interested in. It is a question which touches the fireside and the happiness of millions of people, and to discuss it in 10 minutes would be impossible, and so I shall add to my remarks what remains un-

I have felt for sometime that Congress must do something toward the investigation and remedy of the present price of anthracite coal in this country. To that end I introduced a resolution by which I hoped the Department of Justice might take hold of this matter and relieve Congress of any burden in connection therewith. Accordingly, on April 22, 1921, I in-troduced House resolution 68, which is as follows:

# House resolution 68.

Resolved, That the Attorney General be requested to report to the House of Representatives as promptly as possible the following information:

mation:

First. Any information in the Department of Justice which would show whether or not the present price of anthracite coal of \$14 to \$16 per ton to the consumer is a fair and just price at this time and under present peace conditions.

present peace conditions.

Second. Any information in the Department of Justice to show whether or not the present exorbitant prices are maintained by unfair methods or illegal combinations of operators or dealers therein.

Third. Whether there is sufficient legislation to enable the Government to handle and control the present anthracite-coal situation; and if not, what additional legislation would the Department of Justice recommend to deal therewith.

In answer to that I received a letter directly from the Department of Justice, and I believe a copy of it, or perhaps an original along the same line, was sent to the committee. That letter is as follows:.

DEPARTMENT OF JUSTICE, Washington, D. C., May 4, 1921.

Hon. J. CHARLES LINTHICUM, House of Representatives, Washington, D. C.

Dear Sir: Your letter of the 30th ultimo transmitting a proposed resolution requesting certain information relative to the price of anthracite has been received.

Answering the inquiries contained in the proposed resolution, you are advised as follows:

1. There is no general information in this department indicating what would be a fair and reasonable price for anthracite to consumers. I am informed, however, that, at least until recently, the Federal Trade Commission has been gathering production-cost statistics with respect to anthracite, and it is likely that it has valuable information upon the subject.

to anthracite, and it is likely that it has valuable information upon the subject.

2. There is likewise no information in this department indicating that prices generally are being maintained by unfair methods or illegal combinations of operators or dealers, nor is there any information in the department indicating that the contrary is true. An indictment was recently obtained, however, in the Supreme Court of the District of Columbia charging the defendants, all the large wholesale and retail dealers in coal in the city of Washington, with engaging in a conspiracy in restraint of trade, effected, amongst other means, by inducing all persons engaged in the local retail coal trade to become members of the Coal Merchants' Board of Trade and then to refrain from competition either by selling to each other's customers or to the customers of defendants or by reducing prices, and by preventing those who refused from obtaining a supply of coal. This case has not yet been tried.

of defendants or by reducing prices, and by preventing those who refused from obtaining a supply of coal. This case has not yet been tried.

Complaints of similar situations existing in other communities have from time to time come to the department; but such a situation elsewhere than in the District of Columbia not involving interstate commerce is one to which Federal laws do not apply.

You have already been advised in a letter dated April 26, 1921, that the restoration of competitive conditions in the production of anthracite expected to result from the recent decision of the Supreme Court in the Reading case may have the effect to lower prices.

3. Your third inquiry requires a consideration of the causes of the high prices of anthracite generally. The enforcement of the antiprofiteering law, recently held invalid, created the only occasion for a consideration in this department of causes of high prices. This, of course, gave rise to no necessity for a general economic investigation of the subject, and the investigations of the department were in consequence limited to instances where profiteering was the cause. The Department of the Interior have for some time been gathering and publishing statistics as to production of anthracite and bituminous, together with kindred information as to the elements affecting production. Such information would no doubt be of interest to you upon this particular point. So far as I am aware, no thorough investigation of this subject has been had to develop definitely whether a situation exists requiring remedial legislation, and therefore this department does not possess knowledge of facts which would enable it to make recommendations as to legislation required.

Respectfully,

Respectfully,

GREY D. GOFF,
Assistant to the Attorney General.

From what I have said it will be seen that the Lever Act having been found unconstitutional, we are without means to prosecute any profiteers, either operators or dealers, in anthracite coal, and likewise we are unable, except in the District of Columbia, to prosecute under the Federal law organizations which combine to set prices and to prevent competition which

might lead to a reduction in the price of this commodity.

I also call attention to the fact that according to the testimony of Mr. Francis Walker, chief economist, Federal Trade Com-

mission, testifying under the Calder resolution, Senate resolution 350, page 2019, and so forth, it is shown that information upon the cost of production of coal from 1917 to the end of 1918 was obtained by the Fuel Administration, but when the price regulation was lifted the National Coal Association, through its counsel, Rush Butler, raised the question as to power to collect this information, and through the activity of the National Coal Association the Maynard Coal Co. procured an injunction restraining collection of further data, from which time the Federal Trade Commission and Fuel Administration have been unable to procure figures upon which to base a fair price for the commodity.

It is a rather strange coincidence that a certain attorney, according to this testimony, wrote a brief for the Fuel Administration, in which he upheld their right to secure same, and later became counsel for the coal company and secured the injunction prohibiting its collection. We are therefore in position of having no law to prosecute profiteers, none to restrain combinations outside of the District of Columbia, and now there exists this injunction restraining collection of information which would lead to the setting of a fair price to the consumer.

COAL AREA.

Anthracite coal is procured from the eastern slope of the Appalachian Mountains from an area not larger than the State of Rhode Island. There are about 12 company concerns, so called by reason of their former association with railroads, and from 70 to 140 independent concerns. One company gets out a price and others follow, which is what is called company coal price or circular price. When coal is scarce the price is low; when coal is plentiful the price is high. This occurs because when coal is scarce the independent companies have a chance to compete, and when it is plentiful the company concerns have such an abundance that the independent operator is unable to compete by reason of his crude and expensive methods.

#### GIRARD ESTATE.

Stephen Girard left to the city of Philadelphia in trust 4,480 acres of this valuable coal land, the administration of which trust was by an act of the Pennsylvania Legislature assigned to a board called "directors of city trusts." The leases are usually made for short periods and are based upon the price of the coal, hence the higher the price the greater the royalty.

The table which follows will show how this revenue to the

Girard estate has increased threefold in the past five years:

1915	\$0.55
1916	. 52
1917	. 60
1918	. 74
1919	1.04
The total royalties for these years are as follows:	
1915\$1,099,	968, 54
1916 1, 437,	
1 1917	683 76

Why this should be upon a percentage basis I am not able to say, but that it is a great hardship upon the consumer I am sure we will all agree.

PRODUCTION COSTS.

The cost of production of coal, according to testimony of Mr. Walker, on page 2017 of the hearings, I have referred to, based upon figures given by coal operators for 1918, was \$4.10 per short ton and \$5.11 per long ton. As I said, since 1918, by reason of the coal company's injunction, no information has been obtained, but we do know that in 1920, which prevails at the present time, labor increased 17.4 per cent, to \$3.49 per ton; supplies rose 41 per cent, to 93 cents per ton; and overhead charges rose 47 per cent, to 69 cents per ton, making a total for 1920, which Mr. Walker, on page 2019 of the hearings, said still prevailed January 17, 1921, of \$5.11 per ton. The following table will show the total cost of production of 100 tons of

Average "company" cost of production of 190 short tons (a) of anthracite of all sizes (d) f. o. b. cars at mine, fresh-mined product (b).

	November- December, 1918 (e).	Estimated, April-No- vember, 1920.
Labor Supplies Overhead	\$297 66 47	(f) \$349 (g) 93 69
Total	410	511

(a) Anthracite coal is sold both long and short ton, but production figures are commonly given for long tons.

(b) "Fresh-mined coal" costs more to produce than washery coal, but they are mixed in the output; thus, if washery coal be included, the cost of the whole is reduced about 7 per cent, from \$511 to approximately \$476 per hundred short tons.

(c) Selling prices for the different sizes are determined by the commercial demand for each size and by the quantity of each produced. The less marketable steam sizes result from the natural breakages of the coal during the process of mining and preparing it for the market.

(d) The cost per ton of producing all sizes of fresh-mined anthracite is the same.

(e) The cost of production in November and December, 1918, ran unduly high, owing to decreased production.

(f) Estimated on basis wages, increase April 1, 1920, of about 17.4 per cent.

per cent.

(g) Estimated on basis of reported increase in adjacent central Pennsylvania a bituminous field of 41 per cent and 47 per cent, respectively, for supplies and overhead.

Average "company" cost of production of 100 long tons (a) of anthracite of all sizes (d) f. o. b. cars at mine, fresh-mined product (b).

	November- December, 1918 (e).	Estimated November- April, 1920.
Labor Supplies. Overhead	\$332 74 53	(f) \$390 (g) 104 78
Total	459	572

There is a difference of about \$1 per ton more for the production of coal in 1920 and 1921 than in 1918. To this must be added the additional cost in freight rates of 40 per cent. The freight to Baltimore at this time is \$3.64 per ton, whereas in 1918 it was \$2.60 per ton, a difference of \$1.04, which, together with the cost of production, would add about \$2.64 per ton over 1918.

Price, 1918, f. o. b. mines.	
No. 2 egg (gross or long ton) was No. 3 stove	\$5. 04 5. 29
Dealers' prices, 1918,	
No. 2 egg No. 3 stove	\$9.50 9.60
Price, 1919, f. o. b. mines.	
No. 2 egg (gross or long ton) No. 3 stove (gross or long ton)	\$6. 29 6. 54
Dealers' prices, 1919.	
No. 2 egg (gross or long ton)  No. 3 stove (gross or long ton)  Price, 1921, f. o. b. mines.	\$11, 98 12, 05
No. 2 egg (gross or long ton)————————————————————————————————————	\$7. 35 7. 70
	\$14. 25
No. 3 stove (gross or long ton) (a deduction of 25 cents per ton is made if paid in 10 days)	14. 50

Dealers' prices (at Baltimore) have increased from 1918 to 1921 nearly \$5 per ton, while the increase in production and freight has been but \$2.04 per ton. Operators have increased their price at the mines \$2.31, while the cost of production has increased but \$1 per ton.

# COMPANY OPERATORS' PROFITS.

It is quite evident that there is something radically wrong when we find the coal operators and coal dealers making such tremendous profits out of their business. I have no objection to any concern making money, but when it is exorbitant and works a hardship on both the rich and the poor, the latter more particularly, because they can not pay cash nor buy in large quantities, then I am in favor of placing some curb upon the handlers of this great natural monopoly.

I hold in my hand a letter from Mr. J. Appleton Wilson, of Baltimore, in which he calls my attention to an editorial in the Baltimore Sun of April 21, calling particular attention to outrageous profits made by the Pennsylvania and Reading coal companies, their profits for 1920 being nearly 133 per cent over 1919 and 60 per cent over 1918. Take the case of the Delaware, Lackawanna & Western Railroad Co. They own the coal company of that name. In 1909 they issued dividends to their stockholders in the shape of stock in their coal company of \$6,590,700, since which time dividends have been paid-

Per co	ent.
1913	20
1915	50
1916	60

And so forth.

This coal company's earnings increased from 1919, \$1,362,972 to \$4,981,000. They have asked the Interstate Commerce Commission to allow them to distribute as dividends a profit of \$90,000,000, and the commission has already authorized dis-

tribution of \$42,277,000 thereof. Those who know the railroad business are fully aware this great earning was not made except through the transportation of coal and ownership of great anthracite fields.

#### WASTE, SMALL SIZES, DIRT, ETC.

The question of price, however, is not the only matter which concerns the public, but the great waste which now takes place, both in transportation and sale of the refuse which comes from a ton of coal. When one pays \$14.25 for a ton of furnace coal he does not receive furnace coal alone, but 10 to 15 per cent of impurities, which runs his price up to \$15.75 per ton; not alone that, but he receives now a ton of coal of which at least 25 per cent is smaller size, and should be so classed.

The public pays for and loses the cost of hauling this refuse from the mines to the yards and to the homes-a tremendous expense when calculated through its entire course. It becomes a nuisance to the householder, and rapidly depreciates the furnaces and stoves in which it is used. Certainly something should be done to prevent this tremendous waste and nuisance. I hold a clipping from the New York Times of April 23 last, in which it says that the comptroller of New York is holding up vouchers of over \$1,200,000 to coal dealers for the winter's coal supply to the public schools and police departments. Much of the coal is found to be slate and large quantities of coal dust, which is a nuisance to not only the large consumers of the country but the small consumers as well, all experiencing alike the hardship of the waste, lack of sizing of the coal, and the care which formerly obtained in its distribution.

### PENNSYLVANIA ANTHRACITE COAL TAX THE LAST STRAW.

The governor of Pennsylvania has just approved a bill placing a production tax on all anthracite coal mined in that State. This is manifestly unjust and truly a great hardship upon the consuming public. The United States Constitution says:

No tax or duty shall be laid on articles exported from any State.

Certainly this tax is against the spirit if not the letter of that provision.

The tax specified in the act is 1½ per cent ad valorem on all coal mined, and under another bill 2 per cent on selling price, which is to be with the consent of operators and relieve them of all damage suits, commonly known as the Fowler or cave-in This will mean, after deducting waste and undesirable coal, about 5 per cent on all domestic sizes. It will hit the householder, both poor and rich, and at a time when they can least afford it It would be just as fair for Maryland and Virginia to place a tax on the great sea-food production of the Chesapeake Bay and its tributaries, the States of California and Florida to tax the golden fruits from their domains, or the States of the sunny South to place a tax upon cotton and its vast by-products.

I lay these facts before this House, and will soon ask an investigation and proper legislation in the interest of the public and against this vast monopoly. [Applause,]

Mr. Chairman, I ask unanimous consent to revise and extend

my remarks on the anthracite coal question.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent to extend his remarks on the anthracite coal question. Is there objection?

There was no objection, The Clerk read as follows:

# DISTRICT OF COLUMBIA.

## GENERAL EXPENSES.

Executive office: The accounting officers of the District of Columbia are authorized to pay to J. Thilman Hendrick the salary of a Commissioner of the District of Columbia for the period from September 17, 1920, to March 4, 1921, inclusive, notwithstanding the provisions of section 1761 of the Revised Statutes of the United States.

Mr. BLANTON. Mr. Chairman, I reserve a point of order. I would like to ask the chairman of the committee what is the necessity of this provision in a deficiency bill?

Mr. GOOD. Mr. Hendrick was not confirmed, but he served as District commissioner.

Mr. BLANTON. And he actually served during the four months?

Mr. GOOD. Yes. Mr. BLANTON. And received no salary from any other source?

Mr. GOOD. He received no pay as a commissioner. I do not know about any other private source.

Mr. BLANTON. Was his time devoted somewhere else where

he did receive a salary?

Mr. GOOD. No; he gave his time to the District. The gentleman asked if he got a salary anywhere else, and I say I do not know, because he might be an officer of some corporation and receive a slight remuneration. I do not know about that; but he served as commissioner and has not been paid.

Mr. BLANTON. Mr. Chairman, I withdraw my reservation of the point of order.

The Clerk read as follows:

Rent Commission: For an additional amount for salaries and expenses authorized by section 103, Title II, of the food control and the District of Columbia rent act, approved October 22, 1919, \$15,000, to continue available during the life of the commission.

Mr. BLANTON. Mr. Chairman, I make a point of order against that portion of the paragraph which reads "to continue available during the life of the commission." What is the life of the commission

Mr. GOOD. It expires in October, 1921.

Mr. BLANTON. Is there any necessity for the commission to be held over that long?

Mr. GOOD. Yes; the rent commission expects to commence a great many suits to recover the excessive rents that have been paid.

Mr. BLANTON. Paid by whom?

Mr. GOOD. Paid by the tenants to the landlords, and these

suits are to enforce the provisions of the act.

Mr. BLANTON. Mr. Chairman, I reserve the point of order instead of making it, and I want to ask this question of the distinguished chairman of the committee. I have been informed that where excessive rents are charged they are charged in 90 per cent of the cases by the lessees against sublessees, and that the real landlord does not reap any benefit from it. sublessees who lease the premises to others who are guilty of most of the profiteering.

Mr. GOOD. I suppose that is true in part. Mr. FOCHT. No; under the Ball bill the sublessee can not charge any more than he pays the landlord.

Mr. GOOD. If the premises are furnished he can charge for the furniture.

Mr. FOCHT. But he can not charge more for the rent.

Mr. BLANTON. I have heard numerous complaints made where landlords are getting the same rent that they received back in 1916 and the early part of 1917, but the party to whom the property was leased rented it to other parties at a profiteering rate, and it is the protection we are giving these parties by this continued act that I would protest against.

This money will be used largely for this purpose. The rent commissioners have been called upon to fix the rents in many cases and they have so fixed the rent, but a higher rent has been collected and they propose now to collect that excess

rent that was taken in violation of law.

Mr. BLANTON. Mr. Chairman, I withdraw the point of order.

The Clerk read as follows:

For 1922, \$1,000.

Mr. GARRETT of Tennessee. Mr. Chairman, I move to strike I want to ask the Chairman about this apout the last word. propriation for 1922. Why is it necessary to make an appropriation for 1922 in this bill? Is there an estimated deficiency?

Mr. GOOD. No, the jurisdiction of the court was changed under the act of March 3, 1921. It gave this court additional jurisdiction, changing and enlarging the punishment from cases involving \$100 to cases involving \$1,000, so that it has largely increased the work of the court, and the appropriation is altogether inadequate for contingent expenses. It is to bring in about 1,200 new cases and that is the reason why it is necessary to give this additional amount.

Mr. GARRETT of Tennessee. Mr. Chairman, I withdraw the

pro forma amendment.

The Clerk read as follows:

For additional employees from June 1, 1921, to June 30,-1922, inclusive, at annual rates of compensation as follows: Jury clerk, \$1,600; four enrolling clerks, at \$1,600 each; stenographer and typist, \$1,400; in all, \$10,183.34.

Mr. BLANTON. Mr. Chairman, I make the point of order against the paragraph that it is new legislation on an appropriation bill unauthorized by law. These are new positions and not deficiencies.

Will the gentleman reserve the point of order?

Mr. BLANTON. If the gentleman desires,

Mr. GOOD. By the act of March 3, 1921, they increased the jurisdiction of this court, giving them jurisdiction of an additional class of cases, and they can not take care of the work with the present force. It brings in over 1,200 cases immediately.

Mr. BLANTON. Has the gentleman ever seen a crowded

docket cleaned up?

Mr. GOOD. Yes; but here they have given this municipal court an additional jurisdiction. My recollection is that they formerly had jurisdiction of causes up to \$100. They have changed the original jurisdiction from \$100 to \$1,000.

Mr. BLANTON. I think they can do the work by working

a little mite harder,
Mr. BYRNS of Tennessee. Mr. Chairman, I want to call the attention of the gentleman from Texas to this fact: By the act to which the gentleman from Iowa has referred, the exclusive jurisdiction of this court was raised from \$100 to \$1,000, and that act goes into effect on June 1. They have been provided with no clerks, with no appropriation to take care of the large number of new cases which will come before the court by reason of the act passed in March of this year.

Mr. WINGO. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes. Mr. WINGO. How many clerks have they now? Mr. BYRNS of Tennessee. Five, and a messenger.

Mr. WINGO. How many judges?

Mr. BYRNS of Tennessee. Five. If the gentleman will permit, I will read a portion of a letter which was written to our colleague, the gentleman from Virginia, Mr. Moore, who is unavoidably absent. It is from Judge Aukam.

Mr. BRIGGS. Is he one of the judges of the court?

Mr. BYRNS of Tennessee. Yes. A portion of the letter reads as follows:

as follows:

The act of March 3 last, increasing the exclusive jurisdiction the court from \$100 to \$1,000 and requiring a record to be kept of every case, goes into effect on June 1 next.

The tenfold increase of original jurisdiction, in addition to the nearly 1,200 cases now pending and awaiting trial in the Supreme Court of the District of Columbia and subject to immediate transfer for trial in this court, renders this force indispensable.

Our present clerical force (five, and a messenger) handle over 21,000 cases a year. They are often required to put in extra hours of service to keep the work current.

During the coming year this court will be called upon to dispose of over 30,000 cases and to enroll the same. The granting of the full force requested in the current deficiency bill will simply allow one clerk to each of the five judges, as up to this time we have never been able to take any clerk from the clerk's office into the courtroom.

This great increase in cases requires many records to be kent.

This great increase in cases requires many records to be kept. The judges of this court state that it will be absolutely impossible to transact the business of the court unless they have some additional employees.

Mr. BRIGGS. Are these courts courts of record now? Mr. BYRNS of Tennesssee. They are, under the act passed in March.

Mr. GOOD. And they have no one to make the record?

Mr. BYRNS of Tennessee. That is correct.

Mr. GOOD. No one to preserve the record, and yet we have made them a court of record.

Mr. BYRNS of Tennessee. This is for the purpose of giving them necessary clerks to keep the records.

Mr. BRIGGS. That is the work that they are already performing now, which the judge states deprives them of even a clerk in the courtroom.

Mr. BYRNS of Tennessee. Yes.

Mr. BLANTON. May I ask the distinguished gentleman from Tennessee whether his distinguished copartner in watchfulness from South Carolina [Mr. Byrnes] approves of this

Mr. BYRNS of Tennessee. I have not conferred with the gentleman.

Mr. BLANTON. If he does I shall withdraw the point of

Mr. BYRNS of Tennessee. If the gentleman from South Carolina had heard the hearings as I have I feel sure that he would approve of the item.

Mr. BLANTON. Because with a unanimous opinion upon the part of the Byrns brothers all obstacles and objections

must disappear.

Mr. BYRNS of Tennessee. I also want to call attention to the amount of money deposited with the collector of taxes of the District of Columbia in the way of fees, etc., from 1909 to the end of the fiscal year 1919 from this court. They amount to \$348,012.59, while the total expenses of the court for the same period amount to \$219,832.18, leaving a surplus unexpended of earned fees in the Treasury during that period of \$128,160.41.

Mr. GOOD. Mr. Chairman, will the gentleman yield? Mr. BYRNS of Tennessee. Yes.

Mr. GOOD. The gentleman will recall also that it was stated that many of these rent cases it would be necessary to commence in this court.

Mr. BYRNS of Tennessee. Yes.

Mr. WINGO, Mr. Chairman, will the gentleman tell me how many judges there are in the court that has jurisdiction

of these cases that are transferred?

Mr. BYRNS of Tennessee. There are five judges in the District Supreme Court, and the cases involving amounts be-

tween \$100 and \$1,000 will be transferred to this court, where there are also five judges.

Mr. WINGO. And it is not intended to transfer all of this clerical help.

Mr. BYRNS of Tennessee. No; they keep whatever clerical help they have.

Mr. WINGO. This question is prompted by the last argument the gentleman made with reference to the revenues from this court. Is the reason for this additional clerical assistance the increase in the business or for the purpose of taking up the

Mr. BYRNS of Tennessee. It is clearly on account of the increase in business, which has been tenfold, as the judge states. I wanted to make that statement for the information of the House

Mr. WINGO. I am not objecting to it at all.

Mr. BYRNS of Tennessee. If it were not for this greatly increased business the appropriation would not be recommended. Mr. BLANTON. Mr. Chairman, I want to ask one other

question of the chairman of the committee. This court with five judges has criminal jurisdiction, has it not?

Mr. GOOD. The police court has jurisdiction.

Mr. BLANTON. Has not this court criminal jurisdiction?

Mr. GOOD. I really could not tell the gentleman. Mr. BLANTON. It has, and there are five judges.

Mr. GOOD. But only five clerks.
Mr. BLANTON. They now have five clerks, a clerk for each We are told by the officers of the District of Columbia that crime in the District is greatly decreasing by reason of the prohibition law. If that is the case, the court business must decrease, and I think it will decrease all of the time as the years go by if the law is properly enforced. I think they will have an opportunity in the Senate to make whatever showing they desire for this necessity, and I insist upon the point of They are new positions, unauthorized by law in a deficiency appropriation bill.

Mr. GOOD. They are authorized by law. The only trouble is that they are authorized by law after the last appropriation

act was passed.

Mr. BLANTON. They are new positions.

The CHAIRMAN. Does the gentleman from Iowa contend that these positions were provided for in the act increasing the jurisdiction of the court?

Mr. GOOD. I think the positions are created by law, but I am not sure that the title of our bill is broad enough to take them in

Mr. BLANTON. This is a deficiency bill for deficiencies in the fiscal year ending June 30, 1921.

The CHAIRMAN. This is an item for the fiscal year ending June 30, 1922, and it is clearly subject to the point of order. The Chair sustains the point of order.

The Clerk read as follows:

FEDERAL BOARD FOR VOCATIONAL EDUCATION.

Vocational rehabilitation: For an additional amount for carrying out the provisions of the act entitled "An act to provide for the vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended, etc., including the same objects specified under this head in the sundry civil appropriation act for the fiscal year 1921, \$15,000,000.

Mr. FESS. Mr. Chairman, I move to strike out the last word. There have been many suggestions in the newspapers and elsewhere that there has been neglect of our disabled soldiers. Some of those charges go to hospitals and some of them go to the rehabilitation work. I asked the Chief of the Rehabilitation Service to give me a statement of the amount of this work up to date. He gave it to me as late as April 1, and I think it is quite a remarkable showing. Those eligible for section training, which is training with allowances, amount to 114,584 people. Those eligible for training in section 3, which has no pay allowance, amount to 80,075. As of April 1, 1921, the following numbers have entered training: Training for pay, 81,481; training without pay, 10,496; training under the Elks Fund, 89; making a total now in training of 92,066.

He makes this observation also, which I think is of value: On March 15, 3,123 men are reported as having completed training and 7,370 as having discontinued. Approximately 50 per cent of the latter have entered employment as the result of training, this in addition to the 3,123 definitely reported as rehabilitated or completed. I think the chairman of the Committee on Appropriations made a very pertinent remark in general debate when he spoke about the increased demand for appropriations because of a deficiency of from \$15,000,000 to \$30,000,000, as the closing down or slowing up of business has caused a great many persons who heretofore might be at work to seek the training because they were dissatisfied with the

prospects without training. The figures show that the board is using about 2,000 schools and 8,000 plants and factories for the training of men. It also shows that up to March 1, 1921, the board had spent \$89,521,414 since the passage of the rehabilitation act of June 17, 1918, two and a half years ago. Of this amount \$68,000,000 has been spent in direct allowances for maintenance to the men themselves. The overhead for the entire time since the organization of the rehabilitation work, which includes rent, office equipment and supplies, salaries, printing, travel and subsistence of employees, telephone and telegraph, etc., was approximately 14 per cent. We thought when the Committee on Education last year made an investigation of the rehabilitation work that the overhead charge was too heavy. This overhead has not been reduced to less than 8 per cent in the month of March, 1921, during which month the total expenditures were \$11,044,330, of which \$8,250,000 went directly to the men themselves. Gentlemen of the committee, there is an immense amount of criticism, much of it psychologic, I think, because it is an easy matter for us at this time to criticize and find fault especially if it applies to the disabled-I am referring now to the newspapers throughout the country. I have looked over the work of other countries, and I give it to you as my honest judgment that a remarkable service has been rendered here in our country.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FESS. One additional minute.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FESS. I do not think that any country in the world has the record for rehabilitation work that this country has. While there may have been some falling down, as was in-evitable under the circumstances, this work is still under the organization that was established at the beginning, and, while it is coming into rather efficient service, all agree there must be a better coordination of the departments dealing with the problem. However, I do not think there is going to be much more complaint of the rehabilitation work. thought that it was due to Members of the House to make this statement. [Applause.]

Mr. BLANTON. Mr. Chairman, I rise in opposition to the pro forma motion merely for the purpose of answering one statement of the gentleman. He thinks that the board has reached a pretty good state of efficiency. Yet complaints are still coming that the men themselves can not get a reply from the board until they appeal to their Representative or Senator. is one board, generally speaking, that the Congress has given practically every single cent that it has demanded. Generally speaking, the Committee on Appropriations has never turned down this board in its financial requests, and it does seem to me that the men over the country themselves should be able to get a reply to their letters. Their letters should not stay down here in this office of the board for a week or two weeks or three weeks or even a month unanswered until the man finally gets the ear of his Representative or Senator. We can send a letter down there and get an answer back in two or three days. If they can answer our letter so promptly why can not they answer the letters of the men? I think this board ought to be checked up on this subject and given to understand that a letter from an ex-soldier somewhere in the country asking for something that the country owes him, something that the Congress is willing to give him through this board-that it should understand that that letter is entitled to just as much recognition and just as prompt an answer as a letter from a Congressman or from a Senator.

Mr. FESS. Will the gentleman yield?

Mr. BLANTON. I will.

Mr. FESS. I have heard complaints of the War Risk Insurance not answering letters expeditiously, but is the gentleman sure that the Federal board is subject to that complaint?

Mr. BLANTON. If the distinguished educator from Ohio will go over to his office and ask his secretary about it he will find out that in his office, likely, complaints have come from men in Ohio to the effect that they can not get a reply, and he will likely find out that his secretary has been down there raking this board over and making them do its duty in answering such

Mr. FESS. My friend is very gratuitous about something

that has never occurred in my office.

Mr. BLANTON. It has occurred in my office, and I am sure it has occurred in other offices of this country. Letters from the ex-service men sometimes take two or three weeks to be answered, and men all over this country apply to us before they get action by this board.

The CHAIRMAN. Without objection the pro forma amendment is withdrawn and the Clerk will read.

The Clerk read as follows:

Not to exceed \$3,750 of the unexpended balance of the appropriation for salaries of commissioners for the fiscal year 1921 is made available for the payment of difference in compensation between the rates of \$7,500 and \$12,000 per annum to such commissioners as were in office June 5, 1920, if otherwise entitled thereto.

Mr. BEGG. Mr. Chairman, I move to strike out the last word for the purpose of asking one question of the chairman about these items. Why do they occur, these three paragraphs?

Mr. GOOD. That is because the salary of the members of the Shipping Board was increased from \$7,500 to \$12,000, and there was no appropriation.

Mr. BEGG. Is it not a back appropriation, it is just from

the time of the increase?

Mr. GOOD. Just from the time the increase applies.

The CHAIRMAN. The pro forma amendment is withdrawn and the Clerk will read.

The Clerk read as follows:

Not to exceed \$10,500 of the unexpended balance of the appropriation for salaries of commissioners for the fiscal year 1921 is made available for the payment of compensation to the entire board of seven members created under the Merchant Marine Act, 1920, at the rate of \$12,000 per annum.

Mr. GOOD and Mr. HARDY of Texas rose.

The CHAIRMAN. The gentleman from Iowa [Mr. Good] is recognized.

Mr. GOOD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. Good: On page 14, line 18, after the word "annum" insert a comma and "and also for the compensation of William S. Benson as agent of the President, at the rate of \$12,000 per annum, from March 4, 1921, to the date of the termination of his services as such agent."

Mr. GOOD. There is no board at the present time. At the time he was a member of the board he received \$12,000 a year. He received no salary as admiral, but from March 4 up to the present time he has been the agent of the President in the transaction of the business, and ought to draw his salary.

Mr. BLANTON. And he draws no other pay? Mr. GOOD. Nothing except his retired pay.

Mr. BLANTON. The gentleman states that he drew his retired pay in addition to this salary?

Mr. GOOD. He has always drawn that.

Mr. BLANTON. During the time he has drawn his salary as commissioner?

Mr. GOOD. Yes. So far as I know, there is no law in the United States that takes from an officer of the Army or the Navy any portion of his retired pay if, perchance, he is given some other position the salary of which is fixed by law.

Mr. BLANTON. I did not so understand the law to do that.

Mr. GOOD. The comptroller has so ruled.

Mr. CONNALLY of Texas. It has been suggested that that applies only to positions confirmed by the Senate. It is only to those positions that it applies.

The CHAIRMAN. The question is on agreeing to the amend-

ment offered by the gentleman from Iowa [Mr. Good].

The amendment was agreed to.

Mr. HARDY of Texas. Mr. Chairman, I move to strike out the last word. I would like to ask permission to proceed for 10 minutes. I do not know that I will take it all, but I do not expect to have anything further to say in reference to this bill. The CHAIRMAN. Is there objection to the request of the

gentleman from Texas? [After a pause.] The Chair hears

none

Mr. HARDY of Texas. Mr. Chairman, I was agreeably struck with the moderate tone of the chairman of this committee in the beginning of his address, but frankly it seemed to me that when he began to discuss the Shipping Board he lost that moderation and that some of his criticisms seemed unjust and unfair and not borne out by the facts, as I happen to know

some of them.

A good deal of criticism was directed at the Shipping Board because its personnel had been changed very frequently, and I myself am willing to admit that that was an unfortunate fact, but those who are posted on the occurrences and facts and occasions which arose and produced friction between officials of the Shipping Board (the first being between Gen. Goethals and Mr. Denman) know that change in personnel was largely, if not wholly, unavoidable. The public press began to bespatter both men with their criticisms, and the President, I think, in all wisdom, wrote a polite, cordial letter to both of them, asking them to resign, which they did. I wish to say, while not acquainted with Gen. Goethals, I was acquainted with Mr. Den-

man, and he was a thoroughgoing, brilliant executive of great ability, a gentleman of honor, high personal character, and courage. He and Gen. Goethals differed. They both resigned. I wish I had time to go further into the differences between them,

but I shall not undertake it.

Following Mr. Denman as chairman, I believe came Mr. Hurley. Mr. Hurley was perhaps not a systematic man. I ought not to criticize him, but that is as it seemed to me. But he was the man for the day and the hour, who stirred things up and began and continued the building of ships, possibly with no little of waste. Certainly not with the economy a man would extects if he had time to weigh carefully all his measures, but we needed ships. Mr. Hurley then resigned, without a stigma upon him. This was after his great work of building had been largely completed. Then the President had to appoint a chairman, and his choice fell upon Mr. J. Barton Payne. I think every member of the Committee on the Merchant Marine and Fisheries, before whom he appeared, when he related the story of his administration, was willing to say that he was the right man for the place, and would say it to-day. I do not believe a stronger executive or administrator ever took charge of a bureau of the

Government than John Barton Payne.

It may be that in promoting Mr. Payne to a place in the Cabinet the President, from the standpoint of the Shipping Board interest, made a mistake, but I do not believe so. been counsel for the Railroad Administration; he had been instrumental in bringing order and system into the affairs of the Shipping Board and our vast shipping administration. administration seemed to be functioning well. I say this because I attended several of the meetings of the Shipping Board and their numerous heads of departments. Besides the members of the board, there were some 8 to 12 heads of departments, and all of these in their weekly meetings made full reports to the Shipping Board, with Mr. Payne presiding. As far as a layman could see, every interest of our Government shipping seemed to be carefully looked after and cared for by efficient men. It must be remembered also that other members of the Shipping Board, some of whom had been with the Shipping Board from the beginning, remained on the board. So that while it is easy to criticize the President for transferring Mr. Payne, any fair-minded man who knows all the facts must say that no real harm came to our shipping interests by the change, Mr. Redfield had resigned from the position of Secretary of Commerce, and the President believed that Mr. Payne was good material to fill his place, and believed that in Admiral Benson he could appoint a fit successor to Mr. Payne as chairman of the Shipping Board. I am not specially acquainted with Admiral Benson, but I know those who are, and who all speak of him in the highest terms, and any man who will study his statements before committees of Congress when called on by them to testify about shipping matters will believe him to be a man of splendid ability and well fitted for the place to which he was appointed. But it seems to me that it does not lie in the mouths of Republicans to criticize Admiral Benson or any of the present members of the Shipping Board.

I say this because last Congress passed a new shipping act providing for doing away with the old board and creating a new board, having more members and, I believe, higher salaries. Mr. Wilson nominated and sent to the Senate the names of his appointees for the new Shipping Board. The Republican Senate held up these appointments, thus continuing the present chairman and members of the Shipping Board and the various heads of the departments and officers acting under them. understand it, Admiral Benson is not now the legal chairman of the Shipping Board, but this bill provided for his pay as agent of the President in charge of Shipping Board affairs. seems strange to me that the Republican President should retain Admiral Benson, for nearly three months now, if he was not thoroughly competent, since he could have replaced him by an abler or better man. The gentleman from Iowa and other Republican leaders have been criticizing the Shipping Board Mr. Harding has had ever since his election in for a year. November, 1920, to find suitable men for chairman and members of the Shipping Board, and yet he has not named them. Criticism is cheap and easy-the selection of better officials and a better administration of Shipping Board affairs is difficult.

Now, the big criticism is directed at the Shipping Board for not selling our ships. Let me tell you gentlemen something. The Republican Party came into power in House and Senate in 1918, and almost immediately afterwards we began winding up of the affairs of the war. Under the original shipping act, which created a revolving fund of some \$50,000,000, we had the right to build and buy and sell ships. The Shipping Board had authority to sell the ships they had. And when Congress met in May after the election in 1918 one of the first questions

presented to us was presented by the Shipping Board, as I re-

Mr. Payne came to us I think in 1919 or early in 1920 and said, "Gentlemen, I am not in favor of Government operation of ships. I want to sell them, but I do not want to make a slaughter sale. I want to sell them at the world market price or what I can get for them, not below a reasonable price." he was in the same shape as many other men in public life, of being damned if he did and damned if he did not, and he asked us to declare and prescribe a policy of the Government in reference to the operating, leasing, or selling of these ships. So the gentleman from Tennessee [Mr. Byrns] a moment ago was strictly in order when he said if there was any fault in the failure to sell these ships it was the fault of Congress and not of the executive officer. I think all of us agreed with Mr. Payne in his general statement and with his views and ideas, He said, "My idea is, first, to sell the ships if I can find an American purchaser who will give a reasonable price. But I do not believe we ought to give them away." And propaganda was spreading over the country at that time on both sides. some to depress the price of ships and cause them to be sold for a song, and others going to the other extreme and urging the Government to not sell them at all but operate them itself. Mr. Payne stood between the two. He wanted to sell them and have them operated by private owners or operators, but he wanted to get what they were worth. He wanted them privately operated and not operated by the Government, but on terms fair to the Government, and when we passed the law of June 5, 1920, we declared the Government policy. Congress did not pass this act till the date named, although our committee, as I remember it, passed a similar law through the House the session before, which went to the Senate and got hung up. read you the section as to sale of ships passed by a Republican Congress

Here is what we said:

Here is what we said:

That in order to accomplish the declared purposes of this act and to carry out the policy declared in section 1 hereof, the board is authorized and directed to sell, as soon as practicable consistent with good business methods and the objects and purposes to be attained by this act, at public or private competitive sale after appraisement and due advertisement, to persons who are citizens of the United States except as provided in section 6 of this act, all of the vessels referred to in section 4 of this act or otherwise acquired by the board. (This included all merchant ships owned.) Such sale shall be made at such prices and on such terms and conditions as the board may prescribe, but the completion of the payment of the purchase price and interest shall not be deferred more than 15 years after the making of the contract of sale. The board in fixing or accepting the sale price of such vessels shall take into consideration the prevailing domestic and foreign market price of the available supply of and the demand for vessels, existing freight rates and prospects of maintenance, the cost of constructing vessels of similar types under prevailing conditions, as well as the cost of the construction or purchase price of the vessels to be sold, and any other facts or conditions that would influence a prudent, solvent business, man in the sale of similar vessels or property which he is not forced to sell. All sales made under the authority of this act shall be subject to the limitations and restrictions of section 9 of the "Shipping act, 1916," as amended.

No well-informed man can truthfully say that the Shipping act, 1916," as amended.

No well-informed man can truthfully say that the Shipping Board has not earnestly endeavored to sell our ships ever since the passage of that law under the restrictions provided by it.

We passed this law at the urgent request of the Shipping Board, to declare the policy of the Government, and the law was approved by the President as soon as it was presented to him. And no man can justly say that the board has not endeavored to carry it out. But they failed to sell the ships. Why? Mr. Payne came before us and, among other things, he testified that the offers of purchase of these ships were so few and small in tonnage that he regretted to tell us about it. My recollection is that he said one purchaser had offered to buy three or four big, good ships, the International Mercantile Marine, of which P. A. S. Franklin is the manager; but altogether he did not have offers to buy at any price shipping that amounted to 5 per cent of our tonnage. He was trying to dispose of it. I do not know what luck his successor has had in selling, but he will tell you he has done his best, and I believe him.

Gentlemen, it is easy to criticize and say, "You should have sold," or "You ought to have sold"; but we know this condi-

Here was the propaganda to depress or to boost the price of Here were prospective shipowners, on the one hand, who thought they could drive down the price of ships so as to get them for almost nothing, while on the other hand there was a propaganda to demand a high price for the ships. There was even an injunction brought to prevent the sale of two or three big ships by the Shipping Board, and the injunction was sustained. I myself do not think the ships should have been sold except at a reasonable price. But the Shipping Board, during those seasons of stress and trial, did just as most of us have done. They did their best, and the citizen who criticizes

them to-day, if he had had their place at that time, would have done no better. In all fairness perhaps I ought to say that private shipowners were not without some reason for refusing to buy these ships. Loud-mouthed propagandists were declaring that American ships could not be successfully operated in competition with the world under our laws. Competition had driven our ships from the sea a few years before. Perhaps it was natural that private capital, not understanding the real reason why our shipping was driven from the sea, should hesitate to venture into an effort to rebuild our mer-There was some reason for believing that the chant marine. Government alone was strong enough to reinstate us on the seas and firmly establish our lines of foreign trade, which was the declared policy of the act of 1920.

Mr. DAVIS of Tennessee. Mr. Chairman, will the gentleman

vield?

Mr. HARDY of Texas. Yes.

Mr. DAVIS of Tennessee. If the present members of the Shipping Board are so derelict-

The CHAIRMAN. The time of the gentleman from Texas has expired

Mr. HARDY of Texas. Mr. Chairman, I ask unanimous consent for five minutes more,

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. DAVIS of Tennessee. If the previous members of the Shipping Board were so derelict in not selling these vessels, as they should have sold them, and especially in view of the fact that they have been practically without a policy since March 4, would it not have been very wise for the new administration to have appointed and confirmed a new Shipping Board at once and not have waited for three months without having done anything in that regard?

Mr. HARDY of Texas. That is absolutely true. But the President of the United States is not the man who is criticizing, and he is not the man who would criticize, the Shipping Board for failing to do what was impossible. He was in the Senate when the act of 1920 was passed, and he knows the conditions that existed. Doubtless he heard the testimony of Mr.

Payne.

Mr. BLANTON. Mr. Chairman, will my colleague yield?

Mr. HARDY of Texas. Yes.

Mr. BLANTON. Is it not also true that all during the Sixty-sixth Congress the distinguished chairman had 47 majority in his party, and he could have carried through any policy he saw fit?

Mr. HARDY of Texas. Yes. The party now in control of all the branches of the Government was in control of the legislative branch of the Government at that time, and they had the right to declare the policy of the Government. If they wanted to sell the ships, or if they wanted to give them away to the operators, they had the right to pass that law. After long delay they did pass a law declaring the policy of the Government and the President approved the law. The law that was passed has been lived up to. It was a right law.

Now, the man who has been in charge of the operation of the ships, in 1920 declared that he believed that we would make a profit out of the ships. They did make a profit out of the ships for a time, but we are not making a profit now. The railroads are not operating now at a profit. When we realize the vast amount of shipping we have now and the small amount of freight we know that if all our ships were privately owned they could not be operated at a profit under the present conditions, seamen's law or no seamen's law, and I want to say in passing that that seamen's law is here to stay. Every possible charge has been made against the conduct of the Shipping Board, and yet I say that when you examine the conditions under which they labored you will find no cause of criticism and every rea-son for the belief that they have been loyal and devoted to their duty and excellent officials. [Applause on the Democratic side.]

I might add a word or two more, but I fear I shall not have the time. It is not the seamen's law that has prevented them from operating at a profit, and the amendments of the seamen's law, which certain shipowners are seeking to pass, will not enable the ships to operate at a profit. The seamen's law has been taxed with every sin under the sun. They claim that law forces them to pay higher wages, employ more men and greater equipment than any of their foreign competitors. One provision which has been severely criticized is that which quires that 75 per cent of the crew shall be able to understand orders given by the officers of the ship. One great ship operator a few years ago declared that he was forced to sell his ships by this language test, because under it he could not con-

tinue to use his Chinese crews. It so happened that he had himself testified before our committee that his Chinese crews did understand their officers' orders. Another man comes in and says that under the seamen's law you require too many men in the crew. Still another says you must have 60 per cent of the deck crew able seamen, and that is too much efficiency.

That may be true, but I do not believe it.

When you take into consideration the practical conditions that obtained at sea before that law was enacted, where one ship ran into an iceberg and nearly all the passengers drowned, where another ship sinks at the wharf and all hands perish, and another ships burns in a river and a picnic crowd dle, either because of a lack of life-saving apparatus or because of lack of efficient men, it is no wonder that Congress acted and passed the seamen's act and in that seamen's act declared that a ship must not only have men 75 per cent of whom understand the orders of officers but that of those men 60 per cent of those who were in the deck department and navigated the ship should be efficient men in the management of ships, and the American people are going to demand that seamen shipping on the high seas under the American flag shall not be so ignorant of our tongue that they can not understand the orders of the commanding officer when he commands them to right the ship or so unskilled they can not safely navigate the ship or handle life-saving equipment in case of catastrophe. They are going to require that a certain percentage of the seamen on American ships shall be able to handle lifeboats and navigate the ship properly; and I want to say to you that it is not the efficiency requirements of the law or the cost of labor that is at present preventing the profitable operation of our Shipping Board ships. Before you can run ships profitably on the sea you must provide cargoes for them to carry.

We must provide agents and use business methods and enterprise so as to get cargoes. If you will give me a ship that runs full laden from New York to Liverpool and comes back full laden, it can pay the American standard rate of wages and make successful and profitable voyages. But let me go to Liverpool or to London half laden and come back with no cargo at all, and no kind of legislation will enable me to cross the ocean profitably. We could not do it if we paid no wages

at all. [Applause.]

Mr. Chairman, I hold no brief for seamen. I have no feeling against shipowners. I am earnestly anxious to see the American flag sail all the seas. I know that the privilege of navigating ships with small or unskilled crews will not keep our flag there. A great deal has been said about the great labor cost of operating American ships under our laws. The unversed will be astounded perhaps to learn, first, that of the total cost of operating an American ship labor amounts to only 10 per cent. But let me quote the testimony of Admiral Benson before the Subcommittee on Appropriations, May 9, 1921, page 543 et seq.:

\* \* While freights were high there was no difficulty in meeting the expenses of the Emergency Fleet Corporation, but early in 1920 it was quite evident that the rates would fall considerably, and in July they began to fall very rapidly. The situation was hastened by the action of our foreign competitors in cutting rates. The board took every possible means to meet this situation, keep up the rates as well as we could, until it became quite evident that action would have to be taken to meet the cuts that were being made in certain trade routes particularly. This was done and then the general world situation produced a condition where the cargoes were reduced to almost nothing. Very little of our cotton, grain, and coal was going out of the country.

The competition became very keen. We kept the various trade

atmost nothing. Very little of our cotton, grain, and coal was going out of the country.

The competition became very keen. We kept the various trade routes supplied with ships, and as fast as it was discovered on any particular route that we were losing money the number of vessels operating was reduced accordingly, and in making the reductions we took out the type of ship that was least efficient and laid it up. Instead of putting them at docks and paying wharfage, we put into operation the plan of mooring the ships in bunches in southern streams, particularly in Virginian waters, where the ice is not so bad in winter, and putting a small number of men to look out for a whole bunch of ships, thereby avoiding the wharfage dues and also reducing the number of personnel. As a sample, particularly in the wooden ships, they were at one time costing on an average of about \$2,500 a month. From the last report I got they were costing us about \$91 a month. They are down here now tied up in the James River about 35 or 40 miles above Newport News. I feel we have almost reduced that expense to a minimum, although I still hope to cut it down somewhat. Steel vessels are being handled on the same general principle, except that necessarily we are keeping enough of them in the various principal ports to meet any situation which may arise.

This quotation, I think, sufficiently shows the handicap under

This quotation, I think, sufficiently shows the handicap under which our present great shipping tonnage is laboring. The admiral says further, on page 551 of the hearings:

There is a little mistaken idea there, I think; or, rather, I think that the question of wages is always a little exaggerated, because under any system it is not much over 10 per cent of the total cost of operation. I feel that we have got to get Americans on our ships and build up our efficiency. I think that we have too many men on some of our ships, and I think that our laws ought to be modified to that extent. The real evil I am afraid of is this, that pretty soon shipowners

will refuse to sign any Americans, and we know that there are hundreds of thousands of men drifting around on the beach who are able to work, and they will take on those foreigners at a very much lower price, and that will seriously interfere with our getting a full American personnel on board our ships. That is something that we are working toward very earnestly, and recently many of our ships have gone out with 100 per cent American crews on board. We will have to reduce the pay, but I am not in favor of too great a reduction now. I believe that our men ought to have good quarters on board the ships and that they ought to give good work.

I would not put it exactly on the basis of foreign competition, but I would put it more on the basis of the actual living relations. I believe that we can deal with our merchant marine on that basis, and I believe that we can build it up on that basis so that it will be ready as a naval reserve or as a military auxiliary, as provided for in the premible of the bill, and that it will be in a position to compete in any way we want as a commercial fleet.

And he also gives in tabulated form the following:

And he also gives in tabulated form the following:

TABLE A.

Crew list and monthly coages on selected American, British, Norwegian, and Japanese vessels, summer of 1919.

[Single-screw coal-burning cargo ship, Atlantic and Gulf coasts, 8,800 tons dead weight, class C.]

[Effective Aug. 31, 1919, to Aug. 31, 1920.]

	Number.	Wages.	Amount.
AMERICAN.	14.74		
Deck department:			230 103
Master	1	\$357.50	\$357.50
First officer Second officer Third officer	1	228.75	228.7
Second officer		200.00 176.25	200.0
Carpenter	1	100.00	176. 2 100. 0
		95.00	95.00
Able seamenOrdinary seamen.	7	85.00	595.00
Ordinary seamen	7 3	65.00	195.00
Total			1,947.50
Engine department:	THE STATE OF	100	
Chief engineer.	1	332.50	332.56
Chief engineer. First assistant. Second assistant.	1	228.75	228.7
Second assistant	. 1	200.00	200.00
		176. 25	176. 2
Deck engineer. Storekeeper	1	100.00	100.0
Storekeeper	1	95.00	95.00
Oliers	3	95.00	285.00
Oilers Firemen Coal passers	6	90.00 75.00	810.00 450.00
out passess		10.00	200.00
Total			2,677.5
Steward department: Chief steward Chief cook Second cook and baker Utility man	4 1 2 3	TO TOTAL SEE	10000
Chief steward	1	135.00	135.00
Chief cook	1	115.00	115.00
Second cook and baker	1	100.00	100.00
Massman	1	70.00 70.00	70.00 140.00
Utility man. Messmen. Messboys.	2	65.00	130.00
accasosys	1 1 1 1 1 1 1 1	00.00	400.00
Total			690.00
Grand total	48	:	5, 315.00
BRITISH.1		BUTTON	2 1/5/0
Dools donortment		10000 1111	
Master	1	2 258.00	2 258.00
		165.00	165.00
Second mate	1	129.00	129.00
First mate Second mate Third mate Carpenfer	1	109, 00	109.00
		00.00	83.00
		78.00 70.00	78.00
Able seamen Ordinary seamen	10	44, 00	700.00 88.00
Orumary seamen	-	44. UU	00.00
Total			1,610.00
Engine department:			
First engineer. Second engineer. Third engineer.	1	233.00	233. 00
Second engineer.	1	165.00	165.00
Third engineer	1	124.00 109.00	124.00
Fourth engineer	1	78.00	109.00
Donkeyman	1	78.00	78.00 78.00
Greasers	3	75.00	225.00
Firemen	8	73.00	584.00
Trimmers	4	70.00	280.00
Total			1, 876. 00
Steward department:		STATE OF THE PARTY	وال تحديد
Chiefsteward	1	97.00	97.00
Second steward	î	68.00	68.00
Cook.	1	92.00	92.00
Baker	1	73.00	73.00
Bedroom and mess-steward	1	67.00	67.00
	1	41.00	41.00
Steward's boy			438.00
Total			
Total	45		3, 924. 00
TotalGrand total.	45		3, 924. 00
TotalGrand total	45		3, 924. 00
Total		255.00	
Total		255. 00 148. 00	3, 924. 00 255. 00 148. 00

Crew list and monthly wages on selected American, etc., vessels-Con.

JAPANESE—continued.  Deck department—Continued. Second mate Third mate Boatswain Quartermasters Carpenter Able seamen Ordinary seamen  Total  Engine department: Chief engineer	1 1 1 3 1 6 6	\$110.00 98.00 50.00 38.00 35.00 31.00 30.50	\$110.00 98.00 50.00 114.00 35.00 186.00
Boatswain Quartermasters Carpenter Able seamen Ordinary seamen  Total  Engine department: Chief engineer	1 3 1 6	98. 00 50. 00 38. 00 35. 00 31. 00	98.00 50.00 114.00 35.00 186.00
Boatswain Quartermasters Carpenter Able seamen Ordinary seamen  Total  Engine department: Chief engineer	1 3 1 6	98. 00 50. 00 38. 00 35. 00 31. 00	98.00 50.00 114.00 35.00 186.00
Boatswain Quartermasters Carpenter Able seamen Ordinary seamen  Total  Engine department: Chief engineer	1 3 1 6	98. 00 50. 00 38. 00 35. 00 31. 00	98. 00 50. 00 114. 00 35. 00 186. 00
Boatswain Quartermasters Carpenter Able seamen Ordinary seamen  Total  Engine department: Chief engineer	1 3 1 6	50. 00 38, 00 35, 00 31, 00	50.00 114.00 35.00 186.00
Quartermasters. Carpenter Able seamen Ordinary seamen.  Total.  Engine department: Chief engineer	3 1 6	38, 00 35, 00 31, 00	114.00 35.00 186.00
Carpenter Able seamen Ordinary seamen   Total   Engine department: Chief engineer	1 6	35. 00 31. 00	35, 00 186, 00
Able seamen Ordinary seamen  Total  Engine department: Chief engineer		31. 00 30. 50	186.00
Total	6	30. 50	
Engine department: Chief engineer		ALL PROPERTY.	183, 00
Chief engineer		********	1,179.00
Chief engineer			
	1	220, 00	220.00
First angineer	1	138.00	138.00
Second engineer Third engineer	1 1	105.00	105, 00
Third engineer	1	98.00	98.00
Storekeeper	1	58, 00	58.0
First oiler	1	58.00	58.00
Storekeeper First oiler Oilers	6	48, 00	288.00
Firemen	12	32, 00 25, 00	384. 00 200. 00
Coal passers.		20.00	
Total	.,	•••••	1,549.00
Steward department:	15.5		
Steward	1	35.00	35.00
Steward Cook. Rice cook.	1	26, 00	26.00
Rice cook	1	20.00	20.00
Messmen	3	20.00	60, 00
Total			141.00
Grand total	59		2, 869.00
NORWEGIAN.4			
Deck department:	0.75		
Marton	1	2 288.00	2 268.00
First officer	1	195, 00	195.0
Second officer	1	143, 00	143.0
Third officer	1	104.00 78.00	104.0
Boatswain,	1	78.00	78.0
First officer Second officer Third officer Boatswain Carpenter	1 5	78.00	78.0
Able seamen	5	72.00	360.0
Ordinary seamen	5	44.00 29.00	220. 0 29. 0
Young man		29.00	
Total			1,475.0
Engine department:			The same of the sa
Chief engineer.	1	221.00	221.0
First engineer	1	221.00 182,00	182.0
Second engineer	1	143.00	143.0
Third engineer	1	104.00	104.0
Firemen	- 11	73.00	803.0
Coal passers. Boy.	4	49.00	196.0
Воу	1	23, 00	23.0
Total			1,672.0
Steward department:			100
Steward	1	156.00	156.0
First cook	1	52.00	52.0
Boy	1	23.00	23.0
Total			231.0
Grand total	40		3,378.0

<sup>1</sup> Basis of compilation of above figures: Exchange rate used to convertinto American money, \$4.86-£1 per cent of American scale, 74.

<sup>2</sup> Estimated.

<sup>3</sup> Basis of compilation of above figures: Exchange rate used to convert to American money, yen equals 50 cents; per cent of American scale, 54. These are minimum wages paid by three largest Japanese steamship companies. There are higher wages and a bonus system in addition.

<sup>4</sup> Basis of compilation of above figures: Exchange rate used to convert to American money, kroner equals 26 cents; per cent of American scale, 64.

We observe several things from the tables. The number of American crew is 48, the British 45, the Japanese 59, and the Norwegian 40. But you may note that the deck department, which navigates the ship, has in American ships 16, the British 18, the Japanese 21, and the Norwegian 17. In the steward's department United States ships have 8, British have 6, Japanese have 6, and Norwegian have 3. These have nothing to do with navigating the ship, nor is their number prescribed by law. In the engine room America has 24, British 21, Japanese 32, and Norwegian 20. The seaman's law did require in some instances an increase in the engine department, and we did it advisedly, because we believed that to permit a shipowner to require more than eight hours per day of labor in hot firerooms was inhuman, and many witnesses testified with very little contradiction .o cruel conditions arising from long hours on some American ships. The seamen's law prescribes 3 watches, or 8 hours' labor out of 24 in firerooms or engine rooms. The aggregate labor out of 24 in firerooms or engine rooms. The aggregate labor costs in American, British, Japanese, and Norwegian ships are, respectively, \$5,315, \$3,924, \$2,869, \$3,378.

I want to analyze this further. It is perfectly clear that the difference in wage cost of \$1,391 between American and British labor cost can not make one prosper and the other perish. Else how can the British ship compete with the Japanese and the Norwegian? It is clear that England prospers above all nations on the sea for other reasons than cheap or inefficient You note that she has more able seamen than any other nation and pays more wages than any nation except America. What makes England thrive on the sea is her seamanship, superiority, and her system of business management in securing trade and cargo, and if America ever wins on the sea it will be by precisely the same superiority. Before 1914 American ships in competition labored under one handicap that was absolutely insuperable—that was the 50 per cent more that our ships cost than the ships of our competitors. That handicap is now gone, because our Government has the ships and is ready and anxious to sell them to our merchants at no more than the British going price of ships. If American business men and American shipowners have the will to win on the sea and business sense equal to the British they can win.

They have many advantages. Under our coastwise laws, foreign ships being excluded from carrying freight or passengers from one United States port to another United States port, they must frequently, and at great expense, go empty, say, from New York to Galveston. This advantage alone will more than balance any difference in favor of the foreign ship in operating expenses, if there is any such difference. Again, many of our ships are oil burners, and on that account require fewer men in their crews than their coal-burning competitors. An oil burner requires at least one-third less crew and has at least 20 per cent more cargo space than a coal burner of the same tonnage. Then our ships being all new ought to have more up-todate equipment and loading and unloading devices, and ought to make a quicker voyage and turn around. Then the volume of our freight is greater than that of any other country, and that ought to give our ships an advantage.

It is claimed, perhaps with truth, that lack of marine insurance facilities in America on account of burdensome tax laws has operated against our shipping in favor of the British. If this is true, it ought to be remedied. The Merchant Marine Committee is working on a law to remedy this. It ought to be passed—the quicker the better. With this done, it is up to our American business men whether, with more than equal opportunity, our American merchant marine will live or die.

Mr. GOOD. Mr. Chairman, it is indeed strange to have a discussion here in which the statement is made that in pursuance to a law that was enacted back in 1917 the failure to sell these ships is due to a Republican Congress. Nothing could be farther from the truth.

At the very outset, when Congress enacted the law to acquire the ships, the policy was laid down with regard to their operation and disposal. A Democratic Congress wrote the law and the act of June 15, 1917, after providing for the construction of these ships, at the time when we were in war, reads:

All ships constructed, purchased, or requisitioned under authority herein, or heretofore, or hereafter acquired by the United States shall be managed, operated, and disposed of as the President may direct.

Not as Congress shall direct, but you gave the whole policy of acquiring the ships, of the building of a merchant marine, and the disposition of the ships, not into the hands of Congress, but into the hands of the President of the United States, and whatever policy was pursued in the acquisition of the ships or in the failure to sell the ships was due not to Congress but due to the failure of the President of the United States. Our failure, therefore, to have a policy to dispose of these ships was due to President Wilson.

Mr. HARDY of Texas. Will the gentleman yield for a question?

Mr. GOOD. I did not interrupt the gentleman, and I am going to talk only five minutes.

Mr. HARDY of Texas. If the gentleman does not wish it, I will not interrupt him.

Mr. GOOD. Now, with regard to the operation of the ships, we went into that matter somewhat, and we found that the latest information with regard to the operation of ships was given by taking a crew list and the monthly wages on selected American, British, Norwegian, and Japanese vessels in the summer of 1919, and a single-screw, coal-burning cargo ship, Atlantic and Gulf Coast, 8,800 tons dead-weight, class C, was taken as the type.

For the American vessel there were 48 in the crew, with a

monthly wage scale of \$5,513.

The British ship had 45 in her crew, with a monthly wage scale of \$3,924.

The Japanese ship had 59 in her crew, with a monthly wage

The Norwegian ship had a crew of 40, with a monthly wage

scale of \$3,378.

The United States monthly wage scale was \$5,513, and the British was next, with a monthly wage scale of \$3,924, or almost \$1,500 a month more for the wages of the crew of the American vessel, while the Japanese operating expense was

only about one-half of the American cost.

Now, I agree with the gentleman from Texas [Mr. HARDY] that the difficulty is we must have the cargoes first; but having the cargoes, I am sure if we are to place a merchant marine that is to be maintained upon the high seas, and if it is to be a merchant marine in which we will take pride, we must be able to furnish that merchant marine to the American operators at somewhere near the cost per dead-weight ton that our competitors are able to buy their ships. And with our competitors to-day being able to buy ships in Great Britain for less than \$75 per ton, any American would be a fit subject for an insane asylum who would attempt to buy ships for \$165 a ton, the program fixed by the President of the United States, and even as high as \$220 a ton, and attempt to run those vessels in competition with that kind of capital

cost and also with that kind of operating cost.

The CHAIRMAN. The time of the gentleman from Iowa has expired. Without objection the pro forma amendment will be

withdrawn and the clerk will read.

The clerk read as follows:

Not to exceed \$17,000 of the unexpired balance of the appropriation for salaries of commissioners for the fiscal year 1921 is made available, and in addition thereto the sum of \$3,633.33 is appropriated, for payment of salaries of the following commissioners at the rate of \$12,000 per annum for the period while acting as such commissioners, notwithstanding their nominations were not confirmed by the Senate: William S. Benson, Frederick I. Thompson, John A. Donald, Joseph N. Teal. Guy D. Goff, Charles Sutter, Chester H. Rowell.

Mr. HARDY of Texas. Mr. Chairman, I do not want to inflict myself on the committee, but I must reply to the attack of the gentleman from Iowa on ex-President Wilson. I do not think it is right, it is not fair, it is not true to say that the President ordered these ships to be sold for \$165 a ton. The President never opened his mouth on that subject. We investigated this thing during 1919 and 1920.

Mr. GOOD. I am talking about the time after the armistice

was signed when Congress did act.

Mr. HARDY of Texas. The gentleman is talking about a time about which I do not think he knows anything as a matter of fact, because Mr. Payne was before us asking us to declare a policy, and the President was not trying to fix the price of these ships at all, and never did try to fix it. We all know that powers placed in the hands of the President had to be executed by proper agents. The Shipping Board was the proper agent to handle our shipping and ships. Mr. Payne was wanting to sell them, and he wanted to know how and at what price and on which terms he ought to sell them.

Mr. GOOD. Will the gentleman yield?

Mr. HARDY of Texas. In just one moment. The gentleman did not yield to me a moment ago, but I want to yield to him if I can. Acting through Mr. Payne, the President wanted the price fixed, he wanted the time fixed, he wanted the credit fixed. Mr. Payne very properly came to Congress and asked for a law declaring the policy of the Government in these regards. He wanted a law under which to sell these ships, and the Republican Congress had the power to fix the price, the time, the credit, and everything that they thought ought to be fixed. The Republican Congress was elected in November, 1918, before the armistice. They were called together by the President in May. 1919, in order to pass laws necessary to meet the postwar conditions. They did not pass any law declaring our policy until June, 1920, as to sale of ships. Since that time the Shipping Board has tried to carry it out. If anybody is to be blamed for our having the ships on hand, it is the Republican Congress; but in my judgment nobody is to blame for the existing conditions and the impossibility of finding purchasers. Of course, you could not sell the ships now for what you could have sold some of them in 1920.

The Shipping Board was not permitted to sell except to American citizens, and they were ordered practically to sell at the world market price, so as to put our shipowners on an equal footing with the other shipowners of the world, and to-day they have authority to sell at the world market price, but buyers will not buy. Mr. Payne came before us and we asked him, "What is England selling for? What are her shipbuilders contracting for?" and all those things were taken into consideration, when we passed this law and all this criticism is unfair. It is especially unfair to say that the President declared a policy under which they could not sell the ships. That is not true, gentlemen. Now, if the gentleman from Iowa wishes me to yield to him-

Mr. GOOD. I will take some time in my own right. I move

to strike out the last word.

The CHAIRMAN. The gentleman from Iowa moves to strike

out the last word.

Mr. GOOD. Mr. Chairman, the armistice was signed on November 11, 1918. At that time the only statute upon the books with regard to the sale of these ships provided that the President should provide for the disposition of them. In those days Mr. Hurley was coming before the Committee on Appropriations for shipping estimates. He was chairman of the Shipping Board. He did not have behind him a board of men that were united on a policy for the sale of these ships. were gentlemen on that board appointed by the President who did not want to sell the ships at all. They wanted the Government of the United States to engage in the operation of the ships and did not believe in their sale; and those who did want to sell the ships, aside from Mr. Hurley, wanted to sell them at around \$200 a ton, being fearful that there might be some criticism if they sold the ships for less than they cost.

Mr. HARDY of Texas. Will the gentleman yield for a

question?

Mr. GOOD.

Mr. GOOD. I yield to the gentleman from Texas. Mr. HARDY of Texas. Does the gentleman know when Mr. Payne was appointed chairman of the Shipping Board?

Mr. GOOD. I can not give the gentleman the exact date. Mr. Payne never came before the Committee on Appropriations

while he was chairman of the board.

Mr. HARDY of Texas. I think it was in 1918, and I simply give you, I think I can say, the word of every member of the committee that he came before us and asked us to declare a

Mr. GOOD. Mr. Payne never appeared before the Committee on Appropriations on behalf of the board during the Sixty-sixth

Congress

Mr. CHINDBLOM. Mr. Payne was not appointed to the Shipping Board until after the beginning of the Sixty-sixth Congress

Mr. HARDY of Texas. When was that? Mr. CHINDBLOM. In the summer of 1919.

Mr. HARDY of Texas. In the spring of 1919. That was when it was.

Mr. GOOD. Mr. Payne was not there long enough to formulate a policy, though he did some very good work, as has Admiral Benson and other chairmen. Mr. Hurley never had behind him a Shipping Board who wanted to sell the ships at all unless they could get some unreasonable price for them, and

that is what I complain about.

Mr. Payne I have a very high regard for, and my only criticism has been that the President never left any man at the head of the organization long enough for him to become familiar with the duties of the office. About the time that he became familiar with the duties he was moved on, and John Barton Payne only remained there a short time. He was Secretary the Interior for almost two years. He was the Director General of the Railroads, and so on. The trouble has been that we never of the Railroads, and so on. The trouble has been that we never had a policy, and from 1918 until March 4, 1921, the act which gave the President the power to sell these ships was on the statute books. Since March 4 the President has had a big problem on his hands in trying to select a Shipping Board allotted to various sections of the country, as I think the law very unwisely allots them.

Now, whatever may be the policy in the future it can never be anything like as bad as it has been in the past. I sincerely hope that the President will be fortunate enough in filling these positions to find men of such commanding ability that they will bring order out of confusion in the Shipping Board, No one has ever been able to come before the Appropriations Committee and tell us what the situation was in regard to their finances. Why, when we had the sundry civil bill before us, the gentleman from Tennessee [Mr. Garrett] was asking if the conditions had changed, and at that very time the Shipping Board had a claim against the War Department for \$200,000,000. They never could make out their voucher for the claim, and finally, rather than have the large appropriation of five or ten million dollars for auditing claims between the War Department and the Shipping Board, they did what I think was very wise, they settled this balance after that for something like \$67,000,000. Now, we know something about the claims of the Shipping Board that are outstanding, and we know that they are not making any money out of operation as they claimed they were making. We know that they are losing money at the rate of \$5,000,000 a month instead of making money at the rate of \$5,000,000 a month. All these things brought about a change that makes it necessary to make the direct appropriation at this

Mr. WINGO. Mr. Chairman, I am very fond of history, more of ancient than modern because generally you can assert your own theory about ancient history, and nobody can dispute you except the man who has no more information than you have. For that reason I have been kept awake this afternoon by the discussions of the alleged past mistakes of the Shipping Board. I am one who is interested in the present and future of our merchant marine and not interested in the dead past, so I have listened closely to see if some one would tell us the present policy of those in charge of our ships. I have asked for this information often, but no one has been able to give me a reply. If any gentleman will rise and tell me I shall be glad.

Mr. GOOD. I think the gentleman will have to ask Admiral Benson.

Mr. WINGO. I remember quite distinctly that during the last administration I listened with a good deal of sympathetic interest to the repeated criticisms of our former President in having unauthorized "personal agents" and "personal representatives," and as one who is very sympathetic with the present President, appreciating the problems that confront him, I have regretted his following the footsteps of his predecessor in having recourse to "personal representatives" and "personal agents" whom nobody is responsible for, and even his own party can not tell what the policy of the personal agent or personal representative is. Can the gentleman tell me what the policy of the personal agent of the President is?

Mr. GOOD. Does the gentleman mean with reference to the

Shipping Board?

Mr. WINGO. That is what I am talking about.

Mr. GOOD. Oh, I think before very long—

Mr. WINGO. Will the gentleman give me the present policy?

Mr. GOOD. Here is a matter involving \$3,000,000, and the gentleman asks me a question, and before I can get three words out of my mouth he interrupts.

Mr. WINGO. I want to know the present policy, now.

Mr. GOOD. I can tell the gentleman that we are going to substitute a business policy for the lack of business policy of the Democratic administration. We are going to put men in the positions and keep them there where they can prove their worth and not send them to other places. It is going to unravel-

Mr. WINGO. I decline to yield further, Mr. Chairman, Mr. GOOD. Then the gentleman does not want any information.

Mr. WINGO. The gentleman has not given me any information, and although I confess that the gentleman may have the advantage of me so far as knowledge of administration policies I have intelligence enough to know the difference between information and declamation, and the gentleman is giving us declamation. [Laughter.] He says, "In the future we are go-ing to put in business methods." In the name of common sense, when is this administration going to commence to function? Why stand here day after day and say that some time in the sweet future, at an indefinite date, you are going to appoint a duly constituted legal board and they are going to put in a business administration? That is the answer that you give after you have been in control of legislation for two years. I have not criticized this administration, I have publicly said, "Give it a chance." But when I ask you to tell me what is its policy at the present time you regale us with declamation about what you are going to do in the sweet bye and bye. What is the matter? Oh, the echoes have hardly died away in this Chamber when during the last administration you gentlemen denounced us because we heard the master's voice in the White House. Now you sit here as silent as the tomb of Cæsars waiting for orders and you have not a single idea and you have no idea what they will be; you have no hope even of the future that you dare express in an audible tone because you are waiting for the master's voice. Gentlemen never heard me defend a bad policy when the Democrats were in power.

Mr. GOOD. We never heard the gentleman offer any criti-

Mr. WINGO. Oh, yes; if the gentleman had been on the floor he would have heard me criticize them severely in some instances. I voted to pass more bills over the President's veto by one than did the gentleman from Iowa.

The CHAIRMAN. The time of the gentleman from Arkansas

Mr. WINGO. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WINGO. The gentleman from Iowa is going out of Con-Before he goes I hope he will use his influence to help the President of the United States out of what most evidently is some kind of a dilemma which is holding up this Shipping Board situation. I do not know what it is. I hope to God it is not petty politics, which seems to be the chief concern of those in control. I hope it is an unfortunate failure to get good men to take the place, as claimed. If so, then the President is not to blame. But here the shipping of the world is slipping away from us, and we are sitting still, doing nothing, waiting, waiting, waiting, and nobody can tell us what the policy is or whither we are drifting. You simply say that we are on our way, we do not know where, but that we are going to get there sometime. Gentlemen, pick up and go to work. The election is over and the war is over. Quit talking about the past. The big problem is the present, and gentlemen should face that problem with courage, and if you do you will be entitled to the credit that goes with duty well done; but you can not forever sustain yourselves on what you claim to be the bad reputation of those who preceded you, and who were not as competent as you hope to be, when the only thing you do at the present time is follow what you say were the mistakes of your predecessors. [Applause on Democratic side.]

The Clerk read as follows:

Toward the completion of vessels now under construction, \$36,852,000.

Mr. GOOD. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. Good: Page 15, line 6, after the figures "\$36,852,000," insert: "Provided, That this appropriation shall be available for any authorized expenditure of the United States Shipping Board, Emergency Fleet Corporation, in an amount not to exceed the sum expended by such corporation from April 1, 1921, to the date of the approval of this act, on account of vessels under construction during that period."

Mr. GOOD. Mr. Chairman, at the time we had the hearings the Shipping Board had \$26,000,000 of cash and they had anticipated receipts for the rest of this year \$18,000,000, making \$44,000,000 cash available for this year. Since that time it has been necessary for the Shipping Board to continue to make weekly payments on construction of ships, and it was the intention of the committee in giving \$36,000,000 for the remainder of the year to have them use that fund for construction after April 1, but the wording of the provision would only permit them to use it after the act became available. They have paid out some ten or twelve million dollars already on construction, and this amendment will enable them to replace that which they paid out for construction only out of the appropriation.

Mr. DAVIS of Tennessee. Mr. Chairman and gentlemen, in response to the inquiries that have been made by Members as to what will be the policy of the present administration with regard to our merchant marine, I think it well to call attention to the fact that although the present administration went into power 2 months and 17 days ago, at which time there was not only not a full Shipping Board, but not even a legally constituted board, because those who were appointed on the board by President Wilson had not been confirmed, with the exception of two members, and there was not a quorum, yet the only excuse that has been offered for the delay is that which has been stated in the press from time to time, namely, that the President is holding up the appointment of the entire board because he is endeavoring to persuade a certain man to accept the chairmanship of it. Who is this man? It is J. A. Farrell, the head of the United States Steel Corporation, one of the greatest monopolies and trusts in the world, if not the greatest, and the one concern that has been more interested in the sale of a commodity entering into the construction of our present merchant marine and in the sale of steel which would enter into future ship construction than any other concern on earth. Why is it that this man's qualifications are such that it is necessary to continue waiting for a longer period than 2 months and 17 days in an effort to persuade him to become the chairman of that Shipping Board, to deal with and dispose of our Government merchant marine, which cost the people \$4,000,000,000? Is he the only man in the United States who is capable? Is he the only man in America who can be appointed to assume that position? What peculiarity is there about Mr. Farrell, and especially in the light of the position he holds and his environments and his interests, that impels this administration to continue awaiting his pleasure, and at the same time for Republican Members of this House to criticize the board, that has no authority at all, for not acting? [Applause.]

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Tennessee. Yes.

Mr. MADDEN. I am wondering why the gentleman should criticize Mr. Farrell, the head of the United States Steel Corporation, when the former President of the United States, Mr. Wilson, called Mr. Charles M. Schwab, the head of the Bethlehem Steel Corporation, to the same position. Did the gentleman make the same criticism of Mr. Schwab and the administration at that time?

Mr. DAVIS of Tennessee. In the first place, Mr. Schwab was called to that position when we were absolutely in a war emergency, and when every man was presumed to be patriotic enough to lay aside personal considerations, and, in the second place, President Wilson did not hold up the operation of that board for 2 months and 17 days in order to try to persuade Mr. Schwab

to accept the appointment.

Mr. MADDEN. It was nearly a year after the Shipping Board was organized before they began to build any ships. They were fighting about the kind of ships that they should build and where they would get the material.

Mr. DAVIS of Tennessee. Then it was a question of organi-

zation, and getting action-

Mr. MADDEN. And they did not get it.
Mr. DAVIS of Tennessee. No. I admit that the President
made a mistake in appointing Mr. Schwab, although, in so doing, his motives were pure, because he could have had no ulterior motive in appointing a Republican. [Applause.]

Mr. MADDEN. Then why are you criticizing the motives of

the present President of the United States?

The CHAIRMAN. The time of the gentleman from Tennessee has expired. [Applause.]
Mr. BLANTON. Mr. Chairman, I offer as a substitute for the amendment offered by the gentleman from Iowa an amendment to strike out the section. I want to ask the chairman of the committee a question. Less than two years have elapsed since he appeared on the floor of the House and very eloquently and distinctly and emphatically told us that as long as he was chairman of this great Committee on Appropriations he was never going to bring in a bill providing a single dollar of appropriation more for the Shipping Board.

That was when he brought in the sundry civil bill less than two years ago. The gentleman does not deny that, does he?

I do not remember the words I used.

Mr. BLANTON. That is substantially what the gentleman I am one of those who believe in the doctrine that a wise man changes his mind but a fool never, and I am not saying that the chairman of the committee should not change his mind some time, but when he called attention at that time to the fact that the Shipping Board had expended about \$3,500,000,000, with its enormous revolving fund that had been allowed it by Congress, and had access to the receipts of the enormous sums of money that it could take in which might run up into the several hundred millions of dollars of cash at any time, and that it did not have to turn a single dollar of that money back into the Treasury, but could use it and reuse it as a revolving fund as long as it wanted to, my distinguished colleague from South Carolina at that time got upon the floor and called attention to the fact that instead of limiting the Shipping Board to its receipts and of cutting off the appropriation the Congress should have this department come in before the Congress every year and account for every single dollar that it had received and expended, turning back into the Treasury all money received, and then whatever money it needed to carry on its business be appropriated. and then the Congress of the United States and the people could tell something about the number of millions of dollars that this Shipping Board was using.

The gentleman admitted that you could not tell anything The minority admitted that you could not tell about the books. anything about the books. It was practically the unanimous verdict of the Congress that you could not tell anything about the Shipping Board's books, but we did show here that they had spent over \$500,000 a year for rent of buildings-just for rent to carry on the office work-over \$500,000 a year for rent of buildings in the cities of Washington and Philadelphia!

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLANTON. I ask for two minutes more.
The CHAIRMAN. Is there objection to the request of the [After a pause.] The Chair hears gentleman from Texas?

Mr. BLANTON. Mr. Chairman, it was the unanimous opinion of the committee and of the Congress that they should be able to tell something about their books, and my distinguished col-league from South Carolina called attention to the fact that there was only one way that we could force them to show Congress the exact condition of their business, and that was by making them turn back every single dollar of receipts into the

Treasury and then make direct appropriations for their needs. I want to ask the chairman a question now, with the foregoing preamble: Has the chairman decided upon a policy yet about the Shipping Board? Is he going to require the Shipping Board to turn its receipts back into the Treasury and come to us for its money, so that we can tell something about its books and the business, or has he just changed his mind and come over to them because in a change of administration they become his Shipping Board? Has he adopted their mode of business? Here is an item of over \$30,000,000, and in the next paragraph of this bill there is another item of appropriation for \$25,000,000 more. What is the policy of the chairman? The country would like to know what is his policy with respect to this Shipping Board?

Mr. GOOD. Mr. Chairman, I do not recall what I said on the floor of the House in regard to the future policy of the com-I used pretty strong language. I felt then it was necessary to use strong language to try to force the Shipping Board to something like a business policy. The gentleman from Tennessee [Mr. Byrns] and myself, I think, never had any question with reference to the information of the strong tentes. with reference to the inefficiency and the lack of business methods with which this board and the Emergency Fleet Corporation conducted its business. We had some differences in regard to how appropriations should be made. But I have been surprised to-day at the defense of this board-

Mr. BLANTON. I am not defending it.

Mr. GOOD. Here a short time ago we discovered that the Shipping Board had placed on file a resolution that absolutely prohibited a single contractor on ships from decreasing the wages of any employees engaged on those vessels. Here the price of commodities and living had been going down and down and here were employees whose salaries had been increased 300 per cent and they came before us a short time after President Wilson sent word over to the Railroad Wage Board at Chicago and directed them immediately to act and they acted and increased the wages of the railway employees that required \$618,000,000 of the people's money, and here was the Shipping Board just before election passed a resolution that ship contractors should not decrease the wages of a single employee, no matter whether the contract was a cost plus or a flat contract. We had to use strong language then because we believed that it was absolutely necessary to try to get some one on this board to bring about some business policy.

Now, some criticism has been made of the President because he has not appointed a Shipping Board. I want to say to you when you look at this act which requires the President to select a couple of commissioners from the Pacific coast, a couple from the Atlantic coast, a couple from the interior, and then when you realize the fact that the President is trying to get \$100,000 men to fill \$12,000 places you will only begin to visualize the President's difficulties. I have great consideration for the President in this matter. I regret the delay in the appointment, but I believe we will soon have a board capable to do the task before it. Just as we are beginning to see, and the world is beginning to see, the effect of a great national foreign policy, and see how the world is pleased with it and how our own people are pleased with it, so I doubt not that we shall soon see a great American policy inaugurated by a new Shipping Board, and that American policy will be to place these ships in private ownership under the American flag and such conditions that they can compete

with every competitor.

That, I think, will be the American policy, and must be based upon some such consideration. I believe you will see men on this board who will be able in a very businesslike way to effect that result. Criticism is made of Mr. Farrell, who has been picked by the press to head this organization. not know whom the President has in mind for this high and important place, but the gentleman who makes the criticism appears to be so ignorant of the actual facts that he does not know that Mr. Farrell will not be permitted under existing law to practically purchase a ton of steel. Yet such is the case. No new contracts are to be let for ships. all of the steel and the equipment already purchased. great problem of the Shipping Board will be to sell and dispose of these ships and to operate them until disposed of. During the war one of the men whose genius brought real order to the Emergency Fleet Corporation, a man who was able to turn out ships, was Charles M. Schwab. Another was Charles Mr. Schwab was the outstanding figure, and it was his wonderful genius that produced real ships for us. two men, above all others, were the men who accomplished real things in the production of ships. Their appointment by President Wilson was to his great credit. They were great officials. You will not find that Mr. Schwab in the discharge of his duties ever did a thing that was unfair or took an unjust

advantage in favor of his company, and if the President is fortunate enough to secure the services of Mr. Farrell to head this board, he will and the country will be fortunate indeed, and it is indeed unfortunate that any criticism should be made here at this time that might embarrass the President, if he is attempting to bring to the service such a distinguished and able man as Mr. Farrell.

The CHAIRMAN. The time of the gentleman has expired. Mr. HARDY of Texas. Mr. Chairman, I ask unanimous con-

sent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. CONNALLY of Texas. Mr. Chairman, I move to strike

out the last word.

There is a real amendment pending. The CHAIRMAN. Will the gentleman first let this matter be cleared up? Then he will be recognized.

Mr. BLANTON. My amendment was merely a pro forma one. The CHAIRMAN. The gentleman from Texas withdraws his amendment. The gentleman from Iowa [Mr. Good] offers an amendment, which the Clerk will again report, without objec-

The amendment was again reported.

The CHAIRMAN. The question is on agreeing to the amend-

Mr. CONNALLY of Texas. Mr. Chairman, I desire to oppose the amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For the completion of vessels now under construction, fiscal year 1922, \$25,000,000.

Mr. CONNALLY of Texas. Mr. Chairman, I move to strike out the last word.

Mr. Chairman and gentlemen of the committee, I do not want to make a speech. I simply want to quote the language of the select committee appointed by the Republican majority in the last Congress to investigate the Shipping Board, and let its unanimous report confute and refute a great many things that have been said on the Republican side of the House to-day.

From page 24 of this report-I can not read it all-I want to

read two little excerpts. The first is:

read two little excerpts. The first is:

It must be remembered that the Shipping Board, in dealing with the war emergency, was confronted with many difficulties. The program of construction, as well as operation, was gigantic. It involved an expenditure of more than three and a half billion dollars, a sum greater than any expended by any corporation in a similar period of time. Many of the officials and board members were without experience in either shipbuilding or operation. No adequate organization existed at the beginning. A complete organization to carry out its large program had to be created. There was a shortage of shipbuilding skill as well as shipbuilding facilities. The need for ships was imperative and constantly increased during the combat period.

Then, omitting several paragraphs, I read as follows:

Considering the program as a whole, the accomplishments in the number of ships constructed, the tonnage secured, and the time within which the ships were completed and delivered, constitute the most remarkable achievement in shipbuilding that the world has ever seen.

[Applause on the Democratic side.] The CHAIRMAN. Without objection the pro forma amendment is withdrawn and the Clerk will read.

The Clerk read as follows:

Relief and protection of American seamen: For the relief and protection of American seamen in foreign countries, and in the Panama Canal Zone, and shipwrecked American seamen in the Territory of Alaska, in the Hawaiian Islands, Porto Rico, and the Philippine Islands, \$1,000,000.

Mr. SCHALL. Mr. Chairman, I move to strike out the last word for the purpose of asking unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to extend his remarks. [After a pause.] The Chair hears none. Is there objection?

The pro forma amendment is withdrawn, and the Clerk will

read. The Clerk read as follows:

To enable the President to provide, at the public expense, all such stationery, blanks, records, and other books, seals, presses, flags, and signs as he shall think necessary for the several embassies and legations in the transaction of their business, and also for rent, repairs, postage, telegrams, furniture, typewriters, etc., including the same objects specified under this head in the Diplomatic and Consular Appropriation Act for the fiscal year 1921, \$92,000.

Mr. REED of New York, Mr. O'CONNOR, and Mr. CHIND-BLOM rose

The CHAIRMAN. The gentleman from New York [Mr.

REED] is recognized.

Mr. REED of New York. Mr. Chairman, I move to strike out the last word. I wish to have the attention of the members of

which I introduced in the latter part of the Sixty-sixth Congress. Before I state the purpose of the bill, which will be offered later as an amendment to this deficiency bill, I wish to state that I am speaking for no ordinary industry in this coun-This bill was introduced at the request of the poultry men of the United States, whose products, according to this last census, amounted during the fiscal year of 1919 to \$1,250,000,000. The purpose of this bill, which will be offered as an amendment, carrying an appropriation of \$15,000, is to enable the Secretary of Agriculture, with the cooperation of the State agricultural colleges, experiment stations, and the United States Council of the World's Poultry Congress, and other organizations, to prepare and send an exhibit to the International Poultry Congress to be held at The Hague, Holland, during the week of September 6-13, 1921, and also to send three delegates who are to be officials or employees of the Department of Agriculture. Nineteen countries have already signified their intention of sending delegates and exhibits to this congress.

Mr. BLANTON. Will the gentleman yield?

Mr. REED of New York. Yes.

Mr. BLANTON. Is that going to help the poultry business? Mr. REED of New York. Yes. They figure that it will.

Mr. BLANTON. Can the gentleman from New York in this way teach our housewives down on the farms in Texas how to better raise chickens and ducks and geese, eggs, or any other

thing?

Mr. REED of New York. I can not speak for Texas. I am not going to discuss that matter at all, gentlemen. Unless this appropriation is carried at this time, it is going to disappoint the poultrymen, the agricultural colleges, experiment stations, and poultry organizations, who are preparing this splendid exhibit. It is rather gratifying to all of us that after obtaining most of our varieties of poultry from foreign countries we have been able to develop this small industry into a great business amounting to \$1,250,000,000. It is quite natural that this request should come from nearly every State in the Union, especially when we consider the magnitude of the business as it has been developed in the various States. For example, in the State of Alabama the last census shows the poultry production amounted to \$14,799,000, exceeded only by dairy products, corn, and vegetables. In Colorado the poultry production amounted to \$9,007,000, exceeded by dairy, corn, wheat, and vegetables. The poultry production of Delaware amounted to vegetables. The poultry production of Delaware amounted to \$3,210,000, exceeded by corn, wheat, and vegetables. The poultry production of Iowa, the great banner corn State of the Union, amounted to \$70,212,000, exceeded by corn and oats. The State of Kentucky produced \$26,210,000 worth of poultry, exceeded only by corn. The State of Maine produced \$7,725,000 worth of poultry, exceeded by dairy products and vegetables. The poultry production of the State of Maryland amounted to \$1,727,000 exceeded by corn wheat and vegetables. The \$1,737,000, exceeded by corn, wheat, and vegetables. The poultry production of Mississippi amounted to \$904,000, only exceeded by dairy products, vegetables, fruits, and nuts.

Missouri produced \$66,271,000 worth of poultry products,

exceeded by corn and wheat. Montana produced \$7,399,000 worth of poultry, exceeded by wool and wheat. New Hampshire produced \$4,341,000 worth of poultry, exceeded by dairy products and vegetables. The State of Ohio produced \$64,-109,000 worth of poultry, exceeded by dairy products, corn, and wheat, while Tennessee produced \$29,072,000 worth of

poultry, exceeded only by corn.

Time will not permit me to give the figures of poultry production in many of the other States, some of which are noted for their poultry production.

It is obvious from these figures that through the efforts of

the colleges, experiment stations, the national and allied poultry associations, State poultry associations, and other organiza-tions interested in this subject have made this one of the leading agricultural industries of the country.

There are special reasons for immediate action. This is the last opportunity that will be had to enable our Secretary of Agriculture to officially represent the United States of America at The Hague in September. The time is too short to hope for another appropriation bill covering this specific item. This bill has been acted upon favorably by the Agricultural Committee on two occasions, and each time the report has been unanimous. There is a movement under way now for holding the World's Poultry Congress in the United States in 1924. The Canadian Government has already made appropriations for the Canadian exhibit at The Hague in 1921, and has extended an invitation to have the next congress held in Canada.

In view of the fact that the United States has more money invested for teaching and research in poultry husbandry than any other nation, probably more than all the nations combined, the committee for just a few moments with reference to a bill I hope that this amendment when offered may receive favorable

consideration and that in view of the importance of the item

that a point of order will not be made against it.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

Mr. REED of New York. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. Is there objection to the gentleman's re-

quest?

There was no objection.

Mr. O'CONNOR. Mr. Chairman, I offer an amendment. The CHAIRMAN. The gentleman from Louisiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. O'CONNOR: On page 16, line 4, insert a new paragraph as follows: "Passport Bureaus: For Salaries and expenses of maintenance, fiscal year 1922, of passport bureaus, as follows: New York, N. Y., \$20.820; San Francisco, Calif., \$7,500; Chicago, Ill., \$17,500; Seattle, Wash., \$4,500; New Orleans, La., \$7,500; in all, \$57,820."

Mr. BLANTON. Mr. Chairman, I make a point of order against the amendment.

Mr. O'CONNOR. Will the gentleman reserve it? Mr. BLANTON. Yes; I will reserve it. The CHAIRMAN. The gentleman from Texas reserves a

point of order on the amendment.

Mr. O'CONNOR. Mr. Chairman and gentlemen, I have a letter from the Secretary of State in which he so clearly and forcefully shows the need and necessity for these passport bureaus provided for in the amendment which I have offered and which has just been read that I think it would be the part of wisdom for this committee to consent to have the Clerk read the letter during my time. I therefore make the request that the communication be read.

Mr. BLANTON. Mr. Chairman, will the gentleman yield? Mr. O'CONNOR. I would be glad to do so, but will not the gentleman kindly let the Clerk read this letter, because it covers the situation completely and is illuminating to a degree?

Mr. BLANTON. Yes.
The CHAIRMAN. The gentleman from Louisiana asks unanimous consent to have read in his time the letter he indicates. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

DEPARTMENT OF STATE, Washington, May 20, 1921.

The Hon. James O'Connor,

House of Representatives.

Sir.: I have the honor to acknowledge the receipt of your letter of April 7, 1921, inclosing a communication to you from Mr. F. W. Ellsworth, vice president of the Hibernia Bank and Trust Co., New Orleans. La., in which he advocates the establishment of passport agencies in cities in which the obvious necessity of their existence is clearly shown.

Orleans. La., in which he advocates the establishment of passport agencies in cities in which the obvious necessity of their existence is clearly shown.

In response to your request for information relative to the desirability of securing appropriations for the continuance of the passport bureaus at New York and San Francisco, with the possible establishment of additional bureaus at other important centers, I am now pleased to inform you that estimates for this purpose have been forwarded to the Secretary of the Treasury for transmission to the Congress.

In order that you may properly judge of the relative cost of maintenance as compared with the revenue of these bureaus, your attention is directed to the following tabulation which shows the estimated number of applications to be taken and the cost of maintenance of each bureau, Perhaps the most striking feature in this connection, as you will observe, is the fact that the fees derived from the taking of passport applications at all of the bureaus would amount to as much as or more than their cost of maintenance. In other words, they may be considered as self-sustaining.

Location of bureau.	Number of applications (at \$1 each).	Cost.
New York. San Francisco Chicago Seattle. New Orleans	41, 094 5, 109 5, 600 1, 200 5, 000	\$20,820 7,500 17,500 4,500 7,500
Total	58,003	57, 820

Were the bureaus abolished the major portion of those fees would be lost to the Government, as such work as the taking of applications for passports would devolve upon the clerks of Federal and State courts, which latter are allowed to retain these fees.

It may be remarked that no provision has been made for a bureau at Key West, Fla., as the Cuban Legation has informed this department that no passports are now required for Americans entering Cuba from the United States.

You are aware of the great convenience to the public afforded by these agencies where timely information regarding the requirements of foreign governments is given out by specialized officials, and where it is possible to assemble all essential documents relating to the proof of nationality and the right of the applicant to possess an American passport, Confusion and loss of time are the inevitable result of entrusting such

work to the clerks of courts who are not specialized on the subject and from whom applications arrive at the department in incomplete form.

Since the traveling public is subject to many delays, annoyance, and expenses incidental to the existing passport requirements, I feel that it is desirable to afford such facilities at home as will ameliorate rather than multiply the hardships in this regard. As this can be done at a nominal expense, if not indeed without expense to the Government, I deem it very desirable that provision should be made therefor.

I have the honor to be, sir,

Your obedient servant,

CHARLES E. HUGHES.

Mr. BLANTON. Mr. Chairman, will the gentleman yield? Mr. O'CONNOR. Yes. I yield. Mr. BLANTON. The cally purpose of the gentleman's amend-

ment would be to furnish facilities for obtaining passports?

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. O'CONNOR. Mr. Chairman, may I have five additional minutes?

Mr. CANNON. Is the gentleman proposing to offer the

amendment to this bill at this time?

Mr. O'CONNOR. Yes. There is a point of order pending against it.

Mr. BLANTON. Yes; I reserve the point of order. The CHAIRMAN. The gentleman from Louisiana asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. BLANTON. The only purpose is to afford, as the gentleman thinks, better facilities for obtaining passports for

Mr. O'CONNOR. It is not only my purpose, but evidently from the tenor of the letter just read it is the disposition on the part of the State Department to facilitate the procurement of passports

Mr. BLANTON. Where they do not obtain the passports direct, is not this the situation: One of the gentleman's constituents in Louisiana wants a passport. The gentleman on behalf of his constituent applies at the State Department, and in 24 hours there starts to Louisiana through the mail an application blank will full instructions.

That reaches Louisiana in three days' time. His constrient fills it out and it reaches the gentleman in three days thereafter, and in 24 hours the gentleman can get that passport and forward it to his constituent. I state that because the State Department is efficient. There is efficiency in the State Department.

Mr. O'CONNOR. Does the gentleman think it is entirely fair for him to make a speech during my five minutes? I yielded to an interrogatory.

Mr. BLANTON. I was just trying to give the gentleman the

reasons why I made the point of order.

Mr. O'CONNOR. I think the gentleman from Texas is slightly mistaken about the modus operandi pursued in securing passports. A clerk of the United States court for the eastern district of Louisiana is authorized, for instance, to make out the papers preliminary and forward them to the Passport Division of the Department of State at Washington; that is, make an application for a passport and after the papers have been re-ceived the imprimatur of the Passport Division is given and then the passport is mailed to New Orleans. Of course I am using New Orleans illustratively. The same thing applies to Chicago, to Seattle, to San Francisco and to any other place in this country where a citizen is desirous of securing a pass-

Will the gentleman yield for a brief question? Mr. BEGG.

Mr. O'CONNOR. Yes.

Mr. BEGG. Is it not a fact to-day that every county in the United States has a passport officer in the clerk of the court?
Mr. O'CONNOR. There is a clerk who may make out the papers preliminarily; I mean make out the application for the applicant for the passport.

Mr. MADDEN. That applies only to the clerks of the

Federal court, does it not?

Mr. BEGG. We have it done in Sandusky, and we have not a Federal court there.

Mr. O'CONNOR. The clerk of the court can make out the preliminary papers or the application, as I have already explained, and forward them to Washington, where they will have to remain in the Passport Division of the State Department until they are viséed, and then they are returned to the point where they originated.

Mr. BEGG. Yes, but it is just a question of the time it

takes a letter to come and go back.

Mr. O'CONNOR. Which, of course, means considerable delay, friction, and unnecessary annoyance to men and women who have to make relatively unexpected trips and should not be put to the inconvenience of waiting in a seaport for two weeks or

more for papers to be forwarded, viséed, and returned from Washington.

Under my amendment the officer will be authorized to issue passports direct to the applicants in New York, New Orleans, Chicago, Seattle, and San Francisco, and he will receive a salary, and the amount of the fees will be covered back into the Treasury.

I believe that if the Members of this Committee of the Whole had listened attentively and carefully to the reading of that letter signed by the Secretary of State there would be no objection at all to this amendment. It is in conformity to the suggestion of the Secretary. I believe the gentleman from Texas [Mr. Blanton] would unhesitatingly withdraw the point of order that he made against it, if he had time to consider the wisdom of adopting the amendment.

Mr. BLANTON. If the gentleman will permit me, I want to preserve this \$50,000 to pay the salaries of two or three of these extra officeholders whom my friend from Iowa [Mr. Good] has provided for in this bill.

Mr. O'CONNOR. I know the gentleman's disposition to avoid unnecessary expense by the Government. But, gentlemen, you do not save the Government any \$50,000 by defeating this amendment. Let me read from the Secretary's letter: "Were the bureaus abolished the major portion of those fees would be lost to the Government, as such work as taking of applications for passports would devolve upon the clerks of Federal and State courts, which latter are allowed to retain these fees."

As stated by the Secretary, \$58,003 was collected in fees to cover a service that cost \$57,820. Why not continue such a service upon an honorable salary basis? I do not like a fee system-it is somewhat analogous to the tipping system, which has rendered personal service in this country to-day almost ignoble, and one can say truthfully it is a fact that a tip system is gradually taking away the courage and manhood of the people dependent upon it. Put our passport clerks and all other officials on a salary and permit a fee to be charged and covered back into the Treasury as a charge by the Government to cover the expenses. I do not want my countrymen to "crook the pregnant hinges of the knee, that thrift may follow fawning," or to wait, hat in hand, as mendicants almost on their own countrymen for their fees, their oboles, and their bonuses. Make them decent, upstanding, and upright men, of whom you may be proud. Put them on a salary basis and let the fees come back into the But, gentlemen, all of this is beside the question, which is that the people in the great cities covered by the amendment are entitled to have passports issued to them on application, particularly where the statistics show that it could be done without cost to the Government. [Applause.]

Mr. BLANTON. The charges are not tips, but fees to Federal clerks for applications. I make the point of order against the amendment.

The CHAIRMAN. The gentleman from Louisiana [Mr. O'Connor] offers an amendment adding to the bill passport agencies at New York, San Francisco, Chicago, New Orleans and other places. This is a bill providing for deficiencies for the year ending June 30, 1921, and for prior years. The amendment is clearly subject to a point of order, and the Chair sustains the point of order.

Mr. GOOD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. Campbell of Kansas, Chairman of the Committee of the Whole House on the State of the Union, reported that that committee having had under consideration the bill (H. R. 6300) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes, had come to no resolution thereon.

# LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted-

To Mr. Rainey of Illinois, indefinitely, on account of death in his family.

To Mr. Dunbar, for five days, on account of going to Indiana.

Mr. BLANTON. Mr. Speaker, I make the point of no quorum
present.

## ADJOURNMENT.

Mr. GOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 4 o'clock and 35 minutes p. m.) the House adjourned until Monday, May 23, 1921, at 12 o'clock noon.

# EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

143. A letter from the Secretary of the Treasury transmitting a tentative draft of a bill to authorize the Secretary of the Treasury to repair and rebuild customs buildings in Porto Rico; to the Committee on Insular Affairs.

144. A letter from the Secretary of War transmitting plans submitted by J. H. Levering for power development on the Potomac River below Great Falls; to the Committee on the District of Columbia.

145. A letter from the Secretary of War transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of waterway from Core Sound to Beaufort Harbor, N. C.; to the Committee on Rivers and Harbors.

# REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

By Mr. HULL, from the Committee on Military Affairs. to which was referred the bill of the House (H. R. 2232) in reference to a national military park on the plains of Chalmette, below the city of New Orleans, reported the same without amendment, accompanied by a report (No. 81), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

By Mr. LUCE, from the Committee on the Library. to which was referred the joint resolution of the House (H. J. Res. 81) authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to the dead of the First Division, American Expeditionary Forces, in the World War, reported the same without amendment, accompanied by a report (No. 82), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

By Mr. LUCE, from the Committee on the Library, to which was referred the joint resolution of the House (H. J. Res. 112) authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to employees of the United States Department of Agriculture who died in the war with Germany, reported the same without amendment, accompanied by a report (No. 83); which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

By Mr. EDMONDS, from the Committee on Claims, to which was referred the bill of the House (H. R. 5349) to amend the act authorizing the Secretary of the Navy to settle claims for damages to private property arising from collisions with naval vessels, reported the same with amendments, accompanied by a report (No. 84), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

By Mr. SINNOTT, from the Committee on the Public Lands, to which was referred the joint resolution of the House (H. J. Res. 30) to amend a joint resolution entitled "Joint resolution giving to discharged soldiers, sailors, and marines a preferred right of homestead entry," approved February 14, 1920, reported the same with an amendment, accompanied by a report (No. 85), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

By Mr. LONGWORTH, from the Committee on Ways and Means, to which was referred the joint resolution of the House (H. J. Res. 124) to safeguard the revenue, and for other purposes, reported the same without amendment, accompanied by a report (No. 86), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

By Mr. WHITE of Kansas, from the Committe on Public Lands, to which was referred the bill of the House (H. R. 5621) for the disposal of certain lands in the town sites of Fort Madison and Bellevue, Iowa, reported the same with an amendment, accompanied by a report (No. 87), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 6149.) Granting a pension to Sophia G. Cleaver; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3877.) Granting a pension to Warren Baker, alias Warren Jackson; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 4849.) Granting a pension to Elizabeth Welsh; Committee on Invalid Pensions discharged, and referred to the

Committee on Pensions.

# PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials

were introduced and severally referred as follows:

By Mr. CHANDLER of Oklahoma: A bill (H. R. 6418) to confer jurisdiction on the Court of Claims to try and adjudicate the claims of Joe Ellis and other individual Shawnee and Delaware Indians on account of depredations committed by soldiers and white citizens of the United States; to the Committee on Indian Affairs.

By Mr. FAIRCHILD: A bill (H. R. 6419) to amend section 25 of the act of December 23, 1913, known as the Federal reserve act, as amended by the act of September 7, 1916; to the

Committee on Banking and Currency.

Also, a bill (H. R. 6420) to amend section 4075 of the Revised Statutes, relating to passports; to the Committee on Foreign

By Mr. GLYNN: A bill (H. R. 6421) to provide for the purchase of an additional site and the erection of an addition to the present post office thereon at Waterbury, in the State of Connecticut; to the Committee on Public Buildings and Grounds.

By Mr. FISH: A bill (H. R. 6422) to amend an act entitled "An act to amend and modify the War Risk Insurance Act, approved December 24, 1919"; to the Committee on Interstate and

Foreign Commerce

By Mr. HUDSPETH: A bill (H. R. 6423) to detach Pecos County, in the State of Texas, from the Del Rio division of the western judicial district of Texas and attach same to the El Paso division of the western judicial district of said State; to the Committee on the Judiciary.

By Mr. MASON: A bill (H. R. 6424) to appropriate for test of life-saving device; to the Committee on Interstate and

Foreign Commerce:

Also, a bill (H. R. 6425) to amend chapter 231, known as the Judicial Code, act of March 3, 1911, volume 36, United States Statutes at Large, section 79, page 1110; to the Committee on

By Mr. O'BRIEN: A bill (H. R. 6426) to provide for the exemption of vessels of the United States from the payment of tolls when passing through the Panama Canal; to the Com-

mittee on Interstate and Foreign Commerce.

By Mr. ROSENBLOOM: A bill (H. R. 6427) requiring immigrants to register at the port of entry and to otherwise qualify for citizenship in the United States, and providing for the deportation of disqualified aliens; to the Committee on Immigration and Naturalization.

By Mr. A. P. NELSON: A bill (H. R. 6428) for the enrollment and allotment of members of the Lac du Flambeau Band of Lake Superior Chippewas, in the State of Wisconsin, and for

other purposes; to the Committee on Indian Affairs.

By Mr. TAYLOR of Colorado: A bill (H. R. 6429) to provide for the consolidation of forest lands within the San Juan National Forest, State of Colorado, and for other purposes; to

the Committee on the Public Lands.

By Mr. SINNOTT: A bill (H. R. 6430) to preserve the livestock industry of the United States, to release for commercial, agricultural, and industrial purposes certain funds of banks, live-stock loaning and trust companies, to amend the War Finance Corporation Act, and for other purposes; to the Committee on Banking and Currency.

By Mr. BOX: A bill (H. R. 6431) to amend section 4 of the act of February 5, 1917, "Regulating immigration of aliens to and residents of aliens in the United States," to provide for a Division of Patrol Guard in the Bureau of Immigration, and for other purposes; to the Committee on Immigration and Naturali-

By Mr. KNUTSON: A bill (H. R. 6432) providing for the men and officers in the Russian Railway Service Corps the status of enlisted men and officers of the United States Army when dis-

enisted men and officers of the United States Army when discharged; to the Committee on Military Affairs.

By Mr. MALONEY: A bill (H. R. 6433) to amend the act approved May 22, 1920, entitled "An act for the retirement of employees in the classified civil service, and for other purposes"; to the Committee on Reform in the Civil Service.

By Mr. RAKER: A bill (H. R. 6434) for the support and the committee of the

education of the Indian pupils at the Fort Bidwell Indian School. California; for repairs and improvements, erecting barn and silo, and for other purposes; to the Committee on Appropriations.

By Mr. APPLEBY: House resolution (H. Res. 97) amending the Rules of the House of Representatives and providing for the use of the "Star Spangled Banner" in the daily ceremony and order of business; to the Committee on Rules.

By Mr. KING: House joint resolution (H. J. Res. 127) to recreet the statue of Abraham Lincoln upon its original

site; to the Committee on the Library.

By Mr. BURTON: House joint resolution (H. J. Res. 128) to investigate the Brude lifeboat; to the Committee on Naval

Affairs.

By Mr. DRANE: Memorial of the Legislature of the State of Florida relative to assuming by the United States jurisdiction over certain fish-breeding waters of the State of Florida; to the Committee on the Merchant Marine and Fisheries.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions

were introduced and severally referred as follows:

By Mr. APPLEBY: A bill (H. R. 6435) authorizing the Secretary of War to donate to the borough of Sayreville, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BEGG: A bill (H. R. 6436) granting a pension to Georgeanna Sharp; to the Committee on Invalid Pensions. By Mr. BURTON: A bill (H. R. 6437) for the relief of the

Cleveland Trinidad Paving Co., of Cleveland, Ohio; to the Committee on Claims

By Mr. COPLEY: A bill (H. R. 6438) granting a pension to Frances L. Moore; to the Committee on Pensions.

By Mr. DAVIS of Minnesota: A bill (H. R. 6489) authorizing the Secretary of War to donate to the city of New Prague, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DRIVER: A bill (H. R. 6440) granting an increase of pension to Catharine Brummet; to the Committee on Invalid

By Mr. ELLIOTT: A bill (H. R. 6441) granting a pension to Mary Elizabeth Wilson, Frances Wilson, Vitula Wilson, Otto Wilson, and Woodrow Wilson; to the Committee on Pensions.

By Mr. FAIRCHILD: A bill (H. R. 6442) authorizing the Secretary of War to donate to the War Service Honor Roll League (Inc.) one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6443) to grant an honorable discharge to Charles W. Johnson; to the Committee on Military Affairs

By Mr. FESS: A bill (H. R. 6444) granting a pension to Margaret M. Bowzer; to the Committee on Invalid Pensions.

By Mr. FREEMAN: A bill (H. R. 6445) authorizing the Secretary of War to donate to Charles L. Eldridge one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6446) authorizing the Secretary of War to donate to the town of Stonington, State of Connecticut, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6447) authorizing the Secretary of War to donate to the city of Rockville, State of Connecticut, one German cannon or fieldpiece; to the Committee on Military

Also, a bill (H. R. 6448) authorizing the Secretary of War to donate to the city of Plainfield, State of Connecticut, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6449) authorizing the Segretary of War to donate to the city of New London, State of Connecticut, two German cannon or fieldpieces; to the Committee on Military,

Also, a bill (H. R. 6450) authorizing the Secretary of War to donate to the city of Willimantic, State of Connecticut, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H, R: 6451) authorizing the Secretary of War to donate to the city of Thompson, State of Connecticut, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6452) authorizing the Secretary of War to donate to the city of Middletown, State of Connecticut, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6453) authorizing the Secretary of War to donate to the town of Griswold, State of Connecticut, one German cannon or fieldpiece; to the Committee on Military Affairs, Also, a bill (H. R. 6454) authorizing the Secretary of War to

donate to the city of Norwich, State of Connecticut, one German cannon or fieldpiece; to the Committee on Military Affairs. By Mr. FULLER: A bill (H. R. 6455) granting an increase

of pension to Mary Berry; to the Committee on Pensions.

Also, a bill (H. R. 6456) granting a pension to Frances V.

Kenney; to the Committee on Invalid Pensions.

By Mr. GAHN: A bill (H. R. 6457) to remove the charge of desertion from the military record of Charles V. Wells; to the Committee on Military Affairs,

By Mr. GALLIVAN: A bill (H. R. 6458) granting a pension

to Ellen E. Alger; to the Committee on Pensions.

By Mr. GRIEST: A bill (H. R. 6459) granting a pension to Mary J. Light Lawrence; to the Committee on Invalid Pen-

By Mr. HARDY of Colorado. A bill (H. R. 6460) granting an increase of pension to Mary Lucinda Thomas; to the Committee on Pensions.

Also, a bill (H. R. 6461) granting an increase of pension to Juana M. Lopez: to the Committee on Pensions.

Also, a bill (H. R. 6462) granting a pension to John C. Mc-Dowell; to the Committee on Pensions.

By Mr. HAYS: A bill (H. R. 6463) granting a pension to Marie H. Dietz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6464) granting a pension to Delia Diehl; to the Committee on Invalid Pensions.

By Mr. KAHN: A bill (H. R. 6465) granting a pension to E. Dora Cutler; to the Committee on Pensions.

Also, a bill (H. R. 6466) granting an increase of pension to George R. Elder; to the Committee on Pensions.

By Mr. KELLER: A bill (H. R. 6467) granting an increase of pension to William Johnson; to the Committee on Pensions.

By Mr. KOPP: A bill (H. R. 6468) to provide for the reinstatement of Harold T. Dawson as a midshipman in the United States Naval Academy; to the Committee on Naval Affairs,

Also, a bill (H. R. 6469) granting a pension to Jonah B. aton; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: A bill (H. R. 6470) granting an increase of pension to Albert W. Barnes; to the Committee on Invalid Pensions.

By Mr. LITTLE: A bill (H. R. 6471) for the relief of Adaline

White; to the Committee on Claims.

By Mr. LUHRING: A bill (H. R. 6472) granting a pension to Sadie Terhune; to the Committee on Invalid Pensions.

By Mr. McARTHUR: A bill (H. R. 6473) granting an increase of pension to Ann Cannon; to the Committee on Pensions. By Mr. MACGREGOR: A bill (H. R. 6474) granting an in-

crease of pension to Hester A. Devereaux; to the Committee on

By Mr. MILLSPAUGH: A bill (H. R. 6475) granting a pension to Uletha M. Robison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6476) for the relief of Erasmus J. Booth;

to the Committee on Military Affairs.

By Mr. PURNELL: A bill (H. R. 6477) granting a pension

to Edward S. Coffin; to the Committee on Pensions.

By Mr. RAYBURN: A bill (H. R. 6478) authorizing the Secretary of War to donate to the city of Commerce, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs

Also, a bill (H. R. 6479) authorizing the Secretary of War to donate to the city of Bonham, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6480) authorizing the Secretary of War to donate to the city of Denison, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6481) authorizing the Secretary of War to donate to the city of Sherman, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6482) authorizing the Secretary of War to donate to the city of Greenville, State of Texas, one German

cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6483) authorizing the Secretary of War to donate to the city of Celina, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6484) authorizing the Secretary of War to donate to the city of McKinney, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6485) authorizing the Secretary of War to donate to the city of Ladonia, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6486) authorizing the Secretary of War to donate to the city of Honey Grove, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ROSE: A bill (H. R. 6487) granting a pension to Eli A. Booser; to the Committee on Invalid Pensions.

By Mr. SCHALL: A bill (H. R. 6488) granting an increase of pension to George Archambault; to the Committee on Pensions, By Mr. SHELTON: A bill (H. R. 6489) granting a pension to Martha Wingerd; to the Committee on Invalid Pensions.

By Mr. STEENERSON: A bill (H. R. 6490) authorizing the Secretary of War to donate to the village of Hitterdal, Clay County, State of Minnesota, one German cannon or fieldpiece; to

the Committee on Military Affairs.

Also, a bill (H. R. 6491) authorizing the Secretary of War to donate to the village of Henning, Otter Tail County, State of Minnesota, one German cannon or fieldpiece; to the Committee

on Military Affairs.

By Mr. TAYLOR of Colorado: A bill (H. R. 6492) for the relief of Daniel Sheets, deceased; to the Committee on Military

By Mr. THOMAS: A bill (H. R. 6493) granting a pension to

Willie Brown; to the Committee on Pensions.

Also, a bill (H. R. 6494) granting a pension to Elizabeth Mullins; to the Committee on Invalid Pensions.

By Mr. WYANT: A bill (H. R. 6495) authorizing the Secretary of War to donate to the town of Butler, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6496) authorizing the Secretary of War to donate to the Joseph T. Black Post No. 249, Butler, Pa., one

German caisson: to the Committee on Military Affairs.

Also, a bill (H. R. 6497) authorizing the Secretary of War to donate to the town of Madison, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6498) authorizing the Secretary of War to donate to the town of Manor, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6499) authorizing the Secretary of War to donate to the town of Delmont, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military

# PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

804. By the SPEAKER: Petition of Board of Commissioners of King County, Wash., relative to the reconveyance by the United States to King County of the Old Lake Washington canal reservation; to the Committee on Military Affairs.

805. Also (by request): Resolutions adopted by the Protestant Episcopal Churches in the diocese of New York, urging the Senate and House of Representatives by legislation, diplomatic representation, or other appropriate means to secure an international agreement for the immediate reduction of armaments; to the Committee on Foreign Affairs.

806. Also (by request): Resolutions adopted at the 138th convention of the Protestant Episcopal diocese of New York, urging the President and Congress promptly and effectively to adopt such measures and make such appropriations as may secure relief for the disabled of the late war; to the Committee on Interstate and Foreign Commerce.

807. Also (by request): Memorial of Kiwanis Club of Washington. D. C., concerning American cable companies in France; to the Committee on Interstate and Foreign Commerce.

808. By Mr. APPLEBY: Resolution adopted by the diocese of New Jersey, urging the United States Government to take lead in bringing about the reduction of armaments; to the Committee on Foreign Affairs

809. By Mr. BARBOUR: Petition of Chas. Collins, horticultural commissioner of Tulare County, Calif., urging an appropriation for the purchase of experiment vineyards near Fresno and Oakville, Calif., also, the same from Fred P. Roullard; to the Committee on Agriculture.

810. By Mr. BRIGGS: Resolution adopted by the National Editorial Association at St. Augustine, Fla., March, 1921, indorsing the zone postage law; to the Committee on Post Offices and Post Roads.

811. Also, resolution of Texas Chamber of Commerce, indorsing action of American Legion in asking to have proper legislation passed for the relief of disabled veterans of the World War; to the Committee on Interstate and Foreign Commerce.

812. Also, resolution adopted by American Legion Woman's Auxiliary, Argonne Post, No. 20; to the Committee on Interstate

and Foreign Commerce.

813. Also, resolution adopted by the Woman's City Committee Social Welfare Work, urging Congress to retain the United States Interdepartmental Social Hygiene Board; to the Committee on Interstate and Foreign Commerce.

814. By Mr. CRAMTON: Resolution of the Women's · Auxiliary, Harry Oellrich Post, American Legion, Mount Clemens, Mich., indorsing the program of legislation asked by the American Legion of the Sixty-seventh Congress in the interest

of the disabled veterans of America; to the Committee on

Interstate and Foreign Commerce.

815. Also, resolution of the Auxiliary Unit, Sherman Elvin Post, No. 96, American Legion, Bad Axe, Mich., indorsing the program of legislation asked by the American Legion of the Sixty-seventh Congress in the interest of the disabled veterans of America; to the Committee on Interstate and Foreign Commerce.

816. Also, letter from Ottawawa Chapter, D. A. R., of Port luron, Mich., asking for the passage of H. R. 2412, to provide for a national ocean-to-ocean highway over the pioneer

trails of the Nation; to the Committee on Roads.

817. Also, telegram from the Woman's Christian Temperance Union of St. Clair County, Mich., asking for the passage of H. R. 5033 and protesting against the passage of H. R. 3208; to the Committee on the Judiciary.

818. By Mr. DRIVER: Memorial of Lions Club, of Helena, Ark., indorsing legislative program outlined by the American Legion for the relief of the disabled veterans of the World War; to the Committee on Interstate and Foreign Commerce.

819. Also, a petition of Central Trades and Labor Council of

Jonesboro and Craighead County, Ark., opposing turnover sales tax; to the Committee on Ways and Means.

820. By Mr. FULLER: Petition of Rural Letter Carriers No. 9 of Rockford and No. 1 of Marseilles, Ill., concerning pay of rural carriers; to the Committee on the Post Office and Post Roads.

821. By Mr. GRIEST: Petition of The Red Rose Lodge, No. 362, United Brotherhood of Maintenance of Way Employees and Railway Shop Laborers, Lancaster, Pa., opposed to a sales or turnover tax, etc.; to the Committee on Ways and Means. 822. By Mr. HICKEY: Resolution of Stella Mary Scott et al.,

of Notre Dame, Ind., asking recognition of the Irish Republic;

to the Committee on Foreign Affairs.

823. By Mr. HUTCHINSON: Resolution adopted by the Church of the Diocese of New Jersey, urging the United States to lead in the reduction of world armament; to the committee on Foreign Affairs.

824. Also, resolution adopted by Lodge No. 305, United Brotherhood of Maintenance of Way Employees and Railway Shop Employees, protesting against the repeal of the excess profits tax and the substitution of the sales tax therefor; to the Committee on Ways and Means.

825. By Mr. KENNEDY: Resolution of Woonsocket, R. I. Fortnightly Club, urging passage of H. R. No. 7, Towner bill;

to the Committee on Education.

826. By Mr. KISSEL: Petition of W. M. Crombie & Co., New York, protesting against a tariff on Canadian lumber; to the

Committee on Ways and Means.

827. Also, petition of the Navy League of the United States, New York, favoring the transfer to the supervision of the Navy Department of all hydrographic activities of the Government; to the Committee on Naval Affairs.

828. Also, petition of the Chamber of Commerce of the State of New York, N. Y., favoring the plan of daylight saving; to the

Committee on Interstate and Foreign Commerce.

829. Also, petition of the Chamber of Commerce of the United States of America, Washingon, D. C., urging in place of the cash bonus other measures of relief for the veterans of the late war; to the Committee on Ways and Means.

830. Also, petition of the Motion Picture Theater Owners of America, New York, protesting against the showing of the moving picture "In the Shadow of the Dome"; to the Committee on Interstate and Foreign Commerce.

831. Also, petition of the New York Lumber Trade Association, New York, protesting against a tariff on Canadian lumber;

to the Committee on Ways and Means.

S32. By Mr. LINTHICUM: Petition of E. W. McDowell, Pocomoke City, Md., Wm. G. Schuppner, John F. Schuppner, George H. Schluttes, Wm. Bohannan, Chas. F. Hofmeister, and others, of Baltimore, Md., recommending the passage of H. R. 7, to create a department of education; to the Committee on Education.

833. Also, petition of Rufus W. Applegarth, W. J. Dickey & Sons, Lace & Novelty Shop, McDowell & Co., L. Slesinger & Son,

Sons, Lace & Novelty Shop, McPowell & Co., L. Sleshight & Son, Furst Bros. & Co., and Amberg & Jordan, of Baltimore, Md., favoring sales tax; to the Committee on Ways and Means.

834. Also, petition of Maryland Society, Daughters of the American Revolution, recommending passage of bill for purchase of Yorktown, Va., site; to the Committee on Appropria-

835. Also, petition of Merchants & Manufacturers Association, recommending appropriation for Baltimore Quarantine Station; to the Committee on Appropriations.

836. Also, petition of Merchants & Manufacturers Association, of Baltimore, protesting against the passage of the bill H. R. 5676, taxing contracts for the sale of grain for future delivery. etc.; to the Committee on Agriculture.

837. Also, petition of Baltimore Chamber of Commerce, Baltimore, urging the early passage of H. R. 134, to authorize aids to navigation, etc.; to the Committee on Interstate and Foreign

Commerce.

838. Also, petition of Edward C. Bixler, New Windsor, favoring disarmament; to the Committee on Appropriations.

839. Also, petition of Clarence C. Whiting, Baltimore, re protection of American dye industry; to the Committee on Ways and Means.

840. Also, petition of Samuel M. Dell & Co., Baltimore, re

Schedule N; to the Committee on Ways and Means.

841. By Mr. MacGREGOR: Resolutions adopted by the Navy League of the United States, urging a transfer of the hydrographic activities to the supervision of the Navy Department; to the Committee on Naval Affairs.

842. Also, resolutions adopted by the New York Lumber Trade Association, assembled in general meeting at New York City, April 20, 1921, protesting against a tariff on Canadian lumber;

to the Committee on Ways and Means.

843. By Mr. MAPES: Petition of residents of Grandville, Mich., against H. R. 3208, and in favor of strengthening the prohibition enforcement law; to the Committee on the Judiciary. 844. By Mr. MICHENER: Petition of W. L. McCullough Co.

in reference to tariff on graphite; to the Committee on Ways

845. By Mr. NEWTON of Minnesota: Petition by Mr. William Peterson and other citizens of Minneapolis, Minn., favoring light wines and beer and opposing Sunday blue laws; to the committee on Foreign Affairs.

846. By Mr. NEWTON of Missouri: Petition of sundry citizens of Minneapolis, Minn., to the Congress of the United States to take the necessary steps for the recognition of the republic

of Ireland; to the Committee on Foreign Affairs.

847. By Mr. PARRISH: Resolutions passed by the Texas Chamber of Commerce, indorsing the action of the American Legion in asking to have proper legislation passed at this Congress and pledge them the support of the organization in their efforts; to the Committee on Public Buildings and Grounds.

848. By Mr. RHODES: Petition of Women's Auxiliary, American Legion of Festus, Mo., favoring relief for disabled soldiers; to the Committee on Interstate and Foreign Commerce.

849. By Mr. SNELL: Petition of sundry citizens of Westport, N. Y., protesting against the continued war taxes on tobacco;

to the Committee on Ways and Means.

850. By Mr. VARE: Memorial of Philadelphia Maritime Exchange, Chamber of Commerce, Board of Trade, Commercial Exchange, the Philadelphia Bourse, Vessel Owners and Captains Association, Philadelphia Produce Exchange, and the Department of Wharves, Docks, and Ferries of Philadelphia, asking adequate appropriation for national quarantine at Philadelphia; to the Committee on Appropriations.

851. Also, memorial of Philadelphia County Committee,

American Legion, asking adequate provision for disabled soldiers; to the Committee on Interstate and Foreign Commerce.

# SENATE.

MONDAY, May 23, 1921.

(Legislative day of Friday, May 20, 1921.)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

GREAT FALLS POWER DEVELOPMENT.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, chairman of the Federal Power Commission, transmitting a report from the Board of Engineers for Rivers and Harbors on the plans submitted by J. H. Levering for power development on the Potomac River below Great Falls, which was ordered to lie on the table.

# PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore laid before the Senate a concurrent resolution of the Legislature of Hawaii, favoring an amendment of the Hawaiian organic act so as to provide for the rehabilitation of the Hawaiian people through the enactment of a law to establish an Hawaiian homes commission, and for other purposes, substantially as set forth in a proposed bill attached to the resolution and made a part thereof, which was referred to the Committee on Territories and Insular Possessions.

Mr. LADD presented resolutions of Leeds Chapter, American War Mothers, of Leeds; Woman's Auxiliary to Ted Valerius Post, No. 97, of Larimore; American War Mothers, of Shey-enne; Women's Auxiliary Unit of Ernest De Nault Robertson Post, No. 14, of Jamestown; Rotary Club of Grand Forks; Women's Auxiliary Earl V. Jefferson Post, No. 18, of Hope; and sundry members of Women's Auxiliary of Barry-Hoof Post, No. 72, of Napoleon, all in the State of North Dakota, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which were referred to the Committee on

He also presented a petition of sundry apple growers of the Hood River Valley, Oreg., praying for the immediate repeal of section 15-A of the transportation act, 1920, fixing the rates for common carriers, so as to revest in the Interstate Commerce Commission the power to make rates based on what products will stand, etc., which was referred to the Committee on Interstate Commerce.

He also presented petitions of sundry citizens of Denhoff, Goodrich, Carpio, Sykeston, and Woodworth, all in the State of North Dakota, praying for the enactment of legislation to prohibit gambling in grain and other agricultural products, which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of Fargo, N. Dak., praying for the enactment of legislation to promote Americanization and to improve the conditions for immigrants at Ellis Island, N. Y., so as to prevent discontent, socialism, bolshevism, anarchy, etc., which was referred to the Committee on Education and Labor.

Mr. ROBINSON presented a resolution adopted at a mass meeting of sundry citizens of Fort Smith, Ark., on May 15, 1921, favoring the enactment of legislation for the recognition of the Irish republic, which was referred to the Committee on Foreign Relations

He also presented a resolution adopted by the Farmers' Union of the Southern District of Logan County, at Chismville, Ark., favoring the enactment of legislation to prohibit gambling in grain and other agricultural products, which was referred to the Committee on Agriculture and Forestry.

To also presented a memorial of sundry citizens of the State of Arkansas, remonstrating against the enactment of legislation imposing higher tariff duties that would increase the cost of raw materials entering into the manufacture of necessities of life, and also affording tariff protection to old-established industries which should not need protection, etc., which was referred to the Committee on Finance.

Mr. CAPPER presented petitions of sundry citizens of Asbury, Lawton, Pratt, Hoxie, Bloomington, Brewster, Winfield, Vic-toria, Gorham, Russell, Otis, Galatia, Lawrence, and Princeton, all in the State of Kansas, praying for the enactment of legislation to prohibit gambling in grain and other agricultural products, which were referred to the Committee on Agriculture and Forestry.

He also presented a resolution adopted by the National Milk Marketing Conference at Chicago, Ill., May 3, 1921, protesting against railroad rates on agricultural products as unreasonable and unbearable; favoring immediate investigation by the Senate committee into the operation and rates of railroads, and requesting that the Senate committee thoroughly sift such questions as income, expenses, rates, wages, and credit so as to find some solution of the railroad problem, which was referred to the Committee on Interstate Commerce.

He also presented a resolution of the Texas and Southwestern Cattle Raisers' Association adopted at its forty-fifth annual convention, favoring the enactment of legislation repealing the provisions of the transportation act authorizing the Interstate Commerce Commission to fix intrastate rates, which was referred to the Committee on Interstate Commerce.

Mr. WILLIS presented a resolution of the Buckeye State Building & Loan Co., of Columbus, Ohio, favoring the enactment of legislation exempting from income tax an amount received by an individual as dividends or interest from domestic building and loan associations, organized and operated exclusively for the mutual benefit of members, not exceeding \$500, which was referred to the Committee on Finance.

He also presented a resolution adopted by the American Bar Association at St. Louis, Mo., August 25, 26, and 27, 1920, recommending that the Committee on the Judiciary favorably report the bill to bring about a more certain, speedier, less expensive, and less technical administration of justice in America, which was referred to the Committee on the Judiciary.

He also presented a resolution adopted by the American Association of Flint and Glass Manufacturers at Pittsburgh, Pa., on February 8, 1921, favoring the enactment of legislation to pro-

hibit the importation of the product of any workshop where child labor is employed in any part of such workshop, mills, mines, etc., which was referred to the Committee on Finance.

#### LONG-STAPLE COTTON.

Mr. President, a few days ago I received a telegram from Mr. D. R. Coker, of Hartsville, S. C., in reference to the duty placed upon cotton in the emergency tariff bill. desire to insert the telegram and sections 16 and 17 of the emergency tariff bill, found on page 3, together with my answer to the telegram from Mr. Coker, all of which goes to show that there is grown in the United States very little of the cotton which is protected by the act. This provision will be a protection to the manufacturer of cotton goods. Mr. Coker is one of the best-posted men on long-staple cotton in the United States.

The PRESIDENT pro tempore. The Senator from South Carolina asks unanimous consent to insert certain documents in the RECORD. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

HARTSVILLE, S. C.

Senator N. B. DIAL, Senate Chamber, Washington, D. C.:

Press reports quote section 16, emergency tariff, as protecting inch three-eighths and longer cotton. Is this correct? If so, it will not apply to large part Egyptian and Peruvian crop and will not protect any American cotton except Pima and sea-island. If tariff protects any cotton, should it not apply to all staples inch eighth and longer, as bulk of imports between inch one-eighth and three-eighths?

DAVID R. COKER.

WASHINGTON, D. C., May 13, 1921.

D. R. COKER, Hartsville, S. C.:

We agree with you. We Democrats offered an amendment of one inch and one-eighth and above on cotton. The Republicans voted this down. No chance to amend now.

No. B. Dial.

SUBSECTIONS OF EMERGENCY TARIFF BILL AS PASSED BY BOTH HOUSES OF CONGRESS

16. Cotton having a staple of 13 inches or more in length, 7 cents

per pound.

17. Manufactures of which cotton of the kind provided for in paragraph 16 is the component material of chief value, 7 cents per pound, in addition to the rates of duty imposed thereon by existing law.

#### THE GARABED INVENTION.

Mr. HEFLIN, Mr. President, Garabed T. K. Giragossian, who claims to be the inventor of a free energy generating machine, has requested me to have printed in the Congressional Record a brief explanation regarding the matter, in which he gives his reasons for refusing to exhibit and operate his machine in the presence of certain people on a former occasion. I ask that the statement be printed in the Record. It is not very long.

There being no objection, the matter referred to was ordered

to be printed in the RECORD, as follows:

MAY 23, 1921.

Senator J. THOMAS HEFLIN, Washington, D. C.

Washington, D. C.

My Dear Senator: On account of an unfavorable report, the prevailing idea among the public and our Congress is that my free energy generating engine, or the so-called "Garabed." is a failure. That is absolutely wrong. I did not have any intention of demonstrating the working engine for the reasons which I have given in the inclosed memorandum, which I have addressed to the Hon. Calvin Coolings, the President of the Senate.

It is only just and in the interest of all concerned that our Congress should be informed of the truth and the precise facts, and in this memorandum I have fully explained and pointed out the obstacles and causes of delay of the advent of costless energy.

I hope and trust that it will be possible to submit this memorandum to the kind consideration of the United States Senate, and that it may be printed in the Congressional Record.

Sincerely believing that you are so generous as to render such valuable service to the public, I have the honor to remain,

Yours, very respectfully,

Garabed T. K. Giragossian.

GARABED T. K. GIRAGOSSIAN. MEMORANDUM ADDRESSED TO THE VICE PRESIDENT.

"I beg to give an account elating to .. certain matter that has aroused the interest of the United States Congress, as well as agitated the mind of the public.

"Under the pressure and dictation of an unneglectable duty, the motive of this communication is aimed to dispel the erroneous idea and wrong conception formed about it by some diverse Therefore it is gratifying to inform you that a circumstances. free energy generator of my invention, which involves the matter referred to, has been constructed by me. It will substantially verify more than I have ever dared to claim for it. By virtue of its character and operation, this working engine will entirely eliminate the possibility of any doubt and cavil, or dispute concerning its complete feasibility, as well as about the boundless use and successful utilization of the Garabed system. The wheels of all industries and crafts are to be run, moved, and propelled by free energy; and the fire or heat and light of cities, hamlets, and farms can be supplied by costless electricity that will convert this planet of ours into a blissful paradise.

Regrettable it is that for a very long time the construction of it had been hindered by many adverse circumstances.

"As regards the fundamental cause which protracted the advent of this great work, it has already been submitted to the kind consideration of the proper authority, and there is noth-

ing now particularly new to say.

"Three days after the approval of the President of the House joint resolution 174—Public resolution No. 21, Sixty-fifth Congress—concerning my work, I forwarded a memorandum to Hon. Champ Clark on February 11, 1918, which has been printed in the Congressional Record of the same date on page 2121. Any person who would read it attentively hardly could expect that I would disclose the essential secret of my work, as I did not—and I am constrained yet to withhold it—for the same very reasons which are pointed out in my above-mentioned memorandum, in which my reference was to an amendment of the bill. The said amendment, inserted in section 3 of the bill, reads as follows:

"And that he is the first and original discoverer and inventor thereof, and that he is the original discoverer and inventor thereof.

"Anyone who had not given serious consideration to my objections to it or had not read the whole memorandum carefully would naturally have lost his former confidence in me. Surrounded by slanderers and at the mercy of patent pirates, how could a man have a commanding and impulsive incentive, and what benefit could he expect from exposing his work? No sensible man when made familiar with this affair will blame me nor will he lose his former confidence in me because I did not make my work of a quarter of a century of hardship an

easy prey to patent thieves.

"I am not seeking the blind confidence of any person. I did not exploit nor abuse any confidence reposed in me, as I will not in the latter part of my life. I am not after a favor, nor do I wish to be looked upon as a beneficiary. The demand and value of my work is continually growing every day. I can dispose of it at any conspicuous place with a material remuneration more than my highest satisfaction. With me this is not a business proposition, but a sacred duty, imposed upon me by the benevolent environment of the country, where since 30 years ago I have enjoyed freedom, friendship, learning, and so forth, and where I conceived and contrived my work. Thus, under many moral obligations, I am striving to dedicate it to the service of man under the sway of the Stars and Stripes,

"Nevertheless I am not willing to make it a prey to parasites. I am fully justified and vindicated in my pursuit by irrefutable facts illustrated in my aforesaid memorandum, which will stand as an indestructible rock, and it will also absolve me from any blame, guilt, and responsibility in taking such a course or for withholding my work from the public in the past as well as in the future, which step, however, I may be forced to take re-

luctantly.

"In the tumult and stir of the World War I could not find any other means to protect my rights against most formidable conspirators, whose objects were to frustrate the noble aim of our Congress and to convert its mentioned resolution into a gold brick or a judicial joke. To this very end they exerted and exercised their utmost skill, and they are responsible for that amendment. Undoubtedly they well calculated and expected rightly that this amended bill would serve as a trap or bait for an idiot, or it is to stand in the way of an ordinary man of common sense as a preventive obstacle to restrain him from exhibiting his invention.

"Certainly the contemplated amendment has had the required potency. If the beneficent object of the Congress shall be disregarded, the literal meaning of it is that the successful verification of the entire practicability of my work can not make me the legal owner of it, in spite of the nonexistence in public operation and in practical use of anything similar to my work. It offers also an unrestricted privilege and enticement to any man to copy my invention and exploit it as his own. The prevention of such infringement is thus rendered imprac-

ticable.

"By reason of the said clause the finding of the authorized committee is ordained to be inevitably defective, invalid, and devoid of the requisite power to protect my right. No verdict determining and defining the originality of disputable matters can be regarded fair and authentic unless the same judges had examined thoroughly all and every case of all claimants or contestants. That is the reason that not a scientist whom I requested to serve on the authorized committee would assume the responsibility to deal with or issue any certificate concerning the originality of my work. There is only one way to solve a problem of this kind which is in practical use, namely, 'the person who delivers the goods is entitled to the reward.' This principle is the foundation stone of all patent offices of the

civilized world. All patent laws are supposed to be issued in conformity with this very principle. But the clause in question denies this simple and universally adopted principle and right to me.

"It is against human reason and judgment. It is against the American principles and ideas and against the principles and conception of any civilized country that a person should substantially verify the complete feasibility of his invaluable invention, and yet, in the absence of any of its kind, he will not be recognized the legal owner of his invention, as in my case. Why should not a civilized nation protect with all its power and means the right of a discovery capable to shape and elevate the destiny of mankind? Our Congress proved by its acts its willingness to do so. The original resolution concerning my work had passed the Senate and House, showing I had thus been recognized the legal owner of my work, if I could but verify the feasibility of my claim or invention.

"After the 'pocket veto' of that resolution, special interests,

"After the 'pocket veto' of that resolution, special interests, by all their means and expert distorters, as well as also professional crooks, intensified their schemes and propaganda, which culminated in bringing a fraudulent invention to the very floor of the House of Representatives at the time when the discussion of House joint resolution No. 174 had commenced. Some people insisted that it could perform whatever was claimed for my work. In the same session the amendment was attached to

the said bill.

"Under the circumstances Congress was fully justified in doing this. Then it was my unavoidable task to wait patiently until the said amendment could have ample time to fulfill its specific function.

"Undoubtedly Congress adopted the said amendment, so as not to deprive others of their rights of priority in similar inventions, if some person may really possess such a similar inven-

tion.

"Sincerely being desirous to be helpful to genuine inventors, I also, in the aforesaid memorandum, have explicitly and definitely reliquished my right to the interest of real inventors or discoverers who are capable of producing a free energy generator similar to my claim. False claimants would naturally ignore my relinquishment, as they did, continuing still more violently their insolent and slanderous attack upon me. They circulated fictitious tales in the newspapers, with the express purpose of making the public believe, by deception, that I have stolen their inventions, and that they have engines or drawings of the kind I have.

"If there were an atom of truth in their claims, they should take the unique and beneficent advantage of the great favor which I have done by exhibiting to the committee a machine. And by so doing my legal and moral right ended there. And it is a self-evident and simple fact, as any person, even of illiteracy, can also draw spontaneously the obvious, unmistakable conclusion that if any person could produce a working engine of a costless energy generator, I can make no claim whatsoever for it, yet my opponents did not show anything useful, nor come forward, nor try to get my aforesaid machine, while so nefariously was their clamoring that whatever I would demonstrate belonged to them.

"But those tricky pretenders, restless with excited appetites, were waiting in their ambuscade for the appearance of the fat

game

"The transparent plot of those conspirators apparently was to pounce upon my rights in some way. Thence I would have been dragged from court to court, so as to prove there that I was 'the first and original inventor or discoverer thereof.'

"However, I preferred to bring this matter by an undesirable protraction before the tribunal and conscience of our people. Over two years this case was on trial, and its indisputable out-

come is self-evident as well as self-explanatory.

"All these claimants in question have had ample time to verify their claims. The demand of the times and all trends of the events were working to their advantage, but they failed entirely. The lapse of time has automatically and conclusively exposed the falsifications of those mistaken and would-be inventors or obnoxious imposters and slanderers. And thus the said amendment has so thoroughly and splendidly fulfilled its function. Therefore it is to be hoped fervently that our Congress will deem proper to eliminate it from the public resolution No. 21, Sixty-fifth Congress.

No. 21, Sixty-fifth Congress.

"Granting that there were no persons who could slander me of stealing their inventions, yet at the same time my legal, and especially moral, right of my work would have been subjected or liable to a prolonged contest on account of an arbitrary inter-

pretation relating to the aforesaid amendment.

"Immediately after the passage of the bill in question I heard that some opponents were jubilant over the idea that the originality of my work must be defined and decided through the investigation of the so-called 'ancient art,' and by that procedure the real motive behind the bill or the legal safeguard of my right would have been frustrated. I have held that prediction was sound for the reason that in conformity to their previous declarations they could put into operation and exploit my work as their own invention long before the termination of such a preposterous investigation.

"On April 12, 1918, in Washington, D. C., in the Interior Department, in the presence of some gentlemen, Secretary of the Interior, Hon. Franklin K. Lane, proposed to two members of the committee who would examine my work that in case of the verification of my claim they should define the originality of the matter through an investigation of the 'ancient arts,' and then after that to render a certificate to the effect of whether or not I am entitled to be the legal owner of the work. They flatly refused to do so. Prof. A. E. Kennelly, the chairman of the Massachusetts Institute of Technology faculty, said in substance, mainly speaking in plural terms, that an investigation of the 'ancient arts' might take several months, with the expenditure of a considerable sum of money. At any rate, he rejoined, 'It is not the especial line of our occupation. We only undertake the task of examining and deciding whether or not it is practical, without assuming any other responsibility whatsoever.' Thereupon Mr. Lane suggested the idea that the certificate is to be written by assumption about the originality of the work.

"It is a very obvious fact that any rendered certificate based upon assumption can not have the legal potency as a safeguard to my right. Furthermore, in the opinion of some prominent people, the eventual certificate in question, written or composed in whatever phrase or term, must be considered illegal, invalid, or worthless if it is to be rendered to me prior to submitting my invention to an antiquarian investigation in order to establish its priority in the 'ancient arts.'

"European countries are now very hard pressed, especially by reason of scarcity of fuel. To their manufacturers a ton of coal costs about \$100. They are lamenting and struggling for the reparation of the war ruins, as they have to mean for many years yet, under the heavy burden of the World War debts.

"Those are the countries who have offered to mankind intellectual giants and commanding geniuses. And those are the nations that have been able to put on the battle fields 10,000,000 men at an astounding cost. Why are they not seeking a remedy for their distress in the so-called 'ancient arts' by the appointment of a committee composed of one or ten hundred scientists?

"For many centuries a great army of men, including the master minds of the time, are striving in vain to solve the problem of energy; and the whole world admits and deplores the nonexistence of a source or available means of obtaining it freely and abundantly. And while with the march of civilization we are more intimately realizing the ever-growing need of this prime necessity of life, progress, and happiness, and we are destroying by fire more and more every day coal, which is the most valuable substance among the exhaustible natural wealth, scientists are looking on the enormous waste with alarmed and aghast mind, for they can utilize it several times beneficially and profitably to all concerned by costless electricity.

At such a juncture when a man offers the remedy in quest, in the minds of some people yet he is not entitled to a reward. If he can save his skin from patent sharks, he must be hurled into an inextricable labyrinth especially constructed for his doom under the name of 'ancient arts.'

"In my aforesaid memorandum I have discussed the merit of this issue on the question of the 'ancient arts' in relation to any invention or discovery. I have argued and held then, as I do now, that such an idea has no moral criterion, as it is entirely devoid of righteousness and justice.

"In truth, generally it is regarded as ridiculous and unworthy of consideration and mention, yet this indefensible absurdity has become another odious factor in preventing, or at least postponing, the tapping of an unlimited reservoir of

"In spite of my above-expressed ideas and convictions, if there are still some persons outside or among those claimants who really possess an invention or means of any description, form, or manner by which costless energy can be produced, let them enjoy all the credit and benefit of it. I am not in that

Whenever our Federal Congress may positively be convinced that there is none in existence who can supply the need of the time and progress with unlimited energy without toil or expense, then I am as ever at its disposal, as I am able and ready to perform that task, hoping that the said amendment shall be eliminated in advance from the public document in

question, and I will enjoy full and entire protection of it without any alteration, condition, modification, or qualification.

"I sincerely believe, as I am convinced by specific facts, that our Congress is an earnest and determined protector of inven-These facts reflect on my mind the inspiring and delightful prospect of the eventual extermination of the patent grabbers as well as the stiflers of creative genius. The obvious aim and motive behind this specific attitude of the protector of man's right is to create a powerful incentive for the attraction, activity, and tenacity of a man in the work of promoting the welfare of

"Therefore I cherish a fervent hope that through the magnanimity of that august body my work is to come into the light, which will perform miraculous rôles in the epoch-making achievements for the gratification of lofty aspirations as well as the boundless ambition of man. The everlasting memory of the noble action of our Congress will associate with every consequential exploit and with an imperishable fame; its name will be perpetuated from generation to generation."

#### REPORTS OF COMMITTEES.

Mr. McLEAN, from the Committee on Banking and Currency, to which was referred the bill (S. 1811) to amend the Federal

farm loan act, as amended, reported it with amendments and submitted a report (No. 65) thereon.

Mr. OVERMAN, from the Committee on the Judiciary, to which was referred the bill (S. 1016) to amend an act entitled An act to repeal section 3480 of the Revised Statutes of the United States," reported it without amendment and submitted a

report (No. 66) thereon.

Mr. NELSON, from the Committee on the Judiciary, to which was referred the bill (S. 997) conferring jurisdiction upon the United States district court for the eastern district of South Carolina to hear and determine the claim of the owners of the Danish steamship Flynderborg against the United States, and for other purposes, reported it with an amendment and submitted a report (No. 67) thereon.

He also, from the same committee, to which was referred the joint resolution (H. J. Res. 82) ratifying the reestablishment of the boundary line between the States of Pennsylvania and Delaware, reported it without amendment and submitted a report (No. 68) thereon.

#### BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WATSON of Indiana: A bill (S. 1863) to amend an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, by defining the meaning of "substantial interest"; to the Committee on Interstate Commerce.

By Mr. UNDERWOOD:

A bill (S. 1864) for the relief of the estate of C. C. Spiller, deceased; to the Committee on Claims.

By Mr. SHIELDS:

A bill (S. 1865) authorizing the Postmaster General to reinstate and reappoint W. H. Randle as a clerk in the Railway Postal Service (with accompanying papers); to the Committee on Post Offices and Post Roads.

By Mr. BALL:

A bill (S. 1866) to amend the act of Congress entitled "An act to establish standard weights and measures for the District of Columbia; to define the duties of the superintendent of weights, measures, and markets of the District of Columbia, and for other purposes," approved March 3, 1921; to the Committee on the District of Columbia.

By Mr. SHEPPARD:

A bill (S. 1867) granting Parramore Post, No. 57, American Legion, permission to construct a memorial building on the Federal site at Abilene, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. CUMMINS:

A bill (S. 1868) to extend the period for construction of Eagle Rock Reservoir, under the act of March 3, 1891; to the Committee on Public Lands and Surveys.

By Mr. McCORMICK:

A bill (S. 1869) to provide through cooperation between the Federal Government, the States, and owners of timberlands for adequate protection against forest fires, for reforestation of denuded lands, for obtaining essential information in regard to timber and timberlands, for extension of the national forests, and for other purposes, all essential to continuous forest production on lands entirely suitable therefor; to the Committee on Public Lands and Surveys.

AMENDMENTS TO NAVAL APPROPRIATION BILL.

Mr. LA FOLLETTE submitted three amendments intended to be proposed by him to the naval appropriation bill, which were ordered to lie on the table and to be printed, as follows:

On page 58, line 16, before the word "officers," to insert "flying," so as to make the paragraph read:

There shall be a Chief of the Bureau of Aeronautics, appointed by the President, by and with the advice and consent of the Senate, from among the flying officers of the active list of the Navy or Marine Corps, etc.

On page 59, line 22, after the word "Navy," to strike out the period and to insert a colon and the following proviso:

Provided, That flying units or detachments shall in all cases be commanded by flying officers.

And on page 59, line 22, after the word "Navy," to strike out the period and to insert a colon and the following proviso:

Provided, That not to exceed 10 per cent of the officers in each grade below that of rear admiral who fail to qualify as aircraft pilots or as aircraft observers within one year after the date of their detail into the Bureau of Aeronautics shall be permitted to remain detailed in this bureau.

Mr. McKELLAR submitted an amendment intended to be proposed by him to the naval appropriation bill, which was ordered to lie on the table and to be printed, as follows:

On page 39, line 18, insert the following proviso: "Provided, That all cadets found deficient during the present or last session, and whose resignations were asked and received by the Superintendent of the Naval Academy, if reappointed to the academy, shall be admitted to the academy without regard to the age limit now provided by law and placed in the class one year behind their former class."

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2435) imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenue; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes, in which it requested the concurrence of the

# ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the President pro tempore

S. 82. An act to extend the time for the construction of a bridge across the Red River of the North, at or near the city of Pembina, N. Dak.;

H. R. 2173. An act authorizing the construction, maintenance. and operation of a private drawbridge over and across Lock No. 4 of the canal and locks, Willamette Falls, Clackamas County, Oreg.; and

H. J. Res. 123. Joint resolution to provide funds for the repair of the elevator in the Washington Monument.

## NAVAL APPROPRIATIONS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

The PRESIDENT pro tempore. The pending question is upon the amendment proposed by the committee, on page 26, to insert lines 10 to 24, inclusive.

Mr. ROBINSON. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names.

Ashurst	Harreld	McNary	Smith
Ball	Harris	Moses	Smoot
Borah	Harrison	Nelson	Spencer
Brandegee	Heflin	Newberry	Stanfield
Broussard	Johnson	Nicholson	Stanley
Bursum	Jones, Wash.	Norbeck	Sterling
Cameron	Kellogg	Norris	Sutherland
Capper	Kendrick	Oddie	Swanson
Caraway	Kenyon	Overman	Townsend
Culberson	Keyes	Penrose	Underwood
Cummins	King	Phipps	Walsh, Mass.
Curtis	Ladd	Pittman	Warren
Dial	La Follette	Poindexter	Watson, Ga.
Dillingham	Lenroot	Pomerene	Watson, Ind.
Ernst	Lodge	Robinson	Weller
Fernald	McCumber	Sheppard	Williams
Fletcher	McKellar	Shields	Willis
Gooding	McKinley	Shortridge	
Hale	McLean	Simmons	

Mr. FLETCHER. I desire to announce that my colleague [Mr. Trammell] is necessarily absent and that he will be away for several days, perhaps. I ask that this announcement may

The PRESIDENT pro tempore. Seventy-four Senators have answered to their names. There is a quorum present.

#### EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 40 minutes spent in executive session the doors were reopened.

#### NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes

The PRESIDENT pro tempore. The pending question is upon the committee amendment on page 26, beginning with line 10, which the Secretary will state.

The READING CLERK. The pending amendment is the amendment of the committee, on page 26, after line 9, to insert:

Ment of the committee, on page 26, after line 9, to insert:

Naval supply base, Alameda, Calif.: Toward dredging, excavating, and grading, \$1,500,000.

The Secretary of the Navy is authorized to accept from the city of Alameda, Calif., free from encumbrance and without cost to the United States Government in excess of \$1, a certain tract of land on San Francisco Bay, containing 5,340 acres, more or less, for use as a site for a naval base, being the land described in a certain deed made the 5th day of February, 1920, by and between the city of Alameda and the United States of America. Also to accept free from encumbrance and without cost to the United States Government in excess of \$1, certain other land adjoining said tract, being the land lying between the southwesterly boundary line of sald tract and the pierhead line in front thereof.

Mr. ROBAH. On that I salt for the years and never

Mr. BORAH. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. DILLINGHAM (when his name was called). general pair with the junior Senator from Virginia [Mr. Glass], which I transfer to my colleague [Mr. Page] and vote "yea."

Mr. HARRIS (when his name was called). I transfer my pair with the junior Senator from New York [Mr. CALDER] to the senior Senator from Missouri [Mr. Reed] and vote "nay.

Mr. OVERMAN (when his name was called). I transfer my general pair with the Senator from Wyoming [Mr. Warren] to the senior Senator from Texas [Mr. Culberson] and vote "nay."

Mr. SIMMONS (when his name was called). I have a general pair with the junior Senator from Minnesota [Mr. Kellogg], which I transfer to the Senator from Rhode Island [Mr. GERRY] and vote "nay."

The roll call was concluded.

Mr. McLEAN (after having voted in the affirmative). I have pair with the senior Senator from Montana [Mr. MYERS]. notice that that Senator has not voted. I transfer my pair to the junior Senator from Pennsylvania [Mr. Knox] and let my vote stand.

Mr. HALE (after having voted in the affirmative). general pair with the senior Senator from Tennessee [Mr. SHIELDS], but on this question I am permitted to vote and therefore allow my vote to stand.

Mr. CURTIS. I desire to announce that the junior Senator from New Jersey [Mr. Edge] is paired with the senior Senator from Oklahoma [Mr. Owen], and that the senior Senator from New Jersey [Mr. Frelinghuysen] is paired with the junior Senator from Montana [Mr. Walsh].

The result was announced-year 30, nays 40, as follows:

	YE.	AS-30.	
Ball Brandegee Bursum Cameron Curtis Dillingham Elkins Ernst	Fernald Fletcher Hale Johnson Keyes Lodge McCumber McLean	Moses Newberry Nicholson Oddie Penrose Phipps Pittman Poindexter	Shortridge Smith Spencer Sutherland Swanson Watson, Ind
	NA	YS-40.	
Ashurst Borah Broussard Capper Caraway Cummins Dial Gooding Harreld Harris	Harrison Heflin Hitchcock Jones, N. Mex. Jones, Wash Kendrick Kenyon King Ladd La Follette	Lenroot McCormick McKellar McKinley McNary Nelson Norris Overman Pomerene Robinson	Sheppard Simmons Stanfield Stanley Townsend Underwood Watson, Ga. Weller Williams Willis
	NOT V	OTING-26.	
Calder Colt Culberson	Edge France Frelinghuysen	Gerry Glass Kellogg	Knox Myers New

Norbeck Owen Reed Shields Trammell Wadsworth Walsh, Mass. Walsh, Mont. Page Ransdell Sm oot Sterling

So the amendment of the Committee on Naval Affairs was rejected.

Mr. WALSH of Massachusetts subsequently said: Mr. President, before the vote was taken on the amendment the Senate has just voted upon I was called out of the Chamber by a delegation of citizens from my State interested in legislation uelegation of citizens from my State interested in legislation affecting the State of Massachusetts, and I missed being recorded. Had I been present, I would have voted "nay."

The PRESIDENT pro tempore. The Secretary will state the next committee amendment passed over.

The Reading Clerk. On page 27, line 19, "Total public works," the committee propose to strike out "\$5,632,000" and to insert "\$12,971,000."

I ask that that amendment may be Mr. POINDEXTER. passed over for the present. It should be re-formed on account of striking out the Alameda item.

The PRESIDENT pro tempore. Without objection, it will be

passed over.

THE DYE INDUSTRY.

Mr. KING. Mr. President, before proceeding to a consideration of the naval bill I desire briefly to invite the attention of the Senate to a matter that was discussed when the emergency tariff bill was under consideration. It will be recalled that the Senate Finance Committee reported the emergency tariff bill with a provision which gave the dye monopoly of the United States further power to strengthen its strangle hold upon the American consumers of dyestuffs. Notwithstanding the growth of this industry and its tremendous profits and its ability to meet any reasonable competition, it was potential enough to secure legislation which in effect prohibits the importation of dyes for a number of months. Not satisfied with this embargo provided in the emergency tariff bill, it has renewed its activities, as I am advised, at the other end of the Capitol, and I have just been told by a distinguished Senator that the subcommittee of the Committee on Ways and Means of the House has recommended that the licensing embargo provision be con-tinued for a period of five years. When the embargo provision was under discussion in the Senate the Senator from New Hampshire [Mr. Moses] denounced the entire emergency tariff bill and challenged particular attention to the indefensible embargo provision respecting dyestuffs. He then predicted, as I recall, that if the Senate adopted this policy of embargo and license—a policy which finds no precedent in former tariff bills and which is un-American and indefensible upon any economic grounds—the dye monopoly would demand and obtain further legislation which would continue this vicious policy for an indefinite period.

It appears that the prophecy of the Senator from New Hampshire will soon be realized. It pretended that it needed further protection and asked for an embargo for a period of six months. It was claimed, as I understood, that in the general tariff bill which is to be enacted suitable tariff rates were to be imposed, but that pending enactment of general tariff legislation, and only for a limited period, the embargo which was the result of the war should be continued. Of course, it was a mere pretense. The scheme eventually was to secure legislation of an unusual character as a precedent to secure the same legislation in a general tariff act. Doubtless the Dye Trust felt that to pass a law imposing from 400 to 1,000 per cent tariff rates would not be tolerated. It therefore became important to obscure the issue and to prevent the public from knowing just what result The embargo provision is a practical interdiction The Dye Trust would not be satisfied with reasonwas sought. of imports. able tariff; indeed, there is a reasonable tariff now imposed. It wants a complete monopoly of the dye industry and unfettered authority to impose upon the manufacturers and other consumers of dye products whatever prices its cupidity demands. During the war a licensing system and an embargo scheme was enacted. It was justified as a war measure; it can not be defended in peace times; and yet this voracious trust is determined to perpetuate in peace times war policies and fasten upon the people an obnoxious and vicious system under which it may conceal its acts of spoliation and robbery.

In 1913 when the Committee on Ways and Means was considering the question of a tariff upon synthetic dyes, witnesses brought before the committee, some of whom were manufac-turers, testified that a tariff of 35 per cent ad valorem with a small specific rate would be satisfactory. The existing tariff is more than 35 per cent, but that does not meet the demands of the Dye Trust, and, as stated, it is determined to have a complete monopoly and for that purpose is seeking legislation that will

prevent any importations whatever. I have before me the American Economist, a paper published by the American Protective Tariff League. As its name implies, it is an advocate of tariff duties and it seeks protection of American industries. However, it has opposed the dye embargo scheme and has maintained a consistent and rational attitude in opposition thereto. In its issue of May 20 of this year, there appears an illuminating article copied from the New York Daily News Record of May 13. The article was written by Warren F. Done, editor of the Manufacturer, the official organ of the Philadelphia Manufacturers' Club. Speaking of this article, the American Economist

It exposes the false pretenses, the greed, and the monopolistic aims of those dye manufacturers who are seeking to fasten the license embargo system upon the people of the United States. On account of its extreme length, we are unable to publish it in full, but it is of such importance and exposes so thoroughly the fake patriotism of the would-be monopolist that we make very extensive quotations as follows.

I shall take the liberty of inserting at this point, without reading, the article as it appears in the Economist.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The article is as follows:

Inasmuch, however, as these great industries have elected to carry their indifferently camouflaged issues directly to the people in a hugely financed campaign of subtle evasion and deliberate false pretense, evidently for the purpose of first creating and then manipulating such a public misunderstanding as will afford additional pressure with which to force stubborn public-spirited Congressmen to an accession to their special-privilege demands, it becomes distinctly in the public interest to know.

know:

1. What it is that the domestic dye industries want.

2. The real reasons why they want it.

3. What would be the result of giving them what they want.

It is well to take up the three distinct phases of the question in the order just named.

SAYS MONOPOLY IS SOUGHT.

SAYS MONOPOLY IS SOUGHT.

To summarize the first proposition in a single sentence, the domestic dye manufacturers want a complete and unrestricted monopoly of that industry, free of all foreign competition that might in any way regulate or restrict domestic price, at the expense of other industries and the entire consuming public of the United States.

The war—not our late entry into it, but the outbreak of it seven years ago, in 1914—brought us that which we had not had before, which we need and which practically everyone will agree we must maintain jointly for commercial and military prestige, a great development of the chemical industry.

But it is here; we have it. It is not a desire, but an actuality; not a dream, but a fact. We have it in corporations that rank among the largest and most potent combinations, not only of the United States but of the world—such concerns as the Du Ponts, the \$100,000,000 Allied Chemical & Dye Corporation that only showed a net profit of \$16,179,939 for the year 1920, and a dozen others of great financial power and industrial prestige.

INDUSTRY " SECURELY INTRENCHED."

Under circumstances more favorable by far than ever encouraged any of the earlier industries which have builded this country to greatness this industry grew and expanded at prodigious strides. The unusual and abnormal demands for every ounce of output were equaled only by the arbitrary or artificial barriers which prevented all outside competition. It was harvest time for the chemical and dye industry and prices and profits were proportionate to the unusual opportunities.

And so we have the American chemical and dye industry of to-day, equaling if not eclipsing in financial power many of the longer established industries, rapidly paralleling all others in manufacturing efficiency and consequent industrial prestige.

These latter are the essential facts, concerning which the domestic dye industry is so assiduously endeavoring to pull the wool over the eyes of Congress and the American public; that it is here securely intrenched, firmly established, amply financed, and certainly well able not only to survive but to progress and prosper under the same laws and principles of fair and equitable competition as govern every other industry in this country.

"UNPRECEDENTED PROFITS."

# "UNPRECEDENTED PROFITS."

But a subjection to the same laws and principles of fair and equitable competition as govern every other industry in this country is exactly what the dye industry of the United States does not want. It had its unprecedented expansion and profits as a Government-protected monopoly, and a Government-protected monopoly, and a Government-protected monopoly, and a Government-protected monopoly is wants and is willing to spend much money to remain. \* \* \* It is only necessary to say here that, like all unjust, uneconomic, and un-American monopolistic privileges, this embargo has encouraged and begot not only inferior products, but prices from 100 to 500 per cent above those which would be established and maintained under fair competitive practices, with adequate tariff protection preventing any form of foreign dumping. Upon the eve of a peace to be obtained under his own resolution, and which otherwise automatically would suspend the embargo operations of the War Trade Board, Senator Knox has offered the amendment that would extend this special privilege of the dye industry coincidental with the six months life of the emergency tariff bill; and Representative Nicholas Longworth, who has been the congressional major domo of the domestic dye monopoly, is preparing to offer another bill that would continue this licensing system for another five years.

Alleges hypocrisy and deceits.

# ALLEGES HYPOCRISY AND DECEIT.

Two years ago, under the Hill bill, the dye industry of this country accepted tariff protection, said that it was ample and all that it wanted. Since that time the dye industry has never been able to disprove its own statement. The single defense, if it may be called one, that the dye industry has been able to make for its unprecedented demand, and the one with which it is attempting to first gas and then hog-tie the rest of the country, is that it is a necessity for the successful conduct of a war.

of a war.

Admitted, and without question or debate. The hypocrisy and deceit enters when this already overgrown young man attempts to describe himself as a swaddling infant. If there were not so many usually

level-headed men in and out of Congress who give serious ear to this fantastic petition, it would be regarded as a joke for concerns whose combined assets run into hundreds of millions of dollars, whose exports were \$67,000,000 in 1919 and more than \$25,000,000 in 1920, and whose profits have been such that new concerns whose capitalizations exceeded \$40,000,000 entered the field in the first three months of this year, describe themselves as an infant industry unable to survive and expand even under the protection of tariff duties which would prevent foreign dyes coming here at prices less than their own would have to be render a fair profit.

#### SEES THE INDUSTRY HAMPERED.

Of course the chemical industry—and a very efficient and well-established chemical industry—is a necessity in war. This country intends to have it. But the wool for clothes, the leather for shoes, the food for sustenance, and a score of other commodities too numerous to detail here are necessary for the soldier long before he is able to throw the gas bomb that the chemical industries would manufacture. Did anyone ever hear of the industries that produce these receiving the special class privilege of a peace-time embargo?

If it is true, as the domestic dye industry alleges or confesses, that after having been unprecedentedly pampered to this stage of its physical growth and financial strength, it lacks either the business capacity or the commercial courage to survive honest competition, even under the protection of a fully ndequate tariff, then those vast enterprises ought immediately and unanimously to suspend all other operations and devote themselves henceforth to the manufacture of a single color—yellow.

and devote themselves henceforth to the manufacture of a single color—yellow.

What, then, is the real reason for the domestic dye industry's insist-ent demand for a continuance of the embargo? It brings us to the second phase of the proposition.

#### QUOTES RAMBO ON COMPARATIVE PRICES.

QUOTES RAMBO ON COMPARATIVE PRICES.

I quote here but briefly from a statement recently made by Joseph S. Rambo, president of Rambo & Regar (Inc.): \* \* \*

"Take a hosiery mill which dyes silk and cotton stockings. Before the war it used about 6 pounds of Zambesi black V, at 30 cents, for dyeing 100 pounds of hosiery. Now, if it feels it can afford a black of the same character, it probably would use the domestic product at \$2 per pound, which is about 20 per cent weaker. In other words, a prewar cost for dyeing at \$1.80 per hundred, as against a present cost of \$15, or an advance of about \$13 per hundred pounds. Now, a mill dyeing a thousand pounds of hosiery per day is not at all exceptional, and its increased cost on this basis for dyestuffs alone would be \$130 per day, \$650 per week of only five days, or approximately \$34,000 per year.

per day, \$650 per week of only five days, or approximately \$52,000 per year.

"An ordinary sized denim mill uses about a quarter of a million pounds of Indigo per year. The difference between its present cost at, say 60 cents, as against the prewar 15 cents, would, roughly, be \$112,500, or over 10 per cent, on \$1,200,000 capital." \* \* \* Dr. Bernard C. Hesse, in an address before the Franklin Institute, November 6, 1919, stated that "coal-tar dyes affect the livelihood of more than 1,000,000 employees in this country, working in upward of 11,000 of our manufacturing establishments, operating in 24 different lines of industry, having an invested capital of more than \$2,500,000,000, and producing annually \$2,600,000,000 of manufacture, because idea of what this monopolistic condition means to the consumers, to whom the domestic dye industry is making such a play upon the grounds of what it calls patriotism, and from whom the same domestic dye industry is consistently endeavoring to conceal all the real facts. \* \* \*

domestic dye industry is consistently endeavoring to concear an each real facts. \* \* \*

A short time ago a domestic textile manufacturer wanted a quantity of a certain dye, and applied to the War Trade Board for permission to import. The import price was \$6.90. The War Trade Board refused the permit, and informed the manufacturer that he could purchase his color in this country. The manufacturer made his price inquiry and also an analysis of a sample. The domestic price was \$7.70. He wrote to the War Trade Board, setting forth these facts, and renewing his request for a permit to import. The War Trade Board wrote back that \$7.70 was "a fair price."

# "PREMIUM UPON INFERIORITY."

Assuming that the War Trade Board's opinion was correct, and that \$7.70 was a fair price to charge for the domestic product under prevailing production costs here, even though it was an inferior dye, does not the very statement contain a fact of extreme significance? If \$7.70 is a fair price for the domestic product, and \$6.90 is the selling price in America of the foreign product, then upon the very face of the situation an additional ad valorem duty of 11 per cent (based upon American valuation) would more than protect the home industry in the manufacture of that particular color. And, even assuming that under the stress of a gruelling competition for a place in the American markets, the foreigner might sell that dye here for \$5, an additional duty of 36 per cent on the American value would amply protect the domestic manufacturer.

The difference in quality would still remain as an advantage to the

of 36 per cent on the American value would amply protect the domestic manufacturer.

The difference in quality would still remain as an advantage to the foreigner. Very well. The American people never contemplated, nor will they ever willingly indorse, a protection, much less an embargo, in behalf of an inferiority to be foisted upon themselves. Honest and aggressive competition is in itself the essence of the incentive for constant improvement in a product. Remove competition and the situation itself places a premium upon inferiority. Any price at all may be charged, and there is no necessity to incur either the trouble or the expense of an honest product.

But when anyone begins to talk of these things, the domestic dye industry, this mammoth "infant" that has been nurtured upon monopoly and whose stomach will contain nothing else, starts the brass band, oratorically unfurls the American flag, figuratively waves it aloft, and loosens another volley of the aniline brand of Americanism. And various newspapers and other publications throughout the country, woefully misled or quietly but sufficiently subsidized, echo the farce up and down the land.

And we come now to the third and most serious phase of the whole proposition—what would be the result of giving them what they want?

Mr. KING. At the expense of repetition I want to reread this.

Mr. KING. At the expense of repetition I want to reread this paragraph:

The domestic dye manufacturers want a complete and unrestricted monopoly of that industry free of all foreign competition that might in any way regulate or restrict domestic prices, at the expense of other industries, to the entire consuming public of the United States.

This article shows the Frankenstein character of this monopoly, and I am afraid this monopoly represents the views of other combinations and monopolies in the United States that are seeking to exploit the public. Under the guise of "protection," crimes have been committed against the American consumer. The American people have been robbed and plundered by corporations that have secured legislation in their behalf. It has been contended that the dye interest was an infant inductor, and with the dye interest was an infant inductor, and with the dye interest was an infant inductor. dustry, and without protection it could not survive. As I have stated, "protection" was granted, but that does not satisfy this gigantic trust which has risen in our country. There were many who felt that the development of the dye industry was important, and they were willing to grant a reasonable tariff if by so doing the industry could be established. Not only was the industry established, but within the past few years it has made millions. I am told that its plants have been amortized,

and that its profits have been stupendous.

I have before me a report of the Allied Chemical & Dye Corporation which shows that on December 31, 1920, its current assets amounted to more than \$95,000,000. Its gross income for the year ending on that day, after provision for de-preciation, and so forth, had been made, totaled nearly \$30,000,-000, and its net income was nearly \$19,000,000, with taxes amounting to \$2,563,000. This corporation acquired on December 31, 1920, in exchange for stock of its preferred and common stock, substantially all of the outstanding stock, both preferred and common, of the General Chemical Co., Solvay Process Co., the Semet-Solvay Co., the Barrett Co., and the National Aniline & Chemical Co. (Inc.). The general balance sheet shows under the head of "assets" that this company has property of the value of \$141,000,000, and its other assets bring the grand total of its general assets to the sum of \$282,743,000. E. I. DuPont de Nemours & Co., as Senators know, is engaged in the dye business. It is one of the large corporations controlling that industry in the United States. To contend that this corporation is an infant, or needs legislation for its protection, is preposterous. The total assets of this company, as shown by its balance sheet of December 31, 1920, amount to more than \$280,000,000.

I am not objecting, Mr. President, to large corporations, nor do I complain about individuals uniting for the purpose of

carrying on legitimate business undertakings. Our industrial system calls for large investments and for corporations possessing great resources. I am protesting, however, against individuals or corporations forming combinations in restraint of trade or for the purpose of stifling competition. I am protesting against the organization of trusts and monopolies and their control, or attempted control, of legislation, either State or National. Our Nation has grown economically and industrially under the competitive theory. The law of supply and demand has resulted in industrial progress and in the development of our country. There has been a mighty struggle for a number of years between the people and monopolistic greed. Combinations have been formed for the purpose of exploiting the people and of imposing upon consumers burdens of an intolerable character. Some of the corporations existing in our country today have reached their positions of financial strength and power, not in a legitimate way but by plundering the people.

The American people are willing for legitimate profits to be They welcome the investment of capital and they desire to see all forms of industry prosperous and progressive, but the American people do object to monopolies dominating our industrial life or our political institutions. This is a Government of the people, and it is their right to live under just and equitable laws. The basis of democracy is a denial of special privileges and an insistence upon the doctrine of equal rights to all. It looks, however, as though we are to have a return of corporations and trusts and monopolies and com-binations—vicious and oppressive organizations preying and feeding upon the people. They are attempting to take the Government under their wing. It would seem that already some of these so-called "infant" industries have taken the majority under their powerful and extended wings. Are we to have a return of corporations and monopolies instead of a rule of the people?

It was shown by the Senator from New Hampshire [Mr. Moses] that the dye industry had spent thousands of dollars in securing legislation. Are these corporations and monopolies to intrench themselves in the Capitol and to write tariff schedules, as in the past they were permitted to do? My informa-tion is that corporations and individuals seeking legislation are here demanding not only a pound of flesh, the granting of which would mean the oppression of the people, but insisting upon cutting deeper and longer strips from the economic and

industrial body of the Nation, the result of which would inevitably be the further exploitation of the great consuming public. Whenever tariff legislation is proposed the beneficiaries

of special interests and trusts are to be found.

Mr. President, I believe in what has been denominated the "capitalistic" theory of government—that is, in the right of individuals to own and control property and to make contracts. I believe in a policy that develops individualism, encourages initiative, promotes self-reliance, strengthens local self-government, and breeds a nation of independent, virile, and self-governing people. I am opposed to communism and socialism and all political and economic philosophies which are destructive of the doctrines and spirit which constitute the base of our form of government. But wise systems of government may perish if evils are permitted to exist. This is a Republic so long as it is a government of by, and for the people.

long as it is a government of, by, and for the people.

It will cease to be a Republic if it becomes a government of monopolies and combinations and trusts which control the fountains of legislation, and the political authority and power of the people to secure their own aggrandizement and to execute their own sinister and selfish purposes. There will be no communism, and socialism will not spread in the United States, if we adhere to the democratic principles laid down by the fathers. If the rights of property and the rights of individuals are respected, if the competitive system is maintained, and if each individual feels that he has a fair show and equal opportunities, there will be no soil under the flag upon which will grow the poisonous or rank weeds of communism or de-

structive socialism.

But I want to warn those who are engaged in business, those who have formed corporations and whose interests and holdings are extensive and whose properties are of great value, that they owe an obligation to this Republic, to their States, and to the people. If they misuse their corporate powers, or if they form trusts and combinations which destroy competition, or throttle individual enterprise and initiative, if they seek to dominate business, control legislation, and bring within the sphere of their influence and authority the functions and powers of governmental authority, State or national, they will be betrayers of their country and the precursors of their own downfall. There can be no absolutism in this Government and there can be no autocracy and absolutism in business. must remain a free country with free opportunity for the humblest. The man of small means must have his chance for success. No legislative pitfalls must be dug to trap the honest and progressive business man. If socialism grows and economic heresies are developed, capital will be largely responsible. If capital abuses its opportunities and if monopolies and combinations are permitted to thrive and to exercise their despotic power, an irresistible demand will develop, either for nationalization of many industries or for governmental control of the

If men engaged in big business and in great enterprises are wise, they will deal fairly with the public. They will seek no special privileges. They will desire no advantages. will not covet enormous dividends. They will be satisfied with reasonable returns upon their investments and will find compensation in the joys arising from the knowledge that they have been of service to the people. Big business should seek the public weal and the advancement of the cause of the people. It should seek to cheapen products and not enhance their prices. It should seek cheaper transportation, improved methods of production, and greater rewards for labor. It should be more interested in bringing joy and happiness to those who toil and to lighten their burdens and to bring sunlight into their lives than in the amassing of stupendous fortunes and piling up assets to be estimated in hundreds of millions, if not in billions. The capitalistic system can be preserved, and our economic system will be maintained so long as justice and fair dealing obtain. Unrest, discontent, and violent agitation will follow the unrestrained exercise of monopolistic power. When the people believe that corporations and combinations organized in restraint of trade and to destroy competition control the Government, or influence legislation or become oppressive and dangerous to the rights of the people, legislation will be demanded by the people, either for governmental ownership, as I have indicated, or for governmental control.

The remedies suggested for monopolistic evils may be worse than the disease and wholly illusive, and foolish remedies, political and economic, have often, as history teaches, been projected, but they will be offered if economic oppression is permitted. If my voice could be heard, I would raise it in an appeal to the business men throughout our broad land to follow the paths of justice and righteousness and fair dealing. If big business—those who have control of great masses of capital—

desire industrial peace and national prosperity, they must apply in their business activities the golden rule and the principles of justice and of fair dealing. This is a time for plain speaking. Corporations and trusts must be told that they can not run this Government; that they must not put their impious hands upon the States or the Federal Government or seek to dictate their policies or control their political and governmental activities. I have heretofore stated to those engaged in bus ness that their peace and prosperity and the peace and prosperity and happiness of the American people rest largely in their hands—in the hands of those who are interested in corporations and business enterprises and control many of the important resources of our country.

Recently we had before us the packers' bill. There is a measure now pending known as the coal bill. The passage of these and other measures will be demanded by the American people unless the corporations of our country deal prudently and fairly with the people. If they destroy competition, if they interfere with the law of supply and demand, if they seek to oppress and exploit the people, then the day of reckoning will come, and corporations will be destroyed or they will be put into strait-jackets and controlled by Federal agencies and State agencies, which, though they will destroy their efficiency, will attempt to curb their voracity and cupidity. I repeat it is for the interest of the American capitalist and the American business man that he conduct his business activities in harmony with the highest principles of morality and justice.

During the war combinations were formed that did stifle competition and interfere with the operation of the law of supply and demand. They were tolerated because of war conditions, but the war is over and monopolies and trusts must cease their wicked exactions and their criminal exploitations.

The Lockwood committee in New York is rendering a great public service in revealing the combinations, criminal and cowardly, which have been robbing and plundering the people. Mr. Untermeyer has uncovered evils and exposed to the public the hideous forms of thieving and scoundrelly combinations. Other States should immediately conduct investigations to ascertain the machinations and criminal activities of corporations and combinations intrastate in character, and there should be sent to the penitentiary these malefactors who have preyed and are still preying upon the unprotected public.

I hope the new Attorney General of the United States will make the Sherman antitrust law a sharp and shining sword for the punishment of these combinations engaged in interstate commerce, whose criminal operations have been so oppressive. There are trusts and monopolies in our land. They are cynical and callous and treat with the utmost contempt Federal and State statutes whose provisions they have so flagrantly violated. I repeat, Mr. President, what I suggested a moment ago, that the perpetuity of this Republic depends upon internal forces.

No foe from without can ever destroy this Republic. It is in danger from no foreign power. Its enemies are internal. It will continue to be the light of the world; it will continue to be an example to the world, so long as the principles embodied in the Declaration of Independence and the Constitution of the United States are adhered to, and so long as we are guided by the spirit of justice which in the end must dominate and regn supreme throughout the world.

A few days ago I offered a resolution which was referred to the Judiciary Committee. Believing that lobbies were in Washington and that interests would appear for the purpose of securing legislation I felt that an investigation upon the part of Congress was important. I asked for the appointment of a special committee which would be authorized and instructed to investigate the charges that corporations and combinat ons engaged in various lines of trade and commerce and industry are carrying on extensive propaganda throughout the country and are maintaining offices and lobbies in Washington for the purpose of influencing legislation. I also asked that the dye industry be investigated and a report made as to whether it is controlled by a combination of corporations and whether it is a monopoly and has employed agents and attorneys to influence Congress in behalf of special legislation in its interest. resolution is much broader than this, but I shall not discuss its provisions at this time. I sincerely hope that the Judiciary Committee will report the resolution. In my opinion, the situation calls for an exhaustive investigation along the lines indicated in the resolution. At a later date I shall discuss the question of monopolies and their effects upon our economic system, and also the Sherman antitrust law and its achievements as well as its infirmities. At this time I shall not further trespass upon the Senate.

# NEGOTIATION OF TREATIES.

Mr. BRANDEGEE. Mr. President, I ask for the publication as a public document of certain committee reports of the Foreign Affairs Committee of the House, certain public documents in relation to the power of the President to negotiate treaties, these documents having been hitherto printed and the copies having been exhausted, a report of Mr. Henry Winter Davis, from the Committee on Foreign Affairs of the House in relation to the Mexican situation at the time of Maximilian, and a public document by the late Senator Hale, of Maine, in relation to the power to recognize a new State. I ask that these may be printed in one document as a public document.

Mr. HARRISON. All those have been printed and are now public documents, so that it is merely a reprint which is re-

Mr. BRANDEGEE. One or two of them are reports of committees and have never been printed as a public document, but simply printed as reports, but it was long ago, some of them back in the time of President Lincoln's administration in 1864, and the copies are very nearly exhausted. I think it would be of considerable interest if they could be correlated and printed in one Senate document so that Senators engaged in looking up this question may have them all in one document.

The PRESIDING OFFICER (Mr. WATSON of Georgia in the chair). Are the documents sent to the desk in the order in

which the Senator would like to have them printed?

Mr. BRANDEGEE. I can arrange that with the printing clerk. I should like to have in connection with it certain portions of the debate upon the Cuban situation printed. I will furnish the portions to the printing clerk later. I wish to have this included in the document.

The PRESIDING OFFICER. Without objection, the order will be made as requested by the Senator from Connecticut.

# JOINT COMMISSION OF AGRICULTURAL INQUIRY.

Mr. GOODING. I ask unanimous consent out of order to report back from the Committee on Agriculture and Forestry with amendments Senate concurrent resolution 4. It is the unanimous report of the committee on the concurrent resolution submitted by the Senator from Wisconsin [Mr. Lenboor] on the 12th instant, proposing to create a joint commission to be known as the joint commission of agricultural inquiry.

Mr. NORRIS. In the resolution provision is made for an appropriation to be expended out of the contingent fund of the Senate, and I suppose under the law before the resolution goes to the calendar or before the Senate can act on it, it will have to be referred to the Committee to Audit and Control the Con-

tingent Expenses of the Senate. Mr. GOODING. Yes: I had that reference in view.

The PRESIDING OFFICER. The concurrent resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

# NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

The PRESIDING OFFICER (Mr. Curtis in the chair). The quest'on is on the next committee amendment passed over,

which will be stated by the Secretary.

The next committee amendment passed over was, on page 27, after line 12, to insert the following:

The Secretary of the Navy is authorized to acquire 1,000 acres, more or less, at or near Camp Kearny, Calif., for a site for a lighter-than-air aviation station and to pay for the same an average price of not exceeding \$100 per acre out of any funds appropriated for aviation pur-

Mr. BORAH. Mr. President, that amendment went over at my request. If there be no other Senator who desires to make

any objection concerning it, I desire to withdraw my objection.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.
The PRESIDING OFFICER. The Secretary will state the next committee amendment passed over.

The next committee amendment passed over was, under the head of "Pay of the Navy," on page 30, line 22, to strike out "\$72,421,647" and to insert "\$87,798,447."

Mr. BORAH. Mr. President, there are several Senators who

are interested in the amendment which has just been stated who are absent. I am therefore compelled to suggest the absence of a quorum in order that they may come to the Chamber.

The PRESIDING OFFICER. The Secretary will call the

roll.

The reading clerk called the roll, and the following Senators answered to their names:

Asburst	Flale	McCormick	Robinson
Ball	Harris	McCumber	Sheppard
Borah	Harrison	McKellar	Shortridge
Brandegee	Heflin	McKinley	Simmons
Broussard	Johnson	McLean	Smith
Bursum	Jones, N. Mex.	McNary	Smoot
Cameron	Jones, Wash.	Moses	
			Spencer
Capper	Kellogg	Nelson	Stanfield
Caraway	Kendrick	Newberry	Sutherland
Celt	Kenyon	Nicholson	Swanson
Culberson	Keyes	Norris	Townsend
Curtis	King	Oddie	Underwood
Dial	Ladd	Overman	Walsh, Mass,
Dillingham	La Follette	Phipps	Warren
Elkins	Lenroot	Poindexter	Watson, Ga.
Fletcher	Lodge	Pomerene	Willis

The PRESIDING OFFICER. Sixty-four Senators having answered to their names, a quorum is present. The question is on the committee amendment passed over, which will be again stated by the Secretary.

The reading clerk again stated the committee amendment

which had been passed over.

Mr. LA FOLLETTE resumed the speech begun by him on Monday the 16th instant. After having spoken for about three

Mr. LODGE. Mr. President, do I understand the Senator from Wisconsin to say that he has concluded for the present?

Mr. LA FOLLETTE. If it is agreeable to the Senate, I shall

be glad to yield the floor at this time. I can not finish to-night. I can finish in a short time to-morrow.

Mr. LODGE. If there are other Senators who are ready to speak, I think it would be well to go on a little longer to-night, and to-morrow the Senator can take the floor again.

Mr. LA FOLLETTE. I yield the floor for the present, Mr.

President.

Mr. LODGE. Mr. President, I make the point of no quorum. The PRESIDENT pro tempore. The Secretary will call the

The roll was called, and the following Senators answered to their names:

Ball	Harrison	McLean	Shields
Brandegee	Heflin	Nelson	Smith
Bursum	Kellogg	Newberry	Smoot
Cummins	Kendrick	Norris	Spencer
Dial	Kenyon	Oddle	Swanson
Elkins	Keyes	Overman	Underwood
Fletcher	La Follette	Phipps	Warren
Hale	Lenroot	Poindexter	Watson, Ga.
Harreld	Lodge	Pomerene	Willis
Harris	McKellar	Sheppard	

The PRESIDENT pro tempore. Thirty-nine Senators have answered to their names. There is not a quorum present. The Secretary will call the roll of absentees.

The reading clerk called the names of the absent Senators, and Mr. Caraway, Mr. Dillingham, Mr. Gooding, Mr. Nicholson, Mr. Simmons, Mr. Sterling, Mr. Sutherland, and Mr. Townsend answered to their names when called.

Mr. CAMERON, Mr. BROUSSARD, Mr. KING, Mr. CAPPER, Mr. ASHURST, Mr. ERNST, Mr. McKINLEY, Mr. LADD, Mr. McCor-MICK, Mr. HITCHCOCK, Mr. CURTIS, and Mr. SHORTRIDGE entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Fifty-nine Senators have an-

wered to their names. There is a quorum present.

Mr. LENROOT. Mr. President, I desire to talk for a few minutes upon the pending amendment, which is the amendment increasing the appropriation for pay of the Navy from \$72,-421,647 to \$87,798,447. This is the amendment in which is involved the increase of the personnel of the Navy from 100,000, as provided in the bill as it passed the House, to 120,000 as provided by this amendment. So the question which will really be settled by the vote upon this amendment is whether for the next fiscal year we will provide for an enlisted personnel in the Navy of 100,000 men or an enlisted personnel in the Navy of 120,000 men, and that question involves an increased expenditure of more than \$15,000,000.

If it be not necessary to maintain the Navy for the next fiscal year with a personnel of more than 100,000, this \$15,-000,000 increase proposed by the committee will be absolutely wasted. I contend, Mr. President, that there can be not the slightest excuse for maintaining the Navy during the next fiscal year with a personnel of 120,000 men.

Mr. POMERENE. Mr. President—
The PRESIDENT pro tempore. Does the Senator from Wis-

consin yield to the Senator from Ohio?

Mr. LENROOT. I yield. Mr. POMERENE. Do I understand the Senator to say that the increase of 20,000 men, which is contemplated by the report of the Senate committee, over and above the House provision, would mean an increase of only \$15,000,000?

Mr. LENROOT. That is the conclusion I draw from this

amendment.

Mr. POMERENE. So that, as the Senate committee bill makes an appropriation of \$100,000,000 over and above the bill as it passed the House, as I understand, it is the Senator's opinion, then, that \$85,000,000 means new or additional ships or harbor improvements?

Mr. LENROOT. No; because there are other increases in the bill which were made upon the theory of this amendment being adopted; for instance, subsistence of 20,000 more men than were contemplated in the bill as it passed the House. I can not give the exact amount which would be saved if the personnel were kept down to 100,000, but it would be much more than the \$15,000,000 involved in this particular amendment.

Mr. POMERENE. Then, Mr. President, may I ask what items of expenditure are included in the \$15,000,000?

Mr. LENROOT. This is just pay of the enlisted personnel of the Navy

Mr. SHEPPARD. May I ask the Senator a question?

Mr. LENROOT. Certainly.

Mr. SHEPPARD. What law at present fixes the number of men in the Navy?

Mr. LENROOT. The number is fixed at 140,000 as the

Mr. POINDEXTER. One hundred and forty-three thousand. Mr. LENROOT. One hundred and forty-three thousand, to be accurate.

Mr. SHEPPARD. That is fixed by existing law?

Mr. LENROOT. By existing law. Mr. President, there is exactly the same situation in the Navy that we have in the The Army reorganization bill provides for an Army of 280,000 men as a maximum, but at the last session of Congress, by joint resolution, the Secretary of War, as Senators will remember, was instructed to cease enlistments in the Army until the Army should be reduced to 175,000 men.

The Army appropriation bill passed by the House at this session, referred to the Committee on Military Affairs, reported back, and now upon the calendar, appropriated for an Army of 150,000. The Senate Committee on Military Affairs have increased that to 175,000, or 110,000 less than the Army reorganization act authorizes. In other words, because of the absolute necessity of reducing the expenses of the Government, we have cut down the authorized strength of the Army by more than 40 per cent, while in the Navy, where the same reason for economy exists, the Senate committee proposes that the personnel of the Navy shall be only 20,000 less than its full authorized strength.

Mr. President, the determining question in deciding whether we shall have a personnel of 100,000 or a personnel of 120,000 in the next fiscal year seems to me ought to be, What will there be for the Navy to do? Does any Senator upon this floor believe for a single moment that there is any possibility whatever of our being engaged in any war in the next year, or the next two years, or the next five years, which will require a personnel of more than 100,000 men? I can not believe that there is any Senator who believes that. Then what is the reason for saddling this extra expense upon the country at this time?

It is said by members of the committee that unless we do that we will not be able to man all the ships we have. But the committee says that when this 1916 program approaches completion they are going to abandon some of these ships, they are going to treat them as junk, and put the men aboard the new Unless we need these ships which are so soon to be treated as junk, why could they not be treated as junk now, unless there be some possibility at least of their being required in the service?

Mr. President-

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LENROOT. I yield.

Mr. KING. If the Senator will pardon me, a similar question recently arose in Parliament respecting the personnel of the British Navy. The navalists and the militarists there insisted upon maintaining 127,000, as I recall, as the maximum personnel. Others insisted that it should be reduced, and finally there was a reduction which was predicated upon the fact that there would be an abandonment of many of the old ships; that they would be junked, and that the men would be placed upon the more recently constructed vessels.

There is no reason in the world, as the Senator has said, why we should not dispose of hundreds of the old ships we now have, because they are obsolete, and they serve no useful purpose. But unfortunately some in the Navy have been obsessed with the idea that we should present the appearance

of having a tremendous armada, and we sent to the Pacific coast a lot of obsolete ships, supposing that they would make an imposing appearance. They are there now, useless, obsolete, obsolete, and costing the Government millions of dollars great roots for the cost of the cost of

lars every year for their maintenance.

Mr. LENROOT. That is true, Mr. President, and there could not be the slightest reason for that action, unless there be some possibility that even these ships shall be called into service in

war with some great power during the next fiscal year.

Mr. President, Japan is constantly being held up before the Senate and before the country as one with which we may almost any day become involved in war. I am not going into that, but I do say this, that I do not believe there is a member of the Naval Affairs Committee, I do not believe there is a man in the United States of America, whatever views he may hold as to the possibility of complications with Japan in the future, who believes for a single instant that there is the slightest possibility of war with Japan within the next year, or two years, or five years.

With reference to this Japan scare, there is a curious thing, Mr. President, to which I wish to call attention. We have an Intelligence Division in the Navy and we have an Intelligence Division in the Army, and there are in those organizations bright men, but I have not been able to find that we can get any accurate information as to what Japan is doing, and I am just a little suspicious, Mr. President, just a little suspicious, that if the truth is known concerning Japan's activities, and it does not fit in with the scheme for enlarging the Navy with tremendous appropriations at this time, there are some people who do not care to have the facts made known.

Mr. McCORMICK. Mr. President, the Senator does not mean to imply that it is not known here that four battle cruisers are

being built in Japan?

Mr. LENROOT. No; I am talking about personnel now. When we come to the construction part of it, I think the Senator will admit that when Japan builds her four cruisers we can finish two of our cruisers and then be away ahead of Japan.

But, as to what Japan is doing, once in a while we get some news, Mr. President, that is not all of this character, because most of it seems to come just at a time when it is hoped it may induce Senators to vote for the highest personnel and the largest amount of appropriations. Last week I cut this clipping out of the New York Times, referring to what Japan is doing to-day with the personnel of her Navy, and I wish to read it:

JAPAN REDUCING NAVY—GOVERNMENT HAS ORDERED SECOND SQUADRON RETURED FROM SERVICE,

(Copyright, 1921, by the Chicago Tribune Co.)

HONOLULU, May 15.

A Tokyo dispatch to Nippu Jiji, a local Japanese daily, says a special naval commission appointed by the navy department to investigate conditions of the department relative to finances has recommended that the second squadron and a portion of the third be retired from active operation to reduce maintenance costs. The dispatch says the Government has issued orders to this effect.

The Japanese War Department has also appointed a special committee, the dispatch continues, to investigate the army administration with a view to making recommendations for a reduction in expenses.

That is what Japan is doing, and yet it is proposed by the committee to increase by 20.000 men the personnel provided by the House, at an expenditure of \$15,000,000 in pay alone, and I do not know how many million dollars in other items of the bill affected by the 20,000 increase.

I said the other day-and I wish to repeat to-day-that this Government must reduce its expenditures. If we do not do so, the people of the United States will find somebody who will. Expenditures can be reduced. They can be reduced in this bill without in the slightest degree affecting the safety and the pro-

tection of the United States

What is the Navy for? Why, in the minds of some people it seems to be thought that we must have a Navy to provide commands for naval officers, to make a fine showing upon the sea, but I have always had an idea that the purpose of the Navy was to defend and protect the United States. When there is no possible danger to the United States in the immediate future, it is the duty of the Congress to economize in these expenditures. Here is one place where we can economize to the extent of a good many million dollars.

I wish some members—yes, I wish every member—of the Naval Affairs Committee could go away from the Senate for a little while and go about the country and find out what people are thinking and saying about some of these questions. I know what the sentiment is in the Middle West, although I have not been there of late. I have had occasion to come in contact with business men of the East and men coming to the East from every part of the country. You may talk to these men about the League of Nations and they are mildly interested. You may talk to them about the place of the United States

upon the Reparations Commission and the supreme council and they are interested; yes. You may talk to them about a tariff and they show some interest. But the one thing they are thinking about and talking about to-day is taxation and Government expenditures. They are expecting from this Congress, and they have a right to expect from this Congress, a reduction in expenses; but there is very little prospect of it if the Senate shall adopt increases like this, amounting to \$100,000,000, in the naval bill alone.

Why, we hear that we had a referendum last November, and we had. But I wish to say to you deliberately that if this bill with these increases could be submitted to the people of the United States for a vote the bill would be beaten worse than Cox was last November. It would not, in my judgment, carry a single State of the Union, because the South would vote against

it as well as the North.

That is the situation we are in to-day. I wonder where Republican members of the Naval Affairs Committee think the Republican Party is going to carry out its pledges with such increases as this proposed in the bill. I wonder where those gentlemen think this Government is going to economize with the increases they propose in the bill? We have certain fixed charges. We have to pay the interest upon our Liberty bonds. We have to expend money in increasing amount for the care of our disabled soldiers and sailors. We ought to, we must, and we will do that. But if we can not make any reduction at a time like this, when never in the history of the United States was there less danger from attack from any power within the next five years than now, then I do not know when it could be

Upon the matter of personnel, the acting chairman of the committee, the Senator from Washington [Mr. Poindexter] told us the other day that in 1916 the personnel of the Navy was only 55,000 at a time when the European war had been going on for two years, at a time when any man knew that we were in great danger and that at any moment we might be engaged in war. Then it was proposed by the bill as sent to us from the House to almost double that number, and yet the Senate committee is not satisfied with that and proposes 20,000 additional. I do not know what can be in the minds of the members of the committee to propose an increase of \$100,000,000 in a bill appropriating \$500,000,000 for the support of the Navy for the coming year. If it is going to cost that for the coming year, what is it going to cost the country when this naval program is completed?

I hope to have something to say about the construction program before the debate is concluded, but I am now confining myself to the question of personnel. In conclusion, I wish to say that here is the opportunity to save twenty-five or thirty million dollars. The country expects us to avail ourselves of that opportunity. The country does not support the Committee on Naval Affairs in these increases, and I hope that the Senate, responding to the sentiment of the country, will at least vote down this amendment and thus save \$15,000,000.

Mr. SHEPPARD. Before the Senator takes his seat I wish to ask him what is the date of the law fixing the personnel of the Navy at 143,000?

Mr. LENROOT. The Senator from Washington can tell better than I. It was about 1917, if I am not mistaken. It was either just before the war or just after we got into it.

Mr. POINDEXTER. The date of that law was July 1, 1918. Mr. SHEPPARD. What was the number authorized before

Mr. KING. Fifty-five thousand.

Mr. POINDEXTER. The peace basis prior to the war, my

recollection is, was in the neighborhood of 60,000.
Mr. LODGE. And it is now increased to 132,000.

Mr. POINDEXTER. There were no appropriations made, as has just been pointed out by the Senator from Wisconsin, until the time when we were on the point of actually entering into the war with Germany. We continued upon a peace basis, which the United States had occupied so many times, long after it became evident that we were going to be involved in the war. with the result that the people of the country are burdened with several billions of dollars of taxes which otherwise might have been avoided.

Mr. SHEPPARD. I understand the peace basis was about

Mr. POINDEXTER. To be exact, I am informed that it was

68,700. Mr. LODGE. Mr. President, it is now after 5 o'clock. move that the Senate take a recess until 12 o'clock to-morrow.

Mr. McKELLAR. Before that is done, will the Senator per-

mit me to offer an amendment to the pending bill?

Mr. LODGE. Certainly.
Mr. McKELLAR. I offer the amendment which I send to the desk, and ask that it may be printed and lie on the table. The PRESIDENT pro tempore. It will be so ordered.

RECESS.

Mr. LODGE. I renew my motion that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 5 o'clock and 12 minutes p. m.) the Senate took a recess until to-morrow, Tuesday, May 24, 1921, at 12 o'clock meridian.

# CONFIRMATIONS.

Executive nominations confirmed by the Senate May 23 (legislative day of May 20), 1921.

THIRD ASSISTANT POSTMASTER GENERAL,

Warren Irving Glover,

UNITED STATES MARSHAL.

Henry F. Cooper, for eastern district of Oklahoma.

COLLECTOR OF INTERNAL REVENUE.

Acel C. Alexander, for the district of Oklahoma.

COLLECTOR OF CUSTOMS.

Roy Campbell, for customs collection district No. 23.

COAST AND GEODETIC SURVEY.

HYDROGRAPHIC AND GEODETIC ENGINEER.

Oliver Scott Reading, of Illinois.

IN THE ARMY.

COLONELS.

Fitzhugh Lee, Cavalry. Ralph Brewster Parrott, Infantry. Harry Parker Wilbur, Coast Artillery Corps. Stanley Hamer Ford, Infantry. Robert Mauro Brambila, Infantry. Elijah Bishop Martindale, jr., Coast Artillery Corps. John Nicholas Straat, Infantry. Henry Slocum Wagner, Infantry. Frederick Guy Knabenshue, Infantry.
Thomas Jefferson Powers, Infantry.
Charles Steuart Wallace, Signal Corps.
William Sanders Scott, Quartermaster Corps. Robert Henry Rolfe, Quartermaster Corps. Martin Lalor Crimmins, Infantry. Louis Ford Garrard, Quartermaster Corps. James Monroe Love, jr., Infantry. Paul Hester McCook, Infantry. Frederick William Coleman, Finance Department, Frederick Singleton Lewis Price, Infantry. George Bahnsen Pond, Infantry. Dana True Merrill, Infantry. Theodore Anderson Baldwin, jr., Infantry. Arthur Latham Conger, Infantry. James Brown Kemper, Infantry. John Winthrop Barnes, Infantry. George Elmer Thorne, Infantry. Alfred Aloe, Infantry. Frank Wheaton Rowell, Infantry. Hugh Aloysius Drum, Infantry. James Breadner Allison, Signal Corps. John Lesesne DeWitt, Infantry. Clifton Comly Kinney, Infantry. Gordon Nathan Kimball, Judge Advocate General's Depart-

George Sabin Gibbs, Signal Corps. James Fuller McKinley, Cavalry. James Albert Woodruff, Corps of Engineers. William Kelly, Corps of Engineers Lewis Hethaway Rand, Corps of Engineers. Edward Murphy Markham, Corps of Engineers. Thomas Herbert Jackson, Corps of Engineers,

CAPTAIN.

Harry Aloysius Bishop, Medical Corps.

FIRST LIEUTENANTS.

Jefferson Cleveland Campbell, Field Artillery. Claud Thomas Gunn, Coast Artillery Corps. Paul Edward Jackson, Infantry.

CHAPLAINS.

Joseph Lawrence Hunter. Oscar Jefferson Waldo Scott.

# HOUSE OF REPRESENTATIVES.

Monday, May 23, 1921.

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, Thou art the Ancient of Days, the infinite I am, who made life and who will preserve and redeem it. Thy holy presence we humbly linger at the doorway of labor. We thank Thee that life is a gift that acquires greater value Impress us that mercy is more acceptable than sacrifice, and goodness more to be desired than greatness, and lead us on, "o'er moor and fen," until heaven breaks in sight. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Saturday was read and approved.

EMERGENCY TARIFF-CONFERENCE REPORT.

Mr. FORDNEY. Mr. Speaker, I call up the conference report on H. R. 2435, the emergency tariff bill, and I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Michigan calls up the conference report on the bill H. R. 2435, the emergency tariff bill, and asks unanimous consent that the statement be read in lieu of the report. Is there objection?
There was no objection.

The Clerk read the statement.

The report and statement are as follows:

The committee of conference on the disagreeing votes of the two houses on the amendments of the Senate to the bill (H. R. 2435) imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenue; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by said amendment insert the following:

> "TITLE II .- ANTIDUMPING. "DUMPING INVESTIGATION.

"Sec. 201. (a) That whenever the Secretary of the Treasury (hereinafter in this act called the 'Secretary'), after such investigation as he deems necessary, finds that an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation into the United States of a class or kind of foreign merchandise, and that merchandise of such class or kind is being sold or is likely to be sold in the United States or elsewhere at less than its fair value, then he shall make such finding public to the extent he deems necessary, together with a description of the class or kind of merchandise to which it applies in such detail as may be necessary for the guidance of the appraising officers.

(b) Whenever, in the case of any imported merchandise of a class or kind as to which the Secretary has not so made public a finding, the appraiser or person acting as appraiser has reason to believe or suspect, from the invoice or other papers or from information presented to him, that the purchase price is less, or that the exporter's sales price is less or likely to be less, than the foreign market value (or, in the absence of such value, than the cost of production) he shall forthwith, under regulations prescribed by the Secretary, notify the Secretary of such fact and withhold his appraisement report to the collector as to such merchandise until the further order of the Secretary, or until the Secretary has made public a finding as provided in subdivision (a) in regard to such merchandise.

"SPECIAL DUMPING DUTY.

"Sec. 202. (a) That in the case of all imported merchandise, whether dutiable or free of duty, of a class or kind as to which the Secretary has made public a finding as provided in section 201, and as to which the appraiser or person acting as appraiser has made no appraisement report to the collector before such finding has been so made public, if the purchase price or the ex-porter's sales price is less than the foreign market value (or, in the absence of such value, than the cost of production) there shall be levied, collected, and paid, in addition to the duties imposed thereon by law, a special dumping duty in an amount equal to such difference.

"(b) If it is established to the satisfaction of the appraising officers that the amount of such difference between the purchase price and the foreign market value is wholly or partly due to the fact that the wholesale quantities, in which such or similar merchandise is sold or freely offered for sale to all purchasers for exportation to the United States in the ordinary course of trade, are greater than the wholesale quantities in which such or similar merchandise is sold or freely offered for sale to all purchasers in the principal markets of the country of exportation in the ordinary course of trade for home consumption (or, if not so sold or offered for sale for home consumption, then for exportation to countries other than the United States), then due allowance shall be made therefor in determining the foreign market value for the purposes of this section.

"(c) If it is established to the satisfaction of the appraising officers that the amount of such difference between the exporter's sales price and the foreign market value is wholly or partly due to the fact that the wholesale quantities, in which such or similar merchandise is sold or freely offered for sale to all purchasers in the principal markets of the United States in the ordinary course of trade, are greater than the wholesale quantities in which such or similar merchandise is sold or freely offered for sale to all purchasers in the principal markets of the country of exportation in the ordinary course of trade for home consumption (or, if not so sold or offered for sale for home consumption, then for exportation to countries other than the United States), then due allowance shall be made therefor in determining the foreign market value for the purposes of this section.

" PURCHASE PRICE.

"SEC. 203. That for the purposes of this title, the purchase price of imported merchandise shall be the price at which such merchandise has been purchased or agreed to be purchased, prior to the time of exportation, by the person by whom or for whose account the merchandise is imported, plus, when not included in such price, the cost of all containers and coverings and all other costs, charges, and expenses incident to placing the merchandise in condition, packed ready for shipment to the United States, less the amount, if any, included in such price, attributable to any additional costs, charges, and expenses, and United States import duties, incident to bringing the merchandise from the place of shipment in the country of exportation to the place of delivery in the United States; and plus the amount, if not included in such price, of any export tax imposed by the country of exportation on the exportation of the merchandise to the United States; and plus the amount of any import duties imposed by the country of exportation which have been rebated, or which have not been collected, by reason of the exportation of the merchandise to the United States; and plus the amount of any taxes imposed in the country of exportation upon the manufacturer, producer, or seller, in respect to the manufacture, production, or sale of the merchandise, which have been rebated, or which have not been collected, by reason of the exportation of the merchandise to the United States.

" EXPORTER'S SALES PRICE.

"SEC. 204. That for the purpose of this title the exporter's sales price of imported merchandise shall be the price at which such merchandise is sold or agreed to be sold in the United States, before or after the time of importation, by or for the account of the exporter, plus, when not included in such price, the cost of all containers and coverings and all other costs, charges, and expenses incident to placing the merchandise in condition, packed ready for shipment to the United States, less (1) the amount, if any, included in such price, attributable to any additional costs, charges, and expenses, and United States import duties, incident to bringing the merchandise from the place of shipment in the country of exportation to the place of delivery in the United States, (2) the amount of the commissions, if any, for selling in the United States the particular merchandise under consideration, (3) an amount equal to the expenses, if any, generally incurred by or for the account of the exporter in the United States in selling identical or sub-stantially identical merchandise, and (4) the amount of any export tax imposed by the country of exportation on the exportation of the merchandise to the United States; and plus the amount of any import duties imposed by the country of exportation which have been rebated, or which have not been collected, by reason of the exportation of the merchandise to the United States; and plus the amount of any taxes imposed in the country of exportation upon the manufacturer, producer, or seller in respect to the manufacture, production, or sale of the merchandise, which have been rebated, or which have not been collected, by reason of the exportation of the merchandise to the United States. "FOREIGN MARKET VALUE.

"SEC. 205. That for the purposes of this title the foreign market value of imported merchandise shall be the price, at the time of exportation of such merchandise to the United States, at which such or similar merchandise is sold or freely offered for sale to all purchasers in the principal markets of the country from which exported, in the usual wholesale quantities and in the ordinary course of trade for home consumption (or, if not so sold or offered for sale for home consumption, then for exportation to countries other than the United States), plus, when not included in such price, the cost of all containers and coverings and all other costs, charges, and expenses incident to placing the merchandise in condition packed ready for shipment to the United States, except that in the case of merchandise purchased or agreed to be purchased by the person by whom or for whose account the merchandise is imported, prior to the time of exportation, the foreign market value shall be ascertained as of the date of such purchase or agreement to purchase. In the ascertainment of foreign market value for the purposes of this title, no pretended sale or offer for sale, and no sale or offer for sale intended to establish a fictitious market, shall be taken into account.

"COST OF PRODUCTION.

"SEC. 206. That for the purposes of this title the cost of production of imported merchandise shall be the sum of-

"(1) The cost of materials of, and of fabrication, manipula-tion, or other process employed in manufacturing or producing, identical or substantially identical merchandise, at a time preceding the date of shipment of the particular merchandise under consideration which would ordinarily permit the manufacture or production of the particular merchandise under consideration in the usual course of business;

"(2) The usual general expenses (not less than 10 per cent of such cost) in the case of identical or substantially identical

merchandise:

"(3) The cost of all containers and coverings, and all other costs, charges, and expenses incident to placing the particular merchandise under consideration in condition, packed ready for

shipment to the United States; and "(4) An addition for profit (not less than 8 per cent of the sum of the amounts found under paragraphs (1) and (2)) equal to the profit which is ordinarily added, in the case of merchandise of the same general character as the particular merchandise under consideration, by manufacturers or producers in the country of manufacture or production who are engaged in the same general trade as the manufacturer or producer of the particular merchandise under consideration.

# "EXPORTER.

"Sec. 207. That for the purposes of this title the exporter of imported merchandise shall be the person by whom or for whose account the merchandise is imported into the United

"(1) If such person is the agent or principal of the exporter,

manufacturer, or producer; or

"(2) If such person owns or controls, directly or indirectly, through stock ownership or control or otherwise, any interest in the business of the exporter, manufacturer, or producer; or

"(3) If the exporter, manufacturer, or producer owns or controls, directly or indirectly, through stock ownership or control or otherwise, any interest in any business conducted by such

"(4) If any person or persons, jointly or severally, directly or indirectly, through stock ownership or control or otherwise, own or control in the aggregate 20 per cent or more of the voting power or control in the business carried on by the person by whom or for whose account the merchandise is imported into the United States, and also 20 per cent or more of such power or control in the business of the exporter, manufacturer, or producer.

"OATHS AND BONDS ON ENTRY.

"SEC. 208. That in the case of all imported merchandise, whether dutiable or free of duty, of a class or kind as to which the Secretary has made public a finding as provided in section 201, and delivery of which has not been made by the collector before such finding has been so made public, unless the person by whom or for whose account such merchandise is imported makes oath before the collector, under regulations prescribed by the Secretary, that he is not an exporter, or unless such person declares under oath at the time of entry, under regulations prescribed by the Secretary, the exporter's sales price of such merchandise, it shall be unlawful for the collector to deliver the merchandise until such person has made oath before the collector, under regulations prescribed by the Secretary, that the merchandise has not been sold or agreed to be sold by such

person, and has given bond to the collector, under regulations prescribed by the Secretary, with sureties approved by the col-lector, in an amount equal to the estimated value of the merchandise, conditioned: (1) that he will report to the collector the exporter's sales price of the merchandise within 30 days after such merchandise has been sold or agreed to be sold in the United States, (2) that he will pay on demand from the collector the amount of special dumping duty, if any, imposed by this title upon such merchandise, and (3) that he will furnish to the collector such information as may be in his possession and as may be necessary for the ascertainment of such duty, and will keep such records as to the sale of such merchandise as the Secretary may by regulation prescribe.

"DUTIES OF APPRAISERS.

"SEC, 209. That in the case of all imported merchandise, whether dutiable or free of duty, of a class or kind as to which the Secretary has made public a finding as provided in section 201, and as to which the appraiser or person acting as appraiser has made no appraisement report to the collector before such finding has been so made public, it shall be the duty of each appraiser or person acting as appraiser, by all reasonable ways and means to ascertain, estimate, and appraise (any invoice or affidavit thereto or statement of cost of production to the contrary notwithstanding) and report to the collector the foreign market value or the cost of production, as the case may be, the purchase price, and the exporter's sales price, and any other facts which the Secretary may deem necessary for the purposes of this title.

"APPEALS AND PROTESTS.

"SEC. 210. That for the purposes of this title the determination of the appraiser or person acting as appraiser as to the foreign market value or the cost of production, as the case may be, the purchase price, and the exporter's sales price, and the action of the collector in assessing special dumping duty, shall have the same force and effect and be subject to the same right of appeal and protest, under the same conditions and subject to the same limitations; and the general appraisers, the Board of General Appraisers, and the Court of Customs Appeals shall have the same jurisdiction, powers, and duties in connection with such appeals and protests as in the case of appeals and protests relating to customs duties under existing law.

"DRAWBACKS,

"SEC. 211. That the special dumping duty imposed by this title shall be treated in all respects as regular customs duties within the meaning of all laws relating to the drawback of customs duties.

"SHORT TITLE.

"SEC. 212. That this title may be cited as the 'Antidumping act, 1921." "TITLE III.—ASSESSMENT OF AD VALOREM DUTIES.

"SEC. 301. That whenever merchandise which is imported into the United States is subject to an ad valorem rate of duty or to a duty based upon or regulated in any manner by the value thereof, duty shall in no case be assessed on a value less than the export value of such merchandise.

"EXPORT VALUE.

"SEC. 302. That for the purpose of this title the export value of imported merchandise shall be the price, at the time of exportation of such merchandise to the United States, at which such or similar merchandise is sold or freely offered for sale to all purchasers in the principal markets of the country from which exported, in the usual wholesale quantities and in the ordinary course of trade, for exportation to the United States, plus, when not included in such price, the cost of all containers and coverings and all other costs, charges, and expenses incident to placing the merchandise in condition, packed ready for shipment to the United States, less the amount, if any, included in such price, attributable to any additional costs, charges, and expenses, and United States import duties, incident to bringing the merchandise from the place of shipment in the country of exportation to the place of delivery in the United States, and plus, if not included in such price, the amount of any export tax imposed by the country of exportation on merchandise exported to the United States.

"REFERENCES TO 'VALUE' IN EXISTING LAW.

"Sec. 303. (a) That wherever in Title I of this act, or in the tariff act of 1913, as amended, or in any law of the United States in existence at the time of the enactment of this act relative to the appraisement of imported merchandise (except sections 2874, 2976, and 3016 of the Revised Statutes, and section 801 of the revenue act of 1916) reference is made to the value of imported merchandise (irrespective of the particular phraseology used and irrespective of whether or not such phraseology is limited or qualified by words referring to coun-

try or port of exportation or principal markets) such reference shall, in respect to all merchandise imported on or after the day this act takes effect, be construed to refer, except as provided in subdivision (b), to actual market value as defined by the law in existence at the time of the enactment of this act, or to export value as defined by section 302 of this act, whichever is higher.

"(b) If the rate of duty upon imported merchandise is in any manner dependent upon the value of any component material thereof, such value shall be an amount determined under the provisions of the tariff act of 1913, as in force prior to the

enactment of this act.

" DEFINITIONS.

"Sec. 304. That when used in this title the term 'Tariff act of 1913' means the act entitled 'An act to reduce tariff duties and provide revenue for the Government, and for other purposes,' approved October 3, 1913,

> "TITLE IV .- GENERAL PROVISIONS. " STATEMENTS IN INVOICE.

"Sec. 401. That all invoices of imported merchandise, and all statements in the form of an invoice, in addition to the statements required by law in existence at the time of the enactment of this act, shall contain such other statements as the Secretary may by regulation prescribe, and a statement as to the currency in which made out, specifying whether gold, silver,

"STATEMENTS AT TIME OF ENTRY.

"Sec. 402. That the owner, importer, consignee, or agent, making entry of imported merchandise, shall set forth upon the invoice, or statement in the form of an invoice, and in the entry, in addition to the statements required by the law in existence at the time of the enactment of this act, such statements, under oath if required, as the Secretary may by regulation prescribe. " CONVERSION OF CURRENCY.

"SEC. 403. (a) That section 25 of the act of August 27, 1894. entitled 'An act to reduce taxation, to provide revenue for the Government, and for other purposes,' is amended to read as

SEC. 25. That the value of foreign coin as expressed in the money of account of the United States shall be that of the pure metal of such coin of standard value; and the values of the standard coins in circulation of the various nations of the world shall be estimated quarterly by the Director of the Mint and be proclaimed by the Secretary of the Treasury quarterly on the 1st day of January, April, July, and October in each year.

"(b) For the purpose of the assessment and collection of duties upon merchandise imported into the United States on or after the day of the enactment of this act, wherever it is necessary to convert foreign currency into currency of the United States, such conversion, except as provided in subdivision (c), shall be made at the values proclaimed by the Secretary under the provisions of section 25 of such act of August 27, 1894, for

the quarter in which the merchandise was exported.

"(c) If no such value has been proclaimed, or if the value so proclaimed varies by 5 per cent or more from a value measured by the buying rate in the New York market at noon on the day of exportation, conversion shall be made at a value measured by such buying rate. For the purposes of this subdivision such buying rate shall be the buying rate for cable transfers payable in the foreign currency so to be converted; and shall be determined by the Federal reserve bank of New certified daily to the Secretary, who shall make it public at such times and to such extent as he deems necessary. In ascertaining such buying rate such Federal reserve bank may in its discretion (1) take into consideration the last ascertainable transactions and quotations, whether direct or through the exchange of other currencies, and (2) if there is no market buying rate for such cable transfers, calculate such rate from actual transactions and quotations in demand or time bills of exchange.

"(d) Sections 2903 and 3565 of the Revised Statutes are re-

pealed.

"(e) Section 25 of such act of August 27, 1894, as in force prior to the enactment of this act, and section 2903 of the Revised Statutes, shall remain in force for the assessment and collection of duties on merchandise imported into the United States prior to the day of the enactment of this act.

"INSPECTION OF EXPORTER'S BOOKS,

"Sec. 404. That if any person manufacturing, producing, selling, shipping, or consigning merchandise exported to the United States fails, at the request of the Secretary, or an appraiser, or person acting as appraiser, or a collector, or a general appraiser, or the Board of General Appraisers, as the case may be, to permit a duly accredited officer of the United States to inspect his books, papers, records, accounts, documents, or correspondence, pertaining to the market value or classification of such mer-

chandise, then while such failure continues the Secretary, under regulations prescribed by him, (1) shall prohibit the importa-tion into the United States of merchandise manufactured, produced, sold, shipped or consigned by such person, and (2) may instruct the collectors to withhold delivery of merchandise manufactured, produced, sold, shipped or consigned by such person. If such failure continues for a period of one year from the date of such instructions the collector shall cause the merchandise, unless previously exported, to be sold at public auction as in the case of forfeited merchandise.

"INSPECTION OF IMPORTER'S BOOKS.

"SEC. 405. That if any person importing merchandise into the United States or dealing in imported merchandise fails, at the request of the Secretary, or an appraiser, or person acting as appraiser, or a collector, or a general appraiser, or the Board of General Appraisers, as the case may be, to permit a duly accredited officer of the United States to inspect his books, papers, records, accounts, documents, or correspondence, pertaining to the value or classification of such merchandise, then while such failure continues the Secretary, under regulations prescribed by him, (1) shall prohibit the importation of merchandise into the United States by or for the account of such person, and (2) shall instruct the collectors to withhold delivery of merchandise imported by or for the account of such person. If such failure continues for a period of one year from the date of such instructions the collector shall cause the merchandise, unless previously exported, to be sold at public auction as in the case of forfeited merchandise.

" DEFINITIONS.

"Sec. 406. That when used in Title II or Title III or in this title-

"The term 'person' includes individuals, partnerships, cor-

porations, and associations; and
"The term 'United States' includes all Territories and possessions subject to the jurisdiction of the United States, except the Philippine Islands, the Virgin Islands, the islands of Guam and Tutuila, and the Canal Zone.

"RULES AND REGULATIONS.

"SEC. 407. That the Secretary shall make rules and regulations necessary for the enforcement of this act.

"TITLE V .- DYES AND CHEMICALS.

"SEC. 501. (a) That on and after the day following the enactment of this act, for the period of three months, no sodium nitrite, no dyes or dyestuffs, including crudes and intermediates, no product or products derived directly or indirectly from coal tar (including crudes, intermediates, finished or partly finished products, and mixtures and compounds of such coaltar products), and no synthetic organic drugs or synthetic organic chemicals, shall be admitted to entry or delivered from customs custody in the United States or in any of its possessions unless the Secretary determines that such article or a satisfactory substitute therefor is not obtainable in the United States or in any of its possessions in sufficient quantities and on reasonable terms as to quality, price and delivery, and that such article in the quantity to be admitted is required for consumption by an actual consumer in the United States or in any of its possessions within six months after receipt of the merchandise.

"(b) Upon the day following the enactment of this act the War Trade Board Section of the Department of State shall cease to exist; all clerks and employees of such War Trade Board Section shall be transferred to and become clerks and employees of the Treasury Department and all books, docu-ments, and other records relating to such dye and chemical import control of such War Trade Board Section shall become books, documents and records of the Treasury Department. All individual licenses issued by such War Trade Board Section prior to the enactment of this act shall remain in effect during the period of their validity, and the importations under such licenses shall be permitted. All unexpended funds and appropriations for the use and maintenance of such War Trade Board Section shall become funds and appropriations available to be expended by the Secretary in the exercise of the power and authority conferred upon him by this section.

"SEC. 502. That this title may be cited as the 'Dye and

chemical control act, 1921."

And the Senate agree to the same. J. W. FORDNEY, W. R. GREEN, NICHOLAS LONGWORTH. Managers on the part of the House. . Boies Penrose, P. J. MCCUMBER, REED SMOOT, Managers on the part of the Senate.

# STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2435) to impose temporary duties upon certain agricultural products to meet present emergencies, and to provide revenue; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to said amendment:

# TITLE II.

### ANTIDUMPING.

The House bill (Title II) imposed a dumping duty on all imported merchandise sold at a price less than the foreign home value, or, in the absence of such value, at less than the value to countries other than the United States, or in the absence of both such values at less than the cost of production.

such values, at less than the cost of production.

The Senate bill adopts the basis of the House bill in determining the dumping duty, but provides that the antidumping title shall apply after an investigation by the Secretary of the Treasury and he has made public his finding that an industry in the United States is being or is likely to be injured, or is prevented from being established by reason of the importations of merchandise into the United States at less than its fair value.

The House recedes from its disagreement to this part of the

amendment with the following amendments:

1. An amendment to section 201 of the Senate bill directing the appraiser to withhold his appraisement report to the collector, and to notify the Secretary as to the importation of merchandise of a class or kind as to which the Secretary has not made public a finding and as to which the appraiser has reason to believe or suspect from the invoice or other papers, or from information presented to him, that the purchase price is less, or that the exporters' sale price is less or likely to be less than the foreign market value, or, in the absence of such value, than the cost of production. This addition to the Senate provision enables the appraiser to whose attention the possibility of dumping may be brought to hold up an importation pending an investigation and finding by the Secretary in cases where the Secretary had not previously made a finding public.

2. An amendment to section 205 of the Senate bill, the purpose of which is to prevent the establishment of a fictitious market value by other than bona fide sales of merchandise intended for exportation to the United States. This amendment is substantially a rewording of the proviso in section 207 of the

House bill.

3. Minor clerical changes in the interest of clearness.

# TITLE III.

# ASSESSMENT OF AD VALOREM DUTIES.

This title is a substitute for section 214 of the House bill. Section 214 of the House bill merely amended section 25 of the act entitled "An act to reduce taxation, to provide revenue for the Government, and for other purposes," approved August 27, 1894, by adding the following proviso:

In the estimation and liquidation of duties upon any imported merchandise the collector of customs, or persons acting as such, shall not in any case estimate the depreciation in currency at more than 663 per cent.

Title III of the Senate bill substitutes for this proviso a provision requiring the assessment of ad valorem duties upon the basis of the foreign home market value or the export value, whichever is higher. At the present time ad valorem duties are assessed upon the basis of the foreign home market value. The effect of the Senate amendment will be to increase the duties collected in the case of all importation of merchandise in which the export value is higher than the foreign home market value,

The House recedes from its disagreement to this part of the amendment.

# TITLE IV.

# GENERAL PROVISIONS.

# Section 403 of Senate bill-Conversion of currency.

Under the existing law and Executive orders in the case of imported merchandise the United States consuls in the various foreign countries have to certify the value of the currency in which the invoice is made out as of the date of certification. In many cases the consuls fail to make the certification and in such cases it becomes necessary for the importer to pay duty on the gold basis and to ascertain the correct value of the currency, which can only be readjusted in a final reliquidation and is dependent upon the obtaining of a consular certificate.

This frequently results in the assessment of excessive import duties and necessitates a great amount of unnecessary labor on the part of the importer and the Treasury officials in making the proper adjustments in order to refund the excess duties so collected. The present system requires the ascertainment of the value of foreign currency thousands of miles away from the port of entry. The Senate bill will permit the ascertainment of the value of foreign currency in the United States, at which point it is readily ascertainable with a greater degree of accuracy. It provides that in cases in which the foreign currency varies by 5 per cent or more from the value measured by the buying rate in the New York market at noon on the day of exportation, the conversion shall be made at a value measured by such buying rate. The Federal reserve bank of New York is authorized to determine the buying rate and the amendment provides that the buying rate shall be the buying rate for cable transfers payable in the foreign currency to be converted. section requires the Federal reserve bank of New York to certify the exchange rates to the Secretary of the Treasury daily and requires the Secretary to make such rates public for the use of the collectors and appraising officers in assessing duties.

The House recedes from its disagreement to this part of the

amendment.

# TITLE V. DYES AND CHEMICALS.

At the present time the importation of coal-tar dyes and certain chemicals is regulated by means of licenses issued by the War Trade Board section of the State Department, under the provisions of the trading with the enemy act, approved October 6, 1917, and the proclamation of the President of February 14, 1918. The Senate bill provides for the continuing of the present licensing system for a period of six months after the enactment of the amendment. The amendment is deemed to be necessary because the powers of the War Trade Board section of the State Department to grant licenses for the importation of dyes and chemicals are limited to the duration of the present war. The amendment is limited to the dyes and chemicals the importation of which is now limited by licensing, and provides for the granting of licenses upon substantially the same terms as under the requirements for the importation of dyes and chemicals from enemy countries.

The amendment provides for the transfer of the functions of the War Trade Board section, including its clerks and employees, books, documents, and records, to the Treasury Department. The amendment also provides that any unexpended funds and appropriations made for the use and maintenance of the War Trade Board section shall be available, to be expended by the Secretary of the Treasury in the exercise of the power and authority conferred upon him by the amend-

ment.

The House recedes from its disagreement to the part of the amendment relating to dye control, with an amendment making the dye-control provision effective for a period of three months instead of six months, as proposed in the Senate bill.

J. W. FORDNEY,
W. R. GREEN,
NICHOLAS LONGWORTH,
Managers on the part of the House.

Mr. FORDNEY. Mr. Speaker, I wish to ask the gentleman from Texas if he wants any time for debate?

Mr. GARNER. I have had no requests for time on this side. Mr. FORDNEY. Then I will make a brief statement and we will get a vote. Mr. Speaker, there were no changes in the bill affecting any items on which a duty is placed. There is one change in the bill, where the Senate struck out the House provision as to depreciated currency, and the House conferees agreed to the Senate amendment. One of the good reasons for agreeing to that is that we hope in a very short time to present to the House a tariff bill which will place ad valorem duties on American valuation and which will overcome this exchange matter.

The second provision carried in the bill, known as the antidumping provision, was amended in several particulars, and we think the language stricken from the House provision improves the bill. However, it was the best we could get in conference, and we think it is effective and, if anything, better than it was when it left the House.

Those are about the only changes, except one provision for extension of the powers of the War Trade Board for three months in their control over the importation of dyes by licenses, and so on. We do not all agree that that was necessary, yet as a matter of precaution we have left it in the bill. The War Trade Board powers do not expire until peace is declared, and

we hope in three months' time to have a new tariff bill that will carry other provisions amply protecting that industry. For that reason we agreed to the provision in question.

Now, unless some gentleman wishes to ask some question or

speak upon the matter, I am ready for a vote.

Mr. GARNER. Will the gentleman yield me five minutes?

Mr. FORDNEY. I will yield to the gentleman five minutes.

Mr. GARNER. Mr. Speaker, I presume the House understands the situation with reference to this bill. It has been discussed a number of times when the original bill as well as the Senate amendment was pending here. It will be recalled that the gentleman from Michigan [Mr. FORDNEY] called the attention of the House to the fact that the Senate amendment was bad and could not be considered under the rules of the House, much less to be agreed to by the House. If you will examine the report as well as the statement you will see that the Senate amendment has been agreed to without any substantial change. Subsection (c) authorized the Secretary to make rules and regulations, and the conferees undertook to write the rules and regulations themselves. That is the only difference there is between the Senate amendment and the conference report, with the exception of where the Senate continues a monopoly of the dyestuff industry in one firm in this country for six months, and the conferees decided to compromise by giving it to them for three months. I think they did that in order to get the signature of the gentleman from Iowa to the conference report because his signature was necessary to get a report. I mention this in order that the House may begin to understand, and I think you will continually be impressed by this one fact, that the House of Representatives no longer legislates, no longer maintains the important func-tions of a coordinate branch of the legislative body in our Government, but has yielded and probably will continue to yield everything to the Senate of the United States and to the Executive.

Why, Mr. Speaker, I am surprised that the gentleman from Ohio [Mr. Longworth] should have had the temerity to report a resolution, as he did last week, in which he undertakes to give the House of Representatives, or at least a committee of the House of Representatives—probably I had better say the Republican membership of the Ways and Means Committee of the House of Representatives—the power of legislating, without considering the Senate or the Executive. I can see no merit in that resolution except that it would be the first time in history, so far as I recall, that the House of Representatives was given an advantage over the United States Senate and the executive branch of the Government in making laws. I congratulate the gentleman from Ohio if he succeeds in this effort, but I doubt very much whether he will be able to convince his side of the House of the merits of his resolution, and I feel quite sure that he will never convince the Senate that they should surrender their legislative rights, much less the President of the United States. I repeat, that as far as this report is concerned it purports to give the farmers an emergency tariff for the benefit of the farmer, but as a matter of fact it gives a compensatory duty—and you gentlemen are perfectly familiar with that-to the manufacturers of the United States that is more detrimental to the farmer than the pretended relief.

When we first introduced the emergency tariff bill last December it was for the purpose of giving the farmer some relief, and possibly it would have given him some relief at that time if it could have been put on the statute books, but before the interests that predominate in the Republican Party, both in the House and in the Senate, would permit that modicum of relief for the farmers and the stock raisers of the country to become law, they put upon it in the Senate that provision which compels the farmer in purchasing his needs to purchase them at an increase of from 50 to 150 per cent. You can not sell the product of the farmer abroad unless you can buy goods abroad, and the object of this conference committee report is not to help the farmers, is not to give them protection against foreign competition, but it is to so arrange the customhouse as to prevent the farmer from buying in open competition with the world. Under the provision of this bill any appraiser out of about 240 can stop any importation into the United States. What does he do after he stops it? He immediately has to find out what it costs to produce it in Mexico, in Germany, in England, or France or Italy, before the importation can come in. The gentleman from Michigan [Mr. FORDNEY] in his amendment proposed to have you ascertain three things before you can import anything into the United States. One of them is what the home market value is, the other whether they are selling to any other couptry as cheaply as they sell to us, and last and most impor-tant, that you should find the cost of production in the foreign

market. I submit to any intelligent man in this House that if he was an appraiser at the port of New York and an importation should come there and he should be required to find the cost of production in Italy before he could admit the importation into this country, he would be in a very bad fix. You can not ascertain the cost in this country, much 'ss in Italy at the present time. This provision in this bill has for its purpose the exclusion of importations into the United States. I do not see how it is possible for anyone to vote for it.

The SPEAKER. The time of the gentleman from Texas has

expired.

Mr. FORDNEY. Mr. Speaker, the gentleman from Texas [Mr. Garner] comes just as near on this matter as he usually does in matters pertaining to our tariff laws. He shoots with a scattering shot and never hits the bull's-eye, never was known to on a tariff measure. An examination of the provision in the bill in relation to antidumping will disclose that we did not accept the Senate provision. We have materially changed their provision and have made it a good measure. It is all right now. The gentleman says that the object is no good and will not accomplish anything. I remind him of the fact that every item in the bill relating to duties is the same as it was in the bill when it passed here last winter, before the 4th of March. when the gentleman from Texas voted for it. Why does he now say that it accomplishes nothing, when he voted for it then? It would have been a law before the 4th of March if we had had the same man in the White House then as we have

Mr. LANGLEY. Mr. Speaker, will the gentleman yield?
Mr. FORDNEY. Yes.
Mr. LANGLEY. The gentleman has just stated that the gentleman from Texas [Mr. GARNER] never hit the bull's-eye on a tariff question.

Mr. FORDNEY. Never.

Mr. LANGLEY. Is not the Texas goat an exception to the

Mr. FORDNEY. Oh, he overshot the bull's-eye on the hair of the angora goat matter.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. BLANTON. Is not this the only opportunity that we who represent the farmers and the producers of the country have to get anything whatever for the farmers and the producers?

Mr. FORDNEY. Since 1912 I would say that that is correct. Laughter.]

Mr. BLANTON. And I am going to vote for the bill.
Mr. FORDNEY. I am glad to hear it. [Cries of "Vote!"] ery well, Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken.

Mr. GARNER. Mr. Speaker, I think we ought to have the yeas and nays on that, and for the purpose of obtaining them I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll. The question is on agreeing to the conference report.

The Clerk called the roll; and there were—yeas 246, nays 98,

not voting 86, as follows:

YEAS-246.

Ackerman Anderson Andrews Appleby Chandler, N. Y. Chandler, Okla. Chindblom Christopherson Arentz Bacharach Clague Clarke, N. Y. Barbour Classon Codd Colton Connell Beck Beedy Begg Benham Connell
Connolly, Pa.
Cooper, Ohio
Cooper, Wis.
Coughlin
Crowther
Curry
Dale
Davis, Minn.
Deal
Dempsey
Dickinson
Dowell Bird Bixler Blakeney Bland, Ind. Blanton Boies Brennan Britten Brooks, III. Brown, Tenn, Burdick Burroughs Burtness Burton Dowell Dupré Dyer Echols Elliott Cable Campbell, Kans. Campbell, Pa. Cannon

Fairfield Faust Favrot Fenn Fess Fish Fitzgerald Focht Fordney Foster Freeman Frothingham Fuller Funk Gahn Gensman Gernerd Gernerd Glynn Good Goodykoontz Gorman Gould Graham, Ill. Green, Iowa Greene, Mass. Greene, Vt.

Hadley

Hardy, Colo. Hawley Hays Herrick Hersey Hickey Hicks Hill Himes Hoch Hogan Houghton Hudspeth Hull Husted Ireland James, Mich. Jefferis
Johnson, S. Dak.
Johnson, Wash.
Jones, Pa.
Jones, Tex. Kahn Ketcham Kiess King Kinkaid Kirkpatrie

Taylor, Tenn, Temple Thompson Tilson Kleczka Kline, N. Y. Kline, Pa. Knutson Kopp Kraus Martin Merritt Michaelson Ramseyer Reber Michaelson
Michener
Miller
Mills Millspaugh
Mondell
Montoya
Moore, Ill.
Moore, Ohio
Morgan
Mortin
Mott
Mudd
Murphy
Nelson, A. P.
Nelson, J. M.
Newton, Minn,
Newton, Mo.
Norton
Ogden Reece Rhodes Ricketts Riddick Timberlake Tincher Towner Kraus
Lampert
Langley
Lankford
Larson, Minn.
Lawrence
Layton
Lazaro
Lea, Calif.
Leatherwood
Lehlbach
Lineberger
Little
Longworth
Lufkin
Luhring Roach Robsion Rogers Treadway Vaile Vare Rose Rosenbloom Ryan Sanders, Ind. Vestal Voigt Voistead Walsh Schall Ward, N. Y. Watson Webster Scott, Mich. Scott, Tenn. Shaw Shreve Sinclair Sinnott Wheeler White, Kans. White, Me. Lulring Norton
McArthur Ogden
McCormick Olpp
McFadden Osborne
McKeuzle Palge
McLaughlin, Mich. Parker, N. J.
McLaughlin, Nebr. Parker, N. Y.
McGargor, Parker, N. Y. Smith
Smithwick
Snell
Speaks
Sproul
Steenerson
Stephens
Strong, Kans.
Strong, Pa.
Sweet
Swing
Taylor, Colo. Smith Williams Williams Williamson Winslow Wood, Ind. Woodruff Woodyard Wurzbach Parrish Patterson, Mo. Patterson, N. J. Wyant Yates Young Zihlman MacGregor Madden Magee Maloney Peters Mann Mapes Pringer Purnell Taylor, Colo. Taylor, N. J.

NAYS-98.

Larsen, Ga. Lee, Ga. Linthicum Almon Doughton Drane Fisher Flood Ansorge Aswell Bankhead Logan Barkley Fulmer London Bell Black Bland, Va. Lowrey Luce Gallivan Gainvan Garner Garrett, Tenn. Garrett, Tex. Gilbert Griffin Lyon McClintic McDuffie Mead Bland, Va.
Bowling
Box
Brand
Briggs
Bulwinkle
Byrnes, S. C.
Byrns, Tenn,
Cantrill
Carew
Carter Montague Moore, Va. Moores, Ind. O'Connor Oldfield Hammer Hardy, Tex. Harrison Hawes Hayden Huddleston Humphreys Oliver Overstreet Carter Jacoway Johnson, Ky. Johnson, Miss. Padgett Park, Ga. Parks, Ark. Cockran Collier Collins Connally, Tex. Crisp Cullen Pou Quin Rankin Keller Kincheloe Dominick Lanham Rayburn

Riordan Sabath Sanders, Tex. Sandlin Sears Stedman Stevenson Stoll Sullivan Sumners, Tex. Swank Tague Tillman Tyson Underhill Vinson Ward, N. C. Weaver Wilson Wingo Wise Woods, Va. Wright

# NOT VOTING-86.

Lee, N. Y. McLaughlin, Pa. McPherson McSwain Mansfield Anthony Atkeson Bond Bowers Edmonds Rossdale Ellis Fairchild Fields Frear Rouse Rucker Sanders, N. Y. Shelton Brinson Brooks, Pa. Browne, Wis. Buchanan Burke Siegel Sisson Slemp Snyder Stafford Free French Goldsborough Graham, Pa. Mason Nolan O'Brien Perkins Perlman Petersen Graham, Pa.
Haugen
Hukriede
Hutchinson
James, Va.
Kearns
Kelley, Mich.
Kelly, Pa.
Kendall
Kennedy
Kindred
Kitchin
Knight Butler Clark, Fla. Clouse Steagall Stiness Porter Radcliffe Summers, Wash. Cole Ten Eyck Thomas Tinkham Cramton Dallinger Rainey, Ala. Rainey, Ill. Rathey, III.
Raker.
Ransley
Reavis
Reed, N. Y.
Reed, W. Va.
Robertson
Rodenberg Darrow Davis, Tenn, Denison Upshaw Volk Walters Drewry Driver Dunbar Wason Knight Kreider Dunn

So the conference report was agreed to. The Clerk announced the following pairs:

On the vote:

Mr. Reavis (for) with Mr. Kitchin (against).
Mr. Rodenberg (for) with Mr. Rucker (against).
Mr. Anthony (for) with Mr. Sisson (against).
Mr. Graham of Pennsylvania (for) with Mr. Upshaw

(against).

Mr. HUKRIEDE (for) with Mr. FIELDS (against). Mr. Perkins (for) with Mr. Steagall (against).

Mr. Shelton (for) with Mr. Raker (against).

Mr. McPherson (for) with Mr. Davis of Tennessee (against). Mr. Dallinger (for) with Mr. Rainey of Illinois (against).

Mr. Dallinger (for) with Mr. Rainey of fillions (ag Mr. Radcliffe (for) with Mr. Brinson (against). Mr. Atkeson (for) with Mr. Thomas (against). Mr. Dunbar (for) with Mr. Kindred (against). Mr. Hutchinson (for) with Mr. O'Brien (against). Mr. Darrow (for) with Mr. Drewry (against). Mr. Kendall (for) with Mr. Buchanan (against).

Mr. Free (for) with Mr. Goldsborough (against).

Mr. McLaughein of Pennsylvania (for) with Mr. Rainey of

Alabama (against).

Mr. Kreider (for) with Mr. Driver (against).

Mr. Denison (for) with Mr. James of Virginia (against).

Mr. EDMONDS (for) with Mr. McSwain (against). Mr. Kearns (for) with Mr. Mansfield (against).

Until further notice:

Miss Robertson with Mr. Clark of Florida.

Mr. BUTLER with Mr. TEN EYCK.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present, the Doorkeeper will open the doors.

On motion of Mr. Fordney, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

# REREFERENCE OF A BILL.

Mr. RHODES. Mr. Speaker, I ask unanimous consent that the bill H. R. 2919, which was referred to the Committee on the Territories, be rereferred to the Committee on Mines and Mining.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the bill H. R. 2919 be rereferred from the Committee on the Territories to the Committee on Mines and Mining. Have the chairmen of both of these committees agreed to the reference?

Mr. WALSH. Mr. Speaker, reserving the right to object, what is the bill about?

Mr. RHODES. The bill proposes to fix certain conditions under which assessment work may be done on mining claims and is the same class of legislation which the Committee on Mines and Mining has reported and has passed through this House time and again. The chairman of the Committee on Territories and the ranking member, Mr. Weaver, of North Carolina, agreed that the bill was erroneously referred and should have been referred to the Committee on Mines and Mining in the first instance.

The SPEAKER. Is there objection to the request? [After a pause.] The Chair hears none.

# SECOND DEFICIENCY BILL.

Mr. GOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6300.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6300, the second deficiency bill, with Mr. Campbell of Kansas in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6300, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 6300) making appropriations to supply deficiencies in apppropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes.

The CHAIRMAN. The Clerk will read,

The Clerk read as follows:

# TREASURY DEPARTMENT. OFFICE OF THE SECRETARY.

OFFICE OF THE SECRETARY.

First Assistant Secretary of the Treasury, to be nominated by the President and appointed by him, by and with the advice and consent of the Senate, who shall receive compensation at the rate of \$10,000 per annum and shall perform such duties in the office of the Secretary of the Treasury as may be prescribed by the Secretary or by law, and under the provisions of section 177, Revised Statutes, in case of the death, resignation, absence, or sickness of the Secretary of the Treasury, shall perform the duties of the Secretary until a successor is appointed or such absence or sickness shall cease, fiscal year 1922, \$10,000.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph.

Mr. WINGO. I will make the point of order or I will withhold it if the gentleman from Iowa desires to explain the item.

The CHAIRMAN. The provision is clearly subject to a point of order, and the Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

Commissioner of the public debt, \$6,000.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph.

Mr. GOOD. Will the gentleman reserve the point of order?

Mr. BLANTON. I will reserve it if the gentleman desires to speak, but I had not finished making it. The point of order is that it is not a deficiency but new legislation on a deficiency appropriation bill and unauthorized by law.

Mr. GOOD. There is no question but what it is not authorized by law; I will concede that. The provision for the commissioner of the public debt, \$6,000, and commissioner of accounts and deposits at \$6,000; division of deposits, chief of the division, \$3,500-those positions-I hope I may have the attention

of the gentleman from Texas-are positions that are now

Mr. BLANTON. Without authority of law.

Mr. GOOD. Well, they are paid out of this amount.

Mr. BLANTON. But without authority of law.

Mr. GOOD. Now, the commissioner of the public debt without this provision-and I hope I may have at least the attention of the Republican members of the Committee on Rules in explaining some of these items; I do not see any of them here, but I hope eventually some one of that committee aside from the chairman will stray in-

Mr. BLANTON. If the gentleman desires, I will make a point of order that we have not a quorum and get them here.

Mr. GOOD. No; I do not want to get them here that way. Now, the Government has loaned something like \$300,000,000 to the railroads through the director general, and those loans, I think, were made while Mr. Sherley was head of the Finance Division. Under the transportation act loans were made under certificates issued by the Interstate Commerce Commission for almost \$200,000,000 more. Then there were loans during the war to the New York, New Haven & Hartford, Boston & Maine, and a great many railroads throughout the United States, Government funds, and now we have loans to railroads of almost \$500,000,000. This man, the commissioner of accounts and deposits, is the man in the Treasury Department who collects the interest on that enormous amount of loans. It is a great office, tremendous responsibility, and I am sure that the gentleman from Texas does not want to take from the Treasury Department the only official who has been there, a civil-service employee, grown up in the service, who is doing that kind of work. Now, take the next office-

Mr. BLANTON. Before getting away from this office, how-

I do not want to get away from it.

Mr. BLANTON. This Congress has been functioning now for quite a little while, and there have been legislating committees that have worked for quite a little while; the Rules Committee, while the members were not here when the gentleman wanted them awhile ago, still they function once in awhile, and there has been nothing in the way of bringing proper legislation in here to provide proper officers for the Government through

proper channels.

Mr. GOOD. The gentleman from Texas is too big to make points of order on a provision even though carried on an uppropriation bill where it will save money for the Government and where the provision ought to be carried even though there is no authority of law for it. I am sure if the gentleman found that there was a provision in the bill where the Government had so much need of an office like this, an office where it collected interest on \$500,000,000, I am sure he will not, simply because there is no provision of law for it, prevent this official from going on in the discharge of his duties. He can not go on if we do not provide the salary, and I sincerely hope that the gentleman will not make points of order on these three positions. They are positions that are there now; they are positions that are needed, and there is not a member of the Committee on Appropriations but what marveled at the fact that these positions were not provided for next year.

Mr. BLANTON. We have gotten along during the last 100 years without a \$10,000 officer known as the First Assistant Secretary of the Treasury.

Mr. GOOD. That item is past.

Mr. BLANTON. I will say that the gentleman had that in his bill.

Mr. GOOD. Yes; and I think it was important; but it is

Mr. BLANTON. But we have gotten along for the last 100 years without such a \$10,000 officer.

Mr. GOOD. But I think I have made it clear that this man ought to be permitted to stay and do this work.

Mr. LINTHICUM. Will the gentleman yield?

Mr. GOOD. Certainly.

Mr. LINTHICUM. Is not that \$10,000 intended for the purpose of bringing all these soldier matters under one head?

Under the law now two of the Assistant Secre-Mr. GOOD. taries go out of office on the 1st of July. The Secretary of the Treasury felt that he would rather have one man that could assist him; that he could attract a great man, a man like Mr. McAdoo brought here, Mr. Leffingwell, who was a great Assistant Secretary of the Treasury; but you can not get that kind of a man, as a usual thing, for \$5,000 a year, and you are lucky if you get him for \$10,000 a year.

Mr. BLANTON. We have such men in the United States Senate and at the gentleman's desk over there at \$7,500 a

year.

Mr. LINTHICUM. I want to say, as to the \$10,000 item, it is very important, because it is intended to bring the war-risk insurance and all those matters under one head.

Mr. GOOD. That is behind us now; and I hope the gentleman will withdraw his point of order on this provision.

The CHAIRMAN. Does the gentleman insist on the point of order?

Mr. BLANTON. Mr. Chairman, after the very eloquent presentation by the gentleman whose presence we are going to miss shortly, I will withdraw it.

Mr. WINGO. Mr. Chairman, I make the point of order. The CHAIRMAN. The Chair sustains the point of order; and the Clerk will read.

The Clerk read as follows:

Commissioner of accounts and deposits, \$6,000.

Mr. WINGO. Mr. Chairman, I reserve a point of order on that. Mr. GOOD. I was in error in what I said regarding the preceding item. I thought we were considering the item "Commissioner of accounts and deposits." What I had said before had to do with the office of commissioner of accounts and deposits. The commissioner of public debt, to which the point of order was made, has to do with the transactions of all matters dealing with the public debt. This item here has to do with the collection of interest on foreign loans and collection of interest from the railroads and has been explained.

Mr. WINGO. Here is the trouble. The gentleman himself fell very naturally into error. The gentleman from Maryland has an erroneous idea, too, about it. The reason why I make the point of order is this: These matters ought to be worked out properly before the proper legislative committee. We have a bill pending before the Banking and Currency Committee that carries with it a provision for an undersecretary of the

Mr. GOOD. How long will those bills be pending?
Mr. WINGO. I think they will be up just as quick as your organization permits. There has not been any desire in the committee to filibuster, and you, of course, speak

Mr. GOOD. I will say to the gentleman that, without my glasses, I caught the words "Commissioner of accounts and deposits" and thought that was the item under consideration and thought that was the item under consideration.

Mr. WINGO. Possibly what you say is true. But there is something else involved besides what the gentleman suggests and what the gentleman from Maryland suggests. There is involved an effort to completely reorganize the Treasury Department and undermine the Federal reserve system and destroy one of the fundamentals of the system.

Mr. GOOD. Oh, no; nothing of the kind.

Mr. WINGO. I think I know more than the gentleman does about that, in view of what was said the other day and from the evidence before the committee. If the gentleman has read the speech of the chairman of that committee, made at St. Louis day before yesterday, he would see what is proposed. Has the gentleman read that speech?

Mr. GOOD. No.

Mr. WINGO. Did the Secretary of the Treasury undertake to explain the situation to you?

Mr. GOOD. What situation?

Mr. WINGO. This very thing, involving all these changes, the necessity for it, and what the plan is.

Mr. GOOD. The Secretary of the Treasury explained the

necessity for carrying these positions.

Mr. WINGO. He explained one of them. Here is the proposition: It may be, and I am inclined to think there ought to be, a rearrangement, and I am not opposing an Assistant Secretary; but I think the matter ought to come in by well-considered legislation from the committee.

Mr. GOOD. We have passed that. The gentleman made a

point of order to that. We now have a new item.

Mr. WINGO. And I am insisting that this item is involved the same general plan.

Mr. GOOD. Not at all.

Mr. WINGO. If the gentleman knows all about it, all right.

He has already refreshed us with lack of information.

Mr. GOOD. Here are three civil-service employees. are now performing this service. The commissioner of public debt is receiving \$6,000 a year now and received it last year, and I am only asking that during the next year, when he will have the same duties to perform that he had under Mr. McAdoo and Mr. Glass, and Mr. Houston, that the present Secretary shall have an adequate force. I am asking that there shall be a commissioner of public accounts and deposits, who shall look after the collection of the interest on foreign loans and the interest on railroad loans. I am asking also that there shall be the division of deposits to look after the interest on almost

\$300,000,000 of regular and special deposits of national banks. Now, those positions are all there now; they have been there, all of them, and the Secretary says he needs them all, and I think he does. The present Secretary, Mr. Mellon, has these positions under him, but after July 1 he will loose them all and will also loose two Assistant Secretaries. I think they are absolutely necessary for the Government to function in a healthy way, until, at least, we have forced from the Treasury Department many of its nonfiscal duties. And then I think these are bureaus that will have to function in the Treasury Department, no matter what changes you make in our Federal banking law

Mr. WINGO. The trouble with the gentleman is, Mr. Chairman, that he still fails to grasp the proposition that there is pending a general reorganization proposition that will do away

with some of these things.

Mr. GOOD. Not any of these things.

Mr. WINGO. The gentleman says that. Maybe I am misinformed. Maybe they do want to divorce the Treasury from the control of fiscal affairs. I know it is proposed to absolutely take away from the control of the Treasury the Federal reserve system. It is proposed to take the Secretary of the Treasury off the board and create an undersecretary, who may act in his stead, and have these bureau chiefs functioning around

him independently.

Now, it may be necessary. I am not foreclosing myself on that. But I think we ought to take not more than one bite at the cherry, and it ought to go out here, because in 10 days time you will have a bill in here that will take care of the

whole thing.

Mr. GOOD. Of course, the gentleman does not say that even by divorcing the Secretary's office from the nonfiscal duties you can divorce it from the public debt or the matter of accounts and deposits or the division of deposits?

Mr. WINGO. I am not trying to do anything of that sort, I am just calling attention to the fact that this administration wants to do it, and I suggest that if they do it they should do

it in a regular and proper way.

Mr. GOOD. As to the other item, there was a good deal of discussion concerning the First Assistant Secretary, but as to

Mr. WINGO. I think the Committee on Banking and Cur-

rency ought to report on it.

Mr. GOOD. But as to these three items of civil-service employees, they are there now, and there is nobody to take their places or do their work. You are going to kick out into the cold some men who have grown up in the public service, men who are splendid officials. I do not know whether they are Democrats or Republicans, but they have been coming before the Committee on Appropriations long enough for us to know that they know their business and are doing their work well. It was the opinion not only of the Republican members but of all the Democratic members on the subcommittee that considered the matter that these three places ought to be put in

Mr. WINGO. Who ever heard of anybody being put out in the cold? I do not want them to be put out into the cold. just want their functions and their salaries to be fixed by law and provided for in the regular way.

The CHAIRMAN. There is nothing pending before the com-

mittee.

Mr. WINGO. I was reserving a point of order. The CHAIRMAN. The reservation has expired.

Mr. WINGO. I did not know it. I was observing the cus-

The CHAIRMAN. Does the gentleman from Arkansas make

Mr. WINGO. I reserved the point of order, but if the Chairman is impatient I will yield to him and make the point of

The CHAIRMAN. The Chair sustains the point of order. Mr. LINTHICUM. Mr. Chairman, I ask unanimous consent to proceed for three minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. LINTHICUM. Mr. Chairman, the gentleman from Arkansas [Mr. Wingo] says that I fell into an error in regard to this matter. Not from what I can understand have I lated error. There are two bills. The purport of them is to centralize all the soldier matters under one head, either under a commission or under the Assistant Secretary of the Treasury, and I understand the consensus of opinion is that to centralize all the soldier relief matters under the Assistant Secretary of the Treasury is the better plan. I understand a very able man

who was here under Mr. McAdoo has consented to take this position as Assistant Secretary of the Treasury and handle all these soldier matters. The soldiers want a centralized head. They have retained this able man who came under Mr. McAdoo and proved a great organizer and executive. He is to take charge of this soldier work, to which he will be appointed if he has not already been. All war-risk work, the vocational education and training, rehabilitation, and so forth, will be consolidated, which will benefit every branch of that service. Under present conditions it is necessary to go from one place to another and see them pass the buck from one officer to another until everybody gets tired and nothing is accomplished,

Mr. WINGO. This man is not the man that they have in mind. This is the man who is going to be on the Federal Reserve Board and be Deputy Secretary while the Secretary

is away.

Mr. LINTHICUM. The gentleman did not specialize as to which point I was in error. I knew I was not in error on the one I was speaking about.

The CHAIRMAN. Without objection the pro forma amend-

ment will be withdrawn. The Clerk will read.

The Clerk read as follows:

Division of Deposits: Chief of division, \$3,500; assistant chief of division, \$2,500; clerks—one \$2,250, one \$2,000, one \$1,800, one \$1,600, one \$1,400; messenger, \$840; assistant messenger, \$720; in all, \$16,610.

Mr. WINGO. Mr. Chairman, I make a point of order on the paragraph.

Mr. GOOD. I hope the gentleman will reserve it.
Mr. WINGO. I will reserve it.
Mr. GOOD. Mr. Chairman, I want to make this statement: In this division the salaries are paid out of the indefinite appropriation for expense of loans.

Mr. WINGO. Why was it not carried in the bill? Mr. GOOD. It is in the indefinite appropriation carried in the revenue act authorizing the issuance of bonds, as the gentleman knows, and ceases to be effective after the 1st of July for this purpose. This whole organization has to do with \$24,-000,000 deposited by the National Government in the regular Government depositaries, and \$270,000,000 deposited in the national banks by the Government as special deposits, and every day this force is determining how much interest is due from each of these national banks.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. BLANTON. And yet the gentleman knows that there is absolutely no authority of law whatever for these positions. They have been functioning without authority of law,

Mr. GOOD. If the gentleman wants to cut them out, it is

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. WINGO. I will yield to the gentleman. Mr. WALSH. Was not the expense of this division authorized under the authority of law for the issuance of these

Mr. GOOD. Yes. The trouble is— Mr. WALSH. You do not have to itemize each piece of paper and each clerk.

Mr. GOOD. This is authorized out of the expense of loans, and the expense of loans is not available for next year.

Mr. WALSH. It is a deficiency under the expense of loans. There is authority of law for the employment of these particular classes of employees.

Mr. GOOD. Not out of this fund for the next year.

Mr. WALSH. Under existing law?

Mr. GOOD. Yes; but that fund ceases to exist at the end of the fiscal year. We were trying to carry over the force for another year and continue that part of the act in force.

Mr. SNELL, Mr. Chairman, will the gentleman yield?

Mr. GOOD, Yes.

Mr. SNELL. Was any application made to the Committee on Appropriations by the previous Secretary of the Treasury to take care of these activities?

Mr. GOOD. Yes. This was carried on the legislative bill, but went out on a point of order. It was not restored by the Senate. Quite a number of other items went out of the bill on points of order. But here we are at the beginning of the new year, and yet we have no law creating this division and no authority to make the appropriation, and we believe it would be far better to stand here as Representatives and be responsible for asking for legislation that is necessary in order that the Government may function in a healthy way rather than that some of its very important functions should die simply because we have by our own act put upon ourselves the stamp of inefficiency to legislate.

Mr. SNELL. Has there been any effort to get legislation in this House to make it in order?

Mr. GOOD. I do not know. We are not a legislative committee.

Mr. SNELL. Why were not the people interested active in getting legislation?

Mr. WINGO. What would have happened if we had not had an extra session?

Mr. SNELL. Why is the gentleman from Iowa putting the

responsibility up to the Committee on Rules?

Mr. GOOD. They are responsible for not bringing out a rule making it in order when they see that the functions of the Government must stop unless a rule is brought in making them in order. I do not know whether this would go to the Judiciary Committee or to the Ways and Means Committee or where it should go. I have not studied that, but I do know it is important to act at once.

Mr. SNELL. Whenever you show me that some reasonable effort has been made to get proper legislation and that you could not get it through, then I, as a member of the Committee on Rules, am perfectly willing to act in this case, and I am perfectly willing to take the responsibility; but I want to know that a reasonable effort has been made along regular channels before asking the Rules Committee to take action.

We are not acting as guardians for the Rules Mr. GOOD.

Committee

Mr. SNELL. We are not asking anybody to act as our guardians, either. [Laughter.]
Mr. WINGO. Mr. Chairman, in the interest of harmony I

make the point of order.

The CHAIRMAN. The gentleman from Arkansas makes the point of order. Does the gentleman from Iowa state that the law authorizing the positions appropriated for in this item has expired by limitation?

Mr. GOOD. This is a 1922 item. It is for the fiscal year 1922. I shall be very glad to have the Chair rule that this item and all items in the bill for deficiencies for 1922 are in

order. I will not concede anything.

The CHAIRMAN. Of course, the Chair ought not to be called upon by the chairman of the Committee on Appropriations to hold that on a deficiency bill making appropriations for deficiencies for the year ending June 30, 1921, and for prior years, to hold that an item was in order making an appropriation for the year 1922 that was not a deficiency.

Mr. GOOD. That is the proposition that is before the com-

mittee

The CHAIRMAN. There is a law authorizing these positions as they stand to-day, is there?

Mr. WINGO. No; I do not know of any.
The CHAIRMAN. If so, why did the items go out on a point of order when they were considered on the sundry civil appro-

Mr. GOOD. There is no law authorizing-

The CHAIRMAN. There is no law authorizing these appropriations? Is that the statement of the gentleman from Iowa?

I want the Chair to know the facts. no law authorizing the creating of the division of deposits in the Treasury Department.

Mr. BLANTON. Of course not.

Mr. ANDREWS. Will the gentleman yield for a question?

Yes.

Mr. ANDREWS. These places have been paid for out of an allowance made in the law creating and giving authority for the loan, as I understand it.

Mr. GOOD. Yes.

Mr. ANDREWS. Now, the appropriation for these amounts and the payment of these salaries is out of the allowance provided for in the law creating the authority for the loan, and that authority, as I understand, expires at the end of the present fiscal year, and from that date there will be no legal authority for the continuance of this service.

Mr. WALSH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it

Mr. WALSH. What is the point of order that is pending

against this paragraph?

There is no point of order pending. Chair sustained the point of order that I made that it is not authorized by existing law.

The CHAIRMAN. That point of order was sustained as to

the items in lines 21 and 22

Mr. WALSH. I am talking about the paragraph that has just been read. I want to know what point of order is pending. Mr. WINGO. That it is not authorized by existing law. This

identical proposition has been passed on once before.

Mr. WALSH. I would like to know from the Chair what the point of order is that is pending?

Mr. BLANTON. I desire to make the point of order if it is necessary.

The CHAIRMAN. The gentleman from Arkansas Wingo] did not state his point of order, but the discussion indicated that the point of order was made because the item was not authorized by law.

Mr. WINGO. It is not a deficiency. I thought it was obvious, and I thought it was stated. I did not know that there was any contention about that; but in order to be clear I will state that it is not authorized by existing law and it is not a de-

ficiency.

Mr. BLANTON. And it is a new position.

Mr. MANN. Mr. Chairman, on the question whether it is a deficiency or not I should like to make this suggestion; There are a great many rulings on the subject, holding that a certain item in a deficiency bill is not in order because it is not a deficiency; but those rulings were made at a time when various committees had charge of appropriation bills, and the ruling was on the ground that the committee reporting the bill had no jurisdiction over the subject matter. It was always in order, and so held many times, that a deficiency bill carrying an item for the next year which would properly belong in the sundry civil bill was in order, while if it belonged in the Army appropriation bill it was not in order, because the Committee on Appropriations reporting the deficiency bill had no jurisdiction for the next fiscal year over Army matters, but only over deficiencies. But now there is but one committee reporting appropriation bills, and that committee has jurisdiction over all appropriations; so I do not think the point of order that the matter is not a deficiency is a good point at this time.

Mr. BLANTON. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. BLANTON. The chairman of the committee has admitted that there is no law creating the division of deposits.

Mr. MANN. I am not discussing that question. I am discussing the question as to whether this is subject to a point of order because it is made available for the next fiscal year and is not a deficiency. I understand that the other point of order is good.

Mr. BLANTON. Then what is the use of discussing this? Mr. MANN. Because I do not think this point of order is good when the Committee on Appropriations has jurisdiction of the whole subject matter of appropriations.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. BYRNS of Tennessee. Right on the point the gentleman is making I wish to say that I regret that some of these points of order are being made, because I deem some of these positions very essential for the proper transaction of business next year. But right on the point the gentleman is making, this is a bill making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years. and for other purposes, and there is nothing in the title of this bill which would justify an appropriation for 1922, because it. expressly says it is for appropriations for 1921 and prior years.

Mr. MANN. Why, Mr. Chairman, if the title of the bill to which the gentleman refers did not include the words "and for other purposes" it would be a confining title, although in the House titles have never been held to control authorizations in the bill. But legislative items and items of various sorts not covered by the title of the bill so far as the fitle is concerned are covered by words "and for other pur-poses." No wise chairman hardly ever brings into the House a bill the title of which does not include "and for other purposes."

That includes quite a latitude.

Mr. BLANTON. Will the Chair allow me to make a brief statement on the point of order?

The CHAIRMAN. On the point of order.

Mr. BLANTON. Mr. Chairman, both the chairman of the committee and the distinguished gentleman from Illinois [Mr. MANN] have admitted that there is no law whatever creating a division of deposits, and that this particular provision has been provided for in appropriation bills wholly without authority of law. Each having admitted, so far as that point of order is concerned, that it is well taken, what does it matter if it is not subject to another point of order; if it is subject to any point of order it goes out of the bill, and I submit that the argument of the gentleman from Illinois is unavailing

The CHAIRMAN. Does the gentleman from Arkansas insist.

upon his point of order?

Mr. WINGO. I do.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

Division of Printing and Stationery: Clerks—1 \$1,400, 1 \$1,200, 1 \$1,000, 1 \$900; multigraph operators—1 \$1,200, 1 \$1,000; skilled laborer, \$840; 4 laborers, at \$720 each; 2 messenger boys, at \$480 each; in all, \$11,380.

Mr. WINGO. Mr. Chairman, I make the point of order that this is not a deficiency and that it is not authorized by existing law

Mr. GOOD. It is authorized by existing law.

Mr. WINGO. I make the point of order that it is not a defi-

Mr. GOOD. Mr. Chairman, it used to be the rule of the House, as the gentleman from Illinois has stated, that, where there were a number of committees having appropriation jurisdiction, the Committee on Appropriations, which had exclusive jurisdiction of the deficiencies, would not be authorized before the beginning of the fiscal year to make appropriations for the ensuing fiscal year, because that jurisdiction was exclusively vested in some other committee. For example, under the old practice the Committee on Military Affairs had authority to report out appropriation bills for the ensuing fiscal year, and after the commencement of the year that committee had no authority to report a deficiency bill for that fiscal year. After the 1st of July or on the 1st day of July the Committee on Appropriations could report a deficiency for that fiscal year. Now, here we have an item of which, in the first place, the Committee on Appropriations always had jurisdiction and, in the second place, it has now jurisdiction of all of them, and it has exclusive jurisdiction over all appropriations. As was said by the gentleman from Illinios, as far as not being a deficiency, this is a bill for other purposes, and one of the other purposes is to provide for a matter that has not been provided for in the regular bill.

Mr. WINGO. Will the gentleman yield?
Mr. GOOD. Yes.
Mr. WINGO. This item was one that should have been included in the sundry civil bill or in the legislative bill?

Mr. GOOD. The gentleman is correct.

Mr. WINGO. Mr. Chairman, the question of whether it is necessary or the question of what would have happened if we had not had an extra session is not material to the parliamentary point. It is not a deficiency, it is conceded. As to whether or not you shall follow the suggestion of the gentleman from Illinois and hold that because you have abolished the appropriating power of all the other committees and transferred that appropriating power to one committee you shall go to the extent of holding that items like this are in order on a deficiency bill, that question is academic, as far as my interest is concerned; but I think, on reflection, that those responsible for legislation of this House would hate to see the Chair go that far. The gentleman suggests that the title is nothing and that the words "and for other purposes" would permit you to bring in anything, whether it was in order or not. I am a little bit confused as to the contention he made. I can not see that that has anything to do with the question whether or not this is a deficiency, because this is a deficiency bill for 1921, and the words "for other purposes" would not authorize them to bring in an item for the construction of two battleships and make an appropriation for 1922. For that reason, Mr. Chairman, I make the point of order.

Mr. GOOD. This division was created way back in 1875. Section 169 provides:

Each head of a department is authorized to employ in his department such number of clerks of the several classes recognized by law, and such messengers, assistant messengers, copyists, watchmen, laborers, and other employees, and at such rates of compensation, respectively, as may be appropriated for by Congress from year to year.

Mr. BLANTON. Was that division of printing which the gentleman has read about a division in the Treasury Department?

Mr. GOOD. Yes.

Mr. WINGO. Does the gentleman contend that under the language he read Congress on an appropriation bill like this would be authorized to create any number of clerks and multigraph operators skilled laborers?

Mr. GOOD. Within the appropriation. Of course, that in-

cludes clerks and employees, but not officials.

Mr. WINGO. This is a deficiency bill and the gentleman contends that the only restriction would be the appropriation.

Mr. GOOD. In the bill.

Mr. WINGO. Who fixes the appropriation?

Mr. GOOD. Congress

Mr. WINGO. And Congress, under that, can create 10,000 multigraph operators

Mr. GOOD. Only limited by the appropriation.
Mr. WINGO. Why did you include it in the legislative bill at the last time, and why did it go out?

Mr. GOOD. I do not know whether it was put in or not. I did not have charge of that bill.

Mr. WINGO. Why was it not put in?

Mr. GOOD. I do not recall. I did not have charge of that bill.

Mr. BYRNS of Tennessee. Mr. Chairman, this whole trouble has arisen because of the fact that the legislative bill for the fiscal year 1922 as it passed the latter part of February cut out all of these positions. It was then claimed very vigorously by the gentleman who presented that bill to the House that there were too many employees in the departments, and that the majority intended to cut out those employees and get back to something like a normal basis in so far as employees were concerned. The truth of the matter is if the Treasury Department and other departments are to be believed, that the committee cut too deep. They took great credit for cutting out these employees, and it was published widely over the country that Congress was economizing in cutting out these employees, but now we have a situation where the heads of the departments, after but three months' tenure of office, come before the committee and say that they can not function unless these employees are restored.

I was very sorry, indeed, that the point of order was made against the commissioner of accounts and deposits and the commissioner of public debt, two officials, as the gentleman from Iowa [Mr. Good] has stated, who have been holding those particular positions, paid for out of a lump sum, since December, 1919. They handle practically all the securities of the Government, including foreign loans, equipment loans to railroads, and the control and supervision of the various deposits in more than 700 national depositories over the country, which pay interest on daily balances; and the Treasury Department insists that unless some such positions are provided for there will be no one to take care of that immense business, amounting to many billions of dollars. So I regret that the point of order was made.

In so far as this particular point of order is concerned, it seems to me that undoubtedly Congress has the right to provide the necessary employees for a division or bureau that is created by law. That is a matter subject solely to the control of Congress, and so far as the point of order is based on the ground that these positions are not authorized by law, I think it is not well taken. But I should regret very much to see the Chair hold that an appropriation upon a deficiency bill, pure and simple, for the ensuing fiscal year, and which is clearly not a deficiency, is in order. I can not understand why the mere fact that the committees were all combined into one by a previous action of Congress should serve to give the one committee-the Committee on Appropriations—any greater jurisdiction than it formerly had with reference to deficiencies. The legislative appropriation bill which was passed in February and which had jurisdiction of these employees, was passed for the purpose of providing the employees for the fiscal year 1922, and it is so stated in its caption. The caption of this bill shows that it is to supply deficiencies for 1921 and previous years, and for other purposes. Deficiencies for other purposes. I respectfully submit that a deficit for 1922 can not possibly occur in advance of the year 1922. It seems to me that gentlemen are asking the Chair to go very far in ruling that upon this bill, which is purely a deficiency appropriation bill, Congress can enter anew into the general field of appropriations to be expended during the year 1922.

Mr. MANN. Mr. Chairman, will the gentleman yield for a question?

Mr. BYRNS of Tennessee. Yes.

Mr. MANN. Does the gentleman doubt, under the rulings, if this were the sundry civil appropriation bill for the next fiscal year, that an item might be included within it, to be mmediately available, which would be a deficiency item?

Mr. BYRNS of Tennessee. I have always understood that the inclusion of the words "to be immediately available," regular supply bill, made it subject to a point of order.

Mr. MANN. It has always been one of the wonders to me why a member of the Committee on Appropriations never apparently examined the rules of the House to determine what is in order and what is not. It was ruled only recently, as it has been ruled many times before, that the sundry civil appropriation bill, or any other appropriating bill which the Committee on Appropriations had jurisdiction of, could have included within it the term "to be immediately available," because the same committee had jurisdiction over deficiencies. That was ruled at the last session of Congress, and it has been ruled

many times since I have been a Member of this House. The identical reason applies to this case, because if a deficiency is in order on a sundry civil appropriation bill, or other appropriating bill, then an appropriation for the next fiscal year would be in order on this bill. The only point of order that ever was made was one of jurisdiction. What is the point of order? The item is authorized by law. Why is it not in order?

Mr. BYRNS of Tennessee. Because it is not a deficiency. What is the difference whether it is a deficiency Mr. MANN.

in an appropriation bill before the House?

Mr. BYRNS of Tennessee. And because this particular bill has no jurisdiction of the subject matter, since it is not a

Mr. MANN. But the committee has jurisdiction. It can bring in an appropriation bill covering all appropriations in one bill, if it wants to.

Mr. BYRNS of Tennessee. Undoubtedly it can. I do not question that.

Mr. MANN. And it can call it what it pleases.

Mr. BYRNS of Tennessee. I recall that during the last session of Congress the gentleman, who is always persuasive on account of his intimate knowledge of parliamentary law, secured a ruling from the Chair to the effect that the words "to be immediately available" did not necessarily invalidate an appropriation item nor make it subject to the point of order. But my recollection is that many times previous to that the Chair ruled out provisions of that kind because of the inclusion of those words.

Mr. MANN. I have made the point of order against the words "to be immediately available" 500 times or more in this House and have been sustained, but that was where some other committee than the Committee on Appropriations was trying to make a deficiency appropriation, as, for instance, the Committee on Naval Affairs or the Committee on Military Affairs. On the other hand, it has been ruled ever since I have been a Member of the House that the Committee on Appropriations could provide a deficiency item in one of its regular appropriating bills.

Mr. CARTER, Mr. Chairman, will the gentleman from

Illinois yield?

Mr. MANN. If I have the floor.

Mr. CARTER. I wanted to ask the gentleman a question. not the only thing that makes the words "to be immediately available" obnoxious to the rule the fact that they are brought in by a committee not having jurisdiction of de-

Mr. MANN. That is the only reason.
Mr. WALSH. Mr. Chairman, will the gentleman from Tennessee yield for a question?
Mr. BYRNS of Tennessee. Yes.
Mr. WALSH. Under what rule of the House is a deficiency

bill treated any differently from any other appropriation bill?

Mr. BYRNS of Tennessee. I do not know of any specific rule. Mr. BYRNES of South Carolina. If the gentleman will let me answer him, I would like to read the ruling of the Chair when the gentleman from Massachusetts made the point of order on a deficiency bill in 1920, and the gentleman from Connecticut [Mr. Tilson] was in the chair. The Chair then said this, sustaining the position taken by the gentleman from Massachusetts:

Massachusetts:

It has been shown that this appropriation sought to be made in this paragraph is authorized by existing law. It is also shown that it was appropriated for in a previous act, now current law. The question now is whether the present paragraph is a deficiency item appropriate to be included in a deficiency bill.

A deficiency, as used in this House, as was so ably explained by the gentleman from Pennsylvania, Mr. Dewalt, means a deficiency in an appropriation heretofore made. In the practice of the House deficiency bills have always carried the items for the expense of carrying on the different departments of the Government for the time intervening before the end of the current fiscal year. It has been the practice in the House that each appropriating committee, other than the Committee on Appropriations, shall bring out one appropriation bill each fiscal year. The Appropriation Committee brings out the sundry civil bill, one District appropriation bill, one fortifications bill, one legislative, executive, and judicial appropriation bill, one pension appropriation bill, and such number of deficiency bills as may be necessary to take care of the deficiencies arising from lack of sufficient appropriations in all the other bills for carrying on the various activities of the Government to the end of the fiscal year.

That was the Chair's conception of a deficiency. There was extensive debate. The gentleman will remember that the gentleman from Pennsylvania, Mr. Dewalt, read from Webster: "Deficiency bill, a legislative measure for increasing some previous appropriation of money." It never has been construed to mean that it authorized placing upon this bill an appropriation for some entire new activity for the next fiscal year. But it means a deficiency in some appropriation heretofore made. If the position of the gentleman from Illinois were correct, we

could abolish all other bills and on this deficiency bill provide for all departments of the Government during the next fiscal year

The CHAIRMAN. The Chair is ready to rule. If this question were raised for the first time in the House, the Chair would be disposed to say that the rules of the House were made for the convenience of the House and to enable it to expedite its business and would probably overrule the point of order, but the question is one that has been before the House many times. The orderly procedure of making appropriations has been that certain bills are brought into the House in which appropriations are made for certain activities of the Government in a systematic way. Toward the close of the Congress it has always been the custom to bring in deficiency appropriation bills to provide for deficiencies. In the consideration of deficiency bills it has been invariably the ruling of the Chair to rule out of order amendments offered from the floor which were not strictly deficiency items, and also to rule that provisions of the bill which were not strictly deficiency items were out of order. a ruling occurred on the 2d of February, 1920, when the then Chairman held that an item that was not a deficiency item was not in order on a deficiency appropriation bill. As the Chair stated in the beginning, if it were an original proposition the Chair would be disposed to consider the matter in the light of the argument made by those who contend that the matter being within the jurisdiction of the Committee on Appropriations that committee could appropriate for an activity of the Government in any bill. But the last decision on the question, rendered in February, 1920, in a very well considered opinion after argument, held that an item was not in order on a deficiency appropriation bill that appropriated for the ensuing fiscal year. Therefore the Chair sustains the point of order.

The Clerk read as follows:

Division of Mails and Files: Distributing clerk, \$1,400; reading and routing clerk, \$1,400; assistant file clerk, \$1,100; assistant mail messenger, \$900; in all, \$4,800.

Mr. BLANTON. I make the point of order against the paragraph.

Mr. GOOD. What is the point of order? Mr. BLANTON. That it is not a deficiency and it is not authorized on this bill by law.

Mr. GOOD. It increases the number of men, and there are

not enough there to do the work.

Mr. WINGO. The Congress passed on that when we were making the regular appropriation.

Mr. BLANTON. If the Chair will hear me—
The CHAIRMAN. The Chair does not care to hear from the gentleman from Texas. The Chair will ask the gentleman from Iowa if this is for the fiscal year 1922?

Mr. GOOD. For the next fiscal year, 1922. The CHAIRMAN. An original appropriation and not a deficiency?

Mr. GOOD. Well, it is a deficiency, because there is not enough money to pay the salary of those clerks, who are now paid from an appropriation of expense for Loans and Currency. There is where the whole trouble arises, that the money is no longer available, so there will be a deficiency after the 1st of the month.

The CHAIRMAN, It comes within the same class as the other item?

Mr. GOOD. I think so.

The CHAIRMAN. The Chair sustains the point of order. The Clerk read as follows:

Division of Bookkeeping and Warrants: For the force to be transferred to this division on account of the transfer of duties from the Division of Public Moneys, at annual rates of compensation during the fiscal year 1922, as follows: Assistant chief of division, \$2,500; clerks—2 at \$2,000 each, 3 at \$1,800 each, 3 at \$1,600 each, 2 at \$1,400 each, 2 at \$1,200 each; 2 messengers, at \$840 each; assistant messenger, \$720; in all, \$24,300.

Mr. WINGO. Mr. Chairman, I make the point of order that this is not a deficiency within the contemplation of the ruling of the Chair.

The CHAIRMAN. The gentleman from Arkansas makes the point of order and the Chair sustains the point of order.

The Clerk read as follows

The Clerk read as follows:

For expenses incident to the discharge of the duties imposed upon the Secretary of the Treasury by the transportation act, 1920, and the Federal control act, approved March 21, 1918, as amended, and for expenses arising in connection with loans and credits to foreign Governments under the Liberty loan acts and the Victory Liberty loan act and in connection with credits granted or conditions entered into under the act providing for the relief of populations in Europe and contiguous countries, including personal services in the District of Columbia, fiscal year 1922, \$25,006.

Mr. WINGO. Mr. Chairman, I reserve the point of order. Will the gentleman from Iowa please explain the necessity for this provision? How much have you already provided for 1922 for this item?

Mr. GOOD. This is the only provision for 1922, except the lump sum of \$3,750,000, which is insufficient.

Mr. WINGO. Why was this not covered before? Was there

any explanation of the Secretary as to that?

Mr. GOOD. They have used, as I understand, some of the appropriation for expense of foreign loans. They now have nine persons on the pay roll, and their total appropriations for this year is \$23,480; but—
Mr. WINGO. I will say, Mr. Chairman, in view of the nature

of the item, I will withdraw the reservation.

Mr. BLANTON. Mr. Chairman, I renew the reservation of

the point of order for the purpose of asking a question.

Mr. GOOD. This matter has to do with the force that is trying now to put the foreign loans in a permanent form. They are simply I O U's at the present time, and I understand that Great Britain is willing now to exchange those demand obligations for bonds, and this force is to take care of that.

Mr. BLANTON. The gentleman can assure us it is going to

be the policy of the administration to so arrange matters that

every dollar of these debts is going to be collected?

Mr. GOOD. Oh, no; we can not give the gentleman such assurance

Mr. BLANTON. But that is the policy of the Government?

Mr. GOOD. I do not know what the policy is.

Mr. BLANTON. Well, the gentleman is not willing to send good money after bad unless there is a chance of getting this money back, is he?

Mr. GOOD. No; but these loans ought to be put in a permanent form, and should have been put in that form, it seems to me,

Mr. BLANTON. And it is the policy of the department to put them in a permanent form so as to have debtors meet their obligations?

Mr. GOOD. My understanding of the request for the appropriation was that it was to put these loans into permanent

Mr. BLANTON. If that is the case, I withdraw the point of

Mr. DAVIS of Tennessee. Mr. Chairman, I offer an amend-

The gentleman from Tennessee offers an The CHAIRMAN. amendment, which the Clerk will report.

The Clerk read as follows:

Mr. Davis of Tennessee offers the following amendment: Page 18, after line 4, insert a new paragraph, as follows:

"The Secretary of the Treasury is hereby authorized upon request of the Federal Farm Loan Board during the calendar year of 1921 to purchase with any funds in the Treasury not otherwise appropriated farm loan bonds in an amount not to exceed the aggregate sum of \$100,000,000, the proceeds of such purchases to be loaned to the farmers through the farm loan system and under the provisions of the farm loan act."

Mr. GOOD. Mr. Chairman, I make the point of order that the

amendment is not germane. However, I will reserve it.

Mr. DAVIS of Tennessee. Mr. Chairman and gentlemen, the

very serious difficulties under which the farmers of the country are laboring are well known. In the drop of prices they have been the first and the hardest hit of any class. A real emergency exists so far as they are concerned. A large number of Members of Congress have from time to time insisted that they desired to afford the farmers relief. They have been offered a stone in the form of a popun tariff bill, but I am in favor of giving them bread. Their situation can not be relieved by chasing a will-o'-the-wisp or by mere talk. The adoption of the amendment which I have offered, or of some similar legislation, would be of real, substantial help to the farmers. A bill is pending before the Appropriations Committee of the Senate embodying substantially the same proposition as contained in this amendment; also a bill has been introduced by the gentleman from Minnesota [Mr. Nelson] and is now pending before the Banking and Currency Committee of the House, providing for a farm loan revolving fund. However, no action whatever has been taken on either of these bills, and I am advised that neither of the committees has even held hearings on either Such delay does not indicate favorable action. of those bills. Besides, even if favorable action should be taken, it would be an indefinite period before such bill would ultimately become a law. Consequently if there is a genuine desire to go to the relief of the farmers, such action should be taken at once and not wait until the farmers are bankrupt or have sustained irretrievable loss. I hope that the gentleman from Iowa will withdraw his point of order and permit this amendment to be considered upon its merit.

The necessity for some relief of this kind is manifest. In the establishment of the Federal farm loan system no capital was provided upon which to operate. The cart is before the horse.

They must get the loans in hand with which to offer security to the bond buyers before they can sell the bonds, with which to raise money to make the loans to the farmers. The farm loan system needs capital or a revolving fund with which to operate. What other business enterprise is expected to function without capital? I think it is well understood that some legislation along this line is necessary. There is certainly no better time to do it than at this particular moment, when the farmers are in such dire need.

Recently the Farm Loan Board disposed of \$40,000,000 of farm loan bonds. However, they were only enabled to do this after pursuading a very strong combination of bankers and trust companies to get behind the issue and press it, and even then, with such assistance, it took five weeks within which to dispose of \$40,000,000 worth of these bonds. This amount was a mere bagatelle as compared to the amount actually needed. It was wholly inadequate to meet the requirements of the farmers of the country, who are now needing and seeking such loans. The requirements at this time are especially great, for the reason that for months the farmers have been compelled to sell their farm products at a price much below the cost of production, at the same time being compelled to pay practically war prices for most of the commodities which they have purchased. A large percentage of them had borrowed money with which to raise those crops, the loans are being called, the banks are loaned to their limit, many of the farmers are without funds to continue farming operations, and they are generally in a very serious situation

Mr. MADDEN. Will the gentleman yield?

Mr. DAVIS of Tennessee. I will yield to the gentleman from

Mr. MADDEN. I would like to ask the gentleman if he knows how many farm loans are already in process of being

accumulated pending the time the money can be raised?

Mr. DAVIS of Tennessee. I will reply to the gentleman that I was informed by members of the Farm Loan Board that because of the year's suspension in the operation of the farm loan system by reason of the case pending in the Supreme Court attacking the constitutionality of the act, there was a very large accumulation; that, in fact, there was a large accumulation when they suspended operations, and that there has since been a year's accumulation of those who desired to secure the loans, and they are absolutely swamped with applications, and this \$40,000,000 would be wholly inadequate to meet the demands they now have-loans that are either approved or in process of approval. And they furthermore state, I wish to say to the gentleman, that it would be impossible for them to float another issue of bonds, even of the size of the last one, any time soon; these bankers said that while they would help them out at this time there would be no possibility of their doing it again soon.

Mr. MADDEN. I took it from what the gentleman said in his preliminary remarks that if this \$100,000,000 should be appropriated in this bill he believes it ought to be loaned to the farmers in anticipation of their coming crop. The farm loan act provides for loaning of money on the land.

Mr. DAVIS of Tennessee. I understand that; but my proposed amendment provides that the money shall be loaned in accordance with the provisions of the farm loan act, and these bonds would be ultimately paid or repurchased, of course, by the farm loan banks.

The CHAIRMAN. The time of the gentleman from Tennessee has expired. Does the gentleman from Iowa [Mr. Good] insist on the point of order?

Mr. GOOD. I make the point of order. The CHAIRMAN. The Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

The Clerk read as follows:

The appropriation for "Expenses of loans," contained in the legislative, executive, and judicial appropriation act for the fiscal year 1922, is hereby made available for expenditures in the office of the commissioner of the public debt and for expenditures in the Post Office Department in connection with the distribution, sale, and keeping of accounts of war savings and thrift stamps, as provided in the deficiency appropriation act approved November 4, 1918. The appropriation for "Expenses of loans" contained in section 8 of the first Liberty bond act and in section 10 of the second Liberty bond act, as amended, are hereby made applicable to any operations arising in connection with any public debt issues made subsequently to June 30, 1921, pursuant to the authority contained in the first Liberty bond act or the second Liberty bond act, as amended and supplemented, the provisions of the legislative, executive, and judicial appropriation act approved May 29, 1920, to the contrary notwithstanding: Provided, That with respect to operations on account of any such issue hereafter made such appropriations shall be available only until the close of the fiscal year next following the fiscal year in which such issue was made.

Mr. BLANTON. Mr. Chairman I reserve a point of order

Mr. BLANTON. Mr. Chairman, I reserve a point of order.

Mr. WINGO. I reserve a point of order in order to ask the gentleman from Iowa if this proposition is not what you might call one of those indirect appropriations, and it has reference to the 10 per cent proposition, does it not? Mr. GOOD. One-tenth of 1 per cent.

Mr. WINGO. I meant one-tenth of 1 per cent.

Mr. GOOD. Yes, Mr. WINGO. In other words, it seeks by this language here to make available for the purposes stated the fund which is

represented by one-tenth of 1 per cent.

Mr. GOOD. That is partly true, and the gentleman will observe also that it has to do with the issues by the Post Office Department. Last year the Government sold over \$100,000,000 worth of war-savings certificates. There is no authority anywhere to reissue these war-savings certificates and pay the expenses of reissuing them, and, as the gentleman knows, we have outstanding about \$2,500,000,000 of short-time certificates of indebtedness issued by the Secretary of the Treasury. The latter part of the provision has to do with that. They are issuing those new certificates every two months, or three months, or six months, as the case may be to retire maturing existing obligations, and for next year there is no appropriation out of which the expenses of these issues can be paid.

Mr. WINGO. Why was not that carried in the regular bill?
Mr. GOOD. There is an appropriation—

Mr. WINGO. Did you not know when you passed the last

bill that these billions had to be refunded?

Mr. GOOD. There is an appropriation of \$3,750,000 carried in the legislative bill, but it is not adequate to do the work, and it was not contended that it should do it all, but they find it absolutely necessary, basing their experience on the past, for additional funds. Now, last year it was not contemplated that they should have to issue war-savings certificates out of that item, but there is no other appropriation.

Mr. WINGO. The Secretary of the Treasury did not approve

the form of this paragraph, did he?

Mr. GOOD. I think so. It came to us in a regular estimate. Mr. WINGO. I think one of the most striking criticisms of methods I have ever read was one that the Secretary of the Treasury made on this same form of appropriation.

Mr. GOOD. It is practically the same form. I think there

is not much change in it.

Mr. WINGO. Maybe some one in the Treasury Department; but I do not think that Secretary Mellon would aprove this

indirect form of making an appropriation.

Mr. GOOD. This is simply carrying forward what we have been doing right along. One-tenth of 1 per cent has been available for this purpose, and that was carried in the revenue act of 1918.

Mr. WINGO. But the gentleman does not cover it that way. We could very clearly provide for the use of one-tenth of 1 per cent to cover the expenses of these matters, but the gentleman does not do that, but goes on to call attention to other appropriations contained in other acts. There is nothing on the face of it to show the limitation and the appropriation.

Mr. GOOD. That whole fund was made available for that purpose. You will have to stop issuing certificates of indebted-

ness and war-savings stamps unless this appropriation is made.

Mr. WINGO. Did the gentleman have that fear when we passed the current bill?

Mr. GOOD. How is that?

Mr. WINGO. I understand the gentleman claims this is a deficiency for the present year?

Mr. GOOD. Yes

WINGO. When you passed the regular appropriation

bill did you have that fear then?

Mr. GOOD. The legislative bill, while made up in the Appropriations Committee, is made up by a subcommittee, and the subcommittee may have overlooked some of the items

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman

vield?

Mr. GOOD. Yes.

Mr. BYRNS of Tennessee. The current legislative bill carries quite a large sum for clerical services, but as the gentleman from Iowa [Mr. Good] has said, I think it is absolutely necessary for some force to be provided for the Treasury Department to take care of the issuance of these new certificates of indebtedness, and I would infinitely rather see the one-tenth of 1 per cent made available for that purpose than to see a force created by statute and specifically appropriated for in an appropriation bill, because the gentleman knows how difficult it is to get rid of a force when you have once installed it

Mr. WINGO. I am speaking of this indefinite, indirect form of appropriations. It would take a legislative expert to read

those lines, from line 5 to line 26, to know what Congress is doing and know what kind of an appropriation is being made. But I will withdraw the point of order. I concede that the work ought to be taken care of, but I think it should be done in a better way.

Mr. BLANTON. Mr. Chairman, still reserving the point of order, I want to ask the chairman approximately how much money does this page of words make available to the Post Office Department and the Treasury Department under this onetenth of 1 per cent provision; that is, for clerical expenses?

Mr. GOOD. For clerical expenses, I do not have the exact

amount.

Mr. BLANTON. Is it one-tenth of 1 per cent of the bond issue?

Mr. GOOD. That would not all be for clerical expenses. The one-tenth of 1 per cent would be for engraving and everything, and for clerical expenses.

Mr. BLANTON. They can spend whatever amount they want

for clerical help out of that, can they not?

Mr. GOOD. Yes.

Mr. BLANTON. The entire amount available to both of the departments would be what, approximately?

Mr. GOOD. There is not such a large number of clerical employees paid out of this item.

Mr. BLANTON. The expense runs up into the millions of dollars.

Mr. GOOD. Oh, no. There is \$2,500.000,000 or \$2,600.000,000 of certificates of indebtedness outstanding. One-tenth of 1 per cent would be a matter of \$2,500,000.

Mr. BLANTON. Then it does run up into the millions, as I said a moment ago. Here is a whole page of words, and outside of the gentleman's committee, possibly alone, no other American citizen can read it and tell exactly how much money is going to be spent.

Mr. GOOD. I understand from the testimony that the total amount spent last year was something like \$600,000, but I may

be in error about that.

Mr. BLANTON. The gentleman himself is not in favor of this plan of camouflaging appropriations, is he?

Mr. GOOD. I do not think that is camouflaging. That is the way it was carried in the original act. But I think that until we get some additional revenue legislation which will permanently take care of this, the appropriation should be carried as before.

Mr. BLANTON. I have been following the gentleman for four years in his endeavor to make the appropriations plain, and I hate to see him, in the last bill that he will probably pass before

he leaves us, permit camouflaged pages to continue. Mr. BYRNES of South Carolina. Mr. Chairman, will the gen-

tleman yield?

Mr. GOOD.

Mr. BYRNES of South Carolina. Does not the gentleman think it would make it a little plainer if the word "are," on line 15 were stricken out and the word "is" substituted? It reads now that "The appropriation \* \* \* are hereby made applicable." Possibly that adds to the confusion of the gentleman from Texas.

Mr. GOOD. Yes; I think the gentleman's suggestion is a

good one. It should be modified in that way.

Mr. BYRNES of South Carolina. Mr. Chairman, I move to strike out the word "are," on line 15, and insert in lieu thereof the word "is."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from South Carolina.

The Clerk read as follows:

Amendment offered by Mr. Byrnes of South Carolina: On page 18, line 15, after the word "amended," strike out the word "are" and insert the word "is."

The CHAIRMAN. The question is on agreeing to the amend-

The amendment was agreed to.

The CHAIRMAN. The Clerk will read:

The Clerk read as follows:

OFFICE OF COMPTROLLER OF THE CURRENCY.

The Comptroller of the Currency may designate a natio examiner to act as chief of the examining division in his office national bank

Mr. Chairman, there is a bill now pending that Mr. WINGO. would abolish the office of the Comptroller of the Currency, and one of the reasons is that they already have an examining force and a chief examiner. The idea is that we should not create a new position in an office that you are going to abolish. not authorized by existing law and it is not a deficiency

The CHAIRMAN. The gentleman from Arkansas makes the point of order that this is not authorized by existing law and is not a deficiency. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

For expenses of Federal reserve and national currency (to be reimbursed by the Federal reserve and national banks): For additional employees during the fiscal year 1922 at annual rates of compensation as follows: Clerk-counters—3 at \$1,400 each, 3 at \$1,200 each; 7 counters at \$1,000 each; in all, \$14,800.

Mr. BLANTON. Mr. Chairman, I make a point of order Mr. GOOD. Mr. Chairman, will the gentleman withhold that for a moment?

Mr. BLANTON. Yes.

Mr. GOOD. I do not think the gentleman will make the point of order when he understands the facts. These people have to do with the national currency that is sent in here for one purpose and another. Large amounts of money are sent in by national banks, and the national banks are asking for new currency in exchange for old. Now, the national banks pay for that force. It is a reimbursable item. It does not cost the Government a cent.

Mr. BLANTON. The gentleman has had plenty of opportunity to provide for this emergency in a proper bill-the legis-When the gentleman had the legislative bill here lative bill. before the House he did not see fit, either in the House or in the

Senate, to put this item in the bill.

Mr. WINGO. It is reimbursable, anyway.

Mr. CANNON. I suggest to the gentleman that he let it go without the amendment, which will be necessary if he makes the point of order.

Mr. BLANTON. Does the gentleman think it ought to go

in the bill?

Mr. CANNON. I think it ought to be enacted.
Mr. BLANTON. In deference to the judgment of the gentleman from Illinois, I withdraw the point of order.
The CHAIRMAN. The gentleman from Texas withdraws his point of order; and the Clerk will read.

The Clerk read as follows:

### INTERNAL REVENUE.

For the purchase, at not more than par and accrued interest, of second Liberty loan 4 per cent bonds to the face value of \$1,000, and for the payment of an amount of interest equivalent to the interest on \$1,000 face amount of such bonds from November 15, 1917, to the interest-payment date next preceding the delivery of such bonds, for the relief of the estate of Joseph Matthews, of Solvay, N. Y., \$1,050, or so much thereof as may be necessary.

Mr. BYRNS of Tennessee. Mr. Chairman, I move to strike out the last word.

Mr. BLANTON. I reserve a point of order on the paragraph, Mr. BYRNS of Tennessee. Mr. Chairman, it has been very widely published in the last few days that the funds for the enforcement of the national prohibition law have been ex-hausted and that the work of the enforcement of that law will practically cease until after July 1 because of the failure of Congress to provide sufficient appropriations for that purpose. I ask unanimous consent that the Clerk, in my time, may read a statement that appeared in the Washington Star yesterday upon this subject.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the Clerk may read, in his time, an item appearing in the Washington Star. Is there objection?

There was no objection. The Clerk read as follows:

BOOTLEGGERS MAY ESCAPE CONVICTION—KRAMER EXPECTS LAWLESSNESS DURING FURLOUGH OF 700 DRY AGENTS.

Thousands of bootleggers may escape punishment for violation of the liquor laws as a result of the furlough of 700 Federal prohibition agents until July 1, Commissioner Kramer declared last night. In any event, he added, many of the cases will have to be continued over the 40 days, which will add to the congestion of already crowded court deckets.

Most of the Government's important witnesses in the liquor cases now before the courts, Mr. Kramer explained, are the agents who worked up the evidence against the defendants. Most of these men, he said, would return to their homes, making it necessary either to subpena them and pay their way to the places of trial or continue the cases.

At present, Mr. Kramer said, it is too soon to gauge the effect on the illegal liquor traffic which may result from the loss of 700 agents for 40 days because of the lack of funds to pay their salaries. However, he asserted, the cut would hurt the prohibition enforcement unit in every way and set back, if not undo, the work done in organizing the force.

force. "Millions have been lost," he said, "in an attempt to save a few

"Millions have been lost," he said, "in an attempt to save a few hundred thousand dollars."

Mr. Kramer said he could not prophesy whether there would be greater bootlegging activity over the country during the 40-day lay-off of most of the Government agents, but he indicated that he expected some increase of lawlessness.

As far as real whisky is concerned, Mr. Kramer said, the supply in the country could be controlled at the sources by restrictions on withdrawals from warehouses, and that any trouble to be expected would come from smuggled liquors and the use of alcohol diverted to illegal purposes.

Mr. BYRNS of Tennessee. Mr. Chairman, that is a very severe indictment against whoever is responsible for that state of affairs

Mr. CHINDBLOM. Will the gentleman yield for a question? Mr. BRYNS of Tennessee. Just a moment and I will yield to the gentleman. Whether a prohibitionist or not, I am sure everyone wishes to see the provision in the Constitution and the law of the land strictly enforced. That is an indictment, not against Congress but against the administration and the partment of the Treasury charged with the enforcement of this law. I dare say that the commissioner of prohibition who made the statement attributed to him, realizing as he did the situation with which he knew he was going to be confronted between now and July 1, submitted to the proper head of the Treasury Department a request for an estimate to Congress in order to take care of the situation between now and July 1.

I have no personal knowledge that he did so, but knowing him and knowing his fidelity in the past and believing that he is a competent, faithful officer, I am quite sure he did his duty in that respect. Then it is pertinent to inquire who it was that cut out the request? Why is it that the Treasury Department did not submit an estimate to Congress? Why is it that they did not appear before the Committee on Appropriations on this particular bill and ask for a sufficient amount of money to carry on this work of law enforcement between now and

No one appeared before the Committee on Appropriations and explained the situation set forth in this newspaper and other newspapers which we have read in the last few days.

Mr. GOOD. Will the gentleman yield?

Mr. BYRNS of Tennessee. I yield to the gentleman from Iowa.

Mr. GOOD. I can tell the gentleman. Mr. BYRNS of Tennessee. I would be very glad to have a

statement from the gentleman.

Mr. GOOD. No estimate came to the Committee on Appropri-The gentleman knows full well that Mr. Kramer has had this year \$6,900,000 for the enforcement of prohibition, and the law provides that he shall so allot it by months and quarters that there will be no deficiency at the end of the year, and that he could waive the deficiency if he thought necessary. Mr. Kramer did not waive it. He would be therefore liable to the penal provisions of the law providing that he may be removed and that he may be sent to jail. And so, having put himself in that position, he was hardly in a place where he could come to Congress and ask for additional funds.

The CHAIRMAN. The time of the gentleman has expired. Mr. BYRNS of Tennessee. I ask unanimous consent that my time be extended five minutes.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. I did not rise for the purpose of delivering a culogy upon Mr. Kramer or for the purpose of defending him. So far as I am aware, he needs none. But if the gentleman from Iowa is correct in his statement, why is it that the President of the United States, who has been President for nearly three months, has not removed him if, as the gentleman says, he ought to be removed?

Mr. GOOD. Why did not the former President remove him? He violated the law during the last administration.

Mr. BYRNS of Tennessee. The gentleman answers one question by asking another. The situation with reference to this deficiency has arisen only within the last few weeks. It is only in the last few days that it has been brought to the attention of the public and of the country that there are not sufficient funds with which to enforce this law between now and July 1.

Mr. LANGLEY. I think the gentleman need not worry about the early removal of Mr. Kramer. [Laughter.] I anticipate

that he will soon be removed.

Mr. BYRNS of Tennessee. I am not seeking his removal or seeking his retention, because, of course, belonging to the opposite party, I do not expect to have any influence one way or the other in that respect. My remark was simply in answer to the statement made by the gentleman from Iowa [Mr. Good].

Mr. BANKHEAD. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.
Mr. BANKHEAD. Even if the prophecy of the gentleman from Kentucky [Mr. Langley] is carried into effect, that will not relieve the situation of which the gentleman is complaining.

Mr. LANGLEY. Oh, yes; it will. A competent man will be appointed who will enforce the law.

Mr. BYRNS of Tennessee. It will not relieve the situation at all, because, as the statement sets forth, we are in a situation where more than 700 Federal agents are going to be laid off. It is going to disrupt the organization of this service, and the gentleman knows how difficult it is to build up a large organiza-The commissioner says that it is going to cost tion like that millions of dollars on account of the disrupting of his organization, not to speak of the fact that bootleggers are going to escape punishment.

Mr. BLANTON. Will the gentleman yield?

Mr. BYRNS of Tennessee. I yield to the gentleman from Texas.

Mr. BLANTON. Some of these 700 agents are probably Democrats, and their removal is intended by this.

Mr. BYRNS of Tennessee. There may be something in that. Mr. LANGLEY. I think the gentleman is not correct about that. My understanding is that only about half of the force will be relieved or furloughed, and that for 40 days only.

Mr. BYRNS of Tennessee. I wish to say this in conclusion: That there is no question but if the Secretary of the Treasury had submitted an estimate to Congress asking for a sufficient appropriation in this deficiency bill he would have been given every dollar necessary to enforce the law, because, as I said, regardless of whether you favor prohibition, everyone is in favor of rigidly enforcing the law now on the statute book with reference to the sale and the use of intoxicating liquors. Congress heretofore has made liberal appropriations. In the first deficiency bill I think \$1,600,000 was requested and \$1,400,000 was granted. It was believed then that that would be sufficient to carry on the work to July 1. Whether or not the commissioner has failed to make the proper allotment or has overdrawn the appropriation from month to month is beside the question. I take it that if he did it he did so in the interest of enforcing the law. But what the people wish to know is, Why has the Treasury Department left the country at the mercy of the bootleggers for the next month?

Mr. CHINDBLOM. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. CHINDBLOM. Does the gentleman know whether Mr. Kramer has advised his superior in an official way of the further needs of his department?

Mr. BYRNS of Tennessee. I have no knowledge of what Mr. Kramer has done, because I have not talked with him, but I feel sure that on account of the situation he has so graphically described he has called the matter to the attention of the Treasdescribed he has called the matter to the attention of the Treasury Department, and if he has not, he has been guilty of gross dereliction of duty. But why was it necessary to call the attention of anyone in the Treasury Department to the facts in view of the publications which have been made for the last week or two that there is to be a deficiency of funds for the enforcement of the prohibition law? Are those charged with supervision of the enforcement of this law to escape criticism on the ground that they were ignorant of the situation?

I think it is pertinent to inquire whether or not the administration and the Treasury Department is going to fully enforce the law, or whether or not they are going to fail to enforce it through a failure to ask for sufficient funds.

Mr. CHINDBLOM. Does the gentleman believe that Congress should act on newspaper reports instead of on official

Mr. BYRNS of Tennessee. No; but I do say that the Treasury Department should come here and furnish the facts so that we can act intelligently.

Mr. MADDEN. Mr. Chairman, I want to say in response to the gentleman from Tennessee that if Mr. Kramer, the prohibition enforcement officer, had any communication to make in respect to the shortage of funds for the enforcement of the prohibition law, he should have made it to the Secretary of the Treasury and not to the newspapers. It is not fair to assume that because he did make the communication to the newspaper that therefore that is an official notice to the Secretary of the Treasury. Now, if the Secretary of the Treasury had no knowledge of the condition described in the newspaper article just read by the Clerk, he certainly is not to blame for not having made an estimate for a deficiency appropriation. If Mr. Kramer knew of the shortage he must have known of it in season and, failing to do anything more than to exploit himself in the newspapers, he is not only subject to censure, but he ought to be discharged.

Mr. BLANTON. Mr. Chairman, I have a point of order, but I want to ask the chairman why he should make fish of this bondholder and fowl of others?

Mr. GOOD. In this case the bond had been deposited with the Internal Revenue Bureau as security. It had four coupons

carried it around with him for four or five weeks and then sold it for about 50 cents on the dollar, and when the department was required to return the bond it was not able to do so. I know of no other case exactly like it.

Mr. BLANTON. This item should more properly have come before the Committee on Claims. This provision seeks to reimburse the bondholder who has had his bond stolen from him with the full value, irrespective of the market price.

Mr. GOOD. There is an additional circumstance in this case that does not apply to others. The owner of the bond died a year ago, and this is the only thing that prevents the final settlement of his estate. The Treasury Department says that the bond was sold, and they have not replaced it, and they are prosecuting the messenger.

Mr. BLANTON. Is the messenger on the pay roll of the Gov-

ernment now?

Mr. GOOD. I think not; I think he is in jail.

Mr. BLANTON. Mr. Chairman, I withdraw the reservation

of the point of order.

Mr. BYRNES of South Carolina. Mr. Chairman, I move to strike out the last word. I do that for the purpose of calling the attention of the House to a practice which accounts for a great expenditure by this bureau, and which I think the House ought to know of, if it is not now acquainted with it. Under section 35 of the national prohibition act a special penalty of \$500 is imposed upon the dealer and \$1,000 on the manufacturer, with the addition of a double tax that was in effect at the time of the enactment of the act. The revenue act of 1918 provided a tax for distilling liquor. Under these provisions, as they are being construed to-day by the bureau and, I think, as they were construed during the previous administration up to the 4th of March, whenever a man is arrested charged with distilling liquor the agent makes a statement to the bureau, and on the strength of that statement the collector of internal revenue sends an agent to serve a warrant on the person arrested for the nonpayment of tax for distilling liquor. Oftentimes that involves the hiring of an automobile at the Government expense, traveling some distance into the country, serving the warrant for distraint for nonpayment of taxes on a man who never would stand any chance of paying a tax of \$500 or \$100 or \$50. As I understand it, there has been assessed in South Carolina from February, 1920, to February, 1921, more than \$1,000,000. The offers received in compromise were \$4,500. The amount accepted was \$150. [Laughter.] Therefore they have collected \$150, and it has cost the Lord knows how much to cover the expense for service of warrants. They are served without expense for service of warrants. They are served without regard to the fact as to whether the man has any property or not, or whether the man ever will be able to pay; there is no investigation made, and Congress never intended it should operate in that way. Often men are served with warrants before any criminal action is begun. In other cases as soon as a man is arrested he is called upon to pay the tax without giving him the opportunity to prove his innocence in court.

The fact is that whenever a case is nolle prossed by the district attorney for lack of evidence the bureau says it has absolutely nothing to do with the decision of the United States courts in a criminal case, and they proceed to serve a warrant of distraint. I know of one case where two men were tried and found not guilty. After they had gone to the expense of employing lawyers to defend them, after they had been found not guilty, then along came an agent of this bureau who advised them that unless they paid a tax of \$500 or \$1,000 their property would be sold for nonpayment of the tax. A warrant of distraint was served upon them. They had to enlist the aid of attorneys. Upon inquiry I learned that a case of this kind is decided by the bureau upon the ex parte statement of the agents of the bureau. There is a provision that you can ask for a plea in abatement after the warrant of distraint is levied, and in such case the bureau will reconsider the case, but the defendant has no opportunity to present witnesses, and the matter will be decided by the Bureau of Internal Revenue. No hearing is held. It seems to me that if common sense is to be exercised in the enforcement of this law the warrant should not be served until the guilt of the defendant has been determined. this is not done, then some effort should be made to ascertain whether the men upon whom these warrants are served have the ability to pay, in order to save the money wasted in administration; and, in the second place, where a man is found not guilty by a jury in a United States court that ought to be sufficient evidence to this bureau not to serve him with a warrant of distraint to sell his property for nonpayment of the tax. we pursue the present method, we will bring this law into disrepute in every State of the Union. You can never explain to a citizen why, if a jury in a court of the United States has the Internal Revenue Bureau as security. It had four coupons found a man not guilty, the Treasury Department should call on it. The messenger in the department took the bond and upon him to pay \$1,000 of taxes for distilling liquor.

Mr. WARD of North Carolina. Mr. Chairman, will the gentleman yield for a suggestion?

Mr. BYRNES of South Carolina. Yes.

Mr. WARD of North Carolina. In addition to what the gen-tleman has said, the fact is often the case that a defendant is indicted upon a bill of indictment containing 15 or 20 or 24 counts. The district attorney always indicts him for everything that the law provides or suggests, and he goes into court and

The CHAIRMAN. The time of the gentleman from South

Mr. BYRNES of South Carolina. Mr. Chairman, I ask unanimous consent to proceed for two minutes more in order to allow the gentleman from North Carolina to finish his question and get this man out of court.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WARD of North Carolina. He goes into court and is convicted or pleads guilty to a count in that bill, to which the penalty to which you are referring does not apply, and then is found not guilty on all of the other counts.

greatest mischief.

Mr. BYRNES of South Carolina. I would say to the gentleman that I voted for this law and I want to see it enforced, but I want to see it enforced with some common sense and reason. Either the bureau should not serve a warrant of distraint upon a man until he is found guilty, or else, if they are going to do it regardless of whether he is found guilty or not, they should make some investigation to ascertain whether there is any justification at all for levying a warrant of distraint upon his property, and not confiscate his property without giving him an opportunity to be heard.

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. DEMPSEY. Did the gentleman ever hear of a legal procedure such as is suggested by the gentleman from North Carolina [Mr. WARD]? It is utterly impossible for a man to have been found not guilty in the way he suggests. No man who has ever had any practice in the Federal court ever imagined that such a thing could occur.

Mr. WARD of North Carolina. May I answer the gentleman's

question?

Mr. BYRNES of South Carolina. Yes.

Mr. WARD of North Carolina. I have personal knowledge and can show by the records that it is the fact. The district attorney indicts upon a bill of indictment containing as many as a dozen counts. On one of the counts the defendant may plead guilty and have a verdict of not guilty on all of the balance, and the records of your Federal courts are full of such

Mr. DEMPSEY. I do not think you will find a single case

of that kind.

Mr. WARD of North Carolina. I happen to know personally that the records of the Federal courts contain them.

Mr. VOLSTEAD. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 19, line 19, at the end of the line insert a new paragraph, as follows:
"For the enforcement of the national prohibition act during the fiscal year ending June 30, 1921, \$200,000."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Minnesota.

Mr. VOLSTEAD rose.

The question was taken, and the amendment was agreed to.

Mr. GOOD. Mr. Chairman, the gentleman from Minnesota was clamoring for recognition, and if he wants to say something in behalf of his amendment, I think he should be permitted to say so.

The CHAIRMAN. The Chair did not intend to cut the gen-

Mr. GOOD. I ask that the order be vacated and we have an opportunity to discuss the matter. I want to know something about it. Of course, the other side of the House may be willing to vote \$200,000 without an estimate, while perhaps the money is not needed.

Mr. BYRNS of Tennessee. Mr. Chairman, I would suggest to the gentleman that there was a pretty unanimous vote on

both sides of the House.

The CHAIRMAN. The Chair will hear the gentleman from

Mr. VOLSTEAD. Mr. Chairman, there was an estimate made of \$2,000,000 for the first deficiency bill. That was intended to cover the expenses up to the 1st of next July. That was submitted to the Appropriations Committee, and they reported an appropriation of \$1,000,000. They insisted that it was not

necessary to appropriate the entire estimated deficiency, and I was told that they would take care of it in some other deficiency bill, if there should be a deficiency. I did not feel very confident that that was going to be done, and the House was asked for an increase of \$400,000, which was granted. That left a deficiency of what was estimated of \$200,000. They have gotten along with the amount allowed up to this time. I do not think there ought to be any criticism of Mr. Kramer. is not the one who appoints the employees or discharges them. It is the Commissioner of Internal Revenue who has charge of that matter under the law. Personally I have every confidence in the honesty of Mr. Kramer, and I do not think there ought to be any abuse of him.

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman

yield?

Mr. VOLSTEAD. Yes.

Mr. BYRNS of Tennessee. The gentleman refers to an estimate of \$200,000?

Mr. VOLSTEAD. An estimate of \$2,000,000.

Mr. BYRNS of Tennessee. My impression is that the estimate for the deficiency was \$1,600,000.

Mr. GOOD. That is correct.

Mr. BYRNS of Tennessee. And \$1,400,000 was appropriated, making a difference of \$200,000.

Mr. VOLSTEAD. Possibly the gentleman may be right.
Mr. BYRNS of Tennessee. Now, the gentleman is basing his amendment calling for \$200,000 upon an estimate submitted several months ago, not on any estimate that has recently come

I am basing it upon the statement made to me by the prohibition commissioner that it will take \$200,000

to continue the service down to the 1st of July.

Mr. BYRNS of Tennessee. Does the gentleman know why the commissioner, or some one superior to the commissioner, did not appear before the committee recently to present these facts asking for this appropriation? The gentleman is cham-

pion of this law-

Mr. VOLSTEAD. I think I know; but I do not care to express any opinion on the subject. There have been complaints because of the expense of this service. I want the House to understand something about the situation. Of this \$6,900,000 there is paid nearly a million dollars for keeping track of warehouses. That should not be a charge to prohibition. That was done for many years before we had prohibition. In addition to that there is \$750,000 that is being spent for the purpose of taking care of narcotics. In addition to that we have had in the bureau for many years a large force of men who are engaged, and who for years before we had any prohibition were engaged, in taking care of denatured alcohol and the medical preparations that are being sold all over this country. There has been a comparatively small increase in that force. All of this is necessary for the collection of the more than \$100,-000,000 in revenue collected annually out of liquor used for various purposes said to be legal. There are, perhaps, between four and five million dollars expended on the enforcement of prohibition, but much of that is necessary to secure this revenue, and I want you to remember that you have got almost as many policemen in this city as we have men in the United States to enforce the prohibition law. How can you expect to enforce prohibition without having somebody to police this country? There are about 1,100 men employed for that purpose, and you are discharging, by refusing to appropriate or neglecting to appropriate, 700 out of those 1,100.

Mr. JOHNSON of South Carolina. Will the gentleman yield?

Mr. VOLSTEAD. I will. Mr. JOHNSON of South Carolina. I expect to vote for the gentleman's amendment, but I want to know if the gentleman knows who is responsible. He said a while ago he knew, but I want to know

Mr. VOLSTEAD. I did not say I knew.

Mr. JOHNSON of South Carolina. I want to ask the gentleman, as chairman of this great committee, to tell us who is responsible. I desire to vote for the gentleman's amendment.

Mr. VOLSTEAD. I have a number of facts from which I

gather my idea of who is responsible. Mr. JOHNSON of South Carolina. I want to get it in the

Mr. VOLSTEAD. But I am not going to tell the House any-

thing that-I can not youch for. I have my opinion, just as the rest of you have.

Mr. ARENTZ. Will the gentleman yield?
Mr. VOLSTEAD. I will.
Mr. ARENTZ. Before the enactment of the eighteenth amendment, if you wanted to buy a still-

The CHAIRMAN. The time of the gentleman has expired.

Mr. VOLSTEAD. Mr. Chairman, I ask for five minutes additional.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota? [After a pause.] The Chair hears

Mr. ARENTZ. If you wanted to buy a still, you went to a chemical supply house and signed an affidavit and went through about as much form as you would in taking a civil-service examination, and after purchasing that still and putting it in a chemical laboratory or an assay office a Federal commissioner came there occasionally to see if you owned that still and had not transferred it to somebody else, but a short time after the enactment of the eighteenth amendment the Treasury Department rendered a decision that all you would have to do is to fill out a form that you are not going to use this still for manufacturing intoxicating liquors, and at the present time in the Police Gazette and many other papers of like nature there is an advertisement of the sale of stills, stating that they will sell and deliver stills to anyone on the receipt of a postal card. Now, there is not anything that is more responsible for moon-

shining and bootlegging than this one thing. [Applause.]
Mr. VOLSTEAD. I am aware of the efforts that were made to evade this law after it went into effect. There is no question about that. But I do not care to devote any time to that now. I want to say that every dollar you put out for the purpose of enforcing the law will come back in the shape of fines and taxes, and I want to say in connection with the tax proposition, of which complaint has been made, that it is an old law of which that complaint is made; it is not a new one. The new law only increased the taxes, but there is not a syllable in the prohibition act authorizing taxation without a hearing, as has been complained of. That is an old law that has been on the statute books for many, many years. Ought we now, in the interest of bootlegging or moonshining, lessen the strictness of that law? I do not think so. Under that law we have imposed many million dollars in taxes, and some of that, I grant you, will not be collected. That has always been the case, but there is no question but a great deal of that will be collected, enough to wipe out the expense of administering the law.

Mr. BEGG. Will the gentleman yield?

Mr. VOLSTEAD. I will yield. Mr. BEGG. This is the third or fourth time that this enforcement office has asked for money during the past year, has

Mr. VOLSTEAD. Well, I do not know.
Mr. BEGG. It is three or four times. Who allots the money for enforcement? I understood the gentleman to exonerate Mr. Kramer for any breakdown, and I want to know if he has charge of it to see that we will spend so much money for this month or

Mr. VOLSTEAD. The statutes provide that the Commissioner of Internal Revenue shall have charge of it, and not the prohibition commissioner, who is appointed by the Commissioner of Internal Revenue.

Mr. BEGG He has nothing to say?

Mr. VOLSTEAD. I do not know what he has to say; I know what the law provides for.

The CHAIRMAN. The time of the gentleman has expired. Mr. BEGG. One minute more, to enable me to ask a question.

The CHAIRMAN. Is there objection? [After a pause.]

The Chair hears none.

Mr. BEGG. I presume most of us expect to vote for the appropriation, but I would like to ask the chairman of the Judiciary Committee if he does not believe that the commissioner should have taken steps to bring to the attention of this House the fact that he needs \$200,000 more?

Mr. VOLSTEAD. I do not know, personally, whether he did

take any steps or not.

Mr. CHINDBLOM. Is this the regular way, for a Member of the House to be compelled to come here and assume the personal responsibility?

Mr. VOLSTEAD. I do not understand that Mr. Kramer has a right to send any communication to this House directly. would have to communicate through his superior officer.

Mr. CHINDBLOM. Did he so direct it to his superior officer? Mr. VOLSTEAD. I do not know.

Mr. GOOD. Mr. Chairman, Mr. Kramer asked for \$4,000,000 for the enforcement of prohibition for the fiscal year 1921. There was also asked \$760,000 for narcotics, and then there were supplemental estimates, made before the legislative bill was reported, of \$1,500,000, making all told the total estimates of Mr. Kramer for enforcement of prohibition and narcotics for this year of \$6,250,000. Congress appropriated in that bill \$5,500,000. Subsequently Mr. Kramer asked for a deficiency of \$1,600,000

more. The Committee on Appropriations reported out \$1,000,000 of deficiency for this purpose. The Senate increased that amount by \$400,000, and when the bill came back to the House the gentleman from Kentucky [Mr. BARKLEY] moved to instruct the House conferees to accept the Senate amendment, and that motion prevailing, \$1,400,000 deficiency was given this officer. He has been given \$6,900,000, when he asked for \$6,250,000 originally.

Now, let us see what is the provision of law that governs this high official. He stands on the same basis with every other Government official. The law governing the expenditure of this money is clear and distinct. It reads as follows:

money is clear and distinct. It reads as follows:

All of apprepriations made for contingent expenses or other general purposes, except appropriations made in fulfillment of contract obligations expressly authorized by law, or for objects acquired or authorized by law without reference to the amount annually appropriated therefor, shall, on or before the beginning of each fiscal year, be so apportioned by monthly or other allotments as to prevent the expenditure in one portion of the year which may necessitate deficiency or additional appropriation to complete the service for the fiscal year for which said appropriations are made; and all such appropriations shall be adhered to and shall not be waived or modified except upon the happening of some extraordinary emergency or unusual circumstance which could not be anticipated at the time of making such apportionment, but this provision shall not apply to the contingent appropriations of the Senate or the House of Representatives; and in case said apportionments are waived or modified as herein provided, the same shall be waived or modified in writing by the head of such executive department or other Government establishment having control of the expenditure, and the reasons therefor shall be fully set forth in each particular case and communicated to Congress in connection with estimates made for any additional appropriation required on account thereof.

Listen:

Any person violating any provision of this section shall be summarily removed from office and may also be punished by a fine of not less than \$100 or by imprisonment for not less than one month.

Mr. BLANTON. Will the gentleman yield right there? Mr. GOOD. Not just yet; not until I have finished my statement

Here, Mr. Chairman, is the statute that applies to this officer. It was his duty to apportion this money by monthly or other allotments so that there should not be a deficiency in one part of the year. And if he found there was an emergency or an unusual circumstance, he could waive the allotment in writing, express the reasons therefor, and communicate them to Congress. That was his duty. He violated the plain provisions of the law. How can you expect this great eighteenth amendment to be enforced when you trust the enforcement to a man who is admittedly one of the chief violators of law [applause]. who violates the law to the extent that he will come to this Congress and ask us in a roundabout way, in a sneaking way, in an ungentlemanly way, and not have the bravery to confront the Committee on Appropriations and explain there his own violations of the law? Who makes this estimate? that there is a deficiency in the enforcement? There is no legal estimate for a deficiency. Who knows one exists? I voted for the eighteenth amendment. I voted for this law. I want to see it enforced. But I want to see all the laws of the United States enforced. I want to see the law enforced against as well as by the prohibition commissioner, or whatever you call him, and I want him to obey the law just as much as I want the moonshiner to obey the law. No man who is a law violator can be a good law-enforcing officer, and as a general rule much of the money appropriated to such an official is wasted. [Applause.]

Mr. HILL. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from Maryland will

Mr. HILL. In view of the statement of the chairman of the Appropriations Committee concerning violation of law by the commissioner of prohibition, I make a point of order against this amendment as being new legislation.

Mr. BLANTON. Mr. Chairman, I make the point of order that the point of order comes too late, there having been argu-

ment.

The CHAIRMAN. The point of order comes too late. Mr. BLANTON. I move to strike out the last word.

The CHAIRMAN. The gentleman from Texas is recognized. Mr. BLANTON. The chairman of the committee is hardly fair to Mr. Kramer, because the chairman of the committee knows, better than anybody else knows, that Mr. Kramer made a proper estimate to his chief.

Mr. GOOD. Now, the gentleman wants to be fair. I know absolutely nothing about it. I will say to the gentleman that I never heard of an estimate having been made.

Mr. BLANTON. He should wait until I finish my sentence,

I do not yield to the gentleman.

Mr. GOOD. I am not going to let the gentleman say that I know a certain thing when the gentleman knows nothing about it.

Mr. BLANTON. The chairman of the committee will not deny that he knows that a proper estimate came to this committee on the last deficiency bill for an appropriation of \$1,600,000 for prohibition enforcement?

Mr. GOOD. Yes; and we acted on that.
Mr. BLANTON. He acted on it by cutting it down and finally cutting off \$200,000 even after an increase by amend-He short-potted the commissioner. He did not give him what he needed; \$200,000 of the estimate was not allowed. And that estimate did come through the proper chief, through the revenue department, to the gentleman's committee; and the chairman ought to be fair to Mr. Kramer. That is what I started to say when the gentleman first interrupted me. If the chairman and his committee had not short-potted Mr. Kramer out of \$200,000 of that estimate, he would not have come in here and asked for the balance, and you would not find the papers of the land telling us, as they have done during the last week, that 700 prohibition agents were going to be laid off right away, and that the bootleggers would have charge of the country.

Mr. GOOD. Will the gentleman yield for a question?

Mr. BLANTON. In just a moment. Let me get some facts

before the committee.

He says Mr. Kramer was ungentlemanly. He says he has violated the law. He says he comes sneaking into Congress. Does he come sneaking into Congress when he comes behind the chairman of the great Judiciary Committee of this House?

Is that sneaking into Congress? It is the chairman of the Committee on the Judiciary that brings this amendment here in behalf of the enforcement not only of the statutory law of the land but in behalf of the enforcement of the fundamental constitutional law of this country. [Applause.]
Mr. GOOD. Mr. Chairman, will the gentleman yield right on

that point?

Mr. BLANTON. The gentleman can get all the time he ants. If the gentleman will get me a little more time, I will

Mr. GOOD. I will get the gentleman enough to answer this

question, if he can.

Mr. BLANTON, All right.

Mr. GOOD. Can the gentleman cite to me a single statute which provides that the chairman of the Committee on the Judiciary or the chairman of any other committee shall make estimates to Congress for deficiencies? The only statute that I know of is that providing that all the estimates shall be transmitted through the Secretary of the Treasury to the Speaker of the House. That is the only law that I know of concerning

Mr. BLANTON. I will answer the gentleman. Mr. Kramer made it known to the Secretary of the Treasury that he needed \$1,600,000. The Secretary of the Treasury brought that estimate to the attention of the chairman of the Committee on Appropriations on the last deficiency bill, and my genial friend from Iowa, the distinguished chairman of the committee, shortpotted him \$200,000 and cut it off. If he had not done that, that gentleman would not be forced to come in now and ask for a deficiency.

But that very law that you have cited against Mr. Kramer has been on the statute books for years-against every bureau chief and every department head since I have been in Congress, for four years—and they have violated with impunity that law, each and every one of them.

Mr. HILL. It has never been enforced, either.
Mr. GOOD. Oh, yes; it has.
Mr. HILL. I do not know of it.
Mr. GOOD. You do not know anything about it if you say that.

Mr. BLANTON. And nobody has been prosecuted.

Mr. GOOD. If they waive the allotment and come to Congress they do not have to do that. I can cite case after case where the allotment has been waived. But Mr. Kramer brushes the law aside and brushes Congress aside and holds himself out as a law unto himself.

Mr. BLANTON. And every bureau chief and every depart-

ment head has done likewise.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. Mr. Chairman, I ask for one minute more. The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. BLANTON. Every department head and every bureau chief has done likewise, with impunity and with immunity, if you please; and the distinguished minority leader at that

time, Mr. Clark of Missouri, stood in his place not very long ago and asked the chairman of the Committee on Appropriations when he was going to begin to prosecute these bureau heads and department chiefs, and the gentleman from Iowa answered that he did not know, but that he would like to see them prosecuted. But they have not been prosecuted. Instead of going after Mr. Kramer alone, why not go after the others?

The CHAIRMAN. The time of the gentleman from Texas

Mr. BYRNS of Tennessee. Mr. Chairman, the gentleman from Iowa [Mr. Good] has made a very vigorous and bitter attack upon Mr. Kramer, the prohibition commissioner. I barely know Mr. Kramer. I never met him more than once or twice in my life, and I am not here to act as his champion or advocate, but I think I have never before heard anyone claim that Mr. Kramer had not been a conscientious official and that he has not done all that he could possibly do to enforce the law on the subject of prohibition. I never heard anyone charge him with malfeasance or misfeasance in office, and I respectfully submit that if he has been guilty of malfeasance or misfeasance in office, although appointed by the previous administration, no steps have been taken to remove him. The present administration has been in power for nearly three months, and it is very certain that if he had deserved what the gentleman has had to say concerning him that his place would have been filled by some constituent of gentlemen on the other side.

The fact that, although an appointee of the preceding administration, nothing has been done to relieve him and place somebody else in charge is the very best answer to what the gentle-

man has said.

The gentleman from Iowa makes a very bitter criticism of Mr. Kramer because he made what he believed to be-and what I have no doubt is the truth—a plain statement of facts in the newspapers relative to his inability to enforce this law and perform his duty during the ensuing month of June. The gentleman from Iowa says he should have gotten a waiver from the Secretary of the Treasury. I have not heard the gentleman from Iowa say that he did not seek such a waiver and did not get it. How does the gentleman know that he did not get that waiver? Under the law he could not have spent the money without the permission of the Secretary of the Treasury

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. GOOD. The gentleman is familiar with the estimate for \$600,000, and the law that I read provides that this waiver and the reasons for it must be submitted with the estimate. gentleman knows that there was no such compliance with the

Mr. BYRNS of Tennessee. Not under the previous estimate. Mr. GOOD. That is what I am talking about. There is no stimate now. The gentleman must admit, then, that my critiestimate now. cism of Mr. Kramer, so far as the violation of the antideficiency law is concerned, is very well taken.

Mr. BYRNS of Tennessee. The gentleman is a very shrewd and very able lawyer, and he is talking about ancient history. What we are concerned with now is the history of the future enforcement of this law between now and July 1. There has been no estimate made to this committee. The point I made a while ago was that the Treasury Department had not sent an estimate to the House, nor did the Secretary of the Treasury or anyone representing him appear before the Committee on Appropriations in support of an appropriation to supplement the funds in the hands of the prohibition commissioner between now and July 1.

Now, I think it is very unfair to Mr. Kramer to say that he has done anything improper in the presentation of this matter. The gentleman from Iowa knows better than anybody else on the floor of this House that if Mr. Kramer had appeared before the subcommittee on deficiencies and requested to be heard he would have been told that there was no estimate before the committee so far as he was concerned, and that it could not hear him, and it would not act upon any estimate unless such estimate come forward in the legal, regular way, through the Secretary of the Treasury, who is the man at the head of the department charged with the enforcement of this law.

Now, I dare say that Mr. Kramer as a conscientious official has done all that he could to obtain the money necessary to enforce this law. My question a while ago was, "Who is it at the department who has cut out his request for additional money to carry on the enforcement of the law between now and July 1?" I would like to know who it is in the Treasury Department, who it is in the administration-

Mr. GOOD. Vote against this amendment and you will find

Mr. BYRNS of Tennessee. Who it is who has refused to submit an estimate, so that this law may be rigidly and properly enforced.

The CHAIRMAN. The time of the gentleman from Tennessee has expired. The question is on agreeing to the amend-

The question was taken, and the Chairman announced that the ayes appeared to have it.

Mr. GOOD. Mr. Chairman, I ask for a division,

The CHAIRMAN. A division is called for.

The committee divided; and there were—ayes 77, noes 38.

Accordingly the amendment was agreed to.

The Clerk read as follows:

The third proviso of the paragraph making appropriations for the Bureau of War Risk Insurance, as contained in the legislative, executive, and judicial appropriation act for the fiscal year 1922, is hereby amended to read as follows: "Provided further, That no person shall be employed hereunder at a rate of compensation exceeding \$1,800 per annum except the following: Three at not exceeding \$7,500 each, 9 at not exceeding \$5,000 each, 28 at not exceeding \$4,500 each, 36 at not exceeding \$4,000 each, 42 at not exceeding \$3,500 each, 49 at not exceeding \$3,000 each, 68 at not exceeding \$2,500 each, and 215 at not exceeding \$2,000 each, 25 at not exceeding \$2,000 each, 26 at not exceeding \$2,000 each, 27 at not exceeding \$2,000 each, 28 at not exceeding \$2,000 each, 20 at not exceedin

Mr. GRAHAM of Illinois. Mr. Chairman, I make a point of order against the paragraph just read.

The CHAIRMAN. The gentleman from Illinois makes a point of order to the paragraph.

Mr. GOOD. I will ask the gentleman to reserve it. Mr. GRAHAM of Illinois. At the request of the chairman

of the committee I reserve the point of order to the paragraph.
Mr. GOOD. Mr. Chairman, this matter was gone into pretty carefully by the committee on the legislative, executive, and judicial bill. It made quite a study of the requirements in the Bureau of War Risk Insurance. They cut the appropriation from \$8,500,000, the amount for the present year, to \$6,000,000 for next year. That force will be very materially reduced. The present force has been reduced to about 5,700, and the legislative, executive, and judicial act will cause a reduction of 1,200 more employees. Now, after the legislative bill passed Col. Wainer was assigned to reorganize this force, and the chairman of the subcommittee, the gentleman from Indiana [Mr. Wood] has gone into the matter very carefully with Col. Wainer. Mr. Wood is satisfied that that bureau can not function next year under the present limitation with regard to While it is true that this bill provides for increasing the number up to 450 who will have salaries of \$1,800 and over, it only leaves about 235 who will receive salaries of over \$2,000, and that small force will superintend the whole force in the bureau and in the eight substations in the field that will have the disbursement of \$125,000,000 of compensation and several million dollars in the way of insurance. It is calling for executive ability of a high order, and the proper executive force must be provided for.

Now, this matter was not taken up without some investigation, and the gentleman from Indiana [Mr. Woop], who conducted the hearing before, was brought in, and he thought that

we ought to agree to this amount.

I am sure neither the gentleman from Illinois [Mr. Graham] nor anyone else wants to bring about the condition that obtained during the war, when this bureau could not function at all, when it had three times the number of clerks it will have next year, but was unable to reply to the inquiries made by the fathers and mothers and the sisters and brothers of the boys who were in the service. Now, there are over 1,500,000 names on the rolls down at the Bureau of War Risk Insurance. This force must deal with those problems, and I for one would not want to take it upon my shoulders at this time to refuse to report out an appropriation for a force that was adequate to administer this great law. I am frank to say that I believe a great deal of money will be wasted as a result of incorrect decisions, decisions that are not well founded, decisions made by \$1,800 clerks, if you cut down this force as would be contemplated by the elimination of this item. The matter was gone over with the subcommittee that made up the legislative bill. It was their judgment and it is my judgment that they did a great service when they cut the appropriation by \$2,500,000, but they say that after going over the study made by Col. Wainer and others they are satisfied that the limitation on the personnel was too severe and that this provision ought to be carried in this bill. I will say to the gentleman that it is our opinion that they can get along with \$6,000,000 even with this limitation, and I hope he will not make the point of order.

Mr. GRAHAM of Illinois. Mr. Chairman, under ordinary circumstances I would not desire to press this point of order.

The CHAIRMAN. Does the gentleman from Illinois make

Mr. GRAHAM of Illinois. I make the point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. GRAHAM of Illinois. My point of order is that this is legislation; that it legislates as to the number and kinds of clerks who shall be employed in the Bureau of War Risk Insurance, and performs a function which is ordinarily performed in this House by the Committee on Interstate and Foreign Commerce. I may say incidentally that I am making this point of order at the request of the chairman of the Committee on Interstate and Foreign Commerce, the committee being busy at the present time on their bill for the reorganization of the various soldiers' bureaus.

The subject matter contained in this paragraph is clearly within the jurisdiction of the Committee on Interstate and Foreign Commerce. It is a matter about which that committee has a right to legislate, and I may say to the Chair that it is a matter that the committee is now considering in connection with the Sweet bill and the report of the so-called Dawes Commission. In a few days that committee will be in the House with a bill which will cover the same subject matter as that contained in this paragraph.

I have no doubt as to its being legislation, and that is the

basis of my point of order.

The CHAIRMAN. Does the gentleman desire to be heard on the point of order?

Mr. GOOD. No. This provision repeals a provision in the legislative bill, and I suppose following the decision of the

Chair we can not do that.

The CHAIRMAN. The Chair thinks that this provision is not only legislation but that it repeals existing law, and therefore the Chair sustains the point of order. The Clerk will read. The Clerk read as follows:

The Clerk read as follows:

Hospital facilities: The Secretary of the Treasury, in his discretion, is authorized to expend from the appropriation of \$18,600,000 contained in the act entitled "An act providing additional hospital facilities for patients of the Bureau of War Risk Insurance and of the Federal Board for Vocational Education, Division of Rehabilitation, and for other, purposes," approved March 4, 1921, such sum or sums as he may deem necessary for the purpose of providing the facilities contemplated by such act by purchase, gift, construction, remodeling, or extension of existing plants or those under construction, and equipment, on sites now owned or to be acquired by the Government and selected by him, and from time to time to make allotments therefrom to the Board of Managers of the National Home for Disabled Volunteer Soldiers, which shall be transferred to their credit and disbursed by them for the purposes set forth in such act and in this paragraph: Provided, That the surplus property not required by the War Department mentioned in said act, and any suitable surplus property of the Navy Department not required for its use, shall be transferred for use in constructing, equipping, and supplying any of such hospitals.

Mr. GRAHAM of Illinois. Mr. Chairman, I make the point of

Mr. GRAHAM of Illinois. Mr. Chairman, I make the point of

order against the paragraph.

Mr. LANGLEY. Will the gentleman withhold that? Mr. GRAHAM of Illinois. I reserve the point of order.

Mr. LANGLEY. I desire to have an amendment read for the

information of the House.

The CHAIRMAN. The gentleman from Kentucky offers an amendment which he desires to have read for the information of the House

Mr. GRAHAM of Illinois. My reservation of the point of order still stands. I have no objection to the reading of the amendment, but I want to make the point of order.

The CHAIRMAN. The gentleman from Kentucky wishes his amendment read for information.

Mr. GRAHAM of Illinois. I simply reserved my point of order for the purpose of allowing the gentleman to say what

he wanted to say, and not for any other purpose.

Mr. LANGLEY. There is not very much I want to say. If
the gentleman is going to insist on his point of order he will

simply deprive

The CHAIRMAN. The amendment can be read for information only Mr. CHINDBLOM. Does the gentleman reserve his point of

Mr. GRAHAM of Illinois. Yes.

Mr. CHINDBLOM. A parliamentary inquiry, Mr. Chairman. The CHAIRMAN. The gentleman will state it.

Mr. CHINDBLOM. Has the gentleman from Illinois the floor? I want to propound an inquiry to him.

The CHAIRMAN. The gentleman from Illinois rose and made a point of order. The gentleman from Kentucky rose and asked to be recognized, and the gentleman from Illinois then merely reserved the point of order to enable the gentleman from Kentucky to offer an amendment. The gentleman from Kentucky offered an amendment to be read for the information of the House. The Clerk will read.

The Clerk read as follows:

Strike out all of the matter beginning on line 19, page 20, down to and including the word "paragraph," line 10, page 21, and insert in lieu thereof the following: "That the following provision contained

in the last paragraph of the act entitled 'An act providing additional hospital facilities for patients of the Bureau of War Risk Insurance and of the Federal Board for Vocational Education, Division of Rehabilitation, and for other purposes,' approved March 4, 1921, to wit, 'of which sum not to exceed \$6,100,000 shall be used for remodeling or extending existing plants,' is hereby repealed. The total amount appropriated by the said act shall be available for the purposes specified in the said act and allotments may be made from said amount at the discretion of the Secretary of the Treasury, to the Board of Managers of the National Home for Disabled Volunteer Soliders to be transferred to its credit and disbursed by it under the approval and direction of the Secretary of the Treasury for the purposes of the said act."

Mr. LANGLEY. Mr. Chairman, the purpose of the Committee on Appropriations in reporting the proviso to which I offer a substitute, as well as the purpose of my substitute, is to modify the law to a certain extent, and therefore it is subject to a point of order if the gentleman insists on it. The Committee on Public Buildings and Grounds held exhaustive hearings covering two years and reported a bill which became a law on the 4th of last March. In that bill twelve and one-half million dollars was provided for the construction of new hospitals, \$5,000, 000 for improvement and extension of existing plants, and \$600,000 for the improvement of Fort Walla Walla, in Washington State, and Fort McKenzie, in Wyoming, and \$250,000 for Fort Logan H. Roots.

Gentlemen will recall that the President appointed a com-ission known as the Dawes Commission. They made an mission known as the Dawes Commission. They made an investigation and reported to the President. He appointed a commission of hospital experts, and they, after investigation, have reached the conclusion that this \$6,100,000 available for improvement and extension will not be sufficient to improve and extend all of the existing plants. Their purpose is, of course, to expedite the hospitalization, and also to economize, if possible, and therefore the Secretary of the Treasury asked that he be permitted to use any part of that twelve and one-half million dollars for the same purpose; that is, the improvement and extension of existing plants.

That is the purpose of the provision in the appropriation bill, and my reason for offering the amendment is that we tried to get the three Army posts through the Secretary of War but did not succeed, and knowing from conclusive testimony before our committee that they were well equipped for hospital purposes and could be used with comparatively little expense, we included in the provision of the act the three Army posts, and made the provision in the pending bill which will leave it to the discretion of the Secretary of the Treasury to ignore, if he desires to do so, what we did three months ago by special act of Congress.

Mr. GRAHAM of Illinois. I do not want to oppose the gentleman's amendment if it does not conflict with the work going on now in the Committee on Interstate and Foreign Commerce, of which I am a member at the present time, with the reorganization of all the services. That is the committee which has jurisdiction. They are going to take over all these hospitals and operate them, together with the Federal Board for Vocational Education and the Bureau of War Risk Insurance. There are provisions in the bill now being considered by that committee by which surplus property from the Army and the Navy are to be taken over. Now, if you pass this, you are making a

transfer of property, and who is it to be transferred to?

Mr. LANGLEY. That proviso that the gentleman speaks of our committee is heartily in favor of. My amendment does not cover that, but it will make available 1,800 additional beds, and

what we need is more beds for the boys.

Mr. GRAHAM of Illinois. All that matter will be taken over by the veteran's bureau along with the reorganization.

Mr. LANGLEY. The gentleman overlooks this fact, that there is no conflict with my amendment and what the gentleman says another committee is proposing to do. We had before our com-mittee Dr. White, who is chairman of the hospital consulting commission, and we had Gen. Wood, chairman of the National Home for Disabled Volunteer Soldiers, and others.

The CHAIRMAN. The time of the gentleman from Kentucky

has expired.

Mr. LANGLEY. Mr. Chairman, I ask for five minutes more. The CHAIRMAN. Is there objection?

There was no objection.

Mr. LANGLEY. I may say that the chairman of the Appropriations Committee has assured me that he is willing to accept the amendment. It is purely in the direction of hasten-ing the hospitalization of disabled men, and the situation is

mr. ANDREWS. Will the gentleman yield?
Mr. ANDREWS. Yes.
Mr. ANDREWS. I would like to ask a question in view of what has been said by the gentleman from Illinois [Mr. Graham]. This proposition relates to the construction of hospitals. The proposition before the Interstate Commerce Committee is as to the adjustment of existing facilities. Now, does the Committee on Interstate and Foreign Commerce propose to take into its jurisdiction the construction of hospitals?

Mr. LANGLEY. Certainly not.

Mr. GRAHAM of Illinois. No.

Mr. ANDREWS. Then there is no conflict whatever. bill relates to the preparation, the construction, the remodeling, and the enlargement of hospitals, and we propose simply to remove the limitation which provides that \$6,100,000 only shall be used for remodeling and extending, and say that the Secretary may exercise his discretion as to the \$12,500,000 in the enlargement and remodeling of the plants.

Mr. LANGLEY. We do not attempt to repeal the existing provision making \$12,500,000 available for new construction at all, but we merely give the Secretary of the Treasury unlimited discretionary power, and we trust him. We are merely seeking to give the executive officer the widest discretion.

Mr. ANDREWS. Not at all. Mr. LANGLEY. We leave it to their discretion, and I might add for the information of the committee that it is the purpose of those in immediate charge of the development of this general hospitalization plan in the very near future to bring in an additional proposition involving perhaps twelve or fourteen million dollars for additional new construction.

Mr. PARRISH. Mr. Chairman, will the gentleman yield?

Mr. LANGLEY. Yes. Mr. PARRISH. Can Can the gentleman, who is chairman of the Committee on Public Buildings and Grounds, tell us whether it is contemplated to go ahead with the construction of some of these hospitals even unto the \$12,500,000 appropriation, or is it

the purpose to hold that up?

Mr. LANGLEY. I asked Dr. White, the chairman of the hospital consulting committee, that question the other day, and he said it is their purpose to go ahead with the general program for the treatment of the disabled ex-service men, and they have in view seven or eight new hospitals, some of them in the Westtubercular hospitals-where most of the tubercular patients are. As I just stated, we intend to bring in an additional proposition providing more money for the construction of more new hospitals

Mr. PARRISH. I want to add in that connection that so far as the present facilities are concerned it does not seem possible that they will be able to take care of the tubercular

cases that are now in the Southwest.

Mr. LANGLEY. The Secretary of the Treasury and his subordinates have entire jurisdiction of that whole question, and we have hundreds and thousands of letters and telegrams stating the situation with regard to the lack of proper hospital facilities for these suffering heroes of the Nation, and I am sure the gentleman from Illinois [Mr. Graham] will not insist upon his point of order, the effect of which would be to delay the program we are seeking to carry out to give additional facilities for the proper treatment of these suffering boys, who deserve everything that the country can do for them. [Applause.]

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield? Mr. LANGLEY. Yes.

Mr. BANKHEAD. I understand that the matter of the location of these five or six new hospitals has not as yet been definitely decided, and that a commission has been appointed by the Public Health Service, under the authority of the Secretary of the Treasury, for the purpose of locating the sites of these various new hospitals.

Mr. LANGLEY. Yes; that is, a hospital consultant commis-

sion has been selected.

Mr. BANKHEAD. Can the gentleman inform the committee how soon it is likely that committee will make its report, in view of the urgent situation with which we are confronted.

Mr. LANGLEY. I should think in the very near future. I think I am warranted in saying that perhaps one or two locations have already been decided upon, but I am not at Hiberty to say where,
Mr. MOORE of Virginia. Mr. Chairman, will the gentleman

yield?

Mr. LANGLEY, Yes.
Mr. MOORE of Virginia. I did not catch the terms of the gentleman's amendment sufficiently to be able to determine whether it simply proposes construction of hospitals, or goes further and provides anything with reference to the consolidation of the various services.

Mr. LANGLEY. The main proposition is to remove the limitation in respect to the expenditure of \$6,100,000 for the improvement and extension of existing plants all over the country, and make the \$12,500,000 or any part of it for new construction also available for the purpose of extension and improvement of existing plants.

The CHAIRMAN. The time of the gentleman from Kentucky has again expired.

Mr. LANGLEY. Mr. Chairman, I ask unanimous consent to

proceed for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MOORE of Virginia. The gentleman, of course, recognizes the great importance of consolidating the various services that have to do with the care of the soldiers?

Mr. LANGLEY. Yes.

Mr. MOORE of Virginia. Along the line of the recommendation made by the Dawes committee?

Mr. LANGLEY. I am heartily in favor of that, and have been for two or three years, long before the suggestion was made,

since the 4th of March, as the records will show.

Mr. MOORE of Virginia. That recommendation was sent in about the 19th of April. Has the gentleman any information as to when we may expect to receive some report from the committee that is considering the so-called Sweet bill, which, as I understand it, involves the consolidation of the services?

Mr. LANGLEY. I am not a member of that committee, but I am keeping in close touch with its work, and I know that they

will report at an early date.

Mr. GRAHAM of Illinois. Mr. Chairman, I think I can answer that question. The Sweet bill will be finished this afternoon, in all probability, by the committee. We are having our final session on it, and my information from the chairman is

that probably about the 1st or 2d of June it will be in the House.

Mr. MOORE of Virginia. I am very glad to hear that, because personally I think there is no legislation of more importance than that. It will redeem the promise we have been continually making to the sick and disabled soldiers of the country, and that is a promise that we ought not to delay further in performing.

Mr. CHINDBLOM rose.

The CHAIRMAN. The gentleman from Illinois is recognized. Mr. GOOD. Mr. Chairman, what is the situation? Is there a point of order pending?

The CHAIRMAN. The gentleman from Illinois reserved the

point of order.
Mr. GOOD. Mr. Chairman, I think the point of order ought

Mr. GRAHAM of Illinois. Mr. Chairman, I think I can close this up by stating that I do not intend to insist upon my point

The CHAIRMAN. The gentleman from Kentucky offers an amendment. Does the gentleman from Kentucky desire to have his amendment offered now for consideration?

Mr. LANGLEY. Yes.

The CHAIRMAN. And the gentleman offers it now for that purpose?

Mr. LANGLEY. Yes.
The CHAIRMAN. The matter before the committee, then, is the amendment offered by the gentleman from Kentucky, which the Clerk will report.

The Clerk again reported the Langley amendment.

Mr. GOOD. Mr. Chairman, I accept the amendment. The amendment, we think, is practically the same as that carried in the bill.

Mr. CHINDBLOM. Mr. Chairman, I just want to say a few words about this amendment. It is in exactly the form in which the Committee on Public Buildings and Grounds agreed to report the bill pending before it. Ordinarily, I presume, the same objection might be urged here as would be urged generally to legislation upon an appropriation bill. The Committee on Public Buildings and Grounds, however, was so anxious to have this work started, to have this legislation passed, that the committee, I am sure, are unanimous in urging the adoption of the amendment as proposed by the gentleman from Kentucky. I shall not consume any more time in discussing it except to say that the representatives of the Treasury Department and of the Dawes Commission and the committee of experts now working upon the hospitalization program stated before the Committee on Public Buildings and Grounds that this provision will bring about results; that available buildings will be immedately enlarged and rehabilitated and remodeled for hospital purposes so as to be ready within 60 or 90 days for occupancy

by about 4,000 disabled soldiers.

Mr. HUDSPETH. If the gentleman will yield, I did not catch the read ng of the amendment very clearly. Does that provide for the building of new hospitals or the remodeling of old ones

for these tubercular-

Mr. CHINDBLOM. It makes available the sum of \$18,600,000 for remodeling and enlarging existing plants.

Mr. HUDSPETH. Not for rebuilding.

Mr. WALSH. How are you going immediately to enlarge any hospitals?

Mr. CHINDBLOM. Well, I stated within 90 days. I think some of these plants will be enlarged within 90 days. Remodeling can be done in some instances in 30 or 60 days so as to make existing plants available for hospital use.

Mr. WALSH. But you can not have them ready for oc-

eupancy within 90 days.

Mr. CHINDBLOM. I believe some will be ready for occupancy within 30 days; others will take 60 or 90 days and more.

Mr. LANGLEY. It will take two or three years to build a new hospital.

Mr. CHINDBLOM. Exactly.

Mr. BYRNS of Tennessee. As I heard the amendment read I did not understand exactly what it carried. Do I understand that if this amendment is adopted the Secretary of the Treasury will have the discretion to use the entire \$18,600,000 for either the building of new-hospitals or extending and improving existing facilities, or will he be required, if this amendment be adopted, to build the five new hospitals whether those are necessary or not?

Mr. CHINDBLOM. He will not be required to build the five new hospitals. It will be entirely within his discretion to build

new hospitals or remodel existing plants or do both.

Mr. BYRNS of Tennessee. I am very much in favor of it. Mr. BYRNES of South Carolina. What is the difference between this amendment and the language in the bill? Does it not provide for the same thing?

Mr. CHINDBLOM. The language in the bill changes the entire act of March 4, 1921, and it would eliminate the three Army posts which we directed the President to take over for hospital purposes; it will entirely eliminate that from the bill.

Mr. BYRNES of South Carolina. What effect will that have? Have they already been taken over?

Mr. CHINDBLOM. No; they have not been taken over yet.

as I understand it.

Mr. LANGLEY. If the gentleman will permit, the provision in our act of March 4 last took over these three Army posts mentioned awhile ago by me. The reason we did that was because we had some Army posts and tried two or three times to get Secretary Baker to let us have them for hospital pur-They are abandoned Army posts. Afterwards we received a letter from him saying he could only let us have them temporarily, but not for the use of tubercular patients at all, which in the West was the class we most desired to place in them.

The CHAIRMAN. The time of the gentleman has expired. Mr. GOOD. I ask that all debate upon this paragraph-

Mr. CHINDBLOM. I ask that I may have a minute to answer a question, if I can do so and shed any light upon this

Mr. GOOD. I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in six minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for one minute. Is there objection? [After a pause.] The Chair hears none. The gentleman from Iowa asks unanimous consent that all debate on this paragraph and all amendments thereto close in six minutes. Is there objection?

Mr. WILLIAMSON. Mr. Chairman, I object.

Mr. GOOD. Mr. Chairman, I move that all debate on this paragraph and all amendments thereto close in six minutes.

Mr. ANDREWS. I want five minutes of that.
The CHAIRMAN. The gentleman from Iowa moves that all debate upon this paragraph and all amendments thereto close in six minutes.

The question was taken; and the Chair announced the ayes seemed to have it.

Upon a division (demanded by Mr. Andrews) there were-

ayes 50, noes 11.

So the motion was agreed to.

Mr. OSBORNE. Mr. Chairman, I desire to ask as to the scope of this word "remodeling." I know that in some soldiers' homes-and I have particularly in mind the soldiers' home that has the greatest number of members of any in the United States—the hospital buildings there are 35 years old. They are wooden buildings and they are worth nothing, are good for nothing now except as fuel for a bonfire, and I would like to inquire whether under the language of this amendment it will be possible to put up a new structure—a modern, sanitary, fireproof hospital—in place of the old one?

Mr. CHINDBLOM. Yes; it would. The Secretary of the Treasury is not limited to remodeling. He may construct new

buildings as well.

Mr. WILLIAMSON. Will the gentleman yield for a question?

Mr. CHINDBLOM. Yes.
Mr. WILLIAMSON. I would like to know whether or not the amendment as offered-

The CHAIRMAN. The gentleman from Texas [Mr. LANHAM]

has the floor.

Mr. LANHAM. Mr. Chairman, this amendment as offered by the gentleman from Kentucky [Mr. Langley] is now pending as a bill on the calendar of the House. It is H. R. 6263, Union Calendar No. 36, and was reported a few days ago favorably by the Committee on Public Building and Grounds. It is offered here in lieu of the provisions in the deficiency appropriation bill because its verbiage has had the careful and earnest consideration of the proper legislative committee that has in charge the matter to which it refers. Nor do I think it will in any way poach on the preserves of the committee for whom the gentleman from Illinois [Mr. Graham] has been exercising a proper solicitude.

The amendment here proposed has been framed in this language after a very free and full consultation by the Committee on Public Buildings and Grounds with the Assistant Secretary of the Treasury, who has been devoting attention to this project, and with the consulting board of physicians, who, under the direction of the Secretary, have been working very arduously in an effort to provide a solution for the hospital problem. The practical thing which this amendment does is to remove the limitation placed upon the Secretary of the Treasury in public law 384, recently passed, by the terms of which, you will recall, he was restricted to the expenditure of \$6,100,000 out of the \$18,600,000 appropriated for the remodeling and extension of existing hospital facilities. This amendment will permit him to expend the entire amount of the appropriation in his discretion for the various purposes enumerated in the original act.

Whether or not this amendment is absolutely the best thing that can be done along this line I am not prepared to say, but it certainly has two or three meritorious features. One is that it makes for speed in caring for our sick and disabled soldiers. All over this country we have boys desiring hospital treatment, and in urgent need of it. Under these circumstances, it is not very becoming for us to stand here and quibble and argue as to whether it ought to be done in one particular way or in some other special way, when these men who served their country and the world so faithfully in time of peril are asking hospital facilities for the relief of the injuries they sustained in the line of duty. Surely the time has come when we ought to show a burst of speed and get some practical results. The Secretary of the Treasury and those whom he has called into consultation tell us that the adoption of this amendment will make it possible to get the greatest number of soldiers into hospitals in the shortest length of time. Certainly that is a consummation devoutly to be wished. I don't think any reasonable man wants to oppose a proposition that offers that hopeful prospect.

We are assured that, though this amendment will remove the limitation upon the Secretary of the Treasury in the matter of expenditures for the extension of existing facilities, it will not necessarily preclude the use of a part of these funds for the building of new hospitals. This has been stated by the board of consulting physicians. In fact, it seems to be contemplated that some of this money will be devoted to entirely new con-

struction.

But new construction necessarily takes considerable time, and it is for this reason and in order to get the earliest possible results that it is proposed to give the Secretary greater latitude in the matter of enlarging the hospitals which are already available. It is not the purpose of this amendment to place a ban upon the proper building of new hospitals in sections where an urgent need for them exists.

Another fine thing this amendment does, and so does the original law which it amends, is to fix in one place the responsibility for the practical operation of this program. It puts all the authority under one tent, so to speak It directs that the Secretary of the Treasury shall go ahead, in his discretion, and expend this money along the most practical lines that will yield the earliest and best results in the hospitalization of sick and disabled soldiers. It eliminates red tape and a division of authority. There will be no call for differences of opinion or unnecessary delay If early hospitalization is not satisfactorily effected in accordance with the program promised, we can very properly say: "Here, Mr. Secretary, there were no strings on you; there were no limitations on this expenditure. Why have not the results been accomplished?" I sincerely trust it may never become necessary to ask that question. I am supporting this amendment in the hope that its adoption will forestall both bickering and procrastination and lead to something speedily that is both practical and tangible in properly caring for these unfortunate men.

It seems to me that this thing of undivided responsibility is likely a step in the right direction. If early hospitalization is not afforded these boys, those who are responsible can not come in here in three, six, or nine months and contend that some other branch or organization of the Government is causing the delay. The responsibility is fixed and definite.

In this connection, I want to say another thing. It is human nature, perhaps, that each of us should desire a new hospital in the district which he has the honor to represent. I think there is an admirable site in my district, and you probably think the same thing with reference to yours. But at this time we should all merge our individual preferences in the general welfare. Let us seek to do something for these sick and crippled soldiers rather than for ourselves. This is certainly no time for mere selfish exploitation. It is no time for a man to quit the game because he may not be able to have it played in his particular way. I believe this amendment is so drawn that we shall have speedily much more extensive hospital accommodations for these boys. That is the thing of prime importance. We eliminate here the proverbial passing of the buck and take off the brakes of red tape in order that those charged with the responsibility may be able to operate.

Mr. BANKHEAD. In that connection, I was very much astounded to hear the gentleman from Kentucky say that if they decided to build any new hospitals it would take two or three years to construct them. Is that shown by the evidence before

your committee?

Mr. LANHAM. Well, I have been a member of the committee only a short time, but my recollection is that the testimony of Dr. White recently was to the effect that it would probably be about two years from the beginning of the erection of a new hospital until it could be finished and equipped and put in operation. Of course, it is contemplated that these hospitals shall be permanent, fireproof buildings, and the gentleman is probably familiar with the fact that such Federal construction is usually rather slow.

The CHAIRMAN. The time of the gentleman from Texas

has expired.

Mr. WILLIAMSON. Mr. Chairman, I ask unanimous consent to address the House for one minute.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. WILLIAMSON. I just want to call the attention of the House to the fact that we have in South Dakota a fort known as Fort Meade that is composed of a number of stone and brick structures, heated by steam and hot water, and has one of the best water systems in the whole country, where we can put in 1,200 beds to-day without any remodeling or without any expense except for the furnishing of the beds and the necessary furniture. And I want to ask the chairman of the Appropriation Committee now whether this amendment is of a character which will permit the Public Health Service to take over those buildings and utilize them with the money appropriated here?

Mr. GOOD. No. This bill does not authorize the taking over of anything except surplus property not required by the War Department. If they should determine that the property the gentleman mentions was surplus property, or if they determine to expend a certain amount at Fort Walla Walla and Fort McKenzie, they could expend within the lim ts of the appropriation contained in the original act. But they would not have any authority to expend any of this money for an Army or Navy hospital until after taken over by the Treasury.

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The question is on agreeing to the

amendment offered by the gentleman from Kentucky.

The amendment was agreed to.
The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

PUBLIC BUILDINGS.

New York (N. Y.) Quarantine Station: For improvements, including the water-supply system, power plant, and additional barracks, \$500,000, to continue available during the fiscal year 1922.

Mr. HILL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Maryland offers an anrendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. Hill: Page 21, line 19, after the figures "1922" insert "Baltimore, Md., Quarantine Station: For improvements, including the building of wharves, to continue available during the fiscal year 1922, \$75,000."

Mr. BLANTON. Mr. Chairman, I make a point of order against the amendment.

Mr. HILL. I will ask the gentleman to reserve his point of

The CHAIRMAN. The attention of the Chair was diverted at the conclusion of the reading of the paragraph. point of order made on the paragraph?

Mr. HICKS. No, Mr. Chairman, it was not.
Mr. BLANTON. I make a point of order against the gentleman's amendment; that it is new legislation, not authorized on a deficiency bill.

Mr. HILL. Will the gentleman reserve it?
Mr. BLANTON. If the gentleman desires to speak on it, I
will reserve it and make it a little later.

The CHAIRMAN. The gentleman from Maryland [Mr. HILL]

is recognized for five minutes.

Mr. HILL. Mr. Chairman, no point of order was made against the appropriation of \$500,000 for the quarantine station in New York, and I hope the gentleman from Texas [Mr. BLANTON] will withdraw his point of order against the present amendment, if for no other reason than to see the dove of peace hovering in this Chamber, with one limb upon the shoulder of my distinguished colleague from Maryland [Mr. Linthicum] and the other limb on my shoulder, and bearing in its beak the planks to repair the rotting wharves of the quarantine station at Baltimore. [Applause.]

We ask for only \$75,000 to repair the wharf and other facilities at the quarantine station at Baltimore. The Secretary of the Treasury recommended \$285,620 for the proper equipment of the quarantine station at Baltimore, but that was not provided in this bill. We have therefore asked for only \$75,000 in order that the quarantine station may continue in operation.

Baltimore city has just authorized and is expending \$50,000, 000 for the improvement of the port, and the great steamship lines are about to take away their ships because we can not receive the immigrants.

Mr. HICKS. Mr. Chairman, will the gentleman yield? Mr. HILL. Yes; I yield to the gentleman. Mr. HICKS. Has the State of Maryland ceded the quarantine station at Baltimore to the Federal Government?

Mr. HILL. Yet; it has done so.
Mr. BLANTON. What is the present condition of the dove of peace?

Mr. HILL. Mr. Chairman, I will now yield to my colleague [Mr. LINTHICUM] the remainder of my five minutes to show the other side. I hope the gentleman from Texas will not deny to Baltimore the privilege of having \$75,000 for immediate improvements.

Mr. BLANTON. If the gentleman had succeeded in persuading the committee, and they had put that in the bill, probably no point of order would have been made against it.

Mr. HILL. I have not heard any objection from the commit-

tee, I will say to the gentleman from Texas.

Mr. LINTHICUM. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection to the request of the

gentleman from Maryland? There was no objection.

Mr. LINTHICUM. Mr. Chairman, as the committee will remember, there was much discussion as to the transfer of the quarantine station at the various cities. It was only in the last Congress that we received an appropriation to pay for the transfer of the station at Baltimore, amounting to \$176,000, and only a few days ago the money was paid to the city of Balti-The city had leased the quarantine station to the Government for the past few years at a dollar a year, and it rapidly decayed through use, occupation, and lack of care. The Government could not spend any money on it because it only had a lease, although it had through the Public Health Service entered into a contract to purchase it. The city of Baltimore could not spend any money on it because it had contracted to sell it to the Government, and so the station lay there in that condition, the wharves became dilapidated, the sewerage system out of order, buildings needing repair, and so forth.

I want to read this telegram from Dr. Richardson, who is the medical officer in charge of that station:

BALTIMORE, MD., May 20, 1921.

Hon. J. Charles Linthicum,

House of Representatives, Washington, D. C.:

Answering your telegram, wharf completely rotted away; unsafe to put inspection boat alongside; no fire protection; practically no water supply. Old water tank about gone; retains only 8 inches water; pipe in bad condition; lighting facilities nil; building bad repair; no proper houses for medical officer or hospital attendants. Thirty-seven steamship lines every port from all over world; impossible to properly handle crews of vessels from infected ports with present poor conditions for building and lack of equipment. Typhus fever or bubonic plague may enter by way of these lines any time. Unprepared to handle such cases for properly handling immigrants or passengers, though several steamship companies are anxious to establish passenger lines to Baltimore. Appropriation absolutely necessary to properly conduct this

quarantine station in a manner to do credit to the Government of the United States or to city of Baltimore if as a port she is to maintain a position among commercial cities of the United States.

RICHARDSON,

Medical Officer in Charge

United States Quarantine Station, Baltimore, Md.

That is from the doctor there, and it is confirmed by the information which I received from our Merchants and Manufacturers' Association and others who have inspected the place.

A man insures his property for years and years, and he and his people may have insured it for 100 years and never had a fire, but they keep on insuring it. The quarantine stations stand at these ports along the Atlantic seaboard and at all the coast cities as a protection, not alone to Baltimore city, not alone to New York or Boston or Philadelphia but as a safeguard to the health of this whole country. It may only do routine business, but now and then an epidemic breaks out and then it stands to insure the public safety. You gentlemen know how much we have been disturbed recently in reference to typhus fever or bubonic plague—a menace to the whole land.

Mr. LAYTON. In other words, it is not very reasonable to appropriate \$500,000 for New York and allow disease possibly

to creep in through Baltimore.

Mr. LINTHICUM. The gentleman has stated it exactly. New York has not received as much as it ought to have, and we are asking less than one-third of what they say Baltimore absolutely needs.

Mr. BLANTON. Will the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. BLANTON. The gentleman and his colleagues who have been supporting this so strenuously have known of these conditions a long time?

Mr. LINTHICUM. We have.

Mr. BLANTON. And you presented this matter to the committee?

Mr. LINTHICUM. No Member of Congress went before the committee on any of these propositions. The Public Health Service went before them.

Mr. BLANTON. And they could not convert the committee? The CHAIRMAN. The time of the gentleman has expired. Mr. LINTHICUM. I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent to proceed for two minutes more. Is there objection?

There was no objection.

Mr. HILL. Will the gentleman from Texas withdraw his objection if there is no objection from the committee?

Mr. BLANTON. I do not care to be placed in that attitude.

Mr. GOOD. I ask for the regular order.

LINTHICUM. The Public Health Service asked for \$278,000 for this work. All we are asking here is \$75,000-just enough to put that old wharf in shape, to put in a water system, to put in a sewerage system, and to extend the electric lights, Now, gentlemen, here is the situation: We inspected 37,000 people during the last year. It is true our immigration business has fallen off, but we have the model immigration station of the country, and immigration will soon come back to us. This quarantine station has nothing but some old acetylene-gas lamps in it at the present time. Very little water supply, no sewerage worth while. It must have care. All we ask is just enough money to keep the old place going, not to add anything but just to maintain it as you would a structure upon your farm or on your city lot.

A chain is only as strong as its weakest link. No matter how much you improve other quarantine stations, if you allow that at Baltimore to decay and become inefficient, and disease enters through that station and bereaves the country, it will avail little indeed to say we have greatly improved the stations at New York and Boston.

What will it profit us not to make this appropriation? must be made later, and the further the station decays the more it will cost. Economy and experience should teach us the timeworn adage that "A stitch in time saves nine." Baltimore has a population of 733,000 souls. It is the gateway to the South, the nearest approach to the West and great Southwest. Its harbor of 35-foot depth accommodates ships from the seven seas. Shall we withhold safety from it and through it to the land? I can not believe this committee will. I hope you will adopt this amendment and give us the \$75,000 which is so sorely needed. [Applause.]
Mr. BLANTON. I make the point of order, Mr. Chairman.

The CHAIRMAN. What is the point of order the gentleman

Mr. BLANTON. I make the point of order that it is new

legislation and not a deficiency, on a deficiency appropriation bill, and that it is unauthorized by law.

The CHAIRMAN. What does the gentleman from Texas say about the paragraph to which it is offered? Is the amendment germane to the paragraph to which it is offered?

Mr. HICKS. I respectfully submit that it is too late to make

Mr. HICKS. I respectfully submit that it is too late to make

any point of order against the paragraph.

Mr. BLANTON. I do not make any point of order except against this amendment, which is not a deficiency, which is legislation on a deficiency appropriation bill and unauthorized

Mr. LINTHICUM. The gentleman made no point of order against the appropriation of \$500,000 for the quarantine station for the city of New York, and this is an amendment to that item, appropriating \$75,000 for the quarantine station at Baltimore; and that being in order by virtue of no point of order having been made against it, this amendment is likewise in order.

Mr. BLANTON. I call the attention of the Chair to the ruling, which has been made many times in the House during the last 40 years, that even where the committee itself could have put a provision upon the bill so that it might be in order on an appropriation bill, yet not having placed that provision in the bill, and having brought a certain bill into the House and reported it, the House has a right to stand on that bill, and that even the chairman of the committee himself has no au-thority to offer from the floor an amendment which he might otherwise have offered in the committee and placed in the

The CHAIRMAN. That is not the point at issue here.

Mr. MANN. Will the gentleman yield?

Mr. BLANTON. I yield to the gentleman from Illinois.

Mr. MANN. I understood the gentleman to say this is not deficiency. What is it if it is not a deficiency? deficiency. What is it if it is not a deficiency? Mr. BLANTON. There is no law that I know anything about

Mr. BLANTON. There is no law that I know anything about authorizing this quarantine station at Baltimore.

Mr. MANN. The Government owns the station.

Mr. BLANTON. Oh, but there is no law authorizing it. It has been ceded to the Government by the city of Baltimore.

Mr. MANN. It was ceded to the Government under provisions of law. The Government owns the station. It owns the Now an appropriation is in order at any time to repair a building or a structure which the Government owns, owns this dock. Plainly this is a deficiency.

Mr. BLANTON, This is new legislation.

Mr. MANN. It is not legislation at all. It is an appropria-

Mr. BLANTON. It is for new construction.

Mr. MANN. No; it is not for new construction. It is to re-

pair a dock which the Government now owns.

Mr. BLANTON. I hope that when I face St. Peter, if I have any trouble about getting in, the gentleman from Illinois [Mr. Mann] will be there in my behalf to convince St. Peter, because he will have unanswerable arguments on either side of the question. [Laughter.]

Mr. MANN. Well, I think there would not be any trouble in convincing St. Peter that the gentleman ought to enter heaven-

not now, but in the future. [Laughter.]

Mr. BLANTON. Mr. Chairman, I submit that this is a deficiency bill for the year 1921, and this amendment provides for new construction to be made during the next fiscal year, and I do not see how, under the ruling which the Chair made during the early part of the day, this amendment can be held to be in

The CHAIRMAN. If the gentleman from Texas had made a point of order to the paragraph of the bill to which this is offered as an amendment, the question that he suggests might arise; but the point of order was not made to the item to which

this is offered as an amendment.

Mr. BLANTON. I call the Chair's attention to the ruling of

the gentleman from Connecticut [Mr. Tilson] and the gentleman from Tennessee [Mr. Garrett] when this side of the House was in the majority. Both held, following a long line of decisions, that where a provision might come in a bill from a committee that would be subject to a point of order yet an amendment offered from the floor by a Member would not be in There is a long line of decisions holding that way.

The CHAIRMAN. - The item to which this is offered as an

amendment reads as follows:

New York quarantine station: For improvement, including water supply, power plant, additional barracks, \$500,000, to continue available during the fiscal year 1922.

To that item no point of order was made.

Mr. BLANTON. Does the Chair hold that an amendment to appropriate \$500,000 for a quarantine station at Galveston would be in order?

The CHAIRMAN. That is not before the Chair. To that item the gentleman from Maryland offers this amendment:

Baltimore quarantine station ' For improvement, including rebuilding of wharves, to continue available during the fiscal year 1922, \$75,000.

To that amendment the gentleman from Texas makes a point of order that it is legislation on a deficiency appropriation bill. The amendment is a germane amendment to an item in the bill; the Chair thinks it is in order. Being an appropriation for repairs on Government property, it would be in order as an independent item, and the Chair overrules the point of order.

Mr. GOOD, Mr. Chairman, I am not very sympathetic toward the amendment for the quarantine station at Baltimore. Baltimore is a city which for 150 years has maintained a quarantine station that was worth only \$176,000 when they sold it to us last year. Now they do not come with very clean hands when they ask us for \$287,000 to improve it the first year. These quarantine stations are in a certain sense necessary for the proper growth and development of the city. One trouble is that we have no law now that authorizes the collection of fees for fumigation of vessels and things of that kind. We tried to put that kind of a law on the statute book and failed, except to New York. In March we collected as fees over in New York at the quarantine station \$120,000, which was more than the cost of operation. Now, I think there is need for some repairs at Baltimore. We have carried a large sum to New York, but New York will pay into the Federal Treasury every year from \$800,000 to \$1,000,000 in fees. These other stations pay nothing unless we can get some legislation. Take the two stations, and they are not comparable. At New York last year there were 497,687 persons, aliens, examined. In Baltimore through the month of April for one year there were only 217 examined. Now, I do think they need some additional repairs there to the wharves, but the item for wharves is only \$10,000, and for the 217 aliens examined for the year they are asking for bathing barracks to cost \$50,000, and they ask for additional dormitory barracks \$157,000. Now, I have said to these gentle-men I think these wharves ought to be kept in a fair state of repair. I have no objection to an appropriation for some reasonable amount to repair the wharves, but as long as we are not going to build the bathing barracks or the additional barracks, we do not need the lighting system. If the gentleman wants to modify his amendment for \$20,000 or \$25,000 to make repairs, I shall not object.

Mr. HILL. Mr. Chairman, I ask to modify my amendment, making the amount \$25,000.

The CHAIRMAN. The gentleman from Maryland asks to modify his amendment, making it \$25,000 instead of \$75,000. Is there objection?

There was no objection.

Mr. BLANTON. Will the Chair hear me a moment in the interest of uniformity of decisions?

The CHAIRMAN, The Chair will not. The question is on

the amendment offered by the gentleman from Maryland.

The question was taken; and on a division (demanded by Mr. Hill) there were 31 ayes and 23 noes.

So the amendment was agreed to,

The Clerk read as follows:

Birmingham, Ala., post office and courthouse (new): For furniture,

Mr. BLANTON. Mr. Chairman, I reserve a point of order in order to ask the gentleman a question. What authority in law is there for this new construction at Birmingham?

Mr. GOOD. These three buildings have been nearly completed and will be turned over by the contractor soon.

Mr. BLANTON. These are not new items?

Mr. GOOD. These are all for furniture, and the buildings will be completed during this year. The buildings cost from \$400,000 to over \$1,000,000.

Mr. BLANTON. I withdraw the reservation of the point of

The Clerk read as follows:

Honolulu, Hawaii, post office, courthouse, and customhouse: For furniture, \$65,000.

Mr. McCORMICK. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 22, line 21, insert the following paragraph: "Bullding, Montana: Federal building, for furnishings for court oom and chambers for judge, clerk, marshal, attorney, and jury.

Mr. GOOD. Mr. Chairman, that item came to the committee after we had concluded the hearings. It is a regular deficiency, and investigation which I made leads me to believe that the money ought to be appropriated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Montana.

The amendment was agreed to. The Clerk read as follows:

COAST GUARD.

Not to exceed \$20,000 of the amount appropriated for the fiscal year 1921 under the subhead "rations" is transferred and made available for expenditure during that fiscal year under the subhead "Contingent expenses."

Mr. BYRNES of South Carolina. Mr. Chairman, I make a point of order against the paragraph that it is legislation.

The CHAIRMAN. Will the gentleman state his point of

Mr. BYRNES of South Carolina. This is legislation on an appropriation bill.

Mr. GOOD. This is only a transfer between items of appropriations already made.

Mr. BYRNES of South Carolina. I know it is a transfer. It is a transfer from the subhend of rations of \$20,000 that is made available for contingent expenses.

Mr. GOOD. Yes. They have more money in the rations

fund than they need, and want to use a portion of that.

Mr. BYRNES of South Carolina. Mr. Chairman, I reserve
the point of order. They have the right to create a deficiency in the account of rations, have they not?

Mr. GOOD. I do not know.

Mr. BYRNES of South Carolina. I am satisfied they have, and I am satisfied they have come to the committee to secure \$20,000 and they may later create a deficiency in the account of rations.

Mr. GOOD. Their strength is not fixed by law. It is only covered by appropriations, and I do not believe that rule would

Mr. BYRNES of South Carolina. I am not certain about that, but I am inclined to think that they can create a deficiency in rations and come back here for a deficiency appro-

Mr. GOOD. No; but I will say to the gentleman that all of the appropriations in the Coast Guard are carried in the

Treasury Department under one head.

Mr. BYRNES of South Carolina. I feel certain that they can create a deficiency for rations. They can do it in the Army and the Navy, and I am certain that they can do it in this service. When we transfer \$20,000 from the rations fund to the contingent expenses on their statement that they have more than they need in rations, I fear that they will find out differently before the 30th of June, and will create a deficiency in rations and come back here for an appropriation.

Mr. GOOD. Commodore Reynolds asked that we do this. Mr. BYRNES of South Carolina. I know that he does, and it appeals to us as a transfer only; but when we give it to them, will create a deficiency in rations and then come back for

Mr. GOOD. Commodore Reynolds says that, due to the decrease in the cost in rations and to the forced decrease in complements, over \$200,000 heretofore appropriated for rations will not be required, and hence it is desired to transfer from this subhead the sum of \$20,000 to cover an additional amount required for additional expenses. So that he will have over \$200,000 from which to take this \$20,000.

Mr. BYRNES of South Carolina. As the gentleman knows, I am opposed to it because it clearly encourages department heads whenever they come down here for an appropriation to entertain a belief that it will appeal to the discretion of Conentertain a belief that it will appeal to the discretion of Congress if they can find some other fund in the department that has a balance, and instead of converting that balance into the Treasury, as it ought to be, they will come here and ask that it be used for a different purpose in the department. That is what the distinguished commodore is doing now, and I do not blame him, because whenever he makes that appeal it will always be entertained here. I make the point of order.

The CHAIRMAN. Does the gentleman make the point of order that it is legislation on this bill?

The CHAIRMAN. Does the gentler order that it is legislation on this bill?

Mr. BYRNES of South Carolina. Yes. The CHAIRMAN. The item provides for \$20,000 for rations. Could not this bill carry \$20,000 for rations as a deficiency item?

Mr. BYRNES of South Carolina. If there was a deficiency in the account for rations.

The CHAIRMAN. This is for the fiscal year 1921, a deficiency appropriation.

Mr. BYRNES of South Carolina. This provides for a transfer from the rations account to the account for contingent ex-

The CHAIRMAN. The committee having authority to appropriate \$20,000 out of the Treasury of the United States for a deficiency in rations in this bill, would it not have authority to take that \$20,000 out of a fund that is available and carry it for that purpose?

Mr. WINGO. They would have authority to transfer it to another fund from which they would have the right to originally bring in an item, but you could not first make an appropriation that was in order and then bring in another item and transfer

it to another purpose that is not in order.

Mr. GOOD. But this is in order.

The CHAIRMAN. This item would be in order as a deficiency appropriation, as the Chair understands it. Is it in order to take it from the rations fund and put it in the contingent fund? The Chair would like to have some of these experts on the rules of the House give him the benefit of their opinion upon the question of transferring funds of this kind out of the Treasury.

Mr. WINGO. I will be frank to say to the Chair that I think

it is in order.

Mr. GOOD. I think it can be done.

Mr. GOOD. I think it can be done.

Mr. WINGO. And if two experts agree with the Chair, I think it is all right. [Laughter.]

The CHAIRMAN. The Chair thinks the item of \$20,000 could be carried in this bill as a deficiency for the purposes for which the \$20,000 is carried in this item. The difference is that it is carried from one purpose to another in this deficiency. bill, and the Chair is inclined to think that the Committee on Appropriations, having control over these funds, has authority, in this deficiency bill to carry the amount from one item to another as is proposed in this item. The Chair, therefore, overrules the point of order.

The Clerk read as follows:

CONTINGENT EXPENSES, TREASURY DEPARTMENT.

For purchase of file holders and file cases for use of the Const Guard and the accounting bureaus of the department, \$2,500.

Mr. WINGO. Mr. Chairman, I move to strike out the paragraph in order to ask a question.

Mr. BLANTON. Mr. Chairman, I reserve the point of order on

the paragraph.

Mr. WINGO. As I understand it, it is not intended to purchase these file cases outright. It is intended to purchase them from the Supply Committee.

Mr. GOOD. They are bound to purchase from the Supply

Mr. GOOD. They are bound to purchase from the supply Committee if they are available.

Mr. WINGO. If the Supply Committee has these file cases available, they are bound to buy from the committee.

Mr. GOOD. That is correct.

Mr. BLANTON. And does the gentleman know whether they are available or not?

Mr. GOOD. I do not believe that they are this kind of file

Mr. BLANTON. May I ask the gentleman, where one department has a lot of file cases that are in disuse, does that automatically place it under the Supply Committee or do they have to buy new file cases?

Mr. GOOD. Well, all that are purchased are purchased through the General Supply Committee. There is a law turning over to the Supply Committee all surplus typewriter supplies and equipment, and now, when a department files an application for a typewriter, for example, and office supplies, if the General Supply Committee has any on hand available suitable for their purpose, they must take a secondhand equipment and pay for it out of their appropriation at the price fixed, and the money is covered into the Treasury.

Mr. BLANTON. And secondhand file cases are going to be used where available?
Mr. GOOD. Yes,
Mr. BLANTON. I withdraw the reservation.

The Clerk read as follows:

For the purchase of an automobile for the official use of the Attorney General, in exchange for old car now in use, \$6,857.

Mr. BLANTON. Mr. Chairman, I reserve the point of order. What kind of an automobile are we going to furnish our new Attorney General if he is to trade the present automobile in and then we have to pay \$6,857 extra?

Mr. GOOD. The car that he is turning in is a Hudson car that is out of repair, caught fire down on the Speedway when the former Attorney General was occupying the position, and it is practically out of commission now and is worthless.

Mr. BLANTON. But the gentleman has not answered what kind of a new car he is to buy.

Mr. GOOD. I was going to state to the gentleman that the Attorney General desires a Packard limousine for his use as Attorney General. We have never questioned, I think, the kind of vehicle a member of the Cabinet should have.

Mr. BLANTON. The gentleman realizes that a Hudson car such as Attorney General Palmer had now costs only about

\$3,500-

Mr. GOOD. I really do not know about the price now, except in a general way. I understand they have practically doubled over the prewar price. Now, the price of this car was \$8.000, and after the allowance for the old car and the Government discount, the amount required was \$6,857.

Mr. BLANTON. The main thing I wanted to put in the RECORD is the fact that under our present economic régime, while our old Attorney General was willing to use a \$3,500 Hudson

He had a Packard also.

Mr. BLANTON. That belonged to him personally. The new one wants to trade off the old Attorney General's Hudson car for a Packard limousine and we pay \$6,857 extra.

Mr. GOOD. Well, the former Attorney General was very

Mr. BLANTON. I understand I can not object, because I am forced to withdraw the point of order, it not being sustainable, but I was inquiring into that system of economy.

Mr. GOOD. The former Attorney General also had a Packard

Mr. BLANTON. And paid for with his own money?

Mr. GOOD. Yes; I suppose so.
Mr. BLANTON. But this is to be paid for out of the Government's exchequer.

Mr. GOOD. Oh, yes.

Mr. BLANTON. I withdraw the reservation of the point of order.

Mr. GARRETT of Tennessee. May I ask the gentleman this question: I have an impression that there was a cost limit fixed

in the past. Has not that been the custom?

Mr. GOOD. No. I think no cost limit has ever been fixed inless it was fixed by the amount of the appropriation, and my recollection is that the amount asked for by a Cabinet official was the amount granted, with the exception that in the past my recollection is that sometimes the members of the Cabinet desired automobiles and horses and carriages both. I think that

happened once or twice.

Mr. GARRETT of Tennessee. I will say I recall distinctly three or four years ago there was an estimate, I think it was by the then Secretary of State Lansing, in which he asked for \$4,500 for a car and they allowed \$3,500; that is my recollection; on the ground that was the amount fixed at that time for the

purchase of automobiles for Cabinet members.

Mr. GOOD. That was before the war, when the prices were

about half of what they are now.

Mr. GARRETT of Tennessee. I do not wish to seem to be objecting to this item in any way, but I was attracted by the statement that the gentleman made that there was no question ever made about the kind of car. It is my recollection that the Committee on Appropriations itself had a rule which it adhered to, and my recollection is that in the case of one former

Secretary of State it was \$3,500.

Mr. GOOD. The gentleman may be right about that, but that was before the war, and the only time it has been up here recently—that is, within the last two or three years—has been when some of the members of the Cabinet asked for automobiles and carriages both and maintenance. Then the committee, and I think properly, said to the Secretaries that the attitude of Congress has been to give the proper car, the kind they ought to have, or horses and carriages, but not both. The gentleman may be right about that. My recollection was it was \$4,000, but that was before the war, when prices were not half what they

Mr. GARRETT of Tennessee. I suppose there is no suitable car now owned by the War Department which could be transferred?

Mr. GOOD. I understand not; besides we have never done that with members of the Cabinet, although we have done it with others.

The Clerk read as follows:

MISCELLANEOUS OBJECTS, DEPARTMENT OF JUSTICE.

Detection and prosecution of crimes: For the detection and prosecution of crimes against the United States, etc., including the same objects specified under this head in the sundry civil appropriation act for the fiscal year 1921, \$150,000, including not to exceed \$25,000 in addition to the amount heretofere authorized for necessary employees at the seat of government.

Mr. CONNALLY of Texas. Mr. Chairman, I move to strike out the last word in order to ask the chairman of the committee a question. Is this amount an actual or expected deficiency?

Mr. GOOD. This will be an actual deficiency. conjectural, somewhat, yet, according to the chief clerk, who is the old chief clerk in the department, they have brought about a very great reduction in the force during the last three months. Otherwise there would have been a much larger deficiency than is now apparent; but even with this reduction of force they will need all we have carried here. The estimated reduction of the force during the last three months of the year amounts to about \$150,000.

Mr. CONNALLY of Texas. Was that caused largely by the

Supreme Court's action on the Lever law?

Mr. GOOD. I think it was caused by the action of the present Attorney General in attempting to cut down the force. thought it was too large. I do not know that the Lever Act had anything to do with it. This force, as the gentleman will see, has grown very large. It cost in 1915, \$485,000, and for this year, without this deficiency, they have \$2,250,000, and this appropriation is for \$150.000.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

POSTAL SERVICE

OUT OF THE POSTAL REVENUES—OFFICE OF THE FIRST ASSISTANT POST-MASTER GENERAL.

For vehicle allowance, the hiring of drivers, the rental of vehicles, and the purchase and exchange and maintenance, including stable and garage facilities, of wagons or automobiles for, and the operation of, screen-wagon and city delivery and collection services, \$1,500,000.

Mr. STEENERSON. Mr. Chairman, I move to strike out the last word. I do this for the purpose of pointing out the enormous increase in this item of vehicle service for the last few years.

I had charge of the preparation of the Post Office appropriation for the fiscal year 1921, and the First Assistant Postmaster General appeared, and we called attention to the fact that there had been a deficiency in this item for the two prior years, and asked him if he was asking sufficient to carry him through this year. He explained they had received 3,800 automobiles from the War Department and expected to receive 1,095 more, and that would enable this vehicle service to be conducted economically and within the appropriation of \$10,250,000.

Here is an extract from the hearing:

You had a deficiency for 1918 of \$1,500,000, and \$2,500,000 in 1919? Mr. Koons. Yes, sir; because our estimates were based on a peace sis and not war conditions. But this year we will not have any

We granted \$10,250,000 on the understanding there would be no deficiency. Yet in spite of this, Mr. Koons appeared before the Appropriations Committee and obtained a deficiency appropriation of \$4,000,000 for this particular item, and on top of that he now goes before the Appropriation Committee and asks for and gets \$1,500,000 more, making \$5,500,000 deficiency for the fiscal year 1921, after we had given him all he asked. item has increased from about \$1,000,000 nine years ago to nearly \$16,000,000 for the present year. This item has grown more rapidly than any other in the Post Office expenses, and is due to parcel post and the fact that they have substituted in the large cities Government owned and operated automobiles instead of having the contract service.

Mr. Chairman, I ask unanimous consent to extend my re-

marks on this subject on the postal deficit.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to extend his remarks on the subject indicated. Is there objection? [After a pause.] The Chair hears none. Mr. STEENERSON. I withdraw the pro forma amendment.

POSTAL DEFICIT.

Under the accounting system established for the Post Office Department postal receipts are collected by it, and all expenditures are paid, pursuant to appropriations by Congress, out of postal revenues, and whenever these are insuffic ent to pay the bills incurred the Postmaster General is authorized to certify a deficit to the Treasury and to make a draft for the amount The Auditor for the Post Office Department is an officer of the Treasury, and to him all receipts must be reported and all expenditures are audited by him. His annual report is required to be published as a part of the annual report of the Postmaster General. The difference between the audited receipts and audited expenditures constitute the surplus or deficit, as the case may be.

In his first annual report, fiscal year 1913, the former Postmaster General pointed out that theretofore the postal deficit or surplus had been ascertained by comparing the audited receipts with the audited expenditures for the year, but he also explained that this method was faulty inasmuch as all receipts were cash, but expenditures were not and could not be paid until some time elapsed after they were incurred, and consequently a delay in auditing receipts at the end of the fiscal year might unduly increase the apparent surplus. Thus he explained the

receipts for that year exceeded the expenditures by \$4,540,000, but there were outstanding debts on account of service which he estimated, so that he made the actual surplus only \$3,841,000. By this method he claimed that the surplus of \$219,000 reported for 1911 by his predecessor, Mr. Hitchcock, should in fact be wiped out, and that therefore his surplus for 1913 was the first in 30 years, when Mr. Gresham, a Democrat, was in office. In his next annual report, 1914, he followed this new method and subtracted from the expenditures for the year what had been paid for service on account of prior years and then added estimated outstanding obligations, making a total under the heading "Estimated expenses for the fiscal year 1914 paid and payable." In this way he reduced the reported surplus from \$4,376,463 to \$3,569,687.

For reasons which are now obvious he did not follow his new improved plan in his last report, 1920. Had he done so he would have been compelled to tell the public what the unpaid and outstanding bills of his administration amounted to. included increased rates allowed for railway mail pay by the Interstate Commerce Commission of \$65,575,832 to the United States Railroad Administration and a number of smaller items of railway mail pay, in all amounting to \$77,960,290.52, and other items of deficiency aggregating a total of \$81,085,467.75. These items are appropriated for in the recent deficiency bill and represent unpaid bills incurred during the administration of Mr. Burleson which must be paid out of the Treasury and added to the already existing deficit as shown below.

### EXHIBIT A.

Below is a list of deficiency appropriations as contained in House bill 15962, which represents the amounts required to pay the debts of the Post Office Department for the eight years 1913 to 1920, inclusive. These bills are unpaid, and will not be paid until these deficiency appropriations are available:

1918	\$146, 70
1914	384. 07
1915	27, 672, 36
1916	4, 320, 12
1917	10, 144, 238, 36
1918	357, 878, 34
1919	144. 08
1920	
1914 to 1918, inclusive	339, 274, 34
1916 to 1917, inclusive	71, 852, 16
1918 to 1920, inclusive	65, 575, 832, 03
1920 judgment, Court of Claims	570, 27
1920 Judgment, Court of Chands-1-1-1-1-1	27/4/2017
m 4.3	81 085 467 75

From the Treasury statement printed below it appears that for the eight years 1913 to 1920, both inclusive, the Treasury lost by reason of its connection with the Post Office Department \$12,867,154.19. That is the amount the Postmaster General drew out on account of deficiencies in postal revenues to pay the bills. In addition we now find there are unpaid bills for these years amounting to \$81,085,567.75, carried in the deficiency bill, or a total of \$92,952.791.44;

$\begin{array}{cccccccccccccccccccccccccccccccccccc$
$\begin{array}{cccccccccccccccccccccccccccccccccccc$
1916 - 300, 362, 22 1917 + 12, 109, 841, 91 1918 + 12, 590, 438, 85
1917 + 12, 109, 841, 08 1918 + 12, 590, 438, 35
1918 + 12, 590, 438. 35
1919 — 490, 471, 98
192036, 134, 016. 08

Net loss, 1913 to 1920\_

NOTE: + indicates gain; - Indicates loss.

Mr. Burleson from time to time published statements showing how he had enriched the Treasury by depositing surplus postal funds, but the official statement shows that for the eight years of his administration the Treasury actually lost \$12,-667,154.19 by reason of its connection with the Post Office Department for those years. In addition to this amount, the above items of \$81,085,467.75 should be added, making a total of \$93,742,622.50.

But even this colossal sum does not represent the Burleson deficit. The Treasury statement includes another item for "Deficit under Federal control of telegraph and telephones" of \$12,018,557,68, or a grand total of \$105,961,180.18, a postal deficit that far exceeds anything for a similar period since the foundation of the Government.

-12,867,154.19

Hon. Halvor Steenerson,
House of Representatives. One inclosure.

Amounts drawn from the Treasury for postal deficiencies and amounts returned thereto, including deposits of surplus postal revenues, fiscal years 1913 to 1920, inclusive.

Fiscal years.	Advances from the Treasury on account of postal deficiencies.	Repay- ments to the Treasury on account of postal deficiencies.	Net grants from the Treasury.	Surplus revenues deposited in the Treasury.	Treasury gained (+); Treasury lost (-).
1913 1913 1914 1915 1916 1917 1917 1917 1918 1918 1919	6, 640, 736, 02 5, 500, 000, 00 8, 021, 094, 54 343, 511, 15	4, 143. 42 5, 800, 000. 00	\$1, 027, 368. 79 6, 636, 592, 60 5, 500, 000. 00 2, 221, 094. 54 343, 511. 15 114, 854. 21	19, 000, 000. 00 33, 000, 000. 00 4300, 000. 00 115, 000, 000. 00	+ 3, 500, 000, 00 - 6, 636, 592, 60 - 300, 000, 00 +12, 300, 000, 00
Total	23, 647, 564. 71	7, 804, 143, 42	15, 843, 421. 29	40, 357, 700. 75	+24, 514, 279, 46

Surplus revenue of the year indicated, but not deposited in the Treesury until

\*Surpris revenue of the year the following year. 2 Deposited in fiscal year 1918. \*Deposited in fiscal year 1919. \*Deposited in fiscal year 1920.

inder various la	ues on accoun
1510 to 1520, the	insice.
\$370, 217, 26	
8, 400, 28	
4, 995. 55	
	\$383, 613. 0
950 505 51	
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234, 20	
	365, 026, 9
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12,010.00	87, 682, 6
	2017 SERVICE
114. 95	
247. 27	362. 2
	502. 2
5, 000. 00	
37/10/2002	
12, 379. 76	
105 075 00	
100, 610. 00	
	4, 995. 55  359, 767. 74  5, 000. 00 25. 00 234. 20  55, 000. 00 19, 352. 11 1, 256. 97 12, 073. 59  114. 95 247. 27

iscellaneous payments under re-lief acts, etc-----10, 104, 07 190, 158, 92 Equipment and moving expenses,
Post Office Department, equipment shops.
Equipment shops, Post Office Department.
Judgments, Court of Claims.
Relief of mail contractors in certain Southern States, 1860 and
1862 4,000.00 130, 000. 00 161. 40 37, 115, 71 1862 Expenses. trading-with-the-enemy act, Post Office Department\_\_\_\_ 17, 190, 00

Equipment and moving expenses,
Post Office Department, equipment shops.

Equipment shops, Post Office De-5, 891. 68 12, 982, 44 7, 595, 27 3, 225, 99 13, 576, 27 43, 147, 84 36, 194, 92

Judgments, Court of Claims
Judgments, United States courts
Relief of mall contractors in certain
Southern States, 1860 and 1862 6, 255, 99

acts, etc.

24, 206, 02 140. 40 146, 960, 83

188, 467. 11

208, 694, 94 5, 350, 12

1021.	COLUMNICATION
Enforcement of the espionage and trading with the enemy acts Post Office Department  Expense of war-savings and thrift stamps.  National security and defense (Postal Service)  Heat, light, and power, Post Office	\$4, 396, 31 42, 739, 71 22, 96
Building, Washington, D. C Additional compensation, Posta Service (joint resolution, Nov. 8 1919)	
Miscellaneous payments under relief acts, etc.	t in the second
Additional payments	The state of the s
SUMMARY 1913	+ \$2, 946, 718, 87 + 3, 134, 973, 96 - 6, 724, 275, 27 - 300, 362, 22 + 12, 109, 841, 08 + 12, 590, 438, 85 - 490, 471, 98 - 36, 134, 016, 08
Net loss 1913 to 1920	enues deposited in the Treasury
miscellaneous receipts from— "Violation of postal laws," deposited in "Estimated increase in first-class post:	age" for 1918.
deposited in 1919 "Estimated increase in first-class posta deposited in 1919	71, 906, 000, 00
"Estimated increase in first-class posta 1919, deposited in 1920 "Censorship of foreign mails, Panama	Canal Zone," 4, 913, 000. 00
1919, deposited in 1919 "Sale of office material, etc.," act of deposited in 1920	5, 514. 08
"Value of stamps found in lobby of post	-office building,

116, 017, 566. 06 Disbursements were made from the appropriation "Deficit under Federal control of telegraph and telephone systems, 1920-21," during the fiscal year 1920, amounting to \$12.018,557.68.

Mr. ANDREWS. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record on the bill.

The CHAIRMAN. Is there objection?

Mr. LANHAM. Mr. Chairman, I make the same request. The gentleman from Texas also asks The CHAIRMAN. unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Navy Department-

Mr. GOOD. Mr. Chairman, I ask unanimous consent to return to an item that was objected to the other day. The gentle-man who made the point of order on it has investigated it and has found that it is all right. It is on page 7, lines 7 to 10.

The CHAIRMAN. The gentleman from Iowa asks unanimous

consent to return to page 7, to the item covered by lines 7 to 10.

Is there objection?

There was no objection. Mr. BLANTON. Mr. Chairman, I made a point of order to this item the other day, and this morning I saw Judge McCoy, of the District Supreme Court, and he stated that he had investigated the matter and that these positions were absolutely necessary for the proper conduct of the court business. his statement, and that of one other judge who agreed with him on the matter, I agreed to withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn. Mr. GOOD. I ask also to return to an item on page 20, com-

mencing with line 1.

Mr. CONNALLY of Texas. Mr. Chairman, does not the gentleman from Iowa have to offer the provision anew?

The CHAIRMAN. Yes.

Mr. GOOD. Yes; I offer the following provision.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

On page 7, line 7, insert "For additional employees from June 1, 1921, to June 30, 1922, inclusive, at annual rates of compensation as follows: Jury clerk, \$1,600; 4 enrolling clerks, at \$1,600 each; stenographer and typist, \$1,400; in all, \$10,183.34."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GOOD. Now, Mr. Chairman, I ask unanimous consent to prior fiscal year return also to page 20 in order that I may offer an amendment lution thereon.

on lines 1 to 13, inclusive. That went out on a point of order, think, under a misapprehension.

.The CHAIRMAN. The gentleman from Iowa asks unanimous consent to return to page 20 for the purpose of offering an amendment to lines 1 to 13, inclusive. Is there objection?

There was no objection.

Mr. GOOD. I offer the amendment from lines 1 to 13, on page 20.

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

On page 20, beginning at the top, insert:

"The third proviso of the paragraph making appropriations for the Bureau of War Risk Insurance, as contained in the legislative, executive, and judicial appropriation act for the fiscal year 1922, is hereby amended to read as follows: "Provided further, That no person shall be employed hereunder at a rate of compensation exceeding \$1,800 per annum except the following: Three at not exceeding \$7,500 each, 9 at not exceeding \$5,000 each, 28 at not exceeding \$4,500 each, 49 at not exceeding \$3,000 each, 68 at not exceeding \$2,500 each, and 215 at not exceeding \$2,000 each."

The CHAIRMAN. The question is on agreeing to the amend-

Mr. WINGO. Mr. Chairman, I reserve a point of order on that.

Mr. GOOD. I think the point of order was made on the assumption that some other committee had jurisdiction over this matter

Mr. WINGO. My understanding was that the point of order was made on the ground that it was an increase of salary. Is not that true?

Mr. GOOD. It is not an increase of salary. It lifts the limitation somewhat, but the whole matter was carried on the The Committee on Appropriations is alone responsible for the limitation and frankly acknowledges that the limitations would cripple this service, and the point of order was made on the assumption, I think, that some committee other than the Committee on Appropriations had jurisdiction of this matter.

Mr. WINGO. The effect of this amendment will be to increase the salaries of some of the employees, will it not?

Mr. GOOD. Not over what they are now receiving, but over what they otherwise would receive. It permits in the department a larger number of persons who would receive salaries

Mr. WINGO. In other words, this puts back the salaries where they were?

Mr. GOOD. No; not all of them. I will say to the gentleman that those who are administering the reorganization of the bureau are satisfied that that bureau can not properly function unless this is done, and we will take upon ourselves a serious responsibility if we have boys writing in here on questions of allowances, and so forth, if we are not able to give that organization the force that will permit it to function

in a regular and healthy way. Mr. WINGO. As I understand, the current law cut down and put restrictions on that bureau which it is now found will cripple the service. The effect of some of these restrictions is to hold down salaries. If it were any other service than this I should feel like insisting on the point of order. My observation in the last four or five weeks is that that bureau is getting worse and worse. I know of a case where absolutely for a year a man has been lying helpless, and the Red Cross has appealed on this man's behalf. This morning I got an appeal from the Red Cross in another city, from a friend whom I happen to know, stating that they can not get this bureau to answer letters. If this will do them any good and wake them up and help them to hasten their adjudication of cases, I will not make the point of order, because something ought to be done to make them attend to business more expeditiously.

Mr. GOOD. That is the purpose of the amendment.

Mr. WINGO. I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn. question is on the amendment of the gentleman from Iowa [Mr.

The amendment was agreed to.

Mr. GOOD. I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. Campbell of Kansas, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 6300) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes, had come to no reso-

# LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. Drewry, for three days, on account of sickness in his family.

### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Cravens, one of its clerks, announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 535) to prevent the unauthorized landing of submarine cables in the United

# ENROLLED BILL SIGNED.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 2435. An act imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenue; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes

The SPEAKER announced his signature to enrolled bill of

the following title:

S. 535. An act relating to the landing and operation of submarine cables in the United States.

# LEAVE TO WITHDRAW PAPERS.

Mr. Osborne, by unanimous consent, obtained leave to withdraw from the files of the House without leaving copies the papers in the cases of H. R. 843, 835, 836, 849, 846, and 839, Sixty-sixth Congress, no adverse reports having been made

# THE PACKERS BILL.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that at the conclusion of the consideration of the bill now under consideration—not, however, to interfere with Calendar Wednesday—the House take up H. R. 6320 for consideration under the general rules of the House, the same being what is known as the packers bill.

The SPEAKER. The gentleman makes the request for unani-

mous consent that the House has heard. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, I understood the gentleman to say "not to interfere with Calendar Wednesday."

Mr. MONDELL. I may make a request later to dispense with Calendar Wednesday, but for the present I am not prepared to do that. My thought was that we would probably finish the deficiency bill some time to-morrow afternoon and could then take up the packers bill for consideration. Whether or not we should want to dispense with Calendar Wednesday would depend on the status of measures from the Committee on Interstate and Foreign Commerce.

Mr. GARRETT of Tennessee. Unfortunately one of the minority members of the Committee on Agriculture has been called out of the city on account of a death in his family.

Mr. MONDELL. I understand that that member is favorable

Mr. GARRETT of Tennessee. I do not personally know as to his attitude. I do not wish to object. It may be that subsequent developments might cause me to make some request to the gentleman touching the matter.

The SPEAKER. Is there objection?

Mr. WALSH. I should like to ask the gentleman if this is

the same measure that was pending in the last session?

Mr. MONDELL. No, Mr. Speaker, it is not the same measure. Some features of it are similar to that measure, but in the main it is quite a different measure.

Mr. WALSH. How much debate will there be?

Mr. MONDELL. That will be a matter to be determined when the bill is taken up. I imagine some considerable debate will be desired. There is no disposition to shorten the debate.

Mr. CHINDBLOM. Will the gentleman yield?

Yes. Mr. MONDELL.

Mr. CHINDBLOM. Does the gentleman happen to know

whether there is much controversy about the bill?

Mr. MONDELL. I understand that the bill is unanimously reported from the committee, and I do not know that there is

very much controversy about it. I doubt if there is.

Mr. GARRETT of Tennessee. I will suggest that it is pretty hard to tell about that. We had a bill in recently that was reported unanimously from the same committee, where there

was a great deal of opposition.

Mr. MONDELL. Oh, I have no doubt there will be a difference of opinion in regard to the provisions of the bill; it would be very extraordinary if there were not; but as far as the committee was concerned it was reported unanimously.

The SPEAKER. Does the gentleman couple with his request the provision that it shall be a continuing order?

Mr. MONDELL. Yes.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

# ADJOURNMENT,

Mr. GOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 50 minutes p. m.) the House adjourned until to-morrow, Tuesday, May 24, 1921, at 12 o'clock noon.

# REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. VAILE, from the Committee on the Public Lands, to which was referred the bill (H. R. 2205) to add certain lands on the North Fork of the Shoshone River to the Shoshone National Forest, reported the same without amendment, accompanied by a report (No. 88), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

# REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SUTHERLAND, from the Committee on the Public Lands, to which was referred the bill (H. R. 3116) validating homestead entry of Mike Campbell for certain public land in Alaska, reported the same without amendment, accompanied by a report (No. 89), which sail bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred sundry bills of the House, reported in lieu thereof the bill (H. R. 6507) granting pensions and increase of pensions to certain soldiers and sallors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, accompanied by a report (No. 90), which said bill and report were referred to the Private Calendar.

# CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 5738) granting an increase of pension to Walter W. Donahue; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 6338) granting a pension to Melissa J. King; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

# PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials

were introduced and severally referred as follows:

By Mr. BARBOUR: A bill (H. R. 6500) to provide for a public building at Reedley, Calif.; to the Committee on Public Buildings and Grounds.

By Mr. KAHN: A bill (H. R. 6501) amending an act entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes," approved February 2, 1919; to the Committee on Military Affairs.

By Mr. KINKAID: A bill (H. R. 6502) securing rights of way and easements over public land in connection with Federal irrigation projects; to the Committee on Irrigation of Arid Lands.

By Mr. MILLSPAUGH: A bill (H. R. 6503) to amend the Federal reserve act and to provide rural credits by the issuing of Federal reserve notes against deposits of Liberty and Vic-tory bonds; to the Committee on Banking and Currency.

By Mr. PRINGEY: A bill (H. R. 6504) authorizing the United States Court of Claims to hear and determine any claims of the Delaware Tribe of Indians of the State of Oklahoma, or the State of Kansas, for any moneys, lands, and interest found due said Indians, and their descendants under any treaty between the United States of America and the Delaware Tribe of In-dians; to the Committee on Indian Affairs.

Also (by request), a bill (H. R. 6505) authorizing the United States Court of Claims to hear and determine any claims of the Shoshone Indians of the State of Idaho and the State of Utah for any moneys, lands, and interest found due said Indians; to the Committee on Indian Affairs.

By Mr. VAILE: A bill (H. R. 6506) for the relief of Philippine Scouts officers; to the Committee on Military Affairs.

By Mr. FULLER: A bill (H. R. 6507) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; committed to the Committee of the Whole House and ordered to be printed.

By Mr. RAMSEYER: A bill (H. R. 6508) to amend sections 213 and 215, act of March 4, 1909 (Criminal Code), relating to offenses against the Postal Service, and sections 3929 and 4041, Revised Statutes, relating to the exclusion of fraudulent devices and lottery paraphernalia from the mails; to the Committee on the Post Office and Post Roads.

By Mr. SNYDER: A bill (H. R. 6509) to extend the provisions of the act of February 8, 1887, as amended, to lands purchased for Indians; to the Committee on Indian Affairs.

By Mr. DENISON: A bill (H. R. 6510) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; to the Committee on the Judiciary.

By Mr. ANTHONY: A bill (H. R. 6511) to reward officers of the United States Army for exceptionally long and faithful service; to the Committee on Military Affairs.

By Mr. GENSMAN: A bill (H. R. 6512) for the relief of and purchase of lands for certain of the Apache Indians of Oklahoma lately confined as prisoners of war at Fort Sill Military Reservation, and for other purposes; to the Committee on Indian Affairs

By Mr. PERLMAN: Joint resolution (H. J. Res. 129) providing that October 12 shall be a legal holiday; to the Committee on

the Judiciary

By Mr. FULLER: Memorial of the senate of the State of Illinois, favoring the metric system of weights and measures; to the Committee on Coinage, Weights, and Measures.

# PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. APPLEBY: A bill (H. R. 6513) authorizing the Secretary of War to donate to the borough of Manasquan, Monmouth County, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BLANTON: A bill (H. R. 6514) granting Parramore

Post, No. 57, American Legion, permission to construct a me-morial building on the Federal site at Abilene, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. BOND: A bill (H. R. 6515) for the relief of William

C. Schmitt; to the Committee on Claims.

By Mr. BRITTEN: A bill (H. R. 6516) granting a pension to

Martin F. Gibbons; to the Committee on Pensions.

By Mr. CHINDBLOM: A bill (H. R. 6517) granting a pension to Jennie M. Heath Hughes; to the Committee on Invalid

By Mr. COOPER of Wisconsin: A bill (H. R. 6518) granting a pension to Lydia F. Munns; to the Committee on Pensions. By Mr. DALE: A bill (H. R. 6519) granting a pension to

Clara Randall; to the Committee on Invalid Pensions

Also, a bill (H. R. 6520) granting an increase of pension to George M. Perry; to the Committee on Pensions.

By Mr. DENISON: A bill (H. R. 6521) granting a pension to Philadelphia J. A. Winn; to the Committee on Invalid Pensions. By Mr. EDMONDS: A bill (H. R. 6522) for the relief of

Einar Barfod; to the Committee on Claims.

Also, a bill (H. R. 6523) for the relief of John Burke, former Treasurer of the United States, for lost bonds without the fault or negligence on the part of said former Treasurer; to the

Also, a bill (H. R. 6524) to permit the correction of the general account of John Burke, former Treasurer of the United States: to the Committee on Claims,

Also, a bill (H. R. 6525) for the relief of the Cortez Oil Co.; to the Committee on Claims.

By Mr. FAVROT: A bill (H. R. 6526) to carry into effect the findings of the Court of Claims in favor of Elizabeth White, administratrix of the estate of Samuel N. White, deceased; to the Committee on War Claims.

By Mr. FREE: A bill (H. R. 6527) for the relief of the estate

of Fannie B. Fithian, deceased; to the Committee on Claims. By Mr. FROTHINGHAM: A bill (H. R. 6528) granting a pension to Samuel D. Maxwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6529) granting a pension to Mary Chapman; to the Committee on Invalid Pensions.

By Mr. GENSMAN: A bill (H. R. 6530) granting a pension to Jennie Banks; to the Committee on Pensions.

By Mr. GLYNN: A bill (H. R. 6531) for the relief of William

Hensley; to the Committee on Claims.

By Mr. HOGAN: A bill (H. R. 6532) granting a pension to

Margaret Whelan; to the Committee on Invalid Pensions.

By Mr. JACGWAY: A bill (H. R. 6533) for the relief of J. C. Hendricks, administrator of the estate of Samuel Houston, deceased; to the Committee on War Claims.

Also, a bill (H. R. 6534) for the relief of George W. Beavers;

to the Committee on Military Affairs.

By Mr. KAHN: A bill (H. R. 6535) for the relief of Davis H. Dotterer, deceased; to the Committee on Military Affairs.

By Mr. KING: A bill (H. R. 6536) authorizing the Secretary of War to donate to the town of Liberty, State of Illinois, one German cannon or fieldpiece; to the Committee on Military

By Mr. LINTHICUM: A bill (H. R. 6537) granting a pension to Mary Catherine Flynn; to the Committee on Invalid Pen-

By Mr. MONTAGUE: A bill (H. R. 6538) for the relief of Grey Skipwith; to the Committee on Naval Affairs.

By Mr. NEWTON of Missouri: A bill (H. R. 6539) authorizing the Secretary of War to donate to the city of Brentwood, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6540) authorizing the Secretary of War to donate to the city of Oakland, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6541) authorizing the Secretary of War to donate to the city of Glendale, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6542) authorizing the Secretary of War to donate to the city of St. Ferdinand, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6543) authorizing the Secretary of War to donate to the town of Valley Park, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6544) authorizing the Secretary of War to donate to the town of Shrewsbury, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6545) authorizing the Secretary of War to donate to the town of Richmond Heights, Mo., one German cannon or fieldpiece; to the Committee on Military Affairs. Also, a bill (H. R. 6546) granting a pension to Ellen Knefler

Taussig; to the Committee on Pensions.

By Mr. PAIGE: A bill (H. R. 6547) granting a pension to Melvina Parker; to the Committee on Pensions.

By Mr. RAMSEYER: A bill (H. R. 6548) granting a pension to Anna C. Livingston; to the Committee on Invalid Pensions. By Mr. STRONG of Pennsylvania: A bill (H. R. 6549) grant-

ing a pension to Charles B. Clark; to the Committee on Pen-

By Mr. TAYLOR of Tennessee: A bill (H. R. 6550) for the relief of Gertrude King Maston; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 6551) granting a pension to Visa Dail; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6552) granting extra pay to the heirs of

James J. Dail; to the Committee on Claims.

Also, a bill (H. R. 6553) granting an increase of pension to Poppy Trammell; to the Committee on Pensions.

Also, a bill (H. R. 6554) granting an increase of pension to Charles F. Carver; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 6555) granting an increase

of pension to Ellen Brown; to the Committee on Invalid Pen-

Also, a bill (H. R. 6556) to carry out the findings of the Court of Claims in the case of Joseph B. Harris; to the Committee on Claims.

By Mr. TOWNER: A bill (H. R. 6557) to authorize the Secretary of the Treasury to repair and rebuild customs buildings in Porto Rico; to the Committee on Insular Affairs.

By Mr. VAILE: A bill (H. R. 6558) granting an increase of pension to Kate M. King; to the Committee on Invalid Pensions. By Mr. WARD of New York: A bill (H. R. 6559) for the re-

lief of Elmer M. Murnane; to the Committee on Claims. By Mr. WISE: A bill (H. R. 6560) granting an increase of pension to John G. Patton; to the Committee on Pensions.

Also, a bill (H. R. 6561) for the relief of J. H. B. Wilder; to the Committee on Claims.

Also, a bill (H. R. 6562) authorizing the Treasurer of the United States to pay S. C. Davis the sum of \$617.70 as full compensation for services rendered as a member of the local draft board for Bibb County, Ga.; to the Committee on Claims.

# PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid

on the Clerk's desk and referred as follows:

852. By Mr. BARBOUR: Resolution adopted by the council of the city of Bakersfield, Calif., urging a reconsideration of the transportation act of 1920; to the Committee on Interstate and Foreign Commerce.

853. Also, resolution adopted by the Fresno County Chamber of Commerce, urging an appropriation for the purchase of the experiment vineyards near Fresno and Oakville, Calif.; to the

Committee on Agriculture.

854. By Mr. CAMPBELL of Pennsylvania: Petition of the citizens of the thirty-second district of Pennsylvania, protesting against the passage of the Capper-Fess physical education bills (S. 3950 and H. R. 12653); to the Committee on Education.

855. By Mr. CHALMERS: Petition of North End Improvement Association, of Toledo, Ohio, opposing Federal control over local telephones; to the Committee on Interstate and For-

eign Commerce.

856. By Mr. COCKRAN: Petition of Chamber of Commerce of the State of New York, favoring the plan for daylight saving; to the Committee on Interstate and Foreign Commerce. 857. Also, petition of New York Lumber Trade Association,

857. Also, petition of New York Lumber Trade Association, protesting against the proposal to place a duty on Canadian

lumber; to the Committee on Ways and Means.

858. By Mr. CONNOLLY of Pennsylvania: Petition of the Third Hermann Building Association, of Philadelphia, Pa., favoring the exemption from taxation of income from building and loan association shares to the extent of \$500; to the Committee on Ways and Means.

859. Also, petition of the Reformed Germantown Avenue Building and Loan Association, favoring the enactment of legislation exempting from taxation income from building and loan association shares to the amount of \$500; to the Committee on

Ways and Means.

860. Also, petition of citizens of the fifth district of Pennsylvania, protesting against the enactment of legislation having for its purpose the substitution of a sales tax for the excess-

profits tax; to the Committee on Ways and Means.

861. By Mr. COOPER of Wisconsin: Resolutions from the Racine Advertising Club, Racine; Woman's Auxiliary Unit 5, Loomis-Martin Post, No. 188, East Troy; St. Thomas Council, No. 605, Knights of Columbus, Beloit; Daniel J. Martin Post, American Legion, Waukesha; and the Kiwanis Club, Racine, all in the State of Wisconsin, urging relief of the disabled soldiers, sailors, and marines; to the Committee on Interstate and Foreign Commerce.

862. By Mr. CULLEN: Memorial of New York Chapter, No. 2, Disabled American Veterans of the World War, urging the passage of House bill 216; to the Committee on the Judiciary. 863. Also, resolution of the executive committee of the Na-

863. Also, resolution of the executive committee of the National Consumers' League, urging immediate favorable action upon the Sheppard-Towner bill (H. R. 2366, S. 1039); to the Committee on Interstate and Foreign Commerce.

864. Also, resolution of Woman's Auxiliary Unit of Old Glory Naval Post, of New York, urging relief of the disabled in the late war; to the Committee on Interstate and Foreign Commerce.

865. Also, resolution of the New York Lumber Trade Association, protesting against the proposal to place a duty on Canadian lumber; to the Committee on Ways and Means.

866. Also, resolution adopted by the Chamber of Commerce of the State of New York, favoring the plan for daylight saving; to the Committee on Interstate and Foreign Commerce.

867. Also, resolution adopted at the meeting of the National Editorial Association held at St. Augustine, Fla., March, 1921, indorsing the zone postage law and urging Congress to maintain the principle as the right and just one for second-class postage rates; to the Committee on the Post Office and Post Roads.

868. Also, preamble and resolution unanimously adopted at the annual meeting of the maritime section of the Navy League on April 28, 1921; to the Committee on Naval Affairs.

869. Also, resolutions adopted by the board of aldermen, city of New York, indorsing the report of the committee on general welfare in favor of resolutions relative to public solicitation of funds for disabled soldiers, their care and training, and a communication from the American Legion in connection therewith; to the Committee on Interstate and Foreign Commerce,

870. Also, resolutions adopted at a meeting of the Lithuanian American Board of Commerce and Industry, held at the Waldorf Astoria Hotel, New York City, May 4, 1921, requesting the immediate appointment of a consul to Lithuania; to the Committee on Foreign Affairs.

871. Also, resolutions adopted by the Chamber of Commerce of the United States at its ninth annual meeting, held in Atlantic City, N. J., April 27–29, 1921, on the subject of disabled veterans and soldiers, sailors, and marines; to the Committee on

Ways and Means.

872. Also, resolution unanimously adopted at the annual convention of the United States League of Local Building and Loan Associations held at New Orleans April 30, 1921, indorsing the proposal to amend the Federal revenue act by granting an exemption of \$500 to annual income derived by any citizen from investments in a domestic building and loan association; to the Committee on Ways and Means.

873. By Mr. CURRY: Petition of the Chamber of Commerce of Concord, Calif., favoring legislation for the relief of the disabled soldiers; to the Committee on Interstate and Foreign

Commerce.

874. Also, petition of To Kalon Vineyard Co., of Oakville, Calif., favoring purchase by the Federal Government of experimental vineyards near Oakville and Fresno, Calif.; to the Committee on Agriculture.

875. Also, resolution of American Legion Post of Suison, Calif., favoring certain legislation for the relief of the disabled veterans of the World War; to the Committee on Interstate and

Foreign Commerce.

876. By Mr. DALLINGER: Petition of citizens of Massachusetts, from citizens of the eighth congressional district of Massachusetts, and from the Massachusetts State Council, Knights of Columbus, favoring recognition of the government of the republic of Ireland; to the Committee on Foreign Affairs.

877. By Mr. FOCHT: Papers to accompany House bill 4016, for the relief of Miss Naomi C. Wilson; to the Committee on

Invalid Pensions.

878. By Mr. FROTHINGHAM: Resolutions by Woman's Auxiliary of American Legion Post No. 147, of Rockland, Mass., and from George S. Shepard Post, No. 7, North Easton, Mass., urging relief of the disabled soldiers; to the Committee on Interstate and Foreign Commerce.

879. By Mr. FULLER: Petition of H. S. Rich & Co., of Chicago, Ill., favoring the repeal of tax on bottle beverages; to

the Committee on Ways and Means.

880. Also, petition of the Goldsmith Piano Co., of Chicago, Ill., opposing tax on musical instruments; to the Committee on Ways and Means.

881. Also, petition of the National Consumers' League, favoring the passage of the Sheppard-Towner maternity bill; to the Committee on Interstate and Foreign Commerce.

882. Also, petition of the W. T. Rawleigh Co., of Freeport, Ill., favoring an amendment to House bill 5033; to the Committee on the Judiciary

mittee on the Judiciary.

883. Also, petition of the De Kalb (III.) Post, No. 66, American Legion, favoring relief of the disabled ex-service men; to the Committee on Interstate and Foreign Commerce.

884. Also, petition of rural letter carriers of Rockford, Ill., favoring revision and increase of pay for rural letter carriers;

to the Committee on the Post Office and Post Roads.

885. By Mr. FUNK: Petition by the Women's Auxiliary of the American Legion, of Paxton, Ill., indorsing the program of legislation asked by the American Legion of the Sixty-seventh Congress in the interest of disabled soldiers, sailors, and marines, etc.; to the Committee on Interstate and Foreign Commerce.

886. By Mr. GALLIVAN: Petition of Knights of Columbus, Massachusetts State Council, William C. Prout, State secretary, urging recognition of the Irish republic by the United States of America; to the Committee on Foreign Affairs.

887. By Mr. HERSEY: Telegram from Hon. Charles F. Marble, Portland, Me., indorsing the Smoot sales tax bill; to the Committee on Ways and Means.

888. By Mr. KISSEL: Petition of Armenian National Union of America, New York, regarding Armenia; to the Committee on Foreign Affairs.

889. Also (by request), petition from 30 persons, urging the recognition of the Irish republic; to the Committee on Foreign

890. By Mr. KNUTSON: Petitions of Scott Young Camp, No. 2, Portland, Oreg.; David Brown Camp, No. 20, Richmond, Ind.; Major William McKinley Camp, No. 10, Philadelphia, Pa.; Ohio Valley Camp, No. 1, Wheeling, W. Va.; Colonel E. R. Shumway Camp, No. 28, Worcester, Mass.; Eli H. Clampitt

Camp, No. 49, Lebanon, Ind.; Colonel Charles A. Wikoff Camp, No. 43, Easton, Pa.; George Leland Edgerton Camp, No. 32, No. 43, Easton, Pa.; George Leland Edgerton Camp, No. 32, Beaver Dam, Wis.; General George A. Garretson Camp, No. 4, Cleveland, Ohio; Naval Camp, No. 1, Philadelphia, Pa.; chief of staff of Michigan, United Spanish War Veterans; E. H. Liscum Camp, No. 7, Oakland, Calif.; Clarence Miller Camp, No. 5, Winona, Minn.; Tyrone Camp, No. 85, Tyrone, Pa.; General Guy V. Henry Camp, No. 38, New York, N. Y.; National Auxiliary United Spanish War Veterans, New York City; O. M. Tichenor Camp, No. 51, Princeton, Ind.; General William S. McCaskey Camp, No. 53, Langaster, Pa.; General Mason, B. Lakaman Camp, No. 51, Frinceton, Ind.; General William S. McCaskey Camp, No. 53, Lancaster, Pa.; General Moses B. Lakeman Camp, No. 44, Malden, Mass.; Department of Ohio, United Spanish War Veterans, Cleveland, Ohio; seven citizens of Hoosick Falls, N. Y.; Clarence Miller Auxiliary, United Spanish War Veterans; White Squadron Post, No. 90, Veterans of Foreign Wars, San Francisco, Calif.; General A. W. Greeley Camp, No. 52, United Spanish War Veterans; Sergeant Fred Thomas Camp, No. 48, Hoverhill Mass.; Exhert Camp, No. 40, Tolodo. No. 52, United Spanish War Veterans; Sergeant Fred Thomas Camp, No. 48, Haverhill, Mass.; Egbert Camp, No. 10, Toledo, Ohio; Fred Arnold, of Eau Claire, Wis., chairman department legislative committee United Spanish War Veterans; Earl Fiske Camp, No. 48, Greencastle, Ind.; seventeen Spanish War veterans, Miles City, Mont.; and Richard J. Harden Camp, No. 2, United Spanish War Veterans, Washington, D. C., favoring the passage of House bill 4; to the Committee on Pensions.

891. By Mr. LINTHICUM: Petition of the Hub, Baltimore, Md. favoring gross sales tay: to the Committee on Ways and

Md., favoring gross sales tax; to the Committee on Ways and

Means.

892. Also, petition of Export and Import Board of Trade, Baltimore, Md., favoring passage of House bill 134, to authorize aids to navigation and for other works in the Lighthouse Service; to the Committee on Interstate and Foreign Com-

893. By Mr. MacGREGOR: Resolution adopted by the Niagara Frontier Lodge, No. 1473, of the United Brotherhood of Maintenance of Way Employees and Railway Shop Laborers, protesting against the enactment of the proposed sales tax; to the Committee on Ways and Means.

894. By Mr. MEAD: Letter from G. Elias & Bros., of Buffalo, N. Y., regarding tariff; to the Committee on Ways and

895. By Mr. NEWTON of Missouri: Resolution adopted by the League of Women Voters of University City, Mo., in favor of better understanding between nations and for international

disarmament; to the Committee on Foreign Affairs.

896. By Mr. OSBORNE: Memorial of the board of trustees of the city of Culver City, Calif., urging the further amendment of the transportation act, 1920, so as to eliminate therefrom objectionable features; to the Committee on Interstate and Foreign Commerce.

897. By Mr. PARRISH: Resolution of the Woman's City Committee Social Welfare Work of San Antonio, Tex., appealing to Congress for a reconsideration of the question to retain the United States Interdepartmental Social Hygiene Board; to the Committee on Military Affairs.

898. By Mr. RAKER: Resolution adopted by the Associated Chambers of Commerce of Orange County, Calif., urging a modification of the transportation act of 1920; to the Committee

on Interstate and Foreign Commerce.

899. Also, letter from the San Francisco (Calif.) Chamber of Commerce, indorsing the China trade acts; to the Committee on Interstate and Foreign Commerce. Telegram from Kullman Salz & Co., of San Francisco, Calif., protesting against a tariff on hides; to the Committee on Ways and Means. Resolution by Raisner Post, No. 45, American Legion, of Corning, Calif., indorsing the program of legislation asked by the American Legion of the Sixty-seventh Congress; to the Committee on Interstate and Foreign Commerce. Letter from the Diamond Match Co., of New York City, protesting against a tariff on lumber coming from Canada; to the Committee on Ways and Means.

900. By Mr. SABATH: Resolution adopted by unanimous vote of the American Hardware Manufacturers' Association in convention assembled at Atlantic City, N. J., on May 13, 1921, urging general revision of the so-called La Follette seaman's bill; to the Committee on the Merchant Marine and Fisheries.

901. Also, resolution adopted by the public affairs committee of the Traffic Club of Chicago, opposing the passage of House bill 5037; to the Committee on Interstate and Foreign Commerce.

902. Also, resolution of the Senate of the State of Illinois, respectfully urging that the units of the metric system be adopted by the Congress of the United States as the legal standard of weights and measures after a transition period of 10 years, as proposed in bills now before Congress; to the Committee on Coinage, Weights, and Measures.

903. By Mr. SNYDER: Petition of Rocco Perretta, of Utica, N. Y., against increase of duty on olive oil; to the Committee on Ways and Means.

904. Also, petition of New York Board of Trade and Transportation, against the proposed discontinuance of the passport bureau in that city; to the Committee on Foreign Affairs.

905. By Mr. TREADWAY: Resolutions adopted by the diocese of western Massachusetts, in convention at Trinity Church, Lenox, Mass., on May 18, urging the calling of an international conference looking to disarmament; to the Committee on Foreign Affairs.

# SENATE.

TUESDAY, May 24, 1921.

(Legislative day of Friday, May 20, 1921.)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Vice President resumed the chair.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 535. An act relating to the landing and operation of sub-

marine cables in the United States; and

H. R. 2435. An act imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenue; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money, and for other purposes.

AIRPLANE SERVICE, NEW YORK AND SAN FRANCISCO (S. DOC. NO. 13).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury transmitting a com-munication from the Postmaster General, submitting a supplemental estimate of appropriation in the sum of \$125,000 required by the Postal Service, Office of the Second Assistant Postmaster General, for airplane service between New York and San Francisco, fiscal year 1921, payable from postal revenues, which was referred to the Committee on Appropriations and ordered to be printed.

IMPROVEMENT OF ROAD ON MISSIONARY RIDGE (S. DOC. NO. 14).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury transmitting a communication from the Secretary of War, submitting a supplemental estimate of appropriation in the sum of \$500 required by the War Department to cover cost of examination and preparation of report upon the manner of improvement of the Government road on Missionary Ridge, Chickamauga and Chattanooga National Military Park, fiscal year 1921, which was referred to the Committee on Appropriations and ordered to be printed.

# PETITIONS AND MEMORIALS.

The VICE PRESIDENT laid before the Senate a concurrent resolution of the Legislature of Hawaii favoring the enactment of legislation providing for the erection and maintenance of a soldiers' home in the Territory of Hawaii, which was referred to the Committee on Territories and Insular Possessions.

Mr. HARRELD presented petitions of sundry citizens of Atoka, Thomas, Fay, and Waynoka, all in the State of Okla-homa, praying for the enactment of legislation prohibiting gambling in grain and other agricultural products, which were referred to the Committee on Agriculture and Forestry.

Mr. ODDIE presented a resolution of the Auxiliary Unit, American Legion, of Yerington, Nev., favoring the enactment of legislation providing adequate relief for disabled ex-service men, which was referred to the Committee on Finance.

Mr. HITCHCOCK presented a petition of sundry citizens of Newcastle, Nebr., praying for the enactment of legislation for the recognition of the Irish republic, which was referred to the Committee on Foreign Relations.

Mr. JONES of Washington presented petitions of sundry citizens of Clayton, Wash., praying for the enactment of legislation to prohibit gambling in grain and other agricultural products, which were referred to the Committee on Agriculture and Forestry

Mr. BURSUM presented a resolution of the Roswell Advertising Club, of Roswell, N. Mex., which was referred to the Committee on Finance and ordered to be printed in the RECORD, as

Resolution for relief of the disabled.

Resolution for relief of the disabled.

Whereas as a part of the great body of American public opinion which compelled and supported the entrance of this Nation into the World War for democracy and freedom against autocracy and oppression, we feel solemnly and in duty bound to accept along with the victory our troops so handsomely won the obligation to render to our soldiers, sailors, and marines injured and disabled in the service every aid, comfort, and restitution which through hospital care, financial support, and vocational rehabilitation a grateful Nation can give; and Whereas now more than two years after the conclusion of the war there remains much to be done in providing adequate hospitalization, compensation, and vocational training for our disabled; and Whereas the American Legion, representing the great bulk of the disabled, as well as all exservice men and women, is, after careful analysis and study, suggesting and supporting a program of relief for the disabled which commends itself to us as most conservative and reasonable; and
Whereas with deep consciousness of our debt to the disabled we wish to join our voices with the voice of the American Legion in requesting that the legislation proposed be given earnest consideration by the national Congress: Therefore be it

\*Resolved, That we hereby indorse the program of legislation asked

by the national Congress: Therefore be it

Resolved, That we hereby indorse the program of legislation asked
by the American Legion of the Sixty-seventh Congress in the interest
of the disabled soldiers, sailors, and marines of America, and urge
upon our Representative from this clistrict and our Senators from
this State the speedy enactment of the five bills involved, including—
1. Legislation consolidating the three ex-service bureaus.
2. Appropriations for a permanent hospital building program.
3. Legislation decentralizing the Bureau of War Risk Insurance.
4. Legislation to further extend the benefits of vocational training
and providing vocational training with pay for all disabled men with
disabilities of 10 per cent or more traceable to the service.
5. Legislation providing privilege of retirement with pay for disabled
emergency officers of the World War.

Roswell Advertising Club.

ROSWELL ADVERTISING CLUB. E. J. WILLIAMS, President. B. B. MISKELL, Secretary.

ROSWELL, N. MEX., May 10, 1921.

Mr. BURSUM presented petitions of sundry citizens of Thomas, Chico, Clayton, Moses, and Bellview, all in the State of New Mexico, praying for the enactment of legislation to prohibit gambling in grain and other agricultural products, which were referred to the Committee on Agriculture and Forestry.

Mr. McLEAN presented resolutions of Auxiliary Tomaloris-Hall Post, No. 84, American Legion, of Simsbury; and Plymouth Unit, Women's Auxiliary to the American Legion, of Terry-ville, both in the State of Connecticut, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which were referred to the Committee on Finance.

He also presented a resolution of the Common Council of the city of Bridgeport, Conn., favoring the enactment of legislation for the recognition of the Irish republic, which was referred to

the Committee on Foreign Relations.

He also presented a letter in the nature of a petition of the Board of Directors of the Lumber Dealers' Association, of New Haven, Conn., favoring the enactment of legislation providing adequate protection against forest fires, for extension of the national forests, etc., which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution of the Manufacturers' Association of Connecticut (Inc.), of Hartford, Conn., favoring the immediate establishment by Congress of the principle of American valuation of imported goods as being essential to the welfare and preservation of Connecticut industries, which was referred

to the Committee on Finance.

He also presented a telegram in the nature of a petition signed by John K. Murphy, lieutenant, commanding New Haven Battalion, of New Haven, Conn., praying that an amendment be made to the naval appropriation bill providing for the confirmation of rating—in lowest rate—of newly enrolled naval reservists; extension of time for receiving benefits of continuous service; and subsistence for naval reservists on active duty for training for periods of less than 15 days, etc., which was ordered to lie on the table.

He also presented a petition of Rau-Locke Post No. 8, American Legion, of Hartford, Conn., praying for the enactment of legislation for recruiting several hundred young men into the Army from the rural communities of New England to take the Army agricultural course at the Camp Devens cantonment, which was referred to the Committee on Military Affairs.

He also presented a telegram in the nature of a petition of the Milford Chamber of Commerce, of Milford, Conn., praying that an amendment be made to the naval appropriation bill so as to provide for the construction of six submarines, which was ordered to lie on the table.

He also presented a petition of sundry fur manufacturers and merchants of Hartford, Conn., praying for the enactment of legislation to abolish the 10 per cent tax on manufactured furs, under Title IX, subdivision 19, revenue law of 1918, which was referred to the Committee on Finance.

He also presented a resolution of the Bridgeport Business Men's Association, of Bridgeport, Conn., favoring the enactment of legislation for the retention of zone advances in second-class mail and increases in rates, etc., so that each class of mail will pay the service cost, and also providing a 1-cent drop-letter rate in cities, towns, etc., which was referred to the Committee on Post Offices and Post Roads.

Mr. LADD presented resolutions of Fort Lincoln Chapter, American War Mothers, of Bismarck; Women's Auxiliary to Grand Forks Post, No. 6, American Legion, of Grand Forks; and Women's Auxiliary to Davidson Post, No. 156, American Legion, of Edinburg, all in the State of North Dakota, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which were referred to the Committee

on Finance.

Mr. CAMERON presented a resolution adopted at a joint meeting held May 9, 1921, of Bucky O'Neil Post, Veterans of Foreign Wars, and Ernest A. Love Post, No. 6, American Legion, of Prescott, Ariz., protesting against the enactment of sections 14, 16, and 19 (on the ground of being oppressive and uncalled for) of the so-called "Sweet bill" (H. R. 3), to establish in the Treasury Department a veterans' bureau and to improve the facilities and service of such bureau and further to amend and modify the war risk insurance act, which was referred to the Committee on Finance.

Mr. TOWNSEND presented a resolution adopted by the municipality of the city of Mount Clemens, Mich., favoring the recognition by the United States of the elected government of the republic of Ireland, which was referred to the Committee

on Foreign Relations.

He also presented resolutions of the Detroit Board of Commerce; Women's Auxiliary of Hannan-Colvin Post, No. 180, of Hudson; Women's Auxiliary, American Legion, of Berrien Springs; Geroux Post, No. 11, American Legion, of Wakefield; Ann Arbor Chamber of Commerce; General George A. Custer Post, No. 54, American Legion, of Battle Creek; Michigan State Department, American Legion, of Cheboygan; and Ladies' Auxiliary of Edw. C. Headman Post, No. 217, of Wyandotte, all in the State of Michigan, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which were referred to the Committee on Commerce.

Mr. CAPPER presented a resolution of Woodson Post, No. 185, Grand Army of the Republic, of Yates Center, Kans., favoring the enactment of legislation granting a minimum pension of \$72 per month to Civil War veterans and \$50 per month to Civil War widows, which was referred to the Committee on Pensions.

He also presented a resolution of the Chamber of Commerce, of Kansas City, Kans., favoring the enactment of the so-called "truth in fabric bill," which was referred to the Committee on Interstate Commerce.

He also presented a resolution adopted by the Texas and Southwestern Cattle Raisers' Association favoring the continued operation of the joint stock land banks under the Federal farm loan act, which was referred to the Committee on

Banking and Currency. He also presented petitions of High Prairie Local, No. 752, Farmers' Union, of Douglas County, and sundry citizens of Eskridge, Newton, Otego, Burr Oak, Belleville, kansas City, Baldwin, and Lawrence, all in the State of Kansas, praying for the enactment of legislation to prohibit gambling in grain and other agricultural products, which were referred to the Committee on Agriculture and Forestry.

# REPORTS OF COMMITTEES.

Mr. LODGE, from the Committee on Foreign Relations, to which were referred the following joint resolutions, reported them each without amendment:

A joint resolution (S. J. Res. 4) requesting the President to negotiate a treaty or treaties for the protection of salmon in

certain parts of the Pacific Ocean; and
A joint resolution (S. J. Res. 5) authorizing the President to invite foreign nations to take part in an exposition at Portland, Oreg., in 1925.

Mr. STERLING, from the Committee on the Judiciary, to which were referred the following bills, reported them each

with amendments, and submitted reports thereon: A bill (S. 657) to amend section 1014 of the Revised Statutes of the United States so as to authorize the issue of a warrant for the arrest and removal of persons under indictment for offenses against the United States (Rept. No. 69); and

A bill (S. 1375) to prohibit and punish certain seditions acts against the Government of the United States and to prohibit the use of the mails for the purpose of promoting such acts (Rept.

Mr. McLEAN. I ask unanimous consent to report back fa vorably from the Committee of Banking and Currency the bill (S. 1837) to amend section 32 of the act of Congress approved July 17, 1916, known as the Federal farm loan act, and I submit

a report (No. 71) thereon.

Mr. CURTIS. If the Senator having charge of the naval appropriation bill does not object, I should like to ask unanimous consent for the immediate consideration of the meas-

Mr. SMOOT. I should like to have it go to the calendar, so that I may have an opportunity to examine it.

Mr. CURTIS. Very well.

The VICE PRESIDENT. The bill will be placed on the cal-

Mr. WADSWORTH, from the Committee on Agriculture and Forestry, to which was referred the joint resolution (S. J. Res. 12) authorizing the President to require the United States Sugar Equalization Board (Inc.) to take over and dispose of 13,902 tons of sugar imported from the Argentine Republic, reported it without amendment and submitted a report (No. 72)

## CHANGE OF REFERENCE.

On motion of Mr. HARRELD, the Committee on Indian Affairs was discharged from the further consideration of the bill (S. 663) to compensate the Delaware Indians for services rendered by them to the United States in various wars, and it was referred to the Committee on Public Lands and Surveys.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HARRELD:

A bill (S. 1870) to grant the military target range of Lincoln County, Okla., known as the Chandler Rifle Range, to the city of Chandler, Okla., and reserving the right to use for military and aviation purposes; to the Committee on Public Lands and Surveys.

By Mr. WADSWORTH:

A bill (S. 1871) to amend section 403 of the revenue act of 1918, approved February 24, 1919; to the Committee on Finance.

By Mr. McNARY: A bill (S. 1872) to authorize the acquiring of a site and construction of a Federal building at Astoria, Oreg.; to the Committee on Public Buildings and Grounds.

By Mr. WILLIS:

A bill (S. 1873) granting a pension to George A. Devoe (with accompanying papers); to the Committee on Pensions.

By Mr. McCORMICK:

A bill (S. 1874) to create in the Department of State the bureau of insular and territorial affairs, and for other purposes; to the Committee on Territories and Insular Possessions.

By Mr. TOWNSEND: A bill (S. 1875) to amend section 4a of the act of Congress approved June 4, 1920; to the Committee on Military Affairs.

By Mr. CUMMINS:

bill (S. 1876) to amend the interstate commerce act by adding thereto a new section, No. 20b, and to amend an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, by adding a new paragraph to section 10 thereof; to the Committee on Interstate Commerce.

By Mr. EDGE:

A joint resolution (S. J. Res. 63) granting consent of Congress to the States of New York and New Jersey to enter into the agreement for the establishment of "the port of New York authority"; to the Committee on Commerce.

AMENDMENTS TO NAVAL APPROPRIATION BILL.

Mr. LA FOLLETTE submitted three amendments intended to be proposed by him to the naval appropriation bill, which were ordered to lie on the table and to be printed, as follows:

On page 58, line 16, insert before the word "officers" the word "flying," so that the beginning of the paragraph shall read:

"There shall be a chief of the bureau of aeronautics, appointed by the President, by and with the advice and consent of the Senate, from the officers of the active list of the Navy or Marine Corps, who shall within one year after his appointment qualify as an already pilot or observer."

On page 59 line 22 strike out the period offer the conditions of the senate of the conditions of the

observer."
On page 59, line 22, strike out the period after the word "Navy," replace with a colon, and add the following: "Provided, That not to exceed 30 per cent of the officers in each grade below that of rear admiral who fail to qualify as aircraft pilots on as aircraft observers within one year after the date of their detail into the bureau of acronautics shall be permitted to remain detailed in this bureau: Provided further, That flying units or detachments with the exception of air-

craft carriers or other vessels shall in all cases be commanded by flying

officers."
On page 59, at the end of section 16, add a new section, as follows:
"Sec. 17. Provided, That hereafter no member of the Army or Navy, on the active or retired list, shall be either directly or indirectly cannected with or in the employ of individuals, capartnerships, or corporations which are engaged in the manufacture of supplies, ordnance, or materials of any kind which the Government shall purchase or which submit bids or proposals therefor, or have or offer to have any contractual relations for furnishing supplies, ordnance, or materials to the Government: Provided further, That violation of this section shall be punishable by a reduction of rank and the forfeiture of all pay and allowances."

Mr. POINDEXTER submitted an amendment providing that all orders or contracts for work or material, under authoriza-tion of law, heretofore or hereafter placed with Governmentowned establishments, shall be considered as obligations in the same manner as provided for similar orders placed with private contractors, and appropriations for such work or material shall remain available for payment therefor as in the case of contracts or orders with private contractors, intended to be proposed by him to the naval appropriation bill, which was ordered to lie on the table and to be printed.

CONDITIONS IN THE COAL FIELDS OF WEST VIRGINIA.

Mr. JOHNSON. I submit a resolution which I ask may be read and referred to the Committee on Education and Labor.

The resolution (S. Res. 80) was read and referred to the Committee on Education and Labor, as follows:

Whereas conditions of violence at present exist along the border between West Virginia and Kentucky; and Whereas for a long period in the past in the coal fields of West Virginia there have been disturbed coaditions which have led to turbulence and violence and bloodshed; and Whereas the conditions referred to are a menace to orderly democratic government and to the general safety and welfare of the people living in the territory affected: Therefore be it

in the territory affected: Therefore be it

Resolved, That the Senate Committee on Education and Labor, or any subcommittee thereof, to be appointed by it, is hereby authorized and directed to make a thorough and complete investigation of the conditions existing in the coal fields of West Virginia and in the territory adjacent to the border of West Virginia and Kentucky; that said committee ascertain the causes of the recent acts of violence upon said border and of the conditions which have existed, and do now exist, in the said coal fields, and generally investigate thoroughly the causes which have led to conditions which have obtained in the past, and which now exist in said territory, and report its findings and conclusions thereon to the Senate.

## REMOVAL OF SOLDIER DEAD FROM FRANCE.

Mr. EDGE. Mr. President, I should like unanimous consent to have inserted in the RECORD a short letter from Rev. Oliver Paul Barnhill, printed in the Brooklyn Daily Eagle, the subject mat-ter of which refers to the bringing back of the remains of dead soldiers from abroad. There has been a request made to me by Judge McCoy, of this District, that it might be inserted in the RECORD in answer to a previous communication from other authorities opposing this action. I ask unanimous consent that it may be printed in the RECORD.

There being no objection, the matter referred to was ordered

to be printed in the RECORD, as follows:

"BRING GUR BOXS BACK FROM FRANCE—PLRA OF ASSISTANT PASTOR OF MARBLE COLLEGIATE CHURCH,

"EDITOR BROOKLYN DAILY EAGLE:

"By contact with those immediately concerned I am made aware that there is a great desire to have the bodies of our soldier dead disinterred and brought home for reburial.

Chiefly because the cemeteries of France are inaccessible, for obvious reasons, to the majority of our bereaved families, and for other reasons not so patent, a league has been formed entitled 'Bring Home the Soldier Dead League of the United States.' This league is composed exclusively of relatives of our soldier dead, whose remains are desired returned to America. Their slogan is 'An American tomb in America for every American hero who died on fereign soil.' The next of kin are pleading for their dead to be buried in American soil. I affirm that the wishes of the next of kin, presumably the parents, in all these cases should be respected and complied with. It is interesting, and when first brought to our attention it is news; to read, e. g., that it is the policy of the British Government to bury their soldier dead where they fall, or that France is not in favor of removing the remains of our hero dead, or that distinguished individuals, such as Bishop Brent, Gen. O'Ryan, President Hibben and John H. Finley, Thomas Nelson Page and Owen Wister, prefer having our beys' bodies remain in France. But let us do our own thinking.

"If a mother who has gone down to the gates of hell and brought back a man child is sentimental about the body of that erstwhile wee bairn when prone and cold in death, prerogative. What earthly government, what individual, can say her nay? Let her have her blessed boy's body that it may be reburied in the family plot, in a new and individual tomb, undesecrated by mortality, in consecrated ground, in the dear U. S. A.—at home. There let that mother alone with her grief to deck that grave with evergreens and perennials and to water them with her tears.

"I can understand why people who wear gold stars want the bodies of their dear ones brought home. I can understand why France opposes this. But why should these detached outsiders oppose in academic fashion the granting of the hearts' desire of these sorely bereaved families?

"OLIVER PAUL BARNHILL, "Assistant Pastor Marble Collegiate Church, "Fifth Avenue and Twenty-ninth Street, New York City."

SPEECH OF HON. HENRY W. GRADY.

Mr. HARRIS. Mr. President, many thousands of the people of my State meet to-day in the city of Atlanta to do honor to the late Henry W. Grady, patriot, publicist, and statesman, who, through his speeches and writings, did more in his time to bring about reconciliation between the sections of our country than any other man. I ask unanimous consent to place in the RECORD his speech delivered in New York City before the New England Club December 21, 1886.

There being no objection, the speech was ordered to be printed

in the RECORD, as follows:

"THE NEW SOUTH.

"On the 21st of December, 1886, Mr. Grady, in response to an urgent invitation, delivered the following address at the banquet of the New England Club, New York:

"There was a South of slavery and secession—that South is dead. There is a South of union and freedom—that South, thank God, is living, breathing, growing every hour.' words, delivered from the immortal lips of Benjamin H. Hill, at Tammany Hall, in 1866, true then and truer now, I shall

make my text to-night.

"Mr. President and gentlemen, let me express to you my appreciation of the kindness by which I am permitted to ad-I make this abrupt acknowledgment advisedly, for I feel that if, when I raise my provincial voice in this ancient and august presence, I could find courage for no more than the opening sentence, it would be well if in that sentence I had met in a rough sense my obligation as a guest, and had perished, so to speak, with courtesy on my lips and grace in my heart. Permitted, through your kindness, to catch my second wind, let me say that I appreciate the significance of being the first southerner to speak at this board, which bears the substance, if it surpasses the semblance, of original New England hospitality, and honors the sentiment that in turn honors you, but in which my personality is lost and the compliment to my people made plain.
"I bespeak the utmost stretch of your courtesy to-night.

am not troubled about those from whom I come. ber the man whose wife sent him to a neighbor with a pitcher of milk, and who, tripping on the top step, fell with such casual interruptions as the landings afforded into the basement, and, while picking himself up, had the pleasure of hearing his wife

call out, 'John, did you break the pitcher?'

"'No; I didn't,' said John, 'but I'll be dinged if I don't." "So, while those who call me from behind may inspire me with energy, if not with courage, I ask an indulgent hearing from you. I beg that you will bring your full faith in American fairness and frankness to judgment upon what I shall say. There was an old preacher once who told some boys of the Bible lesson he was going to read in the morning. The boys, finding the place, glued together the connecting pages. The next morning he read on the bottom of one page, 'When Noah was 120 years old he took unto himself a wife, who was'then turning the page—'140 cubits long, 40 cubits wide, built of gopher wood, and covered with pitch inside and out.' He was naturally puzzled at this. He read it again, verified it, and then said: 'My friends, this is the first time I ever met 'My friends, this is the first time I ever met this in the Bible, but I accept this as an evidence of the assertion that we are fearfully and wonderfully made.' If I could get you to hold such faith to-night, I could proceed cheerfully to the task I otherwise approach with a sense of consecration. "PURITAN AND CAVALIER.

"Pardon me one word, Mr. President, spoken for the sole purpose of getting into the volumes that go out annually freighted with the rich eloquence of your speakers—the fact that the cavalier as well as the Puritan was on the continent in its early days, and that he was 'up and able to be about.' I have read your books carefully and I find no mention of that

fact, which seems to me an important one for preserving a

sort of historical equilibrium if for nothing else.

"Let me remind you that the Virginia cavalier first challenged France on the continent—that cavalier, John Smith,

gave New England its very name, and was so pleased with the job that he has been handing his own name around ever since, and that while Myles Standish was cutting off men's ears for courting a girl without her parents' consent, and forbade men to kiss their wives on Sunday, the cavalier was courting every-thing in sight, and that the Almighty had vouchsafed great increase to the cavalier colonies, the huts in the wilderness

being as full as the nests in the woods.

"But having incorporated the cavalier as a fact in your charming little books, I shall let him work out his own salvation, as he has always done, with engaging gallantry, and we will hold no controversy as to his merits. Why should we? Neither Puritan nor cavalier long survived as such. The virtues and good traditions of both happily still live for the inspiration of their sons and the saving of the old fashion. both Puritan and cavalier were lost in the storm of the first revolution, and the American citizen, supplanting both and stronger than either, took possession of the Republic bought by their common blood and fashioned to wisdom, and charged himself with teaching men government and establishing the

voice of the people as the voice of God.

"My friends, Dr. Talmage has told you that the typical American has yet to come. Let me tell you that he has already come. Great types, like valuable plants, are slow to flower and fruit; but from the union of these colonists, Puritans and cavaliers, from the straightening of their purposes and the crossing of their blood, slow perfecting through a century, came he who stands as the first typical American, the first who comprehended within himself all the strength and gentleness, all the majesty and grace of this Republic-Abraham Lincoln. He was the sum of Puritan and cavalier, for in his ardent nature were fused the virtues of both, and in the depths of his great soul the faults of both were lost. He was greater than Puritan, greater than cavalier, in that he was American and that in his honest form were first gathered the vast and thrilling forces of his ideal government-charging it with such tremendous meaning and elevating it above human suffering that martyrdom, though infamously aimed, came as a fitting crown to a life consecrated from the cradle to human liberty. Let us, each cherishing the traditions and honoring his fathers, build with reverent hands to the type of this simple but sublime life, in which all types are honored and in our common glory as Americans there will be plenty and to spare for your forefathers and for mine. "THAT OTHER ARMY.

"Dr. Talmage has drawn for you with a master's hand the picture of your returning armies. He has told you how, in the pomp and circumstance of war, they came back to you, marching with proud and victorious tread, reading their glory in a nation's eyes. Will you bear with me while I tell you of another army that sought its home at the close of the late war-an army that marched home in defeat and not in victory, in pathos and not in splendor, but in glory that equaled yours and to hearts as loving as ever welcomed heroes home? Let me picture to you the footsore Confederate soldier as, buttoning up in his faded gray jacket the parole which was to bear testimony to his children of his fidelity and faith, he turned his face southward from Appomattox in April, 1865. him as ragged, half-starved, heavy hearted, enfeebled by want and wounds, having fought to exhaustion, he surrenders his gun, wrings the hands of his comrades in silence, and lifting his tear-stained and pallid face for the last time to the graves that dot old Virginia hills, pulls his gray cap over his brow, and begins the slow and painful journey. What does he find—let me ask you who went to your homes eager to find in the welcome you had justly earned full payment for four years' sacrifice—what does he find when, having followed the battle-stained cross against overwhelming odds, dreading death not half so much as surrender, he reaches the home he left so prosperous and beautiful? He finds his house in ruins, his farm devastated, his slaves free, his stock killed, his barns empty, his trade destroyed, his money worthless, his social system, feudal in its magnificence, swept away; his people without law or legal status, his comrades slain, and the burdens of others heavy on his shoulders. Crushed by defeat, his very traditions are gone. Without money, credit, employment, material, or training, and beside all this confronted with the gravest problem that ever met human intelligence-the establishing of a status for the vast body of his liberated slaves.

"What does he do, this hero in gray with a heart of gold? Does he sit down in sullenness and despair? Not for a day. Surely God, who had stripped him of his prosperity, inspired him in his adversity. As ruin was never before so overwhelming, never was restoration swifter. The soldier stepped from the trenches into the furrow; horses that had charged Federal

guns marched before the plow, and fields than ran red with human blood in April were green with the harvest in June; women reared in luxury cut up their dresses and made breeches for their husbands and, with a patience and heroism that fit women always as a garment, gave their hands to work. There was little bitterness in all this. Cheerfulness and frankness prevailed. 'Bill Arp' struck the keynote when he said, 'Well, I killed as many of them as they did of me, and now I'm going to work'; or the soldier returning home after defeat and roasting some corn on the roadside, who made the remark to his comrade, 'You may leave the South, if you want to, but I am going to Sandersville, kiss my wife, and raise a crop, and if the Yankees fool with me any more I'll whip 'em again.' I want to say to Gen. Sherman, who is considered an able man in our parts, though some people think he is a kind of careless man about fire, that from the ashes he left us in 1864 we have raised a brave and beautiful city; that somehow or other we have caught the sunshine in the bricks and mortar of our homes and have builded therein not one ignoble prejudice or memory.

have builded therein not one ignoble prejudice or memory.

"But what is the sum of our work? We have found out that in the summing up the free Negro counts more than he did as a slave. We have planted the schoolhouse on the hill top and made it free to white and black. We have sowed towns and cities in the place of theories and put business above politics. We have challenged your spinners in Massachusetts and your iron makers in Pennsylvania. We have learned that the \$400,-000,000 annually received from our cotton crop will make us rich when the supplies that make it are home raised. reduced the commercial rate of interest from 24 to 6 per cent and are floating 4 per cent bonds. We have learned that one northern immigrant is worth fifty foreigners and have smoothed the path to southward, wiped out the place where Mason and Dixon's line used to be, and hung out the latchstring to you and yours. We have reached the point that marks perfect harmony in every household, when the husband confesses that the pies which his wife cooks are as good as those his mother used to bake; and we admit that the sun shines as brightly and the moon as softly as it did before the war. We have established thrift in city and country. We have fallen in love with work. We have restored comfort to homes from which culture and elegance never departed. We have let economy take root and spread among us as rank as the crabgrass which sprang from Sherman's Cavalry camps until we are ready to lay odds on the Georgia Yankee as he manufactures relics of the battle field in a 1-story shanty and squeezes pure olive oil out of his cotton seed against any down-easter that ever swapped wooden nutmegs for flannel sausage in the valleys of Vermont. Above all, we know that we have achieved in these 'piping times of peace' a fuller independence for the South than that which our fathers sought to win in the forum by their eloquence or compel in the field by their swords.

# "BEAUTIFUL IN SUFFERING.

"It is a rare privilege, sir, to have had part, however humble, in this work. Never was nobler duty confided to human hands than the uplifting and upbuilding of the prostrate and bleeding South—misguided, perhaps, but beautiful in her suffering, and honest, brave, and generous always. In the record of her social, industrial, and political illustration we await with confidence the verdict of the world.

"But what of the Negro? Have we solved the problem he presents or progressed in honor and equity toward solution? Let the record speak to the point. No section shows a more prosperous laboring population than the Negroes of the South, none in fuller sympathy with the employing and land-owning class. He shares our school fund, has the fullest protection of our laws, and the friendship of our people. Self-interest, as well as honor, demand that he should have this. Our future, our very existence, depend upon our working out this problem in full and exact justice. We understand that when Lincoln signed the emancipation proclamation, your victory was assured, for he then committed you to the cause of human liberty, against which the arms of man can not prevail—while those of our statesmen who trusted to make slavery the cornerstone of the Confederacy doomed us to defeat as far as they could, committing us to a cause that reason could not defend or the sword maintain in sight of advancing civilization.

"Had Mr. Toombs said, which he did not say, 'that he would call the roll of his slaves at the foot of Bunker Hill,' he would have been foolish, for he might have known that whenever slavery became entangled in war it must perish, and that the chattel in human flesh ended forever in New England when your fathers—not to be blamed for parting with what did not pay—sold their slaves to our fathers—not to be praised for knowing a paying thing when they saw it. The relations of the southern people with the Negro are close and cordial. We

remember with what fidelity for four years he guarded our defenseless women and children, whose husbands and fathers were fighting against his freedom. To his eternal credit be it said that whenever he struck a blow for his own liberty he fought in open battle, and when at last he raised his black and humble hands that the shackles might be struck off, those hands were innocent of wrong against his helpless charges and worthy to be taken in loving grasp by every man who honors loyalty and devotion. Ruffians have maltreated him, rascals have misled him, philanthropists established a bank for him, but the South, with the North, protests against injustice to this simple and sincere people. To liberty and enfranchisement is as far as law can carry the Negro. The rest must be left to conscience and common sense. It must be left to those among whom his lot is cast, with whom he is indissolubly connected, and whose prosperity depends upon their possessing his intelligent sympathy and confidence. Faith has been kept with him, in spite of calumnious assertions to the contrary by those who assume to speak for us or by frank opponents. Faith will be kept with him in the future, if the South holds her reason and integrity. "LOYAL TO UNION.

"But have we kept faith with you? In the fullest sense, yes. When Lee surrendered—I do not say when Johnson surrendered, because I understand he still alludes to the time when he met Gen. Sherman last as the time when he determined to abandon any further prosecution of the struggle-when Lee surrendered, I say, and Johnson quit, the South became, and has since been, loyal to this Union. We fought hard enough to know that we were whipped, and in perfect frankness accept as final the arbitrament of the sword to which we had appealed. The South, found her jewel in the toad's head of defeat. The shackles that had held her in narrow limitations fell forever when the shackles of the Negro slave were broken. Under the old régime the Negroes were slaves to the South; the South was a slave to the system. The old plantation, with its simple police regula-tions and feudal habit, was the only type possible under slavery. Thus was gathered in the hands of a splendid and chivalric oligarchy the substance that should have been diffused among the people, as the rich blood, under certain artificial conditions, is gathered at the heart, filling that with affluent rapture but leaving the body chill and colorless.

"The old South rested everything on slavery and agriculture, unconscious that these could neither give nor maintain healthy growth. The new South presents a perfect democracy, the oligarchs leading in the popular movement—a social system compact and closely knitted, less splendid on the surface, but stronger at the core—a hundred farms for every plantation, 50 homes for every palace—and a diversified industry that meets the complex need of this complex age.

"The new South is enamored of her new work. Her soul is stirred with the breath of a new life. The light of a grander day is falling fair on her face. She is thrilling with the consciousness of growing power and prosperity. As she stands upright full statured and equal among the people of the earth, breathing the keen air and looking out upon the expanded horizon, she understands that her emancipation came because through the inscrutable wisdom of God her honest purpose was crossed and her brave armies were beaten.

This is said in no spirit of timeserving or apology. The South has nothing for which to apologize. She believes that the late struggle between the States was war and not rebellion, revolution and not conspiracy, and that her convictions were as honest as yours. I should be unjust to the dauntless spirit of the South and to my own convictions if I did not make this plain in this presence. The South has nothing to take back. In my native town of Athens is a monument that crowns its central hill-a plain, white shaft. Deep cut into its shining side is a name dear to me above the names of men-that of a brave and simple man who died in brave and simple faith. for all the glories of New England, from Plymouth Rock all the way, would I exchange the heritage he left me in his soldier's death. To the foot of that I shall send my children's children to reverence him who ennobled their name with his heroic blood. But, sir, speaking from the shadow of that memory which I honor as I do nothing else on earth, I say that the cause in which he suffered and for which he gave his life was adjudged by higher and fuller wisdom than his or mine, and I am glad that the omniscient God held the balance of battle in His Almighty hand and that human slavery was swept forever from American soil, the American Union was saved from the wreck

of war.

"This message, Mr. President, comes to you from consecrated ground. Every foot of soil about the city in which I live is as sacred as a battle ground of the Republic. Every hill that invests it is hallowed to you by the blood of your brothers who

died for your victory, and doubly hallowed to us by the blow of those who died hopeless, but undaunted, in defeat-sacred soil to all of us—rich with memories that make us purer and stronger and better—silent but stanch witnesses in its red desolation of the matchless valor of American hearts and the deathless glory of American arms, speaking an eloquent witness in its white peace and prosperity to the indissoluble union of American States and the imperishable brotherhood of the Ameri-

can people. Now, what answer has New England to this message? Will she permit the prejudice of war to remain in the hearts of the conquerors when it has died in the hearts of the conquered? Will she transmit this prejudice to the next generation, that in their hearts, which never felt the generous ardor of conflict, it may perpetuate itself? Will she withhold, save in strained courtesy, the hand which straight from his soldier's heart Grant offered to Lee at Appomattox? Will she make the vision of a restored and happy people which gathered above the couch of your dying captain, filling his heart with grace, touching his lips with praise, and glorifying his path to the grave—will she make this vision on which the last sigh of his expiring soul breathed a benediction a cheat and delusion? If she does, the South, never abject in asking for comradeship, must accept with dignity its refusal; but if she does not refuse to accept in frankness and sincerity this message of good will and friendship, then will the prophecy of Webster, delivered in this very society 40 years ago amid tremendous applause, become true, be verified in its fullest sense, when he said, 'Standing hand to hand and clasping hands, we should remain united as we have been for 60 years, citizens of the same country, members of the same Gov-ernment, united, all united now and united forever.' There have been difficulties, contentions, and controversies, but I tell you that in my judgment-

"Those opposed eyes,
Which like the meteors of a troubled heaven,
All of one nature, of one substance bred,
Did lately meet in the intestine shock,
Shall now, in mutual well beseeming ranks,
March all one way."

#### NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and

Mr. POINDEXTER. Mr. President, I suggest the absence

of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

answered to	men numee.		90.00 April 1990
Ashurst	Gooding	McLean	Smith
Ball	Hale	McNary	Smoot
Borah	Harreld	Moses	Stanfield
Brandegee	Harris	Myers	Sterling
Broussard	Harrison	Nelson	Sutherland
	Heflin	Newberry	Swanson
Bursum	Hitchcock	Nicholson	Townsend
Cameron		Norbeck	Underwood
Capper	Johnson		- Wadsworth
Caraway	Jones, Wash.	Norris	
Colt	Kellogg	Oddie	Walsh, Mass.
Culberson	Kendrick	Overman	Walsh, Mont,
Curtis	Kenyon	Phipps	Warren
Dial	Keyes	Pittman	Watson, Ga.
Dillingham	King	Poindexter	Watson, Ind.
Edge	Ladd	Pomerene	Weller
Elkins	La Follette .	Robinson	Williams
Ernst	Lenroot	Sheppard	Willis
	Lodge	Shields	Wolcott
Fernald	McCormick	Shortridge	
Fletcher	McKellar	Simmons	
Class	McKellar	Simmons	

The VICE PRESIDENT. Seventy-eight Senators having answered to their names, a quorum is present. The pending amendment will be stated.

The Assistant Secretary. The pending amendment is on page 30 in the appropriation for the pay of the Navy, where the Committee on Naval Affairs proposes, in line 22, to strike out "\$72,421,647" and in lieu thereof to insert "\$87,798,447."

The VICE PRESIDENT. The question is on agreeing to the

amendment.

Mr. LENROOT. Mr. President, I wish to call the attention of the Senate this morning to certain articles which are published in this morning's issue of the Washington Post bearing upon the pending amendment and the general policy with reference to the increases in the pending bill which are proposed by the Committee on Naval Affairs. I think if Senators have not already read these articles they will be convinced when I quote from them that as to one of them, at least, there has been a deliberate intention to distort the news for the purpose of aiding these increases. I do not, of course, charge this to the management of the Washington Post; the management of that paper is, no doubt, entirely ignorant of it; but there is some one evidently

in the office of that newspaper who is willing, for the purpose of influencing legislation here, to distort the news. On the first page, in a "box," are given quotations from President Harding's speech of yesterday. The first ore reads as follows:

One hundred thousand sorrows are touching my heart. It must not be again. God grant that it will not be. I do not pretend that the millennial days have come and that there will be no more war. I would wish a Nation so powerful that none will dare to provoke its wrath.

It is the last sentence to which I especially refer:

I would wish a Nation so powerful that none will dare to provoke tts

The inference being that President Harding was urging a military and naval policy that would make this Nation the greatest military power on earth. Mr. President, that was exactly the German policy, and it was that policy that caused the ruin and fall of Germany. I hope that the United States does not propose to follow in Germany's footsteps.

What was it, Mr. President, that President Harding did say on the occasion of his speech yesterday? On page 11 of the same newspaper I find the text of his speech as given by the Associated Press, and I now read from it as follows:

I would not wish a Nation for which men are not willing to fight, and if need be to die, but I do wish for a Nation where it is not necessary to ask that sacrifice. I do not pretend that millennial days have come, but I can believe in the possibility of a Nation being so righteous as never to make a war of conquest, and a Nation so powerful in righteousness that none will dare invoke her wrath.

The words "in righteousness" are omitted from the first page of the newspaper, and any Senator can see what President Harding did say was exactly the opposite of the purported quota-

tion from his speech upon the first page of the Washington Post.
Mr. HALE. Mr. President, if the Senator from Wisconsin will turn to the column before the one from which he read, on page 11, he will see a quotation in the Associated Press dispatch where the words "in righteousness" are left out.

Mr. LENROOT. I was reading from page 11 the text of the address, where it is stated:

The President's address in full follows.

On examination I find that, although the statement of the Senator from Maine is correct, nevertheless, we have the text of what the President did say, and the only point of the Senator from Maine as to the quotation to which he has now called my attention is that whoever wrote the headline or the lead to this Associated Press article is guilty of the same distortion of news as is found upon the first page of the Post. Mr. President, it ought not to be necessary to do things of that kind to advance any kind of legislation here.

Mr. WALSH of Montana. Mr. President— The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Montana?

Mr. LENROOT. I yield. Mr. WALSH of Montana. I am very glad the Senator has called our attention to the exact language of the President, because I have before me a copy of the New York Tribune of this morning, which has large headlines, as follows:

Harding, weeping for war dead, pledges a United States none dare provoke.

I suggest to the Senator that it would look as though there were some conspiracy among the papers to misrepresent the President.

Mr. LENROOT. That may be, but, whatever the fact is, it is inexcusable and indefensible, because they are putting words in the mouth of President Harding that he never uttered at all, Everyone will agree with the statement which President Harding actually did make, and why any attempt should be made to distort that language, unless it be for the purpose of influencing legislation here upon which the Senate will soon vote, I can not understand.

Mr. President, there is another article in the Post written by one of its correspondents, who is a very good friend of mine, where the same thing is repeated. I take it for granted that he, instead of reading the text of the speech, read the article published in the Post in its copy form, and therefore he was entirely innocent in his use or misuse of the President's speech; but with reference to this article, Mr. President-Senators, no doubt, have read it-it has the headline:

Drive menaces Navy-

And then all those who are opposed to these increases are classed as "anti-Navy" people.

classed as "anti-Navy" people.

Mr. President, I do not know of Senators on either side of the aisle who are "anti-Navy" people. I certainly am in favor of an adequate Navy. I consider a Navy an adequate one which is sufficient at all times to protect and defend the interest of the United States of America, and any Navy that goes beyond that point is not only a useless expense, but will in itself be

an inciting cause of trouble in the future between the United

States and other nations.

Then, in this article, the statement is made that if the pending amendment shall be defeated and the personnel of the Navy shall for the next fiscal year be reduced to 100,000 men, some of the dreadnaughts will have to be put out of commission. Now, I want to ask the Senator from Washington [Mr. Poin-DEXTER], in charge of this bill, if this ameadment is not adopted, and if during the next fiscal year we have an enlisted personnel of 100,000 men, whether some dreadnaughts will have to be put out of commission?

Yes, Mr. President; two dreadnaughts Mr. POINDEXTER.

will have to be put out of commission.

Mr. LENROOT. Very well. Then, if that be true, I want to ask the Senator from Washington whether it is intended to put those dreadnaughts out of commission just as soon as the new Latteships and cruisers shall have been completed?

Mr. POINDEXTER. It is not intended, if the Navy is maintained at its present strength, except as to ships of the second

line.

I want to call the attention of the Senator from Wisconsin also to the fact that not only dreadnaughts but, what is equally important, substantially the entire destroyer force of the Navy will have to be put out of commission practically if the Navy is reduced to the extent of 20,000 men, as proposed by the Senator from Wisconsin.

Mr. LENROOT. Then, if that be true, I want to ask the Senator from Washington how many men will it require to maintain our Navy when the 1916 program is completed?

Mr. POINDEXTER. It will require, on the average, 120,000 men who will have had the opportunity of training in the training schools, and consequently

Mr. LENROOT. I should like to ask the Senator how many

men will we have to appropriate for?

Mr. POINDEXTER. If the Senator will allow me to finish my answer, we will have to appropriate for 120,000 men, and they will be able to take care of the increasing Navy, by reason of the fact that a larger proportion of them will have the necessary training to go to sea.

Mr. LENROOT. Now, may I ask the Senator how many additional dreadnaughts and battle cruisers we will have with

the completion of the 1916 program?

Mr. POINDEXTER. With the completion of the 1916 program we will have 21 of the first line.

Mr. LENROOT. An increase of 21?

Mr. POINDEXTER. No; no.
Mr. LENROOT. I said "increase"; more than we have now. Mr. POINDEXTER. We will have nine more than we have

Mr. KING. Mr. President, if the Senator will pardon me, I think the Senator from Washington is mistaken, or else I did not understand the question of the Senator from Wisconsin.

Mr. LENROOT. I asked how many additional dreadnaughts

and battle cruisers we will have with the completion of the 1916 program.

Mr. KING. Exactly. The 1916 program calls for 11 battle-

ships and 6 battle cruisers; so that is 17.

Mr. LENROOT. How many of those have been completed and are now in commission?

Mr. KING. One.

Mr. LENROOT. That would be 16. Now, how does the Sena-

tor from Washington arrive at his figure of 9?

Mr. POINDEXTER. I arrive at that figure by differing from the Senator from Utah as to the 1916 program. He says that it provides for 11 battleships. My information is that it provides for only 10, and one of those in commission leaves 9.

Mr. LENROOT. What about battle cruisers?

Mr. POINDEXTER. There are six battle cruisers provided for in the 1916 program.

Mr. LENROOT. And how many have we now?

Mr. POINDEXTER. We have none now. Mr. LENROOT. How many dreadnaughts?

Mr. POINDEXTER. We have 16 at the present time. We have no battle cruisers at all.

Mr. LENROOT. Very well. Now, let us see where the Sen-

ator's logic brings him to.

We have 15 dreadnaughts now. If we reduce the personnel to 100,000 men, he says we will have to put out of commission our destroyers and some of the dreadnaughts. At the same time he says that with 120,000 men we can not only keep in commission these 17 dreadnaughts, but we can man 17 more without any additional men. If the Senator thinks he can make any sensible or reasonable Senator believe any statement of that kind, I am very much surprised. The Senator must be mistaken; he can not be otherwise-honestly, no

doubt—but it is not possible, Mr. President, that without putting any present dreadnaughts out of commission we must have 120,000 men now, and we do not need another man for the 17 additional dreadnaughts and battle cruisers.

Mr. POINDEXTER. If the Senator from Wisconsin, gaining his information by asking questions here upon the floor of the Senate, has more information about the matter than has the Navy Department, which devotes itself to the study of these subjects, of course, I concede the correctness of his conclusion. My information comes from the Navy Department, and the proposition is that six battleships will be put in reserve in the next fiscal year, and others as the new ships are commissioned.

Mr. WADSWORTH. Are those dreadnaughts?
Mr. POINDEXTER. It depends upon what you call dreadnaughts. They are dreadnaughts of the second line, not of the modern type of the 1916 program. That is a very different proposition from maintaining them in full commission, with a full complement of men.

Furthermore, Mr. President-

Mr. LENROOT. Right there, may I ask the Senator a question? He stated that the article in the Post is correct when it says that if we reduce the Navy to 100,000 men, dreadnaughts will have to be put, not in reserve, but out of commission. He said that that is true. Does he repeat that statement when he says that with this program six battleships must be placed in reserve? Could not some of these dreadnaughts be placed in reserve with 100,000 men, as well as six battleships later on?

Mr. POINDEXTER. Undoubtedly they could be placed in

reserve. The entire fleet could be placed in reserve.

Mr. LENROOT. That is begging the question, as the Senator well knows

Mr. POINDEXTER. Why is it begging the question? The Senator asked me whether certain ships could not be placed in reserve. I say they could be placed in reserve, and I called attention to the fact that the entire fleet could be placed in reserve.

Mr. LENROOT. If the Senator says now that they could be placed in reserve, why did he agree with the statement that with 100,000 men they would have to be placed out of com-

Mr. POINDEXTER. Why, because that would be absolutely necessary with the number of men to which the Navy would be limited. I stated that two battleships would be placed out of commission, not six.

Mr. LENROOT. The Senator says now they could be placed in reserve, but would be placed out of commission. Now, why should they be placed out of commission if they could be placed in reserve?

Mr. POINDEXTER. Because there will not be enough men to keep them in reserve.

Mr. LENROOT. Very well.
Mr. OVERMAN. Mr. President, will the Senator yield to me a minute? I should like to have him tell me the total amount of the personnel, and what this bill proposes to increase it to.
Mr. LENROOT. The personnel now, I understand, is 120,000.

Mr. POINDEXTER. It does not propose to increase that number by a man, I will say to the Senator from North Carolina. The bill, as reported by the Senate committee, does not propose to increase the present personnel of the Navy.
Mr. OVERMAN. So the present personnel is 120,000?

Mr. POINDEXTER. Approximately.
Mr. LENROOT. The Senate amendment increases the personnel 20,000 over the House provision. The House appropriated for an enlisted personnel of 100,000 men. The Senate committee proposes to increase that by 20,000. Now, the Senator said, casting good-naturedly some reflections upon me-I do not claim to be a naval expert; far from it-

Mr. POINDEXTER. No; I did not mean to cast any reflec-

tions on the Senator.

Mr. LENROOT. I understand.

Mr. POINDEXTER. I was rather giving the source of my information. I do not pretend to know, from any special knowledge that I have, the possibilities of maintaining and caring for the new ships of the Navy as to the number of men that are required. I get my information from the Navy Department. I give it to the Senator, relying upon it as being accurate. If the Senator has any better information, I shall be very glad to have it.

Mr. LENROOT. Mr. President, that is the trouble with this whole business. The Naval Affairs Committee get their information from the Navy Department and do what the Navy De-

partment asks them to do.

Mr. POINDEXTER. We do not do what the Navy Department asks us to do. The Senate Committee on Naval Affairs failed to do what the Navy Department asked them to do in

perhaps 90 per cent of the matters that were presented to the

Mr. LENROOT. How many men did the Navy Department ask for?

Mr. POINDEXTER. They asked for 120,000 men.

Mr LENROOT. That is what you gave them, did you not? Mr. POINDEXTER. That is what we are allowing in this

That is what I had reference to.

Mr. POINDEXTER. We agreed with them in that particular

Mr. NORRIS. Mr. President-

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Nebraska?

Mr. LENROOT. I do.

Mr. NORRIS. If the Senator from Wisconsin will permit me, I should like to pour some oil on these troubled waters, and call his attention to what I believe is quite evident now to an

observer like myself as to where the difficulty is.

The Senator from Wisconsin has admitted that he is not a naval expert, and I think that explains it all. It will take 120,000 men to man the present Navy. When our program is carried out and that fleet is increased by about 16 or 17 battleships and cruisers, it will take only 120,000 men to man it. The Senator, like myself, is very much perturbed as to how that mathematical proposition can be brought about, and the reason why it can be brought about and is undoubtedly true is because the experts say so. So the Senator must not put his mathematics up against the opinion of experts. If they are going to perform that apparent impossibility, we have only one thing to do and that is to permit them to do it.

Mr. SWANSON. Mr. President, will the Senator permit me to say a word with respect to the personnel of the Navy?

Mr. LENROOT. Yes.

Mr. SWANSON. The personnel of the Navy now amounts to about 119.000 men. This bill does not increase it or decrease it, If 120,000 men should be allowed, we would have the Navy about what it is now. I think the Senator from Washington is correct in saying that the new program would not increase it over 120,000 men. The Senator from Wisconsin has a different impression. Let us see what the present conditions are, and why we require 120,000 men now.

When this program of 1916 was devised it was estimated that it would take about 100,000 men to man it. Admiral Palmer made a statement at that time as to the number of men required for each ship, which was submitted to the committee. the Navy at that time it was estimated that it would take, in round numbers, about 100,000 men. That estimate was made

in 1916 and the personnel was fixed at that number.

Since that time we have increased aviation. This bill takes six or seven thousand men for aviation, which at that time was not contemplated; but everybody realizes that aviation has grown. They expected to take care of that in the 100,000 men.

Radio has been developed. In 1916 radio was a very small matter. It takes from 1,000 to 1,500 men to man these ships for radio. Nobody would think of sending out any ships which

could be equipped with radio unless they had it.

Since that time what they call the fire control of a ship has been changed. Of course, it is a subject of ridicule on the part of people who are better experts than the Navy. Now, what is meant by fire control? They have what they call salvo At present they shoot 25 miles. In 1916 they would shoot about 10 or 12 miles, and you could see from the gun to Now they have a telephone system, by which they send up balloons when they fire a salvo and ascertain whether the aim has been too far or too near, and then telephone down the result in a few minutes. It is a very intricate system. That takes possibly 100 men more for a ship.

These things have compelled an increase of personnel in the Navy; but what are the present conditions that require it. which, I hope, will be changed soon? I hope we shall have an agreement. I favored and I tried to put on the bill in the committee the proposition of the Senater from Idaho [Mr. Borah]. I think we ought to have a conference to try to stop

naval construction or military construction and save this money to the people. Now, what are the present conditions?

You have between six and eight thousand men in European Do you want to withdraw them? You can do it. Those ships can be put in reserve or out of commission. They are in Smyrna, they are in the Black Sea, they are in the Baltic and all the perturbed parts of Europe. We have American citizens there. We have American interests there. They are small ships. Later on you may not need them. They will take care of three or four battle cruisers and superdreadnaughts when those conditions disappear.

You have nearly 3,000 men in Asiatic waters. Do you want to withdraw them from Asiatic waters, with all the trouble in China, a revolution there, in Siberia, and elsewhere? Nobody advocates that. Temporarily you have got to keep them there. That is, between three and four thousand men, which would take care of nearly two dreadnaughts later on. In Haiti, in San Domingo, in Cuba, in Panama, with the conditions there, you have, I suppose, two or three thousand men. Later we hope they will be withdrawn. With peace conditions in the world, these people can all be put back in one fleet. When you have them all in one fleet, I am satisfied that 120,000 men will be all you will need. I believe to-day that if it were not for the conditions in Europe, the conditions in Asia, the perturbed conditions in San Domingo and Haiti and elsewhere in the world, the 100,000 men that you already have would be ample to man the present fleet and put some in reserve.

I am satisfied that if we can have a distinct understanding with Japan and with England, as contemplated by the resolution of the Senator from Idaho [Mr. BORAH], which I earnestly favor and which I fought for in the committee and expect to do all I can to have passed, it would be safe for us to go back

to the number of 75,000 men.

What is the condition in regard to the Navy at this time? You have 119,000 men. On the 1st of July you will have about 115,000. During the war what did we do? So that we would not have two or three hundred thousand men enlisted for four years, which is the enlistment period in the United States Navy, we changed the enlistment to two years, three years, and four years, and during the term of the war. So next year we will have the biggest turnover we have ever had in the history of Forty-three thousand enlistments expire between the Navy. the 1st of July this year and the 1st of July next year. Ordinarily you would have about 25 per cent of new enlistments, because of the four-year enlistment, but the Naval Affairs Committee thought it was wrong to have three or four hundred thousand men enlisted for four years, and on the insistence of the Navy Department we thought we would only keep the men until their enlistments expired under the contract agreement. Consequently the enlistments will expire. The Navy Department has made an estimate of 43,000 enlistments which will expire between the 1st of next July and the subsequent 1st of July. That means that you will have to have reenlistments.

I believe everybody wants an adequate Navy. If you do not get old men, it means that you will have to enlist new men, and in order to train a new man to be an ordinary seaman you must train him four months in a training station before you can put him on one of the great battleships, with all the intricate ma-

chinery.

Nobody would think of putting a new man on a battleship before he had been in training for four months. Take, for instance, mechanics. Take the various people who enlist. takes 9 or 10 months for them to be trained. Nobody would think of having an electrician or a expert mechanic, or any of the other various experts, unless they had had 9 or 10 months' experience.

So next year you will have more men in training in the training stations than you have ever had before in the history of the Navy. Between 50 and 60 per cent will reenlist. Take, for instance, your increase in aviation. The Navy Department estimates-and I do not know whether it is true or not-that if you give them 120,000 men they will have between 90,000 and 100,000 men available for sea duty under present conditions. I do not believe we can run our Navy with less than 100,000 men, equipped and trained for sea duty. If we had enlistments as Great Britain has, 12-year enlistments, and only an 8 per cent turnover a year, I believe, especially after we got rid of the troubles in Europe and in China, and the other troubles in the perturbed state of the world, 120,000 men would be ample; but I do not think at this time it is wise to reduce the number.

If the Senator from Wisconsin has read the Senate hearings, I ask him to try to make an estimate of what 120,000 men would mean, what submarines they would put in commission, what would be done with aviation. Taking into consideration the number necessary for aviation and the turnover, I am satisfied the Navy could not get along with 100,000. That was the view of the committee. I understand that the Navy Department, in submitting the estimates to the House, wanted 132,000 men. That was the basis, and they felt they could run the Navy with 120,000.

Mr. McLEAN. Mr. President, I would like to ask the Senator how many men it takes to man a superdreadnaught?

Mr. SWANSON. I think it takes about 1,500 or 1,800 men. Mr. McLEAN. How many men does it take to man a fleet submarine?

Mr. SWANSON. It depends on its size. I think on a submarine they have about 60 or 70, and on some they have 30.

Mr. McLEAN. I mean the cruising, long-distance submarines? Mr. SWANSON. The very large submarine, what you call the seagoing submarine, we have not completed. I suppose it would take 200 or 300 men.

Mr. McLEAN. We have not anything of that kind? Mr. SWANSON. We have not completed those. Mr. McLEAN. It takes 60 men to man a submarine and 2,000 men to man a superdreadnaught?

Mr. SWANSON. It takes from 1,500 to 2,000 to man a dread-

naught at present.

So, Mr. President, that was the view of the Navy Department. Now, I want to ask the Senator from Wisconsin another question. I understand the Military Affairs Committee has made a sort of compromise, to which I think the Senator from Wisconsin agreed, which would increase the Army from 150,000 to 170,000 men. I spoke to the Senator from Wisconsin about it, and he said he felt that that was a pretty fair compromise. Now, what does that mean? Let the Senate and the country understand what it means. We have 119,000 men in the Navy. It is the idea of the Senator from Wisconsin to take 20,000 men from the Navy, reduce the Navy to 100,000, and take those 20,000 men and put them in the Army, in forts, and at drilling, and put your ships, which are the first line of defense, in reserve and out of commission.

Mr. LENROOT. Let me interrupt the Senator right there. I want the Senator to have his facts correct. We now have in the Army 230,000 men. The Senate committee proposes to decrease that number by 60,000 men. The Navy does not propose to decrease the personnel one single man. That is the differ-

Mr. SWANSON. The authorized personnel of the Navy is 143,000.

Mr. LENROOT. I am speaking of the actual strength.
Mr. SWANSON. We have done what we thought was right. But let the country decide the question. The House passed a bill providing for 150,000 men in the Army and 100,000 for the Navy, your first line of defense. Is it wise to do a thing like that? Is it sensible? It seems to me to be the supreme act of folly to take 20,000 men from the Navy and put them in forts, taking them from your first line of defense, your line of defense which if it stands will obviate the necessity for any The Senator has acquiesced in taking them from the Navv.

Mr. BORAH. Would the Senator be willing to join those of us who are insisting on reducing the Navy to 100,000 and the

Army to 150,000?

I have said that we should let the Navy Mr. SWANSON. remain as it is, because it is our first line of defense. I say, as long as you keep an adequate and a well-equipped Navy no foe can ever come to America. If you have trouble in China with your commerce, who goes there, the Army or the Navy? The Navy goes there.

Mr. WADSWORTH. The Army is there now.

Mr. SWANSON. Whatever troops may be there, the Navy goes there too. If you have trouble anywhere it is the Navy which goes. It is a conflict as to whether we shall have 20,000 men less than provided by the House for the Navy. That you will decide by your votes, but I stand for the Navy as the first line of defense. I am surprised at the position which the Senator from Wisconsin takes.

Mr. LENROOT. Mr. President, a little knowledge is a dan-

gerous thing

Mr. SWANSON. The Senator has illustrated that very forc-

ibly in the last two weeks.

Mr. LENROOT. The Senator has just talked about the Army appropriation bill, and I do not blame the Senator from Virginia for not knowing very much about the Army appropriation bill. I confess that I do not know much about the naval bill, except some very rudimentary principles. But the Senator evidently does not understand that, owing to the previous administration, the Army was increased over the appropriations made by Congress until we have to-day an Army of 240,000 men. The House appropriated for an average Army of 150,000 men, which would in fact have brought the Army down before the end of next year to 120,000 men. The Senate committee proposes to appropriate for an average Army of 170,000 men. That does not mean that we will have 170,000 men in the Army at the end of the next fiscal year. At the present rate of discharge it will mean that we will not have over 150,000 men in the Army, which is the the House fixed as their belief of what the Army should be.

Mr. SWANSON. Now, will the Senator permit me to ask him a question?

Mr. LENROOT. Yes.

Mr. SWANSON. That estimate as to what the average would be was made by Army officers, was it not?

Mr. LENROOT. Yes; and we got the detailed figures. Mr. SWANSON. We got the detailed figures as t

We got the detailed figures as to what 100,000 men in the Navy would mean, with a turnover of 43,000. You would have only between 90,000 and 100,000.

Mr. LENROOT. We did not rely on the estimates of the Army officers. We took the figures month by month as to the

discharges, and we arrived at the totals.

Mr. SWANSON. So did we, and we made an estimate that if you have 100,000 men authorized you would not have 90,000 men available for sea duty.

Mr. LENROOT. The same thing is true in the Army, exactly. Mr. SWANSON. The Senator has admitted that we need 100,000 men for the Navy, and yet the estimates show that we will have less than 100,000; that we would not have 80,000 men.

Mr. LENROOT. I have submitted that all we need in the Navy under present conditions is an enlisted personnel of 100,000 men, and neither the Senator from Virginia nor any other Senator has thus far produced any argument to refute it.

Mr. SWANSON. If the Senator will permit me, the Navy estimates that if you have 100,000 men you would not have 80,000 men available for the Navy, by the same process you followed in estimating for the Army. With 120,000 men they estilowed in estimating for the Army. With 120,000 men they estimate you would have between 90,000 and 100,000, with the turnover, available for the Navy. The only question I wanted the Senator to explain was why he could take the judgment of the House on the Navy and could not take the judgment of the House on the Army, and was willing to increase the Army 20,000 men and was not willing to increase the Navy, the first line of defense

Mr. LENROOT. Because the provisions in the Army bill passed by the House would bring the Army down to 120,000, when they themselves took the position that we ought to have an Army of 150,000. There was no contention that, with the present rate of resignations in the Navy, if we appropriate for 100,000 men in the Navy we will not have 100,000 men in the Navy

Mr. SWANSON. Yes, there is, if the Senator will permit me. There was a turnover of 43,000. Five per cent are sick. The Navy estimates that if you have simply 100,000 men under present conditions, with what you have in China and in Europe, it would be a serious condition in the Navy, worse than in the The Senator accepts the statement for the Army, and he will not accept it for the Navy.

Mr. LENROOT. By the same reasoning in the Army, instead

of 150,000 or 170,000 we will not have more than 125,000 any time, although we appropriate for 170,000 or 150,000, as the

case may be.

But now, Mr. President, I want to go a little further and take the premises as laid down by the Senator from Virginia him-He says that the personnel has been increased necessarily by 100 men per ship by reason of fire control, that it has been increased further by the necessities of aviation, and yet he would have the Senate understand that with an addition of 17 dreadnaughts and battle cruisers we do not need any more men.

Mr. President, I went to school when I was a boy, and I learned at least the simple principles of arithmetic, and while it may be that these Senators look to the Navy for their information, I would suppose that some simple problems of arithmetic might be worked out by the gentlemen themselves.

Mr. NORRIS. They use calculus in the Navy; they do not

use arithmetic.

Mr. SWANSON. Do you expect five or six or seven thousand men-I do not know the exact number-to remain all the time in Europe? There are about 3,000 in China, there are some in Cuba, and there are some in Panama. Then, when the other dreadnaughts are put in commission, you would put others in reserve or commission. I am satisfied that when you get back to the 4-year term of enlistment and do not have a turnover, such as you have now, 120,000 men will be all you will need in the Navy; that that number will be ample for all purposes, including aviation.

I have never believed in any great increase. I have believed we could put a great many of these ships in commission in reserve, which ought to be done, but at this time, with 100,000 men as a maximum and considering the present turnover, I do not believe we would have 80,000 men in the Navy. That is my frank, candid impression, and I believe with that situation the

Navy would be in a perilous condition.

Mr. LENROOT. Suppose that we do not do that, and suppose that we only had 80,000 men actually fit for service in the Navy. In 1916 we had 55,000, which is 25,000 less than the Senator states we would have if we had an enlisted personnel of 100,000 men. Is there any comparison between conditions now and those existing in 1916?

What is a navy for? Is it for dress parade, or is a navy for the purpose of defending and protecting the country? Does the Senator from Virginia believe that there is the slightest possibility of our Navy being engaged in war within the next 12 menths?

Mr. SWANSON. I did not think in 1915 that we would— Mr. LENROOT. Ah, Mr. President—but I should like to have the Senator's statement about what he thought in 1915.

Mr. SWANSON. I do not think that in the next 12 months and I do not think that in the next 2 years we will be engaged in war, but I look upon the Navy as insurance. However, there is one thing wherein the Navy differs from the Army. The Navy has to be ready at the time war is declared. It is not going to be increased or decreased after war is declared, so far as its efficiency is concerned, except in its personnel. That is the condition as it relates to the Navy. We can not take chances with the Navy like we can with the Army. We can get an Army as the war progresses, but we have to have the Navy at the beginning of the war or not at all.

Mr. LENROOT. Does the Senator agree with ex-Secretary Daniels that when the war broke out the Navy was ready to

fight at the drop of the hat and fully prepared?

Mr. SWANSON. I do not believe it was fully prepared. It was very well prepared on account of the act of 1916.

vas very well prepared on account of the act of 1916.

Mr. LENROOT. With a maximum of 68,000 men?

Mr. SWANSON. No; that is where the Senator is mistaken again. We had at that time, thinking war might come to us, enacted a law providing that the President, if the emergency arose, could increase the naval personnel to 87,000. That provision was included in a bill enacted in 1916, and that authority was exercised promptly.

Mr. LENROOT. How much of a naval personnel did we have

when the war broke out?

Mr. SWANSON. The Regular Navy had 74,000 men, as provided by the act of 1916.

Mr. LENROOT. But that included all those who were sick

and disabled.

Mr. SWANSON. There were 55,000 originally, increased to 74,000; and then, to man everything, there was a law enacted providing that in case of emergency the President by Executive order could increase the personnel to 87,000, which he did very

promptly when trouble became evident.

Mr. LENROOT. Eighty-seven thousand is 13,000 less than proposed by the House bill and is 33,000 less than proposed by the Naval Committee of the Senate. The Senator may not have thought in 1915 that there was any possibility of the United States being drawn into the European war, but I doubt whether there were many other American citizens who agreed with him. With the European war having raged for over a year, it must have been in the minds of everyone that we might possibly

become engaged in it.

But what is the situation to-day? There is only one possibility of our being engaged in war, because there is only one nation with which we have any differences, and that is Japan. The Senator does not think, I am sure, that there is a shadow of a possibility of our being engaged in war with Japan within the next five years, whatever the future may hold in store. If not, for what do we intend a larger personnel than we had when we entered the World War? What is it for? What is the purpose of it? Why do we need more than 100,000 men now? Does anyone give any reason or explanation for it, except that they want so many men in these waters and so many men in those waters and so many men in our domestic waters. What are they going to do with them? What purpose is the Navy going to serve by having more than 100,000 men? What occasion will there be to use these additional 20,000 men?

Mr. POINDEXTER. What is proposed to do with them, the Senator asks, and we might as well have the issue presented. Congress has authorized a building program of certain ships, and I assume that authorization will be enacted into law. The complement of those ships is well known. The Navy Department states to us the number of men required to man a battle-ship, and I assume that they are not lying; that they are not going to put supernumeraries on those ships. I take the members of the General Board of the Navy to be truthful, honorable men. Has the Senator from Wisconsin any information to show that the number of men the Navy Department states to us is

required to man a battleship is not correct?

Mr. LENROOT. No.

Mr. POINDEXTER. What do we propose to do with these men? The Senator asks what we are going to do with them, and I reply that we are going to man the new ships of the Navy.

Mr. LENROOT. Very well. Then the Senator's position is that we must pay \$15,000,000 a year for the next two or three years not because we need the men but because we want the men when the new Navy is completed.

Mr. POINDEXTER. Not at all. No such inference can be

drawn from my remarks.

Mr. LENROOT. Then, when will they be needed? Mr. POINDEXTER. The 120,000 men will be needed this

Mr. POINDEXTER. The 120,000 men will be needed this year.

Mr. LENROOT. What for?

Mr. POINDEXTER. Or as many of them as can be trained and fitted for sea service.

Mr. LENROOT. What are we going to do with them? What are they for?

Mr. POINDEXTER. For manning the ships of the Navy that are in commission.

Mr. LENROOT. What are the ships going to be used for?
Mr. POINDEXTER. For the general purposes of the Navy.
Of course, if the Senator assumes, as he has stated a number of times, that there is no use for a navy, I agree with him in his

conclusions.

Mr. LENROOT. But, Mr. President, I have not said—

Mr. POINDEXTER. Just one moment. The Senator can correct me if I misquote him. I understood him to say we can calculate on not having a war, and I hope that that calculation is correct, and he seems to base his naval program upon that assumption. If we are going to provide for the Navy on the basis that there is going to be no war, it seems to me the logical thing to do, following that line of reasoning, is not only to reduce the number of men in the Navy but to dismantle the Navy altogether and do away with it, because the purposes of the Navy are not only to meet the possible contingency of war, but in the meantime to back up the United States in its negotiations with foreign countries for the protection of the rights of American citizens.

We have had proposed an international negotiation for disarmament. The existence of the Navy, whether it is used or not, will do much to bring about such an agreement and to secure justice for the national interests and protect the welfare of this great Nation and its people. If it is not in existence the United States will be compelled to accept the terms of foreign countries with whom we are negotiating. I assume that is what we are going to do with the Navy, from the Senator's viewpoint.

Mr. LENROOT. I do not know how the Senator from Washington could have gathered any such idea as he seems to have gathered from any remarks I have made upon this floor. I have never suggested that we do not need a Navy. What I have said and I now repeat is that no showing has been made on this floor, and I am confident that none can be made, that we would need a Navy of more than 100,000 men in the next

year.

Mr. POINDEXTER. I said if we do not have more than 100,000 men that among other things that can not be done but that ought to be done will be the care and the proper use of \$300,000,000 worth of destroyers that Congress has appropriated money for and which are now in commission, but which with 100,000 men will have to be put entirely out of commission, if the places where they can be put out of commission can be found in the navy yards of the United States. I doubt very much whether they can be found. Special provision would probably have to be made for that purpose.

Mr. LENROOT. Now, let us see where the Senator's reason-

ing brings him.

Mr. POINDEXTER. I just want to say this much further. I regard it as a very poor business proposition, not in the interest of the economy which the Senator from Wiscousin advocates, after having procured a great fleet of destroyers, most of them less than 4 years old, and having adopted the policy of maintaining a strong Navy, that we should so cut down the personnel of the Navy that those ships will have to be practically abandoned and will begin immediately to deteriorate, so that if in the future there should be need for them, they would not be fit for use as active ships of the fleet.

Mr. LENROOT. Let us see where the Senator's reasoning brings him to now. He says now, in addition to putting out of commission two dreadnaughts, that with 100,000 men we will have to put out of commission all of our destroyers, and yet

the Senator would have us understand-

Mr. POINDEXTER. I did not say all of them; I said many

of them; \$300,000,000 worth, at least.

Mr. LENROOT. Very well, we will have to put those out of commission, and yet the Senator would have the Senate believe that with the addition of 17 new battleships and cruisers,

without putting any dreadnaughts out of commission, we will not need an additional man more than is required now; in other

Mr. POINDEXTER. Does the Senator from Wisconsin think

we will need more?
Mr. LENROOT. I certainly do.

Mr. POINDEXTER. We would be very glad to entertain a proposition to increase the number. We are trying to hold the number down to 120,000 and were convinced, upon the showing made, that we could get along with that number. The Senator insists that with the addition of these new ships to the fleet we will need more men. I should like him to present the evidence to the Congress and to the committee, so that we might have the benefit of his conclusions in the efforts we are making to maintain a sufficient number of men.

Mr. LENROOT. It would seem to me it would be plain to a school boy that if 100,000 men are not sufficient now that with the addition of 17 battleships and battle cruisers, with the airplane equipment that will be necessary and the destroyers that will be necessary, we will certainly need more than 120,000 men when the program is completed. It is a matter of arith-

Mr. POINDEXTER. That is the difference between the theory of the Senator, who said a moment ago that he has only a little elementary knowledge about the naval bill, and the actual facts ascertained after conferring with the men who have to man and operate the ships. I assume the answer to the Senator's apparently insoluble problem is that as these ships from year to year go into commission-and the program will not be completed until 1925, by reason of the reduced rate of construction provided for in the bill-that the older ships of the Navy will be put out of commission, and men will be released to man the new ships of the Navy. The Senator would say we ought not to put the old ships out of commission. that is true, we shall have to have more men.

But the theory of the committee and the theory of those in charge of naval operations was that with the advent of the new ships the older ships, many of which have served in the Navy for a generation, will go out of commission, and that out of the complement of men provided for in the bill by releasing the crews of the older vessels a sufficient number will be found to man the new ships.

Mr. LENROOT. Let us see about that. The Senator from Washington said this morning that with the completion of the 1916 program no existing dreadnaught will be put out of com-

mission. He has said that repeatedly.

Mr. POINDEXTER. I think the Senator is mistaken. the contrary, I said that two would be put out of commission.

Mr. LENROOT. No; the Senator said they would be put in

reserve. With a personnel of 100,000 men, the Senator may have said what he now states.

Mr. POINDEXTER. I stated two dreadnaughts would have to be put out of commission.

Mr. LENROOT. With 100,000 men?

Mr. POINDEXTER. Exactly.
Mr. LENROOT. But now I state that the Senator has said that with the completion of the new program and with 120,000 men no existing dreadnaughts will be put out of commission.

Mr. POINDEXTER. No; I did not state that.

Mr. LENROOT. I appeal to the record if the Senator did not state that.

Mr. POINDEXTER. The record will show for itself. I stated that the program of the commissioning of new ships would require the putting out of commission of two dread-I stated that several times to the Senator.

Mr. LENROOT. With 120,000 men?

Mr. POINDEXTER. Yes; with 120,000 men. Mr. LENROOT. Very well. Then, Mr. President, if it will require the putting out of commission of two dreadnaughts when this program is completed, when we can look forward in 1925 to the possibility of needing a very strong Navy, if they are going to be put out of commission, then no harm can come if they are put out of commission now. The Senator from Washington can take either horn of the dilemma that he wants to take, for unless he assumes that we need those dreadnaughts in commission now because of the possibility of attack by some foreign power within the next 12 years, then no harm can come even if those dreadnaughts are put out of commission.

Mr. POINDEXTER. Let me ask the Senator why he assumes that they are not going to be put out of commission now? Of course, I do not mean to-day, but I mean during the coming year, for which the appropriation is provided. I have no information that they are not going to be put out of commission during the fiscal year for which this appropriation is intended

to provide. Why does the Senator from Wisconsin assume that their being put out of commission is going to be postponed?

Mr. LENROOT. The Senator from Washington stated to me that he agreed with the article to which reference has been made to the effect that if we appropriated for only 100,000 men, two dreadnaughts would have to be put out of commission now,

Mr. POINDEXTER. That is true, but the Senator from Wisconsin asks why not put them out of commission now.

Mr. LENROOT. If they are going to be put out anyway, if we are not going to use them when the new program is completed, why not put them out now?

Mr. POINDEXTER. My understanding is that they are going to be put out when the new ships come in, and there will be two ships under that program which will be placed in com-

mission during the coming fiscal year.

Mr. LENROOT. So that when the effort is made to influence legislation by the plea that two dreadnaughts will be put out of commission, the Senator from Washington says they are going to be put out of commission anyway. So that argument falls, does it not?

Mr. POINDEXTER. Certainly it falls.

Mr. LENROOT. I am very glad we have gotten that far in agreement. Nobody ought now to make the argument to the Senate that we are going to put two dreadnaughts out of commission unless this amendment be adopted, because the Senator from Washington now says they are going to be put out of commission anyway

Mr. POINDEXTER. Why does the Sentaor assume that the statement was made to influence legislation? The statement was made in answer to a categorical question that was asked

by the Senator from Wisconsin.

Mr. LENROOT. No; I was speaking of the newspaper article.

Mr. POINDEXTER. I do not know anything about the article. I have not read the article, except in a very cursory

Mr. LENROOT. The article stated that two dreadnaughts would be put out of commission, and I asked the Senator from Washington if that were true, and he said it was. I assume and I thought he wanted the Senate to assume that that would be made necessary if we appropriated for only 100,000 men, but now he says that those dreadnaughts are going to be put out of commission anyway.

Mr. POINDEXTER. A great many additional ships will be put out of commission by the reduction of the personnel from 120,000 men to 100,000 men, including the 218 destroyers to which I referred a moment ago; 3 light cruisers; 4 destroyer tenders, with a total complement, with the battleships of the second line, of 19,882 men.

Mr. LENROOT. But under the statements which have been made by the members of the committee, we shall have a larger personnel than when we entered the war with Germany.

Mr. KING. Will the Senator from Wisconsin yield to me?

Mr. SWANSON. Will the Senator permit me to interrupt him?

Mr. LENROOT. I yield first to the Senator from Utah. The Senator from Washington has referred to Mr. KING. the effect of diminishing the personnel of the Navy. I call the attention of the Senator from Wisconsin to the fact that

Great Britain, which has more ships than have we, is now reducing her personnel down to 121,000; indeed, some of the naval authorities there state that it will be lower than 121,000, and others state that it will aggregate, officers and men, 123,487.

Mr. POINDEXTER. Mr. President-

Mr. KING. I am trespassing on the time of the Senator from Wisconsin.

Mr. LENROOT. I yield to the Senator from Washington. Mr. POINDEXTER. I was merely going to ask the Senator from Utah [Mr. King] if in his statement he takes into consideration the fact that out of the personnel of our Navy approximately 8,000 are required for the naval aviation service, whereas in the British Navy none of their naval personnel are required for that service, because their aviation service is a separate one; if he takes into account the fact that in our Navy the marines do not perform the duties of seamen, even as to the manning of guns, whereas in the British Navy marines serve in capacities which correspond to those of American seamen in the manning of guns on board ship; and that, as to Great Britain, Australia and Canada have navies of their own, which are, for all intents and purposes, a part of the navy of Great Britain to meet any contingency which may arise affecting the interests of the Empire? I think Canada has approxi-mately 5,000 men and Australia approximately 3,000 men, making some 8,000 men in the navies of those two dependencies.

However, more important than all those considerations is the one great outstanding fact—I take it as a fact upon informa-tion I have, and I regard it as very important, though it is brushed aside by the opponents of the pending bill as being of no importance-that the average term of service of a British That is the enlistment period under a conseaman is 12 years. tract, as the Senator from New York [Mr. WADSWORTH] suggests, for reenlistment; but the average period of service is 12 years by reason of the fact that a very large proportion of the personnel of the British Navy have served more than 12 years. Some of them, of course, have served less than 12 years, but many of them have served a great deal more than 12 years; so that that is the average length of service in the British Navy, with all that that implies of training and of fitness for the work of a seaman, while in the American Navy the average term of service is only 3 years.

I am not responsible for those conditions. If my informa-

tion is not correct, the Senator from Utah and the Senator from Wisconsin, who have studied this matter with so much detail, can correct me; but I am informed upon reliable authority that what I have stated is the case. In a contingent of 120,000 men in the American Navy at least 20,000 out of the 120,000 will have to be in training schools in order to be instructed and trained sufficiently to put them on board of a battleship for service, whereas in the entire British Navy there are not over 6,000 men in the training schools. Those circumstances undoubtedly should be taken into consideration in comparing, as the Senator from Utah is comparing, the personnel strength of

the British and the American Navies, Mr. KING. Mr. President, it would be improper for me to intrude upon the time of the Senator from Wisconsin to reply to the observations just made by the Senator from Washington, which are not pertinent to the point to which I rose to invite the able Senator's attention. Let me say, however, by way of parenthesis, that I have taken into account in the statement which I made and which I am about to make the suggestion made by the Senator from Washington relative to the aviation services and relative to the personnel furnished by Canada and Australia. The point that I was trying to make was that, notwithstanding the fact that Great Britain has more ships than we have-I do not say that they are as good as our ships; many of them are far inferior to our ships-she is decreasing her docks from 75; she is decreasing her personnel; she has scrapped more than 300 of her ships and is pursuing a course which is wise, namely, taking men off the big battleships, which are unnecessary, which are obsolescent, and putting them upon submarines and upon torpedo boats, because she recognizes the

potential force of those two agencies in coming naval warfare.

Mr. LENROOT. Mr. President, I shall not occupy the floor much longer; I have already occupied it longer than I expected; but I do want to make this observation: I have not suggested the abandonment of the 1916 program; I have not even suggested its suspension; but I do think that we ought to go slower than this bill proposes to go. I supported the proposition for two additional airplane carriers at a cost of \$26,000,000 each, with a present appropriation of \$15,000,000; and that is going to require a very considerable addition to the personnel further than was contemplated by the 1916 program, unless there be an abandonment of some ships in view of the provision for the airplane carriers.

Mr. POINDEXTER. I think the Senator is correct about There will have to be an abandonment of older ships of the second line which have had many years of service.

Mr. LENROOT. I mean the construction program, because we are adding in this bill to the extent of \$52,000,000 to the construction program of 1916, minus the deduction that might be made by the elimination of 12 destroyers. Am I not correct?

Mr. POINDEXTER. In so far as airplane carriers go Mr. LENROOT. No; I mean the building program.

Mr. POINDEXTER. We are not adding anything at all in the Senate bill to the building program provided in the House

bill, so far as ships of the line are concerned.

Mr. LENROOT. But the two airplane carriers are a part of the building construction program, are they not?

Mr. POINDEXTER. I just stated a moment ago to the Sen-ator that we have provided for airplane carriers and also for

Mr. LENROOT. Certainly; and with that I am very much in

Mr. POINDEXTER. I understand the Senator is; and I was going to call his attention to the fact that there would be men needed to man the new submarines which are coming into com-I understand that the Senator from Wisconsin-at least, I understand that some of the Senators who are opposed to the general policy of the bill are in favor of developing to

a greater extent our submarine service. There is a very large contingent of submarines that are coming into commission, and a large number of men will be required to man them.

Mr. LENROOT. Mr. President, I wish to say just a word further while I am on my feet. I would not ask the Senate to follow my opinions as to what will be an adequate Navy in the future, but personally I am fully satisfied that, as to the present construction program, where the ships have not proceeded very far toward completion, it would be folly to complete those ships according to the original plan.

I have had some occasion as a member of the Military Affairs Committee recently to investigate the question of chemicals in warfare. Whatever views some people may entertain concerning the use of chemicals in warfare, I believe that the use of chemicals will be one of the most important activities of warfare in the future, and that any nation that is not prepared to defend against chemical attacks and to use chemicals, if used by an opponent, will be defeated, I do not care what navy or what army it may have. If we are to have an adequate Navy in the future, Mr. President, that Navy must be protected, so far as it is possible to furnish protection, against chemical warfare, against poisonous gases. That will necessitate a very considerable change in design as to the battleships that are now being completed. It is my judgment, though I do not ask others to accept it, that inside of five years every one of them will be obsolete. In addition to that, the warfare of the future, in my judgment, will be conducted largely by the use of chemicals and by the airplane. Airplane carriers are absolutely necessary or a Navy will be of no value. Protection against chemical warfare will be necessary to every ship, or a battleship will be of no value.

It would be the height of folly, it seems to me, except as to those ships that are nearing completion now, whose designs can not be changed, to undertake to go on with this building construction program to the full extent without taking into consideration the developments that have been made in chemical warfare and in airplane development.

Mr. POINDEXTER. I think that all those things have been taken into consideration. At least, the Chief of the Bureau of Construction, who I suppose has no superior as a naval constructor in the world, tells us that those things have been taken into consideration, and that in so far as provision can be made to meet the methods of warfare to which the Senator from Wisconsin refers, it has been made in the newer types of ships.

Mr. LENROOT. Mr. President, I do not question that the Senator has stated what has been stated to him; but I do say that no one, naval constructor or otherwise, no man anywhere, has been able to devise full protection against the latest developments in chemical warfare by the United States Army. visited Edgewood Arsenal two or three weeks ago, in company with the chairman of the committee and the Senator from Florida [Mr. Fletcher]. I do not feel at liberty to state some of the things that we found there; but from what we did see there, and from what any Senator might see if he took occasion to visit it, he would be convinced that the warfare of the future will be completely revolutionized through this branch of war activity, and that unless protection be discovered which has not yet been discovered to protect battleships from such attacks, a battleship will be obsolete before this 1916 program is completed.

Mr. KING. Mr. President, before the Senator resumes his seat, may I inquire of him whether he thinks it is wise for the United States to adhere to a program which was devised in 1915 and crystallized into a law of Congress in 1916, which outlined then the number of destroyers, the number of submarines, the number of battleships, and the number of battle cruisers? Since that time we have had the experiences of the war with We have seen the successful operation of the subma-Germany. rine. We have discovered the important force of the airplane in naval service as well as upon land; and, moreover, we have discovered the tremendous effect of poisonous gases, not only upon land but, modern investigations show, upon the sea. repeat, in the light of those investigations, does it not seem to the Senator that it is the height of supreme folly for our Government to adhere so religiously and so scrupulously to an archaic policy, instead of conforming it to modern revelations and modern developments and to the scientific information which has been obtained?

Mr. POINDEXTER. Mr. President-

The PRESIDING OFFICER (Mr. Sterling in the chair).

Does the Senator from Wisconsin yield to the Senator from Washington?

Mr. LENROOT. I do.
Mr. POINDEXTER. Without any discourtesy at all, or any reflection upon the naval ability of the Senator from Utah—

Mr. KING. Oh, we concede the naval ability of all members of the Naval Affairs Committee: likewise the distinguished

Mr. POINDEXTER. The Senator being a member of the committee, we make that concession to him. I was just going to ask the Senator from Utah if he would give the Senate the sources from which he obtained this information that battleships are obsolete, as against the opinion of all the naval strategists in the world, including those of Japan, Great Britain, and the United States, all of whom still are committed to a policy of constructing battleships? I have no doubt they are all mistaken, in view of what the Senator from Utah states, but I am just interested in knowing where he gets his enlightenment.

Mr. KING. Mr. President, if the Senator will pardon me, I did not make the statement, attributed to me by my distinguished friend, that battleships were obsolete. What I did was to ask the Senator from Wisconsin if he did not think it would be the height of supreme folly for our Government to adhere religiously and scrupulously to a program which was conceived in 1915 and crystallized into law in 1916, in the light of the developments of the recent war?

Mr. POINDEXTER. I assume from that statement that the Senator from Utah is of the opinion that the type of ships, their defensive and offensive equipment, was fixed in 1916.

the Senator's opinion?

Mr. KING. Mr. President, I would not say that definitely but the type of ship conceived in 1915-16 is the type of ship which is now being builded by the Navy Department.

Mr. POINDEXTER. In that the Senator is mistaken, according to the information which I have. I am informed that the types of ships, especially those of the later contracts, have been changed a number of times since 1916.

Mr. KING. Mr. President, if the Senator will pardon me, there have been some changes; I will not say material ones.

Mr. POINDEXTER. The program of 1916 did not do any more than to call them battleships and battle cruisers. is about as far as they decided the type.

Mr. KING. But the general scheme of the 1915-16 program is being adhered to now, not only as to the number but as to the general types of ships.

Mr. POINDEXTER. It is true that the program calls for battleships and battle cruisers; but they have made changes many times as to their equipment, armor, and armament.

Mr. KING. There is some change in the armor; there is some change in the electric drive; and some inconsequential changes which it is not necessary for me to detail now.

Mr. POINDEXTER. All these changes are made in the light of all the information that naval constructors could obtain anywhere in the world. If there is some other source that we have not got, of course, we ought to have it.

Mr. KING. Mr. President, I do not think the changes at all meet the question of airplanes. I do not think the changes at all meet the question of the torpedo. There is some change in the armor, some change in the manner of placing it above or below the water line; but, generally speaking, we are adhering to a program which was conceived in 1915, and

crystallized into law in 1916.

Mr. SWANSON. Mr. President, if the Senator will permit

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Virginia?

Mr. LENROOT. I am going to yield the floor in a minute.

I do not want to take too long a time.

Mr. KING. I propounded that in the form of a question to the Senator from Wisconsin. I should be delighted to have

Mr. LENROOT. I will say fairly in reply to that question, as I said a moment ago, that I am not even advocating the suspension of the 1916 program. I do think that whatever money is expended on the 1916 program ought to be expended on ships nearing completion. I have stated that I would not urge upon the Senate the acceptance of my views that these battleships will be obsolete inside of five years, although that is my own belief; but as to battleships where we are only beginning the construction, I believe that it would be the height of folly to go on with those under present plans in view of the marvelous development that is being made in chamical warfare and airplane construction. Those things, it seems clear to me, should be postponed until it is deter Mained what will be necessary in order to afford protection, if protection can be afforded, to these ships from this new kind of warfare.

To get back to the pending amendment for just a moment-

Mr. KING. Mr. President, will the Senator permit an interruption right at that point? It may not be interesting to the Senator, but I should be glad to have him know that as a member of the Naval Affairs Committee I recommended to the Senate this program with respect to the 1916 program: That those battleships which have reached a percentage of completion of over 60 per cent, or thereabouts-and there are six of those—should be rapidly completed; that work upon the remaining five battleships, the keels of some of which were only recently laid and the percentage of completion of which is from 1.3 up to 15 or 16 per cent, should be suspended until an effort can be made to secure an international arrangement against competitive armament or for reduction of armament. I recommended that we should suspend the construction of four of the battle cruisers and that we should rapidly complete the balance. I favored the construction of the other ships that were called for by the 1916 program generally, and in addition I favored the construction of airplane carriers. With the new developments it did seem to me that it would be unwise to construct more of the heavy battleships and heavy battle cruisers than those that I have just indicated.

Mr. LENROOT. Mr. President, to get back to the pending amendment, it does not require a naval expert to see that if we need 120,000 men now for the present Navy, when we have 17 additional dreadnaughts, battle cruisers, and airplane carriers

we are going to need many more than 120,000 men.

Mr. President, will the Senator let me Mr. SWANSON. explain that to him?

Mr. LENROOT. The Senator has tried to explain it; but the Senator can not by any possibility make me believe that a difference of just 20,000 men, granting all that has been said about reenlistments, will take care of 17 additional dreadnaughts and 2 battle cruisers

Mr. SWANSON. Now will the Senator yield?

Mr. LENROOT. I yield. Mr. SWANSON. The N The Navy is organized something like the Army. The Senator wants a certain Army. Why? Because you have divisions, you have regiments, you have brigades, and you have corps. In the Navy you have squadrons, you have divisions, and you have fleets. When you get an extra ship, and you have a squadron of four ships, one of them goes out in reserve or out of commission, and the other takes its place. You can not have an irregular Navy any more than you can have an irregular Army. If you had a Navy and did not have it protected in its center and on its wings, one ship would be surrounded and destroyed. A navy is organized, and it is more important that it should be than an army. Where you have so many squadrons in a fleet, and a new ship comes in, another one is put in reserve. If you had 100,000 men, and your Navy had no concert, no divisions, you would have it all torn to pieces so far as being able to maneuver, so far as being able to practice just like the Army, is concerned.

Mr. LENROOT. Was it torn to pieces in 1917? Mr. SWANSON. In 1917 you still had your squadrons. Senators talk about the Navy being increased. Why, we had be-tween five and six hundred thousand men in the Navy during the war. We have demobilized rapidly and quickly to 120,000. We are not trying to increase the Navy. We have demobilized until we have got it down to 120,000, and all we want to do is to keep what we have on account of this trouble in Europe. Now, what the Navy insists on is 120,000 men-no bigger than the Army that the Senator wants. In the Army you will need them. Why? Because the country needs the defense, and otherwise there would not be enough to provide an adequate defense. It is just as necessary to have the same conditions in the Navy, and what I want to impress on the Senator is that if we had these squadrons and divisions and a ship went out we would not have any ship to go in and take its place.

Mr. LENROOT. The theory is that the Navy Department

shall determine the number of squadrons and divisions, and then Congress must appropriate for whatever the Navy Depart-

ment decides they want.

Mr. SWANSON. No; science determines how many ships you ought to have in a squadron, so that a ship can not be surrounded and cut off. Naval strategy determines it. The battle of Trafalgar was won more by strategy than by superiority of armament. There is nothing that requires more strategy and sense and judgment than a naval battle. Science determines these questions. You have so many destroyers, you have so many submarines, in a fleet or in a squadron, and when you get an extra one you put one in reserve. That is why I am satisfied that 120,000 men will take care of the Navy under all circumstances; certainly until an emergency shall arise such as occurred in the late war, when the personnel of the Navy was increased to four or five hundred thousand.

Mr. LENROOT. We have so often seen estimates made by different departments as to how great a personnel will be required—and this does not apply to the Navy or the Army alone, but to any department—as to how large a personnel will be required when that particular proposition is completed, and never once in the history of the United States has such an estimate been adhered to. It will not be adhered to in this

Mr. President, if the Navy can not get along with 100,000 men under the present conditions, it will not be able to get along with 150,000 men when this program is completed. If they can not get along under present development with 100,000 men, with an appropriation of nearly \$500,000,000, when the 1916 program is completed it is going to cost us seven or eight hundred million dollars a year to maintain our Navy.

It is not going to cost us that much, Mr. President, because the country will never stand for any such expenditure when conditions are similar to those which exist to-day.

Why is it that we always get these scares when an Army or a Navy bill is up before the Senate? We hear about what Japan is doing. Does any member of the committee tell us, does any official of the Navy Department tell us, about the fact that Japan, at the very time when we are fighting on this bill, has put out of commission its present second squadron and part of its third squadron in order to avoid expense? Why are we not told these things? There is only one reason, Mr. President, because those facts would tend to defeat increases such as are proposed in this bill.

Mr. President, it seems to me that our policy ought to be very clear and very plain. I have not found any Senator who believes there is any possibility of our being engaged in war in the next two or three years. Yet we should not, of course, abandon our Navy. It seems to me, Mr. President, that our policy should be so clear that he who runs may read. Our naval policy ought to be, whether we have a disarmament agree-ment or whether we do not, that the United States shall be at all times the second naval power in the world, and when we go beyond that we are throwing the money of the taxpayer

away in useless naval construction and operation.

Mr. HARRIS. Mr. President, there seems to be no doubt about the resolution offered by the Senator from Idaho [Mr. BORAH] being agreed to. I have supported it most heartily, and it seems to me that every Member of this body would gladly vote to bring about disarmament between Japan, Great Britain, and the United States. I can not understand why there should be any necessity for the increases in appropriations provided by the Senate Naval Committee over the bill as it passed the House until we have opportunity for the conference between the countries referred to in the Borah resolution to meet and see if we can not get an agreement to disarm, and save the already burdened taxpayers of our country more than

a hundred and fifty million dollars annually.

Mr. President, I spent several weeks in Japan last year, and investigated conditions there as best I could. That country is going through exactly the same conditions we have here. The military party there, through their newspapers and propaganda, are doing everything they can to frighten the about what the United States expects to do, in a manner similar to that referred to by the Senator from Wisconsin when he called attention to an article in this morning's Washington Post. Their only hope to tax the people and burden them as the world has never known of before in time of peace is by just such

alarming statements to prejudice their people.

Those opposed to the military party in Japan are increasing in numbers all the time, just as are those opposed to it in this country. Ninety per cent of the people of this country are opposed to such appropriations as are provided for in the bill reported by the Senate Committee on Naval Affairs, and a like number favor an agreement between all countries to

Mr. President, I do not expect any trouble with Japan. The Senator from Wisconsin [Mr. Lenroot] has said that Japan is the only country we would have any trouble with. In the first place, they are having the same financial troubles that other nations of the world are having, and not only that but they are having other troubles. Mr. President, I believe that the great majority of the Japanese are our friends. Of course, in two or three Provinces there is prejudice against our country, just as in three or four States on the Pacific coast there is prejudice against Japan. But a great majority of the people of the United States are friendly to that country, and we want to keep on friendly terms with them. They are among our best customers and our commercial relations are cordial. The United States is the best customer Japan has, and the people of Japan want our friendship and wish to avoid war.

Mr. POINDEXTER. Mr. President— The PRESIDING OFFICER (Mr. King in the chair). the Senator from Georgia yield to the Senator from Washington?

Mr. HARRIS. I yield.

Mr. POINDEXTER, Does the Senator from Georgia think it is a wise policy for us to be continually discussing the probability or possibility of war between the United States and Japan? Why is that subject constantly brought up here, and held before the minds of the people of the two countries? I should think it would be a thing we would not want to discuss,

at least publicly.

Mr. HARRIS. Mr. President, the matter was referred to by the Senator from Wisconsin [Mr. Lenroot]. I believe we ought to discuss things frankly. I do not believe we are going to have war with Japan, as I have stated. I believe they want to be our friends, and I know a majority of the people in this country want to be friendly with Japan. I think all the discussions about trouble between this country and Japan in certain sections of this country are unwise, and I think if there should be more discussion to the effect that those people are our friends, and we are their friends, it would be far better than the denunciation of Japan all the time by some people in some of the Pacific Coast States.

Congress will be in session several months. If we can not get a disarmament agreement, as provided by the Borah resolution, then it will be time enough for the Senate of the United States to appropriate a hundred and fifty million more than carried in the bill as it passed the House. For my part, if we can not get some kind of disarmament agreement I will be ready to join the Senator from Washington and the other Senators who favor an increase in the Navy.

But, Mr. President, with the people of this country burdened with taxation as they are to-day, I think it is almost a crime to burden them with \$150,000,000 additional to be spent on the Navy. Let us first give the conference to be called under the Borah resolution a trial, and see if the Navy can not be reduced

instead of being increased.

Mr. President, we only appropriate about \$40,000,000 annually for agricultural purposes for the entire country, and some Senators who oppose those items for agricultural advancement vote for four times that amount of increase in the appro-

priations of the naval bill.

The per capita tax in the United States has increased from \$6 annually to \$48. The percentage of disbursements annually by this country show 67.81 per cent for past wars; 25.02 per cent for plans of future wars; 3.19 per cent for the legislative, executive, and judicial branches of the Government; 1.01 per cent for public health and education; 2.91 per cent for public works, including rivers and harbors, the Panama Canal, and public buildings.

Mr. President, it is the duty of Congress to reduce the expenditures of our Government and save our people the great burden of taxation now upon them. As long as I am a Member of this body I shall do my best to bring about this condition.

Mr. UNDERWOOD. Mr. President, before the final vote is

taken on the pending amendment and on the proposal to increase the number of battleships of the Navy and the amendment of the Senator from Idaho [Mr. BoraH] looking to disarmament, I have wished an opportunity to define my position in the Record, and this seems to be as good an opportunity as I can get, as the debate has lulled at this moment.

Mr. President, I do not think it possible fully to analyze the present condition and reach a final determination as to what we should do toward carrying great armaments in the future unless we review the past, and I do so in no party spirit and with no party criticism, for if one party is to blame I think the other party can be convicted by the same evidence.

If we go back to the period of the War between the States we find that at the close of that great war we probably had the most effective Navy in the world. We had the largest number

of men under arms.

The burdens of that war brought a sentiment in the country-North, South, East, and West—in favor of a retrenchment of expenditures, and the Republican Party, who were in power immediately after the war, and the Democratic Party, which came into power a decade and a half after the war closed, both stood for the same proposition—the reduction of armies and the refusal to build a Navy commensurate with those of the great nations of the world. In other words, from the period of the Civil War down to the time we became involved in the great World War the sentiment of the American people and the policy of the political parties which controlled the Government were against burdening the American people with unnecessary expenditures for armies and navies. I think that statement can

be made without being controverted by any man. In other words, we stood for peace—peace at home and peace abroad.

We demonstrated our honesty of purpose in standing for the peace of the world by refusing to arm ourselves for the fight. The result has been that without fault on our part, with absolutely clean hands, with no aggressive policy to cause an attack, we were driven into the greatest war of the world, left 100,000 men on the battle fields of France, and are facing the burden of an indebtedness of over \$25,000,000,000, which must be paid by taxes wrung from the toiling masses of the American people.

No man can question that this policy of half a century was honest on the part of the American people and their Government. No man who believes in peace and the maintenance of peace can question that that policy was right. But after a trial of 50 years and the results that grew out of that policy, I think we may well question whether the means which we adopted to bring about universal peace was a wise one or not.

Since the beginning of time there has been no greater burden on the progress of civilization than the maintenance of armies and navies. Taxes wrung from the peoples of the governments of the world, instead of being applied to the education of the masses, the building of public works, the onward development of all the high ideals of civilization, have been distributed to build up machines of destruction. It seems to me that no man can contemplate the future, the future of our country and the future of the world, without alarm if the old abhorrent system of government by force, of the world's great nations reaching out to make themselves greater by the power of conquest and the force of destruction, is to continue to prevail.

Unless the lessons of the war just closed lead us to a change of sentiment, to be striving after new ideals, the ideal of universal peace instead of the ideal of conquest and the destructive force of war, then I think the civilization of our day and time is in danger, in serious danger for the future. Wrong came into the world and civilization was destroyed. The world went back to barbarism and then a new civilization was born. Out of the Dark Ages came the light of a Christian civilization. That civilization, among its high ideals, is based on the right of the individual to liberty, on freedom of government, on protection of property.

If the world in the generations to come must be burdened with great taxation not only to pay for the wars that are past but to maintain preparation for wars in the future, then well we may say that the right of property may not long exist. Taxation to maintain just government is right. That property should pay its due share of taxes as property is right. But when taxes are elevated to the point where taxation becomes confiscation and the burden of taxation becomes so great that there is no longer an incentive for men to own property, then property values cease to exist. Now, I do not say that we have reached that standard to-day. In the operations of the income tax we have taken so large a percentage of men's incomes that we have come dangerously close to confiscating their property. Ah, you may say that only relates to a very few American citizens, but when you once establish the principle that through taxation you can confiscate, as the maw of the mouth of war becomes more and more greedy, the brackets at the bottom will begin to weaken, and the area of confiscation by taxation will increase.

That may not be so threatening in these sovereign States of ours, but it has nearly reached the point of confiscation in the great countries of Europe. I see but one way to avoid it. There is a way out, an absolute way out. Remove the burdens of war preparation and the world can work itself out and pay the war indebtedness of the past and work back to the point where the great masses of the peoples of the world are no longer oppressed by the burden of taxation and where what a man earns by his daily toil or his genius may be acquired in large part for his old age and the care of his family in the future or for the upbuilding of his country and the reaching out of the civilization of his day and time to higher ideals. But if this burden of military preparation must continue for two generations longer then in my judgment it will become so overwhelming that in the end it will destroy the present civilization of the world and the onward progress of civilization must stop, because the world will not be able to carry its great burdens of war indebtedness and war preparation and at the same time advance the progress of civilization.

Now, when we came out of the war I think there was a universal sentiment among the American people in favor of disarmament of the world, the entering into agreements by the great nations of the world to forego the settlement of international disputes by force of arms and to recognize their determination in great judicial tribunals that should decide the

questions from the standpoint of right by the force of logic and reason and not at the cannon's mouth or at the end of the pointed sword. Have we forgotten that settlement? It was only three years ago and yet it seems we are about to abandon the hope of maintaining the peace of the world except by the force of arms.

I supported the motion for the unconditional ratification of the treaty of Versailles, and why? It was not that I thought it was a perfect treaty. It was made by men. It was formed by nations that had just come out of a great conflict, with all the anger and the animo. ites that grow out of such a conflict. It would be impossible under those conditions for any set of men to write a perfect treaty.

men to write a perfect treaty.

But within the lines of that treaty there was one great provision which shone out as the light of the world for future generations. It was a compact by the great nations of the world to submit their differences to a tribunal of arbitrament and not to the force of the sword. Unfortunately, in my judgment, so far as we are concerned, the compact failed here in this body, in the Senate of the United States, and our failure to take our position in the councils of the world for peace and right has brought the entire edifice of the temple of peace down in ruins. It could not stand without the pillar of these 48 sovereign States sustaining its dome. Our withdrawal shat-tered the confidence of the world. We find that those, all but ourselves, who but three years ago, in solemn compact, signed an agreement that great international differences should be solved through an international court of arbitration, have now gone back to the old war game of the past, the destructive game of the ages; a game that has produced the downfall of all free peoples; a game that has been played over the dead bodies of the masses of the people of the great nations of the world for centuries past. They have gone back to the game of war.

Mr. President, this side of the Chamber does not hold the direct responsibility for the management of the Government to-day, but we would be recreant to the constituencies we represent if we did not stand ready to give a helping hand to the party in power when they are endeavoring to serve the people of this great Nation along right lines, and if we were not willing to sacrifice ourselves, if necessary, by standing in the way of legislation that is not in accord with the great ideals of the American people, the ideals of our Republic, the ideals of our fathers. So, although our Republican brethren hold the responsibility, we can not excuse ourselves from our share of it, and, without intending it as a political criticism, I want to say to you gentlemen who bear the responsibility of the party in power that unless you solve this one question of the future peace of the world you will fail in your duty to the country, and the country will repudiate you for that failure.

You have taken over the control of the Government with the greatest burden of indebtedness that it has ever faced. In generations past the American people hardly knew what taxation was, so far as the Government of the United States was concerned, because the taxes fell so lightly that the burdens of taxation were not felt, but to-day the burden of taxation is bearing down upon the home of every man, be he rich or be he poor, whether it stalks in under the guise of an income tax or whether it meets him at the breakfast table in an indirect tax on what he must buy in order to sustain life and health. majority party can pay the war indebtedness, as they should: they can solve this problem within the decade if they are ready and prepared to relieve the American people of the burden of preparedness for future wars. It is to-day necessary to raise at least \$4,000,000,000. More than half of that must be paid for past wars; at least a fourth of it is for preparation for fu-ture wars. If that fourth that is to be raised for preparation for future wars were used to pay our past indebtedness, to wipe out the burdens of the wars that have passed, and to bring the generations of the future to a point where they may work for civic righteousness and not for the destruction of humanity, a great advance would be accomplished for the civilization of the world.

I do not regard the \$100,000,000 that is being fought for in the pending bill as more than a mere bagatelle, a pawn on the chessboard. It is not the money involved in the bill that is the issue, but it is the principle for which we stand. It is the question as to whether or not we shall stand for an insistent policy, not that we alone but that the world shall disarm. That is the real question involved in the issue to-day.

As I said a moment ago, we have tried the policy of disarmament alone, and that policy found us unprepared when a war nation struck at our throat. Three years ago there was not a flag in all the world that carried under its folds greater moral power in the councils of the nations than did the Stars

and Stripes of our great country. Have you abandoned that for which the flag stood?

Are you now prepared to draw yourselves into the confines of these several States and say that we owe no duty to the world; that there is no obligation for the peace and happiness of mankind that we must recognize for the future? Are we to adopt the recreant policy of selfishness, and think that we may save our own hide and care not what becomes of our neighbors? Mr. President, I think we have gone too far for that. The wheels of time can not turn back. We took our place in the councils of the great nations of the world and we can not abandon that place without having dishonor written across the face of our country.

I am not urging you to go back to a league of nations or to a ratification of the treaty of Versailles. You have decided that question; you have adopted your policy; but because you have adopted a policy that negatives the treaty of Versailles and its covenants does not exempt you from advocating a policy in the councils of the world that will insure the peace of the world in the future.

Many of you Senators on the other side of the Chamber two years ago, when you repudiated the League of Nations and the treaty of Versailles, said that you stood for an international understanding to keep the peace; that you stood for an agreement that the world should disarm, and that we should have no more war. I take it that what you said then you said in all honesty of purpose; but I ask you to-day, What have you done since that time by your actions to convince us of the honesty of your statements?

You were in power in the legislative branch of the Government for two years without action looking to the peace of the world. You have been in power in every branch of this great Government of ours for nearly three months, and so far as I have seen the only affirmative action that has been taken by anyone belonging to the party in power has been the proposal of the Senator from Idaho [Mr. Borahl], and that was combated on the other side of the Chamber until a few days ago.

Of course, you well knew that this side of the Chamber would support the proposal of the Senator from Idaho when it came before the Senate, and we knew, not how many votes, but we knew that it would gain some support from your side. I am delighted now to know that the leadership of the Republican Party has concluded not to resist further the proposal of the Senator from Idaho, because it is the only light, it is the only hope that the party in power has held out to the people of the United States against the burdens of war taxation in favor of the peace of the world for the future.

But if you merely intend to allow the amendment of the Senator from Idaho, proposing a conference between three of the great nations of the world looking to disarmament, to go into the bill because you have not the power to keep it out, and do not intend to back it up with the moral power and the moral force of this great Government, then it is idle to incorporate it into the folds of this bill.

But, Mr. President, I believe that there is a force at work in the country that is even greater than the power of the Government that you exercise, and that is the great heart throb of the American people, who are almost unanimous in their cry for "Peace! Peace!"; and if you do not act, and act aggressively, to bring about the peace of the world, that pervading sentiment in the hearts and minds of the American people will in the end force you to action.

For these reasons I shall most heartily support the amendment of the Senator from Idaho; but to my mind the question does not rest there entirely. That is the great objective, but we must be prepared to take our objective.

It is argued by many—and I do not say that their arguments do not carry weight; if it were not for the history of the past they would carry weight with me—that if we want to disarm, and want the world to disarm, we must show the world the way by disarming ourselves. That is a Christian theory. It ought to be a right theory. It would be if the true principles of Christianity beat in the hearts of all men; but, as I said before, for half a century we practiced the theory that we would disarm. Before the Spanish War I think we had only about twenty-five or twenty-six thousand men in the Army, and a Navy that even a second-rate power would not fear; and yet the great nations of the world went on piling up their armaments and the burdens of war indebtedness. Our theory failed. It did not work out. Those nations that still believe in the ideals of war and conquest went on preparing for them.

To-day we stand at the dividing of the roads. There is no use in halfway doing this thing. We are only fooling ourselves and trying to fool the Nation by saying that we will cut off

\$100,000,000 when it reaches into billions. We must either stand for peace by not preparing for war or we must stand for peace by making a war preparation that those who carry the knife of war in their teeth will have reason to fear. economy in this bill does not appeal to me. If we are going to have peace by disarmament, if we are going to bring about peace of the world by establishing the principle of disarmament, let us disarm ourselves and strike out all the pages of this bill that relate to a new Navy. Let us make the example a real one; but if we have not the courage to do that, let us not fool ourselves or attempt to fool our constituencies. If we are still going to stand for war and the instruments of war, if we are going to maintain peace at the cannon's mouth because our neighbors will not allow us to have it otherwise, then let us have the greatest cannon that the world knows, let us have an armament that the world will fear, and let the President of the United States carry the proposal of the Senator from Idaho to the councils of the world, demanding universal disarmament and universal peace. So far as I am concerned, I think at this hour and day that is the only way to accomplish the result.

Mr. POINDEXTER. Mr. President-

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Washington?

Mr. UNDERWOOD. I yield.

Mr. POINDEXTER. Some question was made this morning about a newspaper report of the speech of the President, and whether he said "the overwhelming power of the United States" or "the overwhelming power of the righteousness of the United States." I think what the President had in mind, assuming that he used the language which I have last quoted, is just what the Senator from Alabama is now speaking of.

Mr. UNDERWOOD. I am not speaking to the President of the United States. I am not going to assume his position in this matter. The issue is for us to-day; it will be for him to-morrow. We all hope and expect that when the problem lies at his door he will do a man's part and endeavor to solve it for the best interests of the people of the United States. But we can not escape our burdens by looking to the President of the United States to assume them for us.

I do not know who placed on the wall the diagram which is before us, but I do know that the figures it contains are substantially correct, and there the burden of war faces the Senate of the United States.

Of all this great indebtedness we must levy taxes to maintain, nearly 93 per cent is utilized to pay for past wars and future preparation for war. The great powers of actual government embraced in the legislative, executive, and judicial branches of the Government are maintained and paid for by only 3 per cent of the taxes we wring from the American people, and that is their Government—the legislative branch to make their laws, the judicial branch to construe them, the executive branch to maintain them. Three per cent of the burdens of taxation which rest on the American people actually carries on the real functions of the Government.

Then in addition to that 3 per cent covers the expenditures for your public works, your river and harbor improvements, your good roads, your endeavors toward building up the Nation and advancing civilization.

Then you give 1 per cent out of these burdens to education and public health, to aid in the education of the children of the Nation, for the building up of men and women as the guardians of the Nation's future, and to the maintenance of the public health and the keeping of the plagues of foreign countries off our shores.

Seven per cent of all this great burden of \$5,000,000,000,000 of taxes which you are levying on the American people you spend for actual government and the other 93 per cent you are paying for wars that are past and for future wars. Can the party in power face that proposition and expect to be sustained by the American people unless they are willing to affirmatively, energetically, and unequivocally stand for the great principle of the disarmament of the world and the future peace of mankind?

In my judgment, they can not. It is the great problem of all the problems which rest on your shoulders to solve, and I am glad to know that the leadership of the majority party in the Senate has at least consented to recognize the amendment offered by the Senator from Idaho [Mr. Borah].

The VICE PRESIDENT. The question is on the committee amendment, on page 30, line 22, under the item "Pay of the Navy," where the committee proposes to strike out "\$72,421,-647" and to insert "\$87,798,447."

Mr. BORAH. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst Borah Brandegee Broussard Bursum McKellar McLean McNary Moses Nelson Hale Harreld Spencer Sutherland Harrison Harrison Heffin Swanson Townsend Hitchcock Newberry Norbeck Oddie Underwood Wadsworth Walsh, Mass. Walsh, Mont. Cameron Capper Caraway Colt Curtis Johnson Jones, Wash. Kellogg Kendrick Overman Phipps Poindexter Warren Watson, Ga. Watson, Ind. Kenyon Keyes King Ladd La Follette Dillingham Pomerene Robinson Sheppard Shields Shortridge Simmons Smith Williams E kins Ernst Fernald Willis Wolcott Lenroot Fletcher Lodge McCormick Gerry

Mr. FLETCHER. I desire to announce that my colleague, the junior Senator from Florida [Mr. Trammell], is necessarily absent. I ask that this announcement may stand for the day. The VICE PRESIDENT. Sixty-nine Senators having an-

swered to their names, a quorum is present.

Mr. HITCHCOCK. Mr. President, I have voted against every proposition to increase the size of the Navy bill as it came from the House, and if the Senate decides to incorporate in the pending bill any considerable part of the increases recommended by the Committee on Naval Affairs, I shall vote against the bill. It seems to me the situation is serious enough for men to carry their protests against the present tendency to extravagance to the limit.

The great thing the world is suffering from to-day is the monstrous governmental extravagance, an extravagance not only in the United States but in other nations; an extravagance which threatens the very solvency of Governments them-

selves.

I doubt whether Senators who are voting for this enormously wasteful bill realize what we have been gradually led into. Before the war we were in the habit of voting each year a hundred million dollars for the Army and one hundred and twenty-three millions per year for the Navy, and I do not agree fully with my friend the Senator from Alabama [Mr. Underwood] when he indicates that the United States was then committed to a policy of disarmament. The fact was that even before the war more than one-third of the great appropriations made by Congress each year were devoted to the Army and Navy, or to the preparation for future wars, and when we entered the war we had a Navy which was practically second only to that of Great Britain. We had an Army upon which we had expended a hundred million dollars a year for a number of years, and a Navy upon which we were then expending \$123,000,000 a year. So I do not think the United States can be charged with having adopted a policy of disarmament before the war.

Large as those appropriations were, however, they sink into insignificance compared with the monstrous appropriations which are now calmly proposed in the Senate, at the very time of all others when we have the least practical need for a great

Army or a great Navy.

Before the war it was evident that the world was arming for war. Before the war, while we did not expect to be drawn into war, it was evident that other nations did, and we knew that there was one great nation in Europe particularly which for nearly 50 years had been preparing for the war which

finally broke.

Now the situation is entirely different. That great nation, the German Empire, is practically disarmed. Her great fleet, which was probably equal to our own, lies at the bottom of British waters on the other side of the Atlantic Ocean. France as a Government is to-day well nigh bankrupt. The British Government to-day is in such a condition as regards taxation that it can not impose another penny of taxes upon the British people, and can not even as yet pay to us the interest on the debt it owes us.

Germany, as we all know, is practically in the hands of a receiver, and will be for many years. The Italian Government is in a precarious situation financially, and every nation in Europe has had its indebtedness so enormously swollen by the war that war is the last thing they will think of in the future, the thing that they will avoid above every other evil in the world. The existing condition is entirely different from that before the war, and this is the psychological moment of all others when the United States can afford to set an example to the rest of the world.

Mr. President, it is well known that I preferred an international agreement for disarmament. That is a sure and certain way to bring about disarmament. I hoped for an international

agreement through the terms of the League of Nations. That is not now apparently to be secured, but, in my opinion, it still remains for this great intelligent American people under a bold leadership to do something for disarmament, and the thing which it can do is to set an example to the rest of the world.

Suppose it goes out to the rest of the world that the United States, the richest, the most populous, and perhaps the most effective nation in war, has deliberately adopted a policy of disarmament, what is the effect going to be in other countries, in every country on the face of the globe, Japan as well as the others? It will be tremendous. In Great Britain, in France, in every nation of the world, there is a powerful party favoring disarmament, and the example which the United States would set by adopting a policy of disarmament, even in the absence of an international agreement, would have a powerful effect in every one of those countries and disarmament would be taken up, if not by international agreement, certainly as the result of example.

Suppose, on the other hand, we adopt the other policy. Suppose we go forward in a way imitating the plan of the German Empire and attempt to have the greatest Navy in the world. Why, inevitably the force of that example will be felt in every nation in the world, inevitably the military party in every nation of the world will be strengthened, and inevitably those who believe in disarmament in every nation of the world, including Japan, would be invigorated.

So I say we are now at the parting of the ways. If we choose disarmament, if we choose a partial disarmament, if we choose a reduction, yes, if we even choose moderation, our example will be a powerful one in every nation in the world and will go far to

bring about that which we desire.

I agree with the Senator from Alabama [Mr. Underwood] when he says it is not merely the extra \$100,000,000 involved in this dispute in the Senate, not merely the question whether the Senate will insist on increasing the amount in the House bill to \$500,000,000. It is not simply the money consideration, but there is another issue involved. It is the moral effect of what we do that is potent, that is important, and for that reason I shall vote as I have voted against every one of the proposed increases, and if they or any considerable number of them are put into the bill I shall vote against the bill, and I shall go out to the people of my State protesting not only that I do so because I believe in disarmament of the world in order to save the world from bankruptcy and war, but I do it also in order to save the American people from the destructive burden of taxation now oppressing them.

Do Senators realize what this burden has become? Do we realize that within a few years, since most of us entered the Senate, governmental expenditures have increased from \$600,000,000 a year to nearly \$5,000,000,000; that we are now deliberately proposing to burden the American people, who are already suffering from depression, with taxes during the coming year almost ten times as high as we dared levy upon them 8 or 10 years ago; yes, 5 or 6 years ago? Do we realize now what difference this makes to the individual? Let us see.

In 1913 the per capita tax due to appropriations made by Congress was \$6.75—\$6.75 per person in the United States. If the bills as now proposed are passed that per capita tax in the United States during the coming year will approximate \$48. I saw an article not long ago in a New York paper declaring that the burden of taxation on the people of the United States, taking the State, local, and national taxes into account, was something like \$750 per family. That is an understatement. It is practically \$50 per person, or \$750 per family, for the taxes which we in the Congress of the United States levy. That takes no account of the various State taxes.

In the various State legislatures and in many of the municipalities they are almost as drunk with extravagance as we are here in Congress.

My own State of Nebraska, whose legislature has just adjourned, has distinguished itself by levying taxes upon the people of Nebraska for the next two years amounting to \$30,000,000. A few years ago—yes, I think only two years ago—the taxes for a period of two years in my State were \$22,000,000. A few years before that they were \$18,000,000, and I can remember very well when we complained of the legislatures which levied taxes of \$6,000,000 in my State about the time I entered the Senate.

That enormous increase in taxes in my State is no doubt approximated by that in other States of the Union. While these great taxes are being levied, enormous debts are being piled up which increase the taxes still more.

In 1913, according to the Statistical Abstract, the per capita indebtedness, State and local, throughout the United States was about \$40—\$40 for every man, woman, and child in the United States of indebtedness of the States, cities, school districts, and

so on. At that time, 1913, the national debt was \$10 per capita. In other words, the burden of National, State, and local indebtedness was then \$50 for every man, woman, and child in the United States.

What is it to-day? As nearly as I can approximate it, according to the figures so far as given in the Statistical Abstract, the State and municipal indebtedness now approximates \$60 per person in the United States, and the national indebtedness, as we all know, now amounts to about \$240 per capita in the United States.

In other words, the people of the United States, who in 1913 bore a governmental indebtedness of \$50 per person, now bear a governmental indebtedness of over \$300 per person.

There is a limit to this. There must be a stop put to it. It can not be done by trifling words; it can not be reached as long as committees listen only to Cabinet officers and bureau chiefs. I am a member of the Committee on Military Affairs, as some other Senators are members of the Committee on Naval Affairs. Whom do you hear in your meetings? You hear only the men interested in swelling expenditures. You hear naval officers, you hear bureau chiefs, each one anxious to enlarge his own sphere of action, and those are all we hear before the Committee on Military Affairs. No one ever comes there urging a reduction. Every bit of testimony that comes before either the Committee on Military Affairs or the Committee on Naval Affairs is an interested, one-sided bit of testimony. It is all for expenditure, all for increasing appropriations.

In seeking the testimony only of such witnesses the commit-tees make a great mistake. The members of these committees hear only one side. They are not well posted; they are not able to cross-examine the witnesses intelligently upon the recommendations which they make; and the result is that appropriations for the Army and the Navy of the United States are not really made by Congress, but are practically dictated by the officers of the Navy and the Army; the large and small functionaries who spend the money are the only advisers of the committees, who naturally go to extremes. There is only one remedy; that is a heroic effort by the responsible Senate and House to lop off excesses and insist on economy.

Mr. President, we not only have a bonded debt of \$24,000,-000,000 but we have a floating debt of \$2,000,000,000 that is being constantly renewed at 51 per cent interest. Senators on the other side of the aisle will have to do something with that great menace. What are you going to do with it? You are going to issue bonds pretty soon. Would it not be better, if you propose to continue to levy enormous taxes, to use some of that money to pay off some of that floating debt? Would it not be better, instead of increasing your coal bill ten or fifteen million dollars in order that the ships of the Navy may sail around in constant motion, to use some of that money to retire some of that floating debt? Would it not be better, instead of adding to the House bill enough money to increase the naval personnel from 100,000 to 120,000, to use that fifteen or twenty million dollars in retiring some of this indebtedness that is hanging over the country like a cloud, injuring business at the présent time and responsible to some extent for the large number of men out of employment?

This great burden of indebtedness and this great burden of taxation affects the business of the country. It affects business men, large and small, and it affects laboring men. It increases the cost of their living. You can not take four or five billion dollars away from the people of the United States every year and burn it up in Government expenses without affecting all those business interests. We have to-day a condition of depression in the United States which may well give us pause to consider what we are going to do to remedy it. There is the South at the present time practically prostrate in business because its great crop has found almost no market. The men that own six or seven million bales of cotton that are still stored will have to sell it for perhaps half enough to pay the cost The copper mines in the United States are practically all closed; our railroads are in a miserable condition: the farmers in my section of the country, who raise wheat and corn and cattle and hogs, have not been able to get enough for them to pay for the cost of raising; indeed, they have not been able probably to get half enough to reimburse them for To-day the foreign commerce of the United States, that cost. which is absolutely necessary in order to make this country prosperous, is falling off at the rate of \$100,000,000 a month in exports and \$100,000,000 a month in imports.

Mr. LA FOLLETTE. Mr. President—

Mr. HITCHCOCK. I yield to the Senator from Wisconsin.
Mr. LA FOLLETTE. Touching the increase in the personnel
of the Navy, the Senator from Nebraska, if I understood him
correctly, suggested that the addition proposed by the bill as

reported by the Senate committee would add something like \$20,000,000 per year. Is the Senator aware of the fact that the addition of every single man in the personnel of the Navy means an addition of \$2,000 per annum? If we increase the personnel of the Navy, by every single man that we increase it, merely for the pay, care, and maintenance of that man alone, to say nothing about the additions necessary to be made to the appropriations on account of other enlarged activities carried by such an increase in the personnel of the Navy, there is involved an increase of \$2,000; so that 20,000 men added to the personnel of the Navy would require an expenditure of \$40,000,000.

Mr. HITCHCOCK. The Senator from Wiscensin has made a more painstaking study of the bill than have I, and I am very glad to accept his figures. I was using the figures as exhibited in the appropriation bill which I think approximate \$17,000,000 Of course I realize that would not be all of the additional expenditure. It is only the mere matter of pay. There is also the matter of maintenance and travel and many other items that would come in, and I approximated it at \$20,000,000. However, whatever the addition may be, it is wrong; any increase is wrong.

The supreme issue, as I see it, not only in the United States but throughout the world, is to do something to bring down the awful cost of government to the people. We are destroying government. The people will not tolerate this sort of thing. We are destroying the credit of governments; we are destroying the respect for government; we are making of government a devouring monster that is eating up the substance of the people. Senators who listen only to naval officers and Army officers who come before committees when they ask for appropriations that will involve the consumption of tens of thousands of tons of coal in order that the naval ships may sail the seas will get a different impression when they get out and talk to the American people, who to-day are struggling to make both ends meet and who object to the imposition of taxes amounting to \$750 for every family of the land in order to maintain the Government in time of peace.

We can afford an enormous reduction, in my opinion, of our governmental expenditures. The only way to reduce is to reduce just as was once said in a national crisis, the only way to resume was to resume. We have got to do it heroically: we have got to close our ears to some of the Army and Navy officers and to use our common horse sense and say it is unnecessary for every ship of the American Navy to be sailing the high seas all the time and burning up oil and coal; that it is unnecessary in time of peace for every ship in the American Navy to be manned to its full complement of men to meet every requirement of war. We can in time of peace like this enormously reduce the expense of maintaining the Navy of the United States.

I indorse also very much of what was said by the Senator from Wisconsin in denouncing the vast expenditure that is proposed for the construction of great battleships, which a large part of the intelligent opinion of the world believes obsolete to-day and that will be upon the scrap heap almost before they are finished.

So I say, Mr. President, that in the interest of the taxpavers of this country, who object to these Government extravagances, it is my purpose to vote against every preposed increase in the bill; and if any considerable number of those increases are put

in, I shall vote against the appropriation bill itself.

Mr. HEFLIN. Mr. President, I am in favor of the disarmament amendment of the Senator from Idaho [Mr. Borah]. I should like to have other nations included in it; all the nations should be invited to participate in a general conference for the purpose of bringing about an understanding on a program for reduction in national armament, but inasmuch as his resolution, which includes only America, Great Britain, and Japan, furnishes us a starting point, and inasmuch as this is the most opportune time that has come to the civilized nations in a long time to begin this work, I shall gladly support his amendment.

As has been suggested here by the Senator from Nebraska [Mr. HITCHCOCK], whenever a big appropriation is sought, either for the Army or the Navy, we have some kind of a war scare held up to our gaze; and it is pointed out to us that we are in imminent danger, when, as a matter of fact, there is not a single war cloud to be seen anywhere on the sky of our national existence. We do not intend to make war upon any nation and no nation on earth is seriously considering the matter of making war upon us.

Mr. President, we have just emerged from the flood and carnage of the most cruel and criminal war that ever cursed the world. That war in four years' time murdered 10,000,000 men; crippled and wounded thirty-odd million more; and cost in money and its equivalent more than half the wealth of the world.

When such a horrible war has been ended in victory for civilization and liberty, when right thinking people everywhere are wanting something done to prevent the recurrence of another such war, it seems to me that this is the time for this great peace-loving Nation to insist upon immediate action in the interest of a general reduction in armament amongst all the nations of the earth.

Germany was the mightiest and most terrible war machine in all the world, but her war implements are broken and her murderous war machine is shattered. Great Britain upon the seas is the mightiest war power on earth, and we stand second to We are good friends and we were comrades in arms in the World War just ended. Together we constitute now the dominant war power of the world, and if this is not the appropriate time to start a movement in the interest of a reduction in national armament, when will that time ever come?

Mr. President, the people of the United States are groaning to-day beneath a heavy tax burden, and yet the effort is being made here to increase that burden, to pile more upon the backs of the taxpayers of America, and for what purpose? Not to put us in a position to defend ourselves against a danger that threatens, but for the purpose of enabling a certain group of people to run their arms deeper and deeper into the Treasury

of the United States.

The farmers of the South and West are in dire distress; millions of people who produce that which feeds and clothes the world are held in the grasp of very trying and embarrassing conditions, and the Government is not handing out to them the money of the public to tide them over this awful time. They are not asking for relief in that form. They ask to be treated as any other substantial business is treated. There are other concerns here, however, which, according to the hearings, say they want this Government work to tide them over until normal conditions return. Is that the business of this Government? What in truth is the Government? It is the great servant and giant agent of the people of the United States. We are not sent here to dole out money from the Public Treasury to certain crafty and avaricious concerns that would fill their coffers with the money of the taxpayers of the country.

We are here to do that which will bring about the greatest

good to the greatest number; we are here to prevent the strong from oppressing the weak and to enforce the laws of justice. In spite of the fact that there is not a war cloud in sight, and in spite of the fact that we have the next largest Navy in the world, we are being asked to-day to greatly increase the tax burden of the American people by appropriating several hundred millions of dollars for naval purposes. We should all be in favor of an adequate Navy; and if we did not appropriate a dollar for the extravagant and unnecessary items included in

this bill we would still have an adequate Navy.

Let me say to the Senators on the other side that the people are not with them in this useless expenditure of the tax money

of the country.

Mr. President, under the guiding hand of Josephus Daniels, Secretary of the Navy, the American Navy was put in the finest condition in which it had ever been, and to-day, even without a dollar being appropriated by Congress, our is capable of defending our rights and interests against any sea power on earth. Without going into the Treasury for another dollar, if war should come to-morrow we could take the equipment we have and go out and fight the war to a successful conclusion.

Then what is the use of appropriating this money at this time? What right have we under the conditions that obtain to increase the taxes of the people for these things? God knows that in the darkest hour of the country's history, when our liberties were imperiled, they responded cheerfully and helped to win the war with all that they could contribute, and now that the war has been won and no threatening cloud is in sight, let us stop this thing; let us stop this tax gouging for

one year at least.

Mr. President, what would be the impression and what effect would it have if this Nation should say to the other nations, "We are not going to increase our Army and Navy for 12 months; we are going to show to the nations of the earth that we are willing to practice what we preach; we have advocated a reduction in armament; we are now proving our faith by our works; we have already commenced the important work of reduction in our national armament program"? What effect would it have upon the nations of the earth for the United States to stand out upon the stage of the world holding up to the nations the dove of peace and the banner of disarmament?

Why, the nations of the world would say, "Behold America, the richest nation in the world, the decisive factor in the World War just ended, she is not going forth like other nations have gone that have experienced great military triumph and then determined to become the greatest military power in the world; she wants to get back to the broad thoroughfares of peace and international good will, and behold she leads the way.

Such action on our part, Mr. President, would have more effect than all the written and spoken appeals that can be made

in any other way.

Some Senators say this is dangerous; we ought to wait until we arm ourselves until we groan beneath the weight of our own armament, and then walk out amongst the nations covered with bristling bayonets and say to them: "Now we are ready for disarmament. Are you ready?" Then they would say: "We did not understand you. While you were building up all of this war equipment we were building, too, because we did not know what you intended to do. We could not understand why you should thus equip yourself with war implements. feared that your head had been turned, as so many before you have been, under the spell of victory and that you might seek to conquer and rule the world; so we have been arming too."

In the absence of some international peace tribunal and some general program for reduction in armament every nation would in a little while go to arming itself and then another war would come, and it would be more terrible, more dangerous and

deadly than the one just ended.

Mr. President, I repeat, there never was a time so propitious as the present for this Christian Nation to prove its faith by its works, and say to the world, "I am ready to take the first step in the great work of reduction in armament. We have no desire to disturb the peace and happiness of other nations.

want peace with all the nations of the earth."

I know that the suggestion of cutting down the appropriations for these unnecessary equipments is very displeasing to those who thrill at the clink of the dollars that fall into their coffers from the Public Treasury. The only music that they know and really enjoy is the clink of the taxpayer's dollar. They care nothing for the peace of the world. They make money out of war. They are happy and contented if you will permit them to clip their coupons and swell their fortunes at the expense of the American people.

Mr. President, the time has come for the Congress of the United States to make known to all the world the real feeling of the American people upon the all-important question of the future peace of the world. No set of men who profit by the sale of war implements have the right to stifle the voice of the American people on this subject. The taxpayers of the country are vitally interested in this question, and, above all, the fathers and mothers of America; and boys now living and boys yet unborn are going to be affected by our action upon this question. God help us to so act that all the world will know that our country is sincerely on the side of universal peace.

The VICE PRESIDENT. The question is upon agreeing to

the amendment of the committee.

Mr. BORAH. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ASHURST. Let the amendment be read. The VICE PRESIDENT. It will be read.

The READING CLERK. On page 30, line 22, the committee proposes to strike out "\$72,421,647" and to insert "\$87,798,so as to read:

Pay of the Navy: Pay and allowances prescribed by law of officers on sea duty and other duty, and officers on waiting orders, \$37,023,859; officers on the retired list, \$3,113,771; commutation of quarters for officers, including boatswains, gunners, carpenters, sailmakers, machinists, pharmacists, pay clerks, and mates, naval constructors, and assistant naval constructors, \$4,254,192, and also members of Nurse Corps (female), \$1,000; for hire of quarters for officers serving with troops where there are no public quarters belonging to the Government, and where there are not sufficient quarters possessed by the United States to accommodate them, or commutation of quarters not to exceed the amount which an officer would receive were he not serving with troops, and hire of quarters for officers and enlisted men on sea duty at such times as they may be depived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable, \$25,000; pay of enlisted men on the retired list, \$620,250; extra pay to men reenlisting under honorable discharge, \$4,390,800; interest on deposit by men, \$10,000; pay of petty officers, seamen, landsmen, and apprentice seamen, including men in the engineer's force and men detailed for duty with the Fish Commission, enlisted men, men in trade schools, and pay of enlisted men of the Hospital Corps, \$87,798,447.

The VICE PRESIDENT. The Secretary will call the roll.

The VICE PRESIDENT. The Secretary will call the roll.

The Assistant Secretary proceeded to call the roll.

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. WARREN].

Observing that he is not in his seat, I withhold my vote.

Mr. WALSH of Montana (when his name was called). I
have a general pair with the Senator from New Jersey [Mr.

FRELINGHUYSEN]. I am told, however, that if he were present he would vote "yea." I propose to vote "yea," and I accordingly vote "yea."

The roll call was concluded.

Mr. ERNST. I am paired with my colleague, the senior Senator from Kentucky [Mr. STANLEY]. I transfer that pair to the junior Senator from Indiana [Mr. New] and will vote. I vote "yea."

Mr. EDGE. I transfer my general pair with the senior Senator from Oklahoma [Mr. Owen] to the junior Senator from Pennsylvania [Mr. Knox] and will vote. I vote "yea."

Mr. DILLINGHAM. I have a general pair with the junior

Senator from Virginia [Mr. Glass], who is necessarily absent from the Chamber. I transfer that pair to my colleague [Mr.

PAGE] and will vote. I vote "yea."

Mr. FERNALD. I have a general pair with the senior Senator from New Mexico [Mr. Jones]. I transfer that pair to the junior Senator from Maryland [Mr. Weller] and will vote.

I vote "yea."

Mr. COLT. Although I have a general pair with the junior Senator from Florida [Mr. TRAMMELL], I am at liberty to vote on this question. I vote "yea."

Mr. KING. I have a general pair with the senior Senator from North Dakota [Mr. McCumber]. I inquire whether he

The VICE PRESIDENT. He has not voted.

Mr. KING. Not being able to obtain a transfer, I am compelled to withhold my vote. If at liberty to vote, I should vote "nav.

Mr. HARRIS. I transfer my pair with the junior Senator from New York [Mr. CALDER] to the senior Senator from Texas [Mr. Culberson] and will vote. I vote "nay."
Mr. BROUSSARD. I desire to announce the absence of my

colleague [Mr. RANSDELL] on account of illness. I have been requested to announce that if present he would vote "yea."

Mr. CARAWAY (after having voted in the negative). I have general pair with the junior Senator from Illinois [Mr. McKinley]. I transfer that pair to the senior Senator from Missouri [Mr. Reed] and will let my vote stand. Mr. FLETCHER. I desire to announce that my colleague

[Mr. Trammell] is necessarily absent from the Senate.

Mr. KENDRICK. Has the senior Senator from Illinois [Mr. McCormick] voted?

The VICE PRESIDENT. He has not voted.

Mr. KENDRICK. I have a general pair with that Senator. As I am unable to obtain a transfer, I shall have to withhold my vote. If at liberty to vote, I should vote "nay.

Mr. KELLOGG (after having voted in the affirmative). have a general pair with the senior Senator from North Carolina [Mr. SIMMONS]. May I inquire if he has voted?

The VICE PRESIDENT. He has not voted.

Mr. KELLOGG. I transfer my pair with the senior Senator from North Carolina to the junior Senator from Michigan [Mr. NEWBERRY] and will allow my vote to stand.

Mr. CURTIS. I have been requested to announce that the Senator from Maryland [Mr. France] is paired with the Senator from Louisiana [Mr. RANSDELL], and that the Senator from Pennsylvania [Mr. Penrose] is paired with the Senator from Mississippi [Mr. WILLIAMS].

The result was announced—yeas 45, nays 23, as follows:

## YEAS-45.

Ashurst	Fernaid	Neison	Sterning
Ball	Fletcher	Nicholson	Sutherland
Brandegee	Gerry	Oddie	Swanson
Broussard	Gooding	Phipps	Underwood
Bursum	- Hale	Pittman	Wadsworth
Cameron	Jones, Wash.	Poindexter	Walsh, Mass.
Colt	Kellogg	Robinson	Walsh, Mont.
Curtis	Keyes	Shields	Watson, Ind.
Dillingham	Lodge	Shortridge	Wolcott
Edge	McLean	Smith	
Elkins	Moses	Spencer	
Ernst	Myers	Stanfield	
	0 1934	YS-23.	
Borah	Harris	La Follette	Pomerene
Capper	Harrison	Lenroot	Sheppard
Caraway	Heffin	McKellar	Townsend
Cummins	Hitchcock	McNary	Watson, Ga.
Dial	Kenyon	Norbeck	Willis
Harreld	Ladd	Norris	11.44.45
Darreid	THE RESERVE OF THE PARTY OF THE	OTING-28.	
Calder	Kendrick	Newberry	Simmons
Culberson	King	Overman	Smoot
France	Knox	Owen	Stanley
Frelinghuysen	McCormick	Page	Trammell
Glass	McCumber	Penrose	Warren
Johnson	McKinley	Ransdell	Weller
Jones N. Mex.	New	Reed	Williams

So the amendment of the committee was agreed to.

The VICE PRESIDENT. The Secretary will state the next amendment passed ever.

The Assistant Secretary. The next amendment of the committee passed over is found on page 31, line 5, where the committee proposes to strike out "\$7,000,000" and to insert in lieu thereof "\$12,810,222," for "retainer pay and active-service pay of members of the Naval Reserve Force.

The VICE PRESIDENT. The question is on agreeing to the

Mr. LENROOT. Mr. President, this represents an increase of nearly 100 per cent, and it seems to me we ought to have some statement regarding it.

Mr. POINDEXTER. The principal reason for the increase is the fact that estimating the amount needed for retainer pay for the Reserve Force, the House allowed for one month's pay, while the law requires two months' pay. It is necessary to correct the amount in order to comply with the existing law.

The amendment was agreed to. The VICE PRESIDENT. The Secretary will state the next

amendment of the committee passed over.

The Assistant Secretary. The next amendment of the committee passed over is on page 31, line 9, where the committee proposes to strike out, in the total, "\$133,202,263," and to insert in lieu thereof "\$154,389,285."

The amendment was agreed to.

The VICE PRESIDENT. The Secretary will state the next amendment of the committee passed over.

The Assistant Secretary. The next amendment of the committee passed over is on page 35, line 7, in the item "Fuel and transportation," where the committee proposes to strike out "\$17,500,000" and to insert in lieu thereof "\$25,000,000."

Mr. LENROOT. Mr. President, I assume this increase was based upon estimates, and I would like to know as to the date of the estimates regarding the price of coal covered by this appropriation; I mean the estimates relied upon by the committee.

Mr. POINDEXTER. The first Monday in December approximately, at the time of the convening of Congress. The estimates were made during the previous Congress. Those estimates, however, were very much larger than the amount allowed

Mr. LENROOT. What I mean is this: I assume that in making this increase the committee determined that coal would cost so much a ton.

Mr. POINDEXTER. Yes.
Mr. LENROOT. As of what date was that determination made?

Mr. POINDEXTER. The date as to the price of coal upon which the estimates were based was April 1, 1921.

Mr. LENROOT. Can the Senator state to us the difference between the estimated price of coal on April 1 and when the original estimates were made?

Mr. POINDEXTER. I can not state that to the Senator.

Mr. LENROOT. Can the Senator state the price per ton of the coal covered by this item?

Mr. POINDEXTER. Six dollars and seventy-five cents a ton.

Mr. LENROOT. Delivered, or at the mine?

Mr. POINDEXTER. Delivered. The estimate was \$37,-000,000, but the committee reduced it to \$25,000,000.

Mr. HITCHCOCK. How does this compare with the appropriation for last year?

Mr. POINDEXTER. The appropriation last year was \$10,-

000,000 and there was a deficiency of \$26,000,000, making a total

ooo,000 and there was a denciency of \$20,000,000, making a total appropriation of \$36,000,000.

Mr. BORAH. Mr. President, that is one reason why I lost interest in the \$25,000,000 item, or the increase of \$10,000,000. It does not make a particle of difference what Congress appropriates, the Navy will go ahead and make the expenditure, and we will cover it by a deficiency appropriation, just as we have been doing heretofore. So they make an estimate this year of \$36,000,000, and for the sake of apparent economy and decency the committee reduces it to \$25,000,000; but it will come in for \$36,000,000 or more and be appropriated for.

Mr. POINDEXTER. I would like to say to the Senator that the committee inquired very particularly as to this item of expense, as to the manner in which the fund is administered, and there is no evidence of any mismanagement or lack of economy on the part of the Bureau of Supplies and Accounts in buying coal. They bought in response to public notice for bids and the contracts were let to the lowest bidder.

Mr. BORAH. I suppose perhaps that is true, so far as the Navy Department is concerned; but, as a matter of fact, there is no competition. The parties who sell the coal do not compete with one another, and while perhaps the Navy does all it can do, so far as it is concerned, as a matter of fact those who sell the coal see that there is no competition.

Mr. POINDENTER. I do not think that is the case.

Mr. BORAH. I think if the Senator would investigate it as far as I have, he would conclude that it is the case.

Mr. POINDEXTER.

There is considerable combination among coal operators, but it does not exclude competition

Mr. SWANSON. Mr. President, in regard to this item, I think in justice to the former Secretary of the Navy, Mr. Daniels, I should say that he had the power of commandeering, and he exercised it. He was criticized for his action very much at that time, but if I recall correctly, he paid only \$4.24 a ton, when coal was selling in the market for fifteen or twenty dollars. He told the dealers he would not pay beyond a certain price. He had the power to commandeer, and he forced a reasonable price of coal. I think that was disclosed by the committee investigating the coal situation.

Mr. KENYON. Before what is called the Calder committee,

the Committee on Reconstruction and Production, that fact was developed, as well as another most interesting fact, that the Navy had secured its coal at a price much lower than

that at which the Army secured its coal.

Mr. SWANSON. Secretary Daniels had power to commandeer oil and coal. Exorbitant prices were being asked, and he proceeded to exercise his power of commandeering, which had been given him by Congress to prevent extortionate prices, and he got the coal and oil at reasonable prices.

That does not get at the proposition which I suggested, that the coal operators act together. There is no competition between them. As I said, the Navy Department probably does all it can do, but it is simply dealing with one

seller.

Mr. LENROOT. Mr. President, I would like to ask the Senator in charge of the bill whether there is any authority of law for the Secretary of the Navy to incur a deficit under this

Mr. POINDEXTER. There is, and there was a deficit in-

curred for the current fiscal year of \$26,000,000.

Mr. LENROOT. Are we to understand, then, that no matter what appropriations we may make the Secretary of the Navy is authorized by the law to spend any amount that he may see fit for coal?

Mr. POINDEXTER. Only a sufficient amount to provide the

fuel that is necessary for the operation of the Navy.

Mr. LENROOT. He determines what is necessary. send the fleet around the world every year, if he saw fit, and we would have to pay for the coal, no matter how unnecessary the cruise was.

Mr. POINDEXTER. The Secretary of the Navy could not send the fleet around the world, but I suppose the President of

the United States could.

Mr. LENROOT. As a matter of fact, the Secretary of the Navy does determine the ordinary movements of the fleet.

Mr. POINDEXTER. The items going to make up this amount consist of the following: Coal, estimated at 406,575 tons, \$3,110,-000, in round figures; fuel oil, 3,649,048 barrels, \$14,048,834. Mr. LENROOT. With reference to that, may I ask the Sen-

ator whether April 1 was the date of the estimate of the cost of oil?

Mr. POINDEXTER. Yes; April 1, 1921.

Mr. LENROOT. Can the Senator give us the price per

Mr. POINDEXTER. Fuel oil, per barrel, \$2.55.

Mr. LENROOT. Does the Senator know what the price is to-day?

Mr. POINDEXTER. I do not.

Mr. LENROOT. It is going down, is it not?

Mr. POINDEXTER. Of course, if it goes down, the Navy should get the benefit of the reduction in price.

Mr. LENROOT. The Navy would, but the Treasury would not.

Mr. POINDEXTER. Undoubtedly the Treasury would.

Mr. LENROOT. Mr. President, this is another of those items where some economies can be effected by those in charge try-ing to economize in the use of oil and coal. There are not many places where that can be done, it is true, without express direction by Congress, but it does seem to me that in view of the present situation there should be some effort upon the part of the Navy Department, in determining the movements of the fleet, to have a little regard to what it is costing the taxpayers of America There has not been in the past; I do not know that there will be in the future. I do not know that it would be of any use to defeat this amendment, in view of the stateparently the Navy can go right on and spend the money just the same and we will pay the bill. Congress appears to have no control whatever over this matter.

It seems to me that deficits should not be permitted to be created by any department of the Government except where there is a liability fixed by law. Unless something of that kind is done we may pare down appropriations as much as we please, but what good does it do if they can go on and incur the liability and spend the money just the same.

Mr. BRANDEGEE. Mr. President, will the Senator from Washington indicate what the authority is that the Secretary has to incur deficits? Is it by general statute of the United States or is it by some provision in appropriation acts hereto-

fore passed?

Mr. POINDEXTER. It is by general law.
Mr. BRANDEGEE. Does the Senator remember the section of the statutes?

Mr. POINDEXTER. Section 3732 of the Revised Statutes, as follows:

No contract or purchase on behalf of the United States shall be made unless the same is authorized by law or is under an appropriation adequate to its falfillment, except in the War and Navy Bepartments for clothing, subsistence, forage, fuel, quarters, or transportation, which, however, shall not exceed the necessities of the current

Mr. HITCHCOCK. I understood the Senator to say that the price of coal has been placed at something like \$6.50 per ton?

Mr. POINDEXTER. It was estimated for in the estimates which were made at the beginning of the last session of Congress in December, estimating the prospective price of coal as of the 1st of April at \$6.75 per ton delivered.

Mr. HITCHCOCK. What portion of the \$25,000,000 goes for

Mr. POINDEXTER. Three million one hundred and ten thousand two hundred and ninety-eight dollars.

Mr. HITCHCOCK. The rest of it, some \$21,500,000, for oil? Mr. POINDEXTER. Oil, gasoline, and for the maintenance and operation of coaling stations and bunker depots and for tug and vessel hire and incidental items.

Mr. HITCHCOCK. Is it not a fact that oil is now quoted at

but little more than half what it was last year?

Mr. POINDEXTER. I do not think there has been any such reduction as that. I have not the latest market quotations on oil.

Mr. HITCHCOCK. I have noticed in the papers that there is an enormous reduction, a reduction so great as to affect the stock values of oil companies, and is a material thing.

Mr. LODGE. The current price of gasoline is 26 cents a gal-

lon, and that is what it is estimated on.

Mr. BRANDEGEE. The inquiry was about oil.

Mr. LODGE. Crude oil is \$2.25 a barrel, and it is based on

Mr. HITCHCOCK. I think it is less than that now. I should like to ask the acting chairman another question. Who regulates the number of miles these vessels shall sail and burn coal or oil?

Mr. POINDEXTER. The Chief of Naval Operations, subject to the direct supervision of the Secretary of the Navy and the President of the United States.

Mr. HITCHCOCK. So if they cut down the sailing of vessels one-half that item could be cut down one-half?

Mr. POINDEXTER. Yes; approximately, based on the number of steaming hours, of course.

Mr. HITCHCOCK. Does not the Senator think there is a very legitimate opportunity for economy there?

Mr. POINDEXTER. On the contrary, it has been the policy of the Navy to carry on maneuvers, and to keep the Navy a really proficient Navy, which will require an increase of steaming operations. Furthermore, lately a very large part of the fleet has been sent to the Pacific Ocean and is now based on the Pacific coast, and the expectation is that the remainder of the fleet may be sent for a part of the time to the Pacific coast. which, of course, will increase the fuel consumption.

Mr. HPTCHCOCK. I realize that it will, but it is something wholly within the judgment of the Navy Department. This appropriation is the equivalent of 4,000,000 tons of eoal to be burned up. It does not much matter whether it is coal or oil: it is the equivalent of 4,000,000 tons at the present price. Does not the Senator think the governing body-

Mr. POINDEXTER. The estimate for coal is 406,575 tons. Mr. HITCHCOCK. Yes; but I say the \$25,000,000 at the current price of coal represents the equivalent of 4,000,000 tons of coal.

Mr. POINDEXTER. The Senator can figure that out.
Mr. HITCHCOCK. Yes; I did figure it out. It is a matter ment made by the acting chairman of the committee, for ap- of simply moving the ships about for the purpose of burning up coal to keep them in motion. Is not that a matter within the discretion of the Navy Department?

Mr. POINDEXTER. Very largely.

Mr. HITCHCOCK. And can not the lawmaking body, by limiting the amount of money to be expended for that purpose,

influence that judgment?

Mr. POINDEXTER. They can not under the existing law. It would not affect it in any way at all. Of course, if Congress wanted to pass a bill saying ships should not steam except a certain amount and direct by law where they should go, that would affect the matter, but I think it would be impracticable and absolutely prevent the training or the proper use of the Navv

Mr. SWANSON. Mr. President, the Senator from Nebraska seems to have the idea that the department has an erratic, irregular way of sailing the ships. They have some kind of a policy that keeps a ship about two days in port and one day at sea. It is a systematic plan which they have in effect. The maneuvers which they conduct are not conducted in an erratic, capricious way. I think that is about the policy which they have usually followed. They have found that the best way to keep the ships equipped and the men in training is to keep them sailing as they do. It is not done capriciously and irregularly, as the Senator from Nebraska would seem to think.

Mr. HITCHCOCK. I had not said it was capricious, but I do say it is arbitrary. Whatever policy the Navy Department adopts it can enforce. It can have a ship at sea only one day a week if it proposes. When the department burns up \$25,000,000 worth of fuel a year for the American people, it seems to me it is a question Congress ought to consider whether

that is a matter of necessity or not.

Mr. POINDEXTER. The Navy Department adopts a great many expedients with a view of economizing in the use of fuel. Among other expedients, it offers prizes to engineers and firemen for reduction in the amount of fuel consumed. The utmost attention is given to minute details in the expending of this money for fuel and in the use of the fuel after it is obtained. The question is whether or not we can direct the expenditure by legislative act or must of necessity trust to the administration and to the executive officials. Of course, that is a question of policy to be determined by Congress.

Mr. HITCHCOCK. If they burned up over \$30,000,000 worth of fuel last year and in times past in moving the ships around, it would seem to me as though they were offering prizes to

those who could burn the most fuel.

Mr. POINDEXTER. No; they do not do that. The Senator will remember that last year they sent the fleet to the Pacific Ocean.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The VICE PRESIDENT. The next amendment will be stated. The Assistant Secretary. The next amendment passed over will be found on page 44, in the total of pay of enlisted men, active and reserve list, Marine Corps, where, in line 18, the committee propose to strike out "\$11,550,300.76" and in lieu insert "\$13,620,000."

The VICE PRESIDENT. The question is on agreeing to the

amendment.

Mr. HITCHCOCK. Mr. President, I should like to inquire of the Senator in charge of the bill what number of men on the reserve list that provides for? I suppose it includes men who are on the active list and also includes those on the reserve list.

Mr. POINDEXTER. It does include officers who are on the

reserve list.

Mr. HITCHCOCK. Has it been called to the Senator's attention that there are a large number of retired naval officers who can be brought into the service in place of men who are on the reserve list at one-half the cost to the Government? That is to say, if an officer on the retired list is by order of the department brought into the service, all the additional pay involved is the difference between the retired pay and the full pay; but if an officer upon the reserve list is brought into the service, it means full pay for him. I have been told that that is one of the places in the service where economy might be practiced; that is, the department might call out retired naval officers to perform certain duties, but instead of doing so they call out reserve naval officers to perform duties, thereby involving considerable additional cost.

Mr. POINDEXTER. This does not relate to the Navy; it

relates only to the Marine Corps.

Mr. HITCHCOCK. The same argument would apply to it. Mr. POINDEXTER. The same argument would apply to it, but the Senator has overlooked the fact that officers on the retired list, placed there under the statute, can not be ordered

to active duty without their consent. They are old officers who are supposed to have passed the period when they can render efficient service. Congress has fixed the age of retirement, I suppose, upon full information, which age has been fixed for many years, and when officers reach that age it is supposed that it is in the interest of economy to retire them upon such pension as has been fixed by Congress and put younger officers in their place.

Mr. HITCHCOCK. That is a very violent supposition. had an officer in my office the other day who is on the retired list. He is in employment in New York, holding a position. He would be very glad to get back into the service. He was back in the service during the war and now he is put back on the retired list and some man to fill his place is drawn from the reserve list and put into the active service with full pay, whereas the Government could secure the services of that retired officer and hundreds of others by simply paying the

difference between the retired pay and full pay.

Mr. SWANSON. If the Senator will permit me, no retired officer when on active service, unless there has been a change in the law during the last year, can get higher pay than that of a lieutenant commander. I think that is the present law. Any man on the reserve list who comes in can get no higher pay than a lieutenant commander. The retired officer and the reserve officer are in exactly the same position in that respect, If a man is ordered into active duty from the reserve list, and comes back to duty, his pay is limited to the full pay of a lieutenant commander.

Now, retired officers formerly only got pay up to the pay of a first lieutenant. There was an amendment passed in one of the appropriation acts allowing to Army officers to draw pay as high as a major if a retired Army officer was put on active duty. The retired officers are anxious to be retired, and we go on the theory that they were anxious to be retired, and we said we take for granted they were retired because they could not do full duty. If they could do fully duty they would not be retired, and hence when they are called back into active service we do not give them any higher pay than a lieutenant com-

I have an idea the retired officer talking to the Senator was anxious to get the law changed so he could be called to active duty and get the full pay at which he was perhaps retired.

Mr. HITCHCOCK. The Senator is mistaken. He did not ask for any change in the law at all; he did not even broach the subject.

What he said was that it was the policy of the Navy Department to call out reserve officers because they could be sent to sea and certain regular naval officers could be allowed to stay on the land, whereas if they brought out retired officers and put them on the list, they would have to stay upon the land, and the other regular officers would have to go to sea. For that reason the policy of the Navy Department was against the use of retired naval officers and at higher expense was using the reserve officers

Mr. SWANSON. It could not be at any higher expense, because the pay is the same. If an officer who is a senior lieutenant on the retired list goes into the active service he receives the pay of a senior lieutenant because his rank is below that of lieutenant commander. If a senior lieutenant is called from the reserve he also gets the pay of a senior lieutenant, The reserve force is generally a younger and more active body of men than are the retired officers. The law in connection with the retired officers is that they can not be paid when on active duty at a rate higher than the pay of a lieutenant commander. Congress refused to make their pay higher even during the recent war. If an admiral was called into active service he received the pay of a lieutenant commander because being retired he could not do full duty.

Mr. HITCHCOCK. Let me ask the Senator what is the pay

of a lieutenant commander upon the retired list?

Mr. SWANSON. It would be three-fourths of his active-duty

Mr. HITCHCOCK. Then, if he is called into active service, in addition to the retired pay which he already receives, he would get the difference between three-fourths and fourwould get the difference between three-fourths and four-fourths. On the other hand, if a lieutenant commander be taken from the Reserve Corps he has to be paid the full salary of that grade.

Mr. SWANSON. He gets the full pay.

Mr. HITCHCOCK. He gets four-fourths; the Government is paying him four-fourths, whereas in the case of the lieutenant commander on the retired list he is only getting his retired pay and one-fourth additional; that is exactly what I mean.

The Navy is expending an unnecessary amount of money for officers supplemental to the regular service, because it is using the reserve officers who can be sent to sea rather than using retired naval officers who are fit probably only for duty on land.

Mr. SWANSON. That is true, and that ought to be so. An officer of the rank of lieutenant commander is generally placed in command of a destroyer. An officer who is retired on account of ill health or because of some physical disability can not perform sea service; it would be foolish to send him to sea to take command of a destroyer. The only duty he can perform is shore duty; and there are already too many officers on shore duty. I should like to see the officers of the Navy at sea; that is what a Navy is for-to keep to the sea. Of course, Navy officers who are retired would like to be put upon active duty, but so far as the pay is concerned, there is no difference whether an officer from the reserves or an officer on the retired list is

called to active duty, except as the Senator has indicated.

The VICE PRESIDENT. The question is on agreeing to the

amendment reported by the committee. The amendment was agreed to.

The next amendment passed over was, on page 46, line 18, to strike out "\$17,533,891.97" and to insert "\$19,603,591.14," so as to read:

In all, pay, Marine Corps, \$19,603,591.14.

The amendment was agreed to.

The next amendment passed over was, on page 51, at the end of line 5, to strike out "\$9,348,950" and to insert "\$14,381,002; and the money herein specifically appropriated for the maintenance of the Quartermaster's Department, Marine Corps, shall be disbursed and accounted for in accordance with the existing law as maintenance, Quartermaster's Department, Marine Corps, and for that purpose shall constitute one fund," so as to make the clause read:

In all, for the maintenance of Quartermaster's Department, Marine Corps, \$14,381,002; and the money herein specifically appropriated for the maintenance of the Quartermaster's Department, Marine Corps, shall be disbursed and accounted for in accordance with the existing law as maintenance, Quartermaster's Department, Marine Corps, and for that purpose shall constitute one fund.

The amendment was agreed to.

The next amendment passed over was, on page 51, line 13, to strike out "\$26,882,841.90" and to insert "\$33,984,593.14," so as to make the clause read:

Total, Marine Corps, exclusive of public works, \$33,984,593.14.

The amendment was agreed to.

The next amendment passed over was, on page 58, after line 5, to insert a new section, as follows:

The next amendment passed over was, on page 58, after line 5, to insert a new section, as follows:

Sec. 16. That there is hereby created and established in the Department of the Navy a bureau of aeronautics, which shall be charged with matters pertaining to naval aeronautics as may be prescribed by the Secretary of the Navy, and all of the duties of said bureau shall be performed under the authority of the Secretary of the Navy, and its orders shall be considered as emanating from him, and shall have full force and effect as such.

There shall be a chief of the bureau of aeronautics, appointed by the President, by and with the advice and consent of the Senate, from among the officers of the active list of the Navy or Marine Corps, for a period of four years, and who shall, while holding such position, have the corresponding rank and receive the same pay and allowances as are now or may hereafter be prescribed by or in pursuance of law for chiefs of bureaus of the Department of the Navy.

An officer of the active list of the Navy, or Marine Corps, may be detailed as assistant chief of the bureau of aeronautics, and such officer shall receive the highest pay of his grade, and in case of the death, resignation, absence, or sickness of the chief of the bureau shall, until otherwise directed by the President, as provided by section 179 of the Revised Statutes, perform the duties of such chief until his successor is appointed or such absence or sickness shall cease.

There shall be a chief clerk at a salary of \$2,250 per annum.

The Secretary of the Navy is authorized to transfer to the bureau of aeronautics such number of the civilian, technical, clerical, and messenger personnel, together with such records, equipment, and facilities now assigned for aeronautic work under the various bureaus of the Department of the Navy or Marine Corps used in connection with aeronauties, including the appropriation, "Aviation, Navy," is hereby made available for the use of the bureau of aeronautics.

The number of officers and en

The VICE PRESIDENT. The question is on agreeing to the amendment.

Mr. BORAH. Mr. President, I think the senior Senator from Wisconsin [Mr. La Follette] has an amendment which he wishes to offer to that section.

Mr. LENROOT. May I ask whether the committee amend-

ment to insert section 2, on page 53, after line 14, was agreed to?

If so, I did not know that it had been.

The VICE PRESIDENT. The amendment has been agreed to.

Mr. LENROOT. I should like to ask unanimous consent to reconsider the vote whereby the amendment was agreed to, as I desire to offer an amendment to the amendment.

Mr. POINDEXTER. I have no objection to the reconsideration of the vote whereby that section was agreed to.

The VICE PRESIDENT. Without objection, the vote whereby the amendment was agreed to will be reconsidered.

Mr. LENROOT. I offer an amendment to the amendment. The VICE PRESIDENT. The amendment proposed by the junior Senator from Wisconsin to the amendment will be stated.

The Assistant Secretary. In section 2, page 53, line 16, after the word "gratuity," it is proposed to strike out the words or any proportionate part thereof, in excess of an amount equal to one month's pay for each year of service in the last expiring enlistment of such enlisted man," so as to make the section read:

SEC. 2. That hereafter no enlisted man in the Navy shall be paid a reenlistment gratuity.

Mr. LENROOT. Mr. President, if the amendment to the amendment is adopted it will eliminate all reenlistment gratuities. That is being proposed in the case of the Army under the Army appropriation bill now upon the calendar of the Senate, and I see no reason why it should not be done in the Navv. In the case of the Army it will save \$3,000,000 a year and in the case of the Navy it would save at least one month's pay in every case of reenlistment and might save four months' pay, depending upon the length of service under the previous enlistment of the enlisted man who is discharged.

These gratuities, Mr. President, were offered at a time when it was very difficult to secure men to enlist in the Army and Navy. I doubt very much whether under present conditions the gratuity is a determining factor in any single case of re-enlistment; and if that be so, there is no reason why the Government should not save a very considerable amount of money by the adoption of the amendment which I have proposed to the committee amendment. The saving will certainly be over a million dollars and how much more I do not know.

Mr. POINDEXTER. Mr. President, the committee amendment which the Senator from Wisconsin seeks to amend proposes a reduction in the gratuities allowed for reenlistment. The total saving under the committee amendment will probably be approximately \$2,000,000. The gratuity pay under existing law is a month's pay for each year of the new enlistment, which under the practice adopted by the Navy under the authority they have to adopt such a policy would be four years, making four months' pay. Most of the expiring enlistments are of two years' duration, and the amendment reported by the committee would base the gratuity upon the expiring enlistment; that is, upon the number of years that the man has served instead of upon those in the new period of enlistment.

The Senator from Wisconsin, as I understand, in his amendment proposes to repeal the law providing for any gratuity for reenlistment. That brings up the question of whether or not encouragement should be given in this way to men to reenlist. The great trouble with our Navy at the present time is the absence of experienced men, the excessive proportion of green men in the Navy requiring an enormous expenditure for training, and increasing the personnel of the Navy on that account, leaving a smaller number of men who are fitted to go to sea until they have been trained for at least four months at a training school. Men who are taken from a farm or from some civilian industry or from none at all, without any experience whatever in the duties of a seaman, are, in the absence of training, utterly unfitted to perform the duties which they are called upon to perform. My own opinion is that a gratuity for reenlistment so as to encourage in every way possible within reasonable limits of expense the experienced men to remain in the Navy is a wise policy, and in the long run will result in great economy. So I trust that the amendment of the Senator from Wisconsin to the amendment reported by the committee will be defeated.

Mr. LENROOT. Mr. President, the Senator assumes that a payment of \$30 or \$60, as the case may be, will be a determining factor with an enlisted man who has been discharged in reenlisting in the service. I do not believe, and I doubt whether the Senator from Washington believes, that such a payment has any influence. If a man desires to reenlist, his action is not going to be determined either for or against by the fact that he will get a gratuity.

Mr. POINDEXTER. On the contrary, Mr. President, it does have a very great influence with men, not merely because of the amount of money involved but because of the fact that it is a recognition of his services, a prize, as it were, for assuming another term of enlistment in the Navy. Whether it is in harmony with what we might reason out, a priori, as to the effect upon the men, experience shows that it does have the effect of

influencing reenlistments.

Mr. LENROOT. What experience have we had that shows

Mr. POINDEXTER. We have had the experience of the Navy.

Mr. LENROOT. What has there been to determine that fact? When a man reenlists in the Navy, there is no way of determining whether he reenlists because he wants to remain in the service or whether he wants the \$60. I do not believe that the Naval Committee has testimony to the effect that any man who reenlisted in the Navy for an additional four years did so because he wanted to get \$60 in money. That may be so, but I do not believe any such thing has occurred.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Wisconsin to the

amendment reported by the committee.

Mr. KING. I ask that the amendment to the amendment be stated. Some of us having been in attendance upon a committee have just come into the Chamber, and have not been able to learn what the amendment to the amendment is.

The VICE PRESIDENT. The Secretary will again state

the amendment to the amendment.

The Assistant Secretary. On page 53, in the committee amendment, it is proposed to strike out the words "or any proportionate part thereof, in excess of an amount equal to one month's pay for each year of service in the last expiring enlistment of such enlisted man."

The VICE PRESIDENT. The question is on agreeing to

the amendment. [Putting the question.] The "ayes" it, and the amendment to the amendment is adopted. have

Mr. FERNALD. Mr. President, I do not think the question was understood.

The VICE PRESIDENT. The question now is on agreeing to the committee amendment as amended.

Mr. POINDEXTER. Mr. President, I myself misunderstood

the question.

Mr. ROBINSON. I ask unanimous consent that the vote be taken again, or that the vote by which the amendment to the amendment was agreed to be reconsidered, for the reason that I am sure the Senate did not understand that it was voting on the amendment to the amendment.

Mr. POINDEXTER. I think that a number of Senators understood they were voting upon the committee amendment. I

myself thought so.

The VICE PRESIDENT: Without objection, the Chair will again put the question. The question is on agreeing to the amendment offered by the Senator from Wisconsin to the amendment reported by the committee.

The amendment to the amendment was rejected.

The amendment reported by the committee was agreed to.
The VICE PRESIDENT. The question recurs on the amendment known as section 16, adding a new section to the bill.

Mr. KING. Let it be stated.

The VICE PRESIDENT. It has been stated once. Does the Senator from Utah desire to have it stated again?

Mr. KING. As I was saying, some of the Senators have just come into the Chamber, having been detained on account of attending a committee meeting, and I am not sure what the amendment is:

The VICE PRESIDENT. It was read several days ago.

Mr. LA FOLLETTE. Mr. President, I have some amendments to that section. I offered them for printing a few days ago, and they were printed, and are now lying upon the desks of Senators. I have found it advisable, in order to carry out the idea I have in mind, to have them reprinted; and considering the lateness of the hour, I ask that this section may go over until to-morrow. I send to the Clerk's desk the amendments, with the corrections in them which I ask to have made, and request that they be reprinted and laid upon the desks of Senators.

Mr. POINDEXTER. Mr. President, may I ask the Senator from Wisconsin a question in regard to the amendments?

Mr. LA FOLLETTE. Certainly. Mr. POINDEXTER. I noticed that one of the amendments related to the chief of the bureau, requiring him to be a flyer, and provided a certain limitation of time within which that requirement should go into effect. I suggest to the Senator that he make that limitation more than one year, the period that was fixed in the copy of the amendment that was submitted to me. Of course, it would scarcely be reasonable to expect officers who are now in command of the bureau to fit themselves to comply with that requirement within that time.

Mr. LA FOLLETTE. Mr. President, I have made the corrections in the various amendments in accordance with the best advice I could get upon the subject from the experts with whom I have consulted; and if the amendment as I shall have it reprinted does not meet the approval of the acting chairman of in retaining it, it can then be considered.

the Committee on Naval Affairs when the matter comes up tomorrow, he can suggest such amendment to it as in his judgment should be made:

In addition, Mr. President, while I am on my feet, I ask leave to offer an amendment as an addition to the bill-not an amendment necessarily of any of the provisions of the bill, but as an additional section of the bill-which I should like to have printed and put upon the desks of Senators.

Mr. POINDEXTER. I have no objection to the request of the Senator from Wisconsin that section 16 be allowed to go

over until to-morrow.

Mr. LA FOLLETTE. I thank the Senator very much.

Mr. POINDEXTER. There are one or two amendments to which I should like to call attention.

The VICE PRESIDENT. There is one other amendment passed over which has not been acted upon. The Secretary will state it.

The Assistant Secretary. On page 27, in the total for public works, there is an amendment which was passed over at the instance of the Senator from Idaho [Mr. Borah], where in line 19 it is proposed to strike out "\$5,632,000" and in lieu thereof to insert "\$12,971,000."

Mr. POINDEXTER. Mr. POINDEXTER. Mr. President, that is a matter of totaling the items for public works. The item for a naval supply base at Alameda, Calif., has been rejected by the Senate, and I ask unanimous consent that the item of \$12,-971,000 be amended to read "\$11,471,000."

The VICE PRESIDENT. The amendment to the amend-

ment will be stated.

The Assistant Secretary. It is proposed to strike out "\$12,-971,000" and in lieu thereof to insert "\$11,471,000."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to:

Mr. LENROOT. Mr. President, may I ask the Senator from Washington with reference to section 15, which was adopted on a day when I was absent from the Senate, with some statement that the Senator would be willing to reopen it upon my return? I should like to ask the Senator from Washington whether he would have any objection to striking out of that section all on page 58 following the word "Navy," in line 1?

will state the situation as it is presented to me.

This section is intended to permit the removal to the United States courts of actions where a subcontractor and a principal contractor with the United States are in litigation, and the United States, through the Secretary of the Navy, desires the opportunity for the United States to defend those actions as the real party in interest. For that reason removal is sought to the United States courts wherever the Secretary of the Navy may so request, which I think is very proper. The section, however, goes on and provides that-

The procedure therein and the defense thereof shall be subject to the rules of court and the law applicable to the defense of suits against the United States.

And it is said that where there is an action between two private parties this will permit the raising of certain presumptions against the plaintiff in such an action that would not exist in a suit between himself and the principal contractor.

Mr. POINDEXTER. I do not assume that this section is intended to have or would have the effect of relieving the principal contractor of any liability.

Mr. LENROOT. No; it could not do that.
Mr. POINDEXTER. It could not do that, and consequently it could not have the effect which the Senator from Wisconsin suggests, so far as I can see. The same liability, both as to procedure and as to the merits of the case, would

Mr. LENROOT. Not as between the parties. It would, of course, as between the principal contractor and the Government; but it might relieve the principal contractor from certain presumptions against him that would not exist except for this language. I will say that I think it is very preper to provide for the removal of such cases to the United States courts, and for the United States to have an opportunity to be represented

therein to defend its rights,
Mr. POINDEXTER. I do not see that the language which the Senator from Wisconsin moves to strike out has any effect. My judgment is that, regardless of this provision, if the United States is a party, as this section provides it shall be, then, as a matter of course, the procedure and the defense will be subject to the rules of court and to the law applicable to the defense of suits against the United States. I do not see that anything is gained by having this language here, nor that anything would be lost

by striking it out; so I have no objection to the Senator's motion.

Mr. LENROOT. May I ask that it be stricken out now?

Mr. POINDEXTER. Very well.

Mr. LENROOT. I ask unanimous consent for the reconsideration of the vote whereby the amendment was adopted.

Mr. KING. Mr. President, I should like to ask the Senator from Wisconsin what different rule he conceives to exist in making a defense or asserting a claim where the United States is a party and where a private individual is a party?

Mr. LENROOT. If there is no different rule, of course, it will do no harm; but the parties who wrote me state that no presumption is ever raised against the United States, while a presumption is raised in actions between private parties under certain conditions. In other words, estoppel would not run against the United States, but estoppel would run as between private parties.

Mr. KING. Let me ask whether this section has any application to cases in which the Government of the United States is a

Mr. LENROOT. Oh, no; it is between private individuals; but where on a cost-plus contract, for instance, in the absence of fraud, the Government will have to pay the entire cost and the Government is interested and properly interested in seeing to it that a principal contractor does not pay a subcontractor more than he ought to be paid.

Mr. KING. The Senator's position is that if his amendment were to prevail it would not create any liability against the

Mr. LENROOT. Oh, no.

Mr. KING. Or deprive the Government of any advantage that now exists in any case in which it is interested?

Mr. LENROOT. Oh, not at all.

I ask unanimous consent for the reconsideration of the vote whereby section 15 was inserted in the bill.

The VICE PRESIDENT. Is there objection to the reconsideration of the vote whereby section 15 was inserted in the

bill? The Chair hears none.

Mr. LENROOT. Now, I move to strike out, on page 58, all of line 1 after the word "Navy," and lines 2, 3, 4, and 5.

The VICE PRESIDENT. The amendment to the amendment

will be stated.

The Assistant Secretary. On page 58, in the committee amendment, line 1, after the word "Navy," it is proposed to strike out the comma and the rest of the section down to the period.

Mr. WALSH of Montana. Mr. President, I do not know that that motion ought to prevail. If the suit is transferred, and the Government of the United States discloses its interest in the suit and really becomes the actual defendant, although not the nominal defendant, the suit then becomes a suit against the

United States and not against a private party.

Experience has shown that a judgment will go against the Government very much more readily than it will go ordinarily against a private litigant, and accordingly the Government of the United States, in permitting itself to be sued, has always fixed certain rules that are not available in an action against a private litigant. For instance, a suit may be brought in the United States district court upon a contract against the United States for a sum not exceeding \$10,000. Pending legislation contemplates increasing that to \$50,000. But in an action of that character the complainant can not have a trial by jury, and there are other limitations in that kind of action.

Now, we propose by this to transmute a purely private lawsuit between private litigants into a lawsuit against the Government of the United States, and that lawsuit against the Government of the United States in which it thus consents to be sued will be brought upon different lines and in a different method from those involved in a suit that is commenced against the United States, whereas it seems to me that exactly the same reason should obtain for safeguarding suits of this character as there is for safeguarding suits brought directly against the Government of the United States, and I have no doubt that it was with that thought in mind that this protection was granted.

Mr. LENROOT. Mr. President, under the present law the suit could not be removed to the United States court at all, unless it came within the rule making it removable as between private parties. As the law now provides, it will permit the removal to the United States court in any such case. Is not that a matter of inconvenience for a plaintiff who has no relationship whatever to the Government, and, so far as he is concerned, is indifferent to the Government's relations with the contractor?

Mr. WALSH of Montana. Yes; but the subcontractor contracted, of course, with the knowledge that the principal contractor had his contract with the Government of the United States. He knew he was doing Government work, an 1 he ought

not to be permitted to have any advantage in holding the Government of the United States responsible.

Mr. LENROOT. He is not trying to hold the Government.

Mr. WALSH of Montana. I understand he is not, but this assumes that such relations exi-t between the Government of the United States, on the one hand, and the principal contractor, upon the other, as that the Government of the United States becomes actually bound by the judgment, and responsible over to the principal contractor, and thus the suit really becomes one which determines liability upon the part of the Government of the United States, and if it is transferred and actually assumes that attitude and the jury understands it, you will have the ordinary lawsuit, as the jury perfectly understands it, against the Government of the United States.

Mr. LENROOT. Does the Senator think the Government would be better off if this removal were not permitted at all?

Mr. WALSH of Montana. No.
Mr. LENROOT. Because then the Government would in no sense be a party to the action.

Mr. WALSH of Montana. No; I think the Government would be better off with the thing just as it stands.

Mr. LENROOT. I have no desire whatever to give anyone

any advantage over the Government; of course not.

Mr. WALSH of Montana. I might say to the Senator that I am myself disposed to extend the right of litigants in these actions in which the Government of the United States is held. am heartily in favor of extending the jurisdiction to \$50,000, so as to give litigants an opportunity to sue the United States in the neighborhood of their homes, at least, without coming to Washington to sue before the Court of Claims. But our experience, running over many years, has cautioned us about allowing the Government of the United States to be sued under just exactly the same condition, and by exactly the same procedure, as suits proceed against private litigants, and that is the situation which presents itself here. It seems to me that when it becomes in truth and in effect a suit against the Government of the United States it ought to be tried in exactly the same way as suits brought directly against the Government of the United States.

Mr. LENROOT. Mr. President, I can not quite follow the Senator's argument. If a principal contractor makes a contract with a subcontractor, and the subcontractor does not look to the Government in any way, he is indifferent as to what the Government's relations to the principal contractor are: he is satisfied with the financial responsibility of his principal contractor. Why the subcontractor in that case should, in addition to having his case removed to a Federal court, be subject to a different rule of evidence and to a shifting of the burden of proof, does not seem clear.

Mr. WALSH of Montana. It does not seem fair, unless it be understood in the first place that the principal contractor had his contract with the Government of the United States, a

piece of Government work.

Mr. LENROOT. The Senator from Washington suggests that the whole matter go to conference, and I am willing not to press the amendment, with the assurance of the Senator that it will be given full consideration in conference.

The VICE PRESIDENT. The amendment to the amendment is withdrawn. The question is on agreeing to the committee

amendment.

The amendment was agreed to.

Mr. POINDEXTER. On behalf of the committee I offer the amendment which I send to the desk.

The VICE PRESIDENT. The Secretary will state the amendment.

The Assistant Secretary. On page 53, line 14, after the word "otherwise," insert a comma and the following:

Provided, That all orders or contracts for work or material under authorization of law heretofore or hereafter placed with Government-owned establishments shall be considered as obligations in the same manner as provided for similar orders placed with private contractors, and appropriations for such work or material shall remain available for payment therefor as in the case of contracts or orders with private contractors.

Mr. KING. I would like to have some explanation from the Senator before we act upon that amendment. I am not sure

whether I understand its full implications.

Mr. POINDEXTER. The purpose of it is to enable Government navy yards, such as the navy yard here in Washington City, to bid upon contracts for the Navy on the same terms as private establishments. A number of cases were called to the attention of members of the committee where important work could not be bid for by a navy yard because of the fact that the appropriations, in case of contracts with the navy yards, expired at the end of the fiscal year, whereas in the case of private contractors the appropriations remained in effect until they were expended. It is for the purpose of giving employment to the navy yards and to put them upon the same basis as private contractors that we offer this amendment.

Mr. KING. Mr. President, I have not heard this amendment before, and I would like to inquire of the Senator whether it permits the application of funds which may not have been expended in one year to the expenditures for the Navy Department in the succeeding year? Does it perpetuate an appropriation which may not have been exhausted for a given navy yard

to be expended in the succeeding year?

Mr. POINDEXTER. It does not affect the appropriations made for the maintenance of navy yards or for improvements in navy yards. It relates to a case, for instance, where a navy yard bids on a ship. The appropriation would be available for the contracts made during the year for which the appropriations were made, after the expiration of the year, just the same as they are in the case of a private contractor.

Mr. KING. Suppose a navy yard does bid, is successful in the competitive bidding, and the contract is awarded to it. What provision is made for the overhead expenses which are incident to keeping that yard in operation beyond a period when, under the general appropriation, it would have nothing

Mr. POINDEXTER. The appropriation could not be used for the overhead expenses, and the question of overhead expenses would not in any way whatever be affected by this amendment. My information is that in all bids made by navy yards overhead expenses are figured. But that question is not affected by this. This is simply to enable a navy yard to bid on a contract which will not be finished within one year. If the completion of the work goes over beyond the end of the fiscal year, under existing law the navy yard could not bid on it, because the appropriation would expire and there would be nothing with which to pay for the work. That is not the case with a private contractor; and the purpose of the amendment is to enable the navy yards, which are already maintained, for which the overhead expenses are already incurred, to bid upon certain classes of work.

Mr. KING. Mr. President, I am not sure whether I under stand the full meaning of that amendment and how far it would operate. I ask the Senator, in order that we may have an opportunity to examine it, to let it go over until to-morrow.

Mr. POINDEXTER. I have no objection to the amendment

going over until to-morrow.

Mr. KING. I would be glad to have any explanation the Senator desires to make.

The VICE PRESIDENT. The amendment will be passed

over temporarily.

Mr. POINDEXTER. I want to call attention to one or two other changes. On page 20, beginning in line 19, there is a provision as follows:

That no part of the appropriations heretofore, herein, or hereafter made for "Increase of the Navy" under the Bureau of Ordnance and no part of allotments of appropriations heretofore or hereafter made to said bureau shall be available for the payment for services or materials used in the construction of any shop, building, living quarters, or other transfer of the services of th structures, etc.

It is called to our attention that in some Government establishments, for instance, in the armor-plate plant at Charleston, heretofore contracts have been made and work has been carried on to a considerable extent upon buildings, and that if this provision is allowed to stand just as it is it would leave those projects uncompleted and the expenditure already made would become a total loss. So I move, in line 19, page 20, that the word "heretofore" be stricken out, and that in lines 21 and 22 the words "heretofore or" be stricken out, so as to make the provision apply to contracts made under the appropriations contained in this bill or hereafter, and not relate to contracts which are already in process of completion.

The VICE PRESIDENT. The Secretary will state the

amendment.

The Assistant Secretary. On page 20, line 19, after the word "appropriations," to strike out the word "heretofore," and at the end of line 21, after the word "appropriations," strike out the words "heretofore or," so as to read:

That no part of the appropriations herein or hereafter made for "Increase of the Navy" under the Bureau of Ordnance and no part of allotments of appropriations hereafter made to said bureau, etc.

The amendment was agreed to.
Mr. POINDEXTER. The Senator from Idaho [Mr. Borahl]
interposed a point of order to the amendment proposed by the committee on page 37, lines 17 to 21.

Mr. BORAH. The Senator from Washington spoke to me about that. If the consideration of the bill is to go over until to-morrow, would not the Senator be willing to permit that amendment to go over? I will say to the Senator, however, that my present purpose, unless I am otherwise advised, is to withdraw the point of order.

Mr. POINDEXTER. I shall be very glad to allow it to go

over until morning.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session, the doors were reopened.

RECESS.

Mr. LODGE. I move that the Senate take a recess until to-merrow at noon.

The motion was agreed to; and (at 5 o'clock and 5 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, May 25, 1921, at 12 o'clock meridian.

## CONFIRMATIONS.

Executive nominations confirmed by the Senate May 24 (legislative day of May 20) 1921.

UNITED STATES MARSHAL.

Inslee C. King, eastern district of Tennessec.

DEPARTMENT OF COMMERCE.

SOLICITOR OF DEPARTMENT OF COMMERCE.

William E. Lamb, of Illinois.

INTERNAL REVENUE SERVICE.

COLLECTOR OF INTERNAL REVENUE, DISTRICT OF ARKANSAS.

Harmon L. Remmel.

PATENT OFFICE.

EXAMINER IN CHIEF.

Sidney F. Smith, of Massachusetts.

FIRST ASSISTANT COMMISSIONER OF PATENTS.

William A. Kinnan, of Michigan.

ASSISTANT COMMISSIONER OF PATENTS.

Karl Fenning, of Ohio.

POSTMASTERS.

IOWA.

Walter S. Campbell, Batavia. Harry R. Grim, Belle Plaine. Wheaton A. MacArthur, Burt. E. Ray Morrell, Grand River. Walter B. Luke, Hampton. Louis H. Severson, Inwood. Fred O. Parker, Ireton. James E. Graves, Osceola. George J. Bloxham, Sheldon. Leona B. Garrison, Swea City. Howard D. Peckham, Villisca. Charles W. Tyrrell, Waverly. Henry A. Falb, West Bend. Seth B. Cairy, Whittemore.

# HOUSE OF REPRESENTATIVES.

TUESDAY, May 24, 1921.

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, offered the following prayer:

Dear Lord, consider and hear us. Thou hast dropped the mantle of darkness and lighted the lamp of another day. new page in the book of life has been turned, and we trust that our faith and our hope are still with us. As we resign our needs at Thy altar, may we depart with the sacred flame of gratitude in our breasts. Give us the blessing of the loyal heart that includes the stressed and the distressed and succors the sick. Bless our work and prosper our country and we shall be satisfied. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and ap-

SECOND DEFICIENCY BILL.

Mr. GOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6300, the deficiency appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6300, with Mr. Campbell of Kansas in the chair.

The Clerk reported the title of the bill, and read as follows:

NAVY DEPARTMENT.

Bureau of Yards and Docks: The limitation specified in the legislative, executive, and judicial appropriation act for the fiscal year 1921 on expenditures for the pay of skilled draftsmen and other technical services in the Bureau of Yards and Docks from appropriations and allotments under said bureau is increased from \$200,000 to \$202,838.65.

Mr. HICKS. Mr. Chairman, I move to strike out the last word in order to make an observation. Of course, in respect to the various items that are contained in this deficiency appropriation bill we all assume and we know that the Committee on Appropriations has given due consideration to them, but with respect to the items having reference to the Navy I am wondering just how much the Committee on Appropriations has consulted with the Committee on Naval Affairs. Of course, it may be outside the province of our Naval Committee to even make any suggestion about any of these items, but it does seem to me that the Naval Affairs Committee of this House, charged with the duty of endeavoring to ascertain the needs and requirements of the Navy, should have some voice or should be called upon to make some suggestions in regard to appropriations which

directly affect the Navy of the United States.

I personally feel, and I know other members of our Naval Affairs Committee feel, that when the Committee on Appropriations considers items pertaining to the Navy there should be some representative from the Naval Affairs Committee there acting in an advisory capacity with the Committee on Appropriations. We have all of the facts and all of the matters pertaining to the Navy at our disposal, and I think in the interest of economy there should be some consultation between the two committees. I am going to ask the chairman of the committee whether or not there has been any suggestion made by any member of the Naval Affairs Committee in regard to these

naval items?

Mr. GOOD. Mr. Chairman, I do not believe that any member of the Committee on Naval Affairs was consulted with regard to these deficiencies. Heretofore, as a general rule, I have always consulted with the gentleman from Pennsylvania [Mr. Butler] and sometimes with the gentleman from Tennessee [Mr. Padgett] with regard to deficiencies. This year, as the gentleman from New York knows, we have the gentleman from Michigan [Mr. Kelley] on the Committee on Appropriations. He is entirely familiar with the facts in respect to these items, and he was consulted in regard to them.

Mr. HICKS Does not the gentleman think it perhaps might be a little more in the interest of economy and smoothness of legislative procedure if some member of the Committee on

Naval Affairs were taken into consultation?

Mr. GOOD. I think so. I have always done that. In these matters this year there were deficiencies that were crowding and it was necessary to get the money for some of them as soon as possible. We had to consider estimates aggregating \$220,-000,000. The hearings cover five or six hundred printed pages. So far as the items respecting the Navy are concerned, I think the gentleman can see that on their face there was a real deficiency. The first item merely increases a limitation by \$2,838.

Mr. HICKS. I am not criticizing the items themselves nor my good friend from Iowa, but I am only suggesting it as a

possible method of procedure in the future.

Mr. GOOD. It has been the policy of the Committee on Appropriations to seek light and information wherever possible, and I have always heretofore consulted, so far as I could, with at least the chairman and often the ranking minority member of the various former appropriating committees where we considered items having to do with the activities of those various committees.

Mr. GARNER. Mr. Chairman, will the gentleman yield? Mr. HICKS. Yes. Mr. GARNER. What has become of the gentleman from Michigan [Mr. Kelley] and the gentleman from Alabama [Mr. OLIVER]? Do they not know anything about the Navy?

Mr. HICKS. Oh, absolutely. There are probably no two men in the House who know more about the Navy than they.

Mr. GARNER. Are they not on the Appropriations Committee?

Mr. HICKS. Yes.

Mr. GARNER. Are they functioning?
Mr. HICKS. Yes; and doing their work well; but are there not 21 other Members of Congress on the Naval Affairs Committee, and do not they know something about the Navy also?

Mr. GARNER. Yes; but if the Committee on Appropriations is going to send for the 21 members of the Naval Affairs Committee, then I think we better go back to the old rule.

Mr. HICKS. There might be something in that.

Mr. GARNER. And, as I understand the gentleman from New York, he wants the Committee on Appropriations to send for the 21 members of the Committee on Naval Affairs, for the 21 members of the Committee on Agriculture, for the 21 members of the Committee on Military Affairs, for the 21 members of the Committee on Indian Affairs, and all the other Members of the House who are on former appropriating committees to appear before the Committee on Appropriations on the various

items pertaining to the various committees. Mr. HICKS. Oh, pardon me, but the gentleman from Texas is putting into the mouth of the gentleman from New York something that the gentleman from New York did not state and does not favor. The gentleman from New York stated that he thought there ought to be a representative with the Committee on Appropriations from the Naval Affairs Committee, but not the entire committee; that would be impractical and cumbersome. But a representative could be present, so that there might be some consultation between the Committee on Naval Affairs and the Committee on Appropriations-not the entire membership of the Naval Committee, for that would be

ridiculous, as the gentleman knows.

Mr. GARNER. I just asked the gentleman if he did not think there was some representation from the Committee on Naval Affairs in the presence of the gentleman from Michigan [Mr. Kelley] and the gentleman from Alabama [Mr. Oliver]

Mr. HICKS. No; they do not represent the Naval Affairs Committee, they are not members of our committee, and do not and can not keep in as close touch with naval matters probably as the members of the Naval Committee.

Mr. GARNER. But the gentleman from New York said that

they knew all about the Navy.

Mr. HICKS. But they do not know as much about the Navy as 21 men know, nor are 2 men as able to judge of matters as 21.

Mr. LITTLE, Mr. Chairman, will the gentleman yield? Mr. HICKS. Yes.

Mr. LITTLE. Does the gentleman favor the present method

of making appropriations?

Mr. HICKS. No. I think we can devise our rules to better conserve the public good and promote economy and efficiency. [Applause.]

Mr. LITTLE. Then the gentleman has a right to kick. I

suppose.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For commissions and interest, transportation of funds, exchange, etc., including the same objects specified under this head in the naval appropriation act for the fiscal year 1921, \$750,000.

Mr. SEARS. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SEARS: Page 33, line 9, insert as a new

Amendment offered by Mr. SEARS: Fage 35, line 9, linsert as a new paragraph the following:

"The Secretary of the Navy is authorized to pay to Mrs. T. E. S. Cates, out of any funds in the Treasury not otherwise appropriated, the sum of \$63 for rent of quarters furnished Lieuts. James E. Maher and L. E. Myers, of the United States Navy, while on submarine duty."

Mr. GOOD. Mr. Chairman, I reserve a point of order.

Mr. SEARS. Mr. Chairman, last year I offered this amendment, but the gentleman from Illinois made a point of order against it. At that time, if my recollection is correct, the chairman of the committee agreed to let this amendment go in. Mrs. Cates furnished these quarters at the request of the admiral at Key West who was in charge because there were no quarters available. This was in 1918. Both Secretary Daniels and Secretary Denby have recently urged that this appropria-tion be made. I have a letter before me, dated May the 18th, in which Secretary Denby says:

NAVY DEPARTMENT, Washington, May 18, 1921.

Hon. W. J. SEARS, House of Representatives.

My Dear Mr. Sears: In reply to your letter of this date relative to the bill (H. R. 1939) for the relief of Mrs. T. E. S. Cates, introduced by you on April 11, to reimburse Mrs. Cates for the rental of quarters furnished Lieuts. Maher and Myers while on submarine duty at Key West, Fla., I beg to say that I shall be very glad indeed to see this bill passed, or an amendment which will accomplish the same purpose added to the deficiency bill now pending. The claim is a perfectly just one, but there is no appropriation now available from which it could be paid by the department. The quarters were hired from Mrs. Cates by the

supply officer at Key West under direction of the commandant of the naval station at that place, there being no other quarters available for the lieutenants in question who occupied them.

Sincerely, yours,

EDWIN DENBY.

Secretary Daniels writes as follows:

NAVY DEPARTMENT, Washington, December 7, 1920.

Hon. W. J. SEARS, M. C., House of Representatives, United States

My Dear Mr. Sears: Referring to your letter of October 7, 1920, relative to a bill of Mrs. T. E. S. Cates, Key West, Fla., for rent of quarters furnished to Lieuts. James E. Maher and L. E. Myers while on submarine duty at Key West, Fla., this is believed to be perfectly justified, but there has been no appropriation passed by Congress from which the reimbursement could be made, provisions made in previous appropriation acts for reimbursement of this sort having been held by the comptroller to refer only to future payments.

The matter will, however, be presented to Congress again at the present session in connection with the regular deficiency bill.

Sincerely, yours.

Sincerely, yours,

JOSEPHUS DANIELS, Secretary of the Navy.

These two officers were at Mrs. Cates's residence, one from May 4 to June 4, 1918, and one from April 12 to May 20, 1918, or a little more than two months, so I do not believe that Members of Congress will contend that the charge of \$63 for rent of quarters for two months is exorbitant, and I expect and trust that the chairman of this committee will not make the point of

Mr. Chairman, I think the claim is a legitimate Mr. GOOD. The only reason I reserved the point of order is that I claim. desired the gentleman should explain it. I think the amount of rent for premises occupied by the department for a couple of months is fair, and I withdraw the reservation.

The CHAIRMAN. The question is on agreeing to the amend-

ment.

The question was taken, and the amendment was agreed to. The Clerk read as follows:

PUBLIC WORKS, BUREAU OF YARDS AND DOCKS,

Navy yard, Norfolk, Va.: For dry dock and accessories: To enable the Secretary of the Navy to pay the George Leary Construction Co. the sum of \$167,500 under contract No. 2258, and changes thereto, for completion of Dry Dock No. 4, in full compensation for the construction of such dry dock; and to the Giant Portland Cement Co., subcontractor, for loss sustained by it on cement furnished for this work, \$75,517.94, or so much thereof as may be shown by audit of the subcontractor's books by the Navy Department; in all, \$243,017.94.

Mr. BLANTON. Mr. Chairman, I make the point of order against this paragraph that it is legislation unauthorized by law on a deficiency appropriation bill and is not a deficiency.

Mr. GOOD. I trust the gentleman will reserve the point of order.

Mr. BLANTON. I will reserve the point of order.
Mr. GOOD. The point of order I do not think is good as to

the entire paragraph. I think a part of it is authorized. situation in regard to this dry dock is just this: In 1916 the Government authorized the construction of two dry docks, one at Philadelphia and one at Norfolk. Contracts were made for their construction. At that time we had no dry dock on the eastern coast large enough in which we could dock a vessel of the type of the Leviathan. The contract at Philadelphia has the type of the Leviatnan. The contract at Philadelphia has proceeded on the cost-plus plan and we have already appropriated for that dry dock \$5,900,000 and it is not yet completed. The George Leary Construction Co. had the contract for the construction of the dry dock at Norfolk for \$3,500,000. The war came on. The Secretary of the Navy said to the Leary Construction Co. in a letter that if they would waive all claim as to the profits they might make under the contract and would make a new contract with the Navy Department, the profits to be determined by the time within which the dry dock should be be determined by the time within which the dry dock should be completed, the Navy Department would make a new contract, and this was done. The Leary Construction Co. put on three shifts, they were compelled to work night and day, and they That completed the dry dock before the armistice was signed. dry dock has been completed and the contractor has a legal contract with the Government for the payment of this amount. Now, they asked for a larger sum and the Navy Department wanted to give them a larger sum; both Secretary Daniels and Secretary Denby asked for it. When the second contract was made it was represented to the contractor that he ought to make under the new contract at least \$300,000, and so when the dry dock was completed they attempted to modify that contract so as to increase this profit by \$132,500. Now, the contractors went to work under the terms of the contract made by the Navy Now, the contractors Department and they completed the dry dock within a certain specified time, and under that arrangement the contractor is entitled to \$167,500. He did a good job; we got a dry dock at least three years earlier than we are getting the one over at I gentlemen yet, because it was stopped here in the House.

Philadelphia, which was commenced at the same time and the contract made at the same time.

Mr. BLANTON. Does the gentleman claim that an item becomes a deficiency until a Government auditor audits it and

passes it for payment?

Mr. GOOD. That is the other item, and I say the other item

will appeal to the gentleman's good judgment

Mr. BLANTON. Just one moment. It is the purpose of this paragraph to pay \$75,517.94 to the Giant Portland Cement Co. for an alleged loss that it is claimed to have sustained?

Mr. GOOD. I will tell the gentleman just what that was, Mr. BLANTON. There has been no adjudication of that loss

whatever.

Mr. GOOD. I want to explain that to the gentleman. think it will appeal to his good judgment, as it did to the good judgment of the committee. When the contract was made in 1916 with the Leary Construction Co. for this dry dock it immediately let the subcontract for all the cement to the Giant Portland Cement Co. The Giant Portland Cement Co. had two plants, one at Norfolk, Va., near where this dry dock was being constructed, and one at Erie, Pa. It agreed to furnish the cement at a certain price, and there is no question but what it was able to furnish that cement at that price if the Government had not intervened. The Giant Portland Cement Co. had under charter a large amount of floating equipment with which it was to bring its rock, material, and coal to its cement plant down at Norfolk with which to manufacture cement and to deliver its product. The Government stepped in and commandeered every bit of its floating equipment, so that it had to shut down the plant at Norfolk, where it was manufacturing this cement, and had to bring all of the cement from Erie, Pa. The loss was occasioned not because of the contractor but because the Government stepped in and took the floating equipment that the Giant Cement Co. had a contract to use for a period far longer than the length of the war. So it seemed to us, if it please the gentleman, while we had already taken care of all contractors who suffered loss because of the war, that here was a loss due entirely to the fact that the Government had taken over the equipment, and should be paid. In one other bill we did that, one almost on all fours with this. We were building a dry dock at Honolulu and the contractor had contracted with the Pacific Mail Steamship Co. to deliver Portland cement from San Francisco to Honolulu at a certain price.

The CHAIRMAN. The time of the gentleman from Iowa

has expired.

Mr. GOOD. Mr. Chairman, I ask unanimous consent for two minutes more

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. GOOD. Then the Government stepped in and commandeered the ships of the Pacific Steamship Co. and increased the rates for carrying this cement over those which the steamship company had agreed to carry it for, and the result was a loss of something like \$125,000. And Congress has appropriated money to pay that loss.

These men are unknown to us. It seemed to us that it was

in the interest of fairness, equity, and justice to allow this

claim.

Mr. BLANTON. If the gentleman had an unliquidated claim of \$75,000 presented against him personally by some one, he would want a little more of an adjudication of the matter by a proper tribunal than has been given in this case. I take it that if this is a proper claim it ought to be presented in the usual way and come through the regular channels.

Mr. GOOD. I will say to the gentleman that the contracts

made for lumber-

Mr. BLANTON. Has the gentleman heard the Government's side of this claim?

Mr. GOOD. Yes.

Mr. BLANTON. Who appeared in behalf of the Government? Mr. GOOD. Former Secretary Roosevelt appeared in behalf of the Government, and Admiral Parks appeared in behalf of the Government. Then, when Secretary Denby came in, he wrote a very strong letter to the committee and said he had thoroughly investigated it and it ought to be paid.

I will say to the gentleman that every one of the lumber contractors have already had their losses made good, and we

ought not to make fish of one and fowl of the other.

Mr. BLANTON. The gentleman knows that there are lots of claims pending now, mining claims and otherwise, and some of them are down in my country, which I have turned down whenever they have come, because a lot of them are fictitious. gentleman knows we have never passed a law to reimburse those

Mr. GOOD. We passed a law, as the gentleman knows, and appropriated money to make good the loss of contractors who entered into contracts prior to the declaration of war, and who

lost because of war conditions. We paid all those.

Mr. BLANTON. The gentleman had lots of those claims placed on bills by amendment in the closing days of the last Congress that caused him to throw up his hands and caused the gentleman from Massachusetts [Mr. Walsh] to say that the Treasury doors had been broken down.

That was a different class of cases.

Mr. BLANTON. But they were claims against the Government.

Mr. GOOD. I will say to the gentleman that this is a meritorious claim.

Mr. BLANTON. I think this class of claims ought to come to

The CHAIRMAN. On that item?

Mr. BLANTON. On the paragraph, because of the fact that it has in it, Mr. Chairman, \$75,517.94 to be paid a subcontractor for certain alleged losses, which is legislation-not a deficiency unadjudicated legislation on an appropriation bill, not authorized by law. I make it against the paragraph because of that item especially.

The CHAIRMAN. And the gentleman does not contend that the other part of the item is subject to a point of order?

Mr. BLANTON. I have not lodged that objection yet, Mr. Chairman, but I make it against the whole paragraph because of that provision.

The CHAIRMAN. Does the gentleman from Iowa [Mr.

Good] concede the point of order?

Mr. GOOD. Yes; against that part of it. The CHAIRMAN. The Chair sustains the point of order.

Mr. GOOD. Mr. Chairman, I offer an amendment.
The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. Good: Page 33, line 18, insert the follow-

Amendment onered by Amendment onered by Amendment onered by Sing:

"Navy yard, Norfolk, Va.: For dry dock and accessories: To enable the Secretary of the Navy to pay the George Leary Construction Co. under the contract No. 2258, and changes thereto, for completion of Dry Dock No. 4, in full compensation for the construction of such dry dock, \$167,500."

Mr. BLANTON. Mr. Chairman, I make the point of order against the amendment that it is not a deficiency but is legislation unauthorized by law on a deficiency appropriation bill, and in that connection I will call the attention of the chairman to the fact that I understand this amount has not been audited by a Government auditor and passed for payment, such as would authorize its inclusion in a deficiency appropriation bill,
The CHAIRMAN. On what ground does the gentleman make

his point of order-that it is an unaudited claim or that it is

unauthorized by law?

Mr. BLANTON. On both grounds.

Mr. GOOD. It does not have to be an audited claim. It is a balance due on a contract. Here is the contract. I have made a statement of what the contract contains. Under that contract there is a balance due of this amount, and it is a valid claim against the Government.

Mr. BUTLER. There is no doubt about that. This Congress

authorized the construction of that dock.

The CHAIRMAN. The amendment offered by the gentleman from Iowa is to liquidate the claim of this construction company for any claim that they may have against the Government?

Mr. GOOD. For the balance due under the contract. The work has been performed; the work has been accepted; and the department certifies that this amount is due and that they do not have the money to pay it.

Mr. BLANTON. Has it ever been audited? It does not have to be audited. Mr. GOOD.

Mr. BLANTON. That is a point in controversy.

Mr. GOOD. It does not have to be an audited claim. Mr. BUTLER.

This contract was for the construction of a dock at Norfolk?

Mr. GOOD. Yes.

Mr. BUTLER. I have it from the Secretary of the Navy that this was already a dead loss; there was no profit in it. The Government took the cement away from these contractors, and they could not obtain any other cement with which to finish this dock.

Mr. WALSH. Mr. Chairman, I understood the gentleman from Texas [Mr. Blanton] made the point of order that this claim had not been audited. I will state that I do not think that has any bearing on the question of the House making an appropriation-the fact that the claim has not been audited.

It is a balance due under the contract. If the money is appropriated the question of auditing will come up in due course; but that is not a condition of an appropriation, that the balance due must be audited before an appropriation can be made. We make the money available to pay the balance due, and the ques-tion of audit comes up before actual payment is made.

The CHAIRMAN. Is this in the nature of a claim? Mr. WALSH. It is not. It is a balance due.

Mr. GOOD. It is for a balance due under a written contract authorized by law, where we have appropriated all the money, over \$5,000,000, except this amount.

Mr. BLANTON. Does not the gentleman admit that this is a settlement not only of this amount but also of a big amount of

unliquidated loss?

Mr. GOOD. No. They made a claim for a greater amount, but we disallowed it.

The CHAIRMAN. This work was done under a contract authorized by law?

Mr. GOOD. Absolutely.
The CHAIRMAN. And this is in full payment for that work done under that contract?

Mr. GOOD. It is, and it is in accordance with the terms of the contract

The CHAIRMAN. And not in the nature of a claim against the Government?

Mr. GOOD. It is not.

The CHAIRMAN. The Chair overrules the point of order. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

BUREAU OF SUPPLIES AND ACCOUNTS.

Maintenance, Bureau of Supplies and Accounts: The limitation specified under this head in the naval appropriation act for the fiscal year 1921 on expenditures for pay of chemists and for clerical, inspection, and messenger service in the supply and accounting department of the navy yards and naval stations and disbursing offices for the fiscal year 1921 is further increased by \$400,000.

Mr. BLANTON. Mr. Chairman, I reserve a point of order on the paragraph, in order to ask a question. The gentleman from Iowa [Mr. Good] will remember that last year, when the appropriation bill proper was up before the House, we had quite a fight over the proposed increase of this item of appropriation, and that it was argued to quite an extent, and that the House by a very decided vote cut off the proposal to increase the appriation on this item. And last February my point of order against it was sustained. Now, is the chairman of the committee, after such action by the House, going to permit this department to violate the law which he so eloquently cited to us yesterday as having been violated by another official, and is he going to permit this official to come in with a deficiency right in the teeth of the House ruling?

Mr. GOOD. This does not carry any money. Mr. BLANTON. It is \$400,000 that will be expended.

Mr. GOOD. No. This only increases the limit that may be

expended for a certain purpose.

Mr. BLANTON. That was the subject of controversy in the House, increasing the limit to an amount even less than this \$400,000. But this sum will not be expended unless we now

authorize it by our action.

Mr. GOOD. They have enough money without this approit. Then we found that in order to bring down expenditures even to this limitation they had to reduce their clerical force 20 per cent and their labor force 40 per cent, but even with that reduction they were not able to bring themselves within the reduction they were not able to bring themselves within this limitation and still do the work of maintenance.

Mr. BLANTON. The gentleman understands that in allowing this increase of limit to the extent of \$400,000 we are going right over the head of the action that the House took in refusing it when the matter was before the House heretofore.

Mr. GOOD. This matter has not been before the House heretofore.

Mr. BLANTON. This increase of limit was argued extensively at that time, and decided against by the House.

Mr. GOOD. The gentleman is mistaken about that. It was not in the Bureau of Yards and Docks.

Mr. BLANTON. This is for maintenance of Supplies and

Accounts and not for the Bureau of Yards and Docks,
Mr. GOOD. Yes; I should have said "Supplies and Ac-

counts"; that is what the item purports to be. Mr. BLANTON. That was the subject of discussion hereto-

fore. One of the gentlemen from Massachusetts sought to increase the limit. Mr. GOOD. That was the Bureau of Yards and Docks that the gentleman was referring to. This is the Bureau of Supplies and Accounts. This simply increases the limit. They have enough money, and this will not cause the expenditure of any

Mr. BLANTON. Well, if they already have it, what is the use of putting this provision in? They ought to act in accord-

ance with the wishes of Congress.

Mr. GOOD. They did. They did reduce their clerical force 20 per cent and employees 40 per cent, but it was not sufficient to bring it within this limitation, which was a rather stringent limitation. I do not think it will accomplish anything, because when they got to the 1st of March they found they had almost reached their limitation. When the committee simply undertakes to correct the mistakes and make provisions for supply funds overexpended by the former Secretary, when the committee is just trying to clean the thing up, it would seem that that side would not stir up unfavorable criticism of the former administration.

Mr. BLANTON. It just allows one more case to go over the head of Congress and authorizes them to use more money than they were authorized to use. Mr. Chairman, I make the point of order on the ground that it is unauthorized on a defi-

ciency bill, and that there is no authority for it.

Mr. GOOD. I do not believe that it is subject to a point of order. The Committee on Appropriations has exclusive jurisdiction of appropriations for this department, and in the exercise of that jurisdiction it placed the limitation of \$750,000 in the last bill and now only would increase that limitation. The original limitation was \$3,500,000 for this purpose. Can it be said that a committee that has jurisdiction over appropriations, and fixes those limitations, if it finds that Congress in following its direction originally made an error, has not the jurisdiction to report out a provision to go back and correct that mistake? The matter was originally presented to the House by a committee having exclusive jurisdiction of these matters, and in the exercise of that jurisdiction it placed a limitation upon the amount that could be expended. Can it be said now that if that limitation was too small the committee is powerless and Congress is powerless, and that because of this erroneous limitation the Government shall not continue to function?

The CHAIRMAN. What does the gentleman from Iowa say about the decision rendered on February 9 on this identical question, in which decision the Chair held that the appropriation act was the current law and that the amendment offered to that current law in the deficiency bill was a change of the current law and therefore unauthorized on the deficiency bill?

Mr. GOOD. I will say that I do not believe that decision is well founded. I do not believe it is good parliamentary practice or good parliamentary law and it is in conflict with the Hicks decision. It has been decided time and again that when we bring out a regular supply bill we can place on any item the provision that it shall be immediately available. What does that mean? It means that on a supply bill that is to become effective perhaps six months or more from the time when Congress is considering it we can make a deficiency bill of it. If we can do that—and there is a long line of decisions of this House to that effect—the converse is also true, that in a deficiency bill we can not only take care of present but of future needs. Why, Mr. Chairman, almost every deficiency bill is an estimated deficiency only. The departments come in shortly after the beginning of the new fiscal year, when it is apparent that under a plan of organization which has been adopted a deficiency appropriation is going to be necessary, and they say right at the start that they want that deficiency appropriation to be made at once. They do it under a rule that is well established that in a bill for a future year you can make the appropriation immediately available. Therefore I say that in a deficiency bill we can make the appropriation available for a year beyond. It seems to me there is absolutely no sense in making any distinction between these two classes of cases, They are both bottomed on the same fundamental thing.
Mr. BLANTON. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. BLANTON. The ruling cited by the Chair is based upon the uniform rulings of Chairmen in this House back for a num-ber of years. That is the unfortunate situation in which the

gentleman finds himself.

The CHAIRMAN. This raises an interesting and important question for the House, because of the enlarged jurisdiction of the Committee on Appropriations. Prior to the consolidation of the appropriating power of all the committees of the House in the Committee on Appropriations, that committee had exclusive jurisdiction only over certain appropriation bills. Since the appropriating power of the whole House for all the appropriations of the Government has been given to the Com-

mittee on Appropriations, another question arises. The Chair expressed some reluctance on yesterday when the question was immediately before him to reverse a long line of decisions, and resisted the very persuasive arguments made in support of the proposition that the Committee on Appropriations now having exclusive jurisdiction of all appropriations should be enabled to bring in any item in a deficiency appropriation bill that that committee saw fit to bring in. The Chair now has no misgivings on that decision. The matter now before the Chair raises a different question from the one that was before the House on yesterday; but the identical question that is before the Chair at this time was before a Chairman of the Committee of the Whole on the 9th of last The identical question was then raised that is February. before the Chair now, and upon the identical subject. The Chairman at that time held that the item in the deficiency bill was a change of current law, in that it enlarged the limitation that was made in the regular appropriation bill for the maintenance of the Navy for the ensuing year by enlarging the limitation.

In view of the importance of the matter and in view of the fact that the Committee on Appropriations now has jurisdiction of all these matters, the Chair is disposed to let the House

decide this question.

Mr. WALSH. Mr. Chairman, the Chair mentioned the decision of last February. Was it not February 9, 1920,

instead, before the new rule became effective?

The CHAIRMAN. No; the decision was made on February 1921. The Chair submits to the Committee of the Whole the question of order and asks the committee to decide it. The question is, Is this item in the bill in order?

Mr. GARRETT of Tennessee. Is this the item in the bill? The CHAIRMAN. The item in the bill.

Mr. GARRETT of Tennessee. May we have the item again reported'

The CHAIRMAN. The Clerk will again report the item in controversy.

The Clerk read as follows:

BUREAU OF SUPPLIES AND ACCOUNTS.

Maintenance, Bureau of Supplies and Accounts: The limitation specified under this head in the naval appropriation act for the fiscal year 1921 on expenditures for pay of chemists and for clerical, inspection, and messenger service in the supply and accounting department of the navy yards and naval stations and disbursing offices for the fiscal year 1921, is further increased by \$400,000.

Mr. GARRETT of Tennessee. Mr. Chairman, I regret that I did not hear the discussion on this item. Now that this matter is up, to be decided as a parliamentary question, I should be very glad if the gentleman from Iowa would be kind enough to go briefly over the ground again in regard to it. Is this in

fact a deficiency?

Mr. GOOD. This item is to increase the limit of the amount fixed to be expended out of the appropriation for certain pur-poses. That limit was fixed in an appropriation bill for this

fiscal year.

Mr. GARRETT of Tennessee. And this proposes to raise that limit?

Mr. GOOD. To raise that limit. It comes from the same committee that reported the other item, the committee that has exclusive jurisdiction of the appropriation. It has been held repeatedly that an appropriation for a future year may be made available for the current year. This does not go as far as the converse of that rule goes, but simply provides that for this year that limitation is modified to that extent.

Mr. PADGETT. Will the gentleman yield for a question?

Mr. GOOD. Certainly.

Mr. GARRETT of Tennessee. I yield to the gentleman. Mr. PADGETT. The provision in the past bill was legislation

that was adopted by the House?

Mr. GOOD. It was a limitation, not legislation.
Mr. PADGETT. But a limitation on the amount that can be expended is legislation, and that legislation limited the amount that could be expended for that purpose. Now, this provision changes that legislation in the former bill by increasing the amount that may be expended.

It is necessary and I hope the gentleman will withdraw his

point of order. If the point of order is insisted upon, it is well

taken, but I hope the gentleman will withdraw it.

Mr. GOOD. I also hope the gentleman will withdraw it,
because what we are trying to do is to square the books of the previous administration.

Mr, PADGETT. I do not think we ought to overrule the rules of the House, for this is clearly subject to a point of order. I hope the gentleman will withdraw his point, because it is a very important matter.

Mr. BLANTON. Mr. Chairman, I want to call the attention of the Chair and the committee to this very question as it arose in February. The gentleman will remember that the gentleman from Massachusetts [Mr. Gallivan] attempted to

increase this amount-

Mr. GOOD. Mr. Chairman, in order to stop debate I will concede the point of order on this item, and gentlemen can take care of their own deficiencies in the Navy Department. I am tired of standing up, and, without making any reflection, trying to square things up for the former administration and take the blame of it. You can settle it with the former Secretary in any way you please.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

Fuel and transportation: For coal and other fuel for steamers' and ships' use, including expenses of transportation, storage, and handling the same; maintenance and general operation of machinery of naval fuel depots and fuel plants; water for all purposes on board naval vessels; and lee for the cooling of water, including the expense of transportation and storage of both, \$6,000,000.

Mr. WALSH. Mr. Chairman, I move to strike out the last word in order to ask the chairman of the committee in reference to this item for fuel and transportation. Does this mean that there is a deficiency of \$6,000,000 for fuel for the Navy?

Mr. GOOD. The estimate was for \$6,600,000. The estimate of the former Secretary of the Navy for fuel and oil for the whole year was \$10,000,000. Congress granted the \$10,000,000. Then the Secretary came back and asked for a deficiency of \$20,000,000 more, and Congress granted that, and that fuel has practically all been used. There has been a good deal of cruising during the last year. It is claimed that sending the fleet to the Pacific to Valparaiso and the Atlantic Fleet as far as Peru made very expensive voyages, and then there is the increased cost of coal. As I say, the original estimate was \$10,000,000, and we have appropriated with this appropriation \$36,000,000.

All for coal, or some for oil?

Mr. GOOD, Coal and oil.

Mr. WALSH. I have not had an opportunity to examine the hearings, and I would like to ask the gentleman if there was any explanation given as to this great discrepancy between the esti-

mates made and the coal and oil consumed?

Mr. GOOD. As I recall, the explanation was this, that originally the Bureau of Supplies and Accounts asked for \$37,-000,000, but the Secretary cut the estimates down to \$10,000,000, and Congress granted just what the Secretary asked for. Now, while there was that great cut in the estimates of the bureau by the Secretary there was no cut in the sailings or maneuver-ings of the fleet. The fleet, I suppose, was under more exten-sive sailings than ever before in a time of peace, and then there was an increased cost of fuel.

Mr. WALSH. How many new fuel depots were established? Mr. GOOD. I do not know; I do not know as there were any. Mr. WALSH. They have been establishing some since the

war, have they not?

Mr. GOOD. There are 15 delivery points as shown by the table which was placed in the RECORD. I can not tell the gentleman whether any of them was established during the year or not.

Mr. WALSH. Does the gentleman recall how much has been

appropriated for next year's fuel supply?

Mr. GOOD. Seventeen million five hundred thousand dollars carried in the bill as it passed the House. They asked here for \$6,600,000, and with the present program they will need it all. Inasmuch as the bill reported by the gentleman from Michigan [Mr. Kelley] was bottomed on the fact that some of the vessels would have to be tied up, the committee felt that it might as well commence to tie them up on the 1st of June as on the 1st of July.

Mr. WALSH. It seems to me that the consumption of fuel and oil is about on a par with that used by the Navy during the

war. It may not be as much, but it looks as if-

Mr. GOOD. The fleet had many extensive sailings last year; they went as far as Guantanamo; then they sent them to the Pacific, and the Secretary of State took a naval vessel and went to South America; and, as I say, the sailings have been very extensive during the past year.

Mr. McKENZIE. Mr. Chairman, I rise in opposition to the

amendment. I would like to ask the gentleman from Iowa what is contained in this item? Is it all for coal and oil, or does it

cover all other activities?

Mr. GOOD. It covers some other activities; it covers some transportation charges, but the big items are for coal and for oil. The others are negligible when compared with the amount carried for coal and oil.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For refund to James W. Elwell & Co., charterers of the United States ship Sterling, the excess freight charges collected from A. Iseline & Co. on 10,000 bags of coffee and 672 bags of castor beans, arriving in New York on September 25, 1918, which sum was turned over to the Navy and deposited in the Treasury to the credit of "Miscellaneous receipts," \$163.79.

Mr. DAVIS of Tennessee. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Tennessee asks unani-

mous consent to proceed for 10 minutes. Is there objection?
Mr. GOOD. Is the gentleman going to speak on the bill?
Mr. DAVIS of Tennessee. Not on this particular feature.
Mr. GOOD. I shall have to object, Mr. Chairman, at this

Mr. DAVIS of Tennessee. Mr. Chairman, I have no disposition to unnecessarily continue the discussion of the Shipping Board matter, but this scrap was started by the Republican side of the Chamber and has been continued by the opposition.

Last Friday the gentleman from Iowa [Mr. Good], the chairman of the Committee on Appropriations, in charge of this bill, launched into a very bitter attack on the Shipping Board and President Wilson because of alleged inactivity in regard to Shipping Board matters. During the discussion that followed attention was called to the fact that although President Wilson appointed a full board, yet they were not confirmed by the Senate, with the result that since last December there has been no legally constituted Shipping Board, and that although since March 4 President Harding, of course, has had full authority to appoint a board of his own, yet up to this time he has made no appointments whatever. I called attention to the fact that according to statements given out in the press from time to time the appointment of the Shipping Board was being held up awaiting the pleasure of James A. Farrell, the president of the United States Steel Corporation, to whom had been tendered the chairmanship of this board, and that we have now gone for 2 months and 20 days awaiting the pleasure of Mr. Farrell.

In reply the gentleman from Iowa stated that Mr. Farrell had been picked by the press, but that he did not know what was in the mind of the President as to whom he would select for the chairman of that board. The facts are that many, many weeks ago it was authoritatively given out at the White House that the President had definitely decided to appoint either James A. Farrell, the president of the United States Steel Corporation, or R. A. C. Smith, of the Ward Steamship Line, as chairman of the board, and it was further stated in the same connection, in substance, that the President had even then decided upon all of the other members of the board and that the full board would be announced as soon as the selection of the chairman was definitely determined. Many similar statements have appeared in the press from time to time, and it was recently reported that Mr. Farrell had agreed to accept the appointment. I inquired what impelling necessity there was appointment. I inquired what impering necessity there was to await the pleasure of Mr. Farrell and what there was so peculiar about the situation that justified a continued and persistent delay in the appointment of the board until such a time as it would suit the convenience of Mr. Farrell to assume charge of this important board. The gentleman from Iowa said that it was very unfortunate that there should be any criticism that might embarrass the President at this time. I certainly have no disposition to embarrass the President, but it comes with poor grace from the Republican side to talk about embarrassing the President. It is a strange doctrine that is invoked, to the effect that it is in order for Republican Members to criticize the former President and refuse to recognize the difficult conditions that existed during the war emergency, but that it is all wrong for a Democrat to say anything that might embarrass the present President in time of peace. I said this discussion had been continued by the opposition. What I said discussion had been continued by the opposition. Friday seems to have gotten under the skin of some people, to the extent that the administration court journal, the Washington Post, yesterday had a double-column editorial in which it undertook to defend the appointment of Mr. Farrell.

The CHAIRMAN (Mr. Walsh). The time of the gentleman

from Tennessee has expired.

Mr. Chairman, I ask unanimous Mr. BYRNS of Tennessee. consent that the gentleman may continue for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DAVIS of Tennessee. This editorial states:

In the course of debate in the House on the deficiency appropriation bill some Democratic Members took occasion to comment caustically upon the delay in naming the new Shipping Board and to criticize Presi-

dent Harding for his efforts to induce James A. Farrell, president of the United States Steel Corporation, to accept the chairmanship. Sarcastic inquiry was made why it was necessary to hold up the nominations of other members of the board while the President is trying to secure the services of Mr. Farrell, "head of one of the greatest monopolies in the world; and one which would be most vitally concerned in the expansion of shipping operations."

In the case of Mr. Farrell the policy of the administration with respect to appointment to office is well illustrated. He is now the executive head of the greatest business corporation in the United States, and has demonstrated his ability to manage it successfully. The greatest corporation is the Government itself, and the President is understood to be desirous of securing the services of this genius to take charge of an important branch of the people's business.

And here comes the crux of the proposition to which I wish to direct my remarks; the said editorial continues:

If Mr. Farrell can be induced to take command of the Shipping Board, and will bring from his private capacity to his public office an ambition to expand the shipping industry of the United States, he will, indeed, fully justify the President's judgment in selecting him. Captains of industry, finance, and commerce, men who have won success in their individual affairs, and are animated by an ambition to serve, are preferable as public officials to timeservers and politicians whose only wish is to hold the jobs and draw the pay.

No question is made at all about the ability of Mr. Farrell. We all concede that. We know that he has been a very successful business man, but, as is admitted by this editorial, another important requisite is the spirit with which the man would enter into the public service. Will he be patriotic, will he be unselfish, will be devote all of his great talents to the public good? The best way to determine whether a man will do that is to judge him by his course in that respect in the past. What has been the conduct of Mr. Farrell in this respect? As has been already stated, he is president of the United States Steel Corporation, which, if I am given time, I shall show by the highest authorities to be the greatest monopoly and trust in this country, and the one of all others that is doing most to retard readjustment and to hold prices up to an artificial level. Right along that line, the Federal Reserve Board in a review of conditions issued on May 1 gives the high price of steel as one of the reasons that is retarding readjustment and preventing a return to normal prices. On April 30 last the Federal Trade Commission brought a very strong indictment against the United States Steel Corporation, charging that it is unjustly and unlawfully holding up prices of commodities which it manufactures and is doing much to retard readjustment. I wish I had time to read all of that terrific indictment laid against the United States Steel Corporation by the Federal Trade Commission.

However, I shall take time to direct attention to some features of this formal complaint issued by the Federal Trade Commission against the United States Steel Corporation and 11 of its subsidiary companies:

Commission against the United States Steel Corporation and 11 of its subsidiary companies:

The complaint was issued under the Clayton antitrust act and the law establishing the commission, and the commission's announcement said the case was "an outgrowth of conditions complained of by more than 2,700 manufacturers of steel in the Chicago, Duluth, and Birmingham districts, by legislatures of three States, by several municipalities, and by chambers of commerce and many business organizations throughout the United States."

The Pittsburgh plus price is described at length in the commission's announcement, which says that under it "all steel, except rails, wherever made, and whether made in United States Steel Corporation plants or by independents, its soid at the f. c. b. Pittsburgh price, plus an amount equivalent to the freight to point of destination," and as an illustration says that this "means that the Gary steel fabricator who runs his own truck to the Gary, Ind., steel mill and purchases steel manufactured at that plant must pay the price charged in Pittsburgh plus an amount equaling the freight rate from Pittsburgh to Gary."

The complaint is not limited, however, to the alleged use of this device. It charges specifically that the Steel Corporation "owns and controls the ultimate iron ore supply in the United States" and that because of "its power and influence through the last percentage of the steel manufacturing business done by it and supported by it, its consequent potential power to embarrass or destroy its competitors by undely lowering its price schedules is tantamount to the naming by the Steel Corporation of prices that are to be charged by all the steel manufacturers in the United States."

The charge is also made that the Steel Corporation "for at least seven years has issued from time to time price quotations and schedules covering rolled steel manufactured by its subsidiaries and that these quotations are adopted by all of the respondent subsidiaries and their competitors substantially as t

That it likewise owns and controls coal mines and limestone quarries necessary in the manufacture of steel.

That of the total production in the United States of the following items respondents manufacture and sell approximately 47 per cent of billots, blooms, sheet and tin plate bars, rails, plates and sheets, structural fabrics, bars, and the like, and approximately 60 per cent of other steel products.

That the Steel Corporation, through its subsidiaries, controls and utilizes 145 plants, principally in Pennsylvania, Ohio, New York, New Jersey, Delaware, Maryland, Massachusetts, Connecticut, Alabama, Kentucky, West Virginia, Illinois, Indiana, Minnesota, Wisconsin, Michigan, Kansas, California, and Washington.

The complaint also sets out that the Steel Corporation has capital stock outstanding of the par value of \$868,583,600 with a book value exceeding \$1,500,000,000, and that it has through its respondent subsidiaries gross assets aggregating considerably more than \$2,000,000,000, It is claimed that the Steel Corporation does an annual business amounting approximately to \$1,500,000,000.

Taking up the "Pittsburgh plus price" in detail, the complaint says that this price is that which Pittsburgh manufacturers must pay respondents for rolled steel at Pittsburgh and that purchasers in other cities, except Birmingham, Ala., must pay this price plus the freight rate to the city of manufacture from Pittsburgh irrespective of where the steel is manufactured.

The price at Birmingham, Ala., the complaint says, is \$5 a ton more than the Pittsburgh steel manufactured at Birmingham at much less cost than at Pittsburgh.

It is alleged in the complaint that use of the Pittsburgh plus price enables Pittsburgh steel manufacturers to procure substantially 50 per cent of the steel manufacturing growth of other sections of the country; that the price and that this is arbitrarily arrived at notwithstanding that steel is manufactured at Birmingham at much less cost than at Pittsburgh is seel manufactures to procure substanti

I presume that it is conceded that the Federal Trade Commission is pretty good authority, because in his address to Congress on April 12 President Harding called attention to the fact that he had called upon the Federal Trade Commission for their review of the situation and the reasons therefor. In view of the fact that the Federal Trade Commission specifically points out the United States Steel Corporation as one of the agencies that is preventing readjustment, let us see what President Harding said in that respect:

President Harding said in that respect:

I have asked the Federal Trade Commission for a report of its observations, and it attributes, in the main, the failure to adjust consumers' cost to basic production costs to the exchange of information by "open-price associations," which operate, evidently, within the law, to the very great advantage of their members and equal disadvantage to the consuming public. Without the spirit of hostility or haste in accusation or prediteering, some suitable inquiry by Congress might speed the price readjustment to normal relationship, with helpfulness to both producer and consumer. A measuring rod of fair prices will satisfy the country and give us a business revival to end all depression and unemployment.

That is substantially the same language employed by the Federal Trade Commission with specific reference to the United States Steel Corporation in its recent complaint against that corporation.

The CHAIRMAN. The time of the gentleman from Tennessee has again expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous

The CHAIRMAN. Is there objection?

Mr. GOOD. Mr. Chairman, I object. I dislike very much to do this, but we must get along with this bill and must confine our debate to the bill.

The Clerk read as follows:

For reimbursement to the International Mercantile Co. for shortage in a shipment of green peas, cargo of the steamship Harrisburg, arriving at Liverpool, England, from New York, July 2, 1918, freight on the full amount of the shipment having been turned over to the Navy and deposited in the Treasury to the credit of "Miscellaneous receipts," \$121.52.

Mr. CHINDBLOM. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee whether the name of the concern mentioned here should not be the International Mercantile Marine Co.?

Mr. GOOD. The name in the bill is just as it was submitted in the estimate. The gentleman may be right about the correct name of the corporation.

Mr. CHINDBLOM. I am quite sure that is the corporate

Mr. GOOD. I would not want to take the responsibility of changing it, because that is just as it was submitted. It may be the International Mercantile Marine Co. or it may be the name here. I do not know. If it is not correct, it will be corrected in the Senate.

Mr. RAKER. Mr. Chairman, I move to strike out the last word. Mr. Chairman and gentlemen of the committee, what I want to say is in regard to an item which we have passed. I did not have all of my data at the time the item was under consideration, and I want to offer an amendment on page 16, at the end of line 4, as a new paragraph, for the purpose of continuing the passport bureaus.

Mr. GOOD. Will the gentleman yield? Mr. RAKER. I will.

Mr. GOOD. There was an amendment offered and somebody

made a point of order on it.

Mr. RAKER. That point of order, I think, was thoughtlessly made and I hope to return to that at this time. I have before me a letter from the Chamber of Commerce of San Francisco showing the situation there. I have received a letter from Secretary Hughes yesterday on the subject, which I took up with him in regard to the matter. It shows that the Government will be the gainer, in effect, by maintaining these passport They are for the benefit of the traveling business public, for their convenience, and where there is no extra expense, and where the Government is at no expense it seems as though we ought to benefit the public if we can do it under the circumstances. I therefore ask unanimous consent to return to page 16, line 4, for the purpose of offering the following amendment.

The CHAIRMAN. The Chair did not hear the gentleman's

request.

Mr. RAKER. My request is for unanimous consent to return to page 16, line 4, for the purpose of offering an amendment,

which I ask to have read for information.

The CHAIRMAN. The gentleman from California asks unanimous consent to return to page 16, line 4, and gives notice that if permission is granted he will offer an amendment. Is there objection?

Mr. BLANTON. Mr. Chairman, reserving the right to ob-

Mr. GOOD. Mr. Chairman, I object. Mr. BLANTON. Mr. Chairman, I am being accused of doing it thoughtlessly, and I object.

The CHAIRMAN. Objection is heard.

Mr. RAKER. May I have the privilege of having the amend-

ment appear in the RECORD?

The CHAIRMAN. The gentleman from California asks unanimous consent that the amendment may be reported for information. Is there objection?

Mr. GOOD. Well, it is just the regular estimate for all these

five places, is it not?

Mr. RAKER. Yes.
Mr. GOOD. That is already in the RECORD.
Mr. RAKER. Then may I have unanimous consent to have printed, because of the importance of the matter, the letter I received from the San Francisco Chamber of Commerce, and

also the letter from Secretary Hughes?

The CHAIRMAN. The gentleman from California asks unanimous consent to extend his remarks in the RECORD by inserting a letter from the California Chamber of Commerce and also a letter from the Secretary of State with reference to passport control. Is there objection? Mr. BLANTON. As that will he

Mr. BLANTON. As that will help our colleague out very materially, personally I do not object.

The CHAIRMAN. The Chair hears no objection. The time of the gentleman has expired.

Mr. RAKER. May I have a half minute to put the record

straight?

The CHAIRMAN. The gentleman from California asks to proceed for one-half minute to put the record straight. Is there objection? [After a pause.] The Chair hears none.

Mr. RAKER. The remark of the distinguished gentleman

from Texas does not do me justice, because I am seeking to get this amendment in the bill for the good that it will do the traveling public and the business men of the country. I thank

The letter of the San Francisco Chamber of Commerce and the letter of Secretary Hughes are as follows:

SAN FRANCISCO CHAMBER OF COMMERCE, May 4, 1921.

Hon. John E. Raker, M. C.,

House of Representatives, Washington, D. C.

Dear Sir: Because Congress failed to include the necessary appropriation in the legislative, executive, and judiciary bill for the continuance of the San Francisco passport agency, the local office will be closed after June 30 unless provision is made in the present deficiency appropriation bill for its maintenance.

Considering the fact that all trans-Pacific travelers leaving from this coast conclude their passport arrangements in San Francisco, and that it is now possible to obtain a passport in three days, whereas under the old arrangement confusion and loss of time resulted, we believe that the future operation of the San Francisco office is absolutely essentiated.

tial to the business interests of our country. Also, we wish to call to your attention the fact that statistics prove the various bureaus to be self-sustaining, the fees derived from applications being equal to and more than the cost of operation.

The loss of time and inconvenience to the public, either traveling for business or pleasure, that will result from the discontinuance of the San Francisco bureau will be keenly felt by the people of the Western States as well as by the country at large.

The foreign trade committee has instructed the writer to request you to carefully consider the matter, and earnestly hope that the recommendations made by the State Department will be incorporated in the present deficiency appropriation bill through your support and that of California's Representatives.

Thanking you in anticipation for your courtesy and cooperation, and with assurances of our highest consideration, we are,

Yours, very truly.

San Francisco Chamber of Commerce,

SAN FRANCISCO CHAMBER OF COMMERCE. D. K. GRADY, Secretary Foreign Trade Department.

DEPARTMENT OF STATE, Washington, May 20, 1921.

The Hon. John E. RAKER, House of Representatives.

Sir: In response to your recent oral request for information relative to the desirability of securing appropriations for the continuance of the passport bureaus at New York and San Francisco, with the possible establishment of additional bureaus at other important centers, I am now pleased to inform you that estimates for this purpose have been forwarded to the Secretary of the Treasury for transmission to the Congress.

I am now pleased to inform you that estimates for this purpose have been forwarded to the Secretary of the Treasury for transmission to the Congress.

In order that you may properly judge of the relative cost of maintenance as compared with the revenue of these bureaus, your attention is directed to the following tabulation, which shows the estimated number of applications to be taken and the cost of maintenance of each bureau. Perhaps the most striking feature in this connection, as you will observe, is the fact that the fees derived from the taking of passport applications at all of the bureaus would amount to as much as or more than their cost of maintenance. In other words, they may be considered as self-sustaining.

Location of bureau.	Number of applications (at \$1 each).	Cost.
New York. San Francisco Chicago. Seattle. New Orleans.	41,094 5,109 5,600 1,200 5,000	\$20,820 7,509 17,500 4,500 7,500
Total	58,003	57,820

Were the bureaus abolished, the major portion of those fees would be lost to the Government, as such work as the taking of applications for passports would devolve upon the clerks of Federal and State courts, which latter are allowed to retain these fees.

It may be remarked that no provision has been made for a bureau at Key West, Fla., as the Cuban legation has informed this department that no passports are now required for Americans entering Cuba from the United States.

You are aware of the great convenience to the public afforded by these agencies where timely information regarding the requirements of foreign governments is given out by specialized officials, and where it is possible to assemble all essential documents relating to the proof of nationality and the right of the applicant to possess an American passport. Confusion and loss of time are the inevitable result of intrusting such work to the clerks of courts, who are not specialized on the subject, and from whom applications arrive at the department in incomplete form.

Since the traveling public is subject to many delays, annovances, and

complete form.

Since the traveling public is subject to many delays, annoyances, and expenses incidental to the existing passport requirements, I feel that it is desirable to afford such facilities at home as will ameliorate rather than multiply the hardships in this regard. As this can be done at a nominal expense, if not, indeed, without expense to the Government, I deem it very desirable that provision should be made therefor.

I have the honor to be, sir,

Your obedient servant,

Charles E. Hughes.

The Clerk read as follows:

DEPARTMENT OF THE INTERIOR.

Capitol buildings: For work at the Capitol and for general repairs thereof, etc., including the same objects specified under this head in the sundry civil appropriation act for the fiscal year 1921, \$12,000.

Mr. DAVIS of Tennessee. Mr. Chairman, I move to strike out the last word.

Mr. GOOD. Mr. Chairman, if the gentleman intends to return to the subject on which he was speaking I shall have to object.

Mr. DAVIS of Tennessee. Well, I regret very much that the gentleman is unwilling for the House to hear what I have to say.

Mr. GOOD. If the gentleman will defer to some other time I have no objection to his speaking on the subject, but we must get along with this bill. I think the gentleman can see that. I want to enforce the rule on both sides of the aisle.

Mr. DAVIS of Tennessee. Well, the gentleman has not en-

forced it up to date.

Mr. BLANTON. If the gentleman will move to strike out the words "and so forth," appearing in the paragraph, he can

Mr. GOOD. Possibly after we get through with the bill this afternoon and we have the time I shall not object.

Mr. DAVIS of Tennessee. If the gentleman from Iowa will please, while this particular paragraph does not deal with this subject, yet the bill does, and the gentleman from Ohio considered it of sufficient importance to devote very considerable time to a discussion of Shipping Board matters under general debate at a time when I could get no time; the gentleman spoke at length upon this matter.

Mr. GOOD. I will say to the gentleman I have no objection to his speaking, but let us finish the bill, and if we get through in time the gentleman can continue his remarks this afternoon so far as I am concerned, but we must get along with this bill. We have had it for two days and are only about halfway through. I have no objection to the gentleman speaking, but I am afraid what the gentleman may say may invite some one to discuss the same question, and I hope the gentleman will withdraw his request.

Mr. DAVIS of Tennessee. Do I understand the gentleman

to object to my proceeding along that line now?
Mr. GOOD. Out of order, I am obliged to do so.

The Clerk read as follows:

General Land Office: For additional employees during the fiscal year 1922 at annual rates of compensation as follows: Law examiners—2 at \$2,000 each, 4 at \$1,800 each, 10 at \$1,600 each; 4 clerks at \$1,400 each; in all, \$32,800.

Mr. BLANTON. Mr. Chairman, I make the point of order against the provision that it is not a deficiency, but is new legislation on a deficiency appropriation bill, not authorized by law. There is no authority of law for these new positions.

Mr. GOOD. Mr. Chairman, the general law creating this department carries a provision for the employment of all necessary clerks to do the work. Since the last legislative bill was enacted a very great change has taken place with regard to the Land Office. About a year ago, or a little more, we placed on the statute books a law known as the oil leasing act, by which the public domain that contained oil should be leased under certain provisions and conditions.

Now, we discover that the demand for these oil lands has grown so rapidly that the department does not have the clerks and the force to protect its property. It does not have the force to protect the oil interests of the United States. It can not measure the oil. And so the Committee on Appropriations, considering it was a matter for 1922, thought the committee still had jurisdiction over this appropriation for 1922, and any time that it had failed to make proper appropriations for this department it could come in with a request for appropriations to carry on the work. As I stated a while ago-and this is the item to which I referred-when we reported out the legislative bill and came to this item it would have been in order to have inserted the words "to be immediately available." That is the rule of the House. If we had that authority then, when did it happen that the authority was taken from the Committee on Appropriations to report out a provision like this? Here is a force that is absolutely needed. It does not carry as much as was requested, but the Committee on Appropriations in the exercise of its rights under the law has reported out here an amount which is absolutely necessary to protect the property of the United States, the oil interests of the United States, and it is for a service that is authorized by law.

Mr. BLANTON. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. BLANTON. On account of expediency the gentleman would not ask the expert parliamentarian now in the chair [Mr. Walsh] to overrule decision after decision that the chairman who has been in charge of this bill, the gentleman from Kansas [Mr. Campbell], has upheld in numerous instances? In other words, every single one of these appropriations for 1922 the gentleman from Kansas has sustained a point of order against.

Mr. GOOD. And was about to submit the question to the House on one that had another feature in it, and when objection was made to that it was thought that the gentleman, of course, would raise the point of order on this provision, no matter whether it was needed or not, whether it would protect the interests of the Government or not, just because he felt that here was a point where he could, perhaps, get credit for saving some money-

Mr. BLANTON. Oh, no.

Mr. GOOD (continuing). And, perhaps, might save some. I do not know.

Mr. BLANTON. The gentleman knows that I have been working right along with him in double harness in trying to save everything I could.

Mr. GOOD. Then the gentleman should stay with me and net get away by making points of order. I do not like to have a man who is with me pulling in the opposite direction. I want the gentleman to help push this thing through. It is a bill has already been passed.

matter that is needed. It is a matter that is authorized, and, having been authorized, the Committee on Appropriations, having jurisdiction of the subject matter, has in reporting the item brought the matter entirely within the broad rules of the House, although there may be some technical decisions against it.

The CHAIRMAN. Will the gentleman from Iowa [Mr. Good]

submit to an inquiry? Mr. GOOD. Yes.

The CHAIRMAN. Is there authority of law for employing law examiners and clerks in the General Land Office?

Mr. GOOD. The Chair is familiar with the provision of law which created the General Land Office as a bureau in the Interior Department. The general provision of law, section 169 of the Revised Statutes, says:

Each head of a department is authorized to employ in his department such number of clerks of the several classes recognized by law and such messengers, assistant messengers, copyists, watchmen, laborers, and other employees, and at such rates of compensation, respectively, as may be appropriated by Congress.

It left the matter up to Congress. We are here now with an appropriation fixing the amount of compensation of these em-

ployees.

Mr. BLANTON. The Chair will note that in this deficiency bill this item provides for these additional employees during the year of 1922, and I call the attention of the Chair to the numerous decisions made by the gentleman from Kansas [Mr. Campbell] as Chairman of this committee on this bill in passing on just such items, where he has sustained the points of order. In behalf of uniformity of decisions I hope the Chair will sustain the point of order.

Mr. BYRNS of Tennessee. Mr. Chairman, without regard to the merits of the particular paragraph now pending, but merely upon the question of the point of order, I think at this time probably there should be read a ruling that was made by Mr. TILSON, the gentleman from Connecticut, while in the chair in February, 1920-I think it was-on a deficiency bill. He held as follows:

held as follows:

It has been shown that this appropriation sought to be made in this paragraph is authorized by existing law. It is also shown that it was appropriated for in a previous act, now current law. The question now is whether the present paragraph is a deficiency item appropriate to be included in a deficiency bill.

A deficiency, as used in this House, as was so ably explained by the gentleman from Pennsylvania, Mr. Dewalt, means a deficiency in an appropriation heretofore made. In the practice of the House deficiency bills have always carried the items for the expense of carrying on the different departments of the Government for the time intervening before the end of the current fiscal year. It has been the practice in the House that each appropriating committee, other than the Committee on Appropriations, shall bring out one appropriation bill each fiscal year. The Appropriation Committee brings out the sundry civil bill, one District appropriation bill, one fortifications bill, one legislative, executive, and judicial appropriation bill, one pension appropriation bill, and such number of deficiency bills as may be necessary to take care of the deficiencies arising from lack of sufficient appropriations in all the other bills for carrying on the various activities of the Government to the end of the fiscal year.

Now, on yesterday, as the gentleman from Texas [Mr. Blan-

Now, on yesterday, as the gentleman from Texas [Mr. Blanton] has stated, the gentleman from Kansas [Mr. Campbell], the Chairman of the Committee of the Whole House on the state of the Union on this bill, in passing upon a similar question, as will be found on page 1642 of the RECORD, stated:

stated:

The orderly procedure of making appropriations has been that certain bills are brought into the House in which appropriations are made for certain activities of the Government in a systematic way, Toward the close of the Congress it has always been the custom to bring in deficiency appropriation bills to provide for deficiencies. In the consideration of deficiency bills it has been invariably the ruling of the Chair to rule out of order amendments offered from the floor which were not strictly deficiency items, and also to rule that provisions of the bill which were not strictly deficiency items out of order. Such a ruling occurred on the 2d of February, 1920, when the then Chairman held that an item that was not a deficiency items and in order on a deficiency appropriation bill. As the Chair stated in the beginning, if it were an original proposition the Chair would be disposed to consider the matter in the light of the argument made by those who contend that the matter being within the jurisdiction of the Committee on Appropriations that committee could appropriate for an activity of the Government in any bill. But the last decision on the question, rendered in February, 1920, in a very well considered opinion after argument, held that an item was not in order on a deficiency appropriation bill that appropriated for the ensuing fiscal year.

Now, Mr. Chairman, so for as this item is concerned, I regret

Now, Mr. Chairman, so for as this item is concerned, I regret the point of order has been made, because these employees, as shown in the hearings held by the committee, are necessary in connection with the oil leasing under charge of the Commissioner of Public Lands. But in view of the uniform holdings heretofore with reference to deficiencies, I think we are going very far, and we may get in trouble so far as orderly procedure in the House is concerned, if it should be held now that on a deficiency bill appropriations may be considered and made for an ensuing fiscal year and for which a regular supply

The CHAIRMAN. The gentleman from Texas [Mr. Blanron] makes a point of order on the paragraph beginning on line 22, page 35, and ending on line 2, page 36, on the ground that it is not authorized by law and is not a deficiency. The Chair overrules the point of order that it is not authorized by law, because the gentleman from Iowa has pointed out that there is specific authority of law for the employment of this class of lawyers.

As to the point that this is not a deficiency item because it makes provision for the fiscal year 1922, the Chair feels that, in view of the fact that the permanent Chairman of the Committee of the Whole presiding on this bill has already passed on this question, notwithstanding the fact that the present occupant of the chair holds views that are not in accord with that ruling, he should follow the ruling which has heretofore been laid down, and will sustain the point of order.

Mr. GOOD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GOOD. The Chair yesterday [Mr. Campbell of Kansas] in his ruling made some statement to the effect that if it were an original proposition his decision might be different, and the present occupant of the chair bases his ruling upon the ruling of the former occupant. I would like to address the Chair in regard to the real merits of this proposition, and ask, if it stood out by itself, independent of these old decisions, whether the gentleman would look at it as a proposition of merit?

The CHAIRMAN. Well, the present occupant of the chair has already indicated that the decision rendered by the gentleman who occupied the chair in the discussion of the bill here tofore, the gentleman from Kansas, is not in accordance with the present occupant's view. But the present occupant feels that it is incumbent upon him to follow the rulings that have heretofore been made on similar items, and therefore sustains the point of order.

Mr. GOOD. Mr. Chairman, in view of the fact that that opinion does not appear to be in accord with anybody's ruling, respectfully appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Iowa appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the committee?
Mr. BYRNS of Tennessee. Mr. Chairman, a parliamentary

inquiry.

The CHAIRMAN. The gentleman will state it. Mr. BYRNS of Tennessee. Is that debatable?

The CHAIRMAN. It is debatable under the 5-minute rule. Mr. BYRNS of Tennessee. I want to be recognized.

The CHAIRMAN. The Chair will recognize the gentleman. Mr. BYRNS of Tennessee: Mr. Chairman, I do not propose to take five minutes, but I simply want to call the attention of the House to what may be the effect if the ruling of the Chair is not sustained.

I am sure you are all familiar, having been here on yesterday, with the arguments that were made in favor of the position now taken by the gentleman from Iowa [Mr. Good]. As I stated at the outset, I am not influenced in what I say now by any opposition to this particular provision, because I think these clerks are necessary. But there is a legal and parliamentary way in which these clerks can be provided, and certainly because it is desired to provide additional clerks for the next fiscal year to the Land Office, however much they may be needed, the Members of the House are not going to overturn all parliamentary precedents in order to provide them. The Committee on Rules is still functioning and this can be brought before the House without overturning all parliamentary precedents.

Now, the gentleman from Kansas [Mr. Campbell], in a wellconsidered decision, held that a point of order such as is now pending was well taken, and he based that decision on precedents, and no one offered then, and no one has offered now, the ruling of any previous Chairman or Speaker to the contrary.

Complaint has been made that a great deal of power has been conferred on the Committee on Appropriations because of the consolidation of appropriations into one committee. I want to say to you, gentlemen, as a member of the Committee on Appropriations, that if you reverse the ruling of the Chair in this respect and make it possible for the Committee on Appropriations to bring in here on any deficiency bill that it may choose appropriations involving not deficiencies but expenditures for an ensuing fiscal year which should have been carried in the regular supply bill for that year, you are adding to that power. This Congress has passed its regular supply bills, and the only way in which appropriations can be made in an orderly and systematic way, the only way whereby Members can know just what is being appropriated for the next ensuing fiscal year is by following the plain and uniform custom of the House and confining appropriations for the ensuing year to the particular bill

to which they apply. When you open the doors, as is sought to be done here, and give the committee the right to propose on a deficiency bill appropriations which are not deficiencies for an ensuing fiscal year, you are going very far afield, and, in my judgment, if the House should take that course on this occasion it will regret it in the very near future.

Mr. BLANTON. Mr. Chairman, the gentleman indicated that there was just one decision on this subject, besides that of the gentleman from Kansas [Mr. CAMPBELL], who stated that if it vere a first proposition he might rule another way. tleman from Kansas in deciding that matter in the first instance based his decision upon the well-considered decision rendered by the gentleman from Connecticut [Mr. Tulson] no longer ago than February of this year, a very well considered decision, and that was based upon the uniform decisions of this House for years past. I am surprised that the distinguished gentleman from Iowa [Mr. Good], after having taken a position in this House for years, since he has been here—especially since I have been here, for four years—in behalf of orderly procedure, in behalf of following the open, blazed trail and not jumping off here and there into the woods without a road, in behalf of following the distinct rules of the House concerning appropriations, I am surprised that now, through expediency, because he wants a certain item to stay in a certain bill through expediency alone, he seeks and he asks the House to overturn not one decision but decision after decision on this very bill, rendered by the distinguished gentleman from Kansas [Mr. CAMPBELL], who is one of the leading parliamentarians of this House; and he based his decision, I say, upon decisions of other leading parliamentarians, such as the gentleman from Connecticut [Mr.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. GOOD. The gentleman from Kansas said if it were an original proposition he would hesitate a long time before taking view adverse to that presented by the gentleman from Iowa.

Mr. BLANTON. Oh, yes; he was trying to appease the gentleman when ruling against him. I have heard judges on the bench, who were going to decide against me, beat about the bush for about half an hour trying to appease me, and, on the contrary, when they were going to decide in my favor, to appease my opponent, do the same thing. [Laughter.]

Mr. GOOD. The gentleman from Kansas is not that kind of

TILSON ]

Mr. BLANTON. Oh, no; but it is awfully hard for a Chairman to decide against the distinguished gentleman from Iowa. and it is awfully hard for the House to go against him. If it was not for upholding the orderly processes of the House and for following the rules of the House, I would be almost inclined to vote with the gentleman myself, even though he seeks to overturn these decisions through expediency. But expediency is one thing and following the rules of the House of Representatives is another thing, What are you going to do-act on expediency or are going to uphold the sacred rules of the House of Representatives which form the only safe bulwark that new Members have? They are our only safeguard. If you overturn. the rules, we all might as well quit and go home.

Mr. CAMPBELL of Kansas. Mr. Chairman, I have just a little embarrassment in discussing this question. Not that I have any desire to have decisions I have heretofore made sustained by the House. On mature reflection, after the decision of yesterday, I am convinced that that decision was absolutely correct, and that to overrule it now would open up a condition in the House of Representatives that would give us chaos in the

years that are to come. [Applause.]

Mr. CANNON. Will the gentleman yield for a question? Mr. CAMPBELL of Kansas. Yes.

Mr. CANNON. If the House were given the opportunity, it could appeal to the Committee on Rules to give the House an

opportunity to change the rules.

Mr. CAMPBELL of Kansas. Yes; they could do that. And if it is important to put an item in a bill contrary to the general rules of the House, that may be done. It has been done before and it will be done again. But let me show you what this would do if the Chair were not sustained on this decision. A deficiency appropriation bill could be brought in at the close of a session and provide for practically every activity of the Government. It could provide ships for the Navy; it could provide fortifications; it could provide for every activity of the Interior Department; it could provide appropriations for the State Department for the ensuing fiscal year. There would be no distinction whatever between a deficiency appropriation in the deficiency bill and an appropriation for the maintenance of any activity of the Government for the ensuing fiscal year. [ApMr. CHINDBLOM. Will the gentleman yield for a question? Mr. CAMPBELL of Kansas. I yield to the gentleman from

Mr. CHINDBLOM. The deficiency bill would practically be a reconsideration bill, would it not?

Mr. CAMPBELL of Kansas. It would be, practically. It would be a bill upon which could be placed any afterthought, any appeal from a former decision of Congress. In the final hours of the session any such matter could be placed upon a deficiency bill.

Will the gentleman yield? Mr. GOOD.

Mr. CAMPBELL of Kansas. I yield to the gentleman for a

Mr. GOOD. The gentleman recalls that when the District of Columbia bill was up making appropriations for next year it carried an item which provided that that appropriation, which was intended for next year commencing on July 1, 1921, should be immediately available. The gentleman from New York [Mr. HICKS] being Chairman of the Committee of the Whole at the time, held that that was in order, because the Committee on Appropriations which reported the bill had authority to report appropriation bills. That was followed by a decision by my colleague from Iowa, Judge Towner, on the diplomatic bill, holding the same thing. If that is the case, why is not the converse true?

Mr. CAMPBELL of Kansas. I was just coming to that phase of the situation in which the House of Representatives finds itself. Previously the Committee on Military Affairs brought in the Army appropriation bill. The Committee on Naval Affairs brought in the appropriation for the maintenance of the Navy. The Committee on Indian Affairs brought in its appropriation bill, and the Committee on Foreign Affairs brought in the bill for the Diplomatic and Consular Service. There were nine separate appropriating committees in the House. One committee could not trench upon the jurisdiction of any other committee, and the Committee on Appropriations could not bring in an item on a deficiency bill for the ensuing fiscal year. The rulings to that effect have been uniform throughout the years. A notable ruling was made by former Speaker Carlisle on the subject.

The CHAIRMAN (Mr. WALSH). The time of the gentleman

has expired.

Mr. CAMPBELL of Kansas. I ask unanimous consent that my time may be extended five minutes.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. CAMPBELL of Kansas. Now, all power of appropriating committees has been consolidated in the Committee on Appropriations. That committee has jurisdiction over every appropriation, and under the logic of the gentleman from Iowa [Mr. Good] the Committee on Appropriations, having jurisdiction of appropriations for the ensuing year, may bring in appropriations for an activity of the Government for the ensuing year in a deficiency bill if they see fit. The effect of overruling the decision of the Chair at this time is to enable the Committee on Appropriations in the future to put on a deficiency bill any item they see fit even if it is not a deficiency item. Gentlemen, some of us hope to be here in years to come.

Mr. GOOD. You can not determine that on the floor as a matter of law. You can not make a point of order, because it is not a deficiency if it is for that year. There may be a surplus. As a matter of law the Chairmen have held right along that the Chair can not determine that it is not a deficiency, and if it is reported out by the committee having jurisdiction it is in

Mr. CAMPBELL of Kansas. Not if it is for the ensuing fiscal

Mr. GOOD. I understand that; but the gentleman was talking about a broader sweep.

Mr. CAMPBELL of Kansas. No; I was confining myself to

that phase of the question.

Mr. GOOD. Will the gentleman permit me further? I do not want to do anything that is going to do an injury to the whole system. The gentleman will admit that on the 1st day of July the Committee on Appropriations could bring in a deficiency for this very item.

Mr. CAMPBELL of Kansas. Yes; and that being true-

Mr. GOOD. But the gentleman contends that they can not

do it on the 30th of June.

Mr. CAMPBELL of Kansas. That being true, and the Government not in danger of suffering, that should be done in the interest of orderly procedure. We legislate for 110,000,000 peo-

absolutely essential to procedure at all. If I were going to leave the House of Representatives immediately I might have but little concern about the rules of the House for its guidance in the future; but I hope to remain here for some years to come, and I am deeply concerned in the orderly procedure of the House of Representatives in the interest of good legislation. Therefore I hope that the decision of the Chair will be sus-

Mr. McKENZIE. Will the gentleman yield?

Mr. CAMPBELL of Kansas. I yield to the gentleman from Illinois

Mr. McKENZIE. Can the gentleman from Kansas tell us whether or not the appropriation for these particular places was carried in the legislative appropriation bill in former years?

Mr. CAMPBELL of Kansas. I do not know, but even if it were that would not justify bringing in an appropriation on a deficiency bill for the ensuing fiscal year.

Mr. McKENZIE. I agree with the gentleman on that. Mr. CANNON. Mr. Chairman, it is conceded on both sides of the House that the public service demands the substance of this appropriation upon which the point of order is made. That is conceded by the gentleman from Tennessee [Mr. Byrns] and the gentleman from Kansas [Mr. Campbell]. I would not vote to overrule the decision of the Chair [Mr. Campbell]. What is the Committee on Rules for? It could report a rule to the House which would make this item in the bill in order, giving what is evidently a majority of the House a chance to make this provision in order. It seems to me that the committee could be called together, as it frequently has been in the past during this Congress and former Congresses, and they could report a rule that I think that side of the House would vote for as well as this side of the House. That is the orderly way to do it, and that is what the Committee on Rules is for. [Ap-

Mr. GOOD. Mr. Chairman, I ask unanimous consent that all debate on this proposition close in 10 minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate close in 10 minutes. Is there objection?

There was no objection.

Mr. GARRETT of Tennessee. Mr. Chairman, the question before us is a parliamentary question. It does not go to the merits of the proposition. It would be an extremely unfortunate thing for the future of the House, no matter which party may be in control, if because of expediency the majority overthrows the parliamentary law. I do not know anything about the merits of this proposition, but I know that this item is subject to a point of order. I know that if the habit is once formed of appealing from the decision of the Chair, throwing the question into the vortex of a great body of 435 men, you never will have orderly procedure again. This question ought to be decided upon its parliamentary merits and not upon the merits of the proposition itself. The gentleman from Illinois [Mr. CANNON] asks what is the Committee on Rules for? The Committee on Rules can bring in a resolution that will make this proposition in order. I am ready to meet with the Committee on Rules at any time. Of course, I shall not vote to make this proposition in order, but when you begin to decide points of order in this body on the ground of expediency you are treading a very dangerous road. The gentleman from Kansas, who was in the chair, was right in his ruling, and the gentleman from Massachusetts, now in the chair, was right in his ruling, and as a parliamentary proposition the rulings ought to be sustained.

Mr. GOOD. Mr. Chairman, exactly the same question arose yesterday when a point of order was made to the provision with regard to the printing item, and then the occupant of the chair,

Mr. CAMPBELL of Kansas, said this:

As the Chair stated in the beginning, if it were an original proposition the Chair would be disposed to consider the matter in the light of the argument made by those who contend that the matter being within the jurisdiction of the Committee on Appropriations that committee could appropriate for an activity of the Government in any bill.

That was the decision of the gentleman from New York [Mr. HICKS] when the District bill was up and the question was raised if it was in order to make the appropriation for next year immediately available. The gentleman from New York [Mr. Hicks] held that inasmuch as the Committee on Appropriations had jurisdiction of the subject matter and could report out that kind of a bill, that it was in order. Take the present provision, when the committee had its hearings last fall we were just commencing to operate under what was known as the oil leasing act, and when this provision was reached the Committee on Appropriations cut it in two; it only gave one-half of what it was thought they might get along with. But as the oil fields opened up and as drillings were made and a flood of applications came in, it became apparent that the Government was losing a great ple in the House of Representatives, and orderly procedure is many hundred thousands of dollars a year because it did not

have an adequate force. So they come now and ask that we increase that amount, the same committee that cut the amount having jurisdiction of the appropriation and authority to report out a bill. But, because there are some old decisions along another line that conflict with this more recent decision of Mr. Hicks, the Chair was obliged to rule in the way he did, and is it not strange when the gentleman from Kansas indicated to the House that the old decision was wrong, that the present occupant of the chair-and there is no more active man on the floor of the House than the gentleman from Massachusetts-indicated by his ruling that he did not believe in his ruling and was compelled to make the ruling because the gentleman from Kansas made it yesterday and because a similar ruling had been made before.

Now we are going to have some other items in this bill on the same footing. It is not a question of expediency, but a question of giving to the Committee on Appropriations jurisdiction to report out appropriations when it is convinced that the appropriation of money is absolutely necessary. The gentleman from Kansas admits, under his view of the case, that on the last day of July the Committee on Appropriations could bring in this very item, but could not bring it in on the 30th day of June. Is it possible that we are in that condition; is it possible that our rules have no more vitality or elasticity than that? When the item is in order, if it can not be sustained as necessary, strike it out. I want to say to you that every man on the other side of the House will vote to sustain the decision of the Chair, because by sustaining the decision of the Chair and that old archaic rule they will prevent the Secretary of Com-merce from doing what he thinks he ought to do and what all over the country they are demanding he shall do.
Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. GOOD. Yes,

Mr. CAMPBELL of Kansas. Can not the Committee on Appropriations bring in an appropriation for a deficiency on the

Mr. GOOD. We have brought in a deficiency now in order that the Secretary of Commerce can function on July 1, and we want him to function not as many of his predecessors have functioned by creating deficiencies in violation of law, but by

doing the necessary things at once.

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman

Mr. GOOD. Let us go at it in a businesslike way. Let us give to the departments the money that they need in order that they may function in a healthy way.

The CHAIRMAN. The time of the gentleman from Iowa has

expired.

Mr. GARRETT of Tennessee. Mr. Chairman, a parliamentary

The CHAIRMAN. The gentleman will state it.

Mr. GARRETT of Tennessee. Would it be in order to move to lay the appeal on the table in Committee of the Whole?

The CHAIRMAN. The Chair would state that that motion is not in order in Committee of the Whole.

Mr. GARRETT of Tennessee. May I venture to take issue with the Chair?

The CHAIRMAN. The gentleman may.
Mr. GARRETT of Tennessee. Why is it not in order in Committee of the Whole.

The CHAFRMAN. It has been construed that the motion to adjourn or the motion to lay on the table is not in order in Committee of the Whole. In Hinds' Precedents, section 4719, the Chairman ruled that the motion to lay on the table is not in order in Committee of the Whole.

Mr. GARRETT of Tennessee. That was on a bill, was it not? The CHAIRMAN. Yes; it was an appeal from the decision of the Chair.

Mr. GARRETT of Tennessee. On a point of order?

The CHAIRMAN. A Member from Massachusetts moved to lay the appeal on the table. The appeal was taken from the decision of the Chair. Mr. Fowler, of Massachusetts, moved to lay the appeal on the table, and the Chairman held that the motion was not in order in Committee of the Whole. That ruling was followed by the Chairman of the committee as late thereafter as 1902, and has been followed, the Chair thinks, several times since that time. The question is, Shall the decision of the Chair sustaining the point of order stand as the judgment of the committee?

The question was taken, and the committee voted to sustain

the decision of the Chair.

So the decision of the Chair stood as the judgment of the committee.

The Clerk read as follows:

DEPARTMENT OF AGRICULTURE.

The Secretary of Agriculture is authorized to pay to the Dallas Morning News, Dallas, Tex., \$44.28; the Fort Worth Star-Telegram, Fort Worth, Tex., \$34; and the Gazette Publishing Co., Little Rock, Ark., \$18.40; in all, \$96.88, from the appropriation "Cooperative construction, etc., of roads and trails, national forest fund," representing costs of advertisements inserted in the respective publications calling for bids on road machinery to be used in the construction of the Ozark Forest Road in Pope and Newton Counties, Ark., the provisions of section 3828 of the Revised Statutes notwithstanding.

Mr. CHALMERS. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. Chalmers: Page 40, after line 9, insert a new paragraph, as follows:

"The Secretary of Agriculture is authorized to pay to Ray Moon, of Toledo, Ohio, \$64.40 from any funds on hand under the provision of section 9 of the Post Office appropriation act, approved February 9, 1919, for services in road building, said amount to be deducted from the next allotment to North Carolina."

Mr. BLANTON. Mr. Chairman, I reserve the point of order. Mr. CHALMERS. Mr. Chairman, I had hoped that the committee would accept the amendment, and that there would be no point of order made against it. If I am compelled in defense of the amendment to open up this subject it will disclose governmental inefficiency and procrastination, the involvment red tape such as I never dreamed existed in a Government like ours. Chronologically, this case is interesting. Some time in early May, 1919, Ray Moon, of Toledo, Ohio, was employed by a representative of the United States Government to work on the road between Camp Bragg and Fayetteville in North Caro-Between May 14 and June 24 Ray Moon put in 35 honest hard days' work toiling in the hot sun at the rate of \$1.84 a day. This, of course, was in addition to his regular pay as a soldier.

Between June 24 and early September he tried his best to get his money for the services rendered. He then called the matter to the attention of his Congressman, the Hon. Isaac R. The records show that Congressman Sherwood wrote to Maj. A. J. Maxwell, zone finance officer, under date of September 20, 1919. It is presumed that Gen. Sherwood stayed honestly by this proposition until he went out of office March 4, 1921.

The records show that the Electric Power & Maintenance Co., of 1101 Monroe Street, Toledo, Ohio, by E. H. Wallhausen, president, got into the case December 17, 1919, in a letter to Thomas H. McDonald, chief of the Bureau of Public Roads, Department of Agriculture; the Electric Power & Maintenance Co. has stayed in the case up to the present date.

I was requested to enter the field of combat in an attempt to get this money for Ray Moon by a letter from the Electric Power & Maintenance Co., dated April 22, 1921. reached me just one month ago to-day. Since that time I have personally visited some 10 or 12 departments, bureaus, chief clerks, auditors, treasurers, including most of the activities of Government. About the only bit of information that I got at these departments and bureaus was the fact that Ray Moon had a file number there. I find that his file number in the Bureau of Public Roads is M-4, his file number in the War Department, Office of Colonel of Infantry and Assistant Director of Finance, is 611-FS-4 Cl. Yes; he has a file number in all of these bureaus, and in one case I found that they had re-turned to him a 2-cent stamp that he inclosed in a letter for reply. That is as close as he has come, up to date, in getting

any return for his labor for good roads in North Carolina.

Mr. JOHNSON of Washington. Mr. Chairman, will the gen-

tleman yield?

Mr. CHALMERS. Yes; I yield.

Mr. JOHNSON of Washington. Was he working entirely for the Government, or was it on the 50-50 plan between the Government and the State of North Carolina?

Mr. CHALMERS. I think he was working for the Govern-

ment. Mr. BLANTON. What kind of a Government agent gave him

that employment? Mr. CHALMERS. Perhaps an Army officer or some man

working under the authority of the Department of Agriculture, Bureau of Public Roads. Mr. BLANTON. If the gentleman can cite us to any pro-

vision of law which authorizes a Government agent to go down in that State and employ men at \$1.84 a day to work on roads,

I would like to know what it is.

Mr. CHALMERS. It is section 9 of the Post Office appropriation act, approved February 9, 1919. This young man did his work, and did it honestly. He did it under a contract with an

agent of this Government two years ago. He tried to get his

money, but could not.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. CHALMERS. Yes; I yield to the gentleman from Texas.

Mr. BLANTON. If this were \$64,000, I would make the point of order, but as it is only \$64 I am not going to make it. am going to pass it up to the chairman of this committee. Mr. CHALMERS. I would be very glad to go into the corre-

spondence and recite the history of this case.

In short, the case of Ray Moon in his attempt to collect \$64.40 for services rendered would put to shame the chancery case of Jarndyce and Jarndyce, in Charles Dickens's Bleak House, although I find the two stories have the same ending. We finally found out that the funds had been exhausted. It was therefore necessary to take care of Mr. Moon's case in this deficiency bill. I hope that the gentleman will not insist upon his point of order. Let us give this boy his money. He has waited long enough.

Congress ought to set an example by brushing aside this bureau red tape and see that these boys who have offered their lives as a sacrifice on the altar of their country should be justly

dealt with.

Mr. GOOD. Mr. Chairman, I reserve the point of order on

the amendment

Mr. BANKHEAD. Mr. Chairman, I think the gentleman from Ohio has made a sufficient explanation. If the gentleman from Iowa is going to make the point of order I think it ought to be made now.

Mr. GOOD. I do not know what the facts are. What about

the allotment to that State?

Mr. CHALMERS. This money is to be taken out of the next allotment.

Mr. GOOD. I understand that all of the money has been allotted to that State, all of the appropriation.

Mr. CHALMERS. I was told by the clerk this morning that there was plenty of money.

Mr. GOOD. I understood from the gentleman the other day that all of the money that could be allotted to this State had already been allotted.

Mr. CHALMERS. No; the head of the Bureau of Public Roads in the Department of Agriculture under the post office act informed me this morning that he had money enough. I have been up against this proposition now for a month.

Mr. GOOD. I will ask that this item be passed over temporarily until I find out whether there is any money, because it should not be paid out of the allotments of other States.

Mr. CHALMERS. There is money.

The CHAIRMAN. The gentleman from Iowa asks unanimous

consent that the consideration of the amendment be deferred for the present. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

BUREAU OF ANIMAL INDUSTRY.

General expenses, Bureau of Animal Industry: To enable the Bureau of Animal Industry, Department of Agriculture, to perform the duties imposed upon it by the Agricultural appropriation act approved May 31, 1920, for the payment of indemnities on account of cattle to be slaughtered during the remainder of the current fiscal year, in connection with the eradication of tuberculosis from animals, \$405,000.

Mr. BLANTON. Mr. Chairman, I reserve the point of order

on the paragraph.

Mr. HUDSPETH. Mr. Chairman, I move to strike out the last word, for the purpose of asking the chairman in reference to this appropriation. I see that you are appropriating \$405,000 to be paid for animals slaughtered on account of tuberculosis.

Mr. GOOD. Yes.

Mr. HUDSPETH. This is page 40, I will say to the chairman, if I may have his attention. Would the gentleman object to inserting, after the word "tuberculosis," the words "and charbon." A great many c.ttl of Texas, Arkansas, and Louisiana were affected on account of this disease so fatal to cattle, known as charbon, and I would like to ask the gentleman if he would object-

Mr. GOOD. I shall have to make a point of order. I know

nothing about it. This matter-

Mr. HUDSPETH. I am trying to tell the gentleman.

Mr. GOOD. The department says within four or five years they will stamp out tuberculosis in the Southern States. Mr. HUDSPETH. I will state to the gentleman that there is

nothing more fatal to cattle than charbon. Tuberculosis is a lingering disease.

Mr. GOOD. The Department of Agriculture has not asked for this.

Mr. LAYTON. Will the gentleman yield?

Mr. HUDSPETH. I will.

Mr. LAYTON. How do you spell the word?

Mr. HUDSPETH. C-h-a-r-b-o-n.

Mr. LAYTON. It is a disease of what organ of the steer or

Mr. HUDSPETH. It gets to the throat and chokes them to death.

Mr. LAYTON. What is the nature of it?

Mr. HUDSPETH. I am not a veterinarian. The nature of it is that it appears to be fatal to animals, and they have to kill them in order to eradicate the disease in some instances. starts in the neck, the glands swell up, I will state to my friend.

Mr. LAYTON. Is it localized tuberculosis of the glands of the

throat'

Mr. HUDSPETH. I do not know anything about that, but I know it swells the throat and chokes the animal to death.

Mr. CONNALLY of Texas. And is it not also communicable

to human beings?

Mr. HUDSPETH. It is; it is sometimes fatal when communicated to human beings, and it occurs to me if you are appropriating \$405,000, and the gentleman has the great cattle industry in mind, that he certainly ought not to object to an amendment providing that in addition this can be applied to the eradication of charbon, which is ten times more fatal to cattle than tuberculosis

Mr. HAUGEN. I desire to ask the gentleman if he has a detailed statement of the money expended for the payment of

indemnities?

Mr. GOOD. Yes. The chief of the division came before us. They had, as the gentleman knows, \$1,480.000 for all purposes, for operating expenses, including personnel. They had \$800,000 for personnel service and an indemnity fund of \$680,440. Now, they claim that the farmers of the States have taken up this question a great deal more actively than they estimated they would take it up. As the gentleman knows, the National Gov-ernment pays one-third. Now, the National Government has not been able to pay this one-third, and they had to stop all slaughtering on April 1. They have a great accumulation of herds which they expect to slaughter, and the farmers want the slaughtering done. The States have the appropriations to pay their third, and they assert that they will need this full amount for indemnity fund for the rest of the year.

Mr. HAUGEN. According to the table printed in the hearing, \$505,000 have been expended and the amount appropriated

was \$680,440.

Mr. GOOD. The rest was all obligated and had not been paid.

Mr. HAUGEN. The money has been expended for the purpose for which appropriated?

Mr. GOOD. Yes; absolutely. Mr. HAUGEN. I confess I am at a loss why this deficit. The chief of the bureau stated, December 10, 1919, that only \$52,000 had been used for the payment of indemnity for the first four months of the preceding year. According to that state-ment, it would require less than \$200,000 for payment of in-demnities for the current year. The committee allowed \$680,-440, or about \$400,000 in excess of the amount which might reasonably be anticipated. It allowed \$1,480,440 the total amount estimated by the bureau and the Secretary for opera-

tion and the payment of indemnity.

Mr. GOOD. The matter came up on a ruling of the Comptroller of the Treasury. The comptroller ruled that if contracts were made for slaughtering one year and the money was not all expended the appropriation continued to pay for that slaughtering. Now, they will not use all of this this year, but they will use it all in the discharge of the contracts for slaughtering, because as soon as Secretary Wallace discovered that there was going to be a deficit he stopped the slaughtering. That was very seriously objected to in various parts of the country. They thought it was a backward step in getting control of tuberculosis in cattle and that we ought to go ahead. They have this appropriation for the personnel and they are going ahead and making their contracts, and they want to commence slaughtering. The Secretary was right in stopping the killing when the appropriation was exhausted.

Mr. HAUGEN. Well, nobody wants to cripple the department in carrying out that splendid work. But I was interested in knowing something about what amount had been expended for that purpose and the amount required to successfully and

effectually carry on the work.

Mr. BLANTON. Mr. Chairman, I make the point of order against the paragraph. It is legislation. It is not a deficiency.

It is unauthorized by law on this deficiency bill.

Mr. GOOD. Mr. Chairman, I make the point of order that the point of order comes too late.

Mr. BLANTON. I reserved it when it was read.

Mr. GOOD. The whole item is authorized by law. The CHAIRMAN. The appropriation act for the fiscal year 1921 carried this authority:

That in carrying out the purposes of this appropriation if, in the opinion of the Secretary of Agriculture, it shall be necessary to destroy fuberculous animals and to compensate owners for loss thereof, he may, in his discretion, and in accordance with such rules and regulations as he may prescribe, expend, in the city of Washington or elsewhere, out of the moneys of this appropriation such sums as he shall determine to be necessary, within the limitations above provided, for the reimbursement of owners of animals so destroyed, in cooperation with such States, Territories, counties, or municipalities as shall by law or by suitable action in keeping with its authority in the matter, and by rules and regulations adopted and enforced in pursuance thereof, provide inspection of tuberculous animals and for compensation to owners of animals so destroyed.

This law is enthesity for such highlities as are to be com-

This law is authority for such liabilities as are to be compensated for in this appropriation. Therefore the Chair overrules the point of order.

Mr. HUDSPETH. Mr. Chairman, I offer an amendment. In line 17, after the word "tuberculosis," add the words "and

Mr. GOOD. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. Hudspeth: Page 40, line 17, after the ord "tuberculosis" add the words "and charbon."

Mr. GOOD. Mr. Chairman, I make the point of order that it is legislation on an appropriation bill.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

Olympic National Forest: The unexpended balance of the appropriation of \$100,000 for emergency expenditures incident to the disposal of wind-thrown and intermingled or adjoining timber on the Olympic National Forest, and for emergency measures necessary to protect from fire the timber on the Olympic National Forest, made in the deficiency appropriation act approved March 1, 1921, is reappropriated and made available for the same purposes during the fiscal year 1922.

Mr. BANKHEAD. Mr. Chairman, I make a point of order

against the paragraph.

Mr. JOHNSON of Washington. Will the gentleman reserve

that for a moment?
Mr. BANKHEAD. Yes; if the gentleman desires to make a

statement. Mr. JOHNSON of Washington. I shall not argue the point of order, neither am I inclined to make a special appeal. I would like, however, to remind the members of the Committee of the Whole House on the state of the Union that the Olympic National Forest is the property of the people of the United States. It is in the State of Washington, but does not belong to the State. It lies partly in my district and partly in the district of my colleague, Representative Hadley. It is the most valuable of all the forest reserves which the Government has determined to run for the people. It was not long ago the victim of a great tornado, a great storm with wind at 175 miles an hour or more, which knocked down so much of the big timber in a tract 90 miles long and 20 or 30 miles wide that the damage done in the great San Francisco fire pales into incignificance. Our Appropriations Committee Our Appropriations Committee appropriated insignificance. \$100,000 to enable the forest reserve supervisors and agents to open trails and reset telephone lines, and make fire protection in this Government tract, the greatest forest reserve we have, and half of that sum has been spent. Now, if the point of order is made, the Government may not be able to go ahead with the work, while the State is doing its part. Ah, this is a sample of the Government doing business. Go ahead and make the point of order. Let the fire come, let the tract burn; it is the Government's. Heed not the emergency, but stick for the point of order.

The CHAIRMAN. The point of order is pending. Does the

gentleman from Alabama make the point of order now?

Mr. JOHNSON of Washington. I hope the gentleman will withdraw the point of order. I concede that the item is subject to it.

Mr. BANKHEAD. Is not that the orderly way at this time? Mr. JOHNSON of Washington. I suppose the State can carry on the whole work for seven or eight weeks. But it is the Government's business. Work is on the way now. Travel in that part of the Olympic Peninsula has had to be suspended. The danger from fire is ever present, and once your fire comes the amount of timber that will be lost to this Government will be tremendous.

Mr. GOOD. There is 6,000.000 or 7,000,000 feet of merchant-

able timber lying on the ground.

Mr. BANKHEAD. How much money is left available?

Mr. GOOD. About one-half of the appropriation has been expended-about \$50,000.

Mr. BANKHEAD. In view of the statements made by the chairman of the committee and by the gentleman from Washington [Mr. Johnson] I withdraw the reservation.

The Clerk proceeded to read.

Mr. HAUGEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. HAUGEN offers the following amendment: Page 41, after line

The CHAIRMAN (interrupting the reading). The Chair will state to the gentleman from Iowa that we have not yet reached the point in the bill to which he offers his amendment. The Clerk will read.

Mr. BLANTON. Mr. Chairman, I move to strike out the last paragraph.

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Mr. Blanton moves to amend by striking out the paragraph on page 40, line 23, down to and including line 6, on page 41.

Mr. JOHNSON of Washington. Mr. Chairman, I make the point of order that the Clerk had commenced to read the next paragraph.

Mr. BLANTON. I was on my feet. Of course, I could not

Mr. Chairman, I do this merely to call the attention of the House to something of interest I have just noticed, that one of the biggest among the many big Republicans of our Nation is now seated in the gallery, and, although I am a loyal partisan Democrat, I believe in showing due consideration and respect to the great Republicans of our country. I refer to Mr. Charles M. Fickert, of San Francisco, Calif., whom I see seated in the gallery, and whom I consider one of the big men in this country. He has stood the crucial test under fire, and has demonstrated that he is honest, true, and loyal to duty; that he is brave to the extent of being fearless; and that no influence can corrupt him.

He is the able district attorney who in San Francisco, Calif., conducted the prosecution and trial of Thomas Mooney, and convicted him of throwing deadly bombs into a preparedness-day parade, causing the deaths of innocent men, women, and little children. He therefore brought about the lawful conviction of one of the greatest anarchists in the country. Our visitor in the gallery conducted that prosecution. He is the man who, through all of the attempts to thwart justice and to thwart the law, was able to put the bomb thrower into the penitentiary and to keep him there, when there was united and combined effort all over the land by certain classes to thwart the law and get him out. And when we have such men in the gallery of the House of Representatives, I believe that it is worth while to stop a moment and call attention to it. I take my hat off to the gentleman. [Applause.]

Mr. Chairman, I ask to withdraw the pro forma amendment. The CHAIRMAN. Without objection, the pro forma amendment is withdrawn.

The Clerk read as follows:

To enable the Secretary of Agriculture to pay all necessary expenses, including labor and material, involved in consolidating the addressing, duplicating, and mailing work of the Department of Agriculture in the District of Columbia, \$5,000, to remain available during the fiscal year 1922.

Mr. HAUGEN. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will read.

Mr. BARKLEY. Mr. Chairman, I reserve a point of order against the paragraph.

The CHAIRMAN. The gentleman from Kentucky reserves a point of order, or does he make it?

Mr. BARKLEY. If the gentleman from Iowa [Mr. Good] desires to discuss it, I will reserve it.

Mr. GOOD. That has been passed. The gentleman from

Iowa [Mr. HAUGEN] has been recognized.

Mr. BARKLEY. No. There has been no discussion on this paragraph, embracing the language from line 11 to line 15, inclusive. That is what I make the point of order against.

Mr. GOOD. That has been passed. Mr. BARKLEY. We have not read anything else.

Mr. GOOD. What is the gentleman's point?

Mr. BARKLEY. The point of order is that this money is made available for the year 1922, and therefore it is not a deficiency appropriation.

Mr. GOOD. Well, I see the relay is working, and the gentleman's time has come, and he will perform his service. [Laughter.]

Mr. BYRNS of Tennessee. Mr. Chairman, I think this appropriation will work an economy in the Department of Agriculture. It is the plan to consolidate the addressing, duplicating, and multiplying work of the department. They are now scattered in several different buildings, on several differ-The idea of the department is to bring this work upon one floor and to consolidate it, thus saving labor and saving space and other expenses. Of course, in order to do that it will be necessary to have some money to remove their machinery and also probably to prepare the space for this machinery and the work. That was the only object that the committee had in recommending this item.

Mr. BARKLEY. In reply to that suggestion, I will say that if that part of it which carries it over to the next fiscal

year is cut out, I shall not object.

Mr. GOOD. It is a continuous work, and probably in line with what the Secretary desires to do, so that we will be enabled to discharge a lot of employees. But if it is the desire of the gentleman from Kentucky to keep them here

Mr. BARKLEY. It seems the Committee on Appropriations ought to have foreseen the necessity of this work for 1922 and

not bring it in as a deficiency appropriation.

Mr. GOOD. It is carried just as the Secretary asked it. have a statement here which shows that they have 98 duplicating machines, and 25 per cent of them were idle 50 per cent of the time. By consolidating them he can reduce the expense. Perhaps they could not be removed in one month, but the gentleman well knows that if the work is done hurriedly it will invite waste and extravagance.

Mr. BARKLEY. Does the gentleman say this can all be done

with a \$5,000 appropriation?

Mr. GOOD. That is all they asked for.

Mr. BARKLEY. Can the gentleman give me any information as to how much will go over into the next fiscal year?

Mr. GOOD. No; I could not answer that. Mr. BARKLEY. Mr. Chairman, I will withdraw the point of order.

The CHAIRMAN. The gentleman from Kentucky withdraws the point of order. The Clerk will report the amendment offered by the gentleman from Iowa [Mr. HAUGEN].

The Clerk read as follows:

Amendment offered by Mr. HAUGEN: Page 41, after line 15, add the

Amendment offered by Mr. Haugen: Page 41, after line 15, add the following:

"The Secretary of Agriculture, in cooperation with the State agricultural colleges and experiment stations and the United States. Council of the World's Poultry Congress and other organizations, is hereby authorized on behalf of the United States to make suitable exhibits at the World's Poultry Congress of the International Association of Poultry Instructors and Investigators, to be held at The Hague, Holland, September 6 to 13, 1921, and there is hereby appropriated for this purpose, out of any money in the Treasury not otherwise appropriated, the sum of \$15,000, to be expended by the Secretary of Agriculture, under such regulations as he shall prescribe, for the preparation, assembling, transportation, maintenance, and demonstration of the exhibits, which exhibits upon their return to the United States shall be the property of the United States and remain under the control of the Department of Agriculture. And the Secretary of Agriculture is also authorized to select and, out of the appropriation authorized hereunder, defray the expenses of three delegates who are officials or employees of the Department of Agriculture to attend the said congress, and of investigating and reporting, in connection with said congress, on poultry conditions and methods of poultry production and marketing."

Mr. WINGO. Mr. Chairman, I reserve a point of order on

Mr. WINGO. Mr. Chairman, I reserve a point of order on that amendment.

The CHAIRMAN. The gentleman from Arkansas reserves a

point of order on the amendment.

Mr. HAUGEN. Mr. Chairman, this authorizes an expenditure of \$15,000. It authorizes the Department of Agriculture to make exhibits at the World's Poultry Congress, to be held at The Hague, Holland.

Mr. WINGO. Is that a world chicken congress? I could not hear the reading of it all. Do you propose to send along

with it an exhibit of American poultry?

Mr. HAUGEN. Exhibits will go along with it. Exhibits are being prepared by the department. About 19 other coun-

tries have accepted the invitation.

Mr. WINGO. As I understand it, this proposal provides for at least three men to go along to act as chambermaids to these hens and roosters, and the United States Government is to own these hens and roosters. [Laughter.] When you come back, what is proposed to be done with them?

Mr. HAUGEN. They are to be the property of the United

States

Mr. WINGO. That is what I understood. I wanted the gentleman to explain it.

Mr. HAUGEN. It simply appropriates \$15,000 for the department to make an exhibit.

Mr. WINGO. Does not the gentleman think it ridiculous for the Government of the United States to send a poultry exhibit

abroad in the belief that you are going to get some benefit therefrom for the American poultry producers? I am an expert on poultry. I am an ex-president of the Arkansas State Poultry Association, and I know that we have the best poultry on earth. Then why should we go over there to teach those people how to raise roosters and hens? Of course, it will be a nice trip for the three men to go as chambermaids to the little brown hen and the big red rooster, but how do you justify it? [Laughter.]

Mr. HAUGEN. It will be of great benefit to the poultry

raisers of this country.

Mr. WINGO. How will it benefit the poultry raisers of this country, or the poultry raisers of Iowa, for instance, to send this bunch of hens and roosters in charge of these three men to this poultry congress?

Mr. HAUGEN. It will be educational.

Mr. WINGO. Will it educate the three men or will it educate the hens and roosters? [Laughter.]

Mr. HAUGEN. The men.

Mr. WINGO. If the gentleman can show any benefit accruing to the American farmer I will not make the point of order. But instead of helping the American farmer by sending his hens and roosters abroad, you had better devise some plan by which we can help the American farmer market his surplus products.

Mr. HAUGEN. We are very much interested in the poultry industry. It is worth a billion and a quarter dollars a year. It is as much entitled to encouragement as the growing of wheat or corn or any other industry in the United States. Nineteen other countries have accepted the invitation, and it seems to me it is not out of place for us to authorize the small appropriation of \$15,000 to defray the expenses of the three men who

shall accompany the exhibit abroad. Mr. WINGO. When hundreds of the farmers of five States were rendered destitute when everything they had was destroyed by a cyclone, the Appropriations Committee, on the ground of economy, refused to appropriate \$7,500 for the purpose of making it possible to furnish these destitute farmers with much-needed field seed. And yet you come along and say you are going to take twice that much money to pay the expenses of a rooster and hen joy ride abroad, and that proposition comes from the chairman of the Committee on Agriculture.

Mr. HAUGEN. It comes from the Committee on Agriculture

with a unanimous report.

Mr. LEA of California. Mr. Chairman, I am not an expert on the poultry business, but I am willing to stand behind the chairman of the Agricultural Committee on this proposition.

Mr. WINGO. It needs somebody to stand behind it. Mr. LEA of California. The poultry industry is a subject that is easy to joke about, but it is a matter of great importance. A great many of the civilized nations of the world are going to take part in this poultry show. Poultry and eggs are the most

universally used product in all the world.

Mr. WINGO. The gentleman ought not to take all my time.

I know something about poultry. That was a hobby of mine.

I was president of a State poultry association, and the gentleman knows, if he knows anything about the subject, that American breeds of poultry are the finest on earth. Instead of our learning something from Europe about poultry, let them come over here and study our methods. It will benefit them. The idea of sending our poultry over there under the guise of helping the American poultry raisers is ridiculous.

Mr. LAYTON. Will the gentleman yield?
Mr. WINGO. I yield to the gentleman from Delaware.
Mr. LAYTON. We recently passed a cold-storage regulation

bill to keep Chinese eggs out of our market.

Mr. WINGO. This is nothing more than a scheme to get up a foreign entanglement between American roosters and European hens; that is all it is. [Laughter.] It is proposed to do that at the expense of an already depleted Treasury. fore, I make the point of order.

The CHAIRMAN. The gentleman from Arkansas makes the point of order on the amendment offered by the gentleman from Iowa. Does the gentleman from Iowa desire to be heard on

the point of order?

Mr. HAUGEN. No; I suppose the item is subject to the point of order.

Mr. WINGO. I make the point of order.

Mr. REED of New York. Will the gentleman reserve it for a moment?

Mr. WINGO. I reserve it if the gentleman wishes to be heard.

Mr. REED of New York. Of course, gentlemen, it is always easy to be facetious about almost any subject that may come up. I do not hesitate to say that I introduced this bill, and that before it was introduced it was presented to the former Secretary of Agriculture. He went over the situation carefully and heartily approved of the proposition. The bill was introduced in the latter part of the Sixty-sixth Congress at the request of the National Poultry Organization, various State poultry associations, and several agricultural colleges. The poultry business in this country, under the leadership of State colleges and poultry organizations, has grown until it is a business amounting to \$1,250,000,000 a year. That was true during the fiscal year 1919, as shown by the census reports.

Mr. LAYTON. Will the gentleman yield?

Mr. REED of New York, Yes,
Mr. LAYTON. What is the purpose of expending this
\$15,000? Is it for the purpose of learning something over
yonder to benefit our farmers or is it that they are going to

learn something from us?

Mr. REED of New York. Let me tell you something. first place, while we are raising poultry very successfully we are not studying world market conditions. We are not studying cooperation and shipping facilities and standardization of containers and those things, with the result that to-day our eggs are being shipped into Canada not only by the carload but by the trainload; and because the Canadians have passed laws to aid their poultrymen and have studied the situation, they are classifying, repacking, and shipping our eggs back into this country at a big profit. We originated the intensive study of the poultry business, and through our educators we have searched the globe to find the best breeds of poultry, and, have searched the globe to find the best breeds of poultry, and, as the gentleman from Arkansas said, we have created here the finest breeds of poultry in the world. That is the reason we have developed this business to its present magnitude. This poultry exhibition will bring together poultry educators and poultry breeders from 19 countries. They are meeting at The Hague. They are going to study this subject. They are going to study the question of standardization of containers, distribution, and the best methods of marketing, all of which is of vital interest to our poultrymen. This international organiof vital interest to our poultrymen. This international organization has expressed a desire to meet in the United States in 1924. We originated the idea of an international poultry organization, and now when it is about to hold this great congress at The Hague it seems to me it would be most unfortunate if the United States of America should decline to participate.

We have put more money into the study of poultry through our agricultural colleges than any other nation in the world, with the result that we have developed poultry husbandry until it yields a revenue to the farmers of the country amounting to \$1,250,000,000. Think of it! Iowa alone has a business in poultry amounting to more than \$70,000,000 a year. for many of the other States were given here on the floor and appear in the RECORD of May 21. In view of the active interest we have taken in this great industry, the success that has been achieved along this line, it would seem as though it would be a matter of good business foresight to participate in this great international educational poultry show. As I say, I have introduced this bill at the request of many agricultural colleges and poultry associations. They are asking for this appropriation and are preparing an unusual exhibit, expecting, of course, to carry off the prizes at The Hague in September. When the exhibit has served its purpose over there it is to be the property of the United States Government and is to be brought back here, where it will be available for use in this country at State colleges, experiment stations, and State fairs for educational pur-I hope the gentleman from Arkansas will not insist on

his point of order.

Mr. WINGO. Does not the gentleman know that there are half a dozen large poultry raisers in this country who would be glad to pay the \$15,000, because they will get more than that in prizes and the advertising of their prize winners over there?

Mr. REED of New York. They are contributing. It is going to be a large affair.

Mr. WINGO. There is one big poultry prize winner out West

who will be glad to pay all the expenses and will take his string of chickens over there in order to win.

Mr. REED of New York. He is making his contribution. Mr. WINGO. I insist on the point of order that this is not a

deficiency and not in order on this bill.

The CHAIRMAN. The Chair sustains the point of order. Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent to revise and extend my remarks just made.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. CHALMERS. Mr. Chairman, I ask unanimous consent

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to return to page 40 for the purpose of offering an amendment. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Amendment offered by Mr. CHALMEES: Page 40, after line 9, insert a new paragraph, as follows:

"The Secretary of Agriculture is authorized to pay to Ray Moon, of Toledo, Ohio, \$64.40, from any funds on hand, under the provisions of section 9 of the Post Office act approved February 9, 1919, for services in road building, said amount to be deducted from the allotment to North Carolina for the fiscal year 1921."

Mr. GOOD. Has the gentleman changed the amendment so as to conform with the act that was passed?

Mr. CHALMERS. I have.

The CHAIRMAN. The question is on the amendment.

The amendment was considered and agreed to.

Mr. ARENTZ, Mr. Chairman, I ask unanimous consent to return to page 38 for the purpose of offering an amendment.

The CHAIRMAN. The gentleman from Nevada asks unani-

mous consent to return to page 38 for the purpose of offering an amendment. Is there objection? Mr. GOOD. I object.

The Clerk read as follows:

STEAMBOAT-INSPECTION SERVICE.

Contingent expenses: For fees to witnesses; traveling and other expenses when on official business of the Supervising Inspector General, Deputy Supervising Inspector General, supervising inspectors, traveling inspectors, local and assistant inspectors, and clerks; instruments, furniture, stationery, janitor service, and every other thing necessary to carry into effect the provisions of title 52, Revised Statutes, \$5,000, to continue available during the fiscal year 1922.

Mr. BARKLEY. Mr. Chairman, I reserve a point of order. I want to ask the chairman of the committee a question. This provides \$5,000 to continue available for the next fiscal year. What is the object of making it available for next year when the regular appropriation has been made for the next fiscal year?

Mr. GOOD. It is very difficult for the Steamboat-Inspection Service to state how much will be needed, because they have been put out of many Government buildings where they have had their offices. Most of this money is for rent, and they can not tell how much they will need this year. They are confronted with the condition where they are being forced out of the Government buildings and where they have to pay rent for buildings. That condition did not obtain when we made the regular appropriation.

Mr. BARKLEY. Is it thought that a part of the \$5,000 may be payable in the next fiscal year for rent that was incurred

this year?

Mr. GOOD. No; this appropriation is in view of the fact that so many of the officers have been crowded out by Federal agents and will now have to pay rent that they did not have to pay before.

Mr. BARKLEY. Mr. Chairman, I withdraw the reservation

of the point of order.

The Clerk read as follows:

The Clerk read as follows:

On and after July 1, 1921, the Secretary of Commerce is authorized and directed, in cooperation with the Secretary of the Treasury, to establish and collect fair and reasonable fees for services rendered by the Steamboat-Inspection Service and the Bureau of Navigation (including the enforcement of wireless communication laws) to vessels of the United States and to foreign vessels so far as subject to laws requiring such services and not already required to pay fees for such services: Provided, That such fees shall be so determined that the aggregate estimated sum to be collected therefrom in any fiscal year will not exceed the aggregate estimated expenditures in that fiscal year for rendering such services: Provided further, That the Secretary of Commerce shall report to Congress on the first day of the next regular session the schedules of fees established under the authority granted herein.

Mr. GAHN. Mr. Chairman, I make a point of order on this

paragraph, and I will give my reasons for it.

Mr. GOOD. Mr. Chairman, I concede the point of order. Mr. BURTON. Mr. Chairman, I ask unanimous consent to address the committee for 10 minutes on this point of order and related subjects.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to address the committee for 10 minutes. Is there

There was no objection.

Mr. BURTON. Mr. Chairman, this paragraph is clearly subject to a point of order. It would create a radical change in existing law. The Steamboat-Inspection Service has been established. lished for many years and has many important functions to perform. They include the inspection of hulls and boilers, the examination of blue prints of ships that are building, the testing of the steel used in construction, and in addition to that the examination of lifeboats and life preservers, the examination to return to page 40 for the purpose of offering my amendment. and licensing of masters, pilots, and marine engineers, and the certification of seamen. The total expense aggregates about

\$805,000 per vear.

Now, on the merits of this question I ask what has the shipping industry done that it should be discriminated against in this way? The inspection of locomotive boilers and safety appliances on railways is made by salaried officers of the Government. Something that touches the people quite as nearly is the meat inspection, which is paid for by the Government. The cost is not imposed on meat packers.

Should not all proper and rational means be utilized to aid American shipping? This paragraph suggests for the attention of the House a very important question. I regard it as one of the most perplexing and difficult problems before this House. We have some three billion dollars invested in shipping property, enough to supply routes over a large part of the globe. Shall this be scrapped? Also, if I can judge aright, it is the very general and almost the unanimous desire of the American people to restore the merchant marine and the American flag

on the ocean.

But we must not fail to realize the serious disadvantages which confront us. One of the most fundamental is due to the very sufficiency of our country in the abundant supply of the essentials of life. This is a great food-producing country. We produce cotton in enormous quantities for the manufacture We produce quantities of wool; we lead the world of clothing. in iron and steel and have great supplies of lumber and min-erals, such as coal and oil, and we are the greatest producer of copper. There is an abundance of copper. These facts are in themselves a detriment to the development of shipping, partly because ships can not be maintained profitably and efficiently where the greater share of the trade consists of exports.

There is another fact which must be taken into consideration—the greater relative weight of that we send abroad as compared with the weight of that which we bring into this country. The next disadvantage is the greater comparative opportunity for development on land, more attractive for capital and affording greater promise for labor. On the seas we must compete with all the nations, but in domestic trade and industry, by tariff restrictions, national resources, and economic policies our country has unequaled advantages.

I may mention some incidental facts which have had much to do with the decadence of American shipping. The earlier construction of steel and iron ships by Great Britain in the early fifties and the widespread destruction of ships by the Confederate cruisers during the Civil War had an important effect in

transferring the oversea traffic to other countries.

I may add another important point, and that is the disposition of our people. In Norway, in England, and in other countries which are competitors there are generations of seamen, family after family seeking the life of the sea. With that constant pressing forward to better and better conditions which is characteristic of American life we do not have any class of this The son of a mate on a ship goes to the high school, or maybe to college, and studies medicine or law, and very often shines in his profession. I could name numerous other points.

What are we to do about it? There are two ways which are generally suggested. One is by the imposition of discriminating duties. That policy has been discussed for many, many years, and was in vogue in the earlier years of the Republic. I am not so sure that this will solve the problem. In the first place, it must involve us in very serious complications with foreign countries, and in the next place in many instances the countries with which we wish to increase our trade are sending products of considerable weight on which duties have not been collected.

It would presumably help our trade and promote the use of our shipping with countries against whose products we have protective duties, but not in the case of others. The other method is by some kind of a subsidy or subvention. I have stood many times on the floor of this House and several times on the floor of the Senate opposing anything in the form of a subsidy. I have really nothing to regret in taking that stand, because conditions were different at that time. I have favored at all times liberal provision for mail lines and the development of passenger lines, but it seemed to me that a was repugnant to our American ideas. I am not intending to express at this time any definite opinion upon the problem of whether we shall be compelled to pay at least the difference between the cost of the operation of foreign ships

and our own, but that is a question which must be considered. Some time I may wish to say something about the La Follette seamen's law. I do not think it is quite so bad as some would have it, but it has unquestionably had serious results in increasing the cost of operation of American ships, and of producing what according to many of the masters is even worse, a diminishing of the morale and a destruction of

discipline. I especially wish to impress upon the House the serious condition which we must meet. Whatever man or whatever committee, be it the Merchant Marine and Fisheries Committee or any other, can suggest something that will continue the position which we seemed to gain in part during the war and which will usher in a return of the era when our ships were so prominent on every sea, will be a benefactor of this people. Let us approach the question with no partisanship, with no preconceived ideas as to tariff or economic policies, but with the hope that as we are leading in many other branches of endeavor so we may also lead upon the broad oceans. I express the hope that the initiative of Congress will not fail and that the skill, the honorable position of the American sailor on the seas may neither be lost nor forgotten. [Applause.]

Mr. CONNALLY of Texas. Mr. Chairman, the gentleman from Ohio [Mr. Burton] has just delivered a very interesting address upon the subject of American shipping. We have heard in the last few days several addresses upon that subject. During the Sixty-sixth Congress I served as a member of the select committee which was appointed to investigate the operations of the United States Shipping Board. That committee spent. much time during 18 months investigating the building of the vast Shipping Board fleet and necessarily we had to investigate a great many questions that affect the maintenance and operation of the American merchant marine. The performance of our duties led to a review of the whole shipping problem as

it affects the commerce of the world.

For many, many years we have heard all of the political parties announce to the American people that they favor the establishment and maintenance of a great merchant marine. They wanted those days to return in which the American flag floated above a merchant marine that was able to compete with the other merchant services of the world. The exigencies of war made it not only desirable but absolutely necessary that the United States build a great merchant fleet. It was required to transport supplies, food, and munitions to our gallant armies in France. We now have that fleet on our hands. Many of those ships are tied up at the docks and many of them will remain idle because they have no cargo to carry in international commerce. That is a condition, however, that is not solely applicable to America. Other maritime nations to a more or less degree are similarly affected. The United States has \$3,000,000,000 invested in merchant ships. Unless they carry commerce they will be dead capital. We are at that point in the bill under consideration which has to do with the Department of Commerce and its agents in foreign countries who represent us in a commercial character, the stimulation and the building up of foreign commerce and foreign trade, and I submit to the gentleman from Ohio [Mr. Burton] at this juncture that in order to have a merchant marine that will prosper it must have cargoes to transport.

It must not only have cargoes of American goods to carry to foreign countries, but it must have cargoes to bring back on the return voyage. The Republican Party will never solve the problem of maintaining a merchant marine if it pursues the policy it pursued yesterday when it passed a tariff bill which puts it within the hands of the Secretary of the Treasury and the appraisers through the antidumping clauses in that bill absolutely to prohibit in a large measure the importation into the

United States of foreign merchandise.

On April 15, 1921, the Republican emergency tariff bill passed this body and went to the Senate. Yesterday the report on the conference of the two Houses was finally adopted by the House. That bill purported to afford temporary relief to the agricultural interests by providing an emergency tariff on certain agricultural products for a period of six months. It was widely heralded by the Republicans as a panacea for the dis-aster that has befallen the cotton market, the wool market, and the vegetable-oil market. In truth, it was merely a shrewd Republican maneuver to vastly increase the protective tariff duties on manufactured articles at the expense of the farmers and ranchmen and other consumers, while masquerading as their friend. In truth, its purpose was to utilize the opportunity to tax the farmer and consumer for the benefit of the manu-

In its final form, after amendment in the Senate, it contained one chapter on temporary tariff duties and three chapters on permanent provisions raising the tariff for the benefit of the manufacturer, and one chapter practically prohibiting the importation of all dyes and chemicals, thereby giving to one concern an absolute monopoly on dyes for three months. By that time the Republicans hope to enact a permanent tariff bill in which the dye interests will be given identical privileges.

A favorite practice of Republican tariff advocates is the employment of language that will obscure the real purpose of far-iff bills. To prohibit importation of manufactured articles in plain language would bring forth a storm of public protest. The bill provides that the Secretary of the Treasury may prevent the importation of any article of foreign manufacture until such time as he makes an investigation in such foreign country of the "foreign home value" or the "cost of production" of such articles so that he may ascertain the amount of It is obvious that it will be almost, if not quite, impossible for the Secretary of the Treasury to successfully make such an investigation. In the meantime the imports are barred. If the investigation is ever made, the delay and annoyance to the importer will discourage and decrease imports. By this device the original purpose is indirectly accomplished.

Another contrivance by which the tariff exacts tribute is the "compensatory duty." Under the Republican doctrine, whenever a duty is placed on a raw material, a similar duty, known as a compensatory duty, is added to the normal duty which is already on the manufactured article. A duty of 45 cents per pound is levied on scoured wool. Bear in mind, however, that there are stored in warehouses in Boston 500,000,000 pounds, and that there is now in the United States a two years' supply. There is no market for wool. It can hardly be sold at any price. With no market there will be little, if any, imported. Yet a compensatory duty of 45 cents per pound is added to the

already high duty on imported woolen goods.

Of course, the argument is that in theory the American manufacturer will be forced to pay 45 cents a pound more for wool and must be compensated. Do not forget that the American manufacturer will get 45 cents per pound more for his woolen goods, though they may not contain a thread of imported wool. He will add that much to his sale price though the goods are made of American wool. Though no wool whatever should be imported, yet, because theoretically a duty is levied on imported wool, each man and woman who buys an article of woolen clothing must pay to the woolen manufacturer a compensatory duty in addition to the high normal duty. The American Woolen Co. wants that additional subsidy. It can buy domestic wool for less than 45 cents, but the consumer will pay for it on the theory that it costs 45 cents in addition to the amount paid to the Woolen clothes are still high though wool is low. The manufacturer adds a profit to the cost of production, then adds the normal tariff, and then adds the compensatory tariff, and the consumer when he buys clothing pays two tariff duties when the manufacturer paid none. The American Woolen Co. dominates the woolen trade and wants a high tariff: it neither wants American raw wool to go to Europe nor European manufactured wool to come to America. It wants to buy at its own price and sell in a tariff-restricted market at its own price. The Republican Party, its willing servitor, allows it to do both.

The present tariff on manufactured cotton goods is to be raised, but the farmer who produces cotton will pay for the Europe will pay him less for his raw cotton and he will pay the American manufacturer more for his cotton clothing. Will Europe pay as much for our cotton if we prohibit her from shipping it back as manufactured goods as she would if allowed to compete in the sale of manufactured cotton goods in the United States? Can we expect England, Germany, and France to pay us the highest prices when we deny them our markets? They can not buy our products now because they have no gold. If we prevent them from shipping their goods in exchange for our products, how can we sell? How is Europe ever to pay the United States the \$10,000,000,000 which she owes if the tariff is to be built so high as to shut out her goods from American markets? England, Italy, and France can only pay in gold or goods. They have not now the gold. They must be allowed to convert their goods into money with which to pay. The ailment from which the country is suffering now is the inability to sell in foreign markets—in England, Germany, France, Italy, and Austria. Our cotton and wheat and food products will go there and be paid for if we open up the channels of trade.

Mr. Chairman, I know something of the hardships that now beset the cotton farmer. I live in a cotton country. In a small way I am a cotton farmer myself. I now have on hand cotton which can not be sold for anything near the cost of production because the European markets are not open. Our hope for relief is to open them.

Mr. Chairman, if the "emergency tariff" is a good thing, why is its life limited to six months? If it will help the farming interests, why not make it permanent law? Is it so limited because before its passage the farmer has already sold his products and the six months will expire before another crop will be gathered and sold? The measure which, it is claimed, will benefit the agricultural interests will die in six months, but the tariff on manufactured goods will live forever. It will be permanent. It will be higher. The lobbyists for a tariff have flocked to Washington since March 4, 1921. The Republican Ways and Means Committee has announced that a permanent tariff bill is about ready, carrying higher schedules and

giving a monopoly to the dye industry.

Mr. Chairman, I am a Democrat. I believe in the Democratic doctrine of a tariff for revenue and not for protection. I believe that articles imported into the United States, whether manufactured or raw materials, whether the product of the factory or the farm or the ranch, should generally bear a duty to raise revenue to support the Government. Such a duty affords incidental protection to the producer of raw materials as well as to the finished product. I do not believe in a large free list. There is a vast difference, however, between a tariff for revenue which permits imports and brings money into the Treasury of the people and a protective tariff, whose rates are so high that imports are kept out, and which permits the favored manufacturers to collect from the people unearned tariff taxes and place them in their own pockets instead of in the Treasury. Under the false pretense of helping the farmers I shall not consent that the tariff interests shall rob them.

The Republican cry is constantly for higher and yet higher tariff duties on manufactured articles; for the farmers, merchants, ranchmen, and other consumers to pay more and more premium on the necessaries of life to enrich the favored classes; to build higher and yet higher the trade wall to cut off com-

merce with other countries.

Mr. Chairman, such a policy will not support a merchant marine. Ships must have freight to carry if they remain on the

It was developed in the hearings before our committee, as well as in other hearings, that a merchant marine, in order to succeed, must have a cargo going both ways. As to that shipping

men all agree and it is obvious even to a layman.

In the item in this bill next following is embodied the proposal of Mr. Hoover, Secretary of Commerce, to establish two new bureaus for the purpose of investigating foreign commerce and the opportunities for American trade. I am glad to know that Mr. Hoover is not in accord with some of his party on the question of the tariff. I am glad to know that there is one member of the Cabinet who does not believe in "the closed door" for America, and is unwilling to say that we will not trade with foreign countries when it comes to imports; who realizes that it may prove futile to appropriate millions of dollars to private secretaries and stenographers to try to talk the rest of the world into buying our goods if at the same time we shut out their goods.

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY of Texas. Yes.
Mr. DEMPSEY. Does not the gentleman believe that the foreign merchant marine will continue in normal times to do its business with the United States regardless of a tariff, and does not the gentleman believe that the whole question is whether we can so run our merchant marine as to compete?

The CHAIRMAN. The time of the gentleman has expired. Mr. CONNALLY of Texas. I would like to have five minutes

additional.

Mr. GOOD. Oh, well— Mr. CONNALLY of Texas. The gentleman from Ohio [Mr. BURTON] had more time.

Mr. GOOD. But the gentleman from Ohio did not talk poli-

tics. I shall not object to five minutes more.

Mr. CONNALLY of Texas. Mr. Chairman, I stated I was glad to know there was one member of the present Cabinet that did not agree to this hard-boiled system of protection which the Congress is to establish permanently within a very short time. Mr. Hoover delivered an address in New York on May 18, according to the press dispatches. The Associated Press reports him as follows:

He made a strong plea for maintenance by all nations of the open door in world commerce, asserting that there are many growths and tendencies to-day that make for the direct or indirect closing of the open door.

It is quite a long article. I shall not read it all. Mr. Hoover believes that if America is to trade with the rest of the world she must accept foreign goods in return for the products of the American farm and factory, and so believing he has come to the Congress and the committee has placed in this bill two new bureaus in his department, though the Republicans have gone before the country saying they want to reduce Government activities and were anxious to contract the bureaus of the Government; but gentlemen on that side of the House had not the courage to oppose Mr. Hoover in his program, because they fear him. The emergency tariff bill, which the gentleman from Ohio and others on this floor supported, pretends to protect American farm products. But we are told this temporary tariff within a short time is to be made permanent. Is it to be

made permanent in all of its pledges and promises to the farmer and stock raiser? Oh, no. Is vegetable oil, which was held out in such tempting fashion to the farmer to induce his support of this bill, to go into the permanent law? Oh, no. When you come to enact a permanent tariff law, you withdraw from the temptation of the farmer and stock raiser the articles which you promised to protect.

Mr. MADDEN. How does the gentleman know that? Mr. CONNALLY of Texas. I know it because I know it is part of the Republican system to make a pretense of protecting the American laborer and the American farmer through a tariff devised only for the benefit of the American manufacturer. Therefore, I know that that is part of the Republican scheme, and the gentleman will not successfully deny it.

Mr. MADDEN. I know the gentleman is mistaken.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. CONNALLY of Texas. I ask unanimous consent to ex-

tend my remarks in the Record.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to revise and extend his remarks in the Record.

Is there objection? [After a pause.] The Chair hears none.

The Chair is informed that a decision was not made on the point of order which was made to the paragraph under consideration. The Chair sustains the point of order made to the paragraph, and the Clerk will read.

The Clerk read as follows:

#### BUREAU OF NAVIGATION.

Wireless communication laws: To enable the Secretary of Commerce to enforce the acts of Congress "to require apparatus and operators for radio communication on certain ocean steamers" and "to regulate radio communication," etc., including the same objects specified under this head in the legislative, executive, and judicial appropriation act for the fiscal year 1922, \$20,000; and the amount which may be expended during such fiscal year for salaries of employees in the District of Columbia is increased from \$8,400 to \$10,900.

Mr. WINGO. Mr. Chairman, I make the point of order. Mr. GOOD. Will the gentleman reserve the point of order until I can make a statement?

Mr. WINGO. I reserve the point of order. Mr. GOOD. Mr. Chairman, the Secretary of Commerce came before the committee and stated that because of inadequate appropriations he was not able to comply with the international agreements relative to inspection of wireless. About 2,000 out of the 3,000 stations are not inspected at all. It has created a very embarrassing situation with foreign countries because we have not been able to comply with the law. Now, it would be foolish to make provision for one month, and unless provision is made to carry these inspectors over until next year it will be idle to make provision for their employment for a single month. The committee did not like to report out the appropriation, but it is a matter that dealt so closely with international relations and agreements and as all other countries are inspecting our steamers and wireless apparatus under the agreement and we were not able to do that it creates a rather humiliating situation, and I hope the gentleman will not make the point of order.

Mr. WINGO. How long has that condition obtained? Mr. GOOD. I could not state, but this matter was brought very forcibly before us by Mr. Hoover, who stated that it was

extremely embarrassing that we were not doing our share.

Mr. WINGO. Mr. Chairman, I ask for five minutes.

The CHAIRMAN. The gentleman from Arkansas is recog-

nized for five minutes. Mr. WINGO. Mr. Chairman, I appreciate the suggestion the

gentleman has made, and I also appreciate the embarrassment that might arise as suggested by him.

It occurs to me that this is an illustration of the folly of any party in charge of appropriations for a great Government like this, thinking about how they can make a little record of economy, when they know, if they are diligent in studying the public needs, they will have to come along in a deficiency bill later on and make the expenditures. I think it is the part of wisdom for Congress to make up its mind how much it is going to appropriate for a fiscal year, and be very loath to pass any deficiency unless it is absolutely an emergency that has to be met. But this bill is shot through with items like this. The condition the gentleman speaks of could with diligence have been ascertained when the regular bill was written. Why was it not attended to? Just because of the petty desire to whittle down and whittle down, while knowing you would have to meet the necessities by a deficiency bill. But although those responsible pursued that policy, I will refrain from pressing the point of order on this item, because I appreciate the embarrassments that may come to our Nation in dealing with other nations. And I withdraw the point of order.

The CHAIRMAN. The gentleman from Arkansas withdraws

the point of order, and the Clerk will read.

The Clerk read as follows:

Medals of merit to the merchant marine: To enable the Secretary of Commerce, under the direction of the President, to carry out the provisions of the act approved December 22, 1920, to provide for the award of a medal of merit to the personnel of the merchant marine of the United States of America, including the purchase of medals, bars, and ribbons, traveling and subsistence expenses of officers and employees, printing and binding, and all necessary incidental expenses not included in the foregoing, including personal services in the District of Columbia and elsewhere, fiscal year 1922, \$13,000.

Mr. WINGO. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Arkansas reserves a point of order.

Mr. GOOD. Mr. Chairman, I prefer that the point of order be made now if it is to be made at all.

Mr. WINGO. All there is in this is that it is simply providing the sum of \$13,000 for the year 1922, and for the current fiscal year.

Mr. GOOD. And it is only for those who served from April 6, 1917, to November 11, 1918, as provided by law.

Mr. WINGO. Was that covered in the appropriation for the

current fiscal year?

Mr. GOOD. The act was not passed until December, 1920.

Mr. WINGO. I believe in providing proper medals for men who are entitled to them, but I do not want to cheapen medals by having everybody in the whole country possess them. seems to me that when we walk down the streets of Washington half the people are wearing all the badges that they have gotten in State conventions or elsewhere all of their lives. I make a point of order it is not a deficiency and that it ought not to be in this bill.

Mr. GOOD. It is a deficiency. The act was approved De-

cember 22, 1920, and provides:

A medal of merit of appropriate design with a bar and ribbon, together with a rosette or other device to be worn in lieu thereof, to any person who in the merchant marine of the United States between the 6th day of April, 1917, and the 11th of November, 1918, distinguished himself by extraordinary heroism or distinguished service at sea in the line of duty.

Congress passed that act and, I am told, passed it unani-

mously.

Mr. WINGO. You could not authorize this to be done in the next fiscal year, 1922. It is not covering a deficiency in an appropriation. It may be a deficiency in the discharge of duty in that heretofore these men were not given medals, but it is not a deficiency in appropriation. It is no deficiency. It is a dereliction of duty.

Mr. WALSH. Will the gentleman yield? Mr. WINGO. I yield to the gentleman. Mr. WALSH. Does the gentleman contend that if this appropriation were made we could make it immediately avail-

able and it would continue available until expended?

Mr. WINGO. No. I do not think it could be, although the gentleman has some decisions he can rely on for that. Here is the philosophy: If you permit anyone to come in for 1922, it means you will never have an end of making appropriations for that fiscal year. A deficiency bill ought to be held down to actual deficiencies, and you ought to meet these substantive propositions in your regular bill.

Mr. WALSH. Will the gentleman yield?

Mr. WINGO. I yield with pleasure.
Mr. WALSH. Does the gentleman know of any rule of the House under which a deficiency bill has any peculiar characteristics that do not attach to the ordinary appropriation bill?

Mr. WINGO. All the rules of the House.

I do not know of a single rule of the House Mr. WALSH. that makes it distinctive. It is one of the general appropriation bills of the House.

Mr. WINGO. In other words, the gentleman contends a deficiency bill is not a deficiency bill. I say that this is not only contrary to the rules of the House but contrary to the

rules of common sense and sound reasoning.

The CHAIRMAN. The section in question proposes to make an appropriation to fulfill the obligations of an act of Congress approved on December 22, 1920. It is not intended that the amount appropriated shall be expended within the current fiscal year or prior fiscal years for which deficiencies are being provided in this bill. The language of that portion of the section is that it shall be expended in the District of Columbia and elsewhere during the fiscal year 1922. Therefore it comes within the rulings of the Chair heretofore made, and the Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

BUREAU OF FISHERIES.

Commissioner's office: For the salary of an industrial assistant, fiscal year 1922, \$3,500.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph. It is not a deficiency, but legislation on an appropriation bill, unauthorized by law.

The CHAIRMAN. Is it contended that this is a deficiency

Mr. GOOD. Yes. It provides for this assistant for next year, and he is not provided for.

Mr. BLANTON. It shows on its face that it is for the year 1999

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

Expenses of advisory committee: For the expenses of an advisory committee of not to exceed six members from the Atlantic coast, six members from the Pacific coast, and eight members from the inland waters, Great Lakes, and Alaskan sections of the United States, to be designated from time to time by the Secretary of Commerce, to consist of men prominently identified with the various branches of the fishery industry, qualified in aquatic research, and experienced in fish culture, who shall visit the Bureau of Fisheries at such times as the Secretary of Commerce may deem necessary and report to the Secretary of Commerce on the condition and needs of the service, the members to serve without compensation, but to be paid the actual expenses incurred in attending the meetings, fiscal year 1922, \$5,000.

Mr. WINGO. Mr. Chairman, I make a point of order on the item. It is not a deficiency. It is not authorized by law. It creates a new and useless and unnecessary job at a time when we ought to be economizing and abolishing jobs.

Mr. GOOD. The gentleman will notice that there is no job

There is no job provided for by a single salary.

Mr. WINGO. No; but there are lots of men for whom you will provide the means of making junket trips by giving them a place on a public commission, and they will fight for it.

Mr. GOOD. Mr. Hoover contends that there is such a great decline in the supply of food fishes in America that there ought to be more cooperation between the public generally and the canners, and he thought that by this method of cooperation he could bring about some beneficial change in the situation. But of course if the gentleman wants to make the point of order he can do so.

Mr. EDMONDS. Mr. Chairman, will the gentleman yield? Mr. WINGO. Yes. I yield to the gentleman from Pennsyl-

Mr. EDMONDS. I would like to say to the gentleman that nobody appeared before the Committee on the Merchant Marine and Fisheries to ask for anything of this kind.

Nobody as I understand has made the com-WINGO. plaint, but I think we ought to be protected against these schemes of furnishing accommodations to people who want to I make the point of order.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk will read.

The Clerk read as follows:

Steamer Gannet: Master, \$1,400; engineer, \$1,200; fireman, \$840; two seamen at \$780 each; in all, fiscal year 1922, \$5,000.

Mr. WINGO. Mr. Chairman, I make a point of order on that. That is not a deficiency. It may be authorized by law. It may be one of those cases where they have failed to provide for the salaries of public officials during the year, but it provides for the year 1922.

Mr. WHITE of Maine. Mr. Chairman, will the gentleman reserve his point of order?

Mr. WINGO. I will.

Mr. WHITE of Maine. Mr. Chairman, I do not know whether the point of order is well taken or not, but I am sure it ought not to be made. This item has been carried in the sundry civil bill for many years. It passed the House in the last sundry civil bill a short time ago, but owing to some circumstances of which I am not fully advised it was dropped out in another body.

This appropriation is to provide for the maintenance of the crew of a vessel connected with a fish hatchery on the Maine That vessel has been in use for 17 years, if not longer. I am told that if this appropriation is not made that boat will have to go out of commission, and this means the practical closing down of important operations in connection with that fish hatchery. That hatchery has been in operation on the Maine coast since 1901. I think it was established then. It is doing a tremendously valuable work in connection with the propagation of food fishes. I think the last figures I saw indicated that in 1919 the output of the station was something like 1,289,000,000 fish. This boat goes up and down the coast and gathers up the berried lobsters and brings them into this hatchery, and there they are stripped and hatched and the young lobsters planted up and down the coast. It does the same thing in connection with other kinds of fish. It is doing a wonderful work in the conservation of this important food for the people of this country. I think it would be a calamity if this item were dropped out of this bill. I hope the gentleman from Arkansas will not make the point of order.

Mr. WINGO. The gentleman says it was not the fault of the House that it went out, but that it was the fault of the Senate?

Mr. GOOD. I think I will take a little of the blame myself for the dropping out of this matter. The Commissioner of Fisheries went before the Senate committee after we had carried these two provisions in the sundry civil bill, this and the following one, and he said to them, "We must have \$25,000," as I recall, "for scientific investigation as to fisheries." They told him that if he could point out to them where they could save a similar amount they might give him the appropriation. He said he could drop the forces on these two boats and on one other boat. Then they were dropped, but the appropriation was not given. In the sessions of the conference on the sundry civil bill these matters escaped the eye of the House conferees. I overlooked the items. But I am satisfied that you might as well close those fish hatcheries unless you provide a boat to take out the fry and plant them. The Senate has left us with a large appropriation to conduct these two fish-hatchery stations, but there are no boats to take the small fish out and plant them, so that all the work and expenditure is gone and the money is wasted without these boats. I think there is no question about that, and I think the gentleman from Tennessee [Mr. BYRNS] will bear me out in that statement.

Mr. WINGO. I understand they were carried in the other bill, and it was not through the fault of the House that this

comes in here as a deficiency?

Mr. GOOD. I think it was somewhat the fault of the con-

In view of the situation that the gentleman describes, Mr. Chairman, I will withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn. Clerk will read.

The Clerk read as follows:

Maintenance of vessels: For maintenance of vessels and launches, including the same objects specified under this head in the sundry civil appropriation act for the fiscal year 1921, \$4,422.

Mr. WINGO. Mr. Chairman, reserving a point of order, just what does this refer to? Will the gentleman from Iowa [Mr. Good] advise me?

Mr. GOOD. That is the maintenance of vessels.

Mr. WINGO. And launches. Did you not take care of that before? Is that a deficiency in that item for this year?

Mr. GOOD. Yes; for this year.

Mr. WINGO. For this year? Mr. GOOD. Yes. That vessel was used in the seal islands service in Alaska, and was caught in a heavy gale, which necessitated repairs costing \$4,422. It was an item over which nobody could exercise any control.

Mr. WINGO. It is a bona fide deficiency item?
Mr. GOOD. There is no question about that. It is just the amount necessary for repairs to this vessel that was caught in the storm.

Mr. WINGO. Under the gentleman's explanation I do not think it is subject to a point of order, and being a bong fide deficiency I will not make the point of order.

The CHAIRMAN. The reservation of the point of order is withdrawn, and the Clerk will read.

The Clerk read as follows:

Alaska, general service: For protecting the seal fisheries of Alaska, etc., including the same objects specified under this head in the sundry civil appropriation act for the fiscal year 1921, \$9,853.

Mr. WINGO. Mr. Chairman, I reserve a point of order on that item. What is the occasion for this deficiency?

Mr. GOOD. The occasion was the unusually heavy expense in connection with the work in Alaska. First, there was an investigation, at the request of the committee of the House, by the Bureau of Fisheries, which investigation cost \$2,500. That investigation was ordered after the appropriation was made, and had to be paid for out of this appropriation. Then it was found that it would be absolutely necessary to have some dental work done for the natives of Alaska, who are wards of the Govern-ment. We provide doctors for them and provide teachers for them. The cost of that dental work is \$900. Then a physician was sent to Alaska, who could not live there, and another one was sent there to take his place. The total cost involved in that operation was something like \$1,700 of additional expense during the year. The balance is made up of emergency purchases of supplies for the natives of the Pribilof Islands. whole amount is a deficiency and is required for this year.

Mr. WINGO. Why do we furnish supplies for the Mr. GOOD. They work on the Pribilof Islands and take care

of the seal herds.

Mr. WINGO. And we just support them? Mr. GOOD. We pay them, also.

Mr. WINGO. Was this dental work to fill the teeth of the seals or of the natives? [Laughter.]

Mr. GOOD. It was for work on the natives.

Mr. WINGO. I withdraw the reservation of the point of

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

BUREAU OF FOREIGN AND DOMESTIC COMMERCE.

Salaries: For additional employees during the fiscal year 1922 at annual rates of compensation as follows: Two assistant directors, at \$4,000 each; expert on commercial laws in foreign countries, \$4,000; in all, \$12,000.

Mr. BLANTON. I make a point of order against the paragraph that it is new legislation and not a deficiency; that it provides for the year 1922 without any authority of law.

Mr. GOOD. Will the gentleman withhold the point of order?

Mr. BLANTON. I withhold it.

Mr. GOOD. Unquestionably it is subject to a point of order.

Mr. BLANTON. I intend to make it later. Mr. GOOD. Mr. Chairman, this is one of the items that Secretary Hoover laid before the committee. He desires to form a staff here in Washington to direct all the activities for the development of our foreign commerce, and he proposes to throw himself into that great service.

Mr. BLANTON. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. BLANTON. In making the point of order I am trying to carry out the splendid policy of our President, enunciated yesterday at New York, that he is going to cut down the expenditures of the Government, and that he is going to cut off a lot of employees from the pay roll instead of adding new ones, [Laughter.] and I am backing him up in that laudable program.

Mr. GOOD. I understand all that; but Mr. Hoover explained that our foreign trade has fallen off in the last six months over 50 per cent. He realizes that conditions in the world to-day are such that it is going to take the very best men he can get as counselors and advisers to help advise American industry and American commerce how our trade with foreign countries can be extended and enlarged. The amount involved here is a trifle. It is not a button off our coats. I was unwilling, the gentleman from Tennessee [Mr. Byrns] was unwilling, and every member of the Committee on Appropriations was unwilling to take the responsibility for denying this appropriation. In this hour of paralysis of American trade and American commerce all loyal Americans should lift themselves above themselves and give this department what it asks, and thus help develop foreign trade. If that side of the House wants to take the responsibility for attempting to stifle such trade, it is their privilege to do so. I am sure nobody on this side will assume any such tremendous responsibility.

Mr. BLANTON. The gentleman finds himself out of accord

with his President-

Mr. GOOD. Not at all. I hope the gentleman will not make the point of order on the item.

Mr. BLANTON. I make the point of order. The CHAIRMAN. The Chair sustains the The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

Not more than \$25,000 of the appropriation for "Promoting commerce, Department of Commerce, fiscal year 1922," may be used for personal services in Washington, D. C.

Mr. BLANTON. I make a point of order on the item, or I will reserve it, as I see the gentleman from Kentucky [Mr. KINCHELOE] is on his feet.

Mr. KINCHELOE. I want to reserve the point of order for the purpose of asking the chairman of the Committee on Appropriations how many additional Government positions are created in this bill as it is reported by the committee?

I can not tell the gentleman. Mr. GOOD.

Mr. KINCHELOE. Does not the gentleman have any idea

about that?

Mr. GOOD. No; I have not made any estimate as to that, and it would be a very wild guess for me to say, for instance, how the Secretary of Commerce would expend the fund-just exactly the number of clerks he would employ, salaries he would pay—but not very many clerks will be added by all the items in this bill. The Department of Commerce proposes to spend \$250,000 that was appropriated for the Census Bureau in helping industry, because Mr. Hoover thinks that would be more profitable. That would perhaps bring about a reduction in the number of clerks, because the expenditures would be for a personnel of a much more expensive kind than is found in the

begin cutting down these Government jobs, as he stated in a speech yesterday in New York?

Mr. GOOD. I will say to the gentleman, to be real frank, that there are very few that would be added to this bill by all these appropriations. While the bill carries \$100,000,000, as the gentleman knows, when he stops to think he will realize that \$60,000,000 is for the Shipping Board and that is not for Government clerks, not a dollar of it. There is \$15,000,000 for vocational training for the soldiers. That may involve a small number, but not many. There is \$9,000,000 for hospitals for the soldiers. That might involve a few. The big items in the bill will not increase the personnel in Washington; but I doubt if there would be as many clerks in the Department of Commerce next year if you adopt this provision as there will if you do not adopt it, if the Secretary carries out the law and expends all of the appropriation for the Bureau of the Census.

Mr. KINCHELOE. In the whole campaign last year the great shibboleth of the Republican Party was, "We are going to cut down the expenses of the Government, retrench in every way so that the people will get relieved from the great burden of taxation." I am frank to say that the Republicans won on that. Then every time a session of Congress closes the gentleman from Wyoming [Mr. Mondell], the Republican leader, gets up to show how much they had saved by cutting down the "estimates." And I remember how he rolled this claim under his tongue as a sweet morsel when he said that they had saved in the Sixty-sixth Congress over a billion four hundred millions by reducing the estimates from the several departments of the Government, and made the statement that the appropriations of the Government of every kind and character would not exceed for 1921, \$4,473,000,000; and now it turns out in a statement from Mr. Mellon, Secretary of the Treasury, that the expenditures of the Government for the fiscal year 1921 are going to be over \$5,600,000,000. That is more money than was ever appropriated in any Congress during any peace times in the history of this Republic. That means an average in taxes of \$56 a head for every man, woman, and child in the United States. I can say to the gentleman from Wyoming that the taxpayers do not care a tinker's damn about the reduction in estimates; what they want to know is how much you are going to reduce the expenditures of the Government, as you promised before the November election. [Applause.]

Now, in the face of that here comes this bill. We all know the reason the gentleman from Iowa could not tell exactly the number of new clerks, and I am not disposed to criticize him on that, but here is the creation of new offices, new jobs, undertaking to make expenditures for 1922 under the guise of a deficiency, when you can not create a deficiency at all until you expend all that is available under the regular appropriation bills that have been already passed for that purpose.

I hope the President meant what he said yesterday, that he is going to cut down the Government expenditures and decrease the officeholders in this Republic, but I must confess that the chairman of the Appropriations Committee is making a very poor start, if he has his way, in creating all the offices that are created in this bill. I think it is the duty of every Member of the House, regardless of which side he sits upon, to make points of order when it comes to creating new offices, especially when you appropriate for the year 1922, when there can not be a deficiency.

Mr. CANNON. Will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. CANNON. I never saw Mr. Hoover until he came into the appropriations room to be heard. I will confess that I had a prejudice against him although he had been for many years an official in the last administration. He captured me; that prejudice disappeared. Now, if the gentleman from Kentucky will turn to the hearings and read them they will prove very interesting. Here is the Department of Commerce, Mr. Hoover is in the Cabinet at the head of that department. I voted for this provision as well as for many other provisions that he recommended in making up the bill. I confess, as I said before, that I had a prejudice against him, but I did not know him and that has disappeared, and I believe he is going to make a great Cabinet officer.

The CHAIRMAN. Does the gentleman from Kentucky insist upon his point of order?

Mr. KINCHELOE. Mr. Chairman, I make the point of order

on the paragraph.

The CHAIRMAN. The Chair sustains the point of order. The Clerk read as follows:

Mr. KINCHELOE. There is no doubt that this bill provides for a great many additional clerks. The gentleman, then, does not have any idea when and where the President is going to

exceed two commercial attachés employed under said appropriation may be recalled from their foreign posts and assigned for duty in the De-partment of Commerce without loss of salary.

Mr. BLANTON. Mr. Chairman, I make the point of order

against the paragraph.

Mr. GOOD. In reference to this item it was explained that in some cases they did not need but one clerk and in other cases they did not need any clerk at all. At other important points they needed more than one clerk. To get a clerk that can speak our own language and is familiar with conditions here and who can also speak the language of the country where assigned was almost impossible—that is, to get the right man for a clerk who would assist the attaché for \$2,000 a year. This permits the department to pay as high as \$2,500 and permits it to employ a clerk or clerks in cases where he needs more than one.

Mr. BLANTON. The new Secretary seems to have captured the distinguished gentleman from Iowa as well as the gentleman from Illinois.

Mr. GOOD. I will say that the entire committee without regard to politics was impressed with the statement of Secretary Hoover that we are up against a serious situation in America to-day, and that we ought to do the big thing and the manly thing.

Mr. BLANTON. I am glad to see that the Secretary is grow-

ing in popularity.

Mr. GOOD. I hope the gentleman will not make the point

of order.

Mr. BLANTON. Mr. Chairman, until the gentleman hears from the President I think the item ought to go out, and I make the point of order.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

Export industries: For the establishment of industrial divisions in the Bureau of Foreign and Domestic Commerce, Department of Commerce, whose duties shall be to investigate in the United States and abroad, including Latin America and the Far East, and to report on domestic as well as foreign problems relating to the production, distribution, and marketing in so far as they relate to the Important export industries of the United States, including the employment of experts, special agents, and personal services in Washington, D. C., and elsewhere; transportation of persons; traveling and subsistence expenses; purchase of furniture and mechanical equipment, reference books, periodicals, trade journals, postage stamps, including special-delivery stamps, stationery and office supplies, and all other necessary and incidental expenses not included in the foregoing, to be expended under the direction of the Secretary of Commerce, fiscal year 1922, \$250,000.

Mr. BARKLEY. Mr. Chairman, I reserve a point of order against the paragraph. During the last Congress, when the legislative, executive, and judicial appropriation bill was under consideration, an effort was made by the Department of Com-merce, indorsed by practically all the commercial organizations of the United States, to get an appropriation of \$250,000 for the purpose of appointing commercial attachés and send representatives of the United States Government into foreign coun-If I recall correctly, the gentleman from Iowa not only refused to admit the item into the bill but actually fought it.

The gentleman is mistaken. That item was carried in the legislative bill, and I was not on the floor during

the consideration of that bill.

Mr. BARKLEY. I do not desire to do the gentleman any injustice, and I accept the gentleman's statement. But the effort was made to include the appropriation of \$250,000 in the last Congress in the legislative bill, and it was defeated.

Mr. GOOD. In company with the gentleman from Tennessee, was on the subcommittee on the legislative bill when we brought in for the first time a provision creating a department of commercial attachés, and, while I fear there is some overlapping between that and the State Department, I am satisfied that the commercial attachés have performed a very great

I have never said a word with regard to the work of the commercial attaches, except that I have felt that there was some overlapping between their work and the work of the commercial agents of the Department of State, and that that ought to be ironed out. I am told now that they have practically eliminated all friction between these overlapping activ-I sincerely hope so, and I hope that this point of order will not be made. This is the big item in the whole thing, and I sincerely hope the gentleman will not insist upon the point of order.

Mr. BARKLEY. The point I make is this: When we had under consideration the regular appropriation bill covering this department an effort was made to include an appropriation of \$250,000 for this purpose. The Congress refused to put it in the bill. Now, within two months after a change of on the part of our friends on the other side?

administration, gentlemen seek to get it in by an appropriation

in a deficiency bill.

Mr. GOOD. The item is carried for \$171,000 for commercial attachés for next year.

Mr. BARKLEY. But not for \$250,000.

Mr. WOOD of Indiana, Mr. Chairman, will the gentleman

Mr. BARKLEY. It is generally contended that the amount carried in the last bill was not sufficient, and it was argued here on the floor for an hour or two. I yield.

Mr. WOOD of Indiana. The gentleman is mistaken with reference to the time the argument was had. It was not with reference to the last legislative appropriation bill, but it was the bill of a year ago this last December.

I will state to the gentleman that the refusal of the committee to provide a larger appropriation at that time was because of the friction constantly going on between the commercial attachés and the Consular Service, and we hoped that by attracting the attention of the various departments and of the House to that thing there would be an ironing out of the difficulty and a better condition would follow. I understand that that has been done, and I am so informed by Mr. Carr, of the State Department, and by Mr. Hoover.

Mr. BARKLEY. I do not recall when this item was under consideration before that there was any argument about the friction between the two departments. The opposition was on

the ground that it was unnecessary.

Mr. WOOD of Indiana. Oh, if the gentleman will read the RECORD he will see that all of the argument in favor of the opposition was because of the overlapping friction between these gentlemen with reference to who was entitled to the amount for this purpose.

Mr. BARKLEY. I do not remember that argument. I know an effort was made to get this increase in the Department of Commerce, which happened to be under a Democratic adminis-The department asked for it, and the comtration at the time. mercial organizations of the country were insisting upon it, but it was refused. Now that a new administration has come in and a new Secretary of Commerce has asked for this, and there is a prospect for new Republican appointees, I can see where other gentlemen have also been recently captivated by the new Secretary of Commerce, who is a very captivating man. You now demand the \$250,000 as necessary to extend our commerce. I appreciate the hunger with which my friends on the other side look upon this item, and it gives me great pain to have to make the point of order, but it is very strange how earnest you are about it now that a Republican administration is in power, when you refused it while a Democratic administration was in power.

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman reserve the point of order for a moment?

Mr. BARKLEY. I will reserve it for two minutes.

Mr. BYRNS of Tennessee. Mr. Chairman, I hope the gentleman from Kentucky will not make the point of order upon this provision. Frankly, I do not believe that we have proceeded any further toward ironing out the difficulties and the duplication that has existed between the two departments than we had two years ago. The Secretary of Commerce states that he believes that they will be straightened out, and I feel sure they will be, but there have been no definite steps taken toward coordinating the services rendered by the State and Commerce Departments up to this time. I will say to the gentleman that there was a very strong reason two years ago why this appropriation should have been increased and an even greater reason at this time. I must confess that I am somewhat in sympathy with the statement made by the gentleman from Kentucky [Mr. BARKLEY] with reference to the failure to make this appropriation two years ago, but, gentlemen, I do not think that this is a question upon which we should play politics. The business of the country and the interests of the country demand the promotion and extension of our commerce, domestic and foreign. I believe we ought to give every possible aid to the administration in developing our commerce in the interest of the whole country. I have always stood for liberal appropriations for the Bureau of Foreign and Domestic Commerce, because it has great possibilities, and I want to say that I believe the present Secretary of Commerce, if given the opportunity, will greatly promote and extend our commerce and render a great service.

Mr. GARNER. Mr. Chairman, will the gentleman yield? Mr. BYRNS of Tennessee. Yes.

Mr. GARNER. Does the gentleman mean to say by that argument that failure to appropriate two years ago was politics

Mr. BYRNS of Tennessee. The gentleman can draw his own conclusions. I was simply led to make that remark by the statement made by the gentleman from Kentucky [Mr. BARKLEY], because I recall a number of instances on this floor when I have earnestly endeavored to get greater appropriations for the Bureau of Foreign and Domestic Commerce, but without success. I have always been in favor of giving every necessary appropriation to this important work, and I am in favor now of giving the Secretary of Commerce every dollar that he thinks he can reasonably use for the promotion and extension of our domestic and foreign commerce, because if there ever was a time when it was needed, it is needed now. We have just come out of a great war and we are now facing a commercial war. England and France and other countries are expending more money than our country along this line for the extension of their commerce. We have the resources and certainly our Government ought to take steps to develop those resources and to develop the country.

Farm products are selling below the actual cost of production, thousands are out of employment, and business is suffering throughout the country. The opening and development of foreign markets for the products of the farm and factory will tend to greatly relieve the situation and bring prosperity to every class of our citizenship. This is what the Secretary has in mind, and for my part I would not only throw no obstacles in his way but I would afford him every encouragement and facility which Congress can give him for that purpose. There is no reason why our foreign commerce should not be extended to all quarters of the world. I hope that Congress will not put itself in the position that it may be held even partially responsible for a failure to capture the markets of the world. I hope the gentleman will not make the point of order.

Mr. CONNALLY of Texas. Mr. Chairman, I hope the gentleman from Kentucky will not make the point of order.

Mr. GOOD. Mr. Chairman, may we have the regular order? understand the gentleman from Texas desires some time and have no objection to his having it.

Mr. CONNALLY of Texas. I want to talk on this point. I desire to discuss the item making an appropriation for the investigation of foreign markets and commerce. I sincerely hope the gentleman from Kenutcky [Mr. Barkley] will not make the point of order. My service of several years on the Committee on Foreign Affairs has led me to the conclusion that our Government, in its foreign machinery for ascertaining information with reference to foreign trade, is not up to the high standard maintained by other commercial nations. To-day we are suffering, especially in South America and in Mexico, as well as in other portions of the globe, from foreign influences. I agree with the gentleman from Tennessee [Mr. Byrns] that it is of the utmost importance that the Department of Commerce have sufficient appropriations at this time for building up its foreign trade machinery, because by reason of the war and its readjustments it is imperative that America act quickly to secure foreign markets for American goods and to open up European markets, now temporarily stagnant and deranged. American cotton, wheat, and manufactured goods must be marketed to bring prosperity to the producers at home.

There are difficulties in the way which have not been so acute in former years. We are going to find in South America a feeling against this country on account of our tariff laws. I have in my hand several news clippings from Argentina and other South American countries threatening a tariff against the United States because of our tariff policy, and I deem it highly important that we maintain the foreign service of the department. The Republicans claim that the American manufacturer can not compete in the United States with foreign goods, even though foreign goods must bear the freight from abroad to the United States. The same Republicans contend that American manufacturers can and must compete in foreign countries with England. Germany, and France-after adding to the American cost of production the freight to the foreign markets. It is going to be rather difficult for the Bureau of Domestic and Foreign Commerce to reconcile this contradiction-to ascertain how it is possible that products here in America can not compete with the foreign article after the foreign article has been transported from Europe to the United States, and yet how the manufacturers can pay the cost of the production of that article in America, ship it across the sea, pay the freight, and put it in a foreign country and there compete with German, English, and French goods. I think it will be a very enlightening and in-structive piece of information, and I dare say if there is one man on the Republican side who can ascertain that fact it is the present Secretary of Commerce. When he demonstrates that American goods can compete in foreign countries he will explode the Republican claim that they can not compete at home. From his close contact with world affairs he will know

best how to promote American manufactures and American products in foreign countries. I hope that the gentleman from Kentucky will not make the point of order, and that we shall do everything that is reasonable in the way of developing American foreign trade. I want to see American foreign trade developed and given the fullest and freest opportunity throughout all the world. It will redound to the benefit not only of the American manufacturers but of every other interest in the United I am for tearing down the artificial barriers and for proclaiming to all the world that America, with her resources and her initiative and her industry, can compete in full and fair contest with other nations. Until we do come to that conclusion we shall never successfully maintain a large volume of foreign trade, for talk alone does not sell goods. You have got to have a product that can compete with your competitor's product, and the only way America can build up a foreign trade is to go into the markets of the world with the other nations of the world and outsell them, because we will sell the best article for the lowest price. [Applause.]
Mr. BARKLEY. Mr. Chairman, I am going to withdraw the

point of order-

Mr. BLANTON, Mr. Chairman, I renew the point of

The CHAIRMAN. The gentleman from Texas does not have the floor.

Mr. BLANTON. But before the gentleman starts I desire to renew the point of order.

The CHAIRMAN. But the gentleman from Texas has

not the floor.

Mr. BLANTON. I did not want to be kept from making the point of order.

Mr. BARKLEY. Mr. Chairman, I appreciate to the fullest extent all that has been said by the gentleman from Tennessee [Mr. Byrns] and by the gentleman from Texas [Mr. Connally]. I made this point of order largely to call attention to what I called attention to in my former remarks. The people of my district have suffered to a very large extent and very seriously from a financial standpoint because of the fact that they have no foreign market for the sale of the products of that great State; and one of the reasons why I was so earnest in hoping heretofore that this item should have been included in the proper appropriation bill was in order that we might send these commercial attachés and representatives of the United States into every foreign country in the world in order to build up markets for those products which are now depreciated in value and going to waste because of the lack of a foreign market. I think am in a position to appreciate the need of just such a force as this, but it is unfortunate for the rules of the House that the Appropriations Committee is atttempting to create a reorganization of the Department of Commerce on a deficiency bill, because that is what this amounts to. Now, I think that an item of this kind ought to go in, and I think that nobody can contend that we do not need more foreign representatives to look after our commercial interests. Great Britain has sent distinguished men into South Africa so as to build up and extend British trade. France has done the same thing. Italy only a few months ago sent an ex-premier to South America in the interest of trade for the great Italian Kingdom. Surely the United States can not afford to see these activities in progress among other nations and at the same time refuse to do anything ourselves, and particularly is that true of South America, which ought to be the great field of American commerce in the future; and because I believed an item of this importance ought to have gone into the bill two years ago and a year ago, I am willing to withdraw the point of order, hoping that the gentleman from Texas will not renew the point of order, because I believe that the item itself will be of great benefit to the people of the United States from every standpoint.

Mr. BLANTON. Mr. Chairman, I renew the point of order. The CHAIRMAN. The gentleman from Texas renews the point of order. The Chair is ready to rule unless the gentleman wishes to discuss the point of order.

Mr. BLANTON. If the Chair will permit me, I would like to state the reason I rose a moment ago to insist on the point of order. I understand from the rules of the House that unless a point of order is made immediately upon its being withdrawn or reservation made, you would waive it through argument. The gentleman from Kentucky [Mr. Barkley] had withdrawn his reservation. I had to renew it before argument. I intended no discourtesy to the Chair. I was only trying to uphold the right I had under the rules of the House.

I want to call the attention of the gentleman from Indiana [Mr. Wood to the fact that it is true, as he said, that this matter came before the House a year and a half ago, and if it is important, we have had plenty of time during the year and

a half to have brought it before the House through the proper legislative committees, and I probably would have supported it, but coming in a deficiency bill at this late hour, I think it is out of place. I make the point of order, Mr. Chairman, because this \$250,000 is a large sum of money, and should come through the proper legislative committee in a legislative way, and not as a deficiency in an appropriation bill.

The CHAIRMAN. Will the gentleman state what is the

Mr. BLANTON. That it is not a deficiency, but legislation on a deficiency appropriation bill without authority of law.
Mr. GOOD. There is plenty of authority of law for it.
Mr. BLANTON. And it covers 1922, and this is supposed to be a deficiency bill for the year 1921.

The CHAIRMAN. The Chair is informed that there is authority of law for the appropriation and can not sustain the point of order on that ground. The gentleman from Texas makes the point of order that this is not a deficiency, and is for the ensuing year, and the Chair sustains the point of order.

Mr. GOOD. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. Good offers the following amendment: Page 45, after line 17, insert as a new paragraph:

"To enable the Bureau of Foreign and Domestic Commerce to investigate and report on domestic as well as foreign problems relating to the production, distribution, and marketing, in so far as they relate to the important export industries of the United States, including personal services in the District of Columbia and elsewhere, and all necessary, incidental expenses connected therewith, \$250,000."

Mr. BLANTON. Mr. Chairman, I make the point of order that the amendment is legislation on an appropriation bill, unauthorized by law, and that it is not a deficiency. There has been no estimate for such a deficiency for this fiscal year. The only estimate that has been made before the committee was for the fiscal year 1922, and the committee has no estimate for a deficiency for the present fiscal year of money already expended.

Mr. GOOD. That is not the question of the point of order. The only question is whether this is an authorized expenditure. And it is for the House to determine whether or not it wants to

vote that sum of money for the present fiscal year.

Mr. BARKLEY. Is it not a fact that the last appropriation bill carried an appropriation for an item similar to this, and this would operate merely as an increase of the appropriation?

Mr. GOOD. Yes; but I hope before we get through with

Mr. BARKLEY. That explains the gentleman's contention, does it not?

Mr. GOOD (continuing). We will have a chance to perfect an amendment.

The CHAIRMAN. The gentleman from Iowa offers an

amendment, which reads: To enable the Bureau of Foreign and Domestic Commerce to investigate and report on domestic as well as foreign problems relating to the production, distribution, and marketing, in so far as they relate to the important export industries of the United States, etc., \$250,000.

This item is in a deficiency appropriation bill. The Chair can not take judicial notice of the fact that it is for any other time than for the year for which deficiencies are appropriated in this bill and overrules the point of order made by the gentleman from Texas. The question is on the amendment offered by

the gentleman from Iowa [Mr. Good].

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

BUREAU OF STANDARDS.

The sum of \$250,000 of the appropriation of \$1,000,000 for the Bureau of the Census for the fiscal year 1922 is transferred to the Bureau of Standards and made available during that fiscal year for the following purposes and in the following amounts, respectively:

Mr. BYRNES of South Carolina. Mr. Chairman, I reserve a point of order on this paragraph for the purpose of asking the gentleman from Iowa a question. This paragraph makes available \$250,000 of the appropriation of \$1,000,000 for the Bureau of Census. Does the gentleman believe that it is practicable to take from the Bureau of Census \$250,000 for the fiscal year?

Mr. GOOD. The Secretary of Commerce said that they would save \$500,000, but he hoped that we would not take more than \$250,000, as some conditions might arise where he would want

Mr. BYRNES of South Carolina. This \$1,000,000 was provided by the legislative committee, the committee of which the gentleman from Indiana [Mr. Wood] was chairman, and passed only in February, was it not?

Mr. GOOD. Yes.

Mr. BYRNES of South Carolina. And the gentleman says that we appropriated \$250,000 more than was needed by that

Mr. GOOD. He says he can get along with \$750,000 for the next year, and doubts if he can expend that amount, but does not want us to take more than \$250,000 away. But in-

Mr. BYRNES of South Carolina. Mr. Chairman, I am going

to make the point of order on the paragraph.

The CHAIRMAN. The gentleman from South Carolina makes the point of order on the paragraph. It is clearly a change of existing law, and the Chair sustains the point of The Clerk will read.

Mr. BYRNES of South Carolina. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. Byrnes of South Carolina: Page 46, line 10, insert: "Bureau of the Census: The sum of \$250,000 of the appropriation of \$1,000,000 for salaries and expenses of the Bureau of the Census for the fiscal year 1922 shall be carried to the surplus fund and be covered into the Treasury immediately upon the approval of this act."

Mr. GOOD. Mr. Chairman, I make the point of order that

that is not germane, and is legislation.

Mr. BYRNES of South Carolina. Mr. Chairman, as to its being germane, I do not think there can be any doubt, under the appropriations for the Department of Commerce. Furthermore, it reduces the salaries of the officers of the United States Government, and certainly is in order.

Mr. GOOD. This paragraph is under the Bureau of Stand-

ards. We have no paragraph covering the Bureau of the Census.
Mr. BYRNES of South Carolina. The Bureau of Standards paragraph that has been read.

Mr. GOOD. That is not in the bill. There is no place in the

bill that refers to the census at all.

Mr. BYRNES of South Carolina. It refers to the Department of Commerce, and the Bureau of the Census is only a bureau of the Department of Commerce, and the Department of Commerce is in the bill, these various appropriations being carried under the head of the Department of Commerce.

The gentleman from Iowa has said that the Secretary of Commerce says he has \$500,000 more appropriated for the Census than he needs, and I am seeking to cover back into the

Treasury \$250,000.

Mr. GOOD. I did not make the statement that broad.

Mr. BYRNES of South Carolina. Two hundred and fifty thousand dollars by this amendment is to be covered back into the Treasury, the \$250,000 that he says he has no need for and no use for. I hope the gentleman will not make the point of order against the amendment, inasmuch as the Secretary says he has no use for it.

Mr. GOOD. Before the bill becomes a law he will be able to

use it for the purpose the Secretary has in mind.

The CHAIRMAN. On what theory does the gentleman from South Carolina contend that his amendment is in order?

Mr. BYRNES of South Carolina. We are appropriating for the Department of Commerce, and the Bureau of the Census is one of its bureaus.

The CHAIRMAN. We are appropriating for what year? Mr. BYRNES of South Carolina. This bill is presumably for the year 1921. But under the Holman rule I submit that if the amendment shows on its face that it reduces the salaries of officers of the United States Government, it is in order. If the Chair will consult that rule I think he will see the reason why I urge the amendment. That is one of the cases where, under the provisions of that rule, an amendment is in order, if it is shown that it reduces the salaries of the officers of the United States Government. The money referred to in the amendment was carried on the original bill for salaries and expenses of the

Bureau of the Census. Mr. GOOD. Does not the gentleman stretch the rule of

germaneness?

Mr. BYRNES of South Carolina. I was answering the in-quiry of the Chair as to germaneness. It is the Department of Commerce that is now under consideration, and under it the Bureau of the Census. By referring to the statute the Chair will see that it is one of the bureaus of the Department of

So much on the question of germaneness. If it is germane, it reduces the salaries of officers of the United States Government by covering back \$250,000 of the \$1,000,000 directly appropriated in the legislative act for salaries in the Bureau of the Census.

The CHAIRMAN. Does the gentleman from South Carolina contend that the amendment is germane at the point where it is

offered?

Mr. BYRNES of South Carolina. I submit that it is only under the Department of Commerce that it would be germane; and the Bureau of Standards paragraph, having been eliminated from the bill, it is as much in order here as it would be at the end of the next page, page 47. If that is eliminated, this is the last place where it could be offered under the Department of It would not be in order under the Navy Department or under the War Department but under the Department of Commerce it would be in order. The next paragraph on the next page shows that the next department is the Department of Labor. It is in order because it is one of the bureaus of the Department of Commerce. As has been suggested to me, the Chair should take official cognizance of the law which provides that the Bureau of the Census is a part of the Department of Commerce and not of any other department of the Government.

The CHAIRMAN. The Chair is ready to rule. This bill deals with deficiencies for the years 1921 and prior fiscal years. The amendment offered by the gentleman from South Carolina [Mr. Byrnes] deals with an appropriation made for the year 1922. The Chair has ruled that items dealing with the year 1922 are not in order on this bill. The Chair has no reason to regret any decision made with respect to the former items that have gone out on points of order, and the Chair does not believe that the amendment is in order at this time on this bill, and therefore sustains the point of order. The Clerk will read.

The Clerk read as follows:

For continuation of the investigation of structural materials, such as stone, clays, cement, etc., including personal services in the District of Columbia and in the field, \$50,000.

Mr. WINGO. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Arkansas reserves a point of order.

Mr. GOOD. I will ask the gentleman to make his point of order. But the paragraph is not subject to a point of order.
Mr. WINGO. Mr. Chairman, a parliamentary inquiry.
The CHAIRMAN. The gentleman will state it.

Mr. WINGO. Does not that all go out in view of the fact that all from lines 10 to 15 has gone out?

The CHAIRMAN. The paragraph that went out is the para-

graph between lines 11 and 15, inclusive.

Mr. WINGO. Here is the idea: You can not put anything in a bill by taking something out. This one is included in the paragraph that is provided for in the language from line 11 to line 15; in other words, expenditures for the year 1922. is part of it.

The CHAIRMAN. Does not the gentleman from Arkansas understand that the bill is being read by paragraphs and that

each paragraph must be sustained or otherwise?

Mr. WINGO. Certainly, but the Chair in ruling on it must take the bill as a whole. Even though you have knocked out a part of it, you must find out what the paragraph is. You can not say that this a deficiency, because the division on its face, when you consider it under the subheads, provides for the fiscal year 1922.

The CHAIRMAN. The Chair can take judicial notice that

it is not a deficiency.

Mr. WINGO. You must not only take judicial notice, but you must take ocular notice of the bill, and the bill shows that it is for 1922. Does the gentleman from Iowa claim that there is a deficiency for 1921?

Mr. GOOD. I am asking now for a deficiency for 1921.

Mr. WINGO. Is there a deficiency for 1921? Mr. GOOD. Yes.

Mr. WINGO. How much? Mr. GOOD. I do not know.

Mr. WINGO. Who said so? Mr. GOOD. I do not know. [Laughter.]

Mr. WINGO. Is there an estimate for it? Has the gentleman brought in here an item without an estimate?

Mr. GOOD. Oh, yes. We have put in several items without estimates, and they have been passed. We put in the items for the two boats for the fish-hatchery station. There is no estimate for them.

Mr. WINGO. Who came before the committee and made an estimate here for the present fiscal year for a deficiency on this investigation?

Mr. GOOD. The gentleman has the hearings. He can read them and find that out for himself.

WINGO. Oh, yes. I have the Library of Congress at hand that I can consult, if I want to.

Mr. GOOD. The gentleman has been appointed by the leaders over there to conduct this filibuster, and he must read for himself. [Laughter.]

Mr. WINGO. I am not conducting a filibuster, but trying to cut out increases not authorized.

Mr. GOOD. If it is not that, I do not know what you would call it.

Mr. WINGO. That is right. You do not know what to call [Laughter.]

Mr. GOOD. I say, Mr. Chairman, it is not necessary under all the decisions that there shall be a deficiency in order to

report a deficiency bill for any fiscal year. That has been held repeatedly.

Mr. WINGO. Yes; I knew a man once who in an hour of mental aberration held that the moon was made of green cheese; but I never thought that under the leadership of the gentleman from Iowa there would be brought in here a deficiency bill asking to give a department something in the way of a deficiency when nobody from that department had estimated any deficiency, and it is conceded it does not need the money. I thought the gentleman from Iowa was too much of an "economist" to do that. You talk economy, but do not practice it. This bill is typical. Instead of reducing the number of clerks and officeholders in Washington this bill creates new offices, expensive new boards and commissions, thousands of new clerks, and adds to the operating expenses of the Government millions of dollars. That is the way you are redeeming your pledge of economy. Such waste and extravagance is an outrage.

Mr. GOOD. The chairman has always held that that was a matter that rested with the sound discretion of the House whether or not it would grant a deficiency. If the bill carries an actual deficiency of \$1,000, it is in order to increase it to \$1,000,000 if necessary, if the proposed increase is germane. It rests with the sound discretion of the House.

Mr. WINGO. That is not germane to the point I want to

impress on the Chair.

The CHAIRMAN. The Chair does not care to hear further discussion of the point of order. The Chair is ready to rule.

Mr. BYRNES of South Carolina. Will the Chair hear me

The CHAIRMAN. The Chair will hear the gentleman.

Mr. BYRNES of South Carolina. I want to submit that the Chair has before him in this bill, in the preceding paragraph, the statement that this amount is for the fiscal year 1922. It is to be made available. Now, the Chair certainly—
The CHAIRMAN. That item is not in the bill.

Mr. BYRNES of South Carolina. But the Chair knows that it was for the year 1922. Nothing has occurred of which the Chair has any cognizance to change it and make it for 1921. There is no assurance that there is any deficiency. There is no estimate submitted. The chairman has said so, and I know that he will so state.

Mr. GOOD. Will the gentleman yield? Mr. BYRNES of South Carolina.

Mr. GOOD. The gentleman voted yesterday to put in \$200,000 for the enforcement of national prohibition. there an estimate for that?

Mr. BYRNES of South Carolina. I did not vote for it, as a matter of fact.

Mr. GOOD. I thought that whole side of the House voted

Mr. BYRNES of South Carolina. I was not in the Hall at the time, but if I had been here I would have voted for it.

Mr. GOOD. I am sure the gentleman from Arkansas voted for it.

Mr. WINGO. Certainly.

Mr. GOOD. And there was no estimate for it.

Mr. WINGO. I know there was not any estimate for it.
Mr. BYRNES of South Carolina. If I had been here, I would have voted for it.

Mr. WINGO. That was a plain deficiency. I voted for it on the gentleman's own statement. The gentleman by his own statement showed mathematically that \$200,000 less was appropriated than had been estimated for.

Mr. GARRETT of Tennessee. Mr. Chairman, I do not see any necessity for any display of heat concerning this matter, but it does seem to me that in the interest of orderly procedure the

paragraph should be carefully looked at by the Chair.

The paragraph that has just gone out on a point of order is not complete in itself. Under the practice of the House appropriation bills are read by paragraphs. All other bills are read by sections. Now, the paragraph which has gone out on a point of order is not complete. The punctuation at the end of it is a colon. This subsequent paragraph, to which the gentleman from Arkansas has reserved a point of order, is merely one item of that which is contained in the first paragraph that has gone

out on the point of order. So is the next paragraph which fol-It does seem to me that as a matter of common sense, that being merely an integral part of the subject matter that was involved in the first paragraph, it would be in order to make a point of order against it. Perhaps it ought not to be made. Perhaps it would not go out by reason of the paragraph preceding it going out on a point of order, but since the point of order has been made against the preceding paragraph and since order has been made against the preceding paragraph, and since the punctuation itself shows that it is directly connected with that, I confess I can not see— Mr. GOOD. Will the gentleman yield?

Mr. GARRETT of Tennessee. I yield to the gentleman.

Mr. GOOD. Of course, it was necessary for the gentleman to make the point of order as soon as the paragraph was read, or he would have waived the point of order. Now he has made the point of order to the only provision in the whole page that is subject to a point of order. But having done that, and it having been sustained, the rest of the provision stands as it is and is presented to the sound judgment of the House to say whether they will vote for it.

Mr. GARRETT of Tennessee. Let me ask the gentleman, as a matter of fact, is not this paragraph now under discus-

sion directly connected with the first paragraph?

Mr. GOOD. Not now. It was.

Mr. GARRETT of Tennessee. That was while the paragraph was in the bill.

Mr. GOOD. It was connected with it, but it was a separate paragraph and it did contain references to items that followed it. I do not see how the gentleman could do anything else than just what he did, which was to make the point of order to that paragraph. If he had not done so, he would have waived the point of order. The other provision stands, and the gentleman knows that the Chair can not tell, as it has been held a great many times, whether there is a deficiency or not. Now, yesterday we added \$200,000 to this bill for the enforcement of the prohibition law. There was no estimate for that. I do not know to this day whether there is a deficiency or not. I have no way of knowing. It has not been communicated to Congress. Yet I could not have made a point of order to that

amendment. Mr. GARRETT of Tennessee. The thought in my mind, I will say to the gentleman, is not whether there is a deficiency The thought that is in my mind is that this paragraph beginning in line 16 and extending through line 19 is directly connected with the paragraph from line 11 to line 15.

Mr. GOOD. No; it is not connected in such a way that it would have changed the rule so as to allow the gentleman to withhold his point of order until the whole of the items had been read. The gentleman would have to waive the point of order if he had waited.

Mr. GARRETT of Tennessee. Of course, but since it is admitted that it is connected with the preceding paragraph, then I respectfully submit that the Chair can not as a common-sense proposition now hold that because this item with which it is directly connected has gone out, therefore it stands alone. That does not seem to me to be good sense. I may be mistaken

Mr. GOOD. Let me ask the gentleman this question. The wording in line 10 is the Bureau of Standards and suppose the whole item went out. Does the gentleman mean to say that I or some other member of the committee could not offer as an amendment the items contained in lines 16 to 25 as deficiencies and not be subject to a point of order?

Mr. GARRETT of Tennessee. I do not know how that

would be.

Mr. GOOD. It would not be subject to a point of order. That being the case it is perfectly plain that it is not subject to a point of order now.

Mr. GARRETT of Tennessee. If it is connected with the

paragraph that has gone out on the point of order I will adopt

the reasoning

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. GARRETT of Tennessee. Yes. Mr. SANDERS of Indiana. Suppose the paragraph that went out on a point of order had been stricken out as an amendment. The other two paragraphs would remain in just the same. When it goes out on a point of order is it not the same effect as if it went out on an amendment?

Mr. GARRETT of Tennessee. Not necessarily. I take it that if the first paragraph had gone out by amendment the others

would have gone out also by amendment.

Mr. SANDERS of Indiana. Not necessarily.

Mr. GARRETT of Tennessee. That would follow as a result, I think, but perhaps not necessarily.

Mr. WOOD of Indiana. Will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. WOOD of Indiana. If the three items were in order and the point of order was sustained, it could be reinserted by amendment, so the very thing could be accomplished in that way.

Mr. GARRETT of Tennessee. I am predicating my theory on the statement of the gentleman from Iowa that this second paragraph is connected directly with the paragraph that went

out on a point of order.

Mr. WOOD of Indiana. The first paragraph having been taken out and each one of the other three items are complete in themselves because they do not depend on the first item. Now, the first item has gone out. Of course, the three items make the sum total of the amount appropriated in the first item. That item having gone out, the other three items being germane, there is no reason on earth why they should be affected by the first item going out on the point of order.

The CHAIRMAN. The point of order was made to lines 11

to 15, inclusive, carrying an appropriation of \$250,000 out of an appropriation of \$1,000,000 for the Bureau of Census. The Chair sustained the point of order to eliminate those lines. That leaves an item for the Chair to decide under the Bureau

of Standards .

For continuation of the investigation of structural materials, such as stone, clays, cement, etc., including personal services in the District of Columbia and in the field, \$50,000.

That language is clearly in order on a deficiency appropriation bill. It is not for the Chair to strike it out. If it is not proper in the bill any member of the committee can move to strike it out. A similar question arose earlier in the day, and the Chair read a decision that was similar in principle. Chair overrules the point of order made by the gentleman from South Carolina.

Mr. WINGO. Mr. Chairman, I move to strike out the para-

The CHAIRMAN. The gentleman from Arkansas offers an amendment, which the Clerk will report.
The Clerk read as follows:

Mr. WINGO moves to strike out, on page 46, lines 16 to 19, inclu-

Mr. GOOD. Mr. Chairman, can not we agree on time for debate on this motion? I want to finish the bill to-night.

Mr. WINGO. The gentleman from Tennessee wants 10 minutes and I want 5 minutes and the gentleman from South Carolina 5 minutes.

Mr. GOOD. I think that is too much time, because we want to finish the bill to-night. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto close in 15 minutes.

Mr. WINGO. That is allowing 10 minutes to the gentleman from Tennessee. I will forego my five minutes.

Mr. GOOD. No; I want five minutes myself.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on the paragraph and amendments thereto close in 15 minutes. Is there objection?

Mr. WINGO. Mr. Chairman, I object. Mr. Chairman, there is no necessity for the gentleman to think that he can drive. Here is a proposition on which time has been wasted by the gentleman from Iowa, who says that now he wants to expedite the time when he knows that the item has been retained by a strained construction as being in order. There is no deficiency. It does not provide any deficiency for the current fiscal year, but what it is proposed to do is to transfer for use during the fiscal year of 1922 \$250,000 from the census appropriation, and of that sum \$50,000 is to go to these gentlemen who are playing with stone and cement, when, as a matter fact, those of you who have been studying the use of structural stone and cement in building operations know that the best experiments, up-to-date experiments, are not conducted by the Bureau of Standards but by private concerns. It is admitted by the committee in bringing in this bill that they do not need it for the current fiscal year, but under the ruling of the Chair you are going to give them \$50,000 when they do not ask for an additional

Mr. GOOD. Mr. Chairman, I move that all debate on this paragraph and all amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman from Iowa moves that all debate on this paragraph and all amendments thereto close in

The question was taken; and on a division (demanded by Mr. Wingo) there were 62 ayes and 33 noes.

Mr. Wingo. Mr. Chairman, I make the point that there is no quorum present.

The CHAIRMAN. The gentleman from Arkansas makes the point that no quorum is present; the Chair will count. [After counting.] One hundred and eight Members present, a quorum. The motion is agreed to.

Mr. BYRNES of South Carolina. Mr. Chairman, I made a point of order against this paragraph, and I support the motion to strike it out for this reason: This Congress was in session a few months ago. The committee of which the gentleman from Indiana [Mr. Wood] is chairman went into the question of the appropriation for the Department of Commerce with great care and with an honest effort to conserve the Treasury of the United States, and at the same time give such funds to this department of the Government as it actually needed.

Sitting with him from that side of the House there was the gentleman from New Hampshire [Mr. Wason] and the gentleman from Minnesota [Mr. Davis]. After the most careful consideration of this estimate of the Department of Commerce for \$175,000 the committee recommended that the Congress should appropriate \$125,000. They came into the House, and sitting here you heard the explanation of the item in the bill. formally voted for \$125,000. The matter went to the Senate, and the Senate agreed with your judgment. Now, here within two months, there comes an appeal by the department from the decision of the Congress, and what new evidence is offered? What after-discovered evidence is brought here to warrant you in reversing your judgment and to give to this department for the next fiscal year, not \$125,000, but every dollar that they asked for the next fiscal year? In effect they say to you, "We demanded \$175,000, and you had the temerity to reduce it to \$125,000, but we come back here now, before the end of the fiscal year, before any necessity is apparent, and say that we want what we asked for, and not one cent less will be taken." Are you going to do it? They demand every dollar of the \$175,000, on an appeal from the decision of the Congress.

Then the gentleman from Iowa, the chairman of the committee, asks you not only to do that but to do something worse than that. He asks you to vote for \$50,000 as a deficiency for the Bureau of Standards, to experiment in the investigation of stones, clays, and cement. Fifty thousand dollars for the balance of this fiscal year! This bill will not become a law until June 5 or 6 at the earliest. Therefore, he wants you to give this bureau \$50,000 to spend in three weeks prior to July 1. What a position to put yourselves in! They asked for \$175,000 for the next fiscal year, and you gave them \$125,000, and now the gentleman from Iowa says, "Let us give them \$50,000 for the three weeks prior to July 1." For what purpose? He says they want it for the next fiscal year. I challenge any man to show that the Secretary of Commerce or the Director of the Bureau of Standards has asked for a single dollar for the time that is to expire between now and July 1. He asked for it for the next fiscal year. You, pledged to economy, say, will not even wait until the next fiscal year, but we will just will not even wait until the next iscal year, but we will just throw you \$50,000 now to let you work on your experiments in cement and clay prior to July 1." How can you explain such a record? Are you going to do it simply because you are asked to do it? Simply because you are asked to do an unwise thing—I had almost said a foolish thing—are you going to do it because the chairman of the committee asks you to do it? Then what becomes of the economy plea of my good friend from Indiana [Mr. Woon], who would not give them more than \$125,000 for the next year, and of my friend from New Hampshire [Mr. Wason], and of the gentleman from Minnesota [Mr. Davis]? Are you going to reverse them just because the Secretary of Commerce and the director of a bureau say to you "We asked for this \$50,000 and we want -stand and deliver "?

The CHAIRMAN. The time of the gentleman from South

Carolina has expired.

Mr. GOOD. Mr. Chairman, I believe that by granting this appropriation some way will be found so that at least a goodly part of it will be available for the next fiscal year. It is apparent that items of this kind are obnoxious to some gentlemen in the House. Personally I think that the other side of the aisle is making a great mistake in its refusal to follow the gentleman who has refused to play politics with the bill. If the other side of the House had followed the courageous leadership of the gentleman from Tennessee [Mr. Byrns], it would have resulted more advantageously to them politically and in every other way than by this maneuvering that we are now passing through. The Secretary of Commerce explained to us that building costs are so high to-day that it is almost impossible for a poor man to acquire a home. It was explained to us that not more than 10 per cent of all of the cement manu-factured and tested by the Government passed the Government test, and the Secretary of Commerce believes that if he is per-

mitted to standardize the clay products so that the costs can be reduced, manufacturers will be able finally to effect a reduction of 20 per cent in all of the building activities of the Government. I am willing to try him out. I believe that the American people are willing to try him out. He pointed out to us how some of these things can be accomplished, and if perchance the bill is not amended in other particulars so as not to carry this appropriation over into next year the money will not be expended, and not a dollar will be wasted. It seems to me that the least we can do when the country is demanding cheaper homes is to appropriate a small sum of money if by that appropriation we can reduce the cost of building everywhere, and that is the purpose of this provision. It is constructive. The agencies against the provision are destructive. On this side we want to help American industry and the American home builder, to help the home builders of America so that the poor man may, perchance, some time have his dream of owning a home come true. Everything we can do in that direction we propose to do. You on the other side of the aisle do not want to see these results accomplished. If by the expenditure of the small sum of \$250,000 for all these items the Secretary of Commerce can do what he believes can be accomplished in reducing the cost of production by proper standardization, then I say it is well worth while, and I hope the provision will not be stricken out and that the motion may be defeated. I ask for a vote.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Arkansas.

The question was taken, and the Chairman announced the

noes appeared to have it.

On a division (demanded by Mr. Wingo) there were-ayes 29, noes 62

So the amendment was rejected.

The Clerk read as follows:

For technical investigations in cooperation with the industries upon fundamental problems involved in industrial development following the war, with a view to assisting in the permanent establishment of the new American industries developed during the war, including personal services in the District of Columbia and elsewhere, \$100,000.

Mr. DAVIS of Tennessee. Mr. Chairman, I move to strike out the paragraph.

Mr. WINGO. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. GOOD. Mr. Chairman, I ask that the point be made now. I call for the regular order.

The gentleman does not care to give the gen-Mr. WINGO. tleman from Tennessee

Mr. GOOD. I do not object to the gentleman taking five minutes; but let the point be decided. It is not subject to a point of order, but I would like to get along with the bill.

Mr. WINGO. I do not think the gentleman ought to shut out the gentleman from Tennessee. He has done it twice.
Mr. GOOD. I ask for the regular order.

Mr. WINGO. I was pursuing the customary course in reserving the point of order.

Mr. GOOD. I call for the regular order. Mr. WINGO. · Oh, well, if the gentleman wants to pursue that kind of tactics, I can make the point of order. The point of order is it is new legislation. I will repeat, in addition to what has been offered before, that on the face of the bill it shows it is for 1922, even if offered for 1921. There is no deficiency, it does not claim to meet a deficiency, there is no authority of law, it is new legislation, and proposes to conduct an investigation of things that are not authorized by law, and there is absolutely no authority of law for it.

The CHAIRMAN. There is authority of law.

Mr. WINGO. Not for this.

The CHAIRMAN. The law creating the bureau authorized these activities

Mr. WINGO. Oh, the law creating the bureau was passed before the war took place, and it could not provide for an investigation by a bureau of problems which developed following the war. It would be absurd to say that. The bureau was created before the war.

The CHAIRMAN. The decisions of the Chair enlarging the activities of the Department of Agriculture and all departments of the Government, including the Departments of Commerce and Labor, have under the general authority, which is very sweeping in the creation of this department, held in order items for

activities of this kind in appropriation bills.

Mr. WINGO. Does the Chair rule that under general authority establishing a bureau that you can authorize special investigations of industrial projects that are created subsequently and growing out of subsequent acts that the Chair would take judicial note have arisen since its creation? The Chair certainly would not want to go that far.

The CHAIRMAN. This item comes within the general scope of the activities of the Bureau of Standards, which are as fol-

The functions of the bureau shall consist in the custody of the standards; the comparison of the standards used in scientific investigations, engineering, manufacturing, commerce, and educational institutions with the standards adopted or recognized by the Government; the construction, when necessary, of standards, their multiples and subdivisions; the testing and calibration of standard measuring apparatus; the solution of problems which arise in connection with standards; the determination of physical constants and the properties and materials, when such data are of great importance to scientific or manufacturing interests and are not to be obtained of sufficient accuracy elsewhere. The bureau shall exercise its functions for the Government of the United States, or for any State or municipal government within the United States, or for any scientific society, educational institution, firm, corporation, or individual within the United States engaged in manufacturing or other pursuits requiring the use of standards or standard measuring instruments.

It provides for doing that for which the Bureau of Standards was created and simply appropriates for the activity, and the

Chair overrules the point of order.

Mr. DAVIS of Tennessee. Mr. Chairman, I move to strike out the paragraph. Mr. Chairman and gentlemen, this paragraph provides for an appropriation of \$100,000 "for technical investigations in cooperation with the industries upon fundamental problems involved in industrial development following the war." I consider the appropriation wholly unnecessary by cause we may as well realize that there can be no "industrial development following the war" until the price of iron and steel reaches normal. These materials enter so much into the construction of our industrial, economic, and domestic life in the way of railway construction, building construction, all sorts of machinery, household commodities, and so forth, that it has always been regarded that the price of steel was a very correct barometer of other prices. The price of iron and steel advanced threefold and even more during the war over prewar prices. The United States Steel Corporation, of which James A. Farrell is president, made profits to the extent of more than a billion dollars during the two years the United States was in the war. In other words, during the two years that we were all supposed to be patriotically fighting in a common cause for the preserva-tion of our country and our ideals the Steel Corporation made profits greater than its capital stock.

I call your attention to the range of wholesale prices of iron and steel and certain other important commodities, taking 100

as the basis, as of February 1, 1915-1921, as follows:

Article.	1915	1916	1917	1918	1919	1920	1921
Iron	85	137	228	229	222	267	214
Steel	82.	139	273	200	188	227	183
Cotton	65	91	112	238	204	299	108
Wheat	156	133	161	218	234	234	146
Corn	136	131	158	206	193	224	106
Hogs	89	101	154	212	225	203	131
Cattle	137	147	165	210	334	299	143
Coffee	59	71	81	79	149	144	63
Silver	86	100	136	153	179	239	102
Copper	100	179	220	161	145	133	89
Tin	91	100	119	164	171	145	81
Hides	125	123	161	154	158	187	89 81 62
Rice	98	93	96	152	172	245	114
Wool	100	113	169	263	211	336	127

The foregoing figures were compiled by the bankers' economic service.

The following range of wholesale prices, compiled by the Bureau of Labor Statistics of the United States Department of Labor, are illuminative in this connection:

Article.	1913	1914	1915	1916	1917	1918	1919	1920	1921 1
Farm products	100	103	105	122	189	220	234	218	129
	100	97	94	101	124	151	192	308	222
	100	00	101	124	176	196	212	243	167

1 February 1.

While later official figures are not available, yet it is well known that there has been a considerable decline since February 1 in prices of farm products and numerous other commodities mentioned in the two foregoing schedules, during which time the decline in prices of iron and steel have been almost

Now that the war is over, the United States Steel Corporation is unwilling to get back to a normal basis. There has been less reduction in the cost to the consumer of iron and steel than almost any other commodity. The price of these commodities is now abnormally high, and it is artificially and arbitrarily held there by the United States Steel Corporation, which is the head of this trust which controls the prices of iron and steel

and retards readjustment, as I have shown, and which fact I shall, if given time, substantiate by additional proof.

The March issue of the Iron Trade Review, which is certainly not unfriendly to this Steel Trust, says:

Complete readjustment of the iron and steel market to a stabilized basis manifestly has not yet been accomplished, and conditions remain decidedly unsettled. The cleavage between the position on prices of the independent companies and that of the Steel Corporation has been rendered more pronounced by a further descent of some of the schedules of the former producers. Competitive prices as much as \$9 to \$11 per ton below maximum figures now being maintained by the largest producers have appeared the past week, and this spread is growing steadily. That the Steel Corporation must meet this situation before many days is a matter of common market opinion.

It is thus seen that the United States Steel Corporation was thus holding up prices, while the independent companies were endeavoring to bring them down. However, the different members of the Steel Trust, under the guiding genius of the United States Steel Corporation, of which James A. Farrell is president, got busy and effected an agreement under which the United States Steel Corporation made the very slight reducton of 5 to 10 per cent on certain of its steel products, and the independent companies increased their prices, thus making prices more uniform. Thereupon the United States Steel Corporation announced a general wage reduction of 20 per cent, effective May 16. Of course, this wage reduction more than made up for the price reduction.

The effect of this agreement and action by the members of the Steel Trust is described by a recent issue of the Iron Trade

Review, which says:

No appreciable stimulation of new business has resulted from the reduction and readjustments of steel prices recently made effective by the Steel Corporation and independent mills. \* \* \* All present signs, moreover, point to the fact that the best that can be hoped for is a slow and exceedingly gradual recovery. Buyers generally are showing a reluctance to accept the new price level at its face value, in the apparent belief that further readjustments are probable before stability will have been restored. will have been restored.

Likewise, the effect of the trust agreement is described by the Iron Age, which in a recent issue says, in part:

The chief effect of the coming together of independent and Steel Corporation prices by the raising of the former and the lowering of the latter was the closing of business by the independent companies on which they had made quotations below the new level.

Thus the bulk of the new orders of the past week has gone to the independents, but at the same time the Steel Corporation has been helped by the reinstatement of business which had gone off its books while it was maintaining Industrial Board prices.

There is no indication that consumers will change their policy of limited buying.

Furthermore, The Annalist, a magazine of finance, commerce, and economics, published in New York, in its issue of May 16, 1921, under the title of "Iron and steel," says:

1921, under the title of "Iron and steel," says:

It has been said of the iron and steel industry that it was either "prince or pauper." While it may not be literally true to say that it is pauper, now the fact remains that business is dwindling rather than picking up. It is probable that the industry as a whole is operating now at less than 40 per cent of capacity, and that by another month activities may have slackened to somewhere in the neighborhood of 25 per cent. This certainly is not reassuring. The unfilled tonnage figures of the United States Steel Corporation as of April 30 showed a falling off of more than 400,000 tons, and forward business now is approximately only half of what it was when the peak of orders was reached in the war years.

It is the price situation which continues to be the dominant factor in the industry. It appears that as long as prices hold up so strongly against the trend of the times that business will suffer, for the feeling is evident that the artificial plane of prices can not continue indefinitely, and there is no one who wishes to stock up on steel products with such a clouded outlook as to the future. In other words, the only buying which is coming into the market is that which represents urgent requirements, the satisfying of which must be undertaken, no matter what the cost. Building is not being entered into on any scale commensurate with the need. \* \* \*

Ultimately it would appear that prices must again be cut, and in the long run steel products will get on a basis where the price schedule presents a high degree of attractiveness, and then, and not till then, will buying demand reassert itself.

In other words, it is apparent that the public is naturally on

In other words, it is apparent that the public is naturally on a strike so far as buying steel products is concerned, realizing that prices are abnormally high, and yet the Steel Trust, in an effort to drive the public to paying its exorbitant prices, is willing for its mills to be shut down, its hundreds of thousands of employees thrown out of work, and the readjustment and resumption of industry generally to be retarded. And yet, it is insisted that the man responsible for this situation, and guilty of this conduct, should be selected as the Chairman of the United States Shipping Board.

While the United States Steel Corporation is so independent and arrogant that it does not ordinarily take time to make excuses for its misconduct, yet the only defense I have heard offered from any source of its failure to reduce prices has been the question of wages. As already shown, its recent small decrease in prices was more than counterbalanced by its reduction in wages. Furthermore, as complete evidence of the fact that the United States Steel Corporation has been profiteering in an unconscionable manner, and that its high prices are not made recessary by the wages it pays, I beg to call attention to certain facts.

The United States Steel Corporation has been in existence 20 years.

It was organized by the house of Morgan with a capital of

\$1,000,000.000, the greater part being water.

At the last annual stockholders' meeting, held in Hobeken, N. J., April 18, 1921, Judge Gary reported that the stock and bonded debt of the corporation now amounted to \$1,423,411,831, and that during the 20 years of its existence it had charged off from earnings the enormous total of \$1,623,571,449 for depreciation, sinking fund, and ordinary repairs.

This meant that the trust, out of the excess profits wrung from the consumers of steel, had rebuilt the plants which it had taken in at fancy prices when it was endeavoring to establish its monopoly.

It has paid dividends totaling more than \$1,000,000,000.

In addition to all that, it has on hand in cash, in the form of surplus, sinking, and reserve funds, \$702,370,464.

The foregoing figures are taken from a tabulated history of the United States Steel Corporation compiled by Dow, Jones & Co., and published in the Wall Street Journal of April 19, 1921.

In his last annual report, covering the year 1920, John Skelton Williams, Comptroller of United States Currency, in commenting upon the excess profits of the United States Steel Corporation, said:

The increase which has taken place in wages since the war does not excuse present prices for steel and iron products. A careful analysis which was made of the reports of one of the largest and most important steel and iron companies (Judge Gary's company) shows that that company in the last year of the war, 1918, charged on an average for every ton of steel which it produced at least \$25 per ton in excess of a price which would have enabled the company to pay full dividends upon its very large capital stock. The report of the same company shows, furthermore, that its net earnings were so enormous that the company could have paid its accustomed dividends upon its shares even if it had paid its employees wages 100 per cent higher than the wages it actually did pay.

In a letter to Judge Gary, written February 15, 1921, Mr. Williams again nailed the steel corporation in these words:

In the two years we were engaged in the war the Steel Trust made more than \$1,000,000 000 of profits, the exaction of which had a most disturbing and injurious effect, not only upon our allies but upon our country in the midst of war. These earnings were so large that the trust could during that time have doubled the salaries and wages of every one of its 268,710 employees and officers and leave a surplus sufficient to pay interest and sinking-fund charges and leave a balance of more than \$7,000,000 after dividends had been paid on preferred and common stock.

A large part of those enormous profits were exacted of the United States for munitions and other equipment with which to fight the common enemy while we were in the midst of the greatest war of all times. Furthermore, a large part of those profits were upon steel that entered into the construction of the merchant fleet of the United States. And yet it is proposed that the disposition of our merchant fleet, which cost the taxpayers of this country approximately \$4,000,000.000, shall be determined and directed by the head of the corporation which wrung from the Government in time of war the profits above mentioned.

The Steel Trust is not satisfied with the enormous profit it made during the war. It is not satisfied with the enormous amount of funds in its treasury. It not only is not satisfied to take any losses during the readjustment period, as most other industries are doing, but it is not even satisfied with reasonable profits. It insists on war profits in peace times.

Can the man responsible for this profiteering, for this inordinate greed, for this lack of patriotism, for this crime against the Government and the citizenship of this Republic, be expected to change his disposition overnight? Can it be reasonably expected that he "will bring from his private capacity to his public office an ambition to expand the shipping industry of the United States" in the interest of all the people? Would he be "animated by an ambition to serve" the Government? "The leopard does not change its spots."

The CHAIRMAN. The time of the gentleman has expired. Mr. DAVIS of Tennessee. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to proceed for five additional minutes. Is there

Mr. GOOD. I object, Mr. Chairman.

Mr. Chairman, this item is on all fours with the item that just preceded it. It is one of the items by which Mr. Hoover wants money to conduct the standardization to reduce these costs. move that all debate on this section and all amendments thereto be now closed.

The CHAIRMAN. The gentleman from Iowa moves that all debate on this section and amendments thereto be now closed.

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. WINGO. I ask for a division.

The committee divided; and there were—ayes 64, noes 23.

Mr. WINGO. Mr. Chairman, I ask for tellers. The CHAIRMAN. The gentleman from Arkansas asks for tellers.

Tellers were refused.

Mr. WINGO. Mr. Chairman, I make the point of no quorum. The CHAIRMAN. The gentleman from Arkansas makes the point of no quorum. The Chair will count. [After counting.] One hundred and four gentlemen are present, a quorum. The question is on the amendment offered by the gentleman from Tennessee [Mr. Davis].

The question was taken, and the Chair announced that the

noes seemed to have it.

Mr. WINGO. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 26, noes 65.

So the amendment was rejected. The CHAIRMAN. The Clerk will read. The Clerk read as follows:

To enable the Bureau of Standards to cooperate with Government departments, engineers, and manufacturers in the establishment of standards, methods of testing, and inspection of instruments, equipment, tools, and electrical and mechanical devices used in the industries and by the Government, including the practical specification for quality and performance of such devices, and the formulation of methods of inspection, laboratory, and service tests, including personal services in the District of Columbia and in the field, \$100,000.

Mr. BYRNES of South Carolina. Mr. Chairman, I move to strike out the paragraph.

Mr. BLANTON. Mr. Chairman, I reserve a point of order. Mr. GOOD. Will the gentleman state his point of order?

Mr. BLANTON. I make the point of order that there is no law authorizing all the purposes as stipulated in this paragraph, and that it is not a deficiency; but it is an attempt to place legislation in certain respects on a deficiency bill, unauthorized by law

The CHAIRMAN. The Chair overrules the point of order. Mr. WINGO. Mr. Chairman, I offer to perfect the amendment. In line 2, page 47, strike out the words "engineers and

manufacturers. The CHAIRMAN. The gentleman from Arkansas offers an

amendment which the Clerk will report.

The Clerk read as follows: Mr. Wingo offers the following amendment: Page 47, line 2, strike out the words "engineers and manufacturers."

Mr. WINGO. Now, Mr. Chairman, of course I may be guilty of lese majesty if I seek to cut "business out of the Government," as some gentlemen will contend, but you all understand the situation—this proposes to put Government in business. You have a proposition here of \$100,000 for the year 1922, say that you are going to vote for this from the standpoint of economy, and when you say that you know you are a bunch of liars and are just putting up a bluff. Talk about economy! You might as well milk a ram goat with a sifter as to talk about making Republicans economical. Your President talks in New York about economizing in cutting out offices, and you have not done anything while in power except increase offices and expenditures. Under this head, out of the \$250,000 are included "personal services in the District of Columbia." If you cut out the words, the department would not want it, because it is intended to increase the personnel here in the District of Columbia. To do what? The gentleman from Iowa—and I can almost hear the mocking bird singing in the old apple tree and see the honeysuckle growing on the workingman's door-said with that \$50,000 experiment in clay he is going in three months' time to reduce the cost of construction 20 per cent.

Well, we may do it, but we shall have to do it with a bunch different from those that the gentleman has training behind him to-day, because it takes constructive ability and brains to do that kind of thing, and even Mr. Hoover, wizard as he is, can not perform that miracle in three weeks' time. You are going to have so-called experiments conducted here in Washington, out in the aristocratic suburbs of Washington, by office-holders drawing high pay, and you say that it is to reduce the cost of construction! Why, every man on that side who has studied this question knows very well that that is not the way you are going to reduce the cost of construction of buildings in this country. If you bring in a bill here and undertake to aid the workingmen of America to build their homes and make it possible for them to get their homes on reasonable terms, I will join with you, but do not attempt to mislead the workingmen of

America by pretending that you are going to make it possible for them to get their homes on reasonable terms by putting a few more high-priced timeservers on the pay roll out here in the aristocratic suburbs of Washington. Who ever heard of a program like that? If you are going to have bona fide experiments conducted, why do you say that you are going to cooperate with manufacturers in perfecting economical devices? You will interfere with manufacturers with this bunch of timeservers that you have proposed. You will put them on the pay roll and pay them \$100,000 for three weeks' time.

Gentlemen, I would like to see this bill passed to-night, and if you were to use a little horse sense and a little courtesy and ordinary consideration you could pass it to-night; but I think you will read the engrossed bill to-morrow morning. [Laugh-

ter.]

Mr. Chairman, in order to expedite matters, I yield back the remainder of my time. [Laughter.]

The CHAIRMAN. The Chair will recognize the gentleman

from Tennessee.

Mr. BYRNES of South Carolina. Mr. Chairman, I am glad the Chair continues to flatter me by referring to me as "the gentleman from Tennessee," especially as my friend from Iowa [Mr. Good] has just referred to "the gentleman from Tennessee" in such a complimentary way. But inasmuch as the chairman of the committee in his remarks opposing the preceding amendment referred to politics and the manufacture of campaign material, I will say that I have engaged in no such cam-

committee that as to these three or four items I reserved the

Mr. GOOD. Oh, I did not intend to refer to the gentleman in

paign. When the bill was pending in committee I notified the

any such connection.

Mr. BYRNES of South Carolina. I believe that in this paragraph we notify the different departments that they can come in upon an appropriation bill and get additional money for the next fiscal year before the next fiscal year has begun. If you do that with one department you extend an invitation to all of them to come in and do likewise. I believe many of you gentlemen honestly want to economize, but you can not do it by leading the heads of departments to believe that you will carry out this plan of increasing appropriations above the amount

.granted for next year.

What are the facts about this item? They submitted an estimate for this fiscal year for \$25,000 for the whole fiscal year 1922, and then your committee saw fit to recommend nothing, and the Congress gave them nothing. Now, here in six weeks you come in and, treating the matter not as it is, but as the chairman wants it to be, as an appropriation for the next fiscal year, he is asking you to do the foolish thing of giving them \$100,000, when the estimates submitted in the regular way for the next fiscal year were for only \$25,000. Think of it! That is what you do if you carry out his purpose of putting it in here with the idea that in another body it will be made available for the next fiscal year.

But he is asking you, sensible men, to do something even more absurd than that. He is asking you to vote now—and the RECORD will show it—appropriating \$100,000 for the balance of this fiscal year for an activity for which they asked only \$25,000 for the next fiscal year. I see the distinguished leader of the majority [Mr. Mondell] on the floor. He has often paraded here—it was a root of the river large way. here-it was a part of the ritual he adopted-and boasted of the reduction of the appropriation below the estimates. But now there is no reduction. You even exceed their estimate by \$75,000 for the next fiscal year. That is exceeding the speed limit. The invitation now is, "Ask for what you want, and if you ask for \$25,000 we will throw in \$75,000 for good measure." [Applause on the Democratic side.] What a notice to send out to departments! I ask of you if it is playing politics to come in and submit that to you, as men of common sense, and to ask you if you are going to do it. You boasted of reducing this very estimate of \$25,000, giving them nothing at all. It was one of your economies. Now you come in and give them for the same purpose not the \$25,000 they asked for but \$100,000. Now what has occurred since February? What great menace to the industry of this country has occurred that we must have the Bureau of Standards inform the manufacturers of the country how to conduct their business? Why, there is not a man out there who can advise the Association of Manufacturers of this country how to conduct their business. They know more about conducting their business than anybody connected with the Bureau of Standards ever will know. Yet you are going to give them \$100,000, as the Record will show, for three weeks, to tell the manufacturers of the country how to conduct their business. If you want to do it, all right. But square it if you can with your pledges and with the statements you are

making every day in the year about economy. I want you to

practice what you preach. [Applause.]

Mr. GOOD. Mr. Chairman, when this matter was under consideration in the committee, Secretary Hoover called attention to the fact that by the commission known as the "Screw-thread Commission" the hardware dealers of America were saved a capital charge all the way from \$15,000,000 to \$50,000.000 a year in their hardware stocks, just on bolts. The Secretary of Commerce is convinced that hundreds of millions of dollars can be saved just in hardware lines alone if there can be brought about a standardization of hardware. And so it is in all of the industries. He estimates that one of the big elements of increased cost is the great number of different standards that every dealer must carry, and the Secretary has in mind, not in three weeks but in the next year, to build up in America an industrial unit that will standardize these various items, many of which are used in the home-building industry and in building large structures. It is a big idea. It is a big thing. The Secretary of Commerce has done big things, and he will do big things in the future for the country if we on this side of the House can adopt a progressive, constructive policy upon which he can build. You ask what has happened since last February. We have placed in the Department of Commerce one of the greatest engineers, one of the greatest manufacturers in America, and we are going to support him. [Applause.]

I move that all debate on this paragraph and all amendments

thereto do now close.

The CHAIRMAN. The gentleman from Iowa moves that debate on the paragraph and all amendments thereto be now closed.

The question being taken, on a division (demanded by Mr. WINGO) there were—ayes 68, noes 19.

Accordingly the motion was agreed to.

The CHAIRMAN. The question is on the amendment.

Mr. WINGO. There are two amendments pending, one to strike out and the other to perfect.

The CHAIRMAN. The amendment of the gentleman from Arkansas to perfect the paragraph is first in order.

The question being taken, on a division (denranded by Mr. Wingo) there were-ayes 20, noes 66.

Accordingly the amendment was rejected.

The CHAIRMAN. The question now recurs on the motion of the gentleman from South Carolina [Mr. Byrnes].

The question being taken, on a division (demanded by Mr. Byrnes of South Carolina) there were—ayes 23, noes 70. Accordingly the amendment was rejected.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

EMPLOYMENT SERVICE.

The sum of \$125,207.97 of the appropriation "Advanced transportation, United States Employment Service, 1918 and 1919," is reappropriated and made available to enable the Secretary of Labor to complete the payment of obligations covering transportation incurred during the fiscal year 1919 by the War Emergency Employment Service.

Mr. BLANTON. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 47, line 17, strike out all of lines 17 to 23, inclusive.

Mr. DAVIS of Tennessee. Mr. Chairman, Lask unanimous

consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. GOOD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CAMPBELL of Kansas, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 6300, the second deficiency bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

Mr. MacGregor, by unanimous consent, was granted leave of absence for one week, on account of important business.

WITHDRAWAL OF PAPERS,

By unanimous consent, Mr. French was given leave to withdraw from the files of the House, without leaving copies, papers in the case of Aaron Kibler, H. R. 1785, Sixty-sixth Congress, no adverse report having been made thereon.

Mr. Parrish was given leave to withdraw from the files of the House, without leaving copies, papers in the case of James M. Waide, jr., H. R. 9814, pension, no adverse report having been made thereon.

Mr. French was given leave to withdraw from the files of the House, without leaving copies, papers in the case of Sam Tilden, H. R. 9648, Sixty-sixth Congress, no adverse report having been made thereon.

#### CALENDAR WEDNESDAY.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the House dispense with Calendar Wednesday business tomorrow

The SPEAKER. The gentleman from Wyoming asks unanimous consent to dispense with Calendar Wednesday business to-morrow. Is there objection?

Mr. GARRETT of Tennessee. Reserving the right to object, my recollection is that the Interstate and Foreign Commerce

Committee has a bill pending.

Mr. MONDELL. They have a bill pending, but it will not require the entire day. They have no further legislation ready for consideration, and the committee would prefer to have the next Calendar Wednesday rather than to-morrow.

Mr. GARRETT of Tennessee. Of course I never like to interfere with the majority in the conduct of business. The SPEAKER. Is there objection?

There was no objection.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESI-DENT FOR HIS APPROVAL.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills and joint resolution :

H. R. 2435. An act imposing temporary duties upon certain agricultural products to meet present emergencies and to provide revenue; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money, and for other purposes;

H. R. 2173. An act authorizing the construction, maintenance, and operation of a private drawbridge over and across Lock No. 4 of the canal and locks, Willamette Falls, Clackamas County, Oreg.; and

H. J. Res. 123. Joint resolution to provide funds for the repair of the elevator in the Washington Monument.

### ADJOURNMENT.

Mr. GOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 30 minutes p. m.) the House adjourned until to-morrow, Wednesday, May 25, 1921, at 12 o'clock noon,

### EXECUTIVE COMMUNICATIONS, ETC.

146. Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting report in connection with the improvement of Missionary Ridge Crest Road, was taken from the Speaker's table and referred to the Committee on Military Affairs.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. HAWES, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 1154) for the construction of a bridge across the Des Moines River at or near the city of Dumas, Mo., reported the same without amendment, accompanied by a report (No. 91), which said bill and report were referred to the House Calendar.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. COLE, from the Committee on Pensions, to which was referred sundry bills of the House, reported in lieu thereof the bill (H. R. 6569) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, accompanied by a report (No. 92), which said bill and report were referred to the Private Calendar.

# PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MacGREGOR: A bill (H. R. 6563) to prevent the transportation of coal upon which a special tax has been imposed; to the Committee on the Judiciary.

By Mr. RANSLEY: A bill (H. R. 6564) for the purchase of site and to begin construction thereon of a customhouse in the city of Philadelphia, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. McLAUGHLIN of Michigan: A bill (H. R. 6565) for the establishment of Muskegon, Mich., as a port of entry and delivery for immediate transportation without appraisement of

dutiable merchandise; to the Committee on Ways and Means. By Mr. ROSENBLOOM: A bill (H. R. 6566) allowing deductions in computing the tax on personal incomes of less than \$5,000 for expenses for medicine, for bills paid physicians, surgeons, and hospitals, and for funeral expenses; to the Committee on Ways and Means.

By Mr. GRAHAM of Illinois: A bill (H. R. 6567) to amend section 407 of the transportation act of 1920; to the Committee

on Interstate and Foreign Commerce.

By Mr. LARSON of Minnesota: A bill (H. R. 6568) for the relief of the Red Lake Band of Chippewa Indians of the State of Minnesota, and for other purposes; to the Committee on Indian Affairs.

By Mr. COLE: A bill (H. R. 6569) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors; committed to the Committee of the Whole House.

By Mr. McDUFFIE: A bill (H. R. 6570) authorizing the Secretary of the Treasury to remove the quarantine station now situated at Fort Morgan, Ala., to Sand Island, a site now owned by the United States Government, near the entrance of the port of Mobile, Ala., and to construct thereon a new quarantine station; to the Committee on Public Buildings and Grounds.

By Mr. STEVENSON: A bill (H. R. 6571) to provide for proper cooperation between the Comptroller of the Currency and the Federal Reserve Board; to the Committee on Banking and Currency

By Mr. HUDDLESTON: A bill (H. R. 6572) to authorize recovery for mental anguish as an element of damages in actions against telegraph companies; to the Committee on the Judiciary.

By Mr. STEENERSON: A bill (H. R. 6573) to further reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis, and for other purposes; to the Committee on Post Offices and Post Roads.

By Mr. LARSON of Minnesota: Joint resolution (H. J. Res. 130) to pay the actual and necessary expenses of James I. Coffey, delegate representative of the Chippewa Indians of Minnesota, in visiting Washington in the interests of the said Chippewa Indians; to the Committee on Indian Affairs.

By Mr. GILLETT: Joint resolution (H. J. Res. 131) ing an amendment to the Constitution of the United States;

to the Committee on the Judiciary.

By Mr. FLOOD: Resolution (H. Res. 98) requesting the Secretary of State to inform the House of Representatives whether certain statements attributed to the ambassador to Great Britain were delivered under official sanction of the State Department, etc.; to the Committee on Foreign Affairs.

By Mr. IRELAND: Resolution (H. Res. 99) providing for the alteration and improvement and reequipment of the restau-

rant of the House of Representatives, and the management of

the restaurant; to the Committee on Accounts,

By Mr. JOHNSON of South Dakota: Resolution (H. Res. 100) providing for investigation of the collection and expenditure of money for the benefit of disabled ex-service men; to the Committee on Rules.

By the SPEAKER: Memorial of the Legislature of the Territory of Hawaii requesting amendment of the Hawaiian organic act: to the Committee on Insular Affairs.

# PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions

were introduced and severally referred as follows:

By Mr. BENHAM: A bill (H. R. 6574) granting a pension to
James K. Waltermire; to the Committee on Invalid Pensions.

By Mr. CABLE: A bill (H. R. 6575) granting a pension to

Martha A. Bailey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6576) granting an increase of pension to John G. Kuhn: to the Committee on Invalid Pensions

By Mr. CHRISTOPHERSON: A bill (H. R. 6577) authorizing the conveyance of certain land in the State of South Dakota to the Robert E. Kelley Post, No. 79, American Legion, South Dakota; to the Committee on the Public Lands.

By Mr. COPLEY: A bill (H. R. 6578) granting an increase of

pension to Florence F. Watson; to the Committee on Invalid

Pensions.

By Mr. DOMINICK: A bill (H. R. 6579) for the relief of

T. B. Bell; to the Committee on Claims.

By Mr. FENN: A bill (H. R. 6580) granting an increase of pension to Margaret Moorehead; to the Committee on Pensions. By Mr. FULLER: A bill (H. R. 6581) granting a pension to Kathrine Raumbeller; to the Committee on Pensions

By Mr. GLYNN: A bill (H. R. 6582) for the relief of Lester

A. Rockwell; to the Committee on Military Affairs.

By Mr. HAWLEY: A bill (H. R. 6583) granting an increase of pension to Ann H. Russell; to the Committee on Pensions.

Also, a bill (H. R. 6584) granting an increase of pension to

Victoria St. C. E. C. Mickelson; to the Committee on Pensions. Also, a bill (H. R. 6585) granting an increase of pension to Sarah E. Fuqua; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6586) conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in the claim of Albert Wood arising out of a contract for carrying the mails on star route No. 73195; to the Committee on Claims.

By Mr. HICKEY: A bill (H. R. 6587) granting an increase of pension to Nancy J. Britton; to the Committee on Invalid Pen-

By Mr. SHREVE: A bill (H. R. 6588) authorizing the Secretary of War to donate to the town of Girard, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LYON: A bill (H. R. 6589) authorizing the Secretary of War to donate to the city of Buies Creek, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MOORE of Virginia: A bill (H, R. 6590) for the relief

of Lorenzo A. Bailey; to the Committee on Indian Affairs.

By Mr. OLDFIELD; A bill (H. R. 6591) granting a pension

by Mr. OLDF IELD; A bill (H. R. 6591) granting a pension to Charles W. Ferrill; to the Committee on Pensions.

By Mr. PARRISH: A bill (H. R. 6592) granting a pension to James M. Waide, jr.; to the Committee on Pensions.

By Mr. REECE: A bill (H. R. 6593) granting a pension to

William E. Slimp; to the Committee on Pensions.

Also, a bill (H. R. 6594) granting a pension to Robert Vaughn; to the Committee on Pensions.

Also, a bill (H. R. 6595) granting a pension to Tide Owens; to

the Committee on Pensions. Also, a bill (H. R. 6596) granting a pension to James Craig; to the Committee on Pensions.

Also, a bill (H. R. 6597) granting a pension to Roy B. Wilcox; to the Committee on Pensions.

Also, a bill (H. R. 6598) granting a pension to Mollie Nave;

to the Committee on Invalid Pensions.

Also, a bill (H. R. 6599) granting a pension to Oscar Heath; to the Committee on Invalid Pensions.

By Mr. SANDLIN: A bill (H. R. 6600) for the relief of the heirs of Jacob A. Wolfson, deceased; to the Committee on War

By Mr. SCOTT of Michigan: A bill (H. R. 6601) for the relief of the Great Lakes Engineering Works; to the Committee on Claims.

By Mr. SHELTON: A bill (H. R. 6602) granting a pension to Clara Blunt; to the Committee on Invalid Pensions.
By Mr. SWANK: A bill (H. R. 6603) authorizing the Secre-

tary of War to donate to the town of Byars, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6604) granting a pension to Emma Moore; to the Committee on Pensions.

By Mr. THOMPSON: A bill (H. R. 6605) granting a pension to Lucinda Grubb; to the Committee on Invalid Pensions.

By Mr. VESTAL: A bill (H. R. 6606) for the relief of Aaron S. Linn; to the Committee on Military Affairs.

### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid

on the Clerk's desk and referred as follows:
906. By Mr. ARENTZ: Petition of the Wolfe Tone Branch
of the American Association for the Recognition of the Irish Republic, Carson City, Nev., urging the adoption of the La Follette resolution for the recognition of the Irish republic; to the Committee on Foreign Affairs.

907. By Mr. CAREW: Petition of the Lithuanian American Board of Commerce and Industry, New York City, urging independence for Lithuania, etc.; to the Committee on Foreign

908. Also, petition of the New York City Board of Trade and Transportation, urging appropriation for the maintenance of the passport bureau at New York City; to the Committee on

Appropriations.

909. Also, petition of the American Association of Mexico, urging protection for American citizens in Mexico, etc.; to the Committee on Foreign Affairs.

910. Also, petition of the Association of Collegiate Alumnæ, Ithaca, N. Y., urging the passage of the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

911. Also, petition of the diocese of New York, urging relief for the disabled soldiers, etc.; to the Committee on Interstate and Foreign Commerce.

912. By Mr. CHALMERS: Petition of the Women's Civic League of Oak Harbor, Ohio, indorsing legislative plan of American Legion; to the Committee on Ways and Means.

913. By Mr. CULLEN: Petition of Edward I. Tinkham Post, No. 598, New York City, urging relief for the disabled soldiers,

etc.; to the Committee on Interstate and Foreign Commerce. 914. By Mr. FULLER: Petition of the La Salle County (Ill.) Home Bureau, favoring the passage of the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce. Also, petition of the La Salle (Ill.) Chamber of Commerce, favoring legislation for the disabled soldiers, etc.; to the Committee on Interstate and Foreign Commerce.

915. Also, petition of the Chicago Insulated Wire & Manufacturing Co., favoring a turnover sales tax; to the Committee

on Ways and Means.

916. By Mr. FUNK: Petition by the Women's Auxiliary, Aarvig-Campbell Post, No. 1178, the American Legion, Pontiac, Ill., indorsing the program of legislation asked by the American Legion of the Sixty-seventh Congress in the interest of disabled soldiers, sailors, and marines, etc.; to the Committee on Interstate and Foreign Commerce.

917. By the SPEAKER (by request): Petition of the Hono-

lulu Chamber of Commerce, urging the ratification of the resolution passed by the Legislature of the Territory of Hawaii regarding construction and maintenance of street railway in the district of Honolulu; to the Committee on the Territories.

918. By Mr. KISSEL: Petition of the New York Board of Trade and Transportation, New York City, urging appropriation for bureau of passports in New York City; to the Committee on Appropriations.

919. Also, petition of Arthe Levy Bernhard Co., New York City, N. Y., relative to clause in tariff bill; to the Committee on Ways and Means.

920. Also, petition of Lithuanian American Board of Com-merce and Industry, New York City, urging independence for Lithuania; to the Committee on Foreign Affairs.

921. By Mr. MEAD: Petition of the National Consumers'

League, New York City, urging the passage of the Sheppard-Towner bill; to the Committee on Interstate and Foreign Com-

922. Also, petition of Jacob House & Sons, also the Arner Co. (Inc.), both of Buffalo, N. Y., against the passage of the Volstead bill (H. R. 5033); to the Committee on the Judiciary.

923 Also, petition of the Blakeslee, Perrin & Darling Co., Buffalo, N. Y., against tariff on lumber from Canada; also the

L. & I. J. White Co., Buffalo, N. Y., relative to duty on machine knives, etc.; to the Committee on Ways and Means.

924. Also, petition of the Farm Mortgage Bankers' Association of America, Chicago, Ill., against Federal aid for the construction of highways, etc.; to the Committee on the Post Office and Post Roads.

925. Also, petition of the Mississippi Valley Association, St. Louis, Mo., against restriction on the marketing of grain and other farm products; to the Committee on Agriculture

926. Also, petition of Jacob House & Sons, Buffalo, N. Y., relative to the sales tax, etc.; to the Committee on Ways and Means.

927. Also, petition of the board of aldermen of the city of New York, urging legislation for the relief of the disabled soldiers, etc.; to the Committee on Interstate and Foreign Commerce.

928. By Mr. MORIN: Petition signed by over 700 members of the First, Second, and Third Churches of Christ, Scientists, of Pittsburgh, Pa., protesting against the Capper-Fess physical education bill; to the Committee on Education.

929. By Mr. NEWTON of Minnesota: Petition presented by Mr. J. P. Churchill, 2438 Twenty-eighth Avenue South, Min-

neapolis, Minn., on behalf of sundry citizens of Minneapolis, urging the Congress to take the necessary action toward recognizing the republic of Ireland; to the Committee on Foreign

930. By Mr. PATTERSON of New Jersey: Petition of Convention of the Diocese of New Jersey, favoring international

disarmament; to the Committee on Foreign Affairs.

931. By Mr. RAKER: Resolutions adopted by the Fresno County Chamber of Commerce, of Fresno, Calif., and Harold H. Pomeroy, Kern County horticultural commissioner, California, and letter from the American Fruit Growers (Inc.), of Los Angeles, Calif., urging the appropriation of the necessary funds for the purchase and maintenance of the experimental vineyards located near Fresno and Oakville, Calif., by the Department of Agriculture; to the Committee on Appropria-

Also, resolution of the Independence Commercial Club, of Independence, Calif., relative to the transportation act of 1920; to the Committee on Interstate and Foreign Commerce. Also, resolution by Eldorado Post, No. 119, American Legion, of Placerville, Calif., indorsing legislation for ex-service men; to the Committee on Ways and Means. Also, resolution by Nevada County Farm Bureau, California, urging a decrease in freight rates for the fruit growers; to the Committee on Interstate and Foreign Commerce. Also, resolution by Anderson Valley Post, No. 239, American Legion, of Anderson, Calif., indorsing legislation for ex-service men; to the Committee on Ways and Means.

933. By Mr. RIORDAN: Petition of citizens of the eleventh congressional district of the State of New York, urging recogni-

tion of the Irish republic; to the Committee on Foreign Affairs, 934. By Mr. WATSON: Petition of the Haverford Monthly Meeting of Friends, also citizens of Bucks County, all of the State of Pennsylvania, urging international disarmament; to the Committee on Foreign Affairs.

935. Also, petition of the Yearly Meeting of the Society of Friends, Philadelphia, Pa., favoring legislation strengthening the eighteenth amendment; to the Committee on the Judiciary.

936. By Mr. WEBSTER: Petition of W. W. Rickard and numerous other signers, protesting against the repeal of the excess-profits tax and substituting therefor a sales or turnover tax; to the Committee on Ways and Means.

937. By Mr. YOUNG: Resolution adopted by Ashlar Lodge, No. 69, of Granville, N. Dak., favoring the passage of the so-called Smith-Towner bill, to establish a department of education, etc.; to the Committee on Education.

938. Also, resolution of the American War Mothers, of Shevenne, N. Dak., praying for the enactment of legislation for the relief of disabled war veterans, etc.; to the Committee on Ways and Means.

939. Also, resolution of the Commercial Club of Bismarck, N. Dak., favoring the enactment of legislation looking toward the relief of disabled war veterans, etc.; to the Committee on Ways and Means.

940. Also, resolution of Leeds Chapter, American War Mothers, of Leeds, N. Dak., praying for the enactment of legislation for the relief of disabled war veterans, etc.; to the Committee on Ways and Means.

941. Also, petition of Fort Lincoln Chapter, American War Mothers, of Bismarck, N. Dak., praying for the enactment of certain legislation on behalf of disabled soldiers; to the Com-

mittee on Ways and Means.

942. Also, resolution of the National Parks Highway Association, at a meeting held at Jamestown, N. Dak., May 3, 1921, favoring the establishing and setting apart of a certain tract of land in Billings County, N. Dak., as a national park to be named Roosevelt Park; to the Committee on the Public Lands.

943. Also, resolution adopted at a mass meeting of sundry citizens of Dickinson, N. Dak., favoring the recognition of the Irish republic by the Government of the United States; to the Committee on Foreign Affairs.

944. Also, petition of Arthur W. Wills, of Valley City, N. Dak., praying for the enactment of legislation providing increased compensation for rural mail carriers; to the Committee on the Post Office and Post Roads.

945. By Mr. PAIGE: Evidence in support of House bill 6547, for the relief of Melvina Parker; to the Committee on Pensions.

946. By Mr. YOUNG: Petition of Eureka Lodge, Ancient Free and Accepted Masons, of Sarles, N. Dak., praying for the passage of the Smith-Towner bill, to establish a department of education, etc.; to the Committee on Education.

### SENATE.

WEDNESDAY, May 25, 1921.

(Legislative day of Friday, May 20, 1921.)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

JUDGMENTS AGAINST UNITED STATES (S. DOC. NO. 17).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury transmitting a list of judgments rendered against the United States in the District Court for the Eastern District of South Carolina, as submitted by the Department of Justice, which was referred to the Committee on Appropriations and ordered to be printed.

SALARY OF THE ASSISTANT SECRETARY OF WAR (S. DOC. NO. 18).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury transmitting communication from the Secretary of War, submitting a supplemental estimate of appropriation in the sum of \$5,000, to cover an additional amount required for salary of the Assistant Secretary of War, fiscal year 1922, which was referred to the Committee on Appropriations and ordered to be printed.

SUPPLEMENTAL ESTIMATES OF POSTAL SERVICE APPROPRIATIONS (S. DOC. NO. 19).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury transmitting two communications from the Postmaster General, submitting supplemental estimates of appropriations in the sum of \$35,000 for claims for damages, Air Mail Service, and \$5,000 for Pan-American Postal Congress at Buenos Aires, payable from postal revenues, fiscal year 1922, which was referred to the Committee on Appropriations and ordered to be printed.

SUPPLEMENTAL ESTIMATE, IMMIGRATION SERVICE, 1921 (S. DOC. NO. 20).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury transmitting a communication from the Secretary of Labor, submitting a supplemental estimate of appropriation in the sum of \$448,831.53 required to cover expenses of regulating immigration, fiscal year 1921, which was referred to the Committee on Appropriations and ordered to be printed.

INTERNATIONAL CONFERENCE OF LABOR (S. DOC. NO. 21).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury transmitting a communication from the Secretary of Labor, submitting a deficiency estimate in the sum of \$5,594.21 for expenses of the International Conference of Labor, fiscal year 1920, which was referred to the Committee on Appropriations and ordered to be printed.

COLLISION OF COAST GUARD TUG "NO. 84" (S. DOC. NO. 22).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting an estimate of appropriation in the sum of \$59.30 required by the Coast Guard for payment of damages caused by collision of Coast Guard tug No. 84 with a scow at the port of New York on September 19, 1919, which was referred to the Committee on Appropriations and ordered to be printed.

PAYMENT TO PETER G. TEN EYCK (S. DOC. NO. 23).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a communication from the Secretary of Agriculture submitting a proposed paragraph of legislation authorizing the payment of \$84 for rent to Peter G. Ten Eyck from the appropriation "Meat inspection, Bureau of Animal Industry, 1921," which was referred to the Committee on Appropriations and ordered to be printed.

JUDGMENT IN FAVOR OF MARGARET W. HUMMER (S. DOC. NO. 24).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a communication from the Board of Commissioners of the District of Columbia submitting a supplemental estimate of appropriation in the sum of \$800 for the payment of a judgment against the District of Columbia in the Supreme Court of said District in favor of Margaret W. Hummer, which was referred to the Committee on Appropriations and ordered to be printed.

### PETITIONS AND MEMORIALS.

Mr. ROBINSON presented a petition of the Ministerial Alliance of Little Rock., Ark., praying for the enactment of supplemental legislation to strengthen the so-called Volstead prohibition enforcement act, which was referred to the Committee on

He also presented petitions of sundry citizens of Blytheville, Eaton, Powhatan, Plainview, Rover, Ola, Pinkney, Democrat, and Coal Hill, all in the State of Arkansas, praying for the enactment of legislation to prohibit gambling in grain and other agricultural products, which were referred to the Committee on Agriculture and Forestry.

Mr. WALSH of Montana presented a petition of sundry citizens of Winifred, Mont., praying for the enactment of legislation to prohibit gambling in grain and other agricultural products, which was referred to the Committee on Agriculture and For-

Mr. GERRY presented a resolution of the Woonsocket Fortnightly Club, of Woonsocket, R. I., favoring the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

Mr. CAPPER presented petitions of sundry citizens of Larned and Onaga, Kans., praying for the enactment of legislation to prohibit gambling in grain and other agricultural products, which were referred to the Committee on Agriculture and

Forestry.

Mr. WILLIS presented a resolution of the Oberlin League of Women Voters, of Oberlin, Ohio, favoring action by the United States looking to the calling of a conference with other Governments for the purpose of securing reduction of armaments, and, pending such conference, urging a halt in the 1916 naval building program, and also protesting against any increase in the Army, which was ordered to lie on the table.

He also presented a telegram in the nature of a petition signed by Lee Hall, president, and G. W. Savage, secretary-treasurer, of Ohio Miners, of Columbus, Ohio, praying for an investigation by the Endard Columbus, Ohio, praying for an investigation by the Federal Government of conditions in Mingo County, W. Va., which was referred to the Committee on Edu-

Mr. SHEPPARD presented a letter in the nature of a memorial from Sister M. Teresa (Sister of Charity), of St. Joseph's School, Bandera, Tex., remonstrating against the treatment of her brother, Patrick Muldowney—whose address is Trumera, Mountrath, Queens County, Ireland—by the British authori-ties, whom she alleges was arrested and has been imprisoned since December 15, 1920, and that no charge has been brought against him and he has had no trial; and also praying that the United States take action looking toward immediate cessation of the suffering and bloodshed in Ireland, which was referred to the Committee on Foreign Relations.

## REPORTS OF COMMITTEES.

Mr. McLEAN, from the Committee on Banking and Currency, to which was referred the bill (S. 831) to amend the proviso in paragraph 10 of section 9 of the Federal reserve act, amended by the act of June 21, 1917, amending the Federal reserve act, reported it without amendment and submitted a report (No. 73) thereon.

Mr. MYERS, from the Committee on Military Affairs, to which was referred the bill (S. 904) fixing the term of service of Elijah C. Putnam during the Civil War, reported it without amendment and submitted a report (No. 74) thereon.

# BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WALSH of Montana:

A bill (S. 1877) for the relief of the Flathead Nation of

Indians: to the Committee on Indian Affairs.

A bill (S. 1878) to permit the State of Montana to exchange cut-over timber lands granted for educational purposes for other lands of like character and approximate value; to the A bill (S. 1879) granting a pension to Henry Hankins (with accompanying papers); to the Committee on Pensions.

By Mr. NEW:

A bill (S. 1879) granting a pension to Henry Hankins (with accompanying papers); to the Committee on Pensions.

A bill (S. 1890) providing for the appointment of Warrant Officer Herbert Warren Hardman as captain in the Quartermaster Corps, United States Army, to take rank under the provisions of section 24a of the act of Congress approved June 4, 1920 (with accompanying papers); to the Committee on Military

A bill (S. 1881) to amend an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended, to establish an Hawaiian homes commission, and for other purposes; to the Committee on Territories and Insular Possessions.

By Mr. LODGE:

A bill (S. 1882) to protect the public against fraud by prohibiting the manufacture, sale, or transportation in interstate

commerce of misbranded, misrepresented, or falsely described articles, to regulate the traffic therein, and for other purposes; to the Committee on Interstate Commerce.

By Mr. WELLER: A bill (S. 1883) granting a pension to Anna Claude Howard; to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 1884) for the relief of John F. Kelly; to the Committee on Military Affairs.

A bill (S. 1885) granting a pension to Belle Thompson Alter; to the Committee on Pensions.

By Mr. CALDER:

A bill (S. 1886) granting a pension to Margaret L. Burns; to

the Committee on Pensions.

A bill (S. 1887) to protect interstate commerce in foods, drugs, and medicines, and to extend the provisions of the food and drugs act of June 30, 1906; to the Committee on Interstate Commerce.

By Mr. SWANSON:

A bill (S. 1888) authorizing the Secretary of War to denate to the William R. Terry Chapter, Daughters of the Confederacy, city of Bedford, Bedford County, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. BALL submitted an amendment providing that an appropriation of \$323,620 be made for improvements at the Philadelphia quarantine station, intended to be proposed by him to the second deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. NORRIS submitted an amendment providing that the Secretary of War be authorized and directed to dispose of by transfer to the Department of Agriculture under existing laws by sale so many motor trucks and passenger-carrying automobiles as will, in addition to such trucks and automobiles as have been sold or transferred since January 1, 1921, aggregate during the first six months of the calendar year 10,000 motor trucks and 2,000 passenger-carrying automobiles, intended to be proposed by him to the Army appropriation bill, which was ordered to lie on the table and to be printed.

#### CONDITIONS IN IRELAND.

Mr. FLETCHER. Mr. President, in the issue of May 25 of the Nation appears an article by Sir Horace Plunkett entitled "Ireland To-day-Sir Horace Plunkett's Plan." I ask unanimous consent to insert that article in the RECORD. an important contribution which it would be well if Englishmen, Irishmen, and Americans would very carefully consider and weigh.

In view of the resolutions which have been introduced and the numerous petitions which have been presented regarding Ireland, I believe it would help clarify the situation and serve the interests of all concerned to give consideration to the views of a distinguished resident of Ireland, whose patriotism and statesmanship are well established and recognized.

The PRESIDENT pro tempore. Without objection, the request of the Senator from Florida will be granted.

The article referred to is as follows:

"TRELAND TO-DAY-SIR HORACE PLUNKETT'S PLAN. "[By Horace Plunkett.]

"I have been invited to explain to American readers the latest means adopted by moderate Irishmen-Irishmen, that is, to whom the policy of Mr. Lloyd-George is abhorrent and the doctrine of Mr. De Valera seems in one matter impracticable—the latest means adopted by them to induce and enable the Government to put an end to an Irish situation which is cruelly disastrous to Ireland, utterly discreditable to Britain, and productive of lasting mutual hatred between the two peoples.

"Over 600 men, women, and children have been killed since the beginning of the year in conflicts between the Irish republicans and the forces of the Crown. Nearly as many more have been wounded. The wanton destruction of property and the complete dislocation of the country's commerce and industry continue. This is a state of things which at any previous period would have led to the downfall of the Government at Westminster. For whatever reason the party now in power is allowed to persist in a policy which no Irishman believes can possibly succeed-a policy which, in 6 counties of Ireiand, will set up a government hateful to one-third of their population, while in the other 26 counties it will be regarded as adding the injury of partition to the insult of alien government, and will remove the Anglo-Irish conflict further than ever

from a settlement.
"The supreme tragedy of this Irish situation lies in the fact that a certain and proclaimed remedy has lain ready to the hands of the Government all through these dark months. Two years ago the Irish Dominion League was founded; it is not yet too late to bring peace and friendship between the two countries by the solution it advocates. With the agreement and assistance of Irishmen representing many shades of political opinion I have brought forward in their name a new plan for enabling the Lloyd-George administration, once and for all, if their avowed desire for a peaceful settlement is sincere, to show that it is so by their actions or, by their refusal, to close our ears entirely to their unsupported protestations of good will.

"The plan is embodied in a memorial to the prime minister which advocates a new approach to an Irish settlement as an alternative to the continuance of this heartrending conflict until a military decision is reached in a ruined country. poses that the Ulster Unionists should be asked-without abandoning the powers and privileges assured to them under the government of Ireland act, 1920-to join with their fellow countrymen in an all-Ireland conference for the sake of keeping Ireland contentedly in the British Commonwealth, and that those entitled to speak for the majority of the Irish people should be asked to abandon secession for the sake of Irish The main assumptions on which the scheme is based are:

"1. That the Government's policy has not only, as the prime minister now admits, failed tragically but that there is no prospect whatsoever of any turn of its disastrous tide. spirit of resistance and the actual number of active participants in the armed conflict are increasing notwithstanding the terrible suffering inflicted upon the Irish republican army and the communities in sympathy.

2. The majority of Irish people are determined to adhere to the republican demand and to support those fighting for it as long as the Government adheres to its attempt to impose upon Ireland by force a constitution which the majority of its

people will not accept.

"3. If such a settlement as Mr. Asquith and the Liberals have already approved were firmly offered and accompanied by a truce while it was being submitted to a representative assembly of the Irish people-with amnesty should a settlement be reached-an immense majority in southern Ireland would accept the offer.

'4. Northern Ireland would ultimately, if not at once, come into the settlement, because fiscal autonomy in southern Ireland (which would be an essential of a settlement) would involve a tariff wall around the six counties, to the utter destruction

of their economic life.

"5. No issue to the conflict other than a military decision is possible unless the Government takes the initiative and brings about negotiations between southern and northern Ireland upon

a possibly acceptable basis of settlement.

"These assumptions are sound and the scheme is properly based upon them. Writing for Englishmen I might give good reasons for believing that the proposed change in the British Government's attitude would enormously improve its moral position in Britain as well as Britain's prestige abroad. Writing for Americans I will restrict myself to the change the adoption of the scheme would make in the situation here in Ireland.

"The Government is committed to holding the elections under the act over the whole of Ireland. In the six counties it will lead to the setting up of a parliament in which only one party will be represented. The institution will be a mere replica of the Ulster provisional government which was ready to be set up in 1914. I believe those in Sir Edward Carson's confidence, who subsequently had an Irish policy formulated in their ex-clusive interest, were determined to use their control over the parliament and the government with exemplary moderation, if not generosity, toward the minerity in their area, and so justify themselves before the world Whatever their intentions they are now completely disillusioned upon the working out of The northern government will have the fierce the policy. hostility of an unrepresented minority, who will have the sympathy and not a little cooperation of practically the whole of southern Ireland. For business reasons the Ulstermen never liked partition, many of them to my certain knowledge thinking it impracticable but relying upon the bargaining value of their own parliament for setting up an all-Ireland government favorable to themselves. In the backs of the minds of these people-in the fronts of their minds there is still the hatred stirred up in the days of the covenant-they will be glad of another opportunity to negotiate. A conference established in the manner outlined in our memorial will give it to them. They would not, however, touch the scheme unless requested to do so by their English supporters in the Government.
"In the south of Ireland the forthcoming elections will

obviously be a wanton farce, making England ridiculous before

the world, if held as now ordered. The proceeding will not merely be farcical, it will be mischievous in a way which few. even here in Ireland, appreciate. Sinn Fein will return probably over 90 per cent of the members, whose only qualification will be that they can be trusted to demand a republic and never to darken the door of the Parliament to which they are elected. Yet these men will stand before the world as the authorized spokesmen for the democracy of Ireland for the next few years. Even Sinn Fein will not put forward the men in whose political capacity they believe, for the simple reason that having M. P. after their names marks them for Black and Tan attention. If, on the other hand, the members elected are to sit in a constituent conference or assembly, not only will the best Sinn Feiners stand but men of moderate views would be welcomed by Sinn Fein as a necessary minority in a really representative Irish gathering.

"The greatest difficulty was to save the Government's face, and on this point our scheme meets, as no previous scheme has met, the actual political necessities of Mr. Lloyd-George's These are the two points we are pressing him to government.

consider for his own salvation:

"(a) If the southern elections are held only for a parliament which won't meet, a body of extremists will be installed for the next two or three years as the authorized spokesmen of the Irish democracy in any negotiations between Britain and Ireland or between the southern and northern Irelands created by the act of 1920. If the elections are also for a constituent assembly, I am convinced a good sprinkling of first-rate men, representing all views, would be returned. In the former case no settlement would be possible till after another election, or a military decision; in the latter case a settlement would at worst only be postponed. (b) The scheme saves the Government's face with its rank and file who will give it credit for any settlement which comes out of the elections under the act.

"But it is not enough to point the way through Irish difficulties, as often by their manner and means as by their policy and intentions have British Governments outraged the feelings of my fellow countrymen. There are difficulties in Ireland which are beyond the horizon of Westminster. We have therefore, after long and careful consideration, devised a procedure calculated to minimize these difficulties, and we set out in order the steps

required to give a fair trial to the plan we propose.

1. The prime minister to state in Parliament that the Government accepts in principle the status of a self-governing dominion for Ireland on the terms above indicated, provided that those authorized to speak for the majority of the Irish people and for the Ulster Unionists, respectively, agree to meet in an assembly representative of the whole of Ireland and discuss a settlement upon that basis.

"2. If both Irish parties are ready to meet for such a discussion-and this can easily be ascertained-the Government to facilitate the meeting of the present elected representatives from southern Ireland so that they can appoint delegates to confer with the Government upon a cessation of hostilities and such other preliminary arrangements as may be necessary to make it possible for the subsequent negotiations to proceed.

"3. The forthcoming elections to take place on the understanding that the members returned for the whole of Ireland will immediately thereafter meet as a constituent assembly without necessarily taking their seats in either parlia-

ment.

"4. Parliament meanwhile to pass a bill authorizing the constituent assembly to frame a constitution for Ireland in accordance with the powers and limitations of full-dominion status. At the first meeting of this assembly negotiations to be opened with the Government in regard to defense and foreign relations.

"5. The members representing the six counties of northern Ireland may, at any time during the deliberations of the constituent assembly, declare by a majority that they decide to set up a parliament and government for their area as provided in the act of 1920, and in the event of such decision the members from southern Ireland may either adopt or reject the dominion status for their 26 counties.

"6. If a parliament of northern Ireland is thus established, it shall have power at any time to unite with the southern Ireland dominion on any terms which may be mutually agreed,

"Such is the plan thought out by a body of Irishmen who passionately long for the freedom of their country in order that its people may be able not only to develop their own human and material resources, which they alone understand, but also to take their place in the family of nations to which they belong. Given this opportunity they will be, for the first time in 700 years, not perhaps friends of the British Govern-ment for a while but of the British people."

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On May 20, 1921:

S. 594. An act for the relief of certain ex-service men whose rights to make entries on the North Platte irrigation project, Nebraska-Wyoming, were defeated by intervening claims. On May 25, 1921:

S. 1479. An act granting the consent of Congress to the Washington & Old Dominion Railway, a corporation, to construct a bridge across the Potomac River.

PERRY'S VICTORY MEMORIAL, PUT IN BAY ISLAND, OHIO.

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Printing, as follows:

To the Senate and House of Representatives:

I transmit herewith the first annual report of the Perry Victory Memorial Commission, dated December 6, 1920, which was submitted to the Secretary of the Interior pursuant to section 5 of the act entitled "An act creating a commission for the maintenance, control, care, etc., of the Perry's Victory Memorial on Put in Bay Island, Lake Erie, Ohio, and for other purposes, approved March 3, 1919 (40 Stat., 1322-1324).

WARREN G. HARDING.

THE WHITE HOUSE, Man 25, 1921.

NATIONAL BUDGET SYSTEM-CONFERENCE REPORT (S. DOC. NO. 15).

Mr. McCORMICK. I submit the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1084) to provide a national budget system and an independent audit of Government accounts, and for other purposes. I ask that the report may be printed and lie on the table.

Without objection, the report will The VICE PRESIDENT.

be printed and lie on the table.

#### NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

The PRESIDENT pro tempore. The question is upon the amendment of the committee, which the Secretary will state.

The READING CLERK. On page 58 add a new section to be numbered section 16.

Mr. CURTIS. Mr. President, the Senator from Wisconsin [Mr. La Follette] is necessarily absent at this moment. He has amendments to propose to this amendment of the committee. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst Ball Borah Brandegee Broussard Bursum Cameron Capper Caraway Colt Culberson Cummins Curtis Dial Edge Elkins Ernst	Fletcher Gerry Gooding Haie Harreld Harrison Heffin Hitchcock Johnson Jones, Wash. Kellogg Kendrick Kenyon Keyes King Knox	Lodge McCormick McKellar McLean McNary Moses Myers Nelson New Newberry Nicholson Norbeck Oddie Overman Phipps Pittman Poindexter	Robinson Sheppard Shortridge Smith Smoot Spencer Stanfield Swanson Underwood Wadsworth Walsh, Mont. Watson, Ga. Watson, Ind. Williams Willis Wolcott
Ernst Fernald			

Mr. CURTIS. I wish to announce the necessary absence of the Senator from Pennsylvania [Mr. Penrose], the Senator from Wisconsin [Mr. La Follette], the Senator from Vermont [Mr. Dillingham], the Senator from West Virginia [Mr. Sutherland], and the Senator from Massachusetts [Mr. Walsh], who are in attendance on a hearing before the Committee on

Finance.

The PRESIDENT pro tempore. Seventy Senators have an-

swered to their names. There is a quorum present.

Mr. McLEAN. Mr. President, the Senator from Wisconsin [Mr. LA FOLLETTE], who expected to discuss some amendments which he intends to offer to the pending amendment of the committee, is detained for a few moments, and he is willing I shall now offer an amendment which I had intended to propose when

the text of the bill is reached. If there is no objection on the part of the acting chairman of the committee, I shall offer my amendment at this time.

Mr. POINDEXTER. I have no objection.

Mr. McLEAN. I offer the amendment which I send to the desk

The PRESIDENT pro tempore. The amendment proposed by the Senator from Connecticut will be stated.

The READING CLERK. On page 51, line 25, after the words "Provided, That," insert the words "with the exception of submarine torpedo boats," so as to make the proviso read:

Provided, That, with the exception of submarine torpedo boats, no art of this appropriation can be expended except on vessels now being constructed.

Mr. McLEAN. Mr. President, this amendment does not accomplish what, in my opinion, should be accomplished. It merely extends to the board the right to expend a small portion of the \$90,000,000 appropriation for the purpose of preventing the entire suspension of the submarine program, but it leaves it entirely discretionary with the board. It does not add a dollar to the total of the appropriation. It merely notifies the board that it is the opinion of Congress that the matter of submarine construction should receive very careful consideration.

Mr. BORAH. Mr. President, may I ask the Secretary to restate the amendment, so that I may understand where it ap-

The PRESIDENT pro tempore. The Secretary will state the

The READING CLERK. On page 51, line 25, after the word "That," it is proposed to insert "with the exception of submarine torpedo boats," so that the text will read:

Provided, That, with the exception of submarine torpedo boats, no part of this appropriation can be expended except on vessels now being constructed.

Mr. BORAH. Mr. President, the amendment does not add to the appropriation, but it would add to the appropriation if any action were taken under it.

Mr. McLEAN. It would not necessarily do so. I think the Senator from Idaho knows that there are 12 fleet submarines included in the 1916 program. Three of them are in process of construction, as I understand, at Portsmouth; contracts have been let for three; and the other six are still in the future. If I understand the situation, if the amendment which I have proposed is adopted, it will permit the board to expend a part of the \$90,000,000 in the construction of submarine torpedo boats.

Mr. BORAH. Is it the understanding of the Senator from Washington, the acting chairman of the committee, as to the amendment proposed by the Senator from Connecticut, should it become effective and should the Navy Department operate under it, that the expenditure would be made from the \$90,-000,000 that is appropriated and that it would not be necessary to come to Congress for a deficiency appropriation?

Mr. McLEAN. The expenditure could not be made unless it should be taken from the \$90,000,000 appropriation. If a part of this appropriation be used for submarines, I assume that it will have to be taken from the fund which would otherwise be spent in the construction of battleships. They certainly will not abandon the construction of the airplane carriers.

Mr. BORAH. If the effect of the amendment is simply to take a portion of the \$90,000,000, in case it is expended at all, and use it in the construction of submarines, I have no objec-

tion to the Senator's amendment.

Mr. McLEAN. That is as I understand it. Mr. BORAH. Is that the understanding of the Senator from Washington [Mr. Poindexter] and the Senator from Maine [Mr. HALE]?

Mr. HALE. The amendment does not propose to force the department to use the appropriation, but simply allows them to use a portion of the \$90,000,000, if they see fit so to do, for the construction of submarines.

Mr. BORAH. And if they construct any submarines they have got to take the money from the \$90,000,000 appropriation?

Mr. HALE. Yes.

Mr. BORAH. Very well.

Mr. President, the comparative merits of the Mr. McLEAN. submarine and the battleship and aircraft have been pretty thoroughly discussed. I do not wish to take up the time of the Senate in repeating things that have been said with regard to the submarine. My hope is that the distinguished acting chairman of the Committee on Naval Affairs, who has so ably and successfully defended his bill, will realize the inoffensiveness

of the amendment and will permit it to go to conference.

Mr. POINDEXTER. Mr. President, I have always favored the building of the submarines that were authorized in the 1916

program. I frankly say, however, to the Senator from Connecticut that I think the intention of the department is to defer their construction, but their construction has not been abandoned nor the authorization canceled. With that understanding, I have no objection to his amendment. It simply leaves it in the discretion of the department to exercise the authority which has already been granted to it, and for that purpose to include the submarines, in case they should determine to do so, in the contracts which are to be paid for out of this appropriation.

Mr. McLEAN. Then, I understand that the Senator from

Washington is willing to accept the amendment?

Mr. POINDEXTER. I am willing to accept it. I should like, however, to add an amendment to the amendment, to come in after the words "torpedo boats," by inserting the words "and

Mr. McLEAN. I certainly have no objection to the Senator's

amendment to my amendment.
The VICE PRESIDENT. T The amendment to the amendment will be stated.

The READING CLERK. At the end of the proposed amendment, after the words "torpedo boats," it is proposed to insert 'and one transport," so that it will read:

Provided, That, with the exception of submarine torpedo boats and one transport, no part of this appropriation can be expended except on vessels now being constructed.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Connecticut [Mr. McLean] as modified by the amendment of the Senator from Washington [Mr. POINDEXTER].

The amendment as modified was agreed to.

Mr. KENYON. Mr. President, I have conferred with the acting chairman of the committee regarding the amendment which I now propose. I send the amendment to the desk and ask that it may be read.

The VICE PRESIDENT. The amendment proposed by the

Senator from Iowa will be stated.

The READING CLERK. On page 4, line 18, after the figures "\$343,400," insert the following:

Provided, That no person owing allegiance to any country other than the United States of America shall be eligible to hold office as a member of the colonial councils of the Virgin Islands of the United States nor to hold any public office under the government of said islands: Provided further, That the income tax laws now in force in the United States of America and those which may hereafter be enacted shall be held to be likewise in force in the Virgin Islands of the United States, except that the proceeds of such taxes shall be paid into the treasuries of said islands.

Mr. KENYON. Mr. President, as the Virgin Islands are under the Navy in the matter of government, it seems to me this is an appropriate time and place in the pending bill to correct a situation in the Virgin Islands that has needed the attention

of Congress for some time.

When the Virgin Islands were taken over by the United States from Denmark it was provided that anyone residing there who did not care to become a citizen of the United States by certain procedure could retain his Danish citizenship. think of all the inhabitants of the islands there were only somewhere around 30 in number who exercised that privilege. One of the individuals who retained his Danish citizenship edits a paper at St. Thomas which, I think I am fair in saying, is hostile to the United States. His utterances show no friendly He is a member and has been feeling at least to this country. feeling at least to this country. He is a means and St. John, president of the colonial council of St. Thomas and St. John, have the perfectly anomalous situation of a Danish subject, a man who refuses to become a citizen of the United States, and who has provoked much feeling against the United States by his paper, at the head of the council making laws to govern portions of those islands. He is not now the head of the council, because his term has expired, but he has been reelected to the council, as I understand. It ought not to be that a Danish subject could be a member of the council making laws for those islands. That is what my amendment will prevent.

In the second place, we are spending some \$375,000 a year out of the Treasury to carry on the affairs of the Virgin Islands. There are great planters in the Virgin Islands who the committee believed when they visited those islands were escaping the income taxes. If the income-tax laws of the United States should be applied to the Virgin Islands, we can raise enough money, I think, to make the Virgin Islands practically selfsustaining

Those are the two points that are covered by my amendment, and I would be glad if the Senator from Washington could see his way clear to accept it. Let me say further that I have a letter from the present governor of the Virgin Islands strongly indorsing the amendment and urging its adoption.

Mr, POINDEXTER. Will the Senator have the letter printed in the RECORD?

Mr. KENYON. I think, Mr. President, it may be of interest to insert in the RECORD the letter received by me from the governor of the Virgin Islands, and I therefore ask unanimous consent that it may be incorporated in the RECORD at this point.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter referred to is as follows:

GOVERNMENT OF THE VIRGIN ISLANDS
OF THE UNITED STATES,
St. Thomas, May 9, 1921.

My Dear Senator Kenyon: I was inaugurated in the Council Chamber in St. Thomas before the Colonial Council and a large assemblage of officials and citizens on April 26, since which time I have been actively at work getting hold of the situation here, after which I shall go to St. Croix on the same mission. I would not be able to go there at once, anyway, for the Vixen is not at present seaworthy and funds for naval repairs are not easily available, owing to the necessity for rigid economy.

funds for naval repairs are not easily available, owing to the necessity for rigid economy.

There have been improvements since your commission was here. Taking your recommendations in order, the following is the present condition as far as I have gone:

1. The water problem is still serious and the season has been very dry. We are about completing a watershed and large cistern for the French colony (Cha-Chas) and when completed and filled by the hopedfor rain, these poor people will have water at their doors instead of having to walk a half mile for each bucketful.

2. The transportation service is somewhat improved between the islands and with Porto Rico. I intend to study this matter closely.

3. The substitution of American currency awaits the action of Congress. A bill gotten up by the Treasury was shown me before I left Washington.

isiands and with Porto Rico. I intend to study this matter closely.

3. The substitution of American currency awaits the action of Congress. A bill gotten up by the Treasury was shown me before I left Washington.

4. The new code of laws is already in force in St. Croix and the one for St. Thomas and St. John will go into effect on July 1 next.

5. Much improvement has been made in the schools both materially and intellectually speaking, and the junior high school, established since your visit, is thriving. I shall inspect the schools of St. Croix later just as thoroughly as I am now delving into those of St. Thomas. I feel much encouraged from what I have seen.

6. The bunkering question is still in bad state.

7. I am taking active steps with the Post Office Department to establish mall service with St. John. Our service with San Juan and with St. Croix is now biweekly and very satisfactory.

8. I have not yet gotten to the agriculture question, but the Secretary of Agriculture promised me his help when I need it.

9. The bar at Christiansted is a very trying and dangerous one to mariners. It is a big question. When I have given it personal study I shall be better able to discuss the matter.

10. We have quite a good little library now here in St. Thomas, and it is most interesting to see how crowded it is with eager children. I shall see it greatly expanded, slowly but surely.

11. I am studying the question of local taxation and shall bring it vigorously before the councils. Please note my suggestion as to an amendment to the naval appropriation bill, at the end of this letter, dealing with officeholding and lncome tax.

12. As yet the councils are separate.

13. The judicial situation is still somewhat in flux. I shall have more to say of it later.

1 desire to strongly recommend that you make an effort to attach the following proposed amendment to the naval appropriation bill now before the Congress:

8243,440." add the following:

Proposed amendment to H. R. 4803, Sixty-seventh Congress, first session, U

Senator William S. Kenyon, United States Senate, Washington, D. C.

Mr. KING. Mr. President, may I inquire of the Senator whether there is any taxation imposed upon the people in addition to their local taxes?

Mr. KENYON. Yes; there is.

Mr. KING. We are compelled, then, to appropriate, as I understand, about \$350,000 per annum for the purpose of governing the islands?

Mr. KENYON. I think the appropriations ren in the neighborhood of \$370,000, in addition to what is raised by taxation on the islands, but some of the rich planters of those islands have, in my judgment, not been paying a fair proportion of taxation.

Mr. KING. Let me inquire further if, when the islands were subject to Denmark, appropriations were made by the parent Government for the upkeep of the islands and the maintenance of local government?

Mr. KENYON. I think so. I think for some years the islands have not been self-sustaining, due largely to the same causes that I am trying to remedy by the amendment which I

have proposed.

Mr. KING. It seems to me that the amount of \$340,000 plus the local taxes is too much money. The Senator will recall that when the Territories were receiving appropriations from the Federal Government they did not receive, respectively, nearly that amount, and yet they had populations of from 50,000 to 200,000, 300,000, and 400,000. The Senator has visited the islands, and may I inquire whether, in his opinion, the amount which Congress is called upon to appropriate is excessive?

Mr. KENYON. No; I think not; I believe that we have not done our duty by them. The possibilities in the islands are marvelous; but they need a new water system; they need a dredging of the harbor at Christiansted. They have established a new junior high school since the commission visited them, but they need money for a number of purposes. It is a land we acquired and a land we forgot. A fair system of taxation will reduce the amount the Government is compelled to pay, but I do not believe that it will entirely eliminate it. There must be many things done in the Virgin Islands in the next few years.

Mr. KING. Let me inquire of the Senator, in view of his amendment, whether there is any spirit manifested by the

people to become citizens of the United States?

Mr. KENYON. Oh, yes. I think I stated to the Senate that there were not over 30 or 35 who refused to become citizens of the United States

Mr. KING. I did not so understand the Senator. Mr. KENYON. There were not over that number who took advantage of the provision that they could retain their Danish citizenship; but one of the 30 has been the president of the council making laws in the islands, and it seems to me that such a situation is intolerable.

Mr. POINDEXTER. May I ask the Senator from Iowa what is the present status of the proposed legislation for establishing a civil government in the Virgin Islands?

Mr. KENYON. There has been a code of new laws, I will say to the Senator, prepared after great pains and trouble, and that code has now been adopted by the council of St. Croix and will be adopted, possibly in the next 60 days—I think that is a safe estimate-by the council of St. Thomas and St. John. So they will have a code of American laws. They have had a situation under which Danish laws have governed those islands. For instance, some offenses were punishable by boiling in oil: but, of course, such punishment has never been inflicted since we secured possession of the islands.

Mr. BORAH. Oil is too expensive for that, Mr. POINDEXTER. Mr. President, so far as I am concerned, I am in hearty sympathy with the purpose of the Senator from Iowa, as expressed in the amendment. I think that the members of the councils of the island ought to be citizens of the United States.

The VICE PRESIDENT. The question is on agreeing to the

amendment offered by the Senator from Iowa.

The amendment was agreed to.

Mr. SWANSON. Mr. President, I desire to offer an amendment.

Mr. POINDEXTER, Mr. President, my recollection is that the only committee amendment undisposed of is the one proposing to incorporate section 16, relating to aeronautics.

The VICE PRESIDENT. The Senator from Virginia has

offered an amendment to section 8, which the Secretary will

The Assistant Secretary. On page 55, at the end of section 8, it is proposed to add the following proviso:

Provided, That any officer of the Navy having not less than 16 years of active service since the date of first commission or warrant may, with the approval of the President, be transferred on his own application to the United States Naval Reserve Force, class 1, in the rank held by such officer on the date of transfer: Provided further, That an officer so transferred shall receive only such pay as is now or may hereafter be allowed by law for officers of the United States Naval Reserve Force.

Mr. BORAH. Mr. President, will the Senator from Virginia state just what he intends to accomplish by the amendment?

Mr. SWANSON. Under the present rules any officer who serves 16 years can resign from the Navy. Any officer can be retired now, and get three-fourths pay, if he is ordered before a board. A great many naval officers resign, and a great many

of them are retired. They get three-fourths pay when they are on the retired list; and when an officer files an application, just as in the case of enlisted men, after he has served 16 years, he can apply to be transferred to the Naval Reserve, not the retired list, and can be put on the Naval Reserve list, and does not get any pay except that which the regular members of the Naval Reserve get. If an officer comes and desires to resign, they will very probably say, "We will not accept your resignation, but we will transfer you to the reserve." Then he is subject to the order of the Navy in time of emergency. You can order him out. He gets no pay except the pay of the reserve for naval volunteers and officers. That is the pay he gets.

Mr. SMOOT. That is the pay he gets under the existing law? Mr. SWANSON. No; not under existing law. They can get no pay higher than that of a lieutenant commander. If a captain wants to resign after he gets to a certain age, and he is not promoted and is passed over by the selection board, the next time he goes out of the Navy entirely. Now, instead of having him go out of the Navy entirely, or retiring him on three-fourths pay, he can go into the Naval Reserve.

There is a letter here from the Secretary of the Navy explaining the matter, and I think it will save money, so they say. In addition to that

Mr. POINDEXTER. Will the Senator allow the letter to be read?

Mr. SWANSON. I will. Let the letter from the Secretary of the Navy be read. The matter was referred to him. The committee considered it, and referred it to the Secretary of the

The VICE PRESIDENT. In the absence of objection, the

letter will be read.

The reading clerk read as follows:

DEPARTMENT OF THE NAVY, Washington, May 6, 1921,

Hon. CARROLL S. PAGE, Chairman Committee on Naval Affairs, United States Senate.

My Dear Senator: Replying further to the committee's letter inclosing a proposed amendment to the naval appropriation bill (H, R. 4803) providing for the transfer of officers of the Regular Navy to the Naval Reserve Force after 16 years' service, and requesting the department's views thereon, you are informed that the department heartily approves of the proposed legislation and recommends its enactment.

departments views theat the proposed legislation and recommends its energity approves of the proposed amendment is to transfer officers from the Regular Navy to the Naval Reserve Force, class 1, after not less than 16 years' service, permitting them to retain the rank in which they are transferred and granting them thereafter only the same privileges as to pay as are at present or may hereafter be allowed by law for officers of the Naval Reserve Force. The period of 16 years mentioned places the transfer of such officers under the same limitations as to time as are now in force for the transfer of enlisted men from the regular service to the Naval Reserve Force.

By permitting an officer to transfer under these circumstances it would avoid his resignation and actual severance from the service and would make him at all times subject to the same laws and regulations as now pertaining to the Fleet Naval Reserve; and the Government, therefore, for the outlay made, would have more and better control of the services of the officers so transferred than if they were allowed to resign to be appointed or enrolled in the Naval Reserve Force.

EDWIN DENEY,

Secretary of the Navy.

EDWIN DENBY, Secretary of the Navy.

Mr. SMOOT. Mr. President, for the last month I have been studying the question of the amount of money that the Government of the United States pays to retired officers of the Army,

the Navy, and the Coast Guard.

Mr. SWANSON. If the Senator will permit me, this is not a retired officer. He gets three-quarters pay. I think the Senator is right. The object is to lessen and get rid of that list, and I think it ought to be done.

Mr. SMOOT. I think this is a step toward the same thing. This is the first step. We will take it now, and they will all be

in there in a very little while.

Mr. SWANSON. No; if the Senator will permit me, under the present law officers who resign can be put into the Naval Reserve, which they do, but they are not put in at the rank which they have. They can get no higher rank than that of a lieutenant commander. Let me explain to the Senator the only difference between this and the present law. It is not a retirement. I am opposed to any retirement. I think the list is entirely too large. I have always fought it.

At the end of four years an officer wants to resign from the

Navy under the present law, after you have educated him. He is a captain, say. Under the present law he can resign from the Navy, and then he can enlist in the Naval Receive for four years, and he can not have any higher rank than that of a lieutenant commander. At the end of four years he can re-enlist or not reenlist in the reserve, as he sees proper. Now, I have an idea that after 16 years, when you have gone to the expense of educating a naval officer, you want to keep control

You spend money here to have a reserve. A great many of them you take from civil life. A great many of these men are anxious to continue their connection with the Navy if they can do it and keep their rank; and all that this amendment does is to transfer them, or their application, with the approval of the President-not retire them on three-fourths -to the reserve, where they get exactly the same pay that reservists get who come from civil life, no pay higher than that of a lieutenant commander. The only change is that they keep their rank. If a man is a captain when he is transferred to the reserve, he keeps his rank of captain. The department tells me that it will save money.

Mr. BORAH. Mr. President, the department says it will save money, but it does not say how it will save money. Will

the Senator explain that to a layman?

Mr. SWANSON. I will explain it. When an officer is retired the Government pays him three-fourths pay without his rendering any service, and a great many officers are retired. They ask to be retired, and they are examined, and more are retired than ought to be retired. They like to keep up their connection with the Navy. Now, here is an officer who is a captain. He has not passed the selection board. He has missed it twice, and he is retired from the Navy, and goes on the re-tired list with three-fourths pay. Under this amendment that captain could be put in the reserve as a captain, and all the pay he would get would be four months' pay for serving three months. That is, they call them out for 30 days. In order to be confirmed, to get over \$12 a month, which is the pay for the reserve, this officer has to be called out and serve in the Navy 30 days, three months in four years. Even if he is a captain, he can not get any higher pay under the reserve than that of a lieutenant commander. For that 30 days' service he would get the pay of a lieutenant commander, which he gets under the present law.

Mr. SMOOT. Mr. President, I do know that there is no officer of the Navy or the Army who is ever proposing legislation that is going to save any money. That I do know. know about the details of this matter, but I think before the Senate votes upon it we had better understand it a little more

than we do.

Mr. SWANSON. I shall be glad to answer any questions the Senator has to ask me.

Mr. FLETCHER. Mr. President, I will ask the Senator this question: Is not the same thing true as to retired officers, that

they can be called into service at any time? Mr. SWANSON. They can be called into service, but while they are not called into service you pay them three-fourths pay at all times.

Mr. FLETCHER. I understand that. Mr. SWANSON. The difference between the two propositions is that under this amendment you pay them one month's pay a year.

Mr. FLETCHER. How much does the reserve officer get?

How much is the reserve pay?

Mr. SWANSON. He gets \$12 a year as a reservist. Then he has to be confirmed. In four years he has to give three months' service. They pay him for his service, while he is on active duty, the same as they do in the reserve. This simply makes it discretionery to put officers in the reserve after 16 years of service.

Mr. SMOOT. It does not in any way affect an officer who desires to serve his time. If he has served 16 years, and has arrived at the age of retirement, he will retire and go on the

retired list-

Mr. SWANSON. Of course, that is true.

Mr. SMOOT. Because he has every advantage that the man now would have if he went into the reserve, so we would never save a dollar there; and there is some advantage to a man who serves 16 years and wants to leave the Government service and go into some business and hold some kind of connection with the Navy Department, so that he can come back into the service if, perchance, he desires to do so.

Mr. SWANSON. That is true.

Mr. SMOOT. That is all there is to it.
Mr. SWANSON. No; the Senator is right about that; but here is a captain who wants to resign. After 16 years they never refuse to accept his resignation, as a rule.

That is right; let him go out of the service. Mr. SMOOT.

Mr. SWANSON. In that case his pay stops; but the Navy would like to have, in time of emergency, the right to order that man into active service. Let him be in the reserve. Keep him available. He is educated. He is a good naval man. Let him come out and practice 30 days every year, take 36 drills, and pay him exactly the same as they pay 'he reservists that come from civil life—no more. The same law applies to him, and he

is subject to the orders of the Navy. Then in time of war, in emergency, you do not have to ask him to come back after he has resigned and we say we will not accept his resignation. You order him back; you command him to come back; you have control of him. Some of these men are among the best men in the Navy. You have absolute control of them, and I think we ought to do it.

An officer comes and says, "I want to resign." "We are not going to accept your resignation. You want to go into business; that is all right; we will transfer you to the reserve.'

Mr. BORAH. And keep him on the pay roll.

Mr. SWANSON. We do not keep him on the pay roll.

Mr. SMOOT. That is where he will land.
Mr. SWANSON. No; that is a mistake. You do not keep him on the pay roll. If he retires, he is on the pay roll. The only thing you do is to transfer him to the reserve, like the reservists that come from civil life. You pay him no more and no less. The amendment says that he shall have no compensation except what is given to members of the reserve.

Mr. POINDEXTER. Mr. President, I should like to call the attention of the Senator from Virginia to the fact that if this amendment is to be considered, it is not in order now. offered as an amendment to an amendment to the bill which has already been adopted. The Senator had better propose to put it into the bill at some other point, where it will be in order so far as the bill itself is concerned. I suggest that it be offered to come in after line 22, on page 16, as an amendment to the bill, and not as an amendment to an amendment to the bill.

Mr. SWANSON. Very well; I offer it there.

Mr. HITCHCOCK. Mr. President, will the Senator permit me to ask him a question? He says that the pay of these naval reservists is only \$12 a month.

Mr. SWANSON. Twelve dollars initiation fee-not \$12 a month; \$12 for the year. Then, when they practice, you pay For instance, they have 36 drills a year. have to practice three months out of four years.

Mr. HITCHCOCK. What do they get paid for that?

Mr. SWANSON. They get two months' pay for the drills and for the cruises they have, which about covers the time they are in the Navy

Mr. HITCHCOCK. Can the Senator explain why in his bill here the retainer pay and active-service pay of members of the Naval Reserve Force, which the House put in at \$7,000,000, has been raised to \$12,000,000? It seems to me that is a very big item, and it seems to me that that must indicate that there is very large employment of these Naval Reserves.

Mr. SWANSON. We have a very good Naval Reserve.

Mr. SMOOT. I will say to the Senator that we have a large Naval Reserve, and we have a large Army reserve. I can not say as to how good they are.

Mr. HITCHCOCK. It seems to me this comes back to the

point I made yesterday.

Mr. SWANSON. The only question is, when a naval officer resigns or when a naval officer is willing to go into the fleet reserve, Is it wise to give him permission to do so with the rank he has? Not any higher pay, because they can not get any higher pay than that of a lieutenant commander. can take people from civil life now. The only question is as to whether naval officers whose resignations you are going to accept on the condition that they go into the reserve, or whether naval officers who want to go out of the Navy, can have the same privileges in the fleet reserve, simply keeping their rank. The officer can go in there now. The question is whether he shall be in there as a captain or as a lieutenant commander. He can not be any higher than a lieutenant commander.

That is what the amendment does. It allows them when they are transferred to the naval reserve to have the rank they have in the Navy, with no higher pay than that of a lieutenant

commander.

Mr. HITCHCOCK. Does the Senator's amendment apply to cases only where officers propose to resign from the service?

Mr. SWANSON. It applies only to cases where they make an application, with the consent of the President. Then the President can transfer them to the Naval Reserve with the rank they had in the Navy, but not increasing the pay to a rate any higher than the present rate, and the highest rank they can hold is that of lieutenant commander. That is the only change in the law.

Mr. HITCHCOCK. Are there any considerable number of

officers who resign while in full service?

Mr. SWANSON. Capt. Palmer, one of the best men in the Navy, Chief of the Bureau of Navigation, resigned and accepted a place outside, but he afterwards went into the Naval Reserve as a lieutenant commander. He is now in that force as a lieutenant commander. I will state how it operates in his case.

Mr. HITCHCOCK. The Senator is not answering my question.

Mr. SWANSON. I will answer it; I am just giving the Senator one example. The effect of this amendment would be to make it so that Capt. Palmer would be transferred to the Naval Reserve as a captain, subject to the orders of the department at all times, at precisely the same pay a naval reservist gets who enters from private life, as a great many of them do. Then he would all the time be subject to orders and get no higher pay. It does not increase his pay. There are a great many applications. The usual course is that those of lower rank, after they have served eight years, resign and their resignations are accepted. I think they are accepting too many resignations, after the Government has educated the men. This amendment would make them serve 16 years before their resignation would be accepted.

Mr. HITCHCOCK. Are there many resignations; and if so,

how many?

Mr. SWANSON. I do not know how many there are. I know that there are many pending in the department. There are less pending now than there were six months ago; but at those times when business is good and very attractive they are pending in large numbers.

Mr. HITCHCOCK. If the resignation of an officer is accepted, that ends the expense of the Government, as far as that officer

is concerned, does it not?

Mr. SWANSON. Yes; and they get another officer in his place,
Mr. HITCHCOCK. Under the Senator's amendment the
officer who went on the reserve list would not only get the retainer every year but if called into active service he would get full pay?

Mr. SWANSON. Under the present law, any officer who resigns

can apply and be appointed at his present rank.

Mr. HITCHCOCK. He would get the full pay, then, when

Mr. SWANSON. The reserve officer always gets full pay, not exceeding the pay of a lieutenant commander, when called out.

Mr. HITCHCOCK. For how many months? Mr. SWANSON. For two months a year.

Mr. HITCHCOCK. That item which the House put in at \$7.000.000 the Naval Affairs Committee of the Senate raised to \$12,000,000, and this amendment will make that item still larger

in future years.

Mr. SWANSON. No; it does not increase the pay at all.

Mr. HITCHCOCK. What is this item of \$12,000,000? It was \$7,000,000 in the bill as it passed the House, and now the Senate has raised it to \$12,000,000, and it seems to me the Sena-tor's amendment would make it obligatory to raise it to a still higher figure in the future bills.

Mr. SWANSON. It reads:

Retainer pay and active-service pay of members of the Naval Reserve Force, \$12,810,222.

There are always deficiencies in that item. The law fixes certain conditions under which they shall come in, just as they have a fixed number of men.

Mr. HITCHCOCK. I think the Senator is mistaken in that. The number of reserves called out each year depends upon the

judgment and policy of the Navy Department.

Mr. SWANSON. No; there is the retainer pay of \$12 a year, and you do not get a cent more than that unless you have 36 drills a year. Then you enlist for four years, and you have a cruise of three months in the four years. When that is confirmed you get the pay of two months, because you really have about two months' active service.

Mr. HITCHCOCK. The Senator will not claim that is any small item. It is \$12,000,000. That can not certainly be for paying a man \$12 a year. That involves full pay for a good

many officers and men, evidently.

Mr. SWANSON. This does not apply to officers alone. This is for the entire Naval Reserve. It covers all the ranks and places

Mr. HITCHCOCK. I understand. Mr. SMOOT. Mr. President, I ask the Senator if these officers of the Navy are retired and become members of the Naval Reserve Force, what privileges do they have in the way of the use of a commissary?

Mr. SWANSON. I do not think they have any such privilege. Mr. SMOOT. Does the Senator know that they have not?

Mr. SWANSON. I am satisfied that they have not. I do not think any but regular naval officers have those privileges, though I could not answer definitely.

Mr. SMOOT. I think if the Senator will look it up he will

find that the case is different from what he thinks.

Mr. SWANSON. They try to run the commissaries at cost, anyway.

Mr. SMOOT. I am perfectly aware that they charge 10 per cent over and above the cost of the goods, and that 10 per cent is supposed to cover the cost of maintaining the commissary. But why should we give an officer who desires to retire from the service after 16 years' service the privilege of buying from the commissary? Why should he expect that privilege?

Mr. SWANSON. They have that privilege now. Any officer

who resigns from the Navy can enlist in the reserve. He can not enlist at a rank any higher than that of lieutenant commander. The only change made by this amendment is to allow

him to have the rank of captain or higher.

The amendment affects only those who are captains or higher. Any officer who resigns to-day can go into the Naval Reserve. So you do not give him any privilege he does not already possess. The only difference it makes is to provide that if an officer retires with the rank of captain, he keeps his rank; but it does not change the pay. He is still a captain in the reserve. If a captain in the Navy were to resign to-morrow, he could go into the Naval Reserve, but he could not go in at a rank higher than that of lieutenant commander, and the pay of that rank is the highest pay that he could get now. Under this amendment he could be appointed in the reserve at the rank which he held in the Navy, as a captain or any higher rank, but he would get no higher pay than that of a lieutenant commander. It does not change the pay at all. There is no change of the law except in that regard. If the Senate thinks a man who is a captain in the Navy, and serves as a captain in the reserves, should get no higher pay than that of a lieutenant commander—because we do not pay retired officers a salary higher than that of a lieutenant commander—that is all right. This amendment only affects that matter. It affects nothing except that. He shall be transferred at the rank he holds. That is all there is to it.

Mr. SMOOT. There is another provision in this proposed amendment I would like to have the Senator explain. It reads:

Provided, That any officer of the Navy having not less than 16 years of active service since date of first commission or warrant—

And so forth.

Does that mean that an officer who had served 10 years following his first commission and had left the service, then had come into the service again and served for 6 years, could, under this provision, be considered as having served 16 years?

Mr. SWANSON. No; it means 16 years continuous service.

Mr. SMOOT. It does not say that.
Mr. SWANSON. Let the word "continuous" be inserted there, because that is what is intended.

Mr. SMOOT. It seems to me that it is worded in such a way as to show that that was not intended.

Mr. SWANSON. It is plain. The only point is the question of rank. I will read it for the Senator. It reads:

Provided, That any officer of the Navy having not less than 16 years of active service-

You can change that to read, "16 years of continuous active service," because I think that ought to be in there—

since the date of first commission or warrant-

Some of these officers started as warrant officers, and others as privates

may, with the approval of the President, be transferred on his own application to the United States Naval Reserve Force, class one, in the rank held by such officer on the date of transfer.

That is really the only change from the present law. The present law provides that they can not get any higher pay than that of a lieutenant commander. This reads:

Provided further, That an officer so transferred shall receive only such pay as is now or may hereafter be allowed by law for officers of the United States Naval Reserve Force.

Mr. SMOOT. He takes the chance of having a law passed which would pay him three-quarters pay or half pay or onequarter pay

Mr. SWANSON. No; not the retired officers.

Mr. SMOOT. Oh, yes.
Mr. SWANSON. It is simply the reserve pay. The only difference is that if a captain, an admiral, or a commander resigns from the Navy he is transferred to the Naval Reserve as a lieutenant commander. This simply allows him to go into the Naval Reserve with the rank he had in the Regular Navy, but with no higher pay. We simply desire to have them keep the rank, with no higher pay.

Mr. HITCHCOCK. How about those officers who have had

the rank of captain, say, who have enlisted in the Naval Reserve and who only have the rank of lieutenant commander? Will

they be favored also?

Mr. SWANSON. I do not think this would cover their cases, because they were transferred upon their own application. The law did not at that time allow them to be given rank higher than

that of lieutenant commander.

Mr. HITCHCOCK. The next thing we know they will be asking that they be commissioned in the grades occupied by them in the Regular Navy.

Mr. SMOOT. Why should they not?

Mr. SWANSON. If they were captains in the Navy they are certainly competent to be captains in the reserve. It seems to me that anyone who has been a captain in the Regular Navy is competent to be a captain in the Naval Reserve.

May I inquire of the Senator, suppose the re-Mr. KING. serve officers should be requisitioned, would the rank they bear in the reserve determine their rank in the new service to which they may be called; or, rather, would not their rank be determined by their capacity, competency, and the duties assigned to them, regardless of the rank which they held in the reserve? Let me illustrate: Suppose that under the present law an admiral should retire and be placed upon the reserve-if we can conceive of such a thing-a war should break out, and under the law he should be called back into the service. He is retired and goes into the reserve as a captain or lieutenant commander. When he is called back he might be assigned to the command of a squadron. The Senator does not mean to state that the title which he had in the reserve would determine the station and title which he would have when he was put back into active duty?

Mr. SWANSON. If he was a captain in the reserve and he is called into regular duty, he would come into the Navy as a captain. Under the present law he could not come in with any higher rank than that of lieutenant commander, if he resigned. There would be no power to commission him higher

than as a lieutenant commander.

I was illustrating my point by the case of Capt. Palmer. Capt. Palmer, who is one of the best men in the Navy, was the Chief of the Bureau of Navigation, and he resigned. If he were ordered back into the Navy, he would come back as a lieutenant commander. If this amendment is adopted, he would be called back as a captain. That is all there is to this.

Mr. KING. May I ask the Senator if there is any difference in this regard between the Navy and the Army? I have in mind now a man who resigned from the Army who was a captain, a graduate of West Point, and went into the practice of When the Great War broke out he immediately cause to Washington and entered the Army, and was commissioned as a brigadier general because of his ability and his competency.

Mr. WADSWORTH. That was a temporary grade.

Mr. KING. They did not go back to ascertain what rank he held when he resigned from the Army. If a man resigns from the Navy before the retirement age, enters the reserve, and a war breaks out and they need him, and he is competent to handle a squadron, it seems to me that he could be given a rank entitling him to occupy such a position. The law certainly is elastic enough to authorize that.

Mr. SWANSON. You can not do it under the law. That is

the reason why we need this amendment. Then the law ought to be changed. Mr. KING.

Mr. SWANSON. Unless you go through a regular course at the Naval Academy you can not get into the Navy as a com-missioned officer. When we provided for the reserve we stipulated that no officer in the reserve should hold a rank higher than that of lieutenant commander. Take the case of Capt. Palmer, who is a lieutenant commander in the Naval Reserve now. If this amendment had been in effect when he retired from active service, he would now be a captain, and when ordered in the Navy he would come in as an officer with no higher pay than that of the grade he was occupying while in the reserve.

Mr EMOOT. Mr. President, I want simply to say that as a

result of my investigation of the law which was passed, affecting the Public Health Service particularly, little amendments have frequently been offered to appropriation bills which did not seem to amount to anything on their face, and no one thought they ever would be taken advantage of, but they were written with a view of covering up really what was intended. The result has been that it has cost the Government of the United States tens and hundreds of thousands of dollars.

I am fearful of this, and in the future I am going to watch the retirement business and the promotions if I can, and know before they are agreed to, so far as I can, just what is going to happen. I frankly say that under this amendment I do not know just what is going to happen, and unless the Senator wishes to withdraw the amendment until I can make an investigation of it I must make a point of order against it at this

Mr. SWANSON. I shall wait until later and let the Senator look into it.

Mr. SMOOT. I desire to know more than I do now what it is going to lead to. I believe with all my soul that it is brought here for the purpose of giving an advantage to some people who have been in the service and who want to get out of the service. If they can do better out of the service than in the service, they would have this provision to fall back on.

Mr. ASHURST. Mr. President, I may be out of the Chamber

when the amendment is voted on, and therefore I desire to make a point of order against it now, if the Senator from Utah does

not.

The PRESIDING OFFICER (Mr. Jones of Washington in the chair). The amendment has been withdrawn and is not

pending

Mr. KING. For information, while it is not relevant to any matter now pending, I inquire of the Senator from Maine [Mr. HALE] if he possesses the information whether retired officers, whether they have resigned or have retired and get retired pay, have the advantage of buying their supplies from the Government; in other words, do they have the advantage of the commissary department?

Mr. HALE. They have no such advantage. Mr. SMOOT. Does the Senator from Maine say that retired officers have not this advantage?

Mr. HALE. The resigned officers have not. Mr. KING. Do retired officers have it?

Mr. HALE. Retired officers have that privilege.

Mr. KING. May I inquire of the Senator from New York

[Mr. Wadsworth] if that is true as to the Army?

Mr. WADSWORTH. My recollection is that retired officers who happen to live in the neighborhood of an Army post where a commissary sales store is maintained may make their purchases at that commissary sales store, but that does not mean that all retired officers of the Army by any means may take advantage of any such privilege, because they are scattered all over the country and most of them are hundreds of miles from an Army post. It costs the Government nothing. They pay cash for what they purchase.

Mr. KING. I am not so sure about that. I do not have the figures here, but some information has been furnished me showing the additional expenses resulting to the Government in the way of overhead, in increasing the amount of supplies kept on hand, clerk hire, civilian hire, and so forth, incident to furnishing commissary advantages to retired officers of the Navy and the Army. I know nothing about the matter, but if retired officers or officers who have resigned are getting the advantages of

the commissary department, I think it is wrong.

Mr. WADSWORTH. The Senator, of course, knows that an officer who has resigned from either service has no privilege of

Mr. KING. I am glad to know that.

Mr. WADSWORTH. It would be impossible to give them such a privilege.

Mr. KING. Through adroit amendments sometimes offered to appropriation bills, and especially to Army and Navy appropriation bills, not by Congressmen and Senators wittingly, but by reason of the efforts of those proposing the legislation who claim some advantages through that legislation, I am not so sure but that the Government has been compelled to assume many obligations and responsibilities which in justice ought not to have been placed upon it.

Mr. WADSWORTH. I invite the careful scrutiny of the Senator from Utah to the Army legislation with respect to any person who resigns from the Army having any privilege whatsoever. I also invite the Senator's careful scrutiny to the amendment that has just been withdrawn, for if the Senator from Utah desires to reduce the number of retired officers in the

Navy he will vote for that amendment.

Mr. KING. I am not so sure whether that would be advantageous. There are so many of these amendments suggested by officers who have retired or want to retire from the Army and the Navy or by persons having some peculiar or special interest, the effect of which no one can anticipate in advance, that the situation calls for a very careful examination when such amendments are tendered, before the Senate or House of Representatives accepts them.

The PRESIDING OFFICER. The Secretary will report the

next amendment passed over.

The Assistant Secretary. On page 58, the committee proposes to add as a new section section 16.

Mr. BORAH. Mr. President, that is an amendment in which the Senator from Wisconsin [Mr. La Follette] is interested. and he is now out of the Chamber. May I say, however, that the Senator in charge of the bill called my attention to a point of order which I raised upon another matter? Upon what page does that appear?

Mr. POINDEXTER. Page 37, changing the statutory limit of \$300,000 for repairs and changes to capital ships to \$500,000.

Mr. BORAH. I wish that the Senator briefly would state the facts in regard to the purpose of that amendment, so that there may appear in the RECORD what the object is and what the situation or condition is with reference to the completion of these ships and why it is necessary to change the statutory

Mr. POINDEXTER. The necessity of it arises out of the enormously increased size and cost of vessels. The original act, of August 29, 1916, limited the authority for making repairs upon capital ships to \$300,000. The result of that is that on a battleship which costs \$30,000,000 the department would not be authorized to expend any more than \$300,000 upon repairs.

The object is to increase the \$300,000 limit to \$500,000 upon the great, new capital ships of the Navy, to give discretion to

the Bureau of Construction and Repair, under the Secretary of the Navy, in proper cases, to make repairs upon those vessels, but not exceeding that amount.

Mr. BORAH. At the present time the limit of the amount of

repairs on the capital ships is \$300,000?

Mr. POINDEXTER. It is \$300,000 and it is now proposed to increase it to \$500,000.

Mr. BORAH. I withdraw the point of order. The PRESIDING OFFICER. The Chair desires to suggest that the clerks at the desk inform him that a point of order was made to the amendment and the Chair sustained it; so that the amendment is out. The best way to reach it, the Chair will suggest, will be for the acting chairman of the committee to offer it when the bill gets into the Senate.

Mr. POINDEXTER. I shall pursue that course

Mr. KING. Mr. President, apropos of that, if the Senator will pardon me, I should like to inquire of the Senator whether or not this amendment is to cover the cost of repairs to the Tennessee, for instance. The Tennessee has been in commission one year. It was supposed to be ready for service, and advertisements have been made of tests to be made, and the newspapers seem to have been employed to convey the idea that it was a grand success. My information is that in the Tennessee for one year the machinery has been defective, and that this amendment is for the purpose of enabling the department to make amends in mechanical construction of the vessels where there are manifest defects-defects which have been the result of improper devices or improper mechanical skill.

I should like to inquire of the Senator whether the experience on the Tennessee and other boats has not demonstrated imperfect electrical appliances and imperfect electrical systems,

especially with respect to the drive shaft?

Mr. POINDEXTER. The Tennessee had some difficulty by going aground in the navy yard waters at New York, but I have no information that its machinery is defective. On the contrary, my information is that its machinery is very excellent.

The purpose of the amendment is very simple. Of course, it would apply to the Tennessee as well as to any other ship, and the question is simply this, regardless of how the condition may have been created: We have a ship that is worth \$30,000,000 and we find that certain changes or certain repairs are necessary to that ship which will cost \$500,000. At present the law does not authorize the expenditure. As a matter of economical business prudence it seems to be obvious that they ought to be authorized in the discretion of the Secretary of the Navy. The limit is now \$300,000, and the purpose of the amendment is to raise the limit to \$500,000.

Mr. KING. I agree with the Senator that even if there is a limitation of \$300,000 for repairs, if larger repairs are necessary they should be made, and the limitation should be raised, but I wish to call attention to a statement which was made in a Rockland, Me., press dispatch of May 16:

The battleship Tennessee, America's latest word in fighting ships, went into Penobscot Bay to-day to begin her trial runs. These tests, twice postponed by major machinery mishaps since the Tennessee was commissioned nearly a year ago and delayed again last week by a burned-out motor, were threatened to-day by further difficulties by unfavorable weather conditions. \* \* The runs set for to-day in-runde tests of all propellers at speeds ranging from 8 to 15 knots and of inboard and outboard propellers at from 12 knots to maximum speed. The battleship was built to make a speed of 21 knots.

I inquire what is the matter with the Tennessee? What has been the matter with her during the year she has been unable to run after having been commissioned? What is the matter with her motors? What is the matter with her drive shaft? What is the matter with the machinery of the Tennessce? Let me inquire, by way of parenthesis, and I shall talk about that a little later, what is the matter with some of the machinery in some of our submarines?

My information is that electric-drive machinery of the same make as that installed in the Tennessec is being provided for the

Massachusetts, the Lexington, the Constellation, the Saratoga, the Ranger, the Constitution, and the United States.

Mr. POINDEXTER. Mr. President—

Mr. KING. I yield to the Senator from Washington.

Mr. POINDEXTER. I can not give the Senator detailed information about the electric-drive machinery of those capital ships, but I have general information that some defects were found. At first it was not known what caused them. Upon investigation they found those defects were due to a very simple cause, which was easily removable and which was removed, and that subsequently the electric-drive machinery of the ships worked with great success.

Mr. KING. This ship was commissioned one year ago. There were major machinery difficulties, not minor. Tests have been made twice and the ship failed, as I am advised. There seems to be something inherently wrong in the mechanism or in the design, yet we propose to put the same kind of machinery, the same driving system, into the boats the names of which I

have just furnished to the Senate.

At a later time I shall offer an amendment the effect of which will be that until it has been demonstrated to the satisfaction of the President that the propelling machinery can provide the maximum battle speed contemplated by the contracts for capital ships those ships shall not be accepted and payment shall not

Mr. WADSWORTH. Will the Senator state the date of the newspaper dispatch from Rockland, Me.?

Mr. KING. May 16.

Mr. WADSWORTH. Of this year?

Mr. KING.

Mr. WADSWORTH. It so happened that I was on board the battleship Tennessee in Hampton Roads about the middle of March, and while I am a perfect amateur about all that kind of machinery, the situation was explained to me at some length. One of the motors was burned out during the maneuvers in Cuban waters. The ship came back in advance of the fleet under her own power, being driven by two of her propellers instead of by four. It was then being discussed where she would be repaired. She has since been repaired.

On a visit to the fleet the other day, at the time when the fleet arrived at Hampton Roads, I was informed by officers, who certainly ought to know what they are talking about, that the Tennessee is in first-class condition and is able to meet any requirement made of her. Further than that, officers of the Tennessee and other naval officers with whom I discussed this very matter-because I regarded it as somewhat serious-said that it would be perfect folly to abandon the electric drive, which is

the best in the world.

Mr. POINDEXTER. Mr. President-

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Washington?

Mr. KING. I yield.

Mr. POINDEXTER. Mr. President, the Tennessec was built at the New York Navy Yard by the Government. It was commissioned in 1920, and has gone through its trial test success-Only recently it was reinspected by a board of inspection of the Navy Department and found to be in excellent condition. In a week, or approximately that time, it will leave for the Pacific coast to join the Pacific Fleet. I am informed by Admiral Taylor that the motors were furnished by the Westinghouse Co.; that some minor difficulty was discovered in the operation of the motors; that that was remedied, but that it was remedied at the expense of the Westinghouse Co. under their contract, and that the repairs in that instance would not in any way come within the expenditure referred to in the amendment which was suggested a moment ago.

Mr. KING. Mr. President, I, of course, confess to having no knowledge of shipbuilding, and I have to rely upon statements made by others, but my information is—

Mr. LODGE. Who is the officer who makes that statement?

Mr. KING. I do not care to say.

Mr. LODGE. We have anonymous officers paraded up and

We have anonymous officers paraded up and down here, and I thought as a matter of curiosity that I should like to know who he is.

Mr. KING. I think if the Senator from Massachusetts, in alluding to any officers being paraded, has reference to me, he is entirely in error.

Mr. LODGE. I should not have asked except for the fact I thought the Senator was reading from a newspaper.

Mr. KING. No; I was not reading from a newspaper. Mr. LODGE. I thought the Senator said he was quoting from a Rockland newspaper.

Mr. KING. What I was reading was taken from a newspaper. Mr. LODGE. That is what I thought.

Mr. KING. A part of what I stated was taken from a newspaper; it is a newspaper item that the tests had been "twice postponed by major machinery mishaps since the Tennessee was commissioned nearly a year ago."

Mr. LODGE. I have heard the paragraph read. Where was

it published?

Mr. KING. At Rockland, Me., May 16. Mr. LODGE. Is the Tennessee there?

Mr. KING. All I know is what the statement says, and my information is that it was there

Mr. LODGE. At Rockland, Me.?

Mr. KING. No; at Penobscot Bay. The article states:

The battleship Tennessee, America's latest word in fighting ships, went into Penobscot Bay to-day to begin her trial runs.

Mr. LODGE. That item is dated May 16 of this year?

Mr. KING. Does the Senator say that the Tennessee has not been in commission for a year?

Mr. LODGE. Oh, no; I am not denying that, Mr. KING. Does the Senator say that the driving mecha-

nism of the ship has not been out of commission?

Mr. LODGE. I know there was an accident to the motor head, which has been repaired. There are occasional accidents to machinery.

Mr. KING. Oh, I presume so. The Senator does not furnish any information to the Senate when he makes that observation, though he may deem it very trite and very wise.

Mr. LODGE. I was not trying to furnish any information.

That is furnished by the Senator from Utah.

Mr. KING. I was inquiring of the Senator from Massachusetts, if he is familiar with this matter, whether or not the Tennessee did not fail upon two occasions in the trial tests?

Mr. LODGE. I do not know. I was asking for the Senator's authority for his statement and who the officer was who made the statement.

The statement that I have just read about the Mr. KING.

Tennessee failing twice was in a newspaper.

Mr. LODGE. Exactly, The Senator's authority is a Rock-

land, Me., newspaper.

Mr. KING. And I am asking the Senator from Massachusetts, who is a distinguished member of the Naval Affairs Committee, if the information conveyed in the newspaper is wrong?

Mr. LODGE. I do not know; I am trying to find out. I have a strong suspicion that the test of the Tennessee did not take

place at Rockland, Me., but I may be wrong.

Mr. KING. If the Senator had listened, he would have known that the newspaper stated that it was in Penobscot Bay.

Mr. LODGE. The test of the Tennessee? Mr. KING. I did not hear the Senator's observation.

Mr. LODGE. I merely wanted to know what the newspaper

Mr. POINDEXTER. What is the date of the communication from which the Senator from Utah has read, may I ask?

Mr. KING. I have read the statement three times, but I will read it again:

Rockland, Me., May 16-

Mr. LODGE. Is that May 16 of this year? Mr. POINDEXTER. What is the year?

Mr. KING. It is this year.

Mr. POINDEXTER. The ship was commissioned a year ago. Mr. KING. I understand that. Let me read the statement

again, in order that the Senator may not misapprehend it. Mr. BORAH. I think we should send for the Senator from

Mr. KING. The article reads:

The battleship Tennessee, America's latest word in fighting ships, went into Penobscot Bay to-day to begin her trial runs. These tests, twice postponed by major machinery mishaps since the Tennessee was commissioned nearly a year ago, and delayed again last week by a burned-out motor, were threatened to-day by further difficulties by unfavorable weather conditions. It was thought be naval observers that Capt. Leigh would be able to put the Tennessee through most of her prescribed runs, although possibly unable to complete the day's schedule of 26 tests.

The runs set for to-day include tests of all propellers at speeds

The runs set for to-day include tests of all propellers at speeds ranging from 8 to 15 knots and of inboard and outboard propellers at from 12 knots to maximum speed. The battleship was built to make a

My information is that this battleship, though it was commissioned a year ago, because of major defects in machinery was unable to meet the maximum requirements of the contract; that there were defects in the motor and defects in the drive; and that it has taken one year after it was commissioned to prepare it to make the final test. I am not now sure whether it has made the test showing the maximum speed during a given length of time. It is very clear that a machine may respond for a few minutes or for a few hours to a high speed, a maximum speed, but may fail if it is required to respond for the Tennessee, whether the mechanism had lived up to its

an indefinite period or for a reasonable period, one which is necessary in order to show ability to meet the maximum test which it will be called upon to meet.

Mr. POINDEXTER. Mr. President-

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Washington?

Mr. KING. I yield.

Mr. POINDEXTER. What conclusion does the Senator from Utah draw from his information and what is his proposition in

regard to the matter?

Mr. KING. I offered that as supporting the proposition made by the Senator to increase the appropriation for repairs from \$300,000 to \$500,000. It is obvious that, if we are going to have many failures of this character, we will have to increase the amount from \$300,000 to \$500,000, and I was wondering whether or not in the new ships, which are to have the same maximum speed requirements and the same drive, provision had been made or was being made to obviate the difficulties and the defects that existed in the Tennessee.

Mr. POINDEXTER. I will say to the Senator that provisions are being made to obviate those difficulties. I call the Senator's attention to the fact that the amendment we are discussing in the Senate is not an appropriation, but an extension of the limit of authority to expend money for repairs upon ships from

\$300,000 to \$500,000 as a maximum limit.

Mr. KING. I understand that.

Mr. POINDEXTER. Of course, the practical question would arise, which I have heretofore stated, whatever may have been the cause of the defects, or whatever may create the necessity for a change, whether or not in the interest of economy and good business, following principles that anyone in a similar situation to the Government would follow, there ought to be authority to incur, when it is necessary, expenses for repairs up to that maximum amount.

Now, as to the electric-drive question-Mr. KING. Will the Senator pardon me?

Mr. POINDEXTER. In just a moment I will yield. I understood the Senator to say that he was not objecting to that, but as to the Tennessee and as to the electric drive the Senator is misinformed as to the failure of the Tennessee upon her trial tests. The Tennessee has been given her trial tests and has passed them very successfully and, as I stated a moment ago, is fully equipped and ready for service and is about to leave for the Pacific coast.

As to the electric drive generally, my information is that instead of being a failure it is a remarkable success. In my judgment the ships of the United States Navy have been put ahead of any other ships of their class in the world because of

having this improved system of propulsion.

Mr. KING. Mr. President, I was about to say that I have no objection to the amendment which increases the limit from \$300,000 to \$500,000; indeed, I think it would be false economy for the Government to restrict repairs to \$300,000 if by adding another \$100,000 or \$200,000 a useless vessel may be converted into a valuable fighting machine.

Mr. POINDEXTER. I have no fault to find at all with the Senator's criticisms. I think they do good. I think that any information whatever that can be obtained, or even any tentative suggestion as to defects in ships, or as to the failure of construction or of plans, ought to be brought out in the open

and discussed. It is bound to have a good effect.

Mr. KING. I agree with the Senator, and na I agree with the Senator, and naval officers and naval constructors-I wish to make this statement for their benefit—must not exhibit too much tenderness of feeling. are spending the people's money; they must give an account of their stewardship, and if defects appear in their work they will be subject to criticism, and they should be criticized.

Mr. POINDEXTER. That is correct, and I think they welcome criticism. I have no brief on their part; my interest in the matter is identical with that of the Senator from Utah.

Mr. KING. I understand that.

Mr. POINDEXTER. But the Senator from Utah is too experienced a lawyer not to appreciate the importance of getting at the real facts of the case and to weigh the testimony in ac-cordance with its character. What we want to ascertain about such a subject as that which he is now discussing is what the real facts are, and in order to do that we would have to go a great deal further than the information which the Senator has in hand enables us to go; we would have to examine into the minute details of the machinery and the exact character of the defects, if any.

Mr. KING. I entirely agree with my distinguished friend,

but I was wondering whether the committee had information as to the wisdom of continuing the present mechanical devices on guaranties and its former reputation, and whether it was wise, in view of the fact that one year had elapsed from the time that vessel was commissioned until the final tests were made, during which time tests had been made which had failed, to put into the new vessels being constructed the same mechanical devices. I have called the attention of the committee to it, and I have no doubt the naval board's attention will be challenged

Mr. POINDEXTER. The remarks of the Senator will aid in that direction, but they have been challenged to it, and, as I have stated before, most of the defects which were foundand it is not unnatural that to a certain extent in actual operation there should develop defects in complicated machinerywere found to be due not to any fundamental cause at all but to some very trivial fault in mechanical arrangement, such as too close contact with some part of the ship which interfered with the operation of the machinery in one case, as I recollect; so that simply by increasing the distance so as to give free play the defect is entirely removed. Of course, the defects to which the Senator refers which have already been corrected in the case of the Tennessee will not be repeated in the case of subsequent ships.

Mr. KING. Mr. President, I am glad to learn from the Senator that the Tennessee has remedied the defects, and made repairs, and measured up to the tests which were prescribed. In view of that information, unless I learn something to the contrary, I shall not offer the amendment which I intimated that I should offer, requiring that the President shall be satisfied with respect to these boats, before machinery of this character is put in them, that this machinery will measure up to the maximum tests and guaranties which are required.

The PRESIDING OFFICER. The question is on the amend-

ment of the committee to section 16.

Mr. BORAH. Mr. President, the Senator from Wisconsin [Mr. La Follette] has two amendments to that section. I shall

have to suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Idaho sug-The PRESIDING OFFICER. The Senator from Idaho suggests the absence of a quorum. The Secretary will call the roll. The roll was called, and the following Senators answered to

their names:

Hale Harris Harrison Heffin Ashurst McNary Smoot New Newberry Nicholson Spencer Sterling Sutherland Borah Borah Brandegee Broussard Calder Capper Caraway Curtis Dial Norris Oddie Overman Phipps Pittman Poindexter Hitcheock
Johnson
Jones, Wash.
Kellogg
Kendrick
Kenyon
Keyes
King
La Follette
Lodge
McCormick
McKellar Hitchcock Swanson Townsend Underwood Wadsworth
Walsh, Mass.
Walsh, Mont.
Warren
Watson, Ga.
Watson, Ind.
Williams Dillingham Edge Ernst Pomerene Robinson Frelinghuysen Gerry Glass Sheppard Shortridge Simmons Willis Gooding Smith

The PRESIDING OFFICER. Sixty-four Senators have answered to their names. A quorum is present. The question is on the adoption of the amendment of the committee known as section 16.

Mr. LA FOLLETTE. Mr. President, in section 16, on page 58, line 17, after the words "Marine Corps," I move to amend by inserting the words:

Who shall within one year after his appointment qualify as an air-craft pilot or observer.

The PRESIDING OFFICER. The amendment proposed by the Senator from Wisconsin will be stated.

The READING CLERK. On page 58, line 17, after the words "Marine Corps" it is proposed to insert the words:

Who shall within one year after his appointment qualify as an aircraft pilot or observer.

So as to read:

There shall be a chief of the Bureau of Aeronautics, appointed by the President, by and with the advice and consent of the Senate, from the officers of the active list of the Navy or Marine Corps, who shall within one year after his appointment qualify as an aircraft pilot or chearent.

And so forth.

Mr. POINDEXTER. Mr. President, my information is that the Secretary of the Navy and the Chief of the Bureau of Operations, who are responsible for the administration of such aeronautic service as the department has, approve this amendment. In so far as I am able to accept it, I do accept it. I should like to say that I understand there are some further mendments to be offered by the Senator from Wisconsin. Of course, provision ought to be made for a reasonable time to allow the officers who have charge of that service to comply with these requirements.

Mr. LA FOLLETTE. I think my further amendments cover that

Mr. POINDEXTER. In accepting it, I desire to say that many qualities besides that of being able to fly are required for the proper conduct of a bureau of the Navy, even though it be a bureau of aeronautics. A man might be a flyer and still be an egregious ass. In fact, I think there have recently been some instances of that kind. On the contrary, he might be a good administrator, very successful in the conduct of a branch of the Navy Department dealing with aeronautics, with all of its surface activities as well as those in the air, even though be might not be a flyer; but my understanding of the policy of the department is that all officers of the Navy should be flyers, and in accordance with that there is certainly no objection to making that a condition of the qualification of the Chief of the Bureau of Aeronautics.

As an instance of the success of a bureau which is conducted by an officer who is not a flyer, as compared with one conducted by an officer who is a fiver, my information is that the aviation service of the Army is under the direction of an officer who is an actual flyer. Capt. Moffett, director of naval aviation, is not a flyer; and yet, as a comparison between the two services, in a test which has been arranged by the Navy Department in connection with the Army for determining the extent to which bombs can be dropped upon ships at sea, the Navy director of aviation proposes to send out bombing planes to make an effort to destroy the ship which is to be the target, whereas the Army aviation service, which is under the control of an officer who is qualified as a flyer, has declined to participate in the test. I understand that the Army people wanted the test to take place within 30 miles of the shore, whereas the Navy proposed that it should be 60 miles from the shore. Of course, the question of what is a reasonable distance from the shore for aviators to operate is a matter for those who are technically qualified in the service to determine; but it is perfectly evident that if they are going to be very effective in the destruction of enemy fleets, in case any such fleet should ever approach the shores of the United States, they ought to be able to go at least 60 miles from the shore.

I am simply calling attention to the fact that Navy aviators propose to operate at that distance, whereas the Army aviators, under control of a man who has been exploited a great deal as a flying officer, declines to participate in that test. Of course, we shall see what the results shall be in the tests, which I understand have been arranged to take place about the latter part of June.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wisconsin to the committee amendment.

The amendment to the amendment was agreed to.

Mr. LA FOLLETTE. Mr. President, I offer the amendment to section 16 which I send to the desk.

The PRESIDING OFFICER. The Secretary will state the amendment to the amendment.

The READING CLERK. On page 59, line 22, strike out the period after the word "Navy" at the end of section 16, replace it with a colon, and add the following:

Provided, That not to exceed 30 per cent of the officers in each grade below that of rear admiral who fall to qualify as aircraft pilots or as aircraft observers within one year after the date of their detail into the Bureau of Aeronautics shall be permitted to remain detailed in this bureau: Provided further, That flying units or detachments, with the exception of aircraft carriers or other vessels, shall in all cases be commanded by flying officers.

The amendment to the amendment was agreed to.

Mr. LA FOLLETTE. Mr. President, I have some other amendments which I desire to submit, but I wish to offer some observations of a general character upon the bill before I proceed to do so.

## Monday, May 16, 1921.

Mr. LA FOLLETTE, Mr. President, on the 27th of April last the junior Senator from Massachusetts [Mr. Walsh] presented to the Senate, in a speech which he delivered here, a startling arraignment of the Government's neglect of the sick and disabled soldiers. The Senator gave us the facts which he had secured at first hand from a personal inspection of Federal hospitals provided for ex-service men in Massachusetts and elsewhere who were drafted and who volunteered to take part in the late war.

Sir, I recall that during the last session there was a protracted debate in this body, led by the Senator from Arkansas [Mr. Robinson], to secure adequate appropriations to provide suitable hospital accommodations for the men who had gone out at the call of their Government in the late war. Members of the Committee on Appropriations and other Senators opposed and succeeded in defeating the necessary appropriations to provide hospital accommodations for the men who had been disabled and whose health had become broken in the service of their country. They contended that it was necessary for the Government to retrench, to curtail, to economize, and insisted that the soldiers and their friends were unduly persistent in pressing for relief; that we had a great war debt upon us; that taxes were very burdensome; that business conditions were bad; that it was necessary for us to repair the waste places; that it was vital to our future prosperity to reduce expenditures in every department and cut appropriations to the bone in every direction.

I see around me in this Chamber at this time, sir, Senators who voted to put us into this war. I see here Senators who will vote for this bill carrying \$500,000,000 of appropriations in support of a plan to make the American Navy the largest navy of the world. I see all about me Senators who voted for a bill giving billions of gratuities to the railroads of this country, who vociferously proclaimed their patriotism when that seemed to be the popular thing to do, and demanded the crucifixion here and elsewhere throughout the country of every man who did not believe that it was a war to end war and to preserve democracy.

Within the sound of my voice are many Senators who will readily vote for \$40,000,000 battleships, which will be out of date and ready to be scrapped by the time they are constructed, and who are either indifferent to or oppose and defeat every effort which is made in this body to obtain even the minimum of decent hospital treatment for the men broken and crushed by the hell of war.

The ex-service men were here at the last Congress asking for the passage of a soldiers' readjustment bill. Other bills were put ahead of it. Other bills are being put ahead of it at this session. It is said from time to time that in good season the soldiers will be cared for. Mayhap they will; but one thing is absolutely certain. Upon the facts as presented here to the United States Senate and to the country, they are not being properly cared for now.

Soldiers are suffering, are undernourished, are wanting medical treatment and medical care, are housed in places unfit for veterinary hospitals, are denied their insurance, their allow-ances, but the Senate finds an abundance of time to pass bills to reduce the taxes on wealth and vote bounties to the railroads.

ASK \$500,000,000 FOR YEAR'S EXPENDITURES IN NAVY.

And now, Mr. President, we are confronted in this bill with a proposed appropriation of half a billion dollars for one year's expenditures in the Navy. In the face of admonitions from the Treasury Department that the taxable resources of this country are practically exhausted we have the spectacle of one of the great committees of the Senate engaged in conducting hearings with a view to exempting the wealth of this country from taxation and fastening upon our country a system that will further impose burdens upon the great mass of the people of the United The senior Senator from Idaho [Mr. Borah] the other day called upon some member or members of the Finance Committee to set forth the program of that committee to meet the conditions the Secretary of the Treasury had described in a letter to the chairman of the Committee on Ways and Means of the House of Representatives.

LOADING THE TAX BURDEN ON THE BACKS OF THE PEOPLE.

I will say to him now that one of the plans is to repeal the excess-profits tax. Another of the plans upon which the Finance Committee of the Senate is working is the reduction of income taxes upon the higher incomes for the relief of the millionaires of the country.

Then, led by my colleague upon the committee, the Senator from Utah [Mr. Smoot], we are now conducting in the Finance Committee hearings the aim and object of which is to impose a turnover tax every cent of which is to be paid by the consumers of this country. It is the expressed hope of the advocates of that proposition that by imposing a turnover sales tax upon the burden bearers, the hewers of wood and the carriers of water, the great masses of the people of this country, they will be able to collect in the neighborhood of \$2,000,000,000, and in that way relieve the war profiteers of the payment of excess-profits taxes and reduce the taxes upon the larger in-

Money must be had from somewhere to take care of approxi-mately the five billions of burden that is now laid upon the people of this country in order to maintain their Government, but plans are maturing to cast the bulk of that burden on the great mass of the toilers of this country.

Mr. President, I turn now to address myself to the pending

OUTLINE OF THE 1916 PROGRAM.

The 1916 program, adopted by Congress on August 29, 1916, provided the following naval plan:

A. Ten first-class battleships, 6 battle cruisers, 10 scout cruisers, 50 torpedo-boat destroyers, 9 fleet submarines, 58 coast submarines, 3 fuel ships, 1 repair ship, 1 transport, 1 hospital ship, 2 destroyers, 2 destroyer tenders, 1 fleet submarine, 2 ammunition ships, 2 gunboats.

B. One additional battleship had been authorized before the act of August 29, so that 11 battleships and 6 battle cruisers, making a total of 17 capital ships, are now under construction.

Let us see what has happened to that program. Contracts have been let for all vessels listed above, except 12 destroyers, 1 transport, and 6 sea-going submarines, which Admiral Coontz testifies will not be built at all.

I have figures here showing the state of completion of the 17 capital ships up to this time, as shown by the testimony taken before the Committee on Naval Affairs of the House and the Committee on Naval Affairs of the Senate, which I have undertaken to analyze with some care. Mr. President, without going into that in detail, I ask leave to print here, in connection with my remarks, just exactly the condition at which this program of 17 battleships has arrived as a building proposition up to the present hour, together with comments from Senator King's minority report.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

STATE OF COMPLETION OF 17 CAPITAL SHIPS.

First group.

Name.	Where building	State of completion.	Ton- nage.	Horse- power.	Knots.
California Maryland	Mare Island, Calif Newport News Shipbuilding & Dry Dock Co.	95. 5 93. 0	32,300 32,600	28, 500 28, 900	21
Colorado	New York Shipbuilding Corporation.	66.7	32,600	28, 900	21
Washington West Virginia	Newport News Shipbuilding & Dry Dock Co.	57. 6 44. 5	32,600 32,600	28, 900 28, 900	2)

The above state of completion of the ships in this group is 71.46 per cent. These ships are of the superdreadnaught type, of approximately equal displacement, horsepower, and speed, and all except the California mount 16-inch guns. The California mounts 14-inch guns. Their completion would give the Navy 21 capital ships of the dreadnaught and superdreadnaught type of the most modern construction and effectiveness, which, with 21 second-class battleships now in commission, would give us a Navy of 42 battleships.

Second group.

Name.	Where building.	State of completion.	Ton- nage.	Horse- power.	Knots.
South Dakota North Carolina Indiana Montana Iowa	New York Navy Yard Norfolk Navy Yard New York Navy Yard Mare Island Navy Yard Newport News Shipbuilding & Dry Dock Co.	22. 3 21. 8 18. 2 16. 6 13. 1	43, 200 43, 200 43, 200 43, 200 43, 200	60, 000 60, 000 60, 000 60, 000 60, 000	23 23 23 23 23 23
Massachusetts	Bethlehem Shipbuilding Corporation.	1. 2	43, 200	60, 000	2

The average state of completion of the ships in this group is 15.53 per cent. These battleships are all designed to mount twelve 16-inch guns. They are over 10,000 tons heavier in displacement than the superdreadnaughts in the preceding class, have more than double the horsepower, and only a speed of 2 knots in excess of the five superdreadnaughts in the preceding class. There are no battleships or battle cruisers in the British Navy or the Japanese Navy of equal displacement and power.

Third group (battle cruisers).

Name.	Where building.	State of comple-	Ton- nage.	Horse- power.	Knots.
Saratoga	New York Shipbuilding Corporation.	13, 3	43, 500	180,000	33. 25
Lexington	Bethlehem Shipbuilding Corporation.	7.7	43,590	180,003	33, 25
Constellation	Newport News Shipbuild- ing & Dry Dock Co.	5.1	43,500	180,000	33. 25
Constitution United States Ranger	Philadelphia Navy Yarddo Newport News Shipbuilding & Dry Dock Co.	2.3 2.3 1.0	43,500 43,500 43,500	180,000 180,000 180,000	33, 25 33, 25 33, 25

The average of completion of these battle cruisers is 5.28 per cent.

THE COST OF COMPLETING THE 1916 PROGRAM.

Mr. LA FOLLETTE. Appropriations have already been made aggregating \$538,270,000. This money has been spent to bring 10 battleships of the 1916 program to an average—an average, mark you—of 35.3 per cent completion; 6 battle cruisers to 5.28 per cent completion; and to complete 77 submarines destroyers, and miscellaneous craft, and to start the construction of 35 other subsidiary vessels.

Revised estimates now place the total cost of the program at \$972,000,000. So that the minimum cost of completing these vessels would be in excess of \$433,000,000, according to the Navy Department's figures. That is taking into account the amount of money that has been expended on them up to this time, and

what it will cost to finish them.

Senators perfectly well understand that these figures are low, because the cost of 17 capital ships alone, at \$40,000,000 each, would be \$680,000,000. The Navy's figures do not include the cost of necessary naval bases, and auxiliary craft, which we must have to round out our fleet.

Senator King, in his minority report upon this bill as presented to the last Congress, estimated that to complete the 1916 program will cost \$1,000,000,000 in addition to the \$538,270,000

already appropriated.

GENERAL BOARD ALREADY HAS NEW BUILDING PROGRAM.

In addition to this staggering program, the General Board of the Navy recommended, on September 25, 1920, and Secretary Daniels urged the adoption of an additional three-year program of 88 vessels to supplement the 1916 program. The new program urged by the General Board consists of 3 battleships, 1 battle cruiser, 30 cruisers, 8 gunboats, 18 destroyers, 12 minelaying submarines, 6 cruiser submarines, 4 airplane carriers, 3 destroyer tenders, and 3 submarine tenders, the cost of which would far exceed \$600,000,000.

There will be required for the operation of the vessels of the 1916 program an additional personnel of at least 25,000 men in the Navy, adding millions of dollars to the annual Navy budget. Requisitions of the Navy for the next fiscal year for

maintenance only already amount to more than \$500,000,000. The upkeep of the 18 capital ships under construction, including pay of men, coal, oil, repairs, and so forth, is about \$3,000,000 per annum-just the upkeep-or \$51,000,000 per annum for the maintenance or upkeep of the 17 vessels.

It is well for Senators to understand that we are not merely committed to the \$500,000,000 that this Senate bill carries, we are being drawn into a scheme that expands with every turn of the wheel, and we are urged now to go forward, because if we were to retrench at this time by scrapping and destroying these vessels, some of which are only barely begun, we would waste all that has been invested. But, oh, how much better to waste the relatively little amount, large in itself but small when you contemplate what it drags after it, how much better, unless you are prepared to go the whole route, unless you are prepared to say that we are utterly hardened and indifferent to what the burdens of the people of this country shall be in taxation.

I am going to have something to say about those who are interested in this scheme of imposing these burdens upon the people of this country and what their power is and how that power secures the support of the parliaments of every country of the I shall be able to fasten upon members of parliament and officials in high places in all the countries of the world their direct pecuniary interest in building up these mighty armaments. I think some conclusions will naturally be deduced from those facts, if not by Senators, at least by the taxpayers of our

own country.

Congress can save from half a billion to a billion dollars by refusing to complete the 1916 program authorized five years ago. Senator King's minority recommendation is as follows, somewhat condensed:

In my opinion the five battleships which are approaching completion should be completed.

He refers to five battleships whose average state of completion is 71.46 per cent. He further said:

Work upon the remaining battleships, six in number, should be at

He refers to six battleships whose average state of completion is only 15.53 per cent.

That makes up an issue for us to vote upon. I think I will make it clear that other Governments are not completing the programs which they adopted as long ago as we adopted this program; that they regard them as obsolete and the investment as waste; and that therefore, as to so much of the program as Senator King has indicated would be wasteful if completed, his

judgment is borne out by the judgment of the British Admiralty and of other authorities in the world.

The last war demonstrated some things. It demonstrated a good many things that are worth while for us to take into account unless we feel an utter indifference as to our responsibilities to the public and choose instead to accept the suggestions of the great interests behind the making of armaments and munitions.

Senator King said further:

One cruiser should be completed, but the construction of the remaining five should be suspended, if not wholly discontinued.

All five of the battle cruisers upon which he urges work to be suspended or abandoned are less than 8 per cent advanced in construction. Commenting upon the saving this would effect, Senator King said:

If this plan was adopted there would be an immediate saving to the Government of between \$450,000,000 and \$500,000,000, and the ultimate saving would be very great, amounting to tens of millions of dollars annually.

Mr. REED. Mr. President-

Mr. LA FOLLETTE. I yield to the Senator from Missouri. Mr. REED. For my information I desire to ask the Senator if there are outstanding contracts or commitments by the Government beyond the 15 per cent that is spoken of by Senator King in his report; that is to say, the statement is that these cruisers are completed or advanced to 15 per cent of construction, but does that 15 per cent cover contracts for material, contracts for work which may have been made, or are there contracts and obligations of the Government out in addition to the 15 per cent?

Mr. LA FOLLETTE. Upon that point his report is not detailed enough for me to make answer, and as I am not a member of the Committee on Naval Affairs I have to rely upon such testimony as the committee supplies. But as to the soundness of his suggestion, I think we have some evidence to support it by what Great Britain is doing with respect to her uncompleted contracts of about that same period of time.

Mr. REED. I was not criticizing; I was merely asking for

Mr. LA FOLLETTE. Oh, I understand. Senator King conclusively shows that by suspending building for the present, millions of dollars would be saved by reduction from present high levels of cost of material, more than offsetting the estimated loss of \$15,000,000 to \$20,000,000 which the majority report declares would follow suspension. I suppose, perhaps, that fifteen or twenty million dollars additional might be the estimated of the majority as to the obligations which relative mate of the majority as to the obligations which existing contracts would require us to assume if they were canceled. even at that the plan suggested by the minority report would be a very great saving to the Government. The report con-

tinues:

Another feature that should be taken into account in determining whether or not there should be a suspension of actual work under the 1916 program is that the cost of construction is very much greater now than it will be within the next two or three years. The contracts let for their construction are based on the high levels established during and immediately after the war. Those high cost levels operate as a disturbing factor in all industrial circles. They affect everything else that is going on in the country. They are impediments to economic readjustment and obstacles to a return to sound and just economic conditions. The contracts are upon the cost-plus plan or system, which has proven in practice to make for the grossest waste and extravagance. If we were to pay all the excess damages resulting from cancellation of those contracts and make them over again on a reasonable and just business basis, I have little doubt it would be a good investment for the Government.

I submit, in addition, that if a suspension of the construction of the entire program would recult in a loss of \$25,000,000 the gains would be very much more. In the first place, the cost of construction at a later period will be materially diminished. Within a year it would be reduced from 25 to 50 per cent, and suspension of work upon the entire program for six months, even if work were resumed upon every ship, would save the Government, in my opinion, considerably more than \$100,000,000. A number of ships, it will be remembered, are being constructed in Government, in my opinion, considerably more than \$100,000,000. A number of ships, it will be remembered, are being constructed in Government yards, and the loss there from suspension of work would be unimportant.

I have here just a few notes of what England has done. Be-

I have here just a few notes of what England has done. Before the war Great Britain authorized a building program of four battle cruisers of the Hood type. Keels of three vessels were laid, and I quote from Senator King's report:

At the end of the war the British Admiralty scrapped the three keels, notwithstanding \$8,170,000 had been expended in work upon them.

This action was taken deliberately by the British Admiralty. Undoubtedly their position was influenced, if not controlled, by the experiences and lessons of the war, and yet in the face of the fact that the British Admiralty scrapped the keels of three battle cruisers upon which there was an average outlay of \$2,733,333 each, our General Board is now laying the keels and proceeding with the construction of six battle cruisers, and insists that there be no suspension of work, although the money actually laid out is much less than that expended upon the British vessels.

The Scientific American of February 12, 1921, a publication with which all Senators are, of course, familiar, contains this

To make good these losses during the war and to keep pace with demands of the war, she (Great Britain) took in hand a large program of new construction, but when victory was assured, and the world menace of the German fleet had been removed, all the outstanding contracts were canceled except in the case of certain vessels of a smaller type that were near completion, and a large number of ships, including three sister ships of the 42,000-ton battle cruiser Hood, were broken up on the spot and sold as junk.

As a matter of fact, it is some seven and one-half years since the British Admiralty has laid down a battleship of like class, and not one has been ordered since the fall of 1918.

Mr. REED. I do not wish to dispute the statement. to ask the Senator whether he has seen a recent article in the press to the effect that the British were now building several superdreadnaughts, to be armed with 20-inch guns, and to be the greatest monsters ever put afloat? I saw that statement; but, of course, like every other statement we see in the press, we generally are not certain for a little while whether the information is accurate. I do not mean to reflect upon the press, but in their haste to give early news they sometimes fail to investigate. statement, if true, is a very important factor, and I wondered if the Senator knew about it.

Mr. LA FOLLETTE. I know about the statement, and I also know about the statement that was to be found in certain newspapers on yesterday of the great building program of the Japanese Government. I also remember, Mr. President, that about the time the House of Representatives and the United States Senate are considering a naval appropriation bill in every single Congress since I have been in public life, going back to 1885, I have found the newspapers filled with this sort of stuff just at the opportune moment when it would be most influential and most effective with the National Legislature.

Mr. President, I want to say that the testimony is overwhelming that the great interests which are engaged in this business are in combination, first, in each of the countries, putting each country entirely at the mercy of the combination; and, second, that they are combined throughout the world.

Mr. WATSON of Georgia. Will the Senator allow me to ask

him a question for information?

Mr. LA FOLLETTE. Certainly.

Mr. WATSON of Georgia. Does the Senator know whether or not the battleships of Japan are built by the Japanese in Japan or are built by Americans in the shippards of the American Steel Trust?

Mr. LA FOLLETTE. I am not able to answer as to the present moment, but I know that battleships have been built

in American shipyards for foreign countries.

Mr. WATSON of Georgia. My question was caused by the newspaper reports not very long ago-about three weeks ago, think-of a speech made at some sort of a banquet in New York City by Judge Elbert Gary, in which he spoke of the large naval program upon which Japan had embarked, and congratulated her upon that fact and encouraged her to pro-I suppose the Senator from Wisconsin remembers the speech?

Mr. LA FOLLETTE. I think I do remember it now that

the Senator states the fact.

Mr. WATSON of Georgia. The speech was quoted in the leading New York dailies, if not in the dailies of Washington City.

Mr. LA FOLLETTE. I thank the Senator for reminding me

of the fact.

Mr. President, Congress authorized the building program which I have just laid before the Senate on the 29th of August, 1916. Secretary Daniels at the time that program was adopted said that it provided for "the largest fleet of war vessels ever provided at any one time by any nation."

PROGRAM OF 1916 CHILD OF "PREPAREDNESS" CRAZE.

This projected fleet has come to be known as the 1916 program. It was authorized when war was raging in Europe and the "preparedness" craze was sweeping over this country. We had here from England, Maxim, a member of one of the combinations to which I have referred, addressing audiences all over this country. We had a well-staged, carefully worked out scheme to carry this program through. When Congress authorized that program Great Britain, Germany, Japan, Austria-Hungary, Russia, and Italy all had powerful fleets engaged in war. E ght months after Congress yielded to the plea that "preparedness" would insure peace, this country went to war with Germany. The 1916 program was immediately abandoned. Confronted with actual hostilities, our naval authorities stopped the construction of battleships and cruisers and concentrated on antisubmarine craft and submarines as the type of vessels best adapted to the needs of modern warfare. That is what we actually did.

But it is now proposed to resume the 1916 building program practically as it was laid down five years ago and Congres asked upon the recommendation of the General Board of the Navy, concurred in by the Naval Affairs Committee of the Senate, to appropriate hundreds of millions of dollars for this purpose.

The principal arguments relied upon by those who advocate the appropriation of this money for the completion of the 1916 program are as follows: It is contended, first, that having begun the construction of 16 capital vessels it will be more economical in the end to complete them; second, that this country needs and will have when the program is completed a navy second to none. In the controversy which has risen over this question arguments have been given wide publicity over the ry. They have found ready acceptance in many quarters. country. To show that these arguments are erroneous, after an examination of the testimony which has been given before the House and Senate committees, I undertake to assert the following propositions:

(1) This country is absolutely impregnable against offensive attacks by any nation or combination of nations in the world.

(2) We have to-day a Navy twice as strong as that of Japan and only slightly inferior in actual fighting strength to that of Great Britain.

(3) If we complete the 1916 program and enter upon the additional three-year program recommended by the General Board. by 1927 we shall be in relatively no better position than we are

to-day.

(4) The 16 capital ships of the 1916 program will be obsolete within five years and the easy prey of submarines and air-

planes.

(5) To complete the 1916 program alone, providing the fleet with the necessary bases and auxiliaries, will cost between \$1,000.000,000 and \$1,500,000,000.

(6) The only possible benefit to be derived from continuing the 1916 program will go to the armor manufacturers and to the great financial interests which desire a powerful offensive Navy and imposing battleships to protect their interests and their investments in foreign lands.

(7) The opinion of the best naval authorities in this country and abroad is unanimous that by building a reasonable number of airplanes and submarines at small cost and keeping our coast defenses in good condition this country will continue im-

pregnable against attack in the future as at present.

Sir, the bill before us carries an appropriation of \$500,000,000 for the Navy for the fiscal year ending June 30, 1922. Before we entered the European war four years ago there was not a man in the United States Senate who would have had the hardihood to suggest an appropriation of such magnitude for military and naval purposes. In 1915 the European war was at high tide. The people of this country contemplated with horror the spectacle of one-half of the human beings in the world at the throats of their fellow men. Everything that could strike terror to the hearts of mankind was taking place on the battle fields across the Atlantic; everything that could appeal to the Congress of the United States to make extravagant and unprecedented expenditures of the people's money for military purposes existed in 1915. Yet in that year, with all of the military power of England, France, Russia, Italy, and Austria-Hungary actually being employed in warfare, Congress appropriated only \$147,-788,807 for the Navy.

The total appropriations for all military purposes—that is to say, for the Army, Navy, the coast defenses, the Military Academy, the Naval Academy, and pensions for the past wars—amounted to the sum of \$429,234,515.

I am at a loss to understand, sir, how any Senator can hope to go before his constituents and justify a vote cast at this time for an appropriation for the Navy alone which will exceed by \$70,000,000 the total appropriations for all military purposes in 1915.

Have we forgotten that the war is over, and that at the cost of untold billions of dollars and millions of lives a victory was won?

The military power of Germany and Austria has been destroyed. Even the victorious powers of Europe are exhausted and unable to meet the interest upon their staggering debts. The navies of Germany and Austria have been sunk or dismantled. Austria was left by the peace treaty without a mile of coast line.

Mr. President, there is not a single nation in the world to-day which has a navy that was not allied with us in the Great Warnot one. If it was not necessary for us to arm against Germany and Austria-Hungary before the war, why is it necessary now to arm against nations with which we were allied less than three years ago? Are we to serve notice on the people of this country that after sacrificing their sons and their savings to defeat our enemies they are now to be taxed more billions to crush our allies?

UNITED STATES IMPREGNABLE AGAINST ATTACK.

But, Mr. President, we are told that this enormous Navy is to be built for defense, not for aggression. I undertake to say that we could suspend the building of every ship now under construction and remain secure against any nation or any combination of nations which attempted to attack us; and I shall now undertake to support that statement with competent testimony.

I speak first, sir, of our coast defenses. If we are interested in defense, if we mean defense, we should first inquire as to our

coast defenses.

GEN. WEAVER PRONOUNCES UNITED STATES COAST DEFENSES THE BEST IN THE WORLD.

The highest authority on this subject in the United States at the time of his death, less than three years ago, was Gen. Erasmus Weaver, the head of the Coast Defense of this Government. He was a member of the General Staff, a member of the Board of Ordnance and Fortifications, a member of the Joint Army and Navy Board. After the European war had been raging for nearly 18 months he testified before the House Committee on Military Affairs as follows:

We have the best coast defenses in the world. The guns now mounted and those contemplated will give us an entirely satisfactory defense.

GEN. NELSON A. MILES.

Gen. Nelson A. Miles, retired, was called before the committees of Congress when we first turned our attention to preparedness in 1916, in the days just preceding our entrance into the war. This distinguished general was not a "parlor" general. He had participated in all the wars covering a period of nearly half a century in the history of this country and had inspected the military establishments of every foreign nation. He said:

I am prepared to say that our coasts are as well defended as the coasts of any country and with the same class of high-power guns and heavy projectiles. They are better in some respects than the guns that are mounted at the Dardanelles, which have resisted the most powerful ships of war of the British and French Navies.

I quote further:

The results at Alexandria, Port Arthur, and at the Dardanelles furnish sufficient evidence that guns on board ships are no match for coast fortifications and submarine guns.

The British Admiralty broke and went down to defeat on the mistake that the combined navies of Great Britain, Italy, and France could overcome the batteries and the defenses at the Dardanelles. Every well-informed artillery officer in the world supports this statement. The Allies attempted the impossible at the Dardanelles. They met a crushing defeat. That defeat confirmed the military judgment of the world. For accuracy and destructive power the gun planted on shore outclasses the gun on shipboard.

Mr. KING. Mr. President-

The PRESIDING OFFICER (Mr. WILLIS in the chair). Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LA FOLLETTE. I do.

Mr. KING. If the Senator will pardon me, there was testimony before the Naval Affairs Committee to this effect—and a portion of that testimony came from Admiral Sims-that no fleet coming from Great Britain or from Japan, no matter how powerful, could land upon our shores; indeed, they could not approach nearer than 100 miles; and he said they would have to steam around and then finally go home.

Mr. WATSON of Georgia. Mr. President, will the Senator

allow me to interrupt him?

Mr. LA FOLLETTE. Certainly.

Mr. WATSON of Georgia. Is not the permanence, the cohesion of the entire British Empire founded upon the fact that Gibraltar can not be passed?

Mr. LA FOLLETTE. Exactly; exactly. The power, the accuracy of these land fortifications make it impossible to approach them with guns on shipboard.

"SHIP ATTACKS ON FORTS ARE FUTILE "-ADMIRAL FLETCHER.

I call another high authority as to the condition of our coast defenses before our entrance into the war, when our possible enemies were infinitely stronger than they are to-day. Admiral Frank F. Fletcher, chief of the Atlantic Fleet-and that put him at the head of our whole Navy-then the ranking officer of our Navy, said before a House committee—and I quote from his testimony:

It has been recently forcibly demonstrated that ship attacks on forts are futile.

Admiral Fletcher continued:

This war has conclusively demonstrated what every military strategist knew before, that it is impossible for sea craft to successfully attack land fortifications.

Mr. President, that was the opinion of the best authority in this country before our entrance into the war and after the war in Europe had been on for a period of nearly two years. The head of the coast defenses, a distinguished former head of the Army, and the chief of the Atlantic Fleet all agreed that we were adequately prepared for defense from actual attack by any nation. These military men, appearing before the committees of the Senate and the House, went further in their statements. They exploded the fear which had been expressed in Congress and throughout the country that it would be possible for an enemy nation to move an expeditionary force against this country. Gen. Miles said of such an undertaking:

It is an unsupposable thing.

Rear Admiral Knight, then a member of the General Board and president of the Naval War College, was questioned on this subject by Representative Calloway. I quote from the

Mr. Calloway, I want to get a concise statement. You consider the enormous dangers of transporting a fleet across a great expanse of hostile water—

Admiral Knight. And maintaining it.
Mr. Calloway. And maintaining it?
Admiral Knight. Yes; I think these dangers are almost insuperable.
Mr. Calloway. Almost insuperable?
Admiral Knight. Yes.
Mr. Calloway. And the maintaining of it is necessary to the conduct of war?
Admiral Knight. Yes.
Mr. Calloway. And you say those difficulties are almost insuperable?
Admiral Knight. The difficulties are almost insuperable?

Admiral KNIGHT. The difficulties are almost insuperable.

That was the situation, Mr. President, when Germany, Austria-Hungary, and Russia, as well as Great Britain and Japan, had powerful navies cruising the high seas. Our coast defenses were pronounced to be the best in the world, superior in some respects to those at the Dardanelles, which withstood the combined navies of the Allies; and our best military authorities agreed, on the basis of what had been demonstrated in Europe, that a successful attack against the great cities and harbors protected by those defenses was "an unsupposable thing" and an insuperable undertaking."

Mr. President, I shall take up further on in my discussion the possibilities that have been developed out of the recent war, and any changes that the experience of the war has contributed to

this subject.

I know, Mr. President, what answer will be put forward here and elsewhere in response to that argument. It will be said that conditions have changed since 1916, and that we are more vulnerable at this time than we were before our entrance into the war. I am going to meet that argument, and I am going to meet it with the most expert testimony that can be found touching upon this subject.

# ADMIRAL SIMS CONFIRMS EARLIER OPINIONS.

I believe it will be generally conceded that the American naval officer who had the best opportunity for observing what took place in the war was Rear Admiral William S. Sims. Admiral Sims commanded all the American fleets in European waters during the war. He was in constant touch with the great naval commanders of the allied powers.

During the hearings held by the Senate committee Admiral Sims was called to give his opinion of the latest developments in naval warfare. The admiral put himself in the same position as Gen. Miles and Admiral Knight, and assumed a hypothetical attack upon this country by another nation. The conclusion Admiral Sims stated to the committee, based upon his experiences in the war, unrivaled by any other American commander, Speaking after the war, Adwas definite and unhesitating. miral Sims said:

Distance is such an obstacle in warfare that Great Britain with all of her force could not attack this coast here without a base on this side to operate from. She has not a single ship that can come across the ocean and get back again, let alone staying here without assistance.

It may be suggested that they will establish a base. What will we be doing while they are establishing a base? They have to come 3,000 miles to establish a base, and the first move of that kind is the signal to this country.

This is the opinion of Admiral Sims as to the chance of Great Britain successfully attacking this country at a distance of

3.000 miles.

I imagine what is passing in the minds of some Senators, that we transported troops to France; we carried an army across; and were pretty efficient on the other side.

But we had a base already established for us on that side. We had the protection of the navies and the assistance of all the merchant marine of Great Britain, France, and the other

There is not any force on this side to cooperate effectively with all the combined navies of Europe.

Admiral Sims did not state whether it would be easier for Japan to attack from 10,000 miles than for Great Britain from 3,000 miles; that was hardly necessary. But he did make some interesting and, I believe, incontrovertible statements, showing that by building a reasonable number of submarines and airplanes at small cost to supplement the coast defenses, this country will remain absolutely secure from enemy attack.

I intend to go into this subject more fully a little later in my argument. Probably the greatest authority on gunnery in the world is Admiral Sir Percy Scott, of the British Navy. Admiral Scott was responsible for inventions and systems of training to which the modern battleship owes whatever effectiveness in gunnery it possesses to-day. Since the war, Admiral Scott has published his memoirs under the title, "Fifty Years in the Royal Navy." He has taken somewhat advanced ground, Senators, and he has called down upon his offending head the wrath of the General Board of this country, and some of the officers in like case abroad, who, as I think Admiral Sims testified, have to stand for this old program, because any other course would be suicide for them.

Commenting upon the lessons of the war as to the comparative strength of battleships and land fortifications. Admiral Scott said:

The idea that the battleships of the Mediterranean Squadron could reduce the forts and guns protecting the Dardanelles sprung from a sad want of knowledge. The authorities responsible for the mistaken idea were impressed by the success with which the German guns had reduced the Belgium forts—

an instance of superficial thinking by superficial men who were in high places at that time-

and concluded that in the same way ships' guns could reduce the Dardanelles forts. This deduction was due to a fallure to realize the difference between firing on land and firing from a ship.

Admiral Scott goes on to state—and I shall quote him more fully on this subject later—that the battleship which he regarded "as dead before the war" is "more dead now, if that is possible.'

I do not believe it would be possible to find a single admiral of standing in the American Navy who would dispute with Admiral Sims and Admiral Scott the proposition that for actual defense of the coast of this country we have nothing to fear from any navy or from the combined navies of the world. Yet, strangely enough, sirs, the jingoists who demand unprecedented expenditures for a great navy have succeeded in obscuring the truth from the great mass of people of this country.

There is a method in this ruse of advocating huge navies "for defense." Once let the people of this country grasp the truth asserted by Admiral Sims and Admiral Scott and it will be impossible for the Congress to vote tax burdens upon them such as the one now contemplated.

OUR NAVY TO-DAY IS SECOND ONLY TO GREAT BRITAIN'S.

We have at the present time a Navy but slightly inferior to Great Britain's and greatly superior to that of Japan. The best figures available show that on January 1, 1921, the British Navy had 717 vessels, with an aggregate tonnage of 2,412,146 tons; the United States, 413 vessels, with a total tonnage of 1,181,884 tons; Japan, 75 vessels, with a total tonnage of 486,252 tons. Of battleships of the first line, Great Britain has 26, the United States 16, and Japan 6. Of battleships of the second line, Great Britain has 20, the United States 16, and Japan 4. Of battleships of the second line, Great Britain has 20, the United States 16, and Japan 4. Of battleships of the second line, Great Britain has 20, the United States 16, and Japan 4. battle cruisers of the first line, Great Britain has 6, Japan 4, and the United States none.

Japan has no fleet submarines of the first or second line, no ordinary submarines of the first line, 10 of the second line, and only 27 destroyers of the first line and 12 destroyers of the second line.

The United States has 260 destroyers of the first line, 21 destroyers of the second line, 52 submarines of the first line, 44 submarines of the second line, and 2 fleet submarines of the first line. It is thus seen that with the single exception of battle cruisers, the American Navy is greatly superior in every respect to the Japanese Navy.

I ask leave to insert in the RECORD at this point tables showing the strength of the British, American, and Japanese Navies on January 1, 1921, together with the vessels which are building or have been projected.

There being no objection, the matter referred to was ordered to be printed in the Record, as follows:

TABLE II.-British Navy, Jan. 1, 1921.

Claric Control of the	Bu	ilt.	Building.		
Class.	Number.	Tons.	Number.	Tons.	
Battleships, first line	26	635,650	1 (100)		
Battleships, second line	20	327,100			
Battle cruisers, first line		175, 400			
Battle cruisers, second line	4	72,100			
ruisers, first line		37, 200			
ruisers, second line		230,300			
light cruisers, first line		189, 295	5	38,780	
light cruisers, second line	24	113,895			
Destroyer leaders Destroyers, first line		41,774	1	1,750	
Destroyers, second line	334 42	356, 418	11	14,390	
Submarines, first line.	71	31,271			
Submarines, second line	66	48,431 23,188			
fleet submarines, first line	18	29, 220	18	20 040	
Teet submarines, second line	7	8,800	10	20,040	
ruiser submarines	1	2,014		**********	
fonitor type submarines	2	3,840	1	1,930	
Aircraft carriers	6	86,250			
Total	717	2, 412, 146	36	76,890	

TABLE III .- Japanese Navy, Jan. 1, 1921.

	Bı	nilt.	Building and projected.			
Class.	Num- ber.	Tons.	Num- ber.	Tons.	Remarks.	
Battleships, first line	6	178,320	7	261,400	3 building; others au- thorized or projected.	
Battleships, second line Battle cruisers, first line Cruisers, second line	4 4 5	71,500 110,000 58,206	8	320,000	Not yet laid down.	
Cruisers, second line Light cruisers, first line. Light cruisers, second	6	25,350 4,100	9	51,800	Probably all building.	
line. Destroyer leaders Destroyers, first line	27	26,926	15	16,710	Building.	
Destroyers, second line.	12	7,850	30	(*)	Projected.	
Submarines, first line Submarines, second line Fleet submarines, first	10	4,000	10 9	(*)	Probably 30 other sub-	
line.					marines projected; types not known.	
Fleet submarines, second line. Cruiser submarines					e in Elandingha s	
Monitor type subma- rines. Aircraft carriers						
All Crait Carriers	*******		******		Probably 1 building.	
Total	75	486, 252	39 79	649,910		

TABLE VI .- United States Navy, Jan. 1, 1921.

	· B	uilt.		Building	and projected.
Class.	Num- ber.	Tons.	Num- ber.	Tons.	Remarks.
Battleships, first line. Battleships, second line. Battle cruisers, first line. Battle cruisers, second line. Cruisers, first line. Cruisers, second line	16 16	435,750 240,243	6	421,900 261,000	
Light cruisers, first line Light cruisers, second line. Destroyer leaders	3	11,250	10	75,000	CONTRACTOR
Destroyers, first line	260	308,062	38	46,109	12 others are authorized but held in abeyance.
Destroyers, second line Submarines, first line	{ 43 9	15,580 22,961	42		1 more authorized but not under con- tract.
Submarines, second line. Fleet submarines, first line.	44 2	16,739	4		6 more authorized, but not under con- tract.
Fleet submarines, sec- ond line. Cruiser submarines Monitor type submarines Afreraft carriers					
arrenas carriers.					I collier being con verted to an ex perimental aircraft carrier—can not be included as a mod- ern ship.
Total	413 11	1,181,884	65 46	804,009	ern sinp.

Mr. LA FOLLETTE. These figures demonstrate two important facts. They show beyond question that our Navy to-day is more powerful than any afloat except that of Great Britain, and further, that if we spend the hundreds of millions of dollars necessary to complete the 1916 program, we shall be relatively in no better position in 1923 or 1924 than we are to-day. That is the certain prospect we face when we decide to contime the 1916 building program, originally laid down on the eve of war, and now to be carried out in a time of profound peace.

There is no question of our ability to carry out this program, Mr. President. We have a national wealth larger than that of Great Britain and Japan combined. There is no doubt that we can eventually lead those great nations in a race of armaments, and there is no doubt that when we take the lead they will follow us. If we take that course, we do it with the certain knowledge that in 1923, or even in 1927, when we have completed 88 new vessels recommended by the General Board, in addition to the ships of the 1916 program, we shall be in exactly the same rank as we are at present. Nay, if we are to follow the reactionary policy of the General Board and build vulnerable and expensive capital ships, while Great Britain and Japan build aircraft and submarines, we shall find ourselves, after spending hundreds of millions of the people's money, relatively weaker than we are to-day.

WHY THE CAPITAL SHIP WILL SOON BE OBSOLETE.

It is impossible to consider the question of whether we are to continue the 1916 program without weighing the evidence as to the effectiveness of submarines and aircraft against the capital

It is apparent from hearings before the House and Senate committees that American naval officers are divided upon this The General Board, while conceding the great development of aircraft in the last few years, stubbornly insist that the capital ship will remain "the backbone" of the fleet in The admirals on the board who appeared before the Senate committee spoke disparagingly of the high authorities in this country and abroad who contend that the battleship is "obsolete," and that the submarine and airplane have rendered

surface craft almost useless.

The position of the General Board is not unlike that of the Admiralty of the British Navy. Indeed, it may be said to be on the same footing. The British Admiralty, spurning the opinion of Lord Fisher, Admiral Scott, and other high British authorities, urged that the building program authorized by Great Britain before the war be completed. But until recently at least the House of Commons has refused to authorize the construc-tion of a single capital ship. I say "until recently" simply because I have seen in newspapers these current statements that we always see when an appropriation bill is under way in either branch of Congress. I have no confidence in the publications now being made as to the big navies that are being built. They have proven false in the years that are gone by. I think it is a fake. I think it is engineered, and if Senators follow me in what I have to say I will furnish such good evidence of the fact that it has been done before, and done with a selfish object on the part of selfish interests, not only in this country but abroad, that I think I will be able to raise a question of doubt in the minds of Senators on that subject.

When Sir Philip Gibbs appeared before the House Naval Affairs Committee he was asked by Congressman Britten if Admiral Scott wielded "a considerable influence in England."

Sir Philip Gibbs replied:

Sir Percy Scott does, sir. He is considered to be the greatest naval brain we have.

On June 4, 1914, Admiral Scott sent a letter to the London Times which startled the world. I read it on the floor of the Senate one night during the early days of the war. This letter contained the following statements:

Now that submarines have come in, battleships are of no use either for defensive or offensive purposes, and consequently building any more in 1914 will be a misuse of money subscribed by the citizens for the defense of the Empire. \* \* \* Submarines and airplanes have entirely revolutionized naval warfare. No fleet can hide itself from the airplane eye, and the submarine can deliver a deadly attack even in broad daylight. Under these circumstances I can see no use for battleships and very little chance of much employment for vast cruisers. \* \* \* In my opinion, as the motor vehicle has driven the horse from the road, so has the submarine driven the battleship from the see.

When this letter was published on the eve of the war, five British admirals denounced the prediction as "a mischievous scare," "a fantastic dream," and Admiral Scott's ideas were condemned in the press as an approach to midsummer madness.

After the war had amply justified his prediction, Admiral Scott, in his book "Fifty Years in the Royal Navy," published in 1919, pages 313 to 315, he wrote:

I have seen the royal navy change from sails to steam, from fighting on the water to fighting under water and over the water. What is the future navy to be? Some officers say that the battleship is more alive than ever; others declare that the battleship is dead. I regarded the surface battleship as dead before the war, and I think her more dead now, if that is possible. The battleship of to-day costs roughly £8,000,000; she carries about 1,000 shells containing about 100,000 pounds of high explosives; her effective range is, say, 15 miles; she is vulnerable to aircraft with bombs and aerial torpedoes, and to submarines, the latter possibly carrying a 15-inch or 18-inch gun; and the ordinary automobile torpedo is still in process of development, and may, in the future, carry a ton of high explosives, which would probably sink any battleship.

For £8,000,000 we could build many airplane-carrying ships, equipped with airplanes carrying over 100,000 pounds of high explosives. If these airplanes carried fuel sufficient for five hours, their range would be about 150 miles out and 150 miles home.

In the battleship we put all our eggs into one basket. In peace time the airplane-carrying ships could be used as passenger ships, and the airplane for carrying passengers instead of bombs.

As to the relative cost of upkeep, a single battleship would require in peace time about £120,000 a year. The airplane-carrying ships and the airplanes would cost nothing; they would be earning money. The officers and men to form the crews of the ships would belong to the merchant navy. Airplane pilots will be as numerous as taxi drivers and get about the same pay. The battleship waddes along at 20 miles an hour, and can not waddle very far, and in comparison with an airplane has a very low rate of speed.

The future is with the airplane, which is going to develop rapidly

The future is with the airplane, which is going to develop rapidly in the next few years. Probably we shall also have submersible battleships of 10,000 tons. What chance will the surface battleships, presenting a huge target, have against such a vessel?

[At this point Mr. LA FOLLETTE yielded the floor for the day.]

### Tuesday, May 17, 1921.

Mr. LA FOLLETTE. Mr. President, in what I had to say yesterday upon the pending bill I attempted to show that our coast defenses are equal, if not superior, to those of any country in the world. I submitted the testimony of the highest military authority upon the coast defenses of this country that they were equal to the defenses of the Dardanelles; and if I may be pardoned for gathering up the threads of the discussion as I presented it on yesterday, introductory to what I shall say to-day, I should like just to read the statement of Gen. Erasmus Weaver, under whom, as the head of our coast defenses, much of the construction was installed. He judged of it after the European war had been in progress for some 18 months, and he had a chance to see what the modern engines of war had been able to do in demolishing coast defenses and land batteries. With his ripe judgment matured under the stress of the war, he still said nearly two years after that war

We have the best coast defenses in the world. The guns now mounted and those contemplated will give us an entirely satisfactory defense.

I quoted Gen. Miles and Admirals Knight and Fletcher to substantially the same effect.

Let me say to any Senator who is present here to-day who was not in the Senate yesterday when I made my argument that this testimony from these eminent military authorities has, as I believe the American people will conclude-whatever the Senate may say-a direct and conclusive bearing upon the amount of money that ought to be appropriated at this time under the pending bill.

Mr. President, unless the Senate is prepared to say that we are equipping a Navy here for aggressive action against the other nations of the world, that we are not taking the position that we will simply defend and protect American interests and equip a Navy adequate for that purpose, then, Mr. President, I believe that no Senator can justify his vote for the appropriations which this bill carries. I believe that it is conclusively shown by all the evidence that has been taken by the committees in the last four or five years, both of the House and of the Senate, that for defense we are adequately equipped without assuming the burden and imposing upon the people the enormous taxation required by this bill to construct and carry out the program of 1916.

I spent some time yesterday in demonstrating that when we shall have carried out that program we shall have invested our

money in junk that will be useless.

Before I concluded yesterday I had laid before the Senate the testimony of Admiral Scott, of the British Navy, and it seemed to me that I had very conclusively established that in the first place our coast defenses were such that it was folly and wicked extravagance for us to expend money to build great war vessels, those contracted for or planned for under the naval arrangements of 1916.

I had shown that Great Britain had abandoned the construction she had contracted for under the situation she faced in 1916. I believe, Mr. President, that it is amply demonstrated that we have, as a result of the late war, developed to a situation where to continue to construct according to plans that were adopted in 1916 is little less than a legislative crime.

Mr. President, I now resume what I had prepared to say on yesterday at the point where I was interrupted by the adjourn-

When I broke off to move an adjournment last night I had been discussing the position of Admiral Scott in the British That Admiral Scott had been subjected to some criticism by the British Admiralty was noted in the course of what I had to say, just as Gen. Miles and Gen. Weaver and Admiral Fletcher and any other man connected with the Army or the Navy who has had the courage to speak his honest convictions with respect to our defenses and to the program we ought to adopt in this country has been on every occasion the subject of criticism by his associates in the Army and in the Navy who are connected with the General Staff or with the General Board. Any naval officer or any Army officer who ventures an opinion which does not fit in with the plans of the General Staff of the Army and the General Board of the Navy encounters, of course, the criticism of those gentlemen. I suppose there is the average amount of selfishness to be found among the officers of the Army and the officers of the Navy which would be found in any other organization, and I think the Congress can reasonably expect that it will always encounter from the members of the staff of the Army and from the members of the General Board of the Navy opposition to any reforms which may be suggested which would in any way militate against the advancement and the promised promotion and honors that may result from continuing the old system.

THE GENERAL BOARD'S ATTACK ON ADMIRAL SCOTT.

I pause here long enough to comment on a very interesting passage in the hearings had before the Senate Committee on Naval Affairs February 8, 1921. All the members of the permanent General Board of the Navy, with the exception of Admiral Sims, appeared before the committee on that occasion. Those distinguished admirals, of course, were eager to defend the report of the General Board adopted by the Senate Naval Affairs Committee, in which it has been asserted that capital ships would remain the backbone of the Navy. Slighting references were made to Admiral Scott, but no effort was made to answer him or to meet his arguments or to refute his statements of fact. Indeed, the spokesmen of the board seemed to rely almost entirely upon the recommendations of the first lord of the British Admiralty, who presented the naval estimates for 1920, which the House of Commons has apparently repudiated.

The first lord of the British Admiralty, it may be said, corresponds to the Secretary of the Navy in this country, so that no more significance should be attached to the first lord's recommendations and views and expert opinion than we would attach in this country to the recommendations made by a Secretary of the Navy called from civil life to preside over the Navy Department.

We find one of the admirals of the General Board dismissing the contention of Admiral Scott, who had spent his 'ife in the Navy of Great Britain and whom Sir Philip Gibbs describes as "the best naval brain in England" in the following language:

There are enthusiasts. We have read a great deal of Sir Percy Scott as being the opponent. As far as I know, Sir Percy Scott's ideas have made no impression upon the British Admiralty, who are responsible.

Of course, Mr. President, the General Board of the United States Navy is cheered to find the British Admiralty taking the same reactionary position which the General Board has assumed. But it is idle to cite that fact as proof that Admiral Scott is in error in his contention.

Another member of the General Board volunteered this statement to the Senate committee, speaking of Admiral Scott:

He has not been employed for many years, and he has a grouch, too.
Q. That is interesting. How long since he has had any responsible command?

A. I can not tell you, but not for many years.

At this point another member of the board volunteered his contribution to discredit Admiral Scott as an authority. said:

In the war he was given a temporary job in London, and he holds it. Q. Is he in the Navy now? A. He has retired.

This interesting colloquy was terminated with a final shot at Admiral Scott by the admiral who first referred to the English commander. I quote from him:

It is approximately 10 years since Sir Percy Scott has held responsible command. Certainly be held none during the war.

I am putting into the RECORD these statements of these gentlemen, upon whom Senators rely in casting their votes for the appropriations contained in this bill. I say that these gentlemen of the General Board of the Navy, as well as the gentle-men of the General Staff of the Army, make war upon any man in this country in the Army or the Navy, and upon any man on the other side, who ventures, in the interest of the public

and of scientific warfare, an opinion which does not contribute to the general plans of the various boards which take care of those gentlemen in their advancement in grade.

OFFICERS OF ARMY AND NAVY PUNISHED FOR ADVOCATING LIMITED ARMAMENT.

Mr. President, I have taken note in recent years of a very peculiar circumstance surrounding every hearing held by House and Senate committees on our Military or Naval Establishments of which I have any knowledge. Whenever a general or an admiral has the temerity to come before a congressional committee and assure the country that we are reasonably safe from attack or that millions of dollars can be saved by building less expensive armaments he immediately pays a heavy penalty. It seems to be the unwritten law, laid down by the General Board of the Navy and the General Staff of the Army, that any high officer who differs in opinion from their recommendations shall be punished for his heresy.

I believe one of the best cases in point is that of Gen. Nelson

A. Miles, who last appeared before a congressional committee, I believe, in 1916. Gen. Miles was an opponent of conscription and of universal military training, and he believed in a small standing Army, thinking that it was sufficient to meet our needs, because, as I have already shown, it was his opinion that we were absolutely safe in this country from an offensive attack by an enemy.

I will venture to say that if this distinguished soldier, whose active service in the United States Army surpasses that of any other living man, had joined in the chorus of jingoistic statements which have been heard before these committees in the last few years he would have been quoted daily in the press and he would have been the constant recipient of honors from military as well as civilian officialdom instead of living in Washington in quiet retirement, as he does to-day.

Mr. Presdent, this explains the spirit in which the General Board of our Navy undertakes to discredit Admiral Scott, Nothing I could say would tend to disabuse the minds of the Senate committee of the impression gained from the statements made by the admirals of the General Board. I have no call to defend Admiral Scott and the principles he has advanced. They have been so unanswerable that they need no defense. however, interested in the inaccuracy and ill temper with which the General Board has spoken of Admiral Scott, because it reveals the attitude of mind with which they have approached this whole problem and the intolerance and pride of opinion with which they have repelled suggestions that the policy of spending hundreds of millions of dollars on out-of-date capital ships may not be a wise one.

CONGRESS RELIES ON GENERAL BOARD'S RECOMMENDATION.

I dwell upon this, sir, because the committees of the Senate and the House of Representatives have come to rely upon what the General Board and the General Staff may say as the final word.

I have before me the memoirs of Lord John Arbuthnot Fisher, admiral of the British fleet and certainly one of the outstanding figures in British naval history. Admiral Fisher it was who built the first dreadnaught, and while in 1919 prior to his death he declared that the capital ship must be "scrapped," he can not be accused of being an "enthusiast" for new and untried methods of warfare, nor can prejudice against the old type of vessel, which he himself developed, be attributed to him.

WHAT LORD FISHER SAID OF ADMIRAL SCOTT.

I wish to place in the RECORD at this point, to prove the utter falsity of the statements made in disparagement of Admiral Scott by men connected with our Navy, the following para-graphs from pages 248 and 249 of Lord Fisher's memoirs published in 1919. I quote:

The very first thing I did when I returned to the Admiralty as first sea lord for those seven months in the first year of the war was instantly to get back Sir Percy Scott into the fighting arena.

False in one thing, false in all! The men of the General Board, the men in our Navy who seek to discredit a man like Sir Percy Scott in the face of his record and his achievements and his standing in England deserve to be condemned and branded as unworthy of belief. Sir, if we needed any proof to show that something is afoot here which ought to be scanned with a microscope, I think we have it here.

"He held no position of any consequence for 10 years," said one of our admirals called as a witness to determine things upon which we are to base our votes, under our oaths, representing our constituents and spending their money as a trust fund. How much credence is to be given to men of that type? Talk about honor in the Navy and in the Army! I think it behooves the Senate and the Congress and the country to look into these statements with some care.

Admiral Scott discredited? Here is Lord Fisher, first sea lord of the Admiralty, who says that the very first thing he did on coming into command when the war was on was to summon this foremost naval authority, as Sir Philip Gibbs said, the "best naval brain" in all England, to the support of the English cause. And men in our Navy, not approaching him in prestige or experience, seek to smirch him simply because he is not in favor of appropriating billions for the old and obsolete forms of naval warfare.

Lord Fisher said:

The first thing I did when I returned to the Admiralty as first sea lord for those seven months in the first year of the war was instantly to get back Sir Percy Scott into the fighting arena. I had but one answer to all his detractors and to the opposition to his return.

What was it? Listen to his words:

He hits the target!

That is what Lord Fisher said of him. That brain of Scott's, working with the accuracy of a Corliss engine, goes to the target, answers the question, solves the problem, seeks the heart and core and marrow of the proposition that is under consideration. That is what Lord Fisher means when he says, "He hits the target."

Lord Fisher continued:

He also was maliciously maligned. I don't mean to say that Sir Percy Scott indulges in soft soap toward his superiors. I don't think he ever poured hot water down anybody's back.

Again, he says:

Suffice it to say of Sir Percy Scott that it was he and he alone who made the first start of the fleet's hitting the enemy and not missing him. Why hasn't he been made a viscount? But that is reserved for those in another sphere.

Why, I wonder, has he not been made a viscount? He did not pour hot water down anybody's back. He would not bend from his rigid and conscientious integrity of character to subscribe to something for the British Navy that was wanted by the ministers and the armor-plate contractors who were ruling and dictating where those great honors and those titles should go.

Mr. President, it is hard to account for statements concerning Admiral Scott's standing in Great Britain so at variance from the truth as those made by witnesses before the Senate Naval Affairs Committee, but it is not hard to explain the state of mind which gives rise to those statements.

In a letter recently published in the London Evening Standard Admiral Scott himself gave the true explanation for the attitude of many high ranking officials of the Army and Navy when

It is not to be expected that naval officers would oppose the building of battleships, because if they did they would commit professional suicide.

Let us now return to a consideration of the question of the relative strength of capital ships, submarines, and aircraft. Lord Fisher, as I have stated, was the father of the modern dreadnaught. Writing in September, 1919, when the war was over, Lord Fisher said:

Flying dominates future war, both by land and sea. It is not my business to discuss the land, but at sea the only way to avoid the air is to get under the water.

Are we building any craft under the 1916 plan of battleships that can get under the water to secure protection from attack from the air?

Lord Fisher continues:

So you are driven to the internal-combustion engine and oil. That why I keep on emphasizing that the whole navy has to be scrapped.

When we vote for this bill, Senators, we are voting the money of our constituents to build types that as soon as built have got to be scrapped.

The Senator from Utah [Mr. King], in his admirable minority report from the Senate Committee on Naval Affairs made upon the bill at the last session-and the pending measure is substantially the same bill and the report applies in every detail-quotes Admiral von Scheer, who commanded the German fleet at the Battle of Jutland, and whose views, the Senator from Utah remarks, "weaken the position of the General Board and call for a revision of their action and of the policy announced in the report of the committee."

The Senator from Utah quotes Admiral von Scheer as saying that, while the cost of surface ships is enormous, "they are very vulnerable"; that a great surface fleet can no longer protect a coast or overseas commerce; that only a few nations in the past could afford great ships, and this resulted in their ruling the sea, but that the submarine has "knocked all of this into a cocked hat, and fear of the British fleet as a fighting weapon has '; that "submarines can best defend or attack a coast and can best protect or destroy commerce."

Do not for a moment think that the opinion of this German. admiral is discounted by the result of the war. It is simply

confirmed by it when you take into account the actual conditions that prevailed as to the number of submarines which the German Government possessed and as to the conditions that prevailed overseas.

The minority report also quotes Capt. Hart, who has made a special study of the operation of the German submarines, and states that not more than 10,000 officers and men were employed during the entire war in the submarine fleet of the German Government, and that, as a rule, not more than 30 submarines were at sea at one time, manned by approximately 1,500 men.

The report of Capt. Hart, an American officer, prepared after investigation and after a special study of the operation of the German submarines in the recent war, should carry with it a lesson for us at this time. The report continues:

As opposed to the small force and the impounded German high fleet were more than 1,000,000 men of the allied navel force, together with the fleets of the allied nations, including between 4,000 and 5,000 small craft, whose activities were of the highest importance.

Notwithstanding this great disproportion in forces, Germany nearly won the war, and if it had not been for the intervention of the United States, would have triumphed. \* \* The capital ship was safe only when locked in protected harbors. Can there be any doubt but that Germany would have won the war if her submarine fleet had numbered 200 instead of 40 when the war began?

Let the the duty of the American Congress to weigh these

Is it not the duty of the American Congress to weigh these facts ascertained in the recent war before loading upon the overburdened people of this country the enormous taxes required in order to build an old, ramshackle, out-of-date, and obsolete American Navy? Shall we discount and shut our eyes and our minds to all the lessons of the late war?

ADMIRAL SIMS BRANDS GENERAL BOARD'S REPORT AS " MISTAKEN,"

Mr. President, this brings me to what I regard as the most enlightening evidence presented to the Senate Committee on Naval Affairs. On February 5, 1921, Admiral W. S. Sims was called before the committee. Admiral Sims was referred to the report of the General Board defending the capital ship and discounting the relative importance of submarines and aircraft, He stated that he "was not present at the General Board when they drew up the report," although he is a member of the board and was the one man in all our Navy who had experience of the very highest and most important character in the recent war. Asked by one of the members of the committee to state his opinion of the report, Admiral Sims replied:

I think the report is very largely mistaken. It looks to me very much like a report the arguments of which are drawn up to prove what they originally believed.

Admiral Sims continues:

It looks to me like a document of that kind. As I stated informally, a little while ago, so conservative are military people in their attitude toward new incidents that that is the first development we always have.

Members of the committee made it plain by their questions that they viewed with impatience any suggestion that the 1916 program should be discontinued.

When Admiral Sims indicated that he did not think this report was built up with a view of expressing what had been arrived at as the result of an investigation but rather with the view of proving something that the General Board proposed to prove when it started out to write the report, from the moment he testified in that way before the Senate Committee on Naval Affairs he was treated to a cold bath, apparently. Anybody can read his testimony, and any lawyer who has ever reviewed a record will not read through a dozen pages before he knows that from the moment it became known that he did not stand with the General Board he was being examined by members of a committee that were hostile to that attitude of mind of this man who had seen more of the war than all the other members of the General Board combined.

The following passages show that Admiral Sims can not be fairly quoted as an advocate of carrying out the 1916 program. Now, there will be read one little scrap of testimony, a few words, from Admiral Sims as an indorsement of this program; but you have got to read all of a witness's testimony to determine what he really testified to. I say that he can not be fairly quoted as in favor of continuing the building of the capital ships now under contract. I read from the hearings:

Q. Therefore, to sum up your opinion, it is that we should continue to carry out the program of 1916?

Admiral Sims. I should think so. Of course that depends a good deal on the policy of the Government. If the policy of the Government as it has been enunciated by the General Board repeatedly is to be followed, that you want to have a Navy as strong as that of any other Government, you have got to keep on building those vessels.

Mr. President, I am at a loss to understand how Senators can rise on this floor and assert that Admiral Sims "strongly urges." the completion of the 1916 program in the face of the testimony I have just quoted. Admiral Sims brands the report of the General Board as "very largely mistaken." If the

Government is to accept that "mistaken" report and make it the basis of our naval policy, then Admiral Sims admits, after being pressed by the members of the committee, that we may as well finish the 1916 program.

AIRPLANE DEVELOPMENT MAKES DEFENSE EASY.

I come now to a statement made by Admiral Sims before the committee which, it seems to me, goes to the heart of this whole controversy.

Speaking of the effect upon modern warfare of recent airplane development, Admiral Sims said-and I read from page 32 of his testimony:

Incidentally the importance of the airplane development is so great that it means this: It enormously adds to the ability of a country to defend itself. Because of this discussion on the other side it has brought about a unanimity of opinion on this side. No battleship fleet can operate against the coast of an enemy within the range of the enemy's airplanes, for this reason: A fleet that goes over there, whether it has 6 or 8 or 10 airplanes, suppose it has 10, that will be nearly a thousand planes. With 30 planes each it would be 300 airplanes, coming up against the coast where we are operating from the beach and we have 2,000 airplanes. It simply means that you are controlling the air absolutely, and you will wipe out all of the air force and you will be perfectly free to attack that fleet.

On the other hand, while it enormously increases the power of defending the country, it correspondingly decreases the power of offense against another country.

I continue reading from his testimony:

I continue reading from his testimony:

Take an actual example. Suppose you had determined to carry out a certain governmental policy across the ocean, whether it is the "open door" in China, or whatever it may be, or some aggression against Japanese commerce in those waters. The only way you could do that is by millitary force. If the Japanese develop an adequate air service—and it does not take a very big one to be greater than we can take care of on our ships on the sea—then that restricts us to operating against her as well as we can from a distance so far that she can not attack us with airplanes. Distance is such an obstacle in warfare that Great Britain, with all of her force, could not attack this coast here without a base on this side to operate from. She has not a single ship that can come across the ocean and get back again, let alone staying here without assistance.

Mr. President I invite the attention of the Senate to the

Mr. President, I invite the attention of the Senate to the significance of that statement. It simply means that by building a reasonable number of airplanes—and it is admitted that the money expended for one battleship would pay for a thousand airplanes-we can defend our coasts from attack by any fleet in the world, assuming that our own Navy takes no part in the engagement. Admiral Sims makes it plain, also, that with the advent of aviation every country gains in the power to defend itself, while the ability to wage offensive warfare is correspondingly lessened; and I thank God for that.

Admiral Sims referred in his testimony to the great advantage enjoyed by this country through its geographical location. He said:

Their situation on the other side is almost totally different from ours. We are so far away from European and other enemies that there is no real danger of their sending airplanes from their own bases. To attack us they would have to come across the ocean; but those people in England are within easy bombing range of their possible complete. sible enemies.

Now, it just occurs to me that that carries a pertinent suggestion which does not seem to have penetrated the minds of the Committee on Naval Affairs of the Senate or the General Board, and that is that we are not called upon to build every type of vessel that Great Britain builds. She may have need, because of her geographical position, for a very different sort of navy than the navy that would be needed by the American Government and the American people, planted here between two oceans.

Great Britain, surrounded as she is, may still continue to build and to moor her floating fortresses. But all the experience and all the lessons of this late war point the American people to another course, a simple course, one which ministers to our security and at the same time insures our not meddling in the affairs of the world which do not concern us.

In his testimony Admiral Sims said:

The only aggression that can be made against this country in the air is by airplanes that have been carried over on ships, which can only carry a very few.

Admiral Sims was asked if battleships and battle cruisers could not defend themselves against aircraft by special type

antiaircraft guns, and he replied with a vigorous negative.

In demonstrating the utter futility of protecting capital ships against aircraft he said:

I have been engaged in the business of shooting pretty much all my career in the Navy, and I can tell you this: The only reason we are able to hit an enemy at a long distance away, 3, 4, 5, 6, or 7 miles, is because the enemy is on a level plane with us. He is on the water, and if we do not hit him we know why and how much we miss him. We see the splash, and we can adjust the sight accordingly. But the fellow up in the air 1,000 feet, there is no means of telling how your shots are doing; you do not see what you have done. You only know by speculation where your shot has gone. If the airplane is in the air 1,000 feet, you do not know whether your shot goes above him or below him.

As a gunnery officer all my life, I see no means whatever by which a surface ship alone can successfully defend itself against bomb or torpedo attack.

Reading still further from the testimony of Admiral Sims, I quote as follows, reading first a question by a member of the committee:

Q. If the battleship should prove not to be able to stand up against airplane attack, how could the battle cruiser?

Admiral Sims. The battle cruiser would not any more than the battleship, except she is a dangerous boat and has a speed dangerously close to that of the airplane carrier.

Q. She is the best opponent of the carrier?

Admiral Sims. She is the best opponent of the carrier.

Q. But if your planes work, your airplane attack worked, you would be able to destroy the battle cruiser before she got up to the carrier?

Admiral Sims. Yes, sir.

Mr. President, in my opinion, the statements made by Admiral Sims before the Senate committee are unanswerable. find no answer to them, at least in the testimony of other officers before the committee, nor do I find an answer in the majority report of the committee, which merely adopted the report of the General Board of the Navy. I believe the country is entitled to know that we are safe from attack. I believe the people should be informed that the great battleships now under construction at a cost exceeding \$40,000,000 each offer little protection, and that our true safety lies in the laying of mines, the strengthening of our coast defenses, and the building of a reasonable number of submarines and aircraft. I will venture to say that we could take the first steps necessary in carrying out such a sane program at an expenditure not in excess of the cost of one of the 17 capital ships now under construction.

Mr. President, I have no doubt that the natural reluctance of naval officers to commit what Admiral Scott calls "professional suicide" has a great deal to do with their insistence upon the construction of the capital ships in the face of the opinions I have quoted. But I see another reason why this unceasing demand for enormous appropriations for the construction of capital ships is made, and before I take that up, as it invites me to a field of investigation touching what I regard as the improper and corrupting influences back of this type of legislation, as it will take me some time to lay the facts I have gathered bearing upon that issue before the Senate, and as I have now spoken for nearly two hours, I shall at this convenient point in my argument surrender the floor for the day.

Monday, May 23, 1921.

Mr. LA FOLLETTE. Mr. President, when I concluded the observations upon the pending bill which I submitted to the Senate some days ago, I had quoted the opinion of Admiral Sims regarding the importance of the development of the airplane as a weapon of war and the weakness of the battleship as an instrument of modern warfare. I have just come across a later expression of opinion from Sir Percy Scott, whom I have quoted two or three times in the course of my observations upon this bill. It is a part of a discussion which was conducted in the London Times from November, 1920, down to February, 1921, and I offer it as a rather fresh contribution in its bearing upon the important features of the pending measure.

We are proposing here to invest a vast amount of money in the construction of battleships. I contend that we are doing that in the face of the best naval judgment of the world that the battleship is practically an obsolete weapon. I purpose to show in the course of my remarks to-day that there are powerful influences at work which profit out of the construction of battleships and which, through their connections, are able so to influence newspaper articles and public opinion and in that way react upon the Congress of the United States—as upon the legislative bodies of the other great countries of the worldthat they succeed in perpetuating in our various naval appropriation bills and in those of the other nations of the world vast expenditures of money, at the expense of the people, that constitute an absolute waste.

Mr. President, it seems to me that Members of the Senate and the House of Representatives, dispensing in appropriations the trust fund which we collect in taxes from the people, ought to be controlled by as fine ethical and business considerations as would control them in the expenditure of an individual trust fund for which they were responsible.

Sir, in the face of the judgment of men who were best able to interpret the meaning of the last war, men of the character of Admiral Sims, of the American Navy, and Sir Percy Scott, Members of Congress would not for one moment consider putting their own money into a project which could be put under even a tithe of suspicion on such authority as I have heretofore presented to the Senate.

In a very recent letter to the London Times of March 15, commenting on the future of the battleship, Sir Percy Scott

You must admit that in the war we were nearly forced to submission by starvation.

You must admit that the German battleship played no part in reducing us to a state of starvation.

You must admit that if our battleship superiority had been double what it was, they could not have protected us from starvation.

You must admit that the dominant arm of the war was the submarine.

Strange as it may appear, I believe that this blunder of building the wrong weapons to combat the submarine won the war for us.

Looking over some German correspondence of 1914 which has reference to my letter in your paper proclaiming that the battleship was dead, I believe that the Germans, with their skewed minds, thought that I was not sincere. \* \* \* So they went on with their program and did not build submarines.

The Flag Officer reminds are of the fact that believe the adventee.

The Flag Officer reminds us of the fact that before the advent of the submarine the battleship did not feel very comfortable by night, owing to the possibility of attack by torpedoes, but when the submarine came on the scene she did not feel comfortable either by night or by day. The new weapons have entirely revolutionized naval warfare, and up to the present they have favored defense much more than they have favored offense. They have given power to a weak country, and have taken it away from the strong. \* \* \* The rulers of our navy must call in a doctor and get some medicine that will cure them of that terrible complaint, pig-headness.

The submarine has adopted the tactics of all birds and animals. The brain of these creatures, I suppose, tells them that the greatest security against attack is not to be seen. I venture to think that it is not a bad idea. By experience I have often found that the animal very often imposes his will of not wishing to be dead on the sportsman, who wishes him to be dead. How clever the animals are. I wish they could speak, for they might be able to tell me what the use of the battleship is.

Again, he says:

Again, he says:

Again, he says:

The building of battleships will be supported by all the battleship builders of the world, because it is the bread whereby they live. Look what a paying concern it is; would not any one of your readers like to get a nice, fat contract for, say, only five battleships at 35,000,000 of golden sovereigns? In these circumstances we must expect the construction of battleships to be backed by many people possessing strong political interest, commercial interest, and the support of capital. We must also expect the necessity of battleships to be supported by all the navies of the world, for naval men do not commit suicide, and battleships are vital to their profession and vital to their comfort. To be captain of a battleship is the ambition of every naval officer. Who else in the world travels about with the same comfort as the captain of a battleship? He has a large drawing room, a dining room in which he can seat 25 or 30 guests, a commodious bedroom with bathroom attached, and spare bedrooms.

All these points will naturally be taken into consideration, or at any rate they will flit through the mind of every naval officer before he decides to vote for "not building battleships."

I undertake to say, sirs, that the Committee on Naval Affairs

I undertake to say, sirs, that the Committee on Naval Affairs of the Senate are following with their eyes shut the recommendations of the General Naval Board, composed of men of the Circ Board, Composed of Mariel the very class of which Sir Percy Scott is speaking. Admiral Scott continues:

These points will also have to be taken into consideration by the tax-payer when he is asked to put his hand in his pocket to pay for the superbattleships, their nurses, and other accessories.

The other accessories must not be ignored, for they mean a lot of golden sovereigns from the taxpayer. Obviously, we must have a safe harbor to put our battleships in; they must be immune from underwater attack and from air attack. The superbattleships will necessitate all our docks being enlarged, and a multitude of other expenses, running, I should think, into the hundreds of millions.

Mr. President, the Senate a few moments ago voted down the appropriation for Alameda, Calif. That is rather a favorable indication. That evidences the fact that it is still possible to make an impression upon the Senate. Some of us despair of it from time to time. Many years ago on this floor, with a little group of Progressives, we attacked the naval appropriation bill because we felt sure, on the authority of the highest naval expert testimony, that a vast amount of money was being wasted; that appropriations were being made in various States through the influence of members of the Committee on Naval Affairs of the Senate who had dry docks and who had naval bases and navy yards located in their States to secure appropriations for, and who were just as human as the officers of the Navy are when they furnish testimony before our committees for the perpetuation of the battleship.

SPECIAL INTERESTS INFLUENCE APPROPRIATIONS.

You will find always and everywhere, whether it be among the officers of the Navy or the officers of the Army, or the members of the Committee on Naval Affairs of the Senate or the Committee on Military Affairs of the Senate, that if there are large expenditures to be made at the public expense, men vote those appropriations subject to the selfish influences which control all our actions.

So with these battleships Sir Percy Scott, after having spent

a lifetime in the navy, concludes his statement with this:

This, sir, is the last time I shall trespass on your space, because I know that no one can answer my question of What is the use of the battleship?

Yet all around me are Senators who, against the authority of this "best brain" in the English Navy, against the advice of Admiral Sims, who has had wider opportunity to study the man who serves under the American flag, will continue to vote the public money for the building of battleships at forty to forty-four million dollars apiece, at a time when we are warned by every public official responsible for the revenues of the Government that we must cut the expenditures; when we know, from the evidence already before the Senate, that the men to whom we are under the highest obligations that a Government can owe to any of its citizens, the men who served it in time of war, are being neglected, not properly provided for, hospital accommodations denied them. That evidence has already been laid before the Senate.

The Senate is now preparing to vote away half a billion dollars on the testimony furnished by the General Board of the

Navy

Mr. KENYON. Mr. President—
The PRESIDING OFFICER (Mr. Bursum in the chair). Does the Senator from Wisconsin yield to the Senator from Iowa?

Mr. LA FOLLETTE. I yield. Mr. KENYON. I am interested in that statement of the Senator, and I am wondering if he really thinks the votes are taken after a consideration of the testimony. I notice whenever a vote is taken, Senators rush in and ask, "What is our vote?" Does the Senator really think there is very much testimony considered one way or the other?

Mr. LA FOLLETTE. No; I do not.
Mr. KENYON. What does the expression "our vote" mean?
Mr. LA FOLLETTE. I think that as a rule Senators vote the way the committee votes, and the committee votes the way the General Board votes. Therefore, the Senate blindly follows the lead of the men who are very much interested in perpetuating the system, against the advice and against the counsel of the best naval experts, and against the unanswerable testimony that we are squandering the money of the people. We can not get Members of the Senate to give any heed to this testimony, and this testimony is discounted in the report. So, Mr. President, we blunder blindly along in the same old way, betraying-I count my words when I say it-betraying the interests of our constituents, stultifying our responsibility to them in the votes we cast in appropriating the money which is raised by taxing them, squandering it, beyond any question. There can be no doubt about it.

PEOPLE ENTITLED TO KNOW THE COUNTRY IS SAFE FROM ATTACK.

I believe the country is entitled to know that we are safe from attack, and I will say to the Senators who are here that they are going to know that fact, they are going to know it before another election takes place, they are going to know it upon the highest military authority of this country. We are in an impregnable position, so far as attack is concerned.

I believe the people should be informed that the great battle-

ships now under construction, at a cost exceeding forty million each, offer little or no protection, and that our true safety lies, even if we are to be attacked, which is an impossibility for years to come, in the laying of mines, the strengthening of the coast defenses, and the building of a reasonable number of

submarines and aircraft.

Mr. McLEAN, Mr. President—
The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Connecticut?

Mr. LA FOLLETTE. I yield.
Mr. McLEAN. I am interested in the Senator's remarks, and particularly in the one he has just made to the Senate. It does seem to me that if we are to act in the interest of economy, we ought to consider very carefully that arm of the Navy which will bring us the most for our money.

Mr. LA FOLLETTE. Yes; that is true.

Mr. McLEAN. It seems to me to be the opinion of many of the experts whose statements I have been able to read that just now the submarine and the aircraft are the two arms which we should consider with the greatest care. I suppose the pending bill is a compromise in the interest of economy; but, Mr. President, a foe that can remain invisible until he strikes a death blow to his enemy seems to me to have a great advantage over an enemy that is visible.

Mr. BORAH. I was interested in one statement which the Senator made, that the bill was a compromise in the interest of economy.

It is alleged to be.

Mr. McLEAN. It is alleged t Mr. BORAH. That is better. Mr. McLEAN. I assume that I assume that is the fact. I think that any committee which has this matter in charge will find that, no matter how sure and certain its purpose may be to act in the warfare of to-day and on the waters of the seven seas than any | interest of economy, it is very difficult to get testimony that is harmonious and reliable; there is such a difference of opinion among the experts as to the comparative value of the different arms. So far as my investigation goes, disinterested witnesses, for instance, Admiral Fiske and foreign writers on the subject to-day, all insist that the submarine is the arm that will give the greatest degree of protection for the amount of money invested. It so happens that the committee have cut out entirely all appropriation for the construction of submarines. According to the testimony of Admiral Coontz we have only three under construction. While 12 are authorized in the 1916 program, there are only 3 in the making. Japan, I think, has under construction something like 36, and Great Britain over 52.

I have offered an amendment which will permit the committee of conference to consider the question of submarines. It does seem to me that it was not given the attention which it should have had, and I am pleased that the Senator takes that

view of it.

Mr. HALE. Mr. President-

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Maine?

Mr. LA FOLLETTE. Certainly.

Mr. HALE. The Senator from Connecticut has just stated that the committee cut out any appropriation for the new construction of submarines. I will say for the information of the Senator that the bill as passed by the House provides that no construction shall be commenced on any ship that has not already been started. The Senate committee did nothing in regard to that whatever.

Mr. McLEAN. The Senate committee concurred in the House

provision.

Mr. LA FOLLETTE. Yes; the House blundered and the

Senate committee proceeded to blunder after it.

Mr. McLEAN. It does not seem to me that the attitude of

the Senator from Maine is very convincing.

Mr. HALE. I was endeavoring to correct the Senator in that he stated that the Senate Committee had struck out all provision for the construction of submarines. The Senate committee simply left the bill in that respect as it was sent over from the House.

Mr. McLEAN. I accept the correction, but the argument of the Senator from Maine does not appeal to me. I think both Houses are equally to blame. The battleships cost immense sums to build. I understand that a complete submarine can be constructed for \$2,000,000, and we have only three of them under construction. If that is so, when you compare the service we would get from a battleship, the submarine has every advantage in cost. It seems to me if we should ever have any trouble, for instance with Japan, the fact that we had 20 submarines of the latest type in the Pacific would cause Japan to hesitate and hesitate and conclude to continue to hesitate much longer than she would if we had but one battleship in the Pacific.

Mr. LA FOLLETTE. Mr. President, I am gratified indeed at the manifestation of interest on the part of the Senator from Connecticut. I think exactly as he does with reference to what the Senate committee has done and what the bill proposes to do with respect to submarines and with regard to airplanes. Backed by the highest naval authority and military authority of the world, I think I shall be able to demonstrate that the great bulk of the appropriation under this bill is an absolute—a criminal—waste of the people's money; that by the expenditure of a much less sum we can prepare against all the world by putting our appropriations into the construction of those appliances of war which have been demonstrated in the last five years to be the instruments which will determine any future warfare, if that calamity shall again befall the human race.

Mr. NORRIS. Mr. President-

Mr. LA FOLLETTE. I yield to the Senator from Nebraska. Mr. NORRIS. I should like to suggest to the Senator from Wisconsin, and through him to the Senator from Connecticut, that the proposed amendment of the Senator from Connecticut, as I understand it, only does one-half of a very desirable thing. It is not sufficient, when we concede the trend of the argument of the Senator from Wisconsin and the Senator from Connecticut that the money expended for battleships is wasted, to say that in addition to that waste of money we shall do something else that is conceded to be good, by the building of aircraft or submarines. To be effective and to hit the mark the amendment ought to provide for the striking out of some of these useless expenditures and inserting some of the necessary expenditures rather than permit the useless expenditures to remain and to be added to the necessary ones. It still leaves a bad bill.

Mr. LA FOLLETTE. Mr. President, I grant that the obser-

vations and criticism of the Senator from Nebraska are abso-

lutely sound. It is not possible to make a proper naval appropriation bill on the floor of the Senate. The bill ought to go back to the committee. There is no doubt about that at all. The argument against its passage is unanswerable. No man can defend against it, and yet every man in the Senate will have to defend against it. These expenditures are not going to be submitted to. These useless, wasteful, wanton expenditures are not going to be tolerated by the American people. Every man on this floor will confront the diagram that now hangs on the wall of this Chamber. Every voter in this land will have in his possession a copy of that diagram before another election occurs.

Disabuse your minds of any conception that you can put this bill through and put this subject to sleep. You can not do it. Neither, in the course of debate upon the floor, can we construct a proper bill. The bill should go back to the committee and should go back by such a decisive vote that Senators will understand that these useless, wanton, criminal expenditures that are wasteful of the public money must be cut out and that the money which the people pay for defense shall be made to serve defense.

rve detense.

Mr. McLEAN. Mr. President—
Mr. LA FOLLETTE. Pardon me just a moment and I will yield to the Senator. When you know that Germany, coming perhaps within an ace or within a hair's breadth, as Sir Percy Scott said, of starving out England and the Allies with submarines, had only 30 of them, we are reminded that Germany did not take the judgment of Sir Percy Scott in 1914 or 1915, when he said that the submarine was the controlling thing; that she thought it was advice put forward by the British Admiralty for the purpose of misleading Germany, and she did not seize upon it. Had she constructed and put into the waters of the Atlantic, and possibly the Pacific as well, 200 or 300 submarines instead of 30 or 40—the greatest number she had in the water at one time—there would have been a different story.

I yield now with great pleasure to the Senator from Connecticut.

Mr. McLEAN. If the Senator will pardon me for another interruption, the statement of the Senator recalls to my mind very vividly the history of the Monitor. Senators will remember that Mr. Cornelius Bushnell, of New Haven, had a contract for constructing the armor for the Galena, I think a man-of-war. He was not certain that the specifications would sustain contact with a 6-inch shot, and he was advised to go and consult John Ericsson, who was then the leading naval inventor of the country.

Ericsson looked over his plans and replied that he thought the armor would withstand a 6-inch shot at a respectable distance; but he said, "I have something in my drawer that will beat a dozen Galenas." He brought out the plans for the Monitor. He had given copies to Napoleon III. They had been accepted by France and Napoleon had sent Ericsson a very beautiful medal. France was contemplating war against Russia, and Ericsson was a Swede and did not like Russia.

Bushnell was intensely interested in the plans of the Monitor and he took them to Gideon Welles, another Connecticut man, who was at that time Secretary of the Navy. Welles arranged an interview with Admiral Smith, who was then at the head of the naval board; he and Admiral Paulding and Capt. Davis were the three members of the board. Bushnell presented his plans and the board wrangled over them for some time. Finally the deciding voice was left to Capt. Davis. He told Bushnell to go back to New Haven with them and worship them; that he would not be guilty of idolatry, because they did did not represent anything in the heavens above or the earth beneath or the waters that covered the earth.

Bushnell was not discouraged, and he reported results to Secretary Welles. Welles said, "Get Ericsson to come down to Washington." Bushnell said, "He will not come. He has been so mistreated and insulted by the Naval Board in Washington that he will not come to Washington." Ericsson had done some work on the *Indiana*, I think; one of the guns had burst and the Government would not pay him for his service. Welles said, "You get Ericsson and I will arrange for a meeting for him."

So Bushnell told Ericsson that he thought his plans would be accepted all right, but there was some little detail the naval board wanted to as! him about. This appealed to Ericsson's vanity and he came to Washington. Meantime Welles arranged with President Lincoln that Ericsson should have an interview with the naval board. President Lincoln was present. After they had debated the merits and demerits of the inven-

tion for an hour or two they asked President Lincoln's opinion. He said:

Gentlemen, I must remark, as the western girl did when she first put her foot in a long stocking, "it appears to me there is something in it."

That remark tipped the balance in favor of the Monitor.

It seems to me there is something in the submarine, a great deal in them, and with all due respect to the committee, it does not appear to me that they came to the conclusion that there was anything at all of value in them when we stop to consider that we have only three under construction at this time.

I ask the Senator's pardon for interpolating that story, but

it seemed to me it was apropos.

Mr. LA FOLLETTE. I am very glad the Senator related the story. I am sure the Senate and the public will appreciate it.

Mr. NORRIS. Mr. President

Mr. LA FOLLETTE. I yield with pleasure, Mr. President. Mr. NORRIS. It seems to me that the story which has been told by the Senator from Connecticut [Mr. McLean] ought to be continued just a little bit further, if the Senator from Wisconsin will permit?

Mr. LA FOLLETTE. I yield.

Mr. NORRIS. I, of course, have no personal knowledge of what I am about to relate, but I secured the information from one of the leading men of Connecticut, who served in the House of Representatives for a great many years, and who was one of the bondsmen and who stood to lose everything he had on earth under the bond to which I wish to refer.

It seems that after the conference about which the Senator from Connecticut has spoken the Government was still afraid to use its money in the construction of the Monitor, and it required a bond, conditioned on the payment to the Government of the money it should lose if, after the construction of the

Monitor, it turned out to be a failure.

Mr. McLEAN. The Senator from Nebraska is quite correct

in that statement,
Mr. NORRIS. The bond was duly given, and the man who gave me the information-

Mr. McLEAN. Representative Sperry was one of the sureties

Mr. NORRIS. Representative Sperry was one of the sure-ties, and he told me that had the Monitor failed he was liable on the bond for a great deal more than he was worth.

Mr. McLEAN. I do not know about that. Mr. NORRIS. He also stated that after the Monitor did its work so well, he came to Washington and took the matter up with the officials of the department. He said to them, "I presume you are agreed that we are not liable on the bond now that the *Monitor* has made good?" They assured him that such was the case. He then said, "I suppose, representing these bondsmen, I am entitled to have the return of our bond"; and they agreed to that. However, upon a search being madeindeed, a great many searches being made—they never were able to resurrect the bond, and, as a matter of fact, it was never returned. The bondsmen always believed, of course, that the Government officials felt so humiliated at having required the bond that in some way it had accidentally been lost and they were unable to find it.

Mr. McLEAN. Mr. President, the Senator from Nebraska is quite correct in his statement. Before the Government officials would agree to give the contract for the construction of the Monitor the late Representatives Sperry and Bushnell and others had to give a bond absolutely guaranteeing the Government that in the event the Monitor did not do as promised the entire cost of its construction should be paid into the

Treasury of the United States.

Mr. LA FOLLETTE. Mr. President, I am obliged to the Senator from Connecticut and the Senator from Nebraska for this historical contribution to the discussion, because it bears

directly upon and supports my argument.

Mr. McLEAN. If the Senator from Wisconsin will pardon me, I wish also to state that there is a long list of arms that have been submitted to our experts and been discarded and rejected by them which, however, have afterwards become the

most effective weapons in modern warfare.

Mr. LA FOLLETTE. All this, Mr. President, strongly supports the contention that I am making, that we have passed into a new era with regard to war and preparation for war, and that we are unfortunately proceeding with the pending bill just as though the world had not had the experience that came to it between the years 1914 and November, 1918. In the face of all the facts, and against all reason, these old prewar contracts, which the Government has the right to cancel, are being forced through the Congress.

THE POWER BEHIND EXCESSIVE NAVAL APPROPRIATIONS.

Mr. President, what is the mysterious influence that drives us ahead blindly along this old course of naval construction,

based upon the obsolete prewar plans?

The execution of great naval programs, necessitating the building of great armored battleships, vitally interests immense business organizations, and such great business organizations come to exert a tremendous influence upon legislation, without, perhaps, the members of the respective committees of the two Houses of Congress being conscious of the fact that they are subjected to such influence.

I have no doubt that the natural reluctance of naval officers to do what Admiral Scott says they must do if they stand against the battleship, that is to commit professional suicide, has a great deal to do with their insistence that the construction of capital ships, in the face of the opinion I have quoted here, is still essential to the interests of the country.

But I see another influence behind this persistent demand for enormous appropriations for the construction of capital ships. It is a sinister influence, and if that influence is allowed to direct the naval policy of this country it will in the end give us a Navy that is obsolete, a Navy which will be condemned and scrapped as soon as built and its obsolence made an excuse for further and more wanton expenditures of like character. Sir, ultimately the American people will come to understand the significance of all of this vast expenditure with no result; they will come to a full understanding of what this means; and when they do their wrath will be let loose against those who have in any manner contributed to the great wrong.

The influence which I have been speaking of is hinted at, unconsciously, I think, in the testimony given before the Senate committee by Admiral Coontz. The admiral was asked what the cost would be if the construction of the 1916 program was suspended. He replied—and I should like Senators to fix

the reply of the admiral in their minds:

Well, I will have to figure on that; but the contracts have been let and some of the big concerns throughout the country are going ahead, and the stuff is pouring in, and the greatest loss would be in holding up the contracts. That would have a very great effect. I understand that a number of our biggest concerns are practically depending upon

That is, upon the old contracts of 1916-

to tide them over until they get more work. But that would be probably the principal effect of it.

Oh, Mr. President, consider that answer of this representative of the Navy Department, Admiral Coontz. He was asked what the cost would be if "the construction of the 1916 program was suspended." And his answer was that "a number of our biggest concerns are practically depending upon these "—that is, the old contracts of 1916—"to tide them over until they get more work. That would be the principal effect of it."

That is the kind of testimony upon which the bill is constructed, the testimony of an admiral in the Navy Department of this Government into whose mind comes at once as the chief objection to suspending work upon these old contracts the in-convenience and the loss of profit that it will entail to our "big concerns." He did not appear to be interested in the saving to the Government, or in the better and more modern construction that could be built for a small fraction of the enormous cost of these \$40,000,000 battleships; but he considers only "the effect upon our biggest concerns"—the armor That was the thing that was in the front of his mind.

Mr. HALE. Mr. President, I think the Senator has entirely misinterpreted the testimony given by Admiral Coontz. I do not think in any way he was trying to protect or help out any business concern. I think, from what the Senator has stated there, the admiral simply meant that if they had to close down on the building of this 1916 program it would interrupt all of their overhead expenses and interrupt their course of business so that they might have to shut down altogether, and then we

would have nothing built.

Mr. LA FOLLETTE. Yes, yes, Mr. President; here you have it. Here is a member of the Committee on Naval Affairs, and he shows on the floor here the same great concern for these big business institutions that have made enormous war profits. Why, they could suspend business for months, Mr. President, and not suffer in their capital investments. They could suspend business for two or three years. Do not be so anxious about them, and do not be so quick and keen to come to the defense of this admiral of the Navy, who showed that his first consideration with record to the sideration with regard to the suspending of operations under these contracts was the effect it was going to have upon these big concerns.

Mr. HALE. If the Senator is questioning my motives, I think I can stand it. It does not bother me.

Mr. LA FOLLETTE. Oh, no; I am just questioning the Senator's understanding, not his motives. I do not question

anybody's motives.

Mr. HALE. As far as the action of the committee is concerned, I will say that in my State we build destroyers. Bath Iron Works have built the best destroyers, I think, that have been built in this country. The Naval Affairs Committee of the Senate, of which I am a member, voted to take away the authorization to complete 12 of these that were carried in the 1916 program. If the Senator thinks that shows an undue interest in this shipbuilding concern, he is welcome to his opinion.

Mr. LA FOLLETTE. I think you did not go far enough. I am glad you made a start.

THE ARMOR RING-BETHLEHEM, MIDVALE, AND CARNEGIE.

Mr. President, there are three concerns that make up the naval armor ring of this country, and they have a history, and I am going into it now. These three concerns manufacture all the armor plate that will be used on the 17 capital ships under construction, with the exception of about 7 per cent of the plate, which is being manufactured at the naval ordnance plant of the Government at South Charleston, W. Va. We have succeeded in building up, under the war conditions of the last six or seven years, a sentiment against the Government having anything to do with producing the things that the Government uses, leaving them all to these fellows who make, as I shall show, enormous profits out of the jobs that they have with the Government. There will come a reaction from that sort of thing. You will pay for your loyalty to private business before you get through with it. You can not fool the public forever, You could put on the clamps during the war, and you could stop discussion of the subject in many places, but we are going to discuss these things now before the public everywhere. will have to come forward with all the defenses you have.

I have here the figures, obtained from the Navy Department, which show the amounts of the contracts made for armor plate

alone with these three concerns:

Bethlehem Steel Co., \$16,866,211. Midvale Steel Co., \$16,866,211. Carnegie Steel Co. (United

(United States Steel Corporation),

\$16,810,266.

Then there comes the little naval ordnance plant of this Government, approximately \$5,500,000. But observe, sir, how closely the other three contracts run in dollars and cents. If you were making a private contract with three corporations and found it necessary under the conditions that existed to divide up your business in that way, it would be a little bit suggestive of the fact that you were up against a combination.

Mr. HITCHCOCK. Mr. President, I did not quite understand

Are they approximately \$16,000,000 the Senator's figures.

apiece?

Mr. LA FOLLETTE. Yes.

Mr. HITCHCOCK. And over what period of time? Mr. LA FOLLETTE. This has application to the 1916 pro-

Mr. HITCHCOCK. For the current year?

Mr. LA FOLLETTE. It begins in 1916. I am not certain whether it comes within the current year or not, but I think not,

from the table that has been worked out for me.

In addition to armor plate, these capital ships and the auxiliary craft require armaments and ammunition aggregating enor-Two of the three concerns listed above, the Midvale Steel & Ordnance Co. and the Bethlehem Steel Co., manufacture the largest guns and furnish much of the ammunition. In building the 16 capital ships of the 1916 building program, excluding the 1 additional battleship, the California, the following amounts have already been appropriated by Congress:
Armor and armaments, \$169,533,288.

Ammunition, \$51,013,543.

The Navy Department now estimates that the following additional amounts must be appropriated for the same purpose to complete the 1916 program:

Armor and armaments, \$87,850,707.

Ammunition, \$14,768,294.

It must be borne in mind, of course, that the above estimates were made with a view of minimizing the cost of completing the program, and that, following the invariable custom and invariable precedent, the estimates will be increased by from 50 to 100 per cent when the actual expenditures are made; but, taking the estimates as they appear on their face, we have the following total as the amounts expended or to be expended for armor and armaments and ammunition:

Armor and armaments, \$257,385,995.

Ammunition, \$65,781,837. Total, \$323,167,832.

Mr. President, these figures-which will undoubtedly be increased by fifty to one hundred million dollars-show that there are involved in the construction of these ships for armor and armament and ammunition alone approximately one-third of a billion dollars.

The Carnegie Steel Co. is a subsidiary of the United States Steel Corporation. The Midvale and Bethlehem companies are organized as separate corporations, but all three concerns are closely allied through a system of interlocking directorates which connects them with the great banks of New York City.

As an indication of the enormous profits which these concerns have been able to make during the war, before and after the United States entered the conflict, I introduce at this point tables showing the net income available for dividends of the Bethlehem Steel Co. and the United States Steel Corporation from 1912 to date, and the Midvale Steel & Ordnance Co. from 1916, when it was organized in a merger, to date.

The net incomes shown in these tables are the actual profits which remain after all taxes have been paid, interest met on loans, and all other ordinary items of a going concern provided for. The net income shown in these tables was actually paid out in dividends or diverted into the enormous surpluses which these companies are piling up.

These figures are compiled by the Standard Statistics Co. in a business manual relied upon by investors and business men. ask that these figures be printed in the RECORD, Mr. President.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

Net income showing profits available for dividends.

United States Steel Corporation:	_ \$54, 240, 049
1913	
1914	
1915	
1916	
1917	
1918	
1919	
1920	
Bethlehem Steel Co.:	- 110, 100, 100
1912	2, 063, 641
1913	
4041	
1914	
1916	
1917	
7440	
*****	
1919	
Midvale Steel & Ordnance Co. (merged in 1916):	14, 458, 835
1916	_ 32, 214, 724
1917	
1918	
1919	
1920	40 0mx 000

Mr. HITCHCOCK. Has the Senator made any examination to ascertain when these contracts were made by the Government which are now supposed to be in operation, and not desirable to cancel? When were they made? What was the date upon which the prices were fixed? Were they upon the present basis of prices and wages?

Mr. LA FOLLETTE. No, Mr. President; as I understand, they were based upon the prices that prevailed shortly after 1916, when they were authorized by the 1916 legislation.

Mr. HITCHCOCK. In other words, is the Government now paying maximum prices for this steel, when private purchasers have already secured a reduction? Is it paying the prices based on the maximum wages?

Mr. LA FOLLETTE. Mr. President, I have not been able to find any testimony which would enlighten me upon that point, I have taken the figures exactly as I found them, and am laying them before the Senate.

Mr. HITCHCOCK. I am curious to know, for instance, whether the reduction of wages has been of any benefit to the Government.

Mr. LA FOLLETTE. The Senator can address himself to the members of the committee, who have opportunities to ascertain the facts beyond those of us on the outside.

I wish to introduce here two tables based upon Moody and other standard financial journals, showing the net profits and percentage earned on capital stock from 1912 to 1918, inclusive, of the United States Steel Corporation, the Bethlehem Steel Corporation, and the Midvale Steel & Ordnance Co. These tables also show comparative statistics for 19 lesser steel companies, nearly all of them having large interests in the contracts made for armament and munitions in connection with the building of the 16 capital ships under the 1916 program.

The tables are as follows:

Profits in industry-Iron and steel works-Net income and percentage earned on capital stock, 1918 to 1918. [Net income and capital stock shown for corresponding years only.]

No.	Date and State of V		Net income available for dividends, by years.							Average net income for period.		
No.	incorpora- tion.	Name of company.	1912	1913	1914	1915	1916	1917	1918	1912-1914	1915	1916-1918
21 22 23 24 25 26 27 28 29 30 31	1901—N.J. 1915—Del. 1904—N.J. 1898—Pa. 1900—N.J. 1902—N. Y. 1899—N.J. 1899—N.J. 1899—N.J. 1899—N.J. 1875—W. Va.	Midvale Steel & Ordnance Co.1.  Bethlehem Steel Corporation. Cambria Steel Co.1. Crucible Steel Co. Lackawanna Steel Co.1. Republic Iron & Steel Co.1. Inland Steel Co.1. The American Rolling Mill Co.1.		886,541 1,193,670	\$64,142 416,551	548, 718 858, 160	2, 296, 625	\$224, 219, 565 35, 576, 558 27, 320, 737 25, 721, 853 12, 282, 358 16, 106, 976 15, 857, 197 10, 535, 067, 3, 053, 790 7, 811, 444 6, 396, 928	\$137,532,377 24,258,537 15,930,390 7,567,536 13,812,128 8,348,354 7,791,334 5,166,549 4,547,384 4,556,442 2,585,417	\$52, 984, 601 4, 258, 788 3, 869, 008 3, 115, 307 704, 084 1, 801, 103 1, 234, 928 821, 481 970, 203 863, 991		\$211, 094, 557 30, 683, 273 28, 948, 365 19, 461, 248 13, 106, 047 12, 224, 521 12, 812, 764 8, 717, 467 3, 209, 266 5, 643, 984 4, 323, 649
32 33 34 35 36 37 38 39	1892—Colo. 1902—N. J. 1916—Va. 1907—Pa. 1899—N. J. 1913—Del 1903—Pa. 1909—N. Y.	American Steel Foundries <sup>1</sup> . Superior Steel Corporation <sup>1</sup> . Standard Steel Works Co. <sup>1</sup> . Sloss-Sheffield Steel & Iron Co. <sup>1</sup> . Gulf States Steel Co. <sup>1</sup> . The Eastern Steel Co.	553, 255 344, 575	617, 071 678, 466 673, 422	370, 026 210, 694 510, 140	264, 156 251, 128 644, 098 522, 388 608, 943	1, 181, 578 1, 127, 387 1, 990, 674 2, 452, 511 3, 367, 707	5,531,840 1,817,111 2,916,961 2,152,373 2,882,176 1,996,522	2,732,048 2,695,727 1,107,862 1,821,230 1,972,072 1,191,062 789,159 749,670	874, 351 982, 154 387, 834 576, 768 580, 620 508, 998 114, 899	608, 943	2,051,129
II.	Man I fee	Total	74, 414, 400	114, 599, 509	34, 424, 445	117,071,129	451, 289, 969	405, 794, 946	245, 156, 478	74,649,117		367,747,126

Company No.	Capital stock.						Percentage earned on capital stock.				Percentage earned on cap- ital stock for period.					
	1912	1913	1914	1915	1916	1917	1918	1912	1913	1914	1915	1916	1917	1918	1912-1914	1916-1918
1 1 2 1 3 3 3 4 4 1 5 5 6 1 7 7 1 8 1 9 9 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	36, 235, 500 17, 184, 000 457, 200 3, 000, 000 16, 700, 000	29,770,000 45,000,000 49,578,400 34,734,000 52,191,000 7,883,625 6,000,000 17,500,000 19,830,800 17,184,000 457,200 3,000,000	29, 770, 000 45, 000, 000 49, 578, 400 34, 756, 000 52, 191, 000 7, 910, 342 6, 000, 000 17, 500, 000 19, 830, 800 36, 235, 500 17, 74, 000 457, 200 3, 000, 000 16, 700, 000	\$868, 583, 600 29, 770, 000 45, 000, 000 49, 578, 400 34, 759, 000 52, 191, 000 9, 915, 016 7, 200, 000 17, 500, 000 19, 830, 800 457, 200 3, 000, 000 16, 700, 000 7, 656, 377	100, 000, 000 29, 770, 000 45, 000, 000 50, 000, 000 50, 996, 500 9, 924, 865 17, 500, 000 19, 830, 800 36, 235, 500 17, 184, 000 46, 700, 000 16, 700, 000 11, 000, 000	100, 000, 000 4 74, 980, 000 45, 900, 000 50, 907, 500 52, 191, 000 4 10, 110, 902 4 8, 803, 680 17, 500, 900 19, 830, 800 36, 235, 500 17, 134, 900 6 7, 753, 748 3, 900, 900 16, 700, 900 11, 900, 000 11, 900, 000	100, 000, 000 74, 080, 000 45, 000, 000 50, 000, 000 52, 191, 000 10, 132, 502 17, 500, 000 19, 830, 800 17, 184, 000 6, 747, 048 3, 000, 000 16, 700, 000 11, 022, 285	6.9 7.6 6.9 2.9 2.4 12.5 11.9 7.4 5.3 5.0 7.1 62.5 30.1 3.3	17. 2 13. 9 9. 9 7. 0 5. 9 21. 7 14. 8 6. 8 6. 4 4. 8 8. 7 111. 0 20. 6 4. 1	4.4 2.0 24.8 2.0 14.0 14.4 2.4 1.4 2.5 1.4 80.9 7.0 3.1	14.2 6.2 6.9 6.7 38.2 7.6 4.9 3.4 2.9	26, 4 34, 8 28, 3 105, 3 38, 1 26, 1 20, 1 6, 1 23, 1 258, 4 37, 6 11, 9 22, 3	35. 6 36. 9 57. 2 24. 6 45. 9 30. 4 104. 2 34. 7 44. 6 32. 3 11. 0 32. 2 26. 9 97. 2 12. 9 26. 2	24.3 21.5 16.8 27.6 23.8 14.9 51.0 51.7 26.0 13.0 7.5 15.7 16.4 60.7 11.8	14, 3 8, 6 6, 3 2, 0 3, 5 16, 1 13, 7 5, 5 4, 4 2, 4 4 5, 7 84, 8 19, 2 3, 5	43. 26. 34. 24. 86. 41. 82. 21. 8. 23. 29. 65. 12.
Total.	5, 850, 000 5, 635, 400 1, 215, 401, 070	- The Control of the	6,000,000		5, 850, 000 6, 550, 000 1, 330, 896, 910	5, 836, 100 6, 550, 000 1, 384, 455, 930	5,784,900 6,550,000 1,384,433,855	21.2	8.6		- 100	57.6 15.8 33.9	9.7	11.4	2,0	35.1 12.1 26.1

1 Moody shows Federal taxes deducted before net income is computed. Moody states that all taxes are deducted, wherever possible, before net income is shown.
2 Deficit.
3 years—1912-13.
4 Stock increased. That part of increase due to stock dividend not considered.
5 Reincorporated and capital stock increased.

Mr. LA FOLLETTE. These tables bring out some very interesting facts. For the three-year period from 1912 to 1914, inclusive, the average net income per year of the United States Steel Corporation was approximately \$53,000,000. For the threeyear period from 1916 to 1918, inclusive, after the European war had begun, and including our 19 months' participation in the conflict, the average net income per year of that concern was in excess of \$211,000,000—that is, for the three-year period from 1912 to 1914, inclusive, it was \$53,000,000; for the three-year period from 1916 to 1918, inclusive, it was \$211,000,000.

During the three peace years, from 1912 to 1914, inclusive, the percentage earned on capital stock was 6.1 per cent per year, while during the three war years, from 1916 to 1918, inclusive, the percentage was 24.3 per cent per year.

The Midvale Steel Co. was not organized until 1916, but for the three war years, 1916 to 1918, inclusive, it made net profits available for dividends of \$30,683,273, or 30.7 per cent per year

upon its capital stock. The Bethlehem Steel Co., which is one of the principal armorplate concerns, did better than any of its competitors. From 1912 to 1914, in time of peace, it made a net income of \$4,258,788. During the three war years, from 1916 to 1918, inclusive, its net profits per year averaged \$28,948,365. That is, it rose from four and a quarter williance in reproductive to \$290,000,000 in the and a quarter millions, in round numbers, to \$29,000,000 in the three war years.

Mr. NORRIS. What percentage is that?

Mr. LA FOLLETTE. The percentage earned on its capital stock for the three peace years, from 1912 to 1914, inclusive,

was 14.3 per cent. In 1917 the Bethlehem Steel Corporation increased its capital stock from \$29,000,000 to \$74,000,000. That has to be taken into account. But, in spite of this enormous increase, the net income during the three war years, 1916 to 1918, inclusive, was so gigantic that the percentage earned on capital stock during the three years averaged 48.8 per cent per year.

Mr. NORRIS. Mr. President, are these the big concerns the

admiral was worried about?

Mr. LA FOLLETTE. Yes; these were the concerns the admiral was afraid were going to be embarrassed if we suspended these contracts. He said they sort of needed these Government contracts "to tide them over."

Mr. NORRIS. Does not the Senator think it would be a hardship on those men, who have been living in this style, in a business way, to get down to 8 or 10 per cent? Does not the Senator believe that we ought not compel them to make such a sudden change as that, coming from 40 per cent down to a reasonable amount, but that we ought to ease them off a little?

Mr. LA FOLLETTE. I think that as the facts I submit enter the minds of Senators, some of them will conclude that they ought to be "eased off" from the end of a plank. These concerns have been stealing from the Government and from the public. Instead of being in their palatial offices getting, in peace times, 14 per cent, and in war times, 40 to 50 per cent, they ought to be in the penitentiary, wearing stripes. They are responsible for the conditions which are upon this country at the present time. They are responsible for their share of the fact that 5,000,000 men are out of employment. It is their policy

and their influence, and the influence of their ilk upon government, that is productive of all the radical, extreme, irrational opinions that find expression in this country. If there is anybody who is a menace to the future perpetuity of this Government as a constitutional government, it is men of this type.

In the table which I have inserted in the RECORD, taking the 19 iron and steel works shown in the table, in the aggregate it will be seen that the average net income per year of approximately \$75,000,000 during the three peace years, from 1912 to 1914, inclusive, leaped to \$367,747.129 per year during the three years from 1916 to 1918. Before I leave this subject I wish to introduce into the Record extracts from a letter sent by John Skelton Williams, Comptroller of the Treasury, to Judge Gary, chairman of the board of the United States Steel Corporation, under date of February 15, 1921, and also extracts from a memorandum on alleged excessive prices for steel and iron products, prepared by him in 1919 for the Director General of Railroads, and not published until February 15, 1921, and then not very

widely published.

I ask leave to print all or any portion of that matter in connection with my remarks, without taking the time of the Senate now to read it.

There being no objection, the matter referred to was ordered

to be printed in the RECORD.

Mr. LA FOLLETTE. It may interest Senators who are in attendance here to hear these paragraphs taken from the letter of Mr. Williams to Judge Gary, and I will read the extracts from Mr. Williams's letter:

The company's reports show that the United States Steel Corporation in the year 1918 could have afforded to reduce by \$30 per ton the price of every ton of the 14,124,986 tons of rolled steel and other finished products sold at home and abroad in the year 1918, or, say, by \$423,749,000; and, further, to have reduced by about 50 per cent the prices it received from its iron, ore, coal, coke, pig iron, cement, etc.; and even then its net earnings for the year would have amounted to about \$101,000,000, or enough to pay 7 per cent dividends on the steel company's common and preferred stock after providing for interest and sinking fund and other charges.

Another paragraph:

Another paragraph:

The swollen and unconscionable profits of the Steel Co. are reflected all through its annual report. Its balance sheet shows an excess of current quick assets over current liabilities of \$792,000,000, before deducting estimated Federal taxes of \$288,000,000.

If the United States Steel Corporation had held prices to a moderate basis during the war, the Government, our allies, and the public would have been saved exactions amounting, directly and indirectly, to many times the \$288,000,000 to be paid by it in Federal income taxes.

The United States Steel Corporation at this time, with its plethoric treasury, could richly afford to say to the Government that for the remainder of this year it will sell its products at net cost, having made in the past two years more than \$1,000,000,000 of profits, the exaction of which had a most disturbing and injurious effect not only upon our allies but upon our country in the midst of war, even though part of it was afterwards paid back in taxes.

The company's report states that its inventory was arbitrarily reduced by more than \$50,000,000 December 31, 1918, by marking down stock on hand from "actual cost or market value" to "normal prices," but it does not say what those prices were which they regard as "normal."

My conclusion from the foregoing figures is that the United States Steel Corporation should make a radical and sharp reduction from the prices recommended by the "Redfield committee"; and I am convinced that they would be forced to do so by an aroused public opinion if all the facts of the case should be submitted to the discriminating judgment of the American people.

Again:

Again:

We are calling on the working people to accept reductions of wages. Every day we urge manufacturers and wholesale and retail merchants to trim their margins of profit to the thinnest possible with safety, and the farmers to be content without profit, or to accept losses.

And again:

We are calling on the working people to accept reductions of wages. Every day we urge manufacturers and wholesale and retail merchants to trim their margins of profit to the thinnest possible with safety, and the farmers to be content without profits or to accept losses. In my office I apply every proper influence to urge the national banks and the Federal reserve banks to be content with smaller returns, to encourage enterprise, and stimulate legitimate business. Evidence that the United States Steel Corporation is selling its products at reasonable prices and accepting smaller profits would be an example and inspiration to all these classes, an impetus of immeasurable power to the process of hastening healthy readjustment by mutual and general concessions.

On May 5, 1919, in view of my experience as director of purchases of the United States Railroad Administration, I prepared and submitted to the Director General of Railroads an analysis of the annual report of the United States Steel Corporation for 1918. The general conclusion after recital of the figures was that the profits of the corporation were "swollen and unconscionable"; that the corporation could well afford to sell its products to the Government and to all other consumers through the remainder of the year at net cost; that the corporation could in the year 1918 have doubled the wages and salaries of all its 268,710 employees and yet paid dividends on its preferred and common stock with due provision for its sinking fund, or could have reduced its prices on all finished steel products \$30 per ton and yet paid dividends on both preferred and common stock after providing for interest, sinking fund, and necessary deterioration.

These assertions of mine perhaps came under your observation. They stand uncontradicted and unchallenged after 22 months.

In my recently published annual report I asserted that one of the most important iron and steel companies in the country, meaning yours,

showed that in the last year of the war—calendar year 1918—it could have doubled wages or could have reduced prices of steel \$25 per ton and at the same time could have paid dividends on its preferred and common shares. You do not controvert or deny this.

I realize you desire as an executive to do the best possible for your stockholders. I contend, however, that profits for them such as you gathered in during the war years were not "reasonable," and in the present condition of the country that your prices are excessive and unjustifiable. I ask you to consider, looking to the permanent welfare of the corporation and its stockholders, whether the public good will you would gain by such reduction of prices as the figures I have and the undisputed calculations and conclusions I get from them would justify, would not be an asset far outweighing the immediate loss in profits. I ask you also to consider whether the public and general hostility your corporation would incur by insisting on a policy of extortion while other interests and individuals are being exhorted to a policy of reduction and by refusing to come to the help of the country and the world at their time of need will not become a heavy and an increasing liability.

ARMOR RING HAS A SUBSTANTIAL INTEREST IN 1916 BUILDING PROGRAM.

ARMOR RING HAS A SUBSTANTIAL INTEREST IN 1916 BUILDING PROGRAM.

Mr. President, it can not be denied that the Midvale Steel & Ordnance Co., the Bethlehem Steel Corporation, and the Carnegie Steel Co., which make all of the armor plate and most of the largest guns for the 16 capital ships under construction, have a substantial interest in the completion of the 1916 build-Those great corporations for the past five years ing program. have enjoyed profits without precedent in the history of American business. They have invested millions of those profits in enlarging their plants and installing machinery for the manufacture of armor plate, armaments, and projectiles. With the return of peace these concerns see their profits shrinking to a normal level. Unless the world can be plunged into another sanguinary war within the next decade, the ammunition makers will have to be content with profits which can be made out of legitimate peace-time operations.

The munition makers have one method open to them by which they can maintain their profits at the war level of former years. If Congress can be induced in a time of profound peace to embark this country upon a new preparedness campaign, entering into a race of armament with our recent allies, Great Britain and Japan, the munition makers can rest secure in their dividends for years to come, with a certainty that the ruinous policy upon which we are about to enter will lead shortly to an-

other war and another harvest of war profits.

Some Senators may scoff at the idea that the profits of munition makers can have any possible influence upon the ultimate decision of Congress upon this question. It was not difficult to find in this body during the late war Senators who believed that the Krupps of Germany were a potent factor in determining the military and naval policy of the German Empire. But, sir, the Krupps of Germany in all their history never made profits comparable to the earnings which have been made in the last few years by the munition plants of this I am willing to go further than that and to assert that the \$323,000,000 which will be spent under the 1916 program for armor, armament, and munitions alone offers a richer opportunity for profit than was ever realized by the Krupps. I say that these great corporations not only have enormous profits at stake, giving them a substantial interest in the completion of the 1916 program, but I assert that they are bringing every ounce of influence to bear to induce Congress to continue this program, and I am prepared to prove that statement.

To find a guide for our policy in normal times after the war, it is logical to inquire briefly into the conditions which obtained before the war. In 1915, as at present, the Bethlehem Steel Co., the Midvale Steel Co., and the Carnegie Steel Co. were the great beneficiaries of contracts let by the Navy Department. They had a controlling grip upon the manufacture of armor plate, ammunition, and armaments. From 1887 down to 1915 these three companies had received from the Navy Department, for the single item of armor plate, contracts aggregating \$95,-628,912, divided as follows: Bethlehem, \$42,321,237; Carnegie, \$32,954,377; Midvale, \$20,353,298.

It has been proven repeatedly that the Government was being cheated by the munition makers on prices paid for almost every variety of equipment for the Navy. Nine official estimates were made of the actual cost of a ton of armor plate, and the average estimate arrived at shows a cost of \$247.17 per ton for armor plate, and yet from 1887 down to 1915 the Government purchased 217,379 tons of armor plate at \$440.04 per ton.

WHAT SECRETARY DANIELS SAID OF ARMOR PLATE TRUST,

There appears to have been no competition between the armor manufacturers of the world. Secretary Daniels, in 1914, on page 621 of the naval hearings, referred in the following language to an advertisement for bids for armor plate for the dreadnaught Pennsylvania. I quote from that report, as follows:

When we came to the armor we rejected all the bids and were then absolutely in a situation from which it appeared there was no relief. Though you can not establish it in black and white, there is no doubt of an Armor Plate Trust all over the world. That is to say, the people

abroad who make armor plate will not come here and submit bids, because they know if they do our manufacturers will go there and submit bids. They have divided the world, like Gaul, into three parts.

In 1901 there was formed in this country an organization known as the Navy League of America. This league began a vigorous propaganda for a great Navy, which has continued to this date. In 1915 this organization was composed of and shown to be controlled by the great financial interests of the country which have large investments abroad and control the stock of the steel companies which supply the Navy with armon plate, armament, and ammunition. In 1915 the Navy League was advocating a bond issue of \$500,000,000—a sum about half as large as the estimate made by the Navy Department as the actual cost of the 1916 program—for building new vessels at that time. The Navy League Journal was the official organ of the Navy League. In the first issue of the Journal, July, 1903, it paid the following tribute to the Navy League of Germany:

To-day Germany, thanks to enlightened statesmanship and the support of the public, but most of all on account of the efforts of Flotten Verein, or Navy League, whose astounding results we shall emulate in this country, may be looked upon as the fourth sea power in the world.

Mr. President, I think that bald statement-from an organization which still maintains offices in Washington-of its purpose to emulate the organization of militarists which brought Germany to ruin will be accepted as pretty fair evidence that the "enlightened statesmanship" of this country will not be free from the attempts to mold its policy which have been made in every other country in the world. In its issue of December, 1903, the Navy League Journal again paid tribute to the German Navy League, referring to the attempts which were made to influence the German Reichstag, in the following language:

Without exaggeration it may be asserted that to the German Navy League, more than to every other influence besides, is due the vast and wholesome growth of the German Navy.

Mr. President, I would have no fault to find with an organization composed of citizens who were agitating for the greatest navy in the world through sheer conviction that this country required such a navy; I concede the right of men who believe in a great navy to press their views upon Congress; but in 1915 an exposure was made of the Navy League which revealed that organization as the instrument of great financial interests and manufacturers which make money out of the contracts let by the Navy Department.

I ask leave, in the first place, to insert in the RECORD a list showing how the manufacturers of war materials controlled the Navy League and directed its propaganda for a big naval program. The following are the steel companies which had representatives in the Navy League before the recent World War:

STEEL.

1. United States Steel Corporation, represented through J. P. Morgan, director of Navy League and United States Steel; Robert Bacon, director of Navy League and United States Steel; Elbert H. Gary, contributor to Navy League and chairman of the board of directors, and chairman finance committee, United States Steel; Henry C. Frick, honorary vice president Navy League and director United States Steel; George F. Baker, jr., contributor to Navy League and son of director of United States Steel. The late J. P. Morgan was a founder, contributor, and director of the Navy League, and the organizer and a director of United States Steel. Charles M. Schwab, who is shown in Moody's Manual for 1903 as then president of the United States Steel Co., is shown by the efficial journal of the Navy League for 1903 to have been one of the founders of the league in July of the same year.

2. Bethlehem Steel Corporation, represented through Charles M. Schwab, one' of the founders of the Navy League and president of Bethlehem Steel Corporation, which controls the San Francisco Drydock Co., the Union Iron Works Drydock Co., of San Francisco, the Fore River Shipbuilding Co., Harlan-Hellingsworth Corporation, and the Titusville Forge Co. Bethlehem is also represented in the Navy League and director of Bethlehem; George R. Sheldon, honorary vice president of the Navy League and director of Bethlehem; George R. Sheldon, honorary vice president of Bethlehem.

The above held stock in Bethlehem on Sentember 27, 1915, as follows:

former honorary vice president of the Navy League and stockholder of Bethlehem.

The above held stock in Bethlehem on September 27, 1915, as follows:
Charles M. Schwab, 38 451 shares: Allan A. Ryan & Co., 13,910 shares: Charles F. Brooker, 474 shares, on April 10, 1915.

Robert H. Sayre, a former general manager of Bethlehem, was a life member of the Navy League, and Lieut. J. F. Meigs, resigned, an employee of Bethlehem, was a life member.

(3) Carnegie Steel Co., represented through those connected with the United States Steel Corporation, of which it is an underlying company. It was also represented before its connection with the United States Steel through ex-Secretary of the Navy Benjamin F. Tracy, attorney for the Carnegie Co., and one of the founders of the Navy League, and indirectly through Albert B. Boardman and James R. Soley, who were associated with Mr. Tracy.

Mr. President, I ask leave to incorporate in the RECORD without reading some data with respect to the connection between the Navy League and various business organizations which have in the past been contracting with the Government for Navy and Army supplies.

The PRESIDING OFFICER. Without objection, permission

is granted.

The matter referred to is as follows:

The matter referred to is as follows:

4. Harvey Steel Co., represented through S. S. Palmer, one of the founders of the Navy League and president of the Harvey Co., and through ex-Secretary Tracy, who was also the attorney for Harvey Co. The Harvey Co. was therefore also indirectly represented through Mr. Boerdman and Mr. Soley.

5. Lackawanna Steel Co., represented through Beekman Winthrop, director of Lackawanna and director of the Navy League, and through Ogden L. Mills, contributor to the Navy League and director of Lackawanna.

6. Cambria Steel Co., represented until recently by E. T. Stotesbury, of the firm of J. P. Morgan & Co. Mr. Stotesbury was a director of Cambria and honorary vice president of the Navy League.

7. Midvale Steel Co., one of the founders of the Navy League.

8. Eastern Steel Co., represented through Harry Payne Whitney, one of the founders of the Navy League and director of Eastern Steel.

9. Pennsylvania Steel Co., represented through E. T. Stotesbury, member of firm of J. P. Morgan & Co., honorary vice president of the Navy League, and director of Pennsylvania Steel.

10. Pacific Hardware & Steel Co., represented through D. H. Kane, life member of Navy League and formerly director of Pacific Hardware & Steel Co.

11. Federal Steel Co., represented through E. H. Gary, contributor to Navy League and president and director of Federal Steel.

12. United States Steel Co., represented through E. H. Gary, contributor to Navy League and director of Hilmois Steel.

13. Minnesota Steel Co., represented through E. H. Gary, contributor to Navy League and director of Minnesota Steel.

14. Union Steel Co., represented through E. H. Gary, contributor to Navy League and director of Union Steel.

15. American Steel & Wire Co., New Jersey, underlying property of United States Steel Corporation. (See United States Steel.)

COPPER.

Robert M. Thompson, founder, honorary vice president, 1903-1909; director, 1904-1914; chairman executive committee, 1913-14; president Navy League, 1915; president Orford Copper Co.
Andrew Fletcher, Ir., member W. & A. Fletcher Co., life members Navy League; director Union Copper Co.
Rodolphe Agassiz, honorary vice president Navy League, 1915; director La Salle Copper Co., director Superior Copper Co., director Centennial Copper Mining Co., president and director Isle Royale Copper Co., vice president and director White Pine Copper Co.
William A. Clark, director Navy League; 1914-15; president and director United States Verde Copper Co.
Cleveland H. Dodge, life member Navy League; director Copper Queen Consolidated Mining Co., vice president and director Detroit Copper Mining Co., director Moctezuma Copper Co., vice president Phelps, Dodge & Co.
J. H. Harding, contributor to Navy League; director Amalgamated Copper Co.

J. H. Harding, contributor to Navy League; director Amalgamated Copper Co.
A. C. James, life member Navy League; vice president and director Burro Mountain Copper Co., vice president and director Copper Queen Consolidated Mining Co., vice president and director Montezuma Copper Co., director Detroit Copper Mining Co. of Arizona.
E. Meyer, jr., contributor to Navy League; director Braden Copper Mines Co., director Inspiration Consolidated Copper Co., director Utah Copper Co.

ZINC, LEAD, AND BRASS.

E. T. Stotesbury, honorary vice president Navy League, 1915; director Riverside Metal Co.

W. J. Matheson, contributer to Navy League; president and director Matheson Lead Co.

A. C. James, life member: Director American Brass Co.
Charles F. Brooker, honorary vice president, 1909: President and director American Brass Co.
Rodolphe Agassiz, honorary vice president, 1915: Director United Zinc & Chemical Co.

S. S. Palmer, founder: President and director Empire Zinc Co., treasurer and director Mineral Point Zinc Co., president and director New Jersey Zinc Co.

H. W. Hayden, contributing member: President and director Manhattan Brass Co.

Myron Herrick, honorary vice president, 1903-1919, 1915; Director

Myron Herrick, honorary vice president, 1903-1919, 1915: Director United Zine & Chemical Co.
Cleveland H. Dodge, life member of Navy League: Director American Brass Co.

NICKEL.

Seward Prosser, contributor to Navy League: Director International Nickel Co.

Robert M. Thompson, president Navy League, 1915; founder, honorary vice president, 1903-1909; director, 1904-1914: Chairman board International Nickel Co.

Mr. LA FOLLETTE. On page 32 of the February, 1904, issue of the Navy League Journal, the "official organ of the Navy League," 19 names are published as being those of the "founders" of the league. The names listed are as follows:

Herbert L. Satterlee, J. W. Miller, J. Pierpont Morgan, Benjamin F. Tracy, Seth Low, Clement A. Griscom, Thomas Lowry, Timothy L. Woodruff, Midvale Steel Co., Anson Phelps Stokes, George Westinghouse, R. S. Sloan, John J. Aster, R. M. Thompson, Charles M. Schwab, John J. McCook, Harry Payne Whitney, Course, P. Satterlee, and S. S. Palmer. George B. Satterlee, and S. S. Palmer.

The activities of one of the founders of the Navy League,

Charles M. Schwab, are described at length in a Government document stored away in the archives of Congress which I have unearthed. It is entitled "Violation of armor-plate contracts," and is recorded as House of Representatives Report No. 468, Fifty-third Congress, second session.

WHAT THE CONGRESSIONAL INVESTIGATION OF AEMOR-PLATE FRAUDS REVEALED.

The report was made after an investigation in 1894 by the House Committee on Naval Affairs of charges against the Carnegie Steel Co., then known as Carnegie, Phipps & Co. The testimony showed that armor plates containing "blowholes" were sold to the Government and later used on battleships of the American Navy; that these cavities were secretly "plugged" and the plugging "concealed" from the Government inspectors.

Mr. Schwab, one of the founders of the Navy League, and principal owner in the Bethlehem Co., the chief beneficiary under the contracts of 1916, so far as armor manufacture is concerned, was general superintendent of the Carnegie Co. when this fraudulent work was done. When questioned concerning the plugging of blowholes, Mr. Schwab said (p. 647):

Q. Do you know whether the company did really conceal the fact of blowholes in the plates?

A. I think likely that was done.

Asked if he gave orders that these defects in the plates be concealed from the Government inspectors, Mr. Schwab replied that he did not give orders that the defects be concealed, but

I certainly gave orders that blowholes should not reject the plate. Again (p. 649), Mr. Schwab testified:

Q. Do you know of any case where they were plugged and filled without the knowledge of the Government inspector?—A. I do not; but I believe it was done.

William E. Corey, now president of the Midvale Steel & Ord-nance Co., upon whose integrity we must depend for carrying out contracts which may be entered into in connection with the building program of 1916, and a director of Col. Thompson's International Nickel Co., of which Senators have some knowledge derived from the debates which we have had here during tariff and other discussions, was in charge of the armor plant in which the frauds were committed. He was superintendent, and when Superintendent Corey was testifying he was asked (p. 559 of this testimony):

Q. Did anybody above you—did any superior officer—know that you were doing this thing?—A. Yes, sir.
Q. Who was it?—A. Mr. Schwab knew about it in a general way.
Q. Did anybody else?—A. No, sir.

In making its report of the investigation the House Committee on Naval Affairs stated-and I quote the words-that-

The fraud has been traced home to their general superintendent, himself a stockholder in the company.

The general superintendent was Charles M. Schwab.

The report then proceeds as follows, commenting on the activities of those responsible for the fraud:

If the criminality of a wrongful act is to be measured by the deliberation with which it is committed, the magnitude of the evils likely to result from its perpetration, and the want of proyocation with which it is done, the frauds which your committee have found are worthy to be called crimes.

We are dealing now with the bigger concerns about which Admiral Coontz was very much exercised if these contracts were to be canceled—the contracts of 1916 for building these old, obsolete vessels. He was apprehensive, was Admiral Coontz, that the gentlemen at the head of these great concerns might not be tided over if work was suspended upon those contracts to a season when they could continue their enormous profits.

I read further from the report:

The servants of the Carnegie Steel Co. (whether with or without the knowledge of the company), to increase their gains deliberately continued for many months to commit acts whose natural and probable consequence would be the sacrifice of the lives of our seamen in time of war, and with them, perhaps, the dearest interests of the Nation.

Still reading from the report of the congressional committee that investigated these companies with which we are contracting now to continue under the plan of 1916:

now to continue under the plan of 1916:

The company were hired to make the best possible armor plate and paid an enormous price for so doing. They were hired to make an armor that would stand the shots of an enemy and upon which the Nation might rely in time of need. They were paid between five hundred and seven hundred dollars a ton and thousands of dollars a plate for so doing. Resting under these obligations, the company or its servants have perpetrated manifold frauds, the natural tendency of which was to palm off upon the Government an inferior armor, whose inferiority might, perchance, appear only in the shock of battle and with incalculable damage to the country. No fine or mere money compensation is an adequate atonement for such wrongs. The commission of such frauds is a moral crime of the gravest character. Your committee do not consider it as within their province to draft a criminal statute, but they do feel under obligations to call the attention of the House to the importance of protecting in the future the interests of the Treasury, the lives of our seamen, and the safety of the Nation by appropriate legislation, denouncing as crimes all such acts of fraud and deception practiced upon the Government in connection with armor plate and other material of war, and making such acts severally punishable in all persons who commit them or aid and abet their commission.

President Cleveland assessed damages of \$140,000 against the Carnegie Co., which were immediately paid. The fact that the Carnegie Co. defrauded the Government did not appear to impair its standing with the Navy Department.

Mr. NORRIS. Mr. President-

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Nebraska?

Mr. LA FOLLETTE. I yield.

Mr. NORRIS. I should like to ask the Senator to give again-as I think he has already given, but I want to be sure of it-the number of that House document and the date. I want to say to the Senator that some time ago I saw what was alleged to be an extract from it in a newspaper, and I undertook to get the document itself, and I was unable to do so. Has the Senator the document?

Mr. LA FOLLETTE. I have it before me. Mr. NORRIS. The Senator has, I judge from what I see there, one of the two copies that are kept. Is it where Members of Congress can secure copies of it now?

Mr. LA FOLLETTE. Oh, yes.

Mr. NORRIS. Is it not out of print, or has not the supply been exhausted?

Mr. LA FOLLETTE. I do not think it can be obtained from the committee. I think it is necessary to go to the Library to We have bound volumes of all our reports in the Library.

Mr. NORRIS. Yes; I understand that; but there are no copies of that document available for Members of the Senate now, are there?

Mr. LA FOLLETTE. Oh, no; not at this time, and I think

perhaps a reprint of the report would be very desirable.

Mr. NORRIS. The Senator very kindly yielded to the Senator from Connecticut [Mr. Brandegee] a little while ago to have some exhausted House reports reprinted. I am going to ask him if he will yield now in order to let me ask unanimous consent to have that document printed as a Senate document.

Mr. LA FOLLETTE. I will; and in order that the Senator may have before him the number and the title of the docu-

Mr. NORRIS. Let me ask, before I make the formal request, whether the testimony that the Senator has quoted was taken from the report?

Mr. LA FOLLETTE. Yes.

Mr. NORRIS. So that would be included in the document if it is reprinted.

I ask unanimous consent that the report in question be printed as a Senate document.

Mr. LA FOLLETTE. The number of it the Senator will find in the title.

The PRESIDING OFFICER. Is there objection?

Mr. BRANDEGEE. Mr. President, I should like to ask what the book is that is to be printed as a public document.

Mr. LA FOLLETTE. It is not a book. Mr. BRANDEGEE. Is it the large book the Senator has in his hand?

Mr. LA FOLLETTE. Oh, no; it is just the report found in this volume, with a number of other reports.

Mr. BRANDEGEE. Oh, yes.

The PRESIDING OFFICER. Without objection, it will be so ordered

Mr. NORRIS. I think the Senator gave the title of the report in his remarks, but I have forgotten just what it was.

Mr. LA FOLLETTE. I will give it.
Mr. NORRIS. The Senator will be able to supply the Clerk with the proper designation.

Mr. LA FOLLETTE. It is entitled:

[Fifty-third Congress, second session, Report No. 1468.] VIOLATION OF ARMOR CONTRACTS.

REPORT AND EVIDENCE SUBMITTED BY THE COMMITTEE ON NAVAL AFFAIRS (HOUSE OF REPRESENTATIVES) ON INVESTIGATION OF ARMOR-PLATE CONTRACTS MADE BY THE GOVERNMENT WITH THE CARNEGIE STEEL CO. Subcommittee of the Committee on Naval Affairs appointed to con-

Suncommittee of the Committee of duct the investigation: Hon. Amos J. Cummings, chairman. Hon. H. D. Money. Hon. J. P. Dolliver. Hon. J. F. C. Talbott, Hon. James W. Wadsworth.

And then follow the members of the committee.

Mr. BRANDEGEE. Mr. President, I have no objection to the printing of that report as a public document. I wanted to say, however, that I think we should exercise some caution in the printing of public documents, so that we shall not have very

lengthy matters printed as public documents, for this reason:

I am a member of a subcommittee which had hearings on a bill on two afternoons, and expected to have the hearings printed for the use of the entire committee. We had an estimate made of the cost, and found that it would cost \$1,200 to print the two afternoons' hearings. I simply wanted to have that brought to the attention of the Senate.

Mr. NORRIS. I am not anxious to have all the evidence printed, but I know a little about this myself, and in the documents I think will be found quotations from the evidence. It will probably not be larger than the document I hold in my hand, as I remember it. But it is something of very great importance, connected directly with the Government, and with the Navy particularly, and I was unable, although extremely anxious, to locate it several months ago.

Mr. BRANDEGEE. As I said, Mr. President, my remark is not at all in connection with the request to print this document,

to which I have no objection.

Mr. LA FOLLETTE. Mr. President, I think that the purpose sought to be accomplished by the Senator from Nebraska in his request will be secured by reprinting this report of the com-

Mr. NORRIS.

Mr. NORRIS. That is what I want. Mr. LA FOLLETTE. Without the accompanying documents. Mr. NORRIS. Mr. President, my request is to reprint the report of the committee.

The PRESIDING OFFICER (Mr. CARAWAY in the chair). there objection? The Chair hears none, and it is so ordered.

Mr. LA FOLLETTE. Mr. President, I just read two or three paragraphs from this report, giving the estimate of the committee on Mr. Schwab and Mr. William E. Corey, and to-day Mr. Schwab is the real head of the Bethlehem Steel Co. and Mr. Corey is the president of the Midvale Steel & Ordnance Co. Thus, two of the three concerns which manufacture all the armor plate used in our naval vessels are controlled and directed by the men impeached in this record, the men who, upon their own admissions, were justly discredited and impeached by the committee. The report has this further to say about Mr. Schwab and Mr. Corey:

It has been conclusively shown that the inspectors have been satisfied and the armor plates passed by the most notorious frauds. The efforts of the company and its superintendents, Cline, Corey, and Schwab, have been to satisfy your committee that the armor is up to the requirements of the contract, notwithstanding the false reports to the inspectors, doctoring of specimens, plugging of plates, fraudulent re-treating of test plates, and jockeying of the testing machines. The unblushing character of the frauds to which these men have been parties, and the disregard of truth and honesty which they have shown in testifying before your committee, render them unworthy of credence.

Go ahead, gentlemen. Put through your naval appropriation bills, with your hundreds of millions of dollars of taxation upon the people of this country, to carry out contracts with Schwab and Corey, the very men a committee of the Congress of the United States has denounced as unworthy of credence on their own testimony.

It may be, Mr. President, that that sort of thing can be made to carry on for a while, but there will be an end of it, and there will be an end of the representatives of any party or any political organization that backs up that sort of legislation.

Mr. President, no man can read the list of names of those who were prominent in the Navy League, during the days when preparedness was being agitated, in 1915, and deny that behind that organization were selfish interests, plotting by every possible means to gain advantage to themselves at the expense

of the taxpayers of this country.

In the winter of 1918, during the third session of the Sixtyfifth Congress, a House committee, under House resolution 469, investigated the National Security League, which had made an effort to defeat Members of the House who had not been favorable to the large appropriations for the Army and Navy, conscription, and similar measures. It was found that the organization was influenced and controlled by the same interests that were behind the Navy League. The investigation revealed that the following were some of the contributors to a secret fund, upon which the Security League had conducted its activities;

J. Pierpont Morgan, head of J. P. Morgan & Co\_\_\_\_\_ John D. Rockefeller, head of the Standard Oll Co\_\_\_\_\_ T. Coleman Du Pont, head of the Powder Trust (amount un-\$2,300 35,000

5,000

John D. Rockefeller, head of the Statuary O.

T. Coleman Du Pont, head of the Powder Trust (amount unknown).

Henry C. Frick, late a director in the United States Steel Corporation and multimillionaire steel magnate.

Arthur Curtis James, one of the heads of the American Smelting & Refining Co., a chief beneficiary of the war.

Robert Bacon, late a director of the United States Steel Corporation and former member of J. P. Morgan & Co.

William K. Vanderbilt, one of the owners of the New York Central Lines and allied railroad interests (amount unknown).

T. De Witt Cuyler, chairman Railway Executives' Association. 40,000

In this report, after this investigation-and, Mr. President. I remind you that this is rather recent information—the House committee made the following statement:

The testimony discloses that Mr. S. Stanwood Menken is the one who conceived the idea of forming the National Security League. This was done, he says, while listening to certain debates in the House of Commons in England on August 5, 1914.

I am coming shortly to take up the situation over on the other side. It is quite informing. The report of the committee continues:

Mr. Menken, who sat in the House of Commons in England and conceived the idea of forming the National Security League in America, stated in his testimony before your committee that he wished to see the income tax lessened at the upper end and enlarged at the lower end. He even went so far as to say that he thought an income tax should be imposed upon every man's income, even down to the one who worked for a dollar a day.

It will be impracticable in a report of the length to which, of necessity, this must be confined to take up all of the "foreign entanglements" of the originators of the National Security League. However, sight must not be lost of the fact that it was conceived in London by an attorney representing sugar, steel, and other large interests both in this country and abroad, and that its very inception in New York others representing like interests are found among those who became the most active in its organization; and next, when the organization had thrown aside its pretense of being engaged only in "preparedness," and had reached the real purpose of its undertaking, Mr. Charles D. Orth was selected to take charge of its real activities, which unquestionably were political in nature, as will be shown later in this report.

The report further states, at page 8, the third paragraph:

The league's "congressional chart" was made up of eight measures which had been before Congress. The first related to the McLemore resolution; the second to the Kahn amendment to the Hay Army bill; the third to the Brandegee amendment to the Hay-Chamberlain Army bill; the fourth to section 56, providing for a volunteer reserve Army wholly under Federal control; the fifth to a motion to recommit the naval appropriation bill; the sixth to the Cooper amendment; the seventh to the declaration of war with Germany; the eighth to the Kahn amendment to the conscription act.

Those were tests which this organization applied as to the fitness of Members to be reelected to the House of Representatives.

sentatives.

Mr. Orth testified that the league selected 169 congressional districts in the United States in which to be active and 47 districts in which to be intensively active. Yet each and every one of the officers of the league swore positively and repeatedly that the league did not enter politics. They qualified the statement by saying they were not in partisan politics, \* \* \* In other words, they were neither for nor against a candidate because he was a Democrat, neither were they for or against a man because he was a Republican. As a matter of fact, the league cared nothing whatever for a candidate's party affiliation. What chiefly concerned them was how his attitude would affect a certain interest that would be the subject of legislation by Congress during the reconstruction period. The active agencies of the league were not concerned about the policies of the party in power so long as they felt the interests would be protected. What they wanted is disclosed both by the questionnaire that they sent out to candidates for Congress and by the business interests of those who furnished the money with which they operated.

I believe sir, that it will not be amiss to refer here to the

I believe, sir, that it will not be amiss to refer here to the experience of Great Britain with professional militarists. seems to be admitted that Germany finally succumbed to the influence of the Navy League and other militarist organizations.

Mr. President, I believe the Senate should order an investigation of the various armor and munition companies that have these large contracts with our Government, with a view to determine who owns the stock in these "big concerns," the character of their contracts, the magnitude of their profits, what combinations, if any, exist between such contractors, and, indeed, everything pertaining to the business which is of public concern.

Unofficial investigations by reliable publicists in other countries have revealed connections between munition contractors and public officials, very offensive to any decent conception of business and official integrity.

Such an investigation resulted in the most shocking dis-closures, involving members of the British Parliament, officers

of the navy, and officials connected with the Admiralty.

I hold in my hand an English publication entitled "The War Traders," by George Herbert Perris, author of "An Industrial History of Modern England" and other publications.

Mr. Perris's book, from which I shall read a few pages, was published in England in 1914. He says:

published in England in 1914. He says:

I have not attempted the long task of making a thorough examination of the companies' share lists. A rapid reference to three or four of them suffice to confirm and deepen the impression created by the analyses of several lists published by the Investors' Review five years ago—before the recent large expansions of capital—when it was found that Armstrong-Whitworth lists alone contained the names of 60 noblemen, their wives, sons, or daughters, 15 baronets, 20 knights, 8 M. P.'s, 20 military and naval officers, and 8 journalists. There is now a marked connection, also, between armaments shareholding and active membership of bodies like the National Service League and the Navy League. A considerable number of members of Parliament, including several members of the present and recent ministries, are to be found among the directors and shareholders of these companies whose profits depend immediately upon cabinet decisions and votes of the House of Commons.

But it appears to me an even graver matter that officers high in the two services, and responsible officials of the connected administrative departments, men of influence corresponding with their peculiar knowledge and experience, are with increasing frequency transferring themselves from the service of the State to the service of these profiteering firms.

The following instances will serve to illustrate the process:

selves from the service of the State to the service of these periods firms.

The following instances will serve to illustrate the process:
Armstrong Whitworth & Co.: The chairman, Sir Andrew Noble, Bart, K. C. B., FR. S., late captain of the Royal Artillery, was member of the first committee of explosives and is a member of the present board of research. He has many foreign decorations, and is a conservative and tariff reformer.

To balance matters a little, the vice chairman was, until his death recently, the Right Hom. Lord Reudel, formerly friend and host of William Ewart Gladstone, the father-in-law of Henry Neville Gladstone, who is also a member of the Armstrong board.

Other directors are Sir George H. Murray, who was private secretary, successively, to W. E. Gladstone and Lord Rosebery, and was permanent secretary of the treasury from 1902 to 1911; Col. Sir Percy Girouard, a Canadian by birth and an officer of the Royal Engineers, who was governor of northern Nigeria until 1909, and governor and commander in chief of British East Africa thence until 1912; Rear Admiral Sir Charles Ottley, formerly British naval attaché in the United States, Japan, Italy, Russia, and France, naval assistant of the defense committee in 1904, from 1905 to 1907 director of naval intelligence, and thereafter secretary of the supreme war board of the Empire, the committee of imperial defense. At the annual meeting of the company in 1913 Sir Andrew Noble spoke gratefully of the "most valuable assistance" of these gentlemen; and, indeed, "most valuable" it must be, for there could hardly be found three men carrying with them a completer knowledge of the inner working of the British Government, to say nothing of their personal influence and capacity.

Among the directors are also Sir William Edward Smith, C. B., lately superintendent of construction accounts and contract work to the admiralty, naval construction; and Mr. Henry Whitehead, chairman of the Lancashire and Yorkshire Bank and director of the Whitehead Torpedo Works (Weymouth) (Ltd.). Among the trustees for the debenture holders of Armstrong's stand Earl Grey, formerly governor general of Canada; and another, until his recent death, was the Hon. Alfred Lyttelton, K. C., formerly colonial secretary and active member of front opposition bench.

This is just one company. Here is another:

The Vickers-Beardmore group. The vice chairman and joint managing director of Vickers (Ltd.) (director also to several subordinate companies), is Lieut. Sir Arthur Trevor Dawson. This distinguished officer is a lieutenant in the navy, was experimental officer at Woolwich to 1892, and became superintendent of ordnance to Vickers in 1896, and was knighted in 1909.

One of his colleagues on the board is Sir Vincent Caillard, the great financier, who has often been engaged in special political duties for the British Government, especially in the Near East, and was president of the Ottoman debt council and financial representative of England, Holland, and Belgium at Constantinople from 1893 to 1898. He is or was chairman of Mr. Chamberlain's famous tariff commission, and is the author, among other things, of a musical setting of Blake's "Songs of Innocence."

Lord Sandhurst, G. C. I. E., twice undersecretary for war and new lord chamberlain, is or was a dehenture trustee of Vickers; and the Rt. Hon. Lewis Harcourt, M. P., secretary of state for the colonies, is a substantial shareholder.

The Marquis of Graham, C. B., C. V. O., and Col. J. Smith Parke, M. V. O., V. D., member of several war office committees and an advocate of compulsory military training, are directors of Beardmore's. Lord Balfour of Burleigh is a debenture trustee of this company and of the Coventry Ordnance Co.

We have mentioned the association of representatives of Armstrong and Vickers on the board of the Whitehead Tornede Works.

the Coventry Ordnance Co.

We have mentioned the association of representatives of Armstrong and Vickers on the board of the Whitehead Torpedo Works. The Hon. T. F. Fremantle, A. D. C. to the commander in chief of the British Army (Lord Wolseley), from 1895 to 1900, and for the next four years assistant secretary to the then secretary of state for war, Lord Midleton, of whom he is a connection by marriage, is a director of this company, as are also the Hon. Laurence Alan Brodrick, brother of Lord Midleton, Capt. Edgar Lees, R. N., and Mr. Henry Whitehead, M. V. O.

That is the second of the big armor companies. Here is another one, pretty closely connected up in an official way with Parliament and with the ministry:

## THE CAMMELL-BROWN-FAIRFIELD-COVENTRY-FIRTH GROUP.

We have seen that Lord Aberconway, a prominent liberal peer, is chairman of John Brown & Co. and director of Palmer's and Firth's, while his son, the Hon. H. D. McLaren, a member of Parliament, sits upon the boards of Palmer's and the great Middesbrough Ironmasters; that Lord Pirrie, the chairman of Harland & Wolff, is also associated with John Brown & Co., Firth's, and the Coventry Ordnance Works. Mr. Samuel Roberts, conservative member of Parliament for the Ecteshall division of Sheffield, who has made no disguise of his opinion morey should be spent on the navy, is a director of Cammell, Laird & Co., of which Col. W. Sidebottom is deputy chairman. Mr. Alexander Gracie, M. V. O., is chairman of the Fairfield Co. and a director of Cammell's.

These companies command an extraordinary array of talent lately in

Alexander Gracie, M. V. O., is chairman of the Fairfield Co. and a director of Cammell's.

These companies command an extraordinary array of talent lately in the service of the State.

Capt. T. J. Tressider, late of the Royal Engineers and Malta, is a director of Brown's and the Coventry Co. Lieut. Col. J. G. S. Davies, late of the Royal Engineers, sits on the boards of Brown and Bolckow-Vaughan. Col. O. C. Armstrong, D. S. O., late of the Indian array, retired in 1909, and is now managing director of Beardmore's. Maj. Handley is connected with Cammell's and the Workington Steel Co.; Maj. Strange with the Cotton Powder Co. and Thos. Firth & Sons.

Mr. H. E. Deadman, C. B., member of council of the Institute of Naval Architects, now a director of the Cammell and Fairfield companies, has a long Admiralty record behind him. From 1867 to 1880 he was overseer of warships building in private yards and yard foreman at Devouport. He then became naval constructor successively at Bombay, Chatham, and Portsmouth. From 1902 to 1906 he was assistant director of naval construction at the Admiralty, and, as Who's Who records, "has several times received the thanks of the board of admiralty for services rendered."

Admiral Sir Archibald L. Douglas, G. C. V. O., G. C. B., who also has high French, Spanish, and Japanese decorations, was director of the Japanese Imperial Naval College in 1873 to 1875 and rose from one command to another to be commander in chief in East India in 1898 and 1899, when he became a lord of the Admiralty. He was A. D. C. to Queen Victoria during her jubilee, vice president of the ordnance committee 1896–1898, and commander in chief in East India in 1898 and 1899, when he became a lord of the Admiralty. He was A. D. C. to R. The Fairfield directorate includes Admiral Sir George Dighy Morant, K. C. B., who, after enjoying a number of commands in the navy, became successively superintendent of Pembroke Dockyards and admirat

superintendent of Chatham Dockyard; Capt. Sir D. E. R. Brownrigg, Royal Navy, Bart., who was British naval attaché in Japan, 1910-1912; and Col. Paget P. Mosley.

Rear Admiral R. H. S. Bacon, C. V. O., first captain of H. M. S. Dreadnaught, naval assistant to the first sea lord, and from 1907 to 1909 director of naval ordnance and torpedoes, is managing director of the Coventry Ordnance Co.

Mr. President, I will as to print, without detaining the Senate to read into the RECORD, the names of the other members of Parliament and other officials, and the names of officers of high rank in or fermerly connected with the army and navy, who held upon the boards of directors of the great munitions ring of England important and controlling positions, and who are, therefore, in an official position to influence the character and extent of the contracts made by the Government with the companies with which they are identified.

The PRESIDENT pro tempore. Without objection, the re-

quest will be granted.

The matter referred to is as follows:

### OTHER COMPANIES.

The matter referred to is as follows:

OTHER COMPANIES.

Sir A. T. Hadfield, F. R. S., a Liberal and the inventor of manganese steel, has also given "most valuable assistance" as chairman of the Hadfield Steel Boundry, Sheffield, which is a considerable contractor with the Admiralty and War Office. Among the directors are Lord Claud Hamilton, Conservative, Member of Parliament for South Kensington since 1910; Maj. A. B. H. Clerke, late Royal Artillery; and, as noted above, Admiral Sir A. Douglas, Gem Brackenbury, K. C. B., K. C. S. I., formerly director of military intelligence and director of ordnance at the War Office, was on the board till his death recently, Maj. Gen. Stuart James Nicholson, C. B., who rose through many responsible posts to be assistant director of artillery at the War Office and colonel commandant of the Royal Artillery (1906), is a director of the Cotton Powder Co.

Admiral Lord Charles Beresford, K. C. B., Conservative member of Parliament for Portsmouth, chairman of the House of Commons committee of members for dockyard constituencies, and trumpeter of the big navy party, is chairman of Henry Andrew & Co., manufacturers of steel for armaments. Lord Ribblesdale, formerly a major of the rifle brigade, is a director of the Nobel Dynamite Trust Co. Admiral Sir Cyprian Bridge, G. C. B., formerly director of naval intelligence, is a debenture trustee of Thorneycroft's. Maj. Gen. Micklem, R. E., is a director of the King's Norton Metal Co. Col. H. C. L. Holden, R. A., C. B., F. R. S., till 1912 head of the Royal Gun Factories at Woolwich, is a director of the Birmingham Small Arms. Co., of which Col. Sir Hallewell Rogers, ex-lord mayor of Birmingham, is chairman. Lieut. Col. Tisdall, R. A., C. M. B., assistant superintendent of the Royal Small Arms. Factory at Enfield, and chief inspector of small arms, has just become "consulting and military representative" to the same company, and will, certainly be able to give them "most valuable assistance." Another assistant superintendent at Enfield, M

Mr. LA FOLLETTE. I have taken the time of the Senate to present this matter in order that there may be upon our records here evidence of the fact that in Great Britain, where their standards are, I suppose, not very different from those which prevail in this country, there is shown to be this interweaving of the interests of the private financial organizations that are in a position to make enormous profits out of Government contracts with those having seats of power in Parliament and in the ministries, and with those having official connection with the Army or Navy, where their influence would be very potent in making contracts between the Government and these organizations.

Mr. President, I am not able to furnish at this particular moment the names of any officers of the Army and Navy of the United States who are tied up with and employed by the armorplate ring and the munition makers who are interested in con-tracts with the Government. That there have been officers of the Army and Navy under the pay of these big contractors, these big concerns, and at the same time drawing salaries from the Government of the United States is very certain. I do not be-lieve there is anybody here prepared to defend that practice. I have among my papers here the report of a committee of this body that has very strongly rebuked it. I will read from that report submitted by the Senate Committee on Naval Affairs. The report was based upon a discovery of the existence at the time it was made of the fact that officers of the Army and Navy who were serving or seeking to serve two masters the public on the one hand and the armor ring and munition makers on the other. A committee of this body had this to say

About it:

No man can well serve two masters, and if contractors having large dealings with a department of the Government can take into their employ, with no limit to compensation, officials of that department and through them learn the secrets and purposes of the department and, moreover, insidiously influence its action, great injury may result to the public service. The fundamental principle upon which all legitimate business is transacted, that each side shall be represented solely by persons wholly devoted to its own interest, is viciously violated by a custom which allows one side to take into its pecuniary employment a representative of the other side.

An effort was made in the debate to draw a distinction between officers of the active list and officers of the retired list. The committee deny that any well-founded distinction exists which ought to influence the decision of the question. The retired officers of the Navy remain officers to all intents and purposes, with an important exception. Section 1462 of the Revised Statutes provides that:

"No officer on the retired list of the Navy shall be employed on active duty except in time of war—

They are liable, of course, to be called whenever there is a

They are liable, of course, to be called whenever there is a

But, notwithstanding this status exempts retired officers from all obligations to render any service for the liberal retired pay which they receive for life, amounting usually to three-fourths of their active duty pay, yet they remain part of the Navy of the United States, available in any emergency of war. They are entitled to wear their uniforms on public occasions, and are allowed free access to every bureau of the Navy Department, on the theory that they are still ready to serve the interests of the Government by fidelity, sound advice, and an earnest spirit of devotion to public duty. It is quite enough to allow such officers to enter into ordinary private employment for compensation; to permit them to take sides against the Government and to enter into the employ of contractors having dealings with the Government reaching to the millions of dollars will certainly, if the custom continues, become most pernicious and injurious to the public interest. Proclaim that such officers may be so employed by a repealing clause, which has now become a law, and a bold and wealthy contractor, willing to spend enough money to take into his employ a sufficient number of naval officers on the active and retired list, would be able thoroughly to weaken the department in its dealings with such contractor and to put the Government at his mercy in making bargains, which would be substantially entered into with the representatives on one side alone conducting all the negotiations.

Mr. WILLIS. Mr. President, will the Senator state what the

Mr. WILLIS. Mr. President, will the Senator state what the report is from which he is reading? I am interested in the

statement.

Mr. LA FOLLETTE. I am reading from a report of the Senate Committee on Naval Affairs, made following its investigation from 1896 to 1897. The report was made to the Senate on February 7, 1897, and is entitled "Senate Report 1453, Fiftyfourth Congress, second session."

Mr. WILLIS. I thank the Senator.

Mr. LA FOLLETTE. I will say to the Senator that this report, strong as its language is, did not stop the practice. It was continued down to, and I believe it is in existence at, the present time. I am endeavoring to ascertain the exact facts about it. I think it is true that Army officers, men connected with the Army and the Navy, have worked out inventions, that those inventions have been made the basis for contract relations with these very companies, that business arrangements have been entered into through which the inventors, the officers of the Army and Navy, have had a continuing interest in the contracts made for the use of the patented inventions, made with the companies that have become part owners of them with the officers who made the inventions, and the officers still continuing to hold their places with the Government and be parties on the other hand to the very contracts that brought those inventions into sale and delivery and use by the Government,

Mr. President, I may have occasion to quote further from Mr. Perris before this debate is concluded; but for the present content myself with what I have already presented to the

Senate upon that subject.

[At this point Mr. LA FOLLETTE yielded the floor for the day.] Wednesday, May 25, 1921.

Mr. LA FOLLETTE. Mr. President, I am still contending that the Senate will make a very serious mistake if it passes the pending bill. Senators here are urging adequate prepared-For what are we preparing and what is adequate preparedness? Manifestly the great program which the pending bill is to work out is preparation for another war-for the next war in which the United States shall be called upon to participate—and the only way in which we can test the adequateness of preparation for the next war is to determine as best we can the character of the next war and the methods which will be employed in fighting it, if there is to be another war.

Mr. Will Irwin is an able American writer on public questions. He has just written a book entitled "The Next War," published in 1921 by the E. P. Dutton Co. I have a copy of it in my hand. Mr. Irwin had probably a longer and more intimate acquaintance with the late war than any other American writer, and through his vivid pictures of the war, as he assembled them at the front and in the field and published them throughout the war, he earned the title of the "ace" of war correspondents.

This book is not merely a well-thought-out and well-presented assortment of the opinions of this great war correspondent; is, in addition to that, a compilation of the best thought and the most authoritative opinion among military and naval experts concerning the methods of warfare which will be employed when next the nations of the world come to grips, if the world is doomed to witness that awful catastrophe.

I shall read into the RECORD a few paragraphs from this book of Mr. Irwin, because I think it will present such a picture, such an array of facts, and such an assembling of the opinions of military and naval experts as will horrify the American people, and will result, when they have grasped the details and the possibilities of the "next war," in a demand upon their part that this shall in truth and in fact have been a war to end all wars, and that the American Government, leading all the Governments and all the nations of the world, as it may now from its strong position, shall set before the world an example which will in truth and fact make of this last war the end of all wars.

If there is any lesson to be learned from the awful experience through which the world passed from 1914 to 1918, an experience which set aside all the preconceived notions with regard to the conduct of war, it has become indubitably established that the next war, if there shall ever be another war, will be fought with weapons which presage the destruction of the human race.

I read from page 37 of Mr. Irwin's book and from the chapter entitled "The new warfare," as follows:

At the time of the armistice we were manufacturing for the campaign of 1919 our Lewisite gas. It was invisible; it was a sinking gas, which would search out the refugees of dugouts and cellars; if breathed, it killed at once—and it killed not only through the lungs. Wherever it settled on the skin it produced a poison which penetrated the system and brought almost certain death. It was limiteal to all cell life, animal or vegetable. Masks alone were of no use against it. Further, it had fifty-five times the "spread" of any poison gas hitherto used in the war—

This horrible weapon was our invention!-

An expert has said that a dozen Lewisite air bombs of the greatest size in use during 1918 might with a favorable wind have eliminated the population of Berlin. Possibly he exaggerated, but probably not greatly. The armistice came, but gas research went on. Now we have more than a hint of a gas beyond Lewisite. It can not be much more deadly, but, in proportion to the amount of chemical which generates it, the spread is far greater. A mere capsule of this gas in a small grenade can generate square rods and even acres of death in the absolute.

I read further from page 42 of Mr. Irwin's book, because I desire in so far as I am able to carry to the American people the real truth regarding the conditions that confront us in this scheme of carrying on preparation for war. It is not possible to get a very widely extended distribution through the press of the real facts in all of the horror of detail. The best that I can do it to make it a part of the Congressional Record, and through that and the distribution that can follow of the matter which is printed in the Recorp, lay before the American people ultimately a clear understanding of the horrors of modern warfare.

On page 42 of Mr. Irwin's book, I find the following:

On page 42 of Mr. Irwin's book, I find the following:

Just before the armistice, an American, binding together many inventions made by civilians for civilian purposes, showed a dazzling way to the warfare of the future. He proved that airplanes flying without pilots could be steered accurately by wireless. This meant that the airplane had become a supergun. Caliber was increased indefinitely. An airplane could now carry explosive charges or gas charges up to its whole lifting capacity of many tons. It was no longer merely a vehicle; it could be virtually a self-propelling shell. And in the matter of accuracy the uncertain human factor was nearly eliminated, as happens in most highly improved machines. An expert on this kind of marksmanship, hovering in an airplane or Zepplin many miles away with a fleet of protecting battleplanes guarding him to prevent hurried workmanship, could guide these explosive fleets to their objective, whether town or fortress. Here, in effect, was a gun with a range as long as the width of European nations, a bursting charge beyond the previous imaginations of gunnery.

Mr. President a little further along in my observations I am

Mr. President, a little further along in my observations I am going to raise the question as to how much of the enormous cost imposed as a tax burden upon the American people in this bill will be effective, if at all, against that kind of warfare. That raises the further question as to how much of it is simply profit to those who have the contracts and whether one dollar of this expenditure, outside of the trifling amount found in the naval appropriation bill for airplanes and submarines, will be effective, will be a wise expenditure, in the event that we are hereafter to be parties to another war.

Mr. Irwin says further:

Mr. Irwin says further:

In "the next war," this gas-bombardment of capitals and great towns is not only a possibility, but a strong probability—almost a certainty. Military staffs have had time to think, to carry out the changes and discoveries of the Great War to their logical conclusion. They see even that with the known gases, the existing airplanes, Paris, Rome, or London could in one night be changed from a metropolis to a necropolis. If any military man hesitates to apply this method—and being human, and having a professional dislike of killing civilians, he must hesitate—the thought of what the enemy might do drives him to consideration of this plan of warfare, and to preparation. There are at this moment at least two elements in the world quite capable of turning this trick had they the means and control. The

method is so effective that if you do not use it, some one else will, You must be prepared to counter, to reply in kind. Here are the words of a few authorities:

Brig. Gen. Mitchell of the United States Army, pleading with the House Committee on Appropriations for more defensive airplanes, said that "a few planes could visit New York as the central point of a territory 100 miles square every eight days and drop enough gas to keep the entire area inundated.

Yet it was not possible for anyone to offer testimony enough to the committee of the House and the committee of the Senate to divert their minds from the investment of hundreds of millions of dollars in the old craft which the experience of the world from 1914 to 1918, on the authority of the greatest naval brains in the world, demonstrated to be obsolete.

I read further:

"Two hundred tons of phosgene gas could be laid every eight days and would be enough to kill every inhabitant."

Capt. Bradner, Chief of Research of the Chemical Warfare Service, said at a congressional hearing:

"One plane carrying two tons of the liquid—a certain gas-generating compound—could cover an area 100 feet wide and 7 miles long, and could deposit enough material to kill every man in the area by action on his skin. It would be entirely possible for this country to manufacture several thousand tons a day, provided the necessary plants had been built. If Germany had had 4,000 tons of this material and 300 or 400 planes equipped in this way for its distribution, the entire First American Army would have been annihilated in 10 or 12 hours.

Yet we go on building, at a cost of from forty to forty-four million dollars per vessel, a type of vessel that the foremost admirals of Great Britain and the United States assure us is mere junk after it is completed.

Mr. President, it is horrifying to think of the best scientific ability of the world being directed at the present time, as it is to-day, to work out agencies of destruction for the annihilation of mankind.

Mr. WALSH of Montana. Mr. President—
The VICE PRESIDENT. Does the Senator from Wisconsin vield to the Senator from Montana?

Mr. LA FOLLETTE. I yield.

Mr. WALSH of Montana. In that connection I call attention to an interview with the British ambassador reported in this morning's newspaper, in which he asserts that the development and dissemination of disease germs will be likely to be a feature of the next war.

Mr. LA FOLLETTE. Yes, Mr. President; I am coming to that in a moment. Before the world went mad on war the evidences of civilization were the employment of all of the known devices and inventions for the betterment of mankind. By every agency of science in the laboratories of our universities, in the private foundations that men of benevolence and wealth had established, we were prosecuting research, in every avenue along which science pointed the way, to overcome the diseases that assail mankind, to meet the afflictions that shorten life. All that, Mr. President, has been arrested, and all the agencies and all the genius, and, it does seem as if all the wealth, are now being organized to accomplish the destruction of human life. Yet, Mr. President, there is not to be found within the pages of the pending bill any line that looks to meeting this situation. All the experience of the war period is rejected here. It is set aside; it is thrown into the scrap heap, and with a perversity that I can not understand, with a blindness that seems to be shocking, we go on piling up the tax burdens upon the American people to build something that can have no relation whatever worth considering to any war of the

Mr. President, the world has become so brutalized that the most advanced and enlightened nations of civilization are offering premiums and prizes and gold medals to scientists to work out the most modern and far-reaching schemes and methods of destroying men and life and property. There is just one glimmer of hope in it all-it is more than a ray of hope; it seems almost a certainty to me-that the thing is going to be so appalling, so horrible, that the whole world will revolt; and men in the legislative parliaments of the world will be forced to recognize the fact that to rescue mankind from this madness, war must be ended, and that the highest test of courage and advancement and progress of a nation will be its willingness to take the risk of leading the way to a permanent

Sir, if this great Government, the richest and foremost of all the earth, had the courage to dock its Navy and say to the world that it is done with this business, there is not another nation on the face of the earth that could impose upon its people the burden of taxation which is necessary to maintain the military establishments that we are forcing them to build by the insane policy which we are pursuing; but if we are going to offer premiums, if we are going to confer military titles and gold medals upon scientists of this country to work out the most destructive means which science can develop for making and his replies.

away with human life, then the other nations are going to be forced to do exactly the same thing.

Mr. KING. Mr. President, will it disturb the Senator if make a suggestion there?

Mr. LA FOLLETTE. It will not disturb me at all. Mr. KING. Before the Naval Affairs Committee quite recently one of the most distinguished admirals of the United States Navy, one who has made very valuable contributions to naval literature, stated in answer to a question which I propounded to him, that there was no chance whatever for a cessation of the building of ships, that we would go on indefinitely. I suggested to him that, if that were the case, mankind would be burdened with taxation for the centuries to come, or words to that effect, and to that he rendered assent, and took the view, which I think is in contravention of the idea of the moral progress of the world, that no agreements between nations would be effective to prevent naval competition or bring about naval disarmament; that mankind was condemnedfor that was the ultimate conclusion which he reached-to continue under the present naval and military policy to arm during

all the ages which are to come.

Mr. LA FOLLETTE. Mr. President, if that is to be accepted as the philosophy of life, then I submit to the Senator from Utah that the human race has but a short course to run when there is taken into account the new methods of killing which the recent war has developed.

Mr. WALSH of Montana. Mr. President—
The VICE PRESIDENT. Does the Senator from Wisconsin yield to the senator from Montana?

Mr. LA FOLLETTE. I yield.

Mr. WALSH of Montana. I am very glad the Senator from Utah has called attention to the view expressed by the distinguished admiral referred to by him. Of course, if the world can not rely upon agreements between nations for the reduction of armaments, it is a very hopeless outlook. If they can not agree upon the reduction of armaments I can not believe that by independent action they are going to reduce their armaments; but I see no reason for entertaining any such idea. The outlook which the Senator from Wisconsin has presented to us in the course of his address would be desperate indeed, if we were obliged to accept the idea that nothing possibly could come of such an arrangement as is suggested by the amendment proposed by the Senator from Idaho.

It occurs to me that unless the program which is proposed by this bill for the development and upkeep of the Navy is accompanied by some such plan as is outlined in the amendment tendered by the Senator from Idaho the situation is as desperate

as has been suggested by the Senator from Utah.

Mr. LA FOLLETTE. Mr. President, if the nations of the world can not be expected to keep faith with each other in agreements with respect to disarmament, then there is no sense in our entering into treaty relations as to any of the questions or issues that arise between nations.

Mr. WALSH of Montana. Mr. President, will the Senator pardon a further observation in connection with the same subject?

Mr. LA FOLLETTE. I yield.

Mr. WALSH of Montana. I feel entirely certain that the distinguished admiral who made this remark must, of course, have referred to some other nation. I apprehend that he would not stand before self-respecting American citizens and say that his own country, our country, that we love, would either covertly or openly violate its solemn obligation, its pledge, its plighted word, its treaty. Of course, what he means is that some other nation will do that. In other words, it is a Pharisaical view to take, that we are highly virtuous ourselves but the other nations do not love virtue as we do.

Moreover, Mr. President, we have abundant evidence that that view is not correct. It is afforded by the convention which for a century has been kept between Great Britain and the United States touching armaments upon the Great Lakes. It is refuted by the experience of Argentina and Chile with reference to an agreement that they should limit their naval armaments; so we

are not obliged to accept that.

I do not adhere at all to the idea that if the plan proposed by the Senator from Idaho comes to fruition in the form of an agreement or a treaty it will not be religiously observed by the

nations entering into it.

Mr. KING. Mr. President, will the Senator pardon me?

Mr. LA FOLLETTE. I yield, with pleasure.

Mr. KING. I do not want to do the admiral an injustice, and in view of the fact that I have his testimony before me, if it does not disturb the Senator, I should like to read just a few questions propounded by the Senator from Montana and myself,

Mr. LA FOLLETTE. Not at all; it does not divert me at all. Mr. KING (reading)

Senator Walsh. In short, you find no chance to escape from the burden of competitive armaments?

Admiral Firke. I should like to see the burden made as light as possible, Senator; but I do not see, on looking at it in the light of history, in the way in which we are going now—competition among the people and the tendency to overseas trade—that there is hope for cessation

Senator Walsh. If an agreement for the reduction of armaments-

And he had said that before in his testimony-

And he had said that before in his testimony—
would be entirely ineffective, you must equally agree that an agreement for the purpose of not increasing armaments—that is, holding them stable—would be equally ineffective. Am I right?
Admiral Fiske. I am afraid it will be ineffective.
Senator Walsh. So that the necessary conclusion at which we must arrive from your argument is that there is no possible escape from the burden of competitive armaments, and you can see no relief whatever in any line from the rivalry in which we are now engaged?
Admiral Fiske. I am sorry to say it, but I think so.
Senator King, and that would mean that we would have to continue our naval and military preparations indefinitely?
Admiral Fiske. I think so.

I think that concluded his testimony on that point. I thank

the Senator for yielding.

Mr. LA FOLLETTE. Mr. President, perhaps it will shed a little light on the views of the admiral to quote, right in that connection, a few sentences from Sir Percy Scott in a recent issue of the London Times. The thing is so good, if Senators have not had the opportunity to see it, that I am tempted to read it all, although I read a part of it a few days ago in the Senate; but I will read just a paragraph that bears, as I think, upon the views expressed by Admiral Fiske.

Sir Percy Scott says that it is hardly to be expected that these active men in the navy are going to support views that will

put them out of business. He says:

put them out of business. He says:

The building of battleships will be supported by all the battleship builders of the world, because it is the bread whereby they live. Look what a paying concern it is! Would not any of your readers like to get a nice, fat contract for, say, only five battleships at thirty-five millions of golden sovereigns? In these circumstances, we must expect the construction of battleships to be backed by many people possessing strong political interests, commercial interests, and the support of capital. We must also expect the necessity of battleships to be supported by all the navies of the world, for naval men do not commit suicide, and battleships are vital to their profession and vital to their comfort. To be captain of a battleship is the ambition of every naval officer. Who cise in the world travels about with the same comfort as the captain of a battleship? He has a large drawing-room, a dining room in which he can seat 25 or 30 guests, a commodious bedroom with bathroom attached, and spare bedrooms. All these points will naturally be taken into consideration, or, at any rate, they will flit through the mind of every naval officer before he decides to vote for not building battleships.

Mr. President. I am not arguing here for suspending all

Mr. President, I am not arguing here for suspending all preparations for the defense of this country, by no manner of means. But I say you can not justify the expenditures that are being made under this bill in the face of the testimony that is before the country and that is going to be more definitely before the country than it has yet been presented to them.

Mr. WATSON of Georgia. Mr. President

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from Wisconsin yield to the Senator from

Mr. LA FOLLETTE. I yield.

Mr. WATSON of Georgia. I should like to make this suggestion to the Senator from Wisconsin, to be discussed by him in

his very interesting speech:

The whole theory upon which this enormously large naval appropriation is based is that the greater number of ships means victory, and that it is impossible for a nation to crumple itself up by the expense of a navy as it can with an army. Now, I beg to remind the Senator that both in modern times and in ancient times it has been repeatedly demonstrated that the strength of a navy does not depend upon the number of the ships nor the number of the fighters on the ships, but upon the quality of the fighters on the ships, and that starting with Holland and going back to Spain we could go back to where the whole Grecian confederacy wrecked itself at Sicily on its fleet, and that it is just as true that a nation topheavy with a fleet can bankrupt itself and ruin itself as that it can do so with a standing army

Mr. LA FOLLETTE. Mr. President, there is no question about the accuracy of the statement made by the Senator from Georgia, and no man in this body or outside of it better knows his history than does the Senator from Georgia. It is a big navy that always tends to bring on war. Back of this big-navy bill are organized the great interests that have accumulated capital which they are taking out of this country and investing in foreign countries, depleting the capital of this country by exploitation of the natural resources in the alluring and attractive places of Europe where capital can be invested profitably because of the weak form of the governments. Where government is unstable, property is cheap. It is the plan of our special

interests to invest their capital into those places where the governments are weak and where the investment of \$100,000, the minute you put the American flag behind it, insures its being possibly \$1,000,000 in value. That is the big objective behind this big-navy program.

But I want to bring the attention of Senators back to the character of the war we are to have, if there is to be another war, and to emphasize and to drive home, so far as I can, the fact that the appropriations which are being made here are not being made for that purpose. The kind of a Navy we are constructing is an admirable Navy for intimidating small and weak nations. It is not the kind of a Navy that would be useful in fighting any real power of first magnitude anywhere in the world, for the next war will be fought not in trenches, not on the surface of the seas, but from the clouds and from under the water, and the weapons will not be 20-inch guns and heavy projectiles, but death-dealing gas and disease germs, that can destroy the entire civilian population of a nation.

I say that when you get the truth of all this before the American people, when the enlightened womanhood of America understands the barbarous, appalling character of any future war, they will sweep from power and from place representatives who dare to oppose prompt and effective disarmament.

Just look at the rivalry that is going on now. Mr. Irwin

says in his book:

Brevet Col. J. F. C. Fuller this year won in England the gold medal of the Royal United Service Institution for his essay on the warfare of the future. All through he avoids this topic of attacks on civilian population; he is treating, like a true old-time military man, of armies alone.

They all do that. They have not the hardihood to present the plan as it is being worked out in all its horrors. I want to say, Mr. President, that there is no difference between the advanced nations of the world in their attitude on this question. It pleased gentlemen here and served their purposes only three or four years ago to quote from Bernhardi in order to make it appear that the German idea with respect to prosecuting warfare was the most horrible that had ever been presented by a civilized nation. You can duplicate any expression you can find in Bernhardi by reference to the highest military authorities of this country or of Great Britain. Indeed, Lord Roberts indorsed the views of Bernhardi, and so did high American military authorities, in the books published immediately following Bernhardi's book.

So it is to-day, Mr. President, we are doing all the horrible and appalling things in preparation for possible war that are being done in other countries.

Mr. Irwin continues in his book:

But Fuller says concerning the general possibilities of gas, which he believes to be the weapon of the future—

Now, the words which are given here are his words, taken from the paper upon which he won the gold medal-

It is quite conceivable that many gases may be discovered which will penetrate all known gas armor. As there is no reason why one man should not be able to release 100 cylinders simultaneously, there is no reason why he should not release several million; in fact, these might be released in England to-day electrically by a one-armed cripple sitting in Kamchatka directly his indicator denoted a favorable wind.

And listen to this:

Maj. Gen. E. D. Swinton, of the British Army, said, in discussing Col. Fuller's paper:

"It has been rather our tendency up to the present to look upon warfare from the retail point of view—of killing men by fifties or hundreds or thousands. But when yeu speak of gas \* \* \* you must remember that you are discussing a weapon which must be considered from the wholesale point of view and if you use it—and I do not know of any reason why you should not—you may kill hundreds of thousands of men, or at any rate disable them."

Just contemplate for a minute what that means. That does not mean pitting soldiers against soldiers; that does not mean putting the rifle against the rifle or the bayonet against the bayonet or the machine gun against the machine gun. That means carrying the warfare into the cities for the destruction of human life, from the infant to old age. Is that shocking to Senators here? From the smirks on some faces I judge not.

It is not so far removed from our own experiences. This last war was the first war, perhaps, in history where there was attempted on a big scale the destruction of noncombatants by what Gen. Swinton describes as the "wholesale system," starving to death the civilian population of an entire nation.

That was a form of warfare which the United States never before sanctioned. Thomas Jefferson, when he was Secretary of State, refused to permit Great Britain to make the United States a party to starving out the civilian population of France. He insisted upon our corn and our other food products going free from hindrance by the battleships of Great Britain into the ports of France to feed Great Britain's enemy, as they went to the ports of Great Britain.

But to continue the quotation from Mr. Irwin:

But to continue the quotation from Mr. Irwin:

Here, perhaps, is the place to say that Lewisite and the gas beyond Lewisite are probably no longer the exclusive secret of the United States Government. We had allies in this war; doubtless they learned the formula. Even if not, once science knows that a formula exists its rediscovery is only a matter of patient research, not of genius. And gas investigation is quietly going on abroad. If they have not arrived at the same substances, the chemists of Europe have worked out others just as deadly. The scientific investigation of the killing possibilities in gas is only four years old.

Col. Fuller says bluntly in his illuminating essay that the armies which entered the late war were antiquated human machines that military brains had ossified.

Warfare must be, will be, brought up to the standards of civilian technique. Henceforth general staffs must not wait for unstimulated civilians to invent new machines or methods of attack and defense. They must mobilize high technicians and inventors in the "pause between wars," as well as in war, bend all their energies toward discovering new ways of killing. And virtually that improvement in warfare is already begun. In the laboratories of Europe—just as the farseeing prophesied after second Ypres—men are studying new ways to destroy life.

Scientific discovery involves the factors of leisure. To reach great things, a man can not be hurried. War is all organized burry. With both sides racing for victory, the savants of Europe had not the leisure to reach out toward the unknown. They worked with poison gas; that was already discovered, and merely needed improvement. Now, in the pause since the armistice, they are venturing into the unknown. Let us take testimony again from the public and official remarks of Gen.

Now, here is a suggestion of a new weapon. Gen. Swinton says:

Ray warfare. I imagine from the progress that has been made in the past that in the future we will not have recourse to gas alone, but will employ every force of nature that we can; and there is a tendency at present for progress in the development of the different forms of rays that can be turned to lethal purposes. We have X rays, we have light rays, we have heat rays. We may not be so very far from the development of some kinds of lethal ray which will shrivel up or paralyze or poison human beings. The final form of human strife, as I regard it, is germ warfare. I think it will come to that; and so far as I can see there is no reason why it should not, if you mean to fight \* \* \* prepare now \* \* \* we must envisage these new forms of warfare, and as far as possible expend energy, time and money in encouraging our inventors and scientists to study the waging of war on a wholesale scale instead of \* \* \* thinking so much about methods which will kill a few individuals only at a time.

I wish to add another paragraph or two from this book of Mr. Irwin's, and I read from page 60, from the chapter entitled "Tactics of the next war," as follows:

Mr. Irwin's, and I read from page 60, from the chapter entitled "Tactics of the next war," as follows:

The gas-proof tank, a military improvement now virtually accomplished, points the way to the perfect defense. Col. Fuller imagines "centers of defense"—fortresses, or something like them, rendered gas-tight, wherein you may keep your reserve forces, to which your tanks will return for repairs and replenishment of supplies. You can reconstruct our great cities so as to furnish for our civilians "centers of defense." This was done imperfectly in the late war, when in constantly ratided towns, such as Venice, the authorities banked the deep cellars with sandbags, thus turning them into dugouts like those used by the troops. However, cellars will never form a defense against sinking, lethal, cell-killing gas like Lewiste and its probable successors. The shelters must be large enough to accommodate the people of a whole city. They must be deep enough in the ground to resist the enormous explosive power of the great new bombs; they must be gas proof, either by rendering them air-tight and furnishing oxygen to keep the immates alive or by providing ventilators which make the outer air pass through an antidote. They must be as easily accessible as the subway—even more accessible. This virtually involves rebuilding modern cities if the inhabitants expect to survive a war.

Unless some general staff in Europe is hugging a deep and sinister secret, we have not yet found the killing ray. That lies beyond the present frontiers of science; its discovery involves pioneer work. If it comes, it may change and intensify warfare in many ways which we can not at present conceive. But warfare by disease-bearing bacilli is already preparing in the laboratories. Here, for example, is one method which I have heard suggested and which, I have learned from men of science, seems quite possible: Find some rather rare disease, preferably one which flourishes in a far corner of the world, so that people of your own region have no insuranc

In this very interesting work Mr. Irwin devotes one chapter to the economics of the next war, in which the possibilities of

the destruction of property are very graphically presented. If anyone suspects for a moment that that subject is not undergoing investigation now, he is quite behind the times. If some of the parliamentary bodies of the great wealthy nations of the world saw the possibility of destruction of property upon such a scale as to practically wipe out and annihilate for a period of many years the productivity of land, the source of all of our wealth, I think, that it might be a stronger deterrent force in our preparations for war than the possible destruction of human life, because in most of the great parliamentary bodies of the world to-day property is regarded as much more precious than human life.

On page 108 Mr. Irwin presents this view:

On page 108 Mr. Irwin presents this view:

Concerning the actual destruction of physical property, one may speak with less certainty. It all depends upon the larger strategy. I have suggested the elimination of all life in such a city as Parls—or New York—as a possible result. That could be accomplished by such a gas as Lewisite. Now, Lewisite whirled in a lethal cloud over Paris would not greatly injure property. When at length the poison was dissipated the opera would still be there and the Louvre and the great railway terminals and the factories—a little corroded, perhaps, but still usable after you cleaned out the corpses and tidied up a bit. So, perhaps, a better way of breaking up the "resistance of the rear" would be to exterminate not the human Paris but the physical Paris. That could be done in one gigantic conflagration started by inextinguishable chemicals dropped from a few aircraft. The method is practicable even now, in the infancy of chemical warfare, and the military chemists of Europe are experimenting further along these lines. Such a campaign would, of course, not be confined to Paris, although Paris as a center for the brains of war, as the most vital knot in the railway web and the great factory city, is eminently important. It would be aimed also at Lvons and St. Etienne, great manufacturing cities; at Marseille, Cherbourg, Havre, and Bordeaux, the great ports; at a hundred little cities which do their part in making munitions.

In such a campaign of conflagrations the loss of life would necessarily be less than in a killing attack with gas. But possibly not much.

Imagine Paris suddenly become a superheated furnace in a hundred spots; imagine a swift rush of flame through every quarter; imagine the population struggling, piling up, shriveling with the heat; imagine the survivors ranging the open fields in the condition of starving animals.

Such a campaign could in a few weeks nearly equal the property

the survivors ranging the open fields in the condition of starving animals.

Such a campaign could in a few weeks nearly equal the property losses of the Great War; especially if the defenders, whom I have imagined to be the French, retaliated on the attackers—say the Germans—and burned Berlin and the Rhine towns.

So far as we can see now, gas will probably be the standard weapon of the next war. High explosives will still be used on an extensive scale; but it will be auxiliary to the new killing instrument. It is unlikely that there will be a locked trench line and a steady bombardment lasting for years. Consequently—ignoring the possibility of great conflagrations—we may hope for a smaller loss in the item of buildings. On the other hand, the bill will probably show a larger item for destroyed fields—agricultural wealth. The struggle just finished was the first in history where any considerable area of land was ruined for cultivation. Now it is a property of the new poison gas that it sterilizes—not only kills cells but prevents the growth of cells. Concerning one successor of Lewisite gas, an expert has said: "You burst a container carrying a minute quantity of the substance which makes the gas at the foot of a tree. You do not see the fumes rise; it is invisible; but within a few seconds you see the leaves begin to shrivel. While we are not quite certain, we estimate that land on which this gas has fallen will grow nothing for about seven years." In the next war—unless we discover meantime some still more effective method of killing—clouds of such gas will sweep over hundreds of square miles, not only eliminating all unprotected life, animal and vegetable, but sterilizing the soil "for about seven years." The power of its soil to produce food is the first vital item in the wealth of nations. It would seem that this increased loss of productive lands should at least balance the decreased loss in buildings.

Mr. President, it is not a very far cry from killing by gas,

Mr. President, it is not a very far cry from killing by gas, a new weapon developed out of the last war, to destroying the fertility of soil by chemical preparations, devastating and rendering barren and a desert waste great areas of productive

I have taken some time, Mr. President, to put into the Record in this connection the sections which I have read from the book by Mr. Irwin. Now, I turn for just a moment to some expert testimony submitted to the Committee on Naval Affairs of the House of Representatives. I want to be accurate about this, and I will furnish the date. It was on February 4, 1921. The witness who is testifying is Gen. Mitchell. I believe that Gen. Mitchell is the head or the assistant to the head of the Air Service of the United States Army.

Mr. HALE. Gen. Menoher is the head of that service; I

think Gen. Mitchell is his assistant. Mr. LA FOLLETTE. From page From page 712 I read from Gen. Mitchell's testimony as follows:

We estimate from the studies we have so far made that direct hits on decks and superstructures will break every electric-light globe on the ship, throwing her into absolute darkness below decks; disrupt telephone, radio, and interior communication systems; fill firerooms, engine rooms, and all compartments ventilated by a forced-draft system with noxious gases; cause shell shock to the persons within a radius of 300 feet, disrupt ammunition hoists, dislodge or jam turrets, dish upper decks at least, kill all persons on upper decks (antiaircraft gun's crews and fire control parties in tops), cause fires to break out, and explode all antiaircraft ammunition. Detonation of bombs beneath water line will sink or disable battleships. If explosion occurs forward of bulge (that part of the ship fitted with longitudinal protection bulkheads), it will cause her to settle by the bow, causing her to decrease speed, to

steer badly, and consequently to fall out of formation. If explosion occurs aft of bulge, the after compartments will fill, causing ship to settle by the stern; the main propeller shafts will be thrown out of line, causing almost immediate stopping of engines on that side of ship, consequent slowing down, and inability to keep station in formation. In addition, there is a strong probability that the rudder will become jammed at the same time, making the hip a menace to the ship behind her. If an explosion occurs abreast of the bulge (or amidships) and does not cause the ship to sink, it will at least cause the ship to take a sharp list, causing difficulties in steering and consequently serious trouble in keeping position in formation. It will also cause a marked change (increase or decrease) in the angle of elevation of the main battery guns, which will greatly decrease accuracy of gunfire.

He says further:

Te quote from a report of an eyewitness of the destruction of a large bomb exploded on the Indiana:

"It is safe to assume, judging from the results obtained with the 1,650-pound demolition bomb containing 990 pounds of amatol exploded on the deck, that this amount of explosive is sufficient to put a modern battleship out of action.

"It is safe to assume that the flame and gases generated by the explosion would instantly kill all those that were reached by them. This would include all personnel in the wasts, all personnel in the vicinity of the bomb, the personnel in the turrets, provided one of the openings was directed toward the explosion; lastly, and of major importance, all personnel in the engine room, since the gases would readily penetrate through the gratings over the engine room. It is safe to assume that any personnel in the turrets in the immediate vicinity of the explosion would be killed by concussion. The damage to the navigating instruments and communications would certainly be considerable."

I merely add that, Mr. President, to the matter quoted from Mr. Irwin as contributing additional authority on the subject

which he discusses in his very interesting work.

It seems to me that there follows the very certain conclusion that the next war, if there shall be another war, will present a horrifying spectacle from which the human imagination re-coils. The desolation and waste, the utter annihilation of moral and spiritual forces and of every form of life itself which will follow in the wake of the next war compel us at this time to take aggressive and advanced ground for saving this country

and the world from the possibility of another war

There is a phase of this situation that I think it is the duty of the Senate to recognize in formulating a naval policy for this country. No one can survey the present alignment of world powers and deny that if the world is to subject itself to the blighting curse of another war the methods of warfare described in the quotations which I have presented here will be employed in a death grapple between races. It will not be a civil war; it will not be merely an international war or an intercontinental struggle, but it will be the most horrible, the most deprayed, the most destructive warfare of which human imagination can conceive.

Mr. KING. Mr. President—
The VICE PRESIDENT. Does the Senator from Wisconsin further yield to the Senator from Utah?

Mr. LA FOLLETTE. I do.

Mr. KING. The Senator will recall that within the past week Lloyd-George has said—the Senator may have quoted it while I was detained from the Senate Chamber-that the next war would leave Europe in ashes; that it would not only be destructive of governments, of nations, but it would be destructive of property, and would leave that great Continent in

Mr. LA FOLLETTE. I saw that statement, and I think that is the conclusion that every thoughtful man has forced upon him; and we simply are driven to find some way out here and now. All of this accumulated thought surely militates against such legislation as the pending bill carries. We are doing exactly the thing that forces other nations to make like appropriations or larger appropriations where it is possible for them to

raise the money.

Mr. DIAL. Mr. President, assuming that the United States could build more and larger vessels than any other county. in the world, even that would not give us supremacy of the sea, would it? Did not the last war teach us that if we have war it is very likely that many other nations will get into it, and therefore that there will be no end of the building of ships. Even if we had more than any other one country, we would have to keep on building until we had, perhaps, more than all the rest of the countries put together, and still we would not have the supremacy. I can see no end to it.

Mr. LA FOLLETTE. I think the Senator's suggestion is

correct, that there is no limit, there is not any stopping place, unless we depart from this line of legislation. Yet we make these observations in the discussion of every bill of this character. Year after year we have the same debates, but we go along making the appropriations and repeating the mistakes of the preceding Congresses, enlarging all the while the program, and imposing heavier and heavier burdens upon the people.

Mr. KING. Mr. President, if the Senator will pardon me for referring to the suggestion which he made a moment ago, I Crozier entered into a contract with the Bethlehem Steel Co., assent to the statement made by the Senator respecting the in-

fluences of the manufacturers of munitions and armaments, and their power-because they do have power-in affecting legisla-There is no doubt in the world but what the Vickers Manufacturing Co., in Great Britain, has had some influence in promoting the navalistic and militaristic spirit in Great Britain. There is no doubt but what the great manufacturing company in France, the Creuzot Co., has had great influence in developing a militaristic spirit in France. Unquestionably the great Krupp Co., in Germany, and other companies engaged in the manufacture of cannon and guns and other munitions of war materially contributed to the augmentation of the militaristic spirit there.

Mr. LA FOLLETTE. Yet, Mr. President, if the Senator will permit me to interrupt him, all the profits made by the Krupps were not comparable to the profits which are made by the three armor-plate manufacturers who have contracts that are

being provided for under this bill.

The other day in addressing the Senate upon the pending legislation I said that I was going to ascertain, if possible, whether any officers of the Army or of the Navy as at present functioning were employed by the armor-plate manufacturers, the beneficiaries of the bill, or any of the other manufacturers of munitions having contracts with the Government. I was requested by a number of Senators after I left the floor to lay before the Senate any information which I could get upon that subject.

From replies received from the department it would seem that, excepting as these matters have come to the surface from time to time through the investigations presecuted by the committees of Congress, there is no official information to be had upon the subject. I found that in 1912 the House Committee on Military Affairs conducted a hearing on the fortifications bill, and that one Robert S. Waddell, of the United States Powder Co., of Louisville, Ky., testified as a witness. Mr. Waddell was with the Du Pont Powder Co. as general sales agent for 21

I quote the following from his testimony:

I should say that my statements in regard to the potency of the Du Pont lobby in Washington is the fact that they maintain here a Mr. Buckner, who was the president of the International Smokeless Powder Co. and a vice president of the Du Pont Trust. He devotes his entire time and attention to Washington business; makes this his headquarters. He does not do anything else. When I was with the company they paid their vice presidents \$30,000 per year, and I presume he is getting a good, rich salary and a liberal account for expenditures. I know there is a very great deal of money spent here for entertainment—not offensively; I would not use it in that sense, but in the sense that a sales department always does; they entertain their customers and treat them as well as they know how. They are as courteous as they can be, and spend a great deal of money in that way.

I think my judgment of lobbies here is that they are an offence without way. \* \* \*

I think my judgment of lobbies here is that they are an offense rather than a benefit to the Government.

Before this same committee there appeared Col. Buckner, vice president of the Du Pont Powder Co. In answer to charges made by Mr. Waddell that the Du Pont Powder Co. maintained a lobby in Washington, Col. Buckner made the following statement:

His statements on that subject are all false. There has never at any time in the history of the Du Pont Co. existed a lobby. I am the only representative of the Du Pont Powder Co., except that I have employed in my service Gen. Humphrey, who looks after small details. I have to have a representative here in this city, and when he retried I employed him to look after such little details as getting information from all of the departments that affect the Du Pont Powder Co.

Q. You spoke of Gen. Humphrey, a retired Army officer, now being a representative of the company. What other persons at any time has the company had employed in connection with contracts with the Government?

Col. Buckner replied:

No one, except since I have been out of the country so much I have turned the business over to Mr. Landis (a former Member of Congress), to look after this business down here in a measure, but not entirely, because I have been away from the country.

The retired Army officer referred to by Col. Buckner was Maj. Gen. Charles F. Humphrey, and although this officer was upon the retired list of the Army, receiving a salary of \$6,000 per year, he was, as admitted by Col. Buckner, employed by the Du Pont Powder Co. to represent it in Washington.

The case of Brig. Gen. William Crozier, former Chief of Ordnance, now retired, is familiar to many Members of the Senate. It will be remembered that when Gen. Crozier was nominated to be Chief of Ordnance a very active fight was made

against his confirmation. It may be interesting to the Senate to go into the history of this case for a moment.

While a captain in the Army Gen. Crozier perfected and patented what was known as the Buffington-Crozier disappearing gun carriage. Upon the patent being issued the then Capt. Crozier entered into a contract with the Bethlehem Steel Co.,

this carriage, it being expressly provided, however, that the Government of the United States should be at liberty to manufacture it if it chose. While this contract was still in effect Capt. Crozier was nominated in 1902 for the position of Chief of Ordnance. This nomination resulted in Capt. Crozier being jumped over the heads of 27 officers and 3 grades. The opposition to Gen. Crozier's nomination was chiefly upon the ground that as Chief of Ordnance he would also be a member of the Board of Ordnance and Fortifications, which would be required to pass upon the inventions in which he was financially interested, and also that as Chief of Ordnance he would be called upon to pass upon contracts amounting to millions of dollars, for which the Bethlehem Co. would be a competitor.

The official records of the Senate Committee on Naval Affairs

show that on April 3, 1902, the nomination of Gen. Crozier was ordered adversely reported by a vote of 8 to 2. Strong pressure having been brought to bear upon the committee and the Senate, this nomination was re-referred to the committee and finally reported without recommendation. The Senate yielded, and on

June 20, in executive session, he was confirmed.

That is the record, which the Senate can take for what it is worth

As far back as 1894 there was evidence that the armor-plate manufacturers had entered into an international agreement.

I think I submitted to the Senate the other day statements taken from a work published in 1914 of a list of members of Parliament interested as stockholders or directors in the large armor-plate manufacturing companies of England. I think there is abundant evidence that the Bethlehem Steel Co., which is one of the big concerns that has contracts with this Government, has had a combination with the armor-plate manufacturers of Great Britain, and, indeed, all the leading nations of the whole world, and that it has been impossible for this Government to make contracts upon a competitive basis with the manufacturers of armor plate here, and that there has been an understanding between the armor-plate manufacturers of the United States and the armor-plate manufacturers of Great Britain and Germany and France and Italy and of Russia, when Russia was under the Czar, that they would not enter into competitive bidding here.

As far back as 1894 there is to be found evidence that the armor-plate manufacturers had entered into international agreements for the purpose of maintaining uniformly high prices to their respective Governments for armor plate and for the suppression of competition. Secretary of the Navy H. A. Herbert, under President Cleveland, in his report (H. Doc. No. 58, p. 22,

54th Cong.) said:

I am informed upon authority which I believe to be good that about, or perhaps before, the time of the last contract of the Bethlehem company with Russia there was a meeting in Paris of the representatives of the principal, if not all, of the armor manufacturers of Europe and America.

These facts seem to lead to the conclusion that there is, at least, a friendly understanding or agreement among the principal manufacturers of the world that prices shall be maintained at about the same level.

I have already read to the Senate the statement of Secretary Daniels, appearing before the House Naval Affairs Committee in 1914. I venture to repeat what the Secretary said concerning the bids for armor plate for the dreadnaught Pennsylvania in this connection:

When we came to the armor we rejected all the bids and were then absolutely in a situation from which it appeared there was no relief. Though you can not establish it in black and white, there is no doubt of an armor plate trust all over the world. That is to say, the people abroad who make armor plate will not come here and submit bids, because they know if they do our manufacturers will go abroad and submit bids. They have divided the world, like Gaul, into three parts.

Also in this connection I think a review of the history of the Harvey United Steel Co. of Great Britain is of interest. From the British Stock Exchange Yearbook, 1912, we learn that the Harvey United Steel Co., "was registered July 16, 1901, to amalgamate or control four other companies holding the rights of the Harvey patents for treating steel, including the Harvey Steel Co. of Great Britain (Ltd.) and the Harvey Continental Steel Co. (Ltd.)." This concern was also licensors for the Krupp and Charpy processes of treating armor plate.

The British connections of this concern were as follows:

Albert Vickers, chairman of the board of directors of Vickers (Ltd.), manufacturers of arms, held 2.697 shares of stock in the Harvey United Steel Co., and was managing director. William Beardmore, chairman of the board of directors of

the company bearing his name, was also a director of the

Harvey Co.

Armstrong, Whitworth & Co. (Ltd.) was represented on the board of directors of the Harvey Co. by J. M. Falkner, a director in Armstrong, Whitworth & Co.

John Brown & Co. (Ltd.), the Coventry Ordnance Co. (Ltd.), and Thomas Firth & Co. (Ltd.) were jointly represented by C. E. Ellis, who was a member of the board of directors of the Harvey Co. The combined holding of these three firms in the Harvey Co. was 7,438 shares.

The Fairfield Shipbuilding Co. (Ltd.) and Messrs. Cammell, Laird & Co. (Ltd.) were largely interested in the Coventry Ordnance Co. (Ltd.); and the Palmer's Shipbuilding & Iron Co. and the Hadfield Foundry Co. (Ltd.) were connected directly with the Harvey Co. through the John Brown & Co. (Ltd.), in

which they were interested.

In the United States the Bethlehem Steel Co. held 4,301 shares in the Harvey Co. Interested at this time with the Bethlehem Co. were Harlan & Hollingsworth, of Wilmington; Union Iron Works, of San Francisco; and Samuel L. Moore & Son, at Elizabeth, N. J.

In France there were Schneider & Co., which held 9,862 shares in the Harvey Co. There were also four French directors in the Harvey Co., each of whom had 2,000 shares.

The Italian affiliations of this international combination for the manufacture of armor plate were as follows:

Societa degli Alti Forni Fondiere ed Acciaiene di Terni held 8.000 shares. Their representative on the board of directors was Raffaele Bettini.

The English corporation Armstrong, Whitworth & Co., stock-holders in the Harvey Co., were also largely interested in the Armstrong-Pozzuoli (Ltd.), of Italy, whose arsenal is "the chief supply of war material to the Italian Navy," and in the firm Ansaldo-Armstrong & Co., of Genoa.

In Germany, Actien Gesellschaft der Dillinger Huttinwirke corporation held 2,731 shares of the Harvey Steel Co. and was represented on the board of directors by Fritz Saeftel. Friedrich Krupp, of the Krupp Works, held 4,731 shares, and was represented on the board of directors by Heinrish Vielhaber and Emil Ehrensberger.

Through the Krupps the Harvey Co. was in connection with the Skoda Co., of Austria, and through the Schneider & Co. corporation, of France, the Harvey Co. established contracts with the manufacturers of armor plate in Russia, while the Dillinger firm is owned by the Deutsche Waffen & Manitions Fabrik, which has large holdings in Belgium and in the Mauser Co., in addition to its large munition factory at Dillinger.

The public criticism which followed the exposure of this international combination resulted in the dissolution of the Harvey Co. after two extraordinary meetings of its board of directors, on July 15 and 31, 1912, and, although there is no evidence which I have been able to find of its reorganization since the war, I believe that the understandings and agreements reached at that time would be found to be still in force and effect if a thoroughgoing investigation were instituted into this situation.

Mr. President, the history of the Government's relations with the manufacturers of powder is not less startling than the situation in regard to armor plate. In this connection I desire to bring to the attention of the Senate two paragraphs of the international agreement entered into in 1897 by the manufacturers of powder. This agreement was introduced in evidence by the Department of Justice of the United States in its suit against the Du Pont Co.:

Whenever the American factories receive an inquiry for any Government other than their own, either directly or indirectly, they are to communicate with the European factories through the chairman appointed, as hereinafter set forth, and by that means to ascertain the price at which the European factories are quoting or have fixed, and they shall be bound not to quote or sell at any lower figure than the price at which the European factories are quoting or have fixed. Should the European factories receive an inquiry from the Government of the United States of North America, or decide to quote for delivery for that Government, either directly or indirectly, they shall first in like manner ascertain the price quoted or fixed by the American factories and shall be bound not to quote or sell below that figure.

The American factories are to abstain from manufacturing, selling, or quoting, directly or indirectly, in or for consumption in any of the European territory, and the Europeans are to abstain in like manner from manufacturing, selling, or quoting, directly or indirectly, in or for consumption in any of the countries of the American territory. With regard to the syndicated territory, neither party is to erect works there, except by a mutual understanding, and the trade there is to be carried on for joint account in the manner hereinafter defined.

The evil results of this combination are clearly set forth in the agreement between the Du Pont Co. and the United Rheinisch Westphalian Gunpowder Mills, of Germany. This agreement makes it clear that the Du Pont Co. did not hesitate to furnish this German company with information concerning all of its improvements in the process of making powder, much of which it secured from Government experts.

A: IMENTS AGAINST THE BILL UNANSWERED.

Mr. President, in the course of this debate it has been demonstrated that this country is absolutely impregnable against offensive attack by any nation or combination of nations in the world. Upon the authority of Gen. Weaver, Gen. Miles, Admiral Fletcher, Admiral Sir Percy Scott, and Admiral Sims, it has been shown beyond any possibility of doubt that neither Japan nor Great Britain could send successfully a fleet of capital ships against this country without that fleet being utterly annihilated and the purpose of the expedition defeated. It has been shown that the completion of the 1916 program will entail an immediate burden of about \$1,000,000,000, and the entail an immediate burden of about \$1,000,000,000, and the charges resulting from increased personnel, upkeep, and the building of yards and docks will mount into billions, which can not at this time be estimated. It has been shown, moreover, that we have to-day a Navy twice as strong as that of Japan and only slightly inferior to that of Great Britain, and that if we complete the 1916 program and enter upon an additional three-year program, already recommended by the General Board by 1927 after we have expended \$1,500,000,000,000 eral Board, by 1927, after we have expended \$1,500,000,000 or more for construction, we shall be in relatively no better position than we are to-day. It has been shown that the 17 capital ships now under construction will be obsolete within five years, and that unless we are preparing for a war within that period these vessels will never have the slightest possible utility.

In the course of this debate it has been shown that the General Board of the United States Navy stands practically alone against the best authority in this country and abroad in urging the construction of battleships and battle cruisers. the expert testimony of Admiral Sims, Gen. Mitchell, Admiral Scott, Admiral Fisher, and other eminent naval authorities, I have demonstrated that by building a reasonable number of airplanes and submarines this country can remain, as she is to-day, impregnable against attack and infinitely better equipped for the exigency of war than if we should continue the build-

ing of capital ships.

I have indicted before the bar of the Senate the selfish interests which lurk behind this legislation. I have shown that the manufacturers of armament and armor plate have hundreds of millions of dollars in contracts at stake in this program. I have shown that these manufacturers constitute an armor ring which controls the prices in every country of the civilized world, and that in every country they have worked through Organizations like the Navy League and the National Security League to increase appropriations for naval and military purposes. I say that these great corporations have been convicted of fraud upon the Government. I have put in the testimony and the reports of committees to that effect, one of them being the report of a committee of the Senate. I assert that in taking unconscionable profits from the Government in contracts and in furnishing inferior and defective material to protect the Nation's vessels of war they have been guilty of stealing from the United States Treasury. I further assert that the great bankers, the great international financiers who have money invested in foreign lands, are bringing pressure to bear upon this Government to provide a Navy which can be used to guarantee the investments and collect the debts which these great interests have at stake.

You may scoff and sneer at this indictment, but you can not answer it. You may continue to load the people down with taxes and paralyze legitimate business by exacting tribute to be paid finally to a few favored concerns; you may nurture and entrench the Steel Trust until its grip upon our whole industrial life becomes even more powerful than it is to-day; you may make of the American Navy a menace to the peace of the world which will finally drag us into war; but the time will come when the people of this country will arise against such a policy. The American people will not long tolerate in office an administration pledged to economy which burdens the public with hundreds of millions of dollars in order to favor and protect special interests at home and abroad. That is the issue involved in this proposed legislation. It is an issue that will not down, and when it is fully understood by the people it will drive from this Chamber every man who supports this unwarranted ex-

penditure of the public funds.

Mr. McKELLAR. Mr. President, are individual amendments in order?
The PRESIDING OFFICER (Mr. LADD in the chair). Indi-

vidual amendments are in order to section 16.

Mr. McKELLAR. I have an amendment which I desire to offer when the committee amendments are disposed of. I thought all the committee amendments had been disposed of.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment as amended.

Mr. KING. I inquire what is the committee amendment? The PRESIDING OFFICER. Section 16 as amended.

Mr. KING. As amended by the committee or by the Senate? The PRESIDING OFFICER. By the Senate.

Mr. CURTIS. I will say to the Senator from Utah that two or three amendments offered by the Senator from Wisconsin [Mr. LA FOLLETTE] were adopted during the Senator's temporary absence.

Mr. KING. Very well.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee as amended.

The amendment as amended was agreed to.

Mr. BORAH. I inquire if the committee amendments have been disposed of?

The PRESIDING OFFICER. The committee amendments have now been disposed of.

Mr. BORAH. I have an amendment to appear as a new section to the bill. I ask that it be read, and upon its adoption I shall ask for the yeas and nays.

The PRESIDING OFFICER. The Secretary will state the

amendment proposed by the Senator from Idaho.

The Assistant Secretary. At the end of the bill it is proposed to add a new section, to be numbered section 17, and to read as follows:

SEC. 17. That the President is authorized and requested to invite the Governments of Great Britain and Japan to send representatives to a conference, which shall be charged with the duty of promptly entering into an understanding or agreement by which the naval expenditures and building programs of each of said Governments, to wit, the United States, Great Britain, and Japan, shall be substantially reduced annually during the next five years to such an extent and upon such terms as may be agreed upon, which understanding or agreement is to be reported to the respective Governments for approval.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Idaho.

Upon that I ask for the year and nays. The yeas and nays were ordered, and the Assistant Secretary proceeded to call the roll.

Mr. CARAWAY (when his name was called). I have a general pair with the junior Senator from Illinois Mr. McKinley]. I transfer that pair to the senior Senator from Missouri [Mr. Reed] and will vote. I vote "yea."

Mr. FLETCHER (when his name was called). I have a

general pair with the Senator from Delaware [Mr. Ball], who s necessarily absent, but on this question I am at liberty to rote. I vote "yea."

While I am on my feet, I should like to announce that my colleague [Mr. TRAMMELL] is necessarily absent. I will let this announcement stand for the day.

Mr. KING (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. Mc-Cumber]. I transfer that pair to the senior Senator from

Texas [Mr. Culberson] and will vote. I vote "yea."
Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. War-REN], but I understand that on this question he would vote the same way that I shall vote. I vote "yea."

Mr. SIMMONS (when his name was called). eral pair with the junior Senator from Minnesota [Mr. Kel-LOGG], who is necessarily absent. I am advised that if he were present he would vote as I shall vote. Therefore I vote "yea."

Mr. SMITH (when his name was called). I have a general pair with the Senator from South Dakota [Mr. STERLING]. I am advised that if present he would vote as I shall vote. Therefor I vote "yea."

Mr. SUTHERLAND (when his name was called). I have a general pair with the senior Senator from Arkansas [Mr. Robinson]. I understand, however, that if he were present he would vote as I expect to vote, and therefore I feel at liberty to vote. I vote "yea."

The roll call was concluded.

Mr. EDGE. I have a general pair with the senior Senator from Oklahoma [Mr. Owen]. I am informed that if he were present he would vote as I propose to vote. I therefore vote yea."

Mr. COLT. Although I have a general pair with the junior Senator from Florida [Mr. TRAMMELL], I am at liberty to vote

on this amendment. I vote "yea."

on this amendment. I vote "yea."

Mr. ERNST. I have a general pair with my colleague, the senior Senator from Kentucky [Mr. Stanley]. If he were present he would vote "yea." I vote "yea."

Mr. HARRISON. The senior Senator from Mississippi [Mr. Williams] is detained on official business. He has a pair with the senior Senator from Pennsylvania [Mr. Pennose]. I under the senior senator from Pennsylvania [Mr. Pennose]. derstand that if the senior Senator from Pennsylvania were

present he would vote "yea," and if the senior Senator from Mississippi were present he also would vote "yea."

Mr. BROUSSARD. My colleague [Mr. RANSDELL] is ill. Besides that, he has a pair with the senior Senator from Maryland [Mr. France]. If my colleague were present and at liberty to vote, he would vote "yea."

Mr. FERNALD. I have a general pair with the senior Senator from New Mexico [Mr. Jones]. I understand that on this question he would vote as I shall vote. I vote "yea."

Mr. SHEPPARD. I desire to announce that my colleague, the senior Senator from Texas [Mr. Culberson], is necessarily absent. If present, he would vote "yea."

Mr. CURTIS. I desire to announce the necessary absence of the Senator from Maryland [Mr. France], the Senator from Minnesota [Mr. Kellogg], the Senator from Wisconsin [Mr. LENBOOT], the Senator from North Dakota [Mr. McCumber], the Senator from Connecticut [Mr. McLean], the Senator from Illinois [Mr. McKinley], the Senator from Vermont [Mr. Page], the Senator from Oregon [Mr. STANFIELD], and the Senator from Maryland [Mr. Weller]. If present, each of these Senators would vote for the pending amendment.

Mr. GERRY. I desire to announce that the Senator from Arkansas [Mr. Robinson] is absent on official business. present, he would vote "yea."

The result was announced—yeas 74, nays 0, as follows:

### YEAS-74.

Ashurst Borah Brandegee Broussard Bursum Calder Cameron Capper Caraway Colt Cummins Curtis Dial Dillingham Edge Elikins	Frelinghuysen Gerry Glass Gooding Hale Harreid Harrison Heflin Hitchcock Johnson Jones, Wash, Kendrick Kenyon Keyes King	Lodge McCormick McKellar McNary Moses Myers Nelson New Newberry Nicholson Norbeck Norris Oddie Overman Phipps Pittman	Shields Shortridge Simmons Smith Smoot Spencer Sutherland Swanson Townsend Underwood Wadsworth Walsh, Mass, Walsh, Mont. Watson, Ga. Watson, Ind. Willis
	King		
Fernald Fletcher	Ladd La Follette	Pomerene Sheppard	for the Great is
	NOT V	OTING-22.	

France	McLean	Robinson
Jones, N. Mex.	Owen	Stanfield
Kellogg	Page	Stanley
Lenroct	Penrose	Sterling
Hemoor	T CITTOBC	

McKinley McLean

Culberson

Mr. Borah's amendment was agreed to. Mr. SMOOT. Mr. President, I send to the desk an amendment to be inserted after line 4, page 39 of the bill.

Ransdell

Reed Robinson

Trammell

Warren Weller Williams

The VICE PRESIDENT. The amendment will be stated. The Assistant Secretary. On page 39, after line 4, it is proposed to insert the following:

The Secretary of the Navy is authorized to cause to be prepared in the Office of Communications, Navy Department, a publication known as the Shipping Bulletin, and to publish and furnish the same to the maritime interests of the United States and other interested parties at the cost of collecting and publishing the information, including the cost of printing and paper and other necessary expenses. The expenses of such bulletin shall be paid from the appropriation "Engineering, Bureau of Steam Engineering, fiscal year 1921." The money received from the sale of such publication shall be covered into the Treasury as miscellaneous receipts. laneous receipts

Mr. SMOOT. Mr. President, just a word of explanation,

The chairman of the committee already knows what the object of the amendment is; but for years past this Shipping Bulletin has been issued and is subscribed for by the maritime interests of the United States. Until a year ago the subscription price was 25 cents per day. It developed that the 25 cents subscription price would not pay the cost of the publication of the document, and the Appropriations Committee authorized its continuance at a subscription price of a dollar per day, and the dollar per day is now about paying the expenses of the bulletin. At the time the discontinuance of the bulletin was thought ofin fact, it was ordered at one time by the Secretary of the Navy—there were hundreds—I was going to say perhaps a couple of thousands-of business men of the country interested in maritime matters protesting here against the discontinuance of the bulletin. It was at that time that the subscription price was raised from 25 cents a day to a dollar a day. As I say, the price of a dollar a day is now about paying the expenses of the bulletin, and its publication is authorized only up until July 1

of this year.

Mr. POINDEXTER. Mr. President, I understand that the bulletin is now bringing about 90 cents per copy, so that the loss on I

it is about 10 cents. But it is my information that in all probability in a very short time it will be self-supporting. In fact, it is expected that it will be self-supporting from now on.

There is no question about the value of the publication, and as the amendment carries no appropriation, but simply amounts to an authorization to the Bureau of Engineering to give some credit to the publication, in order to enable them to make the publication until they can collect the payments, I see no objection to it. I would suggest, however, that the amendment ought to be changed so as to make it read "Bureau of Engineering," striking out the word "Steam." The name of the bureau has been changed.

That may be done, if that is the case. Mr. SMOOT.

Mr. FLETCHER. May I inquire of the Senator from Utah why the bulletin should not be printed at the Government Printing Office? This would enable them to set up a separate plant, and we have been endeavoring to avoid the setting up of outside plants, requiring publications to be made at the Government Printing Office.

Mr. SMOOT. This publication must be gotten out in New York, because that is where three-fourths of the demand for it comes, and it is a daily publication. The news comes by cable. The movements of ships all over the world are reported to the Bureau of Engineering daily, and that is why the expense is so heavy—a dollar a day. If the news is a day old, it is not worth anything to the maritime interests. It must be published so that it can get into the hands of the maritime people every day, and if that is not accomplished it might just as well be printed anywhere and sent by mail.

Mr. OVERMAN. It seems to me that we had testimony before us in the Appropriations Committee at the last session concerning this matter. Did we not make an appropriation for this publication?

Mr. SMOOT. We made no appropriation; but we instructed them to charge \$1 a day for each subscription, instead of 25

Mr. CALDER. May I inquire of the Senator from Utah if the number of subscribers has fallen off since the price was raised?

Mr. SMOOT. The number has fallen off; but the subscriptions are increasing now. Admiral Bullard told me the other day that he thought by the end of this month the subscriptions would increase, at the rate of a dollar a day, and that this rate would take care of the publication.

Mr. CALDER. This publication is very much desired by the people engaged in maritime business. At first they protested to me against the increase in the charge, but I have not had any protests in the last month, and I wondered if the number of subscribers had fallen off or if it was still so largely used.

Mr. SMOOT. There are not as many subscribers as there were when the price was 25 cents a copy, but I have not heard of any protests lately as to the amount that is being charged for it, and I feel that the subscribers ought to pay for it. The Government collects the information, and the Government is in a position where it can collect it. The Government has the information at hand every day, and since it does not cost the Government anything, it seems to me that the publication ought to be continued.

Mr. UNDERWOOD. Mr. President, I should like to ask the Senator from Utah a question about this matter. Some time during the last Congress the Senator from Utah had attached to an appropriation bill an amendment providing for the cutting off of all bulletins and publications of this kind. Does not this bulletin come within the terms of that proviso?

Mr. SMOOT. No; it does not come within the terms of that proviso. The Senator will remember that action must be taken by Congress, I think, before October, as I remember it.

Mr. UNDERWOOD. We extended the time, I remember, but think it was extended to July. I am not discussing the merits of this proposition. I do not recall the exact wording

of the Senator's amendment—
Mr. SMOOT. That related to public documents, and this is

not a public document.

Mr. UNDERWOOD. It related not only to public documents but, if I recollect aright, it related to publications of the departments.

Mr. SMOOT. Departmental documents, as well.

Mr. UNDERWOOD. This is a publication of the Navy Department, is it not?

Mr. SMOOT. It is the only one that is charged for.
Mr. UNDERWOOD. I know, but it is a publication of the
Navy Department and comes within the terms of the amendment
offered by the Senator from Utah and placed in the appropriation act.

Mr. SMOOT. I do not know whether it does or not. I shall have to look it up in order to determine that question. There is not any question but that this bulletin ought to be pub-

lished.

Mr. UNDERWOOD. I have no doubt it is a meritorious publication, and I am not opposing its publication. But there may be other meritorious publications along this line, and the Senator's amendment, I think, to the sundry civil act was very far-reaching. It cut out all publications of this kind. While I shall not object or make a point of order at this time, because I think if it is not costing the Government any money there is no reason why the people who want it should not have the privilege, it seems to me it should be taken care of by a resolution which would go to the Committee on Printing, who would refer it back to the Senate, so that the Senate might have an opportunity to consider other publications as well as this one.

Mr. SMOOT. There can be a resolution as to some of the

other publications if they are to be continued.

Mr. UNDERWOOD. Then why the haste in reference to

this?

Mr. SMOOT. Because Admiral Bullard felt that we ought to have the amendment adopted at this time in this bill, so that he could give notice to the subscribers that it would be continued. If the Government of the United States does not do it, somebody else will have to do it.

Mr. UNDERWOOD. The Senator in charge of the bill says that the lack of funds will not stop the publication, because he can assure the Senate that in a short time the funds will be in their hands. So it seems to me the real cause of the stopping of the publication must be the order of Congress.

Mr. SMOOT. The amendment authorizes the Secretary of

the Navy to publish it.

Mr. UNDERWOOD. This will revoke an order of Congress of which the Senator from Utah himself was the author.

The amendment we put on the appropriation act authorized the publication until a certain date. I forget the date now, but I think it was eight months from the passage of the act.

Mr. UNDERWOOD. I think it was to continue until July;

but I may be mistaken.

Mr. SMOOT. That makes no difference. I am quite sure that unless a resolution is agreed to those publications will have to cease at the time designated in the appropriation act. But those are publications which are printed free by the Govern-

ment, and they are an expense to the Government. This is not.

Mr. UNDERWOOD. I shall not object; I do not think a
Senator is justified in objecting to matters he is not informed about, and I am not informed about this publication, and the consensus of opinion seems to be that it is a necessary document. But what I want to ask the Senator from Utah is this, if the amendment he put on the sundry civil act cutting off these publications is too far-reaching—and I think probably it is-he should offer a resolution defining how the provision in the sundry civil act shall be modified, so that we may know and have an opportunity to adopt amendments and to put all of these propositions on the same basis. In that way we have an opportunity to consider them on equal terms.

Mr. SMOOT. The amendment to the appropriation act was only an extension of time under the law, and under the law itself when a resolution is presented it will have to state specifically

what publications can be printed.

Mr. UNDERWOOD. I understand; but at this time we are going to avoid it by another amendment to an appropriation bill, and I do not want to have it done that way. I shall not object at this time, but I hope the Senator from Utah will not make an exception in another case.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Utah.

The amendment was agreed to.

Mr. McKELLAR. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The Secretary will state the amendment.

The Assistant Secretary. Add as a new section at the end of the bill:

'SEC. 18. Provided, That all midshipmen found deficient during the present or last session, and whose resignations were asked for and received by the Superintendent of the Naval Academy, if renominated to the academy, shall be admitted to the academy without regard to the age limit now provided by law and placed in the class one year behind, their former class.

Mr. McKELLAR. Mr. President, in explanation of the amendment 1 may say that in the deficiency act approved June 5, 1920, there was a provision of this kind:

That until otherwise provided by law no midshipman found deficient at the close of the last and succeeding academic terms shall be involuntarily discontinued at the Naval Academy or in the service

unless he shall fail upon reexamination in the subjects in which found deficient at an examination to be held at the beginning of the next and succeeding academic terms, and the Secretary of the Navy shall provide for he special instru tion of such midshipmen in the subjects in which found deficient during the period between academic terms.

Mr. President, last January or February there were 110 midshipmen found deficient. The act of last year was not com-plied with, but instead of it the Superintendent of the Academy wrote to the 110 students thus found deficient, substantially requiring them to hand in their resignations by the next day. There was nothing else to be done, and those boys handed in their resignations, and were not given the benefit of that statute.

All I seek to do by my amendment is to give those boys the benefits of that provision of the law. Just what excuse was given for not giving them the benefit of the statute I do not know, but my understanding is that the authorities said they did not have the time between the then session, which ended on January 30, and the next session, which began on the 1st of February, and, therefore, that the stipulation in the statute allowing a reexamination did not apply or could not apply in the very nature of things

It seems to me under those circumstances those boys ought to have the benefit of the statute which was passed last June. It applied only to the 110 to whom my amendment relates.

Mr. BRANDEGEE. Mr. President, may we have the amend-

ment stated again?

The VICE PRESIDENT. The Secretary will read the amend-

The Assistant Secretary again read Mr. McKellar's amendment.

Mr. BRANDEGEE. To what does the word "session" refer? Mr. McKELLAR. I understand there are two sessions, a session ending January 30 and the next one ending with the commencement in June.

Mr. BRANDEGEE. It refers to sessions of the academy and

not sessions of Congress?

Mr. McKELLAR. Oh, yes.
Mr. BRANDEGEE. Were there any midshipmen found de-

ficient between sessions of the academy? Mr. McKELLAR. They could not be found deficient between

Mr. BRANDEGEE. I did not know but that an order might have been made. I wanted to make sure that everyone who had been found deficient had the benefit of it.

Mr. McKELLAR. I think this makes it absolutely sure. It

is a matter of very great justice to these boys.

Mr. BRANDEGEE. I agree with the Senator as to the merits of it.

Mr. McKELLAR. I hope the amendment may be agreed to.
Mr. POMERENE. Mr. President, may I for just Mr. POMERENE. Mr. President, may I for just a moment have the attention of the Senator in charge of the bill? I shall desire to speak for some little length of time-not very long, because I am not in the habit of speaking very long, but regard the pending amendment as of so much importance that I would prefer, if the Senator will consent, to have the matter go over until to-morrow.

Mr. POINDEXTER. My understanding is that there is a

unanimous-consent agreement that to-morrow the Senate shall go into executive session at 12 o'clock to take up the question of the confirmation of a presidential appointment, so that we would be precluded by that from taking up the Navy appropria-

tion bill at that time.

Mr. POMERENE. I have in mind that fact, I do not imagine that the executive session will take all the afternoon. The pending amendment is going to take some little time, and I think Senators, if they have not been informed about it, will realize before the discussion is finished that it is a very important amendment, and that its purpose is to do justice to 110 young men who have been the victims of the grossest kind of injustice, and I measure my words when I use that expression.

Mr. KENYON. Mr. President, I wish to say to the chairman of the committee that there are other Senators who desire to take a few moments time on the pending amendment. know that I do. I make the suggestion to the Senator in charge of the bill that we take a recess until 11 o'clock to-morrow

Mr. POINDEXTER. Mr. President, I should like to call the attention of the Senator from Tennessee [Mr. McKellar] to some modifications that it seems to me should be made in his proposed amendment in case it is to be considered.

Mr. McKELLAR. I shall be glad to hear any suggestion the Senator has to make, and to accept it if possible.

Mr. POINDEXTER. If the Senator is willing to accept

these modifications and allow the amendment to go to conference in order that it may there be carefully considered, I shall not object to it. The committee has had no opportunity to consider it. One change that ought to be made in it is to limit to one year the period within which these midshipmen who have resigned can be admitted to the academy without regard to their age.

Mr. McKELLAR. I shall be very glad to accept an amend-

ment of that kind.

Mr. POINDEXTER. So, after the word "academy," in line 5 of the printed amendment, there should be inserted the words within one year from the date of resignation."

Mr. McKELLAR. If the Secretary will report the amendment to the amendment, I shall be glad to accept it. I think

it is very proper.

The VICE PRESIDENT. The proposed change will be stated.

The Assistant Secretary. In line 5 of the amendment as printed it is proposed, after the word "academy," to insert the words "within one year from the date of resignation," so that if so amended it will read:

That all midshipmen found deficient during the present or last session and whose resignations were asked for and received by the Superintendent of the Naval Academy if renominated to the academy within one year from the date of resignation shall be admitted to the academy without regard to age limit—

And so forth.

Mr. McKELLAR. I am entirely willing to accept that with just one change. I think that the word in the Senator's proposed amendment should be "renominated" and not "reappointed." As I understand it, Senators and Congressmen or the President, as the case may be, nominate candidates for midshipmen and they are appointed by the Secretary of the Navy, although I am not positive about it. I believe that ought to

be done, and therefore I should like to insert the word "renominated" instead of the word "reappointed."

Mr. LODGE. I think "nominated" is the correct word.

Mr. POINDEXTER. That is really where another change
in the Senator's amendment comes in. I have no objection to
striking out the word "reappointed" and substituting the word "renominated."

Mr. McKELLAR. That has already been done.

Mr. POMERENE. I may say for the information of Senators that the word "nominate" is used in section 2727 of the Compiled Statutes, which authorizes the naming of midship-men, and I think the change as proposed by the Senator from Tennessee is proper.

Mr. POINDEXTER. I understand that has been accepted. I then suggest the following change: After the word "law," in line 6, there should be inserted the words "subject to other requirements as to qualifications for the admission of midshipmen to the academy now required by law." The amendment ought not to require the admission of men to the academy without qualification.

Mr. McKELLAR. Except as to age.

Mr. POINDEXTER. Except as to age. The age limit is waived by the amendment of the Senator from Tennessee.

Mr. McKELLAR. I do not know exactly how it would read, but I wish to have age excepted. I know some of the boys are more than 20 years of age, and my amendment specifically excepts them. If the language of the Senator does not change that exception, I shall be very glad to accept it.

Mr. POINDEXTER. The language I have proposed does not

change that exception.

Mr. McKELLAR. I shall be very glad to accept it, then. While I am on my feet, if the Senator will permit me to say another word, I have been informed that a statement I made a few moments ago that these boys have never had reexamination was incorrect. I was informed that the 110 young men had not had a reexamination, and it was upon that information that I made my statement to the Senate,

Mr. POMERENE. If the Senator will permit me, I can give

some information about that.

Mr. McKELLAR. If the Senator has information on that subject, I should be glad to have him give it to the Senate, because I do not wish to make a statement to the Senate that is

not absolutely correct.

Mr. POMERENE. At the end of the first term, which was, I think, January 29 or 30, there were 286 midshipmen found deficient in studies, including 19 first-class men, 76 second-class men, 41 third-class men, and 150 fourth-class men. Then, there was the reexamination, to which the Senator from Tennessee has referred, after some instruction had been given to them. I wish to correct that and say after some alleged instruction was given to the boys. After that alleged instruction 110 failed-24 midshipmen of the second class, 1 of the first class, 8 of the third class, and the balance of the fourth class. It is for the relief of these 110 boys that the amendment is presented.

I realize that it is getting late, and I desire to beseech the

journ or recess until to-morrow. I regard this of so much importance that I desire to have the RECORD contain the facts. Though Senators may feel that I am unduly exercised in the matter, I feel that it is a public duty, a duty that I owe to these boys and to the academy and to the people, to give the facts, and I wish them in the RECORD, so that Members of the House will have an opportunity to examine them and ascertain whether I am right or not

It is true that the amendment may be accepted, and I hope it will be, but I think it is of importance that we shall have these facts fully stated, and it is for that reason that I hope the Senator will consent to have the matter go over until to-morrow or the day following. I shall probably wish to speak about 20 or 25 minutes in presenting the facts, and there are other Senators

who desire to discuss it, too.

Mr. WALSH of Montana. Mr. President, I rise to join in the request made by the Senator from Ohio. As one of the Board of Visitors to the academy, some information concerning the matter was placed at my disposal by the superintendent of the academy. I think the information given the Senate is not accurate at all.

As stated by the Senator from Ohio, some 286 cadets failed in their original examination. They were, as a matter of fact, given additional instruction, and upon the reexamination 110 failed

As I understand the matter, they were given the full benefit of the law enacted a year ago. Whether, under these circumstances, they ought to be again admitted to the academy, having failed, after having had the additional instruction given them and the reexamination, is a matter of somewhat serious import.

There are some of those boys, 77 of them, who were fourthclass men. They perhaps were not very adequately equipped when they came in, perhaps being admitted upon certificates from high schools, and that kind of thing, without examination; it was found that they were unable to keep up the pace. But there were some of them who had been there some length of time-10 of the third class, 2 of the second class, and 1 of the first class. These older boys had been there for two or three years, had failed in their examinations, and they had been given the additional instruction required by law. Then they failed upon the second examination, and the amendment now tendered proposes to admit them again to the academy.

Mr. POINDEXTER. They can be admitted again now if they are within the age limit for appointment. The only effect the amendment proposed by the Senator from Tennessee would have would be to waive the age limit. That probably would apply in

some of the cases, but not in others.

Mr. WALSH of Montana. Of course, if they were renomi-

Mr. POINDEXTER. With the changes made in the amendment offered by the Senator from Tennessee they must have all the qualifications required by law for entrance to the academy except in the matter of age.

Mr. WALSH of Montana. I have some information, which has been given to me in a letter from the superintendent of the

academy, which I do not have available here to-day.

Mr. McKELLAR. If the Senator will permit me, there is a provision in case they have been there for more than two years. It just sets them back a year, and they are allowed to graduate.

A man in the first class who fails goes back to the second class.

Mr. SPENCER. Mr. President, I wish to say that some of us have had boys in colleges, and those of us who have know very well that when a boy has spent two or three years in college, and then for some reason or other fails in an examination, the fair thing and the economical thing is not to throw away all the expenditure and efforts of those two or three years, but it is to do precisely what every faculty in the land would doput that boy back one year and let him go over the course again. It seems to me that that is precisely true with reference to the Government. We have spent thousands of dollars upon these They go along to a certain stage, and for some reason boys. or other they fail in their examinations. The fair thing and the economical thing is to put them back a year and let them go on.

Mr. POMERENE. Mr. President, I wish to suggest to the Senator from Montana that it is stated that these boys hatl their reinstruction. They did in one sense of the word have it, but it was not in conformity with what I believe is the spirit of the law which was read by the Senator from Tennessee. That expressly provides that-

The Secretary of the Navy shall provide for the special instruction of such midshipmen in the subjects in which found deficient—

Now note-

during the period between academic terms.

There was just one day, namely, Sunday, intervening between Senator in charge of the bill to agree that the Senate shall ad- the first and the second academic terms of this year. I concede that the amendment was very obscurely drawn, but the purpose was that the midshipmen should have their instruction during vacation. It did not suit the purpose of the academy authorities to give them such instruction, and I want to take a little time to show things as I understand them to be over there.

Mr. WALSH of Montana. May I interrupt the Senator from

Ohio?

Mr. POMERENE. Yes.

Mr. WALSH of Montana. I feel like saying in justice to the academy authorities in connection with this matter that they have acted very advisedly. Confronted with the ambiguity of the statute, and in order to give it the proper interpretation, they asked the advice of the Attorney General. He recognized at once that it was impossible to give instruction between the first term and the second term in strict conformity with the statute. He said obviously the purpose was, however, that the instruction should be given, and it was given. Of course, it was not given between the terms, because, as the Senator stated, there was just one day between the two terms.

Mr. POMERENE. But it was given at a time when the boys had all that they could possibly do. I recognize the fact that there are different viewpoints here. There is the viewpoint of Admiral Scales and some of the instructors; there is the viewpoint of the midshipmen and their parents and their friends; and there is the viewpoint of the public. I want some time to take this matter up, and at this moment I move that the

Senate adjourn.

The VICE PRESIDENT. The question is on the motion of

the Senator from Ohio.

Mr. LODGE. I hope the Senator from Ohio will allow us

to have a short executive session.

Mr. POMERENE. I have no objection to that, but I want to take this matter up when I can have about half an hour to

Mr. POINDEXTER. Mr. President, this is a very good time to do so, if the Senator is now prepared. There is nothing to

prevent him from proceeding.

Mr. POMERENE. I think I have taken about an hour in the discussion of this bill, though it is a pretty important measure. There is this question, and there is also another amendment which I intend myself to offer that will take some time to discuss before we get through with it. We have been in session now continuously since 12 o'clock, and if the Senator from Massachusetts [Mr. Lodge], the leader of the majority, desires to make a motion to take a recess at this time or go into executive session, I certainly shall withdraw my motion.

Mr. LODGE. Mr. President, I do not want to interfere with

the Senator in charge of the bill.

Mr. POMERENE. If that is so, I insist on my motion to

adjourn.

The VICE PRESIDENT. The question is on the motion of the Senator from Ohio that the Senate adjourn.

The motion was not agreed to.

Mr. POMERENE. If the Senate desires me to go on, I shall

Mr. POINDEXTER. If the Senator will pardon me, I have already stated that we were perfectly willing to accept the amendment.

Mr. POMERENE. Yes; I understand that; but will it be thrown out in conference?

Mr. POINDEXTER. I have no idea whether it will be or

not. At least, it will be fully considered.

Mr. POMERENE. I have had some experience recently in having amendments accepted and having them thrown out in conference. I am not in the habit of indulging in any undue delay, but I feel very deeply on this subject, and if necessary I will now go on.

The VICE PRESIDENT. The question is on the adoption of the amendment offered by the Senator from Tennessee [Mr.

MCKELLAR].

Mr. KING. Will the Senator from Ohio yield to me?

Mr. POMERENE. I yield.

Mr. KING. I wish to say to the Senator from Washington [Mr. Poindexter] that I have three amendments, the consideration of which will consume several hours.

Mr. POINDEXTER. Has the Senator only three amend-

ments to offer?

Mr. KING. I did not know but what that might induce the

Senator to consent to take a recess at this time.

Mr. KENYON. Mr. President, if Senators are going to insist on going ahead to-night, and the Senator from Ohio is going to speak, he certainly ought to have a quorum here. I do not think anything is going to be gained by trying to force this matter to-night.

Mr. McKELLAR. I understand the Senator from Washington [Mr. POINDEXTER] does not object to the amendment, and I hope the amendment may now be adopted while the matter is fresh in our minds. There seems to be no objection to the amendment. The Senator from Ohio [Mr. POMERENE] can speak in the morning and explain the amendment.

Mr. POMERENE. I am entirely willing that the amendment shall be accepted now, but I am going to lay the facts before the

Senate.

Mr. McKELLAR. Then I hope that action may be had on the amendment. If the Senator from Ohio will permit action to be had on the amendment now, I think it would be perfectly proper.

SEVERAL SENATORS. Vote!

The VICE PRESIDENT. The question is on agreeing to the amendment.

Mr. JONES of Washington. I do not know just what the language of the amendment is in its present form. These boys who are going back to the Naval Academy ought to go in at the beginning of the first school year?
Mr. POMERENE. Yes.

Mr. JONES of Washington. As I understand, when we nominate a man to the academy at Annapolis he enters on the 1st of June?

Mr. McKELLAR. I should be perfectly willing to have the amendment provide that the nomination shall be made within

60 days instead of a year.

Mr. POINDEXTER. That would limit it still further. The amendment says "within one year," but I prefer to have it within 60 days. If that change can be made, it will make it that much narrower.

Mr. McKELLAR. I will accept that modification.

The VICE PRESIDENT. The question is on agreeing to the amendment as modified.

Mr. KING. I should like to have the amendment stated, as there have been numerous amendments and modifications of it made.

Mr. POINDEXTER. I do not understand that there has been any amendment to the amendment. The rule of the Senate is that the Senator offering an amendment may modify it at any time until the amendment is voted upon.

Mr. KING. It is gratifying to have the Senator from Washington advise us of a rule that everybody is familiar with. I ask that the amendment may be stated, Mr. President.

The VICE PRESIDENT. The Secretary will state the amendment.

The Assistant Secretary. It is proposed to add at the end of the bill as a new section the following:

SEC. 18. That all midshipmen found deficient during the present or last session, and whose resignations were asked for and received by the Superintendent of the Naval Academy, if renominated to the academy within 60 days from the date of resignation, shall be admitted to the academ

Mr. McKELLAR. No; not "60 days from the date of resignation," but "60 days from the date of the approval of this It is not the fault of the clerks at the desk that the amendment is not in proper form, but it is our fault in not having the amendment perfected earlier. It should read "within 60 days from the date of the approval of this act," of course.

Mr. KING. Mr. President, if the Senator will permit me, no one seems to know just exactly what the amendment means. It shows the necessity of our adjourning, so that we may have an opportunity to consider it. I should like to hear the Senator from Montana explain what the amendment means.

Mr. McKELLAR. I hope the Senator will allow the amendment to be read.

The VICE PRESIDENT. The Secretary will state the amendment.

The Assistant Secretary. At the end of the bill it is proposed to add a new section, as follows:

SEC. 18. That all midshipmen found deficient during the present or last session, and whose resignations were asked for and received by the Superintendent of the Naval Academy, if renominated to the academy within 60 days from the date of the approval of this act, shall be admitted to the academy without regard to the age limit now provided by law, subject to other requirements as to qualifications for the admission of midshipmen to the academy now required by law, and shall be placed in the class one year behind their former class.

The VICE PRESIDENT. The question is on agreeing to the amendment.

Mr. JONES of Washington. Let me suggest to the Senator that instead of reading "60 days," it should read "if renominated prior to the opening of the next school year.'

Mr. McKELLAR. The next school year will begin on the 1st of June, and the time would be very short. I hope the Senator will accept the amendment as it is.

Mr. JONES of Washington. I have no serious objection,

although under the wording of the amendment they may be

nominated after the school year. As I understand, now mid-shipmen can not enter except on the 1st day of June or at whatever time the school year begins; so that if they are nominated after that date they will have to wait for another year.

Mr. KING. Mr. President, I should like to ask the Senator from Tennessee what is meant by the words "found deficient." Does that include mental defects and physical defects?

Mr. McKELLAR. Oh, no; quite the contrary. I think almost everybody knows what the words "found deficient"

Mr. LODGE. That is the customary phrase when a student fails to pass his examinations and to meet the requirements of his course of study.

Mr. McKELLAR. It is used by colleges all over the country to describe those who have failed to come up to the minimum requirements.

Mr. KING. I ask the Senator if under the amendment a young man would be permitted to enter the academy who was found physically defective?

Mr. McKELLAR. The amendment provides that the nominees shall comply with the qualifications provided by law. A man physically defective could not enter the academy.

Mr. KING. The word "deficient" is not well defined in the amendment. It does not relate to some other act specifically; so that if there is a statute defining what "deficiency" means it will be necessary to import that statute into the amendment.

Mr. McKELLAR. I will say to the Senator that the amendment suggested by the Senator from Washington covers that entire matter. It provides specifically that the applicant shall be subject to all the qualifications now required for admission.

Mr. POMERENE. Mr. President, I may say that the word "deficient" is the word which is used both in section 1519 as well as in the amendment to the deficiency bill which was approved on June 5, 1920.

Mr. McKELLAR. The expression is one used very generally. Mr. LODGE. That is absolutely correct; it is used in all colleges.

Mr. KING. May I inquire of the Senator from Montana whether Admiral Scales and those who have charge of the academy feel that this proposed legislation is proper?

Mr. WALSH of Montana. Mr. President, I have no informa-tion upon the subject at all. I do not think that any expression has been made upon the subject by him, nor do I think that the legislation now proposed has been given any consideration. I should like, however, to submit briefly that it is a sub-ject worthy of consideration whether this kind of legislation is not going to break down the standard of the academy. If the boys fail in their examinations they are obliged to take the penalty that is visited upon failure in every institution of learning in the country; but if they are given to understand that a special act of Congress will be passed admitting them the next year and only requiring that they shall fall back a year, it can very readily be understood that much of the incentive impelling the young men to do their best at this institution will be gone. Such a rule would not be applied in any other institution in the country that I know anything about. A student who has pursued the course of study for a certain period and has failed in his examinations is conditioned; that is to say, he is given a period of probation within which he must make up his studies and pass the appropriate and complete examination. If he fails to do so he is dismissed; but if he is immediately readmitted the whole character of the institution suffers in consequence. I repeat, that it is a subject very well worthy of much more consideration than it is possible to give it at this time. The VICE PRESIDENT. The question is on agreeing to the

amendment. [Putting the question.] The ayes have it, and

the amendment is agreed to.

Mr. KING and Mr. TOWNSEND called for a division.

Mr. POMERENE. I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. KING. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll. The Assistant Secretary called the roll, and the following Senators answered to their names:

Ashurst	Dillingham	Hitchcock	McNary
Borah	Elkins	Jones, Wash.	Nelson
Brandegee	Ernst	Kellogg	New
Broussard	Fernald	Kendrick	Newberry
Bursum	Frelinghuysen	Kenyon	Nicholson
Calder	Gerry	Keyes	Oddie
Cameron	Glass	King	Overman
Caraway	Gooding	Ladd	Phipps
Colt	Hale	La Follette	Pittman
Cummins	Harris	Lodge	Poindexte
Curtis	Harrison	McCormick	Pomerene
Dial	Heffin	McKellar	Sheppard

Shields Shortridge Simmons Walsh, Mass, Walsh, Mont, Warren Watson, Ga, Williams Willis Sutherland Townsend Underwood Underwood Wadsworth

The VICE PRESIDENT. Sixty-five Senators having answered to their names, a quorum is present.

#### ADJOURNMENT.

Mr. LODGE. I move that the Senate adjourn. The motion was a reed to; and (at 5 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Thursday, May 26, 1921, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES.

## WEDNESDAY, May 25, 1921.

The House met at 12 o'clock noon.

Mr. William Tyler Page, Clerk of the House, read the following communication:

SPEAKER'S ROOMS, HOUSE OF REPRESENTATIVES, Washington, D. C., May 25, 1921.

I hereby designate Hon. Horace M. Towner to act as Speaker protempore to-day.

Mr. TOWNER assumed the chair as Speaker pro tempore. The SPEAKER pro tempore. The Chaplain will offer prayer. The Chaplain, Rev. James Shera Montgomery, offered the following prayer:

Heavenly Father, the earth is Thy footstool, and at Thy feet we humbly bow. Hear us and never leave us alone. Make us worthy even of the littlest gifts of life and save us from the peril of weak desire. Lead us along the road of Thy truth and when it is too hard and we grow impatient make it break forth into the music of good cheer. Be the sovereign of all our hearts and bind them with the fetters of pure devotion to the loved ones at home and our dear native land. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

### CALL OF THE HOUSE.

The SPEAKER assumed the chair.

Mr. GARRETT of Tennessee. Mr. Speaker, I make the point

of order that there is no quorum present.

The SPEAKER. The gentleman makes the point of order that there is no quorum present. Evidently there is not.
Mr. MONDELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Fields	Lehlbach	Robsion
Bixler	Focht	Logan	Rosenbloom
Bond	Free	McPherson	Rossdale
Brennan	Gallivan	McSwain	Rucker
Browne, Wis.	Gould	MacGregor	Ryan
Buchanan	Graham, Pa.	Maloney	Sanders, N. Y
Burke	Hogan	Moore, Va.	Shaw
Burroughs	Houghton	Morin	Sisson
Campbell, Pa.	Hudspeth	Mudd	Slemp
Clark, Fla.	Hukriede	Murphy	
Clouse	Husted	Nolan	Snyder
			Stafford
Codd	Hutchinson	Parker, N. Y.	Stiness
Cole	James, Va.	Perkins	Sullivan
Cooper, Wis.	Kahn	Perlman	Thomas
Cramton	Kearns	Peters	Tinkham
Crowther	Kelly, Pa.	Petersen	Upshaw
Dallinger	Kendall	Porter	Vare
Drewry	Kennedy	Rainey, Ala.	Volk
Driver	Kindred	Rainey, Ill.	Ward, N. Y.
Dunbar	Kitchin	Reavis	Wason
Dunn	Kleczka	Reed, W. Va.	Winslow
Echols	Kopp	Riddick	Zihlman
Edmonds	Kraus	Riordan	
Ellis	Langley	Robertson	

The SPEAKER. Three hundred and thirty-six Members have answered to their names, a quorum.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to. The doors were opened.

# SECOND DEFICIENCY APPROPRIATION BILL.

Mr. CAMPBELL of Kansas. Mr. Speaker, I submit the following privileged report from the Committee on Rules, which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That in the consideration of the bill (H. R. 6300) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes, it shall be in order, the general rules of the House to the con-

trary notwithstanding, to offer and to consider the following amend-

trary notwithstanding, to offer and to consider the following amendments:

On page 16, after line 20, insert:

"Commissioner of the public debt, \$6,000.

"Commissioner of accounts and deposits, \$6,000.

"Division of deposits: Chief of division, \$3,500; assistant chief of division, \$2,500; clerks—1 \$2,250,1 \$2,000.1 \$1,800.1 \$1,600,1 \$1,400; messenger, \$840; assistant messenger, \$720; in all, \$16,610."

On page 17 after line 10, insert:

"Division of Bookkeeping and Warrants: For the force to be transferred to this division on account of the transfer of duties from the Division of Public Moneys, at annual rates of compensation during the fiscal year 1922, as follows: Assistant chief of division, \$2,500; clerks—2 at \$2,000 each, 3 at \$1,800 each, 3 at \$1,600 each, 2 at \$1,200 each, 2 messengers, at \$840 each, assistant messenger, \$720; in all, \$24,300."

On page 34, after line 4, insert:

"Maintenance, Bureau of Supplies and Accounts: The limitation specified under this head in the naval appropriation act for the fiscal year 1921 on expenditures for pay of chemists and for clerical, inspection, and messenger service in the supply and accounting department of the navy yards and naval stations and disbursing offices for the fiscal year 1921, is further increased by \$400,000."

On page 35, after line 21, insert:

"General Land Office: For additional employees during the fiscal year 1922 at annual rates of compensation as follows: Law examiners—2 at \$2,000 each, 4 at \$1,800 each, 10 at \$1,600 each; 4 clerks at \$1,400 each; in all, \$32,800."

On page 44, after line 20, insert:

"Salaries: For additional employees during the fiscal year 1922 at annual rates of compensation as follows: Two assistant directors, at \$4,000 each; expert on commercial laws in foreign countries, \$4,000; in all, \$12,000."

In the amendment adopted on page 45, after line 17, insert before the sum of \$250,000 the following: "fiscal year 1922."

in all, \$12,000."

In the amendment adopted on page 45, after line 17, insert before the sum of \$250,000 the following: "fiscal year 1922."

On page 46, after line 10, insert:

"The sum of \$250,000 of the appropriation of \$1,000,000 for the Bureau of the Census for the fiscal year 1922 is transferred to the Bureau of Standards and made available during that fiscal year for the following purposes and in the following amounts, respectively."

Mr. CAMPBELL of Kansas. Mr. Speaker, does the gentleman from Tennessee desire time for the consideration of the rule?

Mr. GARRETT of Tennessee. We should like to have half

an hour on this side.

Mr. CAMPBELL of Kansas. Mr. Speaker, I ask unanimous consent that we have one hour for the consideration of the rule, one-half to be under the control of the gentleman from Tennessee [Mr. Garrett] and one-half to be controlled by myself.

The SPEAKER. The gentleman from Kansas asks unanimous consent that there be one hour of debate upon the rule, one-half to be controlled by himself and one-half by the gentleman from Tennessee [Mr. GARRETT]. Is there objection?

There was no objection.

Mr. CAMPBELL of Kansas. Mr. Speaker, the purpose of this rule is to make in order the items read in the rule that went out during the consideration of the deficiency appropriation bill on points of order. The purpose is to give the House an opportunity to consider those items and insert them in the bill if the House sees fit to do so. It is the orderly way to proceed when the House finds itself in the condition in which it now finds itself on matters of this kind. There is nothing unusual or drastic about this rule. It simply gives the House an opportunity to say whether or not the activities provided for in these items shall be pursued during the next fiscal year.

Mr. RAMSEYER. Mr. Speaker, will the gentleman yield?

. Mr. CAMPBELL of Kansas. Yes.

Mr. RAMSEYER. This is legislation on an appropriation bill? How long has it been known to the Committee of the How long has it been known to the Committee on Ap-

propriations that this legislation is necessary?

Mr. CAMPBELL of Kansas. These are really appropriations on an appropriation bill that were not in order because they appropriate for the ensuing fiscal year, rather than for deficiencies in this and the last fiscal year.

Mr. RAMSEYER. Would they have been in order on an appropriation bill making appropriations for the next fiscal year?

Mr. CAMPBELL of Kansas. They would have been in order. Mr. RAMSEYER. All of these items?

Mr. CAMPBELL of Kansas. Most of them were provided for and have been provided for in the past.

I reserve the remainder of my time.

Mr. GARRETT of Tennessee. Mr. Speaker, I yield five min-

utes to the gentleman from Tennessee [Mr. Byrns].

Mr. BYRNS of Tennessee. Mr. Speaker, the deficiency appropriation bill as it was reported to the House by the Committee on Appropriations contained many items of appropriations and legislation which were subject to points of order. Many items in the bill involve salaries for additional employees during the year 1922. There is also legislation of interest to the public and to the country at large. The pending rule undertakes to make in order those items which carry the jobs, but it fails to make in order the items of legislation in the bill which are of interest to the public generally. For my part I am opposed to the rule which undertakes to take care of the jobs but fails to give consideration to the interests of the people of this country. [Applause on the Democratic side.]

There were some items in the deficiency bill involving employees for the next fiscal year to which I, as a member of the subcommittee, gave my assent. There were some items to which I was opposed. There are some items included in this rule involving positions for 1922 which I think are necessary, but I do not think those positions are quite so necessary as some legislation which was proposed by the committee and which has gone out on points of order and which could have been made in order by this rule now under consideration. Now, the whole trouble has arisen because in the last session of the last Congress, when the other side was in the majority as it is now, the effort was made to have the people understand that the knife was going to be applied to all of the governmental positions. Great credit was taken at that time because the legislative, executive, and judicial appropriation bill had greatly reduced the number of employees for the fiscal year 1922. It was stated then in the advocacy of that bill, by those proposing it, that they felt that every single dollar had been appropriated; that every position had been allowed which was necessary in order that the Government might fully and properly function during the fiscal year 1922. Now, after the new administration has taken charge, within less than three months, we find the heads of the departments of this administration coming to the Congress and saying that the Congress cut too deeply and they must have many of these positions restored, and the committee, as I have said, has restored a number. undertook to restore a number of them in the deficiency bill as presented. Those items went out-

The SPEAKER. The time of the gentleman has expired. Mr. BYRNS of Tennessee. Can the gentleman give me five minutes additional?

Mr. GARRETT of Tennessee. I can yield the gentleman three minutes.

Mr. BYRNS of Tennessee. Those positions went out on points of order. What does this rule do? This rule relates solely to jobs. This rule makes it in order to provide 50 new positions for the fiscal year 1922, aggregating in money the sum of \$97,710.

In these positions are two places carrying \$6,000 each per annum, three of them at \$4,000 each, one at \$3,500, and others of varying less amounts. In addition to that, it increases the limitation upon the employment of persons in the Navy Department, Bureau of Supplies and Accounts, by \$400,000, and hence makes \$400,000 available for the further employment of employees during the remainder of this fiscal year. In addition to that it undertakes to transfer from the Bureau of the Census \$250,000, which will not be used by that bureau, and make it available for positions in the Bureau of Standards for the next fiscal year, so this rule does nothing more nor less than to make available for salaries the sum of \$747,710. Now, what does it fail to do? There is a provision in this bill, put in there at the instance of the Secretary of Commerce, which gives him authority to fix fees for steamboat-inspection service and wireless service, a service that is costing this Government \$1,325,000 and possibly a million and a half dollars every year. This provision gave the Secretary the right to fix reasonable fees not to aggregate a sum in excess of the expenditures, and thus save to the people of this country and the Treasury a million and a half dollars a year. But this rule does not make it in order, and it has already gone out on the point of order. In addition to that, this bill undertook to give to the Secretary of Commerce \$250,000 to enable him to promote and extend our foreign commerce and extend our export industries. That has gone out on a point of order, and strange to say, this rule does not make that provision in order, and I wish to say again that I am infinitely more in favor of a provision giving to the Secretary of Commerce \$250,000 for the promotion and extension of our domestic and foreign commerce, and also the provision which would give to the Secretary the right to recoup from the shipowners the sum of \$1,500,000 expended every year for service rendered by the Steamboat-Inspection Service and the Bureau of Navigation to vessels of the United States and to foreign vessels, than I am in the provisions providing jobs during the next fiscal year of 1922. Therefore I am opposed to the adoption of this rule, and I hope it will be voted down. [Applause on the Democratic side.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from Indiana [Mr. Wood].

Mr. WOOD of Indiana. Mr. Speaker and gentlemen of the House, the gentleman who just preceded me [Mr. Byrns of Tennessee] referred to the action of the legislative committee in its attempt to reduce the clerical force of the United States and now criticizes the action of the Committee on Rules with reference to the rule brought in which will increase that number to some extent. We did the best we could at that time in

the light that we had. The trouble then, and perhaps the trouble now, is that we got but little encouragement from the department heads or from those who are in a position to know the exact situation with reference to the number of employees we should have. Diligent inquiry has been made, and among the things, perhaps, that we cut off, because of the fact that we had to cut in the dark, as every committee knows we have to do, because we are not aided by the heads of these bureaus,

possibly we may have cut off too many.

There is another consideration that I think will appeal to fair-minded men, that in these chaotic conditions, that in the unrestful situation not only this Government is in but the Governments of the world as well, and by reason of the fact of our being mixed up with all those foreign governmental affairs in an unsettled condition, which add to the unsettled conditions here, that perhaps there is necessity for the continuation of some of these clerks during this unsettled period. For instance, take the clerks who are asked for by the Treasury Department, some of which went out on a point of order that were provided for in the legislative bill. We then thought and think now they should be restored. Some of them are necessary, as those in authority say, who were in authority under a Democratic administration and who are still in authority, that until our foreign relations have been settled and until we know what we are going to do in relation to foreign loans and get them determined upon some stable basis that additional clerks will be necessary in the Treasury Department. This provision is for a single year, during which time it is hoped we will have more light upon this subject.

Now, with reference to the \$250,000 that is sought to be transferred from the Bureau of the Census to the Department of Commerce for its use in other activities that were talked about here yesterday, Mr. Rogers, for whom I have the highest possible respect, then chief of the Bureau of the Census, stated before the legislative committee that it would be essential that all this money be used in completing the census. Hoover, who succeeded him, by reason of his investigation, finds that in his opinion he can save possibly \$500,000 that Mr. Rogers thought then was necessary for the census. He is asking that \$250,000 be transferred for the purpose of encouraging other activities that are essential to all the business interests of this country, and that, if Mr. Hoover's idea is carried out, will result in a net saving of more than Mr. Rogers thought when he was at the head of the Census Bureau, If you figure out the net increase that will be warranted by reason of this rule if enacted into law, the number is not great and the amount involved is not great when compared with the great amount of money that is appropriated each year for the clerical force of this country. In fact, the net result will be a decrease in employees as compared with the present force. It is the desire, I know, of the legislative committee, I believe the desire of the general Committee on Appropriations, that we shall still continue to reduce this clerical army in the District of Columbia. It is too large now, and it should be reduced to that number absolutely necessary for the good conduct of the business of the United States. And it will be the purpose of those who are in charge to reduce it as fast as possible. And I hope, if this reclassification bill that is now being considered by the committee results in what we all desire it should result in, and this reorganization committee that now has charge of the reorganization of the governmental functions of this Government report what we think they should report, it will result in a reduction far greater than we now anticipate. The SPEAKER. The time of the gentleman has expired.

Mr. GARRETT of Tennessee. Mr. Speaker, I yield five minutes to the gentleman from South Carolina [Mr. Byrnes].

Mr. BYRNES of South Carolina. Mr. Speaker and gentlemen of the House, I want to refer to the amendment under the title of Bureau of Standards, which will be made in order by this rule. I feel very sorry for the position in which my good friend from Indiana [Mr. Wood] finds himself. He took seriously the promises of the Republican Party and made an effort to reduce the expenses of the Government. He appropriated \$1,000,000 for the Bureau of the Census, and now in 60 days thereafter you find the gentleman from Iowa [Mr. Goon], the chairman of the Appropriations Committee, make on the floor this statement in response to a question of mine:

Mr. Good. The Secretary of Commerce said that they would save \$500,000, but he hoped that we would not take more than \$250,000, as some conditions might arise where he would want that much.

Before the fiscal year begins, for which the committee presided over by my genial friend from Indiana [Mr. Wood] appropriated \$1,000,000, the chairman, Mr. Good, says they can save \$500,000, but the Secretary hopes we will not take more than \$250,000, as some conditions might arise where he would want that much.

Mr. WOOD of Indiana. Will the gentleman yield? Mr. BYRNES of South Carolina. I can not yield.

I thereupon offered an amendment that, inasmuch as the chairman advised us that the Secretary of Commerce did not need \$500,000, the \$500,000 be covered back into the Treasury to the credit of the taxpayers. Did that get by? The election was over. The gentleman from Iowa, the chairman of the committee, made a point of order on that. What is to be done with this \$250,000? The gentleman from Iowa said they had no use for it. But would they turn it back into the Treasury? Not while they can provide jobs for the faithful. The gentleman from Tennessee [Mr. Byrns] said that by this bill 500 new jobs were created. What did they do with the \$150,000? They propose to increase the appropriation to test cement, clay, and stone. I have the hearings here on this item in the legislative bill conducted by my friend from Indiana. They asked for \$175,000. He said:

You have estimated for an increase in your force there of 23 men? Mr. STRATTON, Yes.

Mr. Wood refused to give it to him. They did not give him but \$125,000. They come back now and want you to give them \$50,000, the amount you refused to give them last session.

In another item they asked for \$25,000 and you gave them nothing. Now they ask for \$100,000 for the same purpose, and

you give it to them.

My good friend, Jonathan Bourne, former Senator, in the last campaign conducted for the Republican publicity committee a column in the newspapers entitled "Unde Ted's Bedtime Stories." I now look for a revival of this column. Mr. MADDEN was treasurer of the committee. In this column Uncle Ted carried on a dialogue with Jack and Ruth, in which he discussed with the little ones when they went to bed at night public affairs, and I hear Jack asking Uncle Ted: "Uncle Ted, I notice there was \$250,000 that the chairman of the Appropriation Committee said the Bureau of the Census had no use for. Did they give it back to the people?" "No." they did not give it back to the people, what did they do with it?" "They created some new jobs." "How much did the Secretary of Commerce under the Democratic administration ask for the purpose of investigating and the testing of instruments?" "He asked for \$25,000." "Did he get it?" "No, dear Jack, he did not get the \$25,000. The gentleman from Indiana [Mr. Wood] and his committee refused to recommend a single cent." Mr. GOOD. The gentleman is making a mistake, I am sure.

The new job has been cut out. Mr. BYRNES of South Carolina. I take the statement of the Director of the Eureau of Standards to the gentleman from Indiana in the legislative hearings under the Bureau of Census, that the first item included 23 jobs. But he refused to give it

Mr. GOOD. We have more clerks there now than we will have next year.

Mr. BYRNES of South Carolina. He stated he would use the additional money to employ 23 more testers, employees drawing \$1,000 and \$1,500.

But let me get back to Uncle Ted's story. "Uncle Ted, let me ask you: You said that Mr. Wood refused to give them \$25,000. Did Mr. Wood and Mr. Mondell include that \$25,000 in the statements they made to the people of America that they had reduced estimates and by so doing saved money?" "They did include it, my young friends." "Was it saved to the people?" "It was saved until the election." "What about after the election?"

The SPEAKER. The time of the gentleman from South Carolina has expired.

Mr. BYRNES of South Carolina. I would like to have three minutes more.

Mr. GARRETT of Tennessee. I yield three minutes more to

the gentleman.

Mr. BYRNES of South Carolina. Uncle Ted said, "After the election they appointed Mr. Hoover." "What did he do?" He got hold of Dr. Stratton and appeared before another com-"He got what did he say to him?" "He appealed from the decision of the legislative subcommittee to the deficiency subcommittee, presided over by the gentleman from Iowa [Mr. Goop]." "What did he say?" "He said, 'Inasmuch as the Democratic administration is no longer in power and the Republican Party is pledged to economy, instead of asking for \$25,000, I will ask for \$75,000 more, making the estimate \$100.000." "But surely, Uncle Ted," said little Jack, "they did not do that?" Said Uncle Ted. "Yes, Jack; I hate to tell you that the committee presided over by Mr. Good told Mr. Hoover, Inasmuch as you are so extravagant as to increase the estimate \$75,000 more than your predecessor, I will go you \$25,000 better and give you \$100,000," which is \$100,000 more than the preceding Congress gave for this purpose for the fiscal year beginning July 1, 1921." At that staggering blow Jack said, "What will the people say?" "The people will say," answered Uncle Ted, "that it is exceedingly unfortunate that when President Harding goes to New York on Monday of this week and says we should be stony hearted in refusing to heed the appeals of people who want extravagant appropriations that we should have enough teamwork to cause Congress to refuse an appropriation of this kind."

We should exercise common sense and not invite the departments of this Government to appeal from the decision of the Committee on Appropriations and ask for an activity \$75,000 more than they asked for in the original estimates and have this committee give them every dollar they asked for. [Ap-

plause on the Democratic side.]

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. GARRETT of Tennessee. In order that we may get precisely what the President said on that occasion, let me read:

At this point let me say that too much stress can not be laid on the fact that eternal vigilance is the price of economy and efficiency. Nothing is easier in a Government establishment than to continue in existence offices, positions, employments, once created. It requires persistence, determined stony-hearted devotion to the public interest. There must be sacrifice of the interests of the place holder, whose only reason for keeping his position is that he wants the salary.

[Applause,]

Mr. BYRNES of South Carolina. I am glad my friend from Tennessee has read the President's words. If on this Republican side you would only vote the way you applaud and the way you speak, this country would be safe. But instead of doing that, I find you coming in here increasing appropriations, now that the election is over, taking back this \$25,000, taking back in the item preceding \$100,000, and refusing to turn back \$250,000 to the Public Treasury when the Secretary of Commerce says he does not need it, and when the Chairman of the Committee on Appropriations says he does not need it.

What excuse is there for it? The only argument that the

gentleman could use in behalf of it was that "Mr. Hoover asks for it." I want you to get stony hearted long enough to stand by what you have done, and not compel my friend, Mr. Wood of Indiana, to stand up here and explain why he refused to give them anything, while the gentleman from Iowa [Mr. Good] insisted on giving them \$100,000. [Applause on the Democratic

side. ]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. SNELL].

The SPEAKER. The gentleman from New York is recog-

nized for five minutes.

Mr. SNELL. Mr. Speaker and gentlemen of the House, I intend to take only a few minutes on this rule. The Committee on Rules has gone over as carefully as it could the whole situation presented by the present deficiency bill and selected only the items that seemed absolutely necessary for the efficient conduct of the public business.

The gentlemen on the other side of the House say we should appropriate only for what is necessary and leave out everything else. That is as far as we have gone. We have not made all of this legislation that was desired in order, because we wanted to protect as far as possible the jurisdiction of the regular legislative committees of the House, and I think we have done so in every instance, and for that reason have recommended to the House the consideration of a very few items and only those considered to be an actual necessity.

Mr. HICKS. Mr. Speaker, will the gentleman yield?

Mr. SNELL. I will.

Mr. HICKS. There are a good many of us in this House who feel that the present method of making appropriations is wrong. I would like to ask my colleague this question: Suppose this rule is adopted in this House. Will that take away from the legislative committees of the House the right that some think they should have of suggesting legislation? [Applause.1

Mr. SNELL. I am just as much interested in that proposition as my colleague from New York, and so far as I can learn I can not see anything in the rule that we have presented that interferes in any way with the rights of the legislative committees of the House. All of these matters are purely appropriating matters that come from the Committee on Appropriations and are under their jurisdiction and have to do with appropriations.

Mr. CARTER. But they are not authorized by law.

Mr. DEMPSEY. And you denied all matters of a legislative

for by our Democratic brethren and absolutely necessary to take care of the conditions as they exist to-day and they left to us? We are only taking conditions as we find them.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentle-

man yield?

Mr. SNELL. Yes.

Mr. GARRETT of Tennessee. That is what President Hard-

ing protested against in the article I read.

Mr. SNELL. The gentleman knows the difference between what President Harding was protesting against and what we are providing for at this time. He was protesting against unnecessary positions. But these are absolutely necessary for the conduct of the Government business, and no man would advocate doing away with a position that is essential to governmental efficiency.

Mr. WOOD of Indiana. Mr. Speaker, will the gentleman

yield?

Mr. SNELL. Yes.

Mr. WOOD of Indiana. It is stated this would be a positive increase in the number of employees. It will only add about 50, and it will decrease three times that number in the Census Office.

Mr. SNELL. We want you to have an opportunity to express yourselves not only on matters that are essential, but also on matters absolutely necessary to carry out the provisions of the budget law. That is what is provided for under section 4 of the rule. We also make provision for carrying out the provisions of the oil leasing bill, which was enacted by a practically unanimous vote of the House. Those things are absolutely essential for efficient operation of the Government's business and to put in effect laws you have enacted. Every one of the positions provided for in this bill will bring money into the Treasury instead of taking money out. I am just as much opposed to creating new positions as any other man on the floor of this House, and I have always voted against them. But I hope I am not so shortsighted as not to provide enough men to properly conduct the Government's business, and I am specially interested in positions that will bring money into the Treasury instead of taking money out of the Treasury.

Mr. BUTLER. Will the gentleman yield?

Mr. SNELL. I yield to the gentleman for a question.

Mr. BUTLER. This resolution proposes to make in order a

removal of the limitation which the Naval Affairs Committee put on certain appropriations. I do not propose to take the gentleman's time, but I want to say that it is a very great disappointment to me that you propose to increase that appropriation for clerical hire \$400,000, when we spent days and days quarreling over the same thing, and quarreled with the people who asked for it.

Mr. SNELL. That is a limitation that was placed upon this amount by the Appropriations Committee themselves.

Mr. BUTLER. It was the Naval Affairs Committee that did this, when we were alive [laughter]-when we were at work. Mr. SNELL. Yes; but when the final appropriation was made it was made by the Appropriations Committee, and they simply want to remove a limitation they put there themselves.

Mr. BUTLER. Oh, no; by the Naval Affairs Committee.

The SPEAKER. The time of the gentleman from New York

has expired.

Mr. SNELL. This rule is right, and should be adopted with-

out opposition.

Mr. GARRETT of Tennessee. I yield five minutes to the gen-

tleman from Texas [Mr. GARNER].

Mr. GARNER. Mr. Speaker and gentlemen of the House, I know very little about the merits of the proposed amendments. Unfortunately I have very little time to give attention to the various provisions in appropriation bills. I realize that when they are reported by the Appropriations Committee, as a usual thing, they are going to be adopted by the House, and I devote whatever energies I have to other legislative duties. know from the general admission here that the proposed amendments that are authorized will create jobs to the extent of threequarters of a million dollars. That is a considerable sum of

But I do want to say a word to the gentleman from Iowa [Mr. Goop]. If I understand correctly, this will probably be the last appropriation bill that he will report to the House of Representatives; and I want to say to him that while he is going down in history as the father of the budget system in this country, and very justly so, he is at the same time doing more for the destruction of that system, so far as the House of Representatives is concerned, than any other living man.

Gentlemen, you can not continue to bring in rules at the behest of the Appropriations Committee in order to make items Gentlemen of the minority are talking about new jobs. Are in order that are not in order under the general rules of the they new jobs or merely a continuation of matters provided House and the House continue to stand for such procedure.

Why, take this honest old Roman from Pennsylvania [Mr. BUTLER]. He is riled. Why? Because his judgment has been superseded. His judgment and that of his committee, after days and weeks of labor, have been set aside by a subcommittee composed of five of the Committee on Appropriations assisted actively by the Committee on Rules. Why, gentlemen, you are fixing to destroy the Appropriations Committee. You are fixing to go back to the old system of nine appropriating committees in this House. On my side of the House I was chided-and, probably, justly so-for my activity in assisting to change the I wanted to rules and to create one appropriating committee. economize in this Government. I wanted to see it run on business principles. That has always been my position, and I realized that when we got the budgetary system in the executive branch of the Government we ought to extend it to the House of Representatives in good faith, and therefore I helped to change the rules to create one appropriating committee instead But, gentlemen, I tell you frankly that if the experience we have had since we have had that one Committee on Appropriations is to continue in this Congress I for one am ready now to cut it asunder and go back to the old proposition that we had before. [Applause.] I say that in all good faith. If each time you bring in a bill you are going to the gentleman from Kansas [Mr. CAMPBELL] and say to him, "Here is what we want; here is what is necessary in order that we may have our will, regardless of what one man in the House may say if you are going to continue that method, it is not going to be long until you are going to have an insurrection led by Tom BUTLER and a few others on that side who have got the courage to do their will, and we are going to join with them over here and do a little business and turn the appropriating business back to the committees which formerly had it. [Applause.] I do not want to do that.

Mr. DAVIS of Minnesota. Nothing doing yet.

Mr. GARNER. I am frank to say I do not want to do it, but as certainly as you are here if you continue to legislate by special rules on appropriation bills that is going to be the

Now, the gentleman from Iowa [Mr. Good] could have entirely remedied this situation. I have seen appropriation bills go from this House to another body, and I have seen amendments put on there that were stricken out in the Committee of the Whole in the House of Representatives upon a point of order. It has been done ever since I have been here, and I challenge the gentleman from Kansas [Mr. CAMPBELL] to point to a single instance in the House of Representatives where a special rule has been brought in for an appropriating committee that did not involve a legislative proposition.

The SPEAKER. The time of the gentleman has expired.

Mr. GARNER. May I have two minutes more?

Mr. GARRETT of Tennessee. I yield two minutes more to

the gentleman.

Mr. GARNER. If during the 18 years that I have been here you have been able to bring out your appropriation bills from Mr. Butler's committee and other committees without a special rule in reference to particular items, why can not the Committee on Appropriations do it now? You never had a rule here before, while the Democrats were in power or the Republicans were in power, authorizing items on an appropriation bill that such rule did not contain legislative provisions.

Mr. GOOD. The gentleman does not mean to say that! If the gentleman will allow me, I will put into the RECORD rule after rule adopted while the Democratic Party was in power

making items in order on appropriation bills.

Mr. GARNER. Oh, yes, Mr. Speaker; but each one of those rules had in it some legislative provision. You can not find a single rule reported from the Rules Committee while the Democrats were in power the sole purpose of which was to put an item in an appropriation bill without a legislative provision being attached to it.

Mr. CARTER. Will the gentleman yield?

Mr. GARNER. Yes.

Did the Democrats, Republicans, or anyone Mr. CARTER. else ever before bring in a rule to make a deficiency in order on an appropriation bill when the time for spending the money

had not yet begun?

Mr. GARNER. Not so far as I know. I merely mention this because I do not want to see the system that we now have destroyed, and I warn you that if you continue this special-rule business you are going to so disgust a number of honest Republicans who have got courage that they are going to join the same kind of folks on this side of the House and destroy the new system. [Applause.] I yield back whatever time I have

The SPEAKER. The gentleman used all his time.

Mr. CAMPBELL of Kansas. Mr. Speaker, how does the time stand?

The SPEAKER. The gentleman from Kansas [Mr. CAMP-BELL] has 17 minutes and the gentleman from Tennessee [Mr. GARRETT] has 7 minutes remaining.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MANN]. [Applause.]

Mr. MANN. Mr. Speaker, our Democratic friends who have nothing else to do but try to worry us need not be alarmed. The Republican administration and the Republican side of this House and of the Senate propose to conduct the Government economically and efficiently regardless of their small kicks and objections. [Laughter and applause on the Republican side.] The gentleman from Texas [Mr. GARNER] made two statements, one that he knew very little about appropriation bills, and that he proved by saying that the Democratic side passed no rules providing for inserting appropriation items in appropriation bills. There were more rules for that purpose passed by the House during the eight years of Democratic control in this House than had been passed before during the whole history of the Government. [Applause on the Republican side.] Of course, the gentleman from Texas is not familiar with them.

But, Mr. Speaker, I rose for another purpose. I am used to this pin pricking; it does not bother me like it may affect some of the younger Members of the House. That is the duty of the majority side-to stand the pin pricking of the minority side of the House, which deals in little things instead of big

things of legislative work before the House.

Mr. Speaker, there has been since I have been a Member of the House quite a long line of illustrious chairmen of the Committee on Appropriations. When I came into the House that dear old patriot, Uncle Joe Cannon, was chairman of the Committee on Appropriations. [Applause.] And when he made Speaker he was followed by a distinguished son of Indiana, James A. Hemenway, who himself was followed by another distinguished son from Minnesota, James A. Tawney. These three were Republicans. When the Democrats came in control of the House they kept up the high standard. John J. Fitzgerald, for years chairman of the Committee on Appropriations, a brilliant and great man, was followed by Swagar Sherley along the same lines of broadness and greatness. And now we came into power again, and a distinguished son of Iowa, James W. Good, was made chairman. [Applause.] Uncle JOE CANNON, himself having been long chairman of the Committee on Appropriations, appointed Mr. Hemenway chairman; he appointed Mr. Tawney chairman; and he appointed Mr. Good on the Committee on Appropriations. There is not a committee of the House where the chairman of the committee has to stand so much against the requests of Members of the House as the chairman of the Committee on Appropriations. The position requires nerve and determination; all of these chairmen have had these qualities, including the gentleman from Iowa, Mr. Good, the present chairman. He is shortly to leave this House, according to rumor and report and my belief, to honor me by becoming a constituent of mine. I shall feel highly honored to have Mr. Good as a resident of the district I have the honor to represent. We all honor him; we all wish for him success and happiness in life. A distinguished Member of this House, he has made a steady and distinguished chairman of the committee, worthy of the long line of the great chairmen of that committee, and I hope he may have everything that he may want in the future both for himself and his family. [Applause.]

Mr. GARRETT of Tennessee. Mr. Speaker, I yield three minutes to the gentleman from Texas [Mr. CONNALLY].

Mr. CONNALLY of Texas. Mr. Speaker and gentlemen of the House, the distinguished gentleman from Illinois [Mr. MANN], who has just yielded the floor, has attained the eminent position which he occupies in this Chamber by reason of his familiarity with the laws and the rules of this House. If we are to depart from the observance of orderly processes, then most any tyro can hope some day to attain the place of power of the gentleman from Illinois. Without observance of the rules his knowledge becomes useless. We take no issue with him in the personal tribute he paid to the distinguished gentleman from Iowa, but we rather think it ill becomes the Republican side of this House, just when the gentleman from Iowa is departing, under a special rule to provide for a host of new Government jobs and to take a course diametrically opposed to that which has been espoused so many years by the gentleman from Iowa.

This is a land of law. Whenever this Government or any other Government departs from the legal pathways laid down for its conduct it becomes an autocracy. If it adopts a law and violates it by not observing it, it is no less an autocracy than if it has no law except the rule of might. By the adoption of this rule this House confesses that it is not able to function according to the regular rules of this body. It admits the charges that have been made against the institution of the budget and one appropriating committee that all the power of the House will be centered in the Appropriations Committee and the Committee on Rules. The House will not function as a legislative body. Two committees will wield absolutely all the power that resides in this body. Under this rule amendments which are not in order under the general rules are made in order carrying \$747,000.

Seven hundred and forty-seven thousand dollars for what? For new jobs. I said that this was a land of law, but it is said that necessity knows no law. Necessity before the election required that the Republican Party should promise a reduction in the clerical and other forces of the Government. Necessity after the election, the necessity to get every job, requires that they discard that slogan and provide the jobs which are to be provided under this rule. The Republican Party came into power in March. Like that stormy month, with loud protesta-tions of economy, "It came in like a lion," but, with March, "It

went out like a lamb."

It must indeed be humiliating-it is to some of us on this side-to see these two old veterans in the war for economy, the gentleman from Indiana [Mr. Wood] and the gentleman from Iowa [Mr. Good], who in all of the years that I have served -and, by the way, it was all during a Democratic administration—with tears in their eyes, crying out against the departments, saying that they should be cut down by reducing the employees, that the poor, suffering taxpayers should be relieved, and that the army of job holders be disbanded, to now see the gentleman from Indiana rise in his place, come to the mourner's bench as a penitent, and the gentleman from Iowa no longer in favor of reducing the rolls. They perhaps feel "we are all at last at the old pie counter and we will hold a revival and call all the brethren to the feast." [Laughter and applause.]

Mr. Speaker and gentlemen of the House, the deficiency is not alone in the appropriations, but the real deficiency is in the Republican side of the House in not being able to conduct the affairs of the Government according to the rules and laws laid down for its government and its procedure. [Applause on the

Democratic side.]

Mr. GARRETT of Tennessee. Mr. Speaker, if this were in any way a personal matter it would present phases of embarrassment to the minority side, because the minority Members recognize in the gentleman from Iowa [Mr. Good] a man of great ability, a man of superb courage, a man of the highest integrity and of the highest patriotism. The fact that the gentleman from Iowa is an intense partisan does not in any way depreciate our respect for him. I like men of that sort, and I like to meet men of that kind.

But this is not a personal matter. This is a matter which, however little you may think of it, tests the new system of appropriations. I gave my support, not without embarrassment to me personally, to the new rule which limited the Appropriations Committee to appropriations and the legislative committees to legislation. This is the second time that the author of that rule himself, when he has been in personal charge of the bill, has by the force of his influence and power compelled the Committee on Rules to bring in a special rule which destroys the general rule of the House. If that custom be continued, as the gentleman from Texas [Mr. Garner] so well said, it will destroy that new rule. These matters ought to be referred to the legislative committees. True, these provisions are only job-creating provisions, but nevertheless they are legislation. A strange and mysterious thing to me is that in view of the fact that there was some legislation in the bill which was good, the Committee on Rules would not make that in order, and only made that in order which creates the jobs, but that is a matter of small consequence.

Mr. BUTLER. Mr. Speaker, will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. BUTLER. The provision of the resolution which changes the limitation put upon the clerical hire for chemists in the

Navy Department is certainly legislation.

Mr. GARRETT of Tennessee. It undoubtedly is, and it is a matter of which I do not believe the committee which reported the bill has as much information as the Naval Committee, and I think it should have come from the gentleman's committee.

Mr. BUTLER. Did not the gentleman say there was no legislation covered in this rule?

Mr. GARRETT of Tennessee. Oh, no; I said that all of it

was legislation. I said there was some good legislation which, if they were going to cover anything, might have been covered.

The SPEAKER. The time of the gentleman from Tennessee

has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, this discussion has been rather interesting. I did not think this rule was as important as has been made to appear by the discussion on the other side. I have been on the Committee on Rules for many years and took some part as a minority member of that committee for a period of eight years under the Democratic regime. This is one of the most innocent rules that has been brought into the House within my service on that committee. One Member of the minority side complains that it does not contain legislation and another complains that it does. But the really amusing part of the discussion was when Mr. Garner, the gentleman from Texas, endeavored to be serious when he bewailed what he hoped was an embryo revolution on this side of the House. Why, if the gentleman from Texas could start trouble on this side of the House he would be happy. That is just how much he would deprecate trouble on this side of the House. As a matter of fact, there has been much ado about nothing. There have been no new jobs created except in a very few instances. There are transfers of employees in the Treasury Department, made necessary by reason of the contemplated inauguration of the budget system. It is proposed, as an illustration, to transfer 16 employees from one section of the Treasury Department to another at the same salary which they have been receiving throughout the years in the Treasury Department. Yet the gentleman from Tennessee [Mr. Garrett] and the gentleman from Texas [Mr. Garner] would have you believe that we are creating new offices here to make additional raids on the Treasury, that we are not following our preach-ments for economy in the past. We are merely simplifying the activities of the executive departments of the Government by transferring and consolidating under this rule activities in the executive departments. It could not be done on a deficiency appropriation bill under the general rules of the House. budget system has not yet become a law. The conference report has just been agreed to by the conferees. It will be sent to the President within a few days. That is what makes much of this transfer of employees in the departments necessary upon this bill. Gentlemen would lead Members of the House to believe that new offices are created. It is nothing of the kind. discussion of these items on their merits, when we reach them in the consideration of the bill, you can vote them up or down as you see fit. You can increase or diminish the number of these employees or their salaries. This rule gives you an opportunity to consider them in the light of the new conditions that are to be inaugurated largely by the budget system. The same is true of the next section that is made in order.

Provision is made here for 21 employees in the General Land Office. In the closing hours of the last session we passed a mineral and oil leasing bill. This could not have been appropriated for, because that bill did not become a law until the very closing hours of the session. It is necessary to provide for those activities in this bill. It could not be done under the present rules of the House. That is all there is to that. There is no disposition on the part of the Committee on Rules to take from any legislative committee in this House its authority, and it has not done so. These are appropriating

Mr. BUTLER. How about the limitation?

Mr. CAMPBELL of Kansas. I will come to the limitation.

Mr. BUTLER. It is raised \$400,000.
Mr. CAMPBELL of Kansas. Yes. The Committee on Appropriations diminished the limitation and then found it necessary to increase it, as they say. When this matter is reached here this afternoon under this rule the gentleman from Pennsylvania, thoroughly familiar with the conditions surrounding this item, may take the floor and convince the House that it is not necessary to raise the limitation on that appropriation.

Mr. GARRETT of Tennessee. In five minutes?

Mr. CAMPBELL of Kansas. In five minutes. If he can Mr. BUTLER. I appreciate what the gentleman has said, but

we took about two weeks fixing it once. [Laughter.] Mr. CAMPBELL of Kansas. If the gentleman from Penn-

sylvania is opposed to this item-

Mr. BUTLER. I am going to vote against it. Mr. CAMPBELL of Kansas. He can vote against it, and he can persuade other gentlemen to vote against it. That is the privilege that this rule gives.

Mr. BUTLER. I appreciate that, and I would say to my friend that I want only to take care of myself; I am not think-

ing of anyone else.

Mr. CAMPBELL of Kansas. What is said of this item is true of others. Transfers are made in the Department of Commerce from one branch of the service to another. It is charged here that this is an onslaught on the Treasury. It is merely transferring clerks and officers from one bureau to another who have been on the pay roll for years. Some of them will be eliminated, because they have not been appropriated for. This rule simply gives the Committee of the Whole, in the further consideration of the deficiency bill, an opportunity to say whether the items made in order should be appropriated for in the ensuing fiscal year. That is all there is to it. We will have a chance to vote up or down these items.

The Chair in the consideration of this bill ruled them out on points of order because they were providing for activities for the ensuing fiscal year rather than deficiencies in the present or past fiscal years. It is thought by the Committee on Appropriations that these activities should be provided for, and we are bringing this rule to enable the House to decide whether or not this shall be done. Mr. Speaker, no substantial reason having been given why the House should not have an opportunity to consider these items in an orderly way under the rule as provided in this rule

Mr. WALSH. Will the gentleman yield? Mr. CAMPBELL of Kansas. I will.

Mr. WALSH. Does the Committee on Rules ordinarily sit as a court of appeals to consider the merits of these various items after one committee of the House has considered the matter?

Mr. CAMPBELL of Kansas. No; not ordinarily nor extraor-

dinarily.

Mr. WALSH. Did they do so in this case?

Mr. CAMPBELL of Kansas. They did not.

The SPEAKER. The time of the gentleman has expired. Mr. CAMPBELL of Kansas. Mr. Speaker, I move the pre-

vious question on the resolution. The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the Chair announced the ayes seemed to have it.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 224, nays 113, answered "present" 3, not voting 90, as follows:

### YEAS-224.

Ackerman	Faust	Langley	Reece
Anderson	Fenn	Larson, Minn.	Reed, N. Y.
Andrews	Fitzgerald	Lawrence	Rhodes
Anthony	Focht	Leatherwood	Ricketts
Appleby	Fordney	Lee, N. Y.	Roach
Arentz	Frear	Lehlbach	Robsion
Atkeson	Freeman	Lineberger	Rodenberg
Bacharach	French	London	Rogers
	Frothingham	Longworth	Rose
Barbour	Fuller	Luce	Sanders, Ind.
Beck		Lufkin	Schall
Begg	Funk		Shaw
Bird	Gahn	Luhring	
Bixler	Gensman	McArthur	Shreve
Blakeney	Gernerd	McCormick	Siegel
Boies	Glynn	McFadden	Sinclair
Bond	Good	McLaughlin, Nebr	Sinnott
Bowers	Goodykoontz	McLaughlin, Pa.	Smith
Brennan	Gorman	Madden	Snell
Brooks, Ill.	Graham, Ill.	Magee	Speaks
Brooks, Pa.	Green, Iowa	Maloney	Sproul
Burdick	Greene, Mass.	Mann	Stephens
Burroughs	Greene, Vt.	Mapes	Stiness
Burtness	Griest	Merritt	Strong, Kans.
Burton	Hadley	Michaelson	Strong, Pa.
Butler	Hardy, Colo.	Michener	Summers, Was
Cable	Hawley	Miller	Sweet
Campbell, Kans.	Hays	Mills	Swing
Cannon	Herrick	Millspaugh	Taylor, N. J.
Chalmers	Hersey	Mondell	Temple
Chandler, N. Y.	Hickey	Montoya	Thompson
	Hicks	Moore, Ill.	Tilson
Chindblom	Hill	Moore, Ohio	Timberlake
Christopherson	Himes	Moores,Ind.	Tincher
Clague	Hoch	Morgan	Towner
Classon		Mudd	Treadway
Colton	Hogan		Vaile
Connolly, Pa.	Houghton	Nelson, A. P.	
Cooper, Wis.	Hull	Nelson, J. M.	Vare
Copley	Ireland C Dole	Newton, Minn.	Vestal
Coughlin	Johnson, S. Dak.	Newton, Mo.	Voigt
Curry	Johnson, Wash.	Norton	Volstead
Dale	Jones, Pa.	Ogden	Walsh
Darrow	Keller	Olpp	Walters
Davis, Minn.	Kelley, Mich.	Osborne	Watson
Dempsey	Kiess	Paige	Webster
Denison	King	Parker, N. J.	Wheeler
Dickinson	Kinkaid	Parker, N. Y.	White, Kans.
Dowell	Kirkpatrick	Patterson, Mo.	White, Me.
Dunn	Kissel	Patterson, N. J.	Williamson
Dyer	Kleczka	Perkins	Winslow
Edmonds	Kline, Pa.	Porter	Wood, Ind.
Elliott	Knight	Pringey	Woodyard
Ellis	Knutson	Purnell	Wurzbach
Elston	Kopp	Radcliffe	Wyant
Evans	Kraus	Ramseyer	Yates
Fairehild	Kreider	Ransley	Young
Fairfield	Lampert	Reber	Zihlman
	STATE OF THE STATE	concentrate III - III III	CONTRACTOR OF THE PARTY OF THE

	NAY	8-113.	
Almon Aswell Bankhead Barkley Beedy Beell Black Bland, Va. Blanton Bowling Box Brand Briggs Brinson Bulwinkle Byrnes, S. C. Byrns, Tenn. Cantrill Carew Carter Collier	Drane Dupré Envrot Fisher Flood Fulmer Gallivan Garner Garrett, Tenn. Garrett, Tex. Gilbert Goldsborough Griffin Hammer Hardy, Tex. Harrison Hawes Hayden Huddleston Humphreys Jacoway James, Mich. Johnson, My. Johnson, My. Johnson, Mys. Jones, Tex. Ketcham Kincheloe	Lankford Larsen, Ga. Lazaro Lee, Ga. Linthicum Logan Lowrey Lyon McClintic McDuffle Mansfield Martin Mead Montague Moore, Va. O'Brien O'Connor Oldfield Oliver Overstreet Padgett Park, Ga. Parks, Ark. Parrish Pou Quin Raker	Riordan Rouse Sanders, Tex. Sanddin Sears Smithwick Steagall Stedman Stevenson Stoll Sumners, Tex. Swank Tague Ten Eyck Tillman Tyson Underhill Vinson Ward, N. C. Weaver Wilson Wingo Wise Woodruff Woods, Va. Wright
Dominick Doughton	Kunz Lanham	Rankin Rayburn	
Lauton	McLaughlin Mi	"PRESENT"—	8.

Layton McLaughlin, Mich. Williams

	NOT V	OTING-90.	
Ansorge Benham Bland, Ind. Britten Brown, Tenn. Browne, Wis. Buchanan Burke Campbell, Pa. Chandler, Okla. Clark, Fla. Clarke, N. Y. Clouse	Dunbar Echols Fess Fields Fish Foster Free Gould Graham, Pa. Haugen Hudspeth Hukriede Husted	OTING—90, Kline, N. Y. Lea, Calif. Little McKenzie McPherson McSwain MacGregor Mason Morin Mott Murphy Nolan Perlman	Rucker Ryan Sabath Sanders, N. Y. Scott, Mich. Scott, Tenn. Shelton Sisson Slemp Snyder Stafford Steenerson Sullivan
Cockran Codd Cole Connell Cooper, Ohio Cramton Crowther Dallinger Drewry Driver	Hutchinson James, Va. Jefferis Kahn Kearns Kelly, Pa. Kendall Kennedy Kindred Kitchin	Peters Petersen Rainey, Ala, Rainey, Ill. Reavis Reed, W. Va. Riddick Robertson Rosenbloom Rossdale	Taylor, Colo. Taylor, Tenn. Thomas Tinkham Upshaw Volk Ward, N. Y. Wason

So the resolution was adopted.

The Clerk announced the following pairs:

On the vote:

Mr. Reavis (for) with Mr. Kitchin (against). Mr. Kearns (for) with Mr. Driver (against).

Mr. Hukriede (for) with Mr. Sisson (against).
Mr. Graham of Pennsylvania (for) with Mr. Kindred

(against). Mr. Echols (for) with Mr. McSwain (against) Mr. McPherson (for) with Mr. Rucker (against).

Mr. Free (for) with Mr. Hudspeth (against). Mr. Connell (for) with Mr. Buchanan (against).

Mr. Volk (for) with Mr. Taylor of Colorado (against).
Mr. Shelton (for) with Mr. Cockban (against).
Mr. Burke (for) with Mr. Campbell of Pennsylvania

(against). Miss Robertson (for) with Mr. Clark of Florida (against).

Mr. Kendall (for) with Mr. Drewry (against).
Mr. Bland of Indiana (for) with Mr. Fields (against).
Mr. Chandler of Oklahoma (for) with Mr. Sullivan (against).

Mr. Dallinger (for) with Mr. Rainey of Alabama (against).
Mr. Clarke of New York (for) with Mr. Thomas (against).
Mr. Clouse (for) with Mr. James of Virginia (against).

Mr. CLOUSE (10r) with Mr. James of Virginia (against).
Mr. Cramton (for) with Mr. Upshaw (against).
Mr. Codd (for) with Mr. Sabath (against).
Mr. Hutchinson (for) with Mr. Lea of California (against).
Mr. Dunbar (for) with Mr. Rainey of Illinois (against).

The result of the vote was announced as above recorded.

## THE BUDGET (H. REPT. NO. 96).

Mr. GOOD, from the committee of conference, presented the conference report on the bill (S. 1084) to provide a national budget system and independent audit of Government accounts, and for other purposes, which was ordered printed under the

### DEFICIENCY APPROPRIATIONS.

Mr. GOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6300. The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6300, with Mr. Campbell of Kansas in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6300, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 6300) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes.

The CHAIRMAN. The Clerk will read.

Mr. GOOD. Mr. Chairman, inasmuch as we have just had some discussion on the rule, I offer first an amendment which the rule made in order.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. Good: Page 16, after line 20, insert:

"Commissioner of the Public Debt, \$6,000;

"Commissioner of Accounts and Deposits, \$6,000;

"Division of Deposits: Chief of division, \$3,500; assistant chief of division, \$2,500; clerks—1 \$2,250, 1 \$2,000, 1 \$1,800, 1 \$1,600, 1 \$1,400; messenger, \$840; assistant messenger, \$720; in all, \$16,610."

Mr. WINGO. Mr. Chairman, I raise a point of order, because in the consideration of the bill we have passed that page, and the special rule which the House adopted did not provide to return to that page of the bill.

The CHAIRMAN. The Chair overrules the point of order.

Mr. WINGO. The Chair does not care to hear me?

The CHAIRMAN. The gentleman from Iowa has the floor.

Mr. WINGO. Will the gentleman yield to me? Mr. GOOD. I yield to the gentleman.

Mr. WINGO. It is sought to put in by one amendment \$28,610 worth of salaries for certain gentlemen, which were made in order by the special rule. Of course, the special rule simply made it in order. If it had been drawn accurately, of course it would have provided for returning, or else they would not have specified the page. But when blacksmiths go into the jewelry-repair business you can not expect anything else.

This is just typical of the boasted efficiency they keep on telling us they are going to give us, but which is kind of hovering in the offing and acting with some timidity in entering this The economy program, too, I suppose, will come in sooner or later. The gentleman from Illinois [Mr. Mann] said they were going to practice economy; that that was the way they were going to conduct the business in spite of all the nagging of the Democrats. If you do actually practice economy, we will be mighty glad, but we are going to continue to nag you until we get you to adopt the Democratic program of economy. We are with President Harding. That is the reason why we voted against this infamous rule. We think he ought to be supported in his sincere efforts to check extravagance and get rid of hungry officeholders who are hanging at the garments of you gentlemen. I have gone through that. But God save the United States Treasury. Your President does not seem to be able to do it. You have to bring in special rules to overcome his recommendations.

Mr. GOOD. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto close in 10

The CHAIRMAN. Is there objection? [After a pause.] The

Chair hears none.

Mr. BLANTON. Mr. Chairman, I rise in opposition to the amendment.

This amendment alone provides for \$28,610, and is a portion of the \$747,710 made in order by the rule which the House has just adopted. But for that rule this \$747,710 would have been kept out of this bill and been saved for the people. That is, by voting for this rule we allow this \$747,710 to be spent.

Mr. GOOD. Will the gentleman tell us where the \$747,000 is? BLANTON. I will do it. This first amendment is \$28,610; the next one is \$24,300; the next is \$400,000; the next for \$32,800; the next for \$12,000; and the last for \$250,000. making a total of \$747,710.

Mr. GOOD. Oh, no. Not a dollar of appropriation. Mr. BLANTON. Oh, but the part the gentleman has in mind is money that has already been appropriated, and which is going to be used now, which otherwise would not have been used, but saved for the Treasury. And my distinguished colleague on the other side of the aisle, the gentleman from Pennsylvania [Mr. BUTLER], chairman of the Naval Affairs Committee, has tried to make the chairman of this committee understand that, and he does not seem to be able to do in. But he understands it, all right. All of us understand it.

Mr. GOOD. No. You do not understand a thing about it.

[Applause on the Republican side.]

Mr. BLANTON. If it could have been spent without passing these amendments, why was it necessary to put in the rule?

Mr. GOOD. Tell the committee what that force will do, if you understand it. The gentleman can not tell a single thing the force will do.

Mr. BLANTON. If I had more than two minutes, I could. The gentleman can not take all the time, because I want some of the time myself.

Mr. GOOD. You do not know anything about it.

Mr. BLANTON. I know more about it than you would like these other Members to know. You keep them in the dark and are thus voting them here for this extravagance. However much extravagance and wastefulness there is now in this House of Representatives, I thank God, and I congratulate the people of this Nation, upon the fact that in the general grab-bag selection of officers in the political turnover last November the people nevertheless drew a big man in the White House. [Applause on the Republican side.] I thank God that the people through that grab-bag selection drew a man who believes in economy, who stands foursquare for it. Let me remind you that when you fellows here tried to force a two or three hundred thousand dollar inauguration program on him he would not stand for it, and he spanked you and turned you down, and he made you haul the numerous big stacks of lumber that you had piled sky-high over in front of the Capitol back to the lumber yards unused. And I want to warn you, if he is the kind of a man that he has made me believe he is, he is going to make you take every one of these wasteful, unnecessary items out of this bill, because he promised the people of this Nation in New York day before yesterday that he was going to stop this extravagant expenditure of money, and that he was going to cut down this office force in Washington. And I believe in him. I have looked him in the eye, and I believe he is honest in it, and I am backing him up. Though a partisan Democrat, I appreciate our President and his efforts for the

Mr. GOOD. Tell us about the \$400,000 new.

Mr. BLANTON. I will tell you about it. Your Naval Affairs Committee that is presided over by that old war horse from Pennsylvania [Mr. Butler] turned this item down. He under-

Mr. GOOD. What is it for? Mr. BLANTON. Most of it is going to be paid for clerical hire and expenses for an army of useless employees next month in that particular branch of the service.

Mr. GOOD. What do they do? The gentleman does not

Mr. BLANTON. Oh, the gentleman is not going to take me away from the sulject of my argument. [Laughter.]

The gentleman provides for 50 new employees here under this rule; 50 specified positions, if you please, running from \$6,000 a year each on down, and in the big lump-sum appropriation of \$400,000 and this other appropriation of \$250,000 that has been transferred to the Bureau of Standards there is a small army more of extra employees provided for as against premises made to retrench.

Mr. WINGO. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. WINGO. The gentleman from Iowa [Mr. Goop], out of the depth of his information, asked what they are going to do? Mr. BLANTON. Yes. Besides drawing salaries, they are going to vote the Republican ticket—or he thinks they are—in the future.

Mr. WINGO. They will principally draw salaries. Mr. BLANTON. Oh, yes; and fill jobs for the Republican machine. I do not blame you fellows for trying to take care of your constituents. I try to take care of mine. But you ought not to do it at the expense of the people now when we are facing a deficit of over \$3,000,000, and our expenses, as shown by the gentleman from South Carolina [Mr. BYRNES] the other day, have run up this year to \$5,600,000,000. We ought to call a halt. Most of you gentlemen believe in calling a halt, and most of you, if you had not been whipped into line by a machine with every cog greased, would have voted against that rule, because most of you really believe in economy. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas

has expired.

Mr. GOOD. Mr. Chairman, this item provides seven positions apparently, but they are not new positions. Every one of these employees is now holding one of these positions. But the gentleman from Texas [Mr. BLANTON] fails to tell the House that by the rule you have adopted you have reduced the salary of the chief of the Division of Deposits from \$4,500 to \$3,500 and that you have reduced the salary of the assistant from

\$3,000 to \$2,500. Every position that we have here now has been filled during all of these years, and you have had two Assistant Secretaries of the Treasury in addition to that assisting them at their work, and these you will not have next year.

This item of the Commissioner of the Public Debt was carried The gentlein the legislative bill when that bill was reported. man from Texas made a point of order against this position, that of the Commissioner of Public Debt. He wants to know what he does. He has supervision over and coordinates the work of the Register of the Treasury. He handles the retired securities as they come in. He coordinates the Division of Loans and Currency, which handles the issue of new securities. He has 3,000 employees under him in these three divisions that he is attempting to coordinate. The Commissioner of Public Debt will handle the public debt of \$24,000,000,000, with about \$7,500,000.000 maturing obligations within the next three years. He has grown up in the service. He is a civil-service employee. He is the same man who was there during the former administration, and he is a very capable man.

Now, take the commissioner of accounts and deposits. have loaned almost \$500,000,000 to the railroads of the United We have loaned \$10,000,000,000 to foreign countries. The office of the commissioner of accounts and deposits is the only organization in the Treasury Department to-day that has to do with the collection of the interest on the \$500,000,000 loaned to the various railroads of the country. But the gentleman would hamper the Government and deprive it of the revenue by

not providing for his place.

Mr. CARTER. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. CARTER. Why were not these amounts, these salaries,

in the bill as they should be?

Mr. GOOD. In the reorganization under President Wilson these salaries were paid out of a lump-sum appropriation, and that lump-sum appropriation ceased to be available for that pur-

pose. I am sorry I can not yield further.

Now, take the Division of Deposits. This division was established by President Wilson in 1919. The present incumbent has performed the work, but without title. He supervises and coordinates the work of the Treasury. The Division of Deposits and the Division of Bookkeeping and Warrants handles payments running into very big figures every day. He exercises immediate supervision over the Treasury balances in the 12 Federal reserve banks, the 24 branch banks, and 500 national banks.

A Republican House that reduced the estimates of the former administration for this year by over \$1,000,000,000 is now criticized because it wants the Government to function in a healthy and efficient way. We propose to have it function in that way. We are behind President Harding in his demand for economy. We have been behind him all the time, and we are going to continue to give him support, and we are going to enforce a degree of economy that will make the past administration look very sick indeed. [Applause on the Republican side.]
The CHAIRMAN. The time of the gentleman from Iowa

has expired. The question is on agreeing to the amendment

offered by the gentleman from Iowa.

The question was taken, and the Chairman announced that the ayes appeared to have it.

Mr. BLANTON. Mr. Chairman, I ask for a division. The CHAIRMAN. A division is demanded.

The committee divided; and there were-ayes 85, noes 5.

So the amendment was agreed to.

Mr. Chairman, I offer the following amendment. The CHAIRMAN. The gentleman from Iowa offers another amendment, which the Clerk will report. The Clerk read as follows:

Amendment offered by Mr. Good: On page 17, after line 10, insert: "Division of Bookkeeping and Warrants: For the force to be transferred to this division on account of the transfer of duties from the Division of Public Moneys, at annual rates of compensation during the fiscal year 1922, as follows: Assistant chief of division, \$2,500, clerks—two at \$2,000 each, three at \$1,800 each, three at \$1,600 each, two at \$1,400 each, two at \$1,200 each; two messengers, at \$840 each; assistant messenger, \$720; in all, \$24,300."

Mr. GOOD. Mr. Chairman, this provision, as Members will note by reading it, simply takes care of the transfer of the division of public moneys. When the legislative bill was Lefore the House it carried something like \$26,000 or \$27,000 for this division. That division was created by the last administration, and they ask for its continuance. The item went out on a point of order, so that now there is no appropriation at all to carry the Division of Bookkeeping and Warrants for next

The budget bill, which has been unanimously agreed to by the conferees, contains the following provision:

The duties now appertaining to the Division of Public Moneys of the Office of the Secretary of the Treasury, so far as they relate to the covering of revenues and repayments into the Treasury, the issuance of duplicate checks and warrants, and the certification of outstanding liabilities for payment shall be performed by the Division of Bookkeeping and Warrants of the Office of the Secretary of the Treasury.

There is absolutely no appropriation to carry on this work. The force is there. We are not adding a single new employee, but the legislative bill, with these provisions, instead of increasing the number of jobs in the Treasury Department, will decrease the number of jobs by almost 2,000. Those are the facts, and it seems to me it comes with ill grace at this time to say that this is a bill for jobs. I ask for a vote.

The CHAIRMAN. The question is on agreeing to the amend-

ment offered by the gentleman from Iowa [Mr. Good].

The amendment was agreed to.

Mr. GOOD. Mr. Chairman, I offer the following amendment. The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. Good: Page 34, after line 4, insert:

"Maintenance, Bureau of Supplies and Accounts: The limitation specified under this head in the naval appropriation act for the fiscal year 1921 on expenditures for pay of chemists and for clerical, inspection, and messenger service in the supply and accounting department of the navy yards and naval stations and disbursing offices for the fiscal year 1921 is further increased by \$400,000."

Mr. GOOD. Mr. Chairman-

The CHAIRMAN. The gentleman from Iowa is recognized. Mr. BLANTON. Mr. Chairman, I offer an amendment to the amendment

The CHAIRMAN. The Chair has recognized the gentleman

from Iowa

Mr. GOOD. Mr. Chairman, this provision is one in which the Committee on Appropriations has no interest except as members responsible to perform their duty. It is indeed painful to the committee that the former Secretary of the Navy did not make the allotments and enforce it for this expenditure so that there would be enough money to do this work for the entire year. The gentleman from Texas [Mr. Blanton] a few minutes ago thought he knew all about it. Of course, he knew nothing about it.

The facts are these: That with the appropriation of \$10,-500,000 carried in the Navy bill for this year, there was a limitation of \$3,500,000 for clerical work of this kind. Last winter the former Secretary of the Navy made a deficiency estimate to increase that limitation by \$1,750,000. I then took the matter up with the gentleman from Pennsylvania [Mr. Butler] and we both agreed that they should have arranged so as to get along within the limitation which he carried in his bill; but they had not done so, and they had expended then by far the larger part of the money that was appropriated for clerical services.

Now it must be remembered that at the various supply depots in the United States there are at the present time \$280,000,000 worth of materials, \$600,000,000 worth of ordnance and ordnance stores, and \$60,000,000 worth of clothing; or, all told, according to the most recent estimate, approximately \$1,000,000,000 worth of Government property in these naval supply depots. The number of persons employed to issue these stores and to do that clerical work on the 1st day of December last was 3,638.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOOD. I ask for two minutes more.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that his time be extended two minutes. Is there ob-

There was no objection.

Mr. GOOD. Now, in this bill they asked for an appropriation of \$750,000, and to increase the limit for clerical services by \$750,000. When we came to figure the matter out we found they had money enough in the appropriation. It would run them rather close, it is true. They figured that they would have \$6,000 left, practically, at the end of the year. But under the limitation they will not have one penny left on the 1st day of June to pay the clerical force, and not only the clerical force, but those who issue and account for the issue of these stores to the Navy and to the various ships.

I am just as much embarrassed by this as the gentleman from Pennsylvania [Mr. Butler] is. But the Committee on Appropriations were impressed with a solemn responsibility, to protect at all times the property of the Government. The fact that the former Secretary of the Navy had failed to allot this money by months, the fact that he had failed to carry out the mandates of Congress, was no direction to me or to the Committee on Appropriations that would justify us in a failure

on our part to discharge our duty.

I lay the matter before the House. It does not make a bit of difference to me or any member of the committee what you do with it. I think it is absolutely necessary. I do not know how the Navy is going to function without going on and violating the law if you do not grant it. I do not want to put the present Secretary of the Navy in that position. I think we must give him sufficient funds to care for this property. But next year it is up to him to keep his expenditures within appropriations.

Mr. BUTLER. Mr. Chairman, I have no criticism to make of the gentleman from Iowa.

Mr. GOOD. I know that.

Mr. BUTLER. I enjoyed the fine commendation given him by the gentleman from Illinois [Mr. Mann] this morning, because the gentleman from Iowa is properly known and will bear in history the reputation of an economist. I do not think the gentleman from Iowa ever quite understood what the Navy Department is asking. The subject of appropriations for clerks has ever been a sore one with us, and I have been made the special object of their condemnation on several occasions. I do not believe in paying a great number of people who might be discharged. Gov. Kelley of Michigan helped me take this out once, and he is three-fourths responsible for it. At the time we limited this appropriation to \$3,500,000 they had 5,600 employees to be paid. Now they have 3,500 or 3,700, as I understood the gentleman from Iowa.

Mr. GOOD. Thirty-six hundred on December 1. There has

been a reduction of 20 per cent since that time.

Mr. BUTLER. We want them further reduced. asked a witness the question, "How much did you have for this purpose prior to the war?" They had \$1,700,000. He said to them, "If you get two and a half times as much, that will be enough," and I said, "If they get \$3,500.000 it will be enough."

Less than a year ago, after a great deal of examination and after much questioning we fixed the amount at \$3,500,000, more than\_twice the amount which the bill carried prior to prewar time, which the whole of the committee after a great deal of discussion considered was a sufficient amount.

I do believe now, as I believed then, that \$3,500,000 is suffi-

cient.

Will the gentleman yield for a question?

Mr. BUTLER. With pleasure.

Mr. MANN. If there was a sufficient appropriation in the first place and the Democratic administration practically exhausted that appropriation before the new administration took hold-and I am not saying whether properly or improperly-is that a good reason for refusing to make a sufficient appropriation to pay the necessary salaries from now until July 1?

Mr. BUTLER. We are appropriating for a deficiency of \$400,000, and I will say to my good friend that I do not believe

in these deficiencies.

Mr. MANN. That is not the question; the question is whether we shall maintain the service that is to be maintained. Theoretically you can not charge the present administration with it, although I suppose there are the same officials under the present administration as under the former administration, but what are we going to do if they have exhausted the appropriation?

The CHAIRMAN. The time of the gentleman from Pennsyl-

vania has expired.

Mr. MANN. I ask unanimous consent that the gentleman from Pennsylvania have five minutes more.

The CHAIRMAN. Is there objection to the request of the

gentleman from Illinois?

There was no objection.

Mr. MANN. If they have not any money to pay these salaries, what are they going to do?

Mr. BUTLER. They should not have created the deficiency.

Mr. MANN. But that is past, and we have now another administration.

Mr. BUTLER. Take it off somewhere else and give it to them. I want to say to my friend that I would say to officials you created this deficiency; now take it out of the next year's appropriation. They pay no attention whatever to the law. Furthermore, I am in favor of enforcing the law against them. They would go from our committee room straight to the Committee on Appropriations to obtain what we had not allowed

Mr. MANN. The gentleman knows that I always stood behind him in that matter.

Mr. BUTLER. I know that the gentleman did, and he did it well, and without his assistance sometimes I would have failed. Mr. MANN. But what are you going to do in a case of this sort, where the administration has changed and the men re-

sponsible theoretically have changed; are you going to stop the service or give them the money?

Mr. BUTLER. I would stop the service a bit. Furthermore, I want to say that we are already considering giving the department authority to sell \$60,000,000 worth, or such as may be necessary, of material, and therefore they will not need so many guards, clerks, and policemen, and I believe they can get

Mr. McKENZIE. Will the gentleman yield for a question? Mr. BUTLER. With pleasure. I shall be glad to listen to it. Mr. McKENZIE. Will this \$400,000 come out of the appro-

priation made in the regular appropriation bill? Mr. GOOD. It is an increase of limitation.

Mr. BUTLER. Will the gentleman tell me where the money to come from; that is what bothers me. They propose to get it somewhere or you would not have a rule.

Mr. GOOD. They have the money out of the \$10,500,000. They ask for more, but we found that they have money enough.

Mr. BUTLER. If they have the money, they have enough to pay the \$3,500,000. They have money in the bureau to pay the \$3,500,000.

Mr. GOOD. They have paid that all out, and they have paid out most of the \$750,000 which we increased the limitation for. Mr. BUTLER. Who increased the limitation?

Mr. GOOD. We increased it, with the consent of the gentleman from Pennsylvania.

Mr. BUTLER. The gentleman is mistaken; I never consented

to an increase, and I know I am still living.

Mr. GOOD. Yes; and the gentleman was very much alive then, but he has forgotten. I recall that I went over the matter with the gentleman when they asked for \$1,750,000, and we agreed that under the circumstances, inasmuch as they had not reduced the force, it would be necessary for them to have the limitation increased, and we increased it \$750,000, and that went through.

Mr. BUTLER. I confess I did not know what I agreed to. do not claim that the gentleman tried to deceive me; he did not

deceive me: I was ignorant.

Mr. GOOD. Oh, no; the gentleman was not ignorant. We talked the whole matter over and the gentleman was just as indignant as I was because they had not decreased the force as they ought to have done, but we looked the matter squarely in the face and saw that it was necessary, and the gentleman agreed to increase the limitation \$750,000.

Mr. BUTLER. I did not know what I was doing. I exonerate the gentleman from any attempt to deceive me, and I was not deceived; I did not understand. I never would have agreed to it if I had understood. This is the one department in which there can be some retrenchment. Four hundred thousand dollars is a good deal of money to add for clerical hire and the hire of chemists. Now they do not need all of the chemists; we are manufacturing very little powder.

Mr. GOOD. There are only twenty-odd chemists all told. Mr. BUTLER. It is the regular establishment; I do not think there is any necessity for increasing the force.

Mr. GOOD. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 15

Mr. BUTLER. I would like to ask the gentleman from Iowa a question. I recall a conference with the gentleman that we had over a deficiency appropriation requested for the repairing of old ships, but I do not recall the one the gentleman has alluded to.

Mr. GOOD. Oh, the gentleman came to the Committee on Appropriations, and the gentleman, myself, and Mr. Pugh talked this matter over, and we had the figures before us. I

certainly can not be mistaken about that.
Mr. BUTLER. Then, I did not know it.

The CHAIRMAN. the gentleman from Iowa asks unanimous consent that all debate upon this paragraph and all amendments thereto close in 15 minutes. Is there objection?

There was no objection.

Mr. WINGO. Mr. Chairman, the fact with reference to this item is that in the fiscal year 1920 the Navy spent for this purpose something between ten and eleven million dollars, and if I am in error about that the gentleman will correct me. When we came to make the estimates for this fiscal year the naval officers, the department, wanted the Secretary of the Navy to ask for something like \$6,000,000, I think it was. The Secretary of the Navy, in his desire to economize and cut down, scaled that item to three and a half million dollars. He and the gentleman from Pennsylvania [Mr. Butler] agreed, and Secretary Daniels and the gentleman from Pennsylvania were criticized then, and why? For extravagance? Oh, no; they were criticized on this floor because it was said that they were trying to cripple the Navy. The big Navy men criticized the gentleman from Pennsylvania because he agreed with the Secretary of the Navy that three and a half million dollars were enough. happened? The Secretary of the Navy gave instructions to cut it down and be as economical as possible. They have gone ahead and they have expended the money. They need, I think it is claimed, about \$500,000 more, and they would spend that if you would give it to them, but the committee comes in and undertakes to give them \$400,000 more. Whether that should be given them or not, I do not know. The gentleman from Pennsylvania agreed with the Secretary of the Navy in his economy program then, and it is rather amusing to me to find men who by inference criticized the gentleman from Pennsylvania for his desire for economy at that time now charging him with being a waster because he spent as much as he did. That is the situation and that is the record.

Mr. KELLEY of Michigan. Mr. Chairman, the situation as I recollect it with reference to this item is this: There is a lumpsum appropriation carried in every naval bill for the support of the Bureau of Supplies and Accounts. As I recollect that sum in the last year's bill it was something like \$10,500,000. Of that amount it was provided that not to exceed \$3,500,000 should be used for this particular purpose. We went into it pretty carefully at the time, and it was difficult to arrive at a correct figure. We had just been coming down from the large figures of the war. The Bureau of Supplies and Accounts had expanded enormously to handle the huge war business. Before the war it had been taking care of 50,000 men. During the war it had to take care of 550,000 men, with a corresponding increase in the supplies. And it was one of the most efficiently managed bureaus in the whole service, either Army or Navy, and, I think, economically managed. As stated by the distinguished gentleman from Pennsylvania [Mr. Butler], chairman of the Committee on Naval Affairs, the Committee on Naval Affairs, and I think with the approval of the Secretary of the Navy, fixed the limitation for this particular purpose at \$3,500,000, basing the sum a good deal upon the expenditures that were made before the war and making due allowance for new activities, a larger Navy, and somewhat higher wages. The Committee on Appropriations in considering the bill for next year went into it pretty exhaustively again, and while we met with a good deal of resistance from the bureau, and the claim that we were not allowing enough for this item was again made, yet we fixed it again at \$3,500,000. So that is the best judgment probably of both of the committees as to the amount that the bureau ought to expend for this purpose. However, we are up against the situation that the gentleman from Illinois [Mr. MANN] has pointed out, that the money available for this current fiscal year under this limitation has already been expended. We can not suspend the work of this bureau for a month-it is the accounting bureau of the Navy. We have these cost-plus contracts being carried out under which shipbuilding concerns are building great ships of war for the Government. Our inspectors must be there constantly to watch the progress of these ships.

Millions of dollars are being expended every month and the closest kind of scrutiny and inspection must be provided. Otherwise costs under these contracts would mount skyward. It would not be wise for the Government to suspend inspection for a month on all of this cost-plus construction. Therefore, while we all regret the necessity, it is here, and unless the \$400,000 limitation is provided the Secretary of the Navy will have no authority to carry this work forward. The money provided for the current year is gone.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Michigan. Yes. Mr. WALSH. Is there an item covering this service in the present naval appropriation bill which is pending in another

Mr. KELLEY of Michigan. The \$3,500,000 limitation which was in last year's bill was thought to provide a sum sufficient for next year.

Mr. WALSH. Could not the addition which is wanted be made immediately available in this bill that is now pending?

Mr. KELLEY of Michigan. Sufficient money still remains to the credit of the Bureau of Supplies and Accounts out of this year's funds, but it is limited in the expenditure for this purpose to \$3,500,000. Hence, all that is needed is to boost this limitation by the sum required.

Mr. WALSH. In the present naval appropriation bill which is now pending in the Senate could it not be provided that \$400,000 of the money shall be immediately available?

KELLEY of Michigan. Yes; but in that event there would undoubtedly be a shortage in this same item for the next year.

Mr. WALSH. Perhaps it ought to be short, if they are going

run through it.

Mr. KELLEY of Michigan. I will say to the gentleman that we put the \$3,500,000 limitation in the bill last year over the very vigorous protest of the bureau that it was not sufficient. We thought it was, and I think the Secretary of the Navy thought so.

The CHAIRMAN. The time of the gentleman from Michigan

has expired.

Mr. BLANTON. Mr. Chairman, in the hope of economy, I voted to place this power in the Committee on Appropriations, but I am confronted now with the disappointing effect when the chairman of the Committee on Appropriations shows that he has assumed all available knowledge and knows all about a legislative item taken away from the Naval Affairs Committee and that the chairman of the Naval Affairs Committee does not know a thing about it.

Mr. GOOD. Oh, no.

Mr. BLANTON. Or, in other words, that the chairman of the Committee on Appropriations knows more about the business of the Naval Affairs Committee than does the great, able chairman of that committee.

Mr. BUTLER. Oh, do not say that.
Mr. BLANTON. I am not agreeing to that statement; but that is the position that has been assumed by the gentleman from Iowa.

Mr. GOOD. No; it is not. I have said nothing derogatory of the splendid service of the gentleman from Pennsylvania

Mr. BUTLER. Oh, there is nobody who has any hurt feelings here. I want to suggest to my friend from Texas

Mr. BLANTON. I yield the balance of my time to the distinguished gentleman from Pennsylvania, as he is able to defend himself.

Mr. BUTLER. I want to ask the gentleman from Michigan a question. I do not understand this mass of figures. The gentleman will recall that we used to ask our questions pretty straight and say to a witness, "Come right to the point and answer." Where does this deficiency occur? How much of Where does this deficiency occur? How much of it occurs for clerks?

Mr. KELLEY of Michigan. This occurs in the Bureau of Supplies and Accounts for the payment of the clerical and inspection force of every sort employed in the various navy yards

and stations.

Mr. BUTLER. Now, let me ask this question: Did not this department, in violation of our expressed command, increase

this sum of money? [Applause.]

Mr. KELLEY of Michigan. Well, I will say to the gentleman this: The Chief of the Bureau of Supplies and Accounts stated before the Committee on Appropriations that he had endeavored to keep within the amount allowed last year; that in attempting to do so he got so far behind with the accounting that the various bureaus of the Navy could not properly function; that he could not advise the bureaus promptly as to the state of their accounts because he fell so far behind with his accounting; that finally he went to the Secretary of the Navy, who, as I recall the law, has authority to authorize a deficiency in writing—I have forgotten just the provision of the law—and the Secretary finally did authorize the deficiency in a proper and legal way. I think an attempt was made in good faith to do the work with the money provided, but it proved to be insufficient.

Mr. BUTLER. I know; that is all right. They have six hundred million and more of dollars worth of property on hand; next year, under the reduction which my old friend made, they will have \$3,500,000. Now, the property is the same; why did they need it this year and will not need it next year? It will not be reduced

Mr. KELLEY of Michigan. This \$400,000 is not for next year. It is for next month. We have fixed the limitation for next year in the bill that passed the House at the same amount as last year, namely, \$3,500,000, and hope it will be sufficient

for next year.

Mr. ANDREWS. I would like to ask the gentleman a ques-They have \$10,000,000 on hand at present?

Mr. KELLEY of Michigan. For all purposes.

Mr. ANDREWS. And out of the \$10,000,000, \$3,500,000 is for this purpose?

Mr. KELLEY of Michigan. Absolutely.

Mr. ANDREWS. Will this \$400,000 come out of the remaining portion of the \$10,000,000?

Mr. KELLEY of Michigan. Absolutely.

Mr. ANDREWS. And not any increase of appropriation, but transfer from one appropriation back to this purpose?

Mr. KELLEY of Michigan. The gentleman is enricely right.

Mr. BUTLER. Then if we do not give them the \$400,000 the injunction of this Congress will be recognized. [Applause.] know it is said it is taking from one pocket and putting it into What is the use?

The CHAIRMAN. The question is on the amendment offered

by the gentleman from Iowa.

The question was taken, and the Chair announced the ayes appeared to have it.

On a division (demanded by Mr. Butler) there were-ayes 61, noes 41.

So the amendment was agreed to.

Mr. GOOD. Mr. Chairman, I offer the following amendment. The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 35, after line 21, insert:
"General Land Office: For additional employees during the fiscal year
1922 at annual rates of compensation as follows: Law examiners—2 at
\$2,000 each, 4 at \$1,800 each, 10 at \$1,600 each; 4 clerks at \$1,400
each; in all, \$32,800."

Mr. GOOD. Mr. Chairman, this matter was gone over this morning and on yesterday and has to do with the force of the General Land Office, whose work is increased largely on account of the oil leasing act.

Mr. BLANTON. Mr. Chairman, I offer the following amend-

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. Blanton: Page 35, after the last word in the pending amendment, add the following proviso, to wit: "Provided, That neither the Secretary of such department nor the chief of any bureau thereof in employing the new help provided for by Congress shall expend a larger sum than \$100,000,000,000."

Mr. GOOD. Mr. Chairman, I make the point of order that it is not-

The CHAIRMAN. The Chair sustains the point of order. The question is on agreeing to the amendment of the gentleman

The question was taken, and the amendment was agreed to. Mr. GOOD. Mr. Chairman, I offer the following amendment. The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 44, after line 20, insert:
"Salaries: For additional employees during the fiscal year 1922 at annual rates of compensation as follows: Two assistant directors at \$4,000 each; expert on commercial laws in foreign countries, \$4,000; in all, \$12,000."

Mr. OLDFIELD. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I noticed in the Post this morning this statement from Mr. Hoover, and I thoroughly agree with the statement, too. It says:

LUMBER INDUSTRY TO BARE FIGURES—REPRESENTATIVES AGREE WITH HOOVER ON PLAN FOR PUBLISHING FACTS.

Secretary of Commerce Hoover yesterday conferred with 30 manufacturing lumbermen representing organizations of their craft in all parts of the country for the purpose, it was stated, of securing an accurate survey of the lumber industry for the benefit of the public as well as business men.

"The object of the conference, which is the first one of its kind held so far in Washington," said Edgar P. Allen, of the National Lumber Manufacturers' Association, "is to try and secure facts relating to the lumber industry, which, when placed before the public, will enable people to know when to buy and how to utilize lumber in the best interests of the Nation."

Secretary Hooyer, it is understood, called upon the lumbermen to

the Nation."

Secretary Hoover, it is understood, called upon the lumbermen to make an exhaustive survey of their business, take a thorough inventory and present the Department of Commerce with the facts and figures. According to the plan outlined by the Secretary, this information will be sent broadcast throughout the country under the supervision of the Department of Commerce. The lumbermen, it is said, promised to give the Secretary of Commerce all statistics gathered by their organizations.

In other words, Mr. Chairman, it seems to be the policy of Secretary Hoover to bring real publicity in the lumber industry. He stated before the Committee on Ways and Means a few days ago that he expected to try to bring full and accurate publicity in the various industries of the country, so that the consumers of the country might know what profits were being made in the coal business, the lumber business, and the other businesses of the country. I think that is a wise proposition, and I congratulate Mr. Hoover. I saw a statement in the Post this morning to the effect that certain great banking institutions of New York are preparing to float a loan of \$100,000,000 for the French Republic, and many such loans have been made recently by American banking institutions to foreign Governments, notwithstanding the fact that many banks have failed in various sections of the country for lack of credit. Also there has the past two or three months been much distress in the South for lack of funds to take care of the cotton and other crops. Yet it seems the big financial institutions of the country have no trouble getting vast sums of money to lend foreign Governments, as well as item for structural investigations.

foreign individuals and corporations. There is something seriously wrong.

I think it would be wise for Mr. Hoover and the Federal Reserve Board to give the public some publicity about those loans, for this reason: It is perfectly all right and proper for them to make the loans provided our own people are first adequately taken care of, and provided also that France or these other Governments are going to expend some of that money in this country in buying our surplus products, cotton, wheat, and manufactured products, instead of spending it in South America and other countries in competition with the products of the farms, factories, and mines of this country. I believe it would be a good thing if we should have real publicity, since the great banking institutions are quasi public-service corporations in a We have heard a great deal recently about America first and American business first, and I think it would be very wise for Mr. Hoover and the Federal Reserve Board to take the public into their confidence and give actual publicity instead of so much propaganda about these things, so that the people may know themselves whether they are being gouged or whether there are yet profiteers in the country two or three years after the war is over. Also whether our great financial institutions are taking care of foreign Governments and peoples and letting our own people suffer.

I am submitting these observations because I think they are right, and I agree with the statement Mr. Hoover made in the

paper this morning.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Iowa [Mr. Good].

The question was taken, and the amendment was agreed to. Mr. GOOD. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Iowa offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. Good: In the amendment adopted on page 5, after line 17, insert before the sum of "\$250,000" the following: fiscal year 1922."

The CHAIRMAN. The question is on agreeing to the amend-

The question was taken, and the amendment was agreed to. Mr. GOOD. Mr. Chairman, I offer the following amendment. The CHAIRMAN. The gentleman from Iowa offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. Good: On page 46, after line 10, insert: "the sum of \$250,000 of the appropriation of \$1,000,000 for the Bureau of the Census for the fiscal year 1922 is transferred to the Bureau of Standards and made available during that fiscal year for the following purposes and in the following amounts, respectively:"

Mr. BYRNES of South Carolina. Mr. Chairman, I desire recognition in opposition to the amendment.

This paragraph which is sought to be inserted by amendment is the paragraph to which I referred during the discussion of the rule this morning. Its purpose is to make available for the next fiscal year the three appropriations to be found on pages 46 and 47. In the discussion this morning the gentleman from Iowa [Mr. Good] stated that these appropriations would not involve the creation of any new jobs or new employment. I therefore desire to state the facts for the benefit of the committee.

There was estimated by the department for the first appropriation, which is for the continuation of the investigation of structural material-and the appropriation prior to the war-the sum of \$100,000. Last year the Congress appropriated for this purpose \$125,000. For the next year they asked for \$175,000 and the Congress gave them the same amount that they have for this fiscal year, to wit, \$125,000. Now, as to whether or not it creates any new jobs, I refer to page 1238 of the hearings upon the legislative bill. The question was asked by Mr. Wood:

You have estimated for an increase in your force there of 23 men?

The estimate being the increase from \$125,000 to \$175,000. The answer of Mr. Stratton is:

They are mostly testers. The men who are doing this testing are men of the grade from \$1,000 to \$1,500, with perhaps a few who supervise it. So it does provide for the employment of 23 additional men.

In arguing yesterday afternoon in behalf of this increased appropriation the gentleman from Iowa [Mr. Good] said it was appropriated for the purpose of aiding the American people in securing homes at this time, when it was so important on account of the housing situation.

That was not this item.

Mr. BYRNES of South Carolina. If the gentleman will turn to the RECORD, he will find the statement was made as to this

In the hearings on the legislative bill only a few months ago Dr. Stratton presented the estimate, and he was asked this question by Mr. Wason, of New Hampshire:

If I understand you, this \$175,000 would only take care of the Government's purchases that you should test?

Mr. Stratton. Yes, sir; we do not do this kind of testing for the public. Private laboratories can do that, very largely.

Again, Mr. Wason said:

The word "testing" should be inserted.

To which Mr. Stratton replied:

Yes; or we should say "the testing and inspecting for the Government," because we confine that purely to Government work.

After that statement the committee gave them only \$125,000; and so now they come back at this session, just two months later, and in presenting the same estimate, presented by the same gentleman, Mr. Stratton, accompanied by the new Secretary, the additional \$50,000 was urged on the ground that the housing conditions in the country at this time were such that it was necessary to make an investigation in order to help solve the problem.

Now, as to the second paragraph, which is made available for

the next fiscal year:

For technical investigations in cooperation with the industries upon fundamental problems involved in industrial development following the

For this purpose they had \$50,000 for this year, 1921. Fifty thousand dollars was appropriated for 1922. The department comes back and asks for \$100,000 additional on estimates presented by the same gentleman, Dr. Stratton, and by this paragraph, if you vote it into the hill, you give them the additional \$100,000.

The third paragraph, by which you will make available— The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. BYRNES of South Carolina. I ask unanimous consent

for three minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BYRNES of South Carolina. The third paragraph is:

To enable the Bureau of Standards to cooperate with Government departments, engineers, and manufacturers in the establishment of stand-

That estimate was also presented to the Congress at the last session. They asked for \$175,000 for 1921 and the Appropriation Committee gave them nothing for this work, the committee presided over by the gentleman from Indiana [Mr. Woon] evidently deeming that it was not of importance. For 1922 they asked for only \$25,000, and the Congress gave them nothing.

I should say that in presenting that estimate, in order that it may know what importance was attached to it by the Director of the Bureau of Standards in charge of this work, only one question was asked and a short answer made, as appears in the hearings, to be found on page 1255. The gentleman from Indiana [Mr. Wood] cited the estimate in the appropriation bill. Mr. Stratton said this, and this is all he had to say, in support of this item:

That involves the working out of standards for the Government service, and in cooperation with manufacturers, not in standardizing for them, but helping them to work out their standards. That item explains itself very well, and it is an important one.

That is what the director said in support of the item, and now on appeal from the decision of the Congress they ask for \$100,000 instead of \$25,000, and the Congress, if it votes for this provision, is going to give them \$100,000. In this way you will appropriate \$250,000, the \$250,000 which the chairman of the committee told the House yesterday was to the credit of the Bureau of the Census and could not be used by that bureau. My proposition was to put the \$250,000 back into the Treasury instead of giving it to this Bureau of Standards on such a showing as they have made.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and the Speaker having resumed the chair, a message in writing from the President of the United States was communicated to the House of Representatives, by Mr. Latta, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills of the following titles:

On April 30, 1921:

H. R. 2185. An act providing for a "Pageant of Progress Exposition" cancellation stamp to be used by the Chicago post

On May 6, 1921:

H. R. 3152. An act granting the consent of Congress to the Ironton & Russell Bridge Co. to construct a bridge across the Ohio River at or near the city of Ironton, Ohio, and between the county of Lawrence, Ohio, and the county of Greenup, Ky.

On May 17, 1921:

H. J. Res. 52. Joint resolution to authorize the Secretary of the Interior, in his discretion, to furnish water to applicants and entrymen in arrears for more than one calendar year of payment for maintenance or construction charges, notwithstanding the provisions of section 6 of the act of August 13, 1914.

On May 19, 1921:

H. R. 4075. An act to limit the immigration of aliens into the United States.

On May 25, 1921:

H. J. Res. 123. Joint resolution to provide funds for the repair of the elevator in the Washington Monument.

SECOND DEFICIENCY APPROPRIATION BILL.

The committee resumed its session,

Mr. MADDEN rose.

The CHAIRMAN. The Chair will recognize the gentleman

from Illinois.

Mr. MADDEN. Mr. Chairman, I started in connection with the last paragraph, in replying to the gentleman from South Carolina [Mr. Byrnes], to say that if the \$100,000 provided for in that paragraph be allowed it will enable the Bureau of Standards, in cooperation with the engineers and manufacturers of the country perhaps to fix a standard bolt and a standard thread which can be used by all the manufacturers in almost every activity in the manufacturing establishments of the country. If that could be brought about, it would save millions, hundreds of millions of dollars, in the manufacture of articles in use throughout the country, and if the Government of the United States by the expenditure of \$100,000 can approach any such condition as that it will be money very well spent.

Mr. WINGO. Mr. Chairman, will the gentleman yield for a

question?

Mr. MADDEN. Not just now, please.

Then, for example, for the continuation of the investigation of structural materials, such as stone, clay, cement, and so forth, there is no activity of the Government so useful to the people of the Nation as this activity in the Bureau of Standards. Let us first take cement. They will be able to classify the various qualities of cement and give the standard quality to the public, and in that way they will be able to give the public the benefit of the inferiority or the superiority of the various cements, and in that way compel the manufacturers of cement to sell according to the value of the commodity, whereas to day, without any standard, the cement combination is able to say to the public, "We give you a cement of a superior quality and we charge you the highest possible price."

But with a standard fixed and the various qualities designated, no such condition can apply. Surely if the Government can spend \$50,000 for the ascertainment of such information as this, which will enable the building public to buy its materials at a price justified by the quality of the goods, we could afford to spend \$50,000-yes, \$1,000,000; and more than that-because to-day the combination that exists among the cement manufacturers is such that the public is compelled to pay an exorbitant price for almost any kind of cement they may choose to put

upon the market.

And so it is with all the various clays and the other materials that are used in building. And while there is no chance on earth, through the Bureau of Standards, to fix the actual cost of building or to reduce the cost except in this indirect way. yet there is an advantage in informing the public of the conditions under which the materials are manufactured and as to the character of the materials that are placed on the market to be sold, and thereby give to the public information which will enable the people to buy according to standards, and not according to the combination's price.

Mr. WINGO rose.

Mr. GOOD. Does the gentleman from Arkansas want some

Mr. WINGO. One minute.

Mr. Chairman, I ask unanimous consent that Mr. GOOD. all debate on this paragraph all amendments thereto close in three minutes, one minute to be consumed by the gentleman from Arkansas.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on this paragraph and all amendments thereto close in three minutes. Is there objection?

There was no objection, Mr. WINGO. Mr. Cha

Mr. Chairman, I would like to ask the gentleman from Illinois [Mr. MADDEN] a question.

Mr. MADDEN. Yes. Mr. WINGO. I understand the gentleman to say that the Bureau of Standards is at work upon the problem of standardizing nuts and bolts?

Mr. MADDEN. That is what we are trying to do under the

item on page 47.

Mr. WINGO. Nuts are supposed to be standardized. What

are they trying to do now?

Mr. MADDEN. They are trying to make the bolts and nuts have the same thread in all kinds of machinery manufactured, instead of having 400 or 500 or, perhaps, 1,000 different sized

Mr. WINGO. The fact of the matter is that wonderful progress has been made in standardizing bolts and nuts, and we are making progress in standardizing threads. But it would be impossible to standardize all "nuts," especially legis-[Laughter.] I hope they can work out standlative "nuts." ards of other kinds, so that you will have standard engine parts and other standard parts. That will be useful. But it is useless to let these "nuts" try to standardize other "nuts," because thus far all the progress that has been made has been

upon steel and iron nuts. [Laughter.]

Mr. GOOD. Mr. Chairman, in order that we may know just what we are doing, even with this appropriation, I will say to the gentleman from South Carolina [Mr. Byrnes], we are not appropriating as much for these activities in the Bureau of Standards as was estimated for by Mr. Alexander, the former Secretary of the Department of Commerce. The estimate for the continuation of the investigation of structural materials was \$175,000, and Congress appropriated for the next year \$125,-000. For technical investigations the estimate was \$250,000, and the appropriation was \$50,000. The estimate to enable the Bureau of Standards to cooperate with the Government departments was \$25,000, and no appropriation was made. In other words, the estimates were \$450,000, and we are appropriating only \$425,000, with this increase, and so far as the "jobs" are concerned, all of this money is taken from the appropriation made to the Bureau of the Census.

If you were to assume-which would be a violent assumption-that those clerks who are to be dropped each draw as much as \$1,500 per annum, it will require the dropping of 166 clerks in the Census to take care of 66 people in the Bureau of Standards. What I said was that we were not creating more new jobs. We are lopping off more jobs by this rule than we are putting on, but we are transferring appropriations from one bureau to another and getting superior men at higher pay, men

who can direct the investigators.

Mr. BUTLER. Mr. Chairman, can the gentleman give me a little lesson in economy?

Mr. GOOD. I will try. Mr. BUTLER. This amendment having been offered by the gentleman will, of course, be adopted; but if it had not been offered there would be a chance that the Treasury might get \$250,000, would there not? There would be that much left over in the Bureau of the Census.

Mr. GOOD. I do not think the Secretary of Commerce would spend it, but I do say it is the opinion of Mr. Secretary Hoover that it will save many, many times the amount of the appro-priation to the men in the United States engaged in industrial activity, including those who are building homes. If that is a good argument, we can just stop the wheels of government and not pay out anything. But the Government would cease to function.

Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on agreeing to the amend-

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. BLANTON. Mr. Chairman, I ask for a division. The CHAIRMAN. A division is demanded.

The committee divided; and there were-ayes 70, noes 23.

So the amendment was agreed to. The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Capitol power plant: For lighting the Capitol, Senate and House Office Buildings, etc., including the same objects specified under this head in the sundry civil appropriation act for the fiscal year 1921, \$18,000.

Mr. UNDERHILL. Mr. Chairman, I move to strike out the last word. May I ask the chairman of the committee what was the original appropriation for this item?

Mr. GOOD. For this Capitol power plant?

Mr. UNDERHILL. Yes.

Mr. GOOD. My recollection is that it was \$111,000.

Mr. UNDERHILL. And this \$18,000 is a deficiency?

Mr. GOOD. Yes. Mr. UNDERHILL. Mr. Chairman I realize that it is pretty hard to save thousands, but it seems to me that here is an

few dollars at least. Since I have been here it has been my observation that on the brightest, sunniest days, when the reflection from the marble corridors is almost blinding, every chandelier and every cluster and every globe and every electric light in the corridors of the House Office Buildingand I suppose in the Senate Office Building as well-is lighted during the daytime. We found out during the war that we could conserve coal and energy and money and time and effort if we economized on our electric light, and we all endeavored to do so. At every one of the elevators there is a switch which could easily be turned by the operator, but I suppose that operator is under another department. At almost every entrance there is a doorkeeper, and right at his hand is a switch that he might easily turn, but I suppose he is under some other department. We see the policemen walking the corridors of the building, but I suppose they are under some other department and can not turn a switch; and I suppose the only way we can help is by the Members, when they leave their offices at night, turning off the lights in their own rooms and thereby save in contrast to the indifference and neglect of the employees. I offer this as a suggestion.

The Clerk read as follows:

#### HOUSE OF REPRESENTATIVES.

To pay the widow of William H. Frankhauser, late a Representative from the State of Michigan, \$7,500, to be disbursed by the Sergeant at Arms of the House of Representatives.

Mr. OSBORNE. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 48, after line 9, insert a new paragraph as follows: "To pay the widow of Charles F. Van de Water, late a Representative from the State of California, \$7,500, to be disbursed by the Sergeant at Arms of the House of Representatives."

Mr. GOOD. Mr. Chairman, I reserve a point of order.

Mr. OSBORNE. Mr. Chairman and gentlemen of the House, Representative VAN DE WATER was elected a Member of this House from the ninth California district at the beginning of November of last year. About three weeks afterwards he was attending a meeting at a neighboring town and left along about 11 o'clock in the evening in an automobile for his home at Long Beach, with his wife, his secretary, a young lady from Long Beach, and another lady in the machine. Some one had carelessly left an automobile truck that had broken down along the highway, a fine-surfaced road. It was rather a foggy evening. Mr. Van de Water driving his car did not see this truck and trailer and drove into it and was killed, as was also his young lady secretary.

Mr. BYRNS of Tennessee. What was the date of the ac-

cident?

Mr. OSBORNE. The latter part of November, 1920. Mr. LINEBERGER. This accident happened about 11.30 on the night of November 19, 1920, practically three weeks

after he was elected.

Mr. OSBORNE. I will state that Mr. VAN DE WATER was elected after a very hot campaign by a majority of 27,000. the moment of his death he was potentially as much a Member of this House as any Member who sits here to-day. I am informed that his certificate was duly issued by the secretary of state, although it was issued after his death.

Mr. MADDEN. Will the gentleman yield?

Mr. OSBORNE. Yes.

Mr. MADDEN. At this time was the gentleman whom he

defeated still a Member of the House?

Mr. OSBORNE. At that time he was. All of the things that Representative Van de Water would have done if it had not been for this unfortunate accident could not be done because of that fact. As I stated, the vote was canvassed in the regular form by the secretary of state, and, as I am informed, a certificate did issue that he was duly elected to the House, as, of course, he was.

Now, I do not know what was the origin of giving a year's salary to the widow of a deceased Congressman. It commenced way back a great many years ago, as far back as I can remem-It probably arose from the fact that most old Members of the House are not particularly provident.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. OSBORNE.

Mr. OSBORNE. I ask for five minutes more. The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. OSBORNE. There are very few old Members of Congress, so far as my observation goes, who are particularly provident. They get along in years and become elderly men, and their wives, if they leave wives, are advanced in years and are opportunity where, by cooperation, we might be able to save a left without much property, and it seems a beneficent thing that they should be recognized in this way. Take this case of Mr. VAN DE WATER; he was a man in moderate circumstances; he had a wife and three young children, two of them girls. The whole thing is a matter of grace. It is not a matter of right, it is not a matter of law; it is a matter of grace. Therefore technical objections that might possibly be made do not apply in a case of this kind. I have looked into this somewhat, and as far as I can ascertain I have not been able to find a case where a point of order was ever made in a case of this kind. I hope that the amendment will be adopted.

Mr. WALSH. Will the gentleman yield? Mr. OSBORNE. Certainly.

Mr. WALSH. Was a certificate of the election of this man filed with the Clerk of the House?

Mr. OSBORNE. I can not say. Mr. WALSH. How is the House to know that he was elected if the certificate has not been filed?

Mr. OSBORNE. I tell you that he was elected. Mr. WALSH. We would not dispute the gentleman's word, but every appropriation of this kind is based on the records of the House.

Mr. OSBORNE. I am now able to state that it was filed, as I have learned since I spoke, from my colleague, who is the successor of Mr. VAN DE WATER. It was filed with the Clerk of

Mr. LINEBERGER. Mr. Chairman, I feel I can not permit this opportunity to pass without rising to say a few words in respect to my friend the late Congressman-elect Charles F. VAN DE WATER, of the ninth California district. Mr. VAN DE Water was one of those sterling types of American citizens of which this country may well be proud. He was born in Hobart, N. Y., October 10, 1872, the son of a Methodist minister, a member of a New York conference. His father, the Rev. Isaac Van de Water, who has recently also passed into the Great Beyond, was at the time of his death in his ninety-second year and was a devout Christian gentleman and minister of the gospel, just such a father as one who had observed, as I have often done, the devotion between father and son would have expected in a family of the sterling traits of the Van de Waters. The family moved to Florida prior to coming to California. They owned an orange grove in Florida which was destroyed in one of the great freezes which occurred there some years ago.

Mr. VAN DE WATER worked his way through the preparatory school at De Lancy, Fla., working as a janitor, and later through college at Athens, Tenn., as a tutor in Latin, commercial courses, and in military training. He had a successful business career, and at the time of his death was the surviving member of the firm of Townsend-Van de Water and interested in several other business enterprises, all of which he had largely neglected on account of his candidacy-which he reluctantly entered into, and which he viewed as a patriotic duty. He married Miss Edith Weir at Chattanooga, Tenn., in 1904, and is survived

by his widow and three small children.

It was my pleasure to know and to have been closely associated with Mr. VAN DE WATER both in a business and social way, from time to time, for a period of 10 years. In 1916, when the dark clouds of war were hovering over this beloved land of ours, Mr. VAN DE WATER was among the first of our citizens who realized the necessity of preparedness. He enlisted in a training camp as a private, and carried his pack as did thousands of other loyal Americans in an attempt to gain entrance into the Army for the war which was then about to be declared. Upon the declaration of war he attempted to get into the service, but was turned down because of the fact that he was a few months beyond the age limit. Notwithstanding the fact that he could not enter the military service he practically gave up business during the entire period of the war, devoting himself to Liberty loan activities and other efforts necessary to the winning of the war. As I have said before, in Charles F. Van de Water this

country lost a sterling citizen and a Christian gentleman, a man possessed of a high sense of patriotism and ability, and I have no doubt of statesmanship. Had he lived to take his seat on the floor of this House I am quite sure he would have proven himself a distinguished Member of this historic body. I feel, and I am sure that those in California who knew him best feel. that to know him was to love him, and that the world and politics particularly are better because of his participation in trust that the amendment which has been offered by my friend and colleague from California [Mr. OSBORNE] will be agreed to. Mr. VAN DE WATER went through all of the expense, trials, and unpleasantness incident to a political campaign and was elected to membership in this House by approximately 27,000 majority. While his family are not in what

might be called adverse circumstances, and as I understand it this does not enter into the matter, I am quite sure that the \$7,500 which Congress has for many years paid to the families of deceased Members and Members elect should also be appropriated in this case. It is only fair and just that it should be so, and I trust no one will be so ungenerous as to oppose an amendment which perhaps while not strictly founded in precedent, and subject to some purely technical objection. is none the less proper because it deals with that greatest of all human mysteries, death, from which none are immune and in whose wake the humblest as well as the greatest bow to pay tribute to the departed. [Applause.]

Mr. GOOD. Mr. Chairman, the appropriation which we make for the widows of deceased Members or dependents of deceased Members is a mere gratuity. There is no law for it. The gentleman from California [Mr. OSBORNE] says that he can not remember when a point of order was made to a similar proposition. I can recall the death of Mr. Pepper, a distinguished Member of this House from the State of Iowa. He was a Member of the House for a couple of years. He died while he was such Member, and after his death I offered an amendment to pay his father and mother, who were dependent upon him, a year's salary. A point of order was made and it went out on the point of order. It was necessary for me to have it in-serted in the Senate and finally had it agreed to in conference.

I reserve the point of order to this item, not because I intend to press it, because I shall not, for it is a matter that is so close to the Members of the House that I think they should decide what they want to do about it, but because this man was

never a Member of this House.

If the amendment is adopted, I doubt very much, unless some one violates the law, whether they can make the payment, because Mr. Van de Water was never more than a Member elect of this House and died while he was only a Member elect. If at that time, or a short time afterwards, the then sitting Member, Mr. Randall, had died, we would have had here the proposition to pay the widows of two Members from the same district.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. MANN. The gentleman does not doubt, I take it, notwithstanding what he said, that if we make the appropriation the money will be paid. It is a gift, whether it is to the widow of a Member of the House or John Jones, who never was even a candidate for office.

Mr. GOOD. I suppose it would finally be paid, but I say it is not properly described, as the gentleman well knows, in the amendment.

Mr. MANN. Is the gentleman able to say whether there is any precedent for this at all?

Mr. GOOD. We have tried to find some precedent but have been unable to find any case where there was ever an appropriation made for the widow or the dependents of a Member elect who died after his election and prior to the time of taking his seat.

Mr. MANN. Since the gentleman from Iowa and I have been Members of this House a good many Representatives elect—that is the legal term for them, I believe-have died, and I rose to inquire whether there was any precedent for paying the widow of a Representative elect?

Mr. GOOD. I made inquiry of the Clerk, and he could find no case where there ever was before a proposition presented to the House to pay the widow or the dependent of a Member elect. Payments have always been in the case of a Member of The item which we have just passed was to pay the Congress. widow of William H. Frankhauser, and some reference had been made to that.

Mr. Frankhauser was sick on March 4 and did not take the oath of office, but he was a Member of this House and he drew his salary up to the time of his death, just as every Member draws his salary, irrespective of whether he had taken the obligation of a Member or not. Yet some question might have been raised with regard to that. But it did seem to the committee when this matter was presented informally by the gentleman from California that it was stretching the rule. said to the gentleman, I could not vote for it myself because I thought it was setting a dangerous precedent, but I told him that I would not make the point of order, because it was one of those things, it seems to me, that the Members of the House might want to determine for themselves, or, if anyone feels that the point of order should be made in the performance of his duty as a Member, that is another question.

Mr. OSBORNE. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. OSBORNE. In this case that he refers to where a point of order was made, was it a case where the amendment

provided for the widow of the Member?

Mr. GOOD. I think it was both for the father and mother of a Member. It was made upon the ground that it did not go to a dependent. Mr. Pepper was unmarried at the time of his death. The matter of paying this gratuity first originated where the wife of a deceased Member was in pecuniary want, and since that time it has been granted as a matter of course to the wives of all the deceased Members, but it has been limited to persons who were actual Members of Congress.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. GOOD. Certainly.

Mr. CHINDBLOM. In the case of Charles A. Sulzer, who was elected a Delegate from Alaska, and died prior to the issuance of the certificate of election to him-

Mr. GOOD. He was a sitting Member.

Mr. CHINDBLOM. However, he had not received the certificate of election.

Mr. GOOD. But he was a Member of the old Congress. Mr. CHINDBLOM. Then, it was on account of his mem-

bership of the previous Congress?

Mr. GOOD. No. He was a Member at the time of his death. The CHAIRMAN. The time of the gentleman has expired. Mr. GOOD. His term had not expired when he died.

Mr. BYRNS of Tennessee. Mr. Chairman, I renew the reser-

vation of the point of order.

Mr. CHINDBLOM. May the time of the gentleman from Iowa be extended one minute so that I may make a suggestion?

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. CHINDBLOM. My recollection is that Mr. Suizer died

in the month of April.

Mr. GOOD. I think he died the 7th or 8th of March, but the gentleman from Iowa [Mr. Dowell] probably can give the information.

Mr. DOWELL. The gentleman is mistaken. Mr. Sulzer died in April, and the certificate was issued some two days after his death, which was about the middle of April following the 4th of March, when his term expired.

The point is, Did we pay the \$7,500?

Mr. MANN. The point is, Did we pay the 3 Mr. GOOD. He was a Member of the House.

Mr. DOWELL. For the term for which he was elected, but never qualified.

Mr. GOOD. Yes; he had served one term and was elected for a second term and had his certificate of election-

Mr. MANN. Congress was in session, and he was on the pay roll of the House.

Mr. GOOD. Yes; that is a different situation.

Mr. CHINDBLOM. Of course, it was subsequently contested in the House that he was not elected.

Mr. GOOD. Yes; but up to the time of his death he was a Member. He had the privileges of the House, having been a Member of the House, but after his death it was decided that he was not legally elected.

Mr. BYRNS of Tennessee. Mr. Chairman, it has always been the custom of the House, as far as I know, that when a sitting Member dies or when the death of a Member occurs during the term for which he has been elected, whether he has been actually sworn in or not, to provide a year's salary to his widow and family. As has been stated, this is a mere gratuity; there is no law that authorizes it. It has been the custom of the Congress, both of the House and Senate, for many, many years. The item that has just been passed making appropriation for the widow or the family of Mr. Frankhauser was recommended and was passed by the House in accordance with that custom. These two cases are entirely different. Mr. Van de Water was elected in November, 1920, for the term beginning March 4, 1921. He met with his most unfortunate and regrettable accident in November, 1920, more than three months before his term as a Member of Congress began, and at a time when his district was represented here upon the floor by another gentleman, and, as has been stated, if that gentleman had died prior to the expiration of his term on March 4 Congress would have appropriated a year's salary for his family.

Mr. OSBORNE. Will the gentleman yield to allow me to ask him a question? We have heard that same simile made by others; but it seems to me to be faulty in this, that if Mr. Randall, the sitting Member, had been so unfortunate as to pass away at the time Mr. Van de Water did, he would have received the gratuity as a Member of the Sixty-sixth Congress. Mr. Van de Water, if the House should approve this item, which I hope it will, will receive this amount as a Member of the present | the point of order?

House, the Sixty-seventh Congress, so there is no duplication whatever. I wanted to point out that that is a mistake; that there is no duplication.

Mr. BYRNS of Tennessee. Will the gentleman carry the illustration a little further? The district is now represented by a gentleman who I hope will live to represent the district for many years. He has served since March 4, and he is the sitting Member from the district. Mr. Van de Water never represented the district.

Mr. OSBORNE. Will the gentleman permit another suggestion, and that is this: Suppose I should pass away and another gentleman should be elected in my place a month from now, and in turn he should pass away, and after that a month later his successor should pass away. Of course, the fact I had passed away would not at all take care of the surviving widows of those who succeeded me. I do not think there is anything in that.

Mr. BYRNS of Tennessee. These illustrations, I respectfully submit to the gentleman, are not on all fours with this case, because in the illustrations the gentleman makes all the Members were sitting Members. In this case one gentleman never has been a Member of Congress, but was simply elected for a term beginning on March 4. After his death in November preceding

Mr. OSBORNE. He was certified to the Clerk of this House

as a Member of this House.

Mr. BYRNS of Tennessee. But he could not become a Member until March 4, when his term began. I have made this explanatory statement, gentlemen, and since I do not think there is any precedent-

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS of Tennessee. I ask for one minute.

The CHAIRMAN. Is there objection? [After a pause.] The

Mr. BYRNS of Tennessee. There is no precedent for an appropriation of this kind, and while I understand it may be a little ungracious, and, of course, I regret to make the point of order, it ought to be made——
Mr. OSBORNE. I hope the gentleman will not do that.
Mr. BYRNS of Tennessee. With all due deference to the gen-

tleman from California, whom we all admire, I do not feel we ought to set a precedent of this kind, and I believe that somebody ought, in the interest of the Treasury of the United States, to take the position here that this is a precedent which should not be established, and I therefore make the point of order.

Mr. LINEBERGER. Will the gentleman yield? Mr. BYRNS of Tennessee. I yield to the gentleman.

Mr. LINEBERGER. Is it not probable that, inasmuch as the precedent has never been established in the whole life of this

Nation, that that thing may not occur?

Mr. BYRNS of Tennessee. I know gentlemen who have served in Congress for 25 and 30 years and who have recently gone out of Congress. As the gentleman's colleague from California stated a while ago, Members come to Congress, and whatever funds they had when they came here frequently become exhausted, and does not the gentleman think that, if we are going to give gratuities, those gentlemen who have faithfully served that length of time are more entitled to them than a gentleman in a case of this kind, who never performed service? Yet I do not think the gentleman would stand for an amendment that would give their wives and children a year's salary.

Mr. LINEBERGER. But this gentleman was elected to Con-

gress, and went through an arduous campaign.

Mr. Chairman, I ask unanimous consent to revise my remarks that I made on this subject.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The gentleman from California [Mr. Osborne] offers an amendment, as follows:

Page 48, after line 9, insert a new paragraph, as follows:
"To pay the widow of Charles F. Van de Water, late a Representative from the State of California, \$7,500, to be disbursed by the Sergeant at Arms of the House of Representatives."

To that amendment the gentleman from Tennessee [Mr. BYRNS] makes a point of order. The Chair assumes that the point of order is that it is not authorized by law.

Mr. BYRNS of Tennessee. I thought I so stated. That is the ground on which I make the point of order.

The CHAIRMAN. The Chair assumed that from the discus-

sion that has taken place on the floor.

Mr. OSBORNE. Will the Chair give me an opportunity of saying a word?

The CHAIRMAN. Does the gentleman desire to be heard on

Mr. OSBORNE. Yes. If I stray a little from it, you must

allow for the fact that I am not a lawyer.

Almost every man of intelligence-and all of the Members on this floor are men of intelligence-knows, of course, that that point of order would stand against any item of this kind that might be presented to this House. I would like to know if one of the Members of that side of the House were to pass away, and I were to get up on my side and raise a point of order, I would not be considered ungracious and unkind? I believe I would receive the universal disapprobation of the Members of the House.

Mr. BYRNS of Tennessee. I am very sorry-

Mr. OSBORNE. I have not finished yet with my remarks on

the point of order.

Here the House votes gratuities to contesting Members. They bring their cases here, and we vote thousands and thousands of dollars for their expenses and salaries. The House has voted for probably hundreds of cases of deceased Members. This man was elected a Member of this House, and although it might violate some of those sacred precedents, it is not a matter of law, it is a matter of gratuity, of graciousness, of grace, of final courtesy, to our deceased Member. And I feel sure if I were to raise the point of order against an appropriation in favor of the widow and children of one of you gentlemen here I would receive universal disapprobation.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask for three

minutes.

Mr. Chairman, I am very sorry by standing on my rights as a Member and by trying to protect the Treasury I have earned the disapprobation of the gentleman from California [Mr. OSBORNE]. I am quite sure that no other Member who respects a Member's rights and who has the faintest interest in economy or the proper conception of just how far a Member should go in voting away the people's money as a gratuity shares his views. I have never heretofore made a point of order to a provision in any appropriation bill providing for the widows and the families of Members. We have just passed a provision which makes an appropriation for the family of a Member who was not sworn in, it is true, but he was a Member of this House and was actually upon the pay roll. The gentle-man from California asks this House to take from the people's Treasury \$7,500 and give it as a pure gratuity to the family of a gentleman who was elected in November for a term beginning March 4, but who unfortunately died a few weeks after his election and before his term began, and a gentleman who, as his colleague has stated, was not in adverse circumstances, and whose family, according to his statement, does not need aid. Then why

Mr. OSBORNE. He did not say that.
Mr. BYRNS of Tennessee. I decline to yield. Why should Congress, if it intends to practice as well as preach economy, take from the Treasury \$7,500 and pay it as a mere gratuity to the family of a deceased gentleman who was never a Member of this House, as the gentleman says he was, and could not have been until March 4 of this year? There are families of dependent citizens of the United States who have not been so fortunate as to be elected to Congress, but who are in need, and if we are to vote gratuities, Mr. Chairman, and set a precedent of this kind, it seems to me we ought to be consistent in our action and vote gratuities to those who need them rather than to those who it is stated do not need them, and who are not in adverse circumstances.

Mr. LINEBERGER. Will the gentleman yield? I wish to

make a correction.

Mr. GARRETT of Tennessee. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The regular order is demanded.

The Chair just stated the question raised by the point of order made by the gentleman from Tennessee [Mr. Byrns]. is no law authorizing the appropriation provided for in the amendment offered by the gentleman from California [Mr. OSBORNE]. The Chair can not place the matter before the Members of the House, the point of order having been made, What the Chair would do, if the case were submitted, and if he were sitting as a Member of the House, has nothing to do with the situation as it is presented to the Chair at this time. There being no law authorizing such an appropriation, the Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

For miscellaneous items and expenses of special and select committees, exclusive of salaries and labor, unless specifically ordered by the House of Representatives, \$65,000.

Mr. IRELAND. Mr. Chairman, I offer an amendment, striking out in line 7, page 49, the sum of "\$65,000" and substituting in lieu thereof "\$95,000."

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. IRELAND: On page 49, line 7, strike out \$65,000" and insert in lieu thereof "\$95,000."

Mr. IRELAND. Mr. Chairman and gentlemen of the committee, I offer this amendment after a conference with the Speaker and the chairman of the Committee on Appropriations, and I believe I enjoy their sanction in both instances. The reason for it may meet with the unanimous approval of the House. It is a necessary item, to provide for the rehabilitation and reequip-ment of our House restaurant and the House Office Building restaurant. They are in such a state of ill repair that it is necessary to start almost from the bottom and rebuild them, and this amount, added to the provision made for the contingent fund, will be necessary in order to carry out the plans that are under contemplation at the present time. To-morrow I shall introduce a resolution that will more fully explain it and take care of the item. At present I do not want to take up the time of the committee with a discussion of the separate items to prove the necessity of that additional amount being provided in the miscellaneous fund.

The CHAIRMAN. The question is on agreeing to the amend-

ment.

Mr. BYRNS of Tennessee. Mr. Chairman, let us hear the amendment read.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

The amendment was again read.

Mr. BYRNS of Tennessee. Mr. Chairman, I simply rise for the purpose of getting some information from the gentleman from Illinois [Mr. IRELAND]. It is my understanding that the Clerk only asked for \$72,000, or hardly that.

Mr. IRELAND. I think that is correct.

Mr. BYRNS of Tennessee. I did not catch the gentleman's remarks. My attention was diverted for a moment.

Mr. IRELAND. As I attempted to explain, this is to carry out the plans for the rehabilitation and reequipment of the House restaurant and the restaurant in the House Office

Mr. BYRNS of Tennessee. Admitting that it needs rehabili-

tation, what is the gentleman's opinion?

Mr. MANN. Mr. Chairman, I would like to ask somebody a question; I do not care who it is. If this appropriation is made, will it tend toward providing a fairly respectable service in the House restaurant?

Mr. BYRNS of Tennessee. I will say to the gentleman from Illinois that if I were sure it would I would be very heartily

in favor of it.

Mr. GOOD. Mr. Chairman, if the gentleman will yield, I want to ask the gentleman from Illinois [Mr. IRELAND] a

Mr. BYRNS of Tennessee. Very well.

Mr. GOOD. I want to ask him whether any part of this is to be used for making any changes in the building?

Mr. IRELAND. Yes, sir.

Mr. GOOD. How much of it?

Mr. IRELAND. For instance, it will cost between \$8,000 and \$9,000 simply to tile the kitchen.

Mr. GOOD. How much more for the building?
Mr. IRELAND. I can not from memory give the several items, but I do not think there is any other item for the building.

Mr. GOOD. We should not change the old historic plan of making improvements to the Capitol by carrying part of it under the Clerk of the House and part of it under the Superintendent of the Capitol. I have no objection to the amendment, think myself that the kitchen should be rehabilitated.

Mr. IRELAND. The Superintendent of the Capitol Building and Grounds is the only one who has been consulted, in so far

as this estimate obtains.

Mr. GOOD. On page 35 there is an item of \$12,000 for work at the Capitol and general repairs. If it is going to take \$12,000 more to tile the floors, that ought to be put under the direction of the Superintendent of the Capitol also. That amount ought to be carried there and the balance should be carried here. I have no objection to the gentleman getting the necessary appropriation to put this kitchen, which is a disgrace at present, in the proper condition, but let us do it in the proper way. If you have \$30,000 and take \$15,000 to remodel the building, you might have perhaps enough.

Mr. MANN. There is nothing on the face of this item to indicate that it would be expended by the Clerk.

Mr. GOOD. This is from the contingent expenses of the

Mr. IRELAND. That was not the intention.

Mr. GOOD. The item on page 35 is for repairs to the Capitol building. That comes, as the gentleman knows, under the Superintendent of the Capitol.

Mr. MANN. I assume if this amendment goes in as it is, so far as repairs of the building are concerned, it would be expended under the direction of the Superintendent of the Capitol under the supervision of the Committee on Accounts.

Mr. GOOD. I suggest that you increase the item on page

35 by \$10,000 and keep the item there.

Mr. IRELAND. I think \$10,000 would be sufficient at present. Mr. BYRNS of Tennessee. When I rose I simply wanted to get a little information about this amendment. Does the gentleman intend to withdraw it now and offer it at another place?

Mr. IRELAND. Yes; offer it on page 35 under the Capitol Building and Grounds. I suggest that we insert an additional

\$10,000 there and \$20,000 here.

Mr. BYRNS of Tennessee. But the question I wanted to ask is whether the adoption of this amendment is going to give better food and better service in the restaurant?

Mr. IRELAND. The gentleman can not hope so more heartily

than I do.

Mr. BYRNS of Tennessee. The gentleman expresses a hope,

We all have that.

Mr. IRELAND. Of course, I think it will make an improvement. I am going to offer to the House to-morrow the resolution which the Committee on Accounts passed this morning. think that might provoke all the discussion necessary to bring out the details. I am already making inquiry as to how the funds will be expended. I can give only an approximate estimate now, after having gone over the matter with the Superintendent of the Capitol Building and Grounds. At present I can not refer to any other item than those for the tiling and the kitchen.

Mr. BYRNS of Tennessee. What was the estimate? Mr. IRELAND. The estimate that Mr. Woods made was between \$8,000 and \$9,000.

Mr. BYRNS of Tennessee. I mean for the whole improve-

ment?

Mr. IRELAND. The whole amount would be approximately between \$30,000 and \$40,000. There has been no improvement made for some time. The gentleman needs no further proof of that than to travel through the kitchen. It has been suggested that some of the utensils now in the House Office Building can be removed over here, and in that way the improvement can be made without much added expense.

Mr. BYRNS of Tennessee. As I understand, the restaurant is now run under a concession-under what committee?

Mr. IRELAND. Yes; in charge of the Speaker. He is very

anxious to be relieved.

Mr. BYRNS of Tennessee. Does this contemplate any different management down there or any improvement in the present management from what we have had?

Mr. IRELAND. I am not sure whether we would want to follow the policy of the Senate or continue the present one.

Mr. BYRNS of Tennessee. I was just wondering whether the gentleman's resolution took that up.

Mr. IRELAND. No; the resolution does not provide for that. It simply places the responsibility in the hands of the Committee on Accounts and authorizes the replacements, repairs, and, I hope, improvements.

Mr. GOOD. I hope the gentleman will not bring out any thing which will propose to follow the Senate plan with reference to the restaurant, when we had to appropriate \$10,000 or \$20,000 by way of a deficiency in the running of the Senate

Mr. IRELAND. The Senate restaurant is now just about breaking even, and I see no reason why that should not be so if that plan is followed.

Mr. BYRNS of Tennessee. It did not for a long time.

Mr. WINGO. As I understand, the Senate restaurant is breaking even, and it is contended that if the House Members and their guests would keep away from there the accommodations would be sufficient.

Mr. IRELAND. That is very true, and you can not blame

the Senators for that attitude.

Mr. WINGO. Does the gentleman contemplate a change in the plan of running the House restaurant? I would not vote to spend a dollar down there unless I thought there would be an improvement.

Mr. IRELAND. I am hoping that there will be, although it

will take some time.

Mr. WINGO. A large number of Members will not go down there at all.

Mr. IRELAND. I can not blame them for that, and they will continue to go elsewhere so long as present conditions exist,

Mr. GOOD. I suggest that the gentleman modify his amendment, and that he make it to strike out "\$65,000" and insert "\$85,000."

Mr. IRELAND. I ask unanimous consent to change my amendment as indicated by the gentleman from Iowa.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to modify his amendment as stated. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Modified amendment by Mr. Ireland: Page 49, line 7, strike out \$65,000" and insert "\$85,000."

The CHAIRMAN. The question is on agreeing to the amend-

The amendment was agreed to.

Mr. GOOD. Now I ask unanimous consent to return to page 35, line 18, in order that the gentleman from Illinois can offer an amendment there.

The CHAIRMAN. The gentleman asks unanimous consent to return to page 35, line 18. Is there objection?

There was no objection.

Mr. IRELAND. I move to strike out "\$12,000" and insert in lieu thereof "\$22,000" in line 18, page 35.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. IRELAND: Page 35, line 18, strike out "\$12,000" and insert in lieu thereof "\$22,000."

The CHAIRMAN. The question is on agreeing to the amend-

The amendment was agreed to.

Mr. BRENNAN. Mr. Chairman, I ask unanimous consent to return to page 20, for the purpose of offering an amendment.

The CHAIRMAN. The gentleman from Michigan [Mr. Bren-NAN] asks unanimous consent to return to page 20, for the purpose of offering an amendment. Is there objection?

Mr. GOOD. I object, Mr. Chairman.

The CHAIRMAN. The gentleman from Iowa objects. Mr. BRENNAN. Mr. Chairman, I offer an amendment. The CHAIRMAN. The gentleman from Michigan offers an

amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. Brennan: Page 49, line 7, insert the following paragraph:

"That the following provision contained in the act entitled 'An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes,' approved March 4, 1921, contained under the heading 'Bureau of War Risk Insurance,' in the paragraph entitled 'Medical and hospital services,' to wit: 'Provided, That no part of the money hereby appropriated shall be used for the payment of commutation of quarters, subsistence, and laundry or quarters, heat and light and longevity to any employee other than the commissioned medical officers provided for by statute,' is hereby repealed."

Mr. GOOD. Mr. Chairman, I make the point of order that

the amendment is not germane and is legislation.

Mr. BRENNAN. Will the gentleman reserve his point of order?

Mr. GOOD. I will reserve it, so that the gentleman may speak for five minutes.

The CHAIRMAN. The gentleman from Iowa reserves his point of order, and the gentleman from Michigan [Mr. Bren-NAN] is recognized for five minutes.

Mr. BRENNAN. Mr. Chairman, the amendment seeks to repeal a provision inserted in the sundry civil bill approved March 4, 1921. This provision, which is inserted under the heading of Bureau of War Risk Insurance, and which applies to the employees of the Public Health Service, reads as follows:

Provided, That no part of the money hereby appropriated shall be used for the payment of commutation of quarters, subsistence and laundry or quarters, heat and light, and longevity to any employee other than the commissioned medical officers provided for by statute.

My amendment, as the gentleman says, is not a deficiency appropriation; but, from what has been called to my attention, the situation created by this provision presents a very sad deficiency in legislation, which may develop into a most serious emergency on the 1st of July.

Yesterday morning a young lady from my home city of De-troit came to me in my office and stated that she is an aide in the employ of the Public Health Service stationed at the Marine Hospital in Detroit, that she is one of nine aides who have been receiving \$65 a month for commutation of quarters and for subsistence; that under this provision, which was inserted in the sundry civil bill in the Senate, she and the other eight members of that staff will be deprived of their commutation, and the Public Health Service will seek to rent quarters in which they are to live. As I say, this provision was inserted in the Senate. The House appe ed to have no interest in it. It came back and was agreed to in conference.

This is the situation that confronts these hospital aides. The Public Health Service finds that it is unable to procure suitable quarters in the neighborhood except by an expenditure of money greatly in excess of what this monthly commutation would be.

This young lady tells me that the house next door is an old mansion, for which a rental of \$12,000 per year is asked. The only other available building is an old shack near by, containing 11 rooms and 1 bath, in which it is proposed to house the 9 women aids, an assistant administrative officer, his wife and children. She tells me that this will result in these women, many of whom are serving from patriotic rather than mercenary motives, and who now live at home with their families or with friends, resigning from the service. I verified her statement by calling this morning at the office of the Public Health Service. Dr. Richardson and Dr. Lavinder, who have made a study of the problem presented and have tabulated statistics thereon, assured me that if this provision remains in the law it will result in a very serious emergency to the Public Health Service. They tell me that there are 653 employees serving in hospitals helping to take care of disabled and wounded soldiers, and that these employees consist of nurses and aids, dieticians, laboratory assistants, clerks, and attendants, and that they will all be placed in the position of resigning or accepting a nominal wage of \$85 a month and being housed in unsuitable and cramped quarters. What is true in Detroit is merely typical of what is true in almost every other one of the 72 hospitals conducted by this bureau. In the hospitals at Minneapolis, Chicago, Pittsburgh, Evansville, and Cleveland none of the nurses now live upon the premises. If they can be persuaded to relinquish their home comforts and to take up their residence in a Government building it will result in greatly increased expense to the Government and proportionately decreased efficiency and service upon the part of the nurse. After July 1 she will be breathing hospital atmosphere 24 hours At present she is able to leave the institution upon the completion of her actual hours of duty and enjoy a period of rest and relaxation in wholly different surroundings and environment. The next day she appears at the hospital fresh and vigorous, with a zest for the performance of her duties. The present system is in accord with the better and modern hospital practice; the proposed plan is a reversion to a system rapidly being discarded by forward-looking hospitals. The provision which I seek to repeal is a startling example of an amendment, adopted under the guise of economy, which will result at once in increased expenditure and decreased efficiency.

It is no answer to say that the Public Health Service may

avoid the effect of the provision by increasing salaries to make up for the loss of commutation. This would merely be chasing the devil around the post. It would result in creating two classes of attendants, doing the same grade of work, receiving entirely different salaries, those living in Government quarters being paid, perhaps, half as much as those living outside. It would interfere with the mobility and flexibility of the personnel of the service, preventing, what is now frequently necessary, the transfer of nurses from one point to another unless the formality of a discharge and a reengagement would be followed in each case, with consequent delay and inconvenience. It is no answer for Congress unofficially to suggest that the Public Health Service increase salaries in order to permit its employees to live outside so long as there remains in the statutes an official direction from Congress to the Public Health Service that it provide Government quarters for these employees in connection with the hospitals. Another alarming feature of this provision is that it will result in further reducing the now totally inadequate hospital accommodations of our disabled war veterans. It may be found necessary, I am advised, to convert hospital wards into living quarters for nurses, thereby materially reducing the number of beds for patients.

The employees affected receive now, on an average, \$145 a month, which includes \$65 for commutation. If this provision sundry civil law remains, they will be deprived of \$65 and the Government will be required to expend \$100 more to supply for the same individual greatly inferior accommodations. The CHAIRMAN. The time of the gentleman from Michigan

has expired. Mr. BRENNAN. Mr. Chairman, I ask for two minutes more. The CHAIRMAN. Is there objection? Mr. BRENNAN. There was no objection.

Mr. BRENNAN. Mr. Chairman, recognizing that this amendment which I offer was not in order, I took it up with the gentleman from Iowa [Mr. Good], and he suggested that it might come under the Sweet bill, which, I understand, will be reported out to-morrow and which concerns this problem. I took it up with Mr. Sweet, and he tells me that it is not among

the things that his bill seeks to correct,
Mr. JOHNSON of Washington. If the gentleman will make the same presentation of the matter to the House when the Sweet bill is up that he has made here he will probably get it added to

Mr. BRENNAN. The reason that I advance it at this time is because it seems to me imperatively necessary that the provision be repealed before the 1st of July. We have no assurance that the Sweet bill will be enacted by that time. tell me that if this provision is not taken out of the present law it will become necessary to break up the force of nurses and aids, and they will become scattered and it will be difficult later on to again organize them.

Mr. JOHNSON of Mississippi, Will the gentleman yield?

Mr. BRENNAN. Certainly, Mr. JOHNSON of Mississippi. The Sweet bill makes no provision for an emergency such as the gentleman speaks of. If provision was made, it would have to be made outside of what has already been done. However, the bill will be in by to-

morrow or next day.

Mr. GOOD. Mr. Chairman, still further reserving the point of order, the item referred to was put in in the Senate. It was put in because everybody in the Public Health Service was getting commutation of quarters. No matter whether he was a plumber or a doctor or a nurse, they were getting commutation, and it was intended to stop that practice. The Public Health Service has sufficient funds to pay these nurses and it makes no difference whether they get commutation of quarters or they are paid an increase in salary. It was an abuse that grew up in the Public Health Service, and the gentleman's amendment would throw us back where we were before. While the matter was put on in the Senate, it was supported by the judgment of the House. Perhaps some correction ought to be made. In some cases nurses should be given commutation, but certainly not all. Why become so military in our hospitals? Why not run those hospitals as other hospitals are run? But I will say that the Public Health Service has money to pay these nurses that the gentleman speaks about, and it makes no difference whether it is commutation or regular salary. I insist on the point of order.

The CHAIRMAN. The gentleman from Michigan offers an amendment to this bill providing for the repeal of certain statute law as it now exists. To that amendment the gentleman from Iowa makes the point of order that the amendment offered by the gentleman from Michigan is legislation and a change of existing law. Clearly that is the purpose of the amendment, and the Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

For expenses of the Thirteenth Census, \$2.

Mr. JOHNSON of Washington. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 60. line 19, strike out "\$2" and insert "\$1.98," so that the paragraph will read, "For expenses of the Thirteenth Census, \$1.98."

Mr. JOHNSON of Washington. Mr. Chairman, I offer this amendment in the hope that we may undertake to find the true value of the census of 1920. I offer it also that we may give the reading clerk an opportunity to rest, he having read eight pages without interruption. Also, I desire to suggest that we are not likely to reach a vote on this bill to-night.

Mr. BLANTON. May I ask if this amendment comes under

the Holman rule?

Mr. JOHNSON of Washington. Oh, strictly. I realize this item is, in fact, a deficiency item caused by the endeavor to get the census for 1920. We seem to have overlapped \$2 from such inquiry. Let us pay it at a marked-down price. I find, Mr. Chairman, that the confusion over the figures of this census are getting worse and worse every day. I am inclined to think that the statistics we are receiving are statistics that are being made by striking within anywhere from 5 to 20 per cent of some desired figures. Also, I think we will discover, if we are to take the Immigration Bureau's figures and then take the 1920 census figures of aliens in the country, that we have in the United States something over 3,000,000 lost aliens. Who has got them? Where are the 3,000,000 missing aliens? Can not we locate them before we attempt congressional reapportionment? Failure of the 1920 census enumerators to find these 3,000,000 aliens may cause the next Congress to consist of 10 or 12 Members less than a true apportionment. It may deprive one great State of three or four additional Members. Of course, that might be an advantage; but it calls attention to the kind of census we took last year. Mr. WALSH.

Mr. WALSH. Mr. Chairman, will the gentleman yield?
Mr. JOHNSON of Washington. Yes.
Mr. WALSH. The gentleman states that statistics are getting worse every day. Does the gentleman mean to say that the official figures given out by the Census Bureau as to the population of the several States and the various subdivisions of the States have been modified or changed since officially announced?

Mr. JOHNSON of Washington. In many cases, they are given out subject to correction. From my best observation I am inclined to believe they are not correct as to any single State, county, township, or city, and what I meant to say with regard to their getting worse every day is that the census statisticians have to arrive at some conclusive figures regarding various matters pertaining to census statistics by a mere guess that is anywhere from 5 to 20 per cent wrong.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield that I may ask a question of the gentleman from

Iowa:

Mr. JOHNSON of Washington. Yes; with pleasure.
Mr. GARRETT of Tennessee. Does the gentleman from Iowa
desire to conclude the bill this afternoon?

Mr. GOOD. Yes.
Mr. JOHNSON of Washington. Then, Mr. Chairman, I ask unanimous consent to withdraw the amendment which I have introduced.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

The Clerk read as follows:

Total audited claims, section 2, \$610,982.88.

Mr. ARENTZ. Mr. Chairman, I ask unanimous consent to return to page 38, line 10, for the purpose of offering an amendment

The CHAIRMAN. The gentleman from Nevada asks unanimous consent to return to page 38, line 10, for the purpose of offering an amendment. Is there objection?

Mr. GOOD. Let us hear the amendment read.

The CHAIRMAN. The Clerk will report the amendment for information.

The Clerk read as follows:

Amendment offered by Mr. Arentz: Page 38, line 10, after the figures "\$17.56" insert: "Also the sum of \$10,000 to provide hospitalization at Yerington, Nev., for the infant and aged sick Paiute Indians."

The CHAIRMAN. Is there objection to returning to this page for the purpose of offering the amendment just reported? Mr. WINGO. Reserving the right to object, is this a defi-

ciency?

Mr. GOOD. I am not in favor of the amendment, but I do not want to object.

Mr. WINGO. Is it a deficiency?
Mr. GOOD. No; it is not a deficiency.
Mr. GARRETT of Tennessee. Then let us get along. I object, Mr. Chairman.

The CHAIRMAN. The gentleman from Tennessee objects. The Clerk read as follows:

SEC. 3. That this act hereafter may be referred to as the "Second deficiency act, fiscal year 1921."

Mr. BUTLER. Mr. Chairman, I rise to ask unanimous consent to return to page 33 in order that I may reason with my friend from Texas [Mr. Blanton] for a moment or two in an effort to restore an item to the bill which went out on a point of order.

Mr. BLANTON. The gentleman has already reasoned with

me, and I have withdrawn my objection.

Mr. BUTLER. Very well. It will save me a great deal of

work, and I can vouch for the account.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to return to page 33 for the purpose of restoring an item that went out on a point of order. Is there objection?

Mr. BUTLER. Mr. Chairman, the item begins on line 23, page 33, and is as follows:

and to the Giant Portland Cement Co., subcontractors, for loss sustained by it on cement furnished for this work, \$17,517.94.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BUTLER. Mr. Chairman, I move to amend, on page 33, line 23, by inserting after the semicolon the language: for loss sus-

and to the Giant Portland Cement Co., subcontractors, for tained by it on cement furnished for this work, \$75,517.94.

Mr. WALSH. Mr. Chairman, a parliamentary inquiry. Mr. BLANTON. The gentleman wants all the language, "or so much thereof as may be shown by audit," and so forth.

The CHAIRMAN. The gentleman from Massachusetts will state his parliamentary inquiry.

Mr. WALSH. Was not an amendment adopted at that place in the bill?

The CHAIRMAN. An amendment was adopted to that portion of the bill.

Mr. WALSH. Then I desire to ask if the amendment is to

follow or to precede the amendment which was adopted?

Mr. BUTLER. To take the place of the amendment which I offered. It is to follow the Good amendment.

Mr. GOOD. I think what the gentleman wants to do here is to offer an amendment on page 33, line 23, changing the period to a semicolon and add:

and to the Giant Portland Cement Co., subcontractor, for loss sustained by it on cement furnished for this work, \$75,517.94, or so much thereof as may be shown by audit of the subcontractor's books by the Navy Department; in all, \$243,017.94.

Mr. BUTLER. I thank the gentleman very much that he has

enabled me to do what I wish.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BUTLER: Page 33, line 23, after the word "dock," strike out the period, insert a semicolon, and add: "and to the Giant Portland Cement Co., subcontractor, for loss sustained by it on cement furnished for this work, \$75,517.94, or so much thereof as may be shown by audit of the subcontractor's books by the Navy Department; in all, \$243,017.94."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken, and the amendment was agreed to. Mr. GOOD. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. Campbell of Kansas, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 6300, had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. GOOD. Mr. Speaker, I move the previous question on the

bill and amendments to final passage. The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amend-

Mr. BUTLER. Mr. Speaker, I demand a separate vote on the amendment-I do not know the number, but it is on page -which changes the limitation placed upon certain expenditures in the last naval appropriation bill and grants an increase of \$400,000. I ask a separate vote on that.

The SPEAKER. Is a separate vote demanded on any other

amendment?

Mr. BLANTON. I demand a separate vote on the six amendments known as the Good amendments made in order by the rule, and I ask unanimous consent that in the consideration of those amendments they may all be determined by one vote.

The SPEAKER. Is a separate vote demanded on any other amendment? If not the Chair will put them in gross.

The question was taken, and the remaining amendments were

agreed to.

The SPEAKER. Is the amendment of the gentleman from Pennsylvania included in these six referred to by the gentleman from Texas?

Mr. BLANTON. The other five, excepting the one referred to by the gentleman from Pennsylvania.

The SPEAKER. The question is on the amendment which the Clerk will report.

The Clerk read as follows:

Page 34, after line 4, insert:

"Maintenance, Bureau of Supplies and Accounts: The limitation specified under this head in the naval appropriation act for the fiscal year 1921 on expenditures for pay of chemists and for clerical, inspection, and messenger service in the supply and accounting department of the navy yards and naval stations and disbursing offices for the fiscal year 1921 is further increased by \$400,000."

The SPEAKER. The question is on agreeing to the amend-

The question was taken, and the Speaker announced the ayes seemed to have it.

Mr. BUTLER. Mr. Speaker, I demand a division.

The House divided; and there were ayes 54, noes 47.

Mr. BLANTON. Mr. Speaker, I ask for tellers.

Mr. BUTLER. Mr. Speaker, I make a point of order of no quorum.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman withhold that for a moment to enable me to make a parliamentary inquiry?

Mr. BUTLER. Yes: I do not want to keep gentlemen here to-night.

The SPEAKER. Does the gentleman withhold his point?
Mr. BUTLER. Yes, sir.
Mr. GARRETT of Tennessee. Mr. Speaker, if the House should adjourn, would the vote come immediately upon this amendment to-morrow morning?

The SPEAKER. It would come the first thing in the morning. Mr. BUTLER. Mr. Speaker, I very greatly regret to keep the gentlemen here. I simply want a record on this question.

Mr. GOOD. Mr. Speaker, has the point of no quorum been raised?

The SPEAKER. It has.

#### ADJOURNMENT.

Mr. GOOD. I move that the House do now adjourn. The motion was agreed to; accordingly (at 5 o'clock and 2 minutes p. m.) the House adjourned until to-morrow, Thursday, May 26, 1921, at 12 o'clock noon.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SUMMERS of Washington, from the Committee on the Public Lands, to which was referred the bill (H. R. 5622) providing for the appraisal and sale of the Vashon Island Military Reservation in the State of Washington, and for other purposes, reported the same without amendment, accompanied by a report (No. 94), which said bill and report were referred to the Committee of the Whole House on the state of the

Mr. STEENERSON, from the Committee on the Post Office and Post Roads, to which was referred the bill (H. R. 6573) to further reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis, and for other purposes, reported the same with an amendment, accompanied by a report (No. 95), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DENISON, from the Committee on Interstate and Foreign Commerce, to which was referred the joint resolution (H. J. Res. 32) to change the name of the Grand River in Colorado and Utah to the Colorado River, reporte the same without amendment, accompanied by a report (No. 97), which said joint resolution and report were referred to the House Calendar.

Mr. GOULD, from the Committee on the Library, to which was referred the joint resolution (H. J. Res. 127) to recrect the statue of Abraham Lincoln upon its original site, reported the same without amendment, accompanied by a report (No. 98), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HULL, from the Committee on Military Affairs, to which was referred the bill (H. R. 2861) authorizing the Secretary of War to grant to Lloyd E. Gandy, of Spokane, Wash., his heirs and assigns, the right to overflow certain lands on the Fort George Wright Military Reservation, at Spokane, Wash., on such terms as may be prescribed by the Secretary of War, and for other purposes, reported the same without amendment, accompanied by a report (No. 99), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials

were introduced and severally referred as follows:

By Mr. JOHNSON of Washington: A bill (H. R. 6607) to amend an act approved February 22, 1889, entitled "An act to provide for the division of Dakota into two States and to enable the people of North Dakota, South Dakota, Montana, and Washington to form constitutions and State governments, and to be admitted into the Union on an equal footing with the original States, and to make donations of public lands to such States"; to the Committee on the Public Lands.

By Mr. TEN EYCK: A bill (H. R. 6608) for the purchase of a site and the erection of a post office in Watervliet, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. SWANK: A bill (H. R. 6609) granting a national charter to organize and maintain subordinate chapters of the Phi Delta Omega fraternities; to the Committee on the Judiciary.

By Mr. DUPRE: A bill (H. R. 6610) to authorize the reinstatement in the Navy of former officers of the Regular Navy who resigned subsequent to November 11, 1918; to the Committee on Naval Affairs.

By Mr. SWEET: A bill (H. R. 6611) to establish in the Treasury Department a veterans' bureau and to improve the facilities and service of such bureau, and further to amend and modify the war risk insurance act; to the Committee on Interstate and Foreign Commerce.

By Mr. BURDICK: A bill (H. R. 6612) to amend the interstate commerce act; to the Committee on Interstate and Foreign Commerce

By Mr. EDMONDS: A bill (H. R. 6613) to amend section 13 of the river and harbor act of March 3, 1899; to the Committee on Interstate and Foreign Commerce.

By Mr. ANSORGE: Joint resolution (H. J. Res. 132) to pre-vent unjust publication as "deserters" of World War veterans and others who were prevented from registering, reporting, or entraining by reason of their having voluntarily enlisted or for other meritorious cause; to the Committee on Military Affairs.

By Mr. SLEMP: Joint resolution (H. J. Res. 133) directing the Secretary of the Treasury to appoint a commission to investigate and appraise the value of Jamestown Island, Va., and to make recommendations to Congress regarding its purchase; to the Committee on the Library.

By Mr. SINCLAIR: Resolution (H. Res. 102) authorizing the Committee on Banking and Currency of the House of Representatives to investigate and report on the charge that money and credit is controlled in the United States by a small group of individuals and financial interests; to the Committee on Rules.

By Mr. MAGEE: Resolution (H. Res. 103) directing the Attorney General to transmit to the House an itemized statement showing the amounts of money collected for alleged violations of the Lever Act, etc.; to the Committee on the Judiciary.

## PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BIRD: A bill (H. R. 6614) granting a pension to Joseph F. Ritcherdson; to the Committee on Invalid Pensions. By Mr. BLAKENEY; A bill (H. R. 6615) for the relief of Phillip Zellinger: to the Committee on Claims.

By Mr. BLAND of Indiana: A bill (H. R. 6616) granting a

pension to Ida Taylor; to the Committee on Invalid Pensions.
Also, a bill (H. R. 6617) granting a pension to Nancy Bastin; to the Committee on Invalid Pensions.

By Mr. BURTNESS: A bill (H. R. 6618) for the relief of Louis Blanchette, alias Lewis Blanchard, alias Louis White; to the Committee on Military Affairs. to the Committee on Military Affairs.

Also, a bill (H. R. 6619) for the relief of Isaac J. Reese; to the Committee on Military Affairs.

By Mr. CHALMERS: A bill (H. R. 6620) authorizing the Secretary of War to donate to the Lucas County Library, of Maumee, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CULLEN: A bill (H. R. 6621) for the relief of Mrs. John Jones; to the Committee on Claims.

By Mr. DEAL: A bill (H. R. 6622) for the relief of Gaetano Davide Olivari fu Fortunato; to the Committee on Claims.

By Mr. ELLIOTT: A bill (H. R. 6623) granting a pension to Frank L. Pierce; to the Committee on Invalid Pensions

By Mr. FAUST: A bill (H. R. 6624) granting a pension to Lillie Starr; to the Committee on Invalid Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 6625) granting a pension to Mary E. Mott; to the Committee on Invalid Pensions. By Mr. McLAUGHLIN of Pennsylvania: A bill (H. R. 6626)

granting an increase of pension to Caroline Sowers; to the Committee on Invalid Pensions.

By Mr. MOORES of Indiana: A bill (H. R. 6627) granting a pension to Harry Lucas; to the Committee on Pensions.

By Mr. MONTAGUE: A bill (H. R. 6628) for the relief of the

owners of the British steamship Clearpool; to the Committee on Claims.

By Mr. PRINGEY: A bill (H. R. 6629) granting a pension to John Murphy; to the Committee on Invalid Pensions.

By Mr. RAMSEYER: A bill (H. R. 6630) granting an in-

crease of pension to Amanda Wymore; to the Committee on Invalid Pensions.

By Mr. SANDERS of Indiana: A bill (H. R. 6631) granting a pension to Martin L. Stokesberry; to the Committee on Invalid

Also, a bill (H. R. 6632) granting an increase of pension to John A. Kirkham; to the Committee on Invalid Pensions.

By Mr. SCOTT of Michigan: A bill (H. R. 6633) granting a pension to Christine Schlusser; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6634) granting a pension to Reuben G. Levyn; to the Committee on Pensions.

Also, a bill (H. R. 6635) granting a pension to Laura A.

Hayner; to the Committee on Invalid Pensions.

By Mr. TAYLOR of New Jersey: A bill (H. R. 6636) authorizing the Secretary of War to donate to the seventh ward of Jersey City, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TEN EYCK: A bill (H. R. 6637) for the relief of the

estate of Sarah H. Flack, deceased; to the Committee on

By Mr. TILSON: A bill (H. R. 6638) granting a pension to

Gustav R. Kaschubey; to the Committee on Pensions. By Mr. TREADWAY: A bill (H. R. 6639) granting an increase of pension to Rose E. Cain; to the Committee on Invalid Pensions.

### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

947. By Mr. CHALMERS: Petition of the Woolner Brewery Co., Toledo, Ohio, protesting against continuance of excess tax

on cereal beverages; to the Committee on Ways and Means. 948. Also, petition of Women's Auxiliary, John A. Fader Post,

No. 114, American Legion, Oak Harbor, Ohio; to the Committee Ways and Means.

949. By Mr. DYER: Telegrams and letters in support of House joint resolution 116, relative to newspaper correspondents in Ireland; to the Committee on Foreign Affairs.

950. Also, petitions from citizens of St. Louis, Mo., in favor of beer and light wines; to the Committee on the Judiciary.

951. By Mr. FULLER: Petition of the Rockford, Ill., Kiwanis Club, urging relief for the disabled soldiers of the World War; also petition of the Traffic Club, of Chicago, Ill., relative to the railroad legislation, etc.; to the Committee on Interstate and Foreign Commerce.

952. Also, petition of H. Hotelling, Rural Letter Carriers, No. 4, Rockford, Ill., favoring revision and increase of compensation for the rural letter carriers; to the Committee on

the Post Office and Post Roads.

953. By Mr. SINCLAIR: Petition of high-school principals, teachers, and superintendents of schools in conference at Grand Forks, N. Dak., favoring passage of Towner-Sterling bill; to the Committee on Education.

954. By Mr. CURRY: Petition of Young Men's Christian Association, of Sacramento, Calif., indorsing certain legislation relative to rehabilitation of ex-soldiers and sailors; to the Committee on Interstate and Foreign Commerce.

# SENATE.

# THURSDAY, May 26, 1921.

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father, we bless Thee for another day and its privileges. We desire Thy guidance to help us in the understanding of duty, to recognize Thy claims as well as those of our country. Be pleased to be with us always. For Christ Jesus' sake. Amen.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Friday, May 20, 1921, when, on request of Mr. Lodge and by unanimous consent, the further reading was dispensed with and the Journal was approved.

### EXECUTIVE SESSION.

Mr. LODGE. Mr. President, under the unanimous-consent agreement, it becomes my duty to move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 4 hours and 35 minutes spent in executive session the doors were reopened.

NATIONAL BUDGET SYSTEM-CONFERENCE REPORT (S. DOC. NO. 15).

While the doors were closed Mr. McCormick, as in legislative session, called up the report of the committee of conference on

the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill (S. 1084) to provide a national budget system and an independent audit of Government accounts, and for other purposes, and the report was agreed to. The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1084) to provide a national budget system and an independent audit of Government accounts, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with an amendment as follows: In lieu of the matter inserted by the amendment of

the House insert the following:

# "TITLE I .- DEFINITIONS.

"Section 1. This act may be cited as the 'budget and accounting act, 1921.'
"Sec. 2. When used in this act—

"The terms 'department and establishment' and 'department or establishment' mean any executive department, independent commission, board, bureau, office, agency, or other establishment of the Government, including the municipal government of the District of Columbia, but do not include the legislative branch of the Government or the Supreme Court of the United States; . "The term 'the budget' means the budget required by sec-

tion 201 to be transmitted to Congress:

The term 'bureau' means the bureau of the budget;

"The term "director' means the director of the bureau of the budget; and

"The term 'assistant director' means the assistant director of the bureau of the budget.

# " TITLE II .- THE BUDGET.

"Sec. 201. The President shall transmit to Congress on the first day of each regular session the budget, which shall set forth in summary and in detail:

"(a) Estimates of the expenditures and appropriations necessary, in his judgment, for the support of the Government for the ensuing fiscal year; except that the estimates for such year for the legislative branch of the Government and the Supreme Court of the United States shall be transmitted to the President on or before October 15 of each year, and shall be included by him in the budget without revision;

"(b) His estimates of the receipts of the Government during the ensuing fiscal year, under (1) laws existing at the time the budget is transmitted, and also (2) under the revenue proposals,

if any, contained in the budget:

"(c) The expenditures and receipts of the Government during the last completed fiscal year;

"(d) Estimates of the expenditures and receipts of the Gov-

ernment during the fiscal year in progress;

"(e) The amount of annual, permanent, or other appropriations, including balances of appropriations for prior fiscal years, available for expenditure during the fiscal year in progress, as of November 1 of such year;

"(f) Balanced statements of (1) the condition of the Treasury at the end of the last completed fiscal year, (2) the estimated condition of the Treasury at the end of the fiscal year in progress, and (3) the estimated condition of the Treasury at the end of the ensuing fiscal year, if the financial proposals contained in the budget are adopted;

"(g) All essential facts regarding the bonded and other in-

debtedness of the Government; and
"(h) Such other financial statements and data as in his opinion are necessary or desirable in order to make known in all practicable detail the financial condition of the Government.

"SEC. 202. (a) If the estimated receipts for the ensuing fiscal year contained in the budget, on the basis of laws existing at the time the budget is transmitted, plus the estimated amounts in the Treasury at the close of the fiscal year in progress, available for expenditure in the ensuing fiscal year, are less than the estimated expenditures for the ensuing fiscal year contained in the budget, the President, in the budget, shall make recommendations to Congress for new taxes, loans, or other appropriate action to meet the estimated deficiency.

"(b) If the aggregate of such estimated receipts and such estimated amounts in the Treasury is greater than such estimated expenditures for the ensuing fiscal year, he shall make such recommendations as in his opinion the public interests re-

"SEC. 203. (a) The President from time to time may transmit to Congress supplemental or deficiency estimates for such appropriations or expenditures as in his judgment (1) are necessary on account of laws enacted after the transmission of the budget or (2) are otherwise in the public interest. He shall accompany such estimates with a statement of the reasons therefor, including the reasons for their omission from the budget.

"(b) Whenever such supplemental or deficiency estimates reach an aggregate which, if they had been contained in the budget, would have required the President to make a recommendation under subdivision (a) of section 202, he shall there-

upon make such recommendation.

"SEC. 204. (a) Except as otherwise provided in this act, the contents, order, and arrangement of the estimates of appropriations and the statements of expenditures and estimated expenditures contained in the budget or transmitted under section 203, and the notes and other data submitted therewith, shall conform

to the requirements of existing law.

"(b) Estimates for lump-sum appropriations contained in the budget or transmitted under section 203 shall be accompanied by statements showing, in such detail and form as may be necessary to inform Congress, the manner of expenditure of such appropriations and of the corresponding appropriations for the fiscal year in progress and the last completed fiscal year. Such statements shall be in lieu of statements of like character

now required by law.

SEC. 205. The President, in addition to the budget, shall transmit to Congress on the first Monday in December, 1921, for the service of the fiscal year ending June 30, 1923, only, an alternative budget, which shall be prepared in such form and amounts and according to such system of classification and itemization as is, in his opinion, most appropriate, with such explanatory notes and tables as may be necessary to show where the various items embraced in the budget are contained in such alternative budget.

Sec. 206. No estimate or request for an appropriation and no request for an increase in an item of any such estimate or request and no recommendation as to how the revenue needs of the Government should be met shall be submitted to Congress or any committee thereof by any officer or employee of any department or establishment unless at the request of either House of

"SEC. 207. There is hereby created in the Treasury Department a bureau to be known as the bureau of the budget. There shall be in the bureau a director and an assistant director, who shall be appointed by the President and receive salaries of \$10,000 and \$7,500 a year, respectively. The assistant director shall perform such duties as the director may designate, and during the absence or incapacity of the director or during a vacancy in the office of director he shall act as director. The bureau, under such rules and regulations as the President may prescribe, shall prepare for him the budget, the alternative budget, and any supplemental or deficiency estimates, and to this end shall have authority to assemble, correlate, revise, reduce, or increase the estimates of the several departments or establishments.

"SEC. 208. (a) The director, under such rules and regula-tions as the President may prescribe, shall appoint and fix the compensation of attorneys and other employees and make ex-penditures for rent in the District of Columbia, printing, binding, telegrams, telephone service, law books, books of reference, periodicals, stationery, furniture, office equipment, other supplies, and necessary expenses of the office, within the appro-

priations made therefor.

"(b) No person appointed by the director shall be paid a salary at a rate in excess of \$6,000 a year, and not more than four persons so appointed shall be paid a salary at a rate in excess of \$5,000 a year.

(c) All employees in the bureau whose compensation is at a rate of \$5,000 a year or less shall be appointed in accordance

with the civil service laws and regulations.

"(d) The provisions of law prohibiting the transfer of employees of executive departments and independent establishments until after service of three years shall not apply during the fiscal years ending June 30, 1921, and June 30, 1922, to the transfer of employees to the bureau.

"(e) The bureau shall not be construed to be a bureau or office created since January 1, 1916, so as to deprive employees therein of the additional compensation allowed civilian employees under the provisions of section 6 of the legislative, executive, and judicial appropriation act for the fiscal years ending June 30, 1921, and June 30, 1922, if otherwise entitled

"SEC. 209. The bureau, when directed by the President, shall make a detailed study of the departments and establishments for the purpose of enabling the President to determine what changes (with a view of securing greater economy and efficiency in the conduct of the public service) should be made in (1)

the existing organization, activities, and methods of business of such departments or establishments, (2) the appropriations therefor, (3) the assignment of particular activities to particular services, or (4) the regrouping of services. The results of such study shall be embodied in a report or reports to the President, who may transmit to Congress such report or reports or any part thereof with his recommendations on the matters covered thereby.
"Sec. 210. The bureau shall prepare for the President a

codification of all laws or parts of laws relating to the preparation and transmission to Congress of statements of receipts and expenditures of the Government and of estimates of appropriations. The President shall transmit the same to Congress on or before the first Monday in December, 1921, with a recommendation as to the changes which, in his opinion, should be

made in such laws or parts of laws.

"Sec. 211. The powers and duties relating to the compiling of estimates now conferred and imposed upon the Division of Bookkeeping and Warrants of the office of the Secretary of the Treasury are transferred to the bureau.

212. The bureau shall, at the request of any committee of either House of Congress having jurisdiction over revenue or appropriations, furnish the committee such aid and

information as it may request.

SEC. 213. Under such regulations as the President may prescribe, (1) every department and establishment shall furnish to the bureau such information as the bureau may from time to time require, and (2) the director and the assistant director, or any employee of the bureau when duly authorized shall, for the purpose of securing such information, have access to, and the right to examine, any books, documents, papers, or records of any such department or establishment.

"SEC. 214. (a) The head of each department and establishment shall designate an official thereof as budget officer therefor, who, in each year under his direction and on or before a date fixed by him, shall prepare the departmental estimates.

"(b) Such budget officer shall also prepare, under the direction of the head of the department or establishment, such supplemental and deficiency estimates as may be required for its

"SEC. 215. The head of each department and establishment shall revise the departmental estimates and submit them to the bureau on or before September 15 of each year. In case of his failure so to do the President shall cause to be prepared such estimates and data as are necessary to enable him to include in the budget estimates and statements in respect to the work of such department or establishment.

"SEC. 216. The departmental estimates and any supplemental or deficiency estimates submitted to the bureau by the head of any department or establishment shall be prepared and submitted in such form, manner, and detail as the President may

prescribe.

SEC. 217. For expenses of the establishment and maintenance of the bureau there is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$225,000, to continue available during the fiscal year ending June 30, 1922.

" TITLE III .- GENERAL ACCOUNTING OFFICE.

"SEC. 301. There is created an establishment of the Government to be known as the general accounting office, which shall be independent of the executive departments and under the control and direction of the comptroller general of the United The offices of Comptroller of the Treasury and Assistant Comptroller of the Treasury are abolished, to take effect July 1, 1921. All other officers and employees of the office of the Comptroller of the Treasury shall become officers and emthe Comptroller of the Treasury shall become omcers and employees in the general accounting office at their grades and salaries on July 1, 1921, and all books, records, documents, papers, furniture, office equipment, and other property of the office of the Comptroller of the Treasury shall become the property of the general accounting office. The comptroller general is authorized to adopt a seal for the general accounting

"SEC. 302. There shall be in the general accounting office a comptroller general of the United States and an assistant comptroller general of the United States, who shall be appointed by the President, with the advice and consent of the Senate, and shall receive salaries of \$10,000 and \$7,500 a year, respectively. The assistant comptroller general shall perform such duties as may be assigned to him by the comptroller general, and during the absence or incapacity of the comptroller general, or during a vacancy in that office, shall act as comptroller general.

SEC. 303. Except as hereinafter provided in this section, the comptroller general and the assistant comptroller general shall hold office for 15 years. The comptroller general shall not be eligible for reappointment. The comptroller general or the assistant comptroller general may be removed at any time by joint resolution of Congress after notice and hearing, when, in the judgment of Congress, the comptroller general or assistant comptroller general has become permanently incapacitated or has been inefficient, or guilty of neglect of duty, or of malfeasance in office, or of any felony or conduct involving moral turpitude, and for no other cause and in no other manner except by impeachment. Any comptroller general or assistant comptroller general removed in the manner herein provided shall be ineligible for reappointment to that office. When a comptroller general or assistant comptroller general attains the age of 70 years he shall be retired from his office.

SEC. 304. All powers and duties now conferred or imposed by law upon the Comptroller of the Treasury or the six auditors of the Treasury Department, and the duties of the Division of Bookkeeping and Warrants of the office of the Secretary of the Treasury relating to keeping the personal ledger accounts of disbursing and collecting officers, shall, so far as not inconsistent with this act, be vested in and imposed upon the general accounting office and be exercised without direction from any other officer. The balances certified by the comptroller general shall be final and conclusive upon the executive branch of the Government. The revision by the comptroller general of set-tlements made by the six auditors shall be discontinued, except

as to settlements made before July 1, 1921.

"The administrative examination of the accounts and vouchers of the Postal Service now imposed by law upon the Auditor for the Post Office Department shall be performed on and after July 1, 1921, by a bureau in the Post Office Department to be known as the bureau of accounts, which is hereby established for that purpose. The bureau of accounts shall be under the direction of a comptroller, who shall be appointed by the President, with the advice and consent of the Senate, and shall receive a salary of \$5,000 a year. The comptroller shall perform the administrative duties now performed by the Auditor for the Post Office Department and such other duties in relation thereto as the Postmaster General may direct. The appropriation of \$5,000 for the salary of the Auditor for the Post Office Department for the fiscal year 1922 is transferred and made available for the salary of the comptroller, bureau of accounts, Post Office The officers and employees of the office of the Department. Auditor for the Post Office Department engaged in the administrative examination of accounts shall become officers and employees of the bureau of accounts at their grades and salaries on July 1, 1921. The appropriations for salaries and for contingent and miscellaneous expenses and tabulating equipment for such office for the fiscal year 1922, and all books, records, documents, papers, furniture, office equipment, and other property shall be apportioned between, transferred to, and made available for the bureau of accounts and the general accounting office, respectively, on the basis of duties transferred.

"SEC. 305. Section 236 of the Revised Statutes is amended

to read as follows:

"'SEC. 236. All claims and demands whatever by the Government of the United States or against it, and all accounts whatever in which the Government of the United States is concerned, either as debtor or creditor, shall be settled and

adjusted in the general accounting office.

SEC. 306. All laws relating generally to the administration of the depa-tments and establishments shall, so far as applicable, govern the general accounting office. Copies of any books, records, papers, or documents, and transcripts from the books and proceedings of the general accounting office, when certified by the comptroller general or the assistant comptroller general, under its seal, shall be admitted as evidence with the same effect as the copies and transcripts referred to in sections 882 and 886 of the Revised Statutes.

"SEC. 307. The comptroller general may provide for the payment of accounts or claims adjusted and settled in the general accounting office, through disbursing officers of the several de-

partments and establishments, instead of by warrant.

"SEC. 308. The duties now appertaining to the Division of Public Moneys of the Office of the Secretary of the Treasury, so far as they relate to the covering of revenues and repayments into the Treasury, the issue of duplicate checks and warrants. and the certification of outstanding liabilities for payment, shall be performed by the Division of Bookkeeping and Warrants of the Office of the Secretary of the Treasury.

SEC. 309. The comptroller general shall prescribe the forms, systems, and procedure for administrative appropriation and fund accounting in the several departments and establishments, and for the administrative examination of fiscal officers' accounts and claims against the United States.

"SEC. 310. The offices of the six auditors shall be abolished, to take effect July 1, 1921. All other officers and employees of these offices except as otherwise provided herein shall become officers and employees in the general accounting office at their grades and salaries on July 1, 1921. All books, records, documents, papers, furniture, office equipment, and other property of these offices, and of the Division of Bookkeeping and War-rants, so far as they relate to the work of such division transferred by section 304, shall become the property of the general accounting office. The general accounting office shall occupy temporarily the rooms now occupied by the office of the Comptroller of the Treasury and the six auditors.

"SEC. 311. (a) The comptroller general shall appoint, remove, and fix the compensation of such attorneys and other employees in the general accounting office as may from time

to time be provided for by law.

"(b) All such appointments, except to positions carrying a salary at a rate of more than \$5,000 a year, shall be made in accordance with the civil-service laws and regulations.

(c) No person appointed by the comptroller general shall be paid a salary at a rate of more than \$6,000 a year, and not more than four persons shall be paid a salary at a rate of more than \$5,000 a year.

(d) All officers and employees of the general accounting office, whether transferred thereto or appointed by the comptroller general, shall perform such duties as may be assigned

to them by him.

(e) All official acts performed by such officers or employees specially designated therefor by the comptroller general shall have the same force and effect as though performed by the comptroller general in person.

"(f) The comptroller general shall make such rules and regulations as may be necessary for carrying on the work of the general accounting office, including rules and regulations concerning the admission of attorneys to practice before such office.

"SEC. 312. (a) The comptroller general shall investigate, at the seat of government or elsewhere, all matters relating to the receipt, disbursement, and application of public funds, and shall make to the President when requested by him, and to Congress at the beginning of each regular session, a report in writing of the work of the general accounting office, containing recommendations concerning the legislation he may deem necessary to facilitate the prompt and accurate rendition and settlement of accounts and concerning such other matters relating to the receipt, disbursement, and application of public funds as he may think advisable. In such regular report, or in special reports at any time when Congress is in session, he shall make recommendations looking to greater economy or efficiency in public expenditures.

"(b) He shall make such investigations and reports as shall be ordered by either House of Congress or by any committee of either House having jurisdiction over revenue, appropria-tions, or expenditures. The comptroller general shall also, at the request of any such committee, direct assistants from his office to furnish the committee such aid and information as it

may request.

"(c) The comptroller general shall specially report to Congress every expenditure or contract made by any department or

establishment in any year in violation of law.

"(d) He shall submit to Congress reports upon the adequacy and effectiveness of the administrative examination of accounts and claims in the respective departments and establishments and upon the adequacy and effectiveness of departmental inspection of the offices and accounts of fiscal officers. "(e) He shall furnish such information relating to expendi-

tures and accounting to the bureau of the budget as it may

request from time to time.

"SEC, 313. All departments and establishments shall furnish to the comptroller general such information regarding the powers, duties, activities, organization, financial transactions, and methods of business of their respective offices as he may from time to time require of them; and the comptroller general. or any of his assistants or employees, when duly authorized by him, shall for the purpose of securing such information have him, shall for the purpose of securing saccess to and the right to examine any books, documents, papers, access to and the right to examine any books, documents, papers, or records of any such department or establishment. thority contained in this section shall not be applicable to expenditures made under the provisions of section 291 of the Revised Statutes.

"SEC. 314. The Civil Service Commission shall establish an eligible register for accountants for the general accounting office, and the examinations of applicants for entrance upon such register shall be based upon questions approved by the

comptroller general.

"Sec. 315. (a) All appropriations for the fiscal year ending June 30, 1922, for the offices of the Comptroller of the Treasury and the six auditors are transferred to and made available for the general accounting office, except as otherwise provided

"(b) During such fiscal year the comptroller general, within the limit of the total appropriations available for the general accounting office, may make such changes in the number and compensation of officers and employees appointed by him or transferred to the general accounting office under this act as

may be necessary.

"(c) There shall also be transferred to the general accounting office such portions of the appropriations for rent and contingent and miscellaneous expenses, including allotments for printing and binding, made for the Treasury Department for the fiscal year ending June 30, 1922, as are equal to the amounts expended from similar appropriations during the fiscal year endpended from similar appropriations during the iscal year end-ing June 30, 1921, by the Treasury Department for the offices of the Comptroller of the Treasury and the six auditors. "(d) During the fiscal year ending June 30, 1922, the appro-priations and portions of appropriations referred to in this

section shall be available for salaries and expenses of the general accounting office, including payment for rent in the District of Columbia, traveling expenses, the purchase and exchange of law books, books of reference, and for all necessary miscel-

laneous and contingent expenses.

"SEC. 316. The general accounting office and the bureau of accounts shall not be construed to be a bureau or office created since January 1, 1916, so as to deprive employees therein of the additional compensation allowed civilian employees under the provisions of section 6 of the legislative, executive, and judicial appropriation act for the fiscal year ending June 30, 1922, if otherwise entitled thereto.

"SEC. 317. The provisions of law prohibiting the transfer of employees of executive departments and independent establishments until after service of three years shall not apply during the fiscal year ending June 30, 1922, to the transfer of employees

to the general accounting office.

"Sec. 318. This act shall take effect upon its approval by the President: Provided, That sections 301 to 317, inclusive, relatively. ing to the general accounting office and the bureau of accounts, shall take effect July 1, 1921."

And the House agree to the same.

MEDILL McCORMICK, GEO. H. MOSES, O. W. UNDERWOOD, Managers on the part of the Senata. JAMES W. GOOD, P. P. CAMPBELL, MARTIN B. MADDEN, JOSEPH W. BYRNS, JNO. N. GARNER, Managers on the part of the House.

SUPPLEMENTAL ESTIMATE, CIVIL SERVICE COMMISSION (S. DOC. NO. 25).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a commu-nication from the president of the Civil Service Commission submitting a supplemental estimate of appropriation in the sum of \$117,000 for salaries and expenses of the commission for the fiscal years 1921 and 1922, which was referred to the Committee on Appropriations and ordered to be printed.

### PETITIONS.

The VICE PRESIDENT laid before the Senate a resolution adopted by the executive council of the Free Federation of Workingmen of Porto Rico, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which

was referred to the Committee on Finance.

Mr. WADSWORTH presented a petition of sundry citizens of the State of New York, praying for the enactment of legislation looking toward the holding of a conference for international disarmament, which was ordered to lie on the table.

### REPORTS OF COMMITTEES.

Mr. POMERENE, from the Committee on Interstate Commerce, to which was referred the bill (S. 1313) to amend section 407 of the transportation act of 1920, reported it with an amendment and submitted a report (No. 75) thereon.

Mr. McKELLAR, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 75) authorizing the Committee on the

Library of the Senate to purchase or contract for a portrait of Gen. Andrew Jackson, seventh President of the United States. to be hung in Senate corridors or other appropriate place in the

Senate wing of the Capitol, reported it without amendment.

Mr. KENYON, from the Committee on Education and Labor, to which was referred the resolution (S. Res. 80) directing the Committee on Education and Labor to investigate the recent acts of violence in the coal fields of West Virginia and adjacent territory and the causes which led to the conditions which now exist in said territory, reported it without amendment, and moved that it be referred to the Committee to Audit and Control the Contingent Expenses of the Senate, which was agreed to.

#### BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred

By Mr. CARAWAY:

A bill (S. 1889) relating to hotel charges in the District of Columbia; to the Committee on the District of Columbia.

By Mr. CALDER:

A bill (S. 1890) authorizing the Secretary of Commerce to establish in the National Bureau of Standards a division to be known as the Division of Construction and Housing; to the Committee on Commerce.

By Mr. WADSWORTH:

A bill (S. 1891) to appoint H. A. Holt a first lieutenant on the retired list of the Army; to the Committee on Military Affairs.

A bill (S. 1892) to carry out the findings of the Court of Claims in the case of Edward I. Gallagher, administrator of the estate of Charles Gallagher, deceased; to the Committee on Claims.

By Mr. MYERS:

A joint resolution (S. J. Res. 64) for the relief of delinquent homesteaders on the Fort Peck Indian Reservation, in Montana: to the Committee on Public Lands and Surveys.

## AMENDMENT TO DEFICIENCY APPROPRIATION BILL.

Mr. WATSON of Indiana submitted an amendment providing that the accounting officers of the Treasury shall readjudicate. in accordance with the decisions in United States v. Morton (112 U. S. Rept., p. 1); United States v. Watson (130 U. S. Rept., p. 60); and Stewart v. United States (34 Ct. Cls. Rept., p. 553), all claims of Army officers for pay within such court decisions, without regard to former disallowances by Treasury officials, and report the same to Congress as audited claims, intended to be proposed by him to the second deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

### UNLAWFUL RESTRAINTS AND MONOPOLIES.

Mr. KNOX submitted an amendment intended to be proposed by him to the bill (S. 1876) to amend the interstate commerce act by adding thereto a new section, No. 20b, and to amend an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, by adding a new paragraph to section 10 thereof, which was referred to the Committee on Interstate Commerce and ordered to be printed.

### RECESS.

Mr. LODGE. I move that the Senate take a recess until to-morrow at noon.

The motion was agreed to; and (at 4 o'clock and 40 minutes m.) the Senate took a recess until to-morrow, Friday, May 27, 1921, at 12 o'clock meridian.

## TREATY WITH CHINA.

In executive session this day the following treaty was ratified, and, on motion of Mr. Lodge, the injunction of secrecy was removed therefrom:

# To the SENATE:

I transmit herewith, to receive the advice and consent of the Senate to its ratification, a treaty signed on October 20, 1920, between the United States and China, confirming the application of a 5 per cent ad valorem rate of duty to importations of goods into China by citizens of the United States.

WOODROW WILSON.

THE WHITE House, December 11, 1920.

# The PRESIDENT:

The undersigned, the Acting Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate, to receive the advice and consent of that body to its

ratification, a treaty signed on October 20, 1920, between the United States and China, confirming the application of a 5 per cent ad valorem rate of duty to importations of goods into China by citizens of the United States.

Respectfully submitted.

NORMAN H. DAVIS.

DEPARTMENT OF STATE, Washington, December 8, 1920.

TREATY BETWEEN THE UNITED STATES AND CHINA

Whereas it was agreed by Article VI (e), 1, and 3, of the final protocol entered into between the powers and China, concluded at Peking September 7, 1901, that the import tariff on goods imported into China by sea should be an effective 5 per cent ad valorem;

And whereas following the conclusion of said protocol and pursuant to the provisions of the first paragraph of Article XI thereof, a treaty regarding commercial relations between the Government of the United States of America and the Government of China was concluded at Shanghai on the 8th day of October, 1903, ratifications of which were duly exchanged on the

13th day of January, 1904;
And whereas by Article V and Annex III of the said treaty it was agreed that the tariff of duties to be paid by the citizens of the United States of America on goods imported into China should be as set forth in the schedule annexed to and made a part of that treaty as Annex III thereof, subject only to such amendments and changes as were authorized by Article IV of that treaty or as might thereafter be agreed upon by the high contracting parties, and that the citizens of the United States of America should at no time pay other or higher duties on goods imported into China than those paid by the citizens or subjects of the most favored nation;

And whereas a commission composed of delegates of the Governments of the United States of America and certain other powers having treaties with China regarding the duties to be paid by their citizens or subjects on imports into China, and delegates of the Republic of China has, at various conferences held at Shanghai between the 17th day of January, 1918, and the 20th day of December, 1918, agreed upon a proposed revision of the import tariff of China to the end that the rate of duty may be an effective 5 per cent ad valorem on all foreign merchandise imported into China; And whereas the Government of the United States of Amer-

ica and the Government of the Republic of China desire to confirm the application of the proposed revised tariff of duties to importations of goods into China by citizens of the United States, the two Governments have determined to conclude this supplementary treaty, and have appointed for that purpose as their plenipotentiaries:

The President of the United States of America; Mr. Bainbridge Colby, Secretary of State of the United States; and

The President of the Republic of China; Mr. Vi Kyuin Wellington Koo, envoy extraordinary and minister plenipotentiary of the Republic of China at Washington;

Who, having met and duly exhibited to each other their full powers, which were found to be in proper form, have agreed upon the following articles:

ARTICLE I.

The tariff of duties which, under the provisions of Article V of the treaty regarding commercial relations signed by the plenipotentiaries of the United States of America and China at Shanghai on the 8th day of October, 1903, are annexed to and made a part of that treaty, as Annex III thereof, shall, beginning with the date of the exchange of ratifications of the present treaty, cease to apply to goods imported into China by

citizens of the United States of America.

The rules attached to the schedule of duties annexed to the treaty regarding commercial relations signed by the plenipotentiaries of the United States of America and China at Shanghai on the 8th day of October, 1903, are amended as agreed upon by the high contracting parties, and as so amended are hereunto annexed and continued in full force and effect.

ARTICLE II.

The tariff of duties and the rules hereunto annexed shall, beginning with the date of the exchange of ratifications of the present treaty, be in full force and effect at the ports and places of China open to commerce with foreign countries, and, beginning with the date of the exchange of ratifications, the said duties shall be paid by citizens of the United States of America on goods imported into China, until modified or changed by agreement between the two high contracting parties; but the citizens of the United States of America shall at no time be

required to pay other or higher duties on goods imported into China than are paid by the citizens or subjects of the most favored nation.

ARTICLE III.

Except as provided in Articles I and II of the present treaty, the articles and provisions of the treaty signed at Shanghai October 8, 1903, between the plenipotentiaries of the United States of America and China, shall continue in full force and effect, and the articles and provisions of the present treaty shall be read and construed as a supplementary treaty therete, and shall be as binding and of the same efficacy as if they had been inserted therein.

ARTICLE IV.

In the event of there being any difference of meaning between the English and Chinese texts of the present treaty, the English text shall be held to be the correct one.

This treaty and the tariff of duties and rules hereunto annexed shall be ratified by the two high contracting parties in conformity with their respective constitutions, and the ratifica-tions shall be exchanged at Washington.

In testimony whereof the plenipotentiaries of the two high contracting parties, by virtue of their respective powers, have signed this treaty in duplicate in the English and Chinese languages and have officed their respective.

guages, and have affixed their respective seals.

Done at Washington this twentieth day of October, in the year one thousand nine hundred and twenty, corresponding to the twentieth day of the tenth month of the ninth year of the Republic of China.

SEAL. SEAL. BAINBRIDGE COLBY. VI KYUIN WELLINGTON KOO.

Import tariff.

No.	Name of article.	Agreed value, haikwan taels.	Proposed duty rate, haikwan taels.
	COTTON AND COTTON GOODS.		
1	Cotton piece goods, gray: Gray shirtings and sheetings, not over 40 inches by 41 yards—		
	(a) Weight 7 pounds and under piece. (b) Weight over 7 pounds and not over 9	1. 817	0.001
	pounds piece. (c) Weight over 9 pounds and not over 11	2, 681:	.13
2	pounds. piece.  Gray shirtings and sheetings, not over 40 inches by 41 yards and with more than 110 threads per square inch.	3, 530.	.18
1	(a) Weight over 12 pounds and not over 122 pounds	3, 933	. 20
	pounds	4.668	. 23
3	Gray shirtings and sheetings, not over 40 inches by 41 yards and with 110 threads or less per square inch—	. 3.400	-26
	(a) Weight over 11 pounds and not over 15½ pounds. piece. (b) Weight over 15½ pounds. do.	3, 293 4, 000	.16 .20
5	yards	2,960.	. 15
1	yards— (a) Weight 124 pounds and underpiece (b) Weight over 124 poundsdo	3.900 3.215	.20
6	(a) Weight 7 pounds and underpicee (b) Weight over 7 pounds	1.722 2.312:	.086
7	T-cloths, gray, over 34 inches but not over 37 inches by 25 yards piece.	2,900	.15
8.	chine made), gray, not over 24 inches wide and with not more than 110 threads per square	- 10 TO 1	
9	Cotton flannel or flannelette of plain or twill weave,	32, 400	1.60
	gray:  (a) Not over 32 inches by 31 yardspiece  (b) Over 32 inches but not over 40 inches by 31	3, 484	.17
	yardspiece Cotton piece goods, white or dyed (irrespective of finish):	4, 800	.21
10	Plain white shirtings and sheetings, not over 37	4, 183	.01
11 12	White irishes, not over 37 inches by 42 yards	5,096	.21
13	Drills and jeans, white, not over 31 inches by 42	3, 296	.16
14	T-cloths, white, and mexicans, not over 32 inches	4,348	.22
15	by 41 yards	3, 614)	.18
16	Cambrics, lawns, and muslins, white, plain, not	4, 749.	24
	over 46 inches by 12 yardspiece	. 810	.41

	Import tariff—Continued.		D D	123	Import tariff—Continued.		
No.	Name of article.	Agreed value, haikwan taels.	Proposed duty rate, haikwan taels.	No.	Name of article.	Agreed value, haikwan taels.	Proposed duty rate, haikwan taels.
T	COTTON AND COTTON GOODS—continued.				COTTON AND COTTON GOODS—continued.		1
17	Cotton piece goods, white or dyed, etc.—Continued. Cambrics, lawns, and muslins, white, figured,			39	Cotton piece goods, printed—Continued. Printed Turkey reds, real and imitation, not over	3)	
18	not over 48 inches by 12 yards	5 per cent.		40	31 inches by 25 yardspiece Printed lenos, not over 31 inches by 30 yards.do	2, 068 2, 350	0.10 .12
19	ured, not over 46 inches by 12 yardsvalue. White or dyed, plain or figured muslins, lawns, cambries, limbries, pongees, brocades, and striped, spotted, corded, and figured shirtings:	5 per cent.		41	Printed sateens and satinets, printed brocades (including printed fancy woven stripes or checks), printed Italians, printed damasks, printed venetians, printed lastings, printed beatrice twill, printed cords, printed poplins,	the second	
	(a) Not over 30 inches by 31 yardspiece (b) Over 30 inches but not over 37 inches by	4. 443	0, 22		printed moreens, not over 32 inches by 30 yards,	5, 000	.25
20	42 yards	5,000	.25	42	Duplex or reversible prints of shirting weave and		
21	Leno brocades, white or dyedvalue	2.161 5 per cent.	.11		one color only, not over 32 inches by 30 yards, piece.	3, 000	.15
22	Dyed shirtings and sheetings, plain:  (a) Not over 30 inches by 33 yardspiece  (b) Not over 30 inches and over 33 yards but not	2, 7555	.14	43	Printed velvets and velveteens. (See No. 34.) Printed domestic cretonnes, printed sateen cretonnes, printed embossed		
	over 43 yardspiece (c) Not over 36 inches by 21 yardsdo	3. 5905 2. 1048	.18		figures, printed art muslins and casement cloth,		
	(d) Not over 36 inches and over 21 yards but not	3, 30759			printed cotton coatings, trouserings, and gabar- dines, and all other duplex or reversible prints except those enumerated in classes 37 and 42,		
	over 33 yards	4, 30989	.22		value	5 per cent.	•••••••••
23	Dyed drills and jeans, plain: (a) Not over 31 inches by 33 yardspiece	3, 600	.18	1157	Printed handkerchiefs. (See No. 48.) The term "printed" in this tariff includes pig-		
24	(b) Not over 31 inches and over 33 yards, but not over 43 yards	4.676	.23	1	ment style, direct printing style, steam style, dis- charge style, madder or dyed style, resist style, resist pad style, metal style, etc., irrespective of finish.		100 ef 2.8
	25 yards: (a) Weight, 3½ pounds and underpiece	1.889	.094		The term "duplex or reversible print" in this tariff includes all printed cottons having (a) a differ-	direct pal	
	(b) Weight, over 3½ pounds, but not over 5½ poundspiece (c) Weight, over 5½ poundsdo	2,400	.12		ent pattern printed on each side of the cloth, (b) the same design on both sides of the cloth, whether		> III ) II
25	Mercerized crimps, white, dyed, or printed, plain or figured, not over 32 inches by 32 yardspiece	3, 320 5, 478	.27	314	printed with one or more rollers. Cotton piece goods, yarn-dyed: Cotton crane (See No. 27.)	100 100	1218
26	Oatmeal crapes, white or dyed, plain or figured, not over 33 inches by 33 yardspiece.	5. 265	.26	in:	Cotton crape. (See No. 27.) Cotton fiannel or fiannelette. (See No. 31.) Stockinet. (See No. 36.)		7.5
27	Cotton crape (excluding oatmeal crapes), gray, bleached, dved, printed, or dved in the varn:			178	Stockinet. (See No. 36.)  Not otherwise enumeratedvalue  Cotton piece goods, not otherwise enumerateddo	5 per cent. 5 per cent.	
	(b) Over 15 inches, but not over 30 inches	5 per cent.			Cotton, raw, cotton thread, cotton yarn, and goods made of cotton:		
28	wide	0, 106	.0053	44	Ankle bands, plain or decoratedpicul. Bags, new (see No. 529)do	80, 000 40, 000	4.00 2.00
	teen stripes, repps, and imitation (weit-faced) ve-			45	Blankets, plain, printed, or jacquard (including those with a taped or whipped edge of silk or other material), and blanket clothpicul		
100	netians, white or dyed, platfi or lighted, not over	4. 540	.23		Canvas. (See No. 35.) Crape. (See No. 27.)	40, 000	2.00
29	Poplins and venetians, white or dyed, plain, not over 33 inches by 33 yardspiece. Poplins and venetians, white or dyed, figured, not	8, 0946	.40	46	Counterpanes, honeycomb or alhambra: (a) Not over 2½ yards longdo	45, 000	2, 25
30	over 33 inches by 33 yards. piece. Cotton flannel or flannelette of plain or twill weave:	10,000	50	47	(b) Over 2) yards longvalue. Embroidered edging or insertion, machine-made,	5 per cent.	
01	exclusive of duplex or reversible prints—			1:00	Value	5 per cent.	
	(a) Not over 25 inches by 15 yardspiece (b) Over 25 inches but not over 30 inches by	1, 400	.07	48	Handkerchiefs, neither embroidered nor initialed: (1) White, dyed, or printed, hemmed (but not	ac web iii	ens a perillica
	(c) Over 25 inches but not over 30 inches by	1,700	.085	-12	with a drawn-thread hem)— (a) Not over 13 inches squaredozen	.220	.011
	31 yardspiecepiece	3, 603	.18	1	(b) Over 13 inches square but not over 18 inches square	.360	.018
	(e) Over 30 inches but not over 36 inches by 31 yards	2.000 4.300	.10	10	inches square	.530	. 027
32	(2) Duplex or reversible printsvalue  Dved cotton Spanish stripes:	5 per cent.		100	hem— (a) Not over 13 inches squaredozen	.360	.01
02	(a) Not over 32 inches by 20 yardspiece.	2, 241	.11	-,	(b) Over 13 inches square but not over 18 inches squaredozen		.038
33	yardspiece. Dyed cotton velvets and velveteens, plain, not over 26	No.	.22	100	(c) Over 18 inches square but not over 30 inches square	.920	.046
24	Inches wide	.2884	.014	100	(a) Notover 18 inches squaredo (b) Over 18 inches square but not over	.190	.01
	embossed, velvet and velveteen cords, corduroys, fustians, moleskins, and plushesvalue. Canvas, cotton (including cotton duck), for sails,	5 per cent.			25 inches square but not over (c) Over 25 inches square but not over	.640	.032
55	etcyard.	. 30)	.015		29 inches square	,800	.01
36	(a) Raised picul (b) Not raised value	. 44.000 5 per cent.	2, 20	49	34 inches squaredozen. Knitted clothing, raised (including that stitched with	1,030	. 053
37	Cotton piece goods, printed:				silk thread and with facings of silk or other material), picul. Raw cottonpicul.	74.000	3.70
	lins, printed shirtings, printed sheetings, printed T-cloths (including those known as			50	Singlets or drawers, not raised (including those	16.000	.80
	lins, printed shirtings, printed sheetings, printed T-cloths (including those known as blue and white printed T-cloths), printed drills, printed jeans, printed diagonal twills,		100	256	stitched with silk thread and with facings of silk or other material)	2. 800	.14
	twill cretonnes, printed silesias, printed repps (excluding repp cretonnes)— (a) Not over 20 inches widevalue.			52	Socks and stockings:  (a) Not raised on either side—  (b) Made of ungassed or unmercerized thread		W. Engli
	(a) Not over 20 inches widevalue. (b) Over 20 inches but not over 45 inches by 12 yardspiece.			VIB	(1) Made of ungassed or unmercerized thread, picul	70.000	3, 50
	(c) Over 20 inches but not over 32 inches by 30 yards		.05		stitched or embroidered tifread or	150.000	7,50
-	(d) Over 32 inches but not over 42 inches by	The same of the Park	.15	-01	(b) Raised value (c) Others do	5 per cent. 5 per cent.	
38	30 yardspiece. Printed mercerized crimps. (See No. 25.) Printed oatmeal crapes and oatmeal crape cre-			53	Stockinet. (See No. 36,) Towels:		
	tonnes, not over 32 inches by 30 yardspiece. Printed cotton crape. (See No. 27.)	- 2,705	1 .14	1	(a) Turkish. picul. (b) Honeycomb or huckaback	50.000	2.50 2.20

	Import tariff—Continued.			-	Import tariff—Continued.		
No.	Name of article.	Agreed value, haikwan taels.	Proposed duty rate, haikwan taels.	No.	Name of article.	Agreed value, haikwan taels.	Proposed duty rate, haikwan taels.
	COTTON AND COTTON GOODS—continued.				METALS—continued.		
54	Thread, dyed or undyed (irrespective of finish):				Copper—Continued.		1
	(1) Sewing cotton— (a) In balls or skeins—			105 106	Ingots and slabspicul. Nailsdo	28, 000 47, 385	1.46
	3-cordpicul	100.000 190.000	5.00 9.50	107 108	Nails do. Old (fit only for remanufacture) value. Sheets and plates picul.	5 per cent. 33, 950	
	6-corddo (b) On spools or cops—			109	Tacks vama	1 5 Der cent.	1,70
	2-cord, 50 yards or lessgross 3-cord, 50 yards or lessdo	.586	.029	110	Tubes do. Wire picul	5 per cent. 33, 950	1,70
	6-cord, 50 vards or less,do	1.458	.073	112	Wire cable value	5 per cent	
	Other lengths in proportion. (2) Crochet or embroidery cotton, in skeins or		-	110	Wire rope	o per cent.	
55 56	balls. picul. Waste cotton do	82. 449 9. 600	4.10	114	Anvils, swage blocks, anchors, and parts of, and		100
56	Yarn: (1) Grow (irrespective of fold)—				Anvils, swage blocks, anchors, and parts of, and forgings (each weighing in every case 25 pounds or over)	11. 484	0.57
	(a) Counts up to and including 17do (b) Counts above 17 and up to and includ-	25.500	1.28	115 116	or over). picul. Bolts, nuts, and washers. value.	5 per cent.	
	(b) Counts above 17 and up to and including 23picul	27.668	1.38	117	Castings, rough picul Chains, and parts of do	5. 132 7. 667	.26
	ing 23picul (c) Counts above 23 and up to and including 35picul	38,000	1.90	118	Chains, and parts of do. Cobbles, wire shorts, defective wire, bar croppings, and bar ends, galvanized or ungalvanized		1 198
	(d) Counts above 35 and up to and includ-	1021000	1	119	Digit	2 658	,1
	ing 45piculvaluevalue	43.600 5 per cent.	2.18	120	Crossings for railways Value Fishplates and spikes do Hoops picul. Old (fit only for remanufacture) do	5 per cent. 5 per cent.	
	(2) Dyed, bleached, gassed, mercerized, etc.do	5 per cent.		121	Old (fit only for remanufactors) do	5. 451 1. 946	.27
	WOOL, SILK, LINEN, AND HEMP GOODS.			123			
	Flax, hemp, and jute goods:		1		channels, angles, joists, girders, and other struc- tural sections or shapes. picul. Nails, wire and cut. do Pig and kentledge do Pipes, tubes, and pipe and tube fittingsvalue.	4.080	.2
57 58 59	Gunny bags, new	8.480 5 per cent.	0.42	124 125	Nails, wire and cutdo	5. 946 2. 000	.3
59	Hemp or Hessian bags, new do Hemp or Hessian bags, old value	14.000	.70	126	Pipes, tubes, and pipe and tube fittingsvalue.	5 per cent.	
60 61 62	Hemp or Hessian bags, new	18.900 5 per cent.	.95	127 128	Railsdo	3.120	.1
62 63			.90	129 130	Rivets	6.287	.3
63 64 65	Canvas of hemp and jute for sails, etcyard. Canvas linen (elastic), for tailoringvalue. Tarpaulin of hemp or juteyard.	5 per cent.		131	Sheets and plates one-eighth of an inch thick or	o per cent.	********
	Slik goods and slik mixtures:	. 229	.011	132	Screws	4.000	.2
66	Silk piece goods (all silk), plain, figured, or bro-	5 mer cont		133	thick picul Tacks do		.2
67	cadedvalue Silk plushes and silk velvets, purecatty	5 per cent. 10.984	.55	134	Wiredo	5.241	.4
68 69	Silk seel with cotton back do	2,9418	.15	135	Wire rope, galvanized or ungalvanized, with or	14 094	.75
70	Silk socks and stockings, knitted (including those made of artificial silk)catty	7.000	.35	1	Steel, tool and spring:	11.021	- 200
	silk mixture plushes and velvets (i. e., made of silk mixed with other fibrous material, with			136	Steel, tool and spring:  Bamboo steel Spring steel	5. 486 6. 420	.2
71	cotton back)catty Silk and cotton satins, white or dyed in the piece—	2.6537	. 13	138	Tool steel (including high-speed steel)value. Iron and steel, galvanized;	5 per cent.	
	(a) Plaincatty	2, 533	.13	139	Bolts, nuts, rivets, and washersdo Pipes, tubes, and tube fittingsdo	5 per cent.	
72	(b) Figureddo Silk and cotton satins, dyed in the yarndo Silk and cotton mixtures, not otherwise enum-	3. 233 4. 000	.16	140	Screwsdo	5 per cent. 5 per cent.	
72 73	Silk and cotton mixtures, not otherwise enum-	5 per cent.		142	Sheets, corrugated and plainpicul.	7.400 6.072	.3
74	erated. value. Silk ribbons, all silk and mixtures	5 per cent.		1	Wire rope. (See Ungalvanized.)		
75	Wool and cotton unions: Union shirtings, not over 33 inches wideyard Cloth made of remanufactured wool and cotton,	. 4853	.024	144	Screws. do Screws. do Sheets, corrugated and plain picul. Wire do Wire rope. (See Ungalvanized.) Wire shorts. (See Ungalvanized.) Iron and tin dross. picul.	6,000	.30
76	Cloth made of remanufactured wool and cotton, such as meltons, vicunas, beavers, Army cloths,	Trace :		145	Lead:   Old (fit only for remanufacture)value.		
	union cloths, leather cloths, presidents (includ- ing cloth containing a small quantity of new		1 3	146	Pigs or barspicul.	9,000	.4
	wool for facing purposes), not over 56 inches			147 148	Pipe do. Sheet do.	9, 961 11, 834	.56
77	wide	. 800	.04	149 150	Wirevalue. Manganesedo.	5 mor cont	
	orleans, and siciliansvalue	5 per cent.		151	Manganese, ferro. do Nickel picul	5 per cent. 70,000	
78	Wool sheen's night	17.000	. 85	152 153	Quickshverdo	126, 654	3. 50 6. 30
78 79 80	Blankets and rugs pound Bunting, not over 24 inches by 40 yards piece. Camlets, not over 31 inches by 62 yards do.	6, 560	. 028	154	Tin: Compound value	5 per cent.	
81	Camlets, not over 31 inches by 62 yardsdo	15, 600 . 480	.78	155 156	Compound	10. 885 45, 462	,5
82 83	Flannel, not over 33 inches wideyard.  Lastings, plain, figured, or craped, not over 31 inches by 32 yardspiece.	. 200		157	Pine value	5 per cent	2,3
84	Llama braidpiece	14. 620 150: 000	7.50	158 159	Sheet picul Tinned tacks do	41. 208 9. 047	2.1
85 86	Long ells, not over 21 inches by 25 yards. piece Russian, broad, superfine, medium, and habit	6, 657	.33	1	Tinned plates— Decorated	1	1 30
	cloth, not over 76 inches wide	1,520	.076	160 161	Plaindo	7.800	.5
87 88	Spanish stripes, not over 64 inches widedo All woolen and worsted yarn and cord, including	.636	.032	162 163	Oldvalue.	5 per cent. 5 per cent.	
7	Berlin woolpicul.	120, 000	6,00	1	Type metaldo White metal or German silver: Bars, ingots, and sheetspicul.	54 591	
	METALS.		1	164 165	Wiredo	54. 531 43. 444	2.7
89	Aluminumvalue			166	Zinc: Powder and spelterdo	12.940	.6
91	Aluminum sheetsdo Antifriction metaldo	5 per cent. 5 per cent.		167	Sheets (including perforated), plates, and boiler platespicul.		.8
92 93	Antimony regulus and refined	14.000 5 per cent.	.70	11		10.010	
94	Brass and yellow metal: Bars and rodspicul.	1 Sz. 18 1	and the same of		FOOD, DRINE, AND MEDICINE.		be the
95	Bolts, nuts, rivets, washers, and accessories,	30, 183	1,50	10000	Fishery and sea products:	Carlo	The Bar
96	Valuepicul.	5 per cent. 30, 183	1.50	168	Agar-agar picul. Awabi, in bulk do	6,000 52,500	2.6
97	Nailsdo	36, 765	1.50 1.80	169	Bicho de mar—		2.7
98 99	Old (fit only for remanufacture)value Screwsdo	5 per cent. 5 per cent.	***********	170 171	Black, spikeddo. Black, not spikeddo Whitedo	53, 300	2.7
100	Sheets and platespicul. Tubesdo	30, 183 47, 809	1.50 2.40	171 172	White	20,000	1.0
102	Wiredo	30, 183	1,50	173	Driedpicul.	13, 822	.6
103	Copper: Bars and rodsdo	33, 950	1.70	174 175	Freshdo	1, 200	2.1
104	Bolts, nuts, rivets, and washersvalue	5 per cent.	Total State of the last	176	Crabs' flesh, drieddo	16. 518	.8

- 1	Import tariff—Continued.			1	Import tariff—Continued.		
lo.	Name of article.	Agreed value, haikwan taels.	Proposed duty rate, haikwan taels.	No.	Name of article.	Agreed value, haikwan taels.	Proposed duty rate, haikwan taels.
	FOOD, DRINK, AND MEDICINE—continued.				FOOD, DRINK, AND MEDICINE—continued.	Part Store	
	Fisheries and sea products—Continued.			50:	Cereals, fruits, medicinal substances, seeds, spices,	to Paul Dita	
77	Fish bones value.		The state of the state of	249	and vegetables—Continued. Ginseng—	Tong BY THE	11 41
78 79	Cod, dried picul. Cutile do.	5, 800 13, 600	0.29		Clarified or cleaned— First quality (value over haikwan taels	and and all	10
80.	Dried, and smoked (not including dried cod- fish and cuttlefish)picul	9.739	.49	AV.	25 per catty)catty Second quality (value over haikwan taels	56, 000	2, 80
81 82	Fresh do	6, 410	.32		11 and not over haikwan taels 25 per	99 000	1.10
	Maws, first quality (i. e., weighing I catty or over per piece)	5.000	. 25		catty)catty Third quality (value over haikwan taels	22. 000	1.10
83	Maws, second quality (i. e., weighing under 1 catty per piece)	56, 500	2:80	l of	3 and not over haikwan taels 11 per catty)catty	7. 200	.36
84 85	Saltpicui	a. 000	.18		Fourth quality (value not over haikwan taels 3 per catty)	1. 800	.09
86 87	Skiu do Mussels, oysters, and clams, dried do	16.000	.64	250	Crude, beard, roots, and cuttings— First quality (value over haikwan taels	A MA COLLEGE	
88	Prawns and shrimps, dried, in blik	22.000	1.10		3 per catty)	4, 400	.22
89 90	Cutdodo	3. 334 2. 500	.17	051	taels 3 per catty) catty	1.700 5 per cent.	.085
91 92	Prepareddo. Redvalue.	26, 1881	1.30	251	Groundnuts-		
	Sharks' fins—	The state of the s	4.40	252 253	In shell picul Shelled do	3. 000 4. 600	.15
93 94	Dorsal and tail picul Breast fins do	37, 173	1.90	254 255	Hopsvalue	5 per cent.	2,70
95 96	Sharks' skins value	125-002	6, 40	256 257	Lemons, fresh thousand.	29, 000 10, 600	1.50
97	Animal products, canned goods, and groceries:  Bacon and bams in bulk picul	35, 300	1, 80	258 259	Lily flowers, dried do	9, 400	.47
98 99	Baking nowder Value.	5 per cent.		260	Lungngan pulp	7.600 8.102	.38
00	Beef, corned or pickled, in barrelsdo Birds' nests, black (including clarified refuse),	3,000	15	261	Morphia in all formsvaiue	o per cent.	.41
01	Birds' nests, whitecatty	18, 000 53, 278	2,70	263 264	Mushrooms picul. Nutmegs do.	47, 000 30, 000	2.40 1.50
202	Butter picul Canned goods:	00.270	2.10	265 266	Olives. value. Opium, tincture of	5 per cent. 5 per cent.	
203	Asparagus (including weight of immediate packing). picul. Awabi	17.500	.88	267 68	Oranges, freshpicul Peel, orange, in bulkdo	3,600 13,000	.18
104	Crosm and milk evanorated or sterilized do	24. 000 13. 000	1.20	269	Pepper— do	19, 400	.97
06	Fruits to blo and me (inclining weight of lilling-		.73	270	White do Potatoes, fresh value.	32,000 5 per cent.	1.60
207	diate packing) picul Milk, condensed do Unenumerated value.	19. 200 5 per cent.	.96	271 272	Putchuckpicul	38, 000	1.90
208	Chocolate	. o per cent.		273	ApricotdoLily flower (i. e., lotus nuts without husks),	26, 800	1.30
210	Cocoa do do Coffee do do Currants and raisins, in bulk picul.	5 per cent. 5 per cent.		274	pieul	20,000	1.00
212	Krines, preserved, in glass, etc.	. Der cent.		275 276	Lücraban picul. Melon do	7. 000 11, 000	.35
214	Honeydo	5 per cent.		277 278	Pine (i. e., fir nuts)dodo	4, 800	.24
216 217	Macaroni and vermicelli, in bulk picul.	9, 125		279	Sesamumdo Vegetables, dried, prepared, and saltedvalue Sugar:	5 per cent.	
218 219	Margarine value. Meats, dried and salted do			280	Brown, under No. 11 Dutch standard, and "green	4 400	EHC 13
220.	Pork rind do Sausages, dry do	- 5 per cent.		281	sugar". picul. White, over No. 10 Dutch standard (including refined sugar). picul.	4.400	No.
$\frac{221}{222}$	Sovpicui.	5.003		282	White, cube and lostdo	10.000	.50
223	Tea	5 per cent.		283 284	Canedo	7. 400 1. 000	
224	and vegetables: Aniseed, Star—	=1		285	Wines, beer, spirits, table waters, etc.:	Hostosi i = v	
	(a) First quality, value, haikwan taels, 15 and over per piculpicul.	- 20.000	1.00		label "champagne" (case of 12 bottles or 24 half-bottles).	20,000	1.00
	(b) Second quality, value under haikwan	9:000		286	Sparkling Asti (case of 12 bottles or 24 half-bottles).	10,000	
225 226	Apples, fresh do Asafœtida value	5,000	.25	287	bottles)	12,000	.60
227	Barley, pearl do Beans and peas do	5 ner cont		288	of the natural fermentation of grapes (not in-	PER MINE	
228 229 230	Beteinuts, dried picul Beteinut husk, dried do	4. 700 2. 300	.24		cluding Vins de Liqueur)— (1) In bottles (case of 12 bottles or 24 half-		
231	Bran				bottles)	.700	
232	oats, paddy, rice, wheat, and flour made there-			289	bottles)	14.000	.70
	from; also buckwheat and buckwheat nour, corn flour and yellow corn meal, rye flour, and		100	290	Port wine, in bulk (imperial gallon)	3.500	
	Transa days but not including arrowroot flour	7N		291	In bottles (case of 12 bottles or 24 half bottles	8,000 2,000	
	cracked wheat, germes, hominy, pearl barley petato flour, Quaker Oats, rolled oats, sago and sago flour, shredded wheat, tapioca and taylog four and variety flour.		2 22 1	292 293		The state of the s	
000	tapioca nour, and yant nour,	A 100			(2) In bottles (case of 12 bottles or 24 half	10 000	
233	picul	66.00	3.30		bottles)(2) In bulk (imperial gallon)	3.000	.15
234	Cleancatty	62.00		294	Saké-	The Title	120
235	Refuse value Capoor cutchery do. Cardamom husk picul	5 per cent		298	In barrelspicul. In bottles (12 reputed quarts or 24 reputed	. 8,200	
237	Cardamoms—	Company of the Compan		900	pints)	. 2.000	.10
238	Inferiordo Superiordo	200.00	0 10.00		of fruits and berries-	S Committee of the comm	
240	Cassia lignea and budsdo	18.00	0 .90		(1) In bottles (12 reputed quarts or 24 reputed pints)	1.580	
242	Chestnutsvalue	14,00			Porter and stout—	Contract Contract	.02
243	Cinnamon, in bulkdo	100.00	0 5.00	29	pints)	2, 560	
246	Cloves, motherdo	8.00	0 .40		9 In casks (imperial gallon)	, 550	.02
247	Cocaine value Galangal do.	5 per cen:		* I T T T	gallon)		.13

	Import tariff—Continued.	1000000		-	Import tariff—Continued.	1	
70.	Name of article.	Agreed value, haikwan taels.	Proposed duty rate, haikwan taels.	No.	Name of article.	Agreed value, haikwan taels.	Propose duty rat haikwai taels.
	FOOD, DRINK, AND MEDICINE—continued.				CHEMICALS AND DYES—continued.		
101	Wines, beer, table-waters, etc.—Continued. Brandy and cognac, in bottles (case of 12 reputed			374	Dyes and pigments—Continued. Smaltpicul	40, 150	2.0
02	quarts)	13. 400 7. 000	0.67	375 376	Ultramarine do	3. 938 13. 862	2. 00 . 20 . 60
03	Gin— In bottles (case of 12 reputed quarts)		.23	377 378	Vermilion do. Vermilion, artificial value White zinc. do.	82. 400 5 per cent.	4.10
04 05	In bulk (imperial gallon)	1. 800	.09	379	White zincdo CANDLES, GUMS, OILS, SOAP, VARNISHES, WAX, AND	5 per cent.	
	(1) In bottles (case of 12 reputed quarts) (2) In bulk (imperial gallon)	4, 000 1, 800	.20	380	MANUFACTURES OF. Candlespicul	10.000	
06	(2) In bulk (imperial gallon).  Liqueurs (12 reputed quarts or 24 reputed pints).  Waters, table, aerated, and mineral (12 bottles or	10.000	.50	381 382	Candlewick. do Gasoline, naphtha, and benzine, mineral:	12, 600 75, 200	3, 8
08	Spirits of wine and rectified spirits or alcohol (im-	1. 400	07	904	(a) In bulk 10 American gallons (b) Incase (case of 2 tins each of 5 American gallons).	3, 000 3, 500	.12
	perial gallon)	.560	.028	383 384	Grease, inbricating, wholly or partly mineral. picul Gum arabiedo	7.000 24.000	.38
	Cigarettes:		19.36	385 386	Gum benjamin do	12, 000 24, 000	1, 20 .60 1, 20
09	Value over haikwan taels, 4.50 per 1,000 and all eigarettes not bearing a distinctive brand or			387 388	Gum copal	60, 000 9, 600	3.0
10	name on each cigarettethousand Value over haikwan taels 3 but not over haikwan	6,600	. 33	389 390	Gum onbanumdo	9, 600 6, 800	.4
11	taels, 4.50 per 1,000thousand Value over haikwan taels, 1.50 but not over haik-	3, 800	.19	391 392	Gum shellac do Gum sticklac do do	40.000 15,000	2.00
12	wan taels, 3 per 1,000thousand Value, haikwan taels, 1.50 or less per 1,000 .do	2, 200 1, 200	.11	393	Gum tragaeanthdo	18, 000	.73
13 14	wan taels, 3 per 1,000 thousand Value, haikwan taels, 1.50 or less per 1,000.do Cigarsdo Snuff value.	16,000 5 per cent.	.80	394	Castor— Lubricating	12,000	1013
15	Tobacco—		1.10	395	Medicinal value. Coconut picul.	5 per cent.	. 6
16	Leaf. picul. Prepared, in tins or packages, under 5 pounds each value.	5 per cent.		396 397	Kerosene	16.000	. 8
17	lined cases)picul	22,000	1.10		(a) In case (case of 2 tins, each of 5 American gallons).	2, 200	.1
18	Stalkdo	5, 600	.28		(b) In bulk	1,600	.0
	Chemicals: Chemicals and Dyes.		3000	398	(d) Case and 2 empty tinseach Linseedimperial gallons	1, 200	.0.
19	Acid— Aceticpicul	30, 639	1.50	399	Lubricating— (a) Wholly or partly of mineral origin,		
20 21	Boraciedo	21, 448 5 per cent.	1.10		American gallons (b) Other kinds, not otherwise enumerated, American gallons	.300	.0
22 23	Hydrochloric (l. e., muriatic)do	5 per cent. 14, 282	.71	400	Olive, in bulkimperial gallons	2,000	.0
24	Sulphuriedo	3.317	.17	401	Olive, in bulk		
25 26	In bulk. do	26, 513 17, 823	1.30	133	weights be not less than true weights and that a par		ing III
27 28 29	Sulphate ofdodododo	7, 438 5, 469	.89 .37 .27 .58	402	does not weigh less than 7 ouncespicul. Soap, toilet and fancyvalue.	5 per cent.	.4
29 30	Bleaching powder (i. e., chloride of lime)do Borax, crude or refineddo Calcium, carbide ofdo		.58	403	Turpentine:	19.600	.9
31 32	Copper sulphate of	11. 913 43. 930	2, 20		(a) Mineral imperial gallon (b) Vegetable do	.600	.0
33 34	Copper sulphate of do Glycerine do Hide specific value Magure, animal, chemical, or artificial, not other-	5 per cent.		405	Wax: Bees, yellowpicul.	32,000	1.6
35	wise enumeratedpicul. Narhthalenedo	12, 653	.15	406 407	Paraffin	10, 000 15, 200	.5
36 37	Saltpeter doSodiash doSoda—	9, 324 2, 499	.47	1	PAPER, WOOD PULP, BOOKS, AND MAPS.		
38 39	Bicarbonate of, in bulk do	2, 899 6, 200	.14	408	Paper, cigarette, on bobbins (picul, including weight of bobbin)	40.00	2.0
40 41	Crystal do Crystal, concentrated do do	2, 653 3, 178	.13	409	Paper, common printing, calendered and uncalen- dered, sized and unsized, white and colored picul	40. 00 6. 40	2.0
42 43	Nitrate of (Chile saltpeter)do Silicate ofdo	5, 342	.27	410	Paper, marbled, enameled, and glazed flintdo	12. 20 6. 40	.6
44	Dyes and pigments: Aniline dyes not otherwise enumeratedvalue	5 per cent.		411 412 413	Paper, marbled, enameled, and glazed filmt do Paper, M. G. cap, white and colored do Paper, packing and wrapping, brown or colored.do Paper, printing, calendered and uncalendered, sized	6, 40	.3
45	Bark— Mangrove picul.	1,682	.084	210			
46 47	Plum-tree do do Yellow (for dyeing) do do	3, 187 4, 948	.16		and M. G. poster, but not including printing paper otherwise enumerated), free of mechanical wood pulppicul.	9, 20	
48 49	Blue, Paris or Prussiando	34, 945	1,70 2,60	414	Paper, strawboard. value. Paper, unenumerated. do. Paper, unglazed tissue and M. G. bleached sulphite,	5 per cent. — per cent.	4
50 51	Bronze powder do Carbon black (i. e., lampblack) do Carthamin value	20,000 5 per cent.	1,00	415	Paper, unglazed tissue and M. G. bleached sulphite, free of mechanical wood pulp. picul.	10.00	
52 53	Chrome yellow	5 per cent. 82, 400	4. 10	417	Paner writing drawing get printing hank note	5 per cent.	.5
54 55	Cochinealdo	5 per cent. 5 per cent.		418 419	parchment, pergamyn, grease-proof. value. Wood pulp, chemical picul. Wood pulp, mechanical:  (a) Dry. do	6.00	.3
56 57	Cunao or false gambier	3. 340 10. 000	.17	110	(a) Drydodo (b) Wet (not containing less than 40 per cent	3, 32	.1
58 59	Cutch or gambier. do Dyes and colors, unclassed value Gamboge. picul	5 per cent. 56. 951	2.80	420	moisture)picul.	1,66 Free.	.0
60 61	Hartall (orpiment)do	22. 458	1.10	421 422	Charts and maps Newspapers and periodicals	Free. Free.	
62	Indigo— dodo	125, 881	6.30	122		rice.	
63 64	Dried, naturaldododo	60, 000 40, 000	3.00	1	ANIMAL SUBSTANCES, RAW AND PREPARED.	16.35	
65 66	Indoin	5 per cent.	.30	423	Hides, leather, and skins (furs): Hides, buffalo and cow	22,00	1,10
67 68	Laka-wood. picul Lead, red, white, and yellow. do	3. 272 10. 294	.16 .51	424	Leather beltingvalue	5 per cent.	
69	Logwood extract	15, 492	1.00	425	Calf, kid, enameled, lapanned, patent, and/or	300.00	15, 0
71	Ocher do Safflower do	6.545	.33	426	colored picul.  Cow (including that for soles and harness)		2.90
373	Sapanwooddo	2,741	.14	427	ness)do Cow,enameled,japanned,and patentdo	180.00	9.00

	Import tariff—Continued.	Harry .		Import tariff—Continued.				
	Name of article.	Agreed value, haikwan taels.	Proposed duty rate, haikwan taels.	No.	Name of article.	Agreed value, haikwan taels.	Proposeduty rat haikwa taels.	
	ANIMAL SUBSTANCES, RAW AND PREPARED—contd.				COAL, FUEL, PITCH, AND TAR.			
- 3	Hides, leather, and skins (furs)—Continued.	4.11	BO	496	Coalton	5, 400	0.2	
	Skins (furs)— Beavervalue	5 per cent.		497	Briquettesdo Charcoalpicul	10.000	.5	
8	Dog	5 per cent.		499	Coketon	1. 093 10. 902		
1	Foxdo	5 per cent.		500 501	Liquid fuel	14.572 4.709		
2	Legs. do	5 per cent. 5 per cent.		502	Pitch picul. Tar, coal do	1.600	ä	
4	Goat—do	5 per cent.			CHINAWARE, ENAMELED WARE, GLASS, ETC.			
5	Untanned	5 per cent.		503	Basins, tingross	6,000	43	
3	Hare and rabbitdodo	5 per cent.		504	Chinawarevalue	5 per cent.		
3	Unborndo	5 per cent. 5 per cent.		505	Enameled ironware: Mugs, cups, basins, and bowls, not over 11 cen-		Dalle .	
	Tarny do	b per cent.		503	timeters in diameter	1.000	ISIT.	
	Marten, untanned do Musquash do	5 per cent.		-SSS	Basins and bowls, over 22 centimeters, but not over 35 centimeters in diameterdozen	2,000	U/A	
	Raccoon do	a per com.		507 508	Enameledironware, unenumeratedvalue Glass and crystal waredo	5 per cent. 5 per cent.		
	Sheen unterned	b per cent.		509	Glass, plate, silvered, beveled or unbeveled, not			
	Squirrel	5 per cent.		510	over 5 square feet each	.560	THE PARTY	
1	Wolf. do Bones, feathers, hair, horns, shells, sinews, tusks, etc. Bones, tiger picul	56.00	2,80	511	5 square feet each square foot. Glass, plate, unsilvered value.	5 per cent.	FRA.	
	Cow bezoar, Indianvalue	5 per cent.		512	Glass window common not over 32 ounces in			
	Cow bezoar, Indian value Crocodile and armadillo scales picul Elephants' tusks, whole or parts of catty Feathers, kingfisher, whole skins hundred Feathers, kingfisher, part skins (i. e., wings, talls,	59.00 3.60	3.00	513	weight per square foot100 square feet	5, 000 12, 000		
2	Feathers, kingfisher, whole skinshundred.	12.00	-60	2103				
	Feathers, kingfisher, part skins (i. e., wings, talls, or backs)	8.00	,40		EARTH, PRECIOUS STONES, STONES, AND ARTICLES MADE OF		1 173	
	Hair—			514	Ambervalue.	5 per cent.	OTA .	
	Horse tails picul do	42.03 50.00	2, 10 2, 50	515	Cementplcul	.900		
	Horns-		-	516 517	Cornelian beads catty.  Cornelian beads value.	16.000 5 per cent.	I IBR	
	Buffalo and cow do	13.00 34.00	1.70	518	Cornelian beads. value Cornelian stones, rough hundred Corundum sand picul.	6,000	1	
	Olddo	. 140.00	7.00 2.50	519 520	Fire bricksvalue	5 per cent.		
	Young (northern)pair. Young (southern)value.	5 per cent.		521 522	Fire clay picul picul Flints (including flint pebbles) do	1.229	131	
	Rhinoceros	. 80, 00	9.00	523	Tilesvalue	5 per cent.		
4	Musk. do. Sea-horse teeth. value Sinews, cow and deer picul.	5 per cent. 20.00	1.00		MISCELLANEOUS.			
5			2.00		Asbestos:		1000	
	TIMBER, WOOD, BAMBOOS, AND RATTANS.			524 525	Boiler composition	3, 600 64, 000	3	
6	Timber: 1,000 pieces.	4.20	.21	526	Millbeard doSheets and packing do	8,000		
	Ordinary (not including teak and other enu- merated woods), rough hewn—	100		527 528	Varn do	44, 000	2	
7	Hardwood	29.00			Bags, mats, and matting: Bags—		100	
8	Ordinary, sawn:	23.00	1.15	529	Cotton picul Straw and grass thousand.	49.000	2	
)	Hardwooddo	36.00		530	Mats-	DE LETTER	1	
0	Softwood	30.00	1.00	531 532	Coir (door)dozen.	8.000 5 per cent.	1	
1	further than simple sawing), exclusive of masts and spars—	1		533	Fancy value Formosa grass (bed) each	4. 700		
1	Hardwood—		1000	534 535	Rattan value Rush hundred	5 per cent. 71.000		
	(a) Clear, on net measure	60.00	3.00	536	Strawdo	5.100		
	(b) Merchantable, on net measuredo Softwood—	. 42.00	2.10	537	Tatamieacheach	. 320	Emili	
2	(a) Clear, on net measuredo	. 50.00		538	Coir, 36 inches by 100 yardsroll of 100 yards. Straw, 36 inches by 40 yardsroll of 40 yards.	37. 100 5. 000	3112	
3	(b) Merchantable, on net measuredo Ordinary, masts and sparsve.lue.	5 per cent.		539	Buttons:		ola	
4	Railway sleepers. do Teak-wood, beams and planks.	5 per cent.		540 541	Fancy (glass, jewelry, etc.)value.  Metal (not including those made of precious	. 5 per cent.		
5	Teak-wood, beams and planks	. 135.00	6.75	Total Co.	metals or plated with precious metals)gross.		1	
3	Wood: Bamboos, rattans, etc.—	h fax high		542 543	Poreelain 12 gross. Shell gross.		abo	
16	Canes, bamboo M. Rattan skin picul	8, 40			Fans, umbrellas, and sunshades:		TOTAL	
7	Rattans-				Palm-leaf—	7.000	100	
8	Cere or wholedo Splitdo	6.4		544 545	Coarse thousand.	. 20.000	100	
0	Camagon do	3.2	.16	546 547	Finedo	. 12.000 47,000		
1 2	Camphor value.	5 per cent		548	Silkvalue			
33	Fragrant do	5 per cent		549	Umbrellas and sunshades— With handles wholly or partly of precious	<b>建</b> 加州的	dig Do	
55	Kranjeevalue Laka. (See Dyes.)	5 per cent		4	metals, ivory, mother-of-pearl, tortoise shell, agate, etc., or jeweledvalue.	Standard March	FILE	
88	Laka. (See Dyes.) Lignum-vitædo	5 per cent		550	With all other handles, all cotton—			
87	Oil do. Puru picul	5 per cent		100	(a) Length of rib not over 17 inches value	5 per cent.	10.20	
88	Red and rosedo	4.1	0 .21		(b) Length of rib over 17 incheseach.	. 440		
90	Sandaldo Sandal dustvalue	5 per cent		551	each	.730	0.00	
	Sandal dust	1		552	With all other handles, silk and silk mix tureseach		UI,	
92 93	Scale sticks piece Scented value	5 per cent			Files and needles:	3 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7	101	
94 95	Shavings hinoki do	5 per cent			Files of all kinds— Filing surface only—	1775		
-0	VeneerdoIn this tariff, by "softwood" is meant the woo of any coniferous tree and of all trees with "needle	d		552 554	Not over 4 inches longdozen	1.30	100	
-	of any coniterous tree and of all trees with "needing or spinous leaves, e.g., pinies, firs, spruces, larche cedars, yews, junipers, and cypresses. The woo of all trees with broad leaves is to be classed a "hardwood."	8,	The state of	1000	longdozen	2.70	Tam	
	cedars, yews, junipers, and cypresses. The woo	d	BETT	550	Over 9 inches but not over 14 inche	5.00	1 0	
100	of all trees with broad leaves is to be closeed of	S	1	1	longdozen	12.00		

### Import tariff-Continued.

No.	Name of article.	Agreed value, haikwan taels.	Proposed duty rate haikwan taels.
	MISCELLANEOUS—continued.		
	Files and needles—Continued.	1 37 91	
557	Needles— Nos. 7/e and 6/o100 mille	54,000	2,70
558	Nos. 3/0 and 2/0. do	50,000	2,50
559	Nos. 3/o and 2/odo Assorted (not including 7/o)do Matches and matchmaking materials:	40,000	2.00
560	Matches, wood, safety or other—		
300	Small, in boxes not over 2 by 18 inches by 8 inch. 100 gross box.  Large, in boxes not over 22 by 18 inches by 1 inch. 50 gross box.	18, 400	.92
561	Large, in boxes not over 24 by 14 inches by		
-5.4	3 inch	16.000	.80
562	In doxes over above sizes	5 per cent.	
563	Chlorate of potashpicul	36.000	1.80
564	Emery and glass powderdo	2, 400	.12
565 566	Labelsvalue	5 per cent.	2 50
567	Phosphorus picul. Wood shavings do	70.000 2.200	3.50
568	Wood splintsdo	2,000	.10
	Metal threads and foil: Thread—	2.000	.10
569	Gold, imitation, on cottoneatty	3,000	.15
570	Silver, imitation, on cottondo		.09
571	Gold and silver, imitation, on silk value	5 per cent.	
572	Tinfoilpicul.	63.000	3.20
3030	Sundry:		
573	Bamboo baskets, bamboo blinds, and other bam-	400000000	
574	boo ware value.  Bentwood chairs do	5 per cent.	
575	Coir yarndo	5 per cent.	• • • • • • • • • • • • • • • • • • • •
576	Cordage and twine do		••••••
577	Cordage and twinedo Emery cloth and sandpaper (sheet not over 144	o per centr	
200	square inches)ream	5.000	.25
578	Furniture and other wood warevalue.	5 per cent.	
579	Glue (not including fish glue)picul.	20. 000	1.00
580	Cow, refusedo	20.000	1.00
581	Fishdo India rubber and gutta-percha, crudevalue	75. 857	3.80
582	India rubber and gutta-perena, crudevaine	5 per cent.	
584	India rubber, old or waste		
585	Insect powderdo	5 per cent.	
586	Lamp wickpicul.	54, 600	2,70
587	Leather pursesgross.	11, 200	. 56
588	Leather purses gross Machines, sewing and knitting value	5 per cent.	
589	Mirrorsdodo		
590	Molding, picturedo	5 per cent.	
591	Oakumpicul	12,600	.63
592	Ropevalue.	5 per cent.	
593	Shoes and bootsdo		
594	Starch		
595	Sulphurdo	5 per cent. 9,000	.45
597	Worm tablets, in bottles, not over 60 pieces,	-	25.0
598	Unanymerated goods	.740	.037
I OUL	Unenumerated goodsvalue	5 per cent.	

### ANNEX II.

### RULES.

RULE I. Imports unenumerated in this tariff will pay duty at the rate of 5 per cent ad valorem, and the value upon which duty is to be calculated shall be the wholesale market value of the goods in local currency. This market value when converted into haikwan taels shall be considered to be 12 per cent higher than the amount upon which duty is to be calculated.

If the goods have been sold before presentation to the customs of the application to pay duty, the gross amount of the bona fide contract will be accepted as evidence of the market value. Should the goods have been sold on c. f. and i. terms-that is to say, without inclusion in the price of duty and other chargessuch c. f. and i. price shall be taken as the value for dutypaying purposes without the deduction mentioned in the preceding paragraph.

If the goods have not been sold before presentation to the customs of the application to pay duty and should a dispute arise between customs and importer regarding the value of classification of goods, the case will be referred to a board of arbitration composed as follows: An official of the customs; a merchant selected by the consul of the importer; and a merchant, differing in nationality from the importer, selected by the senior counsel.

Questions regarding procedure, etc., which may arise during the sittings of the board shall be decided by the majority. The final finding of the majority of the board, which must be announced within 15 days of the reference (not including holidays), will be binding upon both parties. Each of the two merchants on the board will be entitled to a fee of 10 haikwan taels. Should the board sustain the customs valuation, or, in the event of not sustaining that valuation, should it decide

that the goods have been undervalued by the importer to the extent of not less than 72 per cent, the importer will pay the fees; if otherwise, the fees will be paid by the customs. Should the board decide that the correct value of the goods is 20 per cent (or more) higher than that upon which the importer originally claimed to pay duty, the customs authorities may retain possession of the goods until full duty has been paid and may levy an additional duty equal to four times the duty sought to be evaded.

In all cases invoices, when available, must be produced if

required by the customs.

Rule II. The following will not be liable to import duty: Foreign rice, cereals, and flour; gold and silver, both bullion and coin; printed books, charts, maps, periodicals, and newspapers.

A freight or part freight of duty-free commodities (gold and silver bullion and foreign coins excepted) will render the vessel carrying them, though no other cargo be on board, liable to tonnage dnes.

Drawbacks will be issued for ships' stores and bunker coal when taken on board.

RULE III. Except at the requisition of the Chinese Government, or for sale to Chinese duly authorized to purchase them, import trade is prohibited in all arms, ammunition, and muni-tions of war of every description. No permit to land them will be issued until the customs have proof that the necessary authority has been given to the importer. Infraction of this rule will be punishable by confiscation of all the goods con-cerned. The import of salt is absolutely prohibited.

RULE IV. The importation of opium and poppy seeds is absolutely prohibited. The importation of the following articles is prohibited except under bond by qualified medical practi-tioners, druggists, and chemists: Morphia and cocaine and hypodermic syringes; antiopium pills containing morphia, opium or cocaine, novocaine, stovaine, heroin, thebaine, ghanja, hashish, bhang, Cannabis indica, tincture of opium, laudanum, codeine, dionin, and all other derivatives of opium and cocaine.

### INTERNATIONAL SANITARY CONVENTION.

In executive session this day the following resolution denunciatory of the international sanitary convention, signed at Paris, December 3, 1903, was adopted; and

On motion of Mr. Lodge, the injunction of secrecy was removed therefrom and from the papers accompanying the same:

Whereas the President, under date of May 17, 1920, transmitted a message to the Senate with a view to receiving the advice and consent thereof to the denunciation of the international sanitary convention signed at Paris December 3, 1903, and proclaimed May 18, 1907: Be it

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the denunciation of the said international sanitary convention, in conformity with the reservation with respect to denunciation contained in the process verbal of the deposit of ratifications thereof, with regard to the powers which are not parties to the international sanitary convention, signed at Paris, January 17, 1912, and proclaimed December 11, 1920.

### To the SENATE:

With the view to receiving the advice and consent of the Senate to the action desired, I transmit herewith a report by the Secretary of State, with an accompanying letter from the Secretary of the Treasury recommending that the international sanitary convention, signed at Paris on December 3, 1903, be denounced on the part of the United States for the reason that its provisions are inimical to the interests of the United States and because of the failure of the signatory Government to observe at least one of the convention's important stipulations.

WOODROW WILSON.

### The PRESIDENT:

The undersigned, the Secretary of State, has the honor to lay before the President, w'h the view to its transmission to the Senate to receive the advice and consent of that body to the action desired, a copy of a letter from the Secretary of the Treasury recommending that the international sanitary convention, signed at Paris on December 3, 1903, be denounced on the part of the United States for the reasons stated by him.

While the convention itself makes no provision for denunciation, the right to denounce it is reserved by the signatory Government in the process verbal of the deposit of ratifications.

Respectfully submitted.

BAINBRIDGE COLBY.

DEPARTMENT OF STATE Washington, May 17, 1920. TREASURY DEPARTMENT, Washington, April 12, 1920.

The SECRETARY OF STATE, Washington, D. C.

SIR: I have the honor to recommend, if it meets your approval, that action be inaugurated to denounce the international sanitary convention signed at Paris December 3, 1903, ratified by the Senate March 1, 1905, and proclaimed May 18, 1907.

Subsequent to the signing of the referred-to convention at Paris, investigation into the factors involved in causing the dissemination of plague, cholera, and yellow fever made it evident that there were various features in that treaty that were wholly inadequate, and, furthermore, their application would not satisfactorily protect the ports of the United States against the introduction of such diseases from abroad. In view of these later developments of a sanitary nature, a new convention was drafted, containing modifications of the provisions of the sanitary convention signed at Paris on December 3, 1903, and was signed by the representatives of the various countries at Paris on January 17, 1912. This later convention was ratified by the United States Senate on February 19, 1913. It was assumed at the time that the various other nations that were party to the formation of this treaty would later ratify it, but in some instances this has not been done, the referred-to nations, particularly Italy, preferring that the sanitary convention signed at Paris in 1903 should still remain in force.

In view of the more modern conception on sanitary subjects, it is believed that the provisions of the sanitary convention of Paris of 1903 are distinctly inimical to the interest of this country, and steps should be taken to nullify that treaty. As a matter of fact, the actual operation of the sanitary convention of Paris of 1903 never proved to be of any advantage to the United States, and has on several occasions been utilized to the disadvantage of this Government. For instance, article 1 of that treaty provides that-

each Government shall immediately notify the other Governments of the first appearance in its territory of authentic cases of plague or choiera. \* \* \* The notification and particulars contemplated in articles 1 and 2 shall be sent to the diplomatic or consular offices in the capital of the infected country.

In so far as the records of the Public Health Bureau indicate, none of the countries signatory to the convention have complied with this obligation. On various occasions the local health authorities at some of the English ports have notified the consular officers of the occurrence of plague in the respective ports, but apparently even this method of conveying the information has not been observed in the continental countries of Europe. In 1911 there was a very severe epidemic of cholera throughout Italy, and several ports of that country have from time to time been infected with plague. There is no record that the Italian Government has ever made this information public, and this notwithstanding the fact that vessels arriving at ports of the United States in 1911 were repeatedly found to have cases of cholera on board.

The reservation made by this Government in the international sanitary convention made public February 26, 1913, made it possible for this Government to act for the prevention of the introduction of disease when reliable information is had of the occurrence of quarantinable diseases in foreign countries, and in this wise this country's interest does not suffer by reason of the nonnotification of such diseases by other countries. The department is of the opinion, in view of the foregoing, that it is infinitely better to have no international sanitary convention than to continue to abide by the terms of the Paris convention of 1903.

During the conference of the international office of public health in Paris, October, 1919, Dr. Cumming, the representative from this country, in introducing certain changes desired in the convention of January 17, 1912, explained the reasons for the reservations made by this Government in ratifying this convention, as a result of which a resolution was passed unanimously that the representatives of signatory powers advise the respective Governments (which include Great Britain and Italy) to ratify the convention of 1912. Until such ratification shall have been made the convention of 1903 appears to be binding upon this country, and in view of present conditions in Europe imposes upon this Government restrictions which the Surgeon General of the Public Health Service considers dangerous and which prevent the enforcement of measures necessary for the prevention of the introduction of diseases from abroad.

Respectfully, D. F. Houston, Secretary. NOMINATIONS.

Executive nominations received by the Senate May 26, 1921. UNITED STATES CIRCUIT JUDGE.

Edmund Waddill, jr., of Virginia, to be United States circuit judge for the fourth judicial circuit, vice Jeter C. Pritchard,

UNITED STATES DISTRICT JUDGES.

D. Lawrence Groner, of Virginia, to be United States district judge for the eastern district of Virginia, vice Edmund Waddill, jr., nominated to be United States circuit judge for the fourth judicial circuit.

J. W. Ross, of Tennessee, to be United States district judge, western district of Tennessee, vice John E. McCall, deceased.
Charles Kerr, of Kentucky, to be United States district judge
for the Canal Zone, vice John W. Hanan, resigned.

UNITED STATES MARSHAL.

Edward Rustad, of Minnesota, to be United States marshal, district of Minnesota, vice Joseph A. Wessel, whose term has expired.

COLLECTORS OF INTERNAL REVENUE.

DISTRICT OF NEW HAMPSHIRE.

John H. Field, of Nashua, N. H., to be collector of internal revenue for the district of New Hampshire, in place of Seth W.

DISTRICT OF NEBRASKA.

Arthur B. Allen, of Tecumseh, Nebr., to be collector of internal revenue for the district of Nebraska, in place of George

SUPERINTENDENT OF THE MINT, DENVER, COLO.

Robert J. Grant, of Denver, Colo., to be superintendent of the mint of the United States at Denver, Colo., in place of Thomas Annear.

SUPERINTENDENT ASSAY OFFICE, NEW YORK.

Isaac H. Smith, of Peekskill, N. Y., to be superintendent of the United States assay office at New York, in place of Verne M. Bovie.

ASSAYER IN CHARGE, ASSAY OFFICE, DEADWOOD, S. DAK.

Harry H. Stewart, of Deadwood, S. Dak., to be assayer in charge of the United States assay office at Deadwood, S. Dak., in place of James E. Russell.

APPOINTMENT IN THE REGULAR ARMY OF THE UNITED STATES. AIR SERVICE.

Capt. St. Clair Streett, Air Service, United States Army, to be first lieutenant with rank from July 1, 1920.

REAPPOINTMENT IN THE REGULAR ARMY OF THE UNITED STATES. FIELD ARTILLERY.

William Ord Ryan, late captain, Air Service, Regular Army, to be major with rank from May 17, 1921.

Paul Americus Harris, late second lieutenant, Coast Artillery Corps, Regular Army, to be first lieutenant with rank from May 18, 1921.

QUARTERMASTER CORPS.

Thorgny Cedric Carlson, late first lieutenant, Infantry, Regular Army, to be first lieutenant with rank from May 16, 1921. APPOINTMENT, BY TRANSFER, IN THE REGULAR ARMY OF THE

UNITED STATES. ORDNANCE DEPARTMENT.

First Lieut. Edward Ward Smith, Infantry, with rank from October 29, 1919.

CHEMICAL WARFARE SERVICE.

Capt. Thomas Phillips, Infantry, with rank from July 1, 1920. PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES.

MEDICAL CORPS.

Captains.

First Lieut. Richard Henry Eanes, Medical Corps, from October 9, 1920.

First Lieut. William Otis Callaway, Medical Corps, from May 19, 1921.

DENTAL CORPS.

Captain.

First Lieut. Emory Chester Bardwell, Dental Corps, from May 15, 1921.

MARINE CORPS.

Judson H. Fitzgerald to be a first lieutenant in the Marine Corps from the 4th day of June, 1920.

### CONFIRMATIONS.

Executive nominations confirmed by the Senate May 26, 1921.

Internal Revenue Service.

COMMISSIONER OF INTERNAL REVENUE.

David H. Blair.

DIPLOMATIC SERVICE.

AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO ITALY.

Richard Washburn Child.

NAVAL SERVICE.

IN THE NAVY.

Ensigns.

Elmer P. Abernethy.
Jasper T. Acuff.
Harold E. Aken.
Clarence E. Aldrich.
Charles S. Alexander.
John G. Ames, 3d.
Fletcher B. Ball.
Joseph R. Barbaro.
Herman Barter.
Frederic S. Bartlett.
Clement R. Baume.
Jefferson D. Beard. Jefferson D. Beard. Joseph M. Began. Keith R. Belch. Charles Bell. Robert W. Berry. Harry L. Bixby. Boynton L. Braun. Francis J. Bridget. George M. Brooke. Charles R. Brown. Luther A. Brown. Robert C. Brown. Thomas C. Brownell. David H. Byerly. Fort H. Callahan. John M. Campbell, jr. Robert E. Canty. Robert H. Carey. Robert H. Carey.
Harold A. Carlisle.
David E. Carlson.
Joseph P. Carney.
James V. Carney.
Hezekiah W. Carroll, jr.
Angus M. Cohan.
Joseph A. Connolly.
Lawrence F. Connolly.
Albert B. Cook.
Stephen B. Cooke.
William R. Cooke, jr.
Clement F. Cotton. Clement F. Cotton. Howard N. Coulter. Jennings Courts. Wyatt Craig. William B. Cranston. George C. Crawford. John S. Crenshaw. Joseph C. Cronin. Edwin M. Crouch. Burtnett K. Culver. Thomas M. Dell, jr. Richard R. Dennett. Horace L. de Rivera. August J. Detzer, jr. Sterling T. Dibrell. Justin H. Dickins. Lawrence E. Divoll. Carl S. Drischler. William L. Drybread, Walter S. Dufton, Percy Earle, Melville E. Eaton. Raymond D. Edwards. Casper H. Eicks. Homer O. Eimers. Campbell D. Emory. Frederick I. Entwistle. Donald L. Erwin.

Edward C. Ewen.
Francis E. Fairman, jr.
Floyd F. Ferris.
Francis J. Firth.
William G. Forbes.
Francis D. A. Ford.
James S. Freeman.
John M. Frier.
Daniel A. Frost Daniel A. Frost. Daniel A. Frost.
Blair MacW. Fuller.
Willard R. Gaines.
Ward C. Gilbert.
Donald T. Giles.
George W. Gilliam.
Charles O. Glisson. Holbrook M. Goodale. Lawrence C. Grannis. Charles W. Gray, jr. William C. Gray. Charles F. Greber. Robert C. Greenwald. Robert C. Greenwald.
William A. Griswold.
Dallas Grover, jr.
Charles L. Hachtel.
Raleigh S. Hales.
Kenneth R. Hall.
William V. Hamilton.
Wiley N. Hand.
Ralph E. Hanson.
John S. Harrison.
John P. Heath.
Everard M. Heim.
George G. Herring, ir. George G. Herring, jr. Robert F. Hickey. George D. Hilding. William D. Hoover. John M. Hoskins. Harold A. Houser.
Paul E. Howell.
James R. Hughes,
Joseph C. Huske,
Frederick H. W. Jackson. Robert E. Jasperson. Lowden Jessup, jr. Franklin O. Johnson, William D. Johnson, jr. George A. Jones. Hal C. Jones. Walter R. Jones. Charles H. Judson. Robert T. Kain. Walter S. Keller. Clifford T. Kelsh. Bertram M. Kern. Michael H. Kernodle. Edmund Kirby-Smith, jr. Addison E. Kirk. John R. Kivlen. Edward C. Kline. Herbert P. Knowles. Carl Koops. Thomas P. Kucera. Charles R. Lamdin. Walter J. Lee.
John J. Lenhart.
George C. Lewis, jr.
Robert P. Lewis.
Thomas L. Lewis.

Alex M. Loker. John K. Lynch. George D. Lyon. George H. Lyttle. Thomas L. McCann. Arthur H. McCollum. Frank S. McCrory. Louis G. McGlone. Leo J. McGowan. Logan McKee. Ernest W. McKinley. Julius A. McNamar. Edward I. McQuiston. James H. McWilliams. Charles F. Macklin, jr. John F. Madden. Dashiell L. Madeira. William H. Magruder. Edward A. Maher. Edmund C. Mahoney. Newton C. Maney, jr. Charles J. Marshall, George D. Martin. Robert H. Merrick. George C. Miller. Clinton A. Misson. William L. Moise. Peter M. Moncewicz. Edward P. Moore, Silas B. Moore, Gale C. Morgan, John H. Morrison. John H. Morrison.
William J. Murphy.
Addis D. Nelson.
Joseph I. Nemrow.
Joel Newsom.
Philip G. Nichols.
Arthur G. Nish.
Walfrid Nyquist.
Eugene B. Oliver.
John L. B. Olson.
Thomas A Parfitt. Thomas A. Parfitt. Walton B. Pendleton. Charles H. Perdue, jr. Hugh Peters. Everett E. Pettee. Robert L. Pickens. Harlow M. Pino. Leslie K. Pollard. Elwood D. Poole. Ernest J. Poole, jr. Dewey G. Porter. Kent H. Power. William S. Price. Stuart S. Purves. Charles F. M. S. Quinby.

Walter P. Ramsey, jr. Rogers S. Ransehousen, Lester R. Reiter. John E. Rezner, John W. Rice, David W. Roberts. James A. Roberts, jr. Joseph P. Rockwell. Charles W. Roland. Lionel L. Rowe. George L. Russell. Lorenzo S. Sabin, jr. Geoffrey E. Sage. Carl H. Sanders. Walter G. Schindler. Hubert G. Schneider. Lucius K. Scott. Lorenzo Semple, jr. William H. Sewell. Franklin McR. Shannonhouse.
Hiram P. Shaw.
Bernard J. Skahill.
Charles E. Smith.
Donald F. Smith.
Charles M. Snelling, jr.
George W. Snyder, 3d.
Apollo Soweek Apollo Soucek. Frederick S. Steinbauer. George C. Stevens. Cortland J. Strang. Francis H. Stubbs, jr. Oral R. Swigart. Frank R. Talbot. Elmer A. Tarbutton. Herbert W. Taylor, jr. Herbert A. Tellman. Myron E. Thomas. Marion C. Thompson. Wakeman B. Thorp. John A. Upshur. John A. Upshur.
Nicholas B. Van Bergen.
Ralston B. Vanzant.
James B. Vo't.
John L. Walker.
Harold Watters.
Ernest H. Webb.
Walter F. Weidner.
Morris J. Westfall.
Robert G. Willis Robert G. Willis,
Robert G. Willis,
Edward E. Wilkie,
Irving D. Wiltsie,
Theodore R. Wirth,
Lamar M. Wise,
Henry T. Wray,
Leil L. Young,

Lieutenants.

Karl R. Shears.
Hugh G. Eldredge,
Romeo J. Jondreau.
Hugo Schmidt.
Woodbury E. Mackay.
Arthur D. Burhans,
George G. Robertson.
Paul F. Shortridge.
Conrad L. Jacobsen.
William S. B. Claude.
Wilber M. Lockhart.
Leonidas M. Mintzer.

William De Wayne Austin.
John H. Campman.
Laurance F. Safford.
Theodore T. Patterson.
Herbert S. Jones.
Frank G. Fahrion.
John B. Heffernan.
Harold F. Ely.
Charles D. Leffler, jr.
Wallace M. Dillon
Rollin Van Alstine Failing.

Lieutenants (junior grade).

Ralph F. Skylstead.
Conrad L. Jacobsen.
William S. B. Claude.
Miles R. Browning.
Charles D. Leffler, jr.
Wilber M. Lockhart.
Leonidas M. Mintzer.
Wallace M. Dillon.
Ralph A. Ofstie.
Winfield A. Brooks.
David H. Clark.
Eugene L. Kell.
William N. Updegraff.

Herschel P. Cock.
William E. Tarbutton.
Jack C. Richardson.
Rex L. Hicks.
Joseph Buchalter.
Russell M. Ihrig.
Ernest H. von Heimburg.
Wade E. Griswold.
Walter Ansel.
Charles Allen.
Desmond J. Sinnott.
Rollin Van A. Failing.

Passed assistant paymasters with rank of lieutenant.

David P. Polatty. Edwin D. Foster. William J. Carter.

Surgeons with rank of lieutenant commander. Reg nald B. Henry. Duncan C. Walton.

Passed assistant surgeon with rank of lieutenant. Philip J. Murphy.

Chaplain with rank of lieutenant (junior grade). Truman P. Riddle.

Naval constructor with rank of lieutenant. Charles L. Brand.

Assistant naval constructor with rank of lieutenant. John P. Yates.

Assistant civil engineer with rank of lieutenant.

Passed assistant paymaster with rank of lieutenant. Fred W. Cobb.

Passed assistant surgeons with rank of lieutenant. Cope M. Blackford. DeWitt T. Hunter.

MARINE CORPS.

First lieutenant.

George A. Plambeck,

Second lieutenants.

Roger S. Bagnall. Andre V. Cherbonnier, jr. Harold D. Hail. Howard N. Kenyon. William N. McKelvy, jr. John C. McQueen.

David V. Pickle. Thomas J. Cushman. Edwin J. Farrell. Vernon M. Guymon. Morris L. Shively.

POSTMASTERS.

MINNESOTA.

Charles E. Engelhorn, Greenbush. Dwight C. Jarchow, Harris. Lawrence B. Setzler, Maple Plain.

## HOUSE OF REPRESENTATIVES.

THURSDAY, May 26, 1921.

The House met at 12 o'clock noon. The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O God, we stand in silence. Again the light has broken from Thy throne, and behind it is infinite wisdom and beneath it is infinite love. What shall we render unto the Lord for all his benefits unto us? An honest and a contrite spirit Thou wilt not turn aside. Break through the altars of our hearts and hold them captives in the meshes of Thy love. Enrich them with the deepest joys of life, and may they know the strength of tender power. Regard our infirmities in tender compassion, and as the days ebb and flow, with their incessant calls, hold Thou our hands, that we may give Thee acceptable service. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

PERRY'S VICTORY MEMORIAL COMMISSION.

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on the

To the Senate and House of Representatives:

I transmit herewith the first annual report of the Perry's Victory Memorial Commission, dated December 6, 1920, which was submitted to the Secretary of the Interior, pursuant to section 5 of the act entitled "An act creating a commission for the maintenance, control, care, etc., of the Perry's Victory Memorial on Put in Bay Island, Lake Erie, Ohio, and for other purposes," approved March 3, 1919 (40 Stat., 1322-1324).

WARREN G. HARDING.

THE WHITE HOUSE, May 25, 1921.

#### SECOND DEFICIENCY APPROPRIATION BILL.

The SPEAKER. When the House adjourned last evening the previous question had been ordered on the deficiency bill, and a separate vote has been demanded on certain amendments. The Clerk will report the first amendment on which a separate vote is demanded.

The Clerk read as follows:

Amendment offered by Mr. Good: Page 34, after line 4, insert:

"Maintenance. Bureau of Supplies and Accounts: The limitation specified under this head in the naval appropriation act for the fiscal year 1921 on expenditures for pay of chemists and for clerical, inspection, and messenger service in the supply and accounting department of the navy yards and naval stations and disbursing offices for the fiscal year 1921 is further increased by \$400,000."

Mr. BLANTON. Mr. Chairman, a parliamentary inquiry. The SPEAKER. The gentleman will state it.

Mr. BLANTON. Before the House adjourned there had been a division on this amendment, had there not?

The SPEAKER. There was a division, but no result. Mr. BLANTON. Then, if the House should find itself without a quorum now, it would automatically be a vote on that amendment, would it not? There had been a division.

Mr. WALSH. And an adjournment.

Mr. WINGO. You would have to restate the question.

The SPEAKER. The reason why there would be an automatic call is that there was no quorum at the time. It would not follow that there was no quorum now. The question is on agreeing to the amendment.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. BUTLER. Mr. Speaker, I ask for a division. Mr. BLANTON. A division, Mr. Speaker. The SPEAKER. The gentleman from Pennsylvania demands

The House divided; and there were—ayes 64, noes 29. Mr. BUTLER. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. The gentleman from Pennsylvania makes the point that there is no quorum present. It is clear that there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. As many as are in favor of agreeing to the amendment will, when their names are called, vote "yea"; those opposed will vote "nay."

The question was taken; and there were—yeas 194, nays 157, answered "present" 1, not voting 78, as follows:

YEAS-194.

Ackerman Anderson Andrews Ansorge Anthony Appleby Arentz Atkeson Bacharach Fish Beedy Begg Benham Bird Bixler Blakeney Boies Bond Bowers Brennan Britten Brooks, Ill. Brown, Tenn. Burroughs
Burton
Byrnes, S. C.
Byrns, Tenn.
Campbell, Kans.
Cannon Carew Chalmers Chandler, N. Y. Chandler, Okla. Chindblom Classon Consoli Colton Connell Connolly, Pa. Cooper, Wis. Copley Cullen Davis, Minn. Dempsey Dickinson Doughton Dunn Dupré Dyer Dyer Elliott Elston

Evans Fairchild Faust Favrot Fenn Fisher Freeman French French Frothingham Fuller Funk Gallivan Gallivan Good Graham, Ill. Greene, Mass. Greene, Vt. Griffin Hadley Hardy, Tex. Harrison Hawes Hawley Hars Hays Herrick Hersey Hickey Hill Himes Houghton Hull Humphreys Ireland Johnson, Wash. Kahn Kelley, Mich. Kiess Kiess
King
Kinkaid
Kissel
Kiine, N. Y.
Kline, Pa.
Kopp
Kreider
Langley
Lawrence Lazaro Lea, Calif.

Lea, Calif. Leatherwood

Lee, N. Y. Lehlbach Lineberger Linthicum Longworth Luce Madden Magee Maloney Mann Mapes Martin Mason Martin Mason Merritt Michaelson Michener Miller Millspaugh Mondell Montoya Moore, Ill. Moores, Ind. Morgan Mott Mudd Nelson, J. M. Nelson, J. M. Newton, Minn. Newton, Mo. Norton O'Connor O'Connor Ogden Oliver Olpp Osborne Padgett Paige Parker, N. J. Parker, N. Y. Patterson, Mo. Pringev Pringey Purnell Raker

Ransley Reed, N. Y. Rhodes Riordan Roach Robertson Robsion Rodenberg Rogers Lufkin Robsion
Luhring Rodenberg
McArthur Rogers
McFadden Sanders, Ind
McLaughlin, Nebr. Schall
McLaughlin, Pa. Scott, Mich. Sanders, Ind. Shaw Siegel Sinclair Sinnott Smith Snell Snyder Sproul Stedman Tague Taylor, N. J. Taylor, Tenn. Temple Tilson Timberlake Tincher Tinkham Towner Treadwa Treadway Underhill Vaile Vare Vestal Voigt Ward, N. Y. Webster Wheeler White, Me. Wood, Ind. Woodruff Wurzbach Wyant Yates Young Zihlman

1921.		CONGRESSIONA								
NAYS—157.										
Almon	Fitzgerald	Lampert	Sanders, Tex.							
Aswell	Flood	Lanham	Sandlin							
Bankhead	Focht	Lankford	= Scott, Tenn.							
Barbour	Frear	Larsen, Ga.	Sears							
Barkley	Free	Larson, Minn.	Shreve							
Beck	Fulmer	Layton	Smithwick							
Bell	Gahn	Lee, Ga.	Speaks							
Black	Garner	Little	Steagall							
Bland, Ind.	Garrett, Tenn.	Logan	Steenerson							
Bland, Va.	Garrett, Tex.	London	Stephens							
Blanton	Gernerd	Lowrey	Stevenson							
Bowling	Gilbert	Lyon	Stoll							
Box	Goodykoontz	McClintic	Strong, Kans.							
Brand	Gorman	McDuffie	Strong, Pa.							
Briggs	Green, Iowa	McLaughlin, Mic	h Summers, Wash Sumners, Tex.							
Brooks, Pa.	Griest	Mansfield	Sumners, Tex.							
Bulwinkle	Hammer	Mead	SWank							
Burdick	Hardy, Colo.	Montague	Swing .							
Burke	Hayden	Moore, Ohio	Ten Eyck							
Burtness	Hicks	Moore, Va. Nelson, A. P.	Thompson							
Butler	Hoch	Nelson, A. P.	Tillman							
Cable	Huddleston	O'Brien	Tyson							
Campbell, Pa.	Hudspeth	Oldfield	Vinson							
Cantrill	Jacoway	Overstreet	Volstead							
Carter	James, Mich.	Park, Ga.	Walsh							
Christopherson	Jefferis	Parks, Ark.	Walters Ward, N. C.							
Clague	Johnson, Ky.	Parrish N I	Watson							
Collier	Johnson, Miss.	Patterson, N. J.	Weaver .							
Collins	Jones, Pa.	Porter	White. Kans.							
Connally, Tex.	Jones, Tex.	Pou	Williams Williams							
Crisp	Keller	Quin Radcliffe	Williamson							
Curry	Kendall	Ramseyer	Wilson							
Darrow	Ketcham	Rankin	Wingo							
Davis, Tenn.	Kincheloe "	Rayburn	Wise							
Deal	Kirkpatrick	Reber	Woods, Va.							
Denison	Kleczka	Reece	Wright							
Dominick	Knight Knutson	Ricketts	11.2.5							
Dowell Drane	Kraus	Rose								
Edmonds	Kunz	Rouse								
Editionas		"PRESENT "-1.								
		ockran								
	NOT V	OTING-78.								
Brinson	Fess	Kitchin	Rucker							
Browne, Wis.	Fields	McCormick	Ryan							
Buchanan	Fordney	McKenzie	Sabath							
Clark, Fla.	Foster	McPherson	Sanders, N. Y.							
Clarke, N. Y.	Gensman	McSwain	Shelton							
Clouse	Glynn	MacGregor	Sisson							
Codd	Goldsborough	Morin	Slemp							
Cole	Gould	Murphy	Stafford							
Cooper, Ohio	Graham, Pa.	Nolan	Stiness							
Coughlin	Haugen	Perkins	. Sullivan							
Cramton	Hogan	Perlman	Sweet							
Crowther	Hukriede	Peters	Taylor, Colo.							

Crowther Dale Dallinger Peters
Petersen
Rainey, Ala.
Rainey, Ill.
Reavis
Reed, W. Va.
Riddick
Rosenbloom
Rossdale Hukriede Husted Hutchinson Taylor, C Thomas Upshaw Volk James, Va. Johnson, S. Dak. Drewry Driver Wason Winslow Woodyard Kearns Kelly, Pa. Kennedy Kindred Dunbar Echols Ellis Fairfield

So the amendment was agreed to. The Clerk announced the following pairs:

On this vote:

Mr. PERKINS (for) with Mr. DRIVER (against).

Until further notice:

Mr. REAVIS with Mr. KITCHIN. Mr. KEARNS with Mr. SULLIVAN. Mr. McPherson with Mr. Rucker. Mr. Echols with Mr. McSwain. Mr. WOODYARD with Mr. KINDRED.

Mr. Graham of Pennsylvania with Mr. Sisson.

Mr. CRAMTON with Mr. SABATH.
Mr. FORDNEY with Mr. TAYLOR of Colorado.
Mr. SHELTON with Mr. CLARK of Florida.

Mr. Johnson of South Dakota with Mr. Thomas.

Mr. HUKRIEDE with Mr. FIELDS. Mr. DALLINGER with Mr. BRINSON. Mr. CODD with Mr. BUCHANAN. Mr. Volk with Mr. Goldsborough. Mr. HUTCHINSON with Mr. UPSHAW,

Mr. Winslow with Mr. Rainey of Illinois, Mr. Clarke of New York with Mr. Drewry. Mr. Clouse with Mr. Rainey of Alabama. Mr. Nolan with Mr. James of Virginia.

The result of the vote was announced as above recorded.

Mr. BLANTON. Mr. Speaker, with reference to the other five

amendments, I ask unanimous consent that they be voted upon

The SPEAKER. The gentleman from Texas demanded a separate vote on five amendments, and he asks unanimous consent that they be voted upon en bloc. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the amendments.

The question being taken, the Speaker announced that the

ayes appeared to have it.

Mr. BLANTON. Division, Mr. Speaker.

Mr. GARRETT of Tennessee. I ask for the yeas and nays. The yeas and nays were ordered.

The question was taken; and there were-yeas 244, nays 109, not voting 77, as follows:

YEAS-244.

Ackerman Anderson Andrews Ansorge Anthony Appleby Arentz Atkeson Evans Fairchild Faust Fenn Fish Fitzgerald Focht Fordney Frear Free Freeman Bacharach Beck Beedy French Frothingham Fuller Funk Gahn French Begg Bird Bixler Blakeney Gahn Gallivan Gernerd Glynn Good Goodykoontz Gorman Graham, Ill. Bland, Ind. Boies Bond Bond
Bowers
Brennan
Britten
Brooks, Ill.
Brooks, Pa.
Brown, Tenn.
Burdick Green, Iowa Greene, Mass. Greene, Vt. Griest Burke Burroughs Griest Griffin Hadley Hardy, Colo. Haugen Hawes Hawley Burtness Burton Butler Campbell, Kans. Campbell, Pa. Cannon Hays Herrick Carew Hersey Hickey Hicks Hill Chalmers Chandler, N. Y. Chandler, Okla. Chindhlom Himes Hoch Houghton Hull Christopherson Clague Classon Colton Connolly, Pa. Cooper, Wis. Copley Coughlin Hull Ireland Johnson, Wash. Jones, Pa. Kahn Kelley, Mich. Kendall Kiess King Kinkaid Kirkpatrick Kissel Kleczka Klice, N. Y. Cullen Curry Darrow Darrow Davis, Minn, Dempsey Denison Dickinson Dowell Kline, N. Y. Kline, Pa. Knight Dunn

Dyer Edmonds

Almon Aswell Bankhead

Bland, Va. Blanton Bowling

Box Brand Briggs Bulwinkle

Carter Collier Collins

Deal Dominick

Doughton Drane

Dupré

Brinson Brinson Browne, Wis. Buchanan Clark, Fla. Clarke, N. Y. Clouse

Barkley Bell

Black

Elliott

Elston

Lampert Langley Larson, Minn. Lawrence Reed, N. Y. Rhodes Ricketts Riddick Lawrence Leatherwood Lee, N. Y. Lehlbach Lineberger Roach Robertson Robsion Rodenberg Rogers Rose Sanders, Ind. Little London Longworth Longworth
Luce
Sanders,
Lufkin
Schall
Luhring
McArthur
McCormick
McFadden
McLaughlin, Mich.Sinclair
McLaughlin, Nebr.Sinnott
McLaughlin, Nebr.Sinnott
McLaughlin, Pa.
Slemp
Madden
Magee
Snell
Maloney
Maloney
Mann
Sproul
Mapes
Mason
Stephens Schall Scott, Mich. Shaw Speaks Sproul Steenerson Mason
Merritt
Michaelson
Michener
Miller
Mills
Mills
Mills
Montoya
Moore, Ill.
Moore, Ohio
Moores, Ind.
Morgan
Mott
Mudd
Nelson, A. P.
Nelson, J. M.
Newton, Minn,
Newton, Mo.
Norton
O'Brien
Ogden
Olpp
Osborne
Paige
Parker, N. J.
Partherson, Mo.
Patterson, Mo. Stephens Strong, Kans. Strong, Pa. Summers, Wash. Summers, Was Swing Taylor, N. J. Taylor, Tenn. Temple Thompson Tilson Timberlake Tincher Tinkham Towner Towner Treadway Underhill Vaile Vare Vestal Voigt Volstead Walsh Walters Watson Walters
Watson
Webster
Wheeler
White, Me.
Williamson
Winslow
Wood, Ind.
Woodruff
Wurzbach
Wyant
Yates
Young Porter Pringey Purnell Radcliffe Ramseyer, Ransley Young Zihlman Reber

NAYS-109.

Lea, Calif. Lee, Ga. Linthicum Favrot Fisher Flood Fulmer Logan
Lowrey
Lyon
McClintic
McDuffle
Mansfield
Martin
Mead
Montague
Moore, Va.
O'Connor Logan Garner Garrett, Tenn. Garrett, Tex. Galrett, 1ex Gilbert Hammer Hardy, Tex. Harrison Hayden Huddleston Huddleston Hudspeth Humphreys Jacoway James, Mich. Johnson, Ky. Johnson, Miss. Jones, Tex. Ketcham Byrnes, S. C. Byrns, Tenn. Cable Cantrill Oldfield Oldfield Oliver Overstreet Padgett Park, Ga. Parks, Ark. Parrish Pou Quin Raker Rankin Connally, Tex. Crisp Davis, Tenn. Kincheloe Kunz Lanham Lankford Rankin Larsen, Ga. . Layton Rayburn Riordan Rouse Lazaro

Knutson Kopp

Kraus

Sanders, Tex. Sandlin Sears Smithwick Steagall Stedman Stevenson Stoll Ston Sumners, Tex. Swank Tague Taylor, Colo. Ten Eyck Tillman Tillman Tyson Upshaw Vinson Ward, N. C. Weaver Williams Wilson Wingo Wise Woods, Va. Wright

## NOT VOTING-77.

Cockran Codd Cole Connell Cooper, Ohio Cramton Crowther Dallinger Drewry Driver Dunbar Echols Ellis Fairfield

Fess Fields Foster Gensman Goldsborough Gould Graham, Pa.

Hogan Hukriede Husted Hutchinson James, Va. Jefferis Johnson, S. Dak. Kearns Keller Kelly, Pa. Kennedy Kindred

Kitchin

Kreider McKenzie McPherson McSwain MacGregor Morin Murphy Nolan Perkins Perlman Peters Petersen Rainey, Ala.

Rainey, Ill. Reavis Reed, W. Va. Rosenbloom Rossdale Rucker Ryan Sabath Sanders, N. Y. Scott, Tenn. Shelton Sisson Snyder

Stafford Stiness Sullivan Sweet Thomas Volk Ward, N. Y. Wason Wason White, Kans. Woodyard

So the amendments were agreed to.

The Clerk announced the following additional pairs: On this vote:

Mr. Perkins (for) with Mr. Driver (against). Until further notice:

Mr. CONNELL with Mr. RAINEY of Illinois.

Mr. Morin with Mr. Cockban.

The result of the vote was announced as above recorded. The SPEAKER. The question is on the engrossment and

third reading of the bill. The bill was ordered to be engrossed and read a third time, and was accordingly read the third time.

The SPEAKER. The question is on the passage of the bill,

Mr. GOOD. On that I demand the year and nays.

The yeas and nays were ordered.

The question was taken; and there were-yeas 308, nays 27, not voting 95, as follows:

### YEAS-308.

Ackerman Dowell Anderson Andrews Drane Dunn Dyer Edmonds Elliott Elston Ansorge Anthony Appleby Aswell Atkeson Bacharach Barbour Barkley Evans Faust Favrot Fenn Fish Fisher Fitzgerald Flood Focht Fordney Beck Beedy Begg Bell Bird Pixler Black Free Blakeney Bland, Ind. Bland, Va. Freeman Frothingham Fuller Fulmer Funk Gahn Blanton Boies Bond Bowers Bowling Box Brand Gallivan Garrett, Tenn. Garrett, Tex. Gernerd Brennan Briggs Britten Brooks, Ill. Brooks, Pa. Brown, Tenn. Bulwinkle Burdiek Gilbert Goldsborough Good Goodykoontz Goodykoontz Gorman Graham, Ill. Green, Iowa Greene, Mass. Greene, Vt. Griest Griffin Burdick Burke Burroughs Burtness Hadley Hardy, Colo. Harrison Hawes Burton Butler Byrnes, S. C. Byrns, Tenn. Hawes
Hawley
Hayden
Hays
Herrick
Hersey
Hickey
Hicks
Hill
Himes
Hoch
Huddleston Cable Campbell, Kans. Campbell, Pa. Cannon Carter Chalmers Chandler, Okla. Chindblom Christopherson lague Hull Classon Cockran Collier Collins Humphreys Ireland Jacoway Jacoway Johnson, Wash. Jones, Pa. Jones, Tex. Kahn Kelley. Mich. Kendall Colton Connally, Tex. Connolly, Pa. Copley Coughlin Crisp Ketcham Kless Kincheloe King Kinkaid Curry Darrow Davis, Minn. Davis, Tenn. Dempsey Denison Dickinson Doughton Kirkpatrick Kissel Kline, N. Y.

Kline, Pa. Knight Knutson Kopp Kraus Kunz Lampert Langley Lanham Lankford Lankford Larsen, Ga. Larson, Minn. Lawrence Layton Lazaro Leatherwood Lee, Ga. Lee, N. Y. Lehlbach Lineberger Linthicum Little Logan London Longworth Luce Lufkin Luiring Sandlin
Luhring Schall
McArthur Scott, M
McCormick Shaw
McDuffle Shreve
McFadden Siegel
McKenzie Sinclair
McLaughlin, Mich.Sinnott McLaughlin, Mich.Sinnott
McLaughlin, Nebr.Smith
McLaughlin, Pa. Smithwick
Madden Snell
Magee Speaks
Maloney Sproul
Mann Stedman
Mapes Steenerson
Martin Stephens Martin Mason Merritt Michaelsen Michener Miller Mills Millspaugh Mondell Montoya Moore, III. Moore, Ohio Moore, Va. Morgan Mudd Nelson, A. P. Mudd Nelson, A. P. Nelson, J. M. Newton, Minn. Newton, Mo. Norton O'Connor Ogden Oliver Olpp Osborne Overstreet Padgett Paige Park, Ga. Parker, N. J. Parker, N. Y.

Parks, Ark.
Parrish
Patterson, Mo.
Patterson, N. J.
Porter
Pou
Pringey
Purnell
Radeliffe
Raker Raker Ramseyer Rankin Ransley Reber Reece Reed, N. Y. Rhodes Ricketts Riddick Roach Robertson Robsion Rodenberg Rogers Rogers Rose Sanders, Ind. Sandlin Schall Scott, Mich. Shaw Shreve Siegel Sinclair Speaks
Speaks
Sproul
Stedman
Steenerson
Stephens
Stiness
Stoll
Strong War Stoll
Strong, Kans.
Strong, Pa.
Summers, Wash.
Sweet
Swing
Tague
Taylor, Colo.
Taylor, N. J.
Temple
Ten Eyck
Thompson
Tillman
Tilson Tilman Tilson Timberlake Tincher Tinkham Towner Treadway Underhill Upshaw Vaile Vare Vestal Vinson Voigt Voistead Walsh Walters

Ward, N. C. Watson Weaver Webster Wheeler White, Kans. White, Me. Williams Wingo Winslow Wright Wyant Yates Wood, Ind. Woodruff Woods, Va. Williamson Wilson Young Zihlman -27.Hudspeth James, Mich. Johnson, Miss. Lowrey Almon Carew Cullen Dominick Mead O'Brien Sanders, Tex. Steagall Stevenson O'Brien Oldfield Quin Rayburn Riordan Rouse Swank Tyson Wise Garner Hammer Hardy, Tex. Lyon McClintic Mansfield NOT VOTING-95. FING—95.

Keller
Kelly, Pa,
Kennedy
Kindred
Kitchin
Kleczka
Kreider
Lea, Calif,
McPherson
McSwain
MacGregor
Montague
Moores, Ind.
Morin
Mott
Murphy
Nolan
Perkins
Perlman
Petersen
Rainey, Ala, Reed, W. Va. Rosenbloom Rossdale Rucker Ryan Arentz Bankhead Rehols Ellis Fairchild Fairfield Benham Brinson Brinson Browne, Wis. Buchanan Chandler, N. Y. Clarke, P. Y. Clouse Codd Cole Connell Connell Fess Fields Foster Sabath Sanders, N. Y. Scott, Tenn. Frear Frear French Gensman Glynn Gould Graham, Pa. Haugen Sears Shelton Sisson Slemp Stemp Snyder Stafford Sullivan Sumners, Tex. Taylor, Tenn. Thomas Volk Connell Cooper, Ohio Cooper, Wis. Cramton Crowther Dale Hogan Houghton Hukriede Husted Hutchinson Dallinger Deal Drewry Driver James; Va. Jefferis Ward, N. Y. Wason Woodyard Wurzbach Johnson, Ky. Johnson, S. Dak. Kearns Rainey, Ala. Rainey, Ill. Reavis Dunbar Dupré

So the bill was passed.

The following additional pairs were announced:

Mr. Perkins (for) with Mr. Driver (against).
Mr. Chandler of New York (for) with Mr. Bankhead (against)

Until further notice:

Mr. FRENCH with Mr. DEAL.

Mr. French with Mr. Deal.

Mr. Moores of Indiaha with Mr. Dupré.

Mr. Towner with Mr. Montague.

Mr. Wurzbach with Mr. Sears.

Mr. Dunbar with Mr. Johnson of Kentucky.

Mr. Rossdale with Mr. Lea of California.

Mr. Kreider with Mr. Sumners of Texas.

Mr. MONTAGUE. Mr. Speaker, I would like to vote "aye."

The SPEAKER. Was the gentleman in the Hall and listenge when his name should have been called?

ing when his name should have been called?

Mr. MONTAGUE. I was not. The SPEAKER. Under the rule the gentleman can not be permitted to vote.

Mr. SUMNERS of Texas. Mr. Speaker, would I be permitted to vote "present"? I was not in the Hall during the roll call. The SPEAKER. No; there is no provision for that.

The result was announced as above recorded.

On motion of Mr. Good, a motion to reconsider the vote whereby the bill was passed was laid on the table.

SPEECHES OF THE PRESIDENT OF THE UNITED STATES.

Mr. HICKS. Mr. Speaker, a few days ago the President of the United States delivered some very eloquent speeches in the city of New York. I feel that those speeches are worthy of being spread broadcast throughout the country and of being made a permanent part of the RECORD. I therefore ask unanimous consent that these speeches may be inserted in the Congres-SIONAL RECORD.

The SPEAKER. The gentleman from New York asks unanimous consent to print in the RECORD the speeches of the President of the United States to which he refers. Is there ob-

jection?

Mr. BLANTON. Mr. Speaker, reserving the right to object, has the gentleman taken into consideration that these speeches will be quite an embarrassment to his colleague after the vote this morning?

Mr. HICKS. The record made and being made by this administration will not embarrass anyone who has the interest of the American people at heart.

The SPEAKER. Is there objection?

There was no objection.

## ADJOURNMENT OVER.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that when the House adjourns to-morrow, Friday, it adjourn until Tuesday next.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that when the House adjourns to-morrow it adjourn until Tuesday next. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object,

is there to be another baseball series?

Mr. JOHNSON of Washington. Why, Monday is Memorial

Mr. MANN. The gentleman from Texas does not know that Monday is Memorial Day. Let us inform him of that fact. [Laughter.] The only thing that he has in mind is baseball. He does not think of those who died in war.

Mr. BLANTON. Mr. Speaker, reserving the right to object, I would state to my distinguished friend from Illinois that we are adjourning, as we have been doing ever since this Congress met, over Saturday, which is not Memorial Day and which should be a work day for this Congress.

The SPEAKER. Is there objection?

Mr. BARKLEY. Reserving the right to object, what is it

planned to take up next Tuesday?

Mr. MONDELL. I am inclined to the opinion that we will not have completed the packer bill, which we are about to take up, by that time; but following that will come, among other things, the conference report on the budget bill and the bill for the consolidation of activities for the benefit of ex-service men, and those measures will follow next week.

The SPEAKER. Is there objection?

There was no objection.

#### PACKER LEGISLATION.

Mr. HAUGEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 6320) to regulate interstate and foreign commerce in live stock, livestock products, dairy products, poultry, poultry products, and eggs, and for other purposes. Pending that motion, if I may have the attention of the gentleman from Arkansas [Mr. Jaco-WAY], I would inquire if an agreement can be made as to time to be allotted for general debate?

Mr. JACOWAY. I would state that from the requests that

have come to me for time I think we ought to devote at least the entire day to general debate. I have requests for something over two hours on this side, and several Members on the Re-publican side have requested time, if they can not get it from the gentleman from Iowa. It occurs to me that the entire day

should be consumed in general debate.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. GARRETT of Tennessee. It occurs to me that a very good arrangement would be not to limit debate, but to fix the control of the time in the gentleman from Iowa and the gentleman from Arkansas.

Mr. HAUGEN. Can we not agree upon closing debate at a certain time, allowing liberal time for general debate?

Mr. GARRETT of Tennessee. Will it be agreeable to the gentleman from Arkansas that the time be controlled for general debate by the gentleman from Iowa and the gentleman from Arkansas?

Mr. JACOWAY. Entirely so. Probably the better plan would be to not limit the debate.

Mr. LUCE. Mr. Speaker, may I ask if the gentleman from Arkansas is opposed to the bill?

Mr. JACOWAY. I am not.

Mr. LUCE. I shall ask recognition in opposition to the bill. Mr. PARKER of New Jersey. And so shall I. It seems to me that somebody opposed to the bill should be named as having control of half of the time.

Mr. WALSH. Mr. Speaker, is there a request pending? The SPEAKER. The gentleman from Iowa has not yet stated

his request.

Mr. HAUGEN. Mr. Speaker, I ask unanimous consent that general debate continue during the day, and that the time be equally divided between the gentleman from Arkansas and

The SPEAKER. The gentleman from Iowa asks unanimous consent that the time for general debate be divided, half to be controlled by himself and half to be controlled by the gentleman from Arkansas. Is there objection?

Mr. LUCE. Mr. Speaker, reserving the right to object, can any arrangement be made by which time can be definitely

allotted to those who are opposed to the bill?

Mr. HAUGEN. So far as the time is controlled by myself, it will be divided equally between those for and those against

Mr. JACOWAY. I do not think there will be any question about the gentleman from Massachusetts getting ample time to make the observations he desires to make on the bill.

Mr. PARKER of New Jersey. Mr. Speaker, it seems to me that the person to control half the time should be opposed to the bill, so that there can be real leadership if there is opposition to the bill.

Mr. GARRETT of Tennessee. Of course, the regular order would be for the House to go into the Committee of the Whole House on the state of the Union and then whoever is recognized will have an hour. It has always been customary to arrange the time. Probably gentlemen opposed to the bill—and I am in that class—will have a better opportunity by agreeing to a control of the time. It is in the interest of expedition. I think it might be well to permit the gentleman from Iowa and the gentleman from Arkansas to control the time.

Mr. JACOWAY. Mr. Speaker, I demand the regular order. The SPEAKER. The regular order is, Is there objection?

Mr. POU. Mr. Speaker, I would like to ask the gentleman from Arkansas a question.

The SPEAKER. The gentleman from Arkansas has demanded the regular order.

Mr. JACOWAY. I withhold that for a moment. I yield to the gentleman.

Mr. POU. Would not the gentleman from Arkansas be willing to divide the time as nearly as possible equally between those opposed to the bill and those favoring the bill?

Mr. JACOWAY. Certainly. That is only fair. I think there will be no doubt about the gentleman from Massachusetts getting what time he wants, Mr. POU. There are others.

Mr. JACOWAY. I know; for that matter, anybody else.

Several Members. Regular order!

Mr. WALSH. Mr. Speaker, reserving the right to object, is there anybody on the committee opposed to the bill?

Mr. JACOWAY. I can not answer that question. Mr. WALSH. Does the gentleman from Iowa know?

Mr. HAUGEN. I do not know of anybody. Mr. ASWELL. The report of the committee is unanimous.

The SPEAKER. Is there objection to the request?

Mr. LUCE. Mr. Speaker, in view of the arrangements made by the gentleman in charge of the bill, I withdraw any objec-

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. It is agreed the gentleman from Iowa shall control half the time and the gentleman from Arkansas [Mr. JACOWAY] the other half.

Mr. JACOWAY. Just a question, how many hours of de-

bate are there to be?

The SPEAKER. There has been no limit fixed.

Mr. JACOWAY. That is what I understood.

The SPEAKER. The question is on the motion of the gentleman from Iowa that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 6320.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 6320, with Mr. Towner in the chair.

The CHAIRMAN. The House is in Committee of the Whole

House on the state of the Union for the consideration of the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 6320) to regulate interstate and foreign commerce in live stock, live-stock products, dairy products, poultry, poultry products, and eggs, and for other purposes.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection? [After a pause.]

The Chair hears none.

Mr. HAUGEN. Mr. Chairman, H. R. 6320, the bill to regulate the packing industry, which I have had the privilege of introducing and reporting favorably to the House, comes to you by a unanimous vote of the Committee on Agriculture. This bill proposes to give the Secretary of Agriculture complete inquisitorial, visitorial, supervisory, and regulatory power over the packers, stockyards, and all activities connected therewith.

The legislation proposed in this bill is not a new proposition. For more than a quarter of a century the subject of packers and packer legislation has been given much thought and consideration. It has been discussed in Congress, in the courts, on the stump, and, in fact, in nearly every home. Many believe that the spread in the price between the producer and the consumer is much wider than it should be; that the packers are in a large degree responsible for the wide spread; that there is something wrong with the meat-packing industry; and, for these and various other reasons, the packers should

be brought under Government regulation and supervision. Right or wrong, the discussion and agitation has gone on, much to the embarrassment, expense, and inconvenience of many, to the innocent as well as to the guilty, until it seems to be generally conceded that the matter of legislation should be defi-nitely and finally disposed of. It has been so indicated, at least, by the representatives of the various organizations who have appeared before the committee.

Various committees and subcommittees of the two Houses have spent much time on the subject and have held hearings, covered in thousands of pages of printed testimony. The Committee on Agriculture of the House held 40 days of hearings last Congress and 1 week of hearings this Congress on meat-packing legislation, covered in more than thirty-five hundred pages of printed testimony. Representatives of the National Consumers' League, the National League of Women Voters, the Committee of Seventeen, the American Farm Bureau Federation, the National Board of Farm Organization, the Farmers' National Council, the National Grange, the American Society of Equity, the Order of Railroad Conductors, the Brotherhood of Locomotive Engineers, and many other organizations, as well as producers, shippers, and dealers in live stock, appeared before the committee and urged, in the strongest terms, prompt and favorable action.

As a result the committee authorized me to submit House bill 6320 for your consideration and determination. This bill is somewhat different from the bill which I reported to the House last session of Congress as a substitute for the Senate bill, which passed the Senate in the Sixty-sixth Congress, in that the proposed bill places the jurisdiction over the stockyards in the Secretary of Agriculture instead of in the Interstate Commerce Commission, as was provided in the substitute. In view of the fact that the Department of Agriculture now has, and has had for a long time, a large number of persons employed in the stockyards; that it has attained splendid results in correcting certain abuses and practices in the stockyards; and that, under existing laws, it has funds and power to gather, promulgate, and diffuse certain informa-tion by telegraph, mail, or otherwise, as, for instance, information relating to the demand, supply, consumption, cost, price, and distribution of live stock and other farm products, it seemed to the committee, after giving the matter further consideration, that in the interest of economy and expediency the Secretary should be given exclusive jurisdiction over the stockyards, as well as the packers, rather than to set up dual power and machinery. Hence, it is proposed that the additional power to be granted over the stockyards shall be vested in the Secretary of Agriculture instead of the Interstate Commerce Commission as was provided in the substitute.

The bill has been prepared with care and painstaking, with a view not to hamper, discourage, or destroy, but to encourage, protect, and build up worthy and legitimate enterprises and activities in connection with the great packing industry. In other words, to supervise and regulate, and thus safeguard the interests of the public and all elements of the packing industry from the producer to the consumer without destroying any unit in it.

It is proposed to give the Secretary of Agriculture jurisdiction over the packers, stockyards, commission men, traders, buyers, and sellers, and all activities connected with the slaughtering and marketing of live stock and live-stock products in interstate commerce; that is, the Secretary shall have jurisdiction from the time the live stock is unloaded at the terminal yards and after it is out of the jurisdiction of the Interstate Commerce Commission.

Up to the time of unloading the live stock the Interstate Commerce Commission has jurisdiction over the shipment, distribution, and ownership of stock, refrigerator cars, and other equipment, and transportation rates, including belt lines and terminal roads. Hence, it is proposed that the Secretary's jurisdiction shall begin where the Interstate Commerce Commission's jurisdiction ends; or, in other words, the Interstate Commerce Commission is to continue its exclusive jurisdiction over transportation rates and compelling the carriers to furnish refrigerator and stock cars, and so forth, and the Secretary is to have exclusive jurisdiction over all transactions connected with the slaughtering and marketing of live stock and live-stock products in interstate commerce, subject, of course, to court review; to gather and compel information concerning and to investigate the organization, conduct, practices, and management of the packers and stockyards, including all transactions in or about the stockyards by all concerns or persons dealing on such yards.

Under the bill and existing laws the Secretary will have power to require reports, answers, under oath or otherwise, as often as he may deem necessary as to such matters

Mr. JOHNSON of Mississippi. Will the gentleman yield to enable me to ask him a question there? The gentleman knows more about this bill than any other Member, I take it, being the chairman of the committee. Suppose a charge should be filed against a corporation or an individual that they were violating this law; would the Secretary of Agriculture cite that body or that corporation to appear in Washington to answer the charge or would the hearing be held where the violation of the law had originated?

Mr. HAUGEN. I take it it would be-

Mr. JOHNSON of Mississippi. I am not asking the gentleman what he would take it, but what does the bill say?

Mr. HAUGEN. The usual practice would be pursued.

Mr. JOHNSON of Mississippi. That he would have to come

Mr. HAUGEN. Oh, no; arrangements could be made to hear them there. If there was an abuse, or unfair practice, for instance, in the stockyards in Chicago, a representative of the department could investigate and conduct the hearing there in the Chicago stockyards.

Mr. JOHNSON of Mississippi. I do not know how I am going to vote on this bill, but if a party should be required to come here to Washington to answer these charges-however, I will wait until the gentleman gets his eyes and also turns his ears toward me.

Mr. McLAUGHLIN of Nebraska. I can say to the gentleman the bill says in plain language that the Secretary will conduct hearings in Washington and elsewhere.

Mr. JOHNSON of Mississippi. To whom would be delegate the authority to hold hearings elsewhere?

Mr. McLAUGHLIN of Nebraska. To anyone in his depart-

ment, in view of this provision.

Mr. JOHNSON of Mississippi. Would he have authority to administer oaths and take the affidavits of those parties?

Mr. McLAUGHLIN of Nebraska. Yes.

Mr. JOHNSON of Mississippi. Does your bill provide that?

Mr. McLAUGHLIN of Nebraska. Certainly.

Mr. HAUGEN. As I have stated, under the proposed law and under the existing laws the Secretary will have power to require reports and answers under oath or otherwise as often as he may deem necessary concerning the matter

Mr. JOHNSON of Mississippi. I appreciate that. But I want to ask this question: Will the party designated to take this testimony or make this investigation in Louisiana or Texas of a charge that some company is violating the law have authority to administer oaths and take an affidavit from these other people?

Mr. HAUGEN. Yes; if delegated by the Secretary. Mr. JOHNSON of Mississippi. Does this provide that? Mr. HAUGEN. Yes; besides, there are provisions in other

acts made applicable that authorize that. The Secretary in enforcing this act will also be given powers possessed by the Federal Trade Commission under sections 6, 8, 9, and 10 of the Federal Trade Commission act.

Mr. MILLS. I did not quite get the answer. Does the gentleman say that this bill contains authority to the Secretary to delegate that authority to hold hearings?

Mr. JOHNSON of Mississippi. That is the question I want to ask.

Mr. MILLS. That this bill does?

Mr. HAUGEN. Yes; both under existing laws and the provisions of this bill he will have the power to delegate authority to hold hearings elsewhere. If the gentleman will examine sections 6, 8, 9, and 10 of the Federal Trade Commission act, which sections are made applicable to the jurisdiction, power, and duties of the Secretary in enforcing this act, he will find that the Secretary will be given the power to do the various things which I shall proceed to enumerate. We provide for the same procedure as provided in other acts.

Mr. MILLS. May I ask the gentleman further, then, if the Federal Trade Commission has not a good many of the powers which you here are granting to the Secretary? It has the power of investigation, which you are transferring from the Federal Trade Commission to the Secretary c. Agriculture, but that particular section does not cover all of the delegations of power and authority which would be involved in holding hearings and making a decision. I do not find that in this bill anywhere.

Mr. HAUGEN. We provide for the same procedure as provided in other acts.

Mr. MILLS. I do not find in this bill anywhere specific authority granted to the Secretary to delegate to anyone the right to hold hearings or make decisions.

Mr. HAUGEN. Certainly that is provided.

Mr. MILLS. I shall be glad to have that pointed out. Mr. ROSE. If the gentleman will refer to section 203, lines 17 to 20, inclusive, on page 6. I think he will find that it meets

his objection.

Mr. LOGAN. Why is it under section 202 you provide a method of appeal from the court of appeals and then by writ of certiorari to the Supreme Court, when you are dealing with the packers, and when you get to the stockyards you provide the Secretary's orders shall take effect in five days unless suspended by the court?

Mr. HAUGEN. One carries a criminal penalty and the other

only a fine.

Mr. LOGAN. The Secretary has the full hearing in the matter.

Mr. HAUGEN. The Secretary may apply for an injunction in the case of the packer, restraining him from violating the order.

Mr. LOGAN. As to the packers, by giving no appeal, and so

forth, a man might suffer great hardship under that

Mr. HAUGEN. The packer does have full right of appeal. The procedure is this: After the Secretary has made an order requiring the packer to cease and desist from violating the law the packer may appeal to the circuit court of appeals. If he does not appeal within 30 days, a violation of the order, after such 30 days, is punishable by a fine or imprisonment.

If appeal is taken, there is no criminal penalty except for

violations of the order taking place after the circuit court of appeals has affirmed the order. The packer is given the right to apply to the Supreme Court within 60 days for a writ of certiorari. If the case is taken to the Supreme Court, there is no criminal penalty except for a violation occurring after the Supreme Court has affirmed the order. But if the packer fails to apply for the writ within 60 days, the criminal penalty attaches to all violations of the order occurring after the ex-

piration of such 60 days.

If the packer appeals from the Secretary's order to the circuit court of appeals, the court may, in its discretion, on the request of the Secretary, make a temporary injunction restraining the packer from disobeying the order pending the disposition of the case by the court. If the court affirms the order, its decree operates as an injunction against violation of the order, and if the case is taken to the Supreme Court on writ of certiorari, the allowance of the writ does not operate to stay the injunction unless so ordered by the Supreme Court.

Mr. LOGAN. Why do you not put it the same in each case? Why a difference between the stockyards and the packers?

Mr. HAUGEN. The answer is that if the packer's offense is punishable under existing laws the remedy is with the Department of Justice under existing laws, which nothing in the bill in any way weakens. If the offense is one not punishable by existing law, but is a new offense created by this bill, it is believed that it would be unduly harsh, if not unconstitutional under the recent decision of the Supreme Court in the Food Control case, to punish a packer until the courts have had an opportunity to define the elements of the offense. For example, the bill makes it unlawful for any packer to engage in any unfair or deceptive practice in interstate or foreign commerce. Until the court has passed upon whether or not particular acts do, as a matter of law, come within these terms it did not seem to the committee that it would be fair to punish a man for doing any of these acts until the court had passed upon the question.

Mr. LOGAN. Why do you not apply the same thing to the

Mr. HAUGEN. In answer to the gentleman's question why the procedure adopted in the case of the packers is not also made applicable to the stockyards I may say that the method of procedure in the bill as to stockyards exactly follows the procedure now existing in the control by the Interstate Commerce Commission over the railroads, which is that the Secretary, after full hearing, makes an order as to what constitutes a reasonable rate, charge, or practice in connection with trans-actions on the stockyards. Disobedience of the order is punish-able by money penalties and not by imprisonment. No appeal is given from the Secretary's order, but the person guilty of the violation of the order can test its reasonableness in a prosecution for the penalty, or, instead, may apply to the courts for an injunction restraining the enforcement of the Secretary's order.

The reason the committee believed that this procedure was more appropriate in the case of the stockyards than in the case of the packers is that in the latter case the matters to be dealt with are great questions of combinations and monopolies and methods and practices of unfair competition, usually of great magnitude and country wide in their effect; whereas in the case of the stockyards the evils to be dealt with are a multiplicity of more or less minor matters, such as proper rates and charges

for the care of cattle at the stockyard and for feed furnished to them and minor injustices against shippers and purchasers, which, if to be remedied effectively, must be deal with promptly. Now, if I may proceed, let me indicate what the bill will do.

The Secretary will be given the power to subpæna; to conduct hearings; to require the production of books, papers, and documentary evidence; to require the attendance of witnesses; to prevent packers and stockyards, and all persons dealing in the stockyards, from engaging in unfair, unjustly discriminatory, or deceptive practice or device; to regulate and prescribe the practices on the stockyards; to prevent abuse; to award damages in redress of any unfair practice or abuse; to regulate and prescribe all rates, fees, and charges for services in stockyards, including the fees of commission men, yardage, feeding, watering, weighing, and handling live stock. The bill provides specifically for cooperation in the marketing of live stock through cooperative associations in the stockyards by permitting them to return to their members on a patronage basis their excess earnings on live stock handled, subject to regulations by the Secretary.

It gives the Secretary complete inquisitorial, visitorial, supervisory, and regulatory power over the packers, stockyards, and

all activities connected therewith.

The bill further coordinates the duties of the Secretary of Agriculture so that it prevents overlapping of authority and duplication of jurisdiction of the other departments of the Government having regulatory power which previously existed. The object sought is to preserve and hold on to all the powers granted to regulate and to prevent abuse and unfair practices, or, in other words, not to weaken but to strengthen existing

It provides for ample court review of any of the orders or regulations of the Secretary of Agriculture so as to protect the industry from any mistakes of judgment or unwarranted use of

the power thus delegated.

Undoubtedly it is a most far-reaching measure and extends further than any previous law into the regulation of private business, with the exception of the war emergency measures, and possibly the interstate commerce act.

Now, if there are any questions, I shall be glad to answer

Mr. SANDERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. HAUGEN. Certainly.

Mr. SANDERS of Indiana. Referring to the question asked by the gentleman from New York [Mr. Mills] with reference to who shall conduct the hearings, on page 6, section 203 of this bill, subdivision (a) provides that when the Secretary believes the packer has violated some of the provisions of the former section, making certain things unlawful, thereupon the Secretary shall make complaint against him and conduct a hearing. Then section (b) provides that after that hearing, if the Secretary finds that the packer has violated or is violating any of the provisions of that title, he makes a report in writing, stating his findings, and issues, or causes to be served on the packer, an order requiring him to desist, and if that is not appealed from, it is a final order. Now, as I understand the gentleman from New York, he wants to know what the tribunal is. Is it to be the Secretary of Agriculture?

Mr. HAUGEN. Yes; or such duly authorized agents.

Mr. SANDERS of Indiana. That is a hearing of some kind. I want to know the tribunal.

Mr. MANN. Mr. Chairman, will the gentleman yield there? Mr. SANDERS of Indiana. Yes.

Mr. MANN. The gentleman will find on page 26 this pro-

The Secretary, in person or by such agents as he may designate, may prosecute any inquiry necessary to his duties under this act in any part of the United States.

Of course, the orders that may be issued in the end will be issued by the Secretary of Agriculture, or in his name, just as the Interstate Commerce Commission conducts practically all of its inquiries through agents of the commission. But the orders are issued by the Interstate Commerce Commission in the name of the Interstate Commerce Commission, although they may act in many cases almost perfunctorily upon the recom-mendations of their agents. I use the term "agents," but that is not the legal definition.

Mr. SANDERS of Indiana. It occurred to me, because the general language there on page 26 did not make it clear, that it was the purpose to delegate the power to hold these hearings.

Mr. MANN. Of course, maybe I do not understand what this says, but I thought the authority is to designate the agent to prosecute an inquiry or prosecute his duties anywhere in the United States. I thought it was just about as clear as any language could be written.

Mr. MOORE of Virginia. If I may interrupt a moment, it seems to me the inquiry might be one thing and the hearing a different thing. I find that in the act to regulate commerce the common carrier act-Congress has been very careful to provide against any misunderstanding as to how hearings shall be conducted. I read from the language of the act to regulate commerce:

The commission may appoint examiners, who shall have power to administer oaths, examine witnesses, and take testimony.

The commission in a given case may in advance have made all sorts of inquiries, but when it comes to an inter parte hearing, which the commission itself may not be able to conduct, it may designate an examiner to serve. I think that bears upon the question propounded awhile ago by the gentleman from New York [Mr. Mills]. It seems to me desirable that there should be written into this bill a provision similar to that I have quoted.

Mr. MILLS. May I add, in addition to what the gentleman from Illinois says, that I think it would be very much open to question whether the authority to make inquiries would give authority to examine witnesses, and so on, unless the language especially so provided. I think the language pointed out by the gentleman from Virginia [Mr. Moore], the language used in the interstate commerce act, is the language used in all of these statutes where authority is delegated to somebody to compel the attendance of witnesses and to administer oaths and to take testimony.

The gentleman from Indiana had better look at Mr. MANN. the act creating the Federal Trade Commission before he criti-

Mr. SANDERS of Indiana. It is not so much a matter of criticizing the bill; what I was trying to find out is who was to sit at this hearing, whether it is to be somebody delegated for the purpose, or whether it was meant to be the commission.

Mr. HAUGEN. Mr. Chairman, I yield 20 minutes to the gen-

tleman from New York [Mr. DEMPSEY].

The CHAIRMAN. The gentleman from New York is recog-

nized for 20 minutes. Mr. DEMPSEY. Mr. Chairman, I ask unanimous consent to proceed on a subject other than the bill during that time. The CHAIRMAN. The gentleman has that right.

The CHAIRMAN.

Mr. DEMPSEY. Mr. Chairman and gentlemen of the committee, previous to the 1st of June, 1920, there were eight appropriating committees of this House. On that day a resolution was introduced in the House-a resolution of which Mr. Good, the distinguished and able chairman of the Committee on Apprepriations, had charge-to amend the rules of the House so as to center all of the appropriating powers in one committee.

That question was debated at considerable length. others who debated it was the gentleman from Ohio [Mr. FESS], who said, Record, June 1, 1920, bottom of page 8103:

The committee is to be composed of 35 members, so that evidently it will permit subcommittees representing all of the committees which now are appropriation committees.

The purpose expressed in the debate was that the committees should operate jointly and coordinate their work, and there would be not alone a centering of power but that committees whose jurisdiction was taken away would be represented on the

Objections were made to the resolution. They may be summarized under two heads: First, the objections of those who said that it was centering too much power in one committee and taking away from the general membership of the House practically all of the work which they had always had to do; and second, that it would be impossible for any committee composed of 35 members to do the work that it would be necessary for them to de under the proposed amendment.

The opposition was centered and represented in a motion to recommit made by the gentleman from Minnesota [Mr. Anderson], which, in substance, provided that instead of the change of rules provided by the resolution that was introduced there should be a change of this kind: That a budget committee should be appointed, to consist of three members from each of the seven appropriating committees, the chairman and the ranking majority and minority members; the budget committee as so constituted to have jurisdiction to fix the total amount of the appropriations to be made and also the amount to be allocated to each of the appropriating committees. The resolution to recommit was submitted to the Committee of the Whole and lost by a vote of 200 against to 117 for. A year has passed, during which we have been working under the new rule. We have had an opportunity to observe, first, the plan adopted for carrying out the amendment, and second, the actual operation of

the amendment, and from that experience we have an ample foundation on which to build something to increase the efficiency of the budget system and make it more workable for the

Now, first, as I said, it was suggested during the debate on the amendment that members of these several former appropriating committees be made members of the new committee, the object obviously being to coordinate and correlate the work. That was not carried out. Members were taken from these committees, but instead of acting conjointly with the committees from which they were taken, their connection with the old committee was absolutely severed, and they remained members simply of the new committee. So that advantage was entirely

Now let us consider another thing that was foreseen at the time that the committee was formed, but which was not voiced in the debate, and that was this—and I will give a concrete example: During the Great War which has just ended there was no legislative figure who stood higher, who loomed larger, and who will remain longer on the pages of history than the illustrious chairman of the Committee on Military Affairs, JULIUS KAHN. [Applause.] It was seen readily that men like Mr. Kahn, who had performed heroic service; men who knew the problems of the various committees from long experience, many of them from service for a score of years; men who were trained and experienced and skilled; men of judgment, would cease giving the House and the Nation the benefit of their accumulated knowledge and long and ripe experience. was foreseen at the time as an objection, and, of course, it proved to be an objection to the successful working of the new

Again, let us consider the details of the working of the rule in the committee. The objection to the several committees was that we had a responsibility divided among seven different committees, and that there would be overlapping, multiplication, and duplication of work, all of which, it was maintained, would be avoided by the new system.

Now let us see what the new system was. Did you have one committee which had charge of all these matters, which considered them all, which viewed them as a whole, which did not lose itself in details-a committee which was able to view the whole field? You have had nothing of the kind. Instead of seven committees, when you come to the working out of the practical details, you had 13 subcommittees, practically twice the number of committees which existed before.

Let us follow that out in its workings and see how it developed. These subcommittees consisted nominally of five mem-As a matter of practice three men made up the bill in most instances. The whole five men rarely sat. I was on the committee, and I know the facts both from experience and from I was on the observation, and I am stating the result of both.

Then when the 13 subcommittees had performed their tasks, when they had completed their work, when they were ready to report their bills, how did the scheme work out in practice as to this general supervisory power which was to cut appropriations, which was to make us more efficient, and which was to result in a general survey, a complete review of the whole field?

Mr. CONNALLY of Texas. Will the gentleman yield? Mr. DEMPSEY. Not for a moment, please. It worked out in this way: The subcommittee came to the general committee with a bill in some instances consisting of 60 to 80 printed pages, which the general committee considered from 30 minutes to 4 hours at the outside, which was all the time they had to go over the bill as a whole. Of course, it was utterly impossible in that time even to read the bill. It was utterly impossible in that time to consider single items involving vast sums. It was utterly impossible to take the bill as a whole and compre-In all my experience upon that committee I recollect but one motion to reduce the amounts reported by the subcommittees, and that motion was lost. So I say that this theory that there would be supervision, this anticipated supervision which was the reason and the ground for the change of the rules, disappeared in fact when we tried it out, as we have tried it, for a year.

Mr. CONNALLY of Texas. Will the gentleman yield at this

Mr. DEMPSEY. In just a moment; when I get through with my statement I will be glad to yield.

Now, let us follow the bill from the committee to the floor of the House and see what resulted there, see whether it worked well, see whether it carried out the favorable prognostication of those who supported it. We found on the floor that two things developed. First, we found that bills appropriating money were so inseparably connected with legislation proper that a bill could not be brought here for the one purpose which did not embrace the other. You could not report an appropriation bill that did not contain numerous legislative provisions.

And what resulted then? Nobody in this House advocated, or will advocate to-day or in the future, that these seven committees be deprived of their legislative powers. Nobody thinks that would be wise. Nobody believes that would be prudent. Nobody believes it would be defensible. And so when bills came in with legislative provisions in them we found this result, that the Committee on Appropriations would report a legislative provision, objection would be raised, and the provision would go out on a point of order. And then what would happen? We would have in many instances a rule brought in and we would set aside the time-honored precedents, we would set aside the well-established rules of the House, in order that we might carry a particular bill in a particular way. In other words, the old evil of disregarding the law on account of the exigencies of a given case was in every instance, where a rule was adopted, the plan of procedure that the House adopted under its new order of affairs.

In some instances the rule was not brought in, and then what resulted? The bill went over to the Senate, the legislative provisions having gone out on a point of order without the House having considered them, without the House knowing what they were, without the House being in any way advised as to whether they should be passed or not-the bill went over to the Senate and these provisions were put in and came back to us on conference reports; and, incomprehensible as it may seem, unbelievable as it is, this House, without having considered them, knowing nothing about any of these provisions, in each and every instance passed them just as they came from the Senate. Those are the two results that followed.

Now, gentlemen, let me pause at this point to say that there was no man in this House more sympathetic toward the establishment and the well working of the budget system than was I. Let me say that when this change in the rules was made, when it was advocated by Mr. Good, chairman of the Committee on Appropriations, which gained power and jurisdiction through the change, although I was a member of one of the committees which lost appropriating jurisdiction, I supported the change. In each and every instance since that time I have supported the Committee on Appropriations when it has brought in bills. I have spoken on the floor on various occasions, and always in favor of the committee. I did not believe in obstructing business because of the existence of an unwise rule. I did not be-

lieve in collateral attacks upon it. I believe in direct attacks,

and I believe only in direct attacks to better and improve-not to tear down and destroy.

And then gentlemen say, "Well, suggest how you will better or improve it, how will you do it, what can be done?" We have found from this review that the present system is inefficient. We have found it unworkable, we have found that it results in endless trouble on the floor in containing legislative provisions which go out on points of order, and in our enacting just what the Senate passes without knowing what it is. Is there some way in which we can preserve the principles of the budget system, in which we can make them work hetter than was possible under the old system or under the substitute Is there some wa; that can be accomplished? The gentleman from Minnesota suggested an outline in the motion to recommit when the amendment to the rule was passed. He suggested that the budget committee be selected and he suggested how it should be selected, and I would add only to his suggestion that it seems to me that on a committee like that of appropriations the chairman of the committee is too busy a man to serve on both committees. It seems also that a member of the Ways and Means Committee should be a member of that committee, because that committee raises the revenue, and that the Speaker and the majority leader should be members.

Let us compare and contrast the two methods. Why is it that the Committee on Appropriations has not been able to exercise a supervisory power? Simply because it is a busy committee and it has not the time. Will your new committee have the time? Yes. Why? Because you will select men who will do the work in such an order-and I am going to indicate the order shortly-that they will naturally have the time. You will select men who can be spared because you can spare one or two men from a committee when you can not take all the members of a busy committee like the Committee on Appropriations and have them spend the time in supervising the work of seven or eight committees. You can take a man from each committee who can devote his time to it. He will not have the work of the Subcommittee on Appropriations which now is pressing and requiring his time in season and out of season. His task will be to take care of the work assigned to him on the budget committee, and he will spend his time on that.

Objection has been made that when you allocate a given sum to a committee that it will appropriate the full sum allocated, and that is the only objection I have heard to the plan. It is not an objection when examined, because the way the allocation would be made is this: The various committees would sit and consider the appropriations they are to distribute, and when their work is completed, having completed the hearings, they will submit the result in the form of a tentative bill through their representatives on the budget committee. budget committee will have before it the budget as prepared by the President under the new budget bill. They will know what the total expenses will be for the next year and what the With the limit to appropriations fixed by the revenue will be. budget, with the budget committee saying we can not spend more than that, the members of the budget committee from the several distributing committees each urge the claims of their committees. Only so much, however, can be spent; and the question is, How shall it be allocated between the different committees?

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman five minutes more.

Mr. DEMPSEY. A representative of the Committee on Foreign Affairs and a representative from the Committee on Agriculture will each be there, having had their full hearings, and they will present what they say is the amount coessary for their committees, and they will know that the final result, the total amount to be expended, is such and such a sum, and in effect each one of these committees will be working to lower the other amounts allocated in order to get as much as they feel is absolutely needed for their own committees. In other words, the members from each committee will be in effect a check upon all other committees, and you need that check. select one Committee on Appropriations any more than another and say that it shall legislate for the whole House as to appropriations? Is there any charm in the name "appropriations" as applied to a committee that makes it better able to deal with appropriations than if the committee had some other name? Not at all. The Committee on Appropriations should have a check on its : ppropriations and that was made clear by the passage of the bill yesterday. Most of us voted for the \$400,000 naval appropriation in order to vote with the We learned that the appropriation for clerk hire and expert chemists had mounted from \$1,700,000 to \$3,500,000, and that the chairman of Naval Affairs believed that this allowance had grown out of all proportion, had become extravagant, and that he was opposed to the removal of the limit of \$400,000, and in learning this we learned that the Committee on Appropriations is subject to the same infirmities as other committees. [Applause.] And it will be subject to the same check and to the same control as other committees under a true and real budget committee, such as is proposed.

In conclusion let me say this: I am for a budget system. I voted for it and supported it on every occasion when the question arose in this House. I have been a part of the new system, having been a member of the Appropriations Committee during the last Congress, and I have observed how it works. need to repeat to you how it works because you know the difficulties, first, as to legislation, and next the impossible condition of affairs in having the Senate legislate for us without our even knowing what has gone into the bill. You all know that. You have tried this new rule and you have found it unworkable. You have found that instead of promoting efficiency it has had Why not try a system which exactly the opposite result. promises more, a system which is likely to accomplish the result at which you aim? You will not obtain perfection in any system. It will depend in the end upon the legislation which is helpful-and I honestly believe the budget bill will be extremely helpful-but it will depend still more upon the men in control

and upon this House.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. HAUGEN. Mr. Chairman, I yield the gentleman two minutes more.

Mr. CARTER. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. Yes. Mr. CARTER. No matter what we may do in the House, no matter what precautions we take here, will we ever have a real budget system or any real economy so long as the Senate takes no part in that proposition and places no limitation upon its actions?

Mr. DEMPSEY. I can not answer the question of the gentleman, but I can say in reply that if we do our part, and do it honestly and earnestly, do it according to the best light that we have or can obtain, we will do all that can be expected of us, and we will satisfy the country and our own consciences.

Mr. JACOWAY. Mr. Chairman, I yield five minutes to the

gentleman from Virginia [Mr. MOORE].

Mr. MOORE of Virginia. Mr. Chairman, the very simple statement I wish to make will answer inquiries that I have received and similar inquiries that have perhaps been ad-

dressed to other Members of the House.

On the 7th of February of this year the House passed a bill authorizing an appropriation of \$100,000,000 to further aid the States in the construction of highways. That bill failed of passage in the Senate, and of course did not become a law. There have been several highway bills introduced at this session and referred to the Committee on Roads. One of those bills is the so-called Dowell bill, that provides for continuing the Federal aid plan, and there are other bills that provide for additional appropriations. The Dowell bill includes a very valuable suggestion made by the President in his recent address to Congress, in stressing the importance of not confining action to appropriations for construction, but requiring that the Government shall look after the matter of the maintenance of the highways that are constructed. Those bills have not yet been considered by the committee, but this morning the committee met and arranged for a full hearing, which is to begin next Saturday. The prospect, therefore, is that there will at no distant day be brought before the House measures that will support the policy of Federal aid to the States for the construction and maintenance of roads, and also carrying appropriations in addition to the appropriations heretofore made that total \$275,000,000. So there is ground for believing that before this extra session ends further satisfactory legislation will be passed by the House, and for hoping that it may receive the approval of the Senate and assurance given the country that there is not going to be any backward step taken in this matter, which is considered by so many of us of very great importance and so clearly entitled to serious and practical consideration. [Applause.]

Mr. HAUGEN. Mr. Chairman, I yield 20 minutes to the gen-

tleman from Massachusetts [Mr. Luce].

Mr. RAYBURN. Just a minute. Is the gentleman from Iowa going to yield to anybody to explain the provisions of this bill who is an advocate of it? I understand the gentleman from Massachusetts [Mr. Luce] is an opponent of it. I hope the gentleman from Arkansas or the gentleman from Iowa will some time during the afternoon yield to somebody who is familiar with the bill and will explain the very intricate and unheard of provisions in it.

Mr. HAUGEN. Members of the committee will explain it from time to time, but I promised to yield to the gentleman from

Massachusetts [Mr. Luce].

I have no set speech to make on this subject and had intended to use my time very largely for the purpose in the mind of the gentleman on the other side who has just asked for information, because like himself I am seeking for light in the matter. If gentlemen, in answer to my inquiries, will take the greater part of the 20 minutes allotted to me, I shall be perfectly content.

First, Mr. Chairman, I desire to ask the gentlemen on this side of the aisle if there is one among them who will enlighten me in the matter of the sentence on the second page of the report, about 10 lines down, which proclaims to the people of the country that this is a most comprehensive measure and extends farther than any previous law in the regulation of private business in time of peace, except possibly the interstate

Here is an announcement to the people that we are passing a law that extends farther than any previous law in the regulation of private business. It happens that last fall, believing I voiced the sentiment of the party to which I belong, on various occasions I took the opportunity in behalf of that party to pledge to the voters of my State that we would stop the regulation of private business, and much was my gratification when the man whom we succeeded in electing President came into office and said that the most important thing we had before us to-day was to put more business into Government and take the Government out of business. Will gentlemen on this side explain to me why, in the face of the declarations of our speakers and of our platform, if I mistake not, and of our President and of ourselves, we now in this somewhat frank and confiding manner disclose to the people of the United States that within a few weeks after obtaining power we, as set forth here in print, are to go farther in the regulation of private business than ever before?

Mr. TINCHER. Mr. Chairman, will the gentleman yield?

Mr. LUCE. Yes. I asked the question for the purpose of yielding, so that I may be able to explain to my constituents.

Mr. TINCHER. Would the gentleman be in favor of repealing the other act mentioned in that connection—the interstate commerce act?

Mr. LUCE. On a previous occasion I stated to the gentleman from North Dakota [Mr. Young], and I will repeat it to the gentleman from Kansas, that only a New England man is privileged to answer one question by propounding another. I desire

to know why this statement is put in print.

Mr. TINCHER. Because there is more reason for the Government by law regulating the five big packers to-day than there were reasons existing for regulating interstate commerce at the time the interstate commerce act was passed. That is the reason I have asked the gentleman the question, and I was wondering whether he would answer it by saying he would vote to repeal the interstate commerce act.

Mr. LUCE. The interstate commerce law is not under con-

sideration

Mr. TINCHER. Well, the Louisiana lottery law is not under consideration, either. But the Government says to a certain class of business, "You shall not exist," and the Government still exists. The Government is now saying to another class of business, "We are going to regulate you to a certain extent." I think the chairman of the Committee on Agriculture [Mr. HAUGEN] was entirely right when he stated that this act goes further than we have ever gone in reference to regulating private business, except in the interstate commerce act. But we who favor this bill justify that regulation. Some of us Republicans claim that there is not an utterance of our President or anything in our party platform that is inconsistent with the Government going into the regulation of business when business needs the regulation of the Government.

Mr. WALSH. Mr. Chairman, will my colleague yield to me?

Mr. LUCE. Certainly

Mr. WALSH. I would like to ask the gentleman from Kansas what private business the interstate commerce act regulates?

Mr. TINCHER. Well, according to the hearings in this case the interstate commerce act had the effect of depriving the greater portion of these five big packers of the rebates that they were receiving at the expense of the whole public of the United States. That was one private enterprise that the railroads were engaged in that was destroyed by the interstate commerce act.

Mr. WALSH. That was making a crime, and providing a criminal statute. It was not regulating their business.

Mr. TINCHER. I take it that the gentleman thinks the meat packers are engaged in a private business. Well, if it is private, it is publicly indulged in.

Mr. WALSH. No more than the gentleman is in private business when he is raising stock or when he is growing grain as

food for the stock on his farm.

Mr. MOORE of Virginia. Mr. Chairman, will the gentleman

vield?

Mr. LUCE. Yes. Mr. MOORE of Virginia. It was early held in a case where State was exercising its power to regulate railroads that a public interest attaches to the operation of railroad companies. The Supreme Court of the United States has recently decided a case arising under the so-called Ball law, holding that under certain conditions, because a public interest attaches to real estate transactions, such as the leasing of property, it is competent for Congress to legislate relative thereto so far as the District of Columbia is concerned.

It would seem, therefore, that Congress could regulate the particular business described in this bill upon that theory. I can understand how the gentleman from Massachusetts can question the expediency of the thing, but I can not understand how he can question the validity of such legislation as is proposed

here.

Mr. LUCE. I was not raising the question of validity. I was asking a question regarding the statement in this report, that this goes further than any previous law in the regulation of any private business, the report saying nothing about its being of public interest or quasi public interest, or giving the intimation that we are talking here about anything but private busi-

Mr. MOORE of Virginia. It is not the essential character of the business. The business may be private, but if the business has gotten to the point where a public interest attaches to it, and the conditions are such as really create a general emergency, then, as I interpret the decision of the court under the Ball law, legislation is warranted.

Mr. LUCE. Absolutely. There is no question about that. But I did not raise that issue.

Mr. WALSH. Mr. Chairman, will the gentleman yield? Mr. LUCE. Yes.

Mr. WALSH. Can the gentleman from Virginia cite any business that some public interest does not attach to, any business that is transacted in this country during the 24 hours of

the day that some public interest does not attach to?

Mr. MOORE of Virginia. I think if my friend will read the case I have cited, in which the opinion was delivered by a great judge appointed from his own State, he will reach the conclusion that, respecting any designated business, it may be found that a public interest attaches to it, so as to make regulation permissible.

Mr. WALSH. Yes; and I think the gentleman will recall that that was war emergency legislation, and that in the New York case they did sustain the New York case upon a little different ground. But once in a while the gentleman is convinced that the courts render a dissenting opinion which, while it may not have the force and effect of law, may appeal to the reason of persons of ordinary intelligence. I think that is true in those two cases.

Mr. MOORE of Virginia. My friend realizes, of course, that

I am of only ordinary intelligence, and-

Mr. WALSH. I am speaking rather of myself, in connection with others. I may add that the gentleman from Virginia is possessed of more than ordinary intelligence. His participation in the deliberations of this House has shown him to be a man of wisdom and a distinguished lawyer.

Mr. DEMPSEY. Was not the suggestion of the gentleman one relating only to the wisdom of the legislation, in view of the statement that this goes further than any other bill in the regulation of private business, rather than a suggestion aimed

at its validity or legality?

Mr. LUCE. The gentleman from New York states the matter

correctly

Mr. MOORE of Virginia. Will the gentleman from New York allow me? With reference to what my friend from Massachusetts said, for which I thank him, I certainly do not want him to think that my remark a moment ago was at all waspish, because the relations between him and me are such as to preclude any possibility of that. The court in the case that I referred to seems to lay aside any question of the exercise of the war power, and to base its conclusion altogether upon the general power of Congress legislating for the District of Columbia, and to accord to any State similar power. This bill is, of course, expressly based on the commerce clause of the Constitution.

Does the gentleman from Minnesota [Mr. Ander-Mr. LUCE.

son] desire to enlighten me?

Mr. ANDERSON. I desire to enlighten the gentleman by asking a question. If this bill did not go any further than existing law on the subject there would not be much use of enacting it. would there?

Mr. LUCE. I was going to reach that stage of my dilemma

[Laughter.]

Mr. MADDEN. It might be a good idea for the gentleman from Massachusetts [Mr. Luce] to tell the House what he

thinks about the bill.

Mr. LUCE. I will with great pleasure disclose my own view as to the stage at which we have arrived, because the gentleman from Virginia [Mr. Moore] has helped me to bring it home. He has pointed out the existence of a law interfering with housing of a class which I think all the authorities in the country agree has done more to contribute to the distressing conditions in our large cities than any other one cause. My own State has done the same sort of thing. It has been done generally, and that interference with private business was one of the reasons that led the whole country to demand that we stop this course of action. I never understood the practical advantage of cutting off your nose to spite your face. I never understood the practical advantage of passing legislation aimed at landlords the only important result of which was to make houses more scarce and rents higher; and in this instance I can comprehend no practical advantage to myself or to any of my neighbors or to any of the people of the land in passing legislation which experience has taught can have no other effect than to increase the prices of food. And that is why the party to which I belong promised response to the appeal of the people to stop raising the cost of living by legislation.

And now let me turn to my friends on the other side and see if I can get from them some information. I have in my hand a copy of the act creating the Federal Trade Commission, approved in 1914, while these gentlemen were in power. I would live stock.

like to ask the gentlemen on that side of the aisle if they can disclose to me any single instance where the operations of the Federal Trade Commission have resulted in a reduction in the cost of articles bought by the people? I will give my whole 20 minutes if need be for one specific instance of that.

Mr. RAYBURN. Will the gentleman yield?

Mr. LUCE. I yield to the gentleman from Texas. Mr. RAYBURN. I was a Member of the House at that time, in my first term, and was a member of the subcommittee that helped to write the Federal Trade Commission act. I do not know what others may think of it, but as for me I think the operation of that act has been very disappointing to the country.

Mr. LUCE. That recognition of the self-evident fact is very

gratifying, coming from a man who helped in the passage of

the act.

Now I turn to this side for some more light. I find that the Federal Trade Commission act sums up its purposes in two lines, declaring that "unfair methods of competition in commerce are hereby declared unlawful."

That is the gist of the whole law. All the rest of it simply provides the machinery for the prevention of unfair methods of competition in commerce. They are declared unlawful. And now for seven years a Government agency has had the power

to carry out this prohibition.

Now, will the gentleman in charge of this bill kindly look at the section beginning at the bottom of page 4, section 202, to which is given a little over a page, and in which it is said what it shall be unlawful for any packer to do? Will the gentleman from Iowa [Mr. HAUGEN] point out to me anything on this page which goes beyond the power already in the hands of the Federal Trade Commission?

Mr. MOORE of Virginia. May I interrupt the gentleman? Mr. LUCE. This side has a monopoly of the imparting of

information at present.

Mr. TINCHER. On the entire page there is no comparison between the law and the Federal Trade Commission act.

Mr. LUCE. I can not read the page without considering it to be a mere elaboration of the attempt to prevent unfair competition in commerce.

Mr. ANDERSON. The difference between unfair competition

in commerce and unfair methods in commerce.

Mr. LUCE. I think the words "in commerce" are found in every paragraph, having been carefully inserted. Therefore both in the matter of the Federal Trade Commission and of this bill it is wholly a matter of commerce; not of manufacturing or transportation, but it is wholly a matter of com-

Mr. DEMPSEY. I think if the gentleman will refer to the paragraph following that to which he has been referring in the report, he will find that the definition of what the act does is in exact accordance with his contention. The second paragraph on the second page defines it exactly as the gentleman has read it to be defined in the Federal trade act.

Mr. LUCE. That was the way I understood it, and I would like to have some gentleman show me in the bill on page 5, sec tion 202, any authority given the Secretary of Agriculture which is not already in the hands of the Federal Trade Commission.

Mr. ANDERSON. Is the gentleman familiar with the interpretation placed by the Federal Trade Commission and the courts upon the language "unfair methods of competition?"

Mr. LUCE. Not to such an extent that I would not be glad

of further enlightenment.

Mr. ANDERSON. I do not desire to enlighten the gentleman, If he is familiar with it he does not need enlightenment.

Mr. LUCE. But other gentlemen may need it.

Mr. ANDERSON. As to the intent of the language "unfair competition" it only includes acts which constitute a violation of the rights of the competitor, and it must be a method which is used by a competitor on the same plane.

The CHAIRMAN. The time of the gentleman from Massa-

chusetts has expired.

Mr. HAUGEN. Mr. Chairman, I yield the gentleman from Massachusetts 10 minutes more.

Mr. ANDERSON. For instance, the method of competition used by the manufacturer which we might think was a violation of the moral rights of the wholesaler would not be a violation of the Federal Trade Commission act, because the interpretation of that is that it must be an unfair method as between competitors who stand on the same plane. This goes further than that, as it affects the public interest to a large extent, and the unfair competition or unfair practice as between the packer and the general public, the packer and the producer, or the packer and any other agency connected with the marketing of

Mr. LUCE. If that were the intent of the committee, my difficulties might diminish, but on glancing over the page I see nothing of the sort. For instance, line 18 speaks of creating a monopoly with reference to commerce.

Mr. DEMPSEY. If the gentleman will yield, the page he is reading from is summarized on page 2 of the report, in the

second paragraph:

The Secretary of Agriculture-

is given the power to prevent packers, stockyards, companies, and all persons dealing in the stockyards from engaging in unfair, unjustly discriminatory, or deceptive practices or devices. He is given the power to regulate and prescribe the practices on the stockyards, to prevent abuses, and may award damages in redress of any unfair practices or abuses. He is given the power to regulate and prescribe all rates, fees, and charges for service in the stockyards, including the fees of commission men

Then they give the power to award damages.

Mr. ANDERSON. The gentleman is talking about the stock-yards and the gentleman from Massachusetts is talking about

Mr. DEMPSEY. That is with reference to the stockyards

and the packers

Mr. ANDERSON. If the gentleman will read the bill instead of the report, he will see that he is mistaken.

Mr. DEMPSEY. I take it that the committee prepared the report in a reasonably intelligent manner with reference to the bill and so worded it to summarize the bill in the report.

Mr. ANDERSON. Will the gentleman read from the report on page 3?

Mr. RAYBURN. Will the gentleman yield?

Mr. LUCE. I will, Mr. RAYBURN. We gave the Federal Trade Commission wide powers, but not as wide as they give the Secretary of Agriculture under this bill. The Federal Trade Commission made a long and exhaustive investigation of the packing business and made a report. I would like to ask the gentleman from Massachusetts if he knows what recommendations the Federal Trade Commission, another arm of the Government that had been given these wide powers-what recommendation of theirs is included in the bill?

Mr. LUCE. Does the gentleman desire an answer from me or from somebody who is more familiar with that matter?

Mr. RAYBURN. Anyone who knows.

Mr. LUCE. I will give way to any member of the committee to answer.

Mr. TINCHER. I do not think that the Agricultural Com-

mittee followed any of the recommendations.

Mr. RAYBURN. The commission spent thousands of dollars in employing a very expensive lawyer out in California for many months investigating the packers, and tried the case through the newspapers, and then they filed a long report recommending legislation. I wondered if the report had been of any use to the committee in drafting the bill,

Mr. TINCHER. I think the gentleman is in error in saying

that they filed a report recommending legislation.

Mr. RAYBURN. Oh, yes; I was at the time a member of the Committee on Interstate and Foreign Commerce, and for about two months we conducted the investigation with reference to the packers, and we considered the recommendations of the Federal Trade Commission.

Mr. TINCHER, I think the gentleman is right; they did file some recommendations, but we did not follow the recommendations as to legislation. There were findings of facts disclosed by the report which the committee took into consideration, and they did offer some recommendations for legislation that were not followed.

Mr. LUCE. Mr. Chairman, as I said at the outset, I have no prepared argument, but in conclusion I would like to put this in the Record—that no human being has asked me to speak or vote for or against this bill. My hostility to it is the result of service in my State in an official capacity for the investigation of these questions. As the result of that service and continued observation of the general topic, since then I have become more and more strengthened in the conviction that my party and my President are right in saying that it is our duty to stop interference with private business. My observation is that every time by the use of law we attempt to regulate the tides of commerce we interfere with the normal operation of forces which if left to themselves will cure the evils of the moment. Every interference of this sort is an economic wrong, injurious to all concerned, leading to violation of law, to disregard of law, to disrespect for law, and putting additional burdens upon Therefore, trying to apply what I understood my the people. party to affirm, I object to legislation like this, openly pro-

claimed as going further than ever before in the way of interference with the private business of the country. [Applause.]

Mr. GARRETT of Texas. Does the gentleman understand his President to say in the New York speech that he believes that private business when it reaches the stage of absolute monopoly in the handling of every necessity should not be inter-

fered with by the Government?

Mr. LUCE. The President's speech may speak for itself. Mr. GARRETT of Texas. I thought the gentleman was speaking for the President.

Mr. HAUGEN. Mr. Chairman, I yield 30 minutes to the gen-

tleman from Kansas [Mr. TINCHER].

Mr. TINCHER. Mr. Chairman and gentlemen of the committee, the gentleman who just left the floor, the gentleman from Massachusetts [Mr. Luce], asked a question as to what food products and how the cost of living had ever been reduced by any act of the Federal Trade Commission. We have the Sherman antitrust law on the statute books, and I doubt whether the gentleman would favor a repeal of that law, yet that question could be asked just as effectively as to that. I think no Member of Congress would be able to specify in just what particular the Sherman antitrust law has reduced the cost of the necessaries of life, and yet I do not believe that any man who has imposed on him the duty of making law would want to say that the Sherman antitrust law as a law has not had a wholesome effect, although I do not know of any man who ever went

to jail for violating that law.

I want to say just a word in respect to the remarks of the distinguished gentleman from New York [Mr. DEMPSEY], who spoke for half an hour against the present administration of the budget system in this House. I am not sure that the present appropriating committee is the perfect way to administer that law, but I do want to say and congratulate the country upon the vast improvement of that system over the old system. perhaps would not do that now except that this is such a golden opportunity for doing it. Previous to the new rule which took the power of appropriation away from the Agriculture Committee, which has 21 members, we had to spend about all of our time in the consideration of a thirty or forty million dollar appropriation bill. It took the time of that committee; and since this new rule, since we got rid of that work, which should be the least important of the work of a Member of the American Congress-that is, spending the Government's moneywe have started toward making law several good measures that it was absolutely impracticable and impossible for the committee to consider heretofore. I do not want to criticize, but I want to suggest to the legislative committees of this House that instead of spending so much time on the floor making points of order against items in appropriation bills, which would be proper if there were a law authorizing them, it might be a good idea for the legislative committees to report out some bills along that line and make them laws. Personally, I am impressed with the idea that a man who comes to the American Congress imbued with the opinion that his principal duty here is to spend the Government's money makes a very poor worker in the American Congress

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield?
Mr. TINCHER. Yes.
Mr. DEMPSEY. Permit me to say that the gentleman from New York who was heard this afternoon never made a point of order, but always voted with the committee, as he stated in his remarks; and permit me to say, in addition, that I do not believe the gentleman will find in this Congress a man who agrees with the gentleman in his statement that the least important thing is to save money.

Mr. TINCHER. Oh, I did not say that.
Mr. DEMPSEY. The gentleman from New York believes that at the present time the question of taxation is the most important question before the American people and that the saving of money by spending it economically and judicially and only where it is needed is the most important duty that confronts any Member of Congress at the present time. [Applause.]

Mr. TINCHER. Mr. Chairman, the gentleman has come just I did not say as close to my statement as I expected him to. that the saving of money was not an important thing, but appropriating committees do not save money, they spend it. appropriate money, and that is the exact proposition which I make. I say that the saving of the Government's money and not the spending of it should be a matter of some importance. I will tell you how you can save it. Pass laws for the things for which we appropriate and not appropriate for things we do not have laws for. I am not criticizing anyone for making points of order, but we all know and every man in the United States knows that to be on a big committee that has power to appropriate gives a Member of Congress standing and gives him power, and I do not hesitate to say that I believe it is a fair principle in good government that no big legislative com-

mittee should have the power to appropriate money.

I believe that the way we are approaching the matter in this bill-that is, authorizing an appropriation and then letting the administration of the bill run the gauntlet of another separate committee-is the proper and economic way to run the Government and is the way to save money and not spend money.

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield?
Mr. TINCHER, Yes.
Mr. DEMPSEY. The gentleman then, I take it, is totally ignorant of the fact that the Republican Party went into the last campaign on the issue that it had saved billions, and through what committees? Through the appropriating com-They were the committees through which the savings were made. The gentleman does not seem to be aware either of the workings of the House or of the position that his party

took and upon which it won the last campaign.

Mr. TINCHER. Oh, yes, I am aware of it. I had something to do with the position which the party took, and I was in the last campaign. Further, I have been a member of one of these big legislative committees, and I have heard Members of Congress say since the new rule was adopted that our country is going to the eternal bow wows because we concluded to have a double check upon the expenditure of the Government's I am giving an example of this great rule, and I am not afraid to defend this rule which took from the committee that I am on the power to appropriate money, which has enabled me as a member of that committee to be a party to the drafting of three or four bills that I think are constructive, and which I take it the gentleman is opposing. I am satisfied to be just able to authorize the appropriation for the administration of these laws to which I have referred, because they have merit and because I believe we will have no trouble in getting from another entirely separate committee an appropriation adequate for the carrying out of their administration. The desire of the appropriating committees to write the law and appropriate for it at the same time has cost this Government money. will never have any conservation so long as one committee does the appropriating and the legislating. We should have the double check. I did not rise for the purpose of defending the budget plan, but I think it is about time some one called attention to the fact. I think it is about time some one who is on one of these big former appropriating committees, whether he is smarting under the loss of his power to appropriate the Government's money or not-it is about time for some such man to come out straightforwardly and say what he thinks on this subject. I have sat here and listened to this nagging and this criticism of the budget system, for that is what it amounts I have sat here and heard Members of this Congress say that now that 35 Members are legislating for everything, the rest of us may as well go home. I have heard them say that they have nothing to do; that the power was taken from their committee to appropriate. My God, is that all the people send us here for-to appropriate and spend money? I have found plenty to do and the Committee on Agriculture has found plenty to do. I simply answer the gentleman to call his attention to the fact that by this good rule the American people are about to have three or four good laws at this special session of Con-gress, and to say that four or five good men can handle a little \$40,000,000 appropriation bill for the Department of Agriculture, and I am frank to say they handled it just as well, if not better, than the 21 would have handled it, because every fellow of the 21 would want to have some little item in it that did not otherwise get into the bill.

Mr. DEMPSEY. Will the gentleman yield?

Mr. TINCHER. No; I can not yield. Mr. DEMPSEY. Will not the gentle Will not the gentleman yield in reference to something he said about myself?

Mr. TINCHER. I said I would not yield.
Mr. DEMPSEY. Will not the gentleman yield for just a short question?
Mr. TINCHER. No; I wanted to say-

I want to say to the gentleman I am not opposed to this bill and that I would be very glad, indeed, to hear the gentleman talk about the bill, because I wish to learn about the bill. He has had lots of time to study it. I am ready to listen to the gentleman and learn.

Mr. TINCHER. I want to say to the distinguished gentle-

man from New York that if he is not opposed to this bill I misunderstood the tenor of his questions to the distinguished gentleman from Massachusetts who just preceded me, and per-haps I am entirely mistaken; perhaps he is entirely in favor of the new rule of only having 35 men, because I had only the may cover the proposition.

same opportunity to ascertain his views about the rule as I had about the bill, and that is by his own talk. Now, I want to give a brief history of the bill that is before the committee.

A brief history, and, I may say, a supplemental history, of the packer legislation may be of some interest to the House. This matter has been, in one way or another, pending before the American Congress for more than a quarter of a century; but, confining myself to a supplemental synopsis of it, let us begin with the report made by the Federal Trade Commission, after their investigation of the packers. In this report the Federal Trade Commission denounces the packers, the five big packers, as a monopoly, as unfair, as profiteers, as being guilty of corrupt practices and unworthy. Immediately upon the filing and publishing of this report the Congress resumed the consideration of the matter of legislation to cure the evils in the packing industry.

The Department of Justice also commenced an investigation, under the direction of A. Mitchell Palmer, then Attorney General, and it was heralded over the United States through the press that he had sufficient evidence to prosecute the packers criminally and to begin action against them civilly under the

then, as well as present, existing laws.

The Committee on Agriculture of the House had had about 50 days' hard work in hearings on the subject, when, like a clap of thunder out of a clear blue sky, came the announcement that the Department of Justice had cured all the evils in the packing industry by what is now the famous consent decree entered into between the packers and the Department of Justice, without reference to any existing law or to any precedent for such This was followed by the Attorney General's appearance before the Agricultural Committee, in which he took the firm and unequivocal stand that Congress should not pass any legislation; that his decree had removed all the evils; and that in the future there would be no trouble about the packers.

Personally I had the pleasure of telling the Attorney General at that time that in my judgment the decree would do more harm than good; that the interests of the great masses of the people were not at all considered in the agreement; that the decree was a camouflage to stop legislation and to protect the packers; and that the great publicity it was receiving was unwarranted by the facts. However, the decree, and the Attorney General's attitude, had this effect, and so that you may fully understand that let me explain that in the Committee on Agriculture of the House of Representatives at that time there were about four or five Republicans unalterably opposed to any packer legislation; there was a considerable difference of opinion among the Republicans that were in favor of packer legislation, as to the extent to which we should go in the regulation; the minority, or Democratic, membership of the committee up to the morning the Attorney General appeared were, in the main, for packer legislation and regulation, or had been for such legislation subsequent to the filing of this Federal Trade Commission report, or at least they talked that way in the committee. Immediately after the Attorney General's testimony those Republicans of the committee who were opposed to any legislation whatever insisted upon that as an excuse for not reporting out a bill from the committee; the minority membership naturally hesitated to condemn their Attorney General. and there was no chance whatever to report any packer legislation out of the Agricultural Committee during the special or first regular session of the Sixty-sixth Congress. Then came the recess, followed by the short session of the Sixty-sixth Congress. The consent decree was in force during this recess, and there is no question in the world but what every member of the Agriculture Committee came to Washington upon the convening of the short session of the Sixty-sixth Congress firmly convinced that the decree was bunk, and that there had been no relief from it, and that there were lurking evils to the public in it, and that instead of being a cure for all the evils it added to the evils; but in spite of this there were enough members of the Agricultural Committee, as it was then composed, that were opposed to any regulation or law concerning the packers, combined with a considerable number of the minority members that lost interest, to make it a very slow indeed, to get any legislation reported out of the process. committee.

Mr. RAYBURN. Will the gentleman yield right there?

Mr. TINCHER. Yes. Mr. RAYBURN. Did

Did the gentleman state the decree was

camouflage and bunk-

Mr. TINCHER. I propose to discuss the decree a little later in detail, and as I have only a short time, I would like to do that before the gentleman asks the question, and perhaps I

Mr. RAYBURN. I think the gentleman probably had better reserve his criticism of the former Attorney General until he has shown the bunk.

Mr. TINCHER. I will leave that with the gentlemen of the

House.

This decree, in my judgment, had the effect of hastening the passage of what might be considered by some as a very radical packer bill in the United States Senate. This bill was referred to the Committee on Agriculture of the House at a time when to have legislation at that short session meant that the Senate bill could not be changed in any particular. To amend it in the slightest degree in passing it in the House would mean a conference, and there was sufficient opposition to the legislation in the Senate that everyone knew that a conference on packer legislation at the short session of the Sixty-sixth Congress meant its defeat. For several days the Agricultural Committee of the House was in a fight; some of us were trying to report out the Senate bill without a single amendment, believing that we were warranted in doing that by the conditions that existed, though a great many were not in full sympathy and accord with the bill as it came to us. For several days there was a tie in the committee, which prevented the reporting out of the Senate bill; finally, by a majority of one vote the House committee reported its own bill, which, of course, meant the defeat of any packer legislation for that session of Congress. Everyone in the committee knew that, but it was amusing to observe the tactics used by certain Members of Congress from that day on till the session closed, in pretending as though they thought the packer bill reported out by the House committee could pass, and that we could have it as a law at that session of Congress, when, as a matter of fact, every Member of Congress knew then that the House bill was reported instead of the Senate bill, and there was no chance whatever for legislation in the Sixty-sixth Congress.

Mr. HUDSPETH. Will the gentleman yield right there? I know the gentleman is familiar with everything in the Kendrick-

Kenyon bill which passed the Senate.

Mr. TINCHER. That is what I am talking about. Mr. HUDSPETH, Which was indorsed by the Texas & Southwestern Cattle Raisers' Association, which has the largest cattlemen membership in the world. I want to ask my friend what is the chief difference in the Kendrick-Kenyon bill which passed the Senate and this bill which is pending before us today?

Mr. TINCHER. The Kendrick-Kenyon bill never did pass the Senate. It was the Gronna bill which finally passed the

Senate.

Mr. HUDSPETH. It was along the same line and practically the same.

Mr. TINCHER. The Gronna bill created a commission, and there was considerable difference. I do not want to stop now to go into all of those features, although I would be glad to later on if I have the time.

Mr. HUDSPETH. Before the gentleman takes his seat I would like for him to point out the chief differences, because I have been informed that the packers have withdrawn their opposition to this bill, and I know they were violently opposed

to the Kendrick-Kenyon bill.

Mr. TINCHER. At that same short session of Congress some of us had worked hard in an effort to report out the wheat futures control bill, but there was no chance, as the committee then stood, to report the bill at all. Immediately upon the convening of the Sixty-seventh Congress in special session the proponents of these two measures began an earnest activity for the reporting of them out of the committee, which has resulted in the passage of the wheat futures control bill by the House, and I think it will within a very short time have passed the other legislative body and have become a law.

Time, manipulation by the boards of trade, and information, coupled with new blood on the Agricultural Committee, resulted in a unanimous report for that measure. The same thing has happened with respect to this bill. This is a good bill, a great step forward in Government, backed by a unanimous report of the Committee on Agriculture. It is not putting the Government in business, as is so often denounced in the press, but it does outlaw certain practices in Government, and amounts to good business in Government. Sometimes I get weary when I read or hear some colleague ranting about the Government in business. Government through law, very properly, has considerable to say concerning business. The necessity for this legislation is now more manifest and perhaps more real than ever before in the history of our country. There is a feeling well grounded upon the part of the producers and consumers of this country that there are five great industries that have a monop-

oly upon the meat-food products of the world, that such a monopoly is detrimental and injurious to the great masses.

Through one agency of the Government, the Federal Trade Commission, this charge in the form of a Government document has been given publicity throughout the entire world. Our export market for meat has been absolutely destroyed. swer that the so-called evils in the trade as mentioned in the Federal Trade Commission report have been cured by the consent decree is no longer tolerated or believed by anyone.

The consent decree did three or four things, which I am going to enumerate: First, it divorced the packers from the stockyards, and while this part has not been carried out-perhaps can not be under existing conditions-it does not amount to anything. It never made any difference who owned the stockyards; perhaps it was all right for the packers to own them; perhaps it was proper for them to own them. should at all times, however, being a public utility, have been under Government law and control and supervision, as they are under the bill now before you for consideration. That part of the decree is misleading to the people. Whether the stockyards are owned by packers or by any other individuals, they should be under supervision, as provided for in this bill. The second provision in the decree which I shall mention was the divorcing of the packers from the so-called unrelated lines. There was a demand for legislation along this line, coming from the wholesale grocers; there was no law authorizing the entering of this decree. It has attained whatever validity it has by virtue of its being by agreement.

Mr. JACOWAY. Will the gentleman yield?

Mr. TINCHER. I will.

Mr. JACOWAY. If I am not mistaken, the decree took in everything, except pouitry and eggs, that the packers sell.

Mr. RAYBURN. It did not take in anything the packers made out of any head of live stock.

Mr. TINCHER. The decree is printed.
Mr. RAYBURN. It did divorce them from going into the monopolizing of the business of the food products of the country

Mr. TINCHER. The argument for that portion of the decree by the Department of Justice is the most laughable thing imaginable. They said unless the packers were restricted from dealing in the unrelated lines in time they would have a monopoly upon them as they now have upon the meat proposition. The only reasonable deduction from that argument and from the decree itself would be that the Department of Justice concluded that the Government should permit the packers to have an absolute monopoly on all the meat products of the land, but that they would not let them have it upon anything else. As a matter of fact, there were certain unrelated lines the only marketing facilities in existence for which were owned by the five big packers, and there is one section of California where the farmers have absolutely lost a year's crop by reason of this decree. Some regulation of the packers was undoubtedly necessary, but to just, in this blunt, unscientific consent decree, destroy competition and leave for waste a great portion of the food products of this Nation has had the condemnation of all Americans familiar with it ever since. Third, to my mind the most deplorable thing in the decree is that portion of it preventing the packers from selling to the consumer any of their products. The decree is so worded that the only consumers the packers can sell to are their own employees. Now, remember that this decree was entered into at a time when there was more difference between the price of meat on foot and on the table than there ever was in the history of the world. encourage meat production and to encourage meat consumption, to benefit the producer and the consumer, the difference between the price the producer receives and the consumer pays should be reduced in every possible way. Yet here was a decree of court entered into by consent, not only without any specific law authorizing it, but in violation of the fundamental law of the land. The packer was glad enough to make that agreement; he was undoubtedly subject to the abuse of both the consumer and the producer as to this great spread of difference. After the decree was entered all he had to do was to say that he was barred by the courts from having anything whatever to do with the prices for which the food products he was handling were ultimately sold to the consumer. This was vicious, unwarranted, un-American, and has had more to do with bank-rupting the producer and half starving the consumer than any other one thing that ever happened in America.

Personally I am against consent decrees as a means of making law for government in this country. I do not believe that a court should have the power, the right to enter a void decree, a decree not based upon any law, a decree declaiming something

to be unlawful, simply because some parties claiming to have an interest in it agree that it shall be entered. It occurs to me that this is manifestly un-American and wrong, that it is not worth while to discuss it.

Mr. KINCHELOE. Of course, I take it that the gentleman expresses the opinion as an individual and not as a representa-

tive of his party. I would like to ask the gentleman—
Mr. TINCHER. I am expressing it as an individual and as a Republican and as a Kansan and as a cattleman.

Mr. KINCHELOE. Does the gentleman want to say the views he has expressed upon this decree are the views of the Republican Party?

Mr. TINCHER. I hope they will be if the party ever takes

any action.

Mr. KINCHELOE. That is what I wanted to ask the gentleman. Can the gentleman tell the committee what the views are of the present Attorney General of this administration?

Mr. TINCHER. I do not know the views of the present Attorney General, but when I called the attention of the Secretary of Agriculture in the committee to my views on the subject he called my attention to the fact and said I had borrowed them from him because he said he had printed them along about the time the decree was made, and he seemed to think we were thinking along the same line.

Mr. KINCHELOE. The point I am making is that the gen-tleman well knows that if this decree was to be amended or set aside that the Attorney General can do it.

Mr. TINCHER. I hope he does it. Mr. RAYBURN. Does the gentle Does the gentleman mean to say he indorses the theory of the packers not only changing off, but each year and each month gathering unto themselves another line of business not at all relating to the packing business, the slaughtering or manufacturing into by-products those things that come from the cow or hog or sheep?

Mr. TINCHER. I have always been in favor of the regulation of the packing industry by law. I have been for years convinced that they were big enough, that it should be properly regulated by law, but I do not think the way to regulate-well, I do not think we could have passed a law compelling this consent decree to have been made as a legal proposition, because I do not think we can say to a class of men, "You can not buy, you can not go out to Mr. Free's district in California, like you have for 20 years, where you have the only known market facilities to handle the produce in the district.

Now, Mr. Chairman, permit me to say in closing that I consider the bill under consideration to be a most constructive, fair, and necessary piece of legislation. The House committee has held hearings, which in printed form comprise eight large volumes. The Federal Trade Commission printed reports comprise four or five large volumes on this subject. In the interests of the business of producing live stock this matter should be settled by law. I am not going to take the time of this House and this committee in discussing the evils that exist, that this bill will cure. Time has demonstrated that the business of producing meat in this country can not be carried on under existing conditions. It is my judgment that the passage of this bill, that its proper administration, will permit the meat producer to exist; that it will reduce the amount paid out between the producer and the consumer to such an extent that it will make the business for the producer more profitable, and not be injurious to the consumer. This condition is so patent and manifest that it hardly requires an argument. When you stop to think that a beefsteak for which you pay a dollar in Washington is sold by the producer for less than a dime, gross, it does not seem that any argument made by man could make the matter more clear.

I am proud to be a Member of this House. The Sixty-seventh Congress will, in my judgment, take a most important place in the history of this country. This Congress has manifested and shown by its willingness to pass laws its interest in the man that is feeding the world to-day, that was never manifested by a former Congress. Conditions on the farm are bad. No law passed by the Congress can absolutely cure them, but we can, and we will, and we are showing the producer that such laws as are necessary and as will help and as are fair are going on the statute books. The farmers' cooperative act, which we passed, the tariff bill, which we have already passed, the grain futures act, now pending in the Senate, and this bill. which this House will pass within a very few hours, is a program of which any man representing an agricultural section of this country and having the cause of his constituents at heart can well be proud.

You must know we are going out there and buying that product. And I will leave it to the gentleman from California [Mr. Free] if that is not what happened this year?

Mr. FREE. Absolutely. It put us out of business this year. Mr. RAYBURN. The question that I was asking here was whether the gentleman was in favor of the business they were engaging in in gathering in other business that had nothing to do with the packing of meat?

Mr. TINCHER. Here is a man that comes along and says, "I am going to make them quit handling berries or apples, because if they handle them they will get a monopoly of them." I differ with that man. The only presumption is that that man wants a monopoly left on that which they now handle, and it will only increase the monopoly. I disagree with the ex-Attorney General, in that I believe we are going to regulate this business by law.

Mr. RAYBURN. The gentleman is going to allow them, then, to stay in this business, and then regulate it? Is he going to regulate the little grocery or dry goods stores in the country that are in that sort of business?

Mr. TINCHER. I do not think there is any comparison at all between five institutions that have a monopoly upon certain few food products of the whole world and a little country grocery store.

Mr. RAYBURN. That is what I have been trying to get the gentleman to say.

Mr. HUDSPETH. Right there. I would like to suggest, that under this bill you regulate the packer and forbid him from entering into a combination as to the price of live stock. der this decree, they divorce them from the stockyards, the gentleman in favor of that when they can absolutely handle the cattle in the stockyards and they agree to that decree?

Mr. TINCHER. I believe that stockyards should be regulated by law, and it never did appear to me to make any difference as to who owned them. They are divorced from them by the decree. They can not get anyone to finance them. What difference does it make who owns the yards if you pass a bill like this, a constructive bill, that places them under the Government control?

Mr. HUDSPETH. Is it not easier for five men to fix the prices than it would be for 500 men?

Mr. TINCHER. I never knew how to make 500 men buy or own those stockyards. That is mere detail.

Mr. HUDSPETH. They have a certain time.

Mr. HUDSPETH. They have a certain time.
Mr. TEN EYCK. Will the gentleman yield?
Mr. TINCHER. I will.
Mr. TEN EYCK. Is the gentleman in favor of abolishing the

entire decree?

Mr. TINCHER. I will say to the gentleman that I am absolutely against government by decree. I am against any set of men getting together that are interested in something and, in absence of law on that subject, entering into what is called in this case a consent decree to operate as a law of the people of this country.

Mr. TEN EYCK. The gentleman has not answered the question of whether he is in favor of repealing the decree in its entirety.

Mr. TINCHER. Well, it covers a good many pages and there might be a line here and there that would be all right. There might be something in it that is in accordance with law.

Mr. MADDEN. The gentleman is in favor of laws being enacted by Congress instead of by the Attorney General?

Mr. TINCHER. I surely am.

Mr. STEVENSON. Will the gentleman yield for a question?

Mr. TINCHER. I will.

Mr. STEVENSON. On a good many occasions last summer I heard this expression, that "We want more business in the Government and less Government in business.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman five minutes more.

Mr. STEVENSON. Does this bill-and I notice that was epitomized, and I rather approve it, in the inaugural address of the President-does this bill intend to have a little more Government in business now or a little more business in Government in the legislation? Is it driving-

Mr. TINCHER. This is driving in the right direction. [Laughter.]

Mr. STEVENSON. Which is the right direction? Mr. TINCHER. I am decidedly impressed and pleased with the interest the distinguished gentleman is taking in the welfare of the party that I think so much of. We never meant that we would not pass laws, for instance, against gambling in the Chicago grain market, although they used that same identical term and said it was too much Government in business. They did not mean in these platforms and declarations, as I understood them, that we would repeal any laws against larceny or burglary, or anything of that kind, although that is Government.

Mr. STEVENSON. Will the gentleman yield? Mr. TINCHER. Gladly.

Mr. STEVENSON. Does the gentleman mean to state that larceny and burglary are business? Is that his idea of "putting out of business "-the prohibiting of larceny and burglary?

Mr. TINCHER. I did not mean to say it was business, but there was considerable feeling that there has been a lot of it going on in the past four or five years of the past administration, and I did not mean that we were not going to stop that.

I will say to the committee that I think this is a good measure. I do not think anyone can say that it is radical. I think it is a tep in the right direction. I want to say to this House, that after that bill passed last week some people said, "What good will it do?" Has anybody noticed that when the time for delivery of May wheat is up it is admitted now there was a monopoly that had been manipulating the May wheat market until they got the wheat out of the hands of the farmers, and they put it up, and May wheat went 50 cents higher when the contract time was reached? Have any of you noticed that July futures are selling now at 50 cents a busilel less than cash wheat, and do you not know that if you can get that out of the hands of the farmers between now and July the wheat will come up to the option? There are farmers of this country that are not asking for special legislation, but simply want the law to give them a fair deal, and if they will receive it they will gladly

Mr. MANN. I do not want to take time to reply to the last statement which the gentleman has thrown out gratuitously. The gentleman discussed very interestingly a little while ago the subject of the consent decree. I do not understand, unless I am mistaken, and so I will ask the gentleman this: There is

nothing in this bill relating to the consent decree? Mr. TINCHER. I will say to the gentleman that this bill was drawn without any reference to the consent decree. It is the duty of Congress to make the law. But I will say to the gentleman that the successful administration of this bill by the Department of Agriculture will, in my judgment, either necessitate the ignoring or the cancellation of that decree.

Mr. MANN. If this bill works successfully it may be necessary to change or modify or cancel the consent decree.

Mr. TINCHER. Yes. I had so much feeling concerning the consent decree since it was entered and since it has been going on that I wanted to say what I thought about it.

I do not think there should be any misunderstanding that this had any effect on the consent decree now.

Mr. TINCHER. Oh, no. Mr. JONES of Texas. Mr. Chairman, will the gentleman yield?

Mr. TINCHER. Yes.

Mr. JONES of Texas. Does the gentleman mean to say that carrying out the provisions of this bill would necessitate the repealing of the decree?

Mr. TINCHER. Oh, no. I think Congress makes the law and not the courts.

Mr. RAYBURN. Mr. Chairman, will the gentleman yield?

Mr. TINCHER. Yes. Mr. RAYBURN. If the decree had not been entered into by the Attorney General and the packers, is there anything in it that would be affected by this bill?

Mr. TINCHER. I do not recall anything now that is in the decree that in my judgment benefited either the producer or the

consumer of this country. [Applause.]

The CHAIRMAN. The time of the gentleman from Kansas

Mr. JACOWAY. Mr. Chairman, I yield 10 minutes to the

gentleman from Kentucky [Mr. KINCHELOE]. The CHAIRMAN. The gentleman from Kentucky is recog-

nized for 10 minutes.

Mr. KINCHELOE. Mr. Chairman, I am frank to say that I had not intended to say anything about this bill during the general debate. But since the gentleman from Kansas [Mr. TINCHER] has taken ex-Attorney General, Mr. Palmer, down the road for making this decree possible, I want to make a few remarks in regard to that. I do not bear any brief for ex-Attorney General Palmer, but I want to say that I think he is not only a great lawyer but he was honest and conscientious in the performance of his duty, and I will say further that he is the only Attorney General that I know of that ever did go as far as to get even a consent decree in regulating these packers. I do not know of any Republican Attorney General that ever came down the road far enough even to get a consent decree, and therefore Mr. Palmer is the only Attorney General that has ever taken a partial step for the sole purpose of regulating

these packers for the benefit of the consumers and the producers of this country.

Here is this decree that was entered into voluntarily between the Department of Justice while Mr. Palmer was Attorney General and these five packers. Now, as the gentleman from Kansas [Mr. Tincher] says, the main things the decree does are: It undertakes to divorce the packers from the ownership and operation of the stockyards, and it forbids them from dealing in any unrelated lines of products, and prevents the packers from retailing any of their products except to their own employees. I do not know whether this decree is a good one or a I am not qualified at the present time to say. But I say this to the gentleman from Kansas, that if it is a bad decree, if it needs remedying, his present Republican Attorney General can remedy it to-morrow. Why, one of the last provisions of the decree provides-

18. That the jurisdiction of this cause be, and is hereby, retained by this court for the purpose of taking such other action or adding at the foot of this decree such other relief, if any, as may become necessary or appropriate for the carrying out and enforcement of this decree, and for the purpose of entertaining at any time hereafter any application which the parties may make with respect to this decree.

Mr. ANDERSON. Mr. Chairman, will the gentleman yield?
Mr. KINCHELOE. Yes.
Mr. ANDERSON. Is it not a fact that, with the consent of the packers, the Attorney General can effect a modification of any part of this decree on the order of the court to accomplish the modification?

Mr. KINCHELOE. Absolutely; and everybody knows he can get the consent, and the enthusiastic consent, of every one of these packers to-morrow. And everybody further knows that by getting their consent, with the consent of the present Republican Attorney General, the court would wipe it off its record; and, of course, everybody knows the packers would be glad to wipe it all off.

Mr. FREE. Mr. Chairman, will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. FREE. I am perhaps more interested in that decree than any other man in this House, and I happen to know that one of the packers will not agree to the modification of that I propose, if this bill is carried, to ask this House to instruct the Attorney General to modify that decree.

Mr. KINCHELOE. I will say to the gentleman that he is

letting this packer fool him on that proposition.

Mr. FREE. Mr. Chairman, will the gentleman yield? Mr. KINCHELOE. No; I regret I can not yield further.

It is a question whether we will put anything in this bill which will repeal any part of this decree. So far as I am concerned, I am against repealing any part of this decree by an act of Congress. This decree was the get of the Department of Justice while Mr. Palmer was Attorney General, and the present Attorney General, Mr. Daugherty, can get rid of this decree tomorrow, and everybody knows it. As one of the members of the committee, I am not revealing any secrets of the committee when I say that when this question was pending before the committee we invited your Attorney General to come before us and give us his opinion. I desire to know what his opinion is. At present advised, I am opposed to destroying any of this decree entered into by agreement between the court and the five packers of the United States.

Mr. TEN EYCK. Mr. Chairman, will the gentleman yield?
Mr. KINCHELOE. Yes.
Mr. TEN EYCK. Is it not a fact that if this bill is passed and all these regulatory powers are put in the hands of the Secretary of Agriculture, he can consult with the Attorney General and take into consideration the abolition of any part of that decree that is beneficial to the producers?

Mr. KINCHELOE. Yes. The Attorney General on his own initiative can modify any part of this decree, because he can always get the consent of the packers.

This is not a partisan matter. This is the first time any partisanship has ever developed among members of the Com-

mittee on Agriculture on anything.

And I say as an American citizen and as a Member of Congress and as a member of the Committee on Agriculture I am very deeply concerned in getting the opinion in executive session of the present Attorney General of the United States. The Committee on Agriculture invited him to come and meet them in executive session, and the answer came back that the Attorney General declined the invitation. Therefore we can get no opinion from your Attorney General. He can repeal the consent decree to-morrow, and until I hear a little more from your present Attorney General as to this decree of the court, which is a solemn judgment of the court, so far as I am concerned I am not in favor of repealing any of it by an act of Congress.

Therefore it is up to Mr. Daugherty, the Republican Attorney General, at least to give the Agricultural Committee in executive session a little light on the proposition; and as long as your Attorney General, representing the Department of Justice of the United States, refuses to say what he wants done, I, as a Member of Congress, will never vote to disturb a line, jot, or tittle of this decree until I can hear from him.

Mr. PARKS of Arkansas. Will the gentleman yield for a

Mr. KINCHELOE. I yield to the gentleman from Arkansas.

Mr. PARKS of Arkansas. The gentleman has this bill and the decree before him. In the gentleman's judgment is there a single clause in this bill that conflicts with the decree, or that would repeal it?

Mr. KINCHELOE. Absolutely not a word. It was the intention of the committee in drawing this bill as reported not to touch that decree one way or the other.

Mr. BOX. Will the gentleman yield? Mr. KINCHELOE. I yield to the gentleman from Texas.

Mr. BOX. The gentleman heard the statement of the gentleman from Kansas [Mr. TINCHER] that the proper enforcement of this act by the Secretary of Agriculture would require the cancellation or ignoring of the decree. Does the gentleman from Kentucky agree with that statement?

Mr. KINCHELOE. No; I do not think it would do that at all. There would be no conflict of authority at all, because this bill does not touch the decree one way or the other.

Mr. CAMPBELL of Kansas. Will the gentleman from Ken-

tucky yield?

Mr. KINCHELOE. Yes.

Mr. CAMPBELL of Kansas. In order to be accurate, I think the gentleman from Kansas [Mr. Tincher] said it would necessarily set aside some phases of the decree, not the entire decree.

Mr. BOX. I do not know that he said it would set aside all of it.

Mr. KINCHELOE. Of course he can elaborate on that. I do not know what he had reference to.

Mr. JUDSPETH. Will the gentleman yield?

Mr. KINCHELOE. I yield to the gentleman from Texas. Mr. HUDSPETH. What is the difference between this bill and the Kendrick-Kenyon or Gronna bill which passed the Senate at the last session?

Mr. KINCHELOE. I do not think there is any material difference at all, except that the bill which passed the Senate provided for the creation of a commission of three men to be appointed by the President to administer this law, and the present bill provides that the law shall be administered by the Secretary of Agriculture. I think that is a wise provision, and the reason for it is that the Secretary of Agriculture now has in the Bureau of Animal Industry, as I believe the hearings showed, about 800 men in the stockyards, 400 men in Chicago alone, enforcing the provisions of the pure food act which relate to meat inspection, and they have men in every packer's plant in the United States.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KINCHELOE. May I have three minutes more?

Mr. JACOWAY. I yield to the gentleman three minutes more. Mr. KINCHELOE. First and foremost, if you appoint a commission of three men you do not know whom you are going to They have no responsibility outside of their own duties. If this duty is devolved upon the great Department of Agriculture, it is only one of the hundreds of duties of that department, and naturally it will be the ambition of the Secretary of Agriculture not to destroy business, but to assist business in every way possible.

Mr. HUDSPETH. As a regulatory measure, regulating the packers, is this measure as strong as the Kendrick-Kenyon or

Mr. KINCHELOE. I do not know what the difference is,

Mr. RAYBURN. Will the gentleman yield?

Mr. KINCHELOE. I yield to the gentleman from Texas.

RAYBURN. Does the gentleman think the packers would have withdrawn the opposition that they had expressed to the Gronna bill, and that the packer banks and some men who had borrowed money from those banks would have withdrawn their opposition to this bill, if the only difference had been that of the commission?

Mr. KINCHELOE. All I know about it is what I have learned from the hearings that I have attended since I have been a member of this committee, and everyone who represented the packers said substantially the same thing. Mr. Wilson, of the Wilson Packing Co., came himself, and I will say that I think he is one of the highest class men in the business, and I think he knows more about it than any of them.

Mr. RAYBURN. The packers know whom to send when they send him. He is a man of great ability.

Mr. KINCHELOE. Yes; I think he has more knowledge of the packing business than any of them. But they all had representatives here, and they all said that their main objec-tion to regulation in any bill was the question as to whose hands the regulation should be placed in; and not only the packers but the live-stock men and the farmers' organizations, all of them, according to my recollection, agreed that it was better to lodge this power in the Department of Agriculture than in any other department of the Government.

Mr. BLACK. Will the gentleman yield?

Mr. KINCHELOE. I yield to the gentleman from Texas. Mr. BLACK. As I understand it, the duties of these employees of the Bureau of Animal Industry are to inspect carcasses and food products and by-products with a view to determining whether or not they are sound and wholesome.

Mr. KINCHELOE. Under the present law.

Mr. BLACK. One provision of this bill virtually reenacts the interstate commerce law and makes it applicable to livestock yards.

Mr. KINCHELOE. Yes.

Mr. BLACK. Regulating fares, charges, rates, and so forth?

Mr. KINCHELOE. Yes.

Mr. BLACK. Will not that be a very different sort of duty from that of inspecting carcasses and determining upon their soundness and wholesomeness, and so forth?

Mr. KINCHELOE. The gentleman refers to the personnel of

the employees?

Mr. BLACK. In other words, can the employees in the Bureau of Animal Industry possibly fill the dual position of regulating rates and charges under provisions very similar to those carried in the interstate commerce act and also perform the duty of inspecting carcasses to see whether they are sound and wholesome?

Mr. KINCHELOE. Probably the present personnel could not, but I take it that the Secretary of Agriculture administering

the law would delegate those qualified to do it.

The CHAIRMAN. The Chair would like to state that there was a tacit agreement that the time should be divided between those who favored the bill and the opposition. So far the opposition has occupied 30 minutes. The gentleman from [Mr. HAUGEN], chairman of the committee, has used 111 minutes and the gentleman from Arkansas [Mr. Jacoway], of the minority, has used 43 minutes, and the opposition has so far used 30 minutes.

Mr. RAYBURN. If the Chair will pardon me, several gentlemen are inquiring about the time. They thought when we went into the consideration of the bill there was as much of an agreement as could be made that the debate would run along all the afternoon. The gentleman from Iowa has been recognized for an hour and the gentleman from Arkansas has been recognized for an hour, and I want to ask if it is the intention of the Chair to recognize these gentlemen for an additional hour, or some other Member in opposition?

The CHAIRMAN. There was no definite agreement in regard to that matter. The Chair concluded that it would be better to recognize the chairman of the committee and a representative of the minority of the committee, and that they could

so arrange it as to give the opposition time.

Mr. JONES of Texas. That was a part of the agreement, Mr. Chairman, where there was no limitation that such time should be controlled by the gentleman from Iowa and the gentleman from Arkansas.

Mr. HAUGEN. I said that we would divide the time equally between those in favor of the bill and those against. Mr. Chairman, I yield one minute to the gentleman from Illinois [Mr.

MADDENT

Mr. MADDEN. Mr. Chairman, I ask unanimous consent on behalf of my colleague [Mr. RAINEY], a member of this committee, who was obliged to go home on account of sickness in his family, that he may extend his remarks in the RECORD on

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that his colleague [Mr. RAINEY] may be permitted to extend his remarks in the RECORD on this bill. Is there objection?

There was no objection.

Mr. JACOWAY. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. Blanton].

Mr. BLANTON. Mr. Chairman, the gentleman from Massachusetts [Mr. Luce] is against Government control of business. He does not believe the Government has any right to annihilate a business, and he does not believe that the Government has

any right to control one, according to his argument. The gentleman from Massachusetts has a different opinion now from what he has had in years past and what others of his friends in New England have had. I might call his attention to some of the constitutional provisions. The thirteenth amendment not only controlled a business but annihilated it. It put the slavery business out of the United States, and I approve of that amendment, although I am a southern Democrat. It has my hearty approval. Coming down a little later to the eighteenth amendment, we put the liquor business out of existence. And I heartily approve of that. But it seems that in Massachusetts alone there comes a protest against regulating and putting out of existence certain businesses. Because I note that day before yesterday our distinguished and beloved Speaker introduced in the House the following resolution, to wit:

[H. J. Res. 131, 67th Congress, 1st session. In the House of Representatives. May 24 1921. Mr. GILLETT introduced the following joint resolution, which was referred to the Committee on the Judiciary and ordered to be printed.]

Joint resolution proposing an amendment to the Constitution of the United States.

United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein). That the following article is proposed as an amendment to the Constitution of the United States, which, when ratified by the legislatures of three-fourths of the several States, shall be valid to all intents and purposes as a part of the Constitution of the United States, namely: " ARTICLE XVIII.

"Section 1. Polygamy and polygamous cohabitation shall not exist within the United States or any place subject to their jurisdiction.

"Sec. 2. Congress shall have power to enforce this article by appropriate legislation."

Note, Mr. Chairman and gentlemen, that he designates it "Article XVIII" of the Constitution. We now have already in the Constitution an "Article XVIII," which is the eighteenth or national prohibition amendment.

I am in favor of that. But I am not in favor that even now our distinguished Speaker should do away with our prohibition amendment and substitute therefor an amendment prohibiting polygamy [laughter], though I am strongly against polygamy. I do not know why the Speaker of the House of Representatives apparently should be against our prohibition amendment simply because it regulates and absolutely controls private business to the extent of annihilating it, although he comes from the same State as does the other gentleman, Mr. Luce. Why, there is plenty of room in the Constitution for both these amendments. I hope that the distinguished Speaker of this House will reintroduce this resolution and change his Article XVIII to Article XX and then it will not supplant the prohibition amendment. We then will have them both. But that is not what I got up here to say. [Laughter.]

One of the employees of our Government Printing Office not long ago appealed to me, stating that he was forced to join a labor union down there in order to hold his position; that every other man who works down there with him is forced, after they come there from the civil service, to join the union or they can not continue to hold their jobs; that they have been assessed 5 per cent of their salary, and lately they have been assessed another 10 per cent by the union to maintain the strike now in the United States, and he says that it is more than he can stand, and he wants to know whether if he refused to pay the assessment and they kicked him out of the union and made him lose his job if Congress would stand behind him and help him hold the job.

I want to say right here that I greatly admire and respect the present Public Printer, who deserves great credit for what he is doing. I think a lot of him. He is bringing about lots of worthy reforms in the Public Printing Office. He is a splendid gentleman. I take my hat off to him. I wrote him to find out whether or not the state of affairs complained of by one of his employees would be permitted to exist in that department, and here is his letter:

OFFICE OF THE PUBLIC PRINTER, Washington, May 25, 1921.

Hon. THOMAS L. BLANTON, House of Representatives.

My Dear Mr. Blanton: I am pleased to acknowledge receipt of your letters of May 13 and 24, asking to be advised as to whether the Government Printing Office is run on the "open-shop" basis and whether an order was issued by the President making this office an "open shop." I regret very much that owing to the demand on my time by important investigations and personal illness during the past week I have been unable until now to comply with your request. I trust, therefore, that you will pardon my delay in this instance.

Every position in the Government Printing Office, except that of the Public Printer, his private secretary, and certain laborers employed under an Executive order during the war, is under the civil service. Accordingly, with these exceptions, every appointment has to be made from lists of persons who have passed the competitive examinations as held under the direction of the Civil Service Commission. As you undoubtedly know, the eligible list is made up by the Civil Service Com-

mission in the order of the ratings made on the examinations, and the appointing officer has to make his selection from groups of three in the order that the names appear on such eligible list.

As far as I know, and to the best of my belief, the question of whether a person belongs to a labor organization or not is not considered by the Civil Service Commission in conducting its examinations or preparing its lists of eligible applicants for positions in the Government service. No inquiry is made by this office as to whether persons eligible for appointment are or are not members of labor organizations. Their eligibility for appointment is determined solely by the civil-service requirements. Nor is there any rule that an employee shall or shall not belong to a labor organization in order to retain his position in the Government Printing Office. If by the term "open shop" you mean a place where a person may be employed regardless of whether he belongs to a labor organization, then I presume the Government Printing Office and the civin of the various religious and fraternal organizations as we have to join the various religious and fraternal organizations that may seem beneficial to us.

In regard to an Executive order making the Government Printing Office an "open shop," I presume that you refer to the action of President Roosevelt which was prompted by the so-called "Miller case" in 1903. W. A. Miller, who was a bindery foreman in the Government Printing Office, was reported to have been dismissed at that time by the then Public Printer following Miller's expulsion from the local union of bookbinders. The Civil Service Commission refused to recognize Miller's expulsion as a just ground for his removal from the Government Printing Office, was reported to have been dismissed at that time by the then Public Pr

that he is a Protestant or a Catholic, a Jew or a gentile, as being for or against him.

"In the communications sent me by various labor organizations protesting against the retention of Miller in the Government Printing Office, the grounds alleged are twofold: (1) That he is a nonunion man. (2) That he is not personally fit. The question of his personal fitness is one to be settled in the routine of administrative detail, and can not be allowed to conflict with or to complicate the larger question of governmental discrimination for or against him or any other man because he is or is not a member of a union. This is the only question now before me for decision, and as to this my decision is final."

Trusting that this statement furnishes the informations.

Trusting that this statement furnishes the information you desire, beg to remain, Very sincerely, yours,

GEORGE H. CARTER, Public Printer.

Therefore I want to say not only to the employee in the Government Printing Office who wrote me the letter but also every other employee of this Government, in the Government Printing Office and in all other departments, that, according to this ruling of President Roosevelt, which I take it will be upheld by the present great President of the United States, a man does not have to join a union or any other kind of organization against his will in order to hold his position as a Government employee, for we are to maintain the "open shop" in the Nation's Capital, and if there are employees in Washington in the Government Printing Office or elsewhere who think that the assessment of 10 per cent and 5 per cent or any other per cent is too great a burden upon them, they have a perfect right to get out of that union and still hold their jobs, and I believe get out of that union and still hold their jobs, and I believe President Harding will stand behind them and protect them just as the great Theodore Roosevelt stood behind and protected this man Miller. [Applause.]

Mr. JACOWAY. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. Black].

Mr. Black. Mr. Chairman, the gentleman from Kansas [Mr. Tincher] in discussing this bill said that its regulatory provisions were so reasonable and framed in such way that he

provisions were so reasonable and framed in such way that he thought there would be no serious objection to the bill. There

is one provision in the bill that I think goes very far, and I think if Members will study it they will see that it goes very far in this respect, and I believe even the gentleman from Kansas [Mr. Tinchea] will question the propriety of the Federal Government going that far in a regulatory measure entirely new and concerning a field of endeavor not hitherto undertaken in this day of multiplicity of regulations.

Mr. JACOWAY. Mr. Chairman, will the gentleman yield?

Mr. BLACK. Yes.
Mr. JACOWAY. If the people to be affected by the portion of which the gentleman complains do not complain, does the

gentleman still think we are going too far?

Mr. BLACK. Yes; and I will show the gentleman why I think so. When the Esch-Cummins railroad bill was passed it carried a provision which gave the Interstate Commerce Commission power to alter, modify, or set aside a rate which it held to be a burden on interstate commerce, even though the rate applied wholly to traffic between points within the same The present bill virtually copies that section of the Esch-Cummins law and makes it applicable to stockyards. Let us compare the two sections and see if the present bill does not go just as far as the Esch-Cummins law goes as to railroads, though we have been regulating railroad rates by the Interstate Commerce Commission for many years. We are just beginning the experiment of Federal regulation of stockyards, and, in my judgment, it is going entirely too far as an initial step to give the Secretary of Agriculture at the very outset power to set aside orders of State tribunals. Here is the clause in the Esch-Cummins law to which I refer:

Whenever in any such investigation the commission, after full hearing, finds that any such rate, fare, charge, classification, regulation, or practice causes any undue or unreasonable advantage, preference, or prejudice as between persons or localities in intrastate commerce, on the one hand, and interstate or foreign commerce, on the other hand, or any undue, unreasonable, or unjust discrimination against interstate or foreign commerce, which is hereby forbidden and declared to be unlawful, it shall prescribe the rate, fare, or charge or the maximum or minimum or maximum and minimum thereafter to be charged, and the classification, regulation, or practice thereafter to be observed in such manner as in its judgment will remove such advantage, preference, prejudice, or discrimination. Such rates, fares, charges, classifications, regulations, and practices shall be observed while in effect by the carriers parties to such proceedings affected thereby, the law of any State or the decision or order of any State authority to the contrary notwithstanding. standing

Let us see what section 311 of the present law on page 22 of the bill provides, and I think Members will agree that the committee has virtually copied the section of the Esch-Cummins law which I have just read and inserted it as a clause in this bill:

which I have just read and inserted it as a clause in this bill:

Sec. 311. Whenever in any investigation under the provisions of this title, or In any investigation instituted by petition of the stockyard owner or market agency concerned, which petition is hereby authorized to be filed, the Secretary after full hearing finds that any rate, charge, regulation, or practice of any stockyard owner or market agency, for or in connection with the receiving, marketing, feeding, holding, delivery, shipment, weighing, or handling, not in commerce, of live stock, causes any undue or unreasonable advantage, prejudice, or preference as between persons or localities in intrastate commerce in live stock, on the one hand, and interstate or foreign commerce in live stock, on the other hand, or any undue, unjust, or unreasonable discrimination against interstate or foreign commerce in live stock, which is hereby forbidden and declared to be unlawful, the Secretary shall prescribe the rate, charge, regulation, or practice thereafter to be observed, in such manner as, in his judgment, will remove such advantage, preference, or discrimination. Such rates, charges, regulations, or practices shall be observed while in effect by the stockyard owners or market agencies parties to such proceeding affected thereby, the law of any State or the decision or order of any State authority to the contrary notwithstanding.

It will be seen there that almost the exact language is here

It will be seen there that almost the exact language is here used as was used in the Esch-Cummins law with reference to There is a question in my mind, even railroad regulation. granting the advisability of placing the live-stock yards of the country under jurisdiction similar to the interstate commerce law, as to whether we want to go to the extent of providing that if any State regulatory body should fix a rate or charge which the Secretary of Agriculture should say created an undue preference to one of the State's own communities or which, in the opinion of the Secretary, placed an undue burden on inter-state commerce, that he should have the power to enter and fix a new rate, charge, practice, or fare and thereafter that that rate shall be the rate to be charged, the order or decision of any State authority to the contrary notwithstanding.

Mr. ASWELL. Mr. Chairman, will the gentleman yield? Mr. BLACK. Yes.

Mr. ASWELL. Will the gentleman state what present State

law or authority this will conflict with?

Mr. BLACK. I am not advised as to that. We have 48 States, and I do not know what regulations they may have on this subject nor what they might want to put into effect in the future.

Mr. ASWELL, Does the State fix the charges on these stockyards?

Mr. BLACK. I confess I have not had time to look up all the State statutes on the subject, but that is not necessary in order for me to have an opinion as to the unwisdom of this provision. I would not favor putting into a bill of this kind, dealing with a new and untried field of regulation, a provision which will take away the power of the State to deal with purely intrastate transactions in the matter of these stockyards.

Mr. HUDSPETH. I would like to ask my colleague if he has changed his mind as to the interference of this bill with State

affairs since the passage of the Esch-Cummins bill?

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLACK. I will ask for two additional minutes. The CHAIRMAN. Is there objection? [After a pause.] Chair hears none.

Mr. BLACK. Well, I will say to the gentleman that I voted for the Cummins-Esch bill, and I am not undertaking at this point to discuss the provision in it which gives the Interstate Commerce Commission power to alter and change State rates, but certainly the gentleman will recognize that the two provisions deal with very different subjects. The railroads are for the most part now parts of large systems extending from State to State, and the tendency is for still further consolidations. There is no such condition as to stockyards. So far as I know, each stockyard operates wholly within a separate State. We have had the interstate commerce law a good many years, and it was many years before Congress deemed the situation as complicated enough to justify giving the Interstate Commerce Commission power to have any control over State rates.

Mr. HUDSPETH. But up until the Shreveport case it has never interfered with the making of intrastate rates.

Mr. BLACK. That is true, and the section of the Cummins-Esch law to which I have referred is simply declaratory of the law announced by the Supreme Court in the Shreveport case, but the Supreme Court has made no such declaration of law as to stockyards, and I question very seriously whether Congress has the power to go that far, even if it is deemed wise to do so.

The CHAIRMAN. The time of the gentleman has expired. Mr. HUDSPETH. I agree with my colleague that we should

not on this bill either.

Mr. HAUGEN. I yield 20 minutes to the gentleman from Illinois [Mr. MICHAELSON]

Mr. MICHAELSON. Mr. Chairman and gentlemen, I desire to use the time allotted to me at this time in discussing House resolution 95, which I introduced May 20, asking for information from the Secretary of State and the Secretary of War relative to the spread of foreign propaganda in the United States prior to the declaration of war by the United States against Germany and asking investigation of charges made in public records and public prints and calling the attention of Congress first to a statement made by former Congressman Callaway February 9, 1917, appearing upon pages 2947 and 2948 of the Congressional Record, in which he made the charge that—

In March, 1915, the J. P. Morgan interests, the steel, shipbuilding, and powder interests, and their subsidiary organizations got together 12 men high up in the newspaper world and employed them to select the most influential newspapers in the United States and a sufficient number of them to control generally the policy of the daily press of the

Mr. BLANTON. Mr. Chairman-

The CHAIRMAN. Does the gentleman from Illinois yield? Mr. BLANTON. Would the gentleman like to have a quorum here? If so, I will get him one.

Mr. MICHAELSON. I do not desire it. The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Texas?

Mr. BLANTON. It is a point of order I am making. It does not require his yielding.

Mr. MADDEN. I hope the gentleman will not do that. Mr. BLANTON. I will withdraw it, but I am not in sympathy with the gentleman's speech.

Mr. MICHAELSON. I thank you, sir.

Mr. MICHAELSON. I thank you, sir.

These 12 men worked the problem out by selecting 179 newspapers, and then began by an elimination process to retain only those necessary for the purpose of controlling the general policy of the daily press throughout the country. They found it was only necessary to purchase the control of 25 of the greatest papers. The 25 papers were agreed upon; emissaries were sent to purchase the policy, national and international, of these papers; an agreement was reached; the policy of the papers was bought, to be paid for by the month; an editor was furnished for each paper to properly supervise and edit information regarding the questions of preparedness, militarism, financial policies, and other things of national and international nature considered vital to the interests of the purchasers.

This contract is in existence at the present time, and it accounts for the news columns of the daily press of the country being filled with all sorts of preparedness arguments and misrepresentations as to the present condition of the United States Army and Navy, and the possibility and probability of the United States being attacked by foreign foes.

This policy also included the suppression of everything in opposition to the wishes of the interests served. The effectiveness of this scheme has been conclusively demonstrated by the character of stuff carried in the daily press throughout the country since March, 1915. They have resorted to anything necessary to commercialize public sentiment and sandhag the National Congress into making extravagant and wasteful appropriations for the Army and Navy under the false pretense that it was necessary. Their stock argument is that it is "patriotism." They are playing on every prejudice and passion of the American people.

Mr. BLANTON. Mr. Chairman, I make the point of order we have not a quorum. I think it is time we should stop all this mess and put it behind us, and I make a point of order that there is no quorum.

Mr. HAUGEN. Will the gentleman kindly withdraw the point of order?

Mr. BLANTON. I withdraw it, as there are very few here

Mr. MICHAELSON. If the information and charges contained in Mr. Callaway's statement are true and can be proven, then the most heinous crime in the world's history was perpetrated upon the peace-loving American people, and while hostilities have ceased and peace is sought by nations hereto fore at war, the destruction and desolation, the sorrow and suffering, and the debt imposed by that war are more crushing than ever to the hopes, aspirations, progress, prosperity, and contentment of our people; and, if it be true and can be proven that this Nation's participation and other nations' continuance in the war was founded upon fraud, intrigue, falsity, conspiracy, or manipulation, as charged, then that truth should be published to the world in order to make it impossible to repeat that crime in the future and that the blessings of peace may be more confidently assured to afflicted humanity everywhere.

In addition to the information and charges filed by Congressman Callaway in the foregoing statement, M. Gabriel Hanotaux, formerly minister of foreign affairs of the Republic of France, in his Historie de la Guerre, 1914, book No. 107, page 54, states, in effect, that France was ready to make peace in the latter part of the year 1914, but was dissuaded from doing so by three Americans, namely, Robert Bacon, of the financial house of J. P. Morgan & Co., fiscal agents for the British Government; Myron T. Herrick; and William G. Sharp, and that these men represented to French officials that if France would continue the war that these three men would organize a propaganda to put the United States into the war on the side of the Allies, and M. Hanotaux further stated that the sum of money which was provided to good the United States into the war was too large even for American comprehension.

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. MICHAELSON. I will not yield.

In this connection the following memorable statement was made by one of these Americans to the author:

There are in America 50,000 persons who realize that it is inevitable for the United States to enter the war without delay on your side, But there are 100,000,000 Americans to whom the thought is strange. Our object is to reverse these figures and to turn the 50,000 into 100,000,000, We shall succeed.

The charges filed by Congressman Callaway and the statement made by M. Gabriel Hanotaux would indicate, if true, that there was a definite and widespread conspiracy operating in the United States to plunge the people of the United States into war, and I believe it to be the duty of Congress to make this investigation forthwith in the interest of the welfare and education of the American people, that present and future generations may have insight into the operations of governments, money powers, and commercial combines, whose intrigues and corruptions foster and precipitate war.

In addition to the charges filed by Congressman Callaway and the statement made by M. Gabriel Hanotaux, Sir Gilbert Parker, a well-known English writer, says in an article on "The United States and the war" in Harper's Magazine, March, 1918:

From August, 1914, there was a considerable percentage of the public who believed that the United States should, in the name of civilization, have officially resented the invasion of Belgium. Personally, I believe that it would have been extremely difficult for the United States to enter the war six months before she did. I was in the United States for some months on this trip. I have been from New York to San Francisco. I was at Washington when President Wilson dismissed Count Bernstorff, and heard him do so, and I am irmly convinced of this, that President Wilson committed his country to this war at the right moment, neither too soon nor too late. He had stopped up every avenue of attack by the pacifists, and jurists, and the pedants, and the pettifoggers.

Perhaps here I may be permitted to say a few words concerning my wown work since the beginning of the war.

\* \* Practically since the day war broke out between England and the Central Powers I became responsible for American publicity. I need hardly say that the scope of my department was very extensive and its activities widely ranged. Among the activities was a weekly report to the British cabinet on the state of American opinion, and constant touch with the permanent correspondents of American newspapers in England. I also frequently arranged for important public men in England to act for us by interviews in American newspapers; and among these distinguished

people were Mr. Lloyd-George (the present prime minister), Viscount Grey, Mr. Baifour, Mr. Bonar Law, the Archbishop of Canterbury, Sir Edward Carson, Lord Robert Cecil, Mr. Walter Runciman (the lord chancellor), Mr. Austen Chamberlain, Lord Cromer, Will Crooks, Lord Curzon, Lord Gladstone, Lord Haldane, Mr. Henry James, Mr. John Redmond, Mr. Selfridge, Mr. Zangwill, Mrs. Humphrey Ward, and fully a hundred others.

Among other things, we supplied 300 newspapers in the smaller States of the United States with an English newspaper, which gives a weekly review and comment of the affairs of the war. We established connection with the man in the street through cinema pictures of the Army and Navy as well as through interviews, articles, pamphlets, etc., and by letters in reply to individual American critics, which were printed in the chief newspaper of the State in which they lived, and were copied in newspapers of other and neighboring States. We advised and stimulated many people to write articles; we thillized the friendly services and assistance of confidential friends; we had reports from important Americans constantly, and established association, by personal correspondence, with influential and eminent people of every profession in the United States, beginning with university and college presidents, professors, and scientific men and running through all the ranges of the population. We asked our friends and correspondents to arrange for speeches, debates, and lectures by American citizens, \* \* Resides an immense private correspondence with individuals, we had our documents and literature sent to great numbers of public libraries, Y. M. C. A. societies, universities, college, historical societies, clubs, and newspapers.

No formal investigation of these grave charges has ever been undertaken by the Congress of the United States to determine their truth or falsity. To allow them to go unchallenged is to cause serious reflection on the purpose of the United States in entering the war, as a result of which this Nation is bowed in the core the death property of the core the death of the core the core that the core the core that the core that the core the core that the co grief over the death, maining, and ruined health of hundreds of thousands of its young manhood, and the people of our country are burdened with an unprecedented national debt, with resulting high taxes and living costs unprecedented in magnitude and oppression.

Mr. BLANTON. Well, what does the gentleman think about

it? He is indicting the whole American people.

Mr. MICHAELSON. If it is true and can be proven that it was possible to end the war soon after it started and before much damage had been done to the world and its people, and if that chance was, blocked by selfish financial interests with a slush fund beyond comprehension to buy manufactured propaganda to be used and spread to excite the minds of the American people and to put hate in their hearts, resulting finally in plunging this Nation into the war, with such awful consequences, not only the people of this country but the whole world should know it. If the charges are not true, then the people should know that.

If these charges are not true, is it not strange that virtually from the day war was declared in 1914, backed by the British Government, a British subject, Sir Gilbert Parker, on his own statement, seemingly all unbeknownst to our Government officials and our President, conducted this gigantic propaganda in our country to scientifically inculcate into the hearts of the American people a hate that would finally plunge them into the World War, particularly when we are still mindful of the fact that in the early spring of 1916 Woodrow Wilson, President of the United States, while making a tour of the Middle States and the great upper Mississippi Valley to deliver his message to the American people and to enunciate the policies upon which they should stand at that hour, in statements and in numerous speeches repeatedly insisted that the American people and the American Nation should remain neutral not only in deed but in thought? In every one of these speeches the President again and again reiterated that good Americans would remain neutral and do nothing that might involve this great liberty-loving, peace-loving American people in this terrible conflagration. And yet, Mr. Chairman and Members of this House, Sir Gil-bert Parker states to the world under his signature that at the very moment the President of the United States, speaking for the American people, in behalf of the American people, and as the mouthpiece of the American people, was urging them to remain neutral, he-Parker-was spending British gold from one end of this Nation to the other for the purpose of driving this Republic into the quarrels of European monarchies.

If these charges are true, Mr. Chairman and gentlemen, and in view of the warfare still going on in Europe at this very hour, then the American lives lost were sacrificed not on the altar of universal democracy and freedom but upon the blood-stained, sacrificial stone of inhuman avarice and greed, and if these charges be true we must come to the conclusion that the American people were duped by an unscrupulous combination of wealth that, through its kept literary harlots, seduced the noble patriotism of the American citizenry in order to enrich themselves. Let us not shrink from facing and demanding the

truth, the whole truth, and nothing but the truth.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CONNALLY of Texas. Will the gentleman yield? I make the point of no quorum.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAUGEN. Mr. Chairman, I yield one minute to the

gentleman from Ohio [Mr. Cable].
Mr. CABLE. Mr. Chairman, the decrees in the case of United States of America against Swift & Co. and others, pending in the Supreme Court of the District of Columbia, in Equity No. 37623, have been referred to several times this afternoon. For the information of the Members of the House I ask the unanimous consent to extend my remarks by inserting in the Record an application and decree relating to Armour & Co. The decree is dated April 12, 1921. The application and decree of Swift & Co. are substantially the same. The plan and decree of Edward Morris and others is dated March 2, 1921. I am interested in the passage of the bill now before the House, and for that reason obtained these copies from the Attorney General's office.

Mr. BLACK. Reserving the right to object, how many pages

does that cover?

Mr. CABLE. It will take at least two pages of the RECORD.
Mr. BLACK. I would not object to that. Of course, these decrees are numerous.

Mr. CABLE. It may be a little longer.
Mr. BLACK. I have no objection, if they do not constitute a whole book.

Mr. KINCHELOE. Reserving the right to object, I would say that the decrees of that date are not the decrees about which there was a controversy this afternoon.

Mr. CABLE. I will say to the gentleman that these are later decrees, relating to the ownership of the various stockyards of Swift and Armour, and relate to the terminals of these plants.

Mr. KINCHELOE. Is that a decree or report?

Mr. CABLE. An application and a decree,

Mr. KINCHELOE. Of April 1 last? Mr. CABLE. Of April 12. It is later than the decree read in the House.

Mr. KINCHELOE. That is under the present Attorney Gen-

Mr. CABLE. Yes, sir.
The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

[In the Supreme Court of the District of Columbia. U America v. Swift & Co. and others, defendants. United States of its. Equity No.

It is, by the court, this the 12th day of April, 1921, ordered that the order dated and entered the 2d day of March, 1921, requiring the taking of testimony on the subject of values, and the orders amendatory thereof and heretofore entered, be, and they are hereby revoked. It is further ordered that the plans this day submitted by the Armour and Swift defendants be, and they are hereby approved.

WENDELL P. STAFFORD, Justice.

[In the Supreme Court of the District of Columbia. United States of America, petitioner, v. Swift & Co., Armour & Co., Morris & Co., Wilson & Co., and Cudahy Packing Co., et al. In equity No. 37623.] To the honorable fustices of the Supreme Court of the District of Columbia:

Wilson & Co., and cudany Packing Co., et al. In equity No. 37623.]

To the honorable justices of the Supreme Court of the District of Columbia:

These defendants, Armour & Co., Illinois; Armour & Co., New Jersey; Armour & Co., Kentucky; Armour & Co., Texas; Armour & Co. (Ltd.), Louisiana; the Anglo-American Provision Co.; the Colorado Packing & Provision Co.; Fowler Packing Co.; Hammond Packing Co.; the New York Butchers Dressed Meat Co.; Atlantic Hotel Supply Co. (Inc.); J. Ogden Armour; Charles W. Armour; A. Watson Armour; Laurance H. Armour; Arthur Meeker; Robert J. Dunham; F. Edson White; George M. Willetts; Frederick W. Croll; and George B. Robbins, by their attorneys, represent and show unto the court:

That these defendants, or some of them, have an ownership or interest in the following stockyard market companies in the United States of the character and to the extent mentioned:

Fort Worth Stock Yards Co., authorized capital stock: Common, 30,000 shares of the par value of \$100 per share. Issued and outstanding capital stock: Common, 27,500 shares. Owned by these defendants, or some of them: Common, 25,000 shares. Owned by these defendants, or some of them: Common, 25,000 shares. Owned by these defendants, or some of them: Common, 25,000 shares.

Union Stock Yards Co. of Omaha (Ltd.): Authorized capital stock: Common, 50,000 shares, of the par value of \$100 per share. Issued and outstanding capital stock: Common, 57,00 shares.

Union Stock Yards Co. atthorized capital stock: Common, 13,000 shares, of the par value of \$100 per share. Issued and outstanding capital stock: Common, 57,500 shares.

Bourbon Stock Yards Co.: Authorized capital stock: Common, 13,000 shares, of the par value of \$100 per share. Issued and outstanding capital stock: Common, 13,000 shares, of the par value of \$100 per share. Issued and outstanding capital stock: Preferred, 4,000 shares, Owned by these defendants, or some of them: Common, 3,000 shares, Common, 15,000 shares, of the par value of \$100 per share. Issued and outstandin

Sloux City Stock Yards Co.; Authorized capital stock; Preferred, 15,000 shares, of the par value of \$100 per share; common, 15,000 shares, of the par value of \$100 per share; common, 15,000 shares, of the par value of \$100 per share; common, 15,000 shares; common, 12,000 shares; common, 12,000 shares; common, 12,000 shares; common, 12,000 shares; of the par value of \$100 per share. Issued and outstanding capital stock; Common, 12,000 shares, of the par value of \$100 per share. Issued and outstanding capital stock; Common, 12,000 shares, or some of them; Common, 4,572 shares.

That each and every stockyard terminal railroad, or the capital stock of each and every stockyard terminal railroad, or the capital stock of each and every stockyard terminal railroad, or the capital stock of each and every stockyard mental railroads of the said defendants, or any of them, have any interest, is owned in each case by some one of said stockyard mental realroads except through the ownership of stock in said stockyard terminal railroads except through the ownership of stock in said stockyard terminal railroads. The said effect of the said stockyard terminal railroads except through the women and an outstanding shares of the capital stock of said company is owned by the Fort Worth Sett Railway Co.; All of the issued and outstanding shares of the earbital stock of said company is owned by said St. Paul Bridge & Terminal Railway; All of the issued and outstanding shares of the authorized capital stock of said company is owned by said St. Paul Union Stock Yards Co.

Union Stock Yards Co. of Omaha (Lid.); The stockyard terminal railway at Omaha is owned and operated by the Union Stock Yards Co. of Omaha (Lid.).

East St. Louis Junction Railroad Co.; All of the issued and outstanding shares of the authorized capital stock of said company is owned by said Sloux City Stock Yards Co.

That these defendants, saving and reserving unto themselves, and each of them, the benefit of exceptions to those portions of the court whatso the part o

DEPOSIT OF STOCK.

These defendants, within 30 days from and after the date of the approval of this plan by the court, shall deliver to the Illinois Trust & Savings Bank, of Chicago, Ill., hereinafter referred to as the trust, company, all evidences of stock ownership in said stockyard companies above mentioned (which includes the interests of these defendants in stockyard terminal railroad companies owned by said stockyard companies) upon negotiable receipts of said trust company therefor, except such of said stocks as may be now pledged. As to any of such stock as may be now pledged, the defendants will execute and deliver to said trust company an order signed by the defendant owning such pledged stocks, directing the pledgee thereof to deliver the certificates of stock held by the pledgee to said trust company in exchange for its negotiable receipt. In the event that any pledgee shall fail to exchange such pledged stock for the negotiable receipt of said trust company and such pledged stock shall thereafter be released from said pledge, the pledgor thereof shall, upon such release, deliver the certificate of stock to said trust company in exchange for its negotiable receipt.

Said depositary shall enter its appearance in this cause so as to be subject to the jurisdiction of the court in the discharge of its duties as such depositary.

In connection with deposit of said shares of stock defendants shall enter into an escrow agreement with said trust company, the terms of which shall be in accordance with the provisions of this plan and the decree entered herein on the 27th day of February, 1920, and all such stock delivered to the said trust company shall be held by it in escrow thereunder until disposed of by said trust company as hereinafter provided.

Within 60 days after the approval by the court of this plan the said

thereunder until disposed of by said court of this plan the said trust company shall make a report to the court, furnishing to the Attorney General of the United States and to these defendants each a copy thereof, showing the amount of stock deposited with it pursuant to the provisions hereof, and also the orders of the pledgees delivered to it by these defendants, showing the amount of the stock covered by such orders and the names of the pledgees, and it shall be the duty of the trust company to make additional reports as the court may direct or as may be requested of it either by the Attorney General or by these defendants.

as may be requested of it either by the Actorney General of by these defendants.

As and when any of said stock shall have been sold pursuant to this plan and the sale approved by the court, the depositary shall, in exchange for its receipt, deliver the proper certificates of stock to the purchaser thereof.

If any pledgee of stock accepting the negotiable receipt of the said

If any pledgee of stock accepting the negotiable receipt of the said trust company shall find it necessary to foreclose the loan for which

such receipt is held as collateral, said trust company shall upon proof thereof and surrender of said receipt, deliver to such pledgee the certificate or certificates of stock represented thereby, and said defendants will request the pledgee to give to the court and the Attorney General full information as to its final disposition of such stock.

Upon the sale of all of said stock or upon termination of this plan, by order of the court or otherwise, said trust company shall be discharged of all its powers and duties under this plan, and all certificates of stock or other evidence of ownership then held by said trust company hereunder shall be forthwith returned to the defendant depositing the same therewith upon surrender of the receipts issued by said depositary therefor.

The Armour and Swift groups of defendants assume the duty and obligation of making provision for the compensation of and expenses incurred by said trust company in the performance of its duties hereunder and in such manner as that said compensation and expenses will not be or in any way constitute a lien upon either the certificates of stock deposited with it or the negotiable receipts issued against the same.

#### INDIVIDUAL TRUSTEES.

Upon the approval of this plan by the court, these defendants will execute and deliver to Henry W. Anderson, of Richmond, Va., and George Sutherland, of Salt Lake City, Utah, as trustees, powers of attorney, irrevocable during the time this plan remains in effect authorizing said trustees jointly to vote all of the stock of said defendants in said last-mentioned stockyard companies and stockyard terminal railroad companies or such portion thereof as from time to time shall remain unsold pursuant to this plan.

Said individual trustees shall be charged with the duty of acquainting themselves with the conduct and operation of said stockyard companies and stockyard terminal railroads, but shall not vote said stock so as to interfere with the management and conduct of said public stockyard market companies or the stockyards operated by them or said stockyard terminal railroads unless both of said trustees shall be of the opinion that said stockyards or stockyard terminal railroads, or some of them, are being used in violation of the antitrust laws of the United States or the decree berein.

In case said trustees shall disagree as to the voting of said stock, they or either of them, or the petitioner, or the defendants, may apply to the court for an order directing how said stock shall be voted, with the right of either party hereto to be heard and to except to the order of the court and to appeal therefrom.

It shall be the duty of said trustees to keep themselves informed as to the progress made in the sale of the stock in accordance with this plan and report the same to the court as and when directed by it or upon their own initiative, and with such recommendations and suggestions as they may deem proper.

The said trustees in the performance of their duties hereunder shall

their own initiative, and with such recommendations and suggestions as they may deem proper.

The said trustees in the performance of their duties hereunder shall not be liable except for willful misconduct on their part.

Said trustees shall be subject to removal by the court, in its discretion. If any vacancy in said trusteeship occurs, because of the removal or otherwise of said Henry W. Anderson, the court shall appoint as his successor a suitable person upon the nomination of the petitioner; and if such vacancy shall occur because of the removal or otherwise of said George Sutherland the court shall appoint as his successor a suitable person upon the nomination of the Armour and Swift groups of defendants.

Each individual trustee shall receive compensation at the rate of \$10,000 per annum and his reasonable and proper expenses, to be approved by the court and paid by the Armour and Swift groups of defendants.

Upon the sale of all of said stock, or upon the termination of this

Upon the sale of all of said stock, or upon the termination of this plan, by order of the court or otherwise, the said individual trustees shall be discharged of all their powers and duties under this plan.

### REPORT OF SALES.

REPORT OF SALES.

These defendants will proceed with due diligence to sell the aforesaid stock owned by them as hereinbefore detailed, and they will make reports of sales to the court from time to time, furnishing copies thereof to the depositary and to the individual trustees, stating in said reports the name or names of said proposed purchaser or purchasers, the number of shares proposed to be purchased by them, the price to be paid, and the terms and conditions of such proposed gurchasers setting forth that such proposed purchaser is making the purchase for himself and not for any of the defendants in this action, and that none of said defendants has any interest whatever in said purchase; in what manner, if any, said proposed purchaser is connected with or related to, by blood or marriage, any of the individual defendants in this action, and what connection, if any, he has with, or what interest, if any, he has in any of the corporation defendants in this action, and also that he is not acting for or on behalf of any of the defendants or in concert, agreement, or understanding with any of such defendants. The form of such affidavit is hereto annexed as a part hereof.

No sales of said stock will be consummated until the same have been approved by the court.

If before sale of the said stock of any of the public stockyard companies hereinbefore mentioned a reorganization of such company shall be effected by a majority of the stockholders thereof whereby it shall become necessary and desirable to exchange any shares of the stock of said company so reorganized for shares or securities of any such reorganized corporation, the defendants shall have the right to make such exchanges, and the shares or securities received in exchange shall thereafter be subject to all the provisions of this plan for sale by these defendants as were the shares of stock surrendered in lieu thereof.

Each purchaser of stock in stockyard companies wherein defendants in this cause hold controlling interest shall agree as a condition of the purchase and holding of said stock by himself, his personal representatives, or assigns that said stock by himself, his personal representatives, or assigns that said stock shall be voted to effectuate the provisions of paragraph 13 of the consent decree herein entered.

In the event that stock shall be sold by these defendants on the instalment plan, the purchaser thereof shall have the right to vote, either in person or by proxy, said share or shares of stock, provided such proxy shall not be given to or voted by any of these defendants.

These defendants will, upon the request of the Attorney General of the United States, furnish him any information which he may request as to their progress in the sale and disposition of said stock and generally in the execution of this plan.

### TIME FOR COMPLETION OF SALES.

These defendants and each of them will proceed with due diligence, in the manner herein provided and in accordance with the previsions of this plan, to sell their respective interests in the hereinabove de-

scribed stockyard market companies and stockyard terminal milroad companies at fair and reasonable value, and in case the same can not be so disposed of within one year from the date of the approval of this plan said defendants may make a showing to this court of the diligence used and the best offers received for said stocks and may obtain from the court such extensions of time as the court may prescribe for the disposition of the same.

The approval of this plan shall not be construed so as to deprive these defendants of the right to petition or move the court at any time for a modification hereof.

TERMINATION.

The court shall have the power to terminate this plan, or any part hereof, on being convinced, after hearing, that these defendants are not proceeding with promptness and vigor in disposing of said stocks hereunder.

Wherefore these defendants pray that an order be entered in this cause approving the plan herein set forth for divesting these defendants of their ownership or interests as aforesaid in said public stockyard market companies and said stockyard terminal railroads.

Dated at Washington, D. C., this 12th day of April, A. D. 1921.

Attorneys for the Armour Group of Defendants.

[In the Supreme Court of the District of Columbia, United States of America, petitioner, v. Swift & Co., Armour & Co., Morris & Co., Wilson & Co., and Cudaby Packing Co., et al. In equity No. 37623.] AFFIDAVIT.

Subscribed and sworn to before me this - day of --, 1921. Notary Public.

[In the Supreme Court of the District of Columbia, holding an equity court. United States of America v. Swift & Co. and others. In equity No. 37623.]

To the said court in chancery sitting:

equity No. 37623.]

To the said court in chancery sitting:
Your petitioners, Edward Morris, Nelson Morris, C. H. MacFarlane, L. H. Heymann, and H. A. Timmins, respectfully show unto the court:
That they are willing to accept in principle the plan approved by the Federal courts in the case of United States of America v. The Union Pacific Raiiroad Co. et al., and that the plan submitted herewith follows the Union Pacific plan, both in letter and spirit, in so far as the circumstances of this case will permit. If there is any provision in the Union Pacific plan applicable to this case which has not been incorporated in the plan submitted herewith, then such provision may be inserted and considered as a part of said plan.

In disapproving the second plan filed by petitioners this honorable court did not point out wherein such plan was or was not acceptable, but these petitioners submit that this plan squarely meets and contains the four conditions expressed by this honorable court as necessary for any future plan, to wit, (a) no consolidation, (b) an early and complete divestment by petitioners of their holdings. (c) complete control by the court of holdings pending divestment, (d) termination of plan by the court if petitioners do not proceed hereunder with promptness and vigor.

This plan concedes to the Government certain substantial rights not granted by the consent decree heretofore entered, and which consent decree devises and fixes the rights of the parties in this case. This is done solely that this matter may be wound up speedily and agreeably. If this plan is not approved, then these petitioners are not to be considered as waiving any of their rights under said decree or as extending the terms and provisions thereof.

The holdings of petitioners to be disposed of in this case (excepting only the Crescent City Stockyards & Slaughterhouse Co., Ltd.) are correctly set out in Exhibit A, attached hereto, expressly referred to and made a part hereof as fully as if copied herein, and a copy of the decree of cour

### THE PLAN.

1. That a reputable and responsible trust company be appointed by this court to receive and hold as custodian and depositary of the court, subject to the terms and provisions of the consent decree entered in this case on February 27, 1920, all of the capital stock set out and described in Exhibit A, said trust company to be hereinafter designation.

described in Exhibit A, said trust company to be hereinafter designated as trustee.

2. All of the said capital stock shall, as soon as practicable, be assigned and delivered to the trustee hereunder.

3. The trustee shall execute, issue, and deliver to the petitioners receipts or certificates of interest respecting the shares of capital stock transferred to it hereunder by the petitioners respectively.

4. The trustee shall collect and receive all cash dividends declared by the different companies whose stock is deposited with the trustee hereunder, appertaining to the shares so held, which should be payable to the trustee as the registering stockholder entitled to such dividends. Such accumulative dividends shall go to and become the property of the purchasers of the capital stock on which such dividends have been declared.

Any interest realized or allowed by the trustee upon funds paid to it

declared.

Any interest realized or allowed by the trustee upon funds paid to it as dividends shall be applied to the payment of the compensation of the trustee and the expenses of the administration of the trust, and any balance thereof remaining unpaid after applying such interest shall be paid by the petitioners.

5. The petitioners shall have no right to vote such capital stock or any part thereof from the time it is turned over to the trustee here-

under, but such stock may be voted by the trustee under order of this honorable court.

6. These petitioners will, upon the approval of this plan by this honorable court, immediately resign all offices and positions which they may hold in the stockyard companies or stockyard terminal companies involved in this case.

bonorable court, immediately resign all offices and positions which they may hold in the stockyard companies or stockyard terminal companies involved in this case.

7. The trustee shall be entitled to reasonable compensation, the amount thereof to be approved by the court, for all services rendered by it hereunder, which compensation with all other expenses incurred hereunder shall be approved by the court and paid as provided in section 4 hereof.

8. Within 30 days after the approval of this plan by this honorable court the trustee will file with the clerk of the court a report setting forth the amount of capital stock turned over to it by the petitioners, and at monthly intervals thereafter the trustee shall file with the clerk of the court a report showing the aggregate amount of stock certificates of capital stock disposed of by the petitioners hereunder and from time to time upon the request of the Attorney General of the United States the trustee shall furnish him with any information which he may require relating to the carrying out of this decree.

9. The trustee shall be accountable for its action hereunder only in proceedings in this cause, and any order of court entered upon notice to it and to these petitioners shall be full, protection to the trustee for any action which it may take pursuant thereto, and any action so taken by the trustee shall be inding upon these petitioners. The trustee shall not be liable to anyone for deferring to take any action until instructed by the court.

10. The trustee is hereby authorized to treat all funds deposited hereunder as general deposits and to allow interest thereon.

11. The trustee shall be subject to removal by the court in its discretion, and in the event of such removal the court shall appoint another trustee.

Petitioners pray that the foregoing plan be approved and that the decree of this court be entered to carry the same into effect.

EDWARD MORRIS. NELSON MORRIS. NELSON MORRIS.
D. H. MACFARLANE.
L. H. HEYMANN,
H. A. TIMMINS.

By M. W. Borders, Solicitor for Petitioners.

[In the Supreme Court of the District of Columbia. United States of America, petitioner, v. Swift & Co. et al., defendants. In Equity No. 37623.]

This cause coming on to be heard upon the petition of Edward Morris, Nelson Morris, C. M. Macfarlane, L. H. Heymann, and H. A. Timmins, filed February 8, 1921, submitting a plan for the sale and disposition of their capital stock and holdings in stockyards and stockyard terminal railways under the decree filed herein on the 27th day of February, 1920, now upon said petition the objections of the petitioner thereto filed herein on the 16th day of February, 1921, and upon oral argument of said plan and objections had herein on the 24th and 28th days of February, 1921, whereupon the matter was taken under advisement and npon due consideration thereof it is on this 2d day of March, 1921, Ordered, adjudged, and decreed that said plan be, and the same is hereby, approved: Provided, however, That no sale of more than 250 shares of any of the stock mentioned in said plan shall be made without first giving to the petitioner notice of such proposed sale and not then without the approval of the court, if within five clear days after

the receipt of said notice by the petitioner it shall file objections to such proposed sale; and further

Ordered, adjudged, and decreed that the defendants shall not consummate any sale of any of said stock, irrespective of the amounts thereof, without first filing in court in this cause an affidavit of the actual purchaser of said stock, which affidavit shall be entitled in this cause, setting forth that said purchaser is making the purchase for himself and not for any of the defendants in this action; that none of said defendants has any interest whatever in said purchase; that said purchaser is not in any manner connected with or related to, by blood or marriage, any of the individual defendants in this action, and that he has no connection with or interest in any of the corporation defendants in this action; and further

Ordered, adjudged, and decreed by the court that the said defendants, and each of them, shall proceed with due diligence to sell their respective interests at their fair and reasonable value, and in case some can not be so disposed of within one year from date hereof, said defendants shall make a showing to this court of the diligence used and the best offers received for said stocks, and may obtain from the court such extension of time as the court may prescribe for the disposition of same or any part thereof not disposed of within said time, in accordance with the provisions of said plan; and further

Ordered, adjudged, and decreed that said plan is further modified so that it shall provide that after making its report within 30 days from the date of the entry of this order the trustee need not report every 30 days thereafter, but must report only when sales are made or when requested to make report either by the court or the Attorney General; and further

Ordered, adjudged, and decreed that the Munsey Trust Co., in the

requested to make report closes and further and further Ordered, adjudged, and decreed that the Munsey Trust Co., in the District of Columbia, is hereby appointed to act as trustee herein.

The annexed form of affidavit is hereby approved.

Wendell C. Stafford, Justice.

, being duly sworn, says I reside at — Street. I am the actual purchaser in good faith of — shares evidenced by certificate — of the — company heretofore standing in the 

I am not acting for or on behalf of any of the defendants or of any of the stockholders of the corporation defendants or in concert, agreement, or understanding with any of them. Mr. HAUGEN. Mr. Chairman, my understanding is that a

point of order was made, although there are others who desire to go on this evening if such a point should not be made. I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. Towner, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 6320) to regulate interstate and foreign commerce in live-stock products, dairy products, poultry, poultry products, and eggs, and for other purposes, and had come to no resolution thereon.

### LEAVE OF ABSENCE.

Mr. FAIRFIELD, by unanimous consent, was granted leave of absence on account of important business.

EXCLUSION OF REMARKS.

Mr. CONNALLY of Texas. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CONNALLY of Texas. What is the parliamentary procedure by which remarks, delivered in the Committee of the Whole House, that do not come within the rule as reflecting on any individual, but reflect on the dignity and honor of the country, may be stricken out in the House? Does it simply require a motion or does it require a resolution? I will state that my inquiry is prompted by the fact that while we were sitting in the Committee of the Whole House on the state of the Union this afternoon we were treated to one of the most scan-

dalous, if not—
Mr. BLANTON. Treasonable—
Mr. CONNALLY of Texas. I will not use that language. I will say a most disgraceful reflection on the course the American Government and American people pursued during the World War that has lately come to an end. If there is no way under the rules of this House by which it can protect itself and the dignity and the honor of the country from such a slimy, slanderous, disgraceful, outrageous assault as was made by the gentleman from Illinois [Mr. MICHAELSON]-and that language is used only because parliamentary law requires its use-if there is no way by which the House and the country can be protected from these outrageous slanders on its dignity and its honor, there ought to be some way by which the House can exclude from its Record this slimy exudation [applause] of one who is not worthy to sit in this Chamber.

The SPEAKER. The Chair thinks that is not a parliamen-

Mr. CONNALLY of Texas. The parliamentary inquiry was, What method should be pursued by which these remarks can be

The SPEAKER. The Chair, in order to give information as to what can be done-

Mr. CONNALLY of Texas. I move that the remarks delivered by the gentleman from Illinois [Mr. MICHAELSON] in the Committee of the Whole House on the state of the Union be excluded from the RECORD. That will raise a parliamentary in-

The SPEAKER. Of course, if no point of order is made-Mr. HAUGEN. The point of no quorum was made.

Mr. COOPER of Wisconsin. Mr. Speaker, I make the point of order. I do not know what the motion is. The Speaker suggested a point of order would lie, and so I make it.

The SPEAKER. The gentleman asks whether it was in order or not, and the Chair said it was in order if no point of order

Mr. CONNALLY of Texas. A point of order that has no point

is no point of order.

Mr. GARNER. Mr. Speaker, it seems that the gentleman from Texas [Mr. Connains], my colleague, was merely trying to ascertain what the procedure would be, in order that he might preserve his right to-day to move to strike the remarks from the RECORD. The Chair, of course, will take cognizance of it, even in the absence of a quorum, even if the point of order is made. My colleague was merely undertaking to preserve whatever right he had at this time to protect the RECORD against the remarks that might be made against the honor of the Nation. That is what I understood the nature of his inquiry to the Chair to be.

The SPEAKER. Of course, the only time such action could be taken would be before the RECORD is printed to-morrow.

Mr. GARNER. That is what occurred to me, and I was thinking if they made a point of no quorum, and an adjournment was taken, there would be no chance to protect the RECORD against the statements made by the gentleman from Illinois [Mr. MICHAELSON].

Mr. CONNALLY of Texas. Mr. Speaker, is it not true that under the rules of the House the Speaker has jurisdiction to control the RECORD, and in case a point of order is made can exercise the right to withhold those remarks until the House

can take action in that regard? The SPEAKER. The Chair does not think the Speaker has such control of the Record as would justify him in keeping a speech out of the RECORD.

### ADJOURNMENT.

Mr. HAUGEN. Mr. Speaker, I move that the House do now

The motion was agreed to; accordingly (at 5 o'clock and 10 minutes p. m.) the House adjourned until to-morrow, Friday, May 27, 1921, at 12 o'clock noon.

### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows

Mr. HICKS, from the Committee on Naval Affairs, to which was referred the bill (H. R. 6297) authorizing the construction of an airplane carrier for the Navy of the United States, reported the same without amendment, accompanied by a report (No. 100), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MILLER, from the Committee on Military Affairs, to which was referred the bill (H. R. 1475) providing for a grant of land to the State of Washington for a biological station and general research purposes, reported the same without amendment, accompanied by a report (No. 101), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. McKENZIE, from the Committee on Military Affairs, to which was referred the bill (H. R. 204) to amend the Army appropriation act, approved July 11, 1919, so as to release appropriations for the completion of the acquisition of real estate in certain cases and making additional appropriations therefor, reported the same with amendments, accompanied by a report (No. 102), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

## CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 5803) granting an increase of pension to Alonzo Sidman, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS,

Under clause 3 of Rule XXII, bills, resolutions and memorials were introduced and severally referred as follows:
By Mr. FORDNEY: A bill (H. R. 6640) to amend section 4a

of the act of Congress approved June 4, 1920; to the Committee

on Military Affairs.

By Mr. JEFFERIS: A bill (H. R. 6641) to reimburse the Western Union Telegraph Co. for damages sustained to its telegraph line along the Missouri Pacific Railroad right of way between Kansas City and Nearman, Kans.; to the Committee on

By Mr. CONNALLY of Texas: A bill (H. R. 6642) to repeal section 15a of the interstate commerce act as amended by section 422 of the transportation act of 1920; to the Committee on Interstate and Foreign Commerce.

By Mr. HAYS: A bill (H. R. 6643) relating to hotel charges in the District of Columbia; to the Committee on the District of

Columbia.

By Mr. KINKAID: A bill (H. R. 6644) to amend the act entitled "An act to grant a certain parcel of land, part of the Fort Robinson Military Reservation, Nebr., to the village of Craw-ford, Nebr., for park purposes," approved June 25, 1906; to the Committee on Military Affairs.

By Mr. SUTHERLAND; A bill (H. R. 6645) to amend section 27 of the act entitled "An act to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes," approved June 5, 1920; to the Committee on the Merchant Marine and Fisheries.

By Mr. TINKHAM: A bill (H. R. 6646) to reimburse the Commonwealth of Massachusetts for expenses incurred in protecting bridges on main railroad lines and under direction of the commanding general Eastern Department, United States Army, and the commandant navy yard, Charlestown, Mass.; to

the Committee on Claims.

By Mr. WILLIAMS: A bill (H. R. 6647) to amend an act entitled "An act to provide a civil government for Porto Rico, and for other purposes," approved March 2, 1917; to the Committee on Insular Affairs.

By Mr. KNUTSON: A bill (H. R. 6648) authorizing the appointment of an additional judge for the district of Minnesota;

to the Committee on the Judiciary.

By Mr. WHITE of Maine: A bill (H. R. 6649) to validate the revocation of discharge orders of certain officers of the National Guard and the orders restoring such officers to their former rank and command, and for other purposes; to the Com-

mittee on Military Affairs.

By Mr. ZIHLMAN: A bill (H. R. 6650) providing additional terminal facilities in square east of 710 and square 712 in the District of Columbia, for freight traffic; to the Committee on

the District of Columbia.

By Mr. RAKER: A bill (H. R. 6651) to provide for the consolidation of forest lands in the Tahoe National Forest, Calif.,

and for other purposes; to the Committee on the Public Lands, By Miss ROBERTSON: A bill (H. R. 6652) to extend the time for the construction of a bridge across the Arkansas River, in Muskogee County, Okla.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 6653) to extend the time for the construction of a bridge across the Arkansas River at a point near Webbers Falls in Muskogee County, Okla.; to the Committee on Interstate and Foreign Commerce.

By the SPEAKER (by request): Memorial of the Legislature of the Territory of Hawaii, favoring an appropriation for a soldiers' home in the Territory of Hawaii; to the Committee

on Military Affairs.

By Mr. ANSORGE: Joint resolution (H. J. Res. 134) granting consent of Congress to the States of New York and New Jersey to enter into the agreement for the establishment of "the port of New York authority"; to the Committee on the Judiclary.

By Mr. KIESS: Concurrent resolution (H. Con. Res. 18) providing for the publication of a vest-pocket edition of the Congressional Directory; to the Committee on Printing.

Also, concurrent resolution (H. Con. Res. 19) providing for the publication of a compendium showing the status of legislation of Congress; to the Committee on Printing.

# PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions

were introduced and severally referred as follows:

By Mr. ANTHONY; A bill (H. R. 6654) granting a pension to
Betty Dobson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6655) granting a pension to Marietta
Bishop; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6656) for the relief of Mary Bogner; to the Committee on Claims.

By Mr. CROWTHER: A bill (H. R. 6657) granting an increase of pension to Mary A. Gibbons; to the Committee on Invalid Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 6658) granting a pension to Edgar Johnson; to the Committee on Invalid Pensions. By Mr. HAYS: A bill (H. R. 6659) for the relief of U. S.

Davis; to the Committee on Claims.

By Mr. JEFFERIS: A bill (H. R. 6660) granting an increase of pension to Fanny E. Cade; to the Committee on Invalid

By Mr. KELLY of Pennsylvania: A bill (H. R. 6661) granting a pension to Jennie Fleming; to the Committee on Pensions. By Mr. LUCE: A bill (H. R. 6662) granting a pension to

Adoniram J. Edwards; to the Committee on Invalid Pensions. By Mr. LUHRING: A bill (H. R. 6663) to make a preliminary survey of the Wabash River in Illinois and Indiana with a view to the control of its floods; to the Committee on Flood Control.

By Mr. ROSE: A bill (H. R. 6664) for the relief of Martha D. McCune; to the Committee on Military Affairs.

By Mr. TAYLOR of Colorado: A bill (H. R. 6665) for the relief of Daniel Sheets, deceased; to the Committee on Military

By Mr. WARD of North Carolia: A bill (H. R. 6666) to restore Sally A. Carney, widow of John H. Carney, to the pension roll; to the Committee on Pensions.

Also, a bill (H. R. 6667) granting a pension to Josephus S.

Ambrose; to the Committee on Invalid Pensions.

By Mr. WATSON: A bill (H. R. 6668) authorizing the Secreof War to donate to the borough of Schwenksville, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.
Also, a bill (H. R. 6669) authorizing the Secretary of War

to donate to the borough of Morrisville, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WOOD of Indiana: A bill (H. R. 6670) granting a pension to Mary J. Thompson; to the Committee on Invalid Pensions.

By Mr. ZIHLMAN: A bill (H. R. 6671) to reimburse William C. Hann for property destroyed by an automobile truck operated by the Post Office Department; to the Committee on Claims,

# PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

955. By Mr. ARENTZ: Resolutions of the Darrell Dunkle Post, No. 1, American Legion, Reno, Nev., and from the Churchill Post, No. 16, the American Legion, of Fallon, Nev., for the relief of the disabled soldiers, sailors, and marines of America; to the Committee on Interstate and Foreign Com-

956. By Mr. BARBOUR: Petition of the Kings County Chamber of Commerce, urging appropriation for the purchase of the vineyards near Fresno and Oakville, Calif.; to the Committee on Appropriations.

957. Also, petition of the Business Men's Club of Corcoran, Calif.; Corcoran (Calif.) Post, No. 144, American Legion; and Corcoran (Calif.) Chamber of Commerce, urging legislation for the relief of the disabled soldiers; to the Committee on Interstate and Foreign Commerce.

958. By Mr. BURTON: Resolution adopted by the Women's Auxiliary to Albert E. Baesel Post, No. 91, Berea, Ohio, favoring the program of legislation asked for by the American Legion of the Sixty-seventh Congress in the interest of disabled sol-diers, sailors, and marines, and praying for the support of the five bills involved; to the Committee on Interstate and Foreign Commerce.

959. Also, petition of divers citizens of Cleveland, Ohio, praying for recognition of the Irish republic; to the Committee on Fereign Affairs.

960. Also, memorial of sundry citizens of Parma Heights, Ohio, and citizens of Chardon, Ohio, favoring the Volstead bill (H. R. 5033) and praying for its support; to the Committee on the Judiciary.

961. By Mr. BIXLER: Petitions of the Mercer County Osteo-pathic Association, Dr. W. F. Rossman, and Dr. O. O. Bashline, Grove City, Pa., protesting against the passage of the Sheppard-Towner bill, the Kenyon-Fess bill, and the Owen bill; to the Committee on Interstate and Foreign Commerce.

962. By Mr. CONNOLLY of Pennsylvania: Petition of the John Sohirski Building & Loan Association, of Philadelphia, favoring the exemption from taxation of income from building

and loan association shares to the amount of \$500; to the Committee on Ways and Means.

963. By Mr. FULLER: Petition of Parker Bros., of Salem, Mass., favoring a sales tax, etc.; to the Committee on Ways and Means.

964. Also, petition of the American Legion Auxiliary of Rockford, Ill., urging relief for the disabled soldiers; to the Committee on Interstate and Foreign Commerce.

965. Also, petition of the central field committee of the national board, Young Women's Christian Association, urging the passage of the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

966. Also, petition of rural carriers of Marseilles, Ill., for revision and increase in pay for rural letter carriers, etc.; to the Committee on the Post Office and Post Roads.

967. By the SPEAKER (by request): Petition of the Free Federation of Workingmen of Porto Rico, urging legislation for the relief of the disabled soldiers, etc.; to the Committee on

Interstate and Foreign Commerce. 968. By Mr. KNUTSON: Petitions of A. Krapf, Luling, Tex.; Charles A. Fountain, Bay View, Va.; L. C. Bowe, Cambridge, Mass.; John C. Anderson, Collinsville, Ala.; T. E. Britt, Lincoln, Nebr.; Charles E. Coats, Auburn, Iowa; Oscar E. Calstrom, Aledo, Ill.; E. R. Lafferty, Hood River, Oreg.; Edward F. Lang, Ridgefield, Conn.; John S. Marshall, Olive Hill, Ky.; Walter N. Wheeler, Cave Spring, Ga.; John B. White, Primrose, Iowa; Will C. Staker, Beatrice, Nebr.; Emil P. Yager, Mariposa, Calif.; Cora A. Thompson, senior vice president general, Ladies' Auxiliary, United Spanish War Veterans, Portland, Oreg.; John A. Jenkins, Toledo, Ohio; James F. Byram, Toledo, Ohio; Frank F. Hess, Toledo, Ohio; Edward A. Schwager, Toledo, Ohio; John Jenz, Toledo, Ohio; Richard Brandt, Baraboo, Wis.; David S. King, Mount Nebo, W. Va.; H. A. Stone, chaplain Leslie F. Hunting Camp, United Spanish War Veterans, Cambridge, Mass.; August J. Rick, commander Clarence Miller Camp, No. 5, United Spanish War Veterans, Winona, Minn.; John R. Bennett Camp, No. 41, United Spanish War Veterans, Muskegon, Mich.; Martin Kenny, junior vice commander United Spanish War Veterans, Department of Wisconsin, Oshkosh, Wis.; Guy V. Henry Camp, No. 3, United Spanish War Veterans, Grand Rapids, Mich.; Dr. E. Hawkins, Greencastle, Ind.; Seymour Howell Camp, No. 6, United Spanish War Veterans, Adrian, Mich.; Magruder Andrews, Macon, Ga.; Ensign Bagley Camp, No. 30, United Spanish War Veterans, Pasadena, Calif.; Department of New Spanish War Veterans, Pasadena, Calif.; Department of New Jersey, United Spanish War Veterans, Newark, N. J.; Frederick Funston Camp, No. 18, United Spanish War Veterans, Home Lake, Colo.; William J. S. Dineen, past commander Lieutenant Clinton Lowden Whiting Post, No. 59, Veterans of Foreign Wars, New York City; G. T. Taylor, Norfolk, Va.; William Tiffany Camp, No. 4, Department of Maine, United Spanish War Veterans; Egbert Cincinnatius Auxiliary, No. 11, United Spanish War Veterans, Cincinnati, Ohio; F. B. Dodds, Lawrence, Kans.; Martha Washington Auxiliary, No. 1, United Spanish War Veterans, Oshkosh, Wis.; Norman W. Crosby Camp, No. 37, Department of New York, United Spanish War Veterans; Lee Forby Camp, No. 1, United Spanish War Veterans Veterans; Lee Forby Camp, No. 1, United Spanish War Veterans, Omaha, Nebr.; John H. Albert, Bridgeport, Conn.; John Jacob Astor Camp, No. 6, United Spanish War Veterans, Washing-ton, D. C.; I. P. Besser, Bridgeport, Conn.; C. A. Turner, com-missioner of safety, Everett, Wash.; Mary E. Frank, past president Department of Ohio Auxiliary, United Spanish War Veterans; W. S. Buttrick, Green Bay, Wis.; 40 members of Bagley Camp, No. 41, United Spanish War Veterans, Chicago, Ill.; Herbert D. Gage, Traverse City, Mich.; Charles E. King, Brooklyn, N. Y.; John Wannebo Camp, No. 9, United Spanish War Veterans, Everett, Wash.; and John Barlow Camp, No. 6, United Spanish War Veterans, Vancouver, Wash., favoring the passage of House bill No. 4; to the Committee on Pensions.

969. By Mr. LUFKIN: Petition of Woman's Auxiliary, Unit

No. 3, American Legion, Gloucester, Mass., indorsing legislation asked for by the American Legion of the Sixty-seventh Congress in the interest of the disabled soldiers, sailors, and marines; to the Committee on Interstate and Foreign Commerce.

970. Also, petition of Women's Auxiliary Unit, the American Legion, South Hamilton, Mass., indorsing legislation asked for by the American Legion of the Sixty-seventh Congress in the interest of the disabled soldiers, sailors, and marines; to the Committee on Interstate and Foreign Commerce.

971. By Mr. MEAD: Memorial of the National Automobile Chamber of Commerce, substantiating that increased tariff results in an artificially high price for crude aluminum; to the Committee on Ways and Means.

972. Also, memorial of Farrar & Trefts, of Buffalo, N. Y., opposing the tariff on graphite; to the Committee on Ways and

973. By Mr. MURPHY: Memorial of the Woman's Christian Temperance Union, of Salem, Ohio, praying that consideration of Army and Navy appropriation bills be deferred until after the proposed international conference for world disarmament;

to the Committee on Appropriations.

974. By Mr. RAKER: Letter from the Northern California Publishing Co., protesting against the repeal of the zone postal rate on second-class mail matter; to the Committee on the Post Office and Post Roads. Letter from C. W. Hallowell, urging that the 1-cent drop-letter rate for cities and towns be established; to the Committee on the Post Office and Post Roads. Letter from M. S. Franzini, of Truckee, Calif., urging the repeal of section 628, revenue act of 1918, 10 per cent sales tax; to the Committee on Ways and Means.

975. Also, petition of the Protestant Legion of America, Los Angeles, Calif., indorsing and urging the passage of the Towner bill; to the Committee on Education. Telegram from the California Wholesale Grocers' Association, urging support of House bill 2888; to the Committee on Agriculture. Letter from the system board of adjustment, B. of R. and S. Clerks, of San Francisco, Calif., together with resolution relative to the proposed wage reduction by the Southern Pacific Co.; to the Com-

mittee on Interstate and Foreign Commerce.

976. Also, letter from Mebius & Drescher Co., of Sacramento, protesting against House bill 2373; to the Committee on Agri-culture. Resolution adopted by the Nevada City Chamber of Commerce, Nevada City, Calif., urging the amending of the transportation act of 1920; to the Committee on Interstate and Foreign Commerce. Resolution by Kings County Chamber of Commerce, of California, urging appropriation for the purchase and maintenance of experimental vineyards in California; to the Committee on Appropriations. 977. By Mr. SINCLAIR: Petition of the Women's Auxiliary of

American Legion, Washburn, N. Dak., favoring passage of legislation for relief of the disabled soldiers, etc.; to the Committee

on Ways and Means.

978. Also, petition of the National Consumers' League, urging Congress to continue undiminished the present powers of the Federal Trade Commission; to the Committee on Interstate and

Foreign Commerce.

979. By Mr. STINESS: Memorial of the Rhode Island Congregational Conference, urging that the President of the United States and Congress take the initiative in calling an international convention for the delimitation of armaments; to the Committee on Foreign Affairs.

980. Also, memorial of the women's committee on schools of Providence, R. I., urging the passage of the Towner education bill; to the Committee on Education.

981. By Mr. TINKHAM: Petitions of the Knights of Colum-

bus of Boston, Mass., Massachusetts State council, and citizens of Roxbury and Boston, Mass., urging the recognition of the Irish

republic; to the Committee on Foreign Affairs.

982. By Mr. WATSON: Resolutions presented by the Haverford Forum and from the Montgomery County committee, the Pennsylvania League of Women Voters, in favor of international conference looking toward disarmament; to the Committee on Foreign Affairs.

983. By Mr. WYANT: Petition of citizens of Butler, Pa., protesting against the passage of the Capper-Fess education

bill; to the Committee on Education.

984. By Mr. YATES: Petition of Carl G. Weiss, of the Vulcan Detinning Co., Streator, Ill., advocating a duty on all tin chlorides should a duty be imposed on tin; to the Committee on Ways and Means.

# SENATE.

FRIDAY, May 27, 1921.

(Legislative day of Thursday, May 26, 1921.)

The Senate met at 12 o'clock meridian, on the expiration of

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed a bill (H. R. 6300) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill (S. 1984) to provide a national budget system and an independent audit of Government accounts, and for other purposes.

PETITIONS AND MEMORIALS.

Mr. LADD presented a resolution of Masonic Lodge No. 108. Ancient Free and Accepted Masons, of Crosby, N. Dak., favoring the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

He also presented a resolution of the North Dakota State Federation of Labor, of Fargo, N. Dak., favoring the enactment of legislation for the recognition of the Irish republic, which

was referred to the Committee on Foreign Relations,

He also presented two petitions of the Pierce County Farm Bureau, and sundry citizens of Rugby, N. Dak., praying for the enactment of the so-called French-Capper truth in fabric bill, which were referred to the Committee on Agriculture and Forestry

Mr. HARRIS presented letters in the nature of petitions of the Southern Fertilizer & Chemical Co., the Savannah Guano Co., and the Reliance Fertilizer Co., all of Savannah, Ga., praying for the enactment of legislation reducing freight rates on fertilizers, which were referred to the Committee on Inter-

state Commerce.

He also presented a resolution adopted at a meeting of the Farm Bureau of Tift County, held on May 21, 1921, at Tifton, Ga., favoring the enactment of legislation reducing the high freight and passenger rates, which was referred to the Committee on Interstate Commerce.

Mr. NELSON presented a petition of the Farmers' State Bank, of Goodridge, Minn., praying for the enactment of legislation amending the Federal farm loan act so that Federal farm loans can be negotiated at any bank, etc., which was referred to the Committee on Banking and Currency.

Mr. CAPPER presented a petition of sundry citizens of Salina, Kans., praying for the enactment of legislation to prohibit gambling in grain and other agricultural products, which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution of Fidelity Grange, No. 1624, of Ottawa, Kans., favoring the enactment of legislation to prohibit gambling in grain and other agricultural products, which was referred to the Committee on Agriculture and Forestry.

He also presented five resolutions of sundry citizens of Gardner, Egerton, Eudora, Olathe, Wellsville, and Baldwin, all in the State of Kansas, favoring the enactment of legislation for the recognition of the Irish republic, which were referred to the Committee on Foreign Relations.

He also presented a resolution of the Hutchinson Rotary Club, of Hutchinson, Kans., favoring the enactment of legislation providing adequate relief for disabled ex-service men, which was referred to the Committee on Finance.

Mr. MYERS presented a memorial of sundry citizens of Yellowstone County, Mont., remonstrating against the enactment of legislation increasing the tariff duty on imported wrapper tobacco, which was referred to the Committee on Finance.

Mr. SHEPPARD presented three petitions of sundry citizens of Coleyville, Wolfe City, and Longview, all in the State of Texas, praying for the enactment of leigslation to prohibit gambling in grain and other agricultural products, which were referred to the Committee on Agriculture and Forestry.

Mr. OWEN presented 19 petitions of sundry citizens of Byers, Collinsville, Purcell, Isabella, Hoover, Davis, Hennepin, Parker, Wynne Wood, Braggs, Muskogee, Enid, Lahoma, Drummond, Hunter, Garber, Kaw City, Uncas, Ponca City, Bigheart, Glencoe, Texanna, Poteau, Kingfisher, Cashion, Piedmont, Lockridge, Wainwright, Orlando, Perry, Guthrie, Morrison, Saltfork, Billings, Porum, Okemali, and Pryor, all in the State of Oklahoma, praying for the enactment of legislation to prohibit gambling in grain and other agricultural products, which were referred to the Committee on Agriculture and Forestry.

### NAVAL BASES ON PACIFIC COAST.

Mr. SHORTRIDGE. Mr. President, I ask unanimous consent that there be printed in the Record a few only of many telegrams in the nature of expressions of opinion of citizens of California concerning the naval program, the subject matter under discussion. The telegrams which I ask to have printed in the RECORD urge immediate action by the United States in approving preparations recommended by the Navy Department in the establishment of naval bases on the Pacific coast, together with the enlargement of bases already in operation.

There being no objection, the telegrams were ordered to lie

on the table and to be printed in the Record, as follows:

OAKLAND, CALIF., May 26, 1921.

Hon. Samuel M. Shortridge, United States Senate, Washington, D. C.:

We feel very much concerned over recent action in Senate in respect to naval development on the Pacific. Alameda item should not be killed by the false charge that it is a real-estate deal. This site was

selected by the various naval commissions. It was given to the Government by the city of Alameda on approval of State legislature. The only adjoining lands affected belong to the University of California. We feel that it is proper to insist that you make every effort to have a reconsideration on the ground that all things essential to the defense of the Nation should be given first consideration.

San Francisco Chamber of Commerce, by George C. Boardman, vice president; Livermore Chamber of Commerce; Hayward Chamber of Commerce, by A. W. Beam, president; Oakland Merchants Exchange, by I. H. Spiro, president; Pleasanton Chamber of Commerce, by C. Letham, president; Central Labor Council of Alameda County, by E. S. Hurley, president William A. Spencer, secretary; Building Trades Council of Alameda County, by S. J. Donohue; Oakland Chamber of Commerce, by J. H. King, president.

LOS ANGELES, CALIF., May 17, 1921.

Hon. S. M. Shortridge, United States Senate, Washington, D. C.:

Highland Park Chamber of Commerce, Los Angeles, Calif., requests you stand without compromise for full naval program favoring Pacific coast, for its protection and development.

L. V. Shephard, Secretary.

LOS ANGELES, CALIF., May 19, 1921.

Hon. Samuel M. Shortridge, United States Senate, Washington, D. C.:

As commander of the United Spanish War Veterans of the State of California, I respectfully urge your support for adequate appropriations for needed naval bases on the Pacific coast as set forth in the report of the joint committee of the Senate and House of Representatives.

R. Morgan Galerette,

Commander Department of California,

607 Citizens' National Bank Building.

Los Angeles, Camber Senator Samuel M. Shortridge, Senate, Washington, D., C.:

We, Southern California Council, Daughters of the American Revolution, in regular monthly session assembled, do by unanimous vote respectfully urge your honorable body to approve without delay the appropriations recommended for the construction of needed naval bases on the Pacific coast as set forth in the reports of the joint committee of the Senate and House of Representatives.

Mrs. W. H. Anderson,
Mrs. Lyman Stooket, Vice Regent,
Mrs. W. E. Labry, Secretary,
Mrs. J. F. Kent,
Committee.

Miss Helen Wing.

Calif., May 19, 1921.

Senator Samuel M. Shortridge, Senate, Washington, D. C.

Dear Sir: We, the Los Angeles Federation, Tenth District, California Congress of Mothers and Parent-Teacher Associations, representing 20,600 men and women of Los Angeles, in executive board session this 18th day of May, voted to petition your honorable body to approve without delay the appropriations recommended for construction of needed naval bases on Pacific coast as set forth in report of joint committee of Senate and House of Representatives.

Very sincerely, yours,

Mrs. E. Flytcher, Scott.

Mrs. E. FLETCHER SCOTT, Corresponding Secretary.

WORLD WAR VETERANS, VETERANS OF ALL ALLIED NATIONS, Long Beach, Calif., May 16, 1921.

The Kitchener Post, World War Veterans, in meeting assembled, unanimously adopted the following resolution: That—
Whereas we veterans of the World War, fully alive to the horrors and devastation caused in the great struggle, believe that at this period of the world's affairs the greatest surety of peace is to be prepared against aggression, and in view thereof would earnestly urge that the representatives of this people in the legislative halls in Washington unite in a vigorous effort to carry out the present coast-defense program and keep the Pacific Fleet intact on this coast.

That this resolution be forwarded to our representatives in Washington, with the assurance that we to a man will support them in this determination, and if necessary, again go over the top.

On the same evening this resolution was thrown on the screen at Loew's State Theater, which held a capacity house, and on a vote being called it was adopted unanimously.

On behalf of the World War Veterans, Kitchener Post, Long Beach.

Edward P. Balley, Commander.

Mr. SHORTRIDGE. I have also, Mr. President, a great

Mr. SHORTRIDGE. I have also, Mr. President, a great many other telegrams and letters which I ask merely to file and to have noted in the RECORD. They likewise come from citizens of California and are along the same line as those printed in the RECORD, expressive of the views of the senders touching the naval program.

The VICE PRESIDENT. Without objection, the telegrams

will be received and lie on the table.

The petitions, memorials, letters, and telegrams presented by Mr. Shortridge were from the following citizens of the State of California, urging immediate action by Congress in approving preparations recommended by the Navy Department in the establishment of naval bases on the Pacific coast, with the enlargement of bases already in operation:

C. W. Kirk, secretary Santa Barbara Chamber of Commerce; Santa Ana Chamber of Commerce: Burbank Chamber of Commerce; Oxnard Chamber of Commerce; Benecia Chamber of | ment and submitted a report (No. 82) thereon.

Commerce; Newport Beach Chamber of Commerce; San Fernando Chamber of Commerce; W. J. Hamilton, chairman Alameda supervisors, Oakland; John F. Connors, Oakland Enquirer, Oakland; P. J. Buller, National Association Stationary Engineers; Frank James, president Los Angeles Bar Associa-tion; National City Co. of California, Washington, D. C.; Electric Club, Los Angeles; Produce Exchange of Los Angeles; Merchants' and Manufacturers' Association, Los Angeles; Hollywood Business Men's Club, Los Angeles; S. L. Berkeley, mayor, and city council, of Santa Monica; Orange County Harbor Association; John G. Bullock, Los Angeles; Boyle Workman, president city council, Los Angeles; Los Angeles Commercial Service, Los Angeles; Harold E. Shugart, 144 South. Gramercy Place; Los Angeles; petition No. 1, with 16 signatures, from Los Angeles; petition No. 2, with 7 signatures, from petition No. 8, with 25 signatures, from Los Angeles; petition No. 9, with 53 signatures, from Los Angeles; petition No. 10, with 18 signatures, from Los Angeles; petition No. 11, with 8 signatures, from Los Angeles; petition No. 12, with 7 signatures, from Los Angeles; petition No. 13, with 27 signatures, from Los Angeles; petition No. 14, with 15 signatures, from Los Angeles; petition No. 15, with 3 signatures, from Los Angeles; petition No. 16, with 72 names, from Los Angeles; petition No. 17, with 54 names, from Los Angeles; petition No. 18, with 54 names, from Los Angeles; petition No tion No. 17, with 54 names, from Los Angeles; petition No. 18, with 9 signatures, from Los Angeles; petition No. 19, with 23 signatures, from Los Angeles; petition No. 20, with 51 names, from Los Angeles; petition No. 21, with 66 names, from Los Angeles; petition No. 22, with 57 names, from Los Angeles; petition No. 23, with 32 names, from Los Angeles; petition No. 24, with 32 signatures, from Los Angeles; petition No. 25, with 60 names, from Los Angeles; petition No. 26, with 5 names, from Los Angeles; petition No. 27, with 26 names, from Los Angeles; petition No. 28, with 3 names, from Los Angeles; petition No. 29, with 48 names, from Los Angeles; petition No. 30, with 12 names, from Los Angeles; petition No. 31, with 56 names, from Los Angeles; petition No. 32, with 9 names, from Los Angeles; petition No. 33, with 25 names, from Los Angeles; petition No. 34, with 146 signatures, from Los Angeles. On these 34 petitions there appear a total of 945 signatures. Letter from 34 petitions there appear a total of 945 signatures. Letter from J. E. Morrison, 200 Pacific Finance Building, Los Angeles; letter from Nathaniel F. Vose, Ojai, Ventura County; letter from Ethel B. Perry, 5701 Fifth Avenue, Los Angeles; letter from Francis and Marion Holmes, box 71, Carlsbad; card from Jesse M. Emerson, 106 West Third Street, Los Angeles.

### REPORTS OF COMMITTEES.

Mr. SMOOT, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 387) granting certain public lands to the city of Phoenix, Ariz., for municipal purposes, reported it with an amendment and submitted a report (No. 76) thereon.

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 488) providing for an exchange of lands between the Swan Land & Cattle Co. and the United States (Rept. No. 77);

A bill (S. 530) to quiet title to certain tracts of land in the city of Walters, State of Oklahoma (Rept. No. 78); and

A bill (H. R. 5223) to exempt from cancellation certain desert-land entries in Riverside County, Calif. (Rept. No. 79). Mr. KELLOGG, from the Committee on Interstate Commerce, to which was referred the bill (S. 621) to amend section 206 (c) of an act entitled "An act to provide for the termination of Federal control of railroads and systems of transportation; to provide for the settlement of disputes between carriers and their employees; to further amend an act entitled 'An act to regulate commerce, approved February 4, 1887, as amended, and for other purposes," approved February 28, 1920, reported it with amendments and submitted a report (No. 80) thereon.

Mr. NELSON, from the Committee on the Judiciary, to which was referred the bill (S. 1288) to provide for the appointment of one additional judge of the District Court of the United States for the Southern District of New York, reported it with-

out amendment and submitted a report (No. 81) thereon.

Mr. KENDRICK, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 671) to add certain lands to the Ashley National Forest, reported it with an amend-

He also, from the same committee, to which was referred the bill (H. R. 2428) granting certain lands to Converse County, Wyo., for a public park, reported it without amendment and submitted a report (No. 83) thereon.

Mr. CALDER, from the Committee on Commerce, to which was referred the bill (S. 1890) authorizing the Secretary of Commerce to establish in the National Bureau of Standards a division to be known as the division of construction and housing, reported it without amendment and submitted a report (No. 84) thereon.

He also, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 80) directing the Committee on Education and Labor to investigate the recent acts of violence in the coal fields of West Virginia and adjacent territory and the causes which led to the conditions which now exist in said territory, reported it with an amendment.

He also, from the same committee, to which was referred the resolution (S. Res. 67) authorizing the Committee on Expenditures in the Executive Departments to hold hearings here or elsewhere and to employ a stenographer to report the same,

reported it with amendments. He also, from the same committee, to which were referred the following resolutions, reported them severally without amend-

ment:

S. Res, 50. Resolution providing for the appointment of a select committee to investigate all bureaus and agencies of the Government dealing with the welfare of the veterans of the World War;

S. Res. 68. Resolution authorizing the Committee on the District of Columbia to employ an additional clerk;

S. Res. 71. Resolution authorizing the Committee on Interoceanic Canals to hold hearings and to employ a stenographer to report the same; and

S. Res. 79. Resolution directing the Secretary of the Senate to pay to Martha Thomas, widow of George W. Thomas, late an employee of the Senate in the Senate garage, a sum equal to six months' pay.

He also, from the same committee, to which was referred the concurrent resolution (S. Con. Res. 4) proposing to create a joint commission of agricultural inquiry, which shall consist of five Senators to be appointed by the President of the Senate and five Representatives to be appointed by the Speaker, reported it without amendment.

### PRESIDENT HARDING'S ADDRESS AT HOBOKEN, N. J.

Mr. CALDER. Mr. President, on Monday of this week it was my privilege to accompany the President to four different gatherings in New York City and vicinity, where he delivered addresses which, in my humble opinion, will rank with the public utterances of any President of the United States. The most notable one of these, to my mind, was that delivered at Hoboken, where he attended the funeral exercises for 5,000 soldiers who made the supreme sacrifice in the Great World War. He spoke in the presence of the dead, and his address was the most inspiring it has ever been my privilege to hear. I was deeply impressed by it and have read it over many times since. I feel that it ought to be preserved in the records of this body, and I ask therefore that unanimous consent be granted for printing the address in the Congressional Record of to-day.

The PRESIDENT pro tempore. Is there objection to the

request of the Senator from New York?

Mr. HARRISON. Mr. President, I am not going to object, but I think following that, because it was a very splendid address, there should be incorporated in the Record the speech of Col. George Harvey that he made in London recently, where he took issue with the President as to the reasons for our going into the war. So I couple with the Senator's request a request for unanimous consent that Col. Harvey's speech be printed in the RECORD also.

Mr. CALDER. The Senator may make his own request for

that if he desires

The PRESIDENT pro tempore. The Chair is of the opinion that the request of the Senator from New York is not an amendable proposition and must be considered separately. there objection to the request of the Senator from New York? The Chair hears none, and it is so ordered.

The President's address is as follows:
"Officers and veterans of the American Army: I have come to-day thinking that perhaps I can give some slight expression to that counterpart in the heart of the Republic, to the thing that is felt in the heart of kinspeople and friends, in relation to this extraordinary event.

"There grows on me the realization of the unusual character of this occasion. Our Republic has been at war before, it

has asked and received the supreme sacrifices of its sons and daughters, and faith in America has been justified. Many sons and daughters made the sublime offering and went to hallowed graves as the Nation's defenders. But we never before sent so many to battle under the flag in foreign land, never before was there the impressive spectacle of thousands of dead returned—to find eternal resting place in the beloved homeland. The incident is without any parallel in history that I know.

"These dead know nothing of our ceremony to-day. They sense nothing of the sentiment or the tenderness which brings their wasted bodies to the homeland for burial, close to kin and friends and cherished associations. These poor bodies are but the clay tenements once possessed of souls which flamed in patriotic devotion, lighted new hopes on the battle grounds of civilization, and in their sacrifices sped on to accuse autocracy

before the court of eternal justice.

We are not met for them, though we love and honor and speak a grateful tribute. It would be futile to speak to those who do not hear, or to sorrow for those who can not sense it, or to exalt those who can not know. But we can speak for country; we can reach those who sorrowed and sacrificed through their service, who suffered through their going, who glory with the Republic through their heroic achievements, who rejoice in the civilization their heroism preserved. Every funeral, every memorial, every tribute is for the living-an offering in compensation of sorrow. When the light of life goes out there is a new radiance in eternity, and somehow the glow of it relieves the darkness which is left behind.

"Never a death but somewhere a new life; never a sacrifice but somewhere an atonement; never a service but somewhere and somehow an achievement. These had served, which is the supreme inspiration in living. They have earned everlasting

gratitude, which is the supreme solace in dying.

"No one may measure the vast and varied affections and sorrows centering on this priceless cargo of bodies-once living, fighting for, and finally dying for the Republic. One's words fail, his understanding is halted, his emotions are stirred beyond control when contemplating these thousands of beloved dead. find a hundred thousand sorrows touching my heart, and there is ringing in my ears, like an admonition eternal, an insistent call, 'It must not be again! It must not be again!' God grant that it will not be, and let a practical people join in

cooperation with God to the end that it shall not be.
"I would not wish a Nation for which men are not willing to fight, and, if need be, to die, but I do wish for a Nation where it is not necessary to ask that sacrifice. I'do not pretend that millennial days have come, but I can believe in the possibility of a Nation being so righteous as never to make a war of conquest and a Nation so powerful in righteousness that none will dare invoke her wrath. I wish for us such an America. These heroes were sacrificed in the supreme conflict of all human history. They saw democracy challenged and defended it. They saw civilization threatened and rescued it. They saw America affronted and resented it. They saw our Nation's rights imperiled and stamped those rights with a new sanctity and renewed security.

"They gave all which man and woman can give. We shall give our most and best if we make certain that they did not die We shall not forget, no matter whether they lie amid the sweetness and the bloom of the homeland or sleep in the soil they crimsoned. Our mindfulness, our gratitude, our reverence shall be in the preserved Republic and the maintained liberties and the supreme justice for which they died.'

The PRESIDENT pro tempore. The Chair will now enter-

tain the request of the Senator from Mississippi.

Mr. HARRISON. I make a request for unanimous consent that following the speech of the President, just ordered to be inserted in the RECORD, the speech of Col. George Harvey recently made in London be incorporated in the RECORD.

The PRESIDENT pro tempore. Is there objection to the

request of the Senator from Mississippi?

Mr. SMOOT. I should like to ask the Senator from Mississippi if he has an authentic copy of Col. Harvey's speech or

whether it is only a newspaper report?

Mr. HARRISON. It is the copy that was published in the New York papers. I shall furnish it to the reporter.

Mr. McCORMICK. Which New York paper?
Mr. SMOOT. Then it is a newspaper report?
Mr. HARRISON. Yes; it is a newspaper report; but it has never been denied.

Mr. SMOOT. That is all I wish to know.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Mississippi?
Mr. NEW. I object.

The PRESIDENT pro tempore. Objection is made.

### BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows

By Mr. SMOOT:

A bill (S. 1893) for the relief of certain persons, their heirs or assigns, who heretofore relinquished lands inside national forests to the United States; to the Committee on Public Lands and Surveys

By Mr. HARRELD:

A bill (S. 1894) to amend section 26 of an act entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs," etc.; to the Committee on Indian Affairs.

By Mr. NELSON:

A bill (S. 1895) granting a pension to Mary A. Sims; to the Committee on Pensions.

By Mr. NEW:

A bill (S. 1897) to amend the interstate commerce act; to the Committee on Interstate Commerce.

By Mr. SHORTRIDGE:

A bill (S. 1898) to provide for the disposition of automobile tolls in the Yosemite National Park, Calif., and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. FRELINGHUYSEN:

A bill (S. 1899) granting an increase of pension to Mary L. H. Brodie; to the Committee on Pensions.

A bill (S. 1900) to provide for the purchase of a site and the erection of a public building thereon at Somerville, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. KING: A bill (S. 1901) suspending the provisions of section 2324 of the Revised Statutes of the United States relative to improvement work on mining claims until the 1st day of July, 1923, and for other purposes; to the Committee on Mines and Mining

A bill (S. 1902) to amend subsection 1 of section 12 of the act entitled "An act to provide capital for agricultural development, to create a standard form of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to create Government depositaries and financial agents for the United States, and for other purposes"; to the Committee on Banking

and Currency.

A bill (S. 1903) to amend subsection (e) of section 250 of the act entitled "An act to provide revenue, and for other purposes." approved February 24, 1919; to the Committee on

Finance.

By Mr. LODGE:

A bill (S. 1904) to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise, organize, and supply and equip armed forces of the United States in the existing war with Germany and its allies and to protect citizens of the United States in Mexico and on the Mexican border; to the Committee on Military Affairs.

By Mr. FERNALD:

A bill (S. 1905) providing for the relief of certain contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. KENDRICK:

A bill (S. 1906) granting an increase of pension to William Johnson (with accompanying papers); to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 1907) granting a pension to Calvin Sapp (with accompanying papers); to the Committee on Pensions.

By Mr. DILLINGHAM (for Mr. PAGE)

A bill (S. 1908) granting a pension to Mary A. Sands (with accompanying papers); and

A bill (S. 1909) granting a pension to Mary H. Wishart (with accompanying papers); to the Committee on Pensions.

By Mr. SUTHERLAND:

A bill (S. 1910) granting a pension to Charles B. Cundiff; to the Committee on Pensions.

By Mr. FRELINGHUYSEN:

A joint resolution (S. J. Res. 65) in relation to certain national cemeteries of the United States; to the Committee on Military Affairs.

# DEPARTMENT OF PUBLIC WORKS AND PUBLIC LANDS.

Mr. McCORMICK. I introduce a bill to create the department of public works and public lands, and for other purposes, as the four regiments composed of colored men organized under which I ask may be read twice and referred to the Joint Com- the provisions of the act of July 28, 1866, entitled "An act to

mittee on the Reorganization of the Administrative Branch of the Government

The bill (S. 1896) to create the department of public works and public lands, and for other purposes, was read twice by its title and referred to the Joint Committee on the Reorganization of the Administrative Branch of the Government.

Mr. UNDERWOOD subsequently said: Mr. President, matters of morning business slip by sometimes without our realizing just what has taken place. With regard to the bill introduced by the Senator from Illinois [Mr. McCormick] a moment ago, I am not sure whether I understood the reference. Is it a bill to create a department? And did I understand the Senator to ask its reference to a joint committee?

Mr. McCORMICK. I asked that it be referred to the Joint

Committee on Reorganization.

Mr. UNDERWOOD. I have no objection to the Senator having his bill referred to the committee that he desires, but I do not see how we can refer a Senate bill for consideration to a joint committee of the two Houses. The committees that report on bills to the Senate are Senate committees, and unless some special action of the Senate is taken to authorize a joint committee to make a report to the Senate I do not see how we can properly refer a bill to such a committee. I wish to invite the attention of the Chair to the matter.

Mr. McCORMICK. Considering the circumstances under which the joint committee was created and the labor which it has in hand, to what other committee can bills be referred if they cover in great part the ground which the joint committee is

Mr. UNDERWOOD. I am not questioning the work of the committee or the purpose of the Senator in asking the reference of the bill, but I do not understand how we can receive a report to the Senate from a committee that is composed in part of Members of the House of Representatives. They may not represent the action of the Senate, and we have no control over such a committee. I think the reference of a Senate bill should be to a Senate committee and not to a joint committee of the two Houses. I desire to make the point of order that we can not refer this bill to a joint committee in that way.

The PRESIDENT pro tempore. The Chair is of the opinion that it would at least require a suspension of the rules in order to refer the bill to the committee suggested by the Senator

from Illinois

Mr. POINDEXTER. Mr. President, it seems to me in order to get the measure before a joint committee of the two Houses it would require the joint action of the two Houses.

Mr. UNDERWOOD. I do not wish to interfere with the Senator from Illinois, but I do not desire to become involved in what would be bad practice in a matter we could not control. I have no desire to interfere with the reference of the bill to any Senate committee the Senator from Illinois may suggest, but I do not think we can send a bill to a joint committee over which we have no control. I understand the Chair sustains the point of order?

The PRESIDENT pro tempore. The Chair sustains the point

Mr. McCORMICK. Then, I ask that the bill be referred to the Committee on Expenditures in the Executive Departments. The PRESIDENT pro tempore. The bill will be referred to that committee.

## AMENDMENTS TO APPROPRIATION BILLS.

Mr. SMOOT submitted an amendment providing that of the \$5,000,000 which the Chief of Ordnance, United States Army, was authorized in the second deficiency act, approved March 6, 1920, to expend during the fiscal year 1921 for the construction of storage facilities for ammunition and components thereof, \$100,000 be made available during the fiscal year 1922 for the development of a water supply for Ogden Arsenal, Utah; and that not to exceed \$30,000 of the amount made available for this purpose may be expended for the purchase of such land and water rights as may be necessary to provide a suitable water supply for Ogden Arsenal, intended to be proposed by him to the second deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. McCORMICK submitted an amendment providing that the Secretary of War shall designate two regiments of Cavalry and two regiments of Infantry, established by the act of June 4, 1920, entitled "An act to amend an act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, and to establish military justice," to be composed exclusively of colored men, after January 1, 1922, under the same terms and conditions

increase and fix the military peace establishment of the United States," as amended by the act of March 3, 1869, entitled "An act making appropriations for the support of the Army for the year ending June 30, 1870, and for other purposes," intended to be proposed by him to the Army appropriation bill, which was ordered to lie on the table and to be printed.

### REPUBLIC OF ARMENIA.

Mr. KING. I submit a resolution which I ask may be read

and referred to the Committee on Foreign Relations.

The resolution (S. Res. S1) was read and referred to the Committee on Foreign Relations, as follows:

Committee on Foreign Relations, as follows:
Whereas in the treaty of peace between the principal allied powers and Turkey, signed at Sevres August 10. 1920, to which the Armenian Republic was party, Great Britain, France, Italy, and Japan recognized Armenia as a free and independent State; and Whereas the Turks by the stipulations of articles 88, 89, and 90 of said treaty expressly recognized Armenia as a free and independent State, and agreed to accept the frontier delimited between Turkey and Armenia in the Vilaytes of Erzerum, Trebizond, Van, and Bitlis, and further renounced all rights and title over the territory of Armenia within said frontier; and Whereas the Turks continue to occupy the portions of the Vilaytes of Erzerum, Trebizond, Van, and Bitlis awarded to Armenia, pursuant to said treaty and to exclude the Armenians from their proper territories; and

to said treaty and to exclude the Armenians from their proper territories; and Thereas the Turks since the signing of said treaty have committed unspeakable acts of massacre, arson, rapine, and other outrages against Armenians within the proper territories of Armenia and also against Armenians within Turkish territories, particularly in Cilicia; and

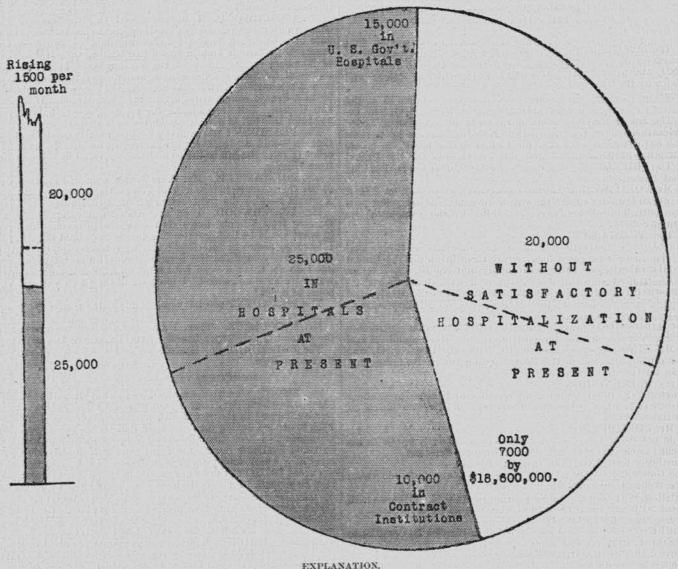
Whereas the United States on the 23d day of April, 1920, recognized the Armenian Republic; and Whereas the Government and people of the United States have a moral interest in the liberty and independence of Armenia and in the security and welfare of the Armenian people: Now, therefore, be it Resolved, That it is the sense of the Senate that the Republic of Armenia as recognized by the United States on the 23d day of April, 1920, and which was a party to the treaty of Sevres of August 10, 1920, be recognized as the legal and de jure Government of United Armenia within the territorial frontiers prescribed by said treaty, and that no government be recognized de facto or de jure within the proper territories of Armenia as so prescribed, except said government be the lawful successor of said Armenia Republic; and that it is the sense of the Senate that the President address an identic note to the powers which are parties to the treaty of Sevres, suggesting that in the interest of peace and the liberty and independence of the Armenian State, that measures be taken to protect the frontier established between Turkey and Armenia pursuant to said treaty and to secure the evacuation by the Turks of any and all parts of Armenia occupied by them, and to respect said frontier and further to respect the rights of Armenians and other Christians within Anatolia.

#### HOSPITALIZING INCAPACITATED SOLDIERS.

Mr. WALSH of Massachusetts. Mr. President, under date of April 27 I discussed at length in the Senate the inadequacy of the governmental agencies for insuring, compensating, and hospitalizing our ex-soldiers.

Since that time I have received numerous letters from various parts of the country expressing very deep sympathy and keen interest for our wounded soldiers. I find a universal sentiment in favor of Congress doing full justice by them.

# PICTURE OF INCAPACITATED SOLDIERS HOSPITAL SITUATION AT PRESENT.



25, 000 15, <del>00</del>0 10, 000 1,500

A typical letter was recently received from the citizens committee of Northampton, Mass., the home city of the distinguished presiding officer of the Senate, Vice President Coolidge, and accompanying this letter was a diagram showing very clearly and at a glance the hospital accommodations and needs for our disabled soldiers. I ask that this letter and diagram be inserted in the Congressional Record. The necessary authority for the printing and insertion of the diagram has been received from the Joint Committee on Printing.

There being no objection, the letter and diagram were ordered

to be printed in the RECORD.

CHAMBER OF COMMERCE, Northampton, Mass., May 23, 1921.

Hon. DAVID I. WALSH,

Senator from Massachusetts,

Senate Office Building, Washington, D. C.

MY DEAR MR. WALSH: The people of the country are awakening at last to the needs of the disabled ex-service men. of Northampton, the seat of the first preparedness meeting before the war, are now most eager to see justice done by Congress to the disabled.

Recently a group of citizens of this community met together and constituted themselves a citizens' committee to take action in behalf of the disabled men, and we wish to express our hearty approval of your work, to congratulate you upon your splendid recommendations, and to wish that your bills may receive strong and successful support in both Houses.

Very sincerely, yours,

THE CITIZENS' COMMITTEE OF NORTHAMPTON. F. A. FARRAR.

#### HOUSE BILL REFERRED.

The bill (H. R. 6300) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes, was read twice by its title and referred to the Committee on Appropria-

#### NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes

The PRESIDENT pro tempore. The Chair has been informed

that there is no amendment pending.

Mr. POINDEXTER. I wish to call up the amendment which I sent to the desk some days ago to be inserted on page 53 after the word "otherwise"; and I call it to the attention of the junior Senator from Utah [Mr. KING].

The PRESIDENT pro tempore. The amendment will be

The Assistant Secretary. On page 53, line 14, after the word "otherwise" insert a colon and the following:

Provided, That all orders or contracts for work or material, under authorization of law heretofore or hereafter placed with Government-owned establishments, shall be considered as obligations in the same manner as provided for similar orders placed with private contractors, and appropriations for such work or material shall remain available for payment therefor as in the case of contracts or orders with private contractors.

Mr. KING. I should like to have some explanation from the Senator regarding the purpose of the amendment. The matter was up the other day. It seems to me that the amendment gives to the Government yards a great advantage over contractors. I do not know that I should oppose that if it results in benefit; indeed, I should not oppose it if it results in benefit to the Government.

Mr. POINDEXTER. I am sure it will not have that effect. I do not think I would favor giving any advantage to Government yards over private yards in bidding for Government work. On the contrary, the effect of the amendment would be to put the Government yards and private yards on the same basis in the respects referred to in the amendment proposed. By the existing law, where a contract is made by the Navy Department with private yards under an appropriation made by Congress, that appropriation is available to pay for the contract until the work is completed, even though it should extend over the fiscal year; but with a Government yard if the work extends beyond the fiscal year for which the appropriation is made the money is not available.

The consequence is that in many cases Government yards can not bid and contracts can not be let to Government yards because the work obviously can not be completed within the fiscal The result is that in some instances which have been called to my attention, even though Government yards, such as

the navy yard here in Washington, make a considerably lower bid, the contract has to be let to a private yard. The effect of the amendment would be to enable the department, in the interest of economy, to take advantage of the lower bid of a Government yard and put it on the same basis as a private yard.

Mr. KING. If that is the object of the amendment, I am in entire sympathy with it. May I ask the Senator whether there is also the purpose in view to save some yards which ought to be abandoned and keep them alive, although they might be unnecessary for the proper performance of the work incident to the building up of the Navy

Mr. POINDEXTER. That is certainly not the object of the amendment, and in my opinion it could not possibly have that

Mr. KING. Upon the assurance of the Senator I shall offer no objection to the amendment.

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. OVERMAN. Is the bill now open for amendment, Mr. President?

The PRESIDENT pro tempore. The bill is before the Senate as in Committee of the Whole and is open to amendment.

Mr. OVERMAN. I offer the amendment which I send to the

Mr. POINDEXTER. There is an amendment now pending, and I presume that should be first disposed of. I ask that the pending amendment may be disposed of before we take up any other amendment.

The PRESIDENT pro tempore. The amendment to which the Senator from Washington refers has been disposed of; it

has been agreed to.

Mr. POINDEXTER. I did not so understand.
The PRESIDENT pro tempore. The Senator from North Carolina submits an amendment, which will be stated.

Mr. WALSH of Montana. I inquire if the amendment re-

ferred to as having been disposed of is the amendment tendered

by the Senator from Tennessee [Mr. McKellar]?
The PRESIDENT pro tempore. The amendment proposed by the Senator from Tennessee was disposed of at a prior session of the Senate.

Mr. WALSH of Massachusetts. May I say to the Senator from Montana that the Vice President held that the amendment had been agreed to.

Mr. WALSH of Montana. I am surprised at the information that the amendment has been agreed to. I certainly try to fol-low the proceedings of the Senate, and I had a very distinct recollection that the amendment was pending at the time the adjournment of the Senate took place on Wednesday last.

Mr. WALSH of Massachusetts. May I say to the Senator from Montana that the Record shows that the amendment was disposed of. A viva voce vote was taken, and the amendment was declared carried. A division was then asked for, which was not granted; a roll call was then called for, which was not granted. That is what the RECORD shows. I was of the same impression as the Senator from Montana.

Mr. WALSH of Montana. My impression is that, pending the demand for a roll call, a motion to adjourn was made, leaving the matter undisposed of.

The PRESIDENT pro tempore. The present occupant of the chair was not in the chair at that time.

Mr. WALSH of Massachusetts. I have stated what the RECORD shows as to the matter.

Mr. UNDERWOOD. I can say to the Senator from Moutana that I called the status of the matter to the attention of the Senator from Ohio [Mr. Pomerene] when it occurred, because the Vice President declared the amendment carried. quest was then made for a roll call, but the number of hands coming up was not sufficient and the Vice President declared that the demand for a roll call had not been seconded. That, of course, confirmed the viva voce vote. The matter, however, is still open, I will say to the Senator from Montana, for consideration in the Senate.

Mr. WALSH of Montana. Yes. I have something further to submit in connection with the matter, Mr. President, and unless unanimous consent shall be given, under the circumstances, for a reconsideration of the vote whereby the amendment was agreed to, I shall reserve the right to have a separate vote upon it in the Senate. I think, however, that we might now very properly dispose of the matter finally, and I hope there will be no objection to a reconsideration of the vote whereby the amendment was agreed to.

The PRESIDENT pro tempore. The question is upon the amendment proposed by the Senator from North Carolina [Mr.

OVERMAN], which the Secretary will state.

The SECRETARY. On page 28, at the end of line 8, it is proposed to insert the following proviso:

Provided, That no part of any sum appropriated by this act shall be nsed nor shall any deficiency be created for the purpose of paying the salary or the retired pay of an officer in any branch of the Navy whose original commission antedates the act on whose provisions the legality of his appointment and antedated commission are based; unless and until the Secretary of the Navy shall refer to the Comptroller of the Treasury the case of any officer the legality and regularity of whose appointment and original commission may be challenged, nor until the said comptroller shall have decided, after consideration of all available information, that the appointment and the original commission so challenged were and are in all respects regular and authorized by law and that the officer is therefore entitled to the pay or the retired pay of his rank.

Mr. OVERMAN. Mr. President, I will explain the amend-Mr. WALSH of Montana. Mr. President—

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from Montana?

Mr. OVERMAN. I yield.

Mr. WALSH of Montana. Before we go into the consideration of the amendment proposed by the Senator from North Carolina, I should like to ask unanimous consent for the reconsideration of the vote whereby the amendment proposed by the Senator from Tennessee [Mr. McKellar] was agreed to.

Mr. OVERMAN. My proposed amendment will only take a moment, I will say to the Senator from Montana. I think the Senator from Washington will let the amendment go to confer-

ence.

The amendment really explains itself, but here is the condition which the amendment is intended to remedy: been confirming en bloc hundreds of appointments in the Navy. I myself have frequently asked whether or not such appointments were regular, and have always been assured that they were regular. It has, however, occurred to me that, perhaps, in some instances, they may not have been regular. If any of them are not regular, then, by the amendment, the matter will be referred to the department to correct the evil, if such an evil exists. As I understand, in some cases an officer's commission has been antedated as much as four years before the law authorized his appointment. All that the amendment does is to provide that the department shall rule on the question.

I ask the Senator from Washington to let the amendment go to conference to see if the allegation I make is not true, and to let the matter be investigated. I do not think anybody will

object to the amendment.

Mr. POINDEXTER. Has the Senator from North Carolina

had his amendment printed? Mr. OVERMAN. No. Mr. OVERMAN.

Mr. POINDEXTER. I have not been able to examine the amendment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from North Caro-

Mr. POINDEXTER. Mr. President, the appointment of naval officers is made by authority of the President, and after the utmost scrutiny and with the most particular care. personnel of the Navy itself is so interested in the relative rank in the several grades that there would be an immediate protest against an irregularity of the kind to which the Senator from North Carolina refers.

Mr. OVERMAN. There will be no harm in adopting the

amendment, then.
Mr. POINDEXTER. There would be this harm, that it would put the Comptroller of the Treasury in command of appointments in the Navy

Mr. OVERMAN. No; I do not think that a question would

be raised except, perhaps, in one or two cases.

Mr. POINDEXTER. It would require the Secretary of the Navy to get the permission of the Comptroller of the Treasury before he could submit to the President and the President could submit to the Senate nominations in the Navy.

Mr. OVERMAN. If the appointment is in all respects regular, it would not be necessary to submit it to the comptroller; that course would be followed only when there is a question

as to the regularity of the appointment.

Mr. POINDEXTER. I ask the Senator from North Carolina to present this matter as a separate bill and let it come before the Senate Committee on Naval Affairs. We are going to hold some meetings for the purpose of recommending legislative action, and I assure him that when the committee meets it will take up the question covered by his amendment.

Mr. OVERMAN. I have submitted the amendment and

made the appeal to the Senator because I want him to investigate it in conference. The adoption of the amendment can do no harm, and, on the other hand, if some officer has been appointed who was not entitled to the appointment, that fact

should be known and the error corrected. The amendment can only refer to one or two cases, perhaps, and the Secretary of the Navy can determine the question whether, in his judgment and discretion, a given appointment should be referred to the Comptroller of the Treasury.

Mr. POINDEXTER. The amendment reads as follows:

Mr. POINDEXTER. The amendment reads as follows:

Provided, That no part of any sum appropriated by this act shall be used nor shall any deficiency be created for the purpose of paying the salary or the retired pay of an officer in any branch of the Navy whose original commission antedates the act on whose provisions the legality of his appointment and antedated commission are based; unless and until the Secretary of the Navy shall refer to the Comptroller of the Treasury the case of any officer the legality and regularity of whose appointment and original commission may be challenged nor until the said comptroller shall have decided, after consideration of all available information, that the appointment and the original commission so challenged were and are in all respects regular and authorized by law and that the officer is therefore entitled to the pay or the retired pay of his rank.

That clearly substitutes the Comptroller of the Treasury with

That clearly substitutes the Comptroller of the Treasury with the Secretary of the Navy as the authority to determine the regularity of naval appointments.

Mr. OVERMAN. No; Mr. President.

Mr. POINDEXTER. It seems to me that that is the obvious

effect of the language.

Mr. OVERMAN. The intent is that in any case where the Secretary of the Navy shall find that there is an irregularity he shall refer the matter to the Comptroller of the Treasury to determine whether the appointment has been legally made, and whether salary shall be paid to an officer on the active list who is not entitled to it or to an officer now on the retired list whose appointment and commission antedated by four years the law which authorized his appointment and retirement.

Mr. POINDEXTER. If the Senator from North Carolina has in mind any case of irregularity in connection with any appointment or has knowledge of any case where an impropriety has been committed, he would be conferring a favor upon the Senate, and especially upon the Naval Affairs Committee, by calling attention to it. There is no trouble about correcting

irregularities of the kind to which he refers.

Mr. OVERMAN. I merely ask the Senator to allow the amendment to go to conference so that it may be investigated there. I do not know whether or not the statement that there have been irregularities of the kind referred to is true, but I have been informed that the statement is true. At any rate. the facts may be ascertained in conference, and this question may be settled, as it should be settled, because we have been confirming hundreds of nominations here en bloc.

I have asked the question myself whether there were any irregularities, and I have found the case of one officer whose appointment I did not think was regular. Now, what is the harm of letting the amendment go through to be considered in conference, and be passed upon by the Secretary of the Navy?

Mr. POINDEXTER. The harm is that the amendment goes away beyond the case the Senator from North Carolina has in mind. The amendment would establish a general law giving general authority to the Comptroller of the Treasury to supervise the Navy Department as to the appointment of officers.

Mr. OVERMAN. I do not think so. I merely ask that the amendment may go to conference for consideration, and I hope the Senator will not object to that course being taken.

Mr. POINDEXTER. I am compelled to make the point of order against it, saying to the Senator from North Carolina that the committee will be glad to take the matter up and investigate it.

Mr. OVERMAN. The point of order will not lie, for the reason that the amendment is a limitation upon the appropria-

I put that in so as to make it in order tion itself.

Mr. POINDEXTER. I make the point of order against the amendment on the ground that it changes existing law and is general legislation.

Mr. OVERMAN. The Senator can, of course, make the point of order, but it will not apply in this case, I think, because, I repeat, the amendment is a limitation on the appropriation.

The PRESIDENT pro tempore. The Chair is of the opinion that the point of order is well taken, and it is sustained.

Mr. OVERMAN. Mr. President, I will not argue with the

Chair, but the amendment proposes a limitation upon the very appropriation itself. Would not that make it in order?
The PRESIDENT pro tempore. The Chair has observed that

there is a limitation upon the appropriation; but, nevertheless, it does change or modify existing law, and the Chair is of the opinion that, although it is limited to one year, it is nevertheless general legislation.

Mr. WALSH of Montana. Mr. President, I ask unanimous consent that the vote by which the amendment offered by the Senator from Tennessee [Mr. McKellar] was adopted may be

reconsidered.

Mr. POINDEXTER. I have no objection to that at all.

The PRESIDENT pro tempore. The Senator from Montana asks unanimous consent for the reconsideration of the vote by which section 18, on motion of the Senator from Tennessee [Mr. McKellar], was added to the bill. Is there objection? The Chair hears none; and the vote by which the amendment was agreed to is reconsidered. The question now recurs on agreeing to the amendment.

Mr. WALSH of Montana. Mr. President, I desire to submit a few further observations upon the amendment. course of the discussion occurring upon Wednesday, the Senator from Missouri [Mr. Spencer] observed that, with reference to midshipmen who fail in their studies, the course ought to be taken that is observed in colleges generally, namely, that when they fail they ought to be dropped back into a lower class and go over the work again, resulting in their course being extended for the period of one year. Mr. President, I do not understand that there is any such uniform practice among the private or public institutions of this country; indeed, my information is that the rule is quite strictly enforced in many of them that a student failing in his examinations and being conditioned, and failing again upon reexamination, is dropped; but, Mr. President, if the rule were otherwise it is not one that ought to be observed with respect to the Naval Academy.

The law fixes a limit of age within which boys may be admitted to the Naval Academy. They can not enter it after arriving at the age of 20 years. No such limitation ordinarily obtains with respect to matriculation in the ordinary college or university. Indeed, we are advised from time to time of men and women as old as 60 years of age being admitted to these institutions; so that if a boy goes in and fails, and is put back a year and fails again, and is put back another year, and continues to fail for a period of 5, 6, or 10 years, and remains in college a matter of 15 years, the interests of the college, perhaps, are in no way affected by that course, but we do not believe that that is a wise policy in preparing young men for service in the Navy, and we fix an age limit beyond

which they can not enter.

But there is more, Mr. President. In the case of the ordinary college, either private or public, for that matter, it is a matter of no consequence whatever to the college whether the failing student remains for a period longer than the ordinary course or not. He pays his own expenses, or his parents or guardian pay his expenses while he is at college, whether it be for four years or for five years or for six years. In other words, the college is under no expense at all in the matter. in all private institutions he ordinarily pays a tuition, and he pays a yearly tuition, and the college acquires something, at least, in addition to what it ordinarily gets if the period of his study there is protracted. But in the case of the Naval Academy the Government of the United States pays all the expenses of the maintenance of the student while he is there. If he completes his course in four years, the Government is put to just four-fifths of the expense that it would be put to if he remained there for five years; and if he is put back a second time and stays there six years the Government is obliged to pay one and a half times as much for the education of a pupil who was deficient in his studies as it is obliged to pay for the student who is fully equipped in the first place and does efficient work after he arrives there. In other words, the cost is upon us. But more, Mr. President. In the case of the ordinary institution, after the student graduates all responsibility, so far as the institution is concerned, is gone; at least, all liability is gone; but in the case of the student at the Naval Academy the Government of the United States commissions him and agrees to pay him a salary for the whole period of his natural life. So the two cases stand upon an entirely different footing.

Moreover, Mr. President, it is not only the money that the United States will be obliged to pay him, but he is to be put in positions of very great responsibility; and if he has demonstrated that he has not the capacity of an ordinary student and has failed in his examinations, after giving him the opportunity to make them up, the presumption is that he will not

make a good officer.

Mr. POINDEXTER. Mr. President-

Mr. WALSH of Montana. If the Senator will pardon me for just a moment, I realize the fact that some boys who are dull at school and do not get on very well eventually make a reasonably good success in life. That may happen, and a boy who does not do well at the Naval Academy may turn out to be marvelous naval officer; but the only means we have of judging whether he will be or not is the manner in which he does his work and the way in which he answers to the duties and responsibilities that are put upon him there.

I now yield to the Senator from Washington.

Mr. POINDEXTER. I was going to ask the Senator from Montana, who is a member of the committee, if it is not a fact that he was a member of the Board of Visitors that visited the Naval Academy this year?

Mr. WALSH of Montana. Yes; I was.

Mr. POINDEXTER. My understanding is that the Senator from Montana made some investigation of this matter at that time as a member of the Board of Visitors.

Mr. WALSH of Montana. Yes

Mr. POINDEXTER. I should like the Senator to inform the Senate as to the circumstances of these cases; that is, the important and material features of them that he has discovered while acting as a member of the Board of Visitors.

Mr. WALSH of Montana. I shall be glad to do so.

Mr. POINDEXTER. I agree in principle with what the Senator from Montana has said. The purpose of the committee was to take this matter and examine into it and get more information than we have had.

Mr. WALSH of Montana. I pointed out, or endeavored to point out, on Wednesday how disastrous this would be to the discipline at the Naval Academy, and how an important incentive to the boys to do the best they can would be withdrawn by such a procedure as this.

Mr. POINDEXTER. Is it not a fact that the midshipmen referred to in this amendment had not only failed in their regular examinations, but they had been given a second or re-examination and had failed the second time?

Mr. WALSH of Montana. That is quite right. I might say in that connection that in connection with the first examination the daily standing of the midshipman is taken into consideration, as well as the results of his written examination, and consideration is given to his daily recitals, even though he does not meet the required standard in the examination, as is the

custom in the colleges generally.

Mr. POINDEXTER. Some comment was made here the other day upon the large number of midshipmen that have been found deficient during the past session, and there was some intimation that it was due to resentment on the part of the Naval Academy authorities at the passage of a law as a rider on an appropriation bill requiring them to reexamine midshipmen who have failed in their examinations. Now, the fact of the case is this: I have personal recollection of previous years. I remember one year at the midwinter examinations at the academy, long before this act became a law, when there were over 200 midshipmen that were conditioned and found deficient and dismissed from the academy, and there was not any protest against it. Everybody realized that they had failed to come up to the required standards, and the result was accepted.

Mr. WALSH of Montana. That is quite right, and the academy has a very creditable record in respect to the percentage of those entering who actually graduate; and the record is so interesting that I offer the following for the information

of the Senate:

In the class of 1874, 100 entered and 30 were graduated. In the class of 1878, 103 were entered and 36 graduated.

Let me give the percentage, simply, and I will offer the table for the RECORD.

In the class of 1874 only 30 per cent of those who entered graduated.

In the class of 1878, 35 per cent of those who entered graduated.

In the class of 1882, 50 per cent of those who entered graduated.

In the class of 1886, 40 per cent of those who entered graduated

In the class of 1890, 39 per cent of those who entered graduated.

In the class of 1900, 65 per cent of those who entered graduated.

And at the present time the percentage runs along about 60 to 65 per cent.

Mr. President, I ask to have the whole of this table printed in connection with my remarks.

There being no objection, the table referred to was ordered to be printed in the RECORD, as follows:

Class of—	Entered.	Gradu- ated.	Percent- age.
1874 1878 1882 1886 1890	100 -103 -76 -63 -85 -95	30 36 37 25 34 62	30 35 50 40 39

Mr. PITTMAN. Mr. President-

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Nevada?

Mr. WALSH of Montana. I do.

Mr. PITTMAN. Are those percentages based on those who failed in the examinations and those who left?

Mr. WALSH of Montana. No; all cases. They are not segregated there. But let me point out to the Senate the in-

evitable effect of this legislation if it is enacted.

Here are these 110 boys who had their examinations and Two hundred and eighty-six, it will be remembered, failed upon the original examination. Additional instruction was given them in accordance with the law enacted a year ago so far as the law could be observed. I will speak about that in a moment. Upon the second examination, 176 of those who failed upon the first examination went through, and 110 failed on the second examination taking place something like a month after the original examination, the additional and special instruction having been given to all in the meantime.

Mr. POINDEXTER. My understanding was that they had

Mr. WALSH of Montana. I will give the exact date.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. WALSH of Montana. I yield.

Mr. McKELLAR. The only special instruction that these students received was that instruction which could be given while they were carrying on their classes and keeping up with their classes.

Mr. WALSH of Montana. That is quite right.

Mr. McKELLAR. And they had no time during a vacation in which to take it.

Mr. WALSH of Montana. The Senator is quite right. Mr. McKELLAR. Now, let me ask the Senator

Mr. WALSH of Montana. But before we pass that-

Mr. McKELLAR. I am not going to pass it.

Mr. WALSH of Montana. Let me show what the facts are. Mr. McKELLAR. I shall be delighted to have the Senator

Mr. WALSH of Montana. The facts are that there is just

one day between the two terms, and that after the second term the entire force of the Naval Academy goes on its regular annual cruise. You would have to put off the cruise, or else those who passed the examination would go upon the cruise, leaving those who had failed at the academy. Moreover, the civilian instructors are hired for a period, and they disband at the end of the second term.

Mr. McKELLAR. Mr. President, if out of the 286 all but 110 passed with that meager instruction given while they were performing their other class duties and all other duties connected with the academy, is it not reasonable to suppose that if these boys had been given additional instruction such as is required by the statute passed last year there would have been far fewer who failed in that examination?

Mr. WALSH of Montana. That is a mere matter of speculation. I could not venture to say either one way or the other

as to that.

Mr. McKELLAR. We do know that over 50 per cent of them got through on the second examination, where they had virtually

no special instruction as required by the statute.

Mr. WALSH of Montana. I do not think that is in accordance with the facts, because they did have the special instruction; but before we pass that I want to know from the Senator Tennessee how else the instruction could be given them, and what he would like to have done? Now, take the end of the first term. There is one day between the two terms. would the Senator like to have done with respect to that?

Mr. McKELLAR. That could not be done.

Mr. WALSH of Montana. Very well.

Mr. McKELLAR. But the terms ought to be so arranged that the intention of Congress in reference to this matter can be carried out. That is to say, they could arrange their classes and their studies in such a way that these boys should have the special instruction that Congress required the managers and the superintendent and the educators at the academy to give. In other words, all that I say should be done by the academy officials is to carry out the instructions of Congress

in a reasonable and proper way and give these boys an honest chance to pass these examinations.

Mr. WALSH of Montana. Yes; the act ought to be carried out in a reasonable and proper way, and that is the way it has been carried out. How would the Senator have it done? Would he give 30 days or 60 days between the first term and the second term, the balance of the midshipmen kept back while those who are deficient are making up the deficiency? What would the Senator do if it was the end of the second term?

Would he suspend or dispense with the annual cruise, and devote the time that is given to that work to bringing up the deficient midshipmen to the standard acquired by the others?

Mr. McKELLAR. If the Senator will yield, I will show him in just a moment what I would do. I would have the law carried out, which the Senator voted for, according to my recollection, because there was no dissent from it. I would just have the officials of the academy carry out the law in good spirit and in good faith, and in the way that Congress directed.

Mr. WALSH of Montana. Of course, that is a general answer.

Mr. McKELLAR. I will read the law.
Mr. POMERENE. Mr. President—
The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Ohio?

Mr. WALSH of Montana. I yield. Mr. POMERENE. If the Senator will allow me to interject, would like to make a suggestion. Under the law as it existed prior to June 5, 1920, it was entirely within the discretion of the academic board as to how they should deal with this matter. Up until this last act was passed, the rule was that if a midshipman failed at his examinations, he was dropped back into the next lower class. After this act was passed, and it came to the first series of examinations which were held after it was passed, namely, in January, 1921, instead of following the course theretofore prevailing, of letting the midshipmen who had failed in a given class drop back into the next class, they were summarily dismissed after the second attempt.

Before, when boys failed in an examination, or were "found deficient," to employ the exact phrase used in the law, it was not thought that they were unfit to remain in the academy, but it was thought wise that they should not continue with their class. After the Congress had by this second act of June 5, 1921, provided for reinstruction and a reexamination and they failed in that, they were not thought fit to stay in the academy. That is the serious objection. There are others. I shall take my own time, after the Senator from Montana shall have concluded, to call attention to what I believe is the cause of the failures there. I will say very frankly that in my judgment it is partly due to the boys being deficient in study, and it is partly due to deficiency in instruction.

Mr. McKELLAR. Mr. President, if the Senator from Montana will allow me to answer, now, the question he propounded to me, I will be glad to do so. I read from the act of 1920:

That until otherwise provided by law no midshipman found deficient at the close of the last and succeeding academic term—

The Senator will recall that on January 30, when these resignations were demanded and received this law applied to the succeeding term, which is the present one-

no midshipman \* \* \* shall be involuntarily discontinued at the Naval Academy or in the service unless he shall fall upon reexamination in the subjects in which found deficient at an examination to be held at the beginning of the next and succeeding academic terms, and the Secretary of the Navy shall provide for the special instruction of such midshipmen in the subjects in which found deficient during the period between academic terms.

In order to avoid that provision of the statute they did not dismiss from the academy these 110 boys, because they knew that if they did they would be violating the very express terms of this statute; but on January 30 they sent a written statement to each one of the 110 and demanded that they resign.

Mr. POMERENE. And, if I may make a suggestion, that was sent one night and their resignations were required to be in the

next morning.

They were required to be in the next day, Mr. McKELLAR. within 24 hours. They had no time to consult anybody. They had no time to take it up with their parents; they had no time to take it up with anyone. The resignations were demanded for the purpose of getting around or evading the law which Congress had passed.

The Senator does the academic authori-Mr. POINDEXTER.

ties an injustice, I think.

Mr. McKELLAR. If I do, I hope the Senator will correct me,

because I do not desire to do anybody an injustice.

Mr. POINDEXTER. I do not think that could be interpreted as any desire on their part to evade the law, because that is the universal custom. The procedure of asking for their resignations instead of summarily dismissing them is simply followed as a matter of courtesy to the midshipmen. The permanent law provides that no midshipman can remain at the academy unless he is considered satisfactory in all respects by the academic board. They have the authority to dismiss the midshipmen at any time, and the request for their resignations immediately is the invariable method by which midshipmen are separated from the academy.

Mr. McKELLAR. If the Senator from Montana will permit me just a word in answer to the statement by the Senator from

Washington, Mr. President, if they had undertaken to discharge these boys without demanding and receiving their resignations, they would have been violating the law. It would have been an illegal discharge, as legally they had no right to discharge a single one of the 110 on the 30th of last January.

Mr. WALSH of Montana. I desire to say in this connection that the Senator differs from the Attorney General of the United States. The superintendent of the academy asked the advice of the Attorney General of the United States as to what he ought to do in the matter, and he acted on the advice he received:

Mr. McKELLAR. If the Attorney General gave him such advice as that, he was absolutely mistaken. I do not know whether he gave it or not, but if he did it was bad advice. The

statute is perfectly plain.

Mr. WALSH of Montana. I fully agree with the Senator from Washington that it is not a reasonable deduction at all to infer that what was done was done with any purpose whatever of evading the act. It was done because the act, in the language in which it is written, is incapable of literal fulfillment. is the plain situation.

Mr. McKELLAR. The Senator from Montana, I know, is one of the great lawyers of the country. Does the Senator himself believe that it would have been legal for them to disregard this statute and dismiss those boys without requiring their resigna-

Mr. WALSH of Montana. It would not have been legal, of course, to disregard the statute; I grant that very frankly; but inasmuch as the statute is exceedingly ambiguous in its terms and difficult, if not impossible, of exact enforcement, it becomes a question as to what the statute does mean.

Mr. McKELLAR. Then, if the statute is doubtful and ambiguous in its terms, and an intent exists, as is shown by the statute, to give the boys reasonable instruction before they are dismissed from the academy, does not the Senator think that in common justice and in equity to these boys they should have the advantage of the ambiguity?

Mr. WALSH of Montana. Mr. President, I think the boys were treated with entire fairness and entire justice. I do not think any injustice was done to them at all, and I do not think the application ought to be put upon any such ground.

The situation is perfectly and clearly understood. There are two terms. There is just one day between the first term and the second term. It becomes necessary, then, to give the instruction to the boys required by the act, and the instruction was given, at the end of the first term. Of course, it had to be given, as it is given in every college, while the other work was going on, during the succeeding term. Then the next term comes around, the second term of the year, and as soon as that term has expired the boys go out on the summer cruise. You have to conform to the actual condition of things.

Mr. POINDEXTER and Mr. McKELLAR rose.

The PRESIDENT pro tempore. Does the Senator from Montana yield, and, if so, to whom?

Mr. WALSH of Montana. I yield first to the Senator from

Mr. POINDEXTER. I had hoped that the matter would be disposed of without much debate, and I may be compelled to make a point of order against it; but as long as we have now gotten into a discussion of the merits of the question, I want to suggest to the Senator from Montana that this amendment applies only to midshipmen found deficient in the last session. So it would be of no benefit to midshipmen next year. It would select this particular class of midshipmen and give them an advantage and give them opportunities which would be denied to all the succeeding classes, thereby putting them in a favored class by themselves.

Furthermore, these men failed in a regular examination, and failed upon a reexamination, and it is proposed now that they shall be reappointed and come up in the succeeding class. Then if they failed again, they would be entitled, under the act of 1920, to another reexamination, and there would be just as much reason for reporting a special statute in their favor in some succeeding year as that they would receive by virtue of this legislation.

Mr. WALSH of Montana. Undoubtedly, and I was going to add when interrupted that the necessary effect of this would be to bring about exactly the result the Senator from Washington has now suggested. If we pass a special act to take care of these boys and permit them to be reappointed, how can we refuse next year to pass a special act to take care of the boys who fail next year? The fatal precedent can not be resisted, and the consequence will be that the midshipmen will recognize that if they do fail some friendly Congressman will introduce a special bill for their relief, and they will be admitted to the academy again, and thus one of the strong inducements to boys to do their very best at the academy will be almost, if not entirely, destroyed.

McKELLAR. Mr. President, if the Senator will yield right there, I want to say that if a manifest injustice is done in the future to any boys at the academy Congress ought to take their part,

Mr. WALSH of Montana. Yes; if a manifest injustice is done, the injustice ought to be corrected.

Mr. President, let me call your attention to the record of one of these boys for whose relief this amendment is proposed, for the purpose of indicating that the ability of the men who go into the Navy will be deteriorated if the policy proposed is pursued. I omit the name, but one of these 110 has the following record in the academy:

1. Admitted to the Naval Academy the 15th of August, 1916.

Completed first year satisfactorily.

3. Failed the second year, and turned back into the class below at the end of that academic year.

One of them has already been put back a year. If he is now put back into the academy with a class lower, instead of his course being four years, his course will be six years.

4. Passed third year successfully, except that he was deficient in conduct for one term of the third year.

5. Was deficient in the semiannual examination for the fourth year, with the final term mark of 2.48 in electricity, having received on the examination the exceptionally low mark of 1.60.

I might say, in this connection, that 4 is perfect. This boy got 2.48 in electricity on his reexamination and upon his first examination he got 1.60.

In an effort to be sure that no injustice had been done, the reexamination upon which Midshipman — received 2.38 was re-marked by an entirely different set of instructors. This remarking gave him a lower mark than that previously assigned.

6. In accordance with the plan approved by the Secretary of the Navy, he was given extra instruction by instructors especially detailed for it, four days each week during the period from Monday, February 6, 1921, until Saturday, March 5, 1921. Was reexamined after the extra instruction noted above on March 7, 1921. Date of original semiannual examination, January 26, 1921. Failed on this reexamination with a mark of 2.38.

7. It is to be noted that the passing mark is 2.50.

8. In considering the case of Midshipman action of the academic board in this case, attention is drawn to the fact that throughout his whole time at the Naval Academy his conduct was not unusually good-in fact, during one term he was deficient in conduct and during each year accumulated more demerits than he should have done. Also, the examination mark on both the semiannual and the reexamination shows that Midshipman --, in spite of having spent four and one-half years at the Naval Academy, had a very slight knowledge of his subject and was in no sense prepared to graduate.

9. It is the deliberate judgment of the superintendent that the midshipmen who were dropped as a result of the examination held in March this year have had more consideration shown them and have had more opportunities to make a satisfactory mark than have any other midshipmen within his knowledge at the Naval Academy, and that knowledge extends back about 38 years.

I merely desire to add, in illustration of what I said before. that this is not the case of a student at an ordinary institution. The question is whether we shall permit this boy to go back and, if he happens to muddle through in some way or other, give him a commission in the Navy of the United States under which we shall be obliged to pay him a salary during the whole course of his natural life, in addition to placing great responsibilities in his hands.

Mr. POMERENE. Will the Senator yield for a question?

Mr. WALSH of Montana. Certainly. Mr. POMERENE. The Senator from Montana has very courteously given me the name of this young man, and it happens to be a case about which I have heard before. is made to the fact that during one year he failed. That is true, but that is not the whole truth about it. I am astonished that the naval authorities have not given the Senator the full facts about it. The fact is that the boy was stricken with appendicitis, and was in the hospital for four months of that year, and for that reason he had to fall back.

Mr. McKELLAR. Will the Senator yield for an observa-

tion?

Mr. WALSH of Montana. Certainly.

Mr. McKELLAR. The Senator suggests that perhaps in this way a boy can muddle himself through. The Senator will recall that in our military history some of the greatest, or at least one of the greatest, generals the country has ever known muddled through the academy at West Point and just did get

Mr. WALSH of Montana. Yes; that is true. As I said awhile ago, it sometimes happens that the man who makes a miserable failure in college makes a great success in life; but, of course, every father and every mother is proud to have his or her boy do well at college. Why? Because the chances are that he is going to do well in life if he does well there. A parent is humiliated when his or her boy fails in college. Why? Because it is an indication that he is going to make a failure in life. He may, of course, get through; but the only test we have, the only thing on which we can go, the only way the college authorities can proceed, is upon the assumption that the boy who fails will not make a good officer.

Mr. McKELLAR. In answer to that suggestion of the Senator, I happen to know a gentleman who is now a Member of this body who failed in one study at college and afterwards graduated with the highest mark in his class at that college, and I believe the highest mark any student ever attained at

Mr. WALSH of Montana. I have no interest in the matter either one way or the other. I think the adoption of the amendment would be a fatal precedent to establish. I think that the officers of the Naval Academy have shown every consideration for the boys and every desire to observe the letter of the statute. I merely desire to add that anyone who criticizes it must show how it would be possible to give anything like 30 days' additional instruction or six weeks' additional instruction before the reexamination between terms.

Mr. POINDEXTER. Mr. President, I make a point of order against the amendment on the ground that it is general legisla-

tion and changes existing law.

Mr. McKELLAR. I hope the Senator will not do that. The amendment was agreed to in Committee of the Whole on day before yesterday and this morning there was a motion to reconsider it. There was no objection to that and I think that was entirely proper. There was no objection on my part to it at all, and I think that was entirely proper. It seems to me, however, that the Senator should, on so important a matter as this, permit us to have a vote and let it go to conference and be considered there. I think the Senator intimated, or I believe stated, day before yesterday that he himself thought that was the best course. I hope the Senator from Washington will withdraw his point of order.

Mr. POINDEXTER. I did that upon the assumption that it would be disposed of in that way, but it has now been taken

up and there is apparently to be much discussion of it.

Mr. McKELLAR. Of course, the Senator knows I am not responsible for that. The Senator himself agreed that it might be taken up in that way. He agreed by making the statement on the floor that a reconsideration might be had. He said he had no objection to it. I had none, and I thought the Senator was exactly right. I hope the Senator will not press his point of order.

Mr. POINDEXTER. Is the Senator of the opinion that we can get a vote upon the amendment within a reasonable time?

Mr. McKELLAR. I think we can very shortly. The Senator from Ohio [Mr. Pomerene] desires to make a few remarks on it, and then we can get a vote on it.

Mr. POINDEXTER. I will withhold the point of order for

the time being

Mr. McKELLAR. I hope the Senator will not make the point of order at any time.

Mr. POMERENE obtained the floor. Mr. PITTMAN. Mr. President-

Mr. POMERENE. I yield to the Senator from Nevada. Mr. PITTMAN. Before the Senator from Ohio begins his Mr. PITTMAN. Before the Senator from Ohio begins his remarks I should like to ask the Senator from Montana a ques-Did the authorities at the academy give the same instructions during the same period of time and the same reexamination to all the students to whom the amendment is in-tended to apply, that they gave to the particular students whom the Senator has discussed?

Mr. WALSH of Montana. It was the same that was given to the 286 who failed. The same instruction was given to all.

Mr. PITTMAN. In other words, there was practically a

month's special instruction upon the subject in which they failed?

Mr. WALSH of Montana. That is true.

Mr. PITTMAN. Then, as to the reexamination, they were requested to resign if they again failed in that study?

Mr. WALSH of Montana. No; having failed they were requested to resign.

Mr. POMERENE. Mr. President, I wish to assure the Senate that I am just as jealous of the record of the Naval Academy as any American can be or ought to be, and my interest in the relief which the amendment of the Senator from Tennessee provides does not measure the full extent of my interest in the subject. I am satisfied that certain practices have grown up in the academy that ought to be eliminated, and if I can bring

it about I propose to do it.

The Senator from Nevada very properly asked the Senator from Montana what instructions the boys were given. It is true they were given instruction of the kind that prevails over there, but it must be borne in mind that the amendment of June 5 contemplated, though it was crudely phrased, that there should be instruction during vacation. It so happened, and in large part because of the form of the amendment, that there was just one day, namely, Sunday, intervening between the first term and the second term. Now, they concluded that they could not drop these men then, but that they would have to give to them instruction, so they gave them instruction during the term and not during vacation. It is true that there was an hour of instruction given between 5.15 and 6.15 each evening after the boys had been working hard all day on work that in contemplation of the academy, at least, requires all of the time of the boys. That is a part of the situation.

I wish to make this assertion, and I do it because I believe it. The authorities over there were determined that they were going to bring about the repeal of the provision of June 5, 1920. I wish to call the attention of the Senate to some of the ques-tions which were asked by Admiral Scales. It demonstrates conclusively his frame of mind. Under date of June 24, 1920, he sent a letter to the Secretary of the Navy. It contains

certain inquiries, as follows:

1. In view of the provision of the Revised Statutes, sections 1519 to 1525, which says, "Midshipmen found deficient shall not be continued at the academy or in the service unless upon the recommendation of the academic board," and in view of its intent—

Now, note this-

and in view of its intent, is the act of Congress referred to in reference (a)-

Which is this act of June 5-

valid as against the provision of the Revised Statute above noted-

Which placed the power of putting these boys out absolutely in the academic board.

2. Provided it is

That is, provided it is valid-

can the academic board drop a deficient midshipman at the close of the semiannual examinations without failure on reexamination?

They are still insisting that they should have the same arbitrary power, notwithstanding the fact that the Congress had declared they were entitled to reinstruction and reexamination.

3. Having recommended certain midshipmen to be dropped-

That is what they had done early in June-

on account of their being deficient at the annual examination, 1920, can the academic board change that recommendation and turn these midshipmen back into the next lower class?

4. Having instructed the deficient midshipmen and reexamined them after instruction, according to the clause contained in the deficiency bill, can the academic board turn them back if they pass satisfactorily, in view of the fact that other better and more qualified midshipmen have already been turned back from the same class?

5. Unless the act of Congress referred to in reference (a) rescinds the action which was taken by the academic board under provisions of the Revised Statutes, sections 1510 to 1525, prior to the enactment of the clause contained in the deficiency bill, a decision is requested as to its validity in view of its possible retroactive provision.

I call attention to these things because there was a determination on the part of this admiral to leave the control absolutely where it was under sections 1519 to 1525, and a disposi-tion to disregard the act of June 5, 1920. The other day when this matter was up I inserted in the RECORD—and I am not going to do it again—the reply which was made by Admiral Coontz, who was then the Acting Secretary of the Navy, and his action was largely favorable to these boys.

Then the matter was referred to the Attorney General, and the Attorney General called attention to the obscurity of the law and suggested that before there would be another semiannual examination Congress could remedy the defect; but

Congress did not do so.

Mr. President, if I felt that these boys had had a square deal, I would have nothing to say, but I observe that there has been a careful assumption here all the while that the instructors and the management of the academy are 100 per cent perfect, and that the fault lies wholly with the boys. A moment ago the Senator from Montana [Mr. WALSH]-and I should like to have the attention of the Senator from Iowa

[Mr. Kenyon], because the Senator from Iowa was not present at the time-referred to a case in which the Senator from Iowa was interested, and a report was read here from the academy which showed that the boy had failed one year before and was turned back, and now, because in his first examination he was two one-hundredths of 1 per cent below the passing grade in electricity, and on reexamination was, I believe, twelve one-hundredths of 1 per cent below, he is turned out. I made the statement-and I ask the Senator from Iowa if I am not correct about it-that he was turned back the first time because for four months he was sick with appendicitis, was in the hospital, and was not able to pursue his studies. Is that correct?

Mr. KENYON. That is my understanding of the case.

Mr. WALSH of Montana. Mr. President, let me remark in that connection, let us assume that that is the case—and I have no doubt that it is correct-still there were five months of the year remaining for that boy; he had the benefit of at least five months of work in his succeeding year, and then he failed. He was in a very much better situation, as a matter of fact, to pass the examinations in the lower class the next year than the boys who came in to that class originally.

Mr. POMERENE. Yes, Mr. President, that is true; but they have a textbook on the subject of electricity which is written by an officer, which instructors as well as midshipmen tell me is so obscurely written that it takes an advanced student of

the subject to understand it.

Mr. WALSH of Montana. Apparently, it has some resem-

blance to the questions asked by Mr. Edison.

Mr. POMERENE. I think that some of the instructors know about as much of the subjects they are teaching over there as Ford knew about some of the subjects as to which inquiry was made of him when he was on the witness stand.

Mr. WALSH of Montana. Of course, if that is the case, we

ought to investigate the Naval Academy.

Mr. POMERENE. Undoubtedly so; and before I get through with this subject I am going to present a joint resolution providing for the appointment of a committee, consisting of three members of the Naval Committee of the Senate, three members of the Naval Committee of the other House, and three eminent educators to be appointed by the President to investigate not only the course of study at the Naval Academy but the methods

of instruction and of grading.

Mr. WALSH of Montana. I do not mean to say that it would not be wise to take that course, but I observe that the law really now so provides. It provides for a board of visitors, consisting of three Members of the Senate, three Members of the House, and three eminent educators. Eminent educators spent a week at the Naval Academy this year. Among them were President Benjamin Ide Wheeler, of the University of California; Prof. Irving Fisher, of Yale University; and one of the leading instructors and professors of the University of Illinois, and other men of similar character, who spent a week at the academy, going carefully into all of its methods of instruction.

Mr. POMERENE. I believe the Senator from Montana was a member of that committee. Did he examine the method of

instruction at the academy?

Mr. WALSH of Montana. No; I did not. It is a long time since I professed to know anything about teaching school, and that part of it I really left to the other members of the com-

Mr. POMERENE. Did the Senator investigate the method of grading there?

Mr. WALSH of Montana. No.

Mr. POMERENE. Did the Senator investigate the course of study there?
Mr. WALSH of Montana. I, of course, followed the course

of study.

Mr. POMERENE. That is, the Senator accepted it?

Mr. WALSH of Montana. Yes; but I would not like to say that my examination was very thorough.

Mr. POMERENE. Very well.

Mr. KENYON. I should like to ask, in the case of a commission of that kind, if the social duties are not so great that the commission does not have time to attend to much else?

Mr. POMERENE. I do not want to ask a question of that nd. However, Mr. President, some reference has been made to the method of instruction at the academy, and I am going to give the Senators who do me the honor to listen to me some information on the subject. The midshipmen in some of the departments are assigned their lessons one day and the next day they go into the lecture room. They are required to go to a blackboard and write out the lesson. Repeatedly this occurs: When a midshipman has reached some branch of the subject which he does not understand and he asks the instructor a

question, he is met with this kind of an answer, "Have you not read your lesson? It is in the textbook." That is the instruction they get. When the so-called instruction to which the Senator refers was being given to these boys, after they had been at work all day, they were sent into the classroom between 5.15 and 6.15 o'clock, and instead of being given instruction in some instances the alleged instructor was sitting at the table reading a newspaper.

Mr. WALSH of Montana. Let me inquire of the Senator

what is the source of his information about these matters?

Mr. POMERENE. The source of my information is partly, from some of the midshipmen, in part from instructors, and I have a letter here that is not, for obvious reasons, signed, which I am going to read, and I am going to paraphrase it just to the extent of trying to conceal the identity of the writer and one of his fellow midshipmen. I will be glad to let any Senator see it if he wishes so to do.

Mr. DIAL. Mr. President—
The VICE PRESIDENT. Does the Senator from Ohio yield the Senator from South Carolina?

Mr. POMERENE. I yield.

Mr. DIAL. Merely for the purpose of trying to acquire information, I will ask the Senator what disposition would be make of a midshipman who failed at his mid-term examination? Mr. POMERENE. I think the purpose of the act was that

instruction should be given at the end of the year.

Mr. DIAL. In the summer time?

Mr. POMERENE. Yes. Of course, there may be cases in which the deficient midshipman ought to have been summarily dismissed; but, on the other hand, as has been the practice under section 1519 et sequentes, if a midshipman fails, ordinarily he drops back into the class below.

Mr. WALSH of Montana. Let me inquire of the Senator how he would give the instruction at the end of the summer term, in view of the fact that the cruise immediately ensues?

Mr. POMERENE. There are methods of giving instruction,

but the instructors want a vacation.

Mr. DIAL. Mr. President, what was bothering me was that a boy, having failed, would he not then drag along until the end of the next term?

Mr. POMERENE. I beg the Senator's pardon.

Mr. DIAL. What was troubling me was if the midshipman had failed at the mid-year examination, he would then drag

along in his class until the summer time.

Mr. POMERENE. Under the rule that prevailed heretofore he could have been dropped back into the next lower class, and there would have been nothing said by me if that had been That was the practice; it only ceased to be the practice when the amendment of June 5, 1920, was adopted; and I think I will demonstrate before I shall have finished that some of the authorities over there have deliberately undertaken to bring about the repeal of that provision, which was intended for the benefit of the boys; but, instead of that, the authorities at the academy have construed it against the boys; in other words, it was the purpose of Congress to permit the boys to have reinstruction so that they could go on with their class, and while Congress saw fit to do that, Admiral Scales and the academic board insisted that because of the act of Congress they should not even be permitted to go on with their class; and, more than that, they should not even be permitted to remain at the academy.

Mr. POINDEXTER. Mr. President-

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Washington? Mr. POMERENE. I yield.

Mr. POINDEXTER. How could they go on with their class if the course which the Senator from Ohio suggests of giving

them instruction during the succeeding vacation were followed?

Mr. POMERENE. Mr. President, I made that as a suggestion. There would be an alternative course; either they could be permitted to go on with their class or they could be turned back to the next lower class; but it so happens that the young man in whom the Senator from Iowa is interested failed in the subject of electricity, which is a continuous study for two years at the academy. Would it have hurt the dignity of the Navy to have permitted the boy who failed by two one-hundredths of 1 per cent on the regular examination and on the second examination by twelve one-hundredths of 1 per cent in his class to continue for a few months more? Let me remind Senators that one of the ablest admirals in the Navy, one of the men whom we all love and honor, when he was a boy failed twice; but if Admiral Scales had been there at that time we would not have had this admiral in the Navy.

I said I was going to read a letter from a midshipman. He

is not a tyro.

Mr. McKELLAR. Mr. President, will the Senator permit me to interrupt him there in reference to the question asked by the Senator from South Carolina [Mr. DIAL]?

Mr. POMERENE. Yes.

Mr. McKELLAR. The Senator from South Carolina asked what would be done if a young man, for instance, failed in electricity at the end of a term that concluded on the 30th of January and there was only one day in which he could be given the special instruction authorized and directed to be given by the statute. He could continue in his class until the end of June, and during the June vacation arrangements could be made by which he could be given instruction and, upon reexamination, either put back into his class, if he stood an excellent examination, or allowed to fall back in the next lower class, and thus to continue in his studies. That is done in every

college in the country, without exception.

If a student fails in one study, he is not dismissed from the college. In this instance the law provides just exactly what has been done. It is said, however, that the midshipmen have to go on their cruise. They do not, however, cruise for the entire time, or if they do, under present regulations, the authorities could easily direct that 3 weeks or 30 days be allowed for special instruction, and the boys could then go on their cruise. It is true that, perhaps, the professors would then get a little shorter vacation, but still they would have

more than Senators of the United States get.

Mr. WALSH of Montana. Mr. President, will the Senator from Ohio permit a further interruption?

Mr. POMERENE. Yes.

Mr. WALSH of Montana. I do not understand whether the Senator from Tennessee apprehends the situation or not; but how could a boy who has failed be given 30 days' or 6 weeks' instruction and then go on the cruise? The entire Corps of Midshipmen go together on the cruise.

Mr. McKELLAR. I know that. Mr. WALSH of Montana. And if some remain behind the authorities will either have to fit out a separate cruise for the deficient midshipmen or such midshipmen will have to stay at the academy and not receive the advantage of the cruise.

Mr. McKELLAR. How long would they go on the cruise?
Mr. WALSH of Montana. The cruise extends practically during the entire summer vacation—from the end of the sum-

mer period to the fall period.

Mr. POMERENE. Yes, Mr. President; but while, of course, I am not a naval man, it impresses me that it would not be impossible to have some of these instructors go on that cruise. They might learn something, too, as well as instruct the midshipmen.

Mr. McKELLAR. The suggestion that the Senator has made

is a very excellent one.

Mr. POMERENE. Let me say a word about the method of grading over there. They have daily marks—oh, yes! If a man is asked 1 question or 30 questions, he gets 1 grade; if the examination lasts 5 seconds or 30 seconds, he gets 1

The instructor has to be making and recording the grades all the while. His mind is on keeping the records rather than on the instruction of the youths that are before him. At the end of the week it is averaged and put on the midshipman's card; at the end of the month there is another average, and so forth.

Mr. WALSH of Montana. Mr. President, let me ask the Senator whether that is unique in the academy?

Mr. POMERENE. No; it is not unique in the academy. That is the trouble.

Mr. WALSH of Montana. Is not that the system that is

pursued in every college?

Mr. POMERENE. Mr. President, there has been a little bit of advancement in some of the universities of the country when it comes to the question of grading. Of course, over there in the academy you would not expect any advancement. adopted a system years and years ago, so long ago that the memory of man runneth not to the contrary, and they still stick to it. Oh, we must stand by these precedents!

Let me tell you: In the great universities of the country—and I am not speaking of all of them—they have what they call a group system. There is a first group, a second group, a third group, a fourth group, which includes those who may have failed in one study, a fifth group, lost of whom as I understand are retired if they have failed in a given number of subjects; but their grades and their standings are made up at the end of the year, or, it may be, at the end of the term. I do not pretend to be entirely accurate about this; but I have talked with instructors who have had experience in other universities as well as in the academy, and they tell me that the system over there is absolutely archaic.

Mr. POINDEXTER. Mr. President—
The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Washington?

Mr. POMERENE. Yes.

Mr. POINDEXTER. The Senator has referred to a sort of educational hospital, where parents who are paying the expenses of their children can keep them after they have failed in the regular course. The Senator would not advocate establishing that sort of an institution at a Government academy, where the education is at public expense, and where the object is to make officers of the Navy?

Mr. POMERENE. No, Mr. President; if I were establishing an educational hospital, I would put an entirely different set

of instructors there, I assure you.

I have been told of this situation, when it comes to the grading of these papers: The instructors begin at 7.30 in the morning; at least they did last Sunday, because they had to speed up. They were kept constantly grading papers from 7.30 in the morning until 11 o'clock at night. One man goes over the paper with a red pencil and underscores the words that are wrong, Another man goes over them with a blue pencil, and he underscores those that No. 1 has missed; and this work goes on until these men, under the strain of constant work, are expected to discriminate between a grade of 2.50 and a grade of 2.48 and not make any mistake against the boy. Oh, it is a wonderful system that we have over there!

Now, let me read this letter. It has the carmarks of truth; and I may say when I am reading it that I have talked to some of the instructors and some of the boys over there, and they indorse every word that is in this letter:

DEAR SIR: I am a midshipman at the Naval Academy-

Then he speaks of his friend, and I am going to omit that sentence.

I have read your statements in the papers, and so far you have not shown a knowledge of the real causes of the trouble here.

This was after I had made some remarks on this subject in the Senate. I am learning something every day about this situation.

I could not make this an official statement, because I would be dismissed from the academy; nor can I sign my name, because that also would mean my death as a midshipman. However, I can not help but write this letter for the good of this institution.

Then he speaks of his friend as a good fellow, with fair training. I am omitting the rest of that sentence, which might serve to identify him.

His bilging was altogether due to the fact that he never got any teaching all the time that he was here except in two departments. If you knew how the teaching staff was organized here you would be able to put your lingers at once on the real trouble.

The faculty is composed of about 300 instructors. Two-thirds of these are officers detached from the fleet to teach here for one or two years. They are not selected because they know anything about the subject, but because they are due shore leave and want a good billet. They come here absolutely ignorant of the subject which they are going to teach and make no effort to learn the subject or to teach it. Besides, they are not professional teachers. How could they be expected to know how to teach? The way they teach is as follows.

Now, note this:

You get a lesson assignment. You come to the class and they send you to the board to write during the whole hour what you have studied. They mark you on that. If you ask for an explanation they either refuse to answer by asking you, "Didn't you study your lesson? It is right there in the text."

Now, imagine any one of us who has children going to the grammar school submitting to a teacher of that kind in the lowest-grade schools of the country, or the highest.

And they tell you that in such a way as to discourage any further effort to get an explanation. Besides, we are not foois, and we know that they do not know the subject and can not explain it. Some are frank and admit that they do not know anything about it. Last term one of the instructors told the class frankly that he did not know a "damn thing" about the subject, but that he would try and be a fair umpire between us and the textbook.

Oh, yes; they get instruction!

Last term, during the so-called special instruction for those who had failed in the first examinations, they actually detailed one of the savvy midshipmen—

That is a slang expression over there for the "wise ones" in the class. Let me read that again, so that you get its full import:

Last term, during the so-called special instruction for those who had failed in the first examinations, they actually detailed one of the savvy midshipmen who stood at the head of the class to give special instruction along with the instructors.

Now, note: He had not even graduated yet.

And his classroom was filled to overflowing, because the midship-men knew that they could get there at least some explanation and some teaching.

I think if you would turn out some of the instructors and put some of the midshipmen there, you would improve conditions.

Mr. Senator, the only remedy for the trouble here is for the authorities to get the best professional teachers in the country to teach us, instead of getting officers who come here only for a year or two and take their teaching jobs like they do a junket billet. It is a crime to go into one of the classrooms and listen to the kind of instruction that we get here. Of the 300 instructors here, only about 100 are professional civiliar teachers, and they are the only ones that do any teaching, but their subjects are English, languages, and mathematics. Even those civilian teachers have officers over them as heads of departments, and those officers direct the teaching. I am surprised that they stand for this indignity. I believe, Mr. Senator, that this is the only educational institution in the world where students are expected to be educated without being taught.

Now, just let that soak in for a little while.

The system here is worse than the Spanish inquisition. The qualit of the teaching staff is a joke among the midshipmen who come her from any of the good schools in the country. The quality

Then he says of his friend:

He would never have bilged out of the academy if he had been taught

He would never have bright out of the standard for anything.

We need an investigation here, but it should be the kind that will investigate the method of instruction in use and the kind of instructors that do the teaching. There is where the real trouble lies. If a boy comes here with a good foundation, and will bone his studies, he gets by. But if he comes here and needs teaching and instruction, he may as well resign right away, because he will never get through. I am sorry that I have to communicate this information in this way.

Mr. POINDEXTER. Mr. President, is it not true that a great many boys, who have only had a high-school education, pass these examinations?

Mr. POMERENE. Yes; but, fortunately, they have had in-

struction

Mr. WALSH of Montana. Mr. President, in view of the awful condition at the Naval Academy, I am curious to know how it has ever produced the remarkable naval officers that we have in our Navy

Mr. POMERENE. Why, Mr. President, I am satisfied that it has not always been in the condition that it is in now, as

compared with the instruction elsewhere.

Mr. WALSH of Montana. I understood the Senator to say that the method now pursued is that which had been pursued in the past, at the time these remarkable naval officers came from the academy.

Mr. POMERENE. I said "the method of grading," out of

which these failures are brought forth.

This letter continues:

I am sorry that I have to communicate this information in this way, but that is the only way that you could get it. If I made a statement through the regular channels, I should probably be put on the ship for doing so, and if I signed my name I would surely be bilged at the beginning of the next term.

Mr. President, I have another letter which I am going to read, and I am going to give the name. This comes to me under date of May 23, 1921, and it is written by Mr. William B. Zimmer, of Rochester, N. Y., who gives the experiences of his nephew in the Naval Academy. The letter reads:

ROCHESTER, N. Y., May 23, 1921.

Senate Office Building, Washington, D. C.

DEAR SIR: A clipping from the New York Times has just come into my possession relative to your asking for investigation as to wholesale dismissals and resignations demanded by Admiral Scales of the United

dismissals and resignations demanded by Admiral Scales of the United States Naval Academy.

I am at present a lieutenant commander of the Naval Reserve Force and, in fact, at the head of the list. I have served in two wars and performed other duties in the Navy when emergencies arose. I am glad to see some one take this matter up, as your point is well taken.

A nephew of mine, whom I have reared and educated, owing to the fact that his mother died when he was a day old, was one of the unfortunate victims of this so-called new rule of the academy. This young man is about 6 feet tall, welghs about 170 pounds, is athletic, and long before entering the academy spent most of his leisure moments in saling boats, swimming, and other aquatic sports.

He graduated from high school here in the honor class, having finished the four years' course in three years.

Until he met Admiral Scales his people had a right to think he would make a good sailor.

He took the entrance examinations to the Naval Academy upon receiving the appointment from Congressman Dunn, of Rochester, N. Y., and succeeded in passing these. He was what is known as a second-class man, or one who has spent three years at the academy. He never failed in any examinations and was above the average in his class, being especially high in navigation, which is the bugbear to most of the midshipmen. A year ago he was in the hospital for a month with the "flu," and in spite of this handicap passed all of his

examinations.

At this mid-year examination he failed in French, which is a minor subject and which is only given two hours a week. Upon reexamination he failed by two-tenths of a point. One night after taps he with a rumber of other midshipmen were summoned to immediately dress and report to the office. Upon reporting there they were instructed to hand their resignation in at once or be dismissed. The boy accordingly resigned, notwithstanding that his daily marks in French since this examination were well above the passing mark. To give you an idea of the caliber of the boy, a midshipman is allowed 150 demerits a year; this young man had only 5. This is a remarkable showing, when you stop to think that 50 demerits are given for some offenses. If you desire this boy's record at the academy, I will gladly forward it.

I went to Annapolis and had an interview with Admiral Scales, and was informed that the boy's record was satisfactory in every respect, except for the failure on this examination—

in French, two hours a week, two-tenths of 1 per cent.

Mr. WALSH of Montana. Mr. President, I think the Senator has misinterpreted that part of the letter, when he says two-tenths of 1 per cent. I think a very great deal of misapprehension might arise if that were not corrected.

Mr. POMERENE. If I am wrong, I want to correct it.

Mr. WALSH of Montana. I will try to correct the Senator. The midshipman failed, as it is stated there, by two one-hundreds of 1 per cent. The marking is on a system of units, the perfect mark being 4.

Mr. POMERENE. Yes; that is right.
Mr. WALSH of Montana. If the student is perfect, he is marked 4, and 2.5 is the passing point. If he failed by two one-hundredths of 1 per cent, he got a marking of 2.48, which would be 52 per cent perfect; that is, on a scale of 100 this student got 52

Mr. POMERENE. Got what?

Mr. WALSH of Montana. Got 52. Mr. POMERENE. Fifty-two what?

Mr. WALSH of Montana. Fifty-two per cent. Mr. POMERENE. This says he failed by two-tenths of a I think I have misconstrued that. point.

Mr. WALSH of Montana. Exactly. That is two-tenths taken from 2.50.

Mr. POMERENE. That would make it 2.3. Mr. WALSH of Montana. Two and forty-eight one-hundredths is what it would be.

Mr. POMERENE. If it was two one-hundredths?

Mr. WALSH of Montana. Two and five-tenths is the passing point.

Mr. POMERENE. Yes.

Mr. WALSH of Montana. He got 2.3.

Mr. POMERENE. That is what I said a moment ago. Mr. WALSH of Montana. That is correct. But it is not 2.3 per cent.

Mr. POMERENE. No.

Mr. WALSH of Montana. He got 2.3.

Mr. POMERENE. He should have 2.50 to pass, and he had 2.30, I take it.

Mr. WALSH of Montana. But not per cent. Mr. POMERENE. Two-tenths of a point.

Mr. WALSH of Montana. Mr. President, that would be 574 per cent that he got. Four points making a hundred per cent, 2.50 is the passing point, and if he failed by two-tenths he got 2.3 parts of 4, which is 571 per cent. That is what the boy received.

Mr. POMERENE. It may be that I misconstrued that. If so, the Record will show. Mr. Zimmer's letter continues:

I went to Annapolis and had an interview with Admiral Scales and was informed that the boy's record was satisfactory in every respect except for the failure on this examination. I called his attention to the fact that French was a continuing subject; that this was the last year this boy would have that subject and this was his last examination; that if this mark were added to his previous examination and the result divided by 2, or if this mark were added to an examination taken by him in June and then the result divided by 2, being 2,50 or above, he would have passed. This has always been the practice at the academy.

Admiral Scales admitted this, but said that it was all up to Congress; that they passed this law and he had nothing to say about it.

Just think of that situation, when before under the law they could be dropped back into the next class. This law, which required two examinations and reinstruction, a law which was meant as a shield for the boys, Admiral Scales has turned into a sword against them. I continue reading:

I then suggested to him that for such a minor failure as this that he could do, as had been done in the past, have the boy set back for a year. This he refused to do, saying that he could not do so by virtue of the law which Congress had passed.

That is not in accord with the opinion of the Attorney General.

In short, his attitude was that, owing to the fact that Congress passed this law, there was nothing to do but dismiss the midshipmen or permit them to resign. At the time of this interview with Admiral Scales Congressman T. B. Dunn was present.

This action of Admiral Scales or the academic board has impressed me as being most unjust, unfair, and autocratic. Congress is endeavoring to save money. Thousands of dollars are spent educating officers for the Navy. The Navy is crying for officers. And then by one stroke the Annapolis authorities wipe out 110 men who have given three years of their life in preparing for the Navy—

That is not accurate as to that. There were 110 in all the three classes-

the only pretense being that in some minor subject they have failed by two-tenths of a point. This action is all the more flagrantly unjust because it was the first time in the history of the academy that such a drastic rule has been put into force.

I explained that before.

Your attention is also called to the fact that when a midshipman ordinarily resigns and personally takes the papers to various departments and also to Washington and back that the speed record is that of three days. Here the resignations were put through overnight, with the apparent approval of the Secretary of the Navy, when the Secretary of the Navy was reviewing the Atlantic Fleet at Guantanamo,

Of course, some one else acted instead of the Secretary of the

Why was this matter rushed so? Was it to prevent these boys from consulting Congress or their elders to inquire if this act of Congress was so drastic as claimed by Admiral Scales? If you will investigate, I think you will find that Admiral Scales resents the passage by Congress of this act in question.

I have read you the form of the questions which he put to the Secretary of the Navy. They indicate that he was determined to get away from this act of the Congress if he could.

The letter concludes:

If you desire any further information, I shall be pleased to have you communicate with me. However, I wish to congratulate you upon having the courage to attack this autocratic and unjust action of the Naval Academy authorities. I hope that your efforts will be crowned with success, and that as a vindication these boys, who have spent three years in the academy, may be permitted, through appropriate legislation, to reenter the academy, thus deciding forever that the career of a young man should not be blasted by two-tenths of a point.

Very truly, yours,

Now, Mr. President and Senators, that seems to be the situation over there. There is not a word in either one of those letters-and I am speaking of the principles involved-that has not been stated to me, I will put it, by several instructors over there and a number of the midshipmen, as well as their friends who have investigated it.

They talk about instruction in French. I heard a little about their instructor in French a year ago. They had one man at the head of the modern-language department who insisted that when a boy came in and was called up to recite he should stand with the fingers of his left hand touching the seam of his trousers, the thumb of his right hand in the book, the four fingers outside, and the book was to be held 9½ inches from his nose while he recited. While they were receiving instruction the boys must sit perfectly erect, with their heels clicked together, for one hour, if the lecture lasted that long.

If they would give one-half the training to the brains of those boys that they try to give to their physiques, they would be helping matters along somewhat. I am advised that the man who is at the head of the department of modern languages now can neither speak French nor Spanish, though he was a good Young officers who have had no special training along lines of instruction are made instructors and put in charge of very important subjects, such as electricity and other branches, and you expect to get first-class instruction in what ought to be the best institution of learning in the United States. Most of these boys, as I am informed, failed in classes where they have these subordinate officers as instructors.

Perhaps I have gone further than I ought to have gone in this matter. I will be corrected if I am wrong, but I should like to have an examination of conditions of the academy. Meanwhile it seems to me that when the Congress of the United States sought to legislate for the benefit of the boys it ought not to be in the power of the authorities of that institution to "kaiser" the boys out of the service in that kind of way.

I hope that the Senator from Washington will not make the point of order, but will give these boys a chance, these boys who failed by a few tenths or a few hundredths of 1 per cent, when the Government already has an investment in them covering several years, some of them three years, some of them two years, some one year, some a part of a year. One of them is credited with five years of instruction, during four months of which he was in the hospital, but they say nothing about that. It might be an excuse for his failure a couple of years ago, but we do not get that information from the academy authorities.

Mr. President, I wish to appeal to Senators to give these boys another chance and let them go back into the next lower class. They did pass their examinations, otherwise they would not have gotten out of the next lower class. The Government has an investment in them and because, for sooth, it may interfere with discipline, because it might offend the dignity of a few naval officers, these boys are to be decapitated and turned out into the cold world—a blight on their career, a discouragement which will take time for them to get over. That is what it means. If there is one provision in the bill that is better than another, it is the attempt to do justice for these boys.

Mr. DIAL. Mr. President, I do not know Admiral Scales

and I am not undertaking to defend him, but from what I can

gather here there seems to be a good deal of autocracy existing at the academy. I agree with the Senator from Ohio that there should be some investigation, and if any wrongs exist they should be corrected.

However, we all know that hard cases make bad law, and to my mind it would be very unfortunate for Congress to pass acts allowing reexaminations. We all have but one object here to accomplish, and that is the good of the boys, the good of the academy, and the good of the people of the United States. occurs to me that our purpose would be accomplished by amending the general law which has been referred to and make clear what Congress intended. Of course, we all realize it is unfortunate for a boy to go to school a while and then have to drop out. Possibly he should have a reexamination, but when he fails it would be very unfortunate if he should think he could run down to Washington and get us to pass a special law every year allowing a reexamination. We all know that boys naturally kick against constituted authority, and they should not have any encouragement along that line. We further know that there can not be two masters over one institution. authorities there should rule the institution under the law which we establish. I think if we would amend the general law and have it clear that the reexamination should be had in the summer time, we would accomplish everything that would be necessary

Mr. KENYON. Mr. President, I do not wish to detain the Senate at all on this matter. The Senator from Ohio [Mr. Pomerene] has covered it so thoroughly that I supposed it was over. I appeal to the Senator from Washington [Mr. Poindexten] to permit the amendment to be adopted. It can go to conference and possibly be worked out there. It certainly can

not do any harm.

I have felt, as the Senator from Ohio has well expressed the thought of many Senators, that a very grievous wrong has been done these boys. I do not believe they have had a square deal. Of course, on the face of it when a man has had two examinations and failed it would apparently seem that something was the matter, but we all know in a way how the second examina-tion is carried on. The boy is laboring under a condition of nervousness. He should have plenty of time to cool off and get ready for the second examination.

When we passed the act back in June, 1920, providing for a reexamination I think it was not the intention of anyone that that should be used in any way to curtail the privileges or the status of the boys in the Naval Academy. Prior to that time, under section 1519 of the Revised Statutes, where a boy failed he dropped back a year in the classes. That seems fair. That is the method that was then in vogue. The Congress, in order to make it easier or better for the boys, provided for this additional examination. It does seem to me that the authorities at Annapolis have used this act not as an aid to the boys but as a sword of Damocles held over their heads, and there has been more or less of an attempt on the part of the authorities over there to spank the Congress for passing this second statute and interfering with their self-assumed prerogatives

What can be the harm of an amendment providing that these men can be reappointed? The amendment can go to conference, the conference committee can learn more about it and reach a The appointments would have to be made by just conclusion. Senators or Members of Congress or the President. If those

boys were unfit, they probably would not be reappointed.

I am not going to take any further time on it. The acting chairman of the committee is anxious to get through. I appeal for this amendment solely in the interest of a square deal to the men, whose friends, at least, feel that they have not had it, and the amendment would certainly do no harm to anyone.

Mr. POINDEXTER. Mr. President, if the method of instruction at the Naval Academy is wrong, it ought to be corrected; but the object of correcting the course of instruction at the Naval Academy can not possibly be effected by reappointing to the Naval Academy 110 "lame ducks" who have failed twice in their examinations. There are other boys there who passed the examinations, as I said a moment ago, many of whom only attended high school, which conclusively demonstrates that the examinations are not too severe for boys who have the requisite ability and apply themselves in the various subjects involved.

My opinion is that the adoption of the amendment instead of saving money for the Government would add an enormous expense to the Government, taking these boys again into the academy at public expense and possibly perpetuating them in the service of the Navy at salaries that will have to be paid to men who have been shown to be unfit. I trust the amendment will not be agreed to.

The PRESIDING OFFICER (Mr. LADD in the chair). The question is on agreeing to the amendment of the Senator from

On a division, the amendment was agreed to.

Mr. POINDEXTER. I reserve a separate vote in the Senate upon the amendment.

#### ADDRESS BY AMBASSADOR HARVEY.

Mr. HARRISON. Mr. President, this morning at the instance of the junior Senator from New York [Mr. CALDER] there was inserted in the RECORD the very splendid address that was delivered by the President of the United States in Hoboken the other day, paying a very just tribute to the American soldier and stating very succinctly the reason for America's entrance into the war. I ask unanimous consent that the remarks I shall now make touching that address shall be placed in to-morrow morning's Congressional Record following the insertion of that address.

Mr. SMOOT. To what address does the Senator have refer-

ence?

Mr. HARRISON. I am going to discuss the President's address at New York, and I should like to have my remarks follow his address as contained in the Congressional Record, his address having been inserted at the instance of the Senator from New York [Mr. CALDER].

Mr. SMOOT. I do not know that there is any reason why it should not be done, but generally remarks appear in the RECORD in the order in which they are delivered in the Senate.

Mr. HARRISON. I think it would probably be better in this instance to have my remarks follow that address, because it is such a splendid address. Has the Senator any objection? Mr. SMOOT. No; I do not object to it, but I do not see the object of it.

Mr. HARRISON. The Senator will see in a moment.

Mr. SMOOT. I doubt that.

The VICE PRESIDENT. Is there objection to the request of the Senator from Mississippi?

Mr. JONES of Washington. Mr. President, I object. The VICE PRESIDENT. Objection is made.

Mr. HARRISON. I am sorry. In the course of that address which will appear in the Congressional Record the President employed, among other very beautiful passages, this sentence:

These heroes were sacrificed in the supreme conflict of all human history. They saw democracy challenged and defended it. They saw civilization threatened and rescued it.

I asked unanimous consent this morning, following the insertion of that address in the RECORD, that the address of the new ambassador to the Court of St. James be inserted in the RECORD, referring to the address which he recently made wherein he stated, among other things, the reasons why the United States went into the late war.

I shall not trespass upon the time of the Senate by reading that address, the publication of which in the Record was objected to by the junior Senator from Indiana [Mr. New], but I shall read one passage from the address of the new ambassador to the Court of St. James which takes issue with the speech of the distinguished President of the United States as to the causes that led us into the war. It may be that the President felt it his duty, in view of the recent speech of the ambassador to the Court of St. James, to make the speech that he did to the American soldiers in New York recently.

Here is what Col. Harvey said, in part, in that speech, so different from the splendid sentiment expressed by the Presi-

dent of the United States recently:

Even to this day at rare intervals an ebullient sophomore seeks applause and wins a smile by shouting that "We won the war!" Far more prevalent until recently was the impression—and this was and still is in a measure sincere—that we went into the war to rescue humanity from all kinds of menacing perils. Not a few remain convinced that we sent our young soldiers across the sea to save this kingdom and France and Italy. This is not the fact. We sent them solely to save the United States of America, and most reluctantly and laggardly.

# NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

Mr. CALDER. I submit the amendment which I send to the

Secretary's desk

The VICE PRESIDENT. The amendment proposed by the Senator from New York will be stated.

The READING CLERK. On page 16, at the end of line 22, it is proposed to insert the following:

Upon original enrollment in the Naval Reserve Force all members, other than officers of the various classes and members of the Fleet Naval Reserve, shall be confirmed in the lowest rating of their respective branches of the service: Provided, That upon reenrollment such

members shall be confirmed in such rating as they may be found qualified to fill, under such regulations as may be prescribed by the Secretary of the Navy: Provided further, That members of the Naval Reserve Force who have been reenrolled, or who may reenroll in the Naval Reserve Force who have been reenrolled, or who may reenroll in the Naval Reserve Force within one year from the date of this act, shall be entitled to all the benefits and privileges provided for members of the Naval Reserve Force who enroll within four months of the date of the termination of their last term of enrollment: And provided further, That hereafter members of the Naval Reserve Force, including officers, who perform active service for periods of less than 15 days on board vessels assigned for the purpose of training the Naval Reserve Force shall be entitled to subsistence or commutation thereof at the value of the Navy ration for each day's active service so performed; and such active service for periods of less than 15 days for maintaining efficiency is hereby authorized: And provided further, That retainer pay withheld and credited to the appropriation for organizing and administering the Naval Reserve Force, as required by section 9 of the act approved June 4, 1920 (41 Stat., p. 887), shall be available for the purposes provided by said act until the end of the fiscal year next following that in which it is so withheld and credited.

Mr. CALDER Mr. President—

Mr. CALDER. Mr. President-

Mr. KING. I raise the point of order against the amendment which has been offered by the Senator from New York,

Mr. CALDER. Will the Senator withdraw the point of order until I can explain my amendment? If he will do so, I feelcertain that I can induce him not to make the point of order.

Mr. KING. I yield to the Senator from New York for that

Mr. CALDER. Mr. President, the amendment relates to the provision of the bill which refers to the Naval Reserve Force. It is recommended by the Navy Department; in fact, the amendment was drawn in the Navy Department. It is intended to encourage men to retain their service in the naval reserve. During the war a great many men, in fact, I am under the impression that perhaps a majority of the nearly 600,000 men who served in the Navy of the United States came in through the Naval Reserve. The real purpose of the amendment is to encourage these men to remain in that service.

If the Senator from Utah will examine the amendment closely he will find that it permits subsistence, among other things, to be furnished to the Naval Reserve men who serve with the

colors for a period less than 15 days.

Mr. KING. Does the Senator from New York mean that subsistence is to be furnished to them when they are not in the Navy?

Mr. CALDER. Oh, no.

Mr. KING. When they are not on the active list?

Mr. CALDER. When they are serving in the Naval Reserve, go out on a cruise with the Navy as naval reservists for a period of less than 15 days, the amendment provides that they may have their subsistence furnished them. To-day in such case they must furnish their own subsistence. If the Senator from Utah will inquire into the operation of the Naval Reservesystem, he will find that it is only with great difficulty that we are keeping up the interest in the Naval Reserve on the part of the men who were attached to it throughout the country: We have our National Guard in the several States, who are a part of the reserve of the Army. The purpose of this amendment, I repeat, is to keep up the interest on the part of the members of the Naval Reserve. I think if the Senator carefully examines my amendment he will agree that it is a very necessary one if we hope to maintain a reserve at all for the Navy.

I may say, Mr. President, that when the recent war came the Naval Militia of the country, as I recall, furnished something like twenty-odd thousand men almost immediately to the Navy. My own State furnished 6,000 men. I am anxious, after conversation with members of the Naval Militia and those who have taken an interest in the Naval Reserve, to perpetuate it and to make it as strong as it can be made. The amendment I have offered tends in that direction.

I dislike very much to insist on my point of order, Mr. KING. but this legislation is very important. It involves the consideration of many questions. It seems to me that the practice of attaching to important appropriation bills proposed legislation of great importance is unwise and is fraught with a great deal

I can not see all of the implications that may arise from the amendment which has been offered by the Senator from New York; I doubt whether a half dozen Senators upon the floor, aside, perhaps, from some of the members of the Naval Affairs Committee or those who have examined the matter, know the full implication and obligations which would be entailed upon the Government by the adoption of the amendment. I therefore insist upon my point of order, Mr. President.

The VICE PRESIDENT. Will the Senator state the grounds

for his point of order?

Mr. KING. My point of order is that the amendment proposes general legislation upon an appropriation bill; that it

involves expenditures for which no estimate has been made; and that it has not been referred to nor reported by any committee of the Senate.

The VICE PRESIDENT. The Chair has to rule that the

point of order is well taken.

Mr. McKELLAR. Mr. President, I desire to occupy merely a minute or two of time to make a statement in reference to the pending bill. I am going to vote for the bill notwithstanding it contains some provisions that I do not like. Of course, it is an appropriation bill for the Navy, and we must appropriate for the Navy. The bill is for the most part a proper bill, and it is our duty to vote for necessary appropriations. However, to that provision in the bill increasing the personnel of the Navy I object very seriously, and if it were not for the fact that I believe in conference it will be, in a large measure at least, stricken out, I would be inclined to vote against the bill; but I feel sure that the House will not agree to the very large addition to the personnel provided for in the Senate bill.

Mr. President, in order to show the reason why I feel the personnel is entirely too large, I wish to read for a moment from page 48 of the House hearings on the naval appropriation

bill of 1922:

STATEMENT ON BRITISH NAVAL ENLISTED PERSONNEL,

The following information, based on information as to the British figures from Admiral Niblack, naval attaché at London, under date of January 11, 1921, compares the United States and British enlisted personnel as of January 1, 1921, the United States figures being based on the latest compiled data.

Then follows the table, which I ask to have incorporated in the RECORD at this point.

The VICE PRESIDENT. Without objection, it is so ordered. The table referred to is as follows:

Character of duty.	United States personnel.	British per- sonnel.
Seagoing vessels¹.  Training².  Hospitals³.  Recruiting  Aviation⁵  Communications⁵.  Other shore activities.  Coast Guard.	75,636 30,842 2,012 2,019 3,444 1,260 11,167	82,000 5,000 1,200 70 None. None. 16,930 3,009

<sup>1</sup> Includes marines afloat; no marines are included in shore figures.
<sup>2</sup> United States figures include 6,572 men at trade schools.
<sup>3</sup> Figures include men performing duty connected with administration and service

Mr. McKELLAR. The figures set forth in the table show that the present personnel of the United States Navy is 126,380 men, while the present personnel of the British Navy is 105,100 men.

As we all know, the British Navy is at least half as large again as that of the United States, and it may be somewhat larger; and yet they have only 105,000 as against 125,000 men provided for in the pending Senate bill. If Great Britain, with a navy very much larger than that of the United States, can get along in these hard times with a personnel of 105,000, it stands to reason that the United States, with her smaller Navy, should get along with 100,000 men, as provided for by the House bill.

I am not an expert on naval matters at all, but I am informed that the additional personnel carries with it an additional appropriation of about \$43,000,000. I think that \$43,000,000 could be saved and ought to be saved to the American people. would not vote for the bill with that provision in it if I did not believe that the House would correct what I regard as a serious defect in that respect. I believe the House will correct it, and for that reason I am willing to vote for the bill, although

at present it contains that provision.

The amendment offered by the Senator from Idaho [Mr. BORAH] and adopted by the Senate is an additional reason why I shall take pleasure in voting for the bill. Under that amendment the President of the United States is authorized and empowered to call a conference of the representatives of the Governments of Japan, Great Britain, and the United States to discuss measures looking to disarmament. I sincerely hope that he will carry out that provision of the bill, and I feel confident that he will do so; I am sure that this evidence on the part of Congress of its desire that we should take steps toward disarmament will be heeded by the President of the United States and carried out. For these reasons I shall support the pending bill.
Mr. HARRISON. Mr. President, I should like to ask the

Senator from Washington [Mr. Poindexter], who has the bill

in charge, if midshipmen when they enter the Naval Academy are credited with a sufficient sum to enable them to purchase The reason why I ask the question is that their equipment? I notice that in the House, during the consideration of the Army appropriation bill, at the present session a provision was inserted, which I will read, as follows:

Provided further, That hereafter each new cadet shall, upon admission to the United States Naval Academy, be credited with the sum of \$250, to cover the cost of the initial clothing and equipment issued, to be deducted subsequently from his pay.

Of course, the reason why the House of Representatives very appropriately inserted that provision was that in practically all instances the young men who enter the West Point Military Academy-and the same statement applies to those who enter the Naval Academy—are poor but deserving, and it becomes necessary for them, in order to enter the academy after they have qualified by passing the requisite examinations, to borrow the money with which to equip themselves with clothing, and so forth, for their entrance. It seems to me that if that rule should be applied to the West Point Military Academy, certainly it should also be applied to the midshipmen who enter the Naval Academy. My information is that there is no provision of law under which the Government may advance \$250 to the young men who enter the Naval Academy, even though it will in the future in all probability advance such a sum to those who enter the Military Academy, the amount afterwards to be deducted from their pay.

So I am propounding the question to the Senator from Washington and asking if my information is correct; and if it be correct, what objection would there be to adopting an amendment that would confer the same advantage on the young men who enter the Naval Academy as it is intended to confer upon those who enter the Military Academy at West Point?

Mr. POINDEXTER. It would cost the Government that much more money. Objection has never been raised; there has been no complaint with the present situation. I think \$250 is deposited by the midshipmen for the purpose of providing their equipment.

Mr. HARRISON. Yes. If \$250 were to be advanced to them, it could afterwards be deducted from their pay. In a sense, it is purely an advancement. The question that I was anxious about was whether or not my information was correct that the Naval Academy did not advance the \$250 to purchase the original equipment.

Mr. POINDEXTER. That is correct.

Mr. HARRISON. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The Secretary will state the amendment.

The READING CLERK. It is proposed to amend line 1, page 30, after the figures "\$37,023,859" by inserting the following:

Provided, That the sum of \$250 shall be credited to each midshipman who entered the Naval Academy since May 15, 1920, and to each such midshipman discharged since that date to the extent of paying any balance due by any such midshipman to the academy on account of initial clothing and equipment issued to him: Provided further, That hereafter each new midshipman shall, upon admission to the Naval Academy, be credited with the sum of \$250 to cover the cost of his initial clothing and equipment issued, to be deducted subsequently from his new

Mr. HARRISON. Mr. President, I merely desire to say this in support of that amendment: I would not have offered it if the Senator from Washington had not borne out the correctness of the information that had come to me, that the academy did not advance this \$250 to these boys who enter.

The Government, as I understand, loses nothing by it. It is deducted afterwards from the pay. It merely provides that instead of these young fellows who need it going out and borrowing the money, the Government advances it to them, and afterwards deducts it. If the rule should apply to those who enter the West Point Military Academy, certainly it should apply with equal force to the midshipmen who enter the Naval Academy. The language of the amendment is in the exact form of that in the Army appropriation bill; so I hope that the Senator will let it go to conference.

Mr. POINDEXTER. I understand that the amendment

which the Senator proposes provides that the amount advanced to midshipmen for the purchase of their equipment, in case it should be adopted, shall subsequently be deducted from their pay, so that the Government would be reimbursed. Is that the effect of the amendment?

Mr. HARRISON. That is the object of it.

Mr. POINDEXTER. With that understanding of it, I will not make the point of order against the amendment. However, I will say to the Senator that we shall have to inquire into it if it goes to conference.

Mr. HARRISON. I should expect the conferees to do that.

of naval prisons.

Jan. I figure. Now being rapidly reduced.
British have separace air service, and it is understood that shore communications are in civilian hands. Under any circumstances, such enlisted men as are ashore are fully listed under next to last item, except where otherwise specifically listed.

Mr. POINDEXTER. I have had no opportunity to give it mature consideration.

Mr. KING. May I inquire of the Senator from Washington, as well as the Senator from Mississippi, whether the amendment increases the obligations upon the part of the Govern-

Mr. HARRISON. It does not. It merely makes an advancement of \$250, to be deducted afterwards from the pay of these men.

Mr. POINDEXTER. That is my understanding.

Mr. HARRISON. It is the same rule that applies now, or

will be applied, to the West Point Military Academy. Mr. McKELLAR. It does not apply now to the Military

Academy, but it will apply if the bill as reported out by the Senate Military Affairs Committee is passed by the Senate, as I have no doubt it will be.

Mr. HARRISON. And which has already been passed by the

House of Representatives.

Mr. McKELLAR. Yes.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Mississippi.

The amendment was agreed to.
Mr. PITTMAN. Mr. President, I offer the amendment which I send to the desk and ask to have stated. I should like to have it appear as an additional section.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. It is proposed to add at the end of the bill a new section, to be numbered section 19, and to read as

Sec. 19. That the paragraph in the act of August 29, 1916, which reads as follows:

"One-half pay director with the rank of rear admiral to 4 pay directors with the rank of captain, to 8 pay inspectors with the rank of commander, to 87½ in the grades below pay inspector "—

Be amended to read as follows:

"One-half pay director with the rank of rear admiral to 6 pay directors with the rank of captain, to 12 pay inspectors with the rank of commander, to 81½ in the grades below pay inspectors: Provided, That after July 1, 1922, no vacancies as pay directors with the rank of captain, and pay inspectors with the rank of captain, and pay inspectors with the rank of captain, and pay inspectors with the rank of commander, shall be filled until the numbers have been reduced to those authorized by the act of August 29, 1916."

Mr. KING: Mr. President I reserve the point of order.

Mr. KING. Mr. President, I reserve the point of order against the amendment tendered by the Senator. I will not state the point of order until the Senator has an opportunity to make such explanation as he may care to make.

Mr. PITTMAN. Very well.

The VICE PRESIDENT. Does the Chair understand that the Senator from Utah raises the point of order?

Mr. KING. I do, Mr. President. I will, however, withhold the point of order until the Senator from Nevada makes such statement as he may care to make.

Mr. PITTMAN. Mr. President, the object of this amendment is to have the percentage of officers of the higher ranks in the Supply Corps the same as the percentage of officers in

the line of the Navy.

Mr. KING. Why should they be?

Mr. PITTMAN. The reason is this: They find that it is essential for officers in the Supply Corps performing various important duties under great responsibility on board ships where there are line officers to hold the same rank as the line officers performing a comparative service, of course in a dif-

ferent way.

The Navy Department found that they are handicapped by not being able to promote the officers in the Supply Corps at the same time that they promote the officers in the line. You take the running mate of an officer in the Supply Corps, and by length of service and the character of service they should move along to promotion equally; but the percentage of offi-cers allotted to the Supply Corps being less than in any other corps, there are not the positions to fill. An officer in the Supply Corps starts out with an officer of the line, and they are running mates. They serve on the same ship. They enter the service at the same time. They serve, we will say, for 10 years, and then a promotion comes to the line officer, and the promotion does not come to the officer of the Pay Corps. These men who have been cooperating on the ships together, one, we will say, in the Paymaster's Department, the other in the line. find themselves not of a common rank where they have been operating together, but the line officer of a higher rank than the

Mr. KING. Mr. President, will the Senator yield?

Mr. PITTMAN. Yes, sir.
Mr. KING. Does not the Senator recognize that the same condition might be urged with respect to the promotions in the War Department? For instance, there may be graduated the same year two or three hundred from the Naval Academy,

and in the course of a number of years promotions come. It is impossible to give the same promotions to all who graduated at the same time, regardless of their merit. The size of the Army might preclude that; reductions in the personnel might preclude that; and if, as we contemplate doing certainly within the next year or two, we reduce the personnel of the Navy from 120,000 perhaps to 50,000 or 60,000, if the Senator's amendment should prevail and that philosophy were to obtain and to be carried through all of the legislation, you would have admirals and vice admirals and commanders and captains for a Navy of one or two hundred thousand seamen.

While I can appreciate the point the Senator is making, that injustices may arise, and that two men of equal efficiency and equal ability and equal devotion to the service may not get the same promotions-indeed, one may be promoted and the other not promoted-it seems to me that is one of the fates incident

to the service.

Mr. PITTMAN. Of course this amendment does not change the method of selection. The Senator is entirely right that the length of service does not always govern the propriety of promotions, nor does this amendment attempt to change it; but in the Navy we have so many officers to so many enlisted men. There is a proportion. That proportion has been agreed upon, and uniformly agreed upon, in all of these corps except this one. It was an oversight, apparently. For instance, if you will read here what the Paymaster General has to say on it you will understand. He says this in a letter addressed to the chairman of the committee:

My Dear Senator Poindexter: I may venture to remind you of the matter of readjusting the ranks in the Supply Corps of the Navy so that instead of 4 out of every 100 officers of the Supply Corps being pay directors with the rank of captain, there may be 6 pay directors with the rank of captain, and instead of 8 out of every 100 officers of the Supply Corps being pay inspectors with the rank of commander, there may be 12 inspectors with the rank of commander.

In other words, he seeks to have this corps, which has been neglected in some way, simply placed in the same condition as the other corps of the Navy, with the same proportion of officers to the same number of men as you find in the line, but not in any way to affect their method of selection. It does not increase the number of officers. I wish to impress that on the Senator. It does not increase the number of officers.

Mr. KING. Mr. President, if the Senator will pardon me, it would give them higher rank.

Mr. PITTMAN. It does this: It increases the number of cap-tains in the Pay Corps and the number of commanders and proportionately decreases the number of lower officers. other words, the officers of the Pay Corps are unbalanced. They have too many lower officers and not enough higher officers to conduct the business of that corps. This does not increase them,

but it is simply a readjustment.

Mr. KING. Why would it not do to bring down the number of the higher officers in the various other branches of the service? Instead of bringing them up, let us bring some down. There are more officers, anyway, with the higher ranks than are necessary for the service in the Army and in the Navy.

Mr. PITTMAN. That has been, of course, a matter of discussion time and again in the past, and undoubtedly will be again in the future; but this amendment does not attempt to change any existing law except with regard to the Pay Corps, and it seeks to put them on a parity with the other corps and nothing else. In other words, if there are so many captains to so many sailors or marines, we will say, or whatever the corps might be, they want the same number of captains proportionately in this corps that they have in all the others; and then when any general act is passed for the purpose of reducing the number of officers, this corps will go down with the others. That is the real object of this amendment.

It was sought by the former administration, but it was not acted on. It is sought by the Secretary of the Navy at the present time and it is sought by the Paymaster General. I have a letter here from Secretary Denby, addressed to the chairman of the Naval Affairs Committee, which it might be well to have read. I have also a letter addressed by the Paymaster General to the acting chairman of that committee, which possibly also should be read. I simply read an excerpt

It seems to me that the efficiency of this corps will be greatly benefited by this readjustment. I look upon that of more importance than doing justice, I might say, to these men. A number of these officers in the Pay Corps come from civil life, instead of coming from Annapolis, and I feel that, now that the line officers are willing that they should be treated just the same as line officers are, we should embrace this opportunity to take advantage of that consent, because it has been contended very

often that the line officers rather obstructed the advancement of those coming from civil life. Whether that be true or not, we find paymasters of the Navy and pay directors who have been there for many, many years, some of them serving 10 or 15 years, who have performed a service of equal dignity and responsibility with the line officers, but the line officers have received preference in the past, because of these supply officers coming into the Pay Corps from civil life. It seems to me that now we have an opportunity to remedy that without any great obstruction-because the obstruction seems to have died outwe ought to take advantage of this opportunity. The increased cost of this to the Government will be only \$25,000.

I will also read a part of the amendment the Senator from Utah naturally did not pay attention to or would not get the exact meaning of from hearing it read hastily. This proviso was placed in for the purpose of limiting the number of these

captains and commanders. I will read the proviso:

Provided, That after July 1, 1922, no vacancies as pay directors with the rank of captain and pay inspectors with the rank of commander shall be filled until the numbers have been reduced to those authorized by the act of August 29, 1916.

In other words, this is a temporary act to cure a condition that exists right now that has grown up through years and years of time. The Secretary of the Navy originally presented it without that proviso, but Senators on the Naval Affairs Committee did not want this to become permanent, so they limited it to July 1, 1922. But by that time, or prior to that time, no doubt, we will take up the general question of officers in all branches of the service.

I ask to have these letters read for the information of the Senate.

The VICE PRESIDENT. The Secretary will read. The reading clerk read as follows:

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, May 7, 1921.

Hon. Carroll. S. Page,
Chairman Committee on Naval Affairs,
United States Senate,

Hon. Carroll S. Page,

Chairman Committee on Naval Affairs,

United States Senate.

My Drar Senator: I have the honor to invite your attention to a serious shortage in the Supply Corps of the United States Navy with respect to pay directors with rank of captain and pay inspectors with the rank of commander.

In attempting to make a redistribution of these officers as between shore duty and sea duty, it is found necessary to assign Junior supply officers to places of financial and administrative responsibility which for the best interests of the service require officers with rank more commensurate with such duty.

It is also found that officers who would be eligible for promotion to pay directors and pay inspectors would not receive any undue preferment by such promotion, for all of them are now far behind their fellow officers of the Supply Corps, which made such a splendid record in the war, have received no promotion whatever during or since that emergency, and opportunity should be offered to provide these necessary pay directors and pay inspectors in order to afford an equality of opportunity for advancement, which is essential to the efficiency of the service. The expense involved thereby is small.

It is therefore recommended that the paragraph in the act of August 29, 1916, which reads as follows:

"One-half pay director with the rank of read admiral to 4 pay directors with the rank of captain, to 8 pay inspectors with the rank of commander, to 87½ in the grades below pay inspectors."

So far as can be ascertained the above amendment, if enacted, will not give the Supply Corps any advantage over other corps for years to come, but if in the judgment of your committee it is deemed desirable to provide only for the temporary increase in the percentages of such pay directors and pay inspectors, the same could be accomplished by the addition of the following provise to said proposed amendment:

"Provided, That after July 1, 1922, no vacancles as pay directors with the rank of captain, and pay inspectors with

EDWIN DENBY, Secretary of the Nacy.

NAVY DEPARTMENT,
BUREAU OF SUPPLIES AND ACCOUNTS,
Washington, D. C., May 25, 1921.

Washington, D. C., May 23, 1921.

Hon. Miles Poindexter,
United States Senate, Washington, D. C.

My Dear Senator Poindexter: May I venture to remind you of the matter of readjusting the ranks in the Supply Corps of the Navy so that instead of 4 cut of every 100 officers of the Supply Corps being pay directors with the rank of captain there may be 6 pay directors with the rank of captain; and instead of 8 out of every 100 officers of the Supply Corps being pay inspectors with the rank of commander there may be 12 pay inspectors with the rank of commander? I understand that you have full information at hand, including the phrase-ology necessary to accomplish the above result, if handled as a Senate amendment to the naval bill.

You will remember that Secretary Denby and Admiral Coontz and Admiral Washington are all in favor of this amendment, and that its adoption is of great importance to the efficiency of the Navy. I know you understand also that the total additional expense involved is only a little over \$25,000, and that the amendment does not increase the number of officers in the Supply Corps or in the Navy. Since I saw you the last time five of the officers of these higher ranks have been ordered to sea, correspondingly reducing the number of those in responsible positions ashore. For the proper conduct of the business of the Navy it is highly desirable that the grave responsibilities involved be assumed by officers of suitable rank.

Yours, sincerely,

David Potter,

Paymaster General of the Navy.

DAVID POTTER,
Paymaster General of the Navy.

Mr. LENROOT. Mr. President, was a point of order reserved?

Mr. KING. I reserved the point of order. I yield to the Senator from Wisconsin.

Mr. LENROOT. This seems to be a very important matter which it seems to me really should be considered by the Committee on Naval Affairs, and if the Senator from Utah does not

make the point of order I will.

Mr. PITTMAN. May I suggest to the Senator, with regard to his statement that it should be considered by the Naval Affairs Committee, that I think the acting chairman will agree with me that the matter has been under consideration off and on for a year, at various times, by the Naval Affairs Committee. There has been, I will say to the Senator from Wisconsin, but one objection to this legislation, and that was that it was not terminable, that it was continuous, and the proviso added to the amendment terminating it on July 1, 1922, was supposed by the committee to cure that defect. I have spoken to a number of members of the committee with regard to it, and they had no objection to the amendment, so long as the proviso terminating the provision on July 1, 1922, was accepted by the Senate. The matter of this particular amendment was never brought directly to the committee while considering this bill, but the question of the injustice done to the officers of the Pay Corps and their lower percentage has been a subject of discussion for a long time.

Mr. LENROOT. Mr. President, in reply to the Senator I would say that when he offered his amendment I did go to a member of the committee on this side and ask him whether the matter had been considered by the committee, and he said there had been some talk about it at various times, but no action had ever been taken. The very fact that it has been before the committee and no action taken, it seems to me, is an added reason why action should not be taken in this way. I make the point

of order.

The VICE PRESIDENT. Will the Senator state his point of order?

Mr. LENROOT. I make the point of order that it is general legislation upon an appropriation bill.

The VICE PRESIDENT. The point of order is well taken. Mr. KING. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The Secretary will state the amend-

The READING CLERK. Amend section 1 by adding, after the word "otherwise," on line 14, page 53, the following:

That no part of the appropriations made in this act shall be available for new construction at the naval plants at Portsmouth or Boston, and that when the construction or repair work now being done at said yards is completed, further work therein shall be discontinued; and the Secretary shall, upon completion of said repairs or construction, close said plants and sell or otherwise dispose of the same upon such terms and conditions as will be most advantageous to the Government of the Injudy States. United States.

Mr. POINDEXTER. Mr. President, I hope that amendment will be defeated. There can not be any money spent for construction either at Portsmouth or Boston unless special provision is made for it in the bill.

Mr. KING. Will the Senator yield?

Mr. POINDEXTER. I do not think there is any item in the bill for improvements at these navy yards. The Senator certainly would not intend the amendment to have the effect of preventing the Government from carrying on such work as these navy yards are adapted for, as long as we are at the expense of maintaining them, in the way of ship repair and ship building

Mr. KING. Mr. President, if that is intended as an interrogatory, permit me to say that the amendment is not aimed at the termination of work which is now being performed in either of the yards, but it is aimed at the discontinuance, when the present work shall have been completed, of any further governmental activities in either of the yards. It is based not only upon the theory but upon what I think an examination of the facts indubitably establishes that there are entirely too many yards and naval bases, docks, and governmental plants and works, and that their maintenance calls for the annual expenditure of tens of millions of dollars. If we would get rid

of some of these useless excrescences, the vast expenditures

called for in naval bills might be materially reduced.

We can not defend the wanton waste in governmental expenditures. An efficient Navy of the strength of our Navy could be maintained at a cost of very much less than that now incurred. If we would discontinue the use of a number of plants and yards and docks and cut down the civilian employees and reduce the personnel of the Navy to proper limits and scrap scores of obsolete ships, there would be millions saved and the bill could be reduced at least \$200,000,000. This course would not impair the efficiency of the Navy nor prevent the creation and building up of a modern and efficient Navy.

Mr. WALSH of Massachusetts. Mr. President, I would like to ask the Senafor if he has any special reason for designating the discontinuance of the navy yards at Portsmouth, N. H., and Boston, Mass. It seems to me if the Senator really wanted to curtail the expenditure of the public funds for naval expansion he might have made his amendment a general one, leaving it to the Secretary of the Navy to choose the par-

ticular navy yards which should be closed up.

Mr. KING. Mr. President, I think the inquiry of my friend is pertinent, and the implied criticism in his question is perhaps warranted. I disclaim having any antipathy toward Boston. Far be it from me to say anything against "the hub of the universe." I have only the waymout faller a state of the manner faller as the hub of I have only the warmest feeling for the State of New Hampshire and the city of Portsmouth. But I do not think Portsmouth is a suitable place for a navy yard; nor do I believe the Government needs a navy yard at that point. yard should be abandoned as soon as the work there being performed is finished. I will say frankly that I am not so sure about the situation at Boston. But I have some information that leads me to the view that it would be for the best interests of the Government if the navy yard there should be closed.

I do know that the Navy Department is burdened with too many yards and docks and plants, and the taxpayers are compelled to pay annually millions and tens of millions of dollars to support this wasteful policy. The Senator knows that we have plants at Portsmouth, Boston, Brooklyn, Philadelphia, Norfolk, Charleston, New Orleans, Mare Island, Bremerton, and many other points. I will have to call the acting chairman of the committee to my assistance if I attempted to enumerate all the places where naval bases, docks, yards, plants, and stations have been established. Many are entirely unnecessary and

impose great burdens upon the Government.

By this amendment I am challenging attention to this evil. I desire to emphasize the fact that there must be retrenchment. Speeches have been made repeatedly concerning the enormous cost of the Navy, but none of the replies have controverted the position of those who have pleaded for economy. There is merit in the view which is to be implied from the question of the Senator from Massachusetts that there ought not to be a discontinuance permanently of work at any yard without further For that reason I propose to follow the amendexamination. ment which I have just tendered with another, and if the acting chairman of the committee will accept this latter amendment I shall not press a vote upon the one which I have just offered. May I read the proposed amendment, which I shall submit?

Mr. WALSH of Massachusetts. As a substitute for the other

Mr. KING. I shall withdraw the other amendment if the acting chairman of the committee will accept this one I am about to offer.

Mr. WALSH of Massachusetts. I thought the Senator was not serious.

Mr. KING. The Senator is mistaken. I am very serious. I propose the following:

That the Secretary of the Navy be, and he is hereby, directed to submit to Congress at the earliest practicable date a full and detailed report as to the number, kind, character, and description of all naval bases, yards, plants, docks, machine shops, including the armor factory at Charleston, W. Va., and all other real or personal property under the control of the Navy Department, together with the cost thereof, the purposes for which the same are being used, the cost of the upkeep and maintenance of the same, whether or not armor plate is being produced by the Government plant at Charleston, W. Va., and also the cost of production; and said Secretary is further directed to report whether any of said naval bases, yards, plants, docks, machine shops, or other real or personal property under the control or jurisdiction of the Navy Department can be abandoned, dispensed with, or sold, or otherwise disposed of by the United States without disadvantage or injury to the Government of the United States; and, further, to submit in said report recommendations concerning the disposition to be made of said plants and properties herein referred to.

It does seem to me that the committee should accept this amendment

Mr. POINDEXTER. Mr. President— Mr. KING. I yield to the Senator from Washington.

Mr. POINDEXTER. I am under the impression that similar reports have recently been made, and I have an idea that the data, or most of it, which would be required to comply with such a provision is at hand. Personally I have no objection to the amendment at all. I think it would be very desirable to have accurate and complete information as to the various naval stations. I have no objection to the amendment which the Senator has just read.

Mr. KING. I have before me what I believe to be the last report made by the Navy Department upon the matter referred to by the Senator, but it does not supply all the information which is sought in the amendment just read.

Mr. POINDEXTER. I call the Senator's attention to the Helm report and to the so-called Daniels report, made by the various naval officers who accompanied the Secretary of the Navy last year on a tour of inspection of the yards, in which is contained a complete history of each yard, its present equipment and activities, as well as the nature of all the improvements which have been made.

Mr. KING. I am familiar with the report to which the Senator refers, and I concede that it does contain much information. That report, however, in my opinion, seems to proceed upon the theory that all plants, yards, docks, and bases

must be continued and others constructed.

It seems to be in harmony with the navalistic policy proposed by Secretary Daniels that the United States was to have the greatest navy in the world if our Government did not enter the League of Nations. That report seems to be predicated upon the theory that we are to continue indefinitely the building of battleships and that there is to be no reduction in the instrumentalities employed in preparation for war. We are to go on forever in this mad race for naval supremacy. resources are to be wasted in the building of battleships and

developing a military and naval program.

Moreover, there is nothing in the report with respect to Charleston, W. Va., where a large amount of money has been expended in the construction of an armor-plate plant. told, but I have no definite information, that notwithstanding the vast amount expended there they have cast one ingot. should like to know whether we ought to continue that plant or what disposition should be made of it. I should like a specific report upon all these matters mentioned and whether we can not without any injury to the Navy abandon some of the many plants and yards now operated by the Government. believe that a number of yards and docks upon the Atlantic coast should be closed or sold to private persons or corporations, who might employ them in their marine business.

Mr. MOSES. Mr. President, I have no desire to prolong the debate. I merely wish to say to the Senator from Utah that one of his declarations will be seriously challenged on this

side of the Chamber.

Mr. KING. I have no doubt about that. I know that whenever any attempt is made to abandon any of the forts or arsenals or military or naval establishments, no matter how useless and unnecessary they are, immediately an army of defenders will be mobilized and fierce resistance developed. That is the reason why we have in the United States to-day scores of military posts and military establishments, and many yards and docks and naval works, which the United States does not require. All efforts to abandon them prove futile, because of the pressure brought by local interests.

I read in the report of the British Admiralty and in the discussions in Parliament that they are "scrapping" docks as well as ships. Great Britain is practicing economy, while we are becoming more prodigal in our expenditures. It does seem to me that the time has come, as was so forcefully stated by the Senator from Wisconsin [Mr. Lenroot] a few days ago, when there should be economy practiced in the operation of

the Navy.

I appeal to Republican Senators to follow the admonition and sound advice of the Secretary of the Treasury. He sounds a serious warning concerning the rocks that are in the pathway of the Nation. He challenges attention to the extravagance in the departments and to the enormous appropriations carried in recent measures. He mentioned two fields or activities in which retrenchment could be made. He referred to the war and naval bills. But there is no retrenchment, and no promise of reform. Indeed, the majority party will enact measures calling for nearly \$1,000,000,000 for these two departments for the coming year. The burden will rest upon the Republican Party for the increase of taxes, or at least for failure to reduce taxes, and for these enormous expenditures provided for in Republican legislation.

Mr. LA FOLLETTE. Mr. President-

Mr. KING. I yield to the Senator from Wisconsin.

Mr. LA FOLLETTE. As bearing on the phase of discussion now before the Senate, I wish to read just a few words of colloguy from the Congressional Record of February 17, 1909, when a naval appropriation bill for that year was pending. Charleston, S. C., was then under discussion, as was also Pensacola. The then Senator from South Carolina, Mr. Tillman, a member of the Committee on Naval Affairs, responding to something which I had said, made this declaration:

to something which I had said, made this declaration:

Mr. TILLMAN. I want Pensacola built up and I want Charleston built
up. I do not want all the money we pay in taxes to go north.

Mr. LA FOLLETTE. The Senator now has simply furnished proof, as
he has heretofore in this Chamber, of the fact that there is a struggle
locally for this money; and that is the basis of my criticism of the
plan of the bill. He does not want the money to go north. He wants
it to go south

Mr. TILLMAN. I want my share, and no more.

Mr. LA FOLLETTE. Yes; that is it.

Mr. TILLMAN. I am tired of seeing the South treated as though the
war ended last year. I is 43 years since the war ended.

Mr. LA FOLLETTE. That was the position the Senator took here some
time ago, when he said if this money was to be—

Mr. DINON. I have it here.

Mr. LA FOLLETTE. If the Senator has the exact quotation, I will use it.
Mr. TILLMAN. I will tell you what I said.

Mr. LA FOLLETTE. I have it right here.

Mr. TILLMAN. I said if stealing was to be done, I wanted my share
of it; and I do.

Mr. LA FOLLETTE. I have right here what the Senator said. That is
not all the Senator from South Carolina said. On the 1st of March,
1899, speaking of one of these naval appropriation bills, he said—

This is quoting from Senator Tillman—

This is quoting from Senator Tillman-

"This bill is loaded down with expansion in every navy yard. I am trying to get a little for Port Royal; because, if you are going to steal, I want my share."

Mr. TILLMAN. Is that contrary to the human nature which obtains

Mr. KING. Mr. President, I forbear to express any opinion about the morals and ethics involved in that kind of statesmanship, but I repeat what I said a moment ago, that there are too many navy yards and too many naval bases and too much money spent for the Navy. The bill carries at least \$200,000,000 more than it should. I can not vote for it, much as I wish to vote for a reasonable and proper naval bill.

I wish to serve notice upon my good friend from Massachusetts on my left [Mr. Walsh] and the distinguished leader of the Republicans upon the other side of the aisle [Mr. Lodge] that though I withdraw, if the acting chairman accepts the last amendment which I have tendered I shall, before the next session of Congress, have something in a concrete way to present with respect to the Boston Navy Yard and Portsmouth and other yards and plants. I hope I shall be able to convince Senators that there must be retrenchment and that we must reduce the number of active yards, bases, and plants under the control of the Navy Department.

In view of the statement made by the Senator in charge of the bill. I withdraw the amendment just offered and submit

the following, and move its adoption.

The VICE PRESIDENT. The question is on agreeing to the amendment last proposed by the Senator from Utah and which he read.

Mr. POMERENE. Let it be reported from the desk. The VICE PRESIDENT. The amendment will be read.

The reading clerk read Mr. King's proposed amendment.

The VICE PRESIDENT. The question is on agreeing to the

amendment offered by the Senator from Utah.

The amendment was agreed to.

Mr. JOHNSON. Mr. President, in the debate the other day upon the Alameda item certain statements were made in respect to the grant made of lands there and regarding the contemplated project which have made the people of Alameda County justly indignant. I have received many telegrams concerning those statements, and because those statements are without foundation and do a gross injustice I wish to read one of the telegrams and then to insert some of the others. One of the telegrams is as follows:

OAKLAND, CALIF., May 26.

HIRAM W. JOHNSON, United States Senate, Washington, D. C.:

United States Senate, Washington, D. C.:

We feel very much concerned over recent action in Senate in respect to naval development on the Pacific. Alameda item should not be killed by the false charge that it is a real estate deal. This site was selected by the various naval commissions. It was given to the Government by the city of Alameda on approval of State legislature. The only adjoining lands affected belong to the University of California. We feel that it is proper to insist that you make every effort to have a reconsideration on the ground that all things essential to the defense of the Nation should be given first consideration.

San Francisco Chamber of Commerce, by George C. Boardman, vice president; Livermore Chamber of Commerce; Hayward Chamber of Commerce, by A. W. Beam, president; Oakland Merchants' Exchange, by I. H. Spiro, president; Pleasanton Chamber of Commerce, by C. Letham, president; Central Labor Council of Alameda County, by E. S. Hurley, president William A. Spooner, secretary; Building Trades Council of Alameda County, by S. J. Donohue; Oakland Chamber of Commerce, by J. H. King, president.

Telegrams of like import have come to me from Hon. Joseph R. Knowland, a very well-known citizen of Oakland, Calif., and from Arthur H. Breed, a senator from the county of Alameda.

I ask that I may insert these telegrams in the Record without reading them.

The VICE PRESIDENT. In the absence of objection, permission to do so is granted.

The telegrams referred to are as follows:

OAKLAND, CALIF., May 26, 1921.

Senator Hiram W. Johnson, Washington, D. C.:

Washington, D. C.:

Citizens of East Bay region feel that the charge made in Senate that Alameda naval base proposition was real estate deal wholly unjustified by facts. The land was donated by the city of Alameda, and there are no tracts on sale in the vicinity of this proposed site; only land near it owned by University of California, which is, in fact, the State of California. Alameda in donating this land deprived itself of revenue that could be obtained by taxation were it sold or leased to private industry. We feel that this fact should be presented to the Senate. It is the earnest wish of overwhelming majority of people of this vicinity that there may be an opportunity to reinsert the Alameda item, knowing the crying need for naval facilities of the Pacific coast, as recognized by the Navy Department and by published statements by Admiral Rodman, recently in charge of Pacific Fleet. We feel positive that, realizing these facts, you will give your active and energetic support to the item should it again be voted upon in the Senate.

J. R. KNOWLAND.

J. R. KNOWLAND.

OAKLAND, CALIF., May 27, 1921.

Hon. Hiram W. Johnson,
United States Senate, Washington, D. C.:

Regarding Alameda naval base matter, the press reports that one of the principal arguments made on floor of Senate was that Alameda naval base was a real estate proposition. Nothing could be further from the truth. While the people of Alameda County naturally desire the naval base to be located in this county, they honestly feel that it is a proposition for the proper and necessary defense of the west coast of America. The naval base should be located where the engineers have determined, and it can not be commenced too soon. Will you not refute false statements and do everything you can to expedite the entire matter? Am also wiring Senator Shortridge.

With sincerest regards and best wishes,

ARTHUR H. BREED.

Mr. JOHNSON. Alameda resents and we all resent the charge that this item constituted a real estate deal. It does nothing of the sort. The selection of the site was made, as I assume Senators know, by the committee appointed by the Senate and House of Representatives and was made unanimously. The committee making the selection consisted of L. Heisler Ball, Miles Poin-DEXTER, HENRY W. KEYES, KEY PITTMAN, and T. J. WALSH, of the Senate, and Fred A. Britten, Frederick C. Hicks, A. E. B. Stephens, L. P. Padgett, and D. J. Riordan, of the House of Representatives.

In addition to that, what is endeavored to be given by Alameda to this naval site consists of something like 5,400 acres of land, 500 of which are not at all submerged and are of the value of many millions of dollars. Nearly 5,000 acres otherwise are given, and their value is very great indeed.

This was a selection, I recall to you, made by a committee of the Senate and of the House of Representatives after due

investigation by them.

I state these facts thus very briefly in justification to Alameda and in justification of the project relating to Alameda. I do not ask a reconsideration, because investigation has convinced me that it would be utterly useless, and because that investigation has demonstrated to me what all here have known since the commencement of discussion of the naval bill, that if the item were passed, the House would refuse absolutely to concur, it would be eliminated in conference, and it would be no part ultimately of the present naval appropriation bill. That the appropriation for the Alameda base could not go through in the present naval bill has been conceded for many weeks. But in justice to the people of Alameda and in refutation of the false statement that this was a real estate deal. or that there was anything sinister connected with it, I place these telegrams in the RECORD and for their signers and for our people generally resent the unjust and unfounded charge.

Mr. POMERENE. Mr. President, I send to the desk an amendment to the pending bill and ask that it may be inserted immediately following the amendment which was presented by the Senator from Idaho [Mr. Borah], and which has been

adopted.

The VICE PRESIDENT. The amendment proposed by the Senator from Ohio will be stated.

The READING CLERK. At the end of section 17 it is proposed to insert the following:

That the President is hereby authorized, in his discretion, to delay for a period of six months, in whole or in part, the building program provided for in this act, in order to enable him to arrange for a conference with the Governments of Great Britain and Japan, with the view of reducing substantially the naval building programs of the several Governments so participating in said conference, and if they agree upon such plan of reduction, the President is hereby further authorized to suspend, in whole or in part, the said building program in order to enable him to carry out any agreement thus made.

Mr. POMERENE. Mr. President, I beg the indulgence of the Senate for a few moments. The Senate the other day adopted unanimously the amendment offered by the distinguished Senator from Idaho [Mr. Borahl], which simply requested the President to invite a conference with Great Britain and Japan looking to the adoption of some program of disarmament and to present that to the Congress. The amendment which I now propose is simply supplementary to the amendment offered by the Senator from Idaho, which, I repeat, has been unanimously adopted. I take it that when Senators voted for the Borah amendment they all honestly hoped and prayed that some step would be taken which would look to the adoption of some dis-It seems to me that this Government is subarmament plan. ject to some criticism in that for long years we have been professing to the world that we believed in disarmament. fess that I am not quite able to see how we can make such professions before the world and at the same time on every occasion when the Congress of the United States is called upon to vote upon the subject we are recorded as not in favor of disarmament but in favor of a greater armament.

It seems to me that when the President of the United States approaches Great Britain and Japan and asks them to send representatives to discuss with this Government the question of disarmament, the President ought to be in a position to say to them, if necessary, "I will suspend a part of the present program of construction pending negotiations." Bear in mind, please, Senators, that this amendment loes not say he shall suspend it in whole or in part. It is left to his discretion to do it or not. I conceive that the situation may present itself when our commissioners meet with the other commissioners that the foreign representatives might well say to ours, "Well, you adopted a certain program of construction in 1916; you are still carrying it out; you are adding day by day new tonnage to your Navy. Are you serious about negotiating for disarmament? Will you not even suspend work while we are in conference?

The House has passed a bill appropriating nearly \$400,000,000, about one-half of which, I believe, was for new construction. We are adding to that \$100,000,000; if the Senate bill should pass and become a law, then about \$200,000,000 of the amount appropriated will be for new construction. What position will our commissioners be in if the commissioners representing the foreign Governments were to say, "Here you are talking about disarmament and the limitation of armaments and at the same time you are building as rapidly as you can"

Under the circumstances, would it not add to the influence of the President and would it not reflect better faith on the part of this Government if the President were to say, "For a reasonable time-any part of the six months-I will suspend a given part of this program, hoping and praying that we may get to-

Mr. WALSH of Montana. Mr. President-

Mr. POMERENE. I yield to the Senator from Montana.

Mr. WALSH of Montana. If the President should do so, would that operation suspend the building programs of the other countries covered by the amendment of the Senator from Idaho?

Mr. POMERENE. Mr. President, knowing his views on the subject as they are expressed through the press, I take it that the President would not agree to an immediate suspension of this construction in whole or in part unless the other Governments should also consent to suspension on their part.

Mr. WALSH of Montana. But, Mr. President, let me inquire of the Senator whether the other Governments would not respond, "You are acting under the direction of your Congress and by authority conferred by your Congress, but we have no such power; our program is not thus conditioned and it must go forward"?

Mr. POMERENE. Is the Senator simply propounding to me a hypothetical question, or does he know whether or not the other powers would confer that authority upon their commissioners?

Mr. WALSH of Montana. I do not know; that is what I want to know from the Senator. Is there any arrangement or any understanding by which a reciprocal suspension may be brought

Mr. POMERENE. Mr. President, I do not know. Our purpose here is to invite this negotiation. When we adopted the amendment of the Senator from Idaho [Mr. Borah] we did not know authoritatively whether the other powers would meet us or not, but we believe they will. I saw a statement the other day purporting to come from an eminent citizen of Japan to the effect that he had been discussing this question of disarmament in different Japanese cities, and that in his audiences he took a poll, and that the expression of the people was almost unanimous in favor of some plan of disarmament. We have

seen repeatedly statements coming from Japanese statesmen-Count Ishii, for instance—to the effect that they were eager for disarmament, but that they were compelled to go on because the United States had adopted its program of armament.

Mr. WALSH of Montana. Mr. President, let me say that I hope the Senator has very correctly estimated the sentiment prevailing in Japan, and likewise that we may be able to get an agreement; but the situation would be rather embarrassing it we suspended our building program while the negotiations

were pending and they went on with theirs.

Mr. POMERENE. Mr. President, I think my distinguished friend from Montana is anticipating a situation which is not likely to occur. We have the right, I think, to believe that there is a very substantial sentiment not only in Japan but in Great Britain in favor of disarmament, or at least a limitation of armament, and I know that they are under greater necessity for disarmament than we are.

Mr. WILLIAMS. Mr. President, may I ask the Senator from Ohio a question?

Mr. POMERENE. I yield.

Does not the Senator think that the chief Mr. WILLIAMS. trouble now being experienced by the ministry in Japan who would like to disarm, and by Lloyd-George in Great Britain who would also like to disarm, is from the militaristic element of their countries threatening them that if they disarm navally before America does they will be visited with political punishment?

Mr. POMERENE. Mr. President, I suspect there is a good deal of force in the statement which the Senator from Mississippi has made.

Mr. WILLIAMS. And now, if we use the same argument here, it is an endless chain that will never quit, and nobody will ever disarm.

Mr. POMERENE. Undoubtedly so; and I do not propose by this amendment to suspend construction. I simply propose that President of the United States shall be vested with the authority in his discretion to suspend our operations in whole or in part, and I take it that he is going to use his sound. discretion; and I want to say, Senators, that if there is one subject in which the people of this country are more interested. than another, it is the question of economy in connection with this naval program.
Mr. OWEN. Mr. President-

Mr. POMERENE. I recognize the fact that there are certain elements of society that are always speaking in favor of greatarmies and great navies; and I confess at the same time that if there is no disposition on the part of these different nations. to meet us halfway, then I am in favor of our equipping our-selves for whatever the situation may require.

I yield to the Senator from Oklahoma.

Mr. OWEN. I merely wanted to ask the Senator if he did not find the opinion as to the attitude of the people of Japan fully confirmed as to the opinion of the people of the world in what was done at Versailles in the treaty and in the covenant. of the league?

Mr. POMERENE. Oh. Mr. President, there is no doubt

about it.

Mr. OWEN. The whole world has agreed upon the need for it.

Mr. POMERENE. We did not ratify that treaty, but 42 nations did ratify it, and by so ratifying it they agreed to enter upon negotiations for some plan of disarmament,

Mr. President, I think this proposition is so simple that it is waste of time to discuss it further.

The other day I received a letter from the Oberlin League of Women Voters. Oberlin is one of our splendid college towns. Perhaps three-fourths or four-fifths of the people there are Republicans, but I dare say the sentiment that was expressed by this league is the sentiment that you will find in every substantial locality in Ohio. I am going to read it:

DEAR SENATOR POMERENE: The following telegram has been sent to resident Harding, and we ask that you give him your support in this

matter:

"This evening the people of Oberlin, Ohio, in mass meeting assembled, under the leadership of the League of Women Voters, and representing church, college, and town organizations, unanimously voted as follows:

"'We urge the President and Congress to take the leadership in calling a conference with other governments for the purpose of securing the reduction of armaments at the earliest possible time, and pending this conference we urge a half in the 1916 naval building program and deprecate any increase in the Army."

Sincerely, yours,

Eduzabeth Crayath Millers.

EDIZABETH CRAVATH MILLER, Secretary.

Mr. WILLIS: Mr. President—
The VICE PRESIDENT. Does the Senator from Ohio yield to his colleague?

Mr. POMERENE. I yield to my colleague.

Mr. WILLIS. I want to get some information about the specific provision of the amendment offered by my colleague. The amendment that was offered by the Senator from Idaho [Mr. Borah], and for which everybody voted, provided that-

The President is requested to invite the Governments of Great Brit-n and Japan to send representatives to an international disarmament conference.

Does the Senator propose to request the President, or to irect the President, or to authorize the President? What is direct the President, or to authorize the President? the specific thing that he undertakes to do?

Mr. POMERENE. I shall be glad to read my amendment to the Senator. It provides as follows:

The President is hereby authorized, in his discretion, to delay for a period of six months, in whole or in part, the building program provided for in this act in order to enable him to arrange for a conference with the Governments of Great Britain and Japan with the view of reducing substantially the naval building programs of the several Governments so participating in said conference; and if they agree upon such plan of reduction, the President is hereby further authorized to suspend in whole or in part the said building program in order to enable him to carry out any agreement thus made.

I do not want to tie the hands of the President in the least. I want him to be able to go to these other powers clothed with a plenary power in this respect, so that he will not be handicapped in any of his negotiations; and if it comes to naught, then I take it we shall at least have done our part by our own people and by the people of the world. If he is successful, we will all be glad that we have adopted this course.

Mr. McCORMICK. Mr. President The VICE PRESIDENT. Does th Does the Senator from Ohio yield to the Senator from Illinois.

Mr. POMERENE. I yield to the Senator from Illinois. Mr. McCORMICK. Does the Senator intend that the President shall be authorized to suspend construction before the conference begins, and while the other powers are still building?

Mr. POMERENE. No, Mr. President. He is given absolute power. He can do this or not. He can do it when he chooses, or not do it.

Mr. McCORMICK. Precisely. I asked if the Senator intended that the President should be authorized to suspend construction before the conference began and although the other powers might still continue to build?

Mr. POMERENE. Oh, Mr. President, of course I think under this amendment he would have that power, but I do not anticipate that he would exercise that power at all. I am willing to trust the President, and I hope my Republican brethren on the other side are willing to trust him. I think he is always amenable to reason, and I think he would not suspend the carrying out of this program unless he felt that the other powers were meeting him at least halfway.

Mr. President, will the Senator yield? Mr. KING.

Mr. POMERENE. I yield to the Senator.

Mr. KING. By way of reply to the observations of the Senator from Illinois [Mr. McCormick], permit me to say to the Senator from Ohio that France has discontinued all work upon her capital ships and is doing very little upon smaller and auxiliary craft. Great Britain is doing absolutely no work upon any capital ship and broke up three that were upon the stocks. Japan, according to the testimony of an admiral before the committee, is at work upon one capital ship. formation which we have is very imperfect as to what other work she is doing; but the best information, in my opinion, which is obtainable shows that Japan is merely working upon a program that was outlined some 12 years ago; so that in all the world there is no material work being done upon war vessels

except in the United States and some little in Japan.

Mr. POMERENE. Mr. President, I am obliged to the Senator from Utah for his contribution to this discussion. simply confirms me in my faith that we ought to adopt this amendment. It will enable the President to meet the commissioners from the other countries in the proper spirit and clothed

with the proper authority. Mr. POINDEXTER. Mr. President, I rather deprecate the habit which seems to have developed of comparing the military programs of the United States and Japan, which constantly recurs; but I am compelled to say, in response to the statement made by the Senator from Utah [Mr. King], that in so far as Japan is concerned-and it is not necessarily with any hostile attitude toward the United States-she is spending onethird of her entire national income on her naval program. Japanese naval policy is based upon what she calls the eighteight program; that is, that in 1928 she will have eight battleships and eight battle cruisers, none of them more than eight years old; and the statement that is made by authoritative naval officers in Japan whose statements I have is that in their opinion when that program is completed Japan will have the most powerful navy in the world.

So much for the reference of the Senator from Utan to the statement that Japan has entered into a naval construction

Mr. KING. Mr. President— Mr. POMERENE. Mr. President, may I ask the Senator to give us that information in another form? He has just stated that Japan was expending about one-third of her resources on her naval program. Will the Senator give us the amount which she is expending, and then give us the amount which the United States is expending, so that we can judge as to whether Japan's program is greater or less than ours? My understanding is that the amount that she is expending is about one-third of what we are expending.

Mr. POINDEXTER. That is an entire misapprehension, Japan is appropriating this year 538,522,859 yen for her navy, and when the Senator takes into consideration the fact that material and wages in Japan are lower than they are in this country, that the pay of the navy is negligible, Japanese seamen receiving practically no pay, he can readily appreciate the fact that their appropriation is practically as potential as ours.

Furthermore, Mr. President, inasmuch as reference has been made to armies, permit me to say that Japan is maintaining and providing for a regular army of 296,000 men and 1,845,000 trained reserves. The United States has undertaken to maintain an adequate Navy upon the theory that, having sufficient power at sea, she will be enabled thereby to reduce her land forces to a minimum.

On the contrary, in France, for instance, which has been mentioned by the Senator from Utah, an army of 800,000 men, approximately, is being maintained. In Great Britain a regular army of 416,000 is maintained, with territorials numbering 250,000 and trained reserves of 300,000, all of which should be taken into account in the general estimate of the amount expended for military purposes for national defense; whereas preparations are being made for the reduction of the Army of the United States to 170,000, possibly to 150,000 men.

Senators who are raising these questions have themselves on repeated occasions since the debate upon this bill began called attention to the new building program of Great Britain, and I am not questioning it; I am citing it in contradiction of the assertion which is now made that other military and naval powers have ceased to build navies, whereas it is only a few hours since we were told, by the Senator from Utah and others, that Great Britain has entered into contracts for four of the greatest battleships in the world, super Hoods, a combined battle cruiser and battleship, which, to use the expression of the Senator from Utah himself, will be superior to anything of the kind in the world, combining speed and power.

But, Mr. President, we have already adopted a provision looking toward a conference of the naval powers for the purpose of bringing about a limitation of naval armaments. 1916 Congress declared its policy upon that subject by attaching a provision to that effect to the naval appropriation act of that year, which has been in effect ever since and is in effect In the Sixty-sixth Congress, when the naval appropriation bill was pending, the Senate repeated an expression to the same effect by adopting an amendment to the bill requesting and authorizing the President to bring about a conference of naval powers looking toward a limitation and a reduction of armaments. We have repeated the same thing in this bill, and nothing can be gained by adding another amendment covering the same subject, repeating the same request to the President, duplicating the authorization, with the added provision that he shall have discretion to bring about a suspension of our entire naval construction program.

If Congress proposes to put a stop to the work which it has authorized and which is now in progress, Congress ought to do The discretion and the determination of the question whether or not this naval program should be suspended ought not to be vested in any other power except the branch of the Government which has control over the making of war and the declaration of peace, which is Congress. To vest in the President the discretion to call a suspension of the construction program now under way would mean the loss of hundreds of millions of dollars to the United States by the disorganization of the industrial forces which are now at work upon these ships and which could not be reassembled and reorganized after a suspension of six months. It would leave in a state of utter wreck and confusion construction upon all of the ships of the program which was authorized in 1916 and which is now considerably advanced.

Mr. EDGE, Mr. President-

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from New Jersey?

Mr. POINDEXTER. I yield.

Mr. EDGE. I draw attention to the fact also that in the amendment presented by the Senator from Idaho [Mr. Bonan] it is provided, in the last three lines, that if the nations agree upon terms, such understanding or agreement is to be reported to the respective Governments for approval. In that event it seems to me it would be entirely without force or effect for the President to have additional power to stop the program, because under the Borah amendment, if an agreement is reached by the other nations, the nature of the agreement must be reported to the respective Governments, and then the Congress of the United States, in agreement, would naturally provide the necessary legislation looking to disarmament. Just what could be gained by the President having that additional power when he must, in any event, report to Congress the nature of any agreements that are reached?

Mr. POINDEXTER. Mr. President, I think the suggestion

made by the Senator from New Jersey is very timely.

I submit to the Senate the question of whether or not it would be discreet, diplomatic, good statesmanship, in entering into a conference with other naval powers looking toward a limitation of armament, to begin that conference by suspending our building program, while they go on with theirs, with the result that at the end of six months they would be immeasurably stronger than they are at the present time, while our entire program would be in such a state of chaos that it would be impossible ever to restore it. The information the Committee on Naval Affairs had from the Bureau of Construction, presided over by Admiral Taylor, was that the loss would be so great that it could not be estimated, and anybody who is familiar with industrial organizations can see the difficulty and the practical impossibility of resuming the work at the point where it was left off, after the forces have been dis-integrated and the material has deteriorated, as would be the case after a suspension of six months.

I do not think any such authority ought to be vested in the President, and it does not indicate any lack of confidence in the President for Congress to decline to vest in him the discretion to determine whether or not there should be a suspension of the naval program. It might as well be said that the enactment of any legislation by Congress is an indication of a lack of confidence in the President. Under our form of government the shaping of great policies of State, the preparation for war and national defense, falls under the control of the legislative branch, and that is where it ought to be kept; and that the amendment proposed by the Senator from Ohio changes the existing law, that it is general legislation, is shown by the fact that he insists upon using this language, and enacting it, in order to bring about the condition which he desires. If that can not be done without the adoption of this amendment, it shows conclusively that the adoption of the amendment would create an authority in the President which does not exist now, and consequently that it is general legislation.

I think it is objectionable, further, for the reason that it is a delegation of legislative power. I doubt very much whether, under the Constitution of the United States, Congress has the authority to vest in the President of the United States the power to determine whether or not existing laws shall be carried out, or whether they shall be suspended, or whether this policy or that policy, which in its nature is of a legislative character, shall be adopted.

Therefore, Mr. President, upon the ground that it is a change in existing law, that it is a delegation of legislative power to an executive authority, and that it is general legislation upon an appropriation bill, I make the point of order against the

Mr. WILLIAMS. Mr. President, unless the Chair wants to consider the point of order right now, I wish to be heard upon the substantive legislation.

The VICE PRESIDENT. The Chair is of the opinion that the point of order is well taken.

Mr. POMERENE. Mr. President, will the Chair indulge me for an observation on this subject?

The VICE PRESIDENT. Certainly.

Mr. POMERENE. This is simply amendatory or supplemental to something which has already been adopted, namely, the Borah amendment. It can not be anything more or less than a limitation upon the appropriations which are made herein. It is not in that sense general legislation. If it is general legislation, then there can be no limitation placed upon an appropriation without meeting the same objection.

The Senator from Washington makes the suggestion that it is vesting in the President the power of legislation. Under the bill these expenditures are to be made by the executive department, and by this amendment we are only conferring the

power upon the President to suspend the expenditures which are to be made by the executive department. I do not care to discuss the matter further, but it does seem to me it is not general legislation within that sense.

Mr. LODGE. Mr. President, as the Chair has ruled already, and, as I believe, correctly, I desire to say only a word. It is perfectly clear on the face of this proposition, to my mind, that it is a change of existing law and that it is general legis-Whether we have a right to delegate the power or not is another question; but it does delegate and authorize power. There is no question in my mind that it is subject to the point

Mr. HARRISON. May I ask the Senator from Massachusetts a question?

Mr. LODGE. Certainly.

Mr. HARRISON. The Borah amendment originally was subject to a point of order, was it not?

Mr. LODGE. I think so.

Mr. HARRISON. Since it was adopted, why is not this amendment to the Borah amendment in order?

Mr. LODGE. The fact that an amendment is allowed to go in without objection, sub silentio, does not make everything else that is offered in order.

Mr. HARRISON. I submit that there are precedents which hold that when a matter is subject to a point of order and the point of order is not made an amendment to such an amendment is germane.

Mr. WILLIAMS. Mr. President, I understand that the President has decided that the amendment is subject to the point of order.

I did not rise for the purpose of expressing any confidence in the efficacy of the amendment even if it had been adopted. I have no degree of confidence in the efficacy of the Borah amendment, although it has been adopted. The President of the United States has the power by initiative to negotiate treaties with all peoples upon all subjects. It can not be a change of existing law to express the desire that he should do it. But however that may be, I want to submit some remarks upon the general subject itself, knowing that what I have to say will not count in the present, and if it will count at all will count in the future.

The Senator from Washington has made a talk which merely means, reduced to one English sentence, "Keep it up; keep it Keep what up? The old endless game of rivalry in socalled self-defense. Under each plea of self-defense there has lain for half a century, more or less concealed, the desire to be dominant and predominant. The plea of self-defense is a mere piece of legislative hypocrisy. There is not a man in the United States who does not know that the United States needs no naval self-defense by increasing naval appropriations at this time. When you take the position that you can not set the example of taking your pistol out of your hip pocket for fear some one else will not take his pistol out of his hip pocket, you merely say by it that you want to have the advantage of your pistol in your hip pocket. That is God's honest truth, and that is all there is to it.

The Senator closed his speech by saying he imagined there was no one upon this floor would say that it was wise or righteous upon the part of the people of the United States to suspend their appropriations for naval warfare until everybody else had done it. Well, so far as his defiance is concerned, although I seldom take a mere dare, I accept it. I say that it is wise and that it is righteous for the United States of all nations upon the surface of the earth to set the example and to take the first step, and I say it for these reasons:

First, this is in area, with the exception of one other now disorganized country, the greatest country in the world. It is in population, with the exception of one other now disorganized country, the greatest in the world. It is in wealth, without exception, the greatest in the world. It is in power of immediate mobilization and setting the hearts of its people afire with patriotism the leading nation of the world. It is in geographical isolation from foreign attack the best protected nation in the world.

I have lived, as has the Senator from Washington, in countries where men went armed to the teeth all the time, and where the time finally came for disarmament. Who disarmed first? The coward? No; it was the bravest man in the community.

Mr. POINDEXTER. He did not do so until they had police-

men in the neighborhood.

Mr. WILLIAMS. But in the countries where they were always carrying pistols and each man was taking care of his own right, as happened in the country where the Senator lived in his early days and as happened soon after the war in the country where I lived, there were not any policemen except the policemen of one's self on the one side or no policemen at all, or where there were policemen nobody paid any attention to them and did not obey their orders. Finally men said to themselves, "This thing has to stop"; as was said by the Senator from California [Mr. Johnson] in connection with some election. The Senator understands that situation as well as I do.

When the time came and men asked who was going to disarm, I repeat, was it the coward who said "I" first? Never! It was the bravest man in the community who said it first. The coward nation is not the nation that disarms with the hope that the common sense and common conscience of the world may follow its example. It is the brave nation, it is the leading nation whose people are at the forefront; and no other sort of nation is capable of that degree of courage and that degree of altruism and that degree of idealism, which is a very much cursed word here lately since you Republicans won the election upon the idea that an ideal must be a crime. That is about the size of it—that idealism is a crime, which is tomfoolery, nonsense; that you can govern the world by materialism when you can not.

The world is governed by its imagination, by its sentiment, by its theories, by its ideals, by its aspirations, by the memory of its traditions. Never was the world governed for 100 years at a time by materialism, and never will it be as long as there is a God in heaven—and perhaps a devil in hell, though I do

not know.

Suppose you go on the idea that each nation has to keep itself prepared to whip everything it comes in touch with. If you are going to do that, then why did our boys die in France and in Flanders? I read lately a pronunciamiento from an ambassador to the effect that they died for American interests. So far as any mere American interest is concerned we could have stayed over here away from France and Flanders forever and have been infinitely better off to-day. No boy that laid his life upon the aitar of his country or proposed to lay it there for one moment thought that he was fighting for nothing higher or nothing better than that. Everybody understood that he was making war in order to stop war, to the utmost extent that human nature can stop it, of course.

If you make your naval arguments that you want each naval country to have the biggest navy, where are you? Great Britain says, "I have the lead and I am going to keep it." The United States says, "I have the money and I propose to take the lead." Japan says, "I am helpless unless I keep up to the best of my poor little financial ability, so I will go to the extent of bankrupting my people, if necessary, in order to have some sort

of an equality on the high seas."

When you come to consider the interests of the people back of it all, not the Government, not the military, not the idea of predominance, but the idea of self-defense, what do you find? You find that it is neither necessary for Great Britain to have a bigger fleet than we have nor necessary for us to have a bigger fleet than she has nor necessary for Japan to have a bigger fleet than either one of us or for either of us to have a bigger fleet than she, All that is necessary is for the three nations to agree, if we can, that we will conserve the peace of the world. That could have been done by our entering into the League of Nations, which you have refused to enter into, of course, so that much that might have been accomplished is not now accomplishable—immediately, at any rate.

But what of the people behind all these Governments in this old, old game? I can not go out on the public square unless I am better armed than B. B says, "I can not go unless I am better armed than A and C." C says, "I can not go unless I am better armed than A and B." Where are we going to end? What is the interest of the people behind it all who pay the taxes and furnish the body for the holocaust of war? Where is it going to end? Two million American boys in France and as many million more over here getting ready to go hoped that it would end in a new era and a new consensus of agreement among the civilized nations of the world at the end of the last war; and now instead of it so ending Great Britain is, as the Senator said, building super Hoods, whatever they are; I do not know. Japan is spending one-third of her revenue to increase her navy, if I take the Senator's word for it, and I do because I suppose it to be true. We are spending God knows how much of ours for the same purpose. What for? For civilization? What for? To make democracy safe? What for? To give the common people of the world happiness and safety and protection? We are starting over the same old fool game again-domination on the seas to be followed up on the land.

I was one of the men who stood for the war here against the insults and the injuries of Germany to such an extent that I had a perfect heartfelt contempt for the men who differed

in opinion with me; but I say now that if that is all we fought the war for, I wish to God I had never taken that position. If we fought the war merely to keep up this endless rivalry of so-called hypocritical defense, that merely means an endless rivalry of armament for offense, then the war was fought for nothing. We might have had peace of some sort under the agency and domination of Prussia. That would be better than this sort of thing if it is going on for another hundred years, Where is the end to it?

I said I had no confidence in the amendment of the Senator from Ohio and its efficacy. I have not, except that it would show the world what the state of feeling is in the United States Congress, and that is all. It could not give the President any power that he has not already. Without either of them he can do everything contemplated by either the Borah resolution or the other that he could do with them, except that he could not suspend appropriations, and that is all, and in that far the point of order is good because it is a change of existing law, but otherwise it amounts to nothing except it is psychological. It says to the world that we, the legislative representatives of 105,000,000 people of the strongest and richest country in the world, say to them, "We are not cowards enough to be afraid to set the example of disarmament. You are making out of our position excuses for further armament. We deprive you of the excuse."

The Senator said we could enter into negotiations upon a stronger footing after we had acted than we could if we keep our poker hand concealed or in our hand. I say, yes. We could enter into negotiations with Great Britain and Japan and the balance of the world on a much better footing if we could go there and say we have proven the sincerity of our

intent by our example.

Mr. President, I have not such a contempt for the American people as to imagine they are afraid of either Great Britain or Japan. One of them might, in a sudden ouslaught, whip us for six weeks or maybe six months, but, as a great American now dead once said, the foreigner never lived who will in a foreign uniform water his horse in the Mississippi River. Everybody with a particle of sense knows that. It is reduced to this: Do you want peace or do you want endless expenditures for war in peace times, to be followed, as certainly as the dawn follows the night, by actual and real war, with still further increased scientific instrumentalities for destruction? Which do you want?

If you want the first, how are you going to get it? By waiting until somebody weaker than you are sets the example of making himself helpless in your presence or by yourself, being stronger

than he is, setting the example?

I do not see, Mr. President, anything in the conduct of Great Britain or even of Japan—although the rulers of Japan have very much less wisdom than have the rulers of Great Britainto indicate that either one of them has or will have any inten-tion of attack upon the American people. If Japan should have it, by the unwisdom of her rulers, she would be bankrupt within six weeks after she started it. Everybody knows that; I think the men of Japan who have any sense know it. And if there is a thing which the British statesman has nursed to his heart for 50 years as nearly as the Czars of Russia have nursed the idea of the possession of Constantinople, it is that, above all things in the world, the British Empire, controlled by their branch of the English-speaking race, must never have another serious quarrel with the United States of America, representing the transatlantic branch of the same race. We have had statesman after statesman who twisted the British 'ion's tail to the extent that they would hardly have twisted the Mexican jaguar's tail, and have gotten off with it, simply because the statesmen of Great Britain have laid down as a fundamental principle that there must not be a war between the two great branches of the English-speaking race.

It is not only the principle of the aristocracy of Great Britain and the ruling element, but it has gone down amongst the people everywhere. They have not even remonstrated at the State Department when we have passed resolutions indorsing rebels against the British Empire, giving them the honor of various cities, welcoming them with great plaudits, and assisting them in raising immense amounts of money to enable them to buy bombs to blow up customhouses and to destroy the lives of British subjects. Why? Because they realize that above all things for the good of the world and of humanity was the necessity of no breach between the two great branches of the English-speaking race, one in Canada, Australia, New Zealand, South Africa, and Great Britain, the other here. They are not going to do it. I do not believe that there is a man in this body who would be so false to every idea of intellectual integrity as to rise in my presence now and say that he thought there was any-

thing short of an attack of ours upon the British flag or upon a British force that would lead Great Britain to war with the United States. I know that no man who knows world politics

would say so.

My second objection to the amendment offered by the Senator from Idaho [Mr. Borah] and that offered by the Senator from Ohio [Mr. Pomerene] is that they merely take in two other nations. If we are going to have a conference upon the subject of disarmament, it ought to include Italy, France, and the balance of the maritime nations as well; it ought not to be confined to three.

Mr. President, I sometimes think the Senate may get tired of me, as I am sometimes tempted to get tired of myself when I constantly talk about the peace of the world. It has become fashionable to designate a man who loves the peace of the world as a "pacifist." It is a new word and is supposed to carry with it great contempt. I think I have proven that I am not a pacifist in the sense of being a peace-at-any-price man; I was never that individually or nationally; but I do think I do not waste my time, for ultimate good, at any rate, when I raise my voice upon every opportunity to raise it against the idiotic, insane, senseless, suicidal mania of rivalry upon the hypocritical pretense of self-defense. Germany armed to the teeth in selfdefense against an encircling movement; France armed to the teeth in self-defense against Germany; Russia armed to the teeth in self-defense against Germany; poor little Belgium armed what it thought was to its teeth, at any rate, in selfdefense against anybody who came.

The only part of the world that did not support great im-

mense conscript armies was the two branches of the English-speaking race. They said, "For generations our fathers have taken their chances when war came, and we will take ours.' They took them, and they won the war; one by sea power and the other by throwing in their last weight upon the balance on land. If the war has proven anything, it has proven that the two great English-speaking races, who are not armed to the teeth, are the most powerful influence on this earth in war. Why? Because by not robbing their people generation after generation to keep armed they left them wealth enough to be

able to fight when war came.

Sometimes, I say, I feel sort of ashamed to talk about it, but when I remember that back of government, back of armaments, back of army officers, back of naval officers, back of munition manufacturers, and back of all the incidental business interested in the success of munition manufacturers and war procedure are the great American people-preachers, teachers, and farmers, carpenters, blacksmiths, and shoemakers, and the hands in the factories, for whom the very highest good on earth, the very highest good outside of heaven itself, is peace. I do not believe there is any risk or sacrifice for peace throughout the world that any brave people can not afford to take, and I figure that it is only a coward nation that will not take it. Mr. WALSH of Montana. Mr. President, I offer an amend-

ment to be inserted immediately after section 17.

Mr. POMERENE. Mr. President, I understand a point of

order was raised against the amendment offered by me. Mr. WALSH of Montana. I understood that matter to have

been disposed of.

Mr. POMERENE. I understood that the Chair had ruled upon the point of order, but I asked the privilege of submitting a few observations, which the Chair kindly accorded to me. Do I understand that the Chair's ruling is the same as heretofore?

The VICE PRESIDENT. The Chair ruled that the amend-

ment offered was general legislation and was out of order under Rule XVI.

Mr. POMERENE. And the Chair still adheres to that ruling?

The VICE PRESIDE T. Yes.

Mr. POMERENE. Then, if I may be permitted to pursue this matter a little further, while I thought that the amendment was not subject to that objection, I realized that the question probably would be raised, and on May 17 I presented a notice to suspend the rule. I ask for a vote upon that notice.

Mr. HARRISON. Before that is done, may I propound a

parliamentary inquiry?

The VICE PRESIDENT. The Senator from Mississippi will

state his parliamentary inquiry.

Mr. HARRISON. The Chair has ruled that the amendment of the Senator from Ohio is subject to the point of order. I thought the amendment had been offered as a proviso to the so-called Borah amendment, but I see from a reading that it was not, but that it was merely an amendment to be added following the Borah amendment. If the amendment in the form of a proviso to the Borah amendment should be offered when we get into the Senate, would it then be subject to the point of order?

The VICE PRESIDENT. Why not?

Mr. HARRISON. If the Chair is asking me the question, if it is offered as an amendment to the Borah amendment, even though the Borah amendment was subject to a point of order in the first instance, which was not made. I do not think that the point of order ought to be sustained if the amendment should be offered when the bill gets into the Senate. I do not think that the rule should be applied even as in the Committee of the Whole. Of course, if it is a separate and distinct amendment offered to the bill, it would be subject to a point of order.
Mr. UNDERWOOD. Mr. President, if the Senator will yield

to me, I should like to make a suggestion to the Chair. Chair asked why not. I am sure the Chair would not hold, if an amendment was offered that was not in order, but by unanimous consent was made in order by a point of order not being made against it, that it would not then be in order for the Senate to perfect that amendment by any proper germane

amendment that related to it.

Mr. BRANDEGEE. I wish to suggest to the Chair, if I may, that a parliamentar inquiry is supposed to relate to some matter that is before the Senate; but to insist that the Chair shall state now how he would rule under a supposititious state of facts in the future, for a different proceeding in another place, can not properly be considered a parliamentary inquiry.

Mr. HARRISON. The Senator from Connecticut realizes that the motion to suspend the rule that is now proposed by

Mr. BRANDEGEE. Yes.
Mr. HARRISON. If, on the other hand, the Chair should hold that the amendment would not be subject to the point of order when the bill gets into the Senate, it would require only a majority vote.

Mr. BRANDEGEE. I understand that.

Mr. HARRISON. That is why I am propounding the parliamentary inquiry at this time.

Mr. BRANDEGEE. I do not object to the Senator's attempt, out of ample precaution, to extract all the advance in-formation he can obtain from the Chair. I was simply suggesting to the Chair that he was not obliged to be corkscrewed in that premature manner unless he desired to have the cork taken out.

Mr. HARRISON. I am sure the Chair understands the situation very well.

Mr. BRANDEGEE. I suggest the absence of a quorum, The VICE PRESIDENT. The Secretary will call the roll. The reading clerk called the roll, and the following Senators answered to their names:

Ball Gooding Hale Moses Spencer Stanfield Borah Myers Nelson Newberry Norbeck Stanled Stanley Sterling Sutherland Swanson Townsend Trammell Harris Brandegee Harrison Jones, Wash Kellogg Broussard Broussare Bursum Calder Capper Caraway Cummins Oddie Kenyon Keyes King Ladd La Follette Lenroot Overman Owen Phipps
Poindexter
Pomerene
Sheppard
Shortridge
Slimmons
Smith
Smeat Underwood Wadsworth Walsh, Mass. Walsh, Mont. Curtis Dial Dillingham Lodge McCormick McKellar McNary Warren Watson, Ga. Williams Edge Fletcher Glass Smoot

Mr. CARAWAY. My colleague [Mr. Robinson] is out of the city on important business. I ask that this announcement may stand for the day

Mr. UNDERWOOD. I desire to announce the absence of my colleague [Mr. Heflin] on account of official business.

Mr. GERRY. I desire to announce the absence of the Senator

from Wyoming [Mr. Kendrick] on official business.

The VICE PRESIDENT. Sixty-four Senators having answered to their names, a quorum is present.

Mr. POMERENE. Mr. President, I now move, under Rule XL, to suspend paragraph 3 of Rule XVI, in order to present the amendment which was just before the Senate, notice of this motion to suspend the rule having been given by me on May 17, page 1513 of the Congressional Record.

The VICE PRESIDENT. On this question the Secretary will call the roll.

Mr. HARRISON. Mr. President, before this vote is taken I desire to say that I am very much in favor of the amendment proposed by the Senator from Ohio. I do not believe, however, that it is going to accomplish any good, because those who must administer it should be whole-heartedly in favor of it. We have seen, since the beginning of this discussion touching disarmament and the consideration of the naval bill, quite a change effected by a great many of the Members of the Senate, as well as other persons in high places.

In this connection I desire to read from the official journal of the administration an editorial that appeared in the Washington Post of this morning that expresses the views of one who is very close to those who now direct the affairs of the Government. It is touching the very question that is now under consideration; and in this connection I desire to congratulate the distinguished senior Senator from Idaho [Mr. Borah] upon wielding his great influence upon the other side of the aisle and effecting the enormous change that has come about touching his amendment. When it was first presented, if I am correctly informed, every member of the Naval Affairs Committee belonging to the majority party voted against incorporating his amendment in this bill. It received the support of those members of the committee representing the minority party. I understand, if the newspaper reports are correct, that the distinguished acting chairman of the committee, the Senator from Washington [Mr. Poindexter] and his lieutenant, the Senator from Maine [Mr. HALE], went to see the President and talked with him touching this matter, and the President's influence was so great that they came back to this body and carried the information to the Members on the other side of the aisle that the President would not stand for the Borah amendment, and consequently the impression prevailed in this body for some time that the Borah amendment was dead; that they did not want to incorporate in this bill the plans for disarmament. So I read from this very splendid paper. Most of you Senators have read this editorial. I know that it was very edifying to the distinguished leader of the majority, and a very correct portrayal, perhaps, of the true situation now.

It is headed:

The disarmament amendment to the naval appropriation bill adopted by the Senate reads thus:

"That the President is authorized and requested to invite the Governments of Great Britain and Japan to send representatives to a conference which shall be charged with the duty of promptly entering into an understanding or agreement by which the naval expenditures and building programs of each of said Governments, to wit, the United States, Great Britain, and Japan, shall be substantially reduced annually during the next five years to such an extent and upon such terms as may be agreed upon, which understanding or agreement is to be reported to the respective Governments for approval."

Article 11, section 2, of the Constitution, outlining the powers and duties of the President of the United States, says:

"He shall have power, by and with the advice and consent of the Senate, to make treaties, providing two-thirds of the Senators present concur," etc.

It is obvious, therefore, that the Senate proposes to authorize the President to enter into an agreement with Great Britain and Japan, something which the Constitution specifically gives him sole authority to do, and by adding a "request" to the grant of "authority" the Senate seeks to convey a veiled instruction to proceed with the business at once. It might be added that not only does the "authority" granted relate to the exclusive prerogative of the Executive, but the "request" is for an act which the President has already stated he intends to perform.

The Senate, to be more consistent in its inconsistency, should have intruded further upon the President's functions. It ought to have specifically "authorized" him to name new ambassadors to Great Britain—

You would perform a pretty good function if you would do

You would perform a pretty good function if you would do

and Japan and to fill the vacancy upon the United States Supreme Court caused by the death of Chief Justice White. True, the Constitution gives to him alone the power to do these things, but why should the Senate hesitate to instruct him in his duties.

This is one of the most conspicuous examples of supererogation of which the Senate has ever been guilty, and whether or not it remains in the bill as finally enacted, it will stand as an amusing instance of legislative surplusage, if nothing more. Thus it is quite natural that those unfamiliar with legislative tactics may be puzzled that opposition to this superfluous dictum should have collapsed and that the disarmament clique in the Senate should have been permitted to work its will.

The naval appropriation bill, in which it is proposed to insert this amendment, provides the funds for the Navy Department during the fiscal year which begins July 1, a little more than a month hence. Not only is it necessary that these funds be available on that date, but it is also highly desirable that the department shall know some time in advance what the appropriations for various purposes are to be, in order that plans may be made accordingly.

The insertion of the amendment "authorizing and requesting" the President to negotiate a treaty for reduction of armaments was not favored by the Executive.

Here is the mouthpiece of the administration, the official organ of the powers that be, saying to you Senators that the insertion of the amendment authorizing and requesting the President to negotiate a treaty for a reduction of armaments was not favored by the Executive.

He preferred to be left free-

I am glad that the distinguished Senator from Maine [Mr. HALE] sees fit to hurrah on that, because the President told the distinguished Senator from Maine and his friend, the acting chairman of the Committee on Naval Affairs, when they visited the President, that he was against the proposition. I am wondering if the Senator from Maine will deny that proposition. I take it that this official organ is only carrying out the views of the President, that he was against it; but all of a sudden a change is effected, the vote is taken, and 74 Senators vote for the proposition—a change on the proposition all around on the part of every member of the majority.

This editorial continues:

He preferred to be left free to exercise his own judgment as to the time and manner of procedure, instead of having the subject become a matter of politics in Congress. But the determination of the disarmament faction in the Senate to put it through threatened to result in a fillbuster against the bill, which might easily have postponed action beyond the beginning of the new fiscal year, and thus seriously interfere with the efficiency of the Navy Department. To avoid a prolonged contest endangering the public interest, the opposition to the amendment vielded.

I imagine that not much good will come from it, because those who speak for the administration have discerned already that the resolution merely says that-

The "authorization" and "request" are not in any way binding upon the President, and he is left free to use his own judgment as to when and how to act. They are absurdities and do not even represent the wishes of the Senate. They serve no purpose except to cater to the pacifist element which is bombarding Congress with ill-considered resolutions.

So we can imagine, if this article is correct, that the President, while he is authorized and requested, will ignore the authority and spurn the request.

The VICE PRESIDENT. The question is upon the motion of the Senator from Ohio [Mr. POMERENE]. The year and nays

have been ordered, and the Secretary will call the roll. The reading clerk proceeded to call the roll.

Mr. CARAWAY (when his name was called). eral pair with the junior Senator from Illinois [Mr. McKinley]. I transfer that pair to the junior Senator from Alabama [Mr. HEFLIN] and vote "yea."

Mr. HARRISON (when his name was called). I have a general pair with the junior Senator from West Virginia [Mr. ELKINS]. I transfer that pair to the senior Senator from Nebraska [Mr. Hitchcock] and vote "yea."

Mr. KING (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. McCum-

pair with the senior Senator from North Dakota [Mr. McComBer]. I transfer my pair to the senior Senator from Missouri
[Mr. Reed] and vote "yea."

Mr. MYERS (when his name was called). I have a pair
with the junior Senator from Connecticut [Mr. McLean], who
is absent. On this vote I feel at liberty to vote; I vote "nay."

Mr. TRAMMELI (when his name was called). I have a gen-

Mr. TRAMMELL (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. COLT]. I transfer that pair to the senior Senator from Texas [Mr. Culberson] and vote "yea."

Mr. WALSH of Montana (when his name was called). have a pair with the senior Senator from New Jersey [Mr. Frelinghuysen]. By agreement with that Senator, I am permitted to vote on this question. I vote "nay."

Mr. WILLIAMS (when his name was called). with the senior Senator from Pennsylvania [Mr. Penrose]. Owing to his unavoidable absence, I am not at liberty to vote, If I were free to vote, I would vote "yea."

The roll call was concluded.

Mr. UNDERWOOD. I have been requested to announce the absence of my colleague [Mr. HEFLIN] from the city on public business

Mr. SUTHERLAND (after having voted in the negative). I have a general pair with the senior Senator from Arkansas [Mr. Robinson], who is absent. I transfer that pair to the junior Senator from Arizona [Mr. Cameron] and let my vote

I desire to announce the absence of the junior Mr. GERRY. Senator from Wyoming [Mr. KENDRICK]. I am informed he is detained on official husiness.

Mr. McCORMICK (after having voted in the negative). have a standing pair with the junior Senator from Wyoming [Mr. KENDRICK]. Has he answered the roll call?

The VICE PRESIDENT. He has not.

Mr. McCORMICK. I transfer my pair to the junior Senator

from Vermont [Mr. Page] and let my vote stand.

Mr. STANLEY (after having voted in the affirmative). have a general pair with the junior Senator from Kentucky [Mr. Ernst]. I transfer that pair to the Senator from Nevada Mr. CURTIS. I desire to announce the following pairs:

The Senator from Indiana [Mr. Watson] with the Senator

from Delaware [Mr. Wolcott];
The Senator from Maryland [Mr. France] with the Senator from Louisiana [Mr. RANSDELL]; and

The Senator from Maine [Mr. FERNALD] with the Senator from New Mexico [Mr. Jones].

The result was announced-yeas 29, nays 36, as follows:

YEAS-29.

Caraway Ashurst Borah Broussard Capper Dial Diai Fletcher Glass

Harris Harrison Johnson Jones, Wash.

Kenyon

Watson, Ga. Swanson Trammell Lenroot McKellar omerene Sheppard Simmons Stanley Overman Owen Underwood Walsh, Mass. NAYS-36. Myers Nelson Newberry Norbeck Oddie Phipps Poindexter Gooding Hale Harreld Kellogg Spencer Stanfield Sterling Sutherland Ball Brandegee Bursum Calder Keyes Keyes Lodge McCormick McNary Cummins Curtis Dillingham Townsend Wadsworth Walsh, Mont. Shortridge Smoot Warren Willis Edge Gerry Moses NOT VOTING-31. Heffin Hitchcock Jones, N. Mex. Kendrick Knox McCumber McKinley McLean Robinson Shields Smith Watson, Ind. Weller Williams New Nicholson Norris Page Penrose Pitrose Cameron Colt Culberson Elkins Ernst Fernald France Frelinghuysen Ransdell Reed Wolcott

So the Senate rejected Mr. Pomerene's motion to suspend the rule.

Mr. WALSH of Montana. Mr. President, I offer the amendment which I send to the desk, to be inserted after section 17, which is the amendment generally known as the Borah amendment.

The VICE PRESIDENT. The Secretary will state the amendment.

The Assistant Secretary. Add, after section 17, the following:

The President is further requested to express to the council of the League of Nations the earnest desire of the Government of the United States to cooperate with the commission by the said council appointed charged with the formulation of plans looking to a general reduction of armament for submission to the several Governments for their consideration and action; and that he be, and he hereby is, further requested promptly to designate, with due authority, representatives to sit with such commission in a consultative capacity pursuant to the invitation heretofore extended by the said council to the Government of the United States.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Montana [Mr. WALSH].

Mr. WALSH of Montana. Mr. President, the Borah amendment contemplates the assembling of a conference of the three leading maritime powers of the earth. This contemplates the continuance of the work of a conference already assembled for the purpose of preparing plans for general disarmament throughout the world of the land as well as naval forces maintained for international war.

I desire to express the very great gratification I feel at the adoption of the amendment tendered by the Senator from Idaho [Mr. Borah]. I do not take the same view as that expressed by the Senator from Mississippi [Mr. Harrison]. I feel very confident that it must be that the President of the United States has changed his mind about this matter since he expressed himself upon the subject some time ago, as reported in the public press when the Committee on Naval Affairs, by a party vote, rejected the amendment which was unanimously adopted the other day. I have no doubt that the President will faithfully carry out the will of the Senate of the United States as thus so definitely expressed.

But I want to call the attention of the Senate to just exactly what it is contemplated shall be accomplished by the so-called Borah amendment, for the purpose of showing how little progress we do make if we go only so far as that amendment carries us. This is the way it reads:

That the President is authorized and requested to invite the Governments of Great Britain and Japan to send representatives to a conference, which shall be charged with the duty of promptly entering into an understanding or agreement by which the naval expenditures and building programs of each of said Governments, to wit, the United States, Great Britain, and Japan, shall be substantially reduced annually during the next five years to such an extent and upon such terms as may be agreed upon, which understanding or agreement is to be reported to the respective Governments for approval.

Mr. President, if the entire building program were thus discarded, and we should save everything that the building program contemplates, the amount, considered with the total that we expend for war purposes, would be practically inconsequential.

The pending appropriation bill as it came to us carried about \$400,000,000. With the Army appropriation bill we are asked to expend during the ensuing year something like \$900,000,000. The building program as appropriated for in the pending bill extends only to the amount of \$105,000,000; that is to say, about 11 or 12 per cent of the total amount we are asked to appropriate for military purposes.

Referring to the very impressive diagram upon the wall, it is easily open to computation that if that reduction were accom-

plished the best that is hoped for under the amendment offered by the Senator from Idaho, after the lapse of five years, is that it would reduce the total by just 2 per cent, and our total expenditures for war purposes to meet the obligations and debts of past wars and to meet the requirements of future wars would be 90.83 per cent, instead of 92.83 per cent. So much we can hope to accomplish if the plan is carried out successfully.

Now, I hope and I entertain no doubt that if a conference is arranged for and the agreement such as is contemplated is carried out, it will make less likely a war between ourselves and either of the two rivals that we have in naval power. That is an end which ought to be sought after by every Member of the Senate. But I call attention to the fact that so far as relieving our country or relieving the world from the burden

of disarmament, it is not a drop in the bucket.

I do not think that the present session of Congress ought to end without a declaration of some kind in favor of a general reduction of armament, such as would effectively relieve the world from its awful burden. These burdens arise rather from the expense of maintaining land forces than from maintaining naval forces. It is true that those nations which are least able to bear the burden of sustaining great armies are endeavoring to maintain huge, if not disproportionate, armies. France, for instance, with a population of 40,000,000 people and a national debt of \$40,000,000,000, is endeavoring to support an army of 800,000 men, and only a day or two ago it was reported that it would be necessary for that Republic to borrow \$6,400,000,000 in order to meet the expenses for the current year. Italy, whose national debt is almost is not quite equal to its national wealth, is endeavoring to support an army of 350,000 men.

Mr. President, the people of this country are coming to realize that the paralysis of industry in this country is a result almost directly of the collapse of the purchasing power of Europe, due to war and the conditions that have followed the war, and that we can not hope for a general restoration of prosperity in this country and a rehabilitation of industry here until conditions in Europe are stabilized, until the great amount they are expending in an endeavor to support great armies is turned into industrial avenues and they rehabilitate themselves and restore the purchasing power to Europe so that

the people of Europe can absorb our products.

Every mine near the city of Butte is shut down, and why? Sixty per cent of our product goes abroad, but they now take nothing over there from us. Recent reports declare that our foreign commerce is falling off to the extent of \$100,000,000 a month. Can we do nothing to persuade these nations thus war mad to come together and endeavor to reduce their armament so that some of this enormous sum may go to the restoration of normal conditions in the world? We are told, and I am sure with substantial accuracy, that the people of the nations are spending \$8,000,000,000 a year in order to sustain their military establishments.

Mr. President, the machinery is already in operation. A

Mr. President, the machinery is already in operation. A commission has already been created and is prepared to function in an effort to cause a plan to be submitted to the several Governments of the world for a reduction of military armament. It is ready to go on if this Nation of ours only will join with the other nations of the world in an effort thus to bring it about. An invitation has been extended to us to join

in that commission.

I discussed this matter at some length at the last session of Congress, and I am not going to tire the Senate with a repetition of the arguments and the facts which to my mind impel us with every force to the adoption of this course; but I remind you that in the month of May a year ago the council of the League of Nations empowered its permanent advisory committee upon military, naval, and aerial questions to frame a plan for general disarmament to be submitted to the various nations in accordance with the provisions of article 8 of the League of Nations.

That commission consists of three representatives from each of the eight States represented upon the council—Great Britain, France, Japan, Italy, Greece, Spain, Belgium, and Brazil—except that in the case of Brazil there is one representative who speaks for all three branches of the service. That commission in going to work was, of course, embarrassed at the outset by reason of the fact that the United States was not represented. Obviously no plan could possibly succeed that did not include the United States. It reported its difficulties to the council, which thereupon directed its president to extend an invitation to the Government of the United States to send representatives to sit in a consultative capacity with the representatives who were thus appointed to undertake this

great work. Four days after its receipt that invitation was declined by 'resident Wilson, a very grave mistake, in my judgment, a very grave mistake, fraught, I think, with very disastrous consequences to this country when e speak of the estimation in which it is held before the world.

From 1899, the date of the first Hague conference, we all believed that Germany stood in the way of an international agreement for disarmament or reduction of armament, and now we occupy exactly the same situation by declining to accept an invitation to join with the other nations. That invitation is still there; it is still open to acceptance. The commission is ready to go on. I wish you to bear in mind that those representatives, although nominally selected by the council of the League of Nations, are really the representatives of the countries from which they come, just exactly as though Great Britain had appointed three members, France had appointed three members, Japan had appointed three members, and so on down the list.

Since this matter had the consideration of the Senate before a very important change has taken place. Since that time the United States Government has appointed a representative to sit with the commission on reparations appointed by the Versailles treaty, and we are actually now participating in exactly the same way upon that commission. Why should we not in the same manner appoint representatives to sit upon the commission on disarmament, unless, indeed, we are interested in reparations and we are not interested in disarmament?

The question is before us. It is said that this is not an oppor tune time to take up this matter because France has signified that she will not reduce her army; but I remind you that France, represented as she is on the council of the League of Nations, participated in the creation of the commission and participated in extending the invitation to us. She invited us to join with her in this great work, just the same as has every other great nation represented upon the council of the league.

We do not thereby become parties to the league. We do not become obligated by any of the covenants of the league by sitting on this commission any more than we do by sitting on the Reparations Commission. We occupy exactly the same relation to the one that we do to the other. If there is any real purpose, if there is any real desire, upon the part of the Senate of the United States to respond to the sentiment of the country, that is overwhelmingly, in my judgment, in favor of the assemblage of a conference for the purpose of preparing a plan for general disarmament, here is the opportunity.

Mr. LODGE. Mr. President, the amendment proposed reads as follows:

The President is hereby requested to express to the council of the League of Nations the earnest desire of the Government of the United States to cooperate with the commission by the said council appointed, charged with the formulation of plans looking to a general reduction of armament for submission to the several Governments for their consideration and action; and that he be, and he hereby is, further requested premptly to designate with due authority representatives to slt with such commission in a consultative capacity, pursuant to the invitation heretofore extended by the said council to the Government of the United States.

At this late hour I have no intention of discussing the whole question or pointing out again the worthlessness of the provision about disarmament in the covenant of the League of Nations. The people of the United States have decided against that League of Nations. The President of the United States in his message has declared that he would not enter it, and I for one, eager as I am to have an international agreement for disarmament, glad as I should be to see a conference such as is proposed in the amendment of the Senator from Idaho [Mr. Borahl, which I hope will soon be called—despite that, I do not propose, for one, to join in any way the League of Nations discarded by the American people. I certainly am not going to enter it in any side way or through any back door.

Mr. UNDERWOOD. Mr. President, I do not desire to detain the Senate at this late hour, but if there is one great question that confronts the world to-day and which the world must decide affirmatively in order to save itself, it is the question of abandoning the great armies and navies of the past and agreeing on a policy of disarmament that will settle national difficulties and dangers by the rule of reason and not by the rule of the sword. I do not think that we can face this question at any time and not press the issue to the front.

I realize the position of the majority party. They determined on the policy that this country should not join the League of Nations. They claim that that determination was ratified at I do not say that it was not one of the great questions involved in the last campaign, but as to how far it went in the determination of the last election no man at this time can say. In my judgment the reaction against war con-

ditions that took place in every nation of the world had more to do with the enormous majority given to President Harding than any other question.

But I recognize that it would be idle to propose that the majority party should reverse its position and affirmatively become a member of the League of Nations. I would not waste the time of the Senate in contending for such a proposition notwithstanding the fact that I believe the great mistake of this generation was in the fact that the Senate of the United States did not promptly ratify the treaty of Versailles. However, it would be idle to contend for such a proposition. But that is not the question before the Senate. It is a condition that confronts us and not a theory. No man can deny that the nations of Europe and the world, except ourselves and one or two other countries, are in a league of nations. How far it may be effective is not the question. They have such an organization. That organization has proclaimed to the world that it is prepared to stand for disarmament throughout the world. As it represents all the powers of the world except fallen Germany, soviet Russia, dismantled Mexico, and the United States, it seems to me that when it declares in favor of disarmament it is an effective declaration. I do not see that the majority party crosses its own record when, on the invitation of the League of Nations not to join the league but to consult with its members about disarmament, we send representatives to meet that organized body of the nations of the world looking to the consummation of this great ideal. If we believe in the disarmament of the world, I consider it our duty now to accept every offer that may bring about the consummation of that ideal.

Therefore, I believe, with that invitation staring us in the face, this Nation should accept it, not as members of the league but as an independent nation, and officially inform those who belong to the organization seeking disarmament that they will have our hearty concurrence and approval in any efforts that may be made looking to lifting the burdens of war from the backs of the people of the world.

Mr. LODGE. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. McCORMICK. Mr. President, I can not let the Senate vote upon the cruel and inconsiderate proposal of the Senator from Montana [Mr. Walsh] without a word of protest. It is cruel and inconsiderate to invite the moribund league which. languishing in Geneva, would die if put to the test of such real effort as that proposed by the Senator from Montana. It is not many days since the Polish foreign minister addressed the responsible executive of the league in Geneva an urgent invitation that the league settle the Silesian question. He was answered that if the league would undertake the settlement of the Silesian question that would settle the end of the league.

The proposal of the Senator from Idaho [Mr. Borah] contemplates a conference of the naval powers, two of which are in no wise directly threatened by continental armaments in Europe and which in no way threaten the continental powers of Europe. The United States has determined upon a military force far smaller than that thought necessary by the principal supporter of the league in this country. It is no army of ours, no army of Japan's, which threatens the continental nations of They are all members of the league, and yet they maintain to-day 3,000,000 armed men against one another, against their fellows within the league. France has 800,000 men, African and European, under arms; Poland has 600,000 men under arms; France and her allies have 2,000,000 under arms. Is it necessary for us to sit in the council of the continental powers of Europe in order that they may reduce their land armaments? If membership in the council of the league could bring about disarmament, disarmament there would be.

The truth is that the great powers of Europe are not ready to disarm. You may read in the columns of one of the two principal newspapers supporting the league that there is now in Europe a fight to control its destinies—a struggle between the victors for the hegemony of Europe. If the proposal of the Senator from Idaho brings disarmament, it will be because it is limited to the naval powers-because it does not include

continental European powers.

If the proposal of the Senator from Idaho bears fruit, Mr. President, it will be because at this juncture in international affairs the British people and the people of the British dominions must determine upon the renewal or the abandonment of the Anglo-Japanese alliance. We shall know before long whether the British dominions and the British people seek agreement with the people of the United States rather than alliance with the Japanese, and, seeking agreement with us, are ready in good faith to limit naval armament.

The situation on the Continent of Europe is quite different. There are as many men under arms there to-day as there were a year ago; there are as many men under arms in central Europe as there were in Austria-Hungary at the end of the first year of the Great War. What an impossible adventure to which to invite the United States-to join the council of the League of Nations in considering disarmament at the moment when its members in continental Europe have 3,000,000 men under arms and have evinced their determination not to disarm!

Mr. WATSON of Georgia. Mr. President, as I have listened to this debate from day to day I have never felt a deeper sense of depression and discouragement in my life in connection with the deliberations of a representative body. There has not been made here in this Chamber a single argument in favor of the enormous increase in the naval bill, as passed by the House, that was not enough to make an angel weep; and the Senator from Alabama [Mr. UNDERWOOD], who the other day made a strong speech in favor of disarmament and then voted to increase our naval armament by the expenditure of forty million and odd dollars, now tells us that the great question that the people decided last November was disarmament and that we must obey their will.

Mr. UNDERWOOD. Mr. President, the Senator is mistaken, I did not say it was disarmament; I said that I doubted whether the question of the League of Nations was the determining cause of the election; that I thought the question of a reaction against war conditions affected the vote more than anything

Mr. WATSON of Georgia. I am sure the Senator is mistaken. So far as our section of the country is concerned, the main controlling motive of the voters of his State and of mine and of the States surrounding was to maintain the independence which our forefathers fought for, and not to surrender back to Great Britain or to any other foreign nation any part of that independence which we inherited from our forefathers. It was the desire to keep out of the League of Nations that caused the stampede toward Harding and Coolidge; it was to keep ourselves absolutely independent that our people gave to those two candidates the immense majority which they received; and now, by step after step, insidiously, calculatingly, we are cynically disregarding the verdict of the people as rendered last November in proposing to go into the league which our people told us to avoid.

The Senator from Montana [Mr. Walsh] maintains that we can have this relation and other relations with the sitting League of Nations and yet not commit ourselves. Put your hand into a saw gin and see what will happen to you. Let one of those saws catch your hand and then stop the gin if you can. Who will throw off the belt and stop the gin? Who will keep the saws from going further and further until the vital spot is struck? We are going further and further into the League of Nations.

Senators, you can not adopt this amendment without danger of setting aside the verdict of the people as rendered last November. I am sure the Senators upon consideration will realize the danger, the insidious danger, of the amendment of the Senator from Montana, and I hope both sides will unite in voting it down.

Mr. WALSH of Montana. Mr. President, I dare say that among the many eloquent, powerful, and persuasive speeches addressed by the Senator from Georgia during the last campaign against the League of Nations, he never once argued that it would be an unfortunate thing for us to join with the commission appointed by the council of the League of Nations to draft a plan for general disarmament. His argument was addressed to very different features of the League of Nations.

Mr. WATSON of Georgia. Mr. President—
Mr. WALSH of Montana. I yield to the Senator.
Mr. WATSON of Georgia. In answer to that, I will say that during the campaign which I waged every address I made was against the league without any reservations, without any conditions, without any strings—against the league, square out and I, of course, subordinated any such questions as that which the Senator from Montana now presents.

Mr. WALSH of Montana. Yes; I have no doubt the Senator declaimed against the league, but he was exceedingly silent. I dare say, upon those provisions of the covenant which looked to a general disarmament of the nations involved.

But, Mr. President, I think the argument that we are getting into the league is very, very far-fetched. The invitation came to the United States as to a Nation that was outside of the league. It was addressed as to a Nation outside of the league. It was perfectly understood that we were outside of the league and would not be likely to come into the league under any cir-

cumstances or conditions. If we were a member of the league, no invitation ever would have been sent to us to join in the effort to frame a plan. None would have been necessary. would have been a part of the machinery ourselves. It came to us as a Nation outside of the league to come and sit with the members appointed by the nations represented upon the council for the purpose of seeing if we could agree upon a plan.

But, Mr. President, after this administration has committed itself to sitting in the same capacity upon the commission on reparations, how can it consistently decline to sit upon the commission on disarmament? If the one is going to bring us into the league the other is. The Senator from Georgia is perfectly correct; if this in any manner introduces us into the league, by the back door or by the front door, we have already been introduced into it by the action already taken in directing our representative to sit with the commission on reparations and with the supreme council in considering the questions arising in Silesia.

Moreover, Mr. President, if it be true, as represented by the Senator from Illinois [Mr. McCormick], that these nations of Europe, when the efforts of the commission were rendered abortive by the declination of the United States to participate, have gone on arming themselves until they have accumulated armies of 3,000,000 men against each other, I think that furnishes an added reason why the United States now should go in with these people and get them into a conference and sit down calmly over the table and consider whether it would not be wise to reduce these huge and excessive armies. Moreover, Mr. President, each one of them is increasing its army in order to meet increases that are made by its supposed enemies; but if we get them all at the table they might easily agree to reduce proportionately, each of them insisting that he is obliged to increase his army because his enemy is doing just exactly the same thing.

It occurs to me that the argument addressed to this body by the Senator from Illinois is an added reason why we should adopt this amendment.

Mr. BRANDEGEE. Mr. President, I differ entirely with the Senator from Montana [Mr. Walsh] that sending an observer to sit upon the supreme council has anything whatever to do with joining the League of Nations or recognizing it in any manner whatever. The supreme council is a body perfectly unknown to the League of Nations, entirely without it. It simply consists of the prime ministers of the principal powers who were opposed to the Central Powers during the war. Reparations Commission has nothing whatever to do with the League of Nations. It is an organization provided by the treaty of Versailles, while the Senator's amendment is a direct acceptance of the invitation from the League of Nations, heretofore extended, for us to participate in one of their commissions. It is an entirely different proposition.

The VICE PRESIDENT. The question is on the amendment of the Senator from Montana [Mr. Walsh], on which the yeas and nays have been ordered. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. HARRISON (when his name was called). I have a general pair with the junior Senator from West Virginia [Mr. ELKINS]. I transfer that pair to the senior Senator from Nebraska [Mr. Hitchcock] and will vote. I vote "yea."

Mr. MYERS (when his name was called). I have a pair

with the Senator from Connecticut [Mr. McLean], who is absent. I am unable to obtain a transfer, and therefore withhold

my vote. If at liberty to vote, I should vote "yea."

Mr. SHIELDS (when his name was called). I have a general pair with the Senator from Indiana [Mr. New]. I am informed, however, if he were present that he would vote as I had intended to vote, and I therefore vote. I vote "nay."

Mr. STANLEY (when his name was called). I have a general pair with my colleague, the junior Senator from Kentucky [Mr. Ernst]. I transfer that pair to the Senator from Nevada [Mr. Pittman] and will vote. I vote "yea."

Mr. SUTHERLAND (when his name was called). Making the same announcement as before with reference to my pair, I vote "nay."

Mr. TRAMMELL (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. COLT]. I transfer that pair to the junior Senator from Alabama [Mr. Heflin] and will vote. I vote "yea."

Mr. WALSH of Montana (when his name was called). I have a pair with the Senator from New Jersey [Mr. Freling-HUYSEN], which I transfer to the Senator from Texas [Mr. Culberson] and will vote. I vote "yea."

Mr. WILLIAMS (when his name was called). I have a pair with the senior Senator from Pennsylvania [Mr. Penrose].

who, I believe, has not voted. In his absence I am not at liberty to vote. If I were, I should vote "yea."

The roll call was concluded.

Mr. MYERS. I am enabled to transfer my pair with the Senator from Connecticut [Mr. McLean] to the Senator from Rhode Island [Mr. GERRY]. I do so and vote "yea."

Mr. CURTIS. I have been requested to announce the follow-

ing pairs;

Ernst Fernald

France

The Senator from Maine [Mr. FERNALD] with the Senator from New Mexico [Mr. Jones]

The Senator from Maryland [Mr. France] with the Senator from Louisiana [Mr. Ranspell]; and

The Senator from Indiana [Mr. Warson] with the Senator from Delaware [Mr. Wolcorr].

The result was announced-year 22, nays 42, as follows:

### YEAS-22.

Ashurst Broussard Dial Fletcher Glass Harris	Harrison Kendrick King McKellar Myers Overman	Owen Pomerene Sheppard Simmons Smith Stanley	Trammell Underwood Walsh, Mont.
	NA	YS-42.	
Ball Borah Brandegee Bursum Calder Capper Cummins Curtis Dillingham Edge Gooding	Hale Harreld Johnson Jones, Wash. Kellogg Kenyon Keyes La Follette Lenroot Lodge McCormick	McNary Moses Newberry Nicholson Oddle Phipps Poindexter Shields ishortridge Smoot Spencer	Stanfield Sterling Sutherland Townsend Wadsworth Walsh, Mass. Warren Watson, Ga. Willis
	NOT V	OTING-32.	
Cameron Caraway Colt Culberson Elkins	Frelinghuysen Gerry Heflin Hitchcock Jones, N. Mex.	McKinley McLean Nelson New Norbeck Norris	Pittman Ransdell Reed Robinson Watson, Ind. Weller

McCumber So the amendment of Mr. Walsh of Montana was rejected.

New Norbeck Norris Page

Penrose

Hitchcock Jones, N. Mex. Knox

Ladd.

### EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened.

# ADJOURNMENT OVER MEMORIAL DAY.

Mr. LODGE. I move that the Senate adjourn until Tuesday next at noon.

The motion was agreed to; and (at 5 o'clock and 50 minutes p. m.) the Senate adjourned until Tuesday, May 31, 1921, at 12 o'clock meridian.

# NOMINATIONS.

Executive nominations received by the Senate May 27, 1921.

### UNITED STATES ATTORNEY.

William Hayward, of New York, to be United States attorney, southern district of New York, vice Francis G. Caffey, resigned.

### UNITED STATES MARSHALS.

# SOUTHERN DISTRICT OF FLORIDA.

Benjamin E. Dyson, of Florida, to be United States marshal, southern district of Florida, vice N. H. Boswell, resigned, effective June 1, 1921.

# DISTRICT OF WYOMING.

Hugh L. Patton, of Wyoming, to be United States marshal, district of Wyoming, vice Daniel F. Hudson, resigned, effective July 1, 1921.

### CONFIRMATIONS.

Executive nominations confirmed by the Senate May 27, 1921.

COLLECTOR OF INTERNAL REVENUE.

John H. Field, for the district of New Hampshire.

UNITED STATES COAST GUARD.

LIEUTENANT COMMANDER (ENGINEERING).

Horatio Nelson Wood.

# HOUSE OF REPRESENTATIVES.

FRIDAY, May 27, 1921.

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, offered the following prayer:

Our blessed heavenly Father, on the breath of our prayer we do not whisper an impossible hope. We never seek Thee in vain, for He keepeth us who never slumbers nor sleeps. With folded hands we tarry in Thy holy presence. Persuade us more and more that there is no harvest so fair as the goodly products of a useful and a noble life. Help us to labor in this consciousness, and when the lamp of life is burning low and the evening shades are falling, and it is growing dark, may we behold the light of Thy countenance and see the stretch of Thy holy hand. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### WITHDRAWAL OF A BILL.

Mr. QUIN. Mr. Speaker, I ask unanimous consent to withdraw the bill (H. R. 5662) for the relief of Sargent Prentiss Knut, administrator of the estate of Haller Nutt, deceased, which I introduced early in the month. There is an error in the bill and I want to substitute another bill for it.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to withdraw the bill H. R. 5662. Is there objec-

tion?

Williams Wolcott

There was no objection.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill (S. 1084) to provide a national budget system and an independent audit of Government accounts, and for other purposes.

### THE BUDGET-CONFERENCE REPORT (S. DOC. NO. 15).

Mr. GOOD. Mr. Speaker, I call up the conference report upon the bill (S. 1084) to provide a national budget system and an independent audit of Government accounts, and for other purpose

Mr. WINGO. Mr. Speaker, I make the point of order that

there is no quorum present.

The SPEAKER. The gentleman from Arkansas makes the point of order that there is no quorum present. Evidently there is not.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

Ansorge	Fairfield	Little	Riddick
Bixler	Fess	Logan	Riordan
Brooks, Pa.	Fields	Lufkin	Rosenbloom
Browne, Wis.	Focht	Luhring	Rossdale
Buchanan	Foster	McArthur	Rucker
Burke	Gallivan	McDuffie	Ryan
Butler	Gould	McLaughlin, Pa.	Sabath
Clark, Fla.	Graham, Pa.	McSwain	Sanders, N. Y.
Clarke, N. Y.	Hogan	MacGregor	Sears
Clouse	Hudspeth	Millspaugh	Siegel
Codd	Hukriede	Moore, Va.	Sisson
Cole	Husted	Morin	Slemp
Connell	Hutchinson	Murphy	Snyder
Connolly, Pa.	Kahn	Nolan	Stafford
Cooper, Ohio	Kearns	O'Brien	Stiness
Cramton	Kelley, Mich.	O'Connor	Sullivan
Crowther	Kelly, Pa.	Patterson, Mo.	Taylor, N. J.
Dallinger	Kennedy	Perkins	Thomas
Dempsey	Kindred	Perlman	Upshaw
Drewry .	Kitchin	Peters	Vare
Driver	Kleczka	Petersen	Ward, N. Y.
Echols	Kreider	Rainey, Ill.	Wason
Edmonds	Lee, N. Y.	Reavis	Winslow
Ellis	Lineberger	Reed, W. Va.	

The SPEAKER. Three hundred and thirty-five Members have answered to their names, a quorum.

Mr. GOOD. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

Mr. GOOD. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Iowa asks unanimous

consent that the statement be read in lieu of the report. Is there objection?

Mr. JOHNSON of Mississippi. Mr. Speaker, reserving the right to object, does the statement go into detail and explain

that portion of the bill which has to do with the fixing of the tenure of the comptroller's office?

Mr. GOOD. Yes; it states the facts. Mr. JOHNSON of Mississippi. I have no objection.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the statement.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1084) to provide a national budget system and an independent audit of Government accounts, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter inserted by the amendment of

the House insert the following:

### "TITLE I .- DEFINITIONS.

"Section 1. This act may be cited as the 'budget and accounting act, 1921.'

SEC. 2. When used in this act-

"The terms 'department and establishment' and 'department or establishment' mean any executive department, independent commission, board, bureau, office, agency, or other establishment of the Government, including the municipal government of the District of Columbia, but do not include the legislative branch of the Government or the Supreme Court of the United States;

"The term 'the budget' means the budget required by section

201 to be transmitted to Congress

"The term 'bureau' means the bureau of the budget;

"The term 'director' means the director of the bureau of the budget: and

The term 'assistant director' means the assistant director of the bureau of the budget.

### "TITLE H .- THE BUDGET.

"SEC. 201. The President shall transmit to Congress on the first day of each regular session the budget, which shall set forth in summary and in detail:

"(a) Estimates of the expenditures and appropriations necessary in his judgment for the support of the Government for the ensuing fiscal year; except that the estimates for such year for the legislative branch of the Government and the Supreme Court of the United States shall be transmitted to the President on or before October 15 of each year, and shall be included by him in the budget without revision;

'(b) His estimates of the receipts of the Government during the ensuing fiscal year, under (1) laws existing at the time the budget is transmitted and also (2) under the revenue proposals,

if any, contained in the budget;

The expenditures and receipts of the Government during the last completed fiscal year;

"(d) Estimates of the expenditures and receipts of the Gov-

ernment during the fiscal year in progress;

(e) The amount of annual, permanent, or other appropriations, including balances of appropriations for prior fiscal years, available for expenditure during the fiscal year in progress, as of November 1 of such year;

"(f) Balanced statements of (1) the condition of the Treasury at the end of the last completed fiscal year, (2) the estimated condition of the Treasury at the end of the fiscal year in progress, and (3) the estimated condition of the Treasury at the end of the ensuing fiscal year if the financial proposals contained in the budget are adopted;

"(g) All essential facts regarding the bonded and other in-

debtedness of the Government; and

"(h) Such other financial statements and data as in his opinion are necessary or desirable in order to make known in all practicable detail the financial condition of the Government.

SEC. 202. (a) If the estimated receipts for the ensuing fiscal year contained in the budget, on the basis of laws existing at the time the budget is transmitted, plus the estimated amounts in the Treasury at the close of the fiscal year in progress, available for expenditure in the ensuing fiscal year, are less than the estimated expenditures for the ensuing fiscal year contained in the budget, the President in the budget shall make recommendations to Congress for new taxes, loans, or other appropriate action to meet the estimated deficiency.

"(b) If the aggregate of such estimated receipts and such estimated amounts in the Treasury is greater than such estimated expenditures for the ensuing fiscal year, he shall make such recommendations as in his opinion the public interests

require.

"SEC. 203. (a) The President from time to time may transmit to Congress supplemental or deficiency estimates for such appropriations or expenditures as in his judgment (1) necessary on account of laws enacted after the transmission of the budget, or (2) otherwise in the public interest. He shall accompany such estimates with a statement of the reasons therefor, including the reasons for their omission from the budget.

"(b) Whenever such supplemental or deficiency estimates reach an aggregate which, if they had been contained in the budget, would have required the President to make a recommendation under subdivision (a) of section 202, he shall there-

upon make such recommendation.

"Sec. 204. (a) Except as otherwise provided in this act, the contents, order, and arrangement of the estimates of appropriations and the statements of expenditures and estimated expenditures contained in the budget or transmitted under section 203, and the notes and other data submitted therewith, shall conform to the requirements of existing law.

"(b) Estimates for lump-sum appropriations contained in the budget or transmitted under section 203 shall be accompanied by statements showing, in such detail and form as may be necessary to inform Congress, the manner of expenditure of such appropriations and of the corresponding appropriations for the fiscal year in progress and the last completed fiscal year. Such statements shall be in lieu of statements of like character now required by law.

"SEC. 205. The President, in addition to the budget, transmit to Congress on the first Monday in December, 1921, for the service of the fiscal year ending June 30, 1923, only, an alternative budget, which shall be prepared in such form and amounts and according to such system of classification and itemization as is, in his opinion, most appropriate, with such explanatory notes and tables as may be necessary to show where the various items embraced in the budget are contained in such alternative budget.

"SEC. 206. No estimate or request for an appropriation and no request for an increase in an item of any such estimate or request, and no recommendation as to how the revenue needs of the Government should be met, shall be submitted to Congress or any committee thereof by any officer or employee of any department or establishment, unless at the request of either House

of Congress

"SEC. 207. There is hereby created in the Treasury Department a bureau to be known as the bureau of the budget. There shall be in the bureau a director and an assistant director, who shall be appointed by the President and receive salaries of \$10,000 and \$7,500 a year, respectively. The assistant director shall perform such duties as the director may designate, and during the absence or incapacity of the director or during a vacancy in the office of director he shall act as director. The bureau, under such rules and regulations as the President may prescribe, shall prepare for him the budget, the alternative budget, and any supplemental or deficiency estimates, and to this end shall have authority to assemble, correlate, revise, reduce, or increase the estimates of the several departments or establish-

"Sec. 208. (a) The director, under such rules and regulations as the President may prescribe, shall appoint and fix the compensation of attorneys and other employees and make expenditures for rent in the District of Columbia, printing, binding, telegrams, telephone service, law books, books of reference, periodicals, stationery, furniture, office equipment, other supplies, and necessary expenses of the office, within the appropriations made therefor.

"(b) No person appointed by the director shall be paid a salary at a rate in excess of \$6,000 a year, and not more than four persons so appointed shall be paid a salary at a rate in excess of \$5,000 a year.

"(c) All employees in the bureau whose compensation is at a rate of \$5,000 a year or less shall be appointed in accordance with the civil-service laws and regulations.

"(d) The provisions of law prohibiting the transfer of employees of executive departments and independent establishments until after service of three years shall not apply during the fiscal years ending June 30, 1921, and June 30, 1922, to the

transfer of employees to the bureau.

"(e) The bureau shall not be construed to be a bureau or office created since January 1, 1916, so as to deprive employees therein of the additional compensation allowed civilian employees under the provisions of section 6 of the legislative, executive, and judicial appropriation act for the fiscal years ending June 30, 1921, and June 30, 1922, if otherwise entitled thereto.

"SEC. 209. The bureau, when directed by the President, shall make a detailed study of the departments and establishments for the purpose of enabling the President to determine what changes (with a view of securing greater economy and efficiency in the conduct of the public service) should be made in (1) the existing organization, activities, and methods of business of such departments or establishments, (2) the appropriations therefor, (3) the assignment of particular activities to particular services, or (4) the regrouping of services. The results of such study shall be embodied in a report or reports to the President, who may transmit to Congress such report or reports, or any part thereof, with his recommendations on the matters covered thereby.

"Sec. 210. The bureau shall prepare for the President a codification of all laws or parts of laws relating to the preparation and transmission to Congress of statements of receipts and expenditures of the Government and of estimates of appropriations. The President shall transmit the same to Congress on or before the first Monday in December, 1921, with a recom-mendation as to the changes which, in his opinion, should be

made in such laws or parts of laws.

"Sec. 211. The powers and duties relating to the compiling of estimates now conferred and imposed upon the Division of Bookkeeping and Warrants of the office of the Secretary of the

Treasury are transferred to the bureau.

"Sec. 212. The bureau shall, at the request of any committee of either House of Congress having jurisdiction over revenue or appropriations, furnish the committee such aid and

information as it may request.

"SEC. 213. Under such regulations as the President may prescribe. (1) every department and establishment shall furnish to the bureau such information as the bureau may from time to time require, and (2) the director and the assistant director, or any employee of the bureau when duly authorized, shall, for the purpose of securing such information, have access to, and the right to examine, any books, documents, papers, or records of any such department or establishment.

"SEC. 214. (a) The head of each department and establishment shall designate an official thereof as budget officer therefor, who, in each year under his direction and on or before a date fixed by him, shall prepare the departmental estimates

"(b) Such budget officer shall also prepare, under the direction of the head of the department or establishment, such supplemental and deficiency estimates as may be required for its

"SEC. 215. The head of each department and establishment shall revise the departmental estimates and submit them to the bureau on or before September 15 of each year. In case of his failure so to do, the President shall cause to be prepared such estimates and data as are necessary to enable him to include in the budget estimates and statements in respect to the work of such department or establishment.

"SEC. 216. The departmental estimates and any supplemental or deficiency estimates submitted to the bureau by the head of any department or establishment shall be prepared and submitted in such form, manner, and detail as the President may

SEC. 217. For expenses of the establishment and maintenance of the bureau there is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$225,000, to continue available during the fiscal year ending June 30, 1922.

"TITLE III,-GENERAL ACCOUNTING OFFICE.

"Sec. 301. There is created an establishment of the Government to be known as the general accounting office, which shall be independent of the executive departments and under the control and direction of the comptroller general of the United States. The offices of Comptroller of the Treasury and Assistant Comptroller of the Treasury are abolished, to take effect July 1, 1921. All other officers and employees of the office of the Comptroller of the Treasury shall become officers and employees in the general accounting office at their grades and salaries on July 1, 1921, and all books, records, documents, papers, furniture, office equipment, and other property of the office of the Comptroller of the Treasury shall become the property of the general accounting office. The comptroller general is authorized to adopt a seal for the general accounting office.

SEC. 302. There shall be in the general accounting office a comptroller general of the United States and an assistant comptroller general of the United States, who shall be appointed by the President, with the advice and consent of the Senate, and

the absence or incapacity of the comptroller general, or during a vacancy in that office, shall act as comptroller general.

"SEC. 303. Except as hereinafter provided in this section, the comptroller general and the assistant comptroller general shall hold office for 15 years. The comptroller general shall not be eligible for reappointment. The comptroller general or the assistant comptroller general may be removed at any time by joint resolution of Congress after notice and hearing, when, in the judgment of Congress, the comptroller general or assistant comptroller general has become permanently incapacitated or has been inefficient, or guilty of neglect of duty, or of malfeasance in office, or of any felony or conduct involving moral turpitude, and for no other cause and in no other manner except by impeachment. Any comptroller general or assistant comptroller general removed in the manner herein provided shall be ineligible for reappointment to that office. When a comptroller general or assistant comptroller general attains the age of 70 years, he shall be retired from his office.

"Sec. 304. All powers and duties now conferred or imposed by law upon the Comptroller of the Treasury or the six auditors of the Treasury Department, and the duties of the Division of Bookkeeping and Warrants of the office of the Secretary of the Treasury relating to keeping the personal ledger accounts of disbursing and collecting officers, shall, so far as not inconsistent with this act, be vested in and imposed upon the general accounting office and be exercised without direction from any other officer. The balances certified by the comptroller general shall be final and conclusive upon the executive branch of the Government. The revision by the comptroller general of settlements made by the six auditors shall be discontinued, except as to settlements made before July 1, 1921.

"The administrative examination of the accounts and youchers of the Postal Service now imposed by law upon the Auditor for the Post Office Department shall be performed on and after July 1, 1921, by a bureau in the Post Office Department to be known as the bureau of accounts, which is hereby established for that purpose. The bureau of accounts shall be under the direction of a comptroller, who shall be appointed by the President with the advice and consent of the Senate, and shall receive a salary of \$5,000 a year. The comptroller shall perform the administrative duties now performed by the Auditor for the Post Office Department and such other duties in relation thereto as the Postmaster General may direct. The appropriation of \$5,000 for the salary of the Auditor for the Post Office Department for the fiscal year 1922 is transferred and made available for the salary of the comptroller, bureau of accounts, Post Office Department. The officers and employees of the office of the Auditor for the Post Office Department engaged in the administrative examination of accounts shall become officers and employees of the bureau of accounts at their grades and salaries on July 1, 1921. The appropriations for salaries and for contingent and miscellaneous expenses and tabulating equipment for such office for the fiscal year 1922, and all books, records, documents, papers, furniture, office equipment, and other property shall be apportioned between, transferred to, and made available for the bureau of accounts and the general accounting office, respectively, on the basis of duties transferred.

"Sec. 305. Section 236 of the Revised Statutes is amended to read as follows:

"'SEC. 236. All claims and demands whatever by the Government of the United States or against it, and all accounts whatever in which the Government of the United States is concerned, either as debtor or creditor, shall be settled and adjusted in the general accounting office."

"Sec. 306. All laws relating generally to the administration of the departments and establishments shall, so far as applicable, govern the general accounting office. books, records, papers, or documents, and transcripts from the books and proceedings of the general accounting office, when certified by the comptroller general or the assistant comptroller general under its seal, shall be admitted as evidence with the same effect as the copies and transcripts referred to in sections 882 and 886 of the Revised Statutes.

"Sec. 307. The comptroller general may provide for the payment of accounts or claims adjusted and settled in the general accounting office, through disbursing officers of the several departments and establishments, instead of by warrant.

"Sec. 308. The duties now appertaining to the Division of Public Moneys of the office of the Secretary of the Treasury, so shall receive salaries of \$10,000 and \$7,500 a year, respectively. The assistant comptroller general shall perform such duties as may be assigned to him by the comptroller general, and during and the certification of outstanding liabilities for payment, shall far as they relate to the covering of revenues and repayments into the Treasury, the issue of duplicate checks and warrants, be performed by the Division of Bookkeeping and Warrants of

the Office of the Secretary of the Treasury.

"Sec. 309. The comptroller general shall prescribe the forms, systems, and procedure for administrative appropriation and fund accounting in the several departments and establishments, and for the administrative examination of fiscal officers' accounts and claims against the United States.

"Sec. 310. The offices of the six auditors shall be abolished, to take effect July 1, 1921. All other officers and employees of these offices except as otherwise provided herein shall become officers and employees in the general accounting office at their grades and salaries on July 1, 1921. All books, records, documents, papers, furniture, office equipment, and other property of these offices, and of the Division of Bookkeeping and Warrants, so far as they relate to the work of such division transferred by section 304, shall become the property of the general accounting office. The general accounting office shall occupy temporarily the rooms now occupied by the office of the Comptroller of the Treasury and the six auditors.

"SEC. 311. (a) The comptroller general shall appoint, remove, and fix the compensation of such attorneys and other employees in the general accounting office as may from time to time be

provided for by law.

(b) All such appointments, except to positions carrying a salary at a rate of more than \$5,000 a year, shall be made in accordance with the civil service laws and regulations.

(c) No person appointed by the comptroller general shall be paid a salary at a rate of more than \$6,000 a year, and not more than four persons shall be paid a salary at a rate of more than \$5,000 a year.

"(d) All officers and employees of the general accounting office, whether transferred thereto or appointed by the comptroller general, shall perform such duties as may be assigned

to them by him.

"(e) All official acts performed by such officers or employees specially designated therefor by the comptroller general shall have the same force and effect as though performed by the comptroller general in person.

(f) The comptroller general shall make such rules and regulations as may be necessary for carrying on the work of the general accounting office, including rules and regulations concerning the admission of attorneys to practice before such

"Sec. 312. (a) The comptroller general shall investigate, at the seat of government or elsewhere, all matters relating to the receipt, disbursement, and application of public funds, and shall make to the President when requested by him, and to Congress at the beginning of each regular session, a report in writing of the work of the general accounting office, containing recommendations concerning the legislation he may deem necessary to facilitate the prompt and accurate rendition and settlement of accounts and concerning such other matters relating to the receipt, disbursement, and application of public funds as he may think advisable. In such regular report, or in special reports at any time when Congress is in session, he shall make recommendations looking to greater economy or efficiency in public expenditures.

(b) He shall make such investigations and reports as shall be ordered by either House of Congress or by any committee of either House having jurisdiction over revenue, appropriations, or expenditures. The comptroller general shall also, at the request of any such committee, direct assistants from his office to furnish the committee such aid and information as

"(c) The comptroller general shall specially report to Congress every expenditure or contract made by any department

or establishment in any year in violation of law.

(d) He shall submit to Congress reports upon the adequacy and effectiveness of the administrative examination of accounts and claims in the respective departments and establishments and upon the adequacy and effectiveness of departmental inspection of the offices and accounts of fiscal officers.

"(e) He shall furnish such information relating to expendi-

tures and accounting to the bureau of the budget as it may

request from time to time.

Sec. 313. All departments and establishments shall furnish to the comptroller general such information regarding the powers, duties, activities, organization, financial transactions, and methods of business of their respective offices as he may from time to time require of them; and the comptroller general, or any of his assistants or employees, when duly authorized by him, shall, for the purpose of securing such information, have access to and the right to examine any books, documents, papers, or records of any such department or establishment.

The authority contained in this section shall not be applicable to expenditures made under the provisions of section 291 of the Revised Statutes.

"Sec. 314. The Civil Service Commission shall establish an eligible register for accountants for the general accounting office, and the examinations of applicants for entrance upon such register shall be based upon questions approved by the comptroller general.

SEC. 315. (a) All appropriations for the fiscal year ending June 30, 1922, for the offices of the Comptroller of the Treasury and the six auditors, are transferred to and made available for the general accounting office, except as otherwise provided

herein.

"(b) During such fiscal year the comptroller general, within the limit of the total appropriations available for the general accounting office, may make such changes in the number and compensation of officers and employees appointed by him or transferred to the general accounting office under this act as may be necessary.

"(c) There shall also be transferred to the general accounting office such portions of the appropriations for rent and contingent and miscellaneous expenses, including allotments for printing and binding, made for the Treasury Department for the fiscal year ending June 30, 1922, as are equal to the amounts expended from similar appropriations during the fiscal year ending June 30, 1921, by the Treasury Department for the offices of the Comptroller of the Treasury and the six auditors.

"(d) During the fiscal year ending June 30, 1922, the appropriations and portions of appropriations referred to in this section shall be available for salaries and expenses of the general accounting office, including payment for rent in the District of Columbia, traveling expenses, the purchase and exchange of law books, books of reference, and for all necessary miscellaneous

and contingent expenses.

"SEC. 316. The general accounting office and the bureau of accounts shall not be construed to be a bureau or office created since January 1, 1916, so as to deprive employees therein of the additional compensation allowed civilian employees under the provisions of section 6 of the legislative, executive, and judicial appropriation act for the fiscal year ending June 30, 1922, if otherwise entitled thereto.

"Sec. 317. The provisions of law prohibiting the transfer of employees of executive departments and independent establishments until after service of three years shall not apply during the fiscal year ending June 30, 1922, to the transfer of employees

to the general accounting office.

Sec. 318. This act shall take effect upon its approval by the President: Provided, That sections 301 to 317, inclusive, relating to the general accounting office and the bureau of accounts, shall take effect July 1, 1921."

And the House agree to the same.

JAMES W. GOOD, P. P. CAMPBELL, MARTIN B. MADDEN, JOSEPH W. BYRNS. JNO. N. GARNER, Managers on the part of the House. MEDILL McCORMICK, GEO. H. MOSES,

O. W. UNDERWOOD, Managers on the part of the Senate.

### STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1084) to provide a national budget system and independent audit of Government accounts, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report:

The bill as agreed upon in conference is practically the same as the bill passed by the House and the bill as passed by the Senate, with the exception of two important features.

The Senate bill provides that the bureau of the budget shall be situated in the Treasury Department. The House agrees to this location of the bureau with the further modifications that the bureau shall prepare the budget for the President under such rules and regulations as he may prescribe and that the director of the bureau shall perform the administrative duties personal to the bureau under such rules and regulations as the

President may prescribe.

The Senate bill provides that the director of the budget and the assistant director of the budget shall be appointed by the President, with the advice and consent of the Senate. The House bill provides that they shall be appointed by the Presi-The bill as agreed upon is identical in this respect with

the provisions of the House bill.

The Senate bill provides that the comptroller general and the assistant comptroller general shall hold office for seven years, but may be removed at any time for the causes named in the bill by joint resolution. The House bill provides that the comptroller general and the assistant comptroller general shall hold office during good behavior, but may be removed at any time by concurrent resolution of Congress for the causes named in the bill. The bill as agreed upon in conference fixes the terms of office of the comptroller general and the assistant comptroller general at 15 years, provides for their removal at any time by joint resolution of Congress for the causes named in the bill, and further provides that no comptroller general shall serve more than one term.

The provisions in the Senate bill authorizing the transfer of employees from other departments to the bureau of the budget and the general accounting office at increased compensation

The provision in the Senate bill making applicable to employees of the bureau of the budget the additional compensation to civilian employees of the Government during the fiscal years 1921 and 1922 is incorporated in the bill as agreed upon in con-

The provision in the House bill providing for the creation of a Bureau of Accounts in the Post Office Department to take over the duties of the administrative examination of accounts and vouchers of the Postal Service is incorporated in the bill as

The provision in the Senate bill requiring the general accounting office to furnish to the bureau of the budget such information relating to expenditures and accounting as may be required from time to time is also incorporated in the bill.

> JAMES W. GOOD, P. P. CAMPBELL, MARTIN B. MADDEN, JOSEPH W. BYRNS, JNO. N. GARNER, Managers on the part of the House.

Mr. GOOD. Mr. Speaker, since the House first took action on the national budget bill considerable changes have been made in pending legislation. All these changes have gravitated toward the original provisions of the House bill. The House originally provided that the budget should be prepared by the It assumed that the President, being the only President. official of the United States that is elected by all the people, and the only official who is designated by the Constitution to give Congress, from time to time, information on the state of the Union, the President must lay out a work program for the Government, and the appropriations that would necessarily follow would only be to supply the money to do the work in accordance with that work program. Hence it appeared to the House Committee on the Budget and to the House that the President, being the one official intrusted with this important duty, should have at the same time the machinery, the staff, or the bureau, or whatever you might call it, to aid him in the preparation of the budget.

The Senate took a very different view of the question. The Senate contended that inasmuch as the Secretary of the Treasury was one fiscal agency or official of the Government, he should he the official intrusted with the making of the budget. Thus originally the two Houses were far apart, but before the beginning of this session of Congress a fuller study and reflection had harmonized a great many of the differences between the two bodies. We had harmonized most of the differences with regard to the way the budget should be made. The Senate bill originally provided that the various heads of departments should designate some one in the departments to make the estimates, that the estimates should be sent to the Secretary of the Treasury, and that the Secretary of the Treasury should revise them, modify them as he thought would be necessary and then send to the President the original estimates, with his modifications, and that then the President should make such modifications as he thought wise and send the whole thing to It seemed to us that was very unwise, and finally it seemed to the Senate that it would be unwise to create such cumbersome machinery. The Senate bill at this session of Congress in this respect provided as follows:

and consent of the Senate, and shall receive salaries of \$10,000 and \$7,500 a year, respectively. The assistant director shall perform such duties as the director may designate, and during the absence or incapacity of the director or during a vacancy in the office of director he shall act as director. The bureau, under the direction of the Secretary of the Treasury, shall prepare the budget, the alternative budget, and any supplemental or deficiency estimates, and to this end shall have authority to assemble, correlate, revise, reduce, or increase the estimates of the several departments or establishments.

In section 208 it also provided that the director, with the approval of the Secretary of the Treasury, should appoint and fix the compensation of employees. The House bill, while containing much of the same language, still was vitally different. It provided for the creation of a bureau to be known as the bureau of the budget, not located anywhere, and then it provided the same as the Senate bill with regard to the salaries of the director and the assistant director. It further provided that the bureau, under the direction of the President, should prepare for him the budget, the alternative budget, and any supplementary or deficiency estimates, and to this end should have such authority.

And then section 208 provided-

The director, with the approval of the President, shall appoint and fix compensation—

And so forth.

The dispute in conference has been over these differences.

The Senate was insistent that this bureau should be a bureau in the Treasury Department, and the budget should be made for the Secretary of the Treasury and under his direction. It mattered very little to the conferees on the part of the House just where that bureau should be housed, if in the housing of it we should not take from the President the power that we were placing in him to have this bureau, the President's bureau, prepare the budget for him and to give to the President the power to approve of appointments and to fix the compensation of employees. We have agreed upon the bill so far as this provision is concerned, so that it carries the following language:

There is hereby created in the Treasury Department a bureau to be known as the bureau of the budget.

The rest of the language fixing the salary of the director is the same as contained in both bills. Then we provide

The bureau, under such rules and regulations as the President may prescribe, shall prepare for him the budget, the alternative budget, and any supplemental or deficiency estimates, and to this end shall have authority to assemble, correlate, revise, reduce, or increase the estimates of the several departments or establishments.

Then, in section 208, we leave the President with the power to approve and agree to the compensation of the employees. Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. GOOD. I yield to the gentleman from Wisconsin.

Mr. COOPER of Wisconsin. As I understand it now, the conference report creates this new bureau in the Treasury Department but does not put it under the Secretary of the Treasury. How, then, is the bureau, in any proper sense of the word—the language when applied to other bureaus in other departments-a bureau in the Treasury Department, if the Secretary of the Treasury has no authority over it?

Mr. GOOD. That was exactly the ground that the conferces The Senate conferees were insistent that it should be in the Treasury Department. We did not care where it was housed, so long as the President was the directing force in the

bureau.

Mr. COOPER of Wisconsin. Will the gentleman permit another interruption?

Mr. GOOD. Yes.

Mr. COOPER of Wisconsin. The gentleman says "housed in the Treasury Department." Does that mean that it is to have its offices in the Treasury Department Building?

Mr. GOOD. They will be provided for by the Secretary of

the Treasury

Mr. COOPER of Wisconsin. What authority will the Secretary of the Treasury have over this bureau, if the conference report be adopted, as it will be, and in what proper sense of the word is the bureau in the Treasury Department, not being at all subject to the orders of its chief?

Mr. GOOD. It is not a bureau in the generally accepted sense that a bureau is placed in a department, giving the head of the

department control over that bureau.

Mr. COOPER of Wisconsin. Then is it in the Treasury Department?

Mr. GOOD. Well, I suppose it is, in a way. Mr. COOPER of Wisconsin. Is not that a violent supposi-

Mr. GOOD. To this extent: We provide further on that it Sec. 207. That there is hereby created in the Treasury Department a bureau to be known as the bureau of the budget. There shall be in the bureau a director and an assistant director, who shall be nominated by the President and appointed by him, by and with the advice if he so desires, place upon the Secretary of the Treasury some of the power vested in the President; but, after all, that is the President's act, and the bureau, we think, is left where we had it before. We believe it would have been better not to have put in the words "in the Treasury Department," but I agree with the gentleman from Wisconsin that it is an idle phrase. It does not mean anything, because the real meat in the section is the power granted by the section, and the only power conferred is the power we give to the President. The President is given power to appoint the director and the assistant director, and he is not required even to get the confirmation of the Senate, because it was thought that for these offices that would be so peculiarly the President's staff, the President's force, the President, without being questioned with regard to his appointments, should appoint the men whom he believed he could trust to do his will in the preparation of the budget, so that when the budget came before him it would be a budget that reflected his sentiment and his determination with regard to economy and with regard to expenditure. Then, too, the budget is to be prepared for the President under such rules and regulations as the President shall prescribe. No power is granted to the Secretary of the Treasury

Now, I will say frankly to the gentleman that we thought we were not giving up very much. We were insistent that this bureau should prepare the budget for the President. ate bill provided that it should be prepared for the Secretary of the Treasury. While we have agreed to leave it in the Treasury Department-it must go somewhere as a bureau-yet it goes with all the restrictions and all the limitations, and those restrictions and limitations are to the effect that the President has sole supervision over the budget, the selection of the staff and the making of the budget, and that the budget shall be prepared as directed by the President, and will be the President's

Mr. COOPER of Wisconsin. Will the gentleman yield for a

Mr. GOOD.

Mr. COOPER of Wisconsin. If the original House provision had been retained, the bureau would have been an independent establishment, subject only to the order of the Presi-

Yes.

Mr. COOPER of Wisconsin. It would not have been in the Treasury Department at all? The President could have put it there, perhaps.

Mr. GOOD. I imagine the bureau will have to be housed where the Secretary of the Treasury may say it shall be housed; but so far as personnel is concerned, so far as work is concerned, I do not see how the Treasury Department has any authority over the work of the bureau at all, certainly none over its conclusions or over its personnel, unless that authority is given by rule or regulation of the President.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. GOOD. I yield to the gentleman from Vermont. Mr. GREENE of Vermont. The gentleman has pretty much Mr. GREENE of Vermont. explained what I had in mind to ask him, except this: Of course it is obvious that the purpose of the budget legislation in the first place is to exercise control over all of the executive departments, and it would appear that if the budget bureau be lodged in one of them that one sooner or later will come to have a somewhat undue influence upon its policy of administration over the others. Now, as the gentleman has explained, it does not make much difference, because no matter in what executive department the budget system is lodged the President is at the head of every one of those departments anyway.

Mr. GOOD. Yes; that is true. And we have feared that to give one of the departments control over this bureau would work to the disadvantage of that department and also to the discredit

of the budget bureau.

Mr. GREENE of Vermont. The question is whether he will permit the local interference of that department in his own

Mr. GOOD. I do not think he will. My impression is that such an experiment would very soon prove the soundness of our

Mr. TAYLOR of Colorado. Will the gentleman yield? Mr. GOOD. I yield to the gentleman from Colorado.

Mr. TAYLOR of Colorado. The idea of the House and the House Budget Committee has been all the time to have the President of the United States himself responsible for this budget, and that idea is carried out in this conference report

Mr. GOOD. Absolutely. Now, the other provision had to do with the general accounting office, wherein to create the office of the comptroller general. We had a very serious argument over that. Some of the conferees on the part of the Senate very strenuously objected to the provision of the House

bill which created the position of comptroller general and fixed his term during good behavior. There was no contention at any time by the conferees on the part of the Senate that Congress did not have power under the Constitution to fix by law the manner of the removal of this officer, whom we were creating. The question raised by the veto message of the former President is not involved at all, because in that respect it comes to the House now just as it came up then, except as to the length of the term, a qualification which is unimportant, when the former President vetoed the bill in the last Congress.

The House bill provided, as did the bill that was vetoed, that the comptroller general might be removed for certain causes by a concurrent resolution of Congress. The Senate bill and the conference report provides that it requires a joint resolution of Congress. There has never been that clear-cut distinction between a concurrent resolution and a joint resolution that there ought to be. My understanding of a concurrent resolution is that if it has the effect of law it must be signed by the President. The name offered to a resolution of this kind does not determine its status. We can not pass a resolution that has the effect of law without the signature of the President of the United States. Some time ago it was suggested by some that we could pass a concurrent resolution declaring peace with Germany without the signature of the President. Certainly any such action would have the effect of law, and under the Constitution would require the President's signature. Constitution provides:

Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

Now, the House bill contained the provision with regard to removal by concurrent resolution, while in the Senate bill the removal would be by joint resolution. Inasmuch as there might possibly be a question about the fact that any such act would have the effect of law, no matter what we call it, whether we called it a joint or a concurrent resolution, it would require the approval of the President; therefore, to remove all doubt about it, so that it might not be controverted in the future, the House conferees were willing to substitute the word "joint" for the word "concurrent," and remove any controversy that might be raised on that question in the future. I think it is an improvement.

Mr. TEMPLE. Will the gentleman yield?

Mr. GOOD. Certainly.

Mr. TEMPLE. The removal, then, must originate with Congress?

Absolutely.

Mr. TEMPLE. That is not in harmony with the position taken by the President during the preceding administration that the power of appointment carried with it the power of

Mr. GOOD. That is true. The former President's contention. was that Congress was powerless to act at all in the premises.

Mr. NORTON. Will the gentleman yield?

Mr. GOOD. Yes. Mr. NORTON. Was the word "impeachment" left in the bill?

That is left in the bill.

Mr. NORTON. Does it still leave it as a life position?

Mr. GOOD. No; the office has a tenure of 15 years under the conference agreement. Now, Mr. Speaker, I have agreed to yield some of my time, and will not take further time except to say this-

Mr. STEENERSON. Will the gentleman yield?

Mr. GOOD. For a question. Mr. STEENERSON. Is ther

Mr. STEENERSON. Is there anything in the budget bill that limits the authority of the House to originate appropriations outside?

Mr. GOOD. No; this bill does not attempt to change the rules of the House or to govern the House at all. The Constitution provides that each House shall make rules to govern its procedure, and it was thought it would be very unwise for us to bring in a bill which would attempt by statute to control the action of future Congresses when each House would be at liberty to violate such a law. That has always been our position on that matter.

Mr. STEENERSON. I could not see anything in the confer-

ence report to that effect, but I want to be sure.

Mr. GOOD. Now, a good deal has been said about what the budget law will save the country. No one can tell. I think the newspaper writers and the magazine articles have overestimated the amount that it will save, but I believe it will save

a great deal of money and will give the country better administration of public affairs. There can be no question about that if the power granted is properly exercised. I believe the bill is along the line of good business in Government affairs. I believe it will wipe out a great deal of overlapping in Government activities and will stimulate departments to become more efficient. It will enable the President to hold down the estimates. It will enable him to hold down certain activities, and to employ good business methods in government. I am confident that this bill in itself will become one of the greatest revenue measures ever enacted by the Government.

Mr. DENISON. Will the gentleman yield?

Mr. GOOD. I will.

Mr. DENISON. As I remember, the director of the budget

serves for 15 years.

Mr. GOOD. The director of the budget serves without term. He will be changed whenever the President desires and, of course, would be changed by each succeeding administration. Of course, the President would want his own budget officer who entertained his ideas of economy.

Mr. DENISON. What is the salary?

Mr. GOOD. Ten thousand dollars a year. That is the same in the bill that we passed before, and it was the same in both bills and was not in conference.

Mr. DENISON. The gentleman and the conferees had no question in their mind as to this being an inferior office.

Mr. GOOD. There is no question about that; it is an inferior office. Under the Constitution a Cabinet position is an inferior office. Inferior officers are those officers not designated by the Constitution.

Mr. DENISON. A Cabinet officer has to be confirmed by the Senate.

Mr. GOOD. Yes; and so do postmasters; but nobody has claimed that they were superior officers. I think if the gentleman will look up the history of the Constitution he will come to the conclusion that we have a great many officers who are superior in the kind of administrative work that they do and in the importance of their obligations and their offices, but under the Constitution they are not designated as superior officers and are inferior officers. In my opinion, there is no question but that all of these officers that we create here are inferior officers, yet they are very important officers. I think the director of the budget will, in fact, become the President's assistant.

Now, Mr. Speaker, this report is a unanimous report, and so far as I know there is no objection to it on either side of the House, and I think it should be adopted. [Applause.]

Mr. Speaker, I yield five minutes to the gentleman from Ten-

nessee [Mr. Byrns].

Mr. BYRNS of Tennessee. Mr. Speaker, this report has the unanimous approval of all the conferees, both of the Senate and the House. The gentleman from Iowa has very fully explained the action of the conferees with reference to the matters in the bill that were in conference. I think it can be said that the chief and most important desire of the House in passing this legislation was to bring about, or rather to fix, the responsibility for the submission of the estimates on the President rather than upon any Cabinet or other appointive officer. Hence, the bill as it passed the House provided that the director of the budget should be directly under the direction and supervision of the President. In other words, the budget bureau should be under the President rather than under the Secretary of the Treasury, who under the present law is charged with the transmission of estimates to Congress. As you are aware, the Senate took the opposite view and made the budget bureau a Treasury bureau and subject to the Secretary of the Treasury, and left with the Secretary of the Treasury the duty of submitting the estimates to Congress.

As the gentleman from Iowa states, the conferees have agreed upon a provision which leaves this budget bureau under the President as the House originally contemplated. It is true that the bill provides that the budget bureau shall be in the Treasury Department, but that really has no significance, for the law expressly declares and provides that the bureau shall be directly under the President and directly responsible

to him.

Mr. BRIGGS. Will the gentleman yield?

Mr. BYRNS of Tennessee. I will,

Mr. BRIGGS. Can the gentleman state to the House why it was insisted upon putting this budget bureau in the Treasury Department if the Secretary of the Treasury has no direction or supervision over that bureau?

Mr. BYRNS of Tennessee. Well, I will say to the gentleman that the Senate conferees very earnestly insisted on their position, and, as the gentleman knows, when you get into conference I

it is always necessary to make some concession, and while the House conferees believe that they actually made no concession in this instance, however, it seemed to be entirely satisfactory to the Senate conferees if we gave them the benefit of that particular language, and the House conferees, rather than have a disagreement, agreed to it. The only other important change that has been made is in reference to the tenure of office on the part of the comptroller general. As you recall, the House bill provided that the comptroller general would hold during good behavior. The Senate had a provision of seven years' tenure for the comptroller general. The House was very firmly of the opinion that the comptroller general should be to all intents and purposes an officer of the Congress and that he should be responsible alone to the Congress and absolutely independent of the executive department. Upon him rests the duty of auditing the expenditures of the various executive departments, of advising the Congress from time to time as to the manner in which the funds appropriated have been expended, and giving to the Congress advice as to economies which might be effected and as to the application of appropriations by the various departments. In order that he be independent of the Executive it was important that he should not be trimming his sails for a reappointment. The conferees therefore agreed upon a 15-year tenure of office for the comptroller general with a provision making him ineligible to reappointment. Personally, I am more pleased with that than the House provision, because I do not favor life tenure. As I say, the one idea of the committee and of the House in the adoption of the bill as it was passed by the House was to make the comptroller general independent of the Executive.

The SPEAKER. The time of the gentleman has expired. Mr. BYRNS of Tennessee. Will the gentleman yield me three additional minutes?

Mr. GOOD. I yield the gentleman three additional minutes. Mr. BYRNS of Tennessee. And the provision that he shall hold office for 15 years and then be ineligible for reappointment relieves him from any sense of responsibility or dependency upon the Executive, and he can and will exercise that independence which is so necessary if he is to function as this law contemplates that he shall.

Mr. DENISON. Will the gentleman yield?
Mr. BYRNS of Tennessee. I will.
Mr. DENISON. Who appoints the comptroller general?
Mr. BYRNS of Tennessee. The President appoints him, by and with the advice and consent of the Senate.

Mr. DENISON. Then, technically speaking, the comptroller general is a superior officer to the director of the budget. That is true, is it not?

Mr. BYRNS of Tennessee. No; I do not concede that,

Mr. DENISON. The Constitution provides that all public officers of the United States provided for by Congress must be appointed with the consent and approval of the Senate, and that Congress may provide by authorizing the President alone or the courts to appoint inferior officers. Now, in this bill, if we provide for a director of the budget to be appointed by the President alone, it must be considered as an inferior office under the Constitution, and if we provide for the appointment of a comptroller general by and with the advice and consent of the Senate, that recognizes the fact that he is a superior officer.

Mr. TEMPLE. Is not the language substantially something like this, that other inferior officers may be appointed by the

President alone?

Mr. DENISON. No; the gentleman is wrong. It says that the Congress may by law vest the appointment of such inferior officers as they think proper—
Mr. TEMPLE. "Such inferior officers as they think proper."

The man who has to be confirmed by the Senate is not a superior officer necessarily. Third-class postmasters are confirmed by the Senate.

Mr. DENISON. That is because Congress has so provided and so considered in its enactment.

Mr. TEMPLE. As in this case. Mr. DENISON. But the Constitution says only a class of officers designated as inferior officers can be appointed by the President alone. Therefore if this bill provides for the appointment of a director of the budget by the President alone, he seems to be in a class that the Constitution designates as an inferior officer. And as you provide for the appointment of a comptroller general by and with the advice and consent of the Senate, he must be of a different class.

Mr. BYRNS of Tennessee. But the mere fact, I submit to

the gentleman, that the bill provides that the appointment of the comptroller general must be made by and with the advice and consent of the Senate does not necessarily make him a superior officer, because, as the gentleman from Pennsylvania

has pointed out, the appointment of many inferior officers is made by and with the advice and consent of the Senate. For instance, a second lieutenant in the Army.

The SPEAKER. The time of the gentleman has again ex-

Mr. BYRNS of Tennessee. I ask for two additional minutes. Mr. GOOD. I yield two additional minutes.

Mr. BYRNS of Tennessee. Mr. Speaker, I want to say in conclusion that, while I do not contend that this is a perfect measure, it is in my judgment a great constructive measure, one of the greatest that the Congress has passed for many, many years, and I believe it is going to work a great economy in the expenditures made by the Government.

It is going to bring about a greater coordination, a greater efficiency in the various executive departments. It is something, as you know, that many public writers and men interested in public affairs have for years advocated, and I think that the country is to be congratulated upon the fact that this law is to be placed upon the statute books. After all, its real value will depend upon the manner in which it is administered by the Executive and the final action taken by Congress in making the appropriations. For, after all, if the Executive and the Congress are not actuated by the proper spirit of economy, then we will have an extravagant Government, regardless of what law may be passed. The law, I firmly believe, provides the machinery for true economy as well as efficiency in Government, if the Executive and the Congress will avail themselves of it.

And I want to say, further, that I think the thanks of the country are due to the gentleman from Iowa [Mr. Good], the chairman of the committee [applause], who has labored so ably and intelligently and earnestly for this legislation. For to him more than to any other man in Congress is due the greater part of the credit for putting this bill upon the statute books. [Applause.] The gentleman from Iowa has made a splendid record in Congress. He has made an able and excellent chairman of the Committee on Appropriations, but in my judgment this will be the crowning achievement of his splendid legislative career. [Applause.]

Mr. GOOD. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. GARNER].

Mr. GARNER. Mr. Speaker, being on the conference committee on this bill, it properly becomes me to say a word touching the result of the conference.

The bill as reported by the conferees is the House bill, with a little sprinkling of Senate principle in it, and a little of the quibbling of the Senate. Outside of this it is the "JIM" Good original bill of the Sixty-sixth Congress. The main difference between the House and the Senate in the original bill and this one was that we sought to make a budgetary system in the executive branch of the Government, and make the President responsible for it, so that he might swear at him in this and other Congresses. The Senate undertook to relieve the President of that duty and put it in the Treasury Department and make the Secretary of the Treasury responsible. That is the principal difference. We also sought to have the comptroller general appointed permanently. We gave way to the Senate in this by making the appointment for 15 years and noneligible for reappointment. And so we gave to the Senate the principle that you were not to appoint this man for life. I wanted him to be absolutely independent. He takes office for 15 years, and he is noneligible for reappointment. It has been said by the gentleman from Illinois [Mr. Denison] that the executive budgetary man is probably an inferior officer; but let me say to you, gentlemen, he is the President's man. The President does even have to consult the Senate about him. He pays him \$10,000 a year, and he is immediately under the directon of the President of the United States. It may be an inferior office, but if he will appoint a man with courage, a man who will do his duty, he will be the second largest man in the executive department of the Government.

Mr. MADDEN. And every time he speaks it will be the President who will be speaking.

Mr. GARNER. He will be able to look at the Secretary of the Treasury and say, "You will cut out this expenditure. This is what I am going to abolish." "Who is this that is speaking to me?" "It is the representative of the President of the United States himself." And when the Secretary of the Treasury sits down at the Cabinet table and says, "This budgetary man is destroying my department," who defends him? The President himself, and if there is a controversy to be fought out, he sends for his budgetary man and the field it a for his budgetary man and they fight it out around that Cabinet table. Whereas, if you had put it in the hands of the Secretary of the Treasury or any other Cabinet member, it would have I

been a question between the Cabinet members and the President would have been embarrassed. So I say that the bill as reported by the conferees is in reality the original House bill.

The Senate provided that the bureau should be in the Treasury. We gave the Senate that much. We gave them the hull and we kept the kernel, as my friend from Georgia [Mr. CRISP] We gave the Senate the principle and we kept the remarks. essence of independence. So the result, I think, will be that you are going to have good legislation.

I think it is unnecessary to talk about the merits of the bill, because I doubt if there will be 10 men in the House of Representatives to vote against it.

Mr. COOPER of Wisconsin. Will the gentleman yield? Mr. GARNER. I will.

Mr. COOPER of Wisconsin. As I understand, it is claimed that if this is enacted it will create in the Treasury a bureau over which the Secretary of the Treasury will have no influence whatever?

Mr. GARNER. Yes.

Mr. COOPER of Wisconsin. How can a bureau be in a department and the head of that department have no authority over it?

Mr. GARNER. If the gentleman will read the report, he will see the President is responsible. That is the main point. Now, gentlemen, inasmuch as we are all going to vote for this conference report, there is hardly any use to make an argument

in its favor, in my opinion.

I want to say one word, before I sit down, with reference to the responsibility of the House of Representatives to the part it should play in this system of government. I believe the system of our committee is the best that we can do now. only other remedy that I suggest is for the Senate and the House together to appoint a budgetary committee, and that joint committee put a limitation on the various committees of the House of Representatives as to how much they can spend each year. I doubt whether you can ever get the Senate to do that. I am not certain you can get the House of Representatives to do it; but this is the only other method I can think of, namely, for the two Houses to appoint a joint committee and that joint committee undertake to investigate the finances of the country, the needs of the different departments, and place limitations upon each committee, and then go back to the old committee That was my original idea. But it was thought that it would be impossible to get that through either the House or the Senate. So I accepted what I thought then was the next best thing-to put the entire appropriation in the hands of one committee in the House of Representatives. I said then, and I repeat now, that if that committee will do its duty it can be of great service to the country in the matter of economy. But if it undertakes to usurp the power of the other committees, its life will be limited and its services at an end. You can not let one committee of 35 members absorb the powers of the entire Congress. There will be a revolt some time, led by somebody, that will bring about a different system. And I hope in the future the Appropriations Committee will keep within the rules of the House of Representatives and thereby continue its life. [Applause,]

Mr. GOOD. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. Temple].

Mr. TEMPLE. Mr. Speaker, the budget system provided for in the legislation and in the rules that have passed the House and the Senate consists of three parts, only two of which are dealt with in the bill that is now about to be finally passed. The first part has to do with the preparation of a working program and estimates of the expenditures necessary to carry out that program. That work is under the control of the director of the budget. The second part has to do with the action of Congress upon those estimates, and that is not included in this bill. The third part has to do with an independent audit under the supervision of the comptroller provided for in the bill. The first part and the third are dealt with by law. The second part is also an essential part of the system. Why was that not included in the law?

The reason is very simple. The Constitution provides that each House shall make its own rules. The committees are created by the rules, and if we would put into the law a provision that all of these appropriations should be handled by one committee we would give the Senate the right to pass upon the rules of the House, we would give the House the right to pass upon the rules of the Senate, and we would give the President the right to veto or approve the rules of both Houses. Each House protects the rights guaranteed to it by the Constitution when each House reserves to itself the right to make its own rules, to determine what committees it will create, and what the

powers and privileges of those committees shall be. We have put into the law all that could be provided by law-the preparation of the budget and the provision for an independent audit.

Now, as to the question whether the director of the budget is an "inferior officer," in the sense in which that phrase is used in the Constitution. I should think that a man who is appointed by the President and not subject at all to confirmation by the Senate has in some respects a position superior to that which he would hold if he were subject to confirmation by the Senate. He is appointed by the President exclusively. He is the President's right arm for this purpose. He is subject to nobody but the President, not to the members of the Cabinet, and not to the Members of the Senate, and certainly not to the Members of the House, none of whom has anything to say about his appointment.

The comptroller has an entirely different function to perform. He audits the accounts, or they are audited in his department. He determines whether the provisions of law making appropriations have been observed by the various spending agencies of the

We have found during the last Congress that the spending agencies have very largely overrun the amounts given to them, intrusted to them to be expended. Heads of departments appointed since the 4th of March are not responsible for what was done by their predecessors, but they come to us and tell us that they are in trouble. Rather than paralyze the Government, we make deficiency appropriations. In my judgment, there will be a great deal less of that under the new system. We shall have better-prepared estimates. We shall have a more carefully thought-out program for the year's work, because the President will now have in the budget bureau the machinery which will enable him to perform the duties imposed upon him by the Constitution. We shall have more careful supervision of the expenditures, because of the work of the comptroller, and I believe under the new rules of the House, adopted a year ago, we shall have a better handling of the appropriation bills than under the old system.

The three things stand together, and while the rule providing that all appropriation bills must come from the one and only Committee on Appropriations may be modified hereafter. I have no fear that it will ever be modified in a way that will place the operation of the House of Representatives, in which the appropriation bills originate, out of harmony with the other two great parts of the budget system. improve, I hope, in time to come upon our present methods, but we shall not go back to the old method that scatters responsibility and deprives us of efficiency. [Applause.]

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. GOOD. Mr. Speaker, I yield three minutes to the gentleman from Virginia [Mr. MONTAGUE].

The SPEAKER. The gentleman from Virginia is recognized for three minutes.

Mr. Speaker, I did not vote for the House Mr. MONTAGUE. amendment of the Senate bill upon its passage. I had scruples about the constitutional questions which had been raised heretofore by the veto of the President. I do not know that that has been fully met, but it has been met in such a practical and partial way that I am willing to waive my views regarding it in my earnest desire to see some budget bill become a law.

My second objection to the amendment was as to the life tenure of the comptroller general. That has been removed by the conference. It is still unfortunate as to the term of office, I think, but the principle by which I was controlled in my former vote no longer finds an insuperable difficulty in this respect. I hope much from the successful accomplishment of this legislation, but I have not the exuberant optimism that some Members seem to entertain as resulting from its enactment. Perhaps auxiliary and supplementary legislation may be necessary to perfect the plan. Time will decide this. In my own view I am happy to see that the Treasury Department has somewhat to do with this law. I think the budget system will only work in its maximum efficiency when the Secretary of the Treasury himself has a seat on the floor of this House and on the floor of the Senate to debate any matter in relation to the budget, and to answer any interrogatories that may be propounded by Members of the respective bodies. Long since I offered a bill to that effect. The Congress will with the greatest diffibill to that effect. The Congress will with the greatest diffi-culty avail itself of the benefits of a budget system, or control that system as it should do, unless the Secretary or his assistants cooperate on the floor of the House in the actual consideration of the measure. In course of time I predict such mutual consideration, debate, and cooperation will come to pass.

With these observations, Mr. Speaker, I desire to say that I shall vote for the conference report. [Applause.]

Mr. GOOD. Mr. Speaker, I yield 10 minutes to the gentleman from Wyoming [Mr. MONDELL].

The SPEAKER. The gentleman from Wyoming is recog-

nized for 10 minutes.

Mr. MONDELL. Mr. Speaker, the House is about to take final action on a measure which I think may be properly characterized as the greatest measure of legislative and administrative reform in our history. Men have talked of and urged a budget system for many years, and for many years views and opinions as to principles upon which a budget system should be founded were very wide apart and very diversified. As is usual in such cases, after much discussion there came to be a pretty general agreement as to the principles upon which such a system should be based, and when the committee which presented this legislation began its labors sentiment had been fairly well crystallized relative to the most important features of budget legislation, and yet there was still a wide diversity of opinion in regard to important details.

I think that those charged with the duty of preparing this bill are entitled to very great credit for the agreement which was reached, and for the measure which is now presented to I think that those who have given the most attention to budget reform in years past will say that the bill agreed upon presents a sounder and a better measure than could have been reasonably expected amid the conflicting opinions entertained relative to the subject.

Like all great and important measures, it has its compromises, and the principal compromise relates to the question of whether or not the bureau of the budget should be an entirely independent establishment or should be a bureau of the Treasury Department.

The compromise arrived at makes it neither an independent bureau nor a bureau of the Treasury. It makes it a semi-independent bureau in the Treasury Department; while the bureau will be largely independent it will be at least under the roof of the Treasury Department. I think the compromise was a wise one, for I think there is something in the Senate's contention that inasmuch as the Secretary of the Treasury is the chief fiscal officer of the Government, the officer most directly charged with responsibility relative to revenues and expenditures, he should at least have a general supervision over and a larger influence in the making of the budget than other members of the Cabinet. He will not have any considerable influence in the making of the budget under this bill unless the President sees fit so to provide by rules and regulations which he is authorized to make. In my opinion no man can say and be absolutely certain that his judgment is sound, that this bureau should beyond all question be an independent bureau, or, on the other hand, that it should beyond all question be under the supervision and control of the Secretary of the Treasury. Time alone can demonstrate whether or no the bureau should be more closely affiliated with the Treasury or more completely divorced from it. There are arguments, and good ones, on both sides of that proposition. But it is in, although it may be said not to be of, the Treasury. If the President sees fit, he may give the Secretary of the Treasury more to do with and more responsibility touching the budget than any other Cabinet minister, or he may not.

In the experience of the years it will be demonstrated whether it should be brought nearer to or completely divorced from the Treasury Department, and that can be accomplished to a considerable extent under this law and without additional legislation, or, if it shall be deemed wise, amendment may be made.

So the compromise is a wise one. It is true that in the main the Senate received only the shell in the compromise, but I am glad the compromise was made, for it leaves the bureau at least within the shadow of the Treasury Department, and the President may bring it to a considerable extent under the control of the Treasury Department if he sees fit.

Mr. Speaker, two classes of people will be disappointed by this budget legislation, as there are two classes who are always disappointed in connection with the consummation of any great reform-those who have no faith or confidence in it and those who expect too much of it. This is a great forward movement in the direction of efficiency and the centralization of responsibility in government, but it will not necessarily and of itself save one penny. Under the budget system we may be just as extravagant as the country ever has been, or we may economize more effectively than we ever have economized in the past. At least we shall have the machinery that will encourage economy, that will help fix the responsibility for ex-travagance, that will make our methods more businesslike, and under which, if the Congress desires to economize, it can do so with greater facility and certainty than is possible under the past slipshod system of estimating and of making appropriations.

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Mr. Speaker, as we take the final action relative to this important legislation I think we should give due credit to those

who have been most responsible for it.

Mr. BLANTON. Before the gentleman goes to that, will he yield? I want to ask the distinguished gentleman from Wyoming whether or not under this system it will be possible for us to abolish the various offices of the surveyors general scattered in the various States in the West?

Mr. MONDELL. It is possible to do it now, but it would be

very unwise to do it.

Mr. BLANTON. Though recommended by the department and our committee, we have not been able to do it heretofore. Because it was not wise. We shall not Mr. MONDELL. necessarily do fool things because we are operating under a budget. [Laughter.]
Mr. BLANTON. Those unnecessary offices were abolished

by the House committee, and only put back in the bill when the gentleman from Wyoming came in and through his persuasive

powers got the House to put them back.

Mr. MONDELL. They are not unnecessary offices. The House is a highly intelligent body, and when a gentleman appears before it who knows the subject in hand the House is readily convinced. [Laughter.]

Mr. BLANTON. Especially if he is the majority leader.

Mr. MONDELL. Mr. Speaker, within our time and in recent years three men have rendered particularly conspicuous service toward this reform, the gentleman from New York, Mr. Fitzgerald, the gentleman from Kentucky, Mr. Sherley, and their successor in office, the gentleman from Iowa [Mr. Good]. [Applause.] Others have worked earnestly and faithfully, including the members of the committee reporting the bill. Many are entitled to great credit, but in the House these three men rendered special services toward making this great reform possible, and it has been the good fortune of the gentleman from Iowa [Mr. Good] to have the opportunity, as it has been the good fortune of the House that he has had the opportunity, of taking the leading and most important part in working out the accepted plan under which we now finish and complete this great work. [Applause.]
Mr. GOOD. Mr. Speaker, I move the previous question on the adoption of the conference report.

The SPEAKER. The gentleman from Iowa moves the previous question on agreeing to the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The affirmative vote was taken.

The SPEAKER. Those opposed-

Mr. GARRETT of Tennessee. Mr. Speaker, I ask for the yeas and nays. I make the point of no quorum present. That

will get a yea-and-nay vote.

The SPEAKER. The gentleman from Tennessee makes the point of no quorum present. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees. As many as are in favor of agreeing to the conference report will, as their names

Mr. WALSH. Mr. Speaker, a point of order. Has the House

divided?

The SPEAKER. Yes; that is the Chair's impression, that the House has divided.

Mr. WALSH. The Chair had taken one side. The House

did not divide on a vive voce vote.

The SPEAKER. The Chair thinks he had put both sides. If not, the Chair supposes the gentleman from Tennessee will withdraw his point of no quorum for a moment.

Mr. GARRETT of Tennessee. Certainly, My only purpose

is to secure a yea-and-nay vote.

The SPEAKER. Those opposed will say "no."
Mr. PADGETT. Mr. Speaker, the Chair had already declared there was no quorum present. Can that be withdrawn?
The SPEAKER. That is correct. The Chair thinks the

House has already divided.

Mr. WALSH. I will withdraw the point, anyway.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members. As many as are in favor of agreeing to the conference report will, as their names are called, vote "yea," those opposed "nay," and the Clerk will call the roll.

The question was taken; and there were-yeas 335, navs 3, not voting 92, as follows:

YEAS--335

Appleby Arentz Aswell Atkeson Bacharach Ackerman Almon Barbour Benham Bird Black Blakeney Bland, Ind. Bland, Va. Barkley Beck Beedy Anderson Andrews Ansorge Anthony Bankhead

Blanton Boies Bond Bowers Bowling Box Brand Briggs Brinson Britten Brooks, III. Brooks, Pa. Brown, Tenn. Bulwinkle Burdick Burroughs Burtness Burton Byrnes, S. C. Byrns, Tenn. Cable Campbell, Kans. Campbell, Pa. Cannon Cantrill Carter Chalmers Chandler, Okla. Chindblom Christopherson Clague Classon Collier Collins Colton Connell Cooper, Wis. Copley Crisp Crowther Curry Darrow Davis, Minn. Davis, Tenn: Deal Denison Dickinson Dominick Doughton Dowell Drane Dunbar Dupré Dyer Elliott Elston Evans Fairchild Faust Favrot Fenn Fish Fisher Fitzgerald Flood Focht Fordney Frear Free Freeman French Frothingham Fuller Funk Garner Garrett, Tenn. Garrett, Tex.

Gensman Gernerd Gilbert Glynn Goldsborough Good Good Goodykoontz Gorman Graham, Ill. Green, Iowa Greene, Mass. Greene, Vt. Griest Criffin Griest Griffin Hadley Hammer Hardy, Colo. Hardy, Tex. Harrison Haugen Hawes Hawley Hayden Hays Herrick Hersey Hickey Hicks Hill Himes Hoch Hogan Houghton Huddleston Hudspeth Hull Hull
Humphreys
Ireland
Jacoway
James, Mich,
Jefferis
Johnson, Ky,
Johnson, Miss,
Johnson, Wash,
Johnson, Wash,
Jones, Pa. Jones, Pa. Jones, Tex. Keller Kendall Ketcham Kless Kincheloe Kincheloe King Kinkaid Kissel Kleczka Kline, N. Y. Kline, Pa. Knutson Kopp Kraus Kunz Lampert Langley Lanham Lankford Larsen, Ga. Larson, Minn. Lawrence Layton Lazaro Lea, Calif. Leatherwo Lee, Ga. Lehlbach Linthicum Logan

Luhring Lyon McClintle McCormick McCormick Schall
McDuffie Scott, M
McFadden Scott, M
McFadden Scott, M
McKenzie Sears
McLaughlin, Mich.Shaw
McLaughlin, Nebr. Shreve
McPherson Sinclair
Madden Sinnott
Magee Smith
Maloney Smithwi
Mann Snell
Mansfield Speaks
Manes Sproul Mapes Martin Mead Merritt Michaelson Michener Michener Miller Millspaugh Mondell Montague Montoya Moore, Ill, Moore, Ohio Moore, Va. Moores, Ind, Morray Morgan Mott Mudd Nelson, A. P.
Nelson, J. M.
Newton, Minn,
Newton, Mo,
Norton
O'Connor O'Connor Ogden Oldfield Olpp Osborne Overstreet Padgett Parker, N. J. Parker, N. J. Parker, N. Y. Parks, Ark. Parrish Parterson, Me Patterson, Me. Patterson, N. J. Porter Pou Pringey Purnell Quin Radeliffe Rainey, Ala, Raker Ramseyer Rankin Ransley Rayburn Reber Reece Reed, N. Y.

London Longworth

Lowrey

Luce Lufkin

Rogers Rose Rouse Sanders, Ind. Sanders, Tex. Sandlin Schall Scott, Mich. Scott, Tenn. Smithwick Snell Speaks Sproul Stedman Steenerson Stephens Stevenson Stiness Stoll Strong, Kans. Strong, Pa. Summers, Wash. Sumners, Tex. Swank Sweet Swing Taylor, Colo. Taylor, N. J. Taylor, Tenn. Temple Ten Eyck Thomps Tillman Tilson Timberlake Tincher Tinkham Towner Treadw Underhill Vaile Vestal Vinson Volgt Velk Volstend Walsh Walters Ward, N. C. Watson Weaver Webster Wheeler White, Kans. White, Me. Williams Williamson Wilson Winge Winslow Wise Wood, Ind. Woodruff Wurzbach Wyant Young Zihiman

Ricketts Roach Robertson NAYS-3. Yates

Rhodes

Tyson NOT VOTING-92.

Drewry Brennan Browne, Wis. Buchanan Driver Dunn Echols Edmonds Burke Butler Ellis Fairfield Carew Chandler, N. Y. Clark, Fla. Clarke, N. Y. Clouse Cockran Fess Fields Foster Gahn Gallivan Cockran Codd Cole Connally, Tex. Connelly, Pa. Cooper, Ohio Coughlia Gould Graham, Pa. Hukriede Husted Hutchinson James, Va. Cramton Cullen Dale Kahn Kearns Kelley, Mich. Kelly, Pa. Kennedy Dallinger Dempsey

Steagall

Kindred Kirkpatrick Kitchin Knight Kreider Kreider Lee, N. Y. Lineberger McArthur McLaughlin, Pa. McSwain MacGregor Mason Morin Murphy Nolan O'Brien Perkins

Peters Petersen

Reavis

Rainey, Ill.

Reed, W. Va. Riddick Riordan Rosenbloom Rossdale Rucker Ryan Sabath Sabath Sanders, N. Y. Shelton Siegel Sisson Slemp Snyder Stafford Sullivan Tague Thomas Upshaw Vare Ward, N. Y. Wason Woods, Va.

So the bill was passed.

The following pairs were announced: Mr. Hukriede (for) with Mr. Thomas (against).

Until further notice:

Mr. BUTLER with Mr. OLIVER. Mr. Echols with Mr. SABATH.

- Mr. Graham of Pennsylvania with Mr. Cockban.
- Mr. HUTCHINSON with Mr. KINDRED, Mr. LINEBERGER WITH Mr. RIORDAN.
- Mr. Nolan with Mr. Carew.
- Mr. KIRKPATRICK with Mr. McSWAIN.
- Mr. SHELTON with Mr. Woods of Virginia. Mr. Kennedy with Mr. Cullen.
- Mr. Connolly of Pennsylvania with Mr. Buchanan.
- Mr. DALLINGER with Mr. SULLIVAN.
- Mr. CRAMTON with Mr. DRIVER.
- Mr. KEARNS with Mr. UPSHAW. Mr. CODD with Mr. GALLIVAN
- Mr. CLARKE of New York with Mr. O'BRIEN.
- Mr. SIEGEL with Mr. RAINEY of Illinois.
- KREIDER with Mr. RUCKER.
- Mr. Brennan with Mr. Clark of Florida.
- Mr. Edmonds with Mr. Drewry.
- Mr. CLOUSE with Mr. FIELDS.
- Mr. McLaughlin of Pennsylvania with Mr. Sisson.
- Mr. REAVIS with Mr. KITCHIN.
- Mr. Perkins with Mr. James of Virginia.
- Mr. Foster with Mr. Connally of Texas. Mr. Burke with Mr. Tague.

The result of the vote was announced as above recorded.

On motion of Mr. Goop, a motion to reconsider the vote whereby the bill was passed was laid on the table.

#### PACKER LEGISLATION.

Mr. HAUGEN. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6320, the packers bill, and pending that I would like the attention of the gentleman from Arkansas to see if we can agree on time for general debate.

Mr. JACOWAY. I think we can take the balance of the day

to discuss this important bill.

Mr. HAUGEN. Mr. Speaker, I ask unanimous consent that the balance of the day be given to general debate on the bill, the time to be equally divided between myself and the gentleman from Arkansas.

Mr. WALSH. The division of time was arranged for yester-

The SPEAKER. The gentleman from Iowa asks unanimous consent that general debate be limited to to-day. As the gentleman from Massachusetts suggests, the time has already been agreed to be divided between the gentleman from Iowa and the gentleman from Arkansas. Is there objection?

There was no objection.

Mr. WALSH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WALSH. Was a privileged matter pending before the House when the House adjourned last evening?

The SPEAKER. The gentleman from Texas [Mr. Con-NALLY] had offered a motion, which he claimed was privileged. Mr. WALSH. Will that be considered as still pending, or

will it be waived?

The SPEAKER. The Chair does not think it is pending, but may be called up again. The question is on the motion of the gentleman from Iowa that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 6320) to regulate interstate and foreign commerce in live stock, live-stock products, dairy products, poultry, poultry products and eggs, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6320, with Mr. Towner in the chair.

The Clerk reported the title of the bill.

Mr. JACOWAY. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. Jones]

Mr. JONES of Texas. Mr. Chairman, one of the greatest problems before the country to-day is that of the control of the packing industry. Much has been said on this question and a great deal of discussion has been engaged in. Much abuse has been indulged in, and many times, by those who did not under-

stand the question or the facts relating thereto.

It is easy to criticize. It is easy to complain. It is easy to say "Carthage must be destroyed." It is easy to say the packers must be destroyed; but I would call your attention to this fact: The interest of this country and the interest of the packers are inextricably interwoven. The producer must have a market for his stock. The consumer must have the meat in the form of the finished product.

The United States of America has the finest business organizations in the world. No other country on this earth compares with the United States in the genius and make-up of her business organizations. Of all the business organizations in this country that of the packers is the most perfectly organized and is able to operate on a very small margin of profit. The magnificence and perfection of their organization are worthy of the study of any man who likes to study and think of the accomplishments of master minds in the way of organizing systems of business. In making everything connected with the system count, in eliminating every form and character of waste, in being able to distribute their product with the least degree of loss or delay, no other industry in this country approaches the packers. However, their very organization has given them a power for evil as well as for good, and evil practices should always be condemned.

I have no patience with any man who would destroy business. The question, therefore, for one who has to deal with legislation and can not set out and end his services with a lot of abuse is to assist in formulating a law that will not interfere in any appreciable way with the perfection and operation of this great industry, but that will simply regulate the same in such a way as to remove the abuses that naturally grow up around and cluster about an unregulated industry. I think it would be far better to let the packers go unregulated than to destroy them;

but I do not think that either is necessary. There are those in this country who, because of certain abuses that have grown up in connection with these industries, would destroy them unceremoniously. On the other hand, there are those who because of the fine working systems which they have devised would turn them loose unhindered and unhampered and permit them to engage in any kind of business or any character of abuse which their great power would enable them to indulge in. I submit that neither of these is the correct theory, but that the right thing to do is to devise a law which, while maintaining and getting the advantage for the people of all of the fine workings of these great organizations, at the same time control them in such a way as to destroy the abuses that are connected with their operation.

Under a decree entered some time ago the packers agreed not to engage in the manufacture and distribution of certain products that are ordinarily termed unrelated to the packing industry. In a general way these products may be defined as those in which no appreciable amount of ingredients come from live stock. By means of their special-car service and their special facilities for handling products the packers had been enabled to embark in various lines of endeavor, until they owned or controlled more than 100 different corporations and owned stock in several hundred different corporations,

Of course, it is sometimes argued, and frequently believed, that there can be no objection to this character of business of the centralizing of control by a few men of the channels of trade in the meat products that sustain life in this country; and while up to a certain point this is true, there comes a time in the growth of business organizations where, from the standpoint of public welfare and the protection of the people, it is necessary to have limitations, or at least regulations. There is no doubt that in theory the larger the business organization the less the percentage of overhead expenses and the more efficient can be its method of handling business. In this way it could be argued that the people would be better off if all the business in any line of endeavor were under one head-in other words, to have a food dictator.

In the same way it might be argued that a government would be more efficient if it had one head who should be dictator. There is no doubt that if the United States Government had one man at its head who had supreme power there would be very much less delay in getting laws enacted. There would not necessarily be anything like the expense in the operation of the Government, and its activities would not be anything like so cumbersome. And yet no one would argue the wisdom of this country having a dictator or a king.

As a matter of fact, it is necessary for the preservation of a great country to have representatives from every section who have a voice in the affairs of government. In this way the

rights of the people can be maintained. Now, if the sole purpose of the Government were to make money or to establish commerce, he argument for big institutions, exclusively managed, would be unanswerable. But the primary interest of government, or rather the primary necessity, is the making of men, and if every line of endeavor had one dictator at its head with all other men working for him, the manhood of this country, and the initiative, aggressiveness, thought, and vital force of the men who make up this country

would be submerged and would become mere cogs in the wheel. No representation could be long sustained under such an organization. Therefore, it is necessary that business to some extent be individualized. It can not be entirely individual, and, on the other hand, it can not be entirely organization. There is a happy medium between the two, where organization is carried to the extent of becoming efficient, and yet not to the extent of destroying individuality. Therefore, while there was some discussion as to whether this decree should remain in force-some appeared to think that the decree should be abolished by law and the packers allowed to engage in any line of business in which they thought they could do so profitably-I think the wiser course is pursued, to wit: To let the decree remain in force and effect, although some modification may be found necessary from time to time.

There are many other practices on the part of the packers which, to my way of thinking, are not what they should be. For instance, it has been the practice of the big packers when a man shipped his cattle to one market and found that market congested and the price low to notify the buyers in other markets, in the event the shipper sought to reconsign his cattle, of the price that was bid at the original market, and it has been the practice of the packers, through their commission men, not to bid more in the new market than was originally bid in the first market. This practice forces the shipper to sell his live stock in the first market whether the conditions of the market there are such as to justify the sale of his cactle or not. I do not believe that practice is wise, and I do not believe it could

be continued under the regulations of this bill.

Another thing that seems rather strange in connection with the operation of the packers is the uniform growth of the big packers and the steadiness with which they maintain the relative percentages of the new stock slaughtered. For instance, during the year 1916, for the week ending January 8, Swift & Co. bought 34.73 per cent of the cattle slaughtered by the five big packers, and in the week ending December 30 they bought 34.58 per cent. During every week of that year, Swift & Co. handled thirty-four and a fraction per cent of the cattle slaughtered by the big packers and at real time did the cattle slaughtered by the big packers, and at no time did the percentage of cattle slaughtered by the five big packers vary 1 per cent, in so far as Swift is concerned.

During the same year Armour & Co.'s percentage varied from 27.05 to 28.07 per cent. In other words, their percentage during no week, relatively speaking, either increased or diminished The same is substantially true of Morris & Co., and also of Wilson & Co., although the percentage of Cudahy & Co.

varies in a larger degree.

This kind of arrangement might not injure citizens in certain portions of this country; it might not necessarily mean that the packers were making more profit than they should, but it would most surely tend to depress the prices paid to the

The producer must always sell in a market that he does not control. He buys at the other man's price. His only hope of securing a fair price lies in an open, competitive market. When those who buy most of the products products have so managed the industry that grow out of that production that they control a very large percentage of the business, then if they cease to compete with each other in the purchase of the basic products there is no doubt they can in a large measure control the price of that product. The more nearly they control the total output the more nearly they can come to regulating the price of the

This measure places in the hands of the Secretary of Agriculture a supervision that I think will work similarly to the present inspection system of the national banks, and I believe it will go far toward eliminating the evils that have grown up in connection with the institutions, and at the same time I believe it will protect the American people from the dangers in connection with the tremendous growth of these institutions.

In a good many matters recently I have found myself in accord with the gentleman from Kansas [Mr. TINCHER], but with a good portion of his speech yesterday I do not agree, particularly with reference to the position stated by him in respect to the so-called consent decrees. The gentleman from Kansas used this language as reported in the Record:

But I will say to the gentleman that the successful administration of this bill by the Department of Agriculture will, in my judgment, either necessitate the ignoring or the cancellation of that decree.

I do not think the bill is susceptible to that construction, and if it were I would not vote for it. The matter was very thoroughly discussed in the committee before the bill was I am sure that the committee felt, or most of them did, that the decree would not be interfered with. I do not think it ought to be. I have in my hand a copy of that decree.

It was the result of a lawsuit that was filed against the so-called big packers, and in due and regular order the suit was disposed of by voluntary judgment. That sort of disposition has been made of numerous lawsuits in the history of this country, and I dare say there is not a lawyer in the House who has not settled many lawsuits by means of voluntary Under the terms of this decree these institutions were deprived of doing certain things that they had theretofore been doing. I think it is very important that they should not engage in some of the things that are enumerated in the socalled consent decree.

Mr. SANDERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. For a question.

Mr. SANDERS of Indiana. In that connection, will the gentleman state under what law the proceedings were brought and what, in a general way, they were charged with? Of course, the members of the Committee on Agriculture are more familiar with that decree than the rest of us.

Mr. JONES of Texas. In a general way it was charged that they had undertaken to go into various lines of industry and to monopolize not only the natural products of the packing industry but practically all other food products, and that they were violating certain provisions of existing law with reference to monopolies, trusts, and so forth.

Mr. SANDERS of Indiana. The Clayton antitrust law?

Mr. JONES of Texas. The Clayton antitrust law and provisions of some other laws, as I remember, but largely the antitrust law. Under this decree I think the most important subdivision is subdivision 4, by which the packers as such are forever enjoined from engaging in the manufacturing and selling of certain articles of food that are not related in any way to the packing industry.

I want to give you what is my conception of the harm that would arise by their engaging in the manufacture and sale of those products under existing conditions. The packers use what is known as a private refrigerator car. These refrigerator cars have special service on the railroads. All kinds of other products are sidetracked while these cars go through. It was their practice to put into these refrigerator cars a lot of groceries and other products not related to the packing industry and run them through with special service. In that way a man who was not engaged in the manufacture and sale of meat products could not get the service. For instance, a man representing some other line of business would go into a local community and undertake to sell some nonperishable food product. He would be immediately asked when he could deliver. His reply would be as soon as the railroads get it there, within a week or 10 days; and then he would be met with the reply that the merchant could get it the very next morning in one of the packer cars. Of course, the local merchant would deal with the

There are two important elements in any commercial transaction, especially in transportation, and those are price and service. If a man can give a better price, of course he has an advantage. If a man can get a better railroad rate, of course he has an advantage, and one of the objects of the old interstate commerce law was to abolish rebates. If a man can now by virtue of some facility get a special service, he gets a rebate in service, and there is no question about that. It would perhaps not be wise under present circumstances to deprive the packers of the use of the refrigerator cars, because, under the present transportation system, it is impossible for meat and meat products to be furnished otherwise in proper condition, or at least they have not been able to get them furnished; and I think it would be better to permit the continuation of that serv ice, at least for the present. In doing so, however, they should not be permitted to put in those refrigerator cars nonperishable products and get special service by virtue of refrigeration.

Mr. ASWELL. Is it not a fact that many consumers insist on

this special and expeditious service?

Mr. JONES of Texas. Certainly they do; and it would be all right for the packers to have this advantage if everybody else could have it, but a man who does not handle refrigerated products will not get that particular service, because the railroads will sidetrack his shipment for the benefit of the other man. I think the decree should stand if you permit that specialcar service. However, under the terms of this bill the Secretary of Agriculture will have certain powers of regulation, and it will be up to him to construe the measure and establish these regulations. So far as this consent decree exists or remains in force they can handle their perishable products, their meats, and I think there should be every expedition given them, and if better service can be rendered by virtue of the use of those cars they ought to be permitted to use them in the interest of

Mr. RAYBURN. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. RAYBURN. I call the attention of the gentleman to certain language used by the gentleman from Kansas [Mr. TINCHER] in his statement yesterday and ask whether the gentleman from Texas, or all of the members of the committee, agree with the gentleman from Kansas? He said:

I do not recall anything now that is in the decree that in my judgment benefited either the producer or the consumer of the country.

Does the committee take that view, or does the gentleman

from Kansas rather stand alone? Mr. JONES of Texas. I think the committee took exactly

the opposite view, and exactly the opposite is my view. Mr. Chairman, will the gentleman yield? Mr. TINCHER.

Mr. JONES of Texas. For a question.

Mr. TINCHER. What is there in the decree that the gentleman recalls that has in any way benefited the producer or the consumer in this country?

Mr. JONES of Texas. I am just coming to that point, and I want to discuss that proposition. If you permit that special

service, you will finally permit one organization to gain absolute control of the food products in the country.

Now, if the sole object of America were to make money, that might be justifiable. You might say it would be more efficient if you had one food dictator for all food products and distribute through him just as you can argue we would have a more efficient Government, and it has been argued frequently, if you had a monopolistic government, a government with one man at the head. A dictator could pass this kind of a bill here as soon as you could write it. He could issue a decree saying that the bill should be in force. Of course, it delays legislation to have all these men here representing different districts in the United States who go back to those districts and are responsible to the people of those districts, but in this day and time nobody will argue we ought to have a Government of one man at the head as a dictator, and if you had one concern that had complete control of the food products of this country you might have one great big efficient concern all right, but you will destroy the individual initiative of men all over this country.

Mr. FREE. Will the gentleman yield?

Mr. JONES of Texas. In just a moment. If the primary purpose of Government, as I stated, were to make money, that would be true, but the one big purpose of any republican form of government to my mind is to make men, and you can not sustain such a government, in my opinion, without making men and giving men opportunity in every line of business. If you abolish this decree and leave the present refrigerator-car service, you will give them a rebate in the form of a service which will enable them to drive other men out of business.

Will the gentleman yield? Do I understand Mr. TINCHER. the gentleman objects to that portion of the decree which

divorces the packer from unrelated lines?

Mr. JONES of Texas. I say if this present system of transportation and present method of distribution are permitted to continue, and so long as they continue under the conditions that now prevail, that portion of the decree should remain in

Mr. TINCHER. But the gentleman will admit before the entering of that decree there is no possible construction that could be given in law with respect to the packers handling un-related lines, and the decree was the first law we had upon the

Mr. JONES of Texas. Except as set out in the petition. If the gentleman will read the petitions in these cases, he will see that they were charged with undertaking to get a monopoly of

Mr. TINCHER. Is the gentleman in favor of that portion of the decree which prohibits the packers from following the produce to the consumer to see that they got a reasonable price and thus cut out the difference between the price the producer got and the consumer has to pay?

Mr. JONES of Texas. There is no such provision in the decree. And if there were, the modifications of the decree in that respect would not affect the question we are dis-

The CHAIRMAN. The time of the gentleman has expired. Mr. ASWELL. I will yield the gentleman five additional

Mr. TINCHER. Mr. Palmer said before the committee that the decree divorced the packer from the retail business entirely except in so far as applied to their own employees

Mr. JONES of Texas. Under the decree they can sell by their peddler or route car service, and they can go into any com-

munity in the United States and deliver meat under that decree without any question at all,

Mr. TINCHER. Oh, well, but did not the language of the decree, as the Attorney General says, divorce them from the

retail trade? The decree says that.

Mr. JONES of Texas. The decree forbids them engaging in the retail meat business in various localities, but it does not forbid them in any way from continuing the practice of delivering their meat at various places in the United States through their route-car service, or their peddler-car service. Without this decree they were putting every known perishable product unrelated to anything in the packing industry in these cars and getting special service.

Mr. TINCHER. I am talking about unrelated products; I am not talking about meat products. Is the gentleman in favor of preventing the packers from retailing their own products?

Mr. JONES of Texas. There is no such question involved here. However, I will say that there are strong arguments in favor of such retailing. That question can be settled when it

Mr. MANN. Will the gentleman yield to me, to ask a question?

Mr. JONES of Texas. I will.

Mr. MANN. Is there anything in this bill which affects or nullifies in any way the decree?

Mr. JONES of Texas. Well, I do not think so. Mr. MANN. There is a great deal of discussion of the merits of the consent decree.

Mr. JONES of Texas. I did not even intend to discuss the bill, but when gentlemen on the gentleman's own side of the House raised the question I thought their charges should be replied to.

Mr. MANN. I have examined the bill as carefully as I knew. how in the limited time, and I do not see how it made any difference at all as to the consent decree; whether it will ever add any additional legislation is an entirely different matter.

Mr. JONES of Texas. I wish to say to the gentleman I think

he is right, but there seems to be a division of opinion.

Mr. KINCHELOE. On the other hand, was not the intention, and the unanimous intention, of the committee not to put anything in this bill that would interfere with it?

Mr. JONES of Texas. At least that was the intention of the majority, and that specific proposition was voted on, and it was intended the bill should not affect it in any possible way.

Mr. RAYBURN. And did not this matter come into the discussion practically wholly on the attack of the gentleman from

Kansas [Mr. Tincher] on the Attorney General?

Mr. JONES of Texas. Absolutely. He made an attack on the Attorney General for going into this decree. He did not believe in any decrees at all and believed that they ought to be abolished, and went further, and said that the practical application of the law would cancel the decree. If there is anything in this bill that will do that, I have not been able to grasp it.

Mr. ASWELL. Was there not a unanimous agreement in the

committee that the bill would not affect the decree?

Mr. JONES of Texas. That was the unanimous opinion of the result of the bill. There were some who thought that the decree ought to be repealed.

Mr. ASWELL. The gentleman will remember that it came up in the committee and all consideration of the decree was voted out.

Mr. MANN. Will the gentleman from Texas yield?

Mr. JONES of Texas. I will.

Mr. MANN. I understood the gentleman from Kansas [Mr. TINCHER] to say yesterday himself, while he was discussing the consent decree, that it was not affected by this bill.

Mr. JONES of Texas. I just read that from the statement. Mr. MANN. And I asked him the question myself after he made that statement, and he said it did not affect the decree.

Mr. JONES of Texas. Then his statement conflicts with his speech. I think it is very important, and I think it is a very wise decree, especially at the time it was entered, and I think it ought to be permitted to remain, perhaps with certain modifications, and I think there ought not to be any question about it. I think it ought to be so clear that no man could question the matter.

I do not believe any legislation should be passed that would destroy the efficiency of the packers. They are an American institution, and I believe it is the most efficient business organization on this or any other continent. I believe the interest of the producer and the consumer will be furthered by main-taining that business organization, but there are now certain practices which they have engaged in that I think ought to be done away with. I know they have practiced this, for instance:

The market at Kansas City would be reported at \$8 per hundred. The men down in my section of the country and the section of the country of my colleagues from Texas, and other parts of the United States, would ship into Kansas City and find the market congested, and that they could get only \$6.25 for their cattle. Some of them would get a notion that they would not sell at Kansas City, and would undertake to ship to St. Louis and Chicago, but when they get there they find that the commission men and buyers have been notified of the price that had been bid on the cattle and no one would bid over the original price. Therefore they forced the men to sell in the original congested market.

The CHAIRMAN. The time of the gentleman from Texas has

expired.

Mr. JACOWAY. I yield two minutes more to the gentleman. Mr. HUDSPETH. The gentleman from Kansas yesterday stated that he was opposed to that portion of the decree which we already know did divorce the packing companies from the retail business, such as groceries and fruits. If they had been permitted to continue to deal in everything from a knitting needle to a sewing machine, as they did before, what would have been the result? Would it not have put the retail men out of the business?

Mr. JONES of Texas. In the course of time any man who had anything to do with the food business would be working for one concern, and if that were extended to all other lines we would soon be a race of slaves.

Mr. HUDSPETH. And would not that then have given the

packer the power to name the price?

Mr. JONES of Texas. Of course, when they could get to that point. That is the objection to monopoly in any line of industry, as in the Government. It gives a man the ability to abuse his power, and he certainly will do it. That experience is as old as history. The old interstate commerce act was passed to abolish rebates in railroad rates. If you are going to allow rebates in service, you are going to give the things that brought about the necessity for that kind of legislation.

Mr. TINCHER. Will the gentleman yield?

Mr. JONES of Texas. For a question.

Mr. TINCHER. Does the gentleman know that it has always been the position of the "gentleman from Kansas" that the monopoly the packers had on the meat business could be cured by law, but to say that they had a monopoly on that, and that we would stop it now by eliminating them from trading in certain articles, was not the proper way to approach the subject?

Mr. JONES of Texas. Yes; that is true; and that is what we are trying to do by law, and what has been done by the decree. If the gentleman will abolish the decree, he will do opposite to what he intends to do. The gentleman from Kansas is usually right, but I think he is in error with reference to

this decree.

I do not think this bill is an ideal one, but it is the best to be gotten under the circumstances. I think it would be wiser to enact a straight law condemning the abusive practice and pre-scribing penalties. I am not much impressed with the idea of bureaucratic regulation of business. The wiser way, it seems to me, would be to have a law that would specifically forbid the things that should not be done, and then follow these provisions with real penalties.

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman from Wisconsin [Mr. Voigt] 15 minutes.

Mr. KNUTSON. Mr. Chairman, I ask unanimous consent to

revise and extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. VOIGT. Mr. Chairman, efforts have been made in Congress for many years for the enactment of legislation to regulate the meat-packing industry. Many hearings have been held, hundreds of witnesses have testified, and many thousand pages of testimony have been taken. Hearings were held by the Committees on Agriculture of the Senate and the House of Representatives in the Sixty-fifth, Sixty-sixth, and Sixty-seventh Congresses. While I have been a member of the Agricultural Committee of the House, hearings were held for about 40 days in 1920 and for a week in the early part of May, 1921. The committee took several thousand pages of testimony, and had the benefit of prior hearings and also the exhaustive report of the Federal Trade Commission.

While there is a large number of meat packers in this country doing an interstate business, it is understood that this legislation is aimed at the so-called Big Five packers—Swift & Co., Armour & Co., Morris & Co., Wilson & Co., and Cudahy Packing Co. There can be no question that these are concerns and their predecessors in interest for many years have had and now have as complete a monopoly of the meat-packing business

as it is possible for a man or set of men to acquire or that they could wish for.

These packers claim that they only handle 40 per cent of the meat supply of the country. Literally, that may be true, because much live stock is slaughtered on the farms for home consumption, in small centers of population and by local butchers and packers, but the product of such slaughter does not in an appreciable degree come into competition with the products of the Big Five. The meat from an animal slaughtered on a farm or otherwise for local consumption comes into competition only very remotely with meat shipped by the packers into our large centers of population, and here is where they have a substantial monopoly. In order to determine the extent of their monopoly, we must ascertain what effective competition they meet, and that can best be done by ascertaining their proportion of the so-called interstate slaughter; that is, live stock, or products therefrom, shipped from one State to another. It appears from the report of the Federal Trade Commission that in 1916 the Big Five's percentage of the interstate slaughter was as

Cattle	82.		
Calves	76.		
	61.	4	
Sheep and lambs	86.	4	

These are 1916 figures. In view of the steady growth of the business of the Big Five it is reasonable to assume that at this date these figures should be raised from 5 to 10 per cent. I conclude, therefore, that at the present time the Big Five's percentage of the interstate slaughter is between 75 and 80 per When it is considered that in 1916 there was only one independent packer who slaughtered as much as 1 per cent of the interstate total cattle, and only nine independents who slaughtered as much as 1 per cent of the interstate total of

hogs, the monopoly of the Big Five becomes very apparent.

For the fiscal year ending June 30, 1908, the proportions of interstate slaughter of the Big Five and all other interstate

slaughterers were as follows:

	Cattle.	Calves.	Sheep.	Swine.	
Big Five	5, 330, 155	1, 257, 872	6, 949, 087	18, 685, 294	
	1, 786, 120	737, 615	2, 753, 458	16, 427, 783	

Nine years later, for the fiscal year ending June 30, 1917, we have, as compared to the above, the following figures:

	Cattle.	Calves.	Sheep.	Swine.	
Big FiveAll others	7,515,971	1, 971, 232	9, 818, 801	24, 213, 754	
	1,783,518	708, 513	1, 524, 617	15, 997, 093	

Stated in percentages of interstate slaughter we notice in these nine years the growth of the Big Five:

	Cattle.	Calves.	Sheep.	Swine.
Year ending June 30, 1908 Year ending June 30, 1917All others, year ending June 30, 1917	74.9 80.8 19.2	63 73, 6 26, 4	71. 6 86. 6 13. 4	53. 2 60. 2 39. 8

That the Big Five slaughter a comparatively smaller number of swine is explained by the fact that the hog is better adapted for local slaughter; beef is largely sold fresh, requiring coldstorage facilities and refrigerator cars. A large proportion of the hog may be pickled or cured, and there is a less proportion of by-products from the hog than other live stock.

The concentration of the packing industry in certain centers

is very marked. According to the report of the Federal Trade Commission, in the year 1916 in 12 cities of the country were slaughtered (interstate) 81 per cent of the cattle, 65.3 per cent of the calves, 78.5 per cent of the sheep and lambs, and 58 per cent of the swine. These centers are Chicago, Kansas City, Omaha, St. Louis, New York City, St. Joseph, Fort Worth, St. Paul, Sioux City, Oklahoma City, Denver, and Wichita. percentage of the interstate slaughter by the Big Five in the same year in the same centers is very remarkable, and is as follows: Cattle, 94.4 per cent; calves, 89.1 per cent; sheep, 94.3 per cent; swine, 81 per cent. This shows an almost complete monopoly in the large centers by the Big Five.

The financial development of the packers has been marvelous. Armour & Co. commenced business as a partnership in 1868 with an investment of \$160,000. In 50 years the company earned \$179,270,000, about \$150,000,000 of which was retained in the business. Since organization about \$14.000,000 new capital has gone into the business. In November, 1918.

the net worth of the business was \$173,000,000. In 23 years since 1896 Swift & Co. earned \$214,249,000. In 1914 the total net worth of the Big Five, according to their books, was \$293,-000,000, while on November 2, 1918, it was \$555,306,023.

The net profits of the Big Five in recent years have been computed by the Federal Trade Commission as follows, and the percentage earned on investment (capital stock and surplus) is also stated:

		Per cent.
1912	\$18,035,000	8.1
1913	18, 581, 000	7.0
1914	22, 894, 000	8. 3
1915	37, 385, 000	
1916	59, 236, 000	
1917	95, 639, 000	26. 5

OTHER INTERESTS.

In recent years the packers have gone extensively into related and nonrelated lines of business. They handle a considerable proportion of the interstate trade in poultry, eggs, milk, butter, and cheese. It is said that they handle two-thirds of all cheese produced in Wisconsin.

They own large plants in South America and are interested in many foreign companies. They are heavily interested in plants producing cottonseed oil, used in the manufacture of oleomargarine. In 1916 Swift & Co. sold 50,000,000 pounds of butter; in 1917 Armour sold \$17,000,000 worth of canned goods. The Armour Grain Co. operates over 90 country elevators, and in 1917 handled 75,000,000 bushels, or 25 per cent of all grain receipts at Chicago. The packers are very largely interested in tanneries, manufacture of fertilizers, and wool. They own in whole or in part substantially all of the leading stockyards of the country; they own over 90 per cent of all refrigerator and other cars owned by interstate slaughterers; they own or control over a thousand branch houses; they are interested in dozens of banks. Up to 1920, when the injunction was issued against them, hereafter referred to, they dealt to a large extent in fish and wholesale groceries. They are interested in hundreds of subsidiary corporations which in the eyes of the public appear to be competitors. The Federal Trade Commission finds

the power of the Big Five in the United States has been and is being unfairly and illegally used to manipulate live-stock markets; restrict interstate and international supplies of foods; control the prices of dressed meats and other foods; defraud both the producers of food and consumers; crush effective competition; secure special privileges from railroads, stockyard companies, and municipalities; and profiteer.

REFRIGERATOR CARS.

The Big Five own about 90 per cent of all refrigerator cars properly equipped for shipment of fresh meat that are operated upon the railroads of the United States. The small independent packers confine themselves almost wholly to products which do not require refrigeration and to slaughter for near-by consumption. The use of these cars give the Big Five a tremendous advantage over competitors. These cars are really wholesale traveling stores. The Big Five can fill their cars with meats of all kinds, butter, eggs, poultry, and cheese, and before the injunc-tion of last year could fill them with fish, groceries, and whatever other articles they found advantageous. They can stop this car at any railroad station, supply the trade from it, and go to the next station. It is evident that no merchant who has not like facilities can compete with them. Suppose a merchant in a small town wants 50 pounds of cheese. Can any wholesale grocer or cheese merchant compete with the packers? of these cars has been a potent factor in building up the packer The packers have methods for expediting their cars, monopoly. and the statistics show that their refrigerator cars make more mileage per year than those owned by others.

I think it is fundamentally wrong to permit the packers or others to own refrigerator cars. These cars are a part of the transportation system of the country, which is impressed with a public use, and the facilities of that system should be open to the use of all alike on identical terms. The interstate commerce act was amended by Congress last year so as to give the Interstate Commerce Commission power to compel the railroads to acquire and furnish specially equipped cars, but the commission has not thus far seen fit to compel the railroads to acquire these refrigerator cars. If I had my way I should compel all packers to rid themselves of these cars within a reasonable period, and should compel the railroads to furnish them. It is said that the railroads do not care to own them, but there are a lot of other things they do not care to do but should be made to do in the public interest.

THE PACKER COMBINATION.

The one question which interested me mostly as a member of the committee and which I constantly kept in mind during the hearings is: Is there a combination among the Big Five? There are over 200 other packers in the United States, whose business

on the average is as profitable as that of the Big Five, and many of whom have been in business as long or longer than Their business runs into the millions, but only one of them does as much as 1 per cent of the interstate beef business, and only nine as much as 1 per cent each of the interstate pork The questions occurred to me: Why in the many business. years past has not one of these small packers graduated into the class of the Big Five? Why do the Big Five occupy such an overshadowing position? What is the secret of their success?

The Big Five strenuously deny that there is any combination or understanding among them, but I am firmly convinced by the evidence that they have been in combination for many years, and are so at this hour. To my mind, letters and statistics found in the files of the Big Five by the Federal Trade Commission absolutely prove the combination. While, of course, tremendous plants, resources, ownership of refrigerator cars, cold-storage plants, branch houses, and practically unlimited use of banking credit are used as instruments to effectuate the combination and monopoly of the Big Five, these things alone would not in the long run prevent other packers from approaching them in importance. It is inconceivable that in the course of many years 200 other packing plants should not have produced at least some business men equal in ability and enterprise to those who have managed the Big Five. While the Big Five have from time to time had various agreements, and resorted to various devices to bring about and maintain their dominating position, the foundation which supported all the others was an agreement for a division of purchases in the various stockyards of the country on a percentage basis at approximately the same prices, and that is the precise agreement which exists among them at this time. I have already shown what a very high percentage of the interstate slaughter is controlled by the Big Five in the 12 leading stockyard cen-

It is impossible for the many small packers to create effective competition against the Big Five in making their purchases. Men who buy 10 per cent of a commodity can not very well put up the price on those who buy the 90 per cent. Now, then, here is what actually takes place: The small packers go into the stockyards and buy their requirements. Let us say that in 12 leading centers they take 10 or 15 per cent. Now, the Big Five come in and take their share of the balance according to a given percentage. Can there be effective competition, so that real value under the law of supply and demand will be reflected? Of course not. None of the Big Five needs to offer more than the others, because he knows in advance that he will get his share. Under this form of agreement it is not necessary to regulate selling, because each can only sell what he has bought. Many shippers of cattle have testified before the committee in perfect good faith that there is competition among the Big Five in purchasing live stock, because they say they have witnessed that one of them will offer a given price, and when refused another will offer 10 or 15 cents a hundred more, and so forth. All such transactions make a show of competition, but under the agreement for the division of purchases there can be no real competition.

Before presenting what I consider proof of the present principal arrangement among the Big Five, I desire to review very briefly the arrangements which have existed among them in the

In 1890 a committee of the United States Senate after two years of investigation reported that there was an agreement among the then leading packers—Armour & Co., Swift & Co., Morris & Co., and Hammond & Co.—to refrain from competi-The committee found collusion in regard to fixing of prices and a division of territory and business.

In 1890 the Sherman antitrust law was passed. In 1912 Henry Veeder, attorney and confidential man for the packers, testified under oath that they met every Tuesday afternoon, and that at the meetings he acted as secretary and statistician. At these meetings territory and business were apportioned, and penalties were levied on any who exceeded their allotment. These socalled pooling arrangements existed in various forms from 1893 to 1902.

In May, 1902, the Department of Justice proceeded against the packers under the Sherman law, which resulted in a permanent injunction affirmed by the United States Supreme Court on May 26, 1903. The injunction restrained them from refraining from bidding against each other for live stock, from combining or conspiring to raise or lower prices, fixing uniform prices, curtailing shipments, and so forth.

Thereupon Armour, Swift, and Morris bought up some of their competitors with the object of creating a grand merger, but the merger fell through on account of financial difficulties. Then they transferred the properties they had bought to a new corporation, the National Packing Co., and owned all the stock. The board of directors of this company met every Tuesday afternoon-same day and hour as when Veeder was secretary. Of course, it was an easy matter at these meetings not only to regulate the business of the National Packing Co. but the businesses of the larger concerns as well.

In 1911 some of the big packers were prosecuted criminally, and after a trial lasting several months were found not guilty by a jury; but threat of a civil suit resulted in the dissolution of the National Packing Co. in 1912, and the assets were distributed to the three packers mentioned. Sulzberger-now Wilson—and Cudahy were not directly interested in the National Packing Co., but were interested in the pools managed by Veeder.

On July 30, 1913, the Big Five agreed upon the "usual per-Here is a highly significant letter from Henry centages." Veeder to W. B. Traynor, assistant to L. F. Swift:

AUGUST 23, 1916.

Mr. W. B. TRAYNOR, Care of Swift & Co., Chicago.

DEAR SIR: You asked me the other day for certain percentages which are generally known as the usual percentages. On July 30, 1913, L. F. S. [Swift], A. M. [Arthur Meeker, representing Armour], and T. E. W. [Wilson] agreed with C. [Cudahy] and S. & S. [Sulzberger] upon the following percentages to cover general legislative and litigation matters:

S. & S. [now Wilson]	100	100	100
S. [Swift]	35. 751 29. 266 14, 983	39, 723 32, 518 16, 648 11, 111	44. 689 36. 582 18. 729

Of course, C. and S. were arbitrary. The A. [Armour], F. [a letter standing for Morris], and H. [standing for Swift] figures are the so-called old beef figures, which were based upon the volume of beef business in 1902.

Sincerely, yours,

The last column represents the actual percentage relation existing among the first three named in beef purchased in 1902. When the new arrangement was made on July 30, 1913, Cudahy and Wilson were each arbitrarily given 10 per cent, which probably corresponded pretty closely to their actual percentage, and the percentages of the first three were correspondingly reduced.

While Veeder's letter says these proportions govern legisla-tive and litigation matters, these figures control the business of the Big Five as among themselves, as their purchases will show. Furthermore, the fact that they were willing in 1916 to apportion large sums of money for joint expenses on the basis of business of 1902 and 1913 shows that each knew that his business was and would be in accordance with these figures.

In the personal office of E. F. Swift the Federal Trade Commission found a much-used memorandum reading as follows:

	45,000.	
A S S S Cudahy	29, 26 35, 75 14, 98 10, 00 10, 00	35. 68 44. 69 18. 73
	100, 00	100.00

The words "100 per cent live buyers" show that the Big Five were not only dividing on the above basis on legal ex-

penses but also in buying live stock.

Now, let us see how it works in practice. At page 243, volume 2, of the Federal Trade Commission's report, we find a table which gives the total purchases of cattle of the Big Five in the principal markets of the country for 1916. The table gives the purchases week by week, and then gives the percent-The table age of the total purchased by each of the Big Five. This table shows that the purchases are substantially on the basis of the above figures. It is worthy of note that no matter what quantity of cattle are purchased in a given week the percentage that each takes remains substantially the same. I can not quote the whole table, but here are figures for some weeks taken from it:

Week ending—	Total head.	Swift.	Armour.	Morris.	Wilson.	Cudahy.
Jan. 8	105, 281	34.73	28, 07	17. 54	10.67	8.99
	62, 006	34.56	27, 61	17. 68	11.84	8.31
	137, 891	34.61	27, 57	18. 28	11.03	8.51
	190, 686	37.76	25, 95	18. 53	9.62	10.14

It will be seen that the percentage remains fairly constant, whether they collectively buy 62,000 head or 190,000 head. These figures vary somewhat from the "usual percentages," but the above are only the percentages on cattle. On the next pages we find similar figures for 1916 purchases of hogs and sheep,

and we find percentages which tend to equalize the above, so as to bring the average closer to the "usual percentages." The percentages for the whole of the year 1916 on cattle, hogs, and sheep are as follows for principal markets:

The State of	Swift.	Armour.	Morris.	Wilson.	Cudahy.
Cattle	34, 58	27. 05	17. 86	10.94	9.57
	36, 04	31. 57	13. 33	8.44	10.62
	38, 93	27. 83	12. 32	10.11	10.81

The Federal Trade Commission has compiled all of the livestock purchases of the Big Five for the years 1913, 1914, 1915, 1916, and 1917, and it found that during the whole five years the largest variation from the "usual percentages" was 1,341 per cent by Swift & Co. in 1913. I say that such absolute uniformity in purchases on a percentage basis over a period of years is humanly impossible without preconcerted arrangement.

I now quote a few letters taken from the files of the Big Five which bear out the contention that they are in combination.

SEPTEMBER 12, 1914.

Mr. Alden B. Swift, Swift & Co., South Street, St. Joseph, Mo.

Mr. ALDEN B. SWIFT.

Swift & Co., South Street, St. Joseph, Mo.

Dean Sin: Will be glad to have you advise me if you think our cattle buyer at St. Joseph is all right and is doing as well as Mr. Stemm did; also if you notice any difference in Morris's cattle buying. \* \* \* Yours, respectfully,

Louis F. Swift.

Louis F. Swift.

· P. S.—Has our new plan of not insisting on dividing all the small bunches of cattle given any snap to the market?

It is to be inferred from the postscript to this letter that previously the Big Five buying at St. Joseph even insisted upon dividing up among themselves small shipments of cattle. This, of course, would arouse the suspicion of the seller. Then a "new plan of not insisting on dividing all the small bunches" was hit upon, for no other purpose than to give the appearance of actual competition in that market.

Here is a copy of a letter written October 19, 1916, from P. D. Armour to J. O. Armour from Denver, omitting immaterial

parts:

\* \* I can not tell you how surprised I was in going over the plant here. Of all the plants we have, this one certainly needs our first attention. In my opinion, the best part of it is as bad as the worst part of any of our other plants. Swift's plant, from what I hear and from the little I saw of it, is far ahead or ours both as to the size and condition. Of course, as you know, everything here is done on a 50-50 basis, and with the facilities we have it is almost impossible to keep up this ratio \* \* \*.

The others of the Big Five had no plants at Denver. In the absence of any agreement, according to the above letter, it is reasonable to assume that Swift would have done considerably more business at Denver, but the average for the year was Swift, 50.73; Armour, 49.27.

G. F. Sulzberger (succeeded by Wilson) kept private memoranda of his dealings with other members of the Big Five. In his book, among many others, we find the following entry,

in which I substitute the real names for initials:

Meeting held with Armour at his office January 29, 1913, 3.15 p. m. Armour seemed very discouraged with the general situation \* \* \*. I explained that was due \* \* \* to his own foolish tactics in New York \* \* . I explained to I rim that he was injuring us more than anyone else there, as we had larger proportionate interests. \* \* \* He said he had no intent to work against us and said that he would arrange now to do the following: Reduce New York 10 per cent this week, 10 per cent next week.

Sulzberger's memoranda, covering many printed pages, relate wholly to meetings with others of the Big Five and arrangements relative to their business.

The representatives of the Big Five before our committee claim that none of the evidence I have recited is proof of any combination among them, but that it merely shows what each

was doing and expected to do, and so forth. Furthermore, the Big Five regularly make reports to each other of volume of purchases. I am satisfied that it is done for the purpose of holding each to the "usual percentages." I interrogated Mr. Weld, economic expert for Swift & Co., about

this, and here is how he explains it:

Mr. Voigt. Do the five large packers furnish to each other information from day to day, week to week, or month to month as to the amount of live stock purchased by each?

Mr. Weld. We do not have to. It is public property in the stock-yards and is published in the papers.

Mr. Voigt. I did not ask if you had to; I asked whether there is an interchange of information.

Mr. Weld. I think there is in some markets. How about that, Mr. Chaplin?

Mr. Weld. I think there is in some markets. How about that, Mr. Chaplin?
Mr. Chaplin. Yes; there is.
Mr. Voigt. That is, you furnish information to each other?
Mr. Chaplin. Yes, sir.
Mr. Voigt. What is the purpose of that?
Mr. Chaplin. It is easier to get it that way than to go out and collect it yourself.

Mr. Voigt. In your line of business it is considered good business for one competitor to make it as easy as possible for the others to get information about the business as a whole?

Mr. Weld. I think it would do no harm to assent to that. There are other businesses where the competitors find it worth while to have a regular organized association where they obtain information that is much more vital than the quantity of purchases.

Mr. Voigt. Can you give us any line of business in which a man is willing and anxious to give information about the amount of his purchases or sales to a competitor?

Mr. Weld. I could obtain for you a list of "open-price" associations, where competitors furnish to each other, through their associations, not only the volume of business that they do but their cost of production and the prices at which they sold goods during the previous week or previous months, where they go much further than we ever have or thought of going in the packing industry. It has been a well-known development within the past seven or eight years—these open-price associations; "cooperative competition" it is often called.

Mr. Voigt. Let me ask you this question: Do you know of any man or any corporation in this country which conducts a sawmill—

Mr. Weld (interposing). No, sir.

Mr. Voigt (continuing). Which would volunteer information as to the amount of timber it buys or lumber that it turns out to a competitor?

Mr. Weld. No, sir. But I would not be at all surprised to find that

the amount of timber it buys or lumber that it turns out to a connection?

Mr. Weld. No, sir. But I would not be at all surprised to find that that is done through some of the big lumber associations. I do not know that it is, but say I should not be at all surprised that it is.

Mr. Voigt. Well, if it were done it would be done for some unlawful purpose—to create a monopoly—would it not?

Mr. Weld. Not necessarily; no.

Mr. Voigt. As a general rule you think that men engaged in the same line of business will furnish information to each other as to the volume of business?

Mr. Weld. I think it is coming to be more and more common for such to be done. I realize there is an important point involved there, and there has been a good deal of discussion during the last few years of these open-price associations which are doing that very thing, and which I say is going much further than is done in the packing business.

The Injunction of 1920.

THE INJUNCTION OF 1920.

After the Federal Trade investigation, and after an investigation by Attorney General Palmer, who stated to the committee that he was satisfied the Big Five had violated the antitrust law, and while packer legislation was being considered by both branches of Congress, and a grand jury investigation was on in Chicago, the Big Five went to the Attorney General, and as a result of their negotiations with him an injunction was entered against them in the Supreme Court of the District of Columbia. The Big Five claim they consented to this because they wanted to satisfy public sentiment; Mr. Palmer stated that it was a surrender to the Department of Justice. The whole legal proceedings were started and finished in the court in one day—February 27, 1920. The Attorney General filed a bill in equity against the Big Five and a large number of their affiliated companies, charging them with various violations of the Sherman law, the defendant denied the charges, and then the Attorney General and the defendants signed a stipulation that an injunction, which they had agreed upon in advance, might be entered by the court.

The stipulation on the part of the defendants says that "while asserting their innocence of any violation of law in fact or intent, nevertheless, desiring to avoid every appearance of placing themselves in a position of antagonism to the Government, consent to the making and entry of said decree; but this stipulation shall not constitute or be considered as an admission, and the rendition or entry of the decree, or the decree itself, shall not constitute or be considered as an adjudication that the defendants, or any of them, have in fact violated any law of the United States." In other words, they say they are not guilty, but plead guilty because they do not like to appear antagonistic to the Government. It is the first case I ever heard of where a party confessed guilt because he was afraid he might hurt the feelings of the Government if he

did not.

This decree restrains the Big Five and their affiliated companies from conspiring in restraint of trade; commands them to rid themselves of stockyards, stockyard terminal railroads, and market newspapers in such time as the court may find reasonable; from dealing in fish or wholesale groceries, and from using or permitting others to use their branch houses, refrigerator cars, and auto trucks to handle such commodities, and prohibits them from owning stock in any corporation handling fish or wholesale groceries, but it does permit the individuals owning stock in the Big Five corporations to be interested to the amount of 50 per cent in any fish or wholesale grocery business. Relatives are not prohibited from owning stock in addition. The Big Five are also restrained from conducting the retail meat busi-

The decree does not interfere with the Big Five in dealing

in poultry, butter, eggs, and cheese.

I differ with my friend from Texas [Mr. Jones]. the decree should be wiped out, and I do not care whether it is wiped out by act of Congress or by application of the Attorney General. I am satisfied that the decree is wrong in principle. I do not believe that it is right that we should pass a bill here

and put the supervision over the packers in the hands of the Secretary of Agriculture, and then also in part regulate them by a decree of court. It is my humble opinion as a lawyer that the decree is not worth the paper it is written on; that it is void in law.

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I wish to state my reasons for thinking that. The decree provides that the packers shall not engage in certain lines, commonly called the wholesale grocery lines; that they shall not deal in fish; that they shall not sell at retail and shall not permit others to use their facilities for handling these unrelated lines.

You will see, gentlemen, that this is a big concession made by the court, at the instigation of the Attorney General, to the wholesale grocers of this country. That is what it amounts to. The wholesale grocers get rid of the competition of the packers. There is no authority in law for a court to make that sort of a decree.

The Attorney General claimed before our committee last year that practically anything could be done by consent. Let us see about that. Suppose that the Attorney General files a bill against me and says that I am doing something that in his opinion is not right and he wants to restrain me, but there is no law which forbids me from doing that particular thing. I go into court and consent that the decree may be entered, and the court enters a decree prohibiting me from doing some particular thing. Now, there is not a syllable of law anywhere, or any principle of equity, which gives the court the power to enter that decree, and consequently the court has no jurisdiction of the subject matter of that decree. I say the decree against the packers is void and can be attacked by the packers themselves whenever an attempt is made to enforce it against them.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. VOIGT. Yes.

Mr. BLANTON. Where a court has jurisdiction of the parties and also jurisdiction of the subject matter of the suit. as disclosed in the proceedings, and the parties enter into an agreed judgment, then has it not been held that thereafter the parties are thereby estopped from denying that there proper jurisdiction of the question?

Mr. VOIGT. There is no question about that. court has jurisdiction of the subject matter and of the parties, they may consent to any form of judgment. But the point I am trying to make is this, that the court has no jurisdiction of the subject matter. If a court which has only civil jurisdiction should attempt to sentence a man for crime, of course the gentleman will agree that the sentence would be worthless.

Mr. ANDERSON. Mr. Chairman, will the gentleman yield?

Mr. VOIGT. Yes.
Mr. ANDERSON. In this decree itself it is recited, and the stipulation recites, that there was no violation of law by the defendants

Mr. VOIGT. The stipulation or the consent filed by the five packers was to the effect that they agreed to the entry of the decree, but they denied they had violated any law, and they denied they were guilty of any of the charges contained in the Attorney General's bill of complaint. That is, they were practically in the position of a man who is indicted and who comes into court and says, "I am not guilty, but I do not object to the court passing sentence upon me."

Mr. JONES of Texas. Mr. Chairman, will the gentleman yield?

Mr. VOIGT. Yes.

Mr. JONES of Texas. The gentleman will concede that if the allegation of the petition is well founded, to the effect that they were engaged in the sale of other products intended to create a monopoly, and under that allegation the court would restrain them from that course, would not that action of the court be justified when there was a law forbidding monopoly?

Mr. VOIGT. I think the court could, under the antitrust law, enjoin the packers from conspiring; that is, the court could enjoin so far as it was authorized to do so by the antitrust law. But the court did not do that. The court prohibited these parties from pursuing a certain line of business. Suppose the Attorney General should file a bill against me and claim that it was not in the public interest that I practice law or be a Member of Congress, and I should consent to it and the court enters the decree. I think every lawyer will agree that the decree is worthless, because there is no provision of law which warrants the court in entering the decree. There is no law which provides that a court can enjoin anybody from going into the retail meat business.

Mr. JONES of Texas. Mr. Chairman, will the gentleman

Mr. VOIGT. Yes.

Mr. JONES of Texas. Does not the gentleman concede that if a corporation is organized for a specific purpose it can be prohibited from going into other lines from those granted by the charter? Can not the Government control the field in which that organization shall be engaged?

Mr. VOIGT. That is not the question that was involved in

the decree

Mr. JONES of Texas. Why would not that apply to this

other question?

Mr. VOIGT. If Congress had passed a law giving the court the power to restrain these parties to the extent it did, of course the judgment would be valid, and of course a State has the right to put a limitation of power upon a corporation as to what business it should engage in.

Mr. CONNALLY of Texas. Mr. Chairman, will the gentleman

Mr. VOIGT. Yes.

Mr. CONNALLY of Texas. I would like to ask the gentleman if this suggestion comes within his contention. Does the gentleman contend that if the packers and wholesale grocers had gotten together and made an agreement by which the packers were not to engage in the wholesale grocery business, and not to engage in the retail meat business, and the grocers, on the other hand, had made certain agreements that under the antitrust law that would be unlawful?

Mr. VOIGT. Absolutely.

Mr. CONNALLY of Texas. Now, then, it being admitted that it is unlawful to do that, does the gentleman contend that the court could not by a decree prevent the commission of an act that would be unlawful under the law?

Mr. VOIGT. The court could not restrain the packers or anybody else from going into a certain line of business unless there was some statute or authority of law which justified the court in making the judgment.

Mr. BLANTON. Will the gentleman yield?

Mr. VOIGT. Yes.

Mr. BLANTON. Of course just engaging in the meat business is not in itself a violation of the law, but the gentleman can understand that there might be a combination which, connected with some other act, would constitute restraint of trade and be a violation of the law. The court had jurisdiction of the parties; it had jurisdiction of the subject matter, as disclosed in the pleading of the Attorney General. The parties came in, and by consent entered into agreement, which, in effect, carried out the allegations of the Attorney General's petition. Does the gentleman claim that that judgment is void?

Mr. VOIGT. Yes. The gentleman's statement is all right, but there is lacking one element which he assumes-jurisdiction of the subject matter-and there is no law on the statute books of the United States which authorizes a court, for instance, to restrain anyone from being in the retail meat business.

Mr. TINCHER. Will the gentleman yield?

Mr. VOIGT. Yes.

Mr. TINCHER. At the time of the hearing, when the Attorney General appeared before the committee to protest against our passing any legislation, saying that his decree would cure all the evils, I notice that I asked him this question, with reference to the retail trade:

Mr. Tincher. It is not covered by the Sherman antitrust law, and there really was not any law against that until this decree was entered, was there; no Federal statute that could be construed to reach that?

Attorney General Palmer. No; I do not think we could have sustained an adverse proceeding in court prior to the injunction restraining their going into the retail meat business.

And that decree had the effect or was intended to make law

instead of to enforce law that was in effect.

Mr. VOIGT. The claim of the Attorney General before our committee was this: He admitted there was no law under which the court could have pronounced this injunction against the That is, if he had gone in and filed his complaint and the packers had come in with a denial, and he had substantiated the complaint by proof, Mr. Palmer said that the court had no jurisdiction to enter that judgment. But he said it was his opinion that the parties could enter that judgment by consent,

Mr. BRIGGS. Will the gentleman yield for a question? Mr. VOIGT. Yes.

Mr. BRIGGS. Have the packers ever undertaken to attack the validity of this decree?
Mr. VOIGT. They have not.

Mr. BRIGGS. Have they ever taken an appeal from the decree?

They have not.

Mr. BRIGGS. Does the gentleman think the packers were sincere in giving their consent to the entry of the decree?

Mr. VOIGT. I can not answer for the packers on that question.

Mr. BRIGGS. Have they been living up to the decree since,

or any part of it?
Mr. VOIGT. So far as I know, they have.

Mr. BRIGGS. Does not the gentleman think that the packers regarded this question certainly as being within the realm of controversy, and that, having entered into the agreement, and the court having jurisdiction of the subject matter, which was the charge of conspiracy in violation of the Sherman Antitrust Act and other acts governing restraint of trade, and the court having jurisdiction of the parties, does not the gentleman think that the packers by their very action admitted that the court had jurisdiction both of the parties and the subject matter and did have a right to enter the decree?

Mr. VOIGT. The packers, of course, claim that the court had

jurisdiction.

The CHAIRMAN. The time of the gentleman has expired.

Mr. VOIGT. May I have 10 minutes more? Mr. HAUGEN. I yield 10 minutes more

I yield 10 minutes more to the gentleman

from Wisconsin.

Mr. VOIGT. I think it is fair to conclude that the packers consented to this decree for the purpose of preventing further proceedings. They went to the Attorney General and made this arrangement with him. It is fair to say that the packers proceeded to have this injunction granted against themselves for the purpose of staving off criminal or civil prosecution under the antitrust law, and I think for the purpose of forestalling action by Congress.

Mr. ASWELL. W Mr. VOIGT. Yes. Will the gentleman yield?

Mr. ASWELL. Is it the opinion of the gentleman that, even though there was no law, this decree is effective and binding on the packers now?

Mr. VOIGT. I think not. I think the pac'ters can go into court any time they see fit and attack the validity of this decree.

Mr. TINCHER. I am informed by the gentleman from California that people who want the decree modified say that the packers are opposed to having it modified and are opposed to having any change made in the law that they and the Attorney General made in this way for the Government of the people of the United States.

Mr. VOIGT. I do not care anything about that. I think the decree is wrong in principle. I think that when a matter of great public policy is involved it is not the business of the court to make the law. If that decree is made the prevalent procedure, then what is there to prevent decrees to regulate various lines of industry?

Mr. KINCHELOE. There was no evidence before the committee that there were any packers who would object to the

abrogation of the decree, was there? Mr. VOIGT. I do not recall any.

Mr. KINCHELOE. Then if there is not, let me ask the gentleman is not the Department of Justice the better judge of that than anybody else? And ought not the initiative to come from the Attorney General to abrogate and wipe out that

Mr. VOIGT. I do not care whether the decree is abrogated by act of Congress or by the Attorney General. I think the Attorney General ought to do it by applying to the court, but if he does not that would not change my mind as to the advisability of it.

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. VOIGT. I will.

Mr. SANDERS of Indiana. There seems to be an authority in that direction in the case of Lawrence Manufacturing Co. against the Janesville Cotton Mills, in the One hundred and thirty-eighth United States, page 552. One part of the syllabus is as follows:

When a decree in chancery is the result of the consent of the parties and not of the judgment of the court, the court may, if its aid in enforcing it is asked by a subsequent bill, refuse to be constrained by the consent decree to decree contrary to what it finds to be the right of the cause.

And then in the body of the opinion:

The prior decree was the consequence of the consent and not of the judgment of the court, and this being so, the court had the right to decline to treat it as res adjudicata.

Mr. VOIGT. That is good law.
Mr. BLANTON. Will the gentleman yield? Mr. BLANTON.

Mr. VOIGT. Yes.

Mr. BLANTON. The gentleman does not mean to say that the decree is the law of the land. It is nothing but a private contract.

Mr. VOIGT. The decree is an absolute nullity.

Mr. BLANTON. It does not control any packer except the Big Five ones.

Mr. VOIGT. And that is another objection to the decree. If you are going to regulate the packing industry, why should you apply one rule to 5 and another rule to 200 or 300 others?

Mr. DUNBAR. Will the gentleman yield?

Mr. VOIGT. For a question.

Mr. DUNBAR. What proportion of the meat sold in the United States is furnished by the packers?

Mr. VOIGT. The question is not how much is sold, when you come to regulate the packers. It is a question of what proportion of meat handled in interstate commerce is handled by the packers. If a man on a farm in North Dakota slaughters a hog for family use that hog does not get into competition with meat sold by the packers in Washington; so that it is a question of how much real competition there is against the Big Five. When you consider that, you have to find out how much of the interstate traffic they control.

Mr. STEVENSON. Suppose that the man that slaughters a

hog in North Dakota sells it in the town in the market in com-

petition with other meat.

Mr. VOIGT. Then he would come a little closer to real competition, but the question is, How much competition is there against the Big Five in the large centers of population? If the man sold the hog in a town where the packers were selling meat, then there would be real competition.

Mr. DUNBAR. How much of the interstate-commerce busi-

ness do the packers control?

Mr. VOIGT. According to the report of the Federal Trade Commission, in the year 1916 the Big Five had the following percentages of the so-called interstate slaughter: Cattle, 82.2; calves, 76.6; hogs, 61.2; sheep and lambs, 86.4. As nearly as I can get at it, the Big Five to-day control close to 80 per cent

of the interstate slaughter.

Mr. DUNBAR. While it may be true that the packers control 80 per cent of the interstate commerce, may it not also be true that the States have their own local butchers who will slaughter a great many more cattle and sell to the citizens of their States, and that after all the amount of business done in the meat industry by the packers is a very small per cent of the transactions in that State?

VOIGT. I think the figures show that the Big Five slaughter 40 per cent of all animals slaughtered for food in

the United States.

Mr. ANDERSON. Fifty-five per cent.

Mr. VOIGT. Their claim is that they only slaughter 40 per cent; but, as I say, that is not the real question when you want to get at the power exercised by the Big Five. They now have as complete a monopoly as it is possible to get, and that is the explanation of the fact that they have gone into the so-called unrelated lines. They had to find other fields to conquer.

Mr. DUNBAR. Mr. Chairman, will the gentleman yield?

Mr. VOIGT. Yes

Mr. DUNBAR. If this bill becomes a law, who would be the greatest beneficiaries, the raisers of the cattle or the purchasers

of the slaughtered animals?

I can not answer who would be the greatest beneficiary. I think if this monopoly of the Big Five is done away with, and the laws of trade are given a chance to function, it is going to benefit producer and consumer alike; genuine competition will benefit both.

Mr. DUNBAR. I think the investigation disclosed the fact that the profits of the packers were less than 2 per cent on their turnover sales. Could an independent small concern slaughtering \$200,000 worth of animals a year pay a better price for

beef or sell for less?

Mr. VOIGT. I would say to the gentleman that the figures of the Big Five as to so much per pound are good for nothing; they are deceptive. When you want to get at a man's profits, you want to look at his balance sheet at the end of the year, and the fact is that during the war these large packers made very large profits.

WHAT THE BILL PROPOSES.

The bill now reported gives the Secretary of Agriculture supervisory and regulatory powers over all packers who do an interstate-commerce business, and that, of course, means practically all packers in the country; and the same powers over stockyards, commission men, traders, buyers, and sellers in the stockyards. He has power to inquire into practices and management; he can require reports under oath whenever he thinks necessary and subpœna witnesses and conduct hearings. He can inquire into and publish facts concerning supply, demand, costs, and prices. He can prescribe uniform bookkeeping, and by order he can prevent unfair, discriminatory, or deceptive practices

The bill is sufficiently broad so that, if vigorously administered, the Secretary can prevent combination among packers

and can compel them and all others connected with the industry to do business in a lawful and proper way. If any packer is dissatisfied with an order made by the Secretary, he may have the order reviewed by a circuit court of appeals and also the United States Supreme Court. Violation of an order is made a criminal offense. The Secretary may regulate the charges at stockyards and of commission men, and is given power to adjust disputes arising between shipper and buyer, and so forth. Certain powers of the Federal Trade Commission are transferred to the Secretary so far as they apply to packers.

While I have every confidence in the Secretary of Agriculture, personally I should prefer to have the administration of this act intrusted to a separate commission or the Federal Trade Commission. The subject is so tremendously big that I believe a separate commission ought to be charged with the responsibility of carrying out the purpose of the bill. However, I am going to support this bill because, in my judgment, it is the

best that can be obtained at this time.

The first duty of the Secretary when and if the bill becomes a law-and prospects are very good that it will-will be to break up the combination of the Big Five. With the powers given under this bill to make regulatory orders, it can be done. For instance, an order to prevent exchange of information as to purchases and selling prices will help some.

#### FEDERAL TRADE COMMISSION.

The Big Five have spent millions of dollars in an effort to offset and discredit the report of this commission, and in a measure they have succeeded. I want to compliment the commission on the able and fearless manner in which they made their report. It is on the whole the most accurate and comprehensive report ever made on a great industry. It may be that here and there a minor error has crept in; that is to be expected in a 6-volume report, but the fact is that the packers have been unable to disprove the substantial, vital findings of the commission.

If this commission had rendered no other service to the American people than to make this report, the expense of maintaining it would be amply justified. There is talk in certain quarters of abrogating the powers of this commission-they have committed the great crime of making a real report—but I

for one shall be opposed to this.

In conclusion I want to say I am not particularly concerned over the fact that these packers make large profits. If they are good business men and manage their businesses properly, I want them to have a profit, but I want them to do business on the square. I want them so regulated that they are going to do business on the same basis that every other man in the same industry does.

There is nothing in this bill that any honest packer can object to. Their practices have not been in accordance with law, and the Secretary under this bill is given power to make rules that will make them do business on the level. [Applause.]

Mr. ASWELL. Mr. Chairman, I yield 15 minutes to the gen-

tleman from Texas [Mr. Parrish].

Mr. PARRISH. Mr. Chairman, the railroad problem is still an important question before the American people. There are certain amendments and corrections that ought to be made to the transportation act. Rates must be reduced, because they are higher now than the traffic will stand, and the agricultural interests of the Nation are seriously and vitally handicapped. There is no doubt in my mind but that a lower rate would produce as much or more revenue than is now being earned under the present high schedule of rates. The fate of many American industries depends upon efficient and economic transportation facilities. It is a question of life and death to many industries, especially agriculture. Secretary Hoover has said "that unless railroad rates can be readjusted we shall have to rewrite the whole agricultural geography of the United States." He could have said with equal truth that unless rates were reduced the obituary of many American industries will have to be written and the story of bankruptcy will be a common theme for those who write the last chapter in the history of such unfortunate industries.

When the Esch Transportation Act was before Congress for consideration in November, 1919, it contained a number of features to which I strongly objected. I voted against the bill then, because I felt that the roads were going to be returned to their owners on January 1, 1920, and we would be through with Government control whether any railroad legislation was passed The President had previously given out an order to or not. that effect, and had already called upon the railroad managers to arrange to take charge of their respective properties in conjunction with the Director General of Railroads on the 1st day

of December, 1919, so that they would be in a position to assume full charge and control by the 1st of January following. In view of these facts, it certainly did not appear that the question of continued Government control was an issue, either directly or indirectly, involved in the passage of the transporta-

At that time, while discussing before Congress some of my objections to the bill when it was first considered, I stated my position very clearly in these words:

I want to preface what I shall say by stating that I am opposed to Government control and ownership of railroads and am strictly in favor of the speedy return of the railroads to their owners, and if that were the issue in the consideration of this bill I would be willing to sacrifice the public interests very greatly in order to insure the speedy termination of Government control. (See p. 8538 of the Congressional Record, 1st sess. of the 66th Cong.)

However, when the conference report on the Esch-Cummins Act was presented to the House in the latter part of February, 1920, quite a different state of facts existed with reference to the probability of continued Government control. The transportation act having failed to become a law by the 1st of January, 1920, the President had postponed the date that the Government would relinquish control of the railroads until March 1, 1920. A continuation of Government control for a number of years not only appeared probable but it was imminent, unless some con-

structive legislation should be passed.

At least two very influential persons in very high station and who were in close touch with the President had come out in public statements strongly urging the continuation of Gov-ernment control for a period of five years. Many other facts and circumstances were pointing to a continuation of the experiences that the country had been bearing for more than two years under Government operation and control, and when the conference report was presented it appeared to me that the passage of the transportation act was absolutely necessary if we were to expect any relief from the distressing conditions which the public had experienced during the period of Government control. In this view of the matter I felt that Government control was at least indirectly an issue, and voted for the conference report, notwithstanding the objections I had to certain features of the bill. I voted to end Government control and to insure, if possible, that we would be given a transportation system that would move the commerce and freight of the Nation speedily and effectively and hasten in the restoration of the country to normal conditions.

The chief objection that I found to the bill was contained in section 415 of the original bill (416 in the law). The part that I objected to most strenuously provided, in plain words, for the emasculation of the railroad commissions of the several States, stripped them of their power to function even in the matter of regulating intrastate rates, and of exercising jurisdiction over purely intrastate transportation problems. To be specific, the last part of paragraph 4 of section 415, page 63, of the original

bill contained these words:

and such findings or orders shall be observed while in effect by the carriers parties to such proceedings affected thereby, the law of any State or the decision or order of any State authority to the contrary notwithstanding.

These words when given their legal effect took from the various State railroad commissions their power and authority over the regulation of even intra-state rates. The paragraph as a whole broadened the effect of the Shreveport rate case and then read it into the law of the land.

At this point, in order that my position might be clearly understood, I wish to quote specifically from the Record, showing just what took place at that time, and in that connection I made use of the full argument and offered the amendment set out therein:

of the full argument and offered the amendment set out therein:

Section 415 of the bill (416 in the law) seeks not only to put into effect but to broaden the decision in the Shreveport rate case and gives to the Interstate Commerce Commission power and authority to strike down every rate that the railroad commissions of the several States may make. To be specific, it seems to me that it is violative of Article IV of the Constitution and allows the Interstate Commerce Commission, a purely administrative branch of the Government, full authority to overlide the laws of any State or the decisions or orders of any State authority and to sweep them aside. I have offered an amendment to this section, wherein I seek to strike out all of the paragraph after the word "unlawful," on page 63, in line 16, and to have inserted the following: "Provided, however, That full faith and credit shall be given all rates, laws, and regulations made by any State or its agencies or under its authority, and the findings of the Interstate Commerce Commission shall have the effect only of authorizing the complaining party to institute suit in the proper court for the annulment of any such State rate, laws, or regulations under the general law."

If you will adopt the amendment I offer it will have the effect to save the State railroad commissions some authority at least in the matter of making rates, especially as to intrastate shipments.

The fight against this very objectionable provision of the

The fight against this very objectionable provision of the law was so stubborn and grew so intense that when Mr. Sweet offered an amendment, shown on page 8529 of the RECORD,

which covered only partially the purposes of the amendment I had offered, we were able to muster enough strength to force its passage over the most stubborn objection of the chairman of the committee in charge of the bill. The Sweet amendment was to paragraph 16, on page 50, of the original bill, and read as follows:

Provided, however, That nothing in this act shall impair or affect the right of the State in the exercise of its police power to require just and reasonable freight and passenger service and the fair ex-change and distribution of equipment for intrastate business.

After the passage of the Sweet amendment I sent the following telegram to the Railroad Commission of Texas:

NOVEMBER 17, 1919.

RAILROAD COMMISSION OF TEXAS, Austin, Tex.:

After stubborn fight we succeeded in having the Sweet amendment, restoring to the State commission more power, adopted in the Committee of the Whole. We are fighting to save all we can for Texas. Glad to have you wire your further views.

LUCIAN W. PARRISH, M. C.

In reply to this telegram I received the following message:

Hon. Lucian W. Parrish,

Washington, D. C.:

Your wire date. We thank you for your fight to preserve as far as possible the full powers of State commissions, because by so doing you are rendering the greatest possible service to your State and Nation.

RAILROAD COMMISSION.

There were other objections which I made to the bill at the time and which appear in the RECORD. I shall not refer to all of them, but will refer to the objections I made to paragraphs 15 and 16 of section 402 of the act.

I moved to strike these two sections from the bill and made an argument on the floor of the House at that time in support of said motion, and in this connection I desire to call to the attention of the House the statement I made at the time in opposition to the sections, to wit:

tention of the House the statement I made at the time in opposition to the sections, to wit:

Again, paragraphs 15 and 16 of section 42, known as the car-service section, in effect, continues Government supervision and direction of the cars and traffic generally even under private ownership and control. In other words, these paragraphs give to the Interstate Commerce Commission the absolute regulation and control of the routing of cars in the event of a congestion in any section of the country. Thus we again break down State lines and force our people to continue their march to Washington in order to get relief from the congested conditions of freight and traffic wherever they may be found. This is intensely objectionable to our State for the reason that the people are tired of running to Washington every time they desire to ship a car of cattle, car of corn, car of wheat, or car of other commodities. It has been the earnest hope and prayer of the people of my State that when the railroads were returned to their owners—and I wish they were going to be returned to-morrow—they would be through with running to Washington to get orders every time they wanted to make a shipment of freight. [Applause.]

The amendment that I offer strikes out paragraphs 15 and 16 of the section and would leave the law with reference to the control of traffic the same as it was before the Government took charge of the State railway commission and laws of our State, we had absolutely no trouble in the matter of routing and handling of freight.

Paragraphs 15 and 16 are further objectionable because they place a distinct burden upon the growing and progressive sections of the United States and greatly handleap every industry by compelling them to continuously come to Washington to consult the Interstate Commerce Commission as to how they should route their freight. Under the provisions of the Esch bill that is what they will have to do; and, while it is stated by the chairman of the committee, Mr. Esch, we are dealing with a national que

From this argument it will be seen that, though I was a new man in Congress at that time, I fought to save to the States as much power as it was possible, and to leave the various State railroad commissions free to function in matters relating to intrastate commerce.

I also objected to section 407 of the law and in that connection made the following arguments on the floor of the House

in opposition to that section of the bill:

in opposition to that section of the bill:

This bill is further objectionable because of section 407, which authorizes the Interstate Commerce Commission to set at naught the antitrust laws of the several States and of the United States and permit mergers and combines heretofore condemned by the State and National laws. The effect of this is to wipe out the splendid antitrust laws that Texas has had for many years and permits the Interstate Commerce Commission, an administrative branch of the Government, to nullify and render ineffective the judgments, decrees, laws, and constitutions of the several States of the Union. In my judgment, this

is a very dangerous provision, one that is inimical to the best interests of the American people and fraught with many dangers. (See p. 8540 of the CONGRESSIONAL RECORD, 1st sess. 66th Cong.)

I also objected to that part of the bill which took away-from the various State railroad commissions the rights to prescribe rules and regulations permitting the construction and removal of railroad tracks wholly within the States. In this connection I stated:

I stated:

The bill as a whole is further objectionable because it wests in the Interstate Commerce Commission the absolute authority to grant permits to remove tracks or to build new roads and takes away from the State commissions jurisdiction in such matters. This, in effect, will mean that in Washington authority will be lodged which will require that all those who desire to extend a road must present their case at Washington, and if perchance a road should, according to the orders of the Interstate Commerce Commission, become undesirable, this commission would have absolute authority to take up the road, regardless of any law or decision of the State in which the property was situated, and this is a further blow at the power and jurisdiction of the several States, and is a radical change from the existing laws and further tends to centralize in Washington matters that should be left to the States and to local tribunals for solution according to their own needs and about which the Interstate Commerce Commission by reason of the very circumstances can know so little.

The opposition to the section of the bill above referred to grew so determined that the chairman of the committee in order to prevent the adoption of some one of the amendments offered by different Members on the floor of the House introduced and caused the adoption of an amendment to his own bill which in effect excluded the operations of the bill from cases involving the construction or abandonment of any line located or to be located wholly within any one State or any street car or electric interurban line. To this extent at least our joint efforts corrected a serious objection found in the bill

rected a serious objection found in the bill.

In truth and in fact the fight led largely by the Representatives from Texas, in which I had an humble part, promised at one time to gather such strength as to be able to force other amendments that would preserve to the railroad commissions of the several States the right to regulate rates in purely intrastate matters and to exercise in such matters jurisdiction that had commonly been conferred upon such bodies. But our hopes in this respect were short lived. We had been successful in passing only a few amendments when the chairman of the committee, on the night of November 14, 1919, arose from his seat on the floor of the House and delivered his famous anti-Texas speech, which stampeded the Republican majority, and rendered it impossible for us to procure further amendments to the bill. That memorable speech appears on page 8536 of the Congres-SIONAL RECORD of the first session of the Sixty-sixth Congress, and a portion of it reads as follows:

Surely gentlemen should not be swept from their feet because of the clamor of gentlemen from a single State. This is a bigger question than even the broad State of Texas. It is a national question. [Applause.]

Mr. Chairman, I have referred to the RECORD in order that it might be made clear that some of the gentlemen who voted for the conference report did so believing it was better than what we had at the time and did not intend to deprive the railroad commissions of their States of their jurisdiction and authority. We voted for the report because we felt that the bill with private control of railroads was the best thing that was then available. We knew that something had to be done, and we felt that the objectionable feature could be cured by later amendments. I for one am in favor of retaining the powers of the railroad commissions of the several States in so far as it relates to intrastate business. Since the days of John H. Reagan the railroad commission of my State has rendered valuable and distinguished service to its citizenship and has contributed in a large sense to the progress and prosperity that has in recent years characterized our great State.

Our experience during Government control ought to teach us that Government ownership and control of any industry is inimical to the best interests of a democratic Government. Aside from the many inconveniences that the shippers of the country experienced during Government control the cost of the Government was terrific. The Director General of Railroads in a recent report to the President states that appropriations aggregating \$1,450,000,000 will be necessary to meet the deficit caused by Government control, and it is reliably stated that at least \$436,000,000 more will be required to liquidate the damages caused to the properties due to Government operation. In other words, it appears now that 26 months of experience of Government operation and control of railroads will cost the public the sum of \$2,000,000,000 in round numbers, and this does not consider the additional burdens that have been placed upon the American people in the way of increased rates and disrupted service. Of course, a part of this deficit must be charged to the war, but such experiences as these cause thoughtful and conservative men to turn from the idea of the Govern-

ment owning or controlling the industries of the Nation or the democratization of any industry as a permanent policy.

I believe that the American people are willing to pay a reasonable price for services rendered and will ungrudgingly pay to the railroads of the country a reasonable rate for freight and passenger traffic, but I feel that the rates now in effect are too high and traffic will not stand these extraordinary burdens. I hope that there will be found a way by which the rates may be speedily reduced to such a figure as will insure a prompt and efficient movement of the commerce of the country. It is vitally essential just at this time in order to restore our country to normal conditions and lend encouragement to agriculture and commerce. The future progress and prosperity of our country is at stake. Our surplus products must move freely if we are to find a market that will enable our farmers and producers to live and prosper.

I also express the hope that some amendment will be made to the transportation act which will restore to the railroad commissions of the several States the rights which from year to year have gradually been taken from them and leave them free to regulate intrastate rates and not unduly restrict them in the handling of transportation problems falling wholly within the States. My colleague, Mr. Morgan Sanders, of Texas, has introduced an amendment of this kind, and I hope that favorable action may be had promptly on his or some other suitable measure.

If I may repeat what I have said before, the people of Texas and many other States are bitterly opposed to the Federal Government taking from them the power and authority rightly belonging to the States. We want to stop the tendency, so evident of late, which seeks to centralize all power in bureaus and commissions in Washington, and leave to the institutions of the States power to function over matters which in their nature are local to the States and with which the States are more capable of dealing. It is in this way only that we will be able to maintain a Government truly responsive to the will of the people.

tain a Government truly responsive to the will of the people.

Mr. ASWELL. Mr. Chairman, I yield 15 minutes to the gentleman from South Carolina [Mr. Logan].

Mr. LOGAN. Mr. Chairman and gentlemen of the committee, I take it that this is a very important bill, involving as it does on the one side millions of invested capital and tremendous plants and hundreds of employees who will be affected particularly by the criminal operation of this bill, and on the other side the American people whose insistence for some legislation has brought about this bill. I take it also that the Agricultural Committee itself does not insist that this bill is a perfect piece of legislation which must be passed without the crossing of a "t" or the dotting of an "i," but we are here trying to discuss with each other what is the best way to make this legislation effective. I am in favor of the bill, but I think it ought to be amended, and I ask the attention of the committee to section 203 of the bill, because I believe if we are going to have a bill we should make it as effective as possible so that it will really be productive of good. That section provides that if the Secretary of Agriculture finds that a packer is violating any of the provisions of the act he shall have a hearing, and at that hearing the packer has a right to examine and cross-examine the witnesses, and in every way his rights are protected. Then, if the Secretary finds that he has violated the law, instead of at once making an order which shall become final and conclusive, so that the packer may be punished like any other violator of the law, provision is made for appeal to the circuit court of appeals. If the court thinks it proper when that appeal is taken, more evidence can be heard. Then if the circuit court of appeals holds that the order was rightly made by the Secretary, there can be a further appeal by writ of certiorari to the Supreme Court. It seems to me that that is altogether wrong. I think section 203 should be amended to read as follows:

An order made under section 203 shall be final and conclusive unless suspended or set aside by a court of competent jurisdiction.

Then, if the packer at that time violates the law, he could be indicted immediately and punished.

Mr. KINCHELOE. Mr. Chairman, will the gentleman yield? Mr. LOGAN. Yes.

Mr. KINCHELOE. That is a proposition that was discussed thoroughly in committee. Under the gentleman's contention if the Secretary of Agriculture should find the packer has violated the law, the gentleman's amendment would provide that the packer could be punished without his having recourse to the courts of this country.

Mr. LOGAN. Not at all.

Mr. KINCHELOE, Absolutely,

Mr. LOGAN, Not at all.

Mr. KINCHELOE. This provides that they can be enjoined in the court of appeals, but the criminal penalty does not attach until it has been heard by the highest court in the country, like the case of any other individual.

Mr. LOGAN. Exactly. The order of the Secretary would become final and conclusive, and then if the packer violated that he would be indicted and tried, and, if found guilty, pun-

Mr. KINCHELOE. On the order of the Secretary of Agriculture.

Mr. LOGAN. Not at all. The gentleman is entirely mistaken. This would be the effect of it: The Secretary would simply say. "You have violated the learning to You have violated the law and I am going to make this order." Then, if he continued to violate the law, he would be

indicted and tried and punished, just like anyone else.

Mr. ANDERSON. Of course, in that case, instead of having the courts pass on the validity of the order, the jury would pass on the entire proposition.

Mr. LOGAN. Yes. Mr. ANDERSON. And that, of course, would destroy the

whole theory of regulation in the bill.

Mr. LOGAN. Not at all. I asked the chairman of the committee, Mr. HAUGEN, why he provided this right of appeal with regard to the packers, for he does not give it to the stockyard man, and you will not find it in the regulations of the stockyard people. I asked him why he made these two differences, why he did not make that order of the Secretary conclusive and then punish the packer, and he began to say that it was a matter of policy, that one business was a matter of a great many items and the other was not.

In the committee's own report, page 4, they say this was done to give the packers "protection from arbitrary administra-tive action demanded by the courts," and then they cite cases. I have examined the cases, which have apparently been gotten up by a very industrious lawyer, and on page 9 of the committee report you will find there cited this provision, taken from a case:

By the river and harbor act of March 3, 1899, it is provided that when the Secretary of War, after hearing, found a bridge to be an unreasonable obstruction in navigation, he issued the order to alter it to the extent necessary.

In that case the Secretary of War, who has, of course, charge of all navigable streams, if he found there was an obstruction by a bridge or in any other way of a stream he has the right to order that it be altered. I say the Secretary of Agriculture should have the same right with regard to rates. It further goes on to say:

Failure to obey the order was made a criminal offense. In a case arising on a prosecution for failure to obey an order of the Secretary, the Supreme Court, in Union Bridge Co. against The United States (204 U. S., 364), held that the action was not an unconstitutional delegation of legislative and judicial power.

And then it goes on at length.

Now, the difference is this, gentlemen. They would have the Secretary make his order claiming that the packer had violated the law. Instead of letting it stop at that, and if he continues to violate, let him prosecute him like anybody else, they give him the right of appeal from one court to another before they actually make the Secretary's order final.

Mr. KINCHELOE. Under the gentleman's amendment, if the Secretary of Agriculture made an order saying that a packer had violated the law, then the packer has got to do one of two things—either quit, however erroneous the ruling of the Secretary of Agriculture may be, or be subject to a criminal prosecution by virtue of having violated the rules of a departmental That would put him out of business absolutely.

Mr. LOGAN. The gentleman is entirely mistaken as to that, for this reason: If the order of the Secretary of Agricultureand I am sure there are a good many lawyers on this committeeif they will examine these opinions cited by the committee they will find that if the Secretary's order is absolutely capricious, not based on any testimony, of course he can appeal from that order, because there will be no justification for it. That is all; but under this we simply make the Secretary of Agriculture a medium of collecting evidence. You simply make him a medium of collecting evidence, and that is all.

Mr. JONES of Texas. Will the gentleman yield?

Mr. LOGAN. Yes.

Mr. JONES of Texas. However, the bill does provide that a man may go into court, and if the facts justify he can secure a temporary restraining order of the court, and that order may be continued by the court, and if the facts are sufficient he can take care of that situation by making a proper showing.

Mr. LOGAN. It seems to me that the bill ought to be amended, because it tends to make stronger the very act that we are trying to pass now. Now, I call your attention-

Mr. KINCHELOE. But suppose you happen to have a Secretary of Agriculture who has a constitutional prejudice against this business; he might put these men out of business by the exercise of sumptuary power—a departmental officer.

Mr. LOGAN. I think not. Mr. KINCHELOE. Absolutely.

Mr. LOGAN. Not at all; for this reason: That if the Secretary's order had no evidence behind it, was arbitrary and capricious, it would be set aside by the court at once. You can not pass any law in this Congress right now that can give a man absolutely arbitrary power and not allow it to be set aside by the court.

Mr. KINCHELOE. I think the gentleman's proposed amendment would come about as near doing that as could be.

Mr. LOGAN. Absolutely not. If you will examine the very decisions which the committee cites in its report, you will find that the very thing I advocate can be done. ample, the Secretary of War comes into your district and finds a bridge that has been built at large expense, and makes an order saying that that bridge is an unreasonable obstruction to navigation. You do not have any appeal to the circuit court of appeals or the Supreme Court of the United States to determine whether it is an unlawful obstruction or You have to remove it; and if you do not remove it you can immediately be indicted and punished. And I think the same rule should be made with regard to the packer.

Mr. BARBOUR. What is the course pursued if a railroad company fails to obey an order of the Interstate Commerce

Commission?

Mr. LOGAN. You go to the court.

Mr. BARBOUR. What court would you go to—a district court or the circuit court of appeals?

Mr. LOGAN. I think the district court; but I am not sure about that

Mr. BARBOUR. I am asking the question for information.

Mr. LOGAN. I really do not know about that. Mr. BLANTON. Will the gentleman yield?

Mr. LOGAN. Yes.
Mr. BLANTON. The point made by the gentleman from Kentucky, as I understand, is that the Secretary might have some evidence but not sufficient to warrant his action, and his action might be wrongfully taken against the packers.

Mr. LOGAN. Yes, sir.

Mr. BLANTON. Then should there be recourse to the courts of the land?

Why, if it was absolutely arbitrary and ca-Mr. LOGAN. pricious, it could be set aside as a matter of law

Mr. BLANTON. Hear evidence, so much on this side of the scale and so much on that. The Secretary might think that he had sufficient evidence when, as a matter of fact, he did not at After all, would it not be subject to a court of review?

Mr. LOGAN. You give the Secretary of Agriculture the right to make an order declaring that the packer is violating the law, but you do not make the order final, so that if the packer persists in his wrongdoing he can be punished, and I think that is what we ought to do in this bill.

Mr. JONES of Texas. If you gave him that power and he entered an arbitrary order, then the person, corporation, or company would have to desist from the practice or defend a criminal prosecution?

Mr. LOGAN. If it was purely arbitrary and not based upon evidence, it could be set aside.

Mr. JONES of Texas. It might not be arbitrary, but would not a company or institution be put in the attitude of either quitting the business or defending a criminal prosecution?

Mr. LOGAN. Not at all.
Mr. KINCHELOE. Aside from whether it is a capricious prosecution, who would decide it?
Mr. LOGAN. If it is entirely arbitrary, the court would set

it aside.

Mr. KINCHELOE. But who is to decide whether it is entirely arbitrary?

Mr. LOGAN. Whether there was some testimony or not to sustain it? If there was testimony on one side or the other, the Secretary ought to pass on it as the Secretary of War does on the obstructions to which I have referred.

Mr. KINCHELOE. If the Secretary decides it is capricious

The CHAIRMAN. The time of the gentleman has expired.

Mr. JACOWAY. I yield five minutes more to the gentleman. Mr. LOGAN. I ask attention to section 311, which the gentleman from Texas spoke on yesterday. That provision, gentlemen, gives the Secretary the power to pass on the reasonableness or unreasonableness of intrastate regulations of stockyards. Now, it seems to me that it would be very unfortunate if the

House passed that, and for this reason:

The same provision is in the Esch-Cummins Act, and there are 42 of the States—nearly every one of the States we represent here—right now in the Supreme Court asking that this provision be annulled. I hold in my hand their motion, which they have filed in that court, asking the court to declare that power of interfering with intrastate rates be held unconstitutional. If you want to get, say in Ohio, from Toledo to Columbus, the Interstate Commerce Commission is now passing on those rates and declaring your own State railroad commission has not the power to pass on them. As I say, 42 States are now appealing to the Supreme Court not to give them that right. Every one of the States we come from, nearly, is asking that the commission be not given that right. We are putting ourselves in the position to say that this very principle we are contending against we are going to give to the Secretary of Agriculture in regard to intrastate rates which any one of the States may see fit to pass. We are going to say that the Secretary of Agriculture can come along and abolish those rates, just like the Interstate Commission is doing now. And I think it would be very unfortunate to put ourselves in that position. The attorney general in any one of the States represented by you gentlemen may be in the Supreme Court on this, because nearly every one of them is there now—except six. Here we are in the Here we are in the Supreme Court asking them not to give this power to the Interstate Commerce Commission, and yet you have adopted the very same principle in your bill in regard to the packers.

Let me read from this pamphlet I have in my hand:

It will accordingly be seen that by these orders the power of the States to regulate their internal commerce is sought to be taken from them by a department of the Federal Government—

That is, all of our States; not only South Carolina but nearly all of the States have joined in this-

This power, the petitioning States say, is a sovereign power reserved to them absolutely by the Federal Constitution, subject only to the provision that in the exercise of it they shall not injure that commerce which is under the protection of the Federal Government. They further point out that the continued free exercise of this power by them is of the most vital importance as affecting the comfort, health, and safety of their recoules.

Now, we are trying here, gentlemen, to legislate on the comfort, health, and safety of the American people, and I say we ought not to pass that provision and put it in this bill. cerely trust that this committee will not recommend it to the House, or, if it does, that the House will not pass it. As I say, it will put us all in a most embarrassing position. We ought to be permitted to absolutely regulate internal affairs in our respective States, and therefore I hope the committee will not recommend this.

Mr. FUNK. Can the gentleman cite any State that has taken any jurisdiction over stockyard charges?

Mr. LOGAN. I assume that Illinois has, Mr. FUNK. For the information of the gentleman, I wish to say that Illinois has not taken jurisdiction of the stockyards.

Mr. LOGAN. But the principle is there, and we ought not to [Applause.] adopt it.

Mr. HAUGEN. Mr. Chairman, I yield 15 minutes to the

gentleman from New Jersey [Mr. PARKER].

Mr. PARKER of New Jersey. Mr. Chairman, this is a bill as to packers and stockyards. There are certainly none of them in my district, and I therefore can speak without interest of any kind, either for myself or constituents.

In the Sixty-fifth Congress, at its close, in the Committee on Interstate and Foreign Commerce, we heard testimony for over two months-in December, January, and February on this subject, day after day, during the sessions of the House.

This bill is altogether founded on the regulation of commerce and nothing else. It ought perhaps to have been considered by the committee that has charge of that matter. It comes from the Committee on Agriculture.

There is not a person in the United States that I know of who has not joined in the cry during the last four years that

we were too much regulated. I remember long before the World War that we used to hear and know of the regulation of every man and his concerns by the polizei in Germany, and we thanked the Lord that we were not living under any government by police regulation. Some sort of regulation has had to be established with reference to the matter of commerce by railroads, because that is a public business certainly in control of the United States, and the Interthe matter of commerce by railroads, because that is a public business certainly in control of the United States, and the Interstate Commerce Commission has done a great work, although there are many that complain and state that the difficulties under which the railroads now suffer may be due in some respects to errors of that commission. But they have put down rebates. They have given equal rights on the railroads to

every man, woman, and child, and, so far as commerce is concerned, we may rely upon the enforcement of that act and upon the enforcement of the antitrust act to give every man a fair

What we complained of during the war was the regulation of private business by governmental interference. We thought that free men could do their business freely for themselves. The West especially objected to the regulation of grain. It was done by an honest man and a great man, now the Secretary of Commerce. But we heard cries against that regulation. The East was troubled from time to time by the regulation of preferences in manufacture. It was necessary for the war. We all submitted. I remember that during the hearings that we had there were tremendous complaints of the regulation of the packers and the industry by the Secretary of Commerce so as to secure cheap meat during the war, and it was said the people had been encouraged to grow meat and then did not get proper prices from it.

I warn any man who introduces a system of central regulation in this country that the people will not stand by any such system, because in the end they will stand for their freedom to do business for themselves.

Now, this bill is introduced with the frank statement in the report, in spite of that prejudice growing up from the war— it was introduced with the frank statement already read to this House that-

A careful study of this bill will, I am sure, convince one that it and existing laws give the Secretary of Agriculture complete inquisitorial, visitorial, supervisory, and regulatory power over the packers, stockyards, and all activities connected therewith, and that it is a most comprehensive measure, and extends further than any previous law in the regulation of private business in time of peace, except possibly the interstate commerce act.

I agree with that statement; only I say that the interstate commerce act does not regulate private business, but public business, because transportation is public business and not like this.

Let us consider for a moment the kind of business that it is proposed to regulate, and I begin with stockyards, rather than the packers, because the material which the packers use comes from the stockyards. These stockyards should be described. An association generally or corporation owns the stockyards in a city, which is the center for stock distribution. There are stalls; there are auction markets. There are people who take care of the cattle. The stockyard company furnished the feed. The cattle are shipped to them by the owners from within or without the State, and in the stockyards they are exposed for sale, sometimes by auction and often, on the other hand, simply by selling to the agent of the purchaser by the agent of the seller. A whole institution of brokers grows up about the yards where the sales are made. A man may put a limit on the price of his cattle. Often they send their cattle to other stockyards if they did not get their price at the first one.

Mr. Chairman, that is a wholesale business. It is nothing else. It is wholesale dealing, like that in any other wholesale store. It has a place in the State, and that has been expressly determined by the Supreme Court of the United States in a very carefully considered opinion, cited in this report, but not fully cited-an opinion contained in One hundred and seventy-sixth United States, page 578. It is the case of Hopkins against United States. By this case it has been decided that this is not interstate commerce, but it is ordinary commerce within the State. I turn to the opinion, delivered by Mr. Justice Peckham, rather than to the abridgment of it: I have scarcely the time, but I will take the risk of running out of my time rather than not touch on this subject, as being the right of the United States. The suit was brought under the antitrust act. The court said:

The act has reference only to that trade or commerce which exists, or may exist, among the several States or with foreign nations, and has no application whatever to any other trade or commerce.

The question meeting us at the threshold, therefore, in this case is, what is the nature of the business of the defendants, and are the bylaws, or any subdivision of them above referred to, in their direct effect in restraint of trade or commerce among the several States or with foreign nations; or does the case made by the bill and answer show that any one of the above defendants has monopolized, or attempted to monopolize, or combined or conspired with other persons to monopolize, any part of the trade or commerce among the several States or with foreign nations?

The court then goes on to deal with the various matters sent to them. The charges relate to the business alone, the selling of the article at its destination, which has been sent from another State. The court goes on with careful citations upon this matter, and the decision is, that notwithstanding the fact that they had to correspond to get the cattle, or to send telegrams, or whatever it might be, this was a business carried on at Kansas City and was not an interstate business, and I defy anyone to get away from the reasoning of that case.

The report says that that case has been modified because a bill of lading had been held to be subject to the control of the United States. A bill of lading is a bill which gives you the right to send goods in interstate commerce, and is therefore subject to the interstate commerce clause. It is not a sale in

that place.

Now, I have simply stated the law. I say that the oaths which we have taken to support and defend the Constitution of the United States bars us from invading a ground where the Supreme Court says, "No."

But we do not stand on that alone. If this legislation is constitutional and is to be maintained, there is not the slightest reason why Congress could not regulate the board of brokers in the city of New York, because they deal in stocks which have to do with other States. There is no reason why it could not regulate every large dealer in groceries in the city of New York, because they come from afar and go somewhere else. It can regulate every man who deals in cotton in Savannah or in New Orleans or in Texas. Yes, it can regulate the farmer, because he raises his goods for export and sends them forward. You can put under the Government of the United States all the business of this country to regulate as the Government sees fit.

Now, people say, "What harm does this regulation do?" anyone will take the pains to read that report from end to end, he will be interested in some things. The Secretary, who has supervision of the regulation, has the right to decide what is reasonable or unreasonable, or what he thinks will be in restraint of trade, or what he thinks will raise or lower prices, and he has the right to make orders which are equivalent to an injunction. And then, when he has done this, the report brings it out very clearly that the order of the Secretary will stand when it goes on appeal to the United States court not on the justice of that order and not on a reexamination of the facts, but it will be set aside only if it is absolutely unreasonable or amounts to a confiscation. Case after case goes to that matter.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. PARKER of New Jersey. I should like at least 10 minutes more

Mr. HAUGEN. I yield to the gentleman 10 minutes more. Mr. PARKER of New Jersey. I would not ask for the time, Mr. Chairman, if I had not spent two menths on this matter and if I were not one of those who believe in an indestructible union of indestructible States, one of those who were instructed years and years ago by Dr. Francis Lieber that a republican form of government does not mean freedom unless it is accompanied by local self-government. He used to say that the French had a republican form of government, but that every mayor was appointed from Paris. Mr. Chairman, what can we expect in the business of the United States, what variations in different parts of the country, if universal rules are to be enforced from Washington as to all our wholesale and retail business? I have no hesitation in arguing on this matter as I have done as to the stockyards. There was some complaint when it was before us that the packers who put up the meat afterwards had large interests in some of the stockyards, and it was so.

There was no proof before us of abuses that were not susceptible of correction under existing law or that would not be just as hard to find out under this proposed law. It would have to be discovered whether there is any evidence of unfairness in The packers do not make the sales. They are made by the agents of the buyers and the sellers meeting there. Abuses have got to be found out anyway. Under this law the only difference would be that the case would be taken to the Secretary of Agriculture to be tried instead of being taken to a jury of their peers and decided in the place where the transaction occurred. But by the decree in this case, yielding to popular clamor, the packers have abandoned all interest in the stockyards and left them as independent institutions for sale of stock in the town exactly as determined by the court in the old Kansas City case.

But now we come to the business of the packers. What is

Mr. BLANTON. Will the gentleman yield?

Mr. PARKER of New Jersey. Excuse me. I have only 10

The CHAIRMAN. The gentleman refuses to yield.

Mr. BLANTON. The gentleman is making an important speech, and I thought maybe he would like to have a larger audience to hear him. We have dwindled down to such a

Mr. PARKER of New Jersey. I do not yield to the gentle-man to call for a quorum. I have some attentive listeners. The gentleman can not take me off the floor by the point of no quorum.

Mr. SANDERS of Indiana. The point of no quorum present can be made at any time.

The CHAIRMAN (Mr. KING). Does the gentleman insist on

his point of order?

Mr. BLANTON. The gentleman did not seem to think he wanted to yield, and I thought maybe I would show him that a point of no quorum would make him yield. Having done that I will withdraw the point of no quorum.

Mr. PARKER of New Jersey. I am very much obliged to the

gentleman. I hope this will not be taken out of my time.

As I said, the business of the packers began with the buying of cattle, slaughtering at their slaughterhouses, turning the carcasses into meat, and shipping it to the East or wherever they might send it—a process of manufacture. It is as much a process of manufacture as any other anywhere, where a man buys raw material and manufactures it and sells it. It was complained that they had associated with it other business. had. They found that in manufacturing beef it was desirable to manufacture glue and hides and all sorts of things, and when they came to make them they found they might well sell them.

It was complained that they made enormous profits. As far as I could determine from the proof, they made a less margin

of profit than any other business that I ever knew of.

It was said they were a monopoly. I could not find that to be true. If it was proved, that is for the law to take care of and not for the Secretary of Agriculture. There were five of them there, and there were seven or eight others who were large packers also, doing business of the same sort, who were not supposed to have anything to do with the Big Five.

It was insisted that the packers ought not to do business in various articles. I can only say that I do not know any law against a man running a department store if he wants to. If that law is to be made, it ought to be made by the State where

the sales are made.

It was never charged that they sold this meat at retail. Some might wish they had done so, because when I was buying at wholesale for a soldiers' home, when I happened to be the chairman of the board of management of that home, I got meat for 11 cents, and at last it went up to 17 cents during the war, when other people were paying at retail from 25 to 60 cents. Unfortunately, during the war, when we had plenty of money to spend, everybody was ready to pay the exorbitant rents on Broadway or some other great street where some store had established itself instead of insisting on close profits and getting things cheaply.

There was a howl, I think, that the farmer and customer did not get a fair proportion of all this. I could not find that it was due to the packers. If too much meat was produced. there were times when it could not all be sold. If too much meat was put in storehouses and not sold, or if the retail dealer got the profit, you would not put the responsibility where it did not

belong.

I do not defend the packers. I am not here on their behalf, and only know them from having seen them in this case. But it was said, without contradiction, that the business of getting the meat from the hoof and from the stockyards to the wholesale dealers in the various cities was done with a cheapness that never was done before in the world's history, and that an amount of supplies was given to our one hundred millions of people that was almost unknown before. I will not say that they did not make big profits, for they did make big profits. They did a big business, and other men made big profits. But that is not material to this case. What I do say is that if the Government has the right to come in and regulate the manufacture and sale of meats, they have the right to come in and regulate the manufacture and sale of every other necessity, whether it be clothes—we have got to have clothes—or groceries, or the various things in which the packers are prevented from dealing by the consent decree by which they are told not to make some 50 articles of food that they have been making, while other people are going ahead and making them without regulation by the Secretary. The next thing we will have before the House will be bills to regulate them by a Secretary and by his order.

Now, Mr. Chairman, there is much to say upon this bill. At this point I ask unanimous consent to place in the Record an abstract of this decree, which I have made, as an appendix to

The CHAIRMAN. The gentleman from New Jersey asks unanimous consent to extend his remarks in the RECORD by putting in the matter referred to. Is there objection?

There was no objection.

Mr. PARKER of New Jersey. I do not know, Mr. Chairman, whether the bill will modify or set aside that decree made by consent or not. It seems to have been a decree to try to remove all questions of dispute from the business retained by the packers. It does not seem to have had that effect. All I have to say is that we should not want to see the whole business of the United States regulated by such a bill as this. [Applause.]

The matter inserted as an appendix is as follows Analysis of the decree of the Supreme Court of the District in the suit of United States against the packing companies and their individual stockholders, dated February 27, 1920, after reciting that the petition alleges violations of the antitrust act, which were denied, but that the defendants consent to this decree on condition that this be no admission of any breach of United States law.

It is decreed-

1. Defendants are enjoined from monopoly;

2. From owning any interest in a stockyard or stockyard railroad:

3. From letting anyone else use their distributing facilities,

which, however, they may sell;

 From making, distributing, or dealing in fish, vegetables, fruits, sweets, molasses, preserves, spices, coffee and tea, nuts, flour, sugar, rice, bread and biscuit, and cereals, grain, and miscellaneous articles, including building hardware and materials, cigars, etc.;

5. From holding a control of any corporation so dealing;

6. From owning retail meat markets;

7. Or cold storage warehouses, except at the stockyards or for their own products;

8. Or dealing in milk or cream, except for manufacture of oleomargarine, etc.;
9. From any illegal trade practice;

- 10. Decree that defendants file plans for sale of stockyards, their railroads, and newspapers;
- 11. That they sell all cold-storage warehouses and retail meat markets;

12. And sell the goods mentioned in paragraphs 4 and 5;

- 13. That purchasers of stockyards agree to operate them; 14. Decree not to interfere with export trade except as to
- paragraphs 4 and 5; 15. Nor to bar the United States from suit as to poultry,
- butter, eggs, and cheese; 16. Defendants will disclose facts as to how they are carry-
- ing out the decree; 17. All their sales, etc., since October 1, 1919, are subject to
- review 18. Jurisdiction is retained for enforcement of the decree.
- The CHAIRMAN. The time of the gentleman from New Jersey has expired.

By unanimous consent, Mr. Logan and Mr. Jones of Texas had leave to extend their remarks in the RECORD.

Mr. JACOWAY. Mr. Chairman, I yield 10 minutes to the

gentleman from Texas [Mr. SUMNERS].
Mr. SUMNERS of Texas. Mr. Chairman, I desire to submit

to the House and to the country two definite, closely related propositions looking to the relief of the present acute agricultural situation.

But before proceeding to do that I quote briefly from a recent statement of Mr. Carl Vrooman, formerly Assistant Secretary of Agriculture. He says:

of Agriculture. He says:

The farmer is being smothered in his surplus crops. It remains to be seen whether he is going to be provided with export markets now or a post-mortem later. Unless given at once a foreign outlet for their surpluses, a million more farmers will go bankrupt before fall. \* \* In tragic contrast with this stupefying spectacle, hundreds of millions of people in Europe and Asia are ragged, cold, starving, and unable to utilize either their idle labor or their idle factories for lack of the very things that are rotting in our fields, granaries, and warehouses.

But while these war-broken countries have no money with which to buy our products, they have lands, forests, mines, factories, and mills as a sound basis for long-time credit, and industrious and thrifty populations, ready and pathetically eager to multiply many times over the value of our raw materials. \* \*

That is a fair statement of the situation except that we have another crop coming on to add its surplus to the hundreds of millions of rotting surplus piled up in this country now. The farmers' interest on past-due obligations is increasing. Idleto all business and to all industries. Other things may help, but there is but one remedy for this condition. It is a fool's dream, a revival of business in this country, until the markets of Europe can be opened up to our farm products and the farmers made able to pay their debts and resume normal buying.

If the farmers could pay their debts and purchase what they need, the retail merchants could pay their debts and order more goods. The wholesale merchants could pay their debts and order more goods. The factories could pay their debts and buy more raw materials from the farmers, putting their idle factories and their idle operatives to work, and all together break the deadlock developing in this country. But the farmers can not pay their debts until they can sell their accumulated surplus. This country can not absorb that surplus; therefore, there can not go back to the farmers from any source in this country the money in exchange for what they have, which would enable them to start the debt-paying process into operation and the buying process into operation.

BETTER THAN CHARITY.

If we could get our surplus cotton to the factories of Europe and our surplus food products to the peoples beyond the seas, we could start them to work with well-nourished bodies; we would stimulate their ability to make further purchases; we would help to make them normal again, and we would save ourselves from the necessity of sending to them, as objects of charity, our surplus to be distributed by the Red Cross next These peoples could have food, earned by their own effort, new clothing made by their own hands, their self-respect preserved, instead of eating the bread of charity and wearing the cast-off garments of other people, if we would but do that which it is possible for us to do. They do not need charity. They need the chance to work and to pay for what they get.

This is the situation and these are the possibilities which challenge us all to united, determined, immediate effort.

I speak, first, of the part of the Government, not because the part of the people is less than that of the Government, but because it is more self-evident. The Federal Government, through its diplomatic agencies and its Department of Commerce, should endeavor to procure, as far as possible, a preferential credit status for agricultural products, which may be sold on credit to rehabilitate the industries of Europe and keep vigorous the bodies of its people, and especially with regard to Germany and Austria, procure, if possible, an arrangement under which such credits shall rank ahead of reparation demands.

Second. There should be organized in this country a selling corporation provided with an initial revolving capital supplied by the Government, which corporation shall sell these agricultural products upon the best credit terms obtainable and good security, working in cooperation with the governmental agencies mentioned, and issuing its debentures, secured by this initial fund and the foreign obligations received for the sales made, paying for the agricultural products with the money of the initial fund and that received from the sale of these debentures.

I know that there is a growing opposition, and one in which I share, against the further extension of governmental activity; but this Government as a government is in the same situation as its people. As a government it is a creditor of Europe to the extent of many billions of dollars, and if it is to collect its debt it must in this emergency play the part of a good business man and help keep its debtor at work. A hundred million dollars advanced by the Government ought to facilitate directly at least a billion dollars of sale, and indirectly much more, with the certainty of increasing the ability of Europe to pay what it now owes and with little prospect of losing any of the hundred million dollars advanced.

I shall undertake, Mr. Chairman, to establish the economic and governmental soundness and the workability of that which I have suggested, and its advantage to the countries directly affected, to the peoples in need of food and clothing and of gainful work, to the allied Governments as governments, to the Central Powers, and to ourselves, who must get rid of this surplus.

A GRAVE SITUATION.

We must not deceive ourselves as to the gravity of the situa-tion which confronts us and the limitation which the possibilities impose upon purely domestic legislation and administration to remedy that stuation, and we must not deceive ourselves as to the world's condition and its needs. The importance of railroad rates, of fiscal policy, of our general domestic policy is not underestimated, but it is the present inability of European markets to absorb the surplus of our farm products, and especially in my section of our low-grade cotton, which at this time confronts agricultural America with the possibility of the ness is increasing everywhere. Economic paralysis is extending gravest crisis perhaps in its history. It is the inability of

Europe to purchase at a reasonable price the necessary raw materials to get its industries into operation which is retarding rehabilitation and the return to a normal condition there,

MUST SELL TO EUROPE.

Let us see what is the general situation. There is no lack of production in this country. There is no lack of world need for our surplus. The trouble is that Europe, due to an unprecedented calamity, has neither the cash nor the arranged credit We must therefore either continue to pile up to purchase. surplus or sell on credit. Our farmers are themselves in debt and need cash. But they can not get the cash with which to pay their debts merely by holding their surplus. Nor can Europe develop its ability to buy this surplus nor that which will be added thereto by the next harvest if the raw materials necessary to get its industries into operation are withheld. It does not matter whether we like this situation or not. the situation. It is a fact. It can not be gotten rid of by resolutions or by congressional oratory. Glittering generalities emanating from high places will not remove it. It is a business Legislation dealing with the purely domestic probproposition. lems of agriculture can not now bring relief. Our present chief acute difficulty centers in Europe's inability to buy and is not within the reach of any purely domestic policy, however wise. There is no use trying to deceive ourselves about that.

LET US FORGET POLITICS.

Now, please do not conclude, gentlemen, that I am trying, under the guise of this discussion, to raise the League of Nations issue, the tariff, or any other issue touching domestic policy. In everyday life when men have before them a number of different propositions upon one alone of which they can agree, they proceed to do the thing upon which they agree. It frequently occurs that in the doing of that one thing they arrive at a common basis for action with regard to others. In legislation we are too much disposed, if we agree upon a number of things but disagree as to some, to neglect those with regard to which we are in agreement and spend valuable time quarreling over those upon which we are in disagreement.

Let us forget the issues of the last campaign and close our eyes as to those, whatever they may be, which are developing for the next campaign and see if our experience and our common sense can not lead us to the adoption of a policy which will bring a large measure of definite relief to the farmers of this country and through them to the country at large.

I am not trying to embarrass the present administration. I am not thinking of politics. I am thinking of my distressed people with their surplus of cotton and other products on hand and another crop in process of production. I am thinking of the millions of European people who need what we have. I am thinking of a world disarranged and idle and drifting toward chaos, which needs above all else to be put to work, with bodies properly fed and clothed. When people are hungry and idle they do not think normally. Food and work will restore the world's peace quicker than armies can do it.

I believe that if we will work together ourselves and bring the Government, in the proper exercise of its power, into helpful cooperation with the people and bring ourselves into practical, helpful cooperation with our European customers, we can do business with them upon sound business principles and while helping them to get on their feet at the same time get rid of our accumulating surplus, which is becoming a liability rather than an asset, and put our idle people in the cities to work.

This is just a common-sense business proposition.

A BUSINESS PROPOSITION.

I used to have some clients engaged in the wholesale business. I was generally consulted not only as to purely legal questions, but also as to policy. When we had a customer who for any reason got into bad financial condition, especially if he was already indebted to us, and his business venture was inherently sound, we did everything possible to keep him going, provided, of course, there was a substantial chance under all the circumstances of his working out of his difficulty with our help. We wanted to get what he owed us, and we wanted to preserve his purchasing power for future sales, and we had, to a degree at least, the ordinary human, unselfish interest in him. That was good business. Good business rests upon business laws, It does not matter how big the proposition is, the laws of business remain the same. They are fixed and universal in their application. They apply to the European situation just as they do to the smallest private business in operation.

WORLD NOT BANKRUPT.

The world is not bankrupt. The staggering figures of indebtedness incurred, the materials used, the territory devastated, the loss of life resulting from the recent war, are most deceptive when considered in connection with an examination

into the world's ability to function-to "carry on," as the Englishman says. The vast debts of the world resulting from the war it owes to itself. They are largely figures-a matter of bookkeeping. Those figures are not totals which have been deducted by the war from the world's assets. Of course, the world has sustained losses by reason of the war. The world has lost in human productive energy, but it suffers now not so much from that loss as from the lack of utilization of the human energy now idle. The world has enough man power now, with the aid of modern machinery, to do all its necessary work. The war consumed of the world's timber material, but there is enough left for present human needs and more is growing. No lact of coal or the metals is responsible for the present acute situation. There was vast physical devastation, of course, but in a relatively small area. There is enough unutilized human energy in the world now to rebuild the devastated area resulting from the war within six months.

Generally speaking, the world's resources are intact. It is suffering from the disorganization resulting from an unusual and terrible catastrophe. It has a large indebtedness which it can not pay now and can not pay until it gets to work. By reason of the fact that these peoples can not command the new credit necessary to buy raw materials and take care of their current pay rolls, required to get their industries into operation, we are in distress, world wide. I am not so foolish as to imagine that anybody, much less myself, can suggest a practical plan by which the world's affairs can be entirely readjusted and the effects of this war wiped out in a short time. The physical and moral wounds of the war can not be quickly cured, but there are no insurmountable difficulties which stand bet the peoples of the world and an early industrial rehabilitation we will use our common sense and apply to the present situation a policy which we have learned from business experience is of practical utility. This is the time to act to save ourselves and save Europe.

The industries of Europe and the peoples of Europe are financially embarrassed not because their industries are inherently unprofitable. They are not in their situation because their distressed businesses were bad business ventures or had incompetent management or inefficient operative personnel. Their condition is temporary. They have been the victims of a terrible calamity. They are in the same situation as a railroad corporation operating in a normally profitable territory which, by some great physical misfortune, is deprived of its rolling stock, its track torn up, and it is rendered financially unable to pay its present debts or to command additional credit to get itself into operation again. Under such conditions we have learned from experience what to do; we have learned that the railroad can be kept in operation by the postponement of the payment of existing debts, which the railroad can not pay anyway, and by enabling it to get a new credit for operating expenses through the creation of a preferred indebtedness evidenced by receivership certificates, which hold a preferential status as against the old debts which the railroad corporation can not then pay. It is universally recognized that such an arrangement as this does no injustice to the old creditors, but on the contrary provides the only arrangement by which their prospect of payment can be preserved.

MUST SELL TO EUROPE OR HOLD SURPLUS.

I never advised a client to cut off a customer in the condition of our European customers. It would have been suicidal to have destroyed such an outlet for our goods and at the same time destroyed the possibility of collecting cur debts. helped such customers for our own sake as well as for theirs. We must help our former allies and help Germany. Germany must pay for her devastation, but I am not in favor of subjecting the German people to either political or industrial carpet-bagging. They must pay, but they must be given a chance to pay. Their condition is not what we would choose, but this situation is a fact, not dependent upon our choice. They are the best customers we have for much of our surplus production, especially our low-grade cotton, of which we have some millions of bales on hand now. We can make their situation better or worse, and it will be better or worse for us, de-pending upon which we do. It is rather interesting to note within what definite limitations big world problems hold the exercise of free choice by any particular nation or group of

Europe owes us billions of dollars now, and under normal conditions it takes hundreds of millions of dollars' worth of our surplus cotton alone. Here again we confront a situation, a fact, not a theory. Europe can not pay these billions now owing until it gets into normal industrial activity again, nor can it pay its other debts, nor can it pay cash for our current

surplus production.

Unless Europe can take that surplus, it lies unsold and unused in this country, a growing menace to us. We can not send our salesmen to Mars or to any other planet to sell what Europe has normally taken; nor can we find on the earth another customer who will purchase what Europe has heretofore taken. I refer particularly, but not exclusively, to Germany and Austria, the peoples obligated to pay indemnity. So we must sell to Europe or hold our surplus. That is all there is to it. Europe can not pay cash. We not only have the surplus, but we have the gold also. We must sell, if at all, on credit. That is just as plain as the nose on a man's face. It would neither be good business for us nor would it be humane to withhold our surplus from the peoples of Europe. Speaking practically, it can not be done. God has made some laws under the operation of which no people could do that sort of thing and "get by with it," as the expression goes.

MUST MARSHAL OUR RESOURCES.

As a matter of fact there is no good business reason why we should desire to do so. Europe needs and can buy and will eventually pay for our surplus, and again make us a good customer, if we will take full advantage of the possibility of the present situation—if we will marshal our resources of Gov-ernment and people and instead of wasting time in trying to learn some new way to proceed we will have the good sense

to use the knowledge which we possess.

For the purpose of emphasizing, I repeat that this Government as chief creditor and as the people's agent should undertake, through its diplomatic department and its Department of Commerce, to procure an arrangement as far as is possible under which those of its citizens who will furnish their agricultural products-the new credit-necessary to get into operation the industries of Europe, and especially those under the control of the Supreme Council and the Reparations Commission, which countries are in a sense under a general receivership, shall have a preferential status as against the old indebtedness, including those for indemnity. In other words, to procure on a large scale the same sort of arrangement in principle which experience has demonstrated is the quickest and safest and fairest way to keep an embarrassed debtor in gainful productive activity, so that his creditors in chief may eventually get their money, the public interest not suffer from reduced or suspended activity, and other activities not suffer from a suspended demand resulting from the suspended operations of the debtor. Whatever can be done in that direction will help, whether it be a preference in time of payment or in priority of security.

Mr. SANDERS of Indiana. What effect would that have upon the exchange between this country and the countries with

whom such arrangements would be made?

Mr. SUMNERS of Texas. It would have a fine effect on exchange. We would be selling on credit. There would be no immediate demand for gold from the countries to which we would be selling. We would put into operation their industries, and their products would go into the four corners of the world to bring gold back to the countries that need to be revived, and in turn part of that gold would come to this country. We are in an anomalous condition. We have the world's gold and we hold much of the world's surplus of raw materials. We are not suffering from poverty in this country; we are suffering from congestion. Down in the South we have millions of bales of cotton that we have produced, with another harvest coming on. My people will be ruined by agricultural prosperity, from the standpoint of production, unless we can open up the European markets.

SITUATION DIFFICULT BUT NOT IMPOSSIBLE.

I am not a "dreamer." I appreciate the difficulty. But this is what ought to be done. We have no right to say that because a thing is difficult we shall not undertake it. Our duty and our responsibility is measured by the best we can do.

It is not only necessary that Europe get these materials but that it get them at the lowest possible increase above that which our farmers receive. Anybody who sells in many of the European countries now realizes that he is taking a gambler's chance and charges a gambler's profits. He pays too little to the people from whom he buys or charges too much to the people to whom he sells. We talk about our duties. I say it is the highest duty to our own people and to the world now to get to the peoples of Central Europe and to the rest of the world who want to buy the raw materials that are piled up in this country now. We ought to be able to do it. They tell us the Allies would not agree to this. I am not willing to accept that as a fact. We were an important participant in the Great War. We are the great creditor nation of the world. The Allies owe us billions and billions of money. What is proposed is in the interest of the world. We have a right and owe the duty to have something to say about this matter. We ought to say it, and

support our position with the prestige and the power of the Nation. If we can sell our surplus agricultural products, we can be more indulgent toward the Allies with regard to what they owe to us.

We would merely be offering to sell the seed corn to plant the crop out of the harvest of which the Allies may alone hope They can not furnish the seed corn, nor can their to collect. debtors do it. All we would be asking would be that the seed corn, which we alone can furnish, either be paid for before the debtor in chief collects from the harvest or that we have a prior lien for the price of the seed. We ought to be able to consummate that sort of an arrangement. The doing of that is the Government's business. In the first place, this Government as a government is Europe's chief creditor and has the direct interest in Europe's quick rehabilitation. In the second place, the doing of that which is suggested is so important to all the people of this country and to all the peoples on the other side of the ocean, it so involves world interest and general policies, and is so difficult of accomplishment, that it would be foolish not to act through our common agency and our common representative in international affairs, our Federal Government, in trying to progress as far as is possible toward this consummation. It is for the doing of just such things as this that governments have been ordained among men.

HOW TO GET THE MONEY.

The next question is, How are we to get the money to enable our farmers to pay their debts? This proposition, which is related to the first, but not dependent upon it, except that the first would be a valuable facilitating agency, the two going together, is that there be created in this country an organization similar to the War Finance Corporation, but different in that it shall have to do only with sales of agricultural products, which shall cooperate closely with the Department of Commerce and with the Government's efforts to procure, in a large way, a preferential status for the new credit offered to be extended, and which shall make sales of farm products where sound security may be found, and issue and sell its debentures based upon an initial revolving fund provided by the Government and upon these European securities, and pay out the receipts from such sales of debentures for farm products disposed of.

Whatever corporation undertakes to facilitate agricultural sales ought not to be engaged in an effort to facilitate any other sort of credits or sales. Agriculture's problems are different; its turnover is different. It can not bid successfully against in-

dustry for credit.

When the War Finance Corporation was revived I urged that it be commissioned to devote itself exclusively to effecting sales of agricultural products. The bill, as reported by the Senate committee, did so provide, but, under what I believe has been demonstrated to have been a mistaken conception of the whole matter, that was changed by amendment.

THE GOVERNMENT'S DUTY.

The next question is, Why should the Government particularize, specialize, and in a measure concentrate its energies, with due regard to its general obligations and the limitations which they and sound governmental policy impose, upon an effort to open the European markets to our agricultural products? I want to answer that question from another angle than the

answer given by the observations already made.

Many times I have said in this Chamber that agriculture is to our industrial and business life what the root of the plant is to the plant; that when agriculture, the root, is not in a healthy condition, the plant above can not flourish. That fact is being demonstrated now. Everybody who understands our condition knows that in so far as our intranational business difficulties are concerned they originated with agriculture. The quick effect of agricultural depression upon all other business demonstrated the fact that agriculture in a large measure is our base business. There is the seat of the difficulty now. The great agricultural sections can not pay their debts nor buy what they need and would take from our factories, because they can not sell their surplus. They can not pay their debts, therefore idle men walk the streets of our industrial cities and great industries are embarrassed. Of course, all business and industries, including agriculture, are in a definite sense interrelated and interdependent, but no other business in this country is basic in the same sense that agriculture is. The prosperity of no other business so quickly carries prosperity to other businesses as does the prosperity of agriculture. The distress of no other business so quickly or so generally reflects itself in other business as does the distress of agriculture. It is not for agriculture alone that I appeal. I say concentrate there because there, in a large measure, is our danger and the source of our distress.

I have warned you gentlemen time and again that the economic weakness of agriculture is a menace to every dependent and to every other interrelated business in this country, that exactly that thing would happen, in the event of an unusual strain, which has happened. I have no disposition to say "I told you so." I only mention this with the hope that the recollection of that fact may give some weight now to what I am urging.

When the strain incident to the direct effect of and the reaction from the war came, we broke at the point held by agriculture. Why did that happen? We broke there because it was the weakest point. The break always occurs under a general strain at the point of greatest weakness and the place where the break occurs demonstrates where the weakest point was. Of course, no domestic policy could have entirely averted the present situation, but we are paying a penalty now for having failed of a constructive policy which would have given to agriculture greater economic strength, greater power to resist. That which could have been a gradual retirement to prewar conditions has resulted in a rout and all business has been swept into the confusion because agriculture crashed under the pressure.

AGRICULTURE THE BASIC BUSINESS.

When considered as a basic business, the relationship of the root of a plant to the rest of the plant illustrates the relationship which agriculture sustains to those businesses with regard to which it is the basic one. When considered in its other relationship to industry and business, the relationship of interdependence, it is as the weak section of a levee, or as the weakest part of a military line of defense. When the levee breaks at its weakest spot, and that is where it breaks, under general pressure, we do not consider it an act of favoritism to concentrate the common resources of materials in an effort to stop the crevasse through which the water is flowing and bringing distress to all the country protected by the levee. When the defensive line, under general pressure, gives way at its weakest spot, we do not consider it any favoritism to rush in reinforcements and stop the enemy there. No: we use common sense. When the root of the plant is not able to gather from its surroundings the elements necessary to give vigor and growth to the plant, we do not regard it as an evidence of special concession to the root to fertilize about it.

Having failed to adopt toward agriculture an economic and governmental policy when we could have done it deliberately and effectually, which would have given greater strength to stand against the present strain, it remains to be seen when we confront this agricultural crisis, which holds the possibilities of the gravest general consequences, whether we will now act energetically and with practical judgment, or just drift along until that which is threatened is upon us. I have appealed to the Secretary of Commerce, to the Secretary of State, to the President, and now to you. I have done my best to formulate and explain a definite policy carrying concrete suggestions. If they are not sound, point out wherein they are not sound. If any of you have plans which are better, bring them forward now. This is no time to "trim" and "hedge" or "pass the buck." With vigorous, whole-hearted, determined effort we can speed the rehabilitation of Europe and save ourselves, or we can go on resoluting, speculating, and orating until the disaster which is threatened becomes a reality.

The farmer is being smothered in his surplus crops. mains to be seen whether he is going to be provided with an export market now or a post-mortem later. That is a fact. That is the situation which challenges not to words of concern now and eloquent words of sympathy later, but to definite, determined effort to reach the definite objective which I have indi-I thank you, gentlemen, for your close attention, and with all the earnestness which I can command I appeal for definite action before we are called upon to pay a greater penalty for inaction than the present is imposing.

Mr. BLANTON. Mr. Chairman, I now renew the point of no quorum.

Mr. HAUGEN. Mr. Chairman, I yield 20 minutes to the gentleman from Nebraska [Mr. McLaughlin]

Mr. BLANTON. Mr. Chairman, I think the point of order comes before that.

The CHAIRMAN. The point of order is made that there is no quorum present. The Chair will count.

Mr. JACOWAY. Mr. Chairman, I want to ask the gentleman if he will not withhold his point for a while. Some gentlemen want to talk on the bill, and we hope to close debate to-day.

Mr. BLANTON. I withdraw the point.
The CHAIRMAN. The gentleman from Texas withdrews the point of no quorum, and the gentleman from Nebraska is recognized for 20 minutes.

Mr. McLAUGHLIN of Nebraska. Mr. Chairman, I first ask unanimous consent to revise and extend my remarks in the

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. McLAUGHLIN of Nebraska. Under the privilege I wish to print a resolution recently passed by the National Consumers' League of New York and also a brief resolution embracing recommendations of the committee of the National League of Women Voters. These are resolutions indorsing the work of the Federal Trade Commission, concerning which something has been said in the debate.

The resolutions referred to are as follows:

Resolution of the National Consumers' League, 44 East Twenty-third Street, New York, May 24, 1919.

Whereas the Federal Trade Commission is the object of renewed attack and is threatened with abolition or with the loss of important powers; and

Whereas the service rendered by this commission in keeping the light turned upon industry as it affects consumers is unique and valuable: Therefore be it

Resolved, That the National Consumers' League, at its executive committee meeting held in New York City on May 12, reaffirms its approval of the work hitherto done in the public interest by the Federal Trade Commission, and urges Congress to continue undiminished the present powers of the commission and to grant adequate appropriations for its

[Recommendations of the food supply and demand committee of the National League of Women Voters, Mrs. Edward P. Costigan, chair-man.]

man.]
The food supply and demand committee, as a result of its investigations, is convinced—
That the high cost of living is in large measure caused by unorganized and wasteful methods in the distribution and use of food;
That unfair manipulation and private control by large food organizations and combinations of markets and the facilities for trade and distribution are discouraging production and increasing prices to consumers; and
That our Nation is morally obligated to make it possible for nourishing food to be brought and kept within reach of every home, and especially all growing children.

Therefore the committee recommends:

NATIONAL PROGRAM,

1. The continued indorsement of prompt and effective legislation by Congress providing Federal regulation for the meat-packing industry.

2. The continued support of the Federal Trade Commission as a highly important governmental agency for the discovery and prevention of unfair trade practices.

Mr. McLAUGHLIN of Nebraska. Mr. Chairman and gentlemen of the committee, the bill now before us is the result of careful thought and deliberation growing out of more than three vears' exhaustive hearings on the packer question before the House and Senate Committees on Agriculture. Besides the thousands of pages of testimony resulting from these hearings, the committee had access to the printed reports of the Federal Trade Commission on the same subject. It is not necessary to recite here any portion of the hearings. Members have had abundant opportunity to inform themselves as to the facts alleged and the contentions that have been made.

The committee has agreed that constructive legislation is now necessary because of the practices that have been indulged in in the past by some of the large packers and stockyard com-panies, and because of the large holdings and tremendous volume of business transacted by the packers, all of which is of direct concern to the entire citizenship of the country, and also because of the fact that there has been a general feeling of apprehension and dissatisfaction, extending over a period of years, of the manner in which the industry is conducted.

It is not the thought of any member of the committee to cripple or harass legitimate business in any way. Everyone knows that there is a tremendous merit and service in the great distributing agency that has been built up by the packers and stockyard companies. Legislation should by all means help rather than hinder the fair and legitimate conduct of this business in the interest of all concerned. Everyone who has anything to do with the products handled from the producer to the consumer is entitled to just and proportionate consideration.

In considering this very important matter, one is inclined to be confronted with two conflicting lines of reasoning. First, the argument that constructive supervisory legislation should be enacted, based on the volume of testimony and information that has been placed at the disposal of the committee and the Con-Congress has decided that the railroads are of such public importance and transact such an immense volume of business that affects the welfare of the entire public that they are without question subject to Federal regulation.

The packers of the country transact even a larger volume of business annually than all of the railroads of the country combined, and it can hardly be said that the railroads, that carry the necessities of life, can be any more subject to regulation than corporations who prepare and distribute such necessities.

On the other hand there are those in Congress and out of Congress who, because of the great number of bureaus and commissions that were appointed during the war emergency, have become so prejudiced against Federal supervising agencies that they would blindly go to the opposite swing of the pendulum and advocate doing away with all regulation and supervision of every kind. Thoughtful men, however, surely realize that such a policy would result in great detriment to the people of our country in the present stage of our development. Even those engaged in the packing business, with but few exceptions, now agree that the sooner sane, supervisory legislation is passed by Congress the better it will be for all concerned. Such was in substance the testimony of Thomas Wilson of the Wilson Packing Co., before the committee.

While there was a difference of opinion among members of the committee as to the most satisfactory and most effective place to lodge the supervisory authority, some favoring the Federal Trade Commission, others favoring a special commission, and a majority favoring the Secretary of Agriculture, the Secretary of Agriculture was finally agreed upon mainly because of the fact that the department now has in the Bureau of Markets, the Bureau of Animal Industry, and the Pure Food Inspection Department scores of employees on the ground at the several market centers who can be of material assistance to the Secretary in gathering the information needed to insure intelligent action by him in exercising his supervisory relationship. In other words, it is the thought of the committee that the lodging of the supervisory power with the Secretary of Agriculture will make for both economy and efficiency.

Without taking too much of the committee's time, I wish to call your attention to one argument that was made in the recent hearings on the part of several witnesses, namely, that the present retail prices were due to the action of the retailers and not to the wholesalers. To use a slang expression, there seems to be a general tendency to "pass the buck."

In order to show that present prices are not wholly due to the influence of the retailer or the wholesaler but that possibly both are in a degree responsible, I have gathered from the National Provisioner, published by the Institute of American Meat Packers, comparative figures showing the wholesale prices of hogs and cattle in February, 1916, before the war, and April, 1921. I shall read only a portion of these figures but shall insert all of them in the Record for the information of the committee.

Mr. DUNBAR. Will the gentleman please tell us some of these figures?

Mr. McLAUGHLIN of Nebraska. I will give them to you.

The second week in April, 1921, the average price of cattle on hoof in the Chicago market had fallen to \$8.25 a hundred. This is the same price at which they sold the first week in February, 1916. The first week in February, 1914, the average price was \$8.30. So live cattle may be said to have returned to the prewar level.

Let us see to what extent packers gave the public the benefit of this return to former levels by making a comparison between their wholesale prices the first week in February, 1916, and the second week in April, 1921. All prices given are quotations from the National Provisioner.

Comparison between wholesale prices first week in February, 1916, and second week in April, 1921.

CARCASS BEEF, CHICAGO.

	February, 1916.	April, 1921.	Advance.	Per cent.
Prime native steers. Good native steers. Medium steers. Helfers. Cows. Choice hindquarters. Choice forequarters.	12.50	\$48.00 16.50 15.00 14.50 12.50 25.00 13.00	\$3.50 2.75 2.50 4.00 2.75 9.00 2.00	24, 2 20 20 38, 1 28, 2 56, 2 18, 2
BREF CUTS,	CHICAGO.		a puis vit	
Steer loins No. 1. Steer loins No. 2. Short steer loins No. I. Short steer loins No. 2. Cow loins. Cow short loins. Steer loins ends (hips) Cow loins ends (hips). Sirloin butts No. 3.	31. 50 24. 00 12. 50 19. 00 18. 00	\$32.00 30.00 39.00 36.00 23.00 29.50 28.00 19.00 28.00	\$8.60 12.00 7.50 12.00 10.50 10.50 10.00 5.00 13.50	33, 3 66, 7 23, 8 50 84 55, 3 55, 5 35, 7 93, 1

Comparison between wholesale prices first week in February, 1916, and second week in April, 1921—Continued.

BEEF CUTS, CHICAGO -- continued.

	February, 1916.	April, 1921.	Advance.	Per cent.
Strip loins No. 3.	\$12.00	\$22,00	\$10.00	83, 3
Steer ribs No. I	16, 50	23.00	6.50	39.4
Steer ribs No. 2.	15.00	21.00	6,00	40
Cow ribs No. 1.	13.00	20,00	7.00	53.8
Cow ribs No. 2	12.00	18.00	6.00 7.00	50. 70
Cow ribs No. 3	13.50	25, 00	11, 50	85.2
Steer rounds No. 1	11.50	17.00	5, 50	47.8
Steer rounds No. 2.	11.00	16, 00	5,00	45.4
Cow rounds	9.00	14, 50	5, 50	61.1
Flank steak	14, 50	25, 00	10, 50	77
Rump butts		29, 00	17, 00	141.7
Steer chucks No. 1	9, 50	11.00	1,50	15.8
Steer chucks No. 2	9,00	9, 00	21.00	
Cow chueks	7.75	9.00	1, 25	16, 1
Boneless chucks	9.00	10, 25	1.25	13.9
Steer plates		9,00	1.00	12.5
Medium plates	7.50	7.00	1,50	16.7
Briskets No. 1	10.00	20.00	10.00	100
Briskets No. 2.		15,00	6,00	66
Shoulder clods		18,00	5, 50	44.4
Steer navel ends	7.00	5.50	11.50	121.4
Cow navel ends		4.75	11.75	26.9
Fore shanks	6.50	7.00	.50	7.7
Hind shanks.	5.50	6.00	.50	9.1
Hanging tenderloins,	12.00	14.00	2.00	16.6 29.4
Trimmings	8.30	11.00	2,50	20.4
EDIBLE BEEF O	FFAL, CHICA	GO.		
Brains.	\$0.051	\$0.10	\$0.043	90.5
Hearts	.051	.053	.01	4.4
Tengues	.17	.30	.13	76. 5
Sweetbreads		. 284	.09	46.2
Oxtails.		.091	.01	11.8
Tripe, plain	-045	.04	1.003	111.1
Tripe, honeycomb		.05	1.004	19
Livers	.06	.10	.04	66.7

1 Decline.

New York—Packers' wholesale western-beef prices per pound.
WESTERN DRESSED BEEF.

WESTERN DR	ESSED REI	iP.	11,588	
	February, 1916.	April, 1921.	Advance.	Per cent.
Choice western heavy carcasses. Choice western light carcasses. Common to fair Texas carcasses. Good to choice heifer carcasses. Common to fair heifer carcasses. Choice cow carcasses. Common to fair cow carcasses. Fleshy bologna bull carcasses.	\$0.11 .10½ .10 .12 .10 .10 .10 .09½ .10½	\$0. 18½ .17½ .16½ .17% .17% .17% .15½ .14½ .12	\$0.07½ .06½ .06½ .05½ .07½ .05½ .05	65. 9 64. 3 67. 5 47. 9 72. 5 55. 0 51. 6 18. 5
WESTERN E	EEF CUTS.	тке		Mary R
No. 1 ribs	\$0.16	\$0.25	\$0.09	56.2

	10.00			
No. 1 ribs	\$0.16	\$0.25	\$0.09	56.2
No. 2 ribs	.141	. 17	.024	17.2
No. 3 ribs.	. 121	.12	1.00%	14.0
No. 1 loins.	16	. 29	. 13	81.5
No. 2 lains	.144	.20	.05%	37. 9
No. 3 loins	.12	.124	.004	4.5
No. 1 hinds and ribs	.15	.24	.09	60.0
No. 2 hinds and ribs	.13	.224	.094	73.
No. 3 hinds and ribs	.12	.19	.07	58.
No. 1 rounds	.11	.15	.04	36.
No. 2 rounds	.10%	.111	.01	9.
No. 3 rounds	.00%	.11	.014	15.
No. I chucks	.10	.12	.02	20, (
No. 2 chucks	.09	.08	1,01	111.
No. 3 chucks	.081	.06	7,021	129.4

EDIBLE BEE	F OFFAL.			
Fresh steer tongues trimmed. Sweetbreads. Beef kidneys Beef livers. Oxtails. Beef hearts Beef nearts Beef renderloins	\$0.121 .271 .12 .12 .12 .091 .071 .30 .30	\$0.30 .60 .16 .20 .15 .06 .22½ .50	\$0.17½ .32½ .03 .08 .05½ 1.01½ 1.07½ .20	144.9 118.2 33.3 66.7 57.9 120.0 125.0 66.7

1 Decline.

Mr. DUNBAR. What price did the packers sell their meat for when they were purchasing animals at \$14 on the hoof?
Mr. McLAUGHLIN of Nebraska. I will get to that a little

Mr. McLAUGHLIN of Nebraska. I will get to that a little later, and if I should forget, the gentleman will please remind me of it. Now, I have here cattle for the New York and Chicago markets.

Totaling it and striking an average, you will find that while in February, 1916, and April, 1921, the price of cattle on foot at Chicago was the same-in other words, that in April, 1921, we had returned to the prewar rates as to price of cattle on foot-the wholesale price of beef and beef products, taken from the National Provisioner, was 52.6 per cent higher in 1921 than in 1916.

Mr. MADDEN. Will the gentleman yield for a question? Mr. McLAUGHLIN of Nebraska. I will.

Mr. MADDEN. The gentleman must take into consideration, however, the fact that wages paid in the preparation of those

meats were 100 per cent higher.

Mr. McLAUGHLIN of Nebraska. I anticipated the gentleman would raise that question, and I am coming to that very shortly. I want to be absolutely fair. Now, let us take up the question of hogs.

#### HOGS AND PORK-PRODUCT PRICES.

The last time before this spring that hogs sold below \$8 a hundred, Chicago average, was the first week in February, 1916, when the price was \$7.90. April 25, 1921, Chicago average price of hogs fell to \$7.85. Comparative prices of hog products, taken from National Provisioner, issues of February 12, 1916, and April 30, 1921, are as follows (prices in cents per pound):

Fresh pork products, Chicago.

	Febru- ary, 1916.	April, 1921.	Ad- vance.	Per cent ad- vance.	De- cline.	Per cent de- cline.
Whole dressed hogs	\$0, 10}	\$0, 14	\$0,033	36, 6		
Pork loins	.123	.24	.115	92		
Leaf lard	.101	.10			\$0.001	4.8
Tenderloins	.23	.65	.42	182.6	00.002	3.0
Spareribs	.084	.09	.00%	5.9		
	.111	.14	.024	21.7	*******	
	.08	.13	05	62.5	*******	
HocksTrimmings	.08	.074	w	02. 0	001	8.5
			******	******	.001	8,2
Extra lean trimmings	.13	.13	*******			******
Tails	.071	.08	.001	6.7		
Snouts	.05	.041		*******	.00}	10
Pigs feet	.031	.04	.001	14.3		
Pigs heads	.06	.06				
Blade bones	.09	.09				
Blade meat	.09	.12	.03	33.3		
Check meat	.08	.08			.02	25
Hog livers	.034	.05	.013	53, 8		
Neck bones	.033	.04	.00%	14.3	0.0000000000000000000000000000000000000	
kinned shoulders	.101	.13	.021	23, 8		
Pork hearts	.06	.05			.01	16.
ork kidneys	.054	.06	.001	9	200	
Pork tongues	.13	.12	.001		.01	7.1
Cail bones.	.053	.09	.034	63.6	.04	
Brains.	.051	.12	.061	118.2	1886	******
Backfat	.10	.12	.02	20		******
	.154	.25	.02	61.3		
		.15				
Calas	.101		.041	42.9		
Bellies	.14	.18	.04	28.6		

# Manufactured pork products.

	February, 1916.	April, 1921.	Advance.	Per cent advance.
Skinned hams. Calas, 4-6 pounds average. Calas, 6-12 pounds average. New York shoulders, 8-12 average	\$0.19\} .11\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	\$0.31\frac{1}{2} .16\frac{1}{2} .15\frac{1}{2} .18\frac{1}{2}	\$0.12 .05} .04} .05	61. 4 46. 6 38. 6 37. 0
Breakfast bacon, fancy Bacon, 3-4 pounds average. Regular boiled hams. Boiled calas		.411 .281 .41 .30	. 17½ .12½ . 16½ .12 .12	75. 5 76. 6 67. 3 66. 7
Cooked loin rolls	.28	.49	.21	75. 0 66. 7

SAUSAGE	ITEMS,	CHICAGO.

Columbia, cloth bologna	\$0.10	\$0.151	\$0.051	55.
Bologna, large, long, round	.10	.141	.044	45.
Choice bologna	.11	.154	.044	40.9
Frankfurters	.12	.21	-09	75.
Minced sausage	.11	.176	.064	59.1
New England sausage	. 154	.16	.001	3. 2
		.184	.03	19.3
Luncheon sausage				
Berliner sausage	.12	. 181	.061	54. 2
Oxford butts	. 21	. 33	.12	57.1
Polish sausage	.111	.17	.051	47.8
Garlic sausage	.11	.15	.04	36. 4
Country smoked sansage	.124	.18	.051	46. 9
Pork sausage, bulk	.17			
Pork sausage, short link		.19	. 02	11.8
	.111	.21	.091	82.6
Luncheon roll	.12	.17	.05	41.7
Delicatessen loaf	.124	.18	.054	44.4
Italian salami (summer sausage)	. 254	. 44	.184	72.5
Holstein (summer sausage)	. 164	.25	.081	51.5
Farmer (summer sausage)	. 20%	.36	. 155	75. 6

New York-Packers' wholesale western pork prices

CUTS.			
Febru- ary, 1916.	April, 1921.	Advance.	Per cent advance.
\$0.14 .25 .22 .12 .13 .15 .11½	\$0.27 .60 .60 .16½ .19½ .26 .14	\$0.13 .35 .38 .041 .061 .11	92. 8 140 172. 7 37. 5 48. 1 73. 3 26. 1
\$0.16	\$0.281	\$0.121	78.1
$\begin{array}{c} .16\frac{1}{2} \\ .12 \\ .11\frac{1}{4} \\ .12\frac{1}{2} \\ .15 \end{array}$	. 264 . 15½ . 14½ . 17½ . 24½	.10 .03½ .03 .05 .09½	60. 6 21. 2 26. 1 40 63. 3
	February, 1916.  \$0.14 25 22 12 13 15 11½  CUTS.  \$0.16 16½ 12 11½ 12 11½	February, 1916. April, 1921.  \$0.14 \$0.27 .25 .60 .22 .60 .12 .16½ .13 .19½ .15 .26 .11½ .14  CUTS.  \$0.16 \$0.28½ .16½ .20½ .12 .16½ .12 .16½ .12 .16½ .12 .16½ .12 .16½ .12 .16½ .12 .16½ .12 .16½ .11½ .14½	February, 1916.   April, 1921.   Advance.

Average of 1921 over 1916, 52.9 per cent

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. McLAUGHLIN of Nebraska. Yes.

Mr. JOHNSON of Mississippi. How does this law remedy the

situation, or how will it remedy the situation?

Mr. McLAUGHLIN of Nebraska. Oh, well, now if this bill becomes law, it will be the duty of the Secretary of Agriculture to exercise supervisory authority over the entire industry, and when unfair practices are discovered anywhere along the line it will be his duty to correct them, of course.

Mr. JOHNSON of Mississippi. Is he given authority here

to take away the permits from these people and suspend opera-

tions when they are forcing prices down?

Mr. McLAUGHLIN of Nebraska. He is given authority to make orders in any individual case when he discovers that there are some practices which are wrong.

Mr. JOHNSON of Mississippi. And suspend that operation? Mr. McLAUGHLIN of Nebraska. That particular operation,

subject, of course, to appeal to the court.

Mr. JOHNSON of Mississippi. I want to ask the gentleman We are paying 65 cents a pound for loin steaks out at this market on Fourteenth Street, the Arcade Market. Is there anything in this bill here which will tend to regulate the retail business?

Mr. McLAUGHLIN of Nebraska. No, sir. Mr. JOHNSON of Mississippi. The gentleman may have misunderstood my question-to regulate the packers so that it will affect the retailers in a way that the consumers will secure benefit from it. It is an outrage that we have to pay 65 cents a pound for meat we buy every day out here.

Mr. McLAUGHLIN of Nebraska. I shall have something to

say later on with respect to retailers.

Mr. JOHNSON of Mississippi. Is there something in this

Mr. McLAUGHLIN of Nebraska. This bill has nothing to do with the retailers, nothing whatever.

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. McLAUGHLIN of Nebraska. I will. Mr. SANDERS of Indiana. If it will not interrupt the gentleman too much, do I understand it is the purpose of this bill to regulate the price charged by the packer?

Mr. McLAUGHLIN of Nebraska. Oh, no.

Mr. SANDERS of Indiana. I wanted to be clear about it. It is my understanding they did not regulate prices.

Mr. McLAUGHLIN of Nebraska. I was simply giving these

figures because it was stated in our hearing that the price of the packers had come down and there was no need for any regu-

lation along any line.

Mr. SANDERS of Indiana. I agree with the proposition that prices should not and could not well be regulated, but I thought the gentleman's answer to the gentleman from Mississippi [Mr. Johnson] might have been a little misleading.

Mr. DUNBAR. Will the gentleman yield?

Mr. McLAUGHLIN of Nebraska. Just for a question.

Mr. DUNBAR. For a few observations regarding the remarks made by the gentleman from Mississippi. I will state that you can go down to the Chesapeake Bay and buy oysters at 40 cents a bushel. You can go down on the docks and buy them for \$1.50 a bushel. When you shuck those oysters you obtain a gallon of oysters, yet when you go to a dairy restaurant and purchase oysters they charge you 40 cents for a half a dozen.

Mr. McLAUGHLIN of Nebraska. Yes.

Mr. DUNBAR. Now, you are attempting to regulate the packers. Does not the gentleman think that the bill then would be applicable to regulate those who in the District of Columbia deal in oysters; and if so, how would the gentleman solve the problem?

Mr. McLAUGHLIN of Nebraska. Of course, this bill is not intended to deal with that subject, and there has been so much foreign matter already brought into this discussion that I do

not care to discuss it-

Mr. JOHNSON of Mississippi. I trust the gentleman does not interpret my question as being foreign matter. It is a condition that exists in this District which flows directly from the packers of this country undertaking to regulate articles which come down through the retailer to the consumer. The gentleman does not understand my question to be a foreign question?

Mr. McLAUGHLIN of Nebraska. It is foreign in this particular, that this bill has nothing to do with the retailer, and was never intended to have anything to do with him. If such legislation is contemplated, it should be entirely outside of

this bill.

Mr. JOHNSON of Mississippi. It is generally noised about the House this afternoon that the packers are in favor of the What about that? I have heard some gentlemen say they have discussed it with them, and they say it is a good thing; that they have got to have something to satisfy the people, and therefore let them have this. Does the gentleman know anything about that?

Mr. McLAUGHLIN of Nebraska. I know that this bill is not what the packers want. They do not want any legisla-

Mr. JOHNSON of Mississippi. Would they regard this as very harmful to their interests?

Mr. McLAUGHLIN of Nebraska. I can not say as to that. I do not think anybody wants legislation to be harmful to the legitimate interests of anybody.

Mr. JOHNSON of Mississippi. But to the illegitimate inter-

ests, then?

Mr. McLAUGHLIN of Nebraska. Yes. This bill will certainly take care of evil and illegitimate practices, in my judg-

Mr. HUDSPETH. I want to state to the gentleman that if I understand this bill, if it has any power at all, it puts in the hands of the Secretary of Agriculture power in preventing combinations putting up prices of meat on the hoof. Is not

Mr. McLAUGHLIN of Nebraska. And the same thing as to selling the finished products. In either buying or selling, it

applies.

Mr. HUDSPETH. The wholesale prices? Mr. McLAUGHLIN of Nebraska. Yes.

Mr. HUDSPETH. Of course, it could not affect the retailer.

Mr. McLAUGHLIN of Nebraska. No.

Mr. HUDSPETH. You have given the prices of cattle in 1916 and 1919. Does the gentleman contend that the price of mutton in April, 1921, was lower than it was in January of

The CHAIRMAN. The time of the gentleman from Nebraska

has expired.

Mr. McLAUGHLIN of Nebraska. I would like to have 10 minutes more.

I yield five minutes more to the gentleman. Mr. HAUGEN.

Mr. McLAUGHLIN of Nebraska. I did not gather the figures for sheep. I will say to the gentleman that I believe the same figures for sheep would be even more startling than those for hogs and cattle.

Mr. HUDSPETH. I will state to the gentleman that I am sorry he did not, because we got a good deal less for our mutton

in Texas in April of 1921 than in January of 1916.

Mr. McLAUGHLIN of Nebraska. The figures show that while the prices of hogs on foot had fallen in 1921 to the prewar level, the packers were receiving for their products 52.9 more in April, 1921, than they were in 1916.

Now, with reference to the statement of the gentleman from

It has been argued by some that the grounds afforded the packers for present wholesale prices are warranted because of the decrease in the value of by-products. In other words, that in order to play even on the entire business more must be charged for the meat in order to make up for the loss on by-products, but an investigation of this contention reveals the fact that present prices of meat are unwarranted, even taking into account the low prices received for by-products. For example, hides were about 22 cents a pound in February, 1916, and 12 cents in 1921. Take a 60-pound hide from a 1,000-pound steer and the packer would get \$6 less for it now. Spread this \$6 over the dressed

weight of 550 pounds and it would amount to about 12 cents a pound and would justify that much advance on the price of the beef, but not more.

The advance in rates to the Atlantic seaboard, which is longer than the average haul, is less than half a cent a pound between these periods. Add this one-half cent to the one and one-eighth cents and we have one and five-eighths cents. The labor cost, in spite of the reduction of last March, is still somewhat higher than in 1916. To be liberal, add three-eighths of a cent to the one and five-eighths cents for increased labor costs and we have two cents a pound above 1916 prices justified by these three items. The entire labor cost does not add more than a cent a pound to the cost of the meat. The packers have repeatedly said that of their cost of sales 85 per cent is accounted for by what they pay for the live stock.

It has also been contended before the committee that the prices paid by the consumers are due wholly to the fact that retailers have insisted on keeping their prices on the war-time basis, notwithstanding the fact that wholesalers have materially reduced their prices. While I hold no brief for the retailers or anybody else, it is only fair to say that retail prices have been constantly dropping since the war level was reached and are dropping every

day at the present time.

As an illustration of this fact, I call to your attention a recent scale of prices by one of the large grocery concerns of this city, which was published in the Post under date of April 16, 1921. The comparative prices on 33 items show that the average price charged by this particular retail concern, which, as I judge, is a fair basis on which to interpret the "eduction of similar business concerns, is but a little more than half now what it was during the war level. The 33 items are as follows:

Item.	War- time peak.	One year ago.	To-day.
No. 2½ can peaches No. 2½ can pineapple No. 2 can beans (Campbell's) No. 2 can beans (Campbell's) No. 2 can Blue Ridge corn No. 2 can Silver label peas No. 3 can tomatoes No. 1 can chum salmon 1 pound cheese 1 pound coffee (Green Bag) 1 pound navy beans 1 pound lima beans 12 pounds corn meal 1 peck potatoes (old)	.125 .15 .15 .20 .16 .45 .47 .17	\$0.35 .45 .12 .124 .125 .125 .15 .14 .39 .39 .08 .12 .56	\$0.20 .32 .127 .10 .10 .10 .10 .10 .24 .25 .06 .09
l package oats (Sanifary). 1 sack Gold Medal flour (24 pounds). 1 pound 50-60 prunes. No. 2 can Del Monte jam 1 pound butter (Sanifary). 1 dozen eggs. 1 pound lard 1 pound compound. 1 can, tall, Borden's milk. 1 pound peanut butter 1 pound Blue Rose rice. 10 pounds Karo syrup. 4 cakes Star soap 2 pounds granulated sugar. 1 pound oleomargarine. 1 pound Crisco.	. 13 2. 10 . 25 . 40 . 75 . 69 . 39 . 33 . 16 . 27 . 18 . 85 . 32 . 52 . 43	. 12 2. 10 . 22 . 38 . 70 . 45 . 23 . 26 . 12 . 12 . 17 . 85 . 32 . 48 . 35 . 35 . 28	.08] 1.35 -17 -25 -43 -30 -12] -10 -12] -05 -63 -25 -15 -22]
1 piece shoulder (weight, 4 pounds)	1. 40 .15	1.12 .05	7. 49

It will be noted that the value of these 33 items during war time was \$14.08. Their value one year ago was \$12.03, while their value at the present time is only \$7.49. To put it in percentages, the prices charged to-day are 47 per cent less than those charged during war time and 38 per cent less than the prices charged a year ago. Reduced to the basis of the pur-chasing power of a dollar, 53 cents now buys what a dollar would buy during the war and 62 cents buys what a dollar bought one year ago. When these retail prices are compared with the reduction made by the wholesalers on their products it will show a larger proportionate reduction on the part of the retailers than has been put into effect by the wholesalers.

Mr. JOHNSON of Mississippi. I want to say that there is not a word of truth in the Post statement. Here is a pair of shoes that I bought two weeks ago from the Stetson Shoe Co., on F Street, for \$13.50. In my home market, where thousands of head of cattle are sold every few months, or offered for sale, you can not get any price at all for hides to-day, but the Stetson Shoe Co. have not reduced their price 10 cents in the last five years. I give the place, name, and date in order that anyone interested can make an investigation. It is the Stetson Shoe Co., on F Street, in the District of Columbia.

Mr. McLAUGHLIN of Nebraska. In the figures that I have given I have not said anything about shoes. The Post report the gentleman refers to may or may not be true, but the figures to which I call attention are true, for I have verified them.

The CHAIRMAN. The time of the gentleman has again ex-

pired.

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman five minutes more.

Mr. FOCHT. Will the gentleman yield? Mr. McLAUGHLIN of Nebraska. I will.

Mr. FOCHT. As to the statement made there, does that apply to the cuts of beef we buy in the market, and cuts of pork, and of mutten and of lamb, that you say are 40 per cent less now than during the war time?

Mr. McLAUGHLIN of Nebraska. The figures I have put in this last statement are prices on 33 items applying mostly to groceries, but butter, milk, lard, shoulders, and so forth, are

included. It does not apply to fresh meat.

Mr. FOCHT. I understood the complaint, especially from the Southwest, is due to the low price of live stock in the Chicago market. In going through the Chicago market I do not understand how they add 300 or 400 per cent to the cost of them, how this packing institution is such a beneficent organization, where they refine a steer into something so delectable for the table that they want to charge 60 cents a pound for it down at the market, where they pay only 3 or 4 cents for it in the State of Nebraska. May we have an explanation of that?

Mr. McLAUGHLIN of Nebraska. I will say to the gentle-

nan-

Mr. FOCHT. I am talking of what I practically experience. Mr. McLAUGHLIN of Nebraska. What the gentleman is talking about is the very thing we are attempting to get relief from through this legislation.

through this legislation.
Mr. FOCHT. Does the gentleman think he will accomplish it?
Mr. McLAUGHLIN of Nebraska. I think we will go a little
way toward accomplishing it. Now, Mr. Chairman, further:
During the recent hearings held by the committee, Mr. Everett

C. Brown, chairman of the National Live Stock Exchange, Union Stock Yards, Chicago, asserted that the present prices paid by the consumers were due entirely to the refusal of the retailers to drop from war-time prices. On page 281 of the hearings, Mr. Brown said:

Governmental figures will show you gentlemen conclusively that wholesale meat prices have followed the downward trend of live-stock prices, so that to-day the retailer can and does buy his meats at wholesale at practically prewar prices. Have any of you gentlemen been able to buy your meats at retail at prices anywhere near the prewar basis?

In considering Mr. Brown's statement it might be well to notice first the fact that all of the large hotels of the country, as well as the entire dining-car service of the railroads, buy their meats as well as other produce at wholesale, and the prices charged at hotels and in dining cars can not by any means be charged up to the retailers, but the statement of Mr. Brown that wholesale meat prices have dropped to a prewar basis is not substantiated by the facts. The National Provisioner, which is the organ of the Institute of American Meat Packers, as before stated, in the number of April 26, 1919, gives the average price of cattle on foot as \$15.85. The same paper for the corresponding week of April, 1921, gives the price of cattle on foot as \$8.25, or \$7.60 lower. That is to say, the packers paid for cattle on foot in 1919 92 per cent more than they did in 1921. I shall place in the RECORD the wholesale prices of beef and beef products as contained in the National Provisioner of April 26, 1919. Totaling these figures and comparing them with the 1921 figures, to which I have already called your attention, it is ascertained that the wholesale price of beef and beef products has dropped 33.6 per cent in April, 1921, as compared with April, 1919. That is to say, while the packers paid on foot in 1919 92 per cent more than they did in 1921, yet their wholesale prices in 1921 have only dropped 33.6 per cent as compared with the same week of 1919.

Now, as to hogs, the same number of the Provisioner gives the average price of hogs on April 26, 1919, as \$20.45, while the price for the corresponding week in 1921 was \$7.85, or a reduction of \$12.60 a hundred. Carrying out the same comparison as in cattle, the price of hogs in 1919 was 160 per cent higher than in 1921, but the wholesale price of pork and pork products, as shown by the figures I shall place in the Record, taken also from the National Provisioner, shows that the average wholesale price of pork and pork products had only dropped 30.8 per cent in April, 1921, as compared with April, 1919. That is to say, that while the packers paid for hogs on foot 160 per cent more in 1919 than they did in 1921, the wholesale price of pork and pork products had dropped in April, 1921, to only 30.8 per cent less than the price charged in 1919.

The detailed figures from which the above percentages were obtained are taken from the National Provisioner and read as follows:

[From the National Provisioner.] CARCASS BEEF, CHICAGO, APR. 26, 1919.

ACC BONGE	dweight.
Prime native steer	\$28, 00
Good native steerMedium native steer	25. 90 22. 00
Heifers	24.00
Corre	22 00
Chaica hind anarters	33. 00
Choice fore quarters	21.00
Steer loins No. 1 Steer loins No. 2 Short steer loins No. 1 Short steer loins No. 2 Steer loin ends (hip)	47 50
Steer loins No. 2	39. 50
Short steer loins No. 1	63. 50
Short steer loins No. 2	52, 50
Cow short loins	42 50
Cow short loins Cow loin ends (hips) Cow loins Sirioin butts No. 3 Strip loins No. 3 Steep ribs No. 1	27. 00
Cow loins	34, 50
Strio Loing No. 3	35, 00
Strip loins No. 3. Steer ribs No. 1. Steer ribs No. 2. Cow ribs No. 1. Cow ribs No. 2.	40.00
Steer ribs No. 2	34, 00
Cow ribs No. 1	32. 50
Cow ribs No. 2	20, 50
Rolls	21.50 30.00
Rolls Steer rounds No. 1Steer rounds No. 2	27, 50 26, 50
Steer rounds No. 2	26, 50 21, 50
Cow rounds	30. 00
Rumn butts	20 00
Steer chucks No. 1Steer chucks No. 2	21. 00 20. 00
Cow chucks	18.00
Cow chucks Boneless chucks	19. 00
Stoop plates	18 50
Briskets No. 1	17. 00 20, 00
Medium plates Briskets No. 1 Briskets No. 2	17. 00 24. 00
Shoulder clods	24 00
Steer navel ends	18, 50 15, 50
Fore shanks	10, 00
Hind shanks Hanging tenderloins	8. 50
Hanging tenderloins	20.00
Trimmings	17. 00
EDIBLE BEEF OFFAL.	
Brains Po	er pound.
Hearts	
HeartsTongues	. 24
Sweethreads	33
Ox Blif	
Fresh tripe plain	. 101
Fresh tripe, plainFresh tripe, honeycomb	. 10½ . 07 . 10
Livers	.101 .07 .10 .08
FRESH PORK PRODUCTS, CHICAGO,	. 08
FRESH PORK PRODUCTS, CHICAGO.	. 08
FRESH PORK PRODUCTS, CHICAGO.	. 26
Dressed hogs Pork leins Leaf lard	. 08 . 26 . 32 . 32
Dressed hogs Pork loins Leaf lard Tenderloins Spareribs	. 08 . 26 . 32 . 32 . 50 . 19
Dressed hogs Pork loins Leaf lard Tenderloins Spareribs Butts	. 08 . 26 . 32 . 32 . 50 . 19 . 29
Dressed hogs Perk leins Leaf lard Tenderleins Spareribs Butts Hocks	.08 .26 .324 .32 .50 .19 .29
Presh Pork Products, Chicago.  Dressed hogs Pork leins Leaf lard Tenderloins Spareribs Butts Hocks	.08 .26 .324 .32 .50 .19 .29
Dressed hogs Perk leins Leaf lard Tenderioins Spareribs Butts Hocks Trimmings Extra lean trimmings	. 26 . 32½ . 32 . 50 . 19 . 29 . 17 . 23 . 28 . 13
Dressed hogs Perk leins Perk lein	. 26 . 32 . 32 . 50 . 19 . 17 . 23 . 28 . 13 . 09å
Dressed hogs Pork loins Leaf lard Tenderloins Spareribs Butts Hocks Trimmings Extra lean trimmings Tails Snouts	. 26 . 32 . 32 . 50 . 19 . 17 . 23 . 28 . 13 . 09å
Dressed hogs Perk leins Leaf lard Penderleins Spareribs Butts Hocks Primmings Frails Snouts Pigs' feet Pigs' heads Blade bones	.08 .26 .32 .32 .50 .19 .29 .17 .23 .28 .09 .13
Dressed hogs Perk leins Leaf lard Penderleins Spareribs Butts Hocks Primmings Frails Snouts Pigs' feet Pigs' heads Blade bones	.08 .26 .32 .50 .19 .29 .17 .23 .09 .14 .09 .14
Dressed hogs Pork leins Leaf lard Penderloins Spareribs Butts Hocks Frimmings Extra lean trimmings Fails Snouts Pigs' feet Pigs' heads Blade bones Blade meat Cheek meat	. 08 . 26 . 32 . 32 . 50 . 19 . 29 . 17 . 23 . 28 . 09 . 14 . 09 . 16 . 14
Dressed hogs Pork leins Leaf lard Penderleins Spareribs Butts Hocks Crimmings Extra lean trimmings Fails Snouts Pigs' feet Pigs' heads Slade bones Blade meat Cheek meat Hog livers	.08 .26 .32 .32 .32 .50 .19 .29 .17 .23 .28 .13 .09 .4 .4 .09 .16 .14 .04 .4
PRESH PORK PRODUCTS, CHICAGO,  Dressed hogs Pork leins eaf lard Penderleins Spareribs Butts Hocks Frimmings Frimmings Frims Snouts Pigs' feet Pigs' heads Blade bones Blade meat Cheek meat Hog livers Neck bones Skinned shoulders	.08 .26 .32 ± .32 .32 .50 .50 .50 .50 .50 .50 .50 .50 .50 .50
Dressed hogs Perk leins Leaf lard Penderleins Spareribs Butts Hocks Primmings Extra lean trimmings Tails Spants Pigs' feet Pigs' heads Blade meat Cheek meat Hog livers Neck bones Neck bones	.08 .26 .32 ± .32 .32 .50 .50 .50 .50 .50 .50 .50 .50 .50 .50
PRESH PORK PRODUCTS, CHICAGO,  Dressed hogs Pork leins eaf lard Penderleins Spareribs Butts Hocks Frimmings Frimmings Frims Snouts Pigs' feet Pigs' heads Blade bones Blade meat Cheek meat Hog livers Neck bones Skinned shoulders	.08 .26 .32 ± .32 .32 .50 .50 .50 .50 .50 .50 .50 .50 .50 .50
PRESH PORK PRODUCTS, CHICAGO,  Dressed hogs Pork leins eaf lard Penderleins Spareribs Butts Hocks Frimmings Frimmings Frims Snouts Pigs' feet Pigs' heads Blade bones Blade meat Cheek meat Hog livers Neck bones Skinned shoulders	.08 .26 .32 ± .32 .32 .50 .50 .50 .50 .50 .50 .50 .50 .50 .50
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Dressed hogs Perk loins Leaf lard Tenderloins Spareribs Butts Hocks Trimmings Fails Snouts Pigs' feet. Pigs' heads Blade bones Blade meat Cheek meat Hog livers Neck bones Skinned shoulders Pork kidneys Pork kidneys Pork tongues Tail bones Brains B	.08 .26 .32 .32 .32 .32 .32 .32 .32 .32 .32 .32
Dressed hogs. Pork loins .eaf lard Penderloins Spareribs Butts Hocks Frimmings Extra lean trimmings Tails Snouts Pigs' feet Pigs' heads Blade bones Blade bones Blade bones Blade bones Skinned shoulders Pork kidneys Pork kongues Tail bones Brains B	.08 .26 .32 .32 .32 .32 .32 .32 .32 .32 .32 .32
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Garlic sausage	40
Pork sausage, bulk	
Pork sausage, short links	
Luncheon roll, links Delicatessen loaf, links	
Italian salam. links	
Holsteiner, links	
NEW YORK PACKERS' WHOLESALE WESTERN PORK PRICES	
Fresh pork loins, western	
Fresh pork tenderloins	
Frozen pork tenderloins	
Butts, regular	
Butts, boneless	
Fresh picnic hams	
SMOKED CUTS.	
Smoked hams, 12 to 14 pound average Smoked picnics, light	
Smoked picnics, heavy	
Smoked shouldersSmoked bacon, rib in	
I have already shown you that on 33 items sold b	
I have arready shown you that on as items sold b	y 1

grocers the prices of the retailer have dropped 47 per cent below the war prices and 38 per cent below a year ago. In other words, the retail prices have dropped more in one year than the wholesale prices of the packers have dropped in two So that the contention of those who declare that the need for supervision of the packing industry which may possibly have existed a few years ago does not exist now can not be substantiated by the facts and figures.

Mr. Chairman, I would like, if I had time, to go into many other phases of this question, but the limited time does not permit me to do so. I would like, however, in view of some of the testimony that was placed in the record by the stockyards agents, to call your attention to some interesting information that appears on page 91 of the hearings, before the Committee on Agriculture and Forestry in the Senate, during the Sixty-fifth Congress, when Senate bill No. 5305 was under dis-There appears on this page a report from the State cussion. Railway Commission of Nebraska, a statement of the prices charged in the Omaha stockyards for hay and grain for the years 1914 and 1915 and 1916. These are not figures of the Federal Trade Commission, but are taken from State reports, and have never been questioned. The report shows:

Profit on 20,343 tons of hay for the year 1914; Proceeds Cost of hay and labor in handling	\$382, 850, 35 246, 438, 21
Profit	AND SAN THE REST PARTY
This profit is 53.2 per cent of the cost of the hay	and labor.
Profit on grain and feed: Proceeds Cost of grain and labor in handling	\$208, 651, 47 147, 057, 53
Profit	61, 593. 94
This profit is 41.5 per cent of the cost of the gra	
Profit on 24,251 tons of hay, year 1915: Proceeds Cost of hay and labor in handling	\$449, 410, 35 262, 889, 68
Profit	186, 520, 67
This is 70.7 per cent of the cost of the hay and 1	abor.
Profit on grain and feed: Proceeds	\$246, 277, 70 182, 884, 24

Pront	180, 020, 01
This is 70.7 per cent of the cost of the hay and la	bor.
Profit on grain and feed: Proceeds Cost of grain and labor in handling	\$246, 277, 70 182, 884, 24
Profit	63, 393. 46
This is 34.4 per cent of the cost of grain and labo	r.
Omaha yard, profit on 25,233 tons of hay, year 1916:	\$499, 630, 43
Proceeds \$244,023.70 Labor in handling 17,745.65	
Labor in handing	261, 769. 35
Net profit	237, 861, 08
This is 97.5 per cent on the cost of the hay.	
Omaha yard, grain:	\$289, 652, 36

This is 41.5 per cent on the cost of the grain.

Labor in handling ...

Many other instances of overcharges and other abuses in the stockyards appear throughout the voluminous hearings, the sum total of which justified the committee and Congress in including the stockyards for supervision and regulation in this bill.

\$202, 589, 93 2, 957, 70

205, 547, 63 84, 104, 73

It is not my belief, Mr. Chairman, that this legislation when it is placed on the statute books will completely eliminate all of the objectionable practices that have been discovered to exist

in this industry, but I do believe it will be a step in the right direction and that the information that will be gained by the Secretary under the operation of the provisions will place such positive and accurate data in the hands of Congress that we may be able from time to time to make such additions and improvements as are found necessary.

My own conviction is that the cooperative effort of producers and consumers to get closer together in an effort to reduce the spread between them is the most favorable tendency of our time, so far as the question of marketing and distribution is concerned. I believe that the cooperatives should be given every possible encouragement. As stated previously, the present marketing system which has been built up at great cost and effort should not be discontinued nor discarded, but wherever waste and uneconomic practices are discovered they should be eliminated, and wherever improvement can be made by cooperative effort these improvements should be sanctioned and adopted by those interested in our marketing system.

For the information of the committee I desire to include in my remarks a brief letter that I recently wrote to the editor of the Omaha Bee, at Omaha, Nebr., bearing on the Tincher grain futures bill, known as H. R. 5676, which recently passed the House, together with a brief editorial from the Bee published on the same date, May 20, 1921, and a letter from Hon. Thomas Lynch, of Omaha, in answer to that correspondence. With your permission I shall read Mr. Lynch's letter and place the others in the Record, so that the entire correspondence in question may appear in logical sequence. [Applause.]

The matter referred to is as follows:

TINCHER BILL AND EXCHANGE—OPPOSITION COMES MOSTLY FROM OB-JECTION TO THE COOPERATIVES.

WASHINGTON, D. C., May 16.

TO THE EDITOR OF THE BEE:

To the Editor of the Bee:

The recent press dispatches from Chicago and other grain exchanges to the effect that the exchanges will close down in the event that H. R. 5676, known as the Thecher bill, becomes law, will, in my judgment, warrant my calling to the attention of your readers a few facts in connection with the progress of this legislation.

Extended hearings were held on the subject of "grain futures" during the Sixty-sixth Congress, and another week's hearings held during the present Congress when all of the exchanges were heard. The general result was that the Tincher bill received the indorsement of all concerned. Mr. Wells, of Minneapolis; Mr. Griffin, of Chicago; Mr. Wright, of Omaha; Mr. Moffat, of Kansas City, and other exchange men said in substance. "The Tincher bill is all right. It is a good bill." After the committee had reported the bill out with a few slight come in from all over the grain belf. To say this was a great surprise to me, as a member of the committee, is putting it very mild.

The principal advantages of the Tincher bill are two: First. does not be seen the Secretary of Agriculture may ascertain in time by a system of reports whether there are practices on the exchanges which result in amanipulation of the market. The need and merit of these provisions are so apparent that no argument is needed to support them. The specific objections of the exchanges now are made to the following sections of the bill, which, for the information of Nebraska farmers and grain men, I am giving in till.

Subdivisions (b), (d), and (e) of section 5 and all of section 8:

"Sac, 5. That the Secretary of Agriculture is hereby authorized and directed to designate boards of trade comply with the following conditions and requirements:

"Sc, 5. That the Secretary of Agriculture is hereby authorized and directed to designate boards of trade comply with the following conditions and requirements:

"Sac, 5. That the Secretary of Agriculture is hereby authorized and directed to designate boards of trade com

Subdivision (e), which is being so vigorously protested, provides that the exchanges designated by the Secretary of Agriculture as marketing places must by their rules admit to membership any duly authorized executive officer of any lawfully formed and conducted cooperative associations of producers having adequate financial responsibility, provided that the officers of such associations shall comply with the rules and regulations of the exchange. This is really the point which draws the heaviest fire from the opponents of the bill. The president of one of the larger exchanges says in a letter recently addressed to me: "As amended the bill." \* \* apparently intends that we will be forced to admit cooperative elevators to membership in grain exchanges." The cooperative associations distribute their profits prorata to their membership, and rightly so. This practice constitutes the chief purpose for which the producers have been organized. The exchanges argue that the distribution of these profits constitutes a "rebate" and that the practice of rebates is contrary to the rules of the exchange.

the chief purpose for which the producers have been organized. The exchanges argue that the distribution of these profits constitute a "rebate" and that the practice of rebates is contrary to the rules of the exchange.

It is hardly necessary to state, let alone argue, that the distribution of the profits of an association of producers to its own members is in no sense whatever a rebate, as the term "rebate" is understood in the grain or any other business. In my judgment, the fight of the exchanges to keep the cooperative associations from holding membership thereon is an unjust and a losing fight and that the sooner the exchanges recognize this fact the better it will be for all concerned.

The cooperative associations, which have proven such a great benefit to the marketing system of a number of European countries, have come to America to stay. The cooperative program is growing by leaps and bounds. The hostile attitude toward the cooperatives on the part of those who champion the present system of marketing and distribution will not stand the acid test of economy and utility. The most direct and most economic method of distribution from producer to consumer will ultimately be adopted. The fair-minded men will recognize the good that is in the present system and welcome all of the beneficial suggestions and changes that will come through the experience of the cooperative associations.

My own opinion is that no grain exchange will close down if the Tincher bill is enacted into law. Such deciarations at this time are in the nature of pure "bluff": but should any or all of the exchanges rather close down than to submit their transactions to the light of publicity, then I suspect that the American farmer and local grain dealer would say, "Let them close." The world will go on just the same and others will perform the function of marketing in perhaps as good or a better manner than those to whom has been entrusted this important duty.

M. O. McLaughlin.

M. O. McLaughlin.

#### COOPERATION AND COMMERCE.

Two strangely clashing notes are sounded by two eminent gentlemen, Secretary Hoover and Congressman McLaughlin. Each is a thinker, a reasoner, versed in affairs and taken into public life from a sphere wherein his intellectual development had brought him note. Each is familiar with the philosophy as well as the processes of social development, and it may seem surprising that they are at opposite ends of one of the great questions of the day. Writing to the farmers of Nebraska, through the Bee, Congressman McLaughlin pleads for cooperation, which means close consolidation of interests that all may be well served. Speaking to the National Mannfacturers' Association, Secretary Hoover pleads for individual rather than cooperative effort.

Perhaps the truth may be found somewhere between the two. Too much cooperation may lead to oppressive monopoly, while too much individualism is likely to beget competition that is ruinous. The natural tendency of business is toward greater units, with the definite understanding that finally the point is reached where the addition of units becomes wasteful rather than efficient.

The cooperation against which Mr. Hoover argues is the kind made possible under the Webb law, whereby exporters are enabled to protect themselves against such combinations as the German group that purchased raw materials for all its members, the bid of the group being the bid of each of its members. This organization, by whatever name the bid of each of its members. This organization, by whatever name the tore and under whatever flag it operated, was familiar to American exporters for some years before the war and its operations were not admired. To offset it, the Webb law permits producers to sell just as the others buy, a control of price that seems to be warranted under the croumstances. Unrestricted competition is possible, but highly improbable in the foreign trade as matters stand, regardless of the pleamade by the Secretary of Commerce, who sees but one side of the picture, no matter how comprehensi

Омана, Мау 20, 1921.

Hon. M. O. McLaughlin, M. C.,

Washington, D. C.

Dear Sir: I have read your letter in the morning Bee with a great deal of interest. Your stand in regard to the cooperatives is correct. The thing has already arrived in Great Britain and Ireland and nothing can stop it here.

Particularly I want to refer to the effort to institute cooperatives in the buying and selling of live stock at the open markets. I have been told that these cooperatives have been boycotted by the members of the exchange at the stockyards, Omaha, and that a fine is levied upon any member of the exchange who buys from or sells to a cooperative. The members of the exchange who buys from or sells to a cooperative. The members of the exchange are all likeable fellows, real outdoor western men, who make big money and spend it with an open hand; but their system is wrong. It involves having an unlimited number of commission men at the yards, members of the exchange, and it sometimes happens that many members do not get a single carload of stock on a certain day. On other days many of them will finish their work by 10 a. m., and even on the biggest market days half the number of commission men could attend to the business. On account of this slituation the exchange has forced commissions higher and higher. The producer pays. The exchange has made stringent rules allowing each member

to go out and solicit business only for a certain number of days each

to go out and solicit business only for a certain number of days each month, etc.

The cooperative does not need to solicit business, because each upcountry member is a solicitor. He wants his company to get more business so he can get more dividends. The exchange members realize this and are prepared to fight the cooperative. But, as you pointed out, they are on the wrong side and ought to get in at once. There should be at the South Omaha yards not more than half a dozen commission firms, each one cooperative. The one organized from the ranch country would not conflict at all with the one organized from eastern Nebraska. It would be to the interest of the former to sell feeders on as high a market as possible, and the latter would try to buy them on as low a market as possible.

I think you already appreciate that the present method is econom-

market as possible.

I think you already appreciate that the present method is economically absurd, and I hope you will continue your endeavors to accomplish something for the producer and consumer, these two being the losers under the present system.

Yours, very truly,

THOMAS LYNCH.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. SUMNERS of Texas. Mr. Chairman, I ask unanimous

consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks in the Record. Is there objec-

There was no objection.

Mr. KINCHELOE. Mr. Chairman, I yield five minutes to the gentleman from Alabama [Mr. BANKHEAD].

The CHAIRMAN. The gentleman from Alabama is recognized for five minutes.

Mr. BANKHEAD. Mr. Chairman, there are several bills pending in the House and Senate on the subject of the development of rural homes by a system of governmental cooperation in the reclamation of arid and semiarid lands. A few days ago I introduced in the House a bill, H. R. 6048, providing for the same purposes—providing a national scheme for the same purposes, to include the reclamation of swamp lands, overflowed lands, and cut-over lands, in addition to the arid and semiarid lands of the West.

I do not want to trespass upon the time of the committee this afternoon by submitting the remarks I have prepared in explanation of my bill, but I ask unanimous consent, Mr. Chairman, that I may incorporate in the RECORD my explanation and analysis of that bill for the information of the Members of the House.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Following is the statement referred to:

OUTLINE OF THE COOPERATIVE RECLAMATION ACT, H. R. 6048.

The reclamation of waste land by means of irrigation or drainage has for many years been one of the settled policies of nearly all civilized governments. The reclamation of land by means of irrigation has been a settled policy of the United States for more than 20 years. It is now proposed to authorize the reclamation of lands by other means, thus making such policy applicable to all parts of the country.

Since the principal problem involved in the utilization of arid or semiarid, swamp, overflow, or logged-off land is a financial one, the financial plan which this bill contains is its most important feature. The financial problems incidental to land reclamation exist because of the rather long period of nonproduction which must elapse while the construction of reclamation works is in progress and while the settler is improving and preparing his land for crops. This will vary from 4 to 10 years, depending upon the magnitude of the works and the financial plan adopted. Since no legitimate profit is possible until the land has been developed to a condition of practically normal production, most reclamation projects that are privately financed prove disappointing, and because of the many disap-pointments that have occurred private capital has practically retired from this field.

To day the surplus lands of the country that possess any great agricultural value require reclamation by some means or other. While it is agreed that the reclamation of most of such land can only be successfully accomplished through the cooperation of the Government, it is believed that such work should be done in pursuance of a plan which, once inaugurated, will be self-continuing.

Such work can only be initiated through the use of funds appropriated by Congress. But inasmuch as valuable assets will be created through the wise expenditure of such appropriations, these assets should, in turn, be made the basis of further financing, thus obviating the need of any further ad-vances by Congress. Also, all sums thus appropriated should be repaid to the United States with interest. All of these results can readily be accomplished under the plan contained in this bill.

In working out this plan, the fullest advantage has been taken of existing land-credit devices provided by State and Federal legislation in order that the money used for the construction of reclamation works or for loans to veterans might be returned to the fund in the shortest possible time so as to become available for the reclamation of other land and the making of other loans, at the same time providing for the payment by the settler of the cost of such work and of such loans over a long period of years at a reasonable rate of interest.

The basis for the organization of a reclamation project is a drainage or irrigation district, as the case might be. This district has full taxing powers under the State law and the right to incur indebtedness. Such district shall be empowered to enter into a contract with the United States for the reclamation of lands within its limits, and shall vote its bonds for an amount equal to the cost of such reclamation, such cost also including interest on all advances during the period of construction. When a district has issued its bonds and deposited them with the Federal Farm Loan Board the Secretary of the Interior may proceed with the construction of the project.

The cost of constructing the first series of projects will be paid from the appropriation provided in the bill. Then when all the property of a district that is subject to assessment for the payment of its bonds is found by the Federal Farm Loan Board to have a value equal to twice the value of such bonds, such board shall sell such bonds to the investing public and the money received from such sale shall be placed in the cooperative reclamation fund, to be available for the reclamation of the lands of other projects. These will constitute a second series of projects, this process being continued series by series, without requiring any further appropriation by Congress.

without requiring any further appropriation by Congress.

The bill authorizes an appropriation of \$500,000,000 to be expended over a period of 11 years, \$30,000,000 during each of the first and second years, \$40,000,000 the third year, and

\$50,000,000 each year for the next eight years.

The bill provides that the repayment of all advances made to a project from the appropriation shall begin 10 years after the completion of the works of such project under an amortization plan extending over a period not to exceed 40 years. The payment each year of 6 per cent of the total of such advances will liquidate this debt within this period with interest at 4 per cent.

The amount which will be available for this repayment will be derived from the sale of district bonds and from the payment annually into the fund of 1 per cent of the cost of each project. The amount that will be derived from these two sources will depend upon the time required for constructing the works of a project and for establishing a property value so the

district bonds may be sold.

Assuming that the average time for constructing the works of a project is four years and that the accruing interest during such period, which shall be added to the amount actually expended, is 10 per cent of such amount, bonds would then be issued by the district amounting to 110 per cent of such actual expenditures. The sale at par value of ten-elevenths of such issue would return to the fund the amount that had actually been expended. This amount would immediately become available for the reclamation of other lands. The remaining oneeleventh of such bond issue would then be deposited in the fund, the annual installments for the repayment of the same being available for reinvestment, the accruing amounts finally to be applied on the repayment of the appropriation when such repayment begins. The 1 per cent of the cost of each project that will be paid into the fund each year will also be available for reinvestment and payment on account of the appro-The amount derived from these two sources will be sufficient to repay the appropriation with interest at 4 per cent, without diverting any part of the construction fund for such

Assuming that through the sale of district bonds the construction fund originally provided by appropriation can be turned over during an average period of six years, reclamation works costing about \$3,000,000,000 can be constructed during the

next 30 to 35 years.

The bill provides that the district bonds shall draw 5 per cent interest and be paid under an amortization plan during a period not exceeding 40 years. The payment each year of 1 per cent of the principal will retire the bonds within this period. Thus, while the entire cost of the project will be repaid into the fund by the district by the end of about the sixth year after the beginning of construction—being then available for the reclamation of other lands—the settler will repay such cost over a period of about 35 years through the payment of the bonds of his district, thus receiving all the benefits of long-term payments.

The annual payments of the settler on account of the reclamation of his land will be: Installment on the bonds of his district, including interest at 5 per cent and principal, 6 per cent; as additional funds for the repayment of the appropriation with interest, 1 per cent. These make a total payment of 7 per cent of the total amount of bonds issued, to begin one year after the works of the project are completed. No payments will have to be made during the period of construction.

Provision is made for the reclamation of public land in any district and for the sale of such lands to any qualified purchaser

on easy terms of payment.

The Secretary of the Interior shall have control over the settlement of the land that is to be reclaimed. He shall establish the maximum area of the farm unit or holding in any project, and unless 80 per cent of all holdings in excess of the unit so established shall be reduced to such maximum area the Secretary shall not approve such project. The price and terms of payment of all excess holdings must be approved by him, and the owners of the same shall confer upon him an irrevocable power of attorney to sell such holdings to actual settlers according to the terms of a contract to be entered into with him by such owners before the project is approved.

For a period not less than six months former service men and women and the widows of men who have served in the Army, Navy, or Marine Corps of the United States in the war with Germany, or in any other war, or during the Mexican border trouble, and who have been honorably discharged therefrom, if otherwise qualified, shall have a preference right of entry and purchase of all public lands and excess areas in a

district.

The Secretary of the Interior is authorized to improve any farm unit that may be available for entry or purchase by a veteran so it will be ready for actual cultivation, and he may also supervise the placing of other improvements upon such land provided such improvements are paid for by the State or the former owner of such land or by any other agency. The Secretary is also authorized to make short-term loans to any veteran, to an amount not to exceed \$2,000, for improvements on his land or the purchase of live stock and equipment. This loan is to be repaid to the fund from the proceeds of a longterm loan which he shall negotiate through the Federal land bank as soon as the value of the property is sufficient for the purpose. The proceeds of this loan may also be used for the repayment of any loan made to a veteran by the State or by any other agency, or for the payment of all or any part of the purchase price of his land.

The bill provides a basis for the most practical cooperation with any State in placing veterans on reclaimed lands. By repaying the cost of reclamation through the payment of district bonds the annual installments for this purpose become a tax and will be paid as any other tax. Therefore, loans made by the State or from the fund can be secured by a first mortgage; and, since the existence of the district bonds will affect but little, if any, the loan value of the land, the maximum loan that is warranted by the value of land can always be made through the Federal land bank for the liquidation of such short-term obligations as the veteran may have to incur. These short-term loans and other obligations of the veteran will not likely have to run more than two to four years before their repayment in the manner provided, so only a relatively small amount of money will be required for a loan fund.

The Secretary of the Interior shall be authorized to complete projects already begun under the provisions of the existing reclamation act from the fund created by this act. But all reclamation projects, or units of projects, upon which actual construction work shall be commenced after the passage of this act, shall be organized in the manner described, and shall pay

the cost of such works into the fund with interest.

It will not be claimed that the millions in our great cities and other congested centers who are to-day living in the lowest depths of poverty, and the other millions now in the swelling ranks of the unemployed, constitute the Nation's "first line of defense". On the contrary, these and the conditions account On the contrary, these and the conditions against which they are compelled to struggle, are felt to be the country's greatest menace. All forward-looking men and women are agreed that our national security depends upon the further development of our rural homes, not that the producing area of the country needs to be extended at this time, but that more men and women should be placed in possession of resources so they might more readily establish their economic independence. This can not be done by settling more of our population in the cities, but hey must be encouraged to return to the country, back to the land. Those who are most entitled to assistance in establishing their independence in this manner are included with the millions of young men and women who stepped forward to the defense of the country in the Great War, and who may, at any time, be called upon for further sacrifice. In what spirit will the next call be met? This is a serious question and one well worth considering right at this time.

Until the deep-seated causes of the present world-wide distress are removed, prosperity can not come back to us through any struggle that we might make for industrial supremacy. The odds are against us. Instead of spending sleepless nights over plans for controlling the markets of hundreds of millions of people too poor to buy, why not consider plans with a view to preventing our own people from sinking to the economic level of the people of Europe? The fact is, our overdeveloped industries have failed us at a most critical time. As a consequence of this, millions are now looking into a future that holds but little hope.

However, nature is more kind. She does not close the door in the face of her children, but her bounties are ever recurring. This is why those on the land are safe. But life in these perilous times for many, many millions in the great cities of this and other countries is most precarious. Armies and navies can not combat the forces which threaten the world to-day. Other

means will have to be employed.

Only by increasing the purchasing power of our own people and the extension of our home markets can the economic balance in this country be restored. This can most readily be done through the further development of our own natural resources, but this must be in a way which will establish the economic independence of more people. More homes must be established, and these must be rural homes. Their existence will permanently strengthen the country's real "first line of which is the happiness, contentment, and loyalty of

the great common people.

This is the broad purpose of the bill described. The appropriation each year for the next 11 years would just about pay for one first-class fighting ship. However, such appropriation would provide permanent homes for more than 100,000 people, and would afford permanent employment through new wants that would be created for as many more. This is the kind of constructive statesmanship which, through the operations of the reclamation act, have placed more than 250,000 people on once desert land, created a property value of more than \$500,000,000, from which every year there is returned a gross revenue greatly exceeding the entire cost of the works that have been constructed by the Government.

Mr. HAUGEN. Mr. Chairman, I yield 15 minutes to the gen-

tleman from Indiana [Mr. Wood].
The CHAIRMAN. The gentleman from Indiana is recognized

for 15 minutes.

Mr. WOOD of Indiana. Mr. Chairman and gentlemen of the committee, in the observations that I shall make I not only want to express my opposition to this legislation but my opposition to all legislation of this character. It has been baneful in the past; it is baneful now; and will prove equally baneful

I am not here for the purpose of defending the packers or to excuse them for the impositions which they have practiced upon the people. There is a remedy whereby they may be reached directly. The law to reach them should be written on the statute books and enforced by the Department of Justice.

We have now about 80 departments or bureaus or divisions of government in Washington that are making laws for the people-laws that we have nothing to do with, and which are put in motion by bureau regulation and not through legislation by this Congress. There is an old maxim of law that "that nation is best off whose people are least harassed by vexatious We are going far afield from that. Our Government was framed to be democratic in form and representative in We are becoming less and less a democratic government in form, and we are developing more and more a bureaucratic form of government. Every day we are seeking here at each session to add to the powers of the bureaucrats in the Government of the United States. The report on this bill is bold and frank enough to say that it goes further than any previous legislation ever went along this line, and we are making, if you please, the Secretary of Agriculture the greatest autocrat in all this Government of ours.

Now, let us look for a moment at this measure. I have been sitting here all the way through this debate hoping that somebody would point out in this bill what relief is going to be brought to the people, and it has not been done up to this min-ute. Where is there in this bill anything that will secure you and me a pound of beef or pork or mutton or any other kind of meat cheaper than we now pay for it? It is not in this bill, but I

there is in this bill provision to add to the burdens of the people, as is the case with all legislation of this character.

Has anybody ever paused to count the cost that the taxpayers will have to pay for this thing? That is one thing that we seem never to take account of in matters of this kind. We pick up these idealistic and altruistic schemes and put them on the statute books and look to the future to make provision for their enforcement, adding to the burdens of taxation. This will cost more than a million dollars before it can be put in working order. Instead of taking from the burdens of the people we are adding to them. And what is it going to do? It has been stated here on the floor that about 50 per centsome say 55, some 40, and some 58 per cent-of the animals that are slaughtered in this country are slaughtered by these five great packing concerns. This is meant for their regulation, but all of these others who are not offending likewise must come within the provisions for their regulation. The other 50 per cent, or 45 per cent, or whatever it may be, are going to be subjected to these constant annoyances that have become so burdensome that the business of this country is complaining, and has a right to complain, by reason of the constantly increasing vexations which are applied to various forms of business.

During this last campaign I had a concrete illustration of what the people are thinking about this thing, and I dare say that all of you have heard like complaints. A large business man in my district told me that he did not have his mail delivered by the mail carrier; that it was one of his favorite pastimes, through which he got some exercise, to go to the post office four or five times a day to get the mail for his concern, but that it had ceased to be a pleasure and a recreation, for every time he went there he did it with fear and trembling, lest he should find a long envelope from the Government of the United States asking for some kind of new-fangled report. They have pursued this thing until they have discouraged business to the point where business men are fearful to-day when they are called upon to invest in business enterprises. Now that the war is over we have got to look for some new pastime to amuse ourselves, and we are commencing again, nagging, nagging, nagging, at the business interests of this country. They got up this Federal business interests of this country. They got up this Federal Trade Commission, beautiful upon its face, as attractive as the virtues extolled in this bill, for the purpose of encouraging legitimate business and protecting it, if you please, against unjust competition. Was that purpose carried out? the same kind of provisions for regulation by the Trade Com-mission that this bill provides. They got up their regulations, and what is the result? The result is that they have done more to damn and discourage the business of this country than any other activity in the country, and if I had my way about it I would like to have the opportunity to-morrow to move to repeal the law, in the interest of the business of this country. A very prominent gentleman who was selected by President Wilson as one of the members of this commission told me that he was utterly amazed when he looked into the workings of this thing to find that instead of its being for the purpose of encouraging legitimate business and encouraging men to invest in business and assuring them of the protection of the Government in the conduct of good business it was just simply a nosing commission for the purpose of prying into everybody's business, finding fault with everybody's business, criticizing everybody's business, making it hard for anyone to do business, until they were destroying the business interests of this country to a very large degree.

You will remember that a number of years ago we passed a law providing that the railroads should not own parallel lines that were competing with each other, thinking that that was a detriment to the people. The war came along and proved that that was a fallacy, and that instead of being a bane to the people it would have been a blessing to the people had it been permitted. That old wizard of St. Paul, James J. Hill, who did more for the people of this country than any other one man in the way of promoting transportation, conceived that idea, and he saw its future usefulness go to pieces in an ill-timed decision. But when the Government took over these railroads they set that aside. They had to set it aside in order to do what? In order to subserve the best interests of the people and the best interests of our Government in time of war.

Mr. SANDERS of Indiana. Will the gentleman yield? Mr. WOOD of Indiana. Yes.

Mr. SANDERS of Indiana. And in passing the last railroad law we did away with many of those features and permitted consolidations in cases where there was competition under proper restrictions.

Mr. WOOD of Indiana. It was the same sort of a spirit, nagging at business, crying out against the railroads of this country. I am not here to defend them for the wrongs that they committed in the past, or are committing now, or may commit in the future, but we were killing the goose that laid the golden eggs when, through the legislation of this body and the legislation of the several States, we made it not only impossible for them to extend their lines but made it impossible for them to keep up the lines that were already in existence,

People thought they were lying when they said they could not carry passengers for 2 cents a mile, but they told us that if we would give an increase of 15 per cent on freight rates they would not only improve the rolling stock but make extensions and do the business of this country as it ought to be done. We did not give it to them, and it was not given to them by the commission, and so when the war clouds broke and that great emergency came we found that they were telling the truth in the dilapidated condition of the roads turned over to the Government. So it is with all of this character and class of legis-Why, the time is rapidly approaching when it will not be possible for us to set a hen without getting the consent of the Department of Agriculture.

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. WOOD of Indiana. Yes.
Mr. CONNALLY of Texas. I would like to ask the gentleman if it is not true that when we started out to regulate the railroads we started out with the idea of getting the rates down, but regulation has reversed the thing until they have got them up where we can not get them down, and it is a system by which they levy a tax on us largely brought about by too much regulation?

Mr. WOOD of Indiana. Absolutely; and we are paying the We are paying an awful price for it, and we do not know what the future is going to be in the railroad business of

this country

Mr. TINCHER. Will the gentleman yield? Mr. WOOD of Indiana. For a question.

Mr. TINCHER. Does the gentleman mean that the high rates

were brought about by the Government control and activity?

Mr. WOOD of Indiana. That had a very large part in bringing it about, and this legislation will have a similar influence in the output of food.

Mr. TINCHER. Would the gentleman be in favor of repeal-

ing the interstate commerce law?

Mr. WOOD of Indiana. I would not be in favor of repealing the interstate commerce law, but I would be in favor of enacting a law that would govern its control and transactions. I would not leave it to a set of men who with every change of wind change the regulations. The Interstate Commerce Commission knew, or should have known, the conditions that the railroads were in before they were taken over by the Government, and knew, or should have known, the necessities that existed as a matter of fact, but they yielded to the clamor of the people and to this legislative body and the several legislative bodies of the States. They are only mortal and just as susceptible to influence as we are susceptible to influence here. A great mistake was made then and we are making a mistake here, and we will pay the penalty for giving to the Secretary of Agriculture the power to make law. That is what you are doing. You let them get the nose of the camel under the tent, and they will have the whole animal in before you know it and criticize anybody that dares to say a word. We are becoming bureaucratic, and this is the most striking illustration we have had of this fact up to date.

No; we had better get back to the old practice, and instead of hampering business and regulating it to death we should say to the business of the country, to the men who have the innate genius to do big business, do your best and the laws of the country will protect you as long as you live within the law. That is the kind of thing we want. If we had had the kind of regulation provided for in this bill years ago, what would the country be to-day? Would there be a single transcontinental railroad built? No; not one. Will there ever be another built under the present system? Who would venture a dollar in an enterprise of that character? How many of you would advise a friend to invest a dollar in that kind of an enterprise? you gentlemen destroy the great packing industries of the country? I want to say that the greatest encouragement, the greatest incentive that there is for men who raise cattle, hogs, and sheep, is to be found in these large concerns. Why, no one knows-I expect it is impossible for any of us here to calculate the amount of money that these men are turning over and over. There is not a man here that lives in a town of any considerable size that does any considerable amount of banking business but what knows that these packers are drawing on them in the shape of loans every day for money and more money with which to conduct their enormous business,

Mr. KINCHELOE. Will the gentleman yield? Mr. WOOD of Indiana. Yes.

Mr. KINCHELOE. The only conclusion that I can draw from the gentleman's remarks is that he is in favor of doing away with all regulations of public business in the country the regulation of combination and capital; that he would throw the doors wide open and let the people take their chances.

Mr. WOOD of Indiana. No; I am not in favor of that. I am in favor of regulating them by law, but not through bureau-

cratic rule.

Mr. KINCHELOE. This is law.

Mr. WOOD of Indiana. No; it is only an excuse. You are putting into the hands of the authorities the authority to make law or regulations given the force of law.

Mr. KINCHELOE. The gentleman said he would be in favor of voting for a bill to repeal the Federal Trade Commission

act.

Mr. WOOD of Indiana. I would.

Mr. KINCHELOE. Would the gentleman be in favor of repealing the law that created the Interstate Commerce Commission for the regulation of railroads?

Mr. WOOD of Indiana. No; I would not, because of the fact that the transportation business of this country is a public

business.

Mr. TINCHER. So is eating.

Mr. WOOD of Indiana. If so, why do you not give the Secretary of Agriculture the right to control eating? There is nothing in business that a man does that does not in some way influence the public. It is like the pebble dropped into the sea

that makes the ripple that constantly extends.

Mr. KINCHELOE. I do not know how the gentleman voted on the Esch-Cummins bill—I voted against it—but does the gentleman not think that that law took all of the power away from the Interstate Commerce Commission that it had to regulate

these utilities?

Mr. WOOD of Indiana. If I had had the writing of that bill, it would have been very differently written, and there would have been one provision in it which would have made it very difficult for a strike to occur which would tie up these great arteries of transportation.

Mr. JOHNSON of Mississippi. Mr. Chairman, will the gen-

tleman yield?

Mr. WOOD of Indiana. I have only five minutes and I want to make but one more observation. I want to show you what this bill does. You remember that we passed a law with a lot of regulations behind it a few years ago that the great indus-tries of this country could only do a certain amount of business, and that when they did a greater volume of business than that they became infractors of the law and were subject not only to the dissolution of their corporations but those who were guilty of the unlawful conduct were in danger of being incarcerated in the prisons of the country. What happened? When the war broke out the Secretary of the Navy and the Secretary of War sent for the men at the head of our great steel corporations and asked them how much they could get out of their factories in a certain length of time. These gentlemen asked for a few days in which to get up the figures. They came back and reported the amount, and it was a great volume. The Government was glad to know that they could get out that much, but said that it needed more, and asked whether they could not expand and expand in order to satisfy the demands of the Government. One of these men said to the Secretaries, "I am surprised at you. You have suits pending now to prosecute us and dissolve our corporations, because we are getting out too much." You all know what happened to those suits. Never has there been one of them heard of from that day to this; an acknowledgment, if you please, by the Government that we had made a woeful mistake in passing that law.

Mr. BURKE. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. BURKE. Did I understand the gentleman to say he is for regulating the workingmen by law?

Mr. WOOD of Indiana. No; I am not in favor of regulating the workingmen by law, and I am not in favor of the working-man doing more than his share in regulating this Government,

Mr. BURKE. What is the gentleman in favor of?

Mr. WOOD of Indiana. I am in favor of every man doing his full duty to his God and his country.

Mr. BURKE. Do not the workingmen of the country do that? Mr. WOOD of Indiana. It is their duty to do it.

The CHAIRMAN. The time of the gentleman from Indiana has again expired.

Mr. JOHNSON of Mississ'ppi. Mr. Chairman, I ask the gentleman from Iowa to yield him half a minute, in which I may ask him a question.

Mr. HAUGEN. Mr. Chairman, I yield one minute more to

the gentleman from Indiana.

Mr. JOHNSON of Mississippi. I want to call the gentleman's attention to a remark in the speech of the distinguished President in New York the day before yesterday. He said:

I speak for the least possible measure of Government interference with business.

Mr. WOOD of Indiana. I subscribe to that, exactly, and this Congress should subscribe to it and practice it by action. [Applause.]

Mr. HAUGEN. Mr. Chairman, I vield 15 minutes to the

gentleman from Minnesota [Mr. Anderson].
Mr. ANDERSON. Mr. Chairman, I listened with a good deal of interest to the remarks of the gentleman from New Jersey [Mr. PARKER] and the gentleman from Indiana [Mr. Wood], both of whom took for their text the idea that there should be less government in business. I have a good deal of sympathy with that view if these gentlemen have in mind the irresponsible, the arbitrary, and the sumptuary regulation that more or less necessarily characterized the government of the country during the period of the war. But if we follow the line of argument which these gentlemen pursued into action, it would mean that no matter how gross the abuses, no matter how complete the monopoly, no matter how great the industrial possibilities of oppression, the Government should take no action whatever to remedy them. The bill now under consideration does not propose any arbitrary, irresponsible, or sumptuary regulation of the packing industry or of the stockyards, or of those who transact business in them. In my judgment the bill now proposed contemplates a sound and conservative supervision of the packing industry and the stock-yards and those who deal upon them. There has not been very much discussion of the theory of this legislation or of its provisions. I would like to occupy the few minutes allotted to me in a discussion of the theory of the bill and its actual

It was asserted by the gentlemen who preceded me, to whom I have referred, that if there was to be a regulation of this industry it should be in direct prohibitions of law. We have been trying direct prohibitions of law for more than 100 years. They have proven absolutely inadequate for the regulation of industries as large and as industrially powerful as these

with which we are now dealing.

Industry is progressive. The methods of industry and of manufacture and distribution change from day to day, and no positive iron-clad rule of law can be written upon the statute books which will keep pace with the progress of industry. we have not sought to write into this bill arbitrary and ironclad rules of law. We have rather chosen to lay down certain more or less definite rules, rules which are sufficiently flexible to enable the administrative authority to keep pace with the changes of methods in distribution and manufacture and in industry in the country. Do the gentlemen who oppose this legislation object to prohibiting unfair practices and devices in commerce? Do they desire that the business of the country, or any of it, shall continue to use unfair methods or devices in commerce? Do they object to prohibiting discriminations against localities or against persons of this potentially and actually powerful industry?

Do they object to prohibiting these industries from conspiring or agreeing with each other to monopolize the food industry I do not think that they object to that, No. although the position that they take would seem to indicate that If we are going to have any sort of supervision of this industry we must set up some agency which can acquire the necessary technical and practical information in regard to the operation of the industry and the manufacture and distribution of the products involved, so that that agency can deal with the offenses committed on the basis of the actual knowledge gained over a considerable period of time. I may say in passing that more revolutions have resulted from the control of the food supply of nations and the inability of people to get food at a reasonable price than have resulted or ever will result from either arbitrary or sound regulation of industry.

If we are compelled in every instance of the violation of this act to educate the court in the technical manufacturing processes and the technical distribution processes of the great packers of the country, or of the stockyards, we shall never get anywhere. We have got to set up some sort of agency which, through an accumulation of experience, and after hearings and investigation and inquiry, can acquire the technical knowledge as to the operation of the industry necessary to enable that agency to

act in a practical and sound manner. And so we have sought to set up in this bill an agency which can, through a close contact with the industry and from inquiry and investigation and through hearing of complaints, acquire the information that will enable it to deal with the industry upon a sound and practical basis.

Now, the gentleman from New Jersey [Mr. PARKER] referred to two cases which he said demonstrated to his mind the unconstitutionality of this bill, so far as it undertook to regulate transactions in the stockyards. I am frank to say that I do not think that the provisions of this bill dealing with the stockyards are entirely free from doubt. In the Hopkins case, to which he referred, in One hundred and seventy-first United States, it was held that an agreement between the members of a live-stock exchange prohibiting the members of that exchange from dealing with persons who were not members of it was not a violation of the Sherman Antitrust Act because the individual transactions of the members of the exchange did not constitute interstate commerce. That decision was followed also in the Anderson case, which is in the same volume.

We very promptly encountered that decision of the Supreme Court in drafting this bill. But subsequently to the Hopkins and the Anderson cases, the Supreme Court decided the so-called Swift case. In that case the Government sought to enjoin Swift & Co. and others of the packers from refraining from bidding against each other in the stockyards and other practices of a

similar nature.

The decree which was entered was objected to on the ground that the transactions of the packers in the purchase of stock in the stockyards, like the transactions of the commission men in buying stock in the stockyards, were not interstate commerce, and therefore the court had no power to make a decree prohibiting the packers or requiring them to do or to refrain from doing anything in respect to such purchases. But the court said the business of transporting and purchasing cattle in stockyards, slaughtering them in the slaughterhouses, and distributing the product, constitutes a current of commerce, a complete chain of commerce, and the decree is not invalid simply because it deals with a single action or a single transaction in this chain of commerce which may not be considered alone interstate commerce.

In other words, the court said that in the decree the lower court may deal with the actions of the packers and with the current of commerce in cattle and in the products thereof as though it were a continuous current of commerce. It might prohibit certain transactions constituting a part of that current even though taken alone they did not constitute interstate commerce.

Now, we undertake to put into this bill a provision, which will be found as subsection (b) of the sixth paragraph, on page 2 of the bill, in which it is declared to be the intention of Congress to deal with this entire channel or current of commerce to which the Supreme Court referred in the Swift case. And we think, with that provision in the act, under the decision in the Swift case and subsequent decisions the court will hold that, dealing with the entire current of commerce, we have the right to deal with transactions on the stock exchange.

Mr. SANDERS of Indiana. Will the gentleman from Minnesota yield?

Mr. ANDERSON. Yes.

Mr. SANDERS of Indiana. I think there might be considerable doubt whether a recital in a law with reference to what should be considered commerce would really make the act any more valid.

Mr. ANDERSON. I should like to say in that connection that, of course, I realize that this is a mere legislative declaration, which indicates the intent of Congress to deal with the whole current of commerce from start to finish.
Mr. SANDERS of Indiana. Yes.

Mr. ANDERSON. It would not have any binding effect upon the court.

Mr. SANDERS of Indiana. Of course, the right comes from the constitutional clause with reference to commerce, and the construction of that would be for the court.

The Clayton Antitrust Act deals with monopolies, and this act also deals with monopolies and other matters dealt with in the Clayton Antitrust Act. Is it proposed by the present act to embrace practically everything that is made unlawful in

the Clayton Act?

Mr. ANDERSON. I think the prohibitions of this act go further than the prohibitions in the Clayton Act. For instance, one of the sections of the Clayton Act prohibits discrimination in prices as between localities, and then contains a sort of nullification clause, to the effect that it shall not prevent anybody from choosing his own customers or making discriminations in prices where there is a difference in quality or a difference in transportation charges, and so forth, while this bill

makes any undue or unreasonable discrimination as between

localities or between persons unlawful.

Mr. SANDERS of Indiana. I think the bill seems pretty clear so far as dealing with things that are made unlawful under the Clayton Act are concerned, but the other matters in there are so general that I just wondered whether the gentleman from Minnesota could tell some of the evils outside of the question of monopolies and other things dealt with in the Clayton Act that it is proposed to remedy in this act. The gentleman is making a very interesting argument.

Mr. ANDERSON. There is a dispute as to what the evils

The packers naturally claim that there are no evils; that all the practices in which they engage are legitimate practices.

The CHAIRMAN. The time of the gentleman has expired. Mr. SANDERS of Indiana. How much time does the gentleman desire?

Mr. ANDERSON. I could talk on this matter anywhere from five minutes to five hours.

Mr. HAUGEN. I yield to the gentleman 10 minutes more. Mr. ANDERSON. For instance, it is asserted that in their attempt to get control of the cheese business and of the butter business of the country they will go into a locality and for a time will buy cream there at a high price. After they have driven out all competitors by that high price they will drop to a lower price. It has been asserted, for instance, that where a new packing plant was being started up as an independent concern they would establish concentration points all around that packing plant at strategic points on the railroads radiating from the packing plant, and then for a time pay relatively high prices for hogs and cattle at these concentration points, and thus deprive the new packing plant of the opportunity to purchase the hogs and the cattle which would naturally come to them in their own territory, and compel them to go long distances in order to get their supplies and keep their plant going. Then there are the so-called practices of "wiring on" and of "split shipments" and various other practices which the packers have engaged in, at least according to the Federal Trade Commission, which would be prohibited by this act.

Mr. SANDERS of Indiana. Is it proposed to cover that by

section 202(a)

Mr. ANDERSON. Yes.
Mr. SANDERS of Indiana. The reason I was asking that question was that it occurred to me that if it really was the intent of the committee to deal with the question of deceptive practices as to prices, that ought to be made definite. Otherwise the court would probably construe this as not dealing with the question of prices.

Mr. ANDERSON. I do not think it was the intention of the committee to give the commission the power to fix prices. It was rather to deal with the practices which were used in connection with the prices that was sought to be reached under

this provision.

Mr. SANDERS of Indiana. Is it really the intention to prevent the packers from discriminating between the different territories and compel them to treat every locality in the same

way?

Mr. ANDERSON. Yes. Of course, the preference would have to be an undue or unreasonable preference. If the preference was a reasonable one in view of the general practices in the business, anyone engaged in it would not be prohibited by this act. In the last analysis, what is prohibited in the act would have to be determined by the court.

Now, I want to call attention to the fact that for the most part the bill does not deal with offenses essentially criminal in character. It deals with offenses against good business, against good morals in business. That is the reason that the particular procedure adopted in this bill was adopted.

The gentleman from South Carolina this morning proposed an amendment making the findings of the Secretary conclusive until set aside by a court of competent jurisdiction. Now, suppose the packers were engaged in a certain course of conduct, and they admit that they are engaged in that course of conduct, and the Secretary of Agriculture thinks it is an unfair practice, and he cites them on complaint to come in and show cause why they should not cease. They admit that they do it, but say it is not an unfair practice in commerce. The Secretary concludes that it is and orders them to desist. I do not think that upon that order a man ought to become immediately criminally liable. I think from such an order he ought to have the right to appeal to court. I think that proposition is a different proposition from an order as to what is a reasonable rate or charge for the use of a particular facility in the stockyards. The provisions of this legislation as to the packers must be more or less elastic in order that they may keep progress with the state and development of the industry, and

because they are elastic and somewhat indefinite there ought to be an appeal before the order becomes final.

Mr. SANDERS of Indiana. I agree with the gentleman in

that

Mr. ANDERSON. I venture to say that in 99 orders out of 100 there will be no appeal. Now, the gentleman from Indiana talked about the great damage done by the Federal Trade Commission. If he will investigate the orders of that commission, he will find that there has been no appeal from more than one order out of fifty.

Mr. Chairman, there is another particular in which this bill

departs more or less radically from the policy that has been adopted in some bills heretofore considered.

One of the troublesome questions that have arisen in connection with the whole proposition was, What was to be done with the tendency of the packers to gather up all the food industries of the country? The decree which has been referred to so many times undertook to deal with it on a direct prohibition so far as unrelated industries were concerned. I do not think that Congress has the power to say or to give any commission or any Secretary the power to say that anybody in this country shall not engage in any particular business.

Mr. COOPER of Wisconsin. About how many businesses, re-

lated or unrelated, do the packers engage in?

Mr. ANDERSON. I can not say; but seven or eight hundred different articles which they are engaged in handling, possibly more-I mean that they were engaged in handling prior to the decree.

Mr. COOPER of Wisconsin. Outside of the meat products? Mr. ANDERSON. I would not undertake to be accurate about that, but they are very numerous, indeed. For instance, they deal in canned systers, canned mackerel, canned salmon, navy beans, apple butter, pineapples, strawberries, prunes, raisins, dates, grits, red pepper, and so on.

Mr. COOPER of Wisconsin. Can the gentleman state what

is the aggregate amount of business?

Mr. ANDERSON. The Big Five packers' total sales in 1918 approximated about \$3,000,000,000. Swift & Co. did a business of \$1,200,000,000; Armour, \$800,000,000; and the other three made up the other billion dollars.

But to return to what I was discussing. We did not undertake to prohibit the packers from engaging in any related or unrelated lines, but we did undertake to say that if the packers engaged in these other lines or if the stockholders in the packing companies owned stock in other lines, then the products of the business so owned or controlled while in commerce should be subject to exactly the same regulations as we imposed upon the packers.

The CHAIRMAN. The time of the gentleman has expired. Mr. JACOWAY. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. RAYBURN. Mr. Chairman, I ask the gentleman from Iowa if it is not about time to rise? This has been a mighty

Mr. HAUGEN. We have only one more speaker, for a few minutes. I yield 10 minutes to the gentleman from Illinois

[Mr. KING].

Mr. KING. Mr. Chairman, I regret very much to be the means of delaying the committee from rising, but the chairman has been kind enough to assign me these 10 minutes and I have been waiting three days to get them. I think in justice to him I ought to use them.

I want to congratulate this committee on the magnificent bill they have presented to the House. The truth of it is that the Agricultural Committee is one of the most effective and proficient committees in this House and most forceful on the floor. I never have known them to bring in any proposition that was off color, but if they did I would guarantee that by the force they

exhibit at all times here they would put it through.

Mr. Chairman, in the discussion of this bill it has struck me as peculiar-and I do not intend to discuss the bill, but I rise for another purpose—that some one here has not stated why the packers are able to do this tremendous business, why they have been able to build it up, and who is their financial backer. The financial backer is the United States. They are trading upon the credit of the United States by discounting their notes through the commercial and continental banks of Chicago and then in turn their being sent to the Federal Reserve Bank of Chicago for rediscount and thence down here to Washington, where Federal reserve notes are issued against them, in place of their checks, which might just as well be guaranteed by the Government, and they are able to do this enormous business in that way. I want to say in this connection that the Federal

Reserve Board has developed not only into a board for the purpose of regulating the issuance of money, but for the purpose of regulating the price of food. They regulate the credit of the packers and they regulate the credit of the farmers, and until you get after that proposition and dig down beneath the

foundation all this legislation, in my judgment, is in vain.

Why should they worry about this legislation as long as they can continue to discount and rediscount their notes through the packer banks of Chicago and the Federal reserve system? Why are the farmers raising sheep on the hoof at such a low price, as some one suggested, while we are paying such immense prices for mutton and lamb? It is not on account of any combination that we regulate in this bill, but it is because the Federal Reserve Board and the Federal reserve banks deliberately, with malice aforethought, I charge, deflated the farmers' credits. When the farmers had meetings in Kansas City and other places and said that they would hold some of their stock and grain for higher prices, what did the Federal reserve bank say? The message went out by grapevine route from this bank and from that bank to deflate the farmers' credits. How many of you from the farming districts know that the notes of the farmers have been refused extension and that the farmers have been compelled to sell their stock, their cattle, and their products for practically nothing upon the market in order that those of the favored classes, not the producer, but the man who handles the produce, might have the benefit of dealing with those commodities? That is why the gentleman from Mississippi is paying \$12 for shoes, and why the other gentleman pays such a high price for his steak up here at the Arcade Market. It is simply due to the manipulation of credits by the Federal Reserve Board and nothing else on earth. There is being built up in this country a monopoliza-tion of credits, a shifting and monopolizing of credits, and unless that matter is investigated and corrected we will have no relief. There is a resolution now pending before the Committee on Rules of this House and I am satisfied that the Committee on Rules and that the leaders of this House are overwhelmingly in sympathy with it. I believe that some day that resolution will come up here and pass and that there will be an investigation of this proposition, and that then we will have chance to go into these star-chamber proceedings of the Federal Reserve Board and see what is happening there.

The international bankers, I tell you, and this comes with a good deal of force, deliberately started out to deflate the credits of the world. They said, "What credits will we first deflate?"
They concluded of course that they must first deflate the credits of the most prosperous country, namely, the United States. Then, having decided on that question, they next inquired whose credit in the United States would they deflate first. The answer was the farmer's, because they said he could stand it better, because he would have his farm left or his lease left, something to live upon, while the poor fellows up in New York who are speculating and holding wool and condensed milk and other articles would have no means of making a living

after their credits are deflated.

I rose here for the purpose in this connection of calling the attention of the committee to the fact that one practice which this resolution asked investigation of, namely, the coercion adopted by the Federal Reserve Board in the case of the small banks of the country, has met with considerable success. While this investigation has been going on before the Rules Committee, the Supreme Court has heard a case brought before it by a number of country bankers in the State of Georgia against the Federal Reserve Bank of Atlanta, and that court has decided in favor of the country banks. The point at issue briefly was on the par collection of checks. The Federal Reserve Board and the banks which are seeking to build up a monopolistic control of money in this country undertook to get the State banks into the system, and one of the methods they adopted was to force them to pay checks without the payment of any exchange.

Most of the small banks have to live upon their small exchange collections. Now they usually send a very gentlemanly man in the first instance to these small banks. The gentleman from Wyoming has a bank in his district that has had some ex-The gentleman from Nebraska, who represents the district in which Pierce, Nebr., is located, had some experience. They said to these banks that they would like to have them par their checks—that is, cash those checks without any ex-change whatever. "Well," they said, "we can not do that; we have to have exchange to live upon." So the result was that in many, many cases of the small banks they did not get them to par their checks, and they began a system of persecution to this effect, that in the case of Mr. Woods Cones's bank, which is a fine illustration, in the State of Nebraska, at Pierce, they collected and accumulated \$35,000 worth of checks on his bank

at the branch bank at Omaha, which is a branch of the Kansas City Federal Reserve Bank. When they had it all collected they put on a train two men with revolvers in suit cases and brought them out some 25 or 35 miles, and then by automobile out to Pierce. At 11 o'clock they appeared at Mr. Woods Cones's bank and presented the \$35,000 worth of checks over the counter and demanded payment, not through the regular course of their business, but the accumulation of two weeks' checks. The purpose of that was very apparent. It was to embarrass him and discredit his bank, and finally to coerce him and force him to join the Federal reserve bank system. I claim that the State banks of Georgia, Louisiana, and all these small banks which went into a protective association for the purpose of stopping this sort of thing are entitled to the greatest credit from the people of this country.

Now, Mr. Chairman, this decision of the Supreme Court has reference to this proposition, and I ask to include in the record this decision of the Supreme Court by Mr. Justice Holmes, who

may be Chief Justice. It is as follows:

[Supreme Court of the United States. No. 679. October Term, 1920.
American Bank & Trust Co. et al., appellants, v. Federal Reserve
Bank of Atlanta, Ga., et al. Appeal from the United States Circuit
Court of Appeals for the Fifth Circuit. May 16, 1921.]

[Supreme Court of the United States. No. 679. October Term, 1920. American Bank & Trust Co. et al., appellants, v. Federal Reserve Bank of Atlanta, Ga., et al. Appeal from the United States Circuit Court of Appeals for the Fifth Circuit. May 16, 1921.]

Mr. Justice Holmes delivered the opinion of the court. This is a bill in equity brought by country banks incorporated by the State of Georgia against the Federal Reserve Bank of Atlanta, incorporated under the laws of the United States, and its officers. It was brought in a State court, but removed to the district court of the United States on the petition of the defendants. A motion to remand was made by the plaintiffs, but was overruled. The allegations of the bill may be summed up in comparatively few words. The plaintiffs are not members of the Federal reserve system and many of them have too small a capital to permit their joining it, a capital that could not be increased to the required amount in the thinly populated sections of these small institutions is a charge for the services rendered by them in paying checks drawn upon them at a distance and forwarded, generally by other banks, through the mail. The charge covers the expense incurred by the paying bank and a small profit. The banks in the Federal reserve system are forbidden to make such charges to other banks in the system. (Federal reserve act of Dec. 23, 1913, ch. 6, sec. 13, 38 Stat., 263; amended Mar. 3, 1915, ch. 93, 38 Stat., 393; Sept. 7, 1916, ch. 461, 39 Stat., 752; and June 21, 1917, ch. 32, secs. 4, 5, 40 Stat., 243, 235.) It is alleged that in pursuance of a policy accepted by the Federal Reserve Board the defendant bank has determined to use its power to compel the plaintiffs and others in like situation to be come members of the defendant, or at least to open a nonmember clearing account with defendant, and thereby under the defendant's requirements to make it necessary for the plaintiffs to maintain a much larger reserve than in their present condition they need. This diminution to b

606. See, further, Smith v. Kansas City Title & Trust Co., Feb. 28, 1921.)

A more plausible objection is that by the Judicial Code, section 24, sixteenth, except as therein excepted national banking associations for the purposes of suits against them are to be deemed citizens of the States in which they are respectively located. But we agree with the court below that the reasons for localizir gordinary commercial banks do not apply to the Federal reserve banks created after the Judicial Code was enacted, and that the phrase "national banking associations" does not reach forward and include them. That phrase is used to describe the ordinary commercial banks, whereas the others are systematically called "Federal reserve banks." We see no sufficient ground for supposing that Congress meant to open the questions that the other construction would raise.

On the merits we are of opinion that the courts below went too far. The question at this stage is not what the plaintiffs may be able to prove, or what may be the reasonable interpretation of the defendants' acts, but whether the plaintiffs have shown a ground for relief if they can prove what they allege. We lay on one side as not necessary to our decision the question of the defendants' powers and, assuming that they act within them, consider only whether the use that according to the bill they intend to make of them will intringe the plaintiffs' rights. The defendants say that the holder of a check has a right to present it to the bank upon which it was drawn for payment over the counter, and that however many checks he may hold, he has the same right as

to all of them and may present them all at once, whatever his motive or intent. They ask whether a mortgagee would be prevented from foreclosing because he acted from disinterested malevolence and not from a desire to get his money. But the word "right" is one of the most deceptive of pitfalls; it is so easy to slip from a qualified meaning in the premise to an unqualified one in the conclusion. Most right are qualified. A man has at least as absolute a right to give his own money as he has to demand money from a party that has made no promise to him; yet if he gives it to induce another to steal or murder, the purpose of the act makes it a crime.

A bank that receives deposits to be drawn upon by check, of course, authorizes its depositors to draw checks against their accounts and holders of such checks to present them for payment. When we think of the ordinary case, the right of the holder is so unimpeded that it seems to us absolute. But looked at from either slde, it can not be so. The interests of business also are recognized as rights, protected against injury to a greater or less extent, and in case of conflict between the claims of business on the one side and of third persons on the other lines have to be drawn that limit both. A man has a right to give advice, but advice given for the sole purpose of injuring another's business and effective on a large scale might create a cause of action. Banks as we know them could not exist if they could not rely upon averages and lend a large part of the money that they receive from their depositors on the assumption that not more than a certain fraction of it will be demanded on any one day. If without a word of falsehood but acting from what we have called disinterested malevolence, a man, by persuasion, should organize and carry into effect a run upon a bank and ruin it, we can not doubt that an action would lie. A similar result, even if less complete in its effect, is to be expected from the course that the defendants are alleged to intend, and to determine w

Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. HAUGEN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. Towner, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 6320, had come to no resolution thereon.

# LEAVE OF ABSENCE.

By unanimous consent, Mr. BIXLER was granted leave of absence for six days from the House of Representatives, on im-

portant business, beginning Tuesday, May 31, 1921.

Mr. COOPER of Wisconsin. Mr. Speaker, I ask unanimous consent for leave of absence until Thursday of next week, on

account of important business.

The SPEAKER. Is there objection? [After a pause.] There is no objection.

## ORDER OF BUSINESS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that at the conclusion of the consideration of the packer bill it may be in order to take up under the rules of the House the bill (H. R. 6611) to establish in the Treasury Department a veterans' bureau, and to improve the facilities and service of such bureau, and further to amend and modify the war-risk insurance act, known as the Sweet bill.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that after the conclusion of the packer bill it shall be in order to take up the Sweet bill. Is there objection?

Mr. OLDFIELD. Mr. Speaker, reserving the right to object,

is it the purpose of the gentleman to conclude this packer bill on next Tuesday?

Mr. MONDELL. I am not at all certain that we can conclude the consideration of the bill on Tuesday. If not, I think it may be possible to dispense with Calendar Wednesday, although I am not certain as to that now, and go on with the packers bill, and then, at the conclusion of the consideration of that bill, take up the Sweet bill.

Mr. OLDFIELD. I have no objection.
The SPEAKER. The Chair hears no objection.

#### ADJOURNMENT.

Mr. HAUGEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 48 minutes p. m.) the House, under its previous order, adjourned until Tuesday, May 31, 1921, at 12 o'clock noon.

### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SWEET, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 6611) to establish in the Teasury Department a veterans' bureau and to improve the facilities and service of such bureau, and further to amend and modify the war-risk insurance act, reported the same without amendment, accompanied by a report (No. 104), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. JONES of Pennsylvania, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 5616) granting the consent of Congress to the commissioners of Venango County, their successors and assigns, to contruct a bridge across the Allegheny River, in the State of Pennsylvania, reported the same with an amendment, accompanied by a report (No. 105), which said bill and report were referred to the House Calendar.

Mr. VOLSTEAD, from the Committee on the Judiciary, to which was referred the bill (H. R. 2908) for the incorporation of the Grand Army of the Republic, reported the same with amendments, accompanied by a report (No. 106), which said bill and report were referred to the House Calendar.

Mr. KAHN, from the Committee on Military Affairs, to which was referred the joint resolution (H. J. Res. 138) to repeal so much of the act of Congress approved February 28, 1920, as pro-vides for Camp Eustis, Va., reported the same without amendment, accompanied by a report (No. 107), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. RHODES, from the Committee on Mines and Mining, to which was referred the bill (H. R. 4813) changing the period for doing annual assessment work on unpatented mineral claims from the calendar year to the fiscal year ending June 30 each year, reported the same without amendment, accompanied by a report (No. 108), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

## CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 6575) granting a pension to Martha A. Bailey, and the same was referred to the Committee on Pensions.

# PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. KALANIANAOLE: A bill (H. R. 6672) to authorize and provide for the manufacture, maintenance, distribution, and supply of electric current for light and power within the districts of North and South Hilo and Puna, in the county of Hawaii, Territory of Hawaii; to the Committee on the Territories.

Also, a bill (H. R. 6673) granting a franchise for the purpose of manufacturing and supplying gas and electric current in the districts of Wailuku and Makawao, county of Maui, Territory of Hawaii; to the Committee on the Territories.

Also, a bill (H. R. 6674) to authorize and provide for the manufacture, maintenance, distribution, and supply of electric current for light and power within Kapaa and Waipouli, in the district of Kawaihau, on the island and county of Kauai, Territory of Hawaii; to the Committee on the Territories.

By Mr. SUTHERLAND: A bill (H. R. 6675) to amend section 24(e) of the act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916; to the Committee on Military Affairs

By Mr. MARTIN: A bill (H. R. 6676) creating the office of United States civil engineer, and providing for the pay and retirement of such officers; to the Committee on Military Affairs.

By Mr. FULMER: A bill (H. R. 6677) to amend section 11, paragraph 2, of the Federal reserve act; to the Committee on Banking and Currency.

By Mr. BRITTEN: A bill (H. R. 6678) for the relief of contractors and subcontractors, including material men, for work under the Navy Department, and for other purposes; to the Committee on Naval Affairs.

By Mr. HUDSPETH: A bill (H. R. 6679) to amend section 108 of an act entitled "An act to codify, revise, and amend the

laws relating to the judiciary," approved March 3, 1911; to fhe

Committee on the Judiciary.

By Mr. KOPP: A bill (H. R. 6680) to amend section 1 of the act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved July 27, 1916, and section 1 of the act entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramente River, Calif., and for other purposes," approved March 1, 1917; to the Committee on Rivers and Harbors.

By Mr. SWING: A bill (H. R. 6681) authorizing the Secretary of the Interior to declare certain lands in Riverside County, Culif., a national monument, etc.; to the Committee on the

Public Lands.

By Mr. CHINDBLOM: A bill (H. R. 6682) authorizing the Secretary of the Treasury to provide additional facilities for the United States Public Health Hospital at Broadview, Cook County, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. COOPER of Wisconsin: A bill (H. R. 6683) to enlarge the area of lands authorized to be taken for the reclamation of the Anacostia River Flats; to the Committee on the Library.

By Mr. REECE: A bill (H. R. 6684) to provide for the erection of a public building at Mountain City, Johnson County, Tenn.; to the Committee on Public Buildings and Grounds.

By Mr. JOHNSON of Washington: Joint resolution (H. J. Res. 135) authorizing the appointment and retirement of Army field clerks and field clerks, Quartermaster Corps; to the Committee on Military Affairs.

By Mr. GILLETT: Joint resolution (H. J. Res. 137) proposing an amendment to the Constitution of the United States; to

the Committee on the Judiciary.

By Mr. KAHN: Joint resolution (H. J. Res. 138) to repeal so much of the act of Congress approved February 28, 1920, as provides for Camp Eustis, Va.; to the Committee on Military

By Mr. LONDON: Concurrent resolution (H. Con. Res. 20) creating a joint commission on unemployment; to the Committee

on Rules

By Mr. BECK: Memorial of the Legislature of the State of Wisconsin, relating to the establishment of more friendly rela-tions with Russia and for the resumption of trade and commerce with the Russian people; to the Committee on Foreign Affairs.

# PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows: By Mr. BIXLER: A bill (H. R. 6685) granting a pension to

Mary Cole; to the Committee on Invalid Pensions.

By Mr. BLAKENEY: A bill (H. R. 6686) for the relief of George Ciszek and Anna Ciszek; to the Committee on Claims. By Mr. BRITTEN: A bill (H. R. 6687) for the relief of Clara

Fitzgerald; to the Committee on Claims.

By Mr. BYRNS of Tennessee: A bill (H. R. 6688) granting an increase of pension to Mary E. Waters; to the Committee on Invalid Pensions.

By Mr. DOWELL: A bill (H. R. 6689) granting a pension to Edmund N. White; to the Committee on Invalid Pensions.

By Mr. EDMONDS: A bill (H. R. 6690) granting an increase of pension to George W. Kelley; to the Committee on Pensions. By Mr. FAUST: A bill (H. R. 6691) granting a pension to Benjamin Agee; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 6692) granting a pension to

William Hays; to the Committee on Pensions.

By Mr. GILLETT: A bill (H. R. 6693) granting a pension to Patrick Newell; to the Committee on Pensions.

By Mr. HADLEY: A bill (H. R. 6694) granting a pension to James Gloster; to the Committee on Invalid Pensions.

By Mr. HOUGHTON: A bill (H. R. 6695) granting a pension

to Celia H. Hulslander; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6696) granting a pension to Mary J. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6697) granting an increase of pension to

Arthur E. Prager; to the Committee on Pensions.

By Mr. JOHNSON of Washington; A bill (H. R. 6698) for the relief of Lon Lewis, alias Alonzo E. Schneider; to the Com-

mittee on Military Affairs. By Mr. QUIN: A bill (H. R. 6699) to carry out the findings of the Court of Claims in the case of the estate of Haller Nutt,

deceased; to the Committee on War Claims.

By Mr. RADCLIFFE: A bill (H. R. 6700) granting an increase of pension to George R. Cott; to the Committee on

By Mr. RAINEY of Alabama: A bill (H. R. 6701) to reimburse D. H. Carpenter, postmaster at Seddon, Ala., for money | Foreign Commerce.

and stamps stolen from said post office at Seddon, Ala., and repaid by him to the Post Office Department; to the Committee on Claims.

Also, a bill (H. R. 6702) granting an increase of pension to Mary A. Crow; to the Committee on Invalid Pensions.

By Mr. REECE: A bill (H. R. 6703) granting a pension to Nancy Miller Odom; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6704) for the relief of George W. Fair; to the Committee on War Claims.

By Mr. ROBSION: A bill (H. R. 6705) granting a pension to Kittie Young; to the Committee on Invalid Pensions.

Also, a bill (H, R, 6706) granting a pension to John Sopher:

to the Committee on Pensions.

By Mr. SWEET: A bill (H. R. 6707) authorizing the Secretary of War to donate to the town of Jesup, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SWING: A bill (H. R. 6708) granting a pension to Mattie F. Conkle; to the Committee on Invalid Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 6709) granting a pension to Elsworth W. Pixler; to the Committee on Pensions.

Also, a bill (H. R. 6710) for the relief of Elmer Howe; to the Committee on Claims.

By Mr. TREADWAY: A bill (H. R. 6711) granting an increase of pension to Nellie C. Newton; to the Committee on Invalid Pensions.

By Mr. ARENTZ: A bill (H. R. 6712) for the relief of Charles M. Way; to the Committee on Claims. By Mr. GAHN: Joint resolution (H. J. Res. 136) to pay Louis

Cayet for injuries received when his motor cycle collided with a mail truck; to the Committee on Claims.

### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid

on the Clerk's desk and referred as follows:
985. By Mr. ARENTZ: Petition of the Reno (Nev.) Chamber

of Commerce, against the discriminatory reductions in east and west bound transcontinental rates to and from the Pacific coast without corresponding reductions to intermediate points; to the Committee on Interstate and Foreign Commerce.

986. By Mr. BURTNESS: Petition of John F. Reynolds Post, Grand Army of the Republic, Fargo, N. Dak., favoring passage of Smith-Towner bill, with modifications; to the Committee on

Education.

987. By Mr. BURTON: Petition of sundry citizens of Painesville, Ohio, praying for support of the uniform marriage and divorce amendment now before Congress for consideration; to the Committee on the Judiciary.

988. By Mr. BYRNS of Tennessee: Papers to accompany bill granting an increase of pension to Mary E. Waters; to the Com-

mittee on Invalid Pensions.

989. By Mr. CRAMTON: Telegram of J. H. Beckton, president People's State Bank, Caro, Mich., protesting against excise tax on sugar recommended by the Secretary of the Treasury; to the Committee on Ways and Means.

990. By Mr. DARROW: Petition of the Philadelphia Bourse, against legislation permitting Federal operation of private in-

dustry; to the Committee on Agriculture.

991. By Mr. FULLER: Petition of the Samuel C. Osborn Manufacturing Co. and the Cable-Nelson Piano Co., urging the repeal of the tax on musical instruments, etc.; to the Committee on Ways and Means.

992. Also, petition of the General Federation of Women's Clubs, opposing the Walsh bill for the damming of Yellowstone Lake, in Yellowstone National Park; to the Committee on the

Public Lands.

993. Also, petition of the Streator (Ill.) Council, Knights of Columbus, favoring legislation for the relief of disabled soldiers; to the Committee on Interstate and Foreign Commerce.

994. By Mr. KNUTSON: Petitions of the National Indian War Veterans Association, San Francisco, Calif.; George W. Spurrier, Clay Center, Kans.; Daniel Strasburger and G. R. Thompson, Washington, D. C., favoring the passage of House bill 5; to the Committee on Pensions.

995. By Mr. LINTHICUM: Petition of the Maryland State Federation of Labor, Baltimore, to investigate Mingo County

mine-labor troubles; to the Committee on Labor.

996. Also, petition of the Kennedy Foundry Co., Baltimore, Md., protesting against additional duty on graphite; to the Committee on Ways and Means.

997. By Mr. NORTON: Petition of the Army and Navy Post, No. 54, American Legion, of Cleveland, Ohio, urging relief for the disabled soldiers; to the Committee on Interstate and

· 998. By Mr. STINESS: Petition of the Rhode Island Women's Club, urging that a conference be held for the reduction of armaments; to the Committee on Foreign Affairs.

999. By Mr. WATSON: Petition of the Wyncote Section, Pennsylvania League of Women Voters, favoring international

disarmament; to the Committee on Foreign Affairs.

1000. By Mr. YATES: Petition of the Barrows Lumber Co., East St. Louis, Ill., by L. W. Barton, treasurer and general manager, protesting against the excess-profits tax; to the Committee on Ways and Means.

## SENATE.

# TUESDAY, May 31, 1921.

The Chaplain, Rev. J. J. Muir, D. D., offered the following praver:

Our Father, we come to thank Thee for our country, in view of all the memories associated with yesterday. We bless Thee for the Union which prevails under a common flag, and as we think of those who loved not their lives, dear unto them, so much as they loved their country. Grant unto us such a conception of duty and responsibility that we may fulfill every responsibility and duty as in Thy fear. Make Thyself manifest in all lands and hasten the time when peoples shall understand the large opportunity of relationship. Through Jesus Christ, Amen.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Thursday, May 26, 1921, when, on request of Mr. Curtis and by unanimous consent, the further reading was dispensed with and the Journal was approved.

JUDGMENTS OF COURT OF CLAIMS (S. DOC. NO. 26).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a list of judgments rendered by the Court of Claims amounting to \$143,607.32, which was referred to the Committee on Appropriations and ordered to be printed.

CLAIMS ALLOWED BY ACCOUNTING OFFICERS (S. DOC. NO. 27).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a schedule of claims amounting to \$182,270.48, allowed by the several accounting officers of the Treasury Department under appropriations the balances of which have been exhausted or carried to the surplus fund under the provision of section 5 of the act of June 20, 1874, which was referred to the Committee on Appropriations and ordered to be printed.

INTERDEPARTMENTAL SOCIAL HYGIENE BOARD (S. DOC. NO. 28).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a communication from the chairman of the United States Interdepartmental Social Hygiene Board submitting supplemental estimates of appropriations in the sum of \$525,000, required by that board for the fiscal year 1922, which was referred to the Committee on Appropriations and ordered to be printed.

SUPPLEMENTAL ESTIMATE, GOVERNMENT PRINTING OFFICE (S. DOC. NO. 29).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a communication from the Public Printer submitting a supplemental estimate of appropriation in the sum of \$16,383.63, required by the Government Printing Office for payment for holidays for the fiscal year 1921, which was referred to the Committee on Appropriations and ordered to be printed.

POLICIES (F EUROPEAN POWERS.

Mr. BRANDEGEE. Mr. President, I ask unanimous consent to have printed in the RECORD an article from the New York Herald of Sunday, May 29, by Frank H. Simonds, on the present policies of the European powers,

The PRESIDENT pro tempore. Without objection it is so

ordered.

The article is as follows:

[From the New York Herald, Sunday, May 29, 1921.] "SILESIA SUPPLANTS BALKANS AS THE WORLD'S THORN—GREAT NATIONS HANDLING DISTURBING QUESTION WITH OLD DIPLOMACY, GREAT BRITAIN AND ITALY OPPOSING FRANCE FROM SELFISH MOTIVES, FRANK H. SIMONDS SAYS, WHILE THE GALLIC REPUBLIC SEEKS TO AGGRANDIZE POLAND TO TAKE RUSSIA'S PLACE AS ITS CHIEF ALLY. "[By Frank H. Simonds.]

"The upper Silesian question, which has set all Europe by the ears for the last few weeks, is interesting beyond all else because it is the first purely political dispute since the World

War. That is to say, it is exactly like the kind of dispute which, growing out of Balkan issues, for example, steadily threatened the peace of the world up to that moment when the assassination of Sarajevo precipitated the supreme crisis.

"There is a Silesian question, a purely Polish-Germanic issue, just as there were endless Balkan disputes, disputes between Serbia and Turkey, Greece and Turkey, Bulgaria and Turkey, and, at a later date, between Austria and Serbia. But the Silesian, like the Serbian, aspect is minor. What Americans have now to appreciate is the fact that we are done with an old war and an old dispute, but we are entering into a new period, a new rivalry. Europe, after the tremendous upheaval which brought the United States to the Continent and involved the whole world in the German war, is settling back into the old ruts which have shaped history for a thousand years.

"We may dispute the upper Siles!an question, as such, for the moment and analyze the real issues involved in the crisis, which was marked by the sensational exchanges of public state-ments between Lloyd-George and Briand, statements which were at points almost minatory and were rightly accepted the world over as indicating the weakening of the Anglo-French entente, not because of German issues, not because of differences of opinion as to issues of the old war, but because of a totally different conception as to national interests existing in London and Paris.

"BRITISH POLICY A REPETITION OF HER CONTINENTAL ATTITUDE.

"To look at the British point of view first, it will be seen at once that Great Britain has resumed her traditional continental policy. From time to time the threats of Spain, of France under Louis XIV, and again under Napoleon have brought England to the Continent. She came last when Germany undertook to play the Napoleonic rôle. But always, when the immediate menace is over, Britain begins to consider the next dance, the next partner, and the new European situation.

"Germany was a danger, a menace commercially, industrially. finally politically. William II challenged Britain on the blue The result was that Britain in the decade which followed the Boer War steadily extended her understandings on the Continent with that group of nations which were necessarily hostile to Germany. British policy envisaged an association against Germany which would check and restrain the overleaping ambition of the new Germany.

In the end the British policy led straight to the World War, because Germany was bound not to be limited; to dominate, not to play the rôle of one of many great powers. But the war came, Germany was beaten, as Louis XIV had been, as Napoleon had been. And with German defeat Germany ceased to be a menace for the British. The German war fleet was gone, the German commercial fleet was mainly in British hands. So were the German colonies. That country which had been a dangerous rival became, instantly, no more than a prospective customer.

"More than this, the defeat of Germany had brought the ascendancy of France on the Continent. France became in British eyes the next possible rival. It was the business of British statesmen to restrain France, to preserve Germany as a counterbalance, exactly as Britain had preserved France from partition, after Waterloo, insisting that the France of 1789 should be restored to the Bourbons on their return from exile. In taking this course Britain fought Prussia a century

ago as she is now fighting France.

"One must not confuse apparent moderation, reasonableness, even generosity to Germany by the British as an evidence of a higher moral standard than exists among other European nations. No; the British moderation is policy long before it is moral principle. Britain sees France now, as she saw Germany before the war, as a possible rival. Could France add the coal of the Ruhr to the iron of Alsace-Lorraine and of French Lorraine, France would become the greatest iron, steel, and coal nation in the world, and on such bases German expansion and powers built.

"BRITAIN RESTRAINED THE FRENCH BY USING AMERICA AND ITALY.

"At the Paris conference the main effort of British statesship was to restrain France, using both the United States and Italy as tools. Mr. Wilson's 14 points were convenient bases for action in restraint of French ambition—once Mr. Wilson had accommodatingly dropped that article in his faith which affected British naval strength, namely, the freedom of the seas. Thus we found the British opposing French acquisition of the Saar, of the left bank of the Rhine, and in the same way undertaking to block French expansion in Syria.

"A Germany which had no terrors for Britain might easily

become a useful counterweight to France. Hence the insistence by the British upon concession after concession to the Germans.

Every French effort to advance into Germany to enforce the treaty of Versailles has met with instant British opposition. Unfortunately for the English, the treaty of Versailles established certain laws, certain rights for France. In the last analysis, when the Germans openly violated these rights, the British were compelled to support French purpose, but always

with reluctance and after desperate resistance.

"British policy believes that a strong Germany is essential to the balance of power in Europe. British support of Germany, as a consequence, is not humanitarian; it does not rest upon any higher conception of international policy; it is exactly the same principle which has dominated British policy toward the Continent ever since Britain began to have a continental policy. Some of the most cynical and some of the most righteous actions in all British history have resulted from the application of this policy, but Americans should perceive it is policy, not morals, and British defense of German integrity to-day is no more than the pursuit of British subjectives, as always.

"WHY FRANCE WANTS GERMANY KEPT WEAK AND DIVIDED.

"Now, if one turns to the French situation, exactly the same conditions persist. The whole history of modern France is dominated by the desire and the necessity of France to keep Germany divided, weak, broken into small States. The reason is that whenever Germany has been in any measure united and France weak German or Austrian armies, counting Austria as the great German power she was before the Napoleonic era, have overflowed into France, as they did in 1870 and again

in 1914.
"The advance of France to the Rhine under Richelieu was no more than the instinctive desire of France to place between herself and her hereditary enemy the single barrier which, from the days of Rome onward, had been a real obstacle to predatory German tribes. French history from the time of Henry IV onward has been a desperate battle to hold the northern frontier and the eastern gateways into France. When France has been strong she has pushed beyond the frontiers and conquered. When she has been weak she has recoiled and suffered devastat-

ing invasions.

"France made an alliance with Russia in the closing years of the last century to protect herself, to obtain a measure of independence in Europe, which had been lacking since Germany conquered her and reduced her to the level of a second-rate State. French safety rested henceforth upon the certainty that a fresh German attack-and many were threatened-would be accompanied by a Russian declaration of war, and when the war came, while German troops were victoriously pushing toward Paris, Russian invasion in East Prussia recalled the German corps with which the Marne might have been made a German victory.

"Germany defeated, France had two political objectives. The first was to reestablish her northern and eastern frontiers. sought to do this by military, if not political, occupation of the left bank of the Rhine from Holland to Switzerland. In addition, she claimed the Saar Basin, most of which had been French before 1814 and had come to France not as a result of conquest but by peaceful bargain with Austria, the ancient owner. Her second objective was an alliance with an eastern neighbor of Germany, which would insure a war on two fronts for Germany if she made a new attack upon France.

"FRENCH INTERESTS WOULD LIFT POLAND TO FIRST-CLASS POWER.

"But since Russia had fallen into anarchy and worse there was no present possibility of a restoration of the old Franco-Russian alliance. As a consequence France had to find a new ally, and she tabled upon Poland, historically bound to France by many ties, and now, as a result of her liberation, to become a considerable State. All French policy at Paris and since has centered upon making Poland as powerful as possible. fundamentally it is well for Americans to perceive that here is no question of sympathy for Poland-although there is much in France-but merely of French interest.

"But Poland was certain to become the battle ground of French and British policy, for the size and importance of Poland was sure to be a determining factor in French influence and power. To put the thing simply, Poland, could she have Danzig, the eastern marches which she has disputed with Lithuania and with Red Russia, would be a State of between 30,000,000 and 40,000,000, with an area greater than that of Britain or Italy and almost equal to that of Germany as reduced by the treaty of Versailles. If, in addition, Poland could obtain the coal fields of upper Silesia, she would be a great power once her unification were completed.

by every possible tie. Moreover, Polish armies officered and trained by French generals would in closest union with the French supply a military strength which would be the controlling factor on the Continent, holding Germany in restraint, dominating the east of Europe, and, in the nature of things, bound to Rumania, another important element in the new Europe, by an inevitable alliance against the common Russian

"Thus it has resulted that on every occasion when a Polish matter has been up before the Paris conference of the supreme council British policy has been flatly anti-Polish. It was Lloyd-George who prevented Polish ownership outright of Danzig and of upper Silesia, who reduced the Polish corridor. It was a British high commissioner of Danzig who refused to let French munitions pass to the hard-pressed Polish armies when the bolshevists approached Warsaw. It was Lloyd-George himself who proposed, while the Reds were still advancing, that Poland agree to a treaty which would have cut in half the area of the new State.

"By contrast it was Gen. Weygand and his French subordinates, reinforced by French munitions, and ably assisted on the civil side by Ambassador Jusserand, who rallied the Polish armies, delivered the counter stroke before Warsaw, which won back for Poland her lost territory. The treaty of Riga restored to Poland all the lands lost in the second partition, and at last gave her something which approximates a natural frontier toward Russia. To-day French sympathy is extended to Poland claiming Vilna, where her ethnic majority is overwhelming. It is British opposition which may defeat the Polish aspiration.

'One has, then, a clear notion of the real as contrasted with the imaginary issue at stake in upper Silesia. Poland actually carried in the plebiscite the area which she claims and most of what Korfanty has occupied. There is not the smallest question of fact. No interpretation of the language of the treaty can fail to establish Polish claims. But the British and Italians for purposes British and Italian oppose, the French for similarly selfish interests support, the Polish claims, and the Poles despairing of justice, have taken the matter into their own hands.

One word now as to the Italian attitude. Italy is opposing France for many reasons, the first of which is historic jealousy and rivalry. The French and Italians are Latins, as we and the British are Anglo-Saxons, and the legend that 'blood is thicker than water' is about as accurate in one case as in the other. Before the war Italy was an ally of Germany and Italian foreign policy was chiefly anti-French, largely because of French success in acquiring the territories in North Africa, notably Tunis, toward which Italian aspirations were directed.

"But in the conference of Paris Italy had real grievances against France. Clemenceau treated the Italians very shabbily, and French representatives, bowing to President Wilson, turned their back not alone upon Italian claims but upon Italian rights established by treaty. It was the prompt proclamation of Italian neutrality which had allowed France to use her Alpine Corps on the German front and denude her Italian marches. Wisdom and self-interest both dictated that France should support Italy against Wilson, but France gave only perfunctory aid, and as a consequence Italy felt and feels that she was deserted at Paris and has come out of the war in which her armies made great sacrifices and suffered grave losses, a loserthe one loser among the Allies.

"HOSTILITY HAS FOR ITS OBJECT RESTRICTION OF FRANCE.

"The consequence has been the steady hostility of Italy to France. Now Italian hostility to Poland is, like British, primarily the result of a purpose to restrict France. The Polish occupation of upper Silesia is in principle exactly the same sort of venture as that of D'Annunzio at Fiume. As to the sacredness of the principle of self-determination, which the British and Italians allege the Poles have violated, what does that mean to Italy, who insisted upon annexing 300,000 German-speaking Tyrolese in the Valley of the Adige, where there was not even an Italian minority, merely to give Italy her natural frontier of the crests of the Alps? What does it mean to Italy, who has similarly annexed 400,000 Slovenes behind Trieste, simply to obtain a defensible frontier for the great Adriatic port?

"Italy, like Britain, is interested in keeping France within limits. Her policy is tinged with hatred and resentment, based upon treatment which can hardly be justified. In the British case there is no resentment, no bitterness, nothing but cold policy, but the end is the same in both cases. The question of upper Silesia finds both the British and the Italians united because it is fundamentally a French and not a Polish question. The policy of Britain in preserving Germany finds Italian support, because Italy, like Britain, has no desire to see France "And this new great power would, in the nature of things, be an ally and even a subordinate of France, bound to the Republic dominate the Continent through her Polish and other alliances.

"Poland, then, has something of the value Serbia had in the days of the Balkan wars. It was because Serbia was the ward of Russia primarily that Austria and Germany sought to destroy the small State and thus weaken Russian prestige and influence in the Balkans. And because of the system of alliances in Europe all the other great powers were dragged in and the general war resulted. But just as in 1914 Austrian to Serbia had its main origin in Russian support of the Serbian State, so in 1921 Anglo-Italian hostility to Poland has its chief explanation in French association with Poland.

ENGLAND SETS BOUND ON A POSSIBLE RIVAL IN FRANCE.

"British policy seeks to keep Germany measurably strong and united as a restraint upon France, historically the great British rival in the world and in British eyes not impossibly a Italy seeks the same objective for similar reasons, to which are added feelings of a personal character. France seeks to keep Germany weak, not so much through the desire to dominate the Continent as because Germany has been for a century at least a deadly menace to French existence. But to keep Germany strong it is necessary to limit Poland on all sides, not only to prevent her from annexing German territory but from expanding eastward into the regions which are historically Polish. This is the whole upper Silesian dispute in a nutshell.

"Simple as is the issue, however, it is not simple when it comes to the American public through the medium of foreign dispatches. We have learned to think of Garibaldi's great exploit, when he set out with his thousand for Sicily and overthrew the kingdom of Naples as a deed of daring patriotism, But there is small difference between the Garibaldi episode and that of Korfanty in upper Silesia. Korfanty is made to appear as a criminal, the Poles as the disturbers of the peace of the world, just as Austrian newspapers unquestionably described Garibaldi in the last century, because most of our European from London, and British policy is gravely news comes

weakened by the Korfanty exploit.

"It was precisely such affairs that made us ridiculous at Paris and after Paris. We were constantly accepting the surface political indications as complete. We were never in the current of the real facts. To take an example, when I first went to Paris I discovered that the whole American press delegation was filled with reports of French chauvinism, French imperialism, etc. Surprised, I made some investigations and discovered that a bitter battle behind the scenes was being fought between the French and British foreign offices over Syria. Since the French insisted upon their rights as established by the Sykes-Picot treaty, the British were invoking the President's 14 points and propagandizing on all sides against the French, using every opportunity to impress the Americans with French militarism and greed for territory.

"What Britain wanted was an Arab kingdom occupying all of the Arabian territories of Turkey, and naturally under British protection and under the rule of an Arab prince, who appeared in Paris under the tutelage of a brilliant young British

officer to plead the cause of self-determination.

'The British wanted self-determination in Syria, because they did not want the French there. They did not want it in India, in Ireland, or in Egypt, because they were there. To-day they do not want self-determination in upper Silesia because it means an accession to French strength. But they have invoked and they will again invoke this principle, so dear to Mr. Lansing's heart, whenever it falls in with British policy. France did not support Italy in the D'Annunzio policy because she was not sympathetic with the Italians in this instance and saw her advantage in following President Wilson. But she is sympathetic with the Korfanty exploit, because it contributes to serving a French purpose.

"At Paris Mr. Wilson's principles, his 14 points, served as an admirable basis for dragging him in one direction and then in another. Whenever any European power wanted something or wanted to prevent some other power from getting something appeal was made to some one of the 14 points and American support was enlisted. We supported the Bulgarian claim to a 'window on the Ægean' at the expense of Greek aspirations, and the Italians supported us against the French and British, who were playing the Greek game. But one day the Greeks offered the Italians a piece of territory in Anatolia, and Italian interest in Bulgarian access to the Ægean vanished into history.

"And it is well for Americans to realize now that the upper Silesian dispute is no more than the first evidence of a European return to old policies. The battle between old rivals and new is to be fought in the familiar way. Europe is striving toward a new balance of power. France, at the moment the dominant power on the Continent, is seeking, by building up a series of alliances with Poland, Rumania, Jugo-Slavia, and Committee on Finance.

Czechoslovakia, to consolidate her position and insure herself against any German recovery. But in thus seeking security she unquestionably marches toward a position of military and

political supremacy in Europe.

"To prevent such French expansion of power Britain and Italy are seeking daily and separately to restrict French influence, to protect Germany, diminish Poland, even to restore Russia as a counterbalance to Poland. You may as an American prefer the French to the British game or the British to the French. It is not inconceivable that Americans may believe their own commercial interests are best served by a restored and fortified Germany. But what it is essential to perceive is that a game is being played, that two groups of nations with equally selfish purposes, selfish as contrasted with idealistic, but perhaps more accurately nationalistic purposes, are seeking to have the best of the play, and in the operation are making the usual appeal to all sorts of appropriate and inappropriate moral principles.

"NOT REALLY A MORAL ISSUE, EACH POWER HAVING MOTIVES.

"In reality the upper Silesian question is hardly a moral issue at all. Great Britain would like to prevent the Poles from acquiring this region, exactly as she turned back parts of European Turkey to the Osmanli butchers in the Beaconsfield era, because she desired to keep Russia away from Constantinople. France would like to have the Poles acquire this region, Polish ethnically, because a stronger Poland would benefit France. Italy is playing the rôle she played in the Sardinian period dur-

ing the Crimean War for her own legitimate interests.
"But naturally the British, the Italians, and the French would like to have American support and are making the very best possible appeal to so-called American idealism along the road. And at Paris there were few crimes which were not momentarily enhanced by the approval of American idealism, which did not understand but never hesitated to act. As for the German, his case is in good hands, and the Pole, now, as always, finds himself the victim of a world which is prepared to keep the peace of Europe no matter what sacrifices it entails upon the Pole, the Serb, the Bulgarian, or any other small people. A similar policy found its ultimate expression in the congress of Berlin, but it also found its logical outcome in the World War, begun as a consequence of the Bosnian episode.

Secretary of State Hughes's refusal to permit this country to be drawn into the discussion, even on the appeal of the Poles, was wise and to be expected, but it did not prevent Lloyd-George from asserting that American public opinion, as expressed by the newspapers, stood with the French and the Italians, and it did call forth certain British suggestions that it would have been

better if we had acted, of course, on the British side.
"But the whole upper Silesian controversy must serve to indicate how essential it is for us, now we have gone back to Europe, to 'watch our step.' At Paris we were made nothing more nor less than tools of British policy, because the British were wise enough to study not only Mr. Wilson's 14 points but Mr. Wilson himself, and make every appeal for American support on a carefully calculated arrangement of their case to meet both the 14 points and Mr. Wilson's own personal views.

There was nothing unfair in the game, no marked cards, but only one nation was represented by supreme players, and that nation took all the tricks and won all the prizes. We are back in the game and anyone who was at Paris can see familiar signs.

"Our vote will still be decisive. What remains to be settled

is who will cast it?'

#### PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore laid before the Senate a resolution adopted by the Board of Supervisors of the City and County of Honolulu, Territory of Hawaii, favoring the enactment of legislation granting a franchise to the Honolulu Rapid Transit & Land Co. in the form approved by the Legislature of Hawaii, which was referred to the Committee on Territories and Insular Possessions.

Mr. CURTIS presented a resolution of the Home Building & Loan Association, of Atchison, Kans., favoring the enactment of legislation exempting demestic building and loan associations from income tax where the income derived by a member from savings in shares does not exceed \$500, which was referred to the Committee on Finance.

He also presented a resolution of the Chamber of Commerce of Kansas City, Mo., favoring the so-called French-Capper truth in fabric bill, which was referred to the Committee on Interstate Commerce.

He also presented a resolution of Local No. 1733, Kansas Farmers' Union, of Purcell, Kans., protesting against the enactment of a sales or turnover tax law, which was referred to the

He also presented a memorial of sundry citizens of Purcell, Kans., remonstrating against the enactment of legislation repealing the excess-profits tax and substituting therefor a sales or turnover tax, which was referred to the Committee on Finance.

He also presented a resolution adopted at a regular meeting of the Motor Trades Association of Riley County, at Manhattan, Kans., April 15, 1921, favoring the enactment of legislation to prevent the dumping of salvaged material from the European war areas in competition with American industry, etc., which was referred to the Committee on Finance.

He also presented five resolutions of sundry citizens of Baldwin, Edgerton, Gardner, Wellsville, Olathe, and Eudora, all in the State of Kansas, favoring the recognition of the Irish republic, which were referred to the Committee on Foreign Relations.

He also presented resolutions of the Lions Club, of Topeka; the Women's Auxiliary, American Legion, of Pittsburg; the Methodist Aid Society, of Pittsburg; City Federation of Women's Clubs, of Pittsburg; Women's Foreign Missionary Society, of Pittsburg; and the B. P. O. Elks, No. 412, of Pittsburg; all in the State of Kansas, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which were referred to the Committee on Finance.

He also presented a petition of the Young Women's Christian Association, of Junction City, Kans., praying for the enactment of legislation providing for the protection of maternity and infancy, which was referred to the Committee on Education and Labor.

He also presented a resolution of Woodson Post, No. 185, Grand Army of the Republic, of Yates Center, Kans., favoring the granting of a minimum pension of \$72 per month for surviving Civil War veterans and a pension of \$50 per month for Civil War widows, which was referred to the Committee on Pensions.

Mr. NELSON presented a resolution of the Minnesota State Americanization Conference, held May 21, 1921, favoring the so-called Kenyon bill providing Federal aid in educational work among the foreign-born residents, which was referred to the Committee on Education and Labor.

He also presented a petition of the First State Bank, of Red Lake Falls, Minn., praying for the enactment of legislation amending the Federal farm loan act so that any bank may have the privilege of negotiating Federal farm loans for customers, which was referred to the Committee on Banking and Currency.

He also presented a memorial of sundry citizens of the State of Minnesota, remonstrating against the enactment of legislation placing a tariff on lumber, which was referred to the Com-

He also presented a petition of sundry citizens of Duluth, Minn., praying for the enactment of legislation creating a department of education, and remonstrating against the enactment of legislation to promote Americanization by providing for cooperation with the several States in the education of non-English-speaking persons and the assimilation of foreign-born residents, etc., which was referred to the Committee on Education and Labor.

Mr. SHORTRIDGE presented seven petitions of sundry citizens, aggregating 260 signers, of Los Angeles, Eagle Rock, Altadena, Santa Monica, Inglewood, Glendale, Pasadena, South Pasadena, Hollywood, Lamanda, Venice, Bell, Alhambra, Long Beach, Hermosa Beach, and Monterey Park, all in the State of California, praying that appropriations be made for the construction of needed naval bases on the Pacific coast, which were ordered to lie on the table.

He also presented a petition of sundry citizens of San Diego, Calif., praying for the enactment of legislation to prohibit gam-

bling in grain and other agricultural products, which was referred to the Committee on Agriculture and Forestry.

Mr. LENROOT presented a petition of sundry citizens of Murry, Conrath, Ladysmith, Glen Flora, Bruce, and Exeland, all in the State of Wisconsin, praying for the enactment of legislation to prohibit gambling in grain and other semination to prohibit gambling in grain and other semination. tion to prohibit gambling in grain and other agricultural products, which was referred to the Committee on Agriculture and

Mr. NICHOLSON presented two petitions of sundry citizens of Leader, Deertrail, La Jara, and Alamosa, all in the State of Colorado, praying for the enactment of legislation to prohibit gambling in grain and other agricultural products, which were referred to the Committee on Agriculture and Forestry.

Mr. CAMERON presented a petition of the Delaware Tribe of Indians residing in Oklahoma, by Richard C. Adams, praying that their claims due under treaty stipulations or the obligations of the Government be referred to the Court of Claims for adjudication and judgment, with the right of appeal to the Supreme

Court of the United States, which, with the accompanying papers, was referred to the Committee on Indian Affairs.

Mr. KEYES presented a resolution adopted at the annual convention of the Merrimack County Sunday School Association, held in Concord, N. H., May 16, 1921, favoring the enactment of legislation to create a department of education, which was referred to the Committee on Education and Labor.

He also presented resolutions of the Women's Auxiliary Unit, Clarence J. Croteau Post, No. 24, of Marlboro, and the Women's Auxiliary, Frank C. Whitman Post, Unit No. 49, American Legion, of Tilton, both in the State of New Hampshire, favoring the enactment of legislation for the relief of disabled exservice men, which were referred to the Committee on Finance.

Mr. LADD presented a resolution of the Women's Auxiliary, American Legion, Unit No. 12, of Washburn, N. Dak., favoring the enactment of legislation for the relief of disabled ex-service men, which was referred to the Committee on Finance.

Mr. ODDIE presented a petition of sundry citizens of the Jarbridge Mining District, Elko County, Nev., praying for the enactment of legislation providing that annual assessment work on mining claims shall be performed between July 1 and June 30, which was referred to the Committee on Mines and Mining.

He also presented a petition of members of the National Soldiers' Home of California, praying for the enactment of the so-called officers' retired bill for surviving officers of the Civil War, which was referred to the Committee on Military Affairs.

He also presented a resolution of Darrell Dunkle Post, No. 1, American Legion, of Reno, Nev., favoring the enactment of legislation for the relief of disabled ex-service men, which was referred to the Committee on Finance.

Mr. CAPPER presented a petition of sundry citizens of Courtland and Republic City, both in the State of Kansas, and of Superior, Nebr., praying for the enactment of legislation to prohibit gambling in grain and other agricultural products, which was referred to the Committee on Agriculture and

Forestry.

Mr. NEWBERRY presented a memorial of the Detroit Federation of Women's Clubs, of Detroit, Mich., remonstrating against the enactment of legislation commercializing the national parks, which was referred to the Committee on Commerce.

He also presented a petition of the Young Women's Christian Association, of Ann Arbor, Mich., praying for the enactment of legislation providing for the protection of maternity and infancy, which was referred to the Committee on Education and Labor.

He also presented a petition of the Parent Teachers' Club, of Holland, Mich., praying for the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

He also presented resolutions of the Board of Commerce of Detroit; the Chamber of Commerce of Ann Arbor; Women's Auxiliary, the American Legion, of Berrien Springs; Ladies' Auxiliary of Edw. C. Headman Post, No. 217, of Wyandotte; the Women's Auxiliary of Hannan-Cobin Post, No. 180, of Hudson; State president American Legion Auxiliary, of Che-Hudson; State president American Legion Auxiliary, of Cheboygan; Women's Auxiliary, American Legion, of Orion; General George A. Custer Post, No. 54, American Legion, of Battle Creek; Burdick Guest Post, No. 239, Women's Auxiliary Unit, of Otsego; Women's Auxiliary, Alfred Erickson Post, No. 128, of Hancock; the Lions Club, of Lansing; the Kalamazoo Exchange Club, of Kalamazoo; the Zenith Lodge, No. 33, Knights of Pythias, of Ishpeming; and the Rotary Club, of Kalamazoo, all in the State of Michigan, favoring the enactment of logical tion, providing, adequate, relief for disabled axment of legislation providing adequate relief for disabled exservice men, which were referred to the Committee on Finance.

Mr. GOODING presented petitions of sundry citizens of Middleton, Bancroft, and Moscow, all in the State of Idaho, praying for the enactment of legislation to prohibit gambling in grain and other agricultural products, which were referred to the Committee on Agriculture and Forestry.

He also presented a concurrent resolution of the Legislature of Idaho, which was referred to the Committee on Commerce, as follows:

STATE OF IDAHO, DEPARTMENT OF STATE.

## Certificate of certified copy.

Certificate of certified copy.

I, Robert O. Jones, secretary of state of the State of Idaho and legal custodian of the original engrossed copies of all bills, memorials, and resolutions introduced and acted upon by the Legislature of the State of Idaho, do hereby certify that the annexed sheets constitute a true, full, correct, and literal copy of the original engrossed copy of senate concurrent resolution No. 7, introduced February 5, 1921, in the senate of the sixteenth session of the Legislature of the State of Idaho, which convened January 3, 1921, and adjourned March 5, 1921.

I further hereby certify that the said concurrent resolution was adopted and passed by the said senate February 5, 1921, and that it was adopted and passed by the House of Representatives of the sixteenth session of the Idaho State Legislature February 10, 1921.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise, the capital of Idaho, this 19th day of May, 1921.

[SRAL]

ROBERT O. JONES,

ROBERT O. JONES, . Secretary of State.

LEGISLATURE OF THE STATE OF IDAHO, SIXTEENTH SESSION, IN THE SENATE.

#### Senate concurrent resolution 7.

Be it resolved by the senate (the house of representatives concurring): Whereas it is proposed to make such improvements in the St. Lawrence as to make the Great Lakes accessible to ocean-going commerce, and as this improvement will, in effect, bring the State of Idaho hundreds of miles nearer the world's markets;

And as there are within the State great resources that lie wholly undeveloped while the production of all things is diminished or retarded by distance from markets;

And because our producers and the consuming public have alike suffered enormous losses in the last year by transportation shortage and failure:

and failure;
And because by reason of these conditions the transportation situation constitutes an emergency;
And as a number of States have joined in the Great Lakes-St. Lawrence Tidewater Association, having as its object the early undertaking and completion of this improvement: Now, therefore, be it

completion of this imprevement: Now, therefore, be it

Resolved, That the State of Idaho is properly associated in the abovenamed organization with its neighboring Commonwealth in pressing to
advance this undertaking and that the action of the governor in so declaring is hereby approved and confirmed, and the participation of this
State by the governor and those who represent him in the council of
these States is approved; be it further

Resolved, That the Representatives of this State in the Congress of
the United States be requested to facilitate and expedite in every possible way the prosecution of this undertaking for the economic freedom
of a landlocked continent.

#### PRICE OF CRUDE OIL.

Mr. HARRELD. Mr. President, I present the report of the special committee appointed by the Legislature of Oklahoma to investigate and inquire into the cause of the recent decline in the price of crude oil. The report is in telegraphic form, and I ask that it may be printed in the RECORD and referred to the Committee on Manufactures.

There being no objection, the telegram was referred to the Committee on Manufactures and ordered to be printed in the

RECORD, as follows:

TULSA, OKLA., May 30, 1921.

Hon. J. W. Harreld,

Member of Senate, Washington, D. C.:

Hon. J. W. Harreld,

Member of Senate, Washington, D. C.:

We, the committee appointed under the authority of house resolution No. 12 of the Eighth Legislature of the State of Oklahoma for the purpose of Investigating and inquiring into the cause of the recent decline in the price of crude oil in the Mid-Centinent field, beg to submit to the Congress of the United States the following facts: It is our unanimous opinion that the present price of crude oil in Oklahoma is now below the average lifting cost of oil in this State, and one of the chief causes of the decline in oil below the cost of production has been the enermous imports of crude oil from Mexico, which is coming into the United States duty free. In our opinion one of our main hopes of stabilizing the price of crude oil and its products imported into this country. One of the principal sources of revenue in Oklahoma is the tax we levy upon the gross production of crude oil. A fair price for the same is therefore of interest to every man, woman, and child in the State. Oklahoma can not hope to reap the great benefits it deserves through its tax on crude oil in the State as long as crude oil products in the State must be sold in competition with tax-free products from abroad. The testimony before our committee developed that the only opposition to a tariff on Mexican crude were the representatives of corporations, such as the Standard Oil Co. of Indiana, Standard Oil Co. of New Jersey, through its subsidiary, the Carter Oil Co.; the Standard Oil Co. of New York, through its subsidiary, the Magnolia Petroleum Co.; the Prairie Oil & Gas Co.; the pipe-line subsidiaries of the Standard Oil companies, the Texas Co. and the Gulf Co., all of which companies were heavily interested in Mexican oil production. The testimony taken before our committee development in all the counties of Oklahoma is at a complete standstill; that business of every kind throughout the oil fields is practically paralyzed. This was ascribed directly by practically all independent operat

Resolved, That the chairman of the committee is instructed to send a copy of this resolution to all Members of Congress from the State of Oklahoma and to the members of the Ways and Means Committee,

now in session.

ELI ADMIRE, Chairman, W. S. CALDWELL, BAILEY E. BELL, C. L. TYLER, W. P. MILLER, Members of the Committee.

#### REPORTS OF COMMITTEES.

Mr. MYERS, from the Committee on Military Affairs, to which was referred the bill (S. 851) authorizing the Secretary of War to make settlement with the lessees who erected buildings on a five-year lease on the zone at Camp Funston, Kans., and for other purposes, reported it with amendments and submitted a report (No. 85) thereon.

Mr. NELSON, from the Committee on the Judiciary, to which was referred the bill (S. 1254) providing for the appointment !

of an additional district judge in and for the eastern district of Michigan, reported it without amendment and submitted a

report (No. 86) thereon.

Mr. KEYES, from the Committee on Public Buildings and Grounds, to which was referred the joint resolution (S. J. Res. 52) authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to employees of the United States Department of Agriculture who died in the war with Germany, reported it without amendment.

#### CHANGE OF REFERENCE.

Mr. NELSON, from the Committee on the Judiciary, to which was referred the bill (S. 1074) to prescribe the method of capital punishment in the District of Columbia, asked that that committee be discharged from its further consideration and that it be referred to the Committee on the District of Columbia, which was agreed to.

#### BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. UNDERWOOD:
A bill (S. 1911) to amend an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916; to the Committee on Expenditures in the Executive Departments.

By Mr. PITTMAN:

A bill (S. 1912) for the relief of John B. O'Sullivan; and A bill (S. 1913) to carry into effect the findings of the Court of Claims in the case of George Lockley; to the Committee on Claims.

By Mr. WATSON of Georgia:

A bill (S. 1914) to amend an act approved April 4, 1917, being an act to authorize an issue of bonds.

Mr. WATSON of Georgia. I ask that the bill be referred to the Committee on Agriculture and Forestry.

Mr. BRANDEGEE. May I suggest to the Senator from Georgia that my colleague [Mr. McLean], the chairman of the Committee on Banking and Currency, is necessarily absent this morning. Of course I am not familiar with the subject myself, but my colleague is probably familiar with it. I am unable to tell from the reading of the title whether the matter would fall within the jurisdiction of his committee or not. Would the Senator object to having the bill lie on the table for the present without reference until my colleague can express his views upon it?

Mr. WATSON of Georgia. Very well.

The PRESIDENT pro tempore. The bill will lie on the table for the present.

By Mr. NORRIS:

A bill (S. 1915) to provide for the purchase of farm products in the United States, to sell the same in foreign countries, and for other purposes; to the Committee on Agriculture and Forestry

Mr. KING. May I inquire of the Senator from Nebraska whether the bill which he has just introduced calls for the extension of credit by the United States Government?

Mr. NORRIS. No; it does not directly. It does call for an appropriation, however, from the United States Treasury.

Mr. KING. Does it utilize any of the fiscal agencies or instrumentalities of the Government? If so, it occurred to me it perhaps ought to go to the Committee on Banking and Cur-

Mr. NORRIS. No; it specifically provides that the Government of the United States shall in no case be liable.

Mr. KING. Very well.

By Mr. LENROOT:

A bill (S. 1916) for the enrollment and allotment of members of the Lac du Flambeau Band of Lake Superior Chippewas, in the State of Wisconsin, and for other purposes; to the

Committee on Indian Affairs.

By Mr. SHORTRIDGE:

A bill (S. 1917) granting an increase of pension to Harry Kraft:

A bill (S. 1918) granting a pension to Harlon P. Reeves;

A bill (S. 1919) granting an increase of pension to Louis N. Mallet:

A bill (S. 1920) granting an increase of pension to James Perrin, jr.;

A bill (S. 1921) granting an increase of pension to Edmond De Jarnac; and

A bill (S. 1922) granting an increase of pension to Nannette W. Sheffield; to the Committee on Pensions.

By Mr. MYERS:

A bill (S. 1923) for the relief of Christian Snedker, father of Martin Bernhard Christian, deceased, Harry M. Wentz, and others; to the Committee on Public Lands and Surveys.

By Mr. SMOOT:

A bill (S. 1924) granting a pension to Edward P. Le Compte; to the Committee on Pensions.

By Mr. NEWBERRY:

bill (S. 1925) providing for the erection of a monument to the memory of Joseph W. Guyton, the first member of the United States Army to be killed on German soil; to the Committee on Military Affairs.

By Mr. CURTIS:

A bill (S. 1926) to extend the provisions of the act of February 8, 1887, as amended, to lands purchased for Indians; to the Committee on Indian Affairs.

A bill (S. 1927) granting an increase of pension to Lizzle Noland (with an accompanying paper);

A bill (S. 1928) granting a pension to Elizabeth M. Englehardt (with accompanying papers);

A bill (S. 1929) granting a pension to William Shurman

Sharp (with an accompanying paper);

A bill (S. 1930) granting a pension to Janama Oldham (with an accompanying paper);

A bill (S. 1931) granting a pension to Robert Samuel Harris (with accompanying papers); and

A bill (S. 1932) granting a pension to Sarah E. Spears (with accompanying papers); to the Committee on Pensions.

By Mr. SUTHERLAND:

A bill (S. 1933) providing for the appointment of an additional circuit judge of the United States Circuit Court of Appeals for the Fourth Circuit; to the Committee on the Judi-

A bill (S. 1934) granting the consent of Congress to the Huntington & Ohio Bridge Co. to construct, maintain, and operate a highway and street railway toll bridge across the Ohio River, between the city of Huntington, W. Va., and a point opposite in the State of Ohio; to the Committee on Commerce.

#### AMENDMENTS TO DEFICIENCY APPROPRIATION BILL.

Mr. FLETCHER submitted an amendment intended to be proposed by him to the second deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 33, line 14, strike out the word "Navy" and insert in lieu thereof the word "Treasury,"

So as to read:

The Secretary of the Treasury is authorized to pay to Mrs. T. E. S. Cates, out of any funds in the Treasury not otherwise appropriated, the sum of \$63 for rent of quarters furnished to Lieuts. James E. Maher and L. E. Myers of the United States Navy while on submarine

Mr. SHORTRIDGE (for Mr. Weller) submitted an amendment proposing to appropriate \$287,620 for improvement, including rebuilding of wharves, etc., at the Baltimore (Md.) Quarantine Station, intended to be proposed by him to the second deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

#### BERNARD M. BARUCH.

Mr. KENYON. Mr. President, I ask unanimous consent to

place in the RECORD certain letters.

An organization of grain growers in the United States has been formed into a corporation, of which the papers gave notice a few days ago. Mr. Barney Baruch is to act as a certain financial adviser for this organization. Mr. Clifford Thorne, who is connected with it, wrote me some time ago about Mr. Baruch and his connection with it. I wrote him, raising certain questions concerning him, and Mr. Baruch has replied to that letter, and I should like to have that letter and the others placed in the RECORD.

I think it is due to Mr. Baruch, as certain persons have attacked him; I did myself in my letter, and this letter of his is in answer thereto.

I ask unanimous consent that this correspondence may be placed in the RECORD.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

KANSAS CITY, Mo., March 24, 1921.

Hon. WM. S. KENYON, Washington, D. C.

MY DEAR SENATOR: I have noticed some attacks recently on Mr. Bernard M. Baruch by Members of Congress. Did these gentlemen submit facts in support of their claim? Recently in Washington. I have neither bought nor sold, directly or we have called Mr. Baruch before the farmers' marketing com- indirectly, in any way a single share of stock, nor any grain or

mittee for suggestions and advice in regard to the formulation of a system for the cooperative marketing of grain on a large scale.

Mr. Baruch demonstrated a very magnificent spirit of friend-liness and helpfulness. I honestly believe that his sole purpose is to render a service. Some time in the near future I desire to discuss this subject with you. If I am not mistaken, he is going to have an opportunity, if he wishes, to help the agricultural interests of America devise some method, some system, by which they will improve their present credit facilities; it may be by the establishment of some finance corporation which the farmer himself will own and control.

I think Mr. Baruch is a big man, and he is going to have an opportunity to render a great service. I am not writing this to any other Member of Congress, but I did want some one there on the ground to know what Mr. Baruch is now doing and our attitude toward him.

Cordially, yours,

C. THORNE.

Washington, D. C., April 14, 1921.

Hon, CLIFFORD THORNE,

Lytton Building, Chicago, Ill.

DEAR THORNE: Yours of March 24 at hand. I have been away and that accounts for your not hearing from me.

I have been in a good deal of a quizzical state of mind about Mr. Baruch. I know he has done a good deal of good work. I can not quite understand how, with his large interests in copper, he could consent to have anything to do with fixing the price of copper during the war. I could think more of him if he had not done that, and yet I confess to a feeling that there is a good deal of patriotism about Baruch.

I do not just like the item of \$150,000 for expenses to Paris, which was paid by the Government. Some of these things naturally put a question mark in my mind when it comes to the placing of halos on Baruch's brow.

With best wishes to you, I am, Very sincerely,

CHICAGO, April 19, 1921.

Senator WILLIAM S. KENYON,

Washington, D. C.

DEAR SENATOR: Replying to yours of the 14th instant:

Incidentally in a recent conversation Mr. Baruch stated that he never received one penny of the item of \$150,000, the occasion for the appropriation being as follows:

Mr. Baruch did not like the experts assigned to assist him in connection with the peace conference and requested an appropriation to get such men as he needed. Further, I understand that only \$22,000 of the appropriation was actually used, and every cent of this went to salaries and expenses of employees and experts.

I wonder if you have had occasion to be advised of these facts.

I sincerely hope they are accurate. Cordially, yours,

C. THORNE.

NEW YORK, May 23, 1921.

My Dear Senator Kenyon: Before me as I write this lies your letter of April 14, 1921, addressed to Clifford Thorne, counsel for the American Farm Bureau Federation, and forwarded to me with your consent. I thank you for the frankness that characterized your statements and for your courage in permitting them to be shown me. The letter is a candid résumé of the rumors and scandals circulated by a whispering campaign, aided by infamous charges made in an irresponsible manner. I am indebted to you for the opportunity of meeting squarely this malicious gossip.

Anyone who has filled a public office is open to criticism; indeed, it is wise and proper that it should be so. Criticism and watchfulness do not do the honest man harm, and they serve to keep the weak and wicked up to the mark. But the criticism should be constructive. If a man is guilty, no matter how rich he is, he should be brought to the bar of justice. The richer the man the greater the crime.

Doubtless if I had not entered the service of the Government my fortune would have continued to increase. It is now less than two-thirds of what it was when I went to Washington at the beginning of the war. But I would have given it all had it been necessary for the privilege of having served.

It may interest you to know that never since my going to Washington, in the early part of 1917, have I engaged in a single gainful pursuit. Moreover, I disposed of every interest I pos-

cotton, nor any product whatsoever, though I believe I would have profited heavily had I permitted myself to operate.

I saw clearly what the future was going to bring forth. In March, 1920, I publicly predicted that we had reached the zenith of scarcity and therefore of high prices. You know what followed. In December of the same year I publicly stated that we had reached the bottom of our troubles. Between the time of those two events it would have been possible for me to have made millions of dollars had I cared to speculate. But again I repeat that I have neither bought nor sold, nor entered into any gainful pursuit of any description.

As far as the two points referred to in your letter are concerned, there is not a scintilla of fact upon which any criticism could be based in reference either to the copper matter or the

item of the allowance of \$150,000.

Regarding the first, I have had no interest whatsoever in copper since the beginning of the war with Germany. without reservation of any sort. Furthermore, the fixing of the price of copper and my relations to this matter have been very much misunderstood and purposely lied about, which can be seen by a perusal of my report to the President and Congress entitled "American Industry in the War." It is true that I arranged the purchase of copper by the Government for all the then known needs at 163 cents a pound, which was less than half the then existing market price. Thereafter, when we entered the war, the price of copper was fixed as follows: First, by the War Industries Board of the Council of National Defense, of which I was only one member of seven. To that body the Federal Trade Commission made a report as to the cost of producing copper, after which the War Industries Board recommended to the President what should be done, and he fixed the

I became chairman of the War Industries Board when it was created as a separate organization by order of the President March 4, 1918, but, as chairman of the board, did not have the right to fix prices, and was explicitly restricted from so doing. The price of copper and every other article was fixed by a committee consisting of appointees of the President. This committee was composed of Robert S. Brookings, chairman; W. B. Colver, chairman of the Federal Trade Commission; Hugh Frayne, labor representative; H. A. Garfield, Fuel Administrator; Commander John M. Hancock, Navy representative; Lieut. Col. Robert H. Montgomery, Army representative; Henry C. Stuart, ex-governor of Virginia; and Dr. F. W. Taussig, chairman of the United States Tariff Commission. As chairman of the War Industries Board I was ex officio member of the com-I doubt if the records of the committee will show that after I became chairman of the board I sat in at a determination of any price that was fixed, although I could have done so. At the time my duties were so great and pressing, and as the final determination of prices was in other hands, I felt that my efforts could be spent more advantageously in other directions.

There have been many misstatements of facts concerning price fixing. For instance, it has been stated in the Record that at no time was there a representative of the Army or Navy present when prices were fixed. This is totally incorrect because in all cases there was a representative of the Army or

Navy present and participating.

I can not state too strongly that I was not interested in any of the sales of copper or the companies making the sales. Nor was I interested in any of the reselling of copper held by the Government. At that time I was in Paris. Nor was I interested in any of the companies which bought copper or anything else from the Government.

These misstatements of fact have been heartless, cruel lies. I have demanded that I be brought before the bar of Congress or a court of justice and tried. No one can complain against just criticism. But is it not a crime for a Member of Congress to accuse a man of wrongdoing and then fail to bring him before a bar of justice? I refer specifically to the charges made by the

honorable Mr. WILLIAM E. MASON, of Illinois.

As far as the question of the \$150,000 is concerned, that was the sum of money that was allotted to the work of the economic section of the peace conference, which work was directly under my charge. I had the right to use that entire sum, but only drew and spent less than \$25,000. In connection with this I am very proud to say that it happens that the economic sections of the treaty are the only parts of the treaty to which I have heard no objections made and concerning which I have heard no criticism. On the contrary, it appears that these sections are generally approved and opinion is strong in declaring they must be retained for the benefit and protection of American industry and business.

All I drew against the \$150,000 allotment was \$25,000, which was converted into francs and deposited at interest in the Paris branch of the Equitable Trust Co., of New York. Through the addition of interest and refundments this amount was increased by \$380.34. The expenditures from this account from February 14, 1919, to June 30, 1919, totaled \$24,128.64, itemized as follows:

Transportation and traveling expenses	\$3, 247, 80
Salaries, 10 people	6, 771, 83
Living allowances, civilians (17 people)	11, 634, 21
Living allowances, officers	2, 176, 36
Stamps	28. 69
Automobile expenses	24, 00
Office expenses	245, 75

24, 128, 64

(The names of the experts and other members of the organization, all of whom did fine work, can be supplied if you wish them.)

The balance of this working fund, \$1,251.70, reduced by \$161.13 loss in exchange in converting this balance from francs into dollars, \$1,090.57, was deposited on August 27, 1919, with the Department of State, together with the final accounting for this allotment.

After this account had been closed for filing with the Department of State it was discovered that certain charges for the transportation to and from Europe and necessary travel there of some of the members of the organization on Government transports and the travel expenses of a returning member had not been presented to the disbursing agent. The last time I looked into this matter these charges, totaling \$833.71, were to be charged against this account by the Department of State. After the payment of these charges, therefore, the total unexpended balance of the allotment will be \$125,256.86. In other words, of \$150,000 allotted to the credit of my organization there was spent less than 16 per cent of the total—an unusual

practice with public money, I think you will agree.

And of the money that was expended I did not receive one cent on account of living expenses, traveling expenses, fees, or any other purpose from this or any other fund. No part of it whatsoever was used for the payment of my personal or official Furthermore, the United States Government has expenses. never paid for so much as a glass of water or a piece of bread for me. Neither during my stay in Washington, nor on my trip abroad, nor during my stay in Paris and return to this country did I accept one cent of Government funds for my personal use of any sort. I paid for my passage to and from Europe. In addition, I never used a Government automobile in Washington, nor did anyone connected with my board or the work of my board. While in Paris I had my own automobile, which waited at the door of my office to carry me back and forth to the various meetings which it was necessary for me to This was my own automobile, paid for out of my own personal funds. This is all a matter of record, and I have in my possession the official check book and the vouchers for every bit of the less than \$25,000 that was spent of this fund of \$150,000. From this you will see how my position has been falsified by malice and ignorance.

Further, in closing this subject I wish to say that even during my stay in Washington I paid out of my pocket for the office rent, and telephone calls and the clerk hire when my office was in the Munsey Building. On my removal to the Council of National Defense Building I continued to pay the salary of the man and woman who acted as my secretaries there. It is only fair to say that there were many other men, both in Washington and in Paris, who can say the same thing as I, that they have never received one cent from the Government for their services except the check for one dollar, which they

kept as a matter of pride and record.

It seems to me that in the interests of decency and fair play that if there is a single lingering doubt in the mind of any individual, be he a private citizen or a Member of Congress, that a public investigation should be made by Congress, so that these rumors once and for all can be silenced. To a congressional investigation I shall be glad to bring every book and paper to show the disposition of every dollar that I received and spent from the time I went to Washington until now. I shall be glad to submit to the severest and most minute cross-examination and have all my acts scrutinized from the most critical standpoint. Furthermore, I shall be glad in this investigation to have all my private papers gone into, even to the extent of bringing before the investigating committee the evidence of my past and present financial condition.

I appeal to you as a fair-minded man for your help in gaining an opportunity to still the tongues of my traducers. If they are right, I should be shot; if they are liars, as I have publicly accused them of being, then they deserve a worse fate for aspersing

the name of one who merely tried to do his duty with a heart full of devotion to the ideals of his country.

Very truly, yours,

BERNARD M. BARUCH.

HOD. WILLIAM S. KENYON,

The United States Senate, Washington, D. C.

AMENDMENT OF FEDERAL FARM LOAN ACT.

The PRESIDENT pro tempore (at 12 o'clock and 12 minutes). Morning business is closed.

Mr. CURTIS. Mr. President, I ask unanimous consent for the present consideration of the bill (S. 1837) to amend section 32 of the act of Congress approved July 17, 1916, known as the Federal farm loan act.

The PRESIDENT pro tempore. Is there objection to the

present consideration of the bill?

Mr. POINDEXTER. Mr. President, I assume that the bill will not precipitate debate. If it does, I take it the Senator from Kansas will withdraw it.

Mr. CURTIS. I shall withdraw it if it leads to debate.
Mr. PENROSE. As I understood the Senator from Kansas, the bill has been recommended by the Treasury Department?

Mr. CURTIS. By the Secretary of the Treasury and the

Farm Loan Board, and it is an emergency measure.

Mr. PENROSE. And for all practical purposes it was unani-

mously reported from the committee?

Mr. CURTIS. It was unanimously reported by all who were there. There was not a full committee present. There was a quorum of the committee present. I have been advised this morning that one member of the committee, who was not at the meeting, would oppose the measure, but he did not say so to me.

Mr. SMOOT. The chairman of the committee is out of the

city, as is also the Senator from Virginia [Mr. Glass]. I ask that the bill may go over until one or the other of those members

of the committee may be present.

Mr. UNDERWOOD. Before it goes over I should like to ask a question. This is the bill which I understand was introduced authorizing the advance by the Government of \$50,000,000 for loans to farm-loan banks to relieve the distressed situation in agricultural districts?

Mr. CURTIS. It is; that is, \$50,000,000 is authorized; but, of course, all of that amount may not be used. All that is desired is to have authority to use a sufficient amount to relieve the situation. The banks can not with their limited capital accumulate a sufficient number of farm mortgages to serve as a

basis for a bond issue. Mr. UNDERWOOD. I think they will need the \$50,000,000 and I believe they ought to have it. I think this is a perfectly legitimate way to relieve a very distressed situation. We have legitimate way to relieve a very distressed situation.

been involved in a good many roundabout ways that have not produced any results for the relief of the agricultural districts of the country, but this is a practical way. There is no question about it. This will not cost the Government of the United States a dollar in the end. It is merely lending its credit on paper

that millions of American citizens have been willing to lend their dollars on when they had the dollars to loan.

Although, due to the distressed conditions of the hour, these farm loan bonds can not to-day be sold, we can not expect that this condition is going to continue forever. When the tide comes back there will be no trouble in the Government disposing of the bonds. They bear a greater rate of interest than the Government pays for the money which it borrows; and no one can question that, in this hour, when farm products are almost universally selling for less than the cost of production and farm mortgages are falling due, if the party in power is going to do anything to relieve the farmer, this is the opportune time and this is one way of doing it. If the relief is going to come, I think it should come without delay. So far as I am concerned, I should be glad to see the bill passed this morning.

Mr. CURTIS. Mr. President, I hope the Senator from Utah [Mr. Smoot] will not ask that this measure go over. The Senator from Connecticut [Mr. McLean] reported the bill, having been present at the meeting of the committee which ordered it reported. A letter from the Secretary of the Treasury is on file fully explaining the necessity of the passage of the proposed legislation. As the Senator from Alabama [Mr. Underwood]

has stated, there is an emergency existing. The the money now, and they should be helped at once.

Mr. FLETCHER. May I suggest to the Senator from Kansas that the bill does not call for any appropriation, but simply calls for a deposit of Federal funds which are not otherwise appropriated and which will be amply secured by farm loan

Mr. CURTIS. That is true.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. SMOOT. Mr. President, I desire to state what the bill proposes to accomplish.

The PRESIDENT pro tempore. Does the Senator from Utah

object to the present consideration of the bill? Mr. SMOOT. I should first like to make a brief statement

concerning the measure, if the Chair will permit me.

Section 32 of the existing law provides for a capital stock of \$6,000,000, which is supposed to constitute a revolving fund. This bill provides that that fund shall be increased to \$50,000. That is the object of the bill. So I am going again to ask the Senator from Kansas [Mr. Curis] to let the bill go over until the Senator from Virginia [Mr. Glass] is present.

The PRESIDENT pro tempore. The Chair understands the

Senator from Utah to object to the consideration of the bill.

JOINT COMMISSION OF AGRICULTURAL INQUIRY.

Mr. POINDEXTER. Mr. President, I move that the Senate proceed to the consideration of House bill 4803, being the naval appropriation bill.

Mr. McKELLAR. Mr. President-

The PRESIDENT pro tempore. The question is on the motion of the Senator from Washington that the Senate proceed to the consideration of House bill 4803, which is known as the naval appropriation bill.

Mr. McKELLAR. Before that motion is put, will the Senator from Washington yield to me to ask unanimous consent that I

may proceed for 10 minutes?

Mr. POINDEXTER. If the Senator will allow me, I prefer that my motion shall first be put. Then the Senator from Tennessee may obtain the floor.

Mr. McKELLAR. That will be entirely satisfactory to me. Mr. LENROOT. Before the question is put on the motion of the Senator from Washington, will be permit me to ask unanimous consent for the consideration of a Senate concurrent resolution? If it leads to any debate at all, I shall withdraw the request.

Mr. POINDEXTER. What is the nature of the resolution to which the Senator from Wisconsin refers?

Mr. LENROOT. It is a concurrent resolution providing for an agricultural inquiry, and it has been reported unanimously from the committees to which it was referred.

Mr. POINDEXTER. I yield to the Senator from Wisconsin for that purpose.

Mr. LENROOT. I ask unanimous consent that the Senate proceed to the consideration of Senate concurrent resolution 4. The PRESIDENT pro tempore. The Chair understands that the Senator from Washington withdraws his motion.

Mr. POINDEXTER. I withdraw the motion temporarily,

Mr. President.

The PRESIDENT pro tempore. The motion of the Senator from Washington is withdrawn. The Senator from Wisconsin asks unanimous consent for the immediate consideration of Senate concurrent resolution 4, which the Secretary will state.

Mr. PENROSE. Let the resolution be read, subject to ob-

jection, Mr. President. The reading clerk read the resolution (S. Con. Res. 4),

which had been introduced by Mr. Lenroot on May 12, 1921, as follows:

as follows:

Resolved by the Senate (the House of Representatives concurring),
That a joint commission is hereby created, to be known as the "Joint Commission of Agricultural Inquiry," which shall consist of five Senators to be appointed by the President of the Senate and five Representatives to be appointed by the Speaker.

Said commission shall investigate and report to the Congress within 90 days after the passage of this resolution upon the following subjects:

1. The causes of the present condition of agriculture.

2. The cause of the difference between the prices of agricultural products paid to the producer and the ultimate cost to the consumer.

3. The comparative condition of industries other than agricultural products to such products.

5. The banking and financial resources and credits of the country, especially as affecting agricultural credits.

6. The marketing and transportation facilities of the country.
The commission shall include in its report recommendations for legislation which in its opinion will tend to remedy existing conditions, and shall specifically report upon the limitations of the powers of Congress in enacting relief legislation.

The commission shall elect its chairman, and vacancies occurring in the membership of the commission shall be filled in the same manner as the original appointments.

The commission is authorized to sit during the sessions or recesses of Congress, to send for persons and papers, to administer oaths, to summon and compel the attendance of witnesses, and to employ such personal services and incur such expenses as may be necessary to carry out the purposes of this resolution; such expenditures shall be paid from the contingent fund of the Senate and the House of Representatives in equal proportions upon vouchers authorized by the committee and signed by the chairman thereof.

The PRESIDENT pro tempore. Is there objection to the

present consideration of the resolution?

Mr. PENROSE. Mr. President, I do not know that I intend to object to the consideration of the resolution, but it is rather I should like to ask the Senator who has introduced the resolution what investigation is contemplated by it other than that which is already being conducted by various departments of the Government? It seems to me that we are never through with investigations. The resolution carries an appropriation indirectly without limit and without any suggestion as to how much the proposed investigation is going to cost. A roving commission is to be created that could spend \$100,000 under the resolution, if necessary, in order to conduct an investigation that, I assume, is already being carried on by the Government, and after being completed its results are hidden away in the archives and seldom, if ever, examined.

Mr. LENROOT. Mr. President, I am very glad to reply to the Senator from Pennsylvania that the commission, if created, it is contemplated will utilize all of the investigations which have been heretofore made by the various departments of the Government. The trouble with the situation now is, as the Senator from Pennsylvania has indicated, that the different departments of the Government make investigations and put their reports in pigeonholes, and that is the last that Congress or

the public ever know of them.

This resolution is unanimously indorsed, I think, by every farmers' organization in the country; and it is indorsed by the Committee on Agriculture and Forestry, which reported it. It is thought that through such a commission information may be procured and reported to Congress, together with recommendations that will accomplish two things: First, to fix clearly the limitations of the power of Congress with reference to what may be done; and, second, to recommend such legislation as Congress is really empowered to enact that will tend to relieve

present conditions.

Mr. UNDERWOOD. Mr. President, I can appreciate that the adoption of a resolution of this kind may result in great good. In the present distressed condition of the country, bordering on panic conditions, it is very natural for every man who suffers to try to find out the cause from which he suffers and to secure Men may be easily misled along economic lines as to what is happening to them; and I think a wise, careful, thorough investigation of this question by the Congress, ascertaining the real facts that are involved in the present deplorable condition of the country and presenting sound conclusions as to what has brought about the distressed situation and what may remedy it, would be of great value to the people of the United States. Of course, however, a mere investigation is not what we want, nor would it be effective. The investigation must be of such a character that when it is completed and a report is filed it will have the confidence of the country and the confidence of those who are suffering because of the present financial condition. Therefore I take it for granted that, to be effective, it must be more than a bipartisan conclusion. I rose for the purpose of inquiring of the Senator from Wisconsin as to the appointment of the proposed commission. As I understood the concurrent resolution as it was read-I have not had the opportunity of reading it before it was read from the desk-it proposes to appoint a joint commission of 10, composed of 5 Senators and 5 Representatives, the members of the commission on the part of the Senate to be appointed by the Vice President and those on the part of the House to be appointed by the Speaker of the House. Now, I should like to ask the Senator from Wisconsin what proportion of that commission is it suggested that the minority will have?

Mr. PENROSE. That is stated in the resolution.
Mr. LENROOT. The Committee on Agriculture have recommended an amendment, which is pending, which provides that of the Senate members three of them shall be members of the majority party and two of them members of the minority party. A like amendment is suggested covering the House members of the commission. Thus there will be six Republicans and four Democrats on the commission.

Mr. UNDERWOOD. The resolution itself, then, answers my question. I had not seen a printed copy of the concurrent resolution, and the amendment referred to by the Senator from Wis-

consin really was not read at the desk.

Mr. PENROSE. Mr. President, do I understand the Senator from Wisconsin to imply that investigations conducted at great expense and of voluminous character by the Department of Agriculture, the Department of the Interior, and other departments have no available value?

Mr. LENROOT. They have no value, practically, as they stand. If, however, the proposed commission is created, the

information gathered by the agencies referred to by the Senator will be secured by the commission and it will be made of

Mr. PENROSE. Then, Mr. President, I only want to say in closing that I am impressed with the novelty of the situation that Congress must pass a resolution, involving perhaps limitless expense, to mobilize departmental reports and render them available and of value.

The PRESIDENT pro tempore. Does the Senator from Pennsylvania object to the consideration of the concurrent reso-

lution?

Mr. PENROSE. I do not.

Mr. SMOOT. I notice, Mr. President, that there is a provision in the concurrent resolution to the effect that the commission to be created to investigate the questions submitted to them shall report to Congress within 90 days after the passage of the resolution. If we are going to enter upon this investigation, I think we ought to do so with the idea at least of securing the facts called for by the resolution, and in order to do that three months constitute altogether too short a period.

I call the attention of the Senator from Wisconsin to the fact that the conditions which are to be investigated, and concerning which a report is to be made, are so broad and far-reaching that, it seems to me, it would take a committee of the size proposed, if they traveled all the time from one end of the country to the other, except while they were holding hearings, many months to fulfill the task imposed upon them and to ascertain the facts in the case. I know the Senator from Wisconsin would not like to submit a report here based upon the testimony of merely a few witnesses called to testify before the proposed commission.

Mr. LENROOT. I will be very frank with the Senator and say that I agree with him that probably the investigation can not be completed within three months; but the necessities of the case are so great that I feel, with the limitation at present in the resolution, the commission, if created, will get to work much more rapidly and proceed more expeditiously than if a longer limitation were provided at this time. Later on, if

necessary, we can increase the time limit.

Mr. SMITH. Mr. President, if the Senator will allow me, I understand the Senator from Pennsylvania to ask the Senator from Wisconsin a question about the investigations conducted by Government departments and by committees that are already considering certain features of the situation contemplated to be investigated by the concurrent resolution, and the Senator from Wisconsin replied that the commission, when appointed, might use the testimony and facts gathered and so correlate them as to find just what is the effect one upon the other.

Mr. LENROOT. Yes, sir. I really think that it would be in the interest of expedition if the 90-day limitation remained in

the concurrent resolution for the present.

Mr. SMOOT. I made the statement I did because I know that it is a physical impossibility for any committee that was ever created or could be created within 90 days to collect the data and information called for by the resolution. However, as the Senator from Wisconsin has said, the time may be ex-

tended if Congress desires to extend it.

Mr. SMITH. Mr. President, if the Senator from Utah will allow me, I happen to be a member of two committees which are now investigating two features of the subject covered by this concurrent resolution, namely, the agricultural situation and the transportation situation, and I think that in the testimony that is being given before those two committees can be found matter that could be digested and the relation of the two brought to the attention of this body to the benefit of all concerned. I think I see already that our distressed condition in the agricultural regions is largely—or in a measure, at least-brought about or affected by our present transportation situation.

The PRESIDENT pro tempore. The question before the Senate is the request of the Senator from Wisconsin [Mr. Len-ROOT] for unanimous consent for the present consideration of the concurrent resolution. Is there objection?

The Senate, by unanimous consent, proceeded to consider the concurrent resolution.

The PRESIDENT pro tempore. The Secretary will state the amendments of the Committee on Agriculture and Forestry.

The amendments were, on page 1, line 4, after the word "Senators," to insert "three of whom shall be members of the majority party and two of whom shall be members of the minority party"; on the same page, line 7, after the word "Representatives," to insert "three of whom shall be mem-

bers of the majority party and two of whom shall be members of the minority party"; on page 2, line 21, after the word "commission," to insert "or any subcommittee of its members"; and, on the same page, line 22, after the word "Congress," to insert "in the District of Columbia or elsewhere," so as to make the concurrent resolution read:

Resolved by the Senate (the House of Representatives concurring), That a joint commission is hereby created, to be known as the Joint Commission of Agricultural Inquiry, which shall consist of five Senators, three of whom shall be members of the majority party and two of whom shall be members of the minority party, to be appointed by the President of the Senate, and five Representatives, three of whom shall be members of the majority party and two of whom shall be members of the minority party, to be appointed by the Speaker.

Said commission shall investigate and report to the Congress within 90 days after the passage of this resolution upon the following subjects:

90 days after the passage of this resolution upon the following subjects:

1. The causes of the present condition of agriculture.

2. The cause of the difference between the prices of agricultural products paid to the producer and the ultimate cost to the consumer.

3. The comparative condition of industries other than agriculture.

4. The relation of prices of commodities other than agriculture.

5. The banking and financial resources and credits of the country, especially as affecting agricultural credits.

6. The marketing and transportation facilities of the country. The commission shall include in its report recommendations for legislation which in its opinion will tend to remedy existing conditions and shall specifically report upon the limitations of the powers of Congress in enacting relief legislation.

The commission shall elect its chairman, and vacancies occurring in the membership of the commission shall be filled in the same manner as the original appointments.

The commission or any subcommittee of its members is authorized to sit during the sessions or recesses of Congress in the District of Columbia or elsewhere, to send for persons and papers, to administer oaths, to summon and compel the attendance of witneses, and to employ such personal services and incur such expenses as may be necessary to carry out the purposes of this resolution; such expenditure shall be paid from the contingent funds of the Senate and the House of Representatives in equal proportions, upon vouchers authorized by the committee and signed by the chairman thereof.

The amendments were agreed to.

The concurrent resolution as amended was agreed to.

Mr. KENYON subsequently said: Mr. President, I was absent from the Chamber when Senate concurrent resolution No. 4 was passed. I had intended to offer some amendments to the resolution, and supposed that it would not come up until the calendar was reached. I have not the amendments ready to-day, and I would like to have the vote by which the resolution was passed reconsidered.

I will ask the Senator to confer with me

Mr. LENROOT. I will asl later in regard to the matter.

Mr. KENYON. I enter the motion, at least, to reconsider and then we can discuss the matter.

The PRESIDING OFFICER ( Cur. 3 in the chair). The motion to reconsider will be entered.

ADDITIONAL CLERK FOR DISTRICT OF COLUMBIA COMMITTEE.

Mr. BALL. I ask unanimous consent for the immediate consideration of Senate resolution 68.

Mr. UNDERWOOD. Let the resolution be read.

The PRESIDENT pro tempore. The Secretary will read the resolution.

The reading clerk read Senate resolution 68, submitted by Mr. Ball on the 6th instant, as follows:

Resolved, That the Committee on the District of Columbia be, and it is hereby, authorized to employ an additional clerk at the rate of \$1,600 per annum, to be paid out of the miscellaneous items of the contingent fund of the Senate, during the first session of the Sixty-seventh Con-

The PRESIDENT pro tempore. Is there objection to the

present consideration of the resolution?

Mr. POINDEXTER. Mr. President, the Senator from Delaware informs me that this is an emergency matter, and that there is great need for its immediate consideration. Under those circumstances I shall not object, but upon the disposition of the resolution I shall renew my motion.

Mr. UNDERWOOD. Mr. President, before granting consent for the consideration of the resolution I should like to ask the Senator from Delaware a few questions about the matter.

Is this clerk in addition to the forces that the District Committee had at the last session of Congress?

Mr. BALL. It is one additional clerk over our regular force. The District of Columbia Committee had no additional clerk at the last session.

Mr. UNDERWOOD. What is the necessity for an additional clerk now?

Mr. BALL. There are a number of very important matters which it is necessary for the District Committee to consider, requiring hearings every day. One is the trolley system here, leading up, we hope, to a merger of the systems. Another is the rent act, on which we are holding hearings now every day.

Further than that, there is the school proposition, which has

been taken up by a subcommittee.

Mr. UNDERWOOD. As I understand, for the hearings there

is a stenographer employed by the committee.

Mr. BALL. That is true; but in preparing for the hearings two clerks are required in the committee room all the time to take care of the people who are constantly appearing there. The committee has become a very active committee. For the last four years the room has not been open to the public. committee room now is open to the people of the District of Columbia, and it requires an additional force to take care of those desiring information.

Mr. UNDERWOOD. Who was the chairman of the committee

in the last Congress?

Mr. BALL. Mr. Sherman. Mr. UNDERWOOD. I always found that Senator to be very active and attentive to his business. I had not heard any complaint that the business of the people of the District of Columbia

was not attended to.

Mr. President, practically every day now we have a proposal to increase the clerical force of some committee. I do not propose to object. If the chairman of the committee says that he has to have additional clerks, of course the business of the Senate has to be carried on; but I do not understand why suddenly we should have to increase the clerical forces of all the committees of the Senate, when for two years in the past, under a Republican control of the Senate, we did not need them, and for four years before that, under a Democratic control of the Senate, we did not need them. Now, suddenly, not due to party change—not speaking of the matter from a party standpoint, because in the last two years the Republican Party was in control of the Senate—we find that a large number of the committees of the Senate insist on additional clerical force. I think these questions ought to be looked into.

I should like to ask the Senator from Delaware whether or not this expense comes out of the contingent fund of the Senate?

Mr. BALL. It comes out of the contingent fund of the Sen-

ate, and it is only for the first session.

Mr. UNDERWOOD. Has the resolution been reported on by the Committee to Audit and Control the Contingent Expenses of the Senate?

Mr. BALL. It has.

Mr. UNDERWOOD. Then I have nothing more to say.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

# NAVAL APPROPRIATIONS.

Mr. POINDEXTER. I move that the Senate proceed to the consideration of the naval appropriation bill, H. R. 4803.

Mr. MOSES. Mr. President, I merely wish to ask, in view of the fact that there was no session of the Senate yesterday, whether the calendar is to be called this morning?

The PRESIDENT was towners. The Chair understands that

The PRESIDENT pro tempore. The Chair understands that the order prescribed by the rules for yesterday does not pass over until to-day. The question is on the motion of the Senator from Washington that the Senate proceed to the consideration of H. R. 4803, the naval appropriation bill.

The motion was agreed to.

# COMMENTS ON ADDRESS BY AMBASSADOR HARVEY.

Mr. McKELLAR. Mr. President, of all the criticisms uttered, written, or published concerning Ambassador Harvey's recent speech before the Pilgrim Society, in London, the most effective denunciation and criticism, though indirect, is that of the President of the United States in his speech at the memorial services at Hoboken, N. J., on May 23; in his speech at Old Pokick Church, Virginia, on May 29; and in his speech at Arlington, Va., on Memorial Day. In order that the Senate may see how complete the President's denial of the statements of Ambassador Harvey is, I am going to read the two to the Senate, and I ask unanimous consent that the same may be printed in the RECORD in parallel columns, with the underscored words in each italicized.

AMBASSADOR HARVEY V. PRESIDENT HARDING.

A DEADLY PARALLEL.

We deceive ourselves occa-sionally, of course. \* \* \* Even to this day, at rare intervals an ebullient sophomore seeks applause and wins a smile by shouting that "We won the war!" Far more prevalent until recently was the

[From Ambassador Harvey's speech before the Pilgrim Society, London, May 19, 1921.] [From President Harding's speech at memorial service, Hoboken, N. J., May 23, 1921.]

These poor bodies are but the clay tenements once possessed of souls which flamed in patriotic devotion \* \* and in their sacrifices sped on to accuse autocracy before the court of eternal justice.

impression \* \* \* that we went into the war to rescue humanity from all kinds of menacing perils. Not a few remain convinced that we sent our young soldiers across the sea to save this Kingdom and France and Italy. This is not the fact. We sent them solely to save the United States of America. At that, we were not too proud to fight, whatever that may mean. We were afraid not to fight. That is the real truth of the matter.

[From President Harding's speech at old Pohick Church, Vir-ginia.]

We unsheathed the sword in be half of suffering humanity and were brought into a supreme and sublime effort to save the civilization of the world.

[From President Harding's speech at the memorial services at Ar-lington on May 30.]

Across the seas we sent our hosts of liberty's sons commissioned to "redress the eternal scales."

[President Harding's message read in London May 30 at the un-veiling of three busts of George Washington presented to Great Britain by American citizens.]

Britain by American citizens.]
In the greatest and most unselfish effort that men ever put forth to protect human honor and treasured institutions they (the British and American peoples) stood shoulder to shoulder. They learned how great a responsibility they shared in the world, how greatly they might discharge it when serving in complete accord and in alliance with other peoples likewise devoted to human rights, liberties, and welfare.

If these memorials shall somewhat contribute to the perpetua-

these memorians shall some-what contribute to the perpetua-tion of such accord in such causes, they will have done for humanity the precise service whose hope is the motive of the gift.

Mr. President, the statements above quoted from the speech of Mr. Harvey, and especially those in italics, are untrue. constitute a libel upon the Government of the United States. They constitute a desecration of the memory of every one of the nearly 100,000 young men who gave up their lives on the battle fields of France. They are an insult to every one of the nearly 5,000,000 soldiers who enlisted in that great conflict. They constitute a wanton libel upon every patriotic man and woman in this country. They are the words of a craven and a sycophant. The statement that "We were afraid not to fight" is as false as Satan himself, and the statement that "We sent them—our soldiers—solely to save the United States of America" is so false that I do not believe there is an intelligent man, woman, or child in all the world that can not bear evidence of its falsity.

Mr. President, these several statements of the President of the United States above quoted, in speeches almost immediately following the speech of Mr. Harvey, come with peculiar force and power at this time. Whatever is said by the President of the United States is always of the greatest importance, but when a falsehood against the Nation has been uttered, when a desecration against our soldier dead has been made, when a wanton libel against every patriotic American has been published, the words of our President pointing out the falsehood, making clear the desecration, and repudiating and rebuking the libel come with the greatest force and power. I want to commend the President of the United States for uttering these rebukes to Mr. Harvey. He deserves the greatest credit for promptly repudiating the ignoble sentiments of the man who happens, by a great misfortune, to be the ambassador to Great Britain. The words of the President prove that he is an honest and a sincere and a patriotic American.

Mr. President, I hope President Harding will go further and take the step necessary to right the wrong that Mr. Harvey has perpetrated upon the American people. I hope he will recall him from his post. Mr. Harvey, after the publication of these false statements about his own country and about his country's sol-

diers, ought not to be permitted to represent our people at the court of the British Nation. It is a shame to America to be represented abroad by a man who thus expresses the contempt he has for his own Nation and its soldiers. Everybody knows that if we had been the craven and cowardly materialists as we were pictured by Mr. Harvey, we should never have sent our soldiers 3,000 miles across the seas to fight the battles of civilization and humanity.

Mr. President, we are told that this man, in addition to his duties as ambassador to England, is to be put on allied councils and commissions. Surely, after the sentiments expressed by him at the Pilgrim's dinner, our Government will not add to the honors ands powers of this man whose statements were, in effect at least, rebuked and denied by the President of the United States. He is not a fit representative of either our Government or its people. I protest against his being retained, and I again express the earnest and patriotic hope that our President will recall him immediately. Protests against Mr. Harvey are coming in from patriotic men and women through-out the Nation. I sincerely hope the President will heed these protests.

I ask unanimous consent to insert in the RECORD, in connection with my remarks, the War Mothers' resolutions that were adopted in Philadelphia.

The PRESIDENT pro tempore. Without objection, it will be so ordered.

The matter referred to is as follows:

WAR MOTHERS CALL FOR REPUBLIATION OF COL. HARVEY'S WORDS—PROTEST TO HARDING SAYS SPEECH INSULTS ALL AMERICANS—URGE WIDE ACTION.

"A resolution calling upon President Harding to repudiate the recent speech of Col. George Harvey, in which the American ambassador to Great Britain gave his interpretation of the reasons that prompted America to enter the World War, was adopted yesterday at the convention of Pennsylvania State Chapter, National American War Mothers, at 1616 Arch Street.

"Ambassador Harvey's remarks were declared to be not only an insult to the soldiers who lost their lives in the World War but an insult to 'everything the women of America hold dear.'

The introduction of the resolution at the afternoon session of the convention by Mrs. J. M. Gallagher, first vice president of the body, precipitated a stormy 10-minute debate. When quiet was restored it was found that while some of the delegates objected to the wording of the resolution all favored the idea prompting its introduction.

"The resolution as adopted follows:

"'Whereas the Senate of the United States of America, on April 2, 1917, declared that we were in a state of war;

"'Whereas we believed that it was through no fear of loss, no greed for gain, but for a great idea, for the saving of the nations and the freedom of the world that we submitted to the sacrifice of our sons and countrymen:

"'Therefore we, the Pennsylvania State Chapter of the National American War Mothers, assembled in convention in Philadelphia, declare we have read with the utmost abhorrence the words reported to have been spoken by George Harvey, ambassador to England. Those words are an insult to everything the women of America hold dear.

'They defame every man and woman who made sacrifices during the war in the hope of hastening the coming of peace

and all it implies.
"'Our beloved sons—soldiers, sailors, and marines—fought, suffered, and died believing they were crusaders in a great cause. The words of Mr. Harvey lead us to believe that they fought in vain.

Our dead soldiers can not repudiate this insult; it remains for the mothers whose sons made the sacrifice to do so.

"Therefore we, the mothers of sons who were in the Army and the Navy, ask the President of the United States to repudiate this insult to the country and to remove the stain which the words of Mr. Harvey have placed upon the honored dead of the World War, who died for the ideals of the United States of America.'

"After adoption of the resolution the State body decided not only to send copies of the protest to other State chapters, but to urge them to make similar protests. Copies also are to be sent to President Harding and Secretary of State Hughes. One of the delegates signified her intention of sending a copy, marked personal, to Mr. Harvey.

"Protests were also heard by the organization against the refusal of a cemetery to permit the burial of a soldier, slain in France, on Memorial Day. This refusal, it was said, is based on a rule of the Philadelphia Cemetery Association prohibiting funerals on Sundays and holidays.

"Speakers at the convention expressed opposition to America participating in any conference of powers which does not include all of the allied nations.

"'We went into this war for peace, but we can't expect to get it by letting the leaders of three nations get together and

make decisions for all, Mrs. Gallagher said.

"The election of officers for the ensuing year resulted in Mrs. R. Rowan being elected State war mother; Mrs. Gallagher, Mrs. Kirk W. Magill, and Mrs. George Howell were reelected first vice president, second vice president, and financial secretary, respectively, and Mrs. Alice Park, recording and corresponding secretary.

"At the close of the meeting the delegates were the guests of the Overseas Women's Service Legion, in the assembly room of the Emergency Aid. Later they were the guests of Mrs. Rowan

Memorial services will be held to-day on city hall plaza, Mayor Moore will make an address and a huge wreath will be presented in honor of the dead heroes."

#### NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

Mr. LENROOT. Mr. President, I offer the amendment which

I send to the desk.

The PRESIDING OFFICER (Mr. Curtis in the chair) The Senator from Wisconsin proposes an amendment, which the Secretary will state.

The Assistant Secretary. On page 51, line 17, strike out \$53,000,000" and in lieu thereof insert "\$38,000,000."

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Wisconsin.

Mr. LENROOT. Mr. President, this bill, as amended by the Senate, increases the 1916 naval program by the addition of two airplane carriers, at a cost of \$26,000,000 each; or a total Fifteen million dollars is appropriated in the bill toward the construction of those carriers. It is true that the authorization for 12 destroyers, a part of the 1916 program, is revoked; but there is a net increase in this bill over the 1916 program of at least \$30,000,000.

The amendment I propose reduces the \$53,000,000 appropriated on account of construction to \$38,000,000. In other words, the \$15,000,000 appropriated by the committee amendment for airplane carriers will be taken out of the \$90,000,000 appropriated for construction, if my amendment be adopted.

Mr. POMERENE. Mr. President—
The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Ohio?

Mr. LENROOT. I yield. Mr. POMERENE. I was attracted by the statement made by the Senator to the effect that the bill increase 1 the 1916 program by \$30,000,000, and I was not quite clear as to what the

Senator meant by that.

Mr. LENROOT. Two airplane carriers at \$26,000,000 each makes an increase of \$52,000,000 over the 1916 program. But there is revoked the authority for 12 destroyers, which I think cost something less than \$2,000,000 apiece; so that there is a net increase over the 1916 program of about \$30,000,000.

If this amendment be adopted, it will take the \$15,000,000 out of the \$90,000,000 appropriated for construction. If the amendment is not adopted, \$105,000,000 will be appropriated

the next fiscal year for the construction program. Mr. POINDEXTER. The Senator proposes to make the reduction in the item, "On account of hulls and outfits of vessels and machinery of vessels heretofore authorized to be available until expended"?

Mr. LENROOT. Yes. I did that on the theory that that money would be expended upon the vessels not nearing completion, while the item of \$33,000,000 for armor and armament presumably would be expended on vessels which are near-

ing completion under present appropriations.

Mr. President, what is the 1916 program? As as I have said many times, I have not suggested its abandonment, although I do feel convinced that the 1916 program should be revised. The 1916 program, as adopted by Congress, carried out the report of the General Board of the Navy Department as to policy, and that policy was declared in the report to be this:

The Navy of the United States shall ultimately be equal to the most powerful navy maintained by any other nation of the world. It should be gradually increased to this point by such a rate of development year and year as may be permitted by the facilities of the country, but the limit above defined should be attained not later than 1925.

Therefore it was contemplated that when this program was completed, even without the addition of this \$52,000,000, we should be the first naval power in the world. That is the policy Congress has adopted.

What is the English policy, Mr. President, with reference to this question? I read from a memorandum on naval policy by the present first lord of the Admiralty of England, Lord Lee, of Fareham. On March 12 last he said:

Estimates can only be based upon policy, and the naval policy of the Government, as announced by my predecessor in the House of Commons on March 17, 1920, is to maintain a "one-power standard"—i. e., that our navy should not be inferior in strength to that of any other power.

If we, then, are to adopt as a policy that we are to be the first naval power in the world and Great Britain has adopted a like policy, where will the race for supremacy in armaments I do not know whether members of the committee at present believe that the United States should go on and become the first naval power in the world, but I am certain that the country will not stand for the appropriations which would

be necessary in this race for supremacy in armaments.

What does Admiral Sims say upon this question? In his testimony before the Naval Affairs Committee on February 4

last he said:

last he said:

It is not a question in my mind of a second-class Navy or a first-class Navy. If we have no ideas, as I understand we have not, and we never have had, of extending our territory, and have no policy of aggrandizement at all, then we do not need as large a Navy as our enemies that are 3,000 miles away. If you will refer to any competent writer—for instance, from Admiral Mahan up and down—you will see what I mean. I have a book of Mahan's \* \* \* and you will see in there a discussion of the matter of the relative importance of the distance that your enemies are away from you. I do not hesitate to say that a British Navy twice as great as ours could not successfully carry out any aggression against our coast, particularly in view of the modern weapons that we have now. Without going into a discussion in detail, my opinion is this: That if the enemy nation is 3,000 miles away they have not any ships at all that can come over here and go back again without being coaled. She has got to have a base on this side. She has no destroyers at all that can come across the ocean at anything like fleet speed, and they must have bases for them. There is no base on this side, and there never will be one on this side adequate to take care of a fleet of that kind and keep it in repair. They could not maintain a fleet on this side and keep it in repair. Now, it is up to us to decide, if we want to be on the defensive and have no idea of going across the ocean with our fleet to attack anybody else, as to what size the fleet should be. That is not the sort of thing to get into a quarrel about, but it is something that must be gone carefully into by competent military people.

Mr. President, is the United States going ahead to become the

Mr. President, is the United States going ahead to become the first naval power in the world, when no one I know of contemplates any possibility of war with the first naval power in the world? As I have said before on this floor, we ought to continue to be the second naval power in the world. safety depends upon that. But beyond that point, Mr. President, it is a waste of the taxpayers' money to either build or maintain a navy greater than that.

More than that, Mr. President, we do not seem, to judge from the debates which have taken place in the consideration of this bill, to have learned anything, either from the Great World War or the developments which have taken place since that war. shall not repeat this morning what I said the other day about the development of the airplane and chemical warfare and the submarine, but it does seem to me that it does not require a naval expert or a military expert to know that the warfare of the future has already been completely revolutionized, and it is a serious question whether the battleships it is proposed to build under this program will not be absolutely obsolete before they are completed.

What is the opinion of some naval experts other than our own upon this subject? I read from a statement made by Admiral Sir Percy Scott, of England, who is said to be the greatest naval brain that Great Britain has. Writing in the London Times of March 15 last, he said:

I have asked the question, "What is the use of a battleship?" and have received one direct reply. A midshipman has told me, "She is no damned use at all." I sincerely hope to morrow that some member of the house will elicit from the Government where we shall stow away our battleships in the event of our going to war. Shall we construct a safe harbor for them in Iceland?

Admiral Scott had repeated this in half a dozen letters in one of those famous discussions of public affairs conducted by the London Times, extending from November to February. In an early letter he put the English case against the battleship:

You must admit that in the war we were nearly forced to submis-

sion by starvation.

You must admit that the German battleship played no part in reducing us to a state of starvation.

You must admit that if our battleship superlority had been double what it was they could not have protected us from starvation.

You must admit that the dominant arm of the war was the submarine.

And, again, he said:

The building of battleships will be supported by all the battleship builders of the world, because it is the bread whereby they live. Look what a paying concern it is; would not any of your readers like to get a nice, fat contract for, say, only 5 battleships at 35,000,000 of

golden sovereigns? In these circumstances we must expect the construction of battleships to be backed by many people, possessing strong political interest, commercial interest, and the support of capital. We must also expect the necessity of battleships to be supported by all the navies of the world; for naval men do not commit suicide, and battleships are vital to their profession and vital to their comfort. To be captain of a battleship is the ambition of every naval officer. Who else in the world travels about with the same comfort as the captain of a battleship? He has a large drawing-room, a dning room in which he can seat 25 or 30 guests, a commodious bedroom with bathroom attached, and spare bedrooms.

All these points will naturally be taken into consideration, or, at any rate, they will flit through the mind of every naval officer before he decides to vote for "not building battleships." These points will also have to be taken into consideration by the taxpayer when he is asked to put his hand in his pocket to pay for the superbattleships, their nurses, and other accessories.

The situation in England is not so different than it seems to

The situation in England is not so different than it seems to be in the United States. I have the greatest respect for our naval officers and their patriotism. I do not question that they are giving us their best judgment, but naval officers are human, just like the rest of us. There is not very much glory for a naval officer if the warfare of the future is to be carried on through gases and chemical means, the airplane, and the submarine.

As I said the other day, the progress that is being made in chemical warfare, the progress that is being made in aerial development, the progress that is being made in the submarine, it seems to me, ought to convince every Senator, whether he ever was aboard a naval vessel or not, that, as to some of the vessels at least, under this program we should go slowly, because it is altogether likely that from every standpoint they will have to be redesigned for protection against chemical warfare, protection against airplanes, and protection against the submarine.

What did Admiral Fiske say upon this subject? I shall support the provision in the bill with reference to the construction of two airplane carriers. I think they are absolutely essential. Admiral Fiske, in his testimony before the House committee, was asked as to the relative importance of the airplane carrier and the battleship, and this was his reply:

Well I am sure-

He said-

I can put it this way: If there was to be a fight on the ocean between an airplane carrier on the one side and two battleships on the other side, and I had to be on one side or the other, I would go on the airplane carrier rather than be on the two battleships.

Yet it is proposed to carry out the 1916 program with all these battleships. The committee recognize the value of airplane carriers, but they do not propose to diminish by one single ship the

battleship program of 1916.

Now, Mr. President, I see the force of the argument that pending a conference for disarmament we should not suspend our naval program, we should not abandon it, but it will have just as much influence upon the other naval powers with whom we shall go into conference if we spend \$50,000,000 during the next year upon our construction program as if we spend \$90,000,000. No one can question that. To the one power we possibly should fear we can make it clear that we propose to remain the second naval power in the world, and there is no other power that can compete with us as long as that is made plain. We do not need to throw away the money of the taxpayers at this time in order to meet that point. No one, no member of the Committee on Naval Affairs, no Senator that I know of, has ventured to suggest that we are in the slightest danger of engaging in a war with any great power within the next year, two years, or five years. That being so, why not save this \$15,000,000 at least in the construction program for the people by taking the \$15,000,000 appropriation for airplane carriers out of the \$90,000.000 appropriation for construction?

Mr. POINDEXTER. Mr. President, of all the witnesses who appeared before the Committee on Naval Affairs not one entered any dissent to proceeding as rapidly as possible with the construction of battle cruisers in the 1916 program.

Mr. KING. Mr. President-

Mr. POINDEXTER. Just one minute. I have scarcely gotten to the beginning of what I was going to say. I will yield to the Senator in just a moment.

That program provided for six battle cruisers. Those battle cruisers are the least advanced of any of the capital ships upon which construction is being carried on.

Mr. LENROOT. Will the Senator yield that I may ask why

Mr. POINDEXTER. It is so because of the policy of the department in entering into contracts for the battleships before they entered into contracts for the battle cruisers. Whether that policy was correct or whether it was wise, I am not discussing.

Mr. LENROOT. Mr. President-

The PRESIDING OFFICER (Mr. SPENCER in the chair). Does the Senator from Washington yield to the Senator from Wisconsin?

Mr. POINDEXTER. Certainly.

Mr. LENROOT. May I ask whether at the time of the adoption of the program the necessity for battle cruisers was not made so clear that it was the judgment then, not only of naval experts but of both Houses of Congress, that battle

cruisers were absolutely necessary with battleships?

Mr. POINDEXTER. It is very far from being the case that both Houses of Congress and naval experts, without division of opinion, entertained that idea. On the contrary, there was a very great division of opinion as to the comparative merits of battle cruisers and battleships, and that division of opinion-

Mr. LENROOT. Oh, no.
Mr. POINDEXTER. If the Senator will allow me Mr. LENROOT. The Senator misunderstands me.

Mr. POINDEXTER. If the Senator will allow me to complete my sentence, then I will yield to him. That division of opinion continues down to the present time to such an extent that the critics of this program, including those whom the Senator has mentioned, particularly Admiral Fiske-and I may mention Admiral Fullam, who appeared before the Senate Committee on Naval Affairs and severely criticized the policy of the Naval General Board—absolutely failed to criticize the lack of cruisers, and particularly battle cruisers, in the American Navy. Judging by their silence, they do not regard this as a weakness. I believe the Senate Committee on Naval Affairs upon all the testimony they took do regard it as a weakness, in spite of the fact that the very critics the Senator from Wisconsin cites have failed in any way whatever to point out the absence of cruisers or delay in the construction of battle cruisers or to emphasize that as a weakness in the program.

Mr. LENROOT. If the Senator will yield further

Mr. POINDEXTER. I yield.

Mr. LENROOT. The Senator may have misunderstood me. I did not say, nor do I wish to be understood as saying, that anyone believes that battle cruisers could take the place of battleships. I took a very active part in that 1916 program in the House, and I remember very distinctly that it was, it seemed to me, the unanimous opinion that with the battleships we must have battle cruisers.

Mr. POINDEXTER. It was.

Mr. LENROOT. That is the point I made.
Mr. POINDEXTER. It was the opinion that we must have battle cruisers; but as to the comparative value, as to which should be constructed first, as to which was the more important, there was a very profound and most decided difference of opinion, and that difference of opinion continues down to the present time.

Out of all that difference of opinion, perhaps, has grown the fact that the contracts for battleships were let first, and the construction work upon them is very far advanced, on all of them with the exception of one which is not very far advanced, and that the battle cruisers have only just now been laid

I was going to say in connection with that observation, as relating to the amendment which has been proposed by the Senator from Wisconsin, that the appropriation which was provided for in the House and which was not changed in the report of the Senate committee, but which the Senator from Wisconsin proposes to cut down \$15,000,000, only provided a sufficient amount of money to proceed at a reduced rate of prog-ress upon the construction of this program; but the General Board of the Navy and the Bureau of Construction intend, if this appropriation is made, to use the larger proportion of it to proceed with construction at a more rapid rate with the battle cruisers than with the battleships, and also with the scout cruisers or light cruisers.

I wish to state the information that I have from Admiral Taylor, and I have no reason whatever to doubt it; I rely upon it, and if it is mistaken in any way I should be glad if the mistake is pointed out. It is that the entire appropriation provided for in the House bill of \$90,000,000 will allow the department to proceed at the proportionate rates of 60 per cent of the normal rate of progress upon the construction of the battle cruisers, of 50 per cent upon the construction of the scout cruisers, and of only 25 per cent upon the construction of the battleships. If the appropriation is retained as it is, instead of being increased, to say nothing of cutting it down, it will be absolutely necessary to demobilize a great deal of the construction force which is now engaged in work upon these ships and a great many men will have to be discharged. The Navy Department is anticipating a bitter struggle with the con-tractors and with the men who are engaged in work upon these vessels at the present time when the necessity for discharging men and for reducing the rate of progress upon these ships is created by the limitation of the \$90,000,000 that is carried in the bill.

I understand that the Senator from Wisconsin does not propose at all by his amendment absolutely to abandon this program; he does not propose to scrap the work that has already been done upon the ships. Consequently, the only result of his amendment proposing to reduce the \$90,000,000 by \$15,000,000 would be still further to slow down and disorganize the forces which are engaged upon that work, with the necessity later on either of sacrificing through the reduced rate of construction the increased value of the ships which will accrue as time goes on or else of being put to an enormous expense to reorganize and to repair the great damage which will be done by cutting down to a still greater extent the appropriations made for carrying on the work.

Mr. President, I do not propose at this time again to go into a general argument of the various questions which have been suggested by the Senator from Wisconsin, for instance, as to the comparative military value—if I may use that expression—of battleships and airplane carriers. The Senate Naval Affairs Committee in its report and the House in its bill recognize the value of both. The Senate committee added to the pending bill an appropriation for airplane carriers. The Senator from Wisconsin agrees with the Senate committee as to the value of airplane carriers, but he does not agree with the committee in its opinion of the value of battleships. The Senator from Wisconsin draws a picture of an imaginary action at sea between one airplane carrier and two battleships and quotes some naval officer as saying that if he were engaged in the battle he would prefer to be upon the airplane carrier

rather than upon one of the battleships.

Mr. President, the only purpose of an airplane carrier is to carry airplanes; the only purpose of an airplane carrier is to enable the nation which possesses it in an engagement to put into the action battle and bombing and observation planes. Why should a critic of this program, why should the Senator from Wisconsin, in his amendment to the bill, use as an argument an imaginary battle in which one side is equipped with airplanes while the other is not equipped with airplanes? Why the supposition that the United States under this program, or any of its opponents, in case unfortunately it should be engaged in war with any of them, is going exclusively to provide only one of these arms for making naval war? The reasonable and the natural supposition would be that both sides are going to have airplanes, and that, instead of the imaginary action between airplane carriers and battleships, there would be an action between airplane carriers and battleships and torpedo boat destroyers and submarines upon the one side and the same arms of the service upon the other side. That is the theory of the Navy General Board, and apparently it is upon that theory that the difference between the Navy General Board and Sir Percy Scott and between the Admiralty of Great Britain and Sir Percy Scott and between the naval authorities of Japan and Sir Percy Scott is based. They do not assume that a nation is going to confine itself to one class of ships or to one means of making naval warfare, but assume that it is going to provide itself with the various branches of the service, all of which are necessary to make up a complete and well-

The Senator from Wisconsin quotes with some emphasis the opinion of Sir Percy Scott. Sir Percy Scott is a very distinguished officer: he is a retired officer of the British Navy: but it seems to me when we are discussing naval authorities that it is sufficient comment to make upon the opinion of Sir Percy Scott that his own country has not adopted his advice. I know that there is a great deal of propaganda in the United States from British sources, including Sir Percy Scott, including British newspaper writers who occupy very important positions upon American newspapers, to the effect that we ought not to be a rival of Great Britain either in naval power or in a merchant marine. I have been a great admirer of Admiral Sims; he is a brilliant and competent naval officer; but I do not agree with Admiral Sims nor with Admiral Fullam nor with the Members of this body who contend that the naval policy of the United States ought to be based upon a plan that when we may be engaged in some conflict with a foreign power we should abandon the seas, take our stand upon the land, carry on merely a defensive warfare, and allow our commerce and our outlying possessions to be sacrificed. It seems to me that there is some ground for the charges that are made against some of these naval critics of favoritism and undue preference for some other nation than their own when they make an argument to the

effect that foreign nations are justified in maintaining a power sufficient to protect their rights upon the seas but that the United States should abandon its citizens and its commerce and merely prepare to defend its coast line. I do not agree with that; I do not believe that that policy will be supported by the American people. I believe that they are in favor, not of building up a navy the first in the world, but in favor of the United States maintaining a position which will enable it to do whatever is necessary to stand upon an equal footing with every other power upon the great pathways of commerce around the world and to protect its island possessions.

Mr. President, if I agreed with the policy which is proposed and which was specifically stated by some of the retired naval officers in their testimony before the Committee on Naval Affairs, that in case of difficulty with some foreign nation we should abandon our commerce and leave the seas to our enemies, I would not be advocating a navy so great as that which is proposed in the House bill, for I believe it would be

absolutely unnecessary.

I would not advocate an appropriation of the taxpayers' money as great as that which is being assented to by the Senator from Wisconsin, because a much smaller amount would enable the United States to accomplish that end, if it cared to take that backward step and to abandon the position of selfrespect and of the protection of the rights of its citizens which it has maintained since the days of its feebleness, when it first became an independent Nation. If it cared to act merely as a land power upon the defensive along the coast line, that object could be attained with a very much smaller amount of money. I would agree with the critics of this bill if that were to be the limit of the ambition and of the intention of this great people; but that is not the policy nor the theory upon which this bill was reported by the Committee on Naval Affairs. It was reported upon the theory that the United States, being a world power, should have a sufficient force at sea to enable it to command the respect of other nations and to defend its nationals and its nationals' rights wherever they might exist, to protect the great volumes of commerce which are carried on by our people with the other nations of the world, and to insure that the American flag, wherever it may float upon the seas or upon the outlying possessions of the United States, shall be respected by all the world.

Mr. President, there is one other remark that I wish to make by way of a passing comment. The argument has been made by the Senator from Wisconsin, if I did not misinterpret what he says, that the force back of the policy of battleships is the desire of naval officers to display themselves in gold lace and to enjoy the pomp and glory of war. Mr. President, I resent that as a libel upon the Navy and upon the honorable, faithful, self-sacrificing and patriotic men, officers and enlisted men, who compose its personnel. I doubt whether there is an individual amongst the officers of the American Navy who would deliberately sacrifice the interests of his country by advocating the expenditure of the public money for the building of a ship which he did not believe to be efficient, merely in order that he might have an opportunity to gratify his pride in display and love of glory. I am sure the Senator from Wis-consin speaks inadvisedly. I do not think that he would intend to convey any such impression; I do not think that the American people would be convinced that that is the purpose of the Navy General Board and other officers of the Navy who have laid down as one of the principles of modern naval warfare the retention of the battleship as one branch of the naval service.

Mr. President, what ground is there for saying that battleships are obsolete? It is merely conjecture; it is merely theory. There is no practical experience to show that they are obsolete. A good deal has been said about what submarines can do. The world has just recently been engaged in the greatest war, haps, of all time. What did battleships do and what did submarines do in that war? Battleships, as it can be demonstrated, I believe, saved civilization and won the war for the In the greatest naval battle of modern times, the Battle of Jutland, battleships played the chief part. It was due to the British battleships, under the policy of Great Britain of building and maintaining a fleet of battleships, that it was able to defend the imperial interests of Great Britain and of the British Empire: it was because of that policy that the Germans were driven back at the Battle of Jutland and were bottled up in their ports and the command of the seas was retained in the hands of the Allies. That is the only experience we have had. The submarines lost and the battleships won. That does not indicate any deduction on the part of those who are responsible for the naval policy of the United States, and, I may say, of all other great naval powers, that they would minimize

the value of submarines. On the contrary, they believe that as an auxiliary arm submarines are not only valuable but that

they are absolutely essential.

So, Mr. President, I trust that this reduced amount, \$90,000,-000, which is not increased in the report of the Senate committee, but remains the same as in the bill which was sent to the Senate from the House, will not be reduced by the amendment of the Senator from Wisconsin, and that the amendment will be defeated

Mr. LENROOT. Mr. President, in reply to the Senator from Washington, in the first place I made no such reflection upon our naval officers as the Senator from Washington seemed to assume. I did read some quotations from Sir Percy Scott, and I did say that there was not much pomp or glory in chemical warfare or in warfare conducted from submarines or airplanes; and that is true. With all due deference to our naval officers, and conceding to them, as I do, the highest degree of patriotism, I think that the events that have occurred recently do indicate that they are not open-minded with reference to either chemical warfare or airplane warfare. I do not know why, and I have not been able to understand why the officers of the Navy are so averse to bombing tests from airplanes. If they are merely getting information for the good of the country, why should we not have every kind of test, and let Congress judge of the merits of those tests?

With reference to chemical warfare, I do not know why it is that in some quarters every discovery seems to be discounted, and a disinclination seems to exist to accord to it any value. I do not know why it is, in view of some of these developments that we all know are taking place, that there should be this disinclination to go slowly upon this naval program, not with a view to its abandonment, but with a view, when it is completed, to taking advantage of all of the developments, of all the progress that has been made in every kind of warfare. It is not for me to answer those questions, and yet they naturally occur to any-

body.

But, Mr. President, the Senator from Washington has said that we need these battleships, this entire program, because we must protect our commerce upon the sea. It seems to me that it was demonstrated in the last war that we must have a battle fleet superior to the battle fleet of any other nation that we can by any possibility expect that we may come in conflict with; but, having that, just what will happen? Just what happened in the World War. Our battleships will be bottled up in our own ports. The battleships of our enemy will be bottled up in their own ports. It was not the battleships of Great Britain that protected English commerce upon the sea in the last war, except as they kept the German battle fleet in German ports. What happened? With the English battleships safe in their own ports, English commerce was being destroyed at the rate of 600,000 tons a month; and if it had not been that we came into the war, England, in spite of her navy, would in all probability have been compelled to surrender; and it was not our battleships that saved the day. It was not our battleships that protected the commerce upon the sea after we got into the war. It was our destroyers and our patrol ships and our little ships that did the work.

Mr. POINDEXTER. Mr. President, what does the Senator claim won the battle of Jutland?

Mr. LENROOT. Why, I have just said that we must have a battle fleet that will keep in her own ports the battle fleet of any other nation with which we are engaged in war, but beyond that point our battle fleet would be absolutely valueless as far as protecting our commerce upon the sea is concerned.

Mr. POINDEXTER. I agree with the Senator entirely.

Mr. LENROOT. Very well.

Mr. POINDEXTER. If we have enough battleships to keep the enemy's battleships bottled up, that is all we need. Mr. LENROOT. No; England had that, and yet her com-

merce was being destroyed and she was brought to her knees through the submarine. Did her battleships protect England from the submarine?

Mr. POINDEXTER. No; the submarines were destroyed, and the Allies won the war notwithstanding the submarines,

and won it by battleships.

Let me ask the Senator one other question. have been the effect upon the war if, instead of the German battleships being driven back and bottled up, the British battleships had been driven back and bottled up in their ports?

Mr. LENROOT. Oh, I have repeatedly said-I said when I began, 10 minutes ago-that there was one necessity, and that we must have such a battle fleet as would keep our enemy's battle fleet bottled up in her own ports; but beyond that point no battleship will protect a single ton of commerce.

Mr. POINDEXTER. They would not need to if they had the

enemy bottled up.

Mr. LENROOT. They would not need to? With the commerce of England being destroyed, as I said, at the rate of 600,000 tons a month, at the time that we got into the war, as the Senator knows, it seemed that you could take a pencil and paper and almost within a few days determine when England would be compelled to surrender, not through battleships. Her battleships, so far as protecting her commerce was concerned, other than keeping the German fleet within her own ports, were as valueless as "a painted ship upon a painted ocean." It was the other protection, the destroyers, the little ships, the patrol ships, that could cope with the submarines. The battleships did not dare even to try.

So, Mr. President, there is nothing in the statement of the Senator from Washington that we have got to have a huge fleet to protect our commerce upon the sea, when it seems so clear that I do not see how there can be any difference of opinion that for the purpose of protecting our commerce we need only such a battle fleet as will keep the opposing battle fleet within

her own ports.

Mr. POINDEXTER. Mr. President, I hope that in pursuance of the resolution of the Senate the naval powers of the world will agree upon a sensible program of limitation of armaments; but we have not yet reached that agreement. In so far and so long as they are continuing to prepare, each nation within the conditions of its situation and its interests, to defend their rights with naval power, how does the Senator from Wisconsin-who, with all the study he has given to this matter, has given to it a comparatively small amount of time compared to the men who have devoted their whole lives to the study of itreconcile his opposition to battleships, and his opinion that battleships are obsolescent, with the fact that the great naval powers of the world are continuing to build them, including Japan and Great Britain?

Mr. LENROOT. Mr. President, I have never asked the Senate to accept my opinion that battleships are obsolescent. The Senator has heard me say repeatedly that while I believe some of these ships would be obsolescent by the time they were completed, I did not ask the Senate or any Senator to accept my view upon that question. The Senator knows very well—it has been repeated many times throughout the debate-that, so far as I am concerned, I have just two propositions. One is that I am not at all in sympathy with what is evidently the view of the Senator from Washington, that we must become the first naval power in the world. I want to ask the Senator if that is his view and if that is one of the reasons for his advocacy of

this policy?

Mr. POINDEXTER. I do not know why the Senator says that is my view. I never have said that it was.

Mr. LENROOT. That is the report of the board upon which

the 1916 program is based.

Mr. POINDEXTER. I am not responsible for the report of the board. I do not think that is the report of the board. venture to say that that is not the report of the board, and that that is not the report of the Senate committee. That is not my view, and there has never been anything in the RECORD or out of it to base any such conclusion on.

Mr. LENROOT. Very well. Then, I take it, that being conceded, that the Senator from Washington does not propose that we shall enter into a race of armament with England. Very

well

Mr. POINDEXTER. The Senator has somewhat changed his statement. He now says "enter into a race of armament with England." I hope we shall not enter into a race with any-I hope we shall not enter into a race with anybody. I do not propose to enter into a race with anybody. I propose, in so far as I have any part in it, that we shall carry out our program that was laid down in 1916; and I do propose, not that we shall be the first naval power in the world but that the United States shall be the equal of any other power in the world, and that we shall never deliberately take a second place to any other nation.

Mr. LENROOT. Now we have the Senator's view, then-not that we shall be superior to England in naval strength but that we must be exactly equal with it. I want to say very frankly that I have not any such view; and if England should go on with its policy, adopted last March, that it shall be the first power, and the Congress shall adopt the Senator's view that we must at all times be equal in power with England, what is it

except a race for armament?

Mr. POINDEXTER. I do not suppose they can be exactly equal. The Senator thinks we ought not to be equal. I should like to ask him how much inferior he thinks we ought to be; how much weaker ought we to be than Great Britain?

Mr. LENROOT. I have stated many times, and I will repeat, that I am not concerned with what the naval power of England is. I am concerned with the strength of other powers.

ought to be the second naval power in the world.

Mr. POINDEXTER. I do not remember what the Senator's attitude was on the question to which I am about to refer, and what I say has no reference to the record of the Senator from Wisconsin: but I remember that some of those who are now opposed to a strong Navy were of the opinion that we ought not to resent the murder of our citizens upon the high seas in the sinking of the Lusitania. Some of those who are now opposed to a strong Navy were of the opinion that when Germany marked out the high seas of the world in checkerboard fashion and told us where we could go and where we could not go we ought to tamely submit. Senators who are in favor of that sort of a policy of surrender and of submission very consistently argue that we do not need a strong Navy, if that is to be the policy of the United States. But if we are to maintain a policy of peace with all the world, but a peace based upon justice and upon the protection of the rights and the lives of American citizens, then we do need a strong Navy, and when we have a strong Navy the United States will be secure and will not be compelled to maintain a strong Army. A great many people argue, it seems to me rather superficially, that if we reduce the Army we ought to reduce the Navy. I think that by reason of the fact that we maintain a strong Navy, and by reason of that fact alone, we will be able to reduce the Army to a minimum strength.

Mr. LENROOT. Mr. President, the Senator stated, when he began his remarks, that he did not attribute to me some of the views to which he referred.

Mr. POINDEXTER. I was not familiar with the Senator's

attitude on that subject.

Mr. LENROOT. I have never held that view, and the Senator must have heard me say, because I have said it at least a dozen times at different points in this debate, that I am in favor of the United States clearly maintaining itself as the second naval power in the world. That is my position.

Mr. WALSH of Montana. Who is to be the first?

Mr. LENROOT. I frankly say that Great Britain is the first, and I see no reason why the United States should attempt to outstrip Great Britain.

Mr. POINDEXTER. The Senator thinks we ought to take our hats off and bow every time we meet Great Britain?

Mr. LENROOT. I am very glad that in the debate we are gradually getting the Senator's real views. If the Senator is advocating this program, as from his remarks he evidently is, because he wants to rival Great Britain and have a Navy that will either equal hers or exceed it, it is time the Senate and the country knew it.

Mr. POINDEXTER. We have not concealed that at all. That was put in the form of a written report of the Naval Affairs Committee upon the resolution offered by the distinguished Senator from Idaho at the last session of Congress. I do not want any rivalry with Great Britain. I am sure we are not going to have any difficuty with Great Britain, but if we can use what is apparently a paradoxical word in that connection, it will militate in favor of peace if we are able to maintain our rights.

Mr. LENROOT. Let me ask the Senator a question. He voted for the amendment of the Senator from Idaho [Mr. BORAH] requesting the President to call a conference for the purpose of reaching some agreement looking to naval disarmament, did he not?

Mr. POINDEXTER. That is correct.

Mr. LENROOT. Do I understand the position of the Senator from Washington to be that he will not be willing for this Nation to enter into any agreement for a limitation of armament unless in that agreement it is stipulated that the United States shall be the first naval power of the world?

Mr. POINDEXTER. On the contrary, I do not want the United States to be the first, but I want it to be equal to any other. I will not myself agree to enter into any agreement for a limitation of armament except upon the basis that we shall be assured, and that there shall be adequate guaranty and security given, that the United States will be substantially and practically-of course, the exact measure is impossibleequal to any other power in the world upon the sea.

Mr. LENROOT. So, then, the Senator is not willing for the United States to enter into any agreement for the limitation of armaments unless the United States shall be permitted to change its position with reference to the naval powers of the world and become c'ther first or equal to any other?

Mr. POINDEXTER. Since the Senator from Wisconsin has asked me a question, let me ask him if he is willing to enter

into an agreement by which the United States shall bind itself permanently to occupy an inferior and secondary place in the

Mr. LENROOT. The Senator from Washington can not scare me by any such statement as that.

Mr. POINDEXTER. I was not trying to scare the Senator;

I was seeking information.

Mr. LENROOT. The United States, Mr. President, has been in that inferior position from the foundation of our Government, so far as our Navy was concerned. Under that inferiority the United States has become the greatest Nation in the world. Under that inferiority the United States has become the greatest potential military and naval power in the world. It was not necessary to have a fleet of battleships superior to that of Great Britain in order for the United States to gain that position.

Mr. POINDEXTER. How could we be the greatest power in

the world if we were inferior?

Mr. LENROOT. The Senator heard me say "potential"

naval power. He heard that.

We have very little prospect, indeed, Mr. President, of our entering into an agreement for disarmament, if the United States, as a condition of entering into such an agreement, is going to insist upon becoming the first naval power of the world. I do not want the United States to occupy any such position. I am not at all certain but that Great Britain might not be very willing to do so, and I want to say right here, Mr. President, we might as well frankly state this one fact, that if the English-speaking peoples of the world shall at any time in the future engage in war with each other, civilization will be gone, and it will make very little difference what happens after-

Mr. WALSH of Montana. Mr. President, I want to inquire of the Senator why he thinks Great Britain would not enter into an agreement for a reduction of armaments which would place her upon an equality with the United States?

Mr. LENROOT. Because there can be no such thing as equality in the matter of naval armament, and the Senator must

Mr. WALSH of Montana. We were not talking about exact equality, but substantial equality was what the Senator from Washington referred to. Why does the Senator think Great Britain would not assent to such an agreement? The only reason can be that if she should happen to engage in war with the United States she would not have the superiority. That is the only reason, is it not?

Mr. LENROOT. Oh, no.

Mr. WALSH of Montana. If the fact is, as the Senator suggests, that there is not going to be any war with Great Britainand that is what we all think-why should she object to it?

Mr. LENROOT. Great Britain has territory upon which the

sun never sets

Mr. POINDEXTER. The United States has territory upon

which the sun never sets.

Mr. LENROOT. The Senator must concede that for the protection of its possessions Great Britain needs a larger navy than the United States needs.

Mr. POINDEXTER. If that is the case, why did that British naval authority, whose opinion the Senator read from just a moment ago, declare that the naval policy of Great Britain was a one-power plan; that is, to have a navy not superior to any other power, but equal to any other power? That is all we are contending for.

Mr. LENROOT. There could be no such thing, as the Senator very well knows, as equality in naval armament, and if any such agreement is ever made, there will be constant friction between the two countries as to whether the agreement is being

kept. That must be very plain.

Mr. POINDEXTER. Let me ask the Senator another question; if he thinks that we ought to be, not equal to any other power, but the second naval power in the world, where is he going to find the power to take the third place? If we refuse to take the third place, how can he expect some other nation to take the third place?

Mr. LENROOT. The Senator knows quite as well as I do what present conditions are. He knows quite as well as I do the reason why we should be the second power, and he knows

quite as well as I do who the third power would be.

Mr. POINDEXTER. I do not know what the Senator thinks I know. He probably credits more knowledge to me than I actually have. But I think he is referring to Japan, and Japan has been mentioned several times. I do not think we are going to have any trouble with Japan; but a good many people keep talking about it, and I assume that the Senator thinks that Japan ought to occupy the third place. But the Senator has

not gotten the consent of Japan yet. Japan is planning now, and working feverishly, upon a program which Japan claims is going to make her the equal of any other power of the world

upon the sea, if not the superior of any power.

Mr. POMERENE. The Senator from Washington has just said that he did not fear that we were going to have war with Japan. I think none of us are fearing we are going to have war with Great Britain. The query I wanted to put to the Senator was this: He favors this big naval bill, when he is not fearing war with either Great Britain or Japan?

Mr. POINDEXTER. Yes.

Mr. POMERENE. If he were fearing war with Great Britain

or Japan, how big a Navy would he want?

Mr. POINDEXTER. If I wanted to bring about a war with Japan or Great Britain, I would advocate a little, weak Navy. The quickest way to bring it on would be to reduce our Navy to a point where it would be small and weak as compared with others. Just as soon as Japan and Great Britain realize that the United States is helpless, they are going to begin the assertion of their rights in an offensive way here and there, not that that is the policy of these nations, but that inevitably follows where a strong power is dealing with a weak one. ourselves on many occasions, and with a high-spirited peoplesuch as the American people, thank God, still are-we will not put up with that kind of treatment; that will lead to war; and the only way you can preserve peace, until you bring about an agreement between these powers for a limitation of armaments, is for the United States to be in a position where it can command respect and enforce justice in its dealings with other

Mr. POMERENE. Mr. President, Great Britain and Japan both know that we are not a weak Nation, and there was just one time in the history of the United States when we took advantage of the fact that we were a big Nation against a little

nation, and we paid \$25,000,000 for that lesson.

Mr. POINDEXTER. We should not have paid it. The Senator is referring to the Colombian treaty. I think that was one of the greatest mistakes the United States ever made. I argued that matter the other day. I do not think we did right in paying that \$25,000,000. I would rather have seen it paid to our own people.

Mr. POMERENE. We showed we were big enough to do the

right thing when we had wronged another nation.

Mr. POINDEXTER. I do not think we had wronged any other nation. But I will not argue that with the Senator now.

Mr. POMERENE. We are getting off the subject.

Mr. LENROOT. That is referring to water that has already passed under the bridge. But the Senator from Washington was asked by the Senator from Ohio, not how large a Navy he would want if he wanted war, but how large a Navy he would be in favor of if he feared war with another nation, and that question the Senator from Washington has not answered. I would like to hear his answer.

Mr. POINDEXTER. Just what is provided for in this bill.

Mr. LENROOT. Very well; let us see what the position of the Senator is. The Senator is in favor of the same kind of a Navy, without any possibility of the need of that Navy in warfare, as we would have if he were satisfied that next year we were to be engaged in war with a first-class power.

Mr. POINDEXTER. No; I did not say that. Mr. LENROOT. What did the Senator say?

Mr. POINDEXTER. The Senator heard what I said. I did not say anything about next year. If we knew that war was coming on next year, I think both the Senator and myself would advocate a somewhat accelerated speed in naval construction. But there is nothing as definite as that. I hope we will not have any war at all. But whether we do or not makes no difference so far as the naval program is concerned, in my I think that the present naval program as provided opinion. for in this bill is just about right.

Mr. LENROOT. I gather, then, that the Senator's position is that in time of profound peace, without a shadow of war anywhere upon the horizon, we should have the same sized Navy as we would have if we were engaged in a serious con-

troversy with a first-class power?

Mr. POINDEXTER. The Senator is again putting into my mouth things I did not say. I did not say anything about being engaged in a serious controversy with a first-class power.

Mr. LENROOT. I will amend that in this way, that he would be in favor of the same kind of a Navy in a time of profound peace that he would be in favor of if he feared war with a first-class power. That is using the Senator's own words.

Mr. POINDEXTER. Let me ask the Senator a question. The Senator is advocating a considerable Navy himself, is he not?

Mr. LENROOT. Yes.

Mr. POINDEXTER. What does he advocate it for? What are you going to have a Navy for if it is not in fear of war? Why have any battleships at all?

Mr. LENROOT. I have not said I had no fear of war. I said I was not in fear of war in the next year, or two years, or five years. But there is the possibility of war after that time unless we come to an agreement upon the limitation of armaments, and for that reason I want the United States to maintain itself as the second naval power. I do not foresee that possibility with Great Britain, and not foreseeing it, I am not in favor of maintaining a Navy equal or superior to hers.

Mr. POINDEXTER. What would the Senator do? Let me put another problem. Suppose Great Britain and Japan had navies of substantially the same size, and that is what Japan is aiming for. Suppose she accomplishes her purpose. The Senator from Wisconsin wishes the United States to occupy the second place. How would he arrange that with two other powers having navies of equal size?

Mr. LENROOT. There has been and there could be no misunderstanding of my position, and the Senator from Washington must have understood it. When I say second place he knows

very well what I mean.

Mr. POINDEXTER. I understood the Senator did not mean

third place, but if there are two other powers

Mr. LENROOT. He knows very well that when I said second place I meant that the United States should be the first naval power other than Great Britain.

Mr. POINDEXTER. How could it be that if Japan and Great Britain are equal, as Japan plans to be?

Mr. LENROOT. Then we would become first. The Senator knows very well what I had in mind. I do not like to repeat these things. We are saying too much as it is about the possi-

bility of war with some third power.

Mr. POINDEXTER. That is the reason we maintain policenot because we hope to see trouble. On the contrary, we hope that there will not be trouble, but it is all based upon the fact that the devil is still going to and fro on the earth and walking up and down therein. The devil has not yet been abolished, and that is the reason why there is always a possibility of war.

Mr. LENROOT. Apparently it has become necessary for me to say just what I mean in still a little plainer language than I have used. Japan should understand that, no matter what navy she may build, the United States proposes to maintain a navy superior to that of Japan.

Mr. POINDEXTER. Then, if Great Britain is equal to Japan,

our Navy would be superior to that of Great Britain.

Mr. LENROOT. Exactly. If the Senator gets any comfort out of that, let him take it.

Mr. POINDEXTER. I get a great deal of comfort out of it, because we are agreed on it. I agree with the Senator from Wisconsin.

Mr. LENROOT. The Senator does not agree. Japan's navy might to-morrow be sunk to the bottom of the sea, and yet the Senator from Washington would go on with this \$500,000,000 program and he would not deduct a dollar. That is the situation.

Mr. WILLIAMS. Mr. President-

The PRESIDING OFFICER (Mr. Ladd in the chair). Does the Senator from Wisconsin yield to the Senator from Mississippi?

Mr. LENROOT. I yield.

Mr. WILLIAMS. Does not the Senator think it would be very well to reply to the Senator from Washington by telling him-that it is absolutely impossible financially for Japan to build a navy and sustain a navy equal to that of Great Britain, so that his question is a mere question in the air?

Mr. LENROOT. Oh, yes; but those arguments do not appeal to the Senator from Washington.

Mr. WILLIAMS.

She has not the potential power nor the financial power to do it. Mr. LENROOT. I am not going to occupy any further time. If we do delay the 1916 program, if we do go slow upon it, we

are still going to be very far superior to the navy of Japan. Secondly, with the progress that is being made in the development of chemical warfare, airplane and submarine warfare, I wish to venture this prophecy now-and I hope the Senator from Washington will remember it-that if we go on with this program, by the time some of those battleships are completed the keels of which are now being laid, the very year that they are completed we will be told by the Senator from Washington because I hope he will still be here—that they are obsolete and that we shall have to build something else.

Mr. WILLIAMS. Mr. President, I think some of the questions which have been asked in this debate would be amusing if the interrogators really meant them and if those to whom they were propounded really considered them worth answering. I think the positions taken by the two Senators who have just addressed us in rapid fire, while questioning one another, are self-stultifying.

Mr. POINDEXTER. Both of them?

Mr. WILLIAMS. As I understand them. Reduced to its last analysis, the Senator from Washington desires a navy equal to any other navy in the world, and if I understand the Senator from Wisconsin, he desires a navy double in power to that of any other navy in the world-

Mr. LENROOT rose.

Mr. WILLIAMS. Although, of course, he has not said that. Wait a minute! The Senator has not said it, but he said what necessarily leads to it. The Senator from Wisconsin said he wanted a navy big enough to see that any other navy that might attack us was "bottled up." All the naval experts are of the opinion that in order to secure the bottling up of an enemy's navy, you must have twice as much naval force as the enemy has.

That just suits me to a dot if we can put it through. If we insist upon a navy big enough to "bottle up" our enemy's navy, and each other country insists, as it will, upon a navy big enough to "bottle up" its possible enemy's navy, then we will come to this, that each nation in the world after a while will have a navy equal in strength to that necessary to "bottle the navy of any other one power, and then we will come to the situation that each navy will be twice as strong as any other one navy in the world, because without having a navy twice as strong one nation can not hope safely and securely to "bottle up" the other fellow's navy. Then everybody will be navally "bottled up," and "plain along folks" can sail the high seas in peace and trade with one another-" consummation devoutly to be wished.

So, really, if the Senator from Wisconsin had considered that thought he would have come to the conclusion I have reached, that he is really advocating a navy twice as strong as that which is advocated by the Senator from Washington, who is obsessed with the idea of a big navy while the Senator from Wisconsin does not want it at all-that is, he does not want the

biggest navy in the world.

The question was asked a moment ago by the Senator from Montana [Mr. Walsh] why it was that we supposed "Great Britain would not agree in a conference to have a navy no larger than ours or anybody else's." Everybody acquainted with the geography, the industrial conditions, and the history of Great Britain, and who wants to be fair, could answer that question. The first reason is that Great Britain depends upon an open pathway across the sea to feed her people. She has made it a fundamental doctrine for generations that she must have a navy sufficient to keep the seas open, and the fact that Great Britain in that position had the largest navy in the world is exactly what has led to the practical "freedom of the seas" at all times when Great Britain herself was not engaged in war and to the approximate freedom of the seas when Great Britain was engaged in war.

The first answer therefore to the Senator's question is that Great Britain can not consent to be put in a situation where

we are not in that situation. We do not need a navy big enough to protect transports to feed our people. raises enough to feed her own people and to clothe them too, by the way. That is not all. Rudyard Kipling in his celebrated phrase answered the question in another way. She has a "far-flung battle line," and if the United States had only 70 per cent of the naval strength of Great Britain she would be superior to Great Britain on the high seas at any point of conflict, because Great Britain must keep a great part of her navy in the Indian Ocean; she must keep a great part of it in the Pacific Ocean. We must ourselves keep a part of our Navy in the Pacific Ocean. Great Britain must keep a part of her navy in the North Sea. Of late years she has kept it pretty well concentrated there while she was in alliance with France.

Now, let us be reasonable. The Senator from Washington asks what would the United States do if it had not the second strongest navy in the world, and answers that we would stand "helpless." The Senator did say something like that. He said that without a sufficient naval force to be equal to any other naval power we would be "helpless." Let us take our history

We have never had a Navy "equal to that of any other power." no matter who, and there has never been a war in which we were engaged where we were helpless. If another power had times the naval strength of ourselves, we would not be

The Senator from Wisconsin is right to this extent, that sub-

place of and supersede dreadnaughts and battleships or not; but that great importance consists chiefly in defending harbors. With a sufficient number of harbor-defense ships, of which submarines are the chief, we could keep the biggest navy in the world in fear and trepidation until we could build ourselves up on land to meet any possible land force that could be brought over. That would be because the enemy would have to transport its troops to our shores. We could not have transported 2,000,000 men to France, or attempted it, if Germany had had her naval force on the high seas. We would have been asses if we had at-tempted it. We would have been murderers, murdering our own soldiers and troops. We were relying upon our own Navy and that of Great Britain and that of France to protect the transports that were carrying the men abroad. We would not have attempted then, and we did not attempt then, nor did Great Britain attempt then, to land a single regiment in the Baltic or anywhere else within German territory. Why? Because the German small craft were protecting their harbors. Only Churchill, who was a civilian and not a naval man, spoke once about "digging" the Germans out of their harbors "like rats." No naval man ever mentioned it, because naval men knew more about naval warfare than to imagine it was possible.

Why do we want the biggest Navy in the world or the equal of any navy in the world unless we want to bully somebody? Why does the ordinary fellow go around in an ordinary pioneer community with both hip pockets and his boots full of things to shoot with except to bully somebody-and generally, by the way, such a man is a coward; nine times out of ten he is an arrant coward, the fact that the Germans led this raid of a nation in arms I attribute to the fact that they are not the

brayest people in the world.

When they are taken at a disadvantage and know that they are going to get whipped they quit. They have not the spirit of the South African Boer or of the southerner in them, who, after they knew they were going to be whipped, kept on fighting until starved anyway in order to be able to say to his women folks, "I kept it up as long as I could," or, if to say it to nobody

else, to say it to God, at any rate, and to himself.

I remember in that connection once meeting an old Confederate veteran, to whom I said, "I can understand how you boys kept on fighting after Gettysburg and after Vicksburg, but I do not understand how you kept it up after the retreat from do not understand how you kept it up after the retreat from Nashville. You knew you were whipped, did you not?" "Oh, God, John," he replied, "everybody knew we were whipped." I asked, "Why did you keep it up?" He answered, "We were afraid to stop." I said, "Afraid of what?" He replied, "Afraid of the women at home, John. They would have been ashamed of us." There is something in that. The Germans had not that feeling. I know them tolerably well; I also know our own people tolerably well

our own people tolerably well.

Mr. President, we have never been "helpless" hitherto and we never have had a Navy "equal to that of any other power under the sun." Until the World War broke out we never had a Navy that was even second or third beyond dispute in strength amongst the navies of the world. Twenty years before that war broke out we had never had a Navy, except during the War between the States, that was fourth in strength or fifth in strength in comparison with the naval strength of the other nations of the world. Do Senators suppose that the statesmen of Great Britain and Japan and Germany and France and Italy are fools? Do they imagine that those statesmen do not know that there are 105,000,000 of the richest people on the surface of the globe here, with the most highly developed industries, and that unless we could be whipped in six or eight weeks or in six or eight months at the farthest we could not be whipped

Mr. POINDEXTER. That is the theory China went on.

Mr. WILLIAMS. No; that is not the theory that China went on. China went upon the theory of not fighting even when she was insulted or injured. She went upon the theory of never invoking the physical and moral power of her 400,000 000 population; she went upon the theory of never inculcating any patriotism or devotion for the flag of the country. That is not the theory we have gone on in all our history.

Mr. POINDEXTER. But China in natural resources is one

of the richest countries in the world, and she has the greatest

population of any country in the world.

Mr. WILLIAMS. My friend from Washington is very much

Mr. POINDEXTER. Her people are intelligent, industrious, able, and brave, but she pursued the policy which the Senator from Mississippi is advocating and she is the prey of other nations, being partitioned, being oppressed, being insulted because she is not able to defend herself.

Mr. WILLIAMS. Mr. President, the Senator from Washingmarines are of great importance, whether they will take the ton could not have made a greater mistake in his statement if he had just come out of the high school. China is not one of the "richest countries in the world"; China is not "one of the countries in the world with the greatest resources" in the connection in which we are speaking.

Mr. POINDEXTER. Why, Mr. President, there is not— Mr. WILLIAMS. Wait a moment. China is not one of the richest countries in the world in the sense in which I am speaking, because the potential resources of a country for war purposes constitute the surplus over and above that which is absolutely necessary to feed and clothe its population. China has hardly ever seen 20 years without a famine or an epidemic. China in peace times has no appreciable surplus over and above what is sufficient to clothe and feed her population. We have 'potential resources for war purposes," because year by year we not only can feed and clothe our people but we can pile up wealth to be taxed in case of war time-to be taken outright if necessary-for the national defense.

The chief difference between China and the United States is that, while we have always practiced the idea of never being in land forces or naval forces "the equal" in absolute, immediate preparation of any of the chief or leading nations— while we "tamely submitted" to Germany keeping the largest army in the world and Great Britain the greatest fleet in the

world, we meanwhile raised and educated that which is, after all, the chief resource of a people-men and women prepared to die for the Nation. Where China failed was that she did not inculcate that lesson; that is all. It was not in the fact that China did not have the biggest navy; it was not in the fact that she did not have the biggest army. You might go over there and gather an army of a million Chinamen to-morrow, and most of them would be thinking a lot more about their immediate local mandarin in their immediate Province than they would be thinking

or inspired about the Chinese Empire.

Mr. WATSON of Georgia rose.

Mr. WILLIAMS. As I said here the other day, it is a difference in spirit.

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Georgia?

Mr. WILLIAMS. I shall yield in one moment.

The man who thinks that this world is governed by material considerations is blind to the voice of God and of history. It never was governed in that way. Please God, it never will be governed in that way. The world is governed by the spirit, courage, fortitude, ideals, aspirations—all that which makes a man more than a mere self-feeding automaton. Now I yield to the Senator from Georgia.

Mr. WATSON of Georgia. May I suggest to the Senator from Mississippl in the case of China that some centuries ago China built a wall behind which to hide, and she thus advertised her cowardice to the marauding nations of the earth,

inviting attack?

Mr. WILLIAMS. Of course; but it is not only in "inviting attack"; that is not all, I will say to the Senator from Georgia; that is not even the chief thing. The chief thing is provoking attack. By warlike preparations we arouse the forces, enmities, jealousies, and fears of other peoples. They say, "Here are 105,000,000 people in the United States armed cap-a-pie. What are they armed in that way for? There is something they want to get out of us." Another nation may say, "They have some-thing against us." Meanwhile, we here are saying that somebody has something against the United States.

I used to be a lawyer. I was rather successful now and then in getting men off who were accused of murder. In all my practice I never defended but one man who killed another who did not kill him because he was afraid of him. Nine murders out of ten are due to the crass cowardice of the fellow who is afraid to take a chance. That has not been American history.

We have taken our chance; let us take it hereafter.

There is something in this world besides cuirasses and swords, and to go on a little bit further, if the Senator from Georgia will give me his attention for a moment, a greater danger than advertising one's self as helpless is to arouse the fears and antagonisms of other people. There is, however, a yet greater danger, and that is to arm one's self with the power to do wrong without much deliberation.

> Oh, it is excellent To have a giant's strength; but it is tyrannous To use it like a giant.

And yet every man having a giant's strength is tempted so to

use it and generally winds up by so using it.

The Germans were not the most warlike nation in the world; they were not the most quarrelsome nation in the world; but, after they concluded they had enough soldiers to run over Belgium and France in six weeks and then meet Russia upon the other border and establish world dominion, they were like Bob Acres, who, when told that there would not be much of a duel anyhow, then challenged his opponent and showed every appearance of being anxious to "go at it." Toward the close of the war the Germans were again like Bob Acres, of whom Brinsley Sheridan said, "His courage oozed out of the pores of his skin." That is what is called "Dutch courage." It either takes an alcoholic stimulus or a psychological conviction that he is certain to lick the other fellow. We are the same; we need not compliment ourselves that we are any higher or any better. Given the strength and there comes with it the temptation to use it; given the power of the giant and there is apt to come the brutality of the giant.

Take the great question in America to-day, the race issue, with which my friend from Georgia and I are both acquainted; he and I both know that one of the chief difficulties in dealing with it is the temptation of the white man to abuse his strength. The temptation comes to me and to him; he can not resist it and I can not, but there are a lot of people who can not. So it

is upon the international arena.

But I want to settle one question here. One of the Senators-I have forgotten whom-wanted the United States "to have no I do not remember which Senator said that. What is meant by having "no superior"? Has the United States any superior now? Has she had any superior for 40 years? Do you measure superiority in manhood and womanhood, culture, intelligence, and industry? If so, I think you will answer the question in the negative. If you measure it in naval forces and army forces, then the United States has been about a fifth rate power nearly all the time, and even when the World War broke out it was being debated in the Houses of Congress as to whether or not she was second or third rate at sea. Everybody knew she was about eighth rate on land. I do not want to see anybody "superior to the United States," and no nation ever will be superior if we live up to our traditions and our ideals; but they will be superior mighty quick if we surrender to mere materialism. Somebody will be our superior then. If we get out and want to be the "cock of the walk," and the bully of the world, even with all of our strength and all of our will, some sort of an alliance will be formed to bring us to our knees, because there will be on the other side the God of history, who somehow or other fashions and molds the results of historical processes for the advancement, progress, freedom, and elevation of the world. Whenever you stand athwart His pathway you get hurt. So it has happened with every fool bully, nationally speaking, that ever tried that game.

It looked for a little time as if Rome were invincible, but there were too many barbarians abroad and there were too many slaves in Italy, enemies at home—not like southern slaves who were friends at home. Rome at once advertised her helplessness when she employed barbarians in her armies, and she at the same time tempted herself to brutality by long and unhampered career as world power; and, in the third place, she advertised her weakness, as men and women, not as soldiers, by hiring or buying other men to do her work. So Rome went by

the board.

Charlemagne thought for a little time that he had world dominion in his grasp; but Saxons and Jutes and Angles and Burgundians and various other peoples were a little too many

Charles V thought for a little while that he owned one America and had claim to the other and dominated all Europe and had a very considerable influence in Africa, the north coast of which he had conquered. It was not 75 years afterwards before Spain had "lost her great estate," and it was not 200 years afterwards before Spain had sunk to be a third rate power. Because she had sent all of her best courage, her best blood, her highest spirit of adventure, her most chivalrous souls to the Philippines and Mexico and Peru and everywhere else in the world and left men of inferior mold at home to breed future Spaniards. That is why.

Then Louis XIV of France came along, and he, of course, as he thought, "had things sewed up"; but the little Netherlands, with the aid of British money and British troops, taught him his

lesson.

Then the great Napoleon came—the greatest of military leaders except Hannibal, and with no other rival except Julius Cæsar-a child of the revolution, finding ready to his hands the army of the revolution, marching to the music of liberty, fraternity, and equality. He could not do it. There still stood the British nation and the British fleet, then as now limiting world ambition but also leading the world's civilization, bottling him up whenever he once had to fall back upon France.

Then came Germany, built upon the precepts of Frederick the so-called Great—nothing in the world but materialism. there was a God, He was nothing but a natural force," and if

there was any humanity, it was nothing but a two-legged animal that needed feeding and needed clothing, but was mainly good for the purpose of putting in the dragoons and training and disciplining and being taught to obey; and out of that grew up this little, contemptible fellow, Kaiser Wilhelm der Zweite, who had nothing military about him at all, really, except the way in which he twisted up his mustache, and he thought that he had the world at his feet. We all know he made "a mistake," and you can not put it at yours, either. And that is not all. If you are at all the right sort of a man, you do not want to

do it.

I have forgotten who it was that said it—I think it was Zangwill-but somewhere somebody said to the individual man:

Weak in race and time and station, Go find thy strength in limitation.

In limitation! The real man always finds his strength in limitation, self-limitation. The real nation always does itthe real, great nation. No nation not great can submit to self-limitation. The nation that is little and provincial and foolish is always talking about its own "sovereignty," meaning by it "unlimited arbitrariness of conduct," and the freedom and power to indulge in it.

If you want to find the strength of civilization, the strength of progress, and the strength that will be developed from the liberty of the common mass, "go find it in limitation" of your own individual ambition and of your nation's ambition, and in voluntary limitation of your strength; because you may wager that if your strength is superior to that of somebody else, and you know it and he knows it, the relations between you generally will not be fair. You will be tempted to take advantage of it, and he will be afraid to assert himself fully, unless he is

What does the Senator from Washington want with "a Navy equal to that of any other nation in the world"? Does not the Senator know that if we had a Navy equal to 75 per cent in strength of that of Great Britain we would be stronger on the Atlantic than she could possibly be there unless she released her "far-flung battle line" and let everything go to the bowwows and the dogs and committed suicide, felo-de-se, for the British Empire?

I agree with the Senator from Wisconsin [Mr. Lenroot] to this extent: The very maximum, at any rate, to which I would go would be to have the second strongest navy. I admit the right of Great Britain to have a navy strong enough to keep the sea channels and thoroughfares open in order that her people may not be starved to death in war. But for that fact-the power to keep the open sea free to commerce-she might be starved to death in a war between two other powers, in which she was not even a party, much more in a war in which she her-

self was engaged and was inferior on the high seas. Now, let us be fair. The right sort of a man is generally not only fair but, if he has any doubt about it, he is generous. He solves the doubt against himself. Where is your pretense that we have a necessity, the same necessity for keeping the lanes over the sea open that Great Britain has? Not one of you can say we have. Moreover, has the British fleet been a tyrant to you or to me or to the world? As far as that is concerned, although it looks a little bit in militation to the position which I am occupying upon this naval matter, there never was a fleet yet that was dangerous to the liberties of the country which it served, or which ever was able to conquer and hold a foreign territory.

It can go there and bombard, and it can sometimes land a few troops; but not only, as I said the other day, there never will "be seen a man in foreign uniform watering his horse in the Mississippi River," but there never will be seen one as far west as Pittsburgh unless we first embrace anarchy at home. If Germany had had a navy equal to that of Great Britain and could have landed upon our shores every man that she landed in France, it would have been an awful misfortune to us, a calamity greater than any that ever occurred to our people, but they never would have gotten on a prepared front with protected flanks as far west as Pittsburgh. They would have been "swallowed up" like a man and his horse when they attempt to cross a stream with quicksand in its bottom.

We ought, of course, to have a navy or a naval defense big enough and strong enough to keep anybody from landing troops on our coasts. I am merely saying what I said a moment ago as an argument in extremis; but I can not see for the life of me why we should condemn the farmer, the blacksmith, the hod carrier, the preacher, the teacher—especially the poor teachers, who are worse bedeviled by taxes and a lack of income and the high cost of living than anybody else-and the briefless lawyers and patientless doctors and retail and whole-

sale merchants and manufacturers and the men in the mines to an endless pinch of increased and increasing taxation, necessitated by a condition where 90 per cent of your revenues are being consumed in past wars or present wars, and a very great part of the 90 per cent in the preparation for future warsfuture wars which the Senator from Washington says he neither fears nor expects.

Mr. BORAH. Mr. President, I suggest the absence of a

The VICE PRESIDENT. The Secretary will call the roll. The roll was called, and the following Senators answered to their names:

Ball	Harrison	Lodge	Simmons
Borah	Heflin	McKellar	Smith
Brandegee	Johnson	McNary	Smoot
Bursum	Jones, Wash,	Nelson	Swanson
Cameron	Kellogg	Newberry	Trammell
Capper	Kendrick	Nicholson	Underwood
Curtis	Kenyon	Norris	Walsh, Mont.
Dial	Keyes	Oddie	Warren
Dillingham Fletcher Hale	King La Follette Leproof	Phipps Poindexter Sheppard	Watson, Ga. Williams

The VICE PRESIDENT. Forty-three Senators having answered to their names, a quorum is not present. The Secretary will call the roll of absent Senators.

The reading clerk called the names of the absent Senators, and Mr. Moses, Mr. Pomerene, Mr. Spencer, Mr. Sutherland, and Mr. Wolcott answered to their names when called.

Mr. Stanfield, Mr. Shortridge, Mr. Watson of Indiana, Mr. GOODING, Mr. ASHURST, Mr. McCumber, Mr. Norbeck, Mr. Town-SEND, Mr. STERLING, Mr. LADD, and Mr. FERNALD entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty-nine Senators having an-

swered to their names, a quorum is present.

The question is on agreeing to the amendment of the Senator from Wisconsin [Mr. Lenroot], which will be stated.

The READING CLERK. On page 51, line 17, strike out "\$53,000,000" and insert "\$38,000,000," so as to read:

Increase of the Navy, construction and machinery: On account of hulls and outfits of vessels and machinery of vessels heretofore authorized, to be available until expended, \$38,000,000.

Mr. LENROOT. On that I ask for the yeas and nays. The yeas and nays were ordered, and the reading clerk pro-

ceeded to call the roll.

Mr. CURTIS (when his name was called). I have a pair with the junior Senator from Rhode Island [Mr. Gerry]. I am advised that, if present, he would vote as I intend to vote

on this question. I vote "nay."

Mr. KENDRICK (when his name was called). I have a general pair with the senior Senator from Illinois [Mr. McCor-MICK]. I transfer that pair to the senior Senator from Texas [Mr. Culberson] and vote "yea."

Mr. SUTHERLAND (when his name was called). I have a general pair with the senior Senator from Arkansas [Mr. Robinson]. I transfer that pair to the junior Senator from Pennsylvania [Mr. Knox] and vote "nay."

Mr. TRAMMELL (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. COLT]. I transfer that pair to the junior Senator from Massachusetts [Mr. Walsh] and vote "yea."

Mr. WALSH of Montana (when his name was called). have a general pair with the senior Senator from New Jersey [Mr. Frelinghuysen]. I transfer that pair to the senior Senator from Missouri [Mr. REED] and vote "nay.

Mr. WARREN (when his name was called). I have a general pair with the junior Senator from North Carolina [Mr. Overman]. In his absence, I withhold my vote.

The roll call was concluded.

Mr. SHEPPARD. I desire to announce the absence on official business of the Senator from Mississippi [Mr. Harrison], the Senator from Rhode Island [Mr. Gerry], and the Senator

from Nevada [Mr. PITTMAN].

Mr. MOSES (after having voted in the negative). I voted, not noting the absence of my general pair, the junior Senator from Louisiana [Mr. Broussard]. I transfer that pair to the junior Senator from Maryland [Mr. Weller] and let my vote stand.

Mr. FERNALD. I have a general pair with the senior Senator from New Mexico [Mr. Jones]. I transfer that pair to the senior Senator from New York [Mr. Wadsworth] and vote " nay.

Mr. DILLINGHAM (after having voted in the negative). observe that the junior Senator from Virginia [Mr. Glass] has not voted. I have a general pair with that Senator, which I transfer to my colleague [Mr. Page] and allow my vote to stand.

Mr. McKELLAR. I transfer my pair with the junior Senator from Ohio [Mr. WILLIS] to the senior Senator from Nebraska [Mr. HITCHCOCK] and vote "yea."

Mr. CURTIS. I wish to announce the following pairs: The Senator from New York [Mr. CALDER] with the Senator

from Georgia [Mr. HARRIS];

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from West Virginia [Mr. ELKINS] with the Senator from Mississippi [Mr. HARRISON];

The junior Senator from Kentucky [Mr. ERNST] with the

senior Senator from Kentucky [Mr. STANLEY];
The Senator from Maryland [Mr. France] with the Senator

from Louisiana [Mr. RANSDELL];
The Senator from Illinois [Mr. McKinley] with the Senator from Arkansas [Mr. CARAWAY];
The Senator from Connecticut [Mr. McLean] with the Sena-

tor from Montana [Mr. MYERS]; The Senator from Indiana [Mr. New] with the Senator from

Tennessee [Mr. SHIELDS]; The Senator from Ohio [Mr. WILLIS] with the Senator from

Tennessee [Mr. MCKELLAR]; and The Senator from Pennsylvania [Mr. Penrose] with the Sena-

tor from Mississippi [Mr. WILLIAMS]. Mr. ASHURST. I wish to announce that the junior Senator from Arkansas [Mr. Caraway] is necessarily absent. He is paired with the junior Senator from Illinois [Mr. McKINLEY].

The result was announced-yeas 20, nays 35, as follows:

	1.1	2AS-20.	
Ashurst Borah Capper Dial Heffin	Johnson Kendrick Kenyon King Ladd	La Follette Lenroot McKellar McNary Norbeck	Norris Pomerene Sheppard Trammell Watson, Ga.
	N	AYS-35.	
Ball Brandegee Bursum Cameron Curtis Dillingham Fernald	Hale Jones, Wash. Kellogg Keyes Lodge McCumber Moses Nelson	Nicholson Oddie Phipps Poindexter Shortridge Simmons Smith Spencer	Sterling Sutherland Swanson Townsend Underwood Walsh, Mont. Watson, Ind. Welett

Curtis Dillingham Fernald Fletcher Geoding	Lodge McCumber Moses Nelson Newberry	Shortridge Simmons Smith Spencer Stanfield	Underwood Walsh, Mont. Watson, Ind. Wolcott
	NOT V	OTING-41.	
Broussard Calder Caraway Colt Culberson Cummins Edge Elkins Ernst Erance	Gerry Glass Harreld Harris Harrison Hitchcock Jones, N. Mex. Knox McCormick McKinley	Myers New Overman Owen Page Penrose Pittman Ransdell Reed Robinson	Smoot Stanley Wadsworth Walsh, Mass. Warren Weller Williams Willis

Frelinghuysen So Mr. Lenroot's amendment was rejected.

McLean

Mr. KING. Mr. President, I offer the following amendment, which I send to the desk.

Shields

The VICE PRESIDENT. The amendment will be stated.

The Assistant Secretary. On page 51, line 26, after the word "constructed," insert "nor on battle cruisers Nos. 1, 2, 4, 5, or 6 or upon battleships Nos. 49, 50, 51, 52, 53, or 54," so that if amended it will read:

Total increase of the Navy heretofore authorized, \$90,000,000: Provided, That no part of this appropriation can be expended except on vessels now being constructed, nor on battle cruisers Nos. 1, 2, 4, 5, or 6 or upon battleships Nos. 49, 59, 51, 52, 53, or 54.

The VICE PRESIDENT. The question is on agreeing to the amendment submitted by the Senator from Utah [Mr. King].

Mr. KING addressed the Senate. After having spoken for more than two hours,

Mr. HARRISON, Mr. President-

Mr. KING. I yield to the Senator from Mississippi. Mr. HARRISON. The distinguished Senator from Utah has been on his feet now for several hours, making a very eloquent and a very persuasive speech, and I am sure he is a little tired. If he will yield to me to offer a resolution, I shall be glad, though I do not wish to take him off his feet.

Mr. KING. The Senator from Washington [Mr. POINDEXTER] has been so considerate and has acted so honorably and fairly in the handling of the bill, that I shall be guided by his desire. I would be glad, however, if he would consent to a recess at this time. I shall conclude in the morning in half an hour or perhaps in 20 minutes.

Mr. CURTIS. May I suggest that it is the desire to have a

short executive session?

May I say that I must follow the wishes of my friend from Washington. I appeal to him, however, to consent to an executive session, and I shall conclude in the morning at the earliest possible moment.

Mr. NELSON. Will the Senator from Washington permit me a moment? It is very important to have a short executive me a moment? It is very important to have a short executive session for the purpose of considering the confirmation of the appointment of a Federal judge in western Tennessee. The tion was made at the last session and motion was made to confirm it, but objection was made and it went over. I shall be very glad if the Senator will consent.

Mr. McKELLAR. I wish to say to the Senator that the objection has been withdrawn and there is no opposition at this time to the confirmation of the nomination. The judge ought to be confirmed. As the Senator from Minnesota has said, it has been 10 months since we have had a judge in the western

district of Tennessee.

Mr. POINDEXTER. In view of the desire of the Senator from Minnesota to bring that matter up, and with the very alluring suggestion of the Senator from Utah that he will finish his speech in 20 minutes or half an hour to-morrow, I move that the Senate proceed to the consideration of executive business.

Mr. HARRISON. Will the Senator withhold that motion a moment until I can offer a resolution? It will only take two or three minutes. It will not come up for consideration at this time. I am not going to press it. I desire to say just a few words and will not occupy over two or three minutes.

Mr. POINDEXTER. I withhold the motion for that purpose.

DISMISSALS FROM THE CIVIL SERVICE.

Mr. HARRISON. Out of order a desire to offer the following resolution.

Let it be read. Mr. CURTIS.

The VICE PRESIDENT. The Secretary will read the resolu-

The Assistant Secretary read the resolution (S. Res. 82), as follows:

Whereas there are large numbers of Federal employees being dismissed from the Federal service: Therefore be it

Resolved, That the Committee on Civil Service of the Senate investigate immediately the dismissal of these employees and report to the Senate on or before July 1, 1921, its findings and recommendations

the Senate on or before July 1, 1921, its findings and recommendations on the following questions:

First. Whether in making dismissals the various departments of the Government have compiled with the letter and spirit of the civil service act of January 16, 1883, and amendments thereto, respecting apportionments among the States, Territories, and the District of Columbia.

Second. The number of appointments and dismissals since March 4, 1921, from each State, Territory, and the District of Columbia.

Mr. HARRISON. Mr. President, I desire to have the resolution referred to the Committee on Civil Service. Before that action is taken I wish to say to the Senate that I do not know what has been the policy of the various bureaus in dismissing these employees, whether they have taken into consideration the apportionment and the quotas of the different States. talked to the head of one bureau where recently they have dismissed some 300 to 500 employees, and he said that in dismissing them they have taken into consideration, of course, the efficiency of the various employees and whether or not they had dependent relatives or other in the Government service who were kin In answer to the question if they had considered to them. whether a State had more than its quota and other States did not have their quota, he said they had not considered that feature at all.

Since in the civil-service act in making appointments the apportionment among the States is to be considered it would seem to me that in the dismissal of those employees apportionment among the States still should be considered.

Take Ohio as an illustration. I do not say this because some think that everyone from Ohio has been appointed to office here in Washington since the 4th of March, because I am sure that is not true. I do not say it because many have been appointed from Marion, because I am sure that those who have been appointed in most cases were very worthy. But if Ohio has more than its quota and Tennessee has not its quota in the civil service, it is not just right to dismiss employees from Tennessee and not so many from Ohio where those from Tennessee are as efficient as those from Ohio.

It would seem to me, therefore, that the question of apportionment should be considered in the matter of dismissal of employees the same as in the matter of employment. It is solely with a view of ascertaining what the heads of the various bureaus have done touching that matter and what their policy will be in the future that I have offered the resolution. I hope that the Committee on Civil Service, of which I am not a member, will investigate the matter and just as soon as possible report to Congress. I hope that the heads of the bureaus will not dismiss the efficient and worthy employees from States that now have not their quota in the Government service.

The VICE PRESIDENT. The resolution will be referred to

the Committee on Civil Service.

#### DEFICIENCY APPROPRIATIONS.

Mr. WARREN. I report back from the Committee on Appropriations with amendments the bill (H. R. 6300) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes, and I submit a report (No. 87) thereon. I give notice that I shall call up the bill at an early date for consideration.

The VICE PRESIDENT. The bill will be placed on the cal-

endar.

#### NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

Mr. McKELLAR. Mr. President, in reference to the amendment which was adopted as in Committee of the Whole the other day regarding the readmission to the Naval Academy of 110 midshipmen, the Senator from Washington stated that he would ask for a vote on that amendment in the Senate. I hope he will not do so; but, in order to be certain of securing a vote on the amendment, I wish to give notice of my intention to move to suspend the rules so as to have a vote on it in any event. hope, however, the Senator will not require that the rule be suspended. I merely give the notice.

#### EXECUTIVE SESSION.

Mr. POINDEXTER. I move that the Senate proceed to the consideration of executive business

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

#### RECESS.

Mr. CURTIS. I move that the Senate take a recess until 11

o'clock to-morrow morning.

The motion was agreed to; and (at 5 o'clock and 20 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, June 1, 1921, at 11 o'clock a. m.

#### CONFIRMATIONS.

Executive nominations confirmed by the Senate May 31, 1921.

UNITED STATES DISTRICT JUDGES.

J. W. Ross, for Western district of Tennessee. Charles Kerr, for Canal Zone.

COMMISSIONER OF EDUCATION.

John J. Tigert, of Kentucky.

MINTS AND ASSAY OFFICES.

Robert J. Grant, superintendent of mint, Denver, Colo. Isaac H. Smith, superintendent of assay office, New York. Harry H. Stewart, assayer in charge of assay office, Deadwood, S. Dak.

## HOUSE OF REPRESENTATIVES.

TUESDAY, May 31, 1921.

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, offered the following prayer:

Holy, holy, holy, Lord God of Hosts, Heaven and earth are full of Thy glory. Glory be to Thy name, O Lord most high. Thou art our everlasting Father, and Thy messages of love are continually breaking from the hills of life; O bind us in an eternal union of common love. Lay Thy hand upon us and we shall live, and all of the good purposes of our hearts shall be cherished and nourished, and the evil shall flee away. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Friday, May 27, 1921, was read and approved.

## THE PRESIDENT'S ADDRESS AT ARLINGTON.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to insert in the RECORD the address delivered by the President yesterday at Arlington.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to insert in the RECORD the address delivered by the President yesterday at Arlington. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, I apprehend that number of addresses were delivered yesterday by Members of his House. I have no objection to the request. The SPEAKER. Is there objection? this House.

There was no objection.

Mr. GARRETT of Tennessee. I presume a number of addresses were delivered by Members of the House yesterday, Memorial Day, in different parts of the country, and those addresses usually have some historic value. My experience has been that nearly always there have been requests; some requests, at least, to print those.

Mr. MONDELL. I think ordinarily no objection is made when a request is submitted by a gentleman, or on his behalf, to insert an address that he has made. I imagine the matter can be better cared for as gentlemen make their requests, or as

requests may be made for them.

Mr. GARRETT of Tennessee. It occurred to me that perhaps it might be better to ask for general leave.

Mr. MONDELL. I think it is better to take care of the cases as they arise, rather than give general leave.

#### SWEARING IN OF A MEMBER.

Mr. TAYLOR of Arkansas appeared before the House and the oath of office was administered to him by the Speaker.

#### PACKER LEGISLATION

Mr. HAUGEN. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6320. The motion was agreed to.

The SPEAKER. The gentleman from Iowa [Mr. Towner]

will resume the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6320, with Mr. Towner in the

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6320, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 6320) to regulate interstate and foreign commerce in live stock, live-stock products, dairy products, poultry, poultry products, and eggs, and for other purposes.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

The Clerk read as follows:

SEC. 2. (a) When used in this act—
(1) The term "person" includes individuals, partnerships, corporations, and associations;
(2) The term "Secretary" means the Secretary of Agriculture;
(3) The term "meat food products" means all products and byproducts of the slaughtering and meat-packing industry—if edible;
(4) The term "live stock "means cattle, sheep, swine, horses, mules, or goats—whether live or dead;
(5) The term "live-stock products" means all products and byproducts (other than meats and meat food products) of the slaughtering and meat-packing industry derived in whole or in part from live stock; and
(6) The term "commerce" means commerce between any State, Territory, or possession, or the District of Columbia, and any place outside thereof; or between points within the same State, Territory, or possession, or the District of Columbia, but through any place outside thereof; or within any Territory or possession or the District of Columbia.
(b) For the purpose of this act (but not in any wise limiting the foregoing definition) a transaction in respect to any article shall be considered to be in commerce if such article is part of that current of commerce usual in the live-stock and meat-packing industry whereby live stock, meats, meat food products, live-stock products, dairy products, poultry, poultry products, or eggs are sent from one State with the expectation that they will end their transit after punchase in another, including, in addition to cases within the State and the shipment outside the State of the products resulting from such slaughter. Articles normally in such current of commerce shall not be considered out of such current through resort being had to any means or device intended to remove transactions in respect thereto from the provisions of this act. For the purpose of this paragraph the word "State" includes Territory, the District of Columbia, possession of the United States, and foreign nation.

Mr. CHINDBLOM. Mr. Chairman, I move to strike out the last

Mr. CHINDBLOM. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word. The gentleman is recognized for five minntes.

Mr. CHINDBLOM. Mr. Chairman, I have asked for these five minutes for the purpose of getting some information, if I may, from the chairman of the committee. We are told that this bill comes with the unanimous report of the Committee on Agriculture; at least it comes with the acquiescence of the members of the Committee on Agriculture to the extent and in the sense that there has been no minority report filed, and perhaps there was no adverse vote cast in the committee. We are also informed that recently the committee has been importuned to make changes in the bill, to offer amendments to I would like to ask at this time, at the beginning of the consideration of the bill under the 5-minute rule, whether it is the purpose of the committee to offer any amendments to the bill?

Mr. HAUGEN. It is not the purpose to offer any amendments to the bill. I will say to the gentleman that the committee has given consideration to the subject for years, and the result is that the bill, as it is, represents the best efforts of the committee. A number of amendments were suggested, but on close examination I think you will find all of them provided for in the bill, with very few exceptions, which did not seem to be of much importance, as, for instance, that the word "cooperative" be inserted in connection with associations. I think any fair-minded man will agree that the word "associations" as used means cooperative associations as well as others.

Mr. CHINDBLOM. Does the gentleman mean that cooperative associations are covered when the word "person" is used?

Mr. HAUGEN. Yes. The committee believes it is covered by "associations," whether they are cooperative or not.

Mr. CHINDBLOM. That involves no change of intent on the part of the committee?

Mr. HAUGEN. None whatever.

Mr. CHINDBLOM, Mr. Chairman, I presume it would be useless at this time or in the further consideration of this bill to make any further comment on the policy on which we are embarking, of trying to regulate and control private business. The vote on the recent bill which passed here to regulate and control the business of the boards of trade and the grain exchanges in the country showed the temper and the attitude of the House. There are already indications that the farmers who were intended to be benefited by the board of trade bill are beginning to object to such legislation. In my own State of Illinois farmers appeared in large numbers at the State Capitol, before the legislature and before its committees, objecting to that kind of legislation, because they begin to see that it is going to injure rather than benefit their interests, and I apprehend the same result will come from this legislation.

It has been said that the packers do not object to this bill. That is probably because they have reached the conclusion that it is useless to object to the system upon which Congress seems determined to embark. But I believe time will prove the lack of wisdom in our trying to regulate and control private business.

If we are going to be consistent, Mr. Chairman, I presume we will seek to control the coal business, the lumber business, and the other large basic industries; and if our true purpose is, as has been stated on the floor of the House, to reduce the high cost of living, I suggest that we begin by passing a bill to control and regulate the retail grocery business of the country.

During the war we necessarily embarked upon this kind of a system. It became necessary that the Government, in the conduct of the war, should control the industries of the Nation. Nobody found fault with that. But the time has come, I think, when we ought soberly, quietly, and consistently to consider whether we should continue and enlarge and perpetuate the systems which we established during the war purely for the purposes of the war.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CHINDBLOM. I ask for five minutes more.
The CHAIRMAN. The gentleman from Illinois asks unanimous consent to continue for five minutes. Is there objection?

There was no objection.

Mr. CHINDBLOM. It happens that I come from the State and the city where the largest packing industries are located, and also where the largest board of trade or grain exchange is located. I hold no brief for those interests. I have never represented them in any way. I do not represent them at this time. I am not speaking at their request or upon their suggestion; but I believe that Congress should pause for a moment and seriously consider whether it is wise to continue this practice of adopting these regulatory measures time after time.

Mr. WILLIAMSON. Will the gentleman yield?

Yes. Mr. CHINDBLOM.

Mr. WILLIAMSON. Does not the gentleman think there is a great deal of difference between a business that has virtually become a monopoly and other business interests, as far as regulation is concerned?

Mr. CHINDBLOM. If a business is a monopoly or if a business is conducted in an improper and illegal manner, we have plenty of legislation upon the books now under which that kind of abuse can be reached. There is plenty of law in the country for that purpose to-day.

Mr. LAYTON. Too much. Mr. CHINDBLOM. The c Mr. CHINDBLOM. The country is suffering from too much legislation. The legislatures of the States, the Congress of the United States, the city councils, and boards of aldermen in the cities, all of them, have launched upon this program of regulating business and of attempting to determine how private business shall be operated and managed by the citizens of the country. I purposely asked the chairman of the committee

whether it is proposed to recommend any amendments to this bill on the part of the committee. If this bill is not seriously amended during the course of its consideration under the fiveminute rule, it may be possible for the packers to operate under it. If the claim should be made that they have approved this legislation, I believe it can be truthfully said that that is not the exact situation with regard to them. As I said a moment ago, they may have reached the conclusion, which, I think, the Members of the House have reached, that we are going to pass some kind of regulatory legislation for the packers; and if that is the situation, perhaps it is useless for those of us who do not believe in that kind of legislation to offer objections. I merely wanted to say at the outset of this discussion that it must not be assumed that the lack of opposition to this bill means that all of the Members of this House and that the people of the country represented by the Members of this House are in general accord with this system of regulatory legislation for the conduct of private business.

The CHAIRMAN. The pro forma amendment is withdrawn,

and the Clerk will read.

The Clerk read as follows:

The Clerk read as follows:

SEC. 202. It shall be unlawful for any packer to:

(a) Engage in or use any unfair, unjustly discriminatory, or deceptive practice or device in commerce; or

(b) Make or give, in commerce, any undue or unreasonable preference or advantage to any particular person or locality in any respect whatsoever, or subject, in commerce, any particular person or locality to any undue or unreasonable prejudice or disadvantage in any respect whatsoever; or

(c) Sell or otherwise transfer to or for any other packer, or buy or otherwise receive from or for any other packer, any article for the purpose or with the effect of apportioning the supply in commerce between any such packers, if such apportionment has the tendency or effect of restraining commerce or of creating a monopoly in commerce; or

(d) Sell or otherwise transfer to or for any other person, or buy or otherwise receive from or for any other person, any article for the purpose or with the effect of manipulating or controlling prices in commerce, or of creating a monopoly in the acquisition of, buying, selling, or dealing in, any article in commerce, or of restraining commerce; or

(e) Engage in any course of business or do any act for the purpose or with the effect of manipulating or controlling prices in commerce, or of creating a monopoly in the acquisition of, buying, selling, or dealing in, any article in commerce, or of restraining commerce; or

(f) Conspire, combine, agree, or arrange with any other person (1) to apportion territory for carrying on business in commerce, or (2) to manipulate or control prices in commerce; or

(g) Conspire, combine, agree, or arrange with any other person to do, or aid or abet the doing of, any act made unlawful by subdivision (a), (b), (c), (d), or (e).

Mr. JONES of Texas. Mr. Chairman, I offer an amendment. The CHAIRMAN. The gentleman from Texas offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. Jones of Texas: Page 5, line 25, after the word "commerce," where it occurs the second time, insert the following: "and it shall also be unlawful for any packer, or any broker, buyer, or commission man to notify any packer, broker, buyer, or commission man at another market to which any live stock may be reconsigned of the price bid on such stock at any point where the same has been theretofore offered for sale.

Mr. HAUGEN. Mr. Chairman, I reserve a point of order against the amendment.

Mr. JONES of Texas. Mr. Chairman, this is in no sense a committee amendment. It is an amendment which I am offering personally, and I want to make it clear, so that the House will understand that it is not a committee amendment. However, I think it is important. While I am not quite certain that the same powers could not be exercised under the provisions of the bill, it is so important that I do not think there should be any question about it. What I am undertaking to get at is this: It was shown by the hearings last year, and also shown by the hearings this year, that these buyers and packers have established a custom, where a man ships cattle, for instance, to Kansas City and finds the market congested and decides that he wants to ship them on to St. Louis or Chicago, of notifying the buyers of the big packers at St. Louis and Chicago of the amount bid on that shipment of cattle. I have had in my section of the country many, many complaints from cattlemen that they would find when they took a trainload or a few cars or a certain specified number of cattle to the market at Kansas City—perhaps cattle would be quoted when they started at \$8 a hundred—they would find that congestion had come and cattle were down to \$6 a hundred at Kansas City. reconsign them to St. Louis, and there they would be met by the combined agreements seemingly on the part of all buyers that they would bid no more than \$6 at St. Louis and Chicago. The hearings last year disclosed that the packers did that and that they attempted to justify it. I claim it can not be justified in any sense whatever.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. JONES of Texas.

Mr. MADDEN. Does the gentleman think it is necessary for anybody to notify anyone else who wants to buy anything not to pay any more for it than he ought to pay? I do not think that is necessary. They will be able to find it out for themselves.

Mr. JONES of Texas. I know, but if you put it in as one of the things that they are forbidden to do you will find that you may be able to get somewhere when you get the data properly before the Secretary of Agriculture. Now listen. It is all right for a man to go in and bid just what he wants to bid in the market of St. Louis or Chicago, but the so-called five big packers control 80 per cent or more of the meat that is put into interstate commerce. If these men get together and agree that they will bid no more on a man's cattle when he gets to the market to which they are reconsigned than was bid at the original market, they could force a man to sell at almost any price they pleased.

Mr. FESS. Will the gentleman yield?

Mr. JONES of Texas. I will.

Mr. FESS. I want to ask the gentleman a practical question that comes to my mind. Suppose a broker has a branch office at each one of these cities, does the gentleman mean that their branch office could not communicate to the main office what

they had bid on a load of cattle?

Mr. JONES of Texas. No; not conveying information from this market point to that market point what a man bid on a particular shipment of cattle, but they go down and see the bill of lading and immediately notify the buyers at St. Louis of the amount they bid on these cattle, and no matter what the market is they will not bid more than was bid in Kansas City.

Mr. FESS. The gentleman's amendment would not prevent

the information from being sent from one branch of the house to another branch or the main house.

Mr. BLANTON. Mr. Chairman, I rise to oppose pro forma the amendment, although I am in favor of the result sought by

Mr. TINCHER. Mr. Chairman, I want to oppose the amendment, and not in a pro forma way.

Mr. BLANTON. The principle of the amendment I am in favor of, but not in the way it is drawn.

The CHAIRMAN. The Chair will recognize the gentleman

from Kansas afterwards.

Mr. BLANTON. There will be time enough for both of us. am in hearty accord with what my colleague is seeking to do, but, say, my colleague's cattle reaches the Kansas City marand the next morning the published Reporter for that market comes out with the statement that Marvin Jones, of Amarillo, Tex., had five cars of steers on the Kansas City market on which there was a bid of so much and that the steers were not sold but shipped on to Chicago or to St. Louis. report reaches all the packers in Chicago and St. Louis before the cattle do, and the packers, without one single word of advice, without having received one word of special notification from the Kansas City market know immediately the bid that has been made on those cattle. They do not have to be notified. Cattlemen generally read the Market Reporter and have this information. What my colleague wants to do is to stop this combining that has been going on in fixing the price that is

Mr. JONES of Texas. I think the bill does that, too.

Mr. BLANTON. This amendment preventing the notification being sent to St. Louis or Chicago would not stop the combining, because they know from other sources.

Mr. JONES of Texas. I can give the gentleman an actual Two men shipped cattle to Kansas City, and after illustration. receiving bids, one reconsigned to St. Louis and the other went The man who reconsigned his cattle to St. Louis to Chicago received a bid of exactly what he received at Kansas City, but

the man who reconsigned to Chicago got a higher price.

Mr. BLANTON. Well, the one at Chicago did not happen to have enough cattle to let the reporter make a note of it. All shipments of any size are mentioned in the Stockyard Reporter. They do not have to wait for the Reporter to come by mail because they have its contents by wire. They do not have to send out individual notifications; they know it all. I am with my colleague in what he proposes to do, but he is only going so far and not far enough. What he wants to do is to stop them from combining and fixing prices.

Will the gentleman yield? Mr. JACOWAY.

Mr. BLANTON. Yes.

Mr. JACOWAY. Does not the gentleman think that the provisions in the bill are sufficient for that purpose?

Mr. BLANTON. Some of them are. The bill has some very

good provisions in it and some very bad features. In this com-

mittee is the proper time and place to see to it that this measure is properly framed to stop combinations and price fixing.

Mr. CANNON. Will the gentleman yield? Mr. BLANTON. Certainly.

Mr. CANNON. As near as I can gather, the mischief that the gentleman seeks to cure or find a remedy for is that by wire in the old-fashioned way or through the air it shall be unlawful to give any information as to what price was bid at Kansas City.

Mr. BLANTON. You can not stop the information. Cattlemen themselves each day seek it. It is the combinations that you can stop and that ought to be stopped. It is the conspiracy against the raisers of stock on the part of the stockyards and packers that we are trying to remedy.

Mr. CANNON. You are not going to have any agreement as

to what the price shall be?

Mr. BLANTON. That is what ought to be done away with by this bill, and then it would be possible to stop these combine agreements against producers.

The CHAIRMAN. The time of the gentleman from Texas

Mr. TINCHER. Mr. Chairman, as stated by the proposer of this amendment, this matter was considered fully by the committee. There has been practically in the past, not at present, what they call "wiring on." I do not think this Congress can pass a law to say to a branch house or the company in Kansas City that they can not notify the other house of what they bid on any specific lot of cattle. I do not think that was the evil complained of. The evil was that when that information was conveyed to Chicago it was used for the purpose of holding the price of that particular lot of cattle down so that a man could not profit by forwarding his shipment there. The language used by the gentleman's amendment, in my judgment, will weaken this bill. In the first place, I do not think we have any right to pass a law, and I do not think we want to be put in the attitude before the country of seeking to pass a law that says to a man you can not communicate to your officers what you bid on a particular lot of cattle. By the unanimous consent of the committee we agreed that we would cover the proposition in a legal way. Now, I want to read you the language we used when we specified the things that they shall

Engage in any course of business or do any act for the purpose or with the effect of manipulating or controlling prices in commerce or of creating a monopoly in the acquisition of buying, selling, or dealing in any article of commerce or of restraining commerce.

Now, to say that a man can not send to the stockyard what he bid on a lot of cattle, to his own house, state what he bid for that load of cattle, I do not think would be a good law or a constitutional law. But the law does say that the practice by which they manipulate the market must cease, and we give to the Secretary of Agriculture in the bill the power to enforce it. There are many places in the bill where many individuals would like to call the attention to existing evils by offering an amend-

Personally, I think the evil of wiring on under the old highly organized system among the packers was very bad, and I am glad that we have a bill that is going to stop it, but I do not think that we ought to weaken the bill by adding a provision to it that every man questions the legality of our right to do. I do not think we have any legal right to use the language that is in the amendment.

Mr. KINCHELOE. Does not the gentleman think that under subsection (d) the Secretary of Agriculture probably would have that power as a general power?

Mr. TINCHER. Absolutely. He would have the power to enforce that rule if it had a tendency to or if it permitted a violation of this law, but I think we would simply weaken the bill if we adopted the amendment offered by the gentleman from Texas.

Mr. BLAND of Indiana. Mr. Chairman, will the gentleman yield?

Mr. TINCHER. Yes.

Mr. BLAND of Indiana. Is it the gentleman's contention that the packers or any number of them control the price of cattle? Mr. KINCHELOE. Yes. They have in the past.

Mr. BLAND of Indiana. In an organized way or as individ-

Mr. KINCHELOE. Oh, there are volumes covering a period of 30 years disclosing absolutely period after period when they have controlled the price of cattle. Every time you stop it one way, they find some new way to do it.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. TINCEER. Yes.

Mr. CANNON. Do the cattlemen, the men who raise the cattle or other products, have any organization by which they determine not to sell or ship?

Mr. TINCHER. Not that I ever heard of.

Mr. CANNON. I am just asking for information.

Mr. TINCHER. No; I think that organization would be im-

practicable. I am sure no such thing exists.

Mr. BLAND of Indiana. I think under the law we passed, giving them the right to organize for collective selling, they certainly would have the privilege of doing so, and I have been informed that in some lines, especially in wool, they are going to stop their sales in that way. I wondered if there was any such thing in connection with cattle.

Mr. TINCHER. No; I think not.
The CHAIRMAN. The time of the gentleman from Kansas has expired. Did the Chair understand the gentleman from

Iowa to insist upon the point of order?

Mr. HAUGEN. Mr. Chairman, it seems to me that the amendment is not germane to the bill. The bill deals with packers and stockyards, and the amendment as I heard it read seems to have no reference to transactions at stockyards. understood it to be in connection with transactions between individuals outside of stockyards. I do not think it is germane

The CHAIRMAN. The Chair is ready to pass on the point of The Chair thinks it is germane to the paragraph and to the bill and the point of order is overruled. The question is on the amendment offered by the gentleman from Texas.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

The Clerk read as follows:

Sec. 203. (a) Whenever the Secretary has reason to believe that any packer has violated or is violating any provision of this title, he shall cause a complaint in writing to be served upon the packer, stating his charges in that respect, and requiring the packer to attend and testify at a hearing at a time and place designated therein, at least 30 days after the service of such complaint; and at such time and place there shall be afforded the packer a reasonable opportunity to be informed as to the evidence introduced against him (including the right of cross-examination), and to be heard in person or by counsel and through witnesses, under such regulations as the Secretary may prescribe. Any person for good cause shown may on application be allowed by the Secretary to intervene in such proceeding, and appear in person or by counsel. At any time prior to the close of the hearing the Secretary may amend the complaint; but in case of any amendment adding new charges the hearing shall, on the request of the packer, be adjourned for a period not exceeding 15 days.

(b) If, after such hearing, the Secretary finds that the packer has violated or is violating any provisions of this title covered by the charges, he shall make a report in writing in which he shall state his findings as to the facts, and shall issue and cause to be served on the packer an order requiring such packer to cease and desist from continuing such violation. The testimony taken at the hearing shall be reduced to writing and filed in the records of the Department of Agriculture.

(c) Until a transcript of the record in such hearing has been filed

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(c) Until a transcript of the record in such hearing has been filed in a circuit court of appeals of the United States, as provided in section 204, the Secretary at any time, upon such notice and in such manner as he deems proper, but only after reasonable opportunity to the packer to be heard, may amend or set aside the report or order in whole or in part,

(d) Complaints, orders, and other processes of the Secretary under this section may be served in the same manner as provided in section 5 of the act entitled "An act to create a Federal Trade Commission, to define its powers and duties, and for other purposes," approved September 26, 1914.

Mr. Chairman, Loffer the following amend-

Mr. HERRICK. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. Herrick: Page 6, line 13, after the word "packers" insert: "And any other person in his employ that the Secretary may see fit to call upon to testify."

Mr. HERRICK. Mr. Chairman and gentleman, I think this amendment, which is very short, is germane to the matter under discussion. I do not think it needs to be debated at any length, because I think it is to a great extent self-explanatory, and I

would like to have it voted on.

The CHAIRMAN. The question is on the amendment offered

by the gentleman from Oklahoma.

The question was taken, and the Chair announced that he was in doubt.

The committee divided; and there were—ayes 26, noes 56.

So the amendment was rejected.

Mr. COLLINS. Mr. Chairman, I have an amendment which I have sent to the desk, which I offer at this time.

The Clerk read as follows:

Amendment offered by Mr. Collins: Page 7, line 12, strike out para-aph (c) on page 7.

Mr. COLLINS. Mr. Chairman and gentlemen of the committee. I have read this bill and have considered carefully certain phrases of it, and I am thoroughly in sympathy with the idea that there should be suitable and proper stockyard regula-tions. However, as the bill is drawn, I am afraid that it will bring no relief whatever, as it is my judgment that it is defective and unconstitutional in several of its provisions, and if

this is the case the courts in construing it will strike it down, because the provisions, if held invalid, will destroy the entire bill. In order to bring to your attention the thoughts I have in mind, let me summarize most of that part of the bill pertaining to the regulations of packers.

In section 202 certain acts enumerated are unlawful when committed by a packer or packers. These acts are those condemned in the anti-Federal trust laws in practically every State in this Union, and I do not regard it necessary to detail them.

In section 203 it is provided that whenever the Secretary of Agriculture is of the opinion that a packer has violated any of the provisions of the act, it is his duty to serve a complaint on the packer enumerating the charges, and after a full and complete hearing, at which the packer has a right to be represented by counsel and the right to cross-examine witnesses and intreduce witnesses in his own behalf, an order is made directing the packer to cease and desist from further violations of the law.

In section 204 an appeal from the order of the Secretary to the circuit court of appeals, which hears the case on the record made by the Secretary of Agriculture, but the court, however, has the right to secure additional evidence if it deems such necessary. The circuit court of appeals is given the power then to affirm, set aside, or modify the order, and pending the appeal may, in its discretion, issue a temporary injunction against a violation of the order made by it, and the decision of the circuit court of appeals is final and operates as an injunction, except the case may be reviewed by the Supreme Court of the United States on a writ of certiorari, but the allowance of this writ does not operate as a stay of the decree in so far as it operates against the injunction unless the Supreme Court of the United States so orders.

In section 205 it is made a criminal offense to violate any order that is final in its nature, either of the Secretary of Agriculture, circuit court of appeals, or the Supreme Court of the United States. It is necessary for us to realize at the outset that the Secretary of Agriculture is a part of the executive branch of this Government and the primary duties that are imposed upon the Secretary of Agriculture under this act. If it is his duty under it to perform a delegated legislative power, then such delegation would be void because Congress can not delegate to an officer in the executive branch of the Government purely legislative duties. If, on the other hand, it is strictly judicial powers that are conferred on him, then this, too, would be unconstitutional for the reason that an executive officer can not perform strictly legislative duties and strictly executive duties, too. For if he could it would be possible for an officer in the executive branch of the Government to likewise be an officer in the judicial branch of the Government, and this is forbidden under our Constitution.

In my State that part of the constitution which deals with the separate power theory of the Government is practically the same as the similar provisions in the Constitution of the United States, and the Supreme Court of Mississippi decided in the case of State v. Armstrong (91 Miss., 513) that a mayor of a municipality was a public officer within the meaning of the constitution of the State, and that the office of mayor was an executive office, and that he could not exercise the powers of a justice of the peace, which powers the statute undertook to confer upon him-that under the separate power theory of the Government the executive and judicial powers could not be blended into the same persons at the same time. Likewise, in the case of Isom v. State (36 Miss., 300), the court held that a legislative officer could not exercise judicial power. In Lawson v. Jeffries (47 Miss., 696), it was held that a constitutional convention holding the powers of the people in their sovereign capacity in their hands could not exercise judicial power. That the functions of a constitutional convention were necessarily legislative in their character, and that it was a fundamental principle that under the American theory of government it could not exercise the powers of other departments of the Government. (See also Quiniti v. Bay St. Louis, 64 Miss., 483; Ex Parte O'Leary, 3 So., 144; Nebraska Telephone Co. v. State ex rel. Yeiser, 45 L. R. A., 113; Norwalk Street Railway v.

State, 69 Conn., 576, etc.)
In the case of Western Union Telegraph Co. v. Mayatt (98 Fed., 335) it was held that the power to make rates was a legislative one and that a Kansas statute which created a court of visitation and conferred upon this court the power to make rates and other orders for the government of railroads and common carriers, and also undertook to give the court the powers of a court with all the machinery and equipment of a court was in conflict with the constitution of that State which directed the separate powers of the government to be vested in three separate and distinct departments—that the statute was unconstitutional, for it conferred upon this body powers belonging to more than one of the three distinct departments of government. In the Kansas case is a very liberal discussion of the authorities on this question.

The Supreme Court of Kansas reached the same conclusion in the case of State v. Johnson (61 Kans., 843). The opinion in this case discusses the distribution of the powers of the Government and held that the act could not confer upon the court of visitation powers belonging to two separate departments of the Government. This question is an important one.

All writers on free government are of the opinion that it is necessary to keep the three branches of the Government separate and apart from each other, otherwise the maintenance of free government is in danger, and I can see no good reason why this Congress should pass an act which undertakes to blend the legislative, executive, and judicial branches of the Government. If this is done and should be sustained by the courts, the very form of our Government would ultimately be destroyed.

If, on the other hand, it is considered that the power conferred upon the Secretary of Agriculture is merely an executive power, then there should be no right of appeal from an order made by him to the United States Circuit Court of Appeals, for it would be an unwarranted exercise of power of the judicial department of the Government to review on appeal the orders of an executive officer. An appeal could no more be granted from an order of the Secretary of Agriculture than from the President of the United States. A court can not hear an appeal other than a judicial appeal. That is an appeal from a judicial tribunal and, however important it might be to have the judgments of the legislative and executive departments passed on by the Supreme Court, this can not be done directly from them. It is a universal doctrine that a court under our theory of government can only exercise judicial powers.

In Heyburn (2 Dallas, 407, 1 L. Ed. 436) the Attorney Gen-

eral undertook to have the court exercise functions which were not judicial in their nature, but the court was of the opinion that they were not called upon to exercise any but judicial functions. In the case of United States v. Farriera (13 Howard 40), where Congress, by certain acts, directed the judge of the territorial court of Florida to receive, examine, and adjudicate all cases of claims for losses, and report his decisions, if in favor of the claimants, together with the evidence upon which they were founded, to the Secretary of the Treasury, who, on being satisfied that the same were just and equitable within the provisions of the treaty, should pay the amount thereof, and by further act of Congress directs the judge of the district court of the United States for the Northern District of Florida to receive and adjudicate certain claims in the manner directed by law, and the Supreme Court of the United States held in that case that an appeal from such judges, undertaking to act in such capacity would not lies because he was not exercising a judicial power. The court, in its opinion, used the following language:

we will next consider the character of the tribunal whose decision is before this court for revision, and on this several points of inquiry suggest themselves: First. Was it a mere commission, not judicial in its character, whose decision could be taken up and revised by the Secretary of the Treasury is his capacity as an executive officer? Second, Was it a judicial tribunal, part of the judicial system created by the Acts of 1823 and 1824, which acted and decided judicially, but from which an appeal may not lie to a court but to the Secretary of the Treasury? Third, or was it a judicial tribunal whose decision was final in all cases coming within the special jurisdiction conferred upon it in the treaty? Fourth, or was it an ordinary judicial tribunal from which either of the other cases an appeal lies to this court.

It is stated parenthetically that upon each of these questions the discussion was very exhaustive and elaborate, and a third question arose as to whether the decision was final, and whether an appeal would lie from the judge to the court.

On page 49 of 13 Howard and on page 45 of 14 Lawyers' Edition of the United States Supreme Court Reports the court says:

It would seem, indeed, in this case that the district judge acted the erroneous opinion that he was exercising judicial power directly under the Constitution and has given this proceeding as much of the formal proceedings in a court of justice as was practicable.

And in a well-considered opinion the court held "that it was not a judicial tribunal and that an appeal did not lie to the Supreme Court." It would seem that under these authorities the question at bar would be settled against the power of appeal in this particular case

It is positively foolish for one to say that an appeal will lie from an administrative body clothed with legislative power or from an officer in the executive branch of the Government to a judicial tribunal. An appeal will lie from one court to another, and the court need not be called a court, but it must have the attributes of a court. It must have the right to carry out its

own judgment or decree or to issue writs or judicial provisions for the enforcement of its orders. If it does not have the attributes of the court, and if its decision is not judicial, then an appeal will not lie from it to another court, and by judicial decision is meant the application by a court of competent jurisdiction of a law to a state of facts proven or deemed to be true and a declaration of the consequences which follow. The judicial power of the courts includes, among other things, the power to hear and finally determine controversies between adverse parties. So we are in this attitude: If a strictly legislative power is conferred upon the Secretary of Agriculture, then he can not exercise it because he belongs to the executive branch of the Government. If it is sought to confer upon him judicial powers, this, too, can not be done, because he belongs to the executive branch of the Government, and no officer in the one can exercise powers primarily belonging to the other. And certainly under no conditions would an appeal lie from a decision of an executive officer or a legislative body to the courts. In order for the power to be properly and lawfully conferred, a commission should be created for the purpose of regulating packers and the stockyards, as was done by the Congress with reference to railroads and carriers, and was further done by the Congress with reference to regulation of corporations by the Federal Trade Commission, and as has been done also by the Congress in other cases. We have had too much usurpation of power already by other branches of the Government, and this Congress should not further countenance it.

I also direct your attention to the case of Gordon v. United States (117 U. S., p. 697). The court here holds that an appeal will not lie direct to a court from a decision of the legislative or executive departments of the Government. I submit to you the following extracts from the opinion in that case:

The existence of this court is, therefore, as essential to the organization of the Government established by the Constitution as the election of a President or Member of Congress. It is the tribunal which is ultimately to decide all judicial questions confided to the Government of the United States. No appeal is given from its decisions, nor any power given to the legislative or executive departments to interfere with its judgments or process of execution. Its jurisdiction and powers and duties being defined in the organic law of the Government, and being all strictly judicial, Congress can not require or authorize the court to exercise any other jurisdiction or power or perform any other duty. Chancellor Kent says: "The judicial power of the United States is in point of origin and title equal with the other powers of the Government, and is as exclusively vested in the court created by or pursuant to the Constitution as the legislative power is vested in Congress or the executive power in the President." (1 Kent Com., 290–291, 6th ed. See also Story Const., pp. 449–450.)

The position and rank therefore assigned to this court in the Government of the United States differ from that of the highest judicial power in England, which is subordinate to the legislative power, and bound to obey any law that Parliament may pass, although it may, in the opinion of the court, be in conflict with the principles of Magna Charta or the Petition of Rights.

(2) In No. 38 of the Federalist, written by Mr. Madison, the necestive and challed of this reversion is closely extend to the legislative power.

Petition of Rights.

(2) In No. 38 of the Federalist, written by Mr. Madison, the necessity and object of this provision is clearly stated. In that number, after explaining with great perspicuity the complex character of the Government, being partly National and partly Federal, he proceeds to say (p. 265, Towson's Ed.): "In this relation, then, the proposed government can not be deemed a national one, since its jurisdiction extends to certain enumerated objects only, and leaves to the several States a residuary and inviolable sovereignty over all other objects. It is true that in controversies relating to the boundary between the two jurisdictions, the tribunal which is ultimately to decide is to be established under the General Government. But this does not change the principle of the case. The decision is to be impartially made, according to the rules of the Constitution, and all the usual and most effectual precautions are taken to secure this impartiality. Some such tribunal is clearly essential to prevent an appeal to the sword and a dissolution of the compact."

(3) But the appeal is given only from such inferior courts as Con-

clearly essential to prevent an appeal to the sword and a dissolution of the compact."

(3) But the appeal is given only from such inferior courts as Congress may ordain and establish to carry into effect the judicial power specifically granted to the United States. The inferior court, therefore, from which the appeal is taken, must be a judicial tribunal authorized to render a judgment which will bind the rights of the parties litigating before it, unless appealed from, and upon which the appropriate process of execution may be issued by the court to carry it into effect. And Congress can not extend the appellate power of this court beyond the limits prescribed by 'he Constitution, and can neither confer nor impose on it the authority or druy of hearing and determining an appeal from a commissioner or auditor, or any other tribunal exercising only special powers under an act of Congress; nor can Congress authorize or require this court to express an opinion or a case where its judicial power could not be exercised, and where its judgment would not be final and conclusive upon the rights of the parties, and process of execution awarded to carry it into effect.

(4) The Constitution of the United States delegates no judicial power to Congress. Its powers are confined to legislative duties, and restricted within certain prescribed limits. By the second section of Article VI the laws of Congress are made the supreme law of the land only when they are made in pursuance of the legislative power specified in the Constitution; and by the tenth amendment the powers not delegated to the United States nor prohibited by it to the States are reserved to the States respectively or to the people. The reservation to the States respectively can only mean the reservation of the rights of sovereignty which they respectively possessed before the adoption of the Constitution of the United States and which they had not parted from by that instrument. And any legislation by Congress beyond the limits of the power delegated would be

void: and it would be the duty of the courts to declare it so. For whether an act of Congress is within the limits of its delegated power or not is a judicial question, to be decided by the courts, the Constitution having, in express terms, declared that the judicial power shall extend to all cases arising under the Constitution.

(5) And it is very clear that this court has no appellate power over these special tribunals, and can not, under the Constitution, take jurisdiction of any decision upon appeal, unless it was made by an inferior court exercising independently the judicial power granted to the United States. It is only from such judicial decisions that appellate power is given to the Supreme Court.

Mr. Chairman, my amendment is offered for the purpose of eliminating an appeal from the Secretary of Agriculture to the circuit court of appeals; and as an additional amendment, if this be adopted, I shall offer in the next paragraph, on page 8, line 2, after the word "conclusive," to insert the words "and shall take effect within 30 days and shall continue in force until changed, modified, or set aside by the Secretary," and then to strike out the rest of the paragraph.

My reason for offering this amendment and the other one which I shall offer if this be adopted is this: This Congress has never created a body and given to that body authority or power and then permitted a court on appeal to review a decision of

that body

Mr. ASWELL. Mr. Chairman, will the gentleman yield?

Mr. COLLINS. Let me get through with my thought first. Take, for instance, the Interstate Commerce Commission. Delegated legislative powers are given to the Interstate Commerce Commission, and if an aggrieved party is not satisfied with the action of that body, he goes into the district court by injunction and then the case gets into court by that method. In other words, the Interstate Commerce Commission is a party to the It does not decide or judge, but it is a party to the litigation. litigation. The same thing is true with the Federal Trade Commission. No right to appeal direct from a decision of this body to a court is anywhere conferred and could not be conferred. It has to go into a court as a party in order to carry out its orders. If you have the right of appeal, you are creating of the Secretary of Agriculture a court, and the Secretary of Agriculture belongs to the executive department of the Government. You can not make of an officer of the executive department of the Government a judge of the court. If you could do this, you could make the President of the United States a judge, and if this practice were continued then you would have a blending of the three powers of this Government to such an extent that the Government itself would be destroyed. That is precisely what you are undertaking to do in this case.

Mr. KINCHELOE. Mr. Chairman, will the gentleman yield? Mr. COLLINS. I wish the gentleman would permit me to get through with my thoughts first and then I shall be glad to yield. In the State of Kansas the legislature created the court of visitation with definite powers belonging to two separate departments of the Government. The supreme court of that State held, as I have heretofore shown, that that could not be done. In my State, where the constitutional provisions of the State constitution, as far as the three separate departments of government are concerned, are similar to those in the Constitution of the United States, the supreme court of that State in the Dodd case held that an appeal from the railroad commission of that State to the railroad commission exercised merely delegated legislative powers, and that a court would not have the right to review their holdings any more so than they would have the right to review the action of the governor of the State or of the legislature of the State.

It has been held that the mayor of a municipality could not exercise the duty of a justice of the peace because these duties belong to two separate distinct departments of this government.

Mr. JACOWAY. Will the gentleman yield?

Mr. COLLINS. I will.
Mr. JACOWAY. I will ask the gentleman if that decision in his supreme court was not based on this proposition: That it was in construing the specific acts under which that mayor was acting and the specific verbiage

Mr. COLLINS. No. The supreme court of that State said

that the legislature undertook-

The CHAIRMAN. The time of the gentleman has expired. Mr. STEVENSON. Mr. Chairman, I ask unanimous consent that the gentleman's time may be extended for five additional

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina? [After a pause.] The Chair hears none

Mr. COLLINS. The supreme court of the State said that the legislature undertook to put into the hands of that officer distinct powers belonging to two separate departments of the government. Assuming, for instance, that there is the right of appeal from a decision of an executive officer to a court, it certainly has never been conferred by this Congress before and could not be conferred, and in numerous decisions which have gone to the Supreme Court of the United States it has been held an appeal would not lie from a governmental department or a legislative branch of the Government to a court,

Mr. TINCHER. Will the gentleman yield?

Mr. COLLINS. I will. Mr. TINCHER. Is it not true that the decision of the court to which the gentleman refers was based on the fact that your State constitution creating its supreme court gave it only jurisdiction in cases of appeal?

Mr. COLLINS. No. That was involved, but that was not

everything that was held in the opinion.

Mr. TINCHER. Is not there this difference, the difference in the constitution of your State, where the supreme court of your State was given authority and the difference in the Constitution of the United States, under which the circuit court of appeals

Mr. COLLINS. No. The constitution of my State and the constitution of yours and every other State divides this Government into three separate distinct classes, and that is what

I am discussing.

Where can I find the case from his State Mr. TINCHER.

the gentleman mentions?

Mr. COLLINS. The Dodd case. I can not give the citation right now, but I can find it and refer the gentleman to it later on.

Mr. TINCHER. I have been informed that decision was based upon the proposition as to the violation of your constitution which only gave the Supreme Court appellate jurisdiction.

Mr. COLLINS. It is an unheard-of proposition. Take the Farriera case, decided by the Supreme Court of the United States, which holds that you can not appeal from a decision of an officer of an executive branch of the Government to a court, and it holds that you can not appeal from the decision of the executive officer to a court. If an appeal in this instance is allowable, then courts could review the action of this Con-

Mr. CHINDBLOM. Will the gentleman yield?

Mr. COLLINS. I will.

Mr. CHINDBLOM. Is it not a fact the courts are continu-

ally taking jurisdiction upon writs of certiorari?

Mr. COLLINS. That is an entirely different matter. this case the Secretary of Agriculture is a party to the litigation and an appellate court, too.

Mr. CHINDBLOM. He is a party to the litigation?

Mr. COLLINS. But under this law the court, too. I submit we can not do this.

Mr. CHINDBLOM. Does the gentleman mean to say seriously that the Secretary of Agriculture is a party to the litigation?

Mr. COLLINS. Yes; and tries the case, too.
Mr. CHINDBLOM. Then we are getting the true inwardness of the operation of this legislation if the Secretary is a party.

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. COLLINS. I will.

Mr. SANDERS of Indiana. I want to get this clear. Of course, this is only part of the proposed change which the gentleman intends to make?

Mr. COLLINS. Yes, sir.

Mr. SANDERS of Indiana. The gentleman intends to take

Mr. COLLINS. I intend to add this amendment: On top of page 8, line 2, after the word "conclusive," add "and shall take effect within 30 days and shall continue in force until changed, medified, set aside by the court," and then follows my amendment striking out the rest of paragraph 204.

The CHAIRMAN. The time of the gentleman has again ex-

pired.

Mr. SANDERS of Indiana. I ask that the gentleman's time be extended for two minutes.

Mr. JACOWAY. I ask that the gentleman's time be extended for five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none

Mr. SANDERS of Indiana. Does the gentleman mean the remainder of section 204 or the remainder of the first para-

Mr. COLLINS. The remainder of the section.
Mr. SANDERS of Indiana. That would entirely take away the injunctive features.

Mr. COLLINS. It takes away the right of appeal.

Mr. SANDERS of Indiana. It takes away the right of the court to enjoin.

Mr. COLLINS. No; the packer would have this right any-

Mr. SANDERS of Indiana. I call the attention of the gentleman to section (c), at the bottom of the page.

Mr. COLLINS. Under the law as it exists now they have

the right to enjoin.

Mr. SANDERS of Indiana. Well, section (c) provides when the Secretary makes this order, when he files it, the court may issue a temporary injunction restraining-

Mr. COLLINS. I am striking that out, because they have

that right now

Mr. SANDERS of Indiana. The gentleman thinks that is

repeated in another place?

Mr. COLLINS. No; that is the law now. Here is what can be done. Any order made by any board like the Interstate Commerce Commission can be enjoined for three reasons: First, that the power to exercise it is unconstitutional; second, that they have no lawful authority for its exercise, or that the order no proof to sustain it.

Mr. SANDERS of Indiana. That is the enforcement of the

Mr. COLLINS. That is the law as it is now.

Mr. SANDERS of Indiana. I am talking about the provision in subdivision (c), which provides for a temporary injunction restraining the packers and others.

Mr. COLLINS. My amendment is almost the language of the

law as it is now with reference to the Interstate Commerce

Commission.

Mr. SANDERS of Indiana. You were dealing with the question of enjoining the enforcement of the order. I am talking

about the power they give the court to enforce it.

Mr. COLLINS. I want to make the action of the Department of Agriculture final. I have serious doubts as to whether or not the Department of Agriculture can perform these duties, because I have a sort of sneaking idea that these powers are legislative, and if they are, an executive officer could not perform them. And I would infinitely prefer that a commission would be established to perform these duties.

Mr. SANDERS of Indiana. Here is the precise question I am coming to with reference to the bill as it would read if it should be amended as the gentleman proposes. Now, the Secretary of Agriculture makes the order. Of course, there is no way to punish anyone for violation of the Secretary's order, except as provided in this act, as I view it. This act provides that the transcript shall be filed, and then the court shall have the power to enforce that order by injunction or otherwise. Your amendment would strike that out.

Mr. COLLINS. I think the gentleman misunderstands this act. This act undertakes to permit the court to review the action of an officer in the executive department of the Government.

And that is all it does undertake to do.

Mr. SANDERS of Indiana. I thoroughly understand that. This act provides that the Secretary shall make the order; that there can be an appeal from that order, and that the court can That would be destroying the order. But if the set it aside. Secretary makes the order and you wipe out all the other statutes dealing with the court's power, how do you enforce the

Mr. COLLINS. You can go into court, by prosecution, or the Secretary of Agriculture can go into court, and make the given packer carry out his order by becoming a party to the litigation.

Mr. STEVENSON. Mr. Chairman, I would like to direct the attention of the gentleman from Indiana to page 11, paragraph If you strike out all this appeal business, then you have it "after such order has been sustained by the court," and you strike that out and then have that "after such order shall be made anyone shall on conviction of violation be fined not less than \$500 or more than \$10,000." You have got to go into the Federal court, anyway.

Mr. SANDERS of Indiana. That is the point I am making. If the gentleman's proposed amendment would go through, then you would leave the only punishment as a punishment for the violation of an order for which they would have the right of trial by jury. The order itself gives a right to injunctive relief in addition to the relief provided on page 11, and the point I am making is that the gentleman's amendment, which would eliminate all the part the court takes under the act, would eliminate the injunctive relief.

Mr. COLLINS. No; under the law as it is now, aside from this act, a packer could go into court and enjoin the Secretary

of Agriculture from carrying out the order.

Mr. SANDERS of Indiana. I am talking about the power for the enforcement of the order, and the gentleman is talking about enjoining the enforcement of the order.

Mr. STEVENSON. It strikes me the gentleman from Mississippi [Mr. Collins] has put his finger on a rather fundamental difficulty in this bill as it is. Remember that the Secretary of Agriculture is one of the executive officers of this Government. He is clothed with certain powers, and when he exercises those powers after having had a hearing and sworn witnesses, then the provision has been made to appeal from him to the circuit court of appeals. That is a constitution of the Secretary of Agriculture a court. Now, I hear it said that the Dawes Commission was created by legislative enactment to try certain rights in Indian Territory and that an appeal was allowed to the courts from its decision. To be sure, the Dawes Commission was merely a statutory court created by Congress for the purpose of trying certain cases and certain issues, and an appeal was allowed to the higher courts as a necessary measure.

Mr. CHINDBLOM. Will the gentleman yield? Mr. STEVENSON. Yes, sir.

Mr. CHINDBLOM. The point which the gentleman is now urging will not be remedied by the motion by the proposed amendment of the gentleman from Mississippi, will it?

Mr. STEVENSON. Well, I think it will all lead to the fur-

ther amendment which he proposes to make.

Mr. CHINDBLOM. Let me ask further. The gentleman is making the point that it would be unconstitutional, I take it, to give the Secretary of Agriculture judicial powers. remedied by providing for an appeal to any other court, is it?

Mr. STEVENSON. I am not making the point from the standpoint of the gentleman from Illinois. Frankly, I am in favor of this legislation, and I want to see it put on the statute books in such form that it will be valid, and so that no great packing concern will be able to drive a four-horse team through it when it gets it into court. The executive may determine whether these people are conforming to law to the extent of determining whether they have got the right to continue to do business in interstate commerce, and he may determine that as an executive function, and the Secretary of Agriculture is given the right to determine that as an executive function. But whenever you make him an inferior court, with the regular appeal from him on up to the other courts, you will find the courts will say that that is an unmistakable designation of him as a court, and he being a member of the executive branch of the Government is incompetent to sit as a court, and therefore you will find the statute very successfully attacked at that point, and that is the crucial point, because it is the enforcement point. Now, if you strike out the provisions about appeal and leave the power in the Secretary to find whether these men are violating the law or not, and make these findings of fact prima facie evidence in any court to establish a case against them for violating the statute, then, when he has got the findings, and they violate the law, the Government can invoke the power of the Federal court for enforcement. It puts the burden on the other party to prove its innocence.

The CHAIRMAN. The time of the gentleman from South

Carolina has expired.

Mr. Chairman, I ask unanimous consent Mr. STEVENSON. to proceed for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. KINCHELOE. Mr. Chairman, will the gentleman yield?

Mr. STEVENSON. Yes.
Mr. KINCHELOE. Is it the contention that the Congress of the United States has not the right to delegate these powers to

the Secretary of Agriculture?

Mr. STEVENSON. No. The power to determine whether this statute is being violated, as laid down here, can be given to the Secretary; but my position is that it can not be given to him as a court but as an executive, and if you undertake to give it to him as a court, with the right to appeal, as arranged here, you create him as an inferior court with the power given to appeal to the superior court, and you will make the bill open to that assault.

Mr. SANDERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. SANDERS of Indiana. As I understand the act, there is a provision that whenever the Secretary of Agriculture finds that certain of these unlawful things have been done, or thinks they have been done, he may, upon hearing, issue an order forbidding the commission of such acts?

STEVENSON.

Mr. SANDERS of Indiana. Of course, that is not an injunction and there could be no prosecution for violation of that except as provided in the law. It is my understanding that the law has two ways of enforcing that power.

Mr. STEVENSON. Yes.

Mr. SANDERS of Indiana. The order is filed with the circuit court of appeals, and under subdivision (g) we find this

If the circuit court of appeals affirms or modifies the order of the Secretary, its decree shall operate as an injunction to restrain the packer, and his officers, directors, agents, and employees from violating the provisions of such order or such order as modified.

And under the former provision the mere filing of the order operates as an injunction, and, of course, the violation of an injunction may be punished in the ordinary way without a jury, just as the punishment of any other injunction is made. And on page 11 there is a provision for the conviction of the violation of the order.

Mr. STEVENSON. Yes.

Mr. SANDERS of Indiana. I take it that there are two remedies. Under the latter remedy you would have the right to trial by jury. The point I was making is whether or not the amendment of the gentleman from Mississippi would take away that injunctive power.

Mr. STEVENSON. If it takes it away, the general power of the Federal court to enjoin combinations of this kind is left, and the way is open for the Secretary of Agriculture to ask the court to enjoin it in the Federal court, where there is an appeal already provided for and where there is provision for a

Mr. CLOUSE. Mr. Chairman, will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. CLOUSE. I would like to know if the gentleman thinks it would be constitutional? While, of course, Congress can create such inferior courts from time to time, can the Congress

deny them their property without due process of law?

Mr. STEVENSON. If the Congress creates a court here, the Constitution provides that there must be a road up to the Supreme Court from the court created. There are all the earmarks of that here, because this provides for a court of appeals and a writ of certiorari from there to the Supreme Court of the United States. But if they provide for a court as an executive function to determine prima facie whether these people are violating the rights covered in the statute, and it shall be held prima facie, but it shall not be conclusive, and they have the right to go into court, they can confer that right upon him, but they can not create a court and make an executive officer of the Government that court. There are other things that I want to call attention to in connection with that.

Mr. CHINDBLOM. Mr. Chairman, will the gentleman yield

for one question?

Mr. STEVENSON. In a moment. You will notice that the circuit court of appeals shall have the right to take testimony and swear witnesses. Where is there any provision in the bill for the court of appeals having any machinery to do that? It is absolutely unworkable.

Mr. CHINDBLOM. Mr. Chairman, will the gentleman yield?

Mr. STEVENSON. Yes. Mr. CHINDBLOM. Does the gentleman contend that while the courts can not take away property without due process of law an executive officer can do that?

Mr. STEVENSON. No. The executive officer can make a prima facie finding. If the corporation is not satisfied with it, it can go into court, and that merely stands as a prima facie finding, and the Federal court will have to try it.

I hope, gentlemen, you will put this bill in such shape that you will not have the shadow of such litigation hanging over this law when it is passed. [Applause.]
Mr. ANDERSON rose.

The CHAIRMAN. The gentleman from Minnesota is recog-

Mr. ANDERSON. Mr. Chairman, the amendment of the gentleman from Mississippi attacks the entire procedure for determining whether there is or is not a violation of the act. I am afraid the gentleman from Mississippi has not sufficiently considered the character of the acts made unlawful by this bill. The bill makes unlawful certain acts on the part of the packers. It prohibits, for instance, unfair, unjust, discriminatory, or deceptive practices or devices. I think it will be at once admitted that a flat prohibition of that sort, followed by a criminal penalty, to be enforced in a court, would be held to be unconstitutional, just as it was held to be unconstitutional in the case of That is to say, the provisions of this act are not the Lever Act. sufficiently definite to stand as a basis for criminal prosecution directly. Therefore we have sought to interpose an administra-tive agency—the Secretary of Agriculture—who does not act as a court, but as an administrative officer, and he finds whether certain acts committed by the person charged with them are acts prohibited by the statute.

As I said the other day, business is progressive, and there must be a certain amount of flexibility in the prohibitions in

order that the prohibitions may keep up with the progress of industry. If we had failed to provide an appeal from this administrative order, the law would be clearly unconstitutional, because of its failure to provide due process of law in taking the property of the packer or finding him guilty of a criminal offense without due process of law.

Now, then, when you undertake to make an act under a more or less indefinite prohibition unlawful, it seems to me that it is entirely proper and necessary to interpose an appeal to the court. For instance, here is a packer engaged in a certain course of procedure. He is cited before the Secretary of Agriculture under this act. He admits that he is engaging in this character of procedure, but he denies that it is a violation of the law. He claims that his course of conduct is a perfectly legitimate course of conduct in consideration of the circumstances touching the business, but the Secretary of Agriculture finds as an administrative officer that course of conduct is prohibited by this act. Now, clearly, it seems to me that from such an order there should be the right of appeal, and for that reason we have interposed here from the order of the Secretary of Agriculture the right of appeal direct to the circuit court of appeals.

Now, the gentleman from South Carolina [Mr. Stevenson] stated that there was power on the part of the circuit court of appeals to take testimony. That statement shows that he has not given the bill the attention and the consideration which a man ought to give it before he attacks it in the way in which the gentleman from South Carolina attacked it. The circuit court of appeals has the right, if it thinks the order of the Secretary is not supported by evidence, to return the case to the Secretary of Agriculture with directions to him to take additional testimony, and upon that additional testimony to make whatever order may be justified; but the circuit court of appeals has no power itself, under the procedure provided in this act, directly to take the testimony of witnesses. It sits to determine the validity of the order made by the Secretary of Agriculture on appeal.

I hope the amendment will not be adopted.

Mr. BARBOUR. Will the gentleman yield? Mr. ANDERSON. Yes; I yield to the gentleman from Cali-

Mr. BARBOUR. In reading this bill it struck me that the powers conferred upon the Secretary of Agriculture are very similar to those conferred upon him in the farmers' marketing bill.

Mr. ANDERSON. I am not familiar enough with the farmers' marketing bill to answer that question.

Mr. BARBOUR. I will ask the gentleman from Kansas [Mr. TINCHER], is it not a fact that they are very similar in their

Mr. TINCHER. Yes; they are. Mr. BARBOUR. I can not understand why the same procedure is not adopted in this bill that was adopted in the farmers' marketing bill—that is, giving the Secretary of Agriculture the power to make his investigations, his findings, and his orders as to whether the law is being complied with or not, and then empowering him to turn the matter over to the Department of Justice to proceed in the regular way by the courts; that is, first in the United States district court. I have not taken the trouble to go into the thing carefully, but I will admit that share the fears of some of the gentlemen who have talked here on the floor that this may result in a knocking out of the whole measure.

Mr. ANDERSON. There are dozens of cases, as in the case of the employers' liability commission and in the case of the Federal Trade Commission, in which an appeal is permitted from an administrative order. The order of the Federal Trade Commission and the order of the employees' liability commission are administrative orders, and the appeal is taken directly from that order to the circuit court of appeals. Now, let me say to the gentleman that the prohibitions in this act are very similar to the prohibitions in the Federal Trade Commission act.

Mr. BARBOUR. Yes. Mr. ANDERSON. And we followed substantially the prohibitions of the Federal Trade Commission act, with one exception. This exception occurs in the present bill and not in the original draft of the bill. Under the Federal Trade Commission act the findings of the commission, if supported by evidence, are conclusive; but under this bill that question is left open. The court upon appeal would determine, I suppose, in the first instance, under the language of this bill, whether the conclusions of the Secretary were final as to the evidence or not.

Mr. BARBOUR. In other words, there is no appeal from the Federal Trade Commission to the circuit court of appeals.

Mr. ANDERSON. Yes; there is.
Mr. BARBOUR. Directly to the circuit court of appeals?

Mr. ANDERSON. Yes; directly to the circuit court of appeals.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. ANDERSON. Yes.
Mr. CHINDBLOM. If the procedure suggested by the gentleman from California [Mr. Barbour] were followed, you would still have an appeal from the district court to the circuit court of appeals, would you not?

Mr. ANDERSON. Yes.

Mr. CHINDBLOM. So that you are jumping a step and expediting and speeding the hearing of these cases. I think that is a virtue in the bill.

Mr. ANDERSON. That is exactly the purpose of the propo-

Mr. BARBOUR. I think that is a virtue of the bill.

Mr. JONES of Texas. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. JONES of Texas. Mr. Chairman, when this question first came up I was under the same impression as the gentleman from Mississippi [Mr. Collins]; but I have read and considered the language more thoroughly, and I do not think there is any question that this is a legal procedure. If the Secretary of Agriculture were given the power to inflict a penalty, that would be an illegal proceeding; but he is not given in this bill the authority of the court to impose a penalty. He simply establishes the status of the law. Under this bill certain things are declared to be inhibited. Now, if the Secretary of Agriculture comes to the conclusion that one of the packers is violating certain provisions of this law, he is not authorized to penalize the packer. He is not authorized to inflict a penalty. He is simply authorized to direct that the packer desist from a prac-In other words, he is attempting to establish the fact that that practice is unlawful under the provisions of this law. Now, the packer has the right to be heard.

Mr. BLANTON. Will the gentleman yield?
Mr. JONES of Texas, In a moment. They go into court, not to determine whether the packer shall be punished, but to determine whether a certain practice shall be continued. packer loses out and the Secretary wins, then the Secretary does not punish the packer. He simply says "the law is thus and so"; that is, that the regulation is pursuant to this act. Then, if the packer continues to violate the law, he has his day in court on the question whether or not he has violated the law as it has been construed or interpreted by this hearing. Now that is all there is to it.

Mr. BLANTON. Will the gentleman yield now? Mr. JONES of Texas. I yield for a question.

Mr. BLANTON. Can there be an appeal to an appellate court which does not try cases de novo, but only on review of the decisions of another court?

Mr. JONES of Texas. There can not on a question of whether a man has violated the law, but on the question of establishing a regulation there may. You may make the Secretary's action final and make the man go into court on a specific question whether he is guilty of a violation. This simply permits the action of the circuit court before the order to desist becomes final. An analogous question has been directly up and been decided by various courts. The circuit court of appeals, on December 7, 1920, where objection was made that the Federal Trade Commission act was unconstitutional because it assumed to combine legislative, executive, and judicial powers to function and to confer them upon one and the same administrative body, contrary to Articles I, II, III of the Constitution, and because it assumed to authorize the commission, which is ostensibly an administrative body, to deprive persons of their property without due process of law, contrary to the fifth amendment of the Constitution, held:

This proposition is to our minds without merit. Congress plainly has power to declare unfair methods in competition unlawful and to require that their practice cease. This Congress has done by the act in question. It with equal clearness has the power to authorize an administrative commission to determine (a) the question of what methods of competition a given trader employs, and, (b) provisionally, the mixed question of law and fact whether such methods are unfair. These questions being determined against the trader, the administrative requirement to cease and desist prescribed by Congress follows as a matter of course, but only provisionally.

When you have established the law, then the question comes up, Has the packer violated the law? And if he violates it he has his day in court under due process of law, and that is legal.

Mr. BANKHEAD. Will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. BANKHEAD. Paragraph (b), page 7, provides:

If, after such hearing, the Secretary finds that the packer has violated or is violating any provisions of this title covered by the charges, he shall make a report in writing in which he shall state his findings as to the facts, and shall issue and cause to be served on the packer an order requiring such packer to cease and desist from continuing such richetter.

Assuming the gentleman's argument is correct, that he is acting as an administrator, why would not it be sufficient after notice had been served on the packer, if he violates the findings of the Secretary, then to indict him directly in the United States court without going through all this circuitous route?

Mr. JONES of Texas. There is considerable force in the gentleman's argument, but this is an important matter and it was thought it would not be wise to let one man have so much power in deciding whether a concern should proceed in business.

was giving a great deal of authority.

Mr. KINCHELOE. Will the gentleman yield?

Mr. JONES of Texas. I will.
Mr. KINCHELOE. Is it not a fact that in court they would not be prosecuted for violating a ruling of the Secretary, but a violation of the law?

Mr. JONES of Texas. Violating the law. Now, in the case of Sears & Roebuck against the Federal Trade Commission, two hundred and fifty-eighth Federal, 307-

The CHAIRMAN (Mr. STAFFORD). The time of the gentleman from Texas has expired.

Mr. JONES of Texas. I ask for three minutes more.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate on the paragraph and pending amendments close in five minutes.

Mr. CABLE. I want a little time.

Mr. HAUGEN. Three minutes will be given to the gentleman from Texas and two minutes to the gentleman from Ohio. The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on the paragraph and amendments thereto close in five minutes. Is there objection?

There was no objection.

Mr. JONES of Texas. Mr. Chairman, in the case I started to cite of Sears & Roebuck, they had established the practice of advertising that they had certain goods that they had got at a special price, which advertisement was not true and was declared to be unfair, and the identical question was raised, and the court in passing says this:

With the increasing complexity of human activities many situations arise where governmental control can be secured only by the "board" or "commission" form of legislation. In such instances Congress declares the public policy, fixes the general principles that are to control, and charges an administrative body with the duty of ascertaining within particular fields from time to time the facts which bring into play the principles established by Congress. Though the action of the commission in finding the facts and declaring them to be specific offenses of the character embraced within the general definition by Congress may be deemed to be quasi-legislative, it is so only in the sense that it converts the actual legislation from a static into a dynamic condition. But the converter is not the electricity. And though the action of the commission in ordering desistance may be counted quasi-judicial on account of its form, with respect to power it is not judicial, because a judicial determination is only that which is embodied in a judgment or decree of a court and enforceable by execution or other writ of the court.

Mr. COLLINS. Will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. COLLINS. Will the gentleman tell this Congress a single instance of an act ever passed by it which permits an appeal from an executive officer to a court?

Mr. JONES of Texas. Yes; here is the Federal Trade Commission act after which this provision was fashioned:

The jurisdiction of the circuit court of appeals of the United States to enforce, set aside, or modify orders of the commission shall be exclusive.

Mr. GILBERT. Will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. GILBERT. I want to state in corroboration of what the gentleman says that practically every State in the Union has a workmen's compensation act and it is provided that an appeal may lie to the court, and it is being done in every State in the Union to-day.

Mr. JONES of Texas. It is an established practice. In other words, the circuit court will simply establish the law; that is, clarify the provisions of the law. That has been followed all along in all the provisions and stipulations, and the Secretary does not perform the functions of a court, but the function of establishing regulations in carrying out the law. Once established the packers would not be fined for something that occurred before, but would be ordered to desist from the practice there-If he violated the provisions, he could be convicted in after. court.

I do not claim that the bill establishes the best method. In fact, I am inclined to think the method suggested by the gentleman from Mississippi [Mr. Collins] is preferable, but I believe this bill provides a legal method of review, and the com-

mittee has thus reported it.

I am indebted to H. P. Wood for his assistance in preparing the following discussion of the principle involved here:

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by a complaint to it, the opportunity to exert its administrative function."

At page 494, commenting upon the Abilene Cotton Oil case, the court said:

"In considering section 15 (by which the commission is not only empowered but the duty is imposed upon it in disposing of the case not only to determine the legality of the practice alleged to give rise to an unjust preference or undue discrimination, and to forbid the same, but, moreover, to direct the practice to be followed as to such subject for a future period not exceeding two years with power in the commission, if it finds reason to do so, to suspend, modify, or set aside the same, the order, however, to become operative without judicial action) in the case of Interstate Commerce Commission v. Illinois Central Railroad Co. (215 U. S., 452), it was pointed out that the effect of the section was to cause it to come to pass that courts, in determining whether an order of the commission should be suspended or enjoined, were without power to invade the administrative functions vested in the commission, and therefore, could not set aside an order duly made on a mere exercise of judgment as to its wisdom or expediency. Under these circumstances, it is apparent, as we have said, that these amendments add to the cogency of the reasoning which led to the conclusion in the Abilene case, that the primary interference of the courts with the administrative functions of the commission was wholly incompatible with the act to regulate commerce."

In the case of United States Pacific & Arctic Co. (228 U. S., 87), on an indictment for alleged violation of the Sherman Antitrust Act and the interstate commerce-act, the court said:

"The purpose of the Interstate Commerce Commission act is to establish a tribunal to determine the relation of community shippers and

carriers and their respective rights and obligations dependent upon the act, and the conduct of carriers is not subject to judicial review in criminal or civil cases based on alleged violations of the act until submitted to and passed upon by the commission."

mitted to and passed upon by the commission."

The power to take evidence, find facts, and determine whether a law has been violated may properly be termed administrative and has frequently been conferred on administrative officers and bodies.

As will be seen from the following cases, the courts have recognized and frequently stated in their opinions that the decisions of administrative or executive officers on questions of fact and the construction and application of the law are judicial in their nature. They do not, however, exercise any of the "judicial power of the United States" conferred on the courts by the Constitution.

The following cases arising out of decisions of the Land Office, the Commissioner of Immigration, the Postmaster General, the collector of customs, show the administrative officers or heads of the respective departments have for years exercised quasi judicial powers or performed acts judicial in their nature, and the courts have upheld them. (Vance v. Burbank, 101 U. S., 514, 519.)

The decision by the Land Office on a question of fact, although in the nature of a judicial determination, was binding upon the parties and final. (U. S. ex rel. Riverside Oil Co. v. Hitchcock, 190 U. S., 316.)

This case involved a decision by an executive officer (Secretary of Interior) based on a finding of fact and the construction of a law, and the court refused to consider its correctness.

Ness v. Fischer (233 U. S., 683, 692). Petition to review ruling of Secretary of Interior refused. (Passavant v. U. S., 148 U. S., 214.)

Question whether a decision of the Board of General Appraisers ascertaining and fixing the dutiable volume of imported goods could be reviewed by the courts, the court refused to review the correctness of the department's decision. (Oceanic Navigation Co. v. Stranahan, 214 U. S., 320.)

This case went so far as to hold that penalties could be imposed by an administrative officer without a resort to the courts.

It also shows the attitude of the Supreme Court on the objection whic

The CHAIRMAN. The question is on the amendment of the gentleman from Mississippi.

The question was taken; and on a division (demanded by Mr. Collins) there were 8 ayes and 50 noes.

So the amendment was rejected.

Mr. CABLE. Mr. Chairman, I offer the following amendment

The Clerk read as follows:

Page 6, line 22, after the word "to," insert "file original complaint with the Secretary or to," so that it will read, "any person for good cause shown may on application be allowed by the Secretary to file an original complaint with the Secretary or to intervene in such proceeding and appear in person or by counsel."

Mr. CABLE. Mr. Chairman, while under section 203 the Secretary of Agriculture acts as a prosecutor and as a judge and as a jury and renders his decision-in other words, he has unlimited power to prosecute a packer-yet at the same time if he wants to act arbitrarily there is nothing in the section to compel him to investigate a complaint or take any action whatsoever under the bill.

Mr. CHINDBLOM. Mr. Chairman, will the gentleman yield? Mr. CABLE. Yes.

Mr. CHINDBLOM. The gentleman forgot to state that the Secretary is also a party, according to the theory of the bill.

Mr. CABLE. Under the amendment that I have offered, if

an injured person comes before the Secretary of Agriculture with his complaint, the Secretary would be compelled to take action and proceed in the prosecution. It precludes the Secretary from refusing to investigate or prosecute and permits an injured person to file his complaint with the Secretary and have a hearing. For that reason and for the purpose of protecting those who may be injured, I urge the amendment

Mr. PURNELL. Mr. Chairman, will the gentleman yield? Mr. CABLE. Yes.

Mr. PURNELL. Does the gentleman believe we ought to hinder the passage of this act by permitting any little shipper in the country who may be aggrieved to come in and demand that the Secretary give him a hearing and set in motion this machinery?

Mr. CABLE. I do not want to hinder the passage of the act at all, but I say that under this section as it now is printed the farmer, the small producer, or shipper in live stock, poultry, or eggs, when injured or damaged by the large packers, has no rights unless the Secretary of Agriculture wants to give them to him. The purpose of my amendment is to give a right of action to any injured party who may come before the Secretary of Agriculture with his complaint.

Mr. PURNELL. The purpose of the amendment as I see it is to compel the Secretary to permit any small aggrieved shipper to set in motion machinery that will clog the courts as well as the Secretary's office and prevent the real purpose of this measure.

Mr. CABLE. The gentleman is partly right. It would give a right to any shipper who is injured, but it would not clog the

It would protect the injured party.

Mr. HAUGEN. Does not the gentleman believe it is safe to leave it to the Secretary under the language of the bill which provides that "whenever the Secretary has reason to believe that any packer has violated" the law? Does not that take care of the situation?

Mr. CABLE. That is all right if you have a friendly Secretary of Agriculture, but if you have one that is not friendly, then the bill is no good.

Mr. CHINDBLOM. Would not the gentleman be willing to assume that the Secretary of Agriculture would proceed in accordance with his duties and his oath of office?

Mr. CABLE. That is a presumption.

Mr. CHINDBLOM. Do we not have to assume that in all legislation?

Mr. CABLE. That is a presumption, but at the same time you have to draw your bill so that it will protect the little man who may be injured. The poor have a right to file their com-plaint in our courts; State utility commissions are open to all; so is the Interstate Commerce Commission; why, then, should not the same rights be given under this bill?

Mr. CHINDBLOM. Does the gentleman think we can draft

legislation on the assumption and the presumption that men

sworn to perform their duty are not going to do it?

Mr. CABLE. I think we have enough brains in Congress to

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

Mr. WINGO. Mr. Chairman, I would like to be recognized in opposition to the amendment.

Mr. HAUGEN. Mr. Chairman, debate has been closed and the time exhausted.

Mr. WINGO. On this amendment? Mr. HAUGEN. On this amendment and all amendments to

Mr. SANDERS of Indiana. Mr. Chairman, I think debate was closed on the amendment to strike out the section and any amendment thereto. I do not think there has been any motion or unanimous-consent request to close debate upon the whole section.

Mr. HAUGEN. The request was to close debate upon the amendment and all amendments to the section. If the gentleman from Arkansas desires to be heard, I have no objection

Mr. WINGO. Mr. Chairman, I ask unanimous consent that I may speak for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WINGO. Mr. Chairman, I will ask the Clerk in my time to report again the pending amendment.

The Clerk again reported the Cable amendment.

Mr. WINGO. Mr. Chairman, I feel sure that if the author of the amendment will reflect for a moment he will see that his amendment is restrictive. I think if he will study the provision he will see that the question is left open as to what shall satisfy the Secretary. I do not agree with my friend from Indiana [Mr. Purnell] that simply because a man happens to be a little shipper the Secretary ought not to be "pestered" by him. I have not much sympathy with the idea that some times finds expression in this Chamber that you ought not to be "pestered" with these little fellows, and the big fellows ought not to be "pestered" with things they start. I do not care if he is the meanest crap-shooting nigger in my State, if his rights have been invaded, the courts ought to be open to him, and whether it be to a judge or a Secretary, if a citizen says that his rights have been violated even to the extent of 10 cents, he ought to have his remedy in law.

I take it that under section 203 as it has been framed-and I suggest that to the author of the amendment—the presumption is that the Secretary is going to be honest and discharge his duty, and any shipper in the land, whether he be a large cattle grower, a large ranchman, or simply a "one-horse farmer," as the saying is, if he writes to the Secretary of Agriculture and says that a certain packing company is doing a certain thing that is vicious will have his complaint treated with respect. I am going to assume that the man who is big enough in his party to be appointed Secretary of Agriculture is going to see to it that that complaint is investigated and a determination made whether or not there is sufficient ground to justify him in setting

in motion a formal hearing. Mr. CABLE. Mr. Chairman, will the gentleman yield? Mr. WINGO. Yes.

Mr. CABLE. Does the gentleman think the Secretary of Agriculture himself is going to investigate these complaints or

let some one else do it for him?

Mr. WINGO. I think he is going to let somebody else do it for him, and that is one of the objectionable features of the bill. I am alarmed at the increasing tendency to have everything done by some Cabinet official, when I know that it is physically impossible for him to do it. It means that you are going to put some irresponsible man, however honest he may be, whose Ilmitations are such that he is in an inferior capacity, in the position where he will have to determine these things. That is one of the dangers of it. But we have to take the choice of What else are you going to do?

The presumption is that the Secretary of Agriculture will see to it that the act is honestly and fairly administered in the spirit in which Congress passes it, and I am sure that is true of the present Secretary of Agriculture. He impresses me as honest and sincere. Of course, he has to turn a great many of these things over to his subordinates, but I think that a proper Cabinet official is going to spend necessarily a great deal of time in checking up and seeing that those upon whom we must depend are capable of doing their duty, and honest, and that they are

Mr. CABLE. Under the bill as it is now drawn, under section 203, if you happen to have a Secretary of Agriculture who is arbitrary, does the gentleman think that these small people

who may be injured would have any rights at all?

Mr. WINGO. That is true, but that is true in the administration of all laws. If the judge happens to be dishonest, if the prosecuting attorney or the district attorney happens to be neglectful or happens to be dishonest, we always suffer, but we must consider all laws on the presumption that all officials will do their duty. Now, if human nature is so weak that sometimes they will not do their duty, shall we refuse to do anything because, perchance, sometimes we have officials who do not do their duty?

The CHAIRMAN. The time of the gentleman has expired. The question was taken, and the amendment was rejected. The Clerk read as follows:

The Clerk read as follows:

Sec. 205. Any packer, or any officer, director, agent, or employee of a packer, who falls to obey any order of the Secretary issued under the provisions of section 203, or such order as modified—

(1) After the expiration of the time allowed for filing a petition in the circuit court of appeals to set aside or modify such order, if no such petition has been filed within such time; or

(2) After the expiration of the time allowed for applying for a writ of certiorari, if such order, or such order as modified, has been sustained by the circuit court of appeals and no such writ has been applied for within such time; or

(3) After such order, or such order as modified, has been sustained by the courts as provided in section 204, shall on conviction be fined not less than \$500 nor more than \$10,000 or imprisoned for not less than six months nor more than five years, or both. Each day during which such failure continues shall be deemed a separate offense.

Mr. HUDSPETH. Mr. Chairman, I desire to offer an amendment. Amend the bill on page 11, line 6, after the figures "\$10,000," by striking out the word "or" and inserting the word

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 11, line 6, after the figures "\$10,000," strike out the word or " and insert in lieu thereof the word "and."

Mr. CHINDBLOM. Mr. Chairman, the amendment offered by the gentleman from Texas [Mr. Hudspeth], to which he devoted practically no part of his argument, would compel the courts for a violation of the order of the Secretary to impose a fine of not less than \$500 or more than \$10,000, and also, in addition, imprisonment for not less than six months or more than five years. I want to call attention to the fact that this section further provides that each day during which the failure to obey the order of the Secretary continues shall be deemed a separate offense, so that for each day that the packer violates the order he will be subject to both fine and imprisonment.

Mr. SANDERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. CHINDBLOM. Yes.

Mr. SANDERS of Indiana. Is there any provision here for a trial by jury, or is this a trial by a court?

Mr. CHINDBLOM. There is nothing in the act to show that it is a trial by jury. I take it that in some cases it will not be a trial by jury, because it will be for a violation of an injunction in those cases. We have here both trial for violation of an injunction and trial for violating the law itself.

Further responding to the inquiry by the gentleman from Indiana, Mr. Chairman, on page 9, section (g), I call attention to this provision:

If the circuit court of appeals affirms or modifies the order of the Secretary, its decree shall operate as an injunction to restrain the packer, and his officers, directors, agents, and employees from violating the provisions of such order or such order as modified.

Mr. SANDERS of Indiana. I was asking the gentleman's opinion, because I read over two or three times the provisions of the section, and it is not clear to my mind whether it is intended to give relief both by injunction and by indictment. It is not clear at all. The gentleman from Minnesota [Mr. Knutson] says it is intended to give both remedies.

Mr. CHINDBLOM. I am not so sure that it can be so construed. I am afraid it can be construed to this effect, that the violation of an injunction shall constitute an offense upon which a conviction may be had, so that if the amendment of the gentleman from Texas [Mr. Hudspeth] prevails, for the violation of the injunction a man must be both fined and imprisoned. The trial in that case would be by the court without a jury. I call your attention to the fact that on page 7 it is provided that the decree of the circuit court of appeals shall operate as an injunction.

Mr. HUDSPETH. My intention was to impose both fine and

imprisonment,

Mr. CHINDBLOM. Exactly. Your intention is perfectly clear. Your intention is to put a man who violates the order of the Secretary in prison as well as to fine him for every day that he violates the order after it has been sustained by the court of appeals, even though an appeal is pending on a writ of certiorari to the Supreme Court of the United States.

Mr. HUDSPETH. What do you want to do with him? Do

you want to turn him loose?

Mr. CHINDBLOM. No; I do not want to turn him loose; but I do not think you should prescribe unusual and extreme penalties for violations of this legislation. One would think that the crime of larceny or arson would be insignificant as compared with the violation of the order of the Secretary of Agriculture, because in many cases for such crimes there is provided only fine or imprisonment, whereas in this case you would prescribe both fine and imprisonment.

The CHAIRMAN. The time of the gentleman from Illinois

has expired.

Mr. BLACK. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Texas moves to

strike out the last word.

Mr. BLACK. Mr. Chairman, I have listened with interest to the speech of my colleague [Mr. HUDSPETH], and with more interest to some of the figures which he used in making his comparisons, and while I have not had time to review his figures, I think merely to remind him of one comparison which he made will be to show his error. I hold no brief for the packers, but in making these comparisons let us be sure and get the figures right. For example, Mr. Hudspeth named the price of lambs on foot in 1919 or in 1920, I do not remember which, and then stated, if I recall his statement correctly, that the price had declined since then more than 125 per cent. Now, a mere statement of the percentage figures shows the impossibility of it. For example, suppose lambs were selling on the hoof in 1920 for 15 cents a pound. If the price had declined more than 125 per cent since then there would be no price at all left. The price would be below zero.

Mr. HUDSPETH. Will my colleague yield?

Mr. BLACK. Yes.

Mr. HUDSPETH. I will give the gentleman the exact figures as quoted from the Drovers' Journal. In 1920 lambs sold at 16 cents and this spring they sold at 7 cents.

Mr. BLACK. That would not be a decline of 120 per cent. It would be a decline of about 56 per cent, the way I figure.

Mr. HUDSPETH. Possibly I was in error in my statement

of percentages.

Mr. BLACK. That is what I say. If one year ago a fat man weighed 300 pounds and since than has lost 120 per cent in weight, I would like to inquire of my colleague how much the fat man would now weigh? Or, indeed, would there be any fat man? The gentleman in making his comparison stated impossible figures. I did not arise, however, to discuss that particular matter. I will leave my colleague and good friend from Texas to revise his own figures.

But I do want to say that I am not in favor of this bill, for what I think is a very practical reason. I do not hold any brief for the packers. They may or may not be opposed to this legislation. I have not inquired. If we do not already have sufficient law making criminal any improper practices in which they indulge, then I favor supplementing the law in whatever

manner may be necessary and leave it to the Department of Justice to enforce. But in my experience I have not seen anything connected with Government control and operation of business that has led me to desire to extend that system any fur-Public utilities, like the railroads, must of course be more closely regulated than ordinary business enterprises, because of their quasi public functions, but the results of that regulation have been by no means ideal, and I think we should be very slow to venture out into new fields of such regulation. I cut from my home weekly paper on Saturday.last a clipping which brought to my attention and judgment some very significant facts. One of the local grocers in my home town, whom I know very well personally and whose figures can be relied upon as being accurate, printed a budget of groceries comprising 14 items ranging from an 8-pound bucket of lard to 1 bushel of corn, and the total of which items sold in May, 1920, for an aggregate of \$25.85. In the opposite column he quotes the same 14 items, and the price in May, 1921, is \$11.79, or a decline of slightly more than 54 per cent average on these particular 14 items. Now, when I read that significant advertisement, knowing that this packers' bill was under consideration, I thought I would see whether or not the items ordinarily sold by the packers had made a corresponding decline with the average. So I find here the first item in the bill is an 8-pound bucket of lard which sold in May, 1920, for \$2.75. That bucket of lard is now listed in May, 1921, at \$1. I go on down further and I find 10 pounds of dry salt meat listed in May, 1920, for \$2.80, and in the opposite column I find it now sells for \$1.50.

The next item, 10 pounds of sugar-cured bacon, was listed in 1920 at \$4.60. In the opposite column for May, 1921, I find the same 10 pounds of sugar-cured bacon sells for \$2.75. So, analyzing further, the figures of these three packers' items in this budget of groceries, I find that the three items had undergone an average decline of 48 per cent in price, which at least is reasonably close to the average decline of 54 per cent of the whole

list of items.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLACK. I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. BLACK. Now, I will not take the trouble to read a similar statement which I clipped last week from the Washington Star, but it shows practically the same results. A local grocery firm which has 155 stores in Washington and suburbs, in a page advertisement which it run Friday, May 16, listed 32 items, small quantities, which it sold for an aggregate of \$14.08 at the high peak of prices. The same 32 items now sell for an aggregate of \$7.49, which makes an average decline in the 32 items of 46 per cent. I carefully examined the list and found that of the 32 items there were 6 ordinarily sold by the packers. are: One pound of cheese, 1 pound of lard, 1 pound of compound, 1 pound of oleomargarine, 1 piece of shoulder meat, 1 pound of Crisco. The decline on these 6 items from the high war peak prices was 57 per cent as against the general average of 46 per cent of the 32 items. Now, here was the thought which came to my mind when I read and analyzed these figures for myself: Since the high peak of the war there has been a decline in the farmers' raw products of 58 per cent. That means that the wheat farmer, the corn farmer, the cotton farmer, and other farmers are averaging less than \$1 for their products where they received \$2 during the high peak of the war. But they can take that \$1 and purchase practically as much in the way of items of groceries which I have cited as they could purchase when they got \$2 for their products. If everything else had declined as much in proportion, the situation of the farmer would not be so bad. But what about the things that the Federal Government regulates? We regulate the railroads from top to bottom and from bottom to top and railroad rates are now at the highest peak, and I do not know whether there is any reasonable prospects of their being lowered at an early date; at least it seems a very slow response to general economic law which is bringing everything else down. The average receipts per ton-mile for class 1 railroads were 71 cents in 1917.

The average at the present time is approximately \$1.22 per ton-mile. Therefore the farmer who now gets \$1 for his product where he got \$2 during the war period can go into the grocery store and purchase approximately as much for his dollar, including some of the packers' items, as he could purchase with his \$2 a year ago; but when he goes down to a freight station to purchase railroad service that is regulated from top to bottom by the Government he pays \$1.22 per ton-mile as against 71

cents in 1917. And I want to tell you these figures do not make me enthusiastic about further extending Government control and regulation of industry by the bureau system. If our present laws are not sufficient to define and punish any practices now indulged in by the packers which should be held criminal, then I say strengthen them and tell the Department of Justice to get busy. But judging from the consent decree recently entered in court against the five big packers, and which is now in full force and effect, I would conclude that present law is fairly well sufficient. I think the decree will leave anyone with that impression who reads it. It provides:

Defendants are enjoined from monopoly.

Defendants are enjoined from monopoly.
 From owning any interest in a stockyard or stockyard railroad.
 From letting anyone else use their distributing facilities, which, however, they may sell.
 From making, distributing, or dealing in fish, vegetables, fruits, sweets, molasses, preserves, spices, coffee and tea, nuts, flour, sugar, rice, bread and biscuit, and cereals, grain, and miscellaneous articles, including building hardware and materials, cigars, etc.
 From owning retail meat markets.
 Or cold storage warehouses, except at the stockyards or for their own products.
 Or dealing in milk or cream, except for manufacture of oleomargarine, etc.
 From any illegal trade practice.
 Decree that defendants file plans for sale of stockyards, their railroads, and newspapers.
 That they sell all cold-storage warehouses and retail meat markets.

12. And sell the goods mentioned in paragraphs 4 and 5.
13. That purchasers of stockyards agree to operate them.
14. Decree not to interfere with export trade except as to paragraphs

4 and 5.
15. Nor to bar the United States from suit as to poultry, butter, eggs, and cheese.

16. Defendants will disclose facts as to how they are carrying out

the decree.

17. All their sales, etc., since October 1, 1919, are subject to review.

18. Jurisdiction is retained for enforcement of the decree.

Mr. PARKS of Arkansas. Will the gentleman yield for a

question?

Mr. BLACK. Yes.

Mr. PARKS of Arkansas. The freight is included in the price of the items the gentleman read awhile ago, is it not?

Mr. BLACK. Yes; and those items would be some cheaper

perhaps if it were not for the present high level of freight

Mr. PARKS of Arkansas. In the gentleman's argument he is not complaining against higher freight rates, because the price of the things that a man eats and wears and uses has gone down in spite of outrageous and robber freight rates.

Mr. BLACK. Truly, the price has gone down, and my contention is that if it were not for such a multiplicity of regulations of the railroads we would probably now have lower freight rates. I realize, of course, that rates on public utilities usually go up slower and come down slower during a period of abnormal fluctuation in prices such as we have been experiencing during the past several years than most other lines of business. That situation, of course, does not argue against reasonable regulation of public utilities. I do think, however, that the present situation raises a serious question if we have not carried railroad regulation too far. The next few months will probably tell the tale as to whether we have or not.

If we find we have, then we must correct the situation by appropriate amendments to present law. But whether we find we have overregulated the railroads or not, I am not convinced that we should start out on the multiplicity of regulations of the packers which this bill provides, and therefore I shall vote

against it.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto close in 20 minutes?

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on this amendment and amendments thereto close in 20 minutes. Is there objection?

There was no objection.

Mr. SANDERS of Indiana. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. SANDERS of Indiana. Mr. Chairman, in my time I want to state that I shall move to strike out the last sentence commencing on line 7, page 11, "each day during which such failure continues shall be deemed a separate offense." Mr. Chairman, I think that the Agricultural Committee has had a very difficult task on their hands in considering the question of passing packer legislation. Every one who has followed the question of the activities of the packing industry for the last few years feels that there ought to be some way in which some of the evils can be remedied. I feel that many things

that have been said in reference to the packing industry have not been accurate. If I shall finally vote for this bill, the reason for it is because I think the framers of the bill refused to yield to the demagogic cry to regulate the prices in the packing industry. As I read this bill it does not regulate the prices to be charged for the packing products. The gentleman from Texas [Mr. Hudspeth] says that it was his understanding that they would require reports of the earnings of the packers, and if too great they could be proceeded against under the provisions of this law. I find no such provision. I think the bill is subject to criticism because of the fact that it does not provide by law what shall be illegal, what shall be unlawful, what shall constitute a crime. It may possibly get beyond the narrow confines of the Constitution forbidding delegation of legislative power on that account, but nevertheless the bill gives to the Secretary of Agriculture the arbitrary power of deter-mining what shall constitute a crime. That is the reason I am going to offer an amendment to strike out the provision that each day during such period shall be deemed a separate offense.

Gentlemen of the committee, think what we do in this legislation. We provide in section 202 that it shall be unlawful for any packer to engage or use any unfair, unjustly discrimina-

tory, or deceptive practice or device in commerce.

There is not a man sitting in this committee that knows what that means. It covers the whole field of the practice of the packers; it is not a restriction dealing with prices. I asked the gentleman from Minnesota [Mr. Anderson] that question the other day, and he responded that it was not the purpose to deal with prices. What do you undertake to deal with under section 202 when you say it shall be unlawful to engage in or use any unfair, unjustly discriminatory or deceptive practice in commerce? Nobody knows; you leave to the Secretary of Agriculture the whole field of the activity of the packers to say what is a deceptive practice or a discriminatory practice or what is unfair. He has a roving commission to go into every phase of the matter and to determine it, and then as an executive officer of the Government issue his arbitrary decree in the form of an order forbidding the packers in this great business to continue what their best judgment tells them to do.

It may be a bad practice and it may not be, but we leave to the Secretary of Agriculture the arbitrary power of issuing an order. They get around the constitutional provision because they say the order will be definite and that there is no provision for punishment until the order is violated. That is true, but when the order is issued there is the right of appeal, and that appeal is very limited. The court finally passes on it and the order becomes final, and then they proceed with two different remedies. The first is to proceed by injunction, and my friend from Texas [Mr. Hudspeth] says that he proposes to regulate the packers, proposes to provide a penalty which says that they shall be sent to the penitentiary. My friend from Texas wants to remember that this great Government of ours has always been jealous of the rights of its citizens, and it is not only the packers but the agents, employees, and many other persons under them who can be prosecuted by the terms of the act. If the orders are violated—and they are more or less indefinite—they may proceed in the courts as for contempt, when there will be no jury between the accused and the tribunal. The court shall have arbitrary power, and there is no limitation in this law as to the penalty the judge could put on them. He can fine them \$100 or \$10,000, and send them jail for as long a term as he chooses. In addition to that there is the provision over here that for a violation a man shall on conviction be fined not less than \$500 or more than \$10,000, or imprisonment not less than six months or more than five years, or both, and that each day during which such failure continues shall be deemed a separate offense. Suppose it continued for one year, we delegate our legislative power to the Secretary of Agriculture and let the Secretary of Agriculture make the law that provides that the judge may send the guilty person to jail as for contempt, and in addition we provide that you can prosecute him under this section, and if it has gone on for a year-365 days-you can send him to prison 5 years for each one of the 365 days. You provide for a life sentence for the violation of an order issued by the Secretary of Agriculture.

Mr. BURTNESS. What provision does the gentleman allude to as the prosecution for contempt?

Mr. SANDERS of Indiana. Subdivision (g), page 9:

If the circuit court of appeals affirms or modifies the order of the Secretary, its decree shall operate as an injunction to restrain the packer and his officers, directors, agents, and employees from violating the provisions of such order or such order as modified.

Mr. HERRICK. Mr. Chairman, will the gentleman yield?

Mr. SANDERS of Indiana. Yes.

Mr. HERRICK. Did the gentleman get a lot of this packinghouse literature yesterday, and did that excite him so much, or is it his own idea that causes him to say that we are going to legislate the packing business out of existence sooner or

[Laughter.]

Mr. SANDERS of Indiana. The gentleman has asked a very sensible question. I got some literature yesterday from Swift & Co. I read the letter, but I have not yet read the pamphlet. But I state to the gentleman that I think the packers were not excluded from the provisions of the Constitution of the United States, which gives people the right of petitioning Congress. far as I am concerned, I shall give the same degree of consideration to a petition that comes from the people of the country whether it comes from the rich or the poor. [Applause.]

Mr. ANDERSON. Mr. Chairman, will the gentleman yield?

Mr. SANDERS of Indiana. Yes.

Mr. ANDERSON. I would say that the penalty that the gentleman is talking about has no application whatever to the violation of an injunction.

Mr. SANDERS of Indiana. Oh, no. The order itself becomes

the injunction and the court fixes the penalty.

The CHAIRMAN. The time of the gentleman from Indiana

Mr. CHINDBLOM. Let me suggest that for a violation of an injunction a man can be kept in jail until he purges himself, which might take to the last day of his life.

Mr. WINGO. Mr. Chairman, a parliamentary inquiry, The CHAIRMAN. The gentleman will state it.

Mr. WINGO. There is an amendment pending now.

The CHAIRMAN. Yes.

Mr. WINGO. I suggest that we vote upon it now as I have an amendment which I desire to offer, which under the present situation would not be in order. I desire to discuss my own

amendment and not talk to the pending amendment.

The CHAIRMAN. Does any other gentleman desire to be heard upon the amendment offered by the gentleman from

Texas?

Mr. HAUGEN. Mr. Chairman, to strike out the word "or" and insert the word "and" so as to make the penalty a fine of not less than \$500 nor more than \$10,000 and imprisonment, I fear, would make the penalty so drastic that it would be impossible to get a conviction. There is danger of drafting legisla-

tion which makes it so drastic that it is ineffective,

If we strike out the words "each day during which such failure continues shall be deemed a separate offense," it would seem to me that it would practically wipe out the effectiveness of law. The packers might save the \$10,000 or the \$500 fine and then continue the violating indefinitely, which would make it a commercial proposition. It seems to me that the language as written in the bill is absolutely fair.

The CHAIRMAN. The question is on the amendment offered

by the gentleman from Texas.

The amendment was rejected.

Mr. WINGO. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. Wingo: Page 9, line 11, after the word "reopened" insert the words "by the Secretary," and in line 12, after the word "evidence" insert the words "by the Secretary."

Mr. WINGO. Mr. Chairman, the object of the amendment is simply to carry out what I understand to be the intention of the committee, but I think if we do not insert the words which I have offered as an amendment we are liable to find ourselves in this situation: At the stage referred to in the text which this seeks to amend, the case has passed from the control of the Secretary and has gone into the exclusive control of the court. The language as written in the bill is that if the court determines that it requires the taking of additional evidence, the court shall order the hearing to be reopened for the taking of such evidence "in such manner and upon such terms and conditions as the court may deem proper." are going to have additional testimony taken, I think it should be taken by the agency which took it in the first instance, which is presumed to be more familiar with the record that has already been made up, and unless we insert the words "by the Secretary" the court might say that Congress has seen fit to give that jurisdiction to the court, and conclude that it can order the additional testimony taken in such manner and upon such terms and conditions as it may prescribe, and that therefore it may appoint a special master or a referee or a commission to take the testimony, or this or that agency. It would be infinitely better, if the court wants additional testi-mony, to make an order directing the Secretary to take the testimony upon the particular point that the court directs him to take it on, and then send the testimony up with the original record

Mr. KINCHELOE. Mr. Chairman, will the gentleman yield?

Mr. WINGO. Yes.

Mr. KINCHELOE. Of course, it is the purpose of this section and was the purpose of the committee to have the court take that additional testimony.

Mr. WINGO. Most of those with whom I have discussed it have told me the opposite. Is that the opinion of the committee or was it the intention of the committee to let the Secretary take it?

Mr. PURNELL. I thought that point was perfectly clear. I think my colleague on the committee from Kentucky [Mr. KINCHELOE] is in error.

Mr. WINGO. Mr. Chairman, that is an illustration of the necessity for my amendment. If the committee thinks the court ought to take the testimony, then it ought to say so specifically, that it shall be taken by the court, or if the committee thinks that the Secretary ought to take it, then my amendment ought to be adopted. I think we ought to remove the confusion that has arisen among the members of the committee.

Mr. CHINDBLOM. If there is no change made in the section as written, might it not give the circuit court of appeals author-

ity to appoint a commissioner to take the testimony?

Mr. WINGO. I suggested that the language is so broad that the court could designate anybody in the United States-the court could say to anyone, "We will appoint you the special master for the purpose of taking additional testimony." doubt if any court would do that, but the court might say that under this language.

What construction would the gentleman Mr. PURNELL. place on the last words in line 18, "with the return of such

additional evidence"?

Mr. WINGO. I interpret that and the language in that paragraph (f) from line 13 on, that it was the intention of the committee that the Secretary should do it, but the bill provides that the case may be reopened for the taking of such additional evidence "in such manner and upon such terms and conditions as the court may deem proper," and that gives the court absolute power over the agency which is to take the testimony, the time limit of the testimony, and all of that. It will be better to direct the court to call on the Secretary to reopen the case and take the additional testimony.

The CHAIRMAN. The time of the gentleman from Arkansas

has expired.

Mr. WINGO. Mr. Chairman, I think there were two minutes of the time that were not used, and I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LAYTON. Does not the gentleman think the whole matter is settled in the last words of line 16 on page 19, which provide that the Secretary may modify his findings as to the facts

by reason of the additional evidence so taken

Mr. WINGO. I get the gentleman's point, but let me show the gentleman why he is in error. Suppose the court should appoint the gentleman as a special master and he should take the testi-mony. The Secretary then, under this, could go ahead and say, "I have read over the testimony taken by the special master, and under the law I am given authority to modify my findings and recommendations." He could still do that. The object of my amendment is to make it beyond all question. I do not care where the amendment comes in, but I think the matter ought to be made clear, because there seems to be confusion among the members of the committee and among the Members of the House, I think we ought to say "by the Secretary"; in other words, that the case is to be reopened by the Secretary upon the order of the court and that the Secretary is to take such additional evidence as the court may direct him to take.

If the court is not clear along any particular point, then it can say to the Secretary, "You will reopen this case, take testimony along certain lines, and report to the court," so

that it may pass upon it.

Mr. BARBOUR. Is there any circumstance now under which the circuit court of appeals can take testimony or evidence?

Mr. WINGO. I do not recall any.

Mr. BARBOUR. I never heard of any. I have understood that the circuit court of appeals was strictly a court of review. Mr. WINGO. The gentleman is a good lawyer. Where does the circuit court of appeals get jurisdiction?

Mr. BARBOUR. From the Congress.

Mr. WINGO. Certainly; then Congress by this act could give them jurisdiction.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment offered by the gentleman from Arkansas.

Mr. HAUGEN. Mr. Chairman, I understand the amendment limits the taking of testimony to the Secretary. I think it

should at least be the Secretary or his authorized agent. take it the gentleman does not want to hamper proceedings and delay them. The very thing the gentleman contends for is provided for in the bill.

Mr. WINGO. That objection would go to the original hear-

ings, because they have to be by the Secretary.

The CHAIRMAN. All debate is exhausted. The question is on the amendment offered by the gentleman from Arkansas. The question was taken, and the amendment was rejected.

Mr. SANDERS of Indiana. I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Page 11, line 7, strike out the language "each day during which such failure continues shall be deemed a separate offense."

The question was taken, and the Chair announced that the noes appeared to have it.

On a division (demanded by Mr. CHINDBLOM) there wereayes 16, noes 49.

So the amendment was rejected.

Mr. COLLINS. Mr. Chairman, I have an amendment which I desire to offer.

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Page 8, line 2, after the word "conclusive," insert "shall take effect within 20 days and shall continue in force until changed, modified, or set aside by the court," and strike out the rest of the paragraph.

Mr. HAUGEN. Mr. Chairman, I make the point of order that the section has been passed.

The CHAIRMAN. The point of order is overruled.

Mr. CHINDBLOM. I ask that the amendment be again reported.

The amendment was again reported: Mr. HAUGEN. My understanding is that we have reached section 205, and the amendment is offered to section 204; if so, the amendment is out of order.

Mr. KINCHELOE. We have passed that section, and we are now on section 205.

Mr. HAUGEN. The amendment is to section 204, and we are now considering section 205.

Mr. ASWELL. The gentleman from Mississippi gave notice that he would offer the amendment, but he did not do so when we reached it.

The CHAIRMAN. That objection, of course, is good, and the point of order is sustained .

The Clerk read as follows:

TITLE III .- STOCKYARDS.

SEC. 301. When used in this act—

(a) The term "stockyard owner" means any person engaged in the business of conducting or operating a stockyard;

(b) The term "stockyard services" means services or facilities furnished at a stockyard in connection with the receiving, marketing, feeding, watering, holding, delivery, shipment, weighing, or handling, in commerce, of live stock;

(c) The term "market agency" means any person engaged in the business of (1) buying or selling in commerce live stock at a stockyard on a commission basis, or (2) furnishing stockyard services; and

(d) The term "dealer" means any person, not a market agency, engaged in the business of buying or selling in commerce live stock at a stockyard, either on his own account or as the employee or agent of the vendor or purchaser.

Mr. Chairman, Loffer the following amend-

Mr. HERRICK. Mr. Chairman, I offer the following amendment

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Amendment offered by Mr. Herrick: Page 11, after line 21, insert "Any person doing a commission business shall furnish his customer with an itemized list with all property sold upon his behalf, setting forth to whom sold, the price paid for each different lot, with the grade of each lot. This must be certified to by the purchaser or purchaser's agent.

Mr. HERRICK. Mr. Chairman and gentlemen of the committee, I am offering this amendment with this thought in view: Shippers should be enabled to check up on commission men. Now, I reside in Oklahoma and run a little ranch, and occasionally I have shipped a carload of cattle to Oklahoma City. I consigned them to English & Co. I got from English & Co. a little list of so many steers weighing so much, so many cows, so many heifers, so many veals, and so forth, sold to Wilson & Co. Well, this list gave me no insight whatever as to the prices these commission men should have received for each particu-I had one little experience: I had one lot of exceptionally fine steers, quoted on the market at 9 cents a pound. Now, the balance of that lot were what you would call heretics, or rather poor stock, and those were quoted at 6 cents a pound. When those returns came in those that I hardly expected anything for were quoted at 9 cents a pound and those that I had every reason to expect 9 cents a pound from these commission men claimed to have sold at 6 cents. Now, under my amendment the price actually paid would have been ascertained from

Wilson & Co. As it was, I was holding a big sack full of hot air. But what could I do? I had no recourse, and it occurs to me that if this amendment were adopted it would allow me and other shippers in the future to ascertain whether we are getting correct returns or not. That is all I care to say. [Applause.]
Mr. HAUGEN. Mr. Chairman, the bill, I think, clearly pro-

vides for the very thing suggested by the gentleman from Oklahoma. The schedule shall be filed with the Secretary, he is authorized to prescribe what the schedules should be, and he has a right to suspend schedules. If he finds it necessary to do the thing suggested, it can be done under the provisions of the bill.

Mr. HERRICK. I would like to have a vote on it, anyway. Mr. YOUNG. Mr. Chairman, I did not have time to prepare a minority report on the Longworth ad interim resolution, but I have since prepared a brief statement which I would like to have printed in the RECORD, and I ask that permission.

The CHAIRMAN. The gentleman from North Dakota asks unanimous consent to insert in the RECORD a certain statement which he has prepared regarding the ad interim resolution on

the tariff. Is there objection?

Mr. BLACK. Reserving the right to object, when was that resolution reported to the calendar?

Mr. YOUNG. I would say something like six or eight days

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The following is the statement referred to:

To the Republican conference of House Members:

The following is the statement referred to:

To the Republican conference of House Members:

As I did not file a minority report in respect to the Longworth ad interim bill, permit me to give in brief some of the reasons which caused me to disagree with my colleagues of the Ways and Means Committee, all of whom are held by me in high esteem.

What is the Longworth resolution? It proposes in order to safeguard the public revenue to at once place in operation all rates of duty and such other provisions as shall be mentioned in the emergency clause of the permanent tariff bill now being prepared the day after it shall have been reported to the House, and without waiting for its approval by the House or the Senate or the President.

My belief is that the Republican conference should not support the Longworth resolution without giving careful thought to several phases of the question, among them the following:

First, it passed, will it have the force of law? The decisions of the United States Supreme Court are a unit upon the proposition that the Congress can not delegate legislative authority. Is the preparation of a tariff bill containing hundreds of items of customs duties, together with other provisions in respect thereto, a legislative function or an administrative function? The question should be easy to answer, but if anyone has difficulty with it the whole subject will be found illuminated by the decision of the United States Supreme Court in the case of Field against Clark, 143 United States Supreme Court in the case of Field against Clark, 143 United States Supreme Court in the case of Field against clark, and the subject will be found illuminated by the decision of the United States Supreme Court in the case of Field against clark, and the subject will be found illuminated by the decision of the United States Supreme Court in the case of Field against clark, and the subject will be found illuminated by the decision of the United States Supreme Court in the case of Field against clark, and the subject win

only economic considerations but possible complications with foreign countries?

Fifth, the statement that Great Britain, her colonies, and France have done what is now proposed here should be taken with a grain of salt. In these countries what is called "the Government" is given power to make duties when reported to the legislative body immediately effective, but it should be remembered that these countries have what is called a directly responsible ministry or government, which can hold office only at the pleasure of the popularly elected branch of the legislature, and can be voted out of office promptly if they report customs rates or provisions which are unsatisfactory; also that their so-called government or ministry is charged with the executive function and responsibility, whereas cur Ways and Means Committee has no executive responsibility. It should also be remembered that the Senate of Canada is not elected, nor are the members of the British House of Lords, and those bodies have been practically stripped of all power over fiscal legislation.

If the members of the Republican conference desire to place the rates of the general tariff bill in force in advance of the time when the bill shall be finally passed, it can be done by the passage of a joint resolution introduced at the same time. True, it might require some time to do this, but should we accept instead the proposal to blindfold all Senators and Representatives who do not happen to belong to the Ways and Means Committee?

Yours, respectfully,

George M. Young,

GEORGE M. YOUNG, Representative Second District, North Dakota.

WASHINGTON, D. C., May 31, 1921.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. HERRICK].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. HERRICK. Mr. Chairman, I ask for a division.

The committee divided; and there were-ayes 6, noes 23.

So the amendment was rejected. The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 302. (a) When used in this title the term "stockyard" means any place, establishment, or facility commonly known as stockyards, conducted or operated for compensation or profit as a public market, consisting of pens, or other inclosures, and their apurtenances, in which live cattle, sheep, swine, horses, mules, or goats are received, held, or kept for sale or shipment in commerce. This title shall not apply to a stockyard of which the area normally available for handling live stock, exclusive of runs, alleys, or passageways, is less than 20,000 square feet.

(b) The Secretary shall from the stock of the stock of the secretary shall from the stock of the secretary shall from the stock of the secretary shall from the stock of the stock of the secretary shall from the stock of the secretary shall from the stock of the secretary shall from the stock of the stock

square feet.

(b) The Secretary shall from time to time ascertain, after such inquiry as he deems necessary, the stockyards which come within the foregoing definition, and shall give notice thereof to the stockyard owners concerned, and give public notice thereof by posting copies of such notice in the stockyard, and in such other manner as he may determine. After the giving of such notice to the stockyard owner and to the public, the stockyard shall remain subject to the provisions of this title until like notice is given by the Secretary that such stockyard no longer comes within the foregoing definition.

Mr. PURNELL. Mr. Chairman, I ask unanimous consent to

correct the spelling of the word "appurtenances," in line 7.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. PURNELL; Page 12, line 7, correct the spelling of the word "appurtenances."

The question was taken, and the amendment was agreed to. The Clerk read as follows:

The Clerk read as follows:

SEC. 311. Whenever, in any investigation under the provisions of this title or in any investigation instituted by petition of the stockyard owner or market agency concerned, which petition is hereby authorized to be filed, the Secretary, after full hearing, finds that any rate, charge, regulation, or practice of any stockyard owner or market agency, for or in connection with the receiving, marketing, feeding, holding, delivery, shipment, weighing, or handling, not in commerce, of live stock causes any undue or unreasonable advantage, prejudice, or preference as between persons or localities in intrastate commerce in live stock on the one hand and interstate or foreign commerce in live stock on the other hand, or any undue, unjust, or unreasonable discrimination against interstate or foreign commerce in live stock on the other hand, or any undue, unjust, or unreasonable discrimination against interstate or foreign commerce in live stock, which is kereby forbidden and declared to be unlawful, the Secretary shall prescribe the rate, charge, regulation, or practice thereafter to be observed, in such manner as, in his judgment, will remove such advantage, preference, or discrimination. Such rates, charges, regulations, or practices shall be observed while in effect by the stockyard owners or market agencies parties to such proceeding affected thereby, the law of any State or the decision or order of any State authority to the contrary notwithstanding.

Mr. PARRISH, Mr. HUDSPETH, and Mr. SANDERS of

Mr. PARRISH, Mr. HUDSPETH, and Mr. SANDERS of Indiana rose

Mr. HUDSPETH. Mr. Chairman, I offer an amendment to strike out the paragraph.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HUDSPETH: Page 22, line 1, strike out

Mr. PARRISH. Mr. Chairman, I wish to offer a perfecting amendment

The CHAIRMAN. The gentleman from Texas [Mr. Parrish] offers a perfecting amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. Parrish: Page 22, line 19, after the word "crimination," strike out the period and the balance of the paragraph and insert in lieu thereof a colon and the following: "Provided, however, That full faith and credit shall be given all rates, laws, or regulations made by any State or its agencies or under its authority, and the orders and findings of the Secretary shall have the effect only of authorizing the Secretary or other interested party to institute suit in the proper court for the annulment of any such State rates, laws, or regulations under the general law."

Mr. PARRISH. Mr. Chairman and gentlemen of the committee, I am in favor of some legislation that will control the packers and protect the people from the many abuses they have undoubtedly suffered in the past at the hands of those engaged in the packing industry, and while this bill is not what I desire and contains a number of objectionable features, yet I shall vote for it. Before I do this, however, I shall make a most earnest effort to get the House to eliminate at least one of the most objectionable features. The amendment I have offered will remove this objection, and it strikes from the bill the following, appearing on page 52, beginning with line 19:

Such rates, charges, regulations, or practices shall be observed while in effect by the stockyard owners or market agencies parties to such proceeding affected thereby, the law of any State or the decision or order of any State authority to the contrary notwithstanding.

And inserts in lieu thereof the following proviso:

Provided, however, That full faith and credit shall be given all rates, laws, or regulations made by any State or its agencies or at its authority, and the orders and findings of the Secretary shall have the effect only of authorizing the Secretary or other interested party to institute suit in the proper court for the annulment of any such State rates, laws, or regulations under the general law.

The purpose of this amendment is to give full faith and credit to the rates, laws, and regulations of the several States on matters arising wholly within the State. It would not nullify the provisions of the bill in so far as it relates to interstate matters and when there arises a conflict between the orders made by the Secretary touching interstate rates, rules, and regulations on the one hand, and the rates, rules, and regulations made by any State or its agency on the other hand, then the amendment I offer would allow the Secretary of Agriculture or other interested party to go into the proper court and there have judicially determined the question as to which authority would control-that is, whether the matter at issue is an interstate question or whether it related wholly to the State.

This is a fair and just amendment and would save to the several States and their agencies the power and authority to deal with problems arising wholly within the States. The tendency of late is too much toward depriving the States and The their agencies of jurisdiction to function over local matters and to centralize in bureaus and commissions in Washington, in some instances 2,000 miles away from the people involved, full and complete authority. I am absolutely opposed to this tendency of centralizing authority in Washington and robbing the agencies of our States of power and authority to deal with purely State questions, and I sincerely trust that my amendment will be adopted and this objectionable feature will be eliminated from the bill.

I offered practically the same amendment that I am now offering to this bill to the transportation act when it was before Congress in November, 1919, and if my amendment had been adopted to the transportation act at that time we would not have seen the railroad commissions of 42 States of the Union going into court asking the courts of the country to return to them their power and jurisdiction over intrastate rates.

I believe in the preservation of the rights of the States, and I am strongly opposed to the tendency of centralizing so much power in the Interstate Commerce Commission at Washington. Such a tendency is fraught with many dangers, is inimical to the best interests of a truly democratic Government, and takes from the people the power to administer their own affairs in

matters that are of a local nature.

If my amendment fails, I shall vote for a motion to recommit the bill eliminating this objectionable feature; and if we fail to eliminate it, then I shall nevertheless vote for the bill, because of the need, as I view it, for packer legislation at this It is seldom that we find a bill to which there are not some objections, and the best we can do is to weigh those things in favor of the bill against the objections and vote for what we believe on the whole to be best for the people whom we represent.

Mr. Chairman, I sincerely trust that my amendment will be adopted, and this very objectionable feature will be eliminated

from the bill.

Mr. TINCHER. Mr. Chairman, I did not charge anyone with not understanding, but some people do not want to understand. When a man says he favors a law to regulate the stockyards of this country, he does not necessarily mean that he thinks that that law must go to the extent of saying who shall own That is the only difference that I know of bethe stockyards. tween the gentleman from Texas [Mr. HUDSPETH] and myself. The gentleman will come to that conclusion if he will examine the remarks I made. I never said that I thought it was necessary for the packers not to own them, and in response to that consent decree they have been unable to find some one else to own them. They are so much a part of the commerce of this country that, independent of who has the title to them, I have contended for years that they must be regulated, and I have never said anything in my life contrary to that proposition.

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield?

Mr. TINCHER. Certainly.

Mr. HUDSPETH. I want to ask the gentleman if he can regulate a piece of property that is owned, as we contend, by the packers, without divorcing it from them?

Mr. TINCHER. We regulate the railroads through the Interstate Commerce Commission, and if in the interstate commerce laws it is anywhere provided as to who shall own the stock in them, then I will agree that the gentleman is right.

Mr. HUDSPETH. Is the gentleman in favor of allowing them to control these stockyards and buy and sell to themselves? Is not the difference between "the gentleman from Kansas" and "the gentleman from Texas" this, that if this decree had been entered at the instance of the present able Attorney General, Mr. Daugherty, the gentleman would be

satisfied with it?

Mr. TINCHER. Absolutely not at all. I served as a member of this committee for two years when we were trying to report out a bill. Probably the thing that made me mention the decree was this, that the Attorney General said to the committee, "I have a decree that will correct the evils," and it did not correct them; and we are now passing a law to do the thing that Attorney General Palmer said the decree would do, and that was to cure the evils that no Member of this House criticizes more severely than does the gentleman from Texas. said that as a preliminary to a statement in favor of this bill, and I repeat that there is not a Member of this Congress who is willing to take the decree as the law, as the Attorney General in the last administration asked the Committee on Agriculture to do in the last session of Congress; but on the other hand we will be practically unanimous in our vote to pass the law just as some of us tried to do in the last session of Congress.

Now, as to the amendment, perhaps I am not as good a partisan as my friend. In some things I am for State rights, and there are some things that I think the National Government ought to handle. As far as the dear old State of Texas is concerned, I do not know that I have any particular objection to your commission down there running your stockyards. But I have another neighbor, and that is the great State of Illinois, and I do not want the Illinois commission to run the Chicago stockyards. They are too big. I want the Secretary of Agriculture to run them. While they are located in the State of Illinois they affect every man, woman, and child in this country, because they handle a sufficient amount of the live-stock commerce in the Illinois stockyards so that it is no longer a State affair but a National affair, and I do not believe the State of Illinois has ever attempted by law to cure the evils that we are now attempting to cure by this bill. I do not know what law you have in Texas. I know Kansas has passed a law, and we have a commission, and that commission has been striving to regulate the stockyards, but they beat us to it there, because they have enough of their stockyards in the State of Missouri so that we can not regulate them.

Mr. HUDSPETH. We have a law in Texas fixing intrastate rates, and railroad rates in Texas were much lower when the State Railroad Commission of Texas fixed them than they have been since they have been fixed by the Interstate Commerce

Commission.

Mr. TINCHER. Well, I am not responsible for that, and I do not think the gentleman ought to blame us.

Mr. HUDSPETH. No; I do not.

Mr. TINCHER. And I do not think we ought to adopt a constitutional amendment because some of us are in favor of State

Mr. JONES of Texas. Mr. Chairman, I dislike to ask for an amendment of a bill that has been reported out by my committee, for which I expect to vote. I would not do so if it were an ordinary amendment, but I shall support the amendment of my colleague from Texas [Mr. Hudspeth]. Indeed, I have offered a similar amendment myself, which is now pending, because I believe that this section violates a principle of government that is as fundamental in political life as the Ten Commandments are in religious life, and that this bill goes just as far as it should be permitted to go in its first definition of commerce, on page 2, in which it takes control of a transaction that is wholly within the State if the cattle are later to be shipped to another State. That will enable the Secretary of Agriculture, through the powers conferred by this bill, to control any transaction that has a tinge of interstate commerce as one of its features. With that power given under the definition of commerce, which goes just as far as the Constitution of the United States will permit it to go, if not further, I do not believe it wise to have any part of section 311 in this bill, and I believe it will be just as good a bill and better with the amendment of my colleague adopted.

For instance, there may be a little stockyard in the State of Texas or in some other State that has to comply with the regulation of the State commission, and can go down to the State commission and present its facts or its position in hearings in that locality, and thus live and operate for the benefit of the people of that section without in any way interfering with the people of other sections; but if you require it to come 2,000 miles to the National Capital, its business will not be of such proportions as to enable it to come and make its position clear. After your definition of commerce in the first part of this bill, I do not see any reason for saying that all these intrastate matters shall be regulated by the Secretary of Agriculture.

Mr. ASWELL. Will the gentleman yield?
Mr. JONES of Texas. Yes.
Mr. ASWELL. What effect does the gentleman believe that amendment would have on the Chicago stockyards?

Mr. JONES of Texas. I do not think it would have any. Perhaps the amendment offered by my colleague [Mr. Parrish] might have some effect in this, that if the State of Illinois had undertaken to go further than regulate its own commerce, and had attempted to regulate some interstate commerce, his amendment might permit that regulation to remain in force. But if you strike out this paragraph altogether, then if any acts of the local stockyard affect interstate commerce, if it is engaged in the handling of cattle to go into interstate commerce, this bill will cover it, and that is all you have a right to do under the Constitution of the United States.

Mr. BANKHEAD. Will the gentleman yield for a question?

Mr. JONES of Texas. Yes.

Mr. BANKHEAD. Does the gentleman construe this section as absolutely stripping the State authorities of all right to regulate their intrastate business?

Mr. JONES of Texas. I think it does, if the Secretary of Agriculture is disposed to take charge of the situation; at least

he can go very far toward doing so.

Mr. BANKHEAD. Was that the contemplation of the com-

mittee in favorably reporting the bill?

Mr. JONES of Texas. The members of the committee who defended this provision took the position that this did not change the control of State stockyards by the State; but I claim that by the definition, on page 2, you give authority to the Secretary of Agriculture on all matters that affect or pertain to interstate commerce, and that therefore there is no use for this section of the bill.

The CHAIRMAN. The question is on the amendment offered

by the gentleman from Texas [Mr. PARRISH].

Mr. CLAGUE. Mr. Chairman, I offer a substitute for the amendment of the gentleman from Texas [Mr. PARRISH].

The Clerk read as follows:

Mr. CLAGUE offers to amend section 311 by striking out all of said ction 311, after the word "thereby," in line 22, insert a period, and adding the following substitute to the amendment offered by Mr.

PARRISH:

"The provisions of Title III herein shall not apply to any stockyard owner or market agency furnishing stockyard services at a stockyard in a State which now has or may hereafter establish an agency authorized and empowered to regulate stockyard services or the rates or charges made therefor or the regulations and practices in respect to furnishing stockyard services to be established, observed, or enforced by a stockyard owner in such stockyard; nor shall the provisions of Title III herein apply to any stockyard owner, market agency, or dealer in a stockyard in a State which has or may hereafter establish an agency authorized and empowered to regulate the practices or devices used or employed by such stockyard owner, market agency, or dealer in such stockyard: Provided, That this section shall not be held to limit the application of Title III herein to any stockyard owner, market agency, or dealer in respect to any matter of regulation not within the authority of such agency."

Mr. CLAGUE. Mr. Chairman and gentlemen of the committee, I fully agree with the gentleman from Texas that the State should preserve some of the rights that they are entitled to. In the State of Minnesota the right to regulate stockyards is given to the railroad and warehouse commission. South St. Paul, Minn., has the fourth largest stockyard in the United States and the fourth largest in the world. In 1920 there were States and the fourth largest in the works over 4,000,000 head of stock handled at that yard. Prior to the total management of the state regulation whatever. The conditions there were intolerable, but the legislature in 1919 put in State regulations and the whole powers were given to the railroad and warehouse commissioners, and to-day the farmers of the State are wonderfully pleased with the service that we are re-We have over 600 cooperative associations, and these cooperative associations represent in a way nearly 300,000 farmers. These men are unanimous in leaving the regulation of our stockyards where they are to-day, and for this reason: That if a man goes to a stockyard with a carload of stock and has some trouble, the farmer at once goes before the commission or the man in charge and these conditions are remedied and the man goes home satisfied. But you bring these regula-tions to Washington and we will then have the same conditions that we have in the grain grades. The farmers of Minnesota and North Dakota and Montana prior to a few years ago wanted Federal regulation of grain grades. What has been the result? The result is that it has lost millions of dollars to our farmers. I do not mean to say that the Secretary of Agriculture would not be fair. He would, but he is too far away to give prompt and efficient service.

Now, in Minnesota our stock is weighed by State weighers and conditions of the stockyards are looked after by people living there, under State supervision. If you have trouble, you do not have to come clear to Washington to get relief. I do not care particularly whether you vote for my substitute or the amendment of the gentleman from Texas. My contention is that the State should have some rights in regulating the stockyards

where they properly do it. My amendment preserves the bill intact, for if it is not regulated by the States the bill properly protects it by Federal regulation. This bill, in my opinion, is a splendid bill and should be adopted largely, but each State should have the right to regulate the stockyards within its own boundary where it can be properly and well done. [Applause.]

Mr. PURNELL. Will the gentleman yield? Mr. CLAGUE. Yes.

Mr. PURNELL. I could not carry in my mind the language of the gentleman's substitute, but it occurs to me that if the substitute is adopted any State might possibly thwart the purpose of the bill by bogus legislation.

Mr. CLAGUE. I do not think so; there is a provision in my

amendment that no phony regulation goes whatever.

Mr. PURNELL. But who is to determine whether the specific legislation is phony or real?

Mr. CLAGUE. I think the people of the State would determine that.

Mr. KINCHELOE. Will the gentleman yield?

Yes. Mr. CLAGUE.

Mr. KINCHELOE. Along that same line, suppose the Legislature of Illinois should pass some kind of a bill-what has been called a phony bill-for the purpose of regulating the stockyards but which did not regulate. Then, any provision that the Secretary of Agriculture might make in reference to the stockyards which was in conflict with the laws of the State would be nullified.

Mr. CLAGUE. I doubt that. Mr. PARRISH. My amendment would take care of that. Under my amendment the Secretary of Agriculture would have the authority to go into court and enforce his decree.

The CHAIRMAN. The point of order by the gentleman from Indiana is overruled. The question is on the substitute offered by the gentleman from Minnesota.

The question was taken, and the substitute was rejected.

The CHAIRMAN. The question now is on the perfecting amendment by the gentleman from Texas [Mr. PARRISH]

The question was taken; and on a division (demanded by Mr. PARRISH) there were 35 ayes and 56 noes.

So the amendment was rejected.

The CHAIRMAN. The question now recurs upon the amendment offered by the gentleman from Texas [Mr. Hudspeth] to strike out the section.

The question was taken; and on a division (demanded by Mr. Hudspeth) there were 36 ayes and 62 noes.

So the amendment was rejected.

The Clerk read as follows:

SEC. 313. Except as otherwise provided in this act, all orders of the Secretary under this title, other than orders for the payment of money, shall take effect within such reasonable time, not less than five days, as is prescribed in the order, and shall continue in force until his further order, or for a specified period of time, according as is prescribed in the order, unless such order is suspended or modified or set aside by the Secretary or is suspended or set aside by a court of competent jurisdiction. petent jurisdiction.

Mr. BLANTON. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. Blanton: Page 23, line 14, after the word "money," strike out the following language, to wit, "shall take effect within such reasonable time."

Mr. BLANTON. Mr. Chairman, that provision, "shall take effect within such reasonable time," ought to apply to every desired piece of legislation, but by reason of our experience in the last Congress and in this Congress I have come to the conclusion that it is futile for us or for the people to expect that desired legislation shall take effect within a reasonable time. I note that this bill which we are to pass now in a very few moments is numbered 6320. In other words, during the short time that this Congress had been in session up to the date this bill was introduced, which was May 18, 1921, we had introduced 6,320 proposed measures. I want to congratulate the chairman of this committee, which is not the largest committee in the House, although it is a large one-for since the appropriating power has been taken away from it it is not as large a committee as it used to be—upon the fact that he has had sufficient power, although the bill was introduced only on May 18, to get it up and pass it before the end of the month of May, because he will pass it this evening. I notice that the chairman of a larger committee, the largest committee in Congress, the distinguished gentleman from Michigan [Mr. FORDNEY], on the very opening day of this Congress introduced a measure which was so very important in his mind that he caused it to be numbered House bill No. 1, which is a bill to properly adjust the compensation of the veterans of the World War, but that bill has been lying idle, so far as the Congress knows, since

we met. All these other thousands of bills apparently come in ahead of it. I want to know why it is that the greatest chairman of the greatest committee of the greatest Congress of the greatest Nation in the world can not get that bill up and pass it? So far as the rest of us know, he has not even made a report on it.

Mr. SANDERS of Indiana. Mr. Chairman, will the gentle-

man yield?

Mr. BLANTON. Yes; if the gentleman can answer the ques-

Mr. SANDERS of Indiana. I can. The subject matter of that bill and other kindred bills has all been combined in a bill which was reported last week from the Committee on Interstate and Foreign Commerce, which embraces the entire sub-ject matter of amendments to the war risk insurance act and the combining of the Bureau of War Risk Insurance and the Board for Vocational Education and the Health Service in so far as they apply to soldiers. The bill has been reported favorably.

Mr. BLANTON. Mr. Chairman, the gentleman is very ingenious. He is able, and he is doing the best he can for his He is strenuously trying to defend his party and I do not blame him. I probably would be doing the same thing if I were in his place, but his long-winded, attempted explanation does not answer. He could have found the answer in the one word that preceded the language which I have moved to strike out. What is the word? Look at the bill and you will see that my amendment follows the word "money." It is money that has kept this bill from passing, it is the money that you would have to take out of the pockets of the war profiteers to pay the adjusted compensation to the veterans of the World War, that has stopped the passage of this Fordney That is what has kept that bill from passing. Are you not willing to take it-the necessary money from the war profiteers? I am; I do not care how far down into their pockets it digs. It should come from the war lords who profited by the war. I am willing to take it, because it is a just debt we owe to the soldier boys, who brought victory home from France for that flag which has never yet suffered defeat. What is keeping you from taking the money? It is the fear of some rich constituents at home. We are willing to call our soldier boys out when an emergency arises. We force them from their business and their families to go to the trenches, and when they come back with a victory, we forget them. This bill has been pending all of last Congress and all of this and has not become a law yet. It is the fault of this Congress.

The CHAIRMAN. The time of the gentleman from Texas has expired. The question is on the amendment offered by the

gentleman from Texas.

Mr. BLANTON. Oh, Mr. Chairman, that was a pro forma amendment, and I offered it to be able to make some remarks. withdraw the pro forma amendment,

The CHAIRMAN. The pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows: Sec. 314. (a) Any stockyard owner, market agency, or dealer who knowingly fails to obey any order made under the provisions of section 310, 311, or 312 shall forfeit to the United States the sum of \$500 for each offense. Each distinct violation shall be a separate offense, and in case of a continuing violation each day shall be deemed a separate offense. Such forfeiture shall be recoverable in a civil suit in the name of the United States.

(b) It shall be the duty of the various district attorneys, under the direction of the Attorney General, to prosecute for the recovery of forfeitures. The costs and expense of such prosecution shall be paid out of the appropriation for the expenses of the courts of the United States.

Mr. HERRICK. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. Herrick: Page 23, line 22, strike out the word "knowingly."

Mr. HERRICK. Mr. Chairman and gentlemen, there is not much to be said upon this amendment, but it occurs to me that it is an awfully foolish word to put into an important piece of legislation like this, because it is a well-known fact that any big commercial enterprise has highly paid attorneys to advise it what the law is. They do not pretend to try to keep up with the law themselves, but they pay out their good money for that service. If they do not get the service it is not the fault of this Congress: it is their own fault in selecting their attorney. Therefore it is highly unnecessary for us to worry about whether they know what the law is. The thing for us to do is to make the law and let them hire their attorney to tell them what the law is. [Applause.]

Mr. CHINDBLOM. Mr. Chairman, will the gentleman yield?

Mr. HERRICK. Yes. Mr. CHINDBLOM. The gentleman understands that this law does not relate only to the stockyards of Chicago, but it might relate to a small stockyard in Oklahoma.

Mr. HERRICK. Oh, I realize that; but there are a few local attorneys there, too, and they would be very glad to get a small

fee. [Laughter.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma.

The amendment was rejected. The Clerk read as follows:

The Clerk read as follows:

Sec. 405. Nothing contained in this act, except as otherwise provided herein, shall be construed—

(a) To prevent or interfere with the enforcement of or the procedure under the provisions of the act entitled "An act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890, the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, the interstate commerce act as amended, the act entitled "An act to promote export trade, and for other purposes," approved April 10, 1918, or sections 73 to 77, inclusive, of the act of August 27, 1894, entitled "An act to reduce taxation, to provide revenue for the Government, and for other purposes," as amended by the act entitled "An act to amend sections 73 and 76 of the act of August 27, 1894, entitled 'An act to reduce taxation, to provide revenue for the Government, and for other purposes,' approved February 12, 1913," or (b) To alter, modify, or repeal such acts or any part or parts thereof, or

(c) To prevent or interfere with any investigation, proceeding, or prosecution begun and pending at the time this act becomes effective.

(c) To prevent or interfere with any investigation, proceeding, or prosecution begun and pending at the time this act becomes effective.

Mr. WINGO, Mr. Chairman, I move to strike out the last word. In section 202 of the bill we undertake to say what is unlawful. The section that has just been read provides that nothing contained in the act, except as otherwise provided therein, shall be construed to prevent or interfere with the enforcement of or the procedure under certain acts, including the antitrust acts. Does the committee take the position that this act is cumulative, and even after it is passed that a packer might be prosecuted under the Sherman Antitrust Act?

Mr. HAUGEN. It does. Mr. WINGO. What about the Clayton Act? Does the committee intend to make this cover the law so far as the packers are concerned, punishing them for engaging in any unfair, unjust, discriminatory, or deceptive practice, or in combinations that are in restraint of trade or commerce? Is it intended that this act is the one under which they shall be prosecuted, or that the Government has a choice, through the Attorney Gen-eral, of having them indicted under the Sherman antitrust law, or of having the Secretary of Agriculture proceed under this act? Which is intended?

Mr. HAUGEN. Our idea is that they will be prosecuted under this act, but there is nothing to hinder their being prosecuted under any other act for anything made unlawful in other

acts.

Mr. WINGO. I am not complaining; I simply wanted to get it clear. If this bill becomes a law, the packers will be indicted in the district court of the United States, and at the same time the Secretary of Agriculture might go ahead and start proceedings and hearings. Is that contemplated?

Mr. HAUGEN. That might be done, but we must expect

cooperation between the departments.

Mr. WINGO. I am talking about the legal possibilities now. Mr. HAUGEN. They can be prosecuted under the act. Mr. WINGO. This act undertakes to make unlawful some

things made unlawful by present existing law, does it not?

Mr. HAUGEN. It does.

Mr. WINGO. Does the gentleman take the position—I am trying to find out—that this would not repeal, that when you undertake to cover the same act and make it unlawful it is not intended thereby for the courts to take up that subject and repeal by implication existing law?

Mr. HAUGEN. Whatever the Secretary finds to be an un-

lawful act

Mr. WINGO. No; this is what you do, and I am not com-plaining about it. Of course, you can not obligate the Secretary of Agriculture

But the Secretary of Agriculture determines Mr. HAUGEN.

what is unlawful.

Mr. WINGO. No; you do not do that. You start out with the general proposition, declaring in a general way what is un-Then, in order to meet the decision of the Supreme Court in the Lever case, I presume you provide that where the packer indulges in certain practices, then the question of whether or not it comes within the inhibition of the law is one that is tried. You have a hearing. The packer is heard and it is finally determined, and he does not like the decision of the Secretary, and he appeals to the court. The court determines it.

Then, thereafter he can be prosecuted for a violation of the order, because he has violated that which in a judicial proceeding has been determined to be an act that belongs to that class that Congress has made unlawful.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WINGO. I ask for five minutes additional.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. HAUGEN. The Secretary would ascertain and deter-

mine, of course, subject to the review of the court.

Mr. WINGO. But here is the point I am trying to get at, and it has bothered several of the lawyers in the House. undertake to take up certain things and say they are unlawful, because they are unlawful under the terms of this bill. In other words, Congress has already covered the question. Now, your familiar rule of interpretation comes in that the courts frequently adopt where Congress undertakes to cover a matter whereby it by implication repeals a law covering that matter. Now, did the committee decide that there was anything in this act to repeal any of the existing antitrust laws? Was it the judgment of the committee that they repealed any at all?

Mr. WOOD of Indiana. If there was a direct conflict be-tween the statutes the last statute would repeal the former, but if there was not a conflict the various statutes would be con-

strued together.

Mr. WINGO. They would both be construed together, and where a reasonable decision could be based that would give the right to both acts they would both stand. What is the law with reference to the packers when you get through with this bill? Can they be indicted under the present existing law, because you say it is not intended to repeal the antitrust law? Are you simply making confusion worse confounded? Are you undertaking to clarify the question of regulation and restraint of the packers? That is the question that ought to appeal to you if you do not do it. Does this law run parallel, and in some instances it is identical with the statutes upon the statute books; but, instead of leaving it to the courts to enforce the act, you say that the man shall not be prosecuted for it until the Secretary has taken evidence and finds that he has committed some act that he has made an order against, and then thereafter you are not going to punish him for the act but you are going to punish him because he violates an order. In other words, you are going to have a criminal law for which he can be prosecuted, and then another law for which you are penalizing him if he violates an order inhibiting him from doing something that is unlawful under the antitrust laws. In other words, you are going to have a double-barreled proceeding. I have great deference for the gentleman's legal learning, and therefore I am asking him the question,

Mr. HAUGEN. Not at all; I am not a lawyer. Mr. WINGO. I thought the gentleman wrote the bill and was a lawyer.

Mr. HAUGEN. We had very able legal assistance.

Mr. WINGO. I am sure of it. I want to be complimentary to the gentleman.

Mr. HAUGEN. But it does not take a lawyer to construe this bill as far as that goes.

Mr. WINGO. Mr. Chairman, I must decline to yield-Mr. HAUGEN. Is it possible——

Mr. WINGO. Because the gentleman is getting into too deep water in discussing an academic question. This bill raises these legal questions, and you never can tell what this bill does until you have tried it.

Mr. HAUGEN. The gentleman is a lawyer?

Mr. WINGO. I am. Mr. HAUGEN. The violation of the Sherman Act is one thing and the violation of the Secretary's order under this would be another thing. They can be punished for violating an order of the Secretary or punished for violating the anti-trust act or any other law. What this bill provides for is simply setting up the machinery to see that they obey the law; if not, that they will be prosecuted.

Mr. WINGO. You are setting up machinery to see that the

courts do their duty?

The gentleman says you are going to make another crime; that is, violating an order. I do not think the gentleman's bill does that, although that criticism would lie. I covered that But you would fall into the very error which you are afraid of, by saying you are going to create another crime by violating an order and not doing all the unlawful things on which the order was predicated. That is, to restrain them from doing the unlawful thing?

The CHAIRMAN. The time of the gentleman has again

expired.

Mr. WINGO. I just asked for information, and I got it.

The Clerk concluded the reading of the bill.

Mr. HAUGEN. Mr. Chairman, I move that the committee do now rise and report the bill to the House with an amendment, with the recommendation that the amendment be agreed to and the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. Towner, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 6320, had instructed him to report the same to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. HAUGEN. Mr. Speaker, I move the previous question

on the bill and amendment to final passage.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. BLANTON. Mr. Speaker, I demand the reading of the engrossed copy.

The SPEAKER. The gentleman demands the reading of the engrossed copy. Of course, the engrossed copy is not here.

## LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. Wurzbach, for one week, on account of business.

To Mr. Crowther, for five days, on account of important business.

To Mr. Leatherwood, for two days, May 31 and June 1, on account of important business.

#### LEAVE TO EXTEND REMARKS.

Mr. HUDSPETH. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on this bill.

The SPEAKER. The gentleman asks unanimous consent to revise and extend his remarks on the bill. Is there objection?

Mr. COLLINS. I make the same request, Mr. Speaker.

The SPEAKER. The gentleman from Mississippi makes the same request. Is there objection to the requests? [After a pause.] The Chair hears none.

Miss ROBERTSON. Mr. Speaker, I have shown great forbearance in not talking on this bill. Therefore I ask unanimous

consent to extend my remarks in the RECORD.

The SPEAKER. The lady from Oklahoma asks unanimous consent to extend her remarks in the Record. Is there objection? [After a pause.] The Chair hears none.

## ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 1084. An act to provide a national budget system and an independent national audit of Government accounts, and for other purposes.

# UNFINISHED BUSINESS.

Mr. KINCHELOE. Mr. Speaker, when will this bill come as unfinished business? The first thing in the morning after disposition of the Journal?

The SPEAKER. It will go over until Thursday.

Mr. KINCHELOE. Will it then come as the first thing? The SPEAKER. Yes. The previous question is ordered.

# ADJOURNMENT.

Mr. HAUGEN. Mr. Speaker, I move that the House do now

The motion was agreed to; accordingly (at 4 o'clock and 6 minutes p. m.) the House adjourned until Wednesday, June 1, 1921, at 12 o'clock noon.

# EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

147. A letter from the Secretary of War transmitting letter from the Chief of Engineers, United States Army, together with report of Maj. Frederick B. Downing, Corps of Engineers, on a preliminary examination of San Luis Obispo Harbor, Calif.; to the Committee on Rivers and Harbors.

148. A letter from the Secretary of War transmitting a letter amendment, accompanied by a report (No. 120), we from the Chief of Engineers, United States Army, together with and report were referred to the Private Calendar.

report of Col. Herbert Deakyne, Corps of Engineers, on a preliminary examination of Klamath River, Calif.; to the Committee on Rivers and Harbors,

# REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. GRAHAM of Illinois, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 6567) to amend section 407 of the transportation act of 1920, reported the same with an amendment, accompanied by a report (No. 109), which said bill and report were referred to the House Calendar.

Mr. BRITTEN, from the Committee on Naval Affairs, to which was referred the bill (H. R. 6678) for the relief of contractors and subcontractors, including material men, for work under the Navy Department, and for other purposes, reported the same without amendment, accompanied by a report (No. 110), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

# REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. UNDERHILL, from the Committee on Claims, to which was referred the bill (H. R. 4620) for the relief of Th. Brovig, reported the same with an amendment, accompanied by a report (No. 111), which said bill and report were referred to the Private Calendar.

Mr. GLYNN, from the Committee on Claims, to which was referred the bill (H. R. 2003) for the relief of Hubert Reynolds, reported the same without amendment, accompanied by a report (No. 112), which said bill and report were referred to the Private Calendar.

Mr. ROSE, from the Committee on Claims, to which was referred the bill (H. R. 1362) for the relief of M. Fine & Sons, reported the same without amendment, accompanied by a report (No. 113), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 5923) for the relief of the Rolph Navigation & Coal Co., reported the same without amendment, accompanied by a report (No. 114), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 5382) for the relief of the Fidelity & Deposit Co. of Maryland, Baltimore, Md., reported the same without amendment, accompanied by a report (No. 115), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 6622) for the relief of Gaetano Davide Olivari fu Fortunato, reported the same without amendment, accompanied by a report (No. 116), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 2144) for the relief of the owners of the schooner Charlotte W. Miller, reported the same without amendment, accompanied by a report (No. 117), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (H. R. 5126) conferring jurisdiction upon the United States District Court for the Eastern District of South Carolina to hear and determine the claim of the owners of the Danish steamship Flynderborg against the United States, and for other purposes, reported the same with amendments, accompanied by a report (No. 118), which said bill and report were referred to the Private Calendar.

Mr. BULWINKLE, from the Committee on Claims, to which was referred the bill (H. R. 1268) for the relief of the Six Minute Ferry Co., of Vallejo, Calif., reported the same without amendment, accompanied by a report (No. 119), which said bill and report were referred to the Private Calendar.

Mr. ROSE, from the Committee on Claims, to which was referred the bill (H. R. 1940) for the relief of the Southern Iron & Metal Co., Jacksonville, Fla., reported the same without amendment, accompanied by a report (No. 120), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials

were introduced and severally referred as follows:

By Mr. TINKHAM: A bill (H. R. 6713) further extending the time for the repayment of certain Spanish War revenue taxes erroneously collected; to the Committee on Claims.

By Mr. WINGO: A bill (H. R. 6714) to amend section 32 of

the act of Congress approved July 17, 1916, known as the Federal farm loan act; to the Committee on Banking and Currency

By Mr. WILLIAMSON: A bill (H. R. 6715) to amend section 1 of an act entitled "An act to pension the survivors of certain Indian wars from January 1, 1859, to January, 1891, inclusive, and for other purposes," approved March 4, 1917; to the Committee on Pensions.

By Mr. ZIHLMAN: A bill (H. R. 6716) to amend the act of Congress entitled "An act to establish standard weights and measures for the District of Columbia; to define the duties of the superintendent of weights, measures, and markets of the District of Columbia; and for other purposes," approved March 3, 1921; to the Committee on the District of Columbia.

By Mr. IRELAND: Resolution (H. Res. 104) to provide for the compensation of a substitute telephone operator; to the Com-

mittee on Accounts.

By the SPEAKER (by request): Memorial of the Legislature of the State of California, relative to the use of airplanes in forest-fire protection; to the Committee on Agriculture.

Also (by request): Memorial of the Legislature of the State of California relative to a direct primary for the selection of presidential candidates; to the Committee on Election of President, Vice President, and Representatives in Congress

By Mr. McCLINTIC: Memorial of the Legislature of the State of Oklahoma commending Alvaro Obregon, of Mexico; to the

Committee on Foreign Affairs.

By Mr. WARD of North Carolina: Memorial of the Legislature of the State of North Carolina, relating to a transcontinental railroad running from the coal fields of Tennessee to Southport, N. C., and providing for a low-tide depth of 30 feet in the Cape Fear River from Wilmington to Southport; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of North Carolina, urging legislation for the relief of veterans of the recent World War; to the Committee on Interstate and Foreign Com-

merce.

# PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOX: A bill (H. R. 6717) for the relief of the Port Arthur Canal & Dock Co.; to the Committee on Claims.

By Mr. BRITTEN: A bill (H. R. 6718) for the relief of Louis Manzumin; to the Committee on Claims.

By Mr. DALE: A bill (H. R. 6719) granting a pension to Catherine Celley; to the Committee on Invalid Pensions.

By Mr. DALLINGER: A bill (H. R. 6720) granting a pension to Sarah L. McDavitt; to the Committee on Invalid Pensions. By Mr. DARROW: A bill (H. R. 6721) for the relief of Harry

Turner Lewis; to the Committee on Military Affairs:

By Mr. DAVIS of Minnesota: A bill (H. R. 6722) authorizing the Secretary of War to donate to the city of Henderson, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FISH: A bill (H. R. 6723) granting a pension to

Margaret Smyth; to the Committee on Pensions.

By Mr. GOODYKOONTZ: A bill (H. R. 6724) to correct the military record of James Niece; to the Committee on Military

By Mr. HOUGHTON: A bill (H. R. 6725) authorizing the Secretary of War to donate to the Wayland Victory Park Association of Wayland, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HUDSPETH: A bill (H. R. 6726) granting a pension

to James B. Gibson; to the Committee on Pensions.

By Mr. KNUTSON: A bill (H. R. 6727) granting a pension to

Christian S. Mathison; to the Committee on Pensions.
Also, a bill (H. R. 6728) granting an increase of pension to
Reinhard Deibel; to the Committee on Pensions.
By Mr. LINEBERGER: A bill (H. R. 6729) granting a pen-

sion to Gertrude B. Swain; to the Committee on Invalid Pen-

Also, a bill (H. R. 6730) granting a pension to Julia A. Tomlinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6731) granting an increase of pension to Melinda S. Lambert; to the Committee on Invalid Pensions. By Mr. LJHRING: A bill (H. R. 6732) granting a pension

to Margaret Callaghan; to the Committee on Invalid Pensions. By Mr. MOTT: A bill (H. R. 6733) for the relief of Eugene

Willis; to the Committee on Military Affairs. By Mr. MURPHY: A bill (H. R 6734) granting a pension to Josephine Saffell; to the Committee on Invalid Pensions

Also, a bill (H. R. 6735) for the relief of Jonathan Milburn;

to the Committee on Military Affairs.

By Mr. NEWTON of Missouri: A bill (H. R. 6736) for the relief of George W. Gilmore; to the Committee on Military Affairs. By Mr. ROSENBLOOM: A bill (H. R. 6737) granting an increase of pension to Victor Fousse; to the Committee on Pen-

sions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 6738) granting a pension to Alonzo Blankenship; to the Committee on Pensions. Also, a bill (H. R. 6739) granting a pension to L. A. Reagan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6740) for the relief of the heirs of H. W. Crew; to the Committee on Claims.

# PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1002. By the SPEAKER (by request): Petition of D. O'Brien, chairman American Legion, and others, urging that Congress take steps to open up public work, etc.; to the Committee on

1003. By Mr. COCKRAN: Petition of 1,643 citizens of New York, urging recognition of the Irish republic; to the Com-

mittee on Foreign Affairs.

1004. Also, petition of the Women's Peace Society, Mrs. Henry Villard, chairman, New York City, urging an immediate international conference to consider world disarmament; to the

Committee on Foreign Affairs.

1005. By Mr. FULMER: Petition of Rev. R. C. Grier, Miss Roberta Rosborough, Mrs. J. F. Mobley, Miss Belle Nickels, Miss Mary Elliett, Dr. E. C. Draffin, Charles S. Todd, Mrs. Ora C. Miller, Mr. and Mrs. E. L. Murphy, Conover Hartin, W. M. Kimball, Mrs. Nettie Fudge, Mr. and Mrs. J. E. Goddard, William Ross, W. L. Rosborough, Miss France B. Rosborough, Dr. and Mrs. C. B. Draffin, E. A. Goodrum, Mr. and Mrs. W. E. Christmus, F. B. Long, Miss Lizzie Proctor, Mr. and Mrs. H. T. Patterson, Claud Sloan, Miss Janie Love, Mrs. J. P. Knox, all of Columbia, S. C., relative to certain church property in Tampico, Mexico, belonging to the Board of Foreign Missions of the Associate Reformed Presbyterian Church, confiscated by the Mexican Government; to the Committee on Foreign Affairs.

1006. By Mr. GALLIVAN: Petition of World War veterans of Lithuanian birth, presented by John Jakubourkas, 89 Old Harbor Street, South Boston, Mass., member of Michael J. Perkins Post, American Legion, Boston, urging the recognition of Lithuania as an independent nation; to the Committee on Foreign

1007. By Mr. KELLEY of Michigan: Resolutions of the Michigan Antituberculosis Association, in favor of the establishment of a department of public welfare; to the Committee on Education.

1008. By Mr. KISSEL: Petition of the American Lace Manufacturers' Association, New York City, urging support of the interim tariff legislation, etc.; to the Committee on Ways and

1009. Also, petition of the Toy Manufacturers of the United States of America, New York City, urging protection for toy industry; to the Committee on Ways and Means.

1010. Also, petition of George Borgfeldt & Co., New York City, urging the development of Alaska; to the Committee on the Territories.

1011. Also, petition of American Sash & Door Co., Kansas City, Mo., relative to change in tax laws, etc.; to the Committee on Ways and Means.

1012. By Mr. NEWTON of Missouri: Petition of 275 citizens of St. Louis, Mo., urging an amendment to the Volstead Act, permitting the manufacture and use of mild wines and beer; to the Committee on the Judiciary.

1013. By Mr. SINCLAIR: Petition of Women's Auxiliary Unit of the American Legion, Bowman, N. Dak., urging the passage of legislation for the relief of the disabled soldiers; to

the Committee on Ways and Means. 1014. Also, petition of Kenmare Lodge, No. 70, Ancient Free and Accepted Masons, Kenmare, N. Dak., favoring the passage of the Smith-Towner bill; to the Committee on Education.

1015. By Mr. SNYDER: Petition of the retail druggists of Rome, N. Y., against the passage of the Volstead bill (H. R. 5083); to the Committee on the Judiciary.

1016. By Mr. TINKHAM: Petition of the students of the Smith College, Boston, Mass., urging relief for the disabled soldiers, also urging complete hospital system, etc.; to the Com-

mittee on Interstate and Foreign Commerce.

1017. By Mr. WOODYARD: Petition of the Woman's Association of the First Congregational Church, Huntington, W. Va., favoring national censorship for the picture shows; also peti-tion of the Parkersburg (W. Va.) Rotary Club, urging relief for the disabled soldiers; to the Committee on Interstate and Foreign Commerce.

#### SENATE.

# WEDNESDAY, June 1, 1921.

(Legislative day of Tuesday, May 31, 1921.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Mr. POINDEXTER. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll. The reading clerk called the roll, and the following Senators answered to their names:

Glass Gooding Hale McCumber McKellar Stanfield Borah Brandegee Stanley Sutherland McKellar McNary Moses Nelson Newberry Oddie Phipps Pittman Broussard Hale Harreld Harrison Heflin Jones, Wash, Bursum Calder Cameron Swanson Townsend Trammell Capper Culberson Curtis Underwood Walsh, Mass. Walsh, Mont. Warren Kellogg Kenyon Keyes King La Follette Lenroot Poindexter Pomerene Sheppard Shortridge Williams Wolcott Dillingham Ernst Fernald Fletcher Gerry Lodge Smith

McCormick

I wish to announce that the junior Senator Mr. McNARY. from Nebraska [Mr. Norris] is detained at a hearing before the Committee on Agriculture and Forestry.

Smoot

The VICE PRESIDENT. Fifty-seven Senators having answered to their names, a quorum is present.

CIVIL GOVERNMENT, PANAMA CANAL ZONE, 1922 (S. DOC. NO. 30).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a communication from the Secretary of War submitting a supplemental estimate of appropriation in the sum of \$134,820 required for the civil government, Panama Canal and Canal Zone, fiscal year 1922, which was referred to the Committee on Appropriations and ordered to be printed.

## PETITIONS AND MEMORIALS.

The VICE PRESIDENT laid before the Senate 16 resolutions of the Legislature of the Territory of Alaska, which were referred to the Committee on Territories and Insular Possessions, as follows:

United States of America, Territory of Alaska, Office of the Secretary for the Territory.

OFFICE OF THE SECRETARY FOR THE TERRITORY.

I, R. J. Sommers, secretary of the Territory of Alaska, do hereby certify that the hereto attached copy of house memorial No. 1 is a full, true, and correct copy of the original now on file in this office of house memorial No. 1, as passed by the Legislature of the Territory of Alaska at its fifth session in the year 1921.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the Territory of Alaska, at Juneau, the capital, this 17th day of May, A. D. 1921.

[SEAL.]

R. J. SOMMERS,

R. J. SOMMERS, Secretary of Alaska.

House memorial 1, in the Legislature of the Territory of Alaska, fifth

To the honorable the House of Representatives of the United States in Congress assembled:

Congress assembled:

Your memorialists, the House of Representatives of the Legislature of the Territory of Alaska, respectfully represent that—
Whereas it is a fact conceded by all observers, even the most casual, that there has been for many years a constant diminution in the run of salmon of all kinds in the Territory of Alaska, amounting in many of the best salmon streams to depletion; and Whereas the remedy for this situation must be adequate and yet least burdensome to the large number of our permanent population; and Whereas thousands of the white and native population of Alaska are almost entirely dependent on their fishing operations for their living and support; and
Whereas a large number of fine salmon streams are practically blocked by traps, even though they are legally placed, on account of topography and the habit of salmon to enter streams by fellowing an almost invariable course, which has resulted in the depletion of many fine streams; and

Whereas the traps now catch millions of salmon and fish of all kinds, and catch them regardless of weather conditions, and also catch the salmon during the 24 hours of each day while the traps, placed as they are, across the path of the salmon on their way to the spawning grounds, catch with relentless efficiency nearly every fish that follows this path, whether swimming singly or in schools; and Whereas it has been proven that it is impossible to regulate these traps which violate the law constantly by fishing during the closed periods and few culprits are brought to justice; and Whereas it is also a well-known fact that seiners frequently "rob the creek" in such a way that it is admitted by all, including the fishermen and the Bureau of Fisheries or their deputies, that the present system of law enforcement is entirely inadequate: Therefore be it Resolved, That, beginning with the year January 1, 1922, all traps

system of law enforcement is entirely inadequate: Therefore be it Resolved, That, beginning with the year January 1, 1922, all traps shall be at least 5,280 feet from outside points to the entrance of all bays containing salmon streams, and that the distance between all traps in any one direction shall be 5,280 feet; and all seines be not more than 150 fathoms in length and not less than 6 fathoms nor more than 12 fathoms deep, this being a necessary step to preserve the fishing industry; and be it further

Resolved, The following fishing regulations be enacted:

That there be a weekly closed season, beginning 12 m. Friday of each week and ending 6 a. m. the Monday following;

That deputy wardens be given a district to patrol, over which they must travel at irregular intervals, covering their beat at least twice a week;

must travel at irregular intervals, covering their beat at least twice a week;

That at each important stream there be placed a deputy warden to serve with or without pay, and only during the time when the salmon are running; that the deputy shall have the qualifications of being a bona fide resident of Alaska;

That every fisherman shall be required to carry a license to fish, and that said license be granted only to full citizens of the United States and to the inhabitants of Annette Island;

That said license be suspended for 30 days for the first offense or violation of the fishing regulations and suspended for a period of one year for the second offense and revoked in perpetuity for the third offense, and in addition to suspension or revocation of license all gear used in illegal fishing shall be subject to confiscation, and that each warden or deputy be authorized to act summarily in taking up the license, permitting the holder to have redress in the district court; be it further

Resolved, That the Congress of the United States place the control of the fishing business of Alaska in the hands and under the control of the Indistrict of the Territory of Alaska;

Resolved further by the Legislature of the Territory of Alaska, That a copy hereof be sent to the President of the United States, the President of the United States senate, the Speaker of the United States House of Representatives, the Hon. Dax Sutheriand, Delegate to the House of Representatives, the Hon. Dax Sutheriand, Delegate to the House of Representatives from Alaska, and to the Secretary of Commerce.

Passed the house May 5, 1921.

Passed the house May 5, 1921.

Andrew Nerland, Speaker of the House.

Attest:

JAMES P. DALY, Chief Clerk of the House.

United States of America, Territory of Alaska, Office of the Secretary for the Territory,

I, R. J. Sommers, secretary of the Territory of Alaska, do hereby certify that the hereto attached copy of house joint memorial No. 4 is a full, true, and correct copy of the original now on file in this office of house joint memorial No. 4 as passed by the Legislature of the Territory of Alaska at its fifth session in the year 1921.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the Territory of Alaska, at Juneau, the capital, this 17th day of May, A. D. 1921.

R. J. SOMMERS, Secretary of Alaska.

House joint memorial 4, in the Legislature of the Territory of Alaska, fifth session.

To the President and the Congress of the United States:

We, your memorialists, the Legislature of the Territory of Alaska, in fifth regular session assembled, do most respectfully and earnestly represent that—

whereas Bethel is the head of ocean navigation and the lower terminus of river navigation on the Kuskokwim River in Alaska, and is the matural outlet for a country proven to be exceedingly rich in precious metals, as well as in many other natural resources, the development of which country is dependent upon the development of the necessary means of communication; and
Whereas Haycock is the center of the valley of the Koyuk, rich in placer gold and timber, which already has a population of more than 100 white pioneers; and the nearest point of communication is a telephone station at Cheenik, 125 miles distant, which is reached only by dog teams during the winter and by river and ocean voyage in the summer trimonthly, while during the spring and fall traveling either by land or by water is impossible on account of ice conditions; and

whereas Kotzebue is the head of ocean navigation and the lower terminus of river navigation of the Noatak, Kobuk, and Selawik Rivers; it is the natural outlet for a country rich in minerals and furs, and will soon be an important export station for reindeer meat;

whereas Seldovia, on Cooks Inlet, in the center of a population numbering approximately 1,000 people, who are rapidly developing a farming and fishing industry in their vicinity; the mail service to and from Seldovia is inadequate and irregular, and the lack of means for dependable and regular communication has greatly retarded the industries of the country; and

Whereas as Teller is one of the most important ports on Seward Peninsula, is situated in the heart of a great mining and fishing district, and is without telephone or telegraphic communication, and owing to its central location is in position to command and protect a large portion of the coast line; and

Whereas Wiseman, situated on the head waters of the Koyukuk River, is the center of a population of an important and growing mining district, and has no means of telegraphic communication except through Fort Gibbon on the Yukon River more than 150 miles distant; and

Whereas Katalla, situated on Katalla Bay, is situated in the center of a population of an important and growing oil and mining district and is inaccessible by both water and land for the greater part of the year.

We, therefore, your memorialists, urge that, as soon as possible, radio stations be established by the Government at the places above mentioned, to the end that the pioneer population which is now endeavoring to develop the various sections of the country referred to may be encouraged, aided, and supported in their efforts; and we respectfully urge that the outlay of the Government connected with such enterprise would be negligible, compared with the returns which would by such course accrue to the country.

And your memorialists will ever pray.

Adopted by the house April 11, 1921.

Andrew Nerland,

Andrew Nerland, Speaker of the House.

Attest:

JAMES P. DALY, Chief Clerk of the House.

Adopted by the senate April 22, 1921.

JOHN SUNDBACK, President of the Senate.

Attest:

T. M. REED, Secretary of the Senate.

United States of America, Territory of Alaska, Office of the Secretary for the Territory.

I, R. J. Sommers, secretary of the Territory of Alaska, do hereby certify that the hereto attached copy of house joint memorial No. 6 is a full, true, and correct copy of the original now on file in this office of house joint memorial No. 6 as passed by the Legislature of the Territory of Alaska at its fifth session in the year 1921.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the Territory of Alaska, at Juneau, the capital, this 17th day of May, A. D. 1921.

[SEAL.]

R. J. SOMMERS,

R. J. SOMMERS, Secretary of Alaska.

House joint memorial 6, in the Legislature of the Territory of Alaska, fifth session.

To the President, the Congress, and the Secretary of the Interior of the United States:

We, your memorialists, the Legislature of the Territory of Alaska, respectfully and earnestly represent that—

respectfully and earnestly represent that—
Whereas ocean transportation between Alaska and the States during recent years has so greatly decreased in efficiency and increased in the expense to the traveling and shipping public that the industries of the Territory throughout have become paralyzed and are in danger of extinction; and
Whereas the private companies now engaged in the transportation business between Alaska and the States have shown themselves either unwilling or unable to furnish those transportation facilities which are absolutely necessary to the growth of the industries of the Territory; and

are absolutely necessary to the growth of the industries of the Territory; and
Whereas the high cost of transportation and the inefficiency of the present system to supply the needs of the country have so crippled the industries as to drive a large percentage of the white population out of the Territory, and threaten the industries thereof with extinction; and Whereas the financial resources of the Territory have so diminished that it will be impossible for the Territorial legislature to raise the necessary funds locally with which to supply the needs of better transportation facilities;

New therefore we your memorialists correctly near that Federal

Now, therefore, we, your memorialists, earnestly pray that Federal aid may be extended to this Territory to maintain continuous and reliable routes of transportation at such cost to the public as would tend to revive the vanishing industries of the Territory; be it Resolved by the Legislature of the Territory of Alaska, That copies of this memorial be furnished to the President and to the Congress of the United States, to the Secretary of the Interior, and to the Delegate to Congress from Alaska.

And your memorialists will ever pray.

Adopted by the house April 2, 1921.

ANDREW NERLAND,

Andrew Nerland, Speaker of the House.

Attest:

JAMES P. DALY, Chief Clerk of the House.

Adopted by the senate April 25, 1921,

JOHN SUNDBACK, President of the Senate.

Attest:

T. M. REED, Secretary of the Senate.

UNITED STATES OF AMERICA,

TERRITORY OF ALASKA,

OFFICE OF THE SECRETARY FOR THE TERRITORY.

I, R. J. Sommers, secretary of the Territory of Alaska, do hereby certify that the hereto attached copy of house joint memorial No. 12 is a full, true, and correct copy of the original now on file in this office of house joint memorial 12 as passed by the Legislature of the Territory of Alaska at its fifth session in the year 1921.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the Territory of Alaska, at Juneau, the capital, this 17th day of May, A. D. 1921.

[SEAL.]

R. J. SOMMERO.

R. J. Sommers, Secretary of Alaska.

House joint memorial 12, in the Legislature of the Territory of Alaska, fifth session.

To the President and the Congress of the United States:

We, your memorialists, the Legislature of the Territory of Alaska, respectfully present to you the following facts:

1. That much of the placer-mining ground in Alaska is workable only by dredging or hydraulicking, and large groups of claims must for such purpose be secured by the same owner before the expense of installing the necessary machinery can be incurred.

2. That no development work on each claim is needed or of any value after the claim has been prospected, and under the present rulings of the Interior Department work done on one claim by way of extracting min-

erals therefrom will not for the purpose of patent proceedings be accepted as done on the group unless it can be shown to have been of value in developing each claim. This feature of the law has deterred owners from applying for patent, with the result that the Government has been deprived of funds which it otherwise would have derived from patent proceedings, and the title to much mining ground has remained unsettled.

Wherefore we your memorialists connectly recommend that the law

Mained unsettled.

Wherefore, we, your memorialists, earnestly recommend that the law be so changed that actual work in mining of one or more placer claims in the group be accepted as performed for all the claims in the group, where such claims are so situated that they can be worked successfully only by dredging or hydraulicking.

And your memorialists will every pray.

Passed by the house April 12, 1921.

ANDREW NERLAND

Andrew Nerland, Speaker of the House.

Attest:

JAMES P. DALY, Chief Clerk of the House.

Passed by the senate April 28, 1921,

JOHN SUNDBACK, President of the Senate.

Attest:

T. M. REED, Secretary of the Senate.

UNITED STATES OF AMERICA,
TERRITORY OF ALASKA,
OFFICE OF THE SECRETARY FOR THE TERRITORY.

OFFICE OF THE SECRETARY FOR THE TERRITORY.

I, R. J. Sommers, secretary of the Territory of Alaska, do hereby certify that the hereto attached copy of house joint memorial No. 13 is a full, true, and correct copy of the original now on file in this office of house joint memorial No. 13 as passed by the Legislature of the Territory of Alaska at its fifth session in the year 1921.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the Territory of Alaska, at Juneau, the capital, this 17th day of May, A. D. 1921.

[SEAL.]

R. J. SOMMERS,

Negretary of Alaska

R. J. SOMMERS, Secretary of Alaska.

House joint memorial 13, in the Legislature of the Territory of Alaska, fifth session.

To the President and the Congress of the United States:

To the President and the Congress of the United States:

We, your memorialists, the Legislature of the Territory of Alaska, respectfully present to you the following facts:

1. That a large number of mining claims in Alaska are so situated that the annual labor required to be performed upon them is of no value in the developing or prospecting of the ground, and such expenditure upon such claims is an absolute waste and serves no purpose except to technically comply with the law.

2. That after the ground has been prospected, the owners may have to delay the actual mining operations until roads are built, so that dredges or other machinery can be transported to the premises, for which reason roads are often a prerequisite to the commencement of productive mining.

Now, therefore, we, your memorialists, respectfully recommend that owners of mining claims, in lieu of the annual labor required to be performed, be permitted to pay \$100 for each claim to the clerk of the district court in the division wherein the claim is situated to be by him transmitted to the Territorial road commission and to be by the latter expended for construction or maintenance of roads in the recording precinct in which the claim is situated; and we firmly believe that such change in the law will materially aid in the speedier development of many mining regions.

And your memorialists will ever pray.

And pour memorialists will ever pray.

And provided by the house April 15, 1921.

Andrew Nerland, Speaker of the House. James P. Daly, Chief Clerk of the House.

Adopted by the senate April 27, 1921, with amendments. JOHN SUNDBACK,
President of the Senate.
T. M. Reed,
Secretary of the Senate.

> UNITED STATES OF AMERICA, TERRITORY OF ALASKA,
> OFFICE OF THE SECRETARY FOR THE TERRITORY.

I, R. J. Sommers, secretary of the Territory of Alaska, do hereby certify that the hereto attached copy of house joint memorial No. 14 is a full, true, and correct copy of the original now on file in this office of house joint memorial No. 14 as passed by the Legislature of the Territory of Alaska at its fifth session in the year 1921.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the Territory of Alaska, at Juneau, the capital, this 17th day of May, A. D. 1921.

[SEAL.]

R. J. SOMMERS,

R. J. SOMMERS, Secretary of Alaska.

House joint memorial 14, in the Legislature of the Territory of Alaska, fifth session.

o the honorable the President, the Senate, the House of Representa-tives, the Secretary of War, and the Chief of Engineers of the United States:

Your memorialists, the Senate and House of Representatives of the Territory of Alaska, do respectfully submit the following for your consideration:

sideration:
That the Alaska Road Commission since its creation under the act of Congress approved January 27, 1905, has constructed approximately 5,000 miles of military and post roads and trails in all sections of the Territory of Alaska.

That such construction has resulted in great benefit to the country and has aided greatly in developing the various sections of our Territory.
That these roads and trails are not merely of local importance, but they form a well-balanced system of communication planned to serve the entire Territory.

That the expenses incurred in such road and trail building are detrayed by an annual appropriation made by the honorable the Congress of the United States and by a portion of what is known as the "Alaska fund" and other moneys contributed from various sources.

That due to the curtailed appropriations during the war period sufficient funds were not available for ordinary maintenance, as a result of which considerable deterioration has resulted. Furthermore, the system as a whole has not been completed, so that many routes can not be utilized throughout without breaking loads, due to uncompleted intermediate sections.

utilized throughout without breaking loads, due to uncompleted intermediate sections.

That the newly organized Alaska Road Commission has now completed an investigation of the entire system, and as a result submitted estimate for \$955,000 for the next fiscal year for the rehabilitation, repair, and improvement of the system.

That the Government railroad, now nearing completion, will need a system of feeder roads and trails in order to provide traffic. The Alaska Road Commission contemplates the completion of a system of such feeders, and one-half of the amount asked for will be expended on roads and trails directly tributary to the Government railroad.

That the restoration and construction of roads planned by the Alaska Road Commission will greatly aid in relieving the hardship created by the rise in prices and the consequent cessation of gold mining.

That we indorse and approve the program of the Alaska Road Commission and consider it one of the most important steps projected for the development of Alaska.

In view of these facts, we respectfully request that the Congress in its consideration of the annual appropriation for the support of the Army, 1922, include at least the full amount of \$955,000 in its item for the "construction, repair, and maintenance of military and post roads, bridges, and trails, Alaska," and, if possible, to increase the same, in order that substantial results may be obtained without disastrous delay, And your memorialists will ever pray.

Passed by the house April 9, 1921.

Andrew Nerland,

Sneaker of the House.

Andrew Nerland, Speaker of the House.

Passed by the senate April 14, 1921,

JAMES P. DALY, Chief Clerk of the House. JOHN SUNDBACK, President of the Senate.

T. M. REED, Secretary of the Senate.

UNITED STATES OF AMERICA, TERRITORY OF ALASKA, OFFICE OF THE SECRETARY FOR THE TERRITORY,

I. R. J. Sommers, secretary of the Territory of Alaska, do hereby certify that the hereto attached copy of house joint memorial No. 18 is a full, true, and correct copy of the original now on file in this office of house joint memorial No. 18 as passed by the Legislature of the Territory of Alaska at its fifth session, in the year 1921.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the Territory of Alaska at Juneau, the capital, this 17th day of May, A. D. 1921.

R. J. SOMMERS, Secretary of Alaska,

House joint memorial 18, in the Legislature of the Territory of Alaska, fifth session.

Petition to the Congress of the United States for the appropriation of sufficient funds for the establishment and maintenance of an insane asylum and sanitarium within the Territory of Alaska for the purpose of caring for the insane of the Territory and the abolition of the present contract system at Morningside, near Portland, Oreg.

To the honorable Senate and House of Representatives in Congress of the United States assembled:

Your petitioners, the Legislature of the Territory of Alaska, represent

Your petitioners, the Legislature of the Territory of Alaska, represent as follows:

That the system now in vogue for caring for the insane of the Territory of Alaska under centract with an asylum and sanitarium located near Portland, Oreg., is, in our opinion, not conducive to the best results to the inmates, and that the present contract with the Morning-side Sanitarium Co., of Portland, Oreg., expires January 16, 1925.

Besides, we consider the contract system for caring for the mentally needy and helpless is the most inhuman and injultous that can be devised, since the contractors are too apt to have their eyes on the profits they may derive from such contract, and the commercial greed would outweigh the human love and Christian charity.

That there are many desirable places in Alaska where there are mineral hot springs which would be beneficial to such as are inmates of said institution, and where the climatic conditions are fully as favorable as those near Portland, Oreg.

Wherefore your petitioners pray that the contract system for the caring of the insane of Alaska be abolished and that an institution for the care of the Alaska insane patients be established in Alaska at some convenient and desirable location, any number of which can be obtained, where the climate and facilities are conducive to the proper treatment, care, and welfare of the insane patients; and it is

Resolved by the Fifth Legislative Assembly of the Territory of Alaska, That this petition be forwarded to the Congress of the United States with an urgent request that the same be given immediate consideration, and that immediate steps be taken for the abregation of the present contract system and for the establishment of an asylum and sanitarium for the insane in the Territory of Alaska. It is further

Resolved, That the secretary of the Territory of Alaska be, and he hereby is, instructed to forthwith transmit copies of this memorial and petition, properly authenticated, to the President of the United States, to the Secretary of the Int

Adopted by the house April 23, 1921.

Attest:

Adopted by the senate April 28, 1921.

Attest:

Andrew Nerland, Speaker of the House.

JAMES P. DALY, Chief Clerk of the House.

JOHN SUNDBACK, President of the Senate.

T. M. REED, Secretary of the Senate.

United States of America, Territory of Alaska, Office of the Secretary for the Territory.

I. R. J. Sommers, secretary of the Territory of Alaska, do hereby certify that the hereto attached copy of house joint memorial No. 22 is a full, true, and correct copy of the original now on file in this office of house joint memorial No. 22, as passed by the Legislature of the Territory of Alaska at its fifth session in the year 1921.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the Territory of Alaska, at Juneau, the capital, this 17th day of May, A. D. 1921.

R. J. SOMMERS, Secretary of Alaska.

House joint memorial 22, in the Legislature of the Territory of Alaska, fifth session.

To the President of the United States, the Congress of the United States, and the Secretary of Agriculture:

We, your memorialists, the Legislature of the Territory of Alaska, in fifth regular session assembled, do most respectfully and earnestly represent that

represent that

Whereas wood pulp and print paper furnish one of the greatest immediate opportunities for the profitable employment of labor and capital in Alaska; and

Whereas the Forestry Service estimates a possible annual production of about 2,000,000 cords of pulp wood from Alaskan timber, yielding a news-print product equal to one-third of our present annual consumption; and

Whereas the Alaskan forests afford a great opportunity for immediate development:

development:

Now, therefore, your memorialists respectfully urge that surveys of the pulp-wood timber in the Territory of Alaska be extended, that a reconnaissance be made by the Forestry Service of timber resources of the interior, with a view of determining whether they have value for pulp, and the export of birch and spruce timber be encouraged in every way; be it

Resolved, That certified copies of this memorial be forwarded by the Secretary of the Territory of Alaska to the Delegate to Congress from Alaska, the Secretary of Agriculture, the Secretary of the Interior, the President of the United States Senate, and the Speaker of the House of Representatives, and to the President of the United States.

Passed the house April 25, 1921.

Passed the senate April 28, 1921.

Attest:

Andrew Nerland, Speaker of the House.

JAMES P. DALY, Chief Clerk of the House.

JOHN SUNDBACK, President of the Senate.

Attest:

T. M. REED, Secretary of the Senate,

UNITED STATES OF AMERICA,
TERRITORY OF ALASKA,
OFFICE OF THE SECRETARY FOR THE TERRITORY.

I. R. J. Sommers, secretary of the Territory of Alaska, do hereby certify that the hereto attached copy of senate joint memorial No. 2 is a full, true, and correct copy of the original now on file in this office of senate joint memorial No. 2 as passed by the Legislature of the Territory of Alaska at its fifth session in the year 1921.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the Territory of Alaska, at Juneau, the capital, this 17th day of May, A. D. 1921.

[SEAL.]

R. J. SOMMERS,

Secretary of Alaska

R. J. SOMMERS, Secretary of Alaska. Senate joint memorial 2, Legislature of Alaska, fifth session.

To the President, the Senate, and the House of Representatives of the

Your memorialists, the Legislature of the Territory of Alaska, do most respectfully and earnestly represent that,

Whereas the metal-mining law of the Territory of Alaska requires that no one shall hold a position as stope boss, shift boss, or foreman in any mine, mill, metallurgical plant, or machine plant connected with a mine who has not studied first aid to the injured and who is not competent to dress wounds, adjust injured limbs temporarily, perform artificial respiration, and properly transport an injured person; and

whereas the coal-mining law of the Territory of Alaska requires that a certain number of men be instructed in first aid at each mine; and Whereas many mines are in remote communities and at long distances from medical aid; and Whereas the United States Bureau of Mines has established and maintained safety stations in various States from which men travel to the mining centers instructing miners in first aid and mine rescue;

Now, therefore, we, your memorialists, respectfully urge that you cause sufficient sums to be appropriated for the equipment of a safety station to pay the salary and expense of one foreman-miner to work in Alaska under the direction of the United States Bureau of Mines; and we, your memorialists, do so pray.

Passed by the senate March 19, 1921.

JOHN SUNDBACK, President of the Senate, T. M. REED, Secretary of the Senate.

Passed by the house of representatives April 1, 1921.

Andrew Nerland,

Speaker of the House,

James P. Dally,

Chief Clerk of the House.

United States of America, Territory of Alaska, Office of the Secretary for the Territory,

I, R. J. Sommers, secretary of the Territory of Alaska, do hereby certify that the hereto attached copy of senate joint memorial No. 3,

is a full, true, and correct copy of the original now on file in this office of senate joint memorial No. 3, as passed by the Legislature of the Territory of Alaska at its fifth session in the year 1921.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the Territory of Alaska at Juneau, the capital, this 17th day of May, A. D. 1921.

[SEAL.]

R. J. SOMMERS.

Secretary of Alaska

R. J. Sommers, Secretary of Alaska.

Senate joint memorial 3, in the Legislature of the Territory of Alaska, fifth session.

To the President of the United States, the Senate and House of Representatives of the Congress of the United States, and to the honorable Secretary of the Interior:

The Legislature of the Territory of Alaska assembled, respectfully represent that—

The revenues derived from the fur-seal rookerles of Alaska amount to more than \$2,000,000 yearly and are increasing each year.

Since the treaty of 1911 went into effect with Japan and Great Britain protecting the seal herds, nearly \$4,000,000 has accrued, leaving a large balance rightfully belonging to Alaska.

Alaska is receiving no part of the revenue derived from the fur-seal islands in Alaska, to which we are entitled, the same as from our forests.

Therefore your memorialists respectfully urge that 25 per cent of the net sum derived from the fur-seal industry and other revenues from said islands should be naid into the general fund of the Territory of Alaska for uses of the Territory; and be it further Resolved, That a like percentage derived from all other resources of said Territory not now allowed or provided for be allowed as our just share of the rightful wealth belonging to the Territory and be paid into our general fund.

Passed by the senate March 26, 1921,

JOHN SUNDBACK.

JOHN SUNDBACK, President of the Senate.

Attest:

T. M. REED, Secretary of the Senate.

Passed by the house April 2, 1921.

Andrew Nerland, Speaker of the House.

Attest:

JAMES P. DALY, Chief Clerk of the House.

United States of America, Territory of Alaska, Office of the Secretary for the Territory.

I, R. J. Sommers, secretary of the Territory of Alaska, do hereby certify that the hereto attached copy of substitute of senate joint memorial No. 4 is a full, true, and correct copy of the original now on file in this office of substitute senate joint memorial No. 4 as passed by the Legislature of the Territory of Alaska at its fifth session in the year 1921.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the Territory of Alaska, at Juneau, the capital, this 17th day of May, A. D. 1921.

Secretary of Alaska.

Substitute senate joint memorial 4, in the Legislature of the Territory of Alaska, fifth session.

To the Senate and House of Representatives of the United States in the Congress assembled and the honorable Secretary of the Interior:

The Legislature of the Territory of Alaska, in regular session, respectfully represents that—

Lying along the coast of Alaska and extending from the Canadian boundary line some 2,000 miles far out in the Eastern Hemisphere there are hundreds of small islands, unsuited to agriculture and without improvements or inhabitants and seldom visited by any person except roaming natives and fishermen.

These islands are especially adapted for fox farming and stock raising, and a large number of them would be devoted to that use by the inhabitants of the Territory were they able to secure any valid possessory right to the same under the laws of the United States.

They now lie fallow and unimproved, because there is no provision of law by which they may be leased by the Secretary of the Interior, under whose jurisdiction they are, and many applications have been made for leasing of the same for the purpose of raising foxes and for stockraising purposes, but for lack of authority in the Department of the Interior such applications have been invariably refused by the departmental authorities.

Wherefore your petitioners urge that the Congress of the United States

Wherefore your petitioners urge that the Congress of the United States authorize the Secretary of the Interior to lease such of these islands as may be adapted for the purposes aforesaid under such terms or conditions as may seem right and just, and that the revenue therefrom be covered into the permanent school fund of the Territory of Alaska; be it further

Resolved, That a copy of this resolution be forwarded to the Secretary of the Interior, our Delegate to Congress, the Speaker of the House of Representatives, and the Vice President of the United States.

Passed by the senate April 15, 1921.

JOHN SUNDBACK, President of the Senate.

Attest:

T. M. REED, Secretary of the Senate.

Passed by the house of representatives May 2, 1921.

Andrew Nerland, Speaker of the House.

JAS. P. DALY, Chief Clerk of the House.

I hereby certify that the above is a true and correct copy of the enrolled bill which passed the senate and house, respectively, on the dates shown above.

T. M. REED, Secretary of the Senate.

UNITED STATES OF AMERICA. TERRITORY OF ALASKA,
OFFICE OF THE SECRETARY FOR THE TERRITORY.

I, h. J. Sommers, secretary of the Territory of Alaska, do hereby certify that the hereto attached copy of senate joint memorial No. 5 is a full, true, and correct copy of the original now on file in this office of senate joint memorial No. 5, as passed by the Legislature of the Territory of Alaska at its fifth session in the year 1921.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the Territory of Alaska, at Juneau, the capital, this 17th day of May, A. D. 1921.

[SEAL]

R. J. SOMMERS, Secretary of Alaska.

Senate joint memorial 5, Legislature of the Territory of Alaska, fifth session.

To the Senate and House of Representatives of the United States:

We, your memorialists, the Legislative Assembly of the Territory of Alaska, respectfully represent:

Maska, respectfully represent:

Whereas that portion of the Territory of Alaska lying north of the Endicott Mountains and extending along the northern or Arctic slope of the Territory is reliably reported to contain vast beds of high-grade coal and many seepages, evidencing large fields of crude oil similar in character and extent to but of greater accessibility to market than those recently discovered in Canadian northwest territory; and Whereas it is of great importance to the industrial welfare of the United States that a reconnaissance or survey of these potential fields be made by competent geological experts, with a view to the future development thereof and conservation of national interests therein; and

and
Whereas because of the insufficiency of appropriations heretofore made,
the Bureau of the United States Geological Survey of Alaska has
been unable to make a reconnaissance or survey of the aforementioned
portion of Alaska: Now, therefore,

We your memorialists, earnestly pray that your honorable body apprepriate sufficient funds for the reconnaissance and survey of the region aforesaid by the Bureau of the United States Geological Survey for Alaska with a view of determining the extent of its coal, oll, and other mineral resources.

Adopted by the senate April 2, 1921.

JOHN SUNDBACK,
President of the Senate.
T. M. REED,
Secretary of the Senate,

Concurred in by the house of representatives April 9, 1921.

Andrew Nerland,
Speaker of the House.
James P. Daly,
Chief Clerk of the House.

United States of America, Territory of Alaska, Office of the Secretary for the Territory.

OFFICE OF THE SECRETARY FOR THE TERRITORY.

I, R. J. Sommers, secretary of the Territory of Alaska, do hereby certify that the hereto attached copy of senate joint memorial No. 7 is a full, true, and correct copy of the original now on file in this office of senate joint memorial No. 7 as passed by the Legislature of the Territory of Alaska at its fifth session in the year 1921.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the Territory of Alaska, at Juneau, the capital, this 17th day of May, A. D. 1921.

[SEAL.]

R. J. Sommers, Secretary of Alaska.

Senate joint memorial No. 7, in the Legislature of the Territory of Alaska, fifth session.

To the honorable the President, the Senate, and House of Representa-tives of the United States:

tives of the United States:

Your memorialists, the Senate and House of Representatives of the Territory of Alaska, submit for your consideration the organic act, approved August 4, 1912, providing for the incorporation of cities and towns in Alaska, which act does not allow municipalities to create a bonded indebtedness; prohibiting many needed improvements, such as public utilities, sewerage systems, and emergency problems, as the limit of taxation is fixed at 20 mills. The town of Seward, Alaska, with an assessed valuation of \$1,300,000, is unable, from the revenues derived from taxation, to protect the town and Government property that is nontaxable from severe damages caused by the waters of Lowell Creek.

The residents of Seward, by their town council, have petitioned the Legislature of Alaska for aid, as given to the town of Valdez, Alaska, by Congress: Therefore be it

Resolved, That flowing out of a deep box canyon, running due east across the town of Seward, Alaska, a distance of approximately 1,600 feet, is a characteristic mountain glacial stream, designated as Lowell Creek;

That since the year 1903 the Alaska Central Reilway its successory.

across the town of Seward, Alaska, a distance of approximately 1,600 feet, is a characteristic mountain glacial stream, designated as Lowell Creek;

That since the year 1903 the Alaska Central Railway, its successors in interest, now the Government railway project, have maintained near the mouth and outlet of said stream into the tidal waters of Resurrection Bay a short pile trestle, thereby obstructing the free flow of the waters of said Lowell Creek in times of ordinary water;

That during the last 17 years, since the obstruction of the mouth of said stream as aforesaid, in times of flood water, the silt, gravel, debris, and water carried in volume by said stream "backs up," has no outlet, fills old channels, overflows, and causes great damage to the property of the residents of said town of Seward; and, in time of extraordinary water, threatens the lives of said residents;

That by reason of said continued obstruction at the mouth of said stream the town of Seward, before incorporation in the year 1912 and since said date of incorporation, has been compelled to and has expended a sum approximating \$50,000 in an effort to confine said stream in proper channels and prevent loss and destruction;

That under a plan now adopted by said town of Seward it is believed by an expenditure of \$100,000 adequate protection will be afforded to the town, its people, and property contained therein.

Wherefore, your memorialists pray that the Congress of the United States grant Federal aid to be given to the said town of Seward, Alaska, to the extent of the sum of \$100,000, to be expended in public works seeking to protect the lives, property, and railroad property

from the ravages of Lowell Creek; the same to be expended under and by direction of some Engineer officer of the United States Army.

Passed by the senate April 15, 1921.

President of the Senate.

Attest:

Attest:

Passed by the house April 19, 1921.

T. M. REED, Secretary of the Senate.

ANDREW NERLAND, Speaker of the House.

JAMES P. DALY, Chief Clerk of the House.

UNITED STATES OF AMERICA TERRITORY OF ALASKA, OFFICE OF THE SECRETARY FOR THE TERRITORY.

I. R. J. Sommers, secretary of the Territory of Alaska, do hereby certify that the hereto attached copy of senate joint memorial No. 8 is a full, true, and correct copy of the original now on file in this office of senate joint memorial No. 8 as passed by the Legislature of the Territory of Alaska at its fifth session in the year 1921.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the Territory of Alaska, at Juneau, the capital, this 17th day of May, A. D. 1921.

[SEAL.]

R. J. SOMMERS,

Secretary of Alaska

R. J. SOMMERS, Secretary of Alaska.

Senate joint memorial 8, in the Legislature of the Territory of Alaska, fifth session.

To the honorable the Secretary of War, to the honorable the Secretary of the Navy, to the Congress of the United States, to the Delegate to Congress from Alaska:

To the honorable the Secretary of War, to the honorable the Secretary of the Navy, to the Congress of the United States, to the Delegate to Congress from Alaska:

We, your memorialists, respectfully present for your consideration and helpful assistance the following matters of grave importance to the Territory of Alaska:

(1) That Alaska is so situated that a proper and fairly expeditious mail service seems impossible of attainment, and that in consequence the people of the Territory are more dependent upon telegraphic service than are the people of any other part of the United States.

(2) That the War Department early in the development of Alaska laid cables and operated telegraph lines and radio stations to many parts of Alaska have been duly appreciative of the splendid work performed by the Signal Corps of the War Department and have supported the military cable and telegraph system to the extent of making it practically, and perhaps entirely, self-supporting.

(3) Now, however, it comes to the attention of your memorialists, the Legislature of the Territory of Alaska—

(a) That the present cable is in such a condition that only about one-tenth of the current applied at one end reaches the distant end. This condition would not be alarming if the low insulation existed in some particular piece of the cable, but, as a matter of fact, it is distributed throughout the entire length, making it impossible to bring the cable up to a reasonable insulation which would permit of duplexing.

(b) It has been down about 16 years and is very much in the category of a temporary railway that has served its purpose and has to give way to better construction.

(c) The number of breaks in the cable have increased during the past few years notwithstanding efforts to strengthen it by insertion of new cable in known weak spots. The cable ship has consequently been kept on repair work far out of proportion to that required of cable ships of commercial systems. Cable 48—Seattle-Sitka—Carries the bulk of the traffic between Seattl

JOHN SUNDBACK, President of the Senate.

Attest:

Adopted by the house April 12, 1921.

T. M. REED. Secretary of the Senate.

Andrew Nerland, Speaker of the House.

Attest: JAMES P. DALY, Chief Clerk of the House.

United States of America,
Territory of Alaska,
Office of the Secretary for the Territory.

I, R. J. Sommers, secretary of the Territory of Alaska, do hereby certify that the hereto attached copy of senate joint memorial 10 is a full, true, and correct copy of the original now on file in this office of senate joint memorial 10, as passed by the Legislature of the Territory of Alaska at its fifth session in the year 1921.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the Territory of Alaska, at Juneau, the capital, this 17th day of May, A. D. 1921 [SEAL.]

R. J. SOMMERS, Secretary of Alaska.

Senate joint memorial 10.

To the honorable the President and the Congress of the United States:

To the honorable the President and the Congress of the United States:
We, your memorialists, the Legislature of the Territory of Alaska, in regular session assembled do most respectfully represent that—
Whereas our Government is spending over \$50,000,000 in Alaska railroads, chiefly for the development of Alaska's mineral resources:
Whereas from the sea terminal of said railroad to the nearest markets in the United States the distance is some 1,200 miles by boat;
Whereas for many years past it has been impossible for those mines in Alaska not under the cwnership or control of some transportation or allied interest to secure dependable transportation for their ore to a smelter in the United States;
Whereas such mines have no adequate protection against extortion or dishonest practices at the smelter in the United States, even if they should get transportation for their ore thereto;
Whereas this condition has continued for many years and is now retarding the development of Alaska's resources; and is, in fact, industrial suppression;
Whereas the United States Bureau of Mines, through its representative, has reported adversely upon the location of a smelter-in Alaska;
Whereas the United States Geological Survey, in Bulletin 714A, by A. H. Brooks and G. C. Martin, pages 14, 56, 57, 60, call attention to the fact that the suppression of small or developing properties in Alaska is being accomplished through lack of transportation or refusal of smelters, even in war time, to treat the ore, and that ocean freight and passenger rates have been increased and the service decreased: Now, therefore, be it

\*\*Resolved by the Legislature of Alaska, in regular session assembled, That we, your memorialists, respectfully request that as an emergency

decreased: Now, therefore, be it

Resolved by the Legislature of Alaska, in regular session assembled,
That we, your memorialists, respectfully request that as an emergency
now exists that means be provided as quickly as possible through such
agencies as the Congress may deem best to supply Alaska with adequate
and dependable ocean transportation for ores and other Alaska products to market within the United States, that we indorse the efforts of
Hon. Albert B. Cummins to this end, that the Federal Trade Commission be requested to investigate and report to the Congress upon
smelter charges and practices at the Tacoma smelter as well as any
complaints in relation thereto. And to ascertain if the mine operators
in Alaska may henceforth depend upon the Tacoma smelter for treatment of such copper, gold, and silver ores and concentrates as they may
produce within the capacity of the smelter, to the end that ore shippers may be assured both transportation and fair and honest smelter
returns as well, and may therefore safely develop and operate their
properties. And that all Alaska products shall be assured dependable
and adequate transportation to markets within the United States; be
it further it further

It further Resolved, That a copy thereof be sent to the President of the United States, the Vice President of the United States, Hon. Albert B. Cummins, and the Speaker of the United States House of Representatives, the Secretary of the Interior, the United States Bipping Board, and the Delegate to Congress from Alaska; be it further Resolved, That Alaska's Delegate to Congress is hereby requested to urge the request herein before the Congress and to do his uttermost to secure the objects of this memorial with as little delay as possible. Passed by the senate April 25, 1921,

JOHN SUNDBACK, President of the Senate.

Attest:

T. M. REED, Secretary of the Senate.

Passed by the house April 30, 1921.

Andrew Nerland, Speaker of the House.

Attest:

JAMES P. DALY, Chief Clerk of the House.

United States of America,
Territory of Alaska,
Office of the Secretary for the Territory.

TERRITORY OF ALASKA.

OFFICE OF THE SECRETARY FOR THE TERRITORY.

I, R. J. Sommers, secretary of the Territory of Alaska, do hereby certify that the hereto attached copy of senate joint memorial No. 14 is a full, true copy of the original now on file in this office of Senate joint memorial No. 14 as passed by the Legislature of the Territory of Alaska at its fifth session in the year 1921.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the Territory of Alaska, at Juneau, the capital, this 17th day of May, A. D. 1921.

[SEAL.]

R. J. Sommers, Secretary of Alaska.

Senate joint memorial 14, in the Legislature of the Territory of Alaska, fifth session.

To the Congress of the United States:

To the Congress of the United States:

Your memorialists, the Legislature of the Territory of Alaska, in fifth regular session assembled, respectfully represent that—

Whereas under the present law \$100 worth of labor or improvements must be performed or made upon each lode or placer mining claim prior to the end of the year; and

Whereas a very large percentage of all the mining claims located in Alaska are situated hundreds of miles from settled communities or supply stations and in regions where the climatic conditions during the winter render it difficult and very expensive to secure the supplies for carrying on the operations; and

Whereas if the time within which such improvements must be performed expired on or about the list day of July of each year, it would be feasible for the owners of such claims to perform the assessment work for two years at one time, by reason of the fact that the assessment work must, of necessity, on account of the physical and climatic conditions, be performed in the summer season; and Whereas it is the general desire of the prospectors and miners in the Territory of Alaska that a change in the law be made, permitting the work to be done at any time before the 1st of July instead of before the 1st of January of each year;

Now, therefore, we, your memorialists, respectfully pray that a law be passed making the change herein suggested, so far as the Territory of Alaska is concerned.

And your memorialists will ever pray. Passed by the senate April 28, 1921.

Attest:

JOHN SUNDBACK, President of the Senate.

T. M. REED, Secretary of the Senate.

Passed by the house April 29, 1921.

Andrew Nerland, Speaker of the House.

JAMES P. DALY, Chief Clerk of the House.

Mr. NELSON presented a petition of sundry citizens of Duluth, Minn., praying for the enactment of legislation to create a department of education, and remonstrating against the enactment of legislation to promote Americanization by providing for cooperation with the several States in the education of non-English-speaking persons and the assimilation of foreign-born residents, and for other purposes, which was referred to the Committee on Education and Labor.

Mr. BURSUM presented a resolution of Lee Rhoads Post, American Legion, of Tucumcari, N. Mex., favoring the exactment of legislation providing adequate relief for disabled exservice men, which was referred to the Committee on Finance.

Mr. JONES of Washington presented a petition of Pierce County Pomona Grange, No. 16, of Puyallup, Wash., praying for the enactment of legislation to prohibit gambling in grain and other agricultural products, which was referred to the Committee on Agriculture and Forestry.

Mr. HARRIS presented a resolution adopted by the State convention Georgia League of Women Voters, at Augusta, Ga., May 14, 1921, favoring the reduction of armaments, which was ordered to lie on the table.

He also presented a petition of the Southern States Phosphate & Fertilizer Co., of Augusta, Ga., praying for the enactment of legislation reducing freight rates on fertilizers, which was referred to the Committee on Interstate Commerce.

Mr. CAPPER presented a petition of the Sloux City (Iowa) Live Stock Exchange, praying for the enactment of the so-called French-Capper truth-in-fabric bill, which was referred to the Committee on Interstate Commerce.

He also presented petitions of sundry members of Parker Grange, No. 1467, of Goodrich; sundry citizens of Hill City, Zurich, Douglass, Udall, Wichita, Clyde, Hollis, Aurora, and Delphos, all in the State of Kansas, praying for the enactment of legislation to prohibit gambling in grain and other agricultural products, which were referred to the Committee on Agriculture and Forestry.

He also presented a resolution of the Chamber of Commerce of Atchison, Kans., favoring the enactment of legislation providing adequate relief for disabled ex-service men, which was referred to the Committee on Finance.

Mr. WILLIS presented resolutions of the Youngstown Nest. No. 1636, Order of Owls, of Youngstown, and Cincinnati Association of Public School Teachers, of Cincinnati, both in the State of Ohio, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which were referred to the Committee on Finance.

# FREIGHT RATES ON CITRUS FRUITS.

Mr. FLETCHER. Mr. President, I present a telegram from the Florida Citrus Exchange with regard to freight rates on citrus fruits, and I ask that it be inserted in the RECORD and referred to the Committee on Interstate Commerce.

There being no objection, the telegram was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

TAMPA, FLA., June 1, 1921.

Hon. Duncan U. Fletcher,
United States Senate, Washington, D. C.:

Understand rallway executives have introduced testimony to the effect movement perishables shows increase over last year notwithstanding increase in freight rates. This may or may not be correct. Government figures for Florida show 6,000 acres decrease watermelon planting this spring against last. However, granting increase movement citrus fruits, call attention this due to coming into bearing of thousands of acres young groves planted five to seven years ago.

It is indisputable fact, largest percentage Florida's citrus crop in its history was not shipped this last season, particularly lower grades of fruit, account not bringing sufficient price to justify expense of shipping. The vital question for consideration is not the volume moving but the net result to producers and their ability to continue production. No one can successfully challenge statement this has been most disastrous season for citrus-fruit producers in every citrus area of the United States in which increased freight rates have played the big part, Florida Citrus Exchange.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. UNDERWOOD:

A bill (S. 1935) granting certain lands to the State of Alabama for the use of the Searcy Hospital for the Colored Insane; to the Committee on Public Lands and Surveys.

By Mr. NELSON:

A bill (S. 1936) to amend certain seections of the Judicial Code relating to the Court of Claims, to regulate appeals therefrom, and for other purposes; to the Committee on the Judiciary.

By Mr. KING:

A bill (S. 1937) providing for the relief of the United States Air Mail Hangar Holding Association of Salt Lake City, Utah; to the Committee on Post Offices and Post Roads.

By Mr. BURSUM:

A bill (S. 1938) for the quieting of the title to certain lands within Indian pueblo grants in the State of New Mexico; to the Committee on Indian Affairs.

By Mr. PENROSE:

A bill (S. 1939) to carry out the findings of the Court of Claims in the case of Georgia E. Morrison, administratrix of the estate of George Smith, deceased; to the Committee on Claims. By Mr. SMOOT:

A bill (S. 1940) waiving the age limit for transfer to the Regular United States Navy in the case of Lieut. Thomas G. Odell; to the Committee on Naval Affairs.

By Mr. CALDER:

A bill (S. 1941) for the relief of the American Surety Co., of New York; to the Committee on Claims.

### EXEMPTION OF FOREIGN SHIPOWNERS FROM TAXATION.

Mr. JONES of Washington. Under our income tax laws there are certain cases where taxes are imposed on ships owned by foreigners resident abroad. Their Governments have not been imposing similar taxes on our people, but they are now threatening to do so. I introduce a bill putting them on an equality with our own people, which I ask may be referred to the Committee on Commerce.

The bill (S. 1942) to encourage the American merchant marine by securing for it an exemption from foreign income and excess-profits taxation in return for a like exemption from taxation granted to foreign shipowners was read twice by its title and referred to the Committee on Commerce.

## AMENDMENT TO ARMY APPROPRIATION BILL.

Mr. CAPPER submitted an amendment intended to be proposed by him to the Army appropriation bill, which was ordered to lie on the table and to be printed, as follows:

On page 33, line 11, after the word "Army," strike out down to and including "automobiles," in line 18, on the same page, and insert the following: "And provided further, That the Secretary of War is authorized and directed to dispose of, by transfer to the Post Office Department under existing laws and by sale, 2,000 three-quarter ton motor trucks for use in the Postal Service.

# PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On May 27, 1921:

S. 535. An act relating to the landing and operation of submarine cables in the United States.

On May 31, 1921:

S. 82. An act to extend the time for the construction of a bridge across the Red River of the North, at or near the city of Pembina, N. Dak.

# JOINT COMMISSION OF AGRICULTURAL INQUIRY.

Mr. KENYON. Mr. President, on yesterday I entered a motion to reconsider the vote by which Senate concurrent resolution No. 4 was agreed to, the resolution offered by the Senator from Wisconsin [Mr. Lenroot] providing for the investigation which that resolution proposes. I wish to ask unanimous consent to withdraw that motion. I desire to say in doing it that I believe the investigation will be utterly futile, that it will result in the expenditure of large sums of money, and will accomplish absolutely nothing for the farmers of the country. In fact, I am very much afraid that it will act exactly opposite to the intention of the authors of the concurrent resolution, because when any bills come up in the future relative to the farming interests of the country we will simply be told that there is a commission now investigating all such farming questions and that the matter must wait. However, as the Senator from Wisconsin is very anxious about the matter, I am going to

withdraw, if I may have unanimous consent for that purpose,

my motion to reconsider.

The VICE PRESIDENT. The Senator from Iowa asks unanimous consent to withdraw the motion to reconsider the vote by which the concurrent resolution offered by the Senator from Wisconsin was agreed to. Is there objection? The Chair hears none, and the motion is withdrawn.

MESSAGE FROM THE HOUSE-ENROLLED BILL SIGNED.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the Speaker of the House had signed the enrolled bill (S. 1084) to provide a national budget system and an independent audit of Government accounts, and for other purposes, and it was thereupon signed by the Vice President.

#### NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

The VICE PRESIDENT. The pending question is on the amendment offered by the Senator from Utah [Mr. King].

## Tuesday, May 31, 1921.

Mr. KING. Mr. President, I have heretofore directed the attention of the Senate to what the 1916 program is, and the enormous cost which it involves. That program calls for—

Ten first-class battleships.
Six battle cruisers.
Ten scout cruisers.
Fifty torpedo-boat destroyers.
Nine fleet submarines.
Three fuel ships.
One repair ship.
One transport.
One hospital ship.
Fifty-eight coast submarines.
Two destroyer tenders.
One fleet submarine tender.
Two ammunition ships.
Two gunboats.

Though it was estimated at the time this program was devised that its cost would be approximately \$544,000,000, there has already been expended toward its completion substantially that amount, and it will involve the expenditure of at least \$500,000,000 more before it is finished. But with its completion we will not have a modern or an efficient Navy. Already some of the defects of this program are discovered, and the bill now before us seeks to supplement the program by carrying stupendous amounts for airplanes and airplane carriers.

But the expenditure of more than \$1,000,000,000,000 upon the 1916 program will not, in my opinion, complete it. Auxiliary vessels will be required, the cost of which will be hundreds of millions of dollars additional; larger docks, larger and more costly naval bases, additional harbors, increased personnel—these and many other essentials to the enlarged Navy must be procured, at an expense so enormous as to constitute an annual burden oppressive to the people, and in addition there will be increased maintenance charges aggregating tens of millions each year, so that there will be required, aside from the construction work, four or five hundred million dollars annually for the maintenance of the Navy. It is impossible to foretell what burdens this navalistic policy will entail upon the people.

Since the 1916 program was projected the Government of the United States has acquired many vessels and they now constitute a part of our Navy. In the annual report of the Secretary of the Navy, under date of December 1, 1920, it is stated that there were in the Navy "fit for service" on that date 795 vessels. Of these 37 were battleships, 8 armored cruisers, 6 monitors, 24 cruisers, 249 destroyers, 98 submarines, 112 submarine chasers, 19 gunboats, and 55 patrol boats. Let me add that there are now 165 submarines—good, bad, and indifferent.

The Secretary also reported that there were 165 vessels under construction, which, upon completion, would give the Navy 960 vessels, with a total tonnage of 2,910,316 and an aggregate horsepower of 12,865,897. The 1916 program, as stated, pro-

vides for 11 additional battleships.

It has been stated by British naval experts that each battle-ship, with the necessary auxiliary vessels, costs \$75,000,000. There is some little difference in cost in the construction of naval craft in Great Britain and the United States. Perhaps vessels are constructed there at a cost somewhat less than in the United States, so that to complete a capital ship of the post-Jutland type, with the necessary auxiliary craft, will cost our Government from \$80,000,000 to \$100,000,000.

These costs were based upon naval vessels of the dimensions now possessed by Great Britain. It is obvious that if larger battleships are constructed the costs would be greater.

It must be remembered that battleships, no matter how powerful they may be, do not constitute a navy. Even the most ardent advocates of the battleship as the unit of strength and power of the navy, admit its impotency in the face of modern naval developments. Battleships, no matter how costly, must hide in protected harbors unless defended by aircraft, submarines, mines, and the new devices which modern naval warfare has employed. The battleship is no longer invincible. Poison gases dropped from the skies may destroy its crew. A floating mine may send it to the bottom of the sea. A torpedo, shot from some tiny boat hidden beneath the waves, may penetrate its vitals and speedily send it and its crew to watery graves.

I have repeatedly, during this debate, challenged the wisdom of building the 1916 program. I have called attention to the fact that when it is completed at a cost not of hundreds of millions but of billions of dollars, taking into account the necessary supplementary vessels, the cost of maintenance and other permanent requirements, it will, if naval construction is to be continued by other nations, not be an efficient Navy. I have shown that the vessels comprised within this program were devised and determined upon in 1915, that the types of the vessels were then devised, although modifications have occurred and doubtless will occur during the process of construction. But it is a 1915–16 program.

It has the infirmities and characteristics of an antique program. It will not provide a modern, an efficient, scientific, well-rounded, and properly balanced Navy. The vessels will bear the 1915 stamp. They will not be 1923, 1924, or 1925 warships. They will be war vessels and fighting craft cast in 1915–16 molds. The tonnage of the most powerful battleship will not exceed 43,200 and the horsepower will not exceed 60,000. The tonnage of the most powerful battle cruiser is 43,500 and the horsepower 180,000.

Several days ago I called the attention of the Senate to the new program of Great Britain. I shall merely allude to it now, but refer to it later. Under this program Great Britain will begin next year the construction of four super-Hoods, each of which will have a displacement of 55,000 tons and 350,000 horsepower and a speed of more than 35 knots an hour. These four super Hoods when completed will be far more powerful than any war vessels built under the 1916 program; indeed, it is the opinion of some experts that they will render useless and impotent our battleships and battle cruisers.

We are pursuing the same blind and foolish policy that we did a number of years ago. In December, 1906, Great Britain brought into commission the first dreadnaught. Lord Fisher perceived that if naval competition was to continue, larger fighting ships would be required. That, however, was before the day of the submarine and the airplane. This great dreadnaught carried only twelve 10-inch guns and it had a displacement of but 17,900 tons. I invite the attention of Senators to this significant fact to show the conservativeness of our Navy Department, a conservativeness that has kept us in the background instead of in advance or alongside the naval powers of the world. But while this vessel was being constructed we were building a large number of battleships which were obsolete when commissioned. The battleships Georgia, New Jersey, Rhode Island, Louisiana, and Virginia were commissioned in 1906; the Arkansas, Minnesota, Wyoming, and Vermont in 1907; the New Hampshire in 1908; and the Michigan and South Carolina in 1910. These vessels were all mixed caliber battleships, and, based upon the standard of the new dreadnaught type, were useless at the time o' their completion.

Our naval policy in respect to the matters just mentioned is an example of the foolish course of pressing naval construction in ignorance of contemporary improvements in naval architecture and standard naval types.

We know that Great Britain, during the past few weeks, owing to our navalistic policy and our announced purpose to drive through the 1916 program and build the greatest navy in the world, has felt constrained to modify her policy, adopted during and following the war, of building no capital ships, and, as stated, is now projecting four of the largest vessels that have ever been produced. Knowing that Great Britain, if we persist in our avowed purpose, will construct super *Hoods* which will render the battleships and battle cruisers, upon which we are to expend hundreds of millions, ineffective if not obsolete, we nevertheless persist in our folly and propose to build ships which in 1925, when completed, will be ready for the scrap heap.

I might add, in passing, that it was not until 1911 that the United States learned the lesson of the dreadnaught and built

the Utah, which was commissioned August 31 of that year. Since then we have put into commission the Florida, Delaware, North Dakota, Wyoming, Arkansas, New York, and Texas, all dreadnaughts; and the New Mexico, Idaho, Nevada, Pennsylvania, and Tennessee, which are superdreadnaughts. The superdreadnaughts have a displacement of 32,000 tons. When they are compared with the super Hoods to be constructed by Great Britain it will be perceived that they are as archaic and as antiquated as were our ships of the Connecticut and Georgia

type at the time they were commissioned.
Under the 1915-16 program we are building the California, Maryland, Colorado, Washington, and West Virginia. The average state of completion of these ships is approximately 72 per cent. They are of the superdreadnaught type and have approximately the same displacement, horsepower, and speed, and all except the California mount 16-inch guns; the California mounts but 14-inch guns. With these ships completed we will have 21 capital ships of the dreadnaught and superdreadnaught type of most modern construction and effectivenessmodern if we do not take into account the super-Hoods-which, with the 21 second-class battleships now in commission would give us a Navy of 42 battleships.

Notwithstanding the inferiority of these vessels compared to the super Hood, in view of the vast amount spent upon them, and the advanced state of completion, I believe that the work of construction should go on and their completion speedily accomplished.

The 1916 program also calls for the building-and this is the matter to which my amendment is addressed-of six other battleships, namely, South Dakota, North Carolina, Indiana, Montana, Iowa, and Massachusetts. The South Dakota, North Carolina, and Montana are being constructed in Government navy yards. The state of completion of these ships ranges from 1.2 per cent to 22.3 per cent. These vessels, as stated, have a tonnage of 43,200, and are rated at 60,000 horsepower, and have a speed of 23 knots an hour. The average state of completion of these ships is approximately 16 per cent. They are to mount 16-inch guns. My amendment contemplates that work upon this group shall be suspended.

We are also, under the 1915-16 program, constructing six cruisers, the Saratoga, Lexington, Constellation, Constitution, United States, and Ranger. The average state of completion is approximately 6 per cent. My amendment provides for the completion of the Saratoga and, if adopted, would suspend construction upon the remaining five battle cruisers.

Rear Admiral William F. Fullam, one of the ablest naval men in the United States or in any other country, has given intensive study to the naval questions before us. He testified before the Senate committee in February of this year. I wish all Senators would read his testimony, and I regret that the country is not familiar with the splendid presentation which he made in regard to our naval policy. I will offer a few pages of his testimony and ask that they may be inserted as a part of my remarks.

First, however, Mr. President, I desire to read a few paragraphs from his testimony. He refers in his testimony to our fighting fleet of to-day, and then to the dreadnaughts which are under process of construction and the percentage of construction. This is what he says with respect to these five battleships and with respect to the cruisers:

It would appear wise to suspend further construction of these five ships for at least six months, while it can be determined whether or not they may be obsolete in the near future or if changes in their design may be advisable. They might, for instance, be completed as airplane carriers or they might be given armored decks to protect them from

Mr. President, this is the view of a technician, a scientific man, one who graduated from the Naval Academy, and has given his life to the study of naval problems. He suggests to the Senate and to the country that within six months it may be clear that some of the vessels in the 1915 program may be obsolete. Yet, in the face of his powerful and appealing testimony, it is proposed to drive through the Senate and through the other branch of Congress a program which upon its face and in the light of the facts of which we have knowledge, I submit, was conceived in war times and under conditions which remotely concern the present or the future. Moreover, as I have repeatedly said, and will say again before this debate is over, this program, carried through by the United States at this time, is provocative of naval expansion by other nations. They will build ships which will make the 1916 capital ships obsolete.

Admiral Fullam continues:

Inasmuch as we will have 22 dreadnaughts without these 5, we may wisely wait six months. These ships are not needed, and may not be needed in the future.

Speaking of cruisers, he says:

There are six battle cruisers under construction, as follows-

Naming the six that are embraced in my amendment-

Lexington, Constellation, Saratoga, Ranger, Constitution, and United States. These six ships are less than 10 per cent complete. It would, therefore, be wise to suspend construction on them for six months at least or continue construction only on their hulls and machinery, so that they may, if necessary, be changed in design or be transformed into airplane carriers as circumstances may dictate.

Then he refers to submarines. While this is a digression from the immediate question under consideration, permit me, Mr. President, to read this:

Under construction, submarines: There are 47 submarines under construction. They should be finished without delay. We are fatally short of submarines. There are no submarines in our Navy capable of cruising and fighting with the fleet. It is an amazing and perilous situation. There is not one long-range up-to-date submarine cruiser or mine layer in the Navy.

Senator Gerry at this point in the admiral's testimony asked the following question:

I understand we have one fleet submarine in commission now, and that there are two more very near complete, which would make the three fleet submarines.

Admiral FULLAM. I hope that is so. If devoid of submarines and air forces, a surface fleet, no matter how powerful, will be practically helpless if it meets a fleet properly supplied with these modern weapons.

Let me say by way of parentheses, Mr. President, that our submarine fleet is inefficient. Later on, if I have the opportunity, I shall direct attention to a large number of our submarines to show that one of the companies which is now building submarines is furnishing types of propulsion and of engines that have occasioned great delays and that demonstrate that the type is absolutely inefficient.

I ask that a part of Admiral Fullam's testimony be printed in the RECORD at this point.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

1. Our fighting fleet to-day: The United States battle fleet comprises eight dreadnaughts—Utah, Florida, Delavare, North Dakota, Wyoming, Arkansas, New York, and Texas, and eight superdreadnaughts—New Mexico, Idaho, Mississippi, Tennessee, Pennsylvania, Oklahoma, Nevada, and Virginia. All other battleships in the Navy are practically obsolete. Thus we have 16 modern fighting dreadnaughts. This is a strong force. force.

Next to the dreadnaught fleet in importance we have about 300 mod-

Next to the dreadnaught fleet in importance we have about 300 modern destroyers. This is a very powerful asset.

Under construction, dreadnaughts: There are 11 superdreadnaughts under construction. Of these six are between 25 per cent and 90 per cent completed, as follows: California, Colorado, Maryland, Washington, West Virginia, and South Dakota. It would appear good policy to complete these 6 ships, which would give us a very powerful battle fleet of 22 dreadnaughts.

The remaining five dreadnaughts are less than 25 per cent completed, as follows: Indiana, Montana, North Carolina, Iowa, and Massachusetts. It would appear wise to suspend further construction on these five ships for at least six months while it can be determined whether or not they may be obsolete in the near future or if changes in their design may be advisable. They might, for instance, be completed as airplane carriers or they might be given armored decks to protect them from bombing.

Inasmuch as we will have 22 dreadnaughts without these 5, we may wisely wait six months. These ships are not needed, and may not be needed in the future.

Under construction, cruisers: There are six battle cruisers under construction, as follows: Lexington, Constellation, Saratoga, Ranger, Constitution, and United States. These six ships are less than 10 per cent complete. It would, therefore, be wise to suspend construction on them for six months at least, or continue construction only on their hulls and machinery, so that they may, if necessary, be changed in design or be transformed into airplane carriers as circumstances may dictate.

There are 10 scout cruisers under construction, from 30 per cent to

sign or be transformed into airplane carriers as circumstances may dictate.

There are 10 scout cruisers under construction, from 30 per cent to 80 per cent completed, as follows: Omaha, Milwaukee, Cincinnati, Raleigh, Detroit, Richmond, Concord, Trenton, Marblehead, and Memphis. These cruisers should all be completed as soon as possible. Our Navy is sadly in need of cruisers. No matter what may happen as regards capital ships, cruisers of this type will always be needed.

Under construction, submarines: There are 47 submarines under construction. They should be finished without delay. We are fatally short of submarines. There are no submarines in our Navy capable of cruising and fighting with the fleet. It is an amazing and perilous situation. There is not one long-range up-to-date submarine cruiser or mine layer in the Navy.

Senator Gerry. I understand we have one fleet submarine in commission now, and that there are two more very near complete, which would make the three fleet submarines.

Admiral Fullam. I hope that is so. If devoid of submarines and air forces a surface fleet, no matter how powerful, will be practically helpless if it meets a fleet properly supplied with these modern weapons.

A powerful surface fleet: From the above it will be seen that we have now, on or near completion, a powerful surface fleet. Even without the battle cruisers it is strong, because we have a vastly larger destroyer force than any nation except England. This force is so strong that if well manned and well handled it would so threaten a hostile fleet and so well screen our own fleet that, with scout cruisers and airplane carriers we may not need battle cruisers. It is more than probable that the airplane and the torpedo-plane carrier will soon be recognized as a capital ship, quite equal to a battle cruiser in usefulness and fighting power.

Briefly reviewing this subject of our surface fleet, we find that with 22 dreadnaughts, 300 destroyers, and 10 scout cruisers our Navy will stand next to that of England; it will be at least 30 per cent stronger

than that of Japan, and omitting Great Britain, it will be more powerful than the combined navies of all Europe.

In the face of these facts it can not be truthfully said that in suspending work on five battleships and six battle cruisers, we are advocating a weak Navy, inadequate for national defense. On the contrary, suspension of work temporarily on these vessels will safeguard us against a policy that will produce a weak Navy as the only return for the expenditure of hundreds of millions of dollars. A surface Navy alone is a one-idea Navy. Such a Navy is weak to-day, and it will be still weaker in the near future. It is necessary at this point to consider the limitations of a surface fleet: Those who advocate large additions to our surface fleet before providing the submarine and air force in which we are fatally weak are constantly asserting that the battleship is the "backbone" of the fleet; that we need a "powerful Navy," to "control the sea," to protect our commerce, etc., and they insimuate that the advocates of air and submarine forces are not impressed with the importance of a "backbone"; that they are "little Navy men"; that they would not protect our commerce and would give up the control of the sea. But with all due respect it may be said that a "backbone" alone will not suffice; it does not constitute a powerful Navy; it can not control the sea; it can not protect commerce; in fact, a Navy composed of "backbones" alone is a weak Navy; it can go nowhere and it can do nothing. The boot is on the other foot.

Let us consider briefly this much used—ignorantly used—term, "control of the sea."

On page 21 of Admiral Sims's book, referring to the condition existing on the English coast in April, 1917, when the unequaled navy of England, supported by the navies of France, Italy, and Japan, might have been supposed to command the sea, inasmuch as the German fleet was blockaded, we find the following:

"It was not until the spring of 1917 that we really awoke to the actual situation; it was not until I had

control of the seas to-day a very different thing from what it was in Nelson's time.

"As long as such a warship can operate under the water almost at will—and this was the case in a considerable area of the ocean in the early part of 1917—it is ridiculous to say that any navy controls the seas. For this submarine vessel, when used as successfully as it was used by the Germans in 1917, deprives the surface navy of that advantage which has proved most decisive in other wars—that is, the surface navy can no longer completely protect communication as it could protect in Nelson's and Farragut's times."

"The surface vessel no longer guarantees a belligerent its food, its munitions, its raw materials of manufacture and commerce, or the free movement of its troops. It is obviously absurd to say that a belligerent which was losing 800,000 or 900,000 tons of shipping a month, as was the case with the Allies in the spring of 1917, was the undisputed mistress of the seas. Had the German submarine campaign continued to succeed at this rate, the United States could not have transported its Army to France, and the food and materials which we were sending to Europe, and which were essential to winning the war, could never have crossed the ocean."

A little study of this subject will give to some people who talk glibly about "control of the sea" a fundamental knowledge of the subject.

Subsequent to the armistice and two years after Admiral Sims went

subject.
Subsequent to the armistice and two years after Admiral Sims went to England a new naval force, then in its infancy, has been rapidly developed—the naval air force. And to-day this force operates with other forces to decide who shall and who shall not control the sea. This force, moreover, operates with the submarine to impose still other limitations upon the surface fleets of Nelson and Farragut, The "backbone" needs still more assistance. The surface fleet in the hitherto easy task of "controlling the sea" needs another ally—a force above it as well as a force below it. Without these two forces—if the enemy possesses one or both—the surface fleet can "control" nothing. nothing

A three-plane navy: It must be evident that a modern navy will operate on three planes—the surface, above the surface, and beneath the surface. These forces must exist in due proportion, and must be coordinated strategically and tactically to win a modern naval battle. The navy which lacks force on the upper and lower planes will be seriously menaced. A che-plane navy can not win against a three-plane navy. The Navy of the United States to-day is practically a one-plane Navy. The minds of many naval officers and legislators are fixed upon one, or, at most, two planes. This condition imperlis the Nation.

are fixed upon one, or, at most, two planes. This condition imperils the Nation.

Sanity is demanded in the discussion of our naval policy. Extremists with single-track minds must not control.

In the fighting navy of to-day battleships alone will not suffice, submarines alone will not suffice, air force alone will not suffice—we must have all three in proper proportion.

Recognizing this basic principle as the key to the problem for the present, the first thing to do is to determine whether or not this principle is conserved in the legislation that now shapes our building program. After supplying forces in the three planes it may, of course, develop in the months and years to come that the force on some one plane is of paramount importance. In that event we can modify the building program to suit a new condition.

Submarines in the World War: The following facts should be studied in connection with the subject of "control of the seas":

1. The Germans employed only 10,000 men in their submarine forces.

2. There were never more than 30 submarines adrift at any one time, manned by not more than 1,500 men.

3. This small force was opposed by the navies of all great nations outside central Europe—England, France, Italy, Japan, and the United States—at least 1,000,000 men; and yet this insignificant force of 10,000 Germans nearly won the war by starving England.

4. It is no argument to say that the submarine was finally defeated when we consider the odds against it. Germany was fenced in by

England and France. England lay across her front door. There were but two exits for her submarines to reach the Atlantic. About 5,000 antisubmarine craft were employed daily against the 30 submarines at sea. No such condition of disadvantage will embarrass our future enemy, whose submarines may be free to roam the sea. And we may not have the navies of the civilized world allied with our own. Can we alone place 5,000 antisubmarine craft upon the sea and strew depth charges over every ocean? Will we have 1,000,000 men with a navy equal to the combined navies of England, France, Italy, and Japan? If not, the task of downing the submarine of our future enemy will be much more difficult than was that of subduing the German submarine in the World War.

It is positively amazing that many naval officers have already forgotten or ignored these facts, and, having realized hesitatingly the importance of aviation, the Navy Department, and Congress as well, have suggested that we cancel the contract for submarines in order to get money for aviation. This is robbing Peter to pay Paul. Can not two ideas coexist in a raval mind? We must have a strong submarine force and a strong air force, too. Without both of these forces our surface fleet will be hopeless. The submarine single handed nearly won the greatest of all wars. It has proved its prowess, and yet the United States practically ignores it.

The uses of submarines: 1. Coast defense. Small, short-range submarines are invaluable for coast defense. Fifty of these can be built for the price of one superdreadnaught.

2. To defend far-away possessions. The Philippines, Guam, Samon, Hawaiian Islands, etc. A battle fleet can not safely approach a coast well defended by submarines.

3. Attacking the enemy's commerce and protecting our own convoys. It is the most useful of all weapons for this purpose.

4. Service with the fleet. It protects the fleet. It menaces the enemy's fleet.

All these uses are most important. Space forbids a discussion of each.

Advantages of submarines:

each.

Advantages of submarines: 1. Submarines have great sea endurance. A long-range submarine can remain at sea three or four months and cruise 25,000 miles. Imagine such an enemy in the lanes of commerce, Vastly more efficient than the Emden or other surface ships that were soon sighted, then cornered and destroyed. No surface vessel can maintain itself so long at sea.

2. Submarines are self-supporting. The battleship can not go to sea or anchor in port without protection by destroyers, cruisers, and air forces. The submarine needs no such protection. It takes care of itself.

air forces. The submarine needs no such protection. It takes care of itself.

3. The submarine, in addition to fighting with its guns and torpedoes, may act as a most efficient mine layer, carrying 46 mines, with a sea range of 15,000 miles.

Let us now consider the weakness of our submarine force and what must be done to bring this invaluable adjunct to the proper standard of efficiency in modern naval warfare.

This was given to me by an officer, and I do not know of any other who ought to know more about the condition of submarines than he does. If it is wrong, it can be corrected.

Our submarine force: The following is the condition of our submarine force:

Our submarine force: The following is the condition of our submarine force:

1. There are about 30 boats from 300 to 450 tons, all unsuitable for offshore work. They are fit only for training.

2. There are about 50 coastal boats from 350 to 550 tons now in fair condition but not intended for distant service.

3. There are about 50 boats of 800 tons and above, some uncompleted. A few of these may be efficient, but as a class they are failures. I think the contracts have been held up.

It appears, therefore, that in three years following the armistice the Navy Department has failed to develop any long-range boats such as the Germans sent to our coast in 1918. We have spent approximately \$130,000,000 on submarines, and the Navy has not one submarine to-day fit for service with the fiect.

In this the Navy Department ignores the past, neglects the present, and fails utterly to anticipate the future.

It is estimated that not less than \$100,000,000 are needed to-day to supply this country with an adequate submarine force. This is the price of three dreadnaughts. In view of the fact that we have prospectively 22 dreadnaughts in our surface fleet, shall we add still further to the battleship force before we supply ourselves with submarines? It is a matter of common sense. How will the money be most wisely spent? Shall we put so much money into the craft that did not "control the sea" in the World War that we shall have no money to provide us with the weapon that fought single handed and nearly won against the combined nayles of the world?

So much for the force that operates on the lower plane of a modern three-plane navy. It remains to consider the force that operates on the upper plane.

Naval aircraft: At present the United States naval air force is piti-

upper plane.

Naval aircraft: At present the United States naval air ferce is pitifully inadequate to meet modern conditions. What we have is good, and the personnel is efficient and brave, but the force is so small that a hostile fleet supplied with adequate air forces could completely command the air above our surface fleet and subject it to constant bombing from above and constant attack from torpedo planes from above and below. Nothing will justify our leaving our surface fleet to such a fate.

fate.

It is estimated that not less than \$120,000,000 will be necessary to provide two modern airplane carriers, together with the bombing and torpedo planes, to place our naval air force in condition to operate effectively with the fleet in modern war. This is the approximate price of four dreadnaughts. Without an air force our surface fleet, no matter how powerful, can not exist and operate effectively if the enemy command the air. As in the case of submarines, shall we continue to build dreadnaughts before we have provided the air weapons that are essential for both offensive and defensive naval warfare? It is once more a question of the most economical investment of our money. If we have a powerful surface fleet, with no air or submarine fleets, money spent upon our Navy will be wasted. It will be a weak Navy in every sense of the word.

of the word.

Senator Hale. Where did you get the figures, \$120,000,000?

Admiral Fullam. They were prepared for me by the best authority on aviation in this country.

Senator Hale. The evidence that we have before us is that we can get two carriers for \$48,000,000.

Admiral Fullam. I accept that.

Mr. KING. It will be observed that the amendment which I have offered does not go as far as Admiral Fullam recommends. He suggests the suspension of work not only upon the five battleships but upon all the battle cruisers. I am recommending the suspension of work upon the five battleships and upon five battle cruisers. In other words, I would complete five battleships and one battle cruiser and suspend work upon the remainder. It will be observed that Admiral Fullam regards the policy which he suggests as essential to give an adequate Navy and denies that his program calls for a "weak Navy."

Profiting by the experience of the war, Admiral Fullam rec-

Profiting by the experience of the war, Admiral Fullam recognizes that the capital ship has its limitations and that without supplementing it with aircraft, aircraft carriers, submarines, torpedo boats, destroyers, mines, and other modern naval weapons, battleships cease to be the formidable agency which they were in the past. He emphasizes the importance of the submarine and calls attention to the imperfect submarines which our Navy has. It would seem that his criticism of the Navy Department for its failure to have adequate submarines is entirely justified. Having spent \$130,000,000 on submarines, the admiral concludes that "the Navy has not one submarine to-day fit for service with the fleet." In view of the importance of the submarine as an arm of our naval defense, it would seem wise to create a submarine bureau or make some radical changes in the methods employed in the Navy Department in dealing with this vitally important matter.

If we are to continue building war vessels, I shall at an early date offer a bill for the establishment of a submarine bureau in order that this branch of the Navy may receive that intelligent and scientific treatment which its importance demands.

The testimony of Admiral Fullam, as well as the deductions to be drawn from the testimony of Admiral Sims, seem to justify the conclusion that the Navy Department and the General Naval Board have been more interested in completing the 1915–16 program than in providing a modern and efficient Navy. It is only recently that the Navy Department has given proper attention to airplanes.

Admiral McVey admitted in his testimony before the committee that the capital ships we now have, when the 1916 program shall have been completed, will be obsolete, and with that knowledge, and with the further information that Great Britain has planned four fighting ships superior in every way to our battleships, those now constructed and those to be constructed, we tenaciously follow a plan presumably because of its antiquity and our blind devotion to the past.

Capt. Craven, a naval officer of ability, stated that a battleship without a supplement of airships, submarines, and torpedoes would be a pitiful thing on the high seas. He stated

that-

the character of war has been changed by the advent of the submarine, the mine, and the aircraft. We no longer wish to take capital ships to the coast of the enemy. You could not do it in the future as you have in the past.

He approved Admiral Fullam's plan for a three-plane navy; that is, for an adequate surface navy, for a suitable undersurface navy, and for an aerial navy.

The Scientific American, in its issue of January 1, 1921, speaking editorially, says:

The need for going slow on new construction, especially of capital ships, is the more apparent when we remember that the European nations, including Great Britain, have laid down no capital ships, and practically no warships of any kind for the past two years.

The writer would have been accurate if he had stated that Great Britain has laid down no capital ships for more than five years, and France has broken up three of the capital ships the keels of which were laid some three or four years ago.

The editorial proceeds:

Partly is this due to financial stringency, but unquestionably, at least in the case of Great Britain, it is due also to the recognition of the formidable part which war in the air is destined to play in future naval warfare, particularly as a means of attack with large masses of explosives carried to the battleship in the form of close-up torpedo attack or the delivery of deck-piercing bombs carrying enormous charges.

May I add that the New York World has done most admirable service in trying to arouse the people of our country against the wickedness and waste of the military and naval policy which some Americans have projected and are determined to have executed. It has called attention to the enormous sums which have been expended and the millions and billions which have been poured into the furnace of war. It has proven a powerful factor in a noble cause.

Mr. W. P. Wilson, a former member of Parliament, in the editorial section of the New York World, under date of February 29, 1920, referred to submarines and their effect upon future war. He refers to the great range which they will have for operation and declares that—

The submarine of the future may make the oceans impassable on this assumption. Not only will battleships be unable to operate, as Sir Percy Scott foretold just before the war, and as Lord Fisher now

repeats, but no army can in future cross the ocean. Neither munitions nor food will be thus transportable. And each section of God's earth will be isolated save for aircraft.

This writer refers to the fact that the German Navy had more than 200 small submarines and that only a handful operated at one time. Notwithstanding these limitations, the U-boat activities cost the United States and the Allies more than \$20,000,000,000. They were built, however, at a small cost compared with the cost of battleships. When the war started Germany had but 36 U-boats. Mr. Wilson states that if she had had 1,000 available, it can not be conceived how the Allies could have avoided grave disasters.

Mr. Wilson discusses the efforts made to minimize the menace of the submarine and the fact that a number were destroyed. Notwithstanding the devices for the annihilation of the U-boat, the writer states that one thing is certain: "Whatever happens to the battleship, the submarine has come to stay." He suggests that if the big battleships like the British Hood are still constructed we must remember that—

Spending departments are conservative and love extravagance.

I think he visualized American methods of administration, and that he had in mind our departments and their inefficient and extravagant methods.

Ten years after the fight between the Monitor and the Merrimac, which inaugurated iron war vessels, navies were constructing obsolete wooden battleships. The submarine is unpopular with the sailors. It is an uncomfortable place in which to spend one's professional life. It obliterates the picturesque, which has counted for so much on the ocean. At the same time, it is for the taxpayers on both sides of the Atlantic to say how far they intend to foot the bill for vast superdreadnaughts which may be and have been useless in the grim game of naval warfare.

It seems that our Navy Department and Naval Board are subject to the criticism made by this distinguished author. Their conservativeness leads to adherence to old types and extravagance and in demands for numerous appropriations, which is a chronic disease which neither time nor party nor administration eradicate.

The Scientific American, in its issue of August 14, 1920, discusses the naval designs, and asks whether "naval design, construction, strategy, and all the rest of it is in a state of flux." Reference is made to the situation when Admiral Beatty led the German fleet into contact with the British, and when Jellicoe, with 25 battleships, had the speed and power to close in and absolutely annihilate the Germans. The editor declares that he failed to do so because of the fear of the torpedo. He suggests that the gas engine "upset many of the theories and practices of naval construction and warfare." Reference is made to the scrapping by the British of "half their battleship fleet, and their stopping of all battleship construction." The editorial then proceeds:

We believe that in future war the torpedo will at last come into its own, and it, will be the internal-combustion engine that will work the change. It gave us the motor car and the airplane, and now it is perhaps destined to dethrone the battleship and battle cruiser as the supreme elements of naval strength. But how? Well, the British have several large and fast torpedo-plane carriers. Let us forecast a duel between a 12-gun, 23-knot Massachusetts and a 32-knot torpedo-plane carrier with twice that number of planes aboard. Steaming outside of 16-inch gun range, the carrier would send in her planes, which, swooping down from great height at 150 miles an hour, would drop their torpedoes within close range and return for more. But the bulge will save the ship? No; for the torpedoes will be set to pass underneath the ship and they will be fired magnetically by the action of the steel mass of the ship itself. And you could not put side and bottom bulges, both, upon a ship—she would be all bulge and but little ship.

Permit me to parenthetically remark that a distinguished Member of the House informed me last evening that he had just returned from witnessing some experiments with bombing planes. Torpedoes or bombs were dropped from planes at an altitude of several thousand feet, the target being an obsolete naval vessel which was at some distance from the shore. As I recall the statement of this Representative, it was that there were 6 distinct hits upon the deck of the ship out of 18 bombs released from the planes. This, I believe, is a far better record than that made by our most expert gunners when firing from our best battleships. The opinion of the gentleman referred to was that battleships would be helpless in the presence of this modern instrument of war, which has proven to be a weapon of destruction both on land and on sea.

I have before me an article written by a distinguished naval writer and officer, whose views are entitled to the highest consideration. It is entitled "The submarine situation." I regret that the length of the article prevents me from reading it, but I sincerely hope that Senators will acquaint themselves with its contents. I submit the request that it be inserted in the Record at this point.

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). Without objection, it will be so ordered.

The matter referred to is as follows:

THE SUBMARINE SITUATION—CONGRESS NOT INFORMED—NAVAL NARROW MINDEDNESS SAID TO RULE OUR POLICY.

[By Quarterdeck.]

It has been repeatedly proved by incontrovertible evidence from the highest authorities in the British, German, and American Navies that the submarine was depended upon in January, 1917, to win the war for Germany in six months by starving England, and that it came within an ace of doing so, despite the navies of the civilized world. Notwithstanding this fact the United States blindly ignores the submarine in its building policy! The situation is truly astounding.

It is easy to account for the interiority of our submarines, for the failure to correct their faults and for the neglect to design and build the new types that were developed by the Germans, as well as by the English, in the last months of the war and following the armistice. There is no bureau of submarines in the Navy Department. There is no one officer with authority and responsibility to give direction to the development of this vitally important element of the fighting fleet. For this reason the subject has either been ignored or thrust into the background during the discussion of our naval policy.

CONGRESS IN THE DARK.

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The naval committees of Congress have not been fully informed as to conditions that now exist, and they have not been impressed with the absolute necessity of providing three new types of submarines without which the United States fleet can not carry war overseas—fleet submarines, cruiser submarines, and mine-laying submarines. Congress does not know that all the submarines built or building in this country, with the exception of three boats that will not be completed for 30 months, are limited to coast defense or to short cruises at sea. To be sure, the Navy list gives a total of 12 fleet submarines under construction. But an analysis shows that this list is completely misleading. Three of the number—the T-bonts—are too small, their reliability is seriously questioned, and they are armed with small—18-inch—torpedoes. It is quite as absurd to call them "fleet submarines" as it would be to designate a 1912 battleship, armed with 12-inch guns, as a superdreadnaught.

The three V-boats on this list, now building at Portsmouth, belong properly to the fleet type. They may be ready in 1924. The remaining six V-boats named in this list were authorized by Congress, but they have been stricken from the present appropriation bill. Thus the 12 fleet submarines are reduced to 3, and these 3 will not join the fleet for three years. Is it not wrong that Congress should be left so completely in the dark?

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SUBMARINE OFFICERS IGNORED.

In the hearings before the naval committees of the House and Senate during the consideration of the current appropriation bill by Congress, previous to March 4, it is astonishing to note that not a single naval officer who had had actual experience in submarine warfare was called to testify. The so-called "director" of submarines, who is thoroughly informed on the subject, though he has no real authority to direct submarine policy, was not permitted or invited to appear and present the facts concerning our submarine deficiencies and crying needs. And there were other officers of high rank and experience with our submarine forces who have studied the subject with intelligent and zealous interest. Had they been called before the committees they would have presented facts and recommended measures concerning our submarine forces which are vital to the efficiency of a fighting navy in modern war. fighting navy in modern war.
Why was Congress deprived of their advice?

GERMAN BOATS SUPERIOR.

The marked superiority of the German U-boats, as compared with our own, is well known to the officers who from experience and observation are competent to judge. In fact, this condition has been brought to the attention of the Navy Department from time to time by official reports of inspection and by officers who from a sense of duty to the Navy have feit the need of adopting new and improved machinery and of building new types. It would not be strange that four years of submarine warfare should result in the perfection or material improvement of many constructional and practical features in the craft upon which Germany mainly depended to win the war. This fact has been clearly demonstrated by the record and inspection of two captured German boats which were brought from Kiel to the United States. One of these boats has cruised 17,000 miles without a mishap to its machinery. In this respect, as well as to many others, the inferiority of our submarines is conclusively proved. And as regards types, it is well known that the Germans sent cruiser submarines and mine layers to our coast in 1918.

NEED OF CRUISER TYPES.

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These boats remained at sea for months, sank many ships by torpedoes and gunfire, and one mine layer alone sank an armored cruiser and seriously damaged a battleship. Notwithstanding this fact, proving, as it did, three years ago the necessity for such types in offensive warfare overseas, not one boat of this type has been produced in our Navy and only three may join the fleet in 1924—six years after the Germans demonstrated their offensive usefulness in war!

By a decree of the council of ambassadors these German U-boats now in our possession are to be destroyed by bombing experiments prior to August 31, 1921. Have we taken proper measures to secure plans of their machinery and superior fittings for adoption in our inferior boats before these efficient fighting craft are destroyed? It is inconceiveable that the Navy Department will neglect such an opportunity. We shall see.

that the Navy Department will neglect such an opportunity.

There is no room for narrow-mindedness in considering the forces, the
types of ships, and the weapons that must be provided if the United
States is to have a strong Navy in 1921 and in years to come. The
naval mind must not be controlled by a single idea. If legislation
satisfies itself with a one-idea navy, there can be but one result—the
expenditure of enormous sums of money with no adequate return for
the investment. The battleship alone is not all-sufficient. The submarine alone is not all-sufficient. Air forces alone are not all-sufficient.
They are interdependent. All three are necessary to a modern navy.
Notwithstanding this self-evident fact, the House Naval Committee
framed a bill with no provision for submarines and with a pittance for
air forces! The Senate Naval Committee has made provision for a
small air force, but it has confirmed the action of the House in striking
out six submarines—the one item of most importance to the Navy at
this time. We are confronted, therefore, with the legitimate fruit of

naval narrowmindedness—a surface fleet with submarine and air forces so totally inadequate that our Navy appears to be hopelessly sentenced to the defensive in war. It is a condition at once alarming and in-

It is interesting to note the recent opinions of Admiral von Scheer:
"We came out again on August 19 (after the Battie of Jutland) for
the purpose of attacking Sunderland in the hope of infuriating Great
Britain and forcing a new battle. I steamed into the North Sea. For
what happened let me quote from the London Times:

"'Again, on August 19, the commander of the grand fleet, with a
superior force, for a second time time came in contact with the enemy
and sent the following signal: "I expect to be in action in a few minntes and have every confidence in the result." Immediately afterwards
he was attacked with torpedoes. Two cruisers were sunk, no battleships came into action, and in half an hour the battle fleet was stering for its base."

Von Scheer continues: "Our fleet remained in possession of the
North Sea that day and our submarines taught the world a lesson that
will not be forgotten—that a few submarines could make England uncertain regarding the value of her grand fleet. Thus the August battle
showed that Great Britain's fear of loss through our submarines kept
her from engaging in battle.

"The Battle of Jutland and the August affair changed the whole
course of the naval campaign. Great Britain blockaded Germany.
Germany submarined British commerce, while the fleets remained in
their harbors."

Germany sub their harbors.

Later on Admiral von Scheer pays further tribute to the power of the submarine in war: "The strongest fleet has no opportunity for victory if it is forced by its adversary to stay in port through fear of sub-

"Nowadays the greatest naval fleet can not guarantee the safety of its merchant fleet unless the enemy's submarine bases are destroyed."

BROADMINDEDNESS REQUIRED.

There are officers of ability in all navies who confirm the opinion of Admiral von Scheer as to the value and the rôle of the submarine; and now we find air forces coming to the front. We need not and should not be stampeded by these new weapons; but we must intelligently recognize their importance. Broadmindedness should rule in naval policy. Narrowmindedness is now in the ascendency in the United States Navy.

Mr. KING. The writer of the article refers to the fact that submarine officers have been ignored in the hearings conducted by the House and Senate committees. I believe his criticism is warranted. I do not recall any submarine officer appearing before the Senate Naval Committee, and my information is that the same is true of the House committee. There are a number of naval officers who are familiar with submarine construction, their defects, and their elements of strength. These officers have had large and practical experience in submarine warfare. Their testimony would be enlightening to the committee and important to Congress and their recommendations would possess merit. In view of the large number of inferior submarines in our Navy and the manifold defects in their construction and operation. I submit that the views of these officers should be obtained and their recommendations should receive full and fair consideration. There is too much of a disposition in both the Army and in the Navy to concentrate in the hands of a few officers all authority, and to constitute them the sole medium through which information is permitted to reach Congress. I believe that a full investigation of our aircraft policy and our present and future program should be made by a joint committee of the House and the Senate, and the practical experience of flying men and constructors should be brought to the attention of the House and Senate Naval and Military Affairs Committees, and I believe that a like course should be pursued with respect to submarines. We need more light and should have the views of practical, experienced constructors of submarines and the testimony of officers and men who have had experience in submarine warfare.

It would seem, in the light of all the facts, that even the most fervid advocate of navalism would support a policy which calls for the greater use of submarines and aircraft, as well as such other instrumentalities as the war and recent scientific developments have demonstrated to be vital in naval contests. lacking in submarines if we are to maintain a modern and efficient Navy. We are defective in our preparations for aerial warfare. We have no submarines for the laying of mines, nor have we given sufficient attention to the construction of mines and torpedoes, or brought into practical application the use of

gases in naval warfare.

The Senator from Wisconsin [Mr. Lenroot] a day or two ago in debate stated that in his opinion naval warfare would be revolutionized within a few years, and that the capital ships would not perform the important functions that in the past they had discharged. The development of high-power explosives and the destructive and poisonous gases will modify naval warfare as they have changed land warfare. If capital ships are to be employed in the future, there must be protection against explosives dropped from the air. There must be greater protection, if possible, from the deadly results of torpedoes.

The bill before us does not seem to take into account the large place which torpedoes, to be fired magnetically, and radiocontrolled instrumentalities are to play in the future of naval I regret that it becomes necessary for the construction of any battleships, but I appreciate the fact that under present conditions we are compelled to maintain a strong and efficient Navy. I have repeatedly declared, during the debate upon this bill as well as upon the naval bill in the closing hours of the last session of Congress, that I was not advocating the "scrapping" of the Navy, nor was I supporting a policy for a "little Navy." Some dishonest newspapers and some belligerent and warlike persons in our midst insist that any opposition to the 1916 program, or any criticism of our naval policy, implies a deadly hostility to any navy, and furnishes convincing proof of the disposition of the critic to absolutely destroy our Navy.

Mr. President, is there anything so sacred about this 1916 program that it becomes an offense to criticize it? Is it so sacrosanct that no one may lay his impious hands upon it? It shows that it was drafted by finite minds-very finite-and it is now proposed to make it an immutable and unchangeable formula with the sanctions of law. I say, with all due respect to Senators and those who are implacable in their opposition to any proposed change or modification of this plan, that a Great War has been fought since this program was devised and a new era of warfare has been ushered in. The things of yesterday do not meet the requirements of the present and the future. However perfect this program was six years ago, it is now so inadequate and hopelessly defective as to demand material modifications. I therefore feel no impropriety in criticizing this obsolete, reactionary program, particularly when there is exhibited such blind tenacity in adhering to its provisions. Moreover, this policy which calls for the construction of 156 war vessels menaces the successful efforts of those humane and patriotic Americans who are seeking to end naval and military competition and prevent international bankruptcy. Now, as in the past, fierce denunciation follows those who oppose a militaristic and navalistic policy. They are denounced as pacifists, and imputation is often made that they are devoid of that spirit of Americanism essential to preserve our Government and its ideals. It is insisted that a proper national policy demands large armies and the most powerful Navy in the world, and that efforts to relieve the people from the burdens of taxation and secure international disarmament and world fellowship betoken a maudlin sentimentality and foolish and utopian ideals detrimental to wholesome public thought and sound national policies.

Mr. SHEPPARD. I wish to say here that during the last few days I have noted in some of the papers that the report of the votes on these amendments have had headlines reading, "Fight on Navy fails," as if the effort to amend this bill in particulars which we think advisable should be construed as a fight on the Navy itself. I regard reports of that kind as ex-

ceedingly unfair and unjust.

Mr. KING. Mr. President, the observations of the Senator from Texas are warranted. It is true the naval bill in the closing hours of the last session was defeated, and it is likewise true that in the debate upon the pending measure opposition has been voiced to some of the provisions of the bill. The House, after full investigation, passed a naval bill carrying \$400,000,000 appropriation for the next fiscal year. The Senate committee has added \$100,000,000 to the House bill. A number of Senators are opposed to some of the provisions of the House bill and a greater number are insisting that some of the provisions reported by the Senate Naval Affairs Committee should be eliminated from the bill.

No one is fighting the Navy. No one is opposing a modern and efficient Navy. There are some Senators who are attempting to point out the archaic and defective naval program which finds approval in the bill before us. A number of Senators are insisting that the United States should immediately cooperate with other nations with a view to ending this naval rivalry which is bankrupting the world, and that pending a conference of the leading nations of the world, in the interest of world peace and the limitation of armaments, our Nation should suspend work

upon some battleships and cruisers.

All Senators are in perfect accord that if there shall be no international agreement to modify or end naval competition, then the United States should have a well-rounded and thoroughly modern and adequate Navy. Unfortunately, the attitude of these Senators is misrepresented by some portions of the press. I believe that most of the newspapers of the United States are considering our naval policy in a rational and patriotic way. There are some newspapers so hysterical, reactionary, and intemperate that it is impossible for them to fairly present the facts and state the issues. They seem intent upon inflaming public opinion, creating resentments and international suspicions and complications. They seem to be more interested in developing a militaristic spirit than in speaking the truth and

discussing in a calm and statesmanlike way national and international problems which vitally affect the peace and welfare not only of the people of this Republic but of the world.

Mr. President, I have always been an advocate of a strong, modern, and adequate Navy. The Democratic Party has opposed a large standing Army, but it has always supported a broad and liberal naval policy. But I have felt that the greatest curse of the world is militarism and that only through the interposition of Providence has the world escaped from the triumph of a brutal imperial autocracy. I have felt that the time has come when the enlightened nations of the world must come together for the purpose of formulating a rational plan to secure disarmament or relief from the destructive military and naval competition which threatens a revival of war and the

ultimate bankruptcy of the entire world.

When we contemplate the frightful cost of the last war and its evil effects upon the social organism it would seem that everywhere throughout the land the voices of the people would be united in a demand for the termination of war with its horrors and brutalities and its debasing, demoralizing effects. Europe now is suffering from wounds which seem almost fatal. We are facing a known obligation of more than \$24,000,000,000 and prospective expenditures that will, in my opinion, within the next 25 years add at least \$20,000,000,000 additional, as burdens to be met by the American people. No one can compute what this war cost the world. Statisticians declare that the immediate cost was more than two hundred billions. The burdens which will inevitably fall upon later generations will swell this stupendous amount until the human mind will be unable to grasp its immensity. These losses which have been estimated in figures, which may, because of their number be meaningless to the average mind, are only a part of what the world has lost and for which it will be required to pay.

Millions of human beings, the flower of nations, rest in known and unknown graves in nearly every land and clime. Millions of wounded and helpless men are left to face the problems of life with sorrow if not despair in their hearts, and millions must depend upon the charities of friends or the gratitude of nations for maintenance. The physical losses may be computed, and yet that is problematical, but the moral and the spiritual

losses we may not appraise.

I have felt that we would bring upon this Nation the condemnation of a P'vine Providence if we did not lead the world back into the paths of sanity and set an example that would compel world peace and sound the destruction of a policy of competitive armanent which always has, and always will, provoke war and add to the already unendurable burdens which afflict humanity. We are in a position to lead the way. Our moral strength, our financial resources, and our physical power compel us to assume the responsibility of world leadership. But the debates in the Senate, and the attitude of many in our land lead to the conclusion that we renounce this high privilege, that we close our eyes to the moral requirements of the hour and seek guidance only from the blurred, blotted, and bloody pages which record humanity's tragic evolutions.

I have believed that there was sufficient virtue in the world to secure amelioration from naval and military burdens, that there was sufficient of the spirit of fellowship and justice to unite most, if not all, nations of the world in a union or federation which would call for disarmament or reduction to a minimum of naval and military burdens. I have felt that to secure this world union or world cooperation, this Nation must take the lead, that it must evince a sincere desire to end militarism and navalism, and that its example would be so impressive upon other nations as to bring them into common accord and amity and world peace. But we are manifesting a belligerent and, indeed, a warlike spirit.

It is true that we disclaim any military purposes. We aver our solicitude for the welfare of the world, and yet we propose legislation which will result in commercial isolation and proclaim national selfishness and engender militaristic pro-

pensities.

In the discussions in the Senate, and in the columns of the press, there is exhibited too often an intolerance toward other nations; and we sometimes arrogate to ourselves a superiority which is exhibited in contemptuous criticism of other peoples, and in deprecatory allusions to their policies and purposes. Moreover, it is thought by some that we are developing a cynicism and a materialistic attitude, which are obstacles to that worthy and genuine idealism essential to leadership or service.

It must be apparent that the statements made in Congress and in the press that we must have the largest navy in the world and that war is possible, if not imminent, between our Nation and Great Britain or Japan, or both, must react unfavorably throughout the world.

Notwithstanding the contributions of this Nation to the cause of freedom throughout the world, there are peoples who entertain doubt as to our sincerity, and fear that the United States is not as disinterested and altruistic as many Americans proclaim her to be. In recent debates in Japan and England, and in other nations, the question has been asked, Why is America Why is she carrying out her 1915 program? nations to the south of us have not always felt that we were free from imperialistic designs. When we propose the largest navy in the world and to continue, at a time when the world is staggering under burdens and is unable to secure food and fuel and the necessities of life, the expenditure of a billion dollars a year for the maintenance of an army and navy, the example is not reassuring to the world, and it is not conducive to their peace of mind or to allay suspicions which may be entertained as to the peaceable and disinterested purpose of our Government.

I believe that we should encourage the nations of the world to disarm, to cease building navies, and to devote their energies to peace and to the economic and industrial development of their countries. Now more than ever, not only for the good of the world but for our own welfare and advancement, must the United States play the rôle of peacemaker throughout the world. It need not form alliances which are entangling or project itself into the domestic or internal affairs of peoples, but it can employ its great influence and its unexampled power to bring order and peace and justice out of the chaos and confusion and animosities now filling the world.

Unquestionably labor in all parts of the world is more united in demanding world peace now than ever before. No longer may men be led to the shambles or to die upon unknown battle fields at the whim and caprice of an autocrat or to satisfy the ambitions and wicked imperialistic designs of a military cabal. Now is the appointed time for a world movement for peace, for the establishment of international tribunals to which resort may be had to settle international controversies.

The benignant spirit of municipal law and its happy consequences can be imported into international relations and there can be developed an international spirit and an international code of laws which will be the precursor of a higher standard of world civilization. I have felt that if the United States took any step or adopted any policy at this critical period of the world, at this hour when the nerves of all peoples are unstrung and an international tension exists—which needs but the slightest shock to precipitate further conflicts—that would further impair the faith of the world in the American people and in this Government, it would be a calamity the consequences of which no one could foretell.

May it not be truthfully said that America is the hope of the world? If it is felt that this Nation is imperialistic, that it is following a policy to give it the unchallenged control of the seas, it will fill with dismay the hearts of millions and provoke resentments which will be detrimental to world union and to the stabilization and, indeed, the pacification of society. We can not disassociate ourselves and our example from its effects upon world psychology. We may seek isolation and feel that our national naval policy should not and can not affect others, but the position is fallacious. Whatever we do will influence other nations for weal or for woe, for good or for ill. What does the record and example of this Nation prove to the world?

It is frequently said that we desire world disarmament, but that the advances must be made by other nations. A few days ago, during the debate, the Senator from Massachusetts asked whether an invitation had been extended to the United States to participate in a conference to prevent competitive armament or to secure disarmament. First, let me say that this Nation ought not to await invitations from other nations to inaugurate a movement so beneficent and so vital for the good of the world. America should lead, and not follow, in this great enterprise. However, the leading nations of the world have repeatedly evinced their sincere desire to alleviate the conditions resulting from militarism. The treaty of Paris contains a rational and feasible plan to secure disarmament. A commission is now acting under the authority of that treaty. However, its activities are impeded by reason of the attitude of this Republic. It has been stated by members of the league commission charged with the duty of formulating a plan for world disarmament that but little progress could be made until it was known what the attitude of the United States would be. It is obvious that the members of the League of Nations, no matter how sincere their desires may be for disarmament, can not devise a satisfactory plan unless the United States shall make known its purpose.

Great Britain, Japan, and other nations doubtless would be unwilling to disarm if the United States refuses to adopt a like policy. We hold the key to the situation. If we spend hundreds of millions annually for war, for our Army and for our Navy, and make no efforts to end war, we are an obstruction in the pathway which leads to world peace.

Our Nation has been invited to join with the commission which is acting under the Paris treaty, even though it shall not regard itself as bound by the action of the commission. We have not accepted that invitation. Leading nations of the world have signified their desire to bring about a reduction of armaments at an early date, but we have offered no concrete encouragement, although we have talked much of our idealism and proclaimed our love for world peace.

Germany, which menaced the world, has no navy, and is bound by the Versailles treaty. She furnishes no ground for our naval demands. France has shown her desire to end naval competition and has canceled the construction of five armored battleships, the building of which was authorized under the law of January, 1914. Her naval program is limited to the construction of a few light cruisers which are to be "lookouts of the fleet." Some time ago work was suspended upon the Normandie, an armored battleship, and a policy of retrenchment was adopted.

Attention has recently been called in France to our naval policy, which exhibits such a marked contrast to the course which she is pursuing. In the Journal de la Marine-Le Yacht, in issue of April 23, reference is made to the demand of our General Board of the Navy for the 1916 program. The article states "This will show that they will have shortly 21 cruisers of the superdreadnaught type and 6 large battle cruisers.' Our naval policy impels some French writers to demand a modification of the French naval program in order that the navy may be strengthened. In other words, our navalistic policy excites apprehension upon the part of some of the people of France, and leads them to demand that France, impoverished as she is, shall construct additional battleships. Italy, important as her interests are in the Mediterranean Sea, and beset, as she is, with serious dangers from Mohammedan peoples of the Levant as well as northern Africa, has practically suspended the construction of war vessels. Argentina, with all her wealth, has but 2 battleships; Brazil, 1; Chile, 1; Spain, 3; Greece, 2; Germany, 6 (second class); Peru, Portugal, Sweden, Denmark, and Holland have no battleships, and but a limited number of naval craft of minor descriptions; Belgium, Bulgaria, China, Colombia, Cuba, Ecuador, Haiti, Honduras, Mexico, Nicaragua, Persia, Rumania, Siam, Uruguay, and Venezuela have no effective ships of war of any description, either built or being built.

We can give no sufficient reason to justify this extensive, burdensome, oppressive naval policy which was conceived during the war. Nevertheless, we are told that the administration is demanding its adoption. The Navy Department is clamoring that it be executed.

The recent war developed no reasons justifying the United States entering upon a militaristic career or adopting an imperialistic policy. Indeed, the entrance of the United States into the Great War was a protest against imperialism and the military madness of the autocratic elements in control of Germany. It was recognized the world over that the struggle was between the forces of democracy and the forces of autocracy. It was a death grapple between the highest expression of Cæsarism and the forces devoted to peace and the extension of democratic ideals. It was believed that the war, if it did not end militarism, at least would advance the interests of world peace and promote the cause of social justice. It was fully understood by those conversant with human nature, and the causes which underlie human development, that no matter the form of the treaty following the war the wounds and scars resulting therefrom would not be healed for many years, and that jealousies and antipathies would still persist as a menace to uninterrupted peace and unimpeded prosperity. But it can not be denied that a new faith had come into the hearts of the people everywhere. They believed that a new day had dawned and, though there would be clouds and storms that would obscure the light and disturb the serenity of the people, it nevertheless would bring greater joys and finer achievements and genuine progress as a result of which peoples and continents would be brought into closer and more harmonious relations, and the specter of war would not forever be present as a reminder of tragedies and horrors of the past and a prophecy of evils for succeeding generations.

Of course, students of history and those deeply learned in the philosophy of life appreciated the fact that no neutralizing agent had been discovered that would render society immune from the poisons and diseases of war. Yet it is not a foolish faith which leads millions to affirm that the future will produce international order and peace, as just laws and wise constitutions have secured domestic peace and national security.

stitutions have secured domestic peace and national security.

Municipal law has reached that high standard and the social progress of communities and nations has been so marked that we find within great States orderly growth and development, peace and progress, and law supreme accepted and obeyed without compulsion or force actually or potentially and not resting in military or naval instrumentalities. The toilers of the world believed that militarism was destroyed when the Central Empires met their defeat. Though separated by boundaries, natural or artificial, and though differing racially, ethnologically, and otherwise, they spoke a common language of desire and hope and faith and were influenced by a common purpose, and they proclaimed that the day of war and conquest must end and the reign of humanity and justice be ushered in. Upon the same bloodstained battle fields many races had struggled, fighting for the same fundamental causes. Racial lines disappeared, deep-seated antagonisms and animosities were obliterated, and there came into the hearts of the armed and battling ranks, as well as into the hearts of the millions who were left behind and in the homes and factories and fields, whose efforts were being exerted to support on land and sea the soldiers who held the honor of nations and the fate of the world in their grasp, a sublime faith that a new world had been born and that the future would be dedicated to peace and not war, and that, freed from the burdens of militarism, humanity consecrated to freedom and justice would advance with unfettered steps to great moral victories and spiritual achievements.

It can not be denied that the reactions of the war have been disappointing. The springs of selfishness send forth their bitter waters now perhaps not as copiously as in the past but nevertheless in quantity sufficient to keep alive ambitions and purposes which it was hoped had been extinguished forever. It was inevitable that the war would have illusions and that the conditions following the war for many years would constitute a period of disillusionment. Human nature is not transformed overnight. It is the product of ages. We are creatures indurated with heavy lines of the pressing centuries of the past. The passions and racial prejudices and hatreds which have been transmitted to this generation, if we are to believe some physiologists, affected the cellular structure of the brain. It has been stated that "the constantly recurring feelings wear channels in the brain. The angry feeling, if it persists, will contact sooner or later in the angry deed. The lustful images, accompanied by ever-recurring pleasure, will at las' issue, almost automatically, in the lustful deed. No one can permanently feel one way and act another. No one can think habitually about the evil and act the good."

It may be added, parenthetically, that the persistent propaganda for a big navy, for military strength and authority, carry lessons to the people of our land which will constitute impediments to the establishment of true international relations, founded upon the concepts of justice and seeking international peace and world-wide fellowship.

The objectives of the war were not the perpetuation of militarism or the expenditure of billions annually for naval armaments. The war was the result of centuries of militaristic training and the product of ambitions and imperialistic purposes incompatible with freedom and justice. Those who had lived in the murky atmosphere of war, who breathed the poison of racial antagonisms and nationalistic hates, could not immediately accommodate themselves to the light of a day dedicated to peace and in which the sun of justice and freedom shot its brilliant rays into the eyes of all. But there are those who believed that the war had objectives international in character, that world peace was one of the prime objectives sought, and with burning zeal and with high purpose sought to guide the footsteps of the stumbling, halting peoples out of the darkness and up the steep and tortuous ways to the path that leads humanity forward. It is a period for the development of character and the molding of the thoughts of the people. May we not hope that the scales of disbelief in righteousness and justice, of unbelief in the purposes of a Divine Providence, will fall from the eyes of a distracted world, so that under the inspiration of a new faith and guided by the ideals of a new day the old world may pass

The Great Revelator speaks of a new heaven and a new earth. Surely the old things must die and the unworthy things of life must perish. It was Lessing who said that the Christian religion had been tried for eighteen centuries but the religion of Christ remains to be tried. The significance of this sentence is obvious. There have been creeds and religious formulas and the shells of religious organisms. They have failed to save

humanity, to purge the heart, and to bring into the lives of men the joys and ideals and the consecrations imperatively required if life achieves its highest fruition. Would it not be well for the world to try now the religion of Christ? This divine faith is to be preached not alone from the pulpit but it must find expounders in legislative halls, in executive positions of high responsibility, in counting houses, in the factories, in the marts of trade, and in the homes and lives of the people.

The future of this Nation, as well as of other nations, rests upon the character of the people, and character results from many processes and the structure to which many architects and builders make contributions. As has been said by Herbert Spencer, "institutions are dependent upon character, and, however changed in their superficial aspects, can not be changed in their essential natures faster than character changes."

If statesmen, publicists, writers, and teachers talk of war and preparations for war and great armies and mighty navies, and seek to impress the people with the importance and, indeed, the necessity of leading the world in naval preparations, and further declare that our country is in danger at the hands of other nations, and that our revenues must be devoted to military and naval preparations to avert impending disaster, the minds of the people will respond thereto, and character will be influenced or formed along those lines, and the institutions of the country, domestic and national, made to conform to those mental pictures. It were better if it were taught that—

'A nobler people, hearts more wisely brave, and thought that lift men up and make them free—these are prosperity and vital wealth.

I recall reading a statement made by Thomas Paine to the effect that—

An army of principles will penetrate where an army of soldiers can not; it will succeed where diplomatic management would fall; it is neither the Rhine, the Channel, nor the ocean that can arrest its progress; it will march on the horizon of the world, and it will conquer.

That was not the statement of a visionary dreamer or a doctrinaire, but one whose knowledge of the practical things of life was great and whose wisdom and sound judgment made him one of the most sagacious statesmen of his time, as well as one of the most powerful protagonists of the project for a new world republic.

Removed from the antagonisms and deep-seated animosities which have developed in Europe, this Nation is in a situation to direct the thoughts and lives of the peoples of the world and to lead the way from the mad ambitions and the imperialistic policies and the deadly destructions and disorders of the past. The world needs a leader. The people cry aloud for guidance. Philosophers and students shudder at the thoughts of another world war and appreciate what catastrophic proportions it would assume. Cities would be destroyed, peoples annihilated, and the world laid in ashes. It seems a horrible mockery that the advancements of science, the great movements forward which have improved the conditions of the world, should be converted into instrumentalities of death and national ruin and destruction. The discoveries of science, the remarkable developments in chemistry-these and a multitude of other movements should be the divine messengers to ameliorate the conditions of the people and to introduce into their lives more of joy and peace and justice.

The World War, as Viscount Bryce stated, struck mankind with terror and dismay. It revealed that our civilization had been but little softened. He stated that human intelligence has not been increased, and shows no sign of increase in proportion to the growing magnitude and complexities of human forces.

I can scarcely assent to this broad generalization, although the condition of the world during the war, and indeed since, fails to establish that confidence in the hearts of many in the capacity of the people for uninterrupted progress, culminating ultimately in a day where law reigns supreme and national hatreds and passions are submerged in a world current of altruism.

On the 23d of this month, President Harding, at the memorial services at Hoboken, N. J., speaking of those brave Americans who had given their lives in the World War, stated that "Their sacrifices sped on to accuse autocracy before the court of eternal justice." In eloquent words he declared that 100,000 sorrows were touching his heart, and in his ears were ringing the words, like an insistent call, "It must not be again! It must not be again!" He further states, "These heroes " " saw democracy challenged and defended it. They saw civilization threatened and rescued it." The Chief Executive voiced the thoughts of the American people. The meaning of his notable address is manifest to all—there must be no more world wars. There must not be again let loose the mad passions of military nations. The land and sea must not again be incarnadined with the blood of the innocent.

How shall this insistent call to which the President referred

be met? How are we meeting it?

The American people, in my opinion, are insisting upon a national policy that will make for world peace and for America's leadership among the nations striving for the abolition of war, and for international cooperation and association which will terminate competitive armament and establish international tribunals to which resort may be had if controversies arise between nations not susceptible of amicable adjustment among the contending nations.

Mr. President, recurring now to the amendment which I have offered, the General Naval Board submitted a report strongly insisting upon adherence to this obsolete and antique program. Jingoists throughout the land lift their strident voices in support of this inexcusable policy and are fanning the flames of suspicion and hatred against nations with whom we are at amity and peace. Groups based on racial lines seek the disruption of the friendly relations between the United States and Great Britain and between our country and Japan, and employ every artifice to stir the anger and resentment of the American people against those nations. Many who are most vehement in their demands that the United States maintain the greatest navy in the world refuse to perceive that there is a marked difference between Great Britain and Japan and the United States, both physically and geographically.

Mr. President, I mentioned Great Britain and Japan particularly, in view of the statements made by the Senator from Washington [Mr. Poindexter] in his discussion of this bill a day or two ago. In the course of his very able speech he called attention to the navies of Great Britain and Japan, and, as I interpreted his position, he justified the naval program which we are now developing because of their naval strength. He also referred to the military operations in Europe and to the fact that large armies were still under arms and conflicts between military forces were occurring. Allusion was made to France maintaining a large army and to the military forces of Italy and to the situation existing in Poland.

I have forgotten whether the Senator referred to the armed forces of the bolsheviks. I have had occasion to say, Mr. President, that conditions in Europe are far from satisfactory. Indeed, they occasion profound apprehension to those who are interested in the pacification of Europe and in the peace of the world. Many who felt that with the signing of the armistice world peace would immediately be assured have been rudely disillusioned, and yet to the student and philosopher the chaos there existing should have been expected. The war shattered not only political but economic foundations. The dismemberment of Austria and the exclusion of territory from German control and the establishment of new nations were bound to profoundly shock Europe's political situation and vitally affect her economic and industrial concerns.

Years will be needed to bring into proper relation the forces and discordant elements there found. The treaties which were written and signed contained imperfections, and doubtless the enforcement of their terms will provoke resentments and bitter controversies. Perhaps modifications of these treaties may be necessary in the interest of justice. Fortunately, the treaties created agencies and tribunals for their rectification and to which resort may be had for relief from unjust or unsatisfactory provisions.

Undoubtedly a united front by all of the allied and associated powers in support of the terms of the treaty would have prevented much of the discontent and many of the conflicts which have and still are disturbing Europe.

The refusal of the United States to aid in enforcing the terms of the treaty created a serious breach and afforded the Central Empires and Bulgaria and Turkey reason to believe that the treaties would be greatly modified to their advantage, if not wholly destroyed, and also resulted in a spirit of insubordination and arrogance which has materially contributed to the unrest and distractions which still inflict Europe. The belligerent attitude of the Germans as well as the threatening position of the bolsheviks has compelled France to maintain a large army, and the serious problems before Great Britain and the difficulties encountered by Italy have seemed to justify their refusal to bring about immediate demobilization of their military forces. No American would want the allied nations to throw away the fruits of victory. Some power must administer the trust created by war. France would gladly demobilize her troops and Great Britain would willingly reduce her naval and military expenses. They are anxiously hoping for a change in the affairs of Europe in order that they may be relieved from the great burdens which the war has entailed and which the further maintenance of armies and navies will accentuate.

Returning to the statement of the Senator from Washington, permit me to observe that in my opinion he failed to differentiate the physical situation of Great Britain and Japan from this and other nations and failed to properly interpret the attitude of these nations toward the question of disarmament.

The British Isles are dependent upon other countries for their food supplies and for raw materials. Great Britain has possessions in all parts of the world and her dominions look to Great Britain for protection. If navies are to exist, perhaps Great Britain has greater reason to maintain a navy than has any other nation. She has been menaced by various powers of continental Europe for hundreds of years, and her navy has been her sword of defense and a necessary protection to her worldwide dominions.

Japan was menaced by Russia, and the 400,000,000 inhabitants of China have constituted and still constitute, unless there shall be a new order in this world, a danger to the integrity of Japan. Japan's insular position has required a navy for the protection of the Japanese Empire.

Of course, these statements are postulated upon the old order and the alliances and balances of power which bound and divided nations and peoples. But the time has arrived for a new order and world fellowship.

China is awakening from her centuries of slumber. This awakening, unless there shall be some movement to secure world peace, forebodes trouble, if not disaster, to Japan. Bolshevik propaganda has found it way into China and has poisoned the minds of some of that race; and bolshevism is pressing through Siberia and seeking the destruction of Japan. More than 60,000,000 of people inhabit a very restricted territory, and the birth rate of Japan exceeds 700,000 per annum.

Forbidden migration to the United States or Canada, or Great Britain's possessions in the Pacific, and obstacles having been interposed to colonization in the Central or South American Republics, Japan is compelled to turn her attention to the mainland of Asia. Her agricultural products are limited and she is dependent upon other nations for food supplies as well as for raw materials. Her statesmen and leaders, if they do not wish their nation condemned to decadence, if not destruction, must seek in every fair and honorable way some outlet for the increasing population and protection for her island possessions. And yet both Great Britain and Japan, notwithstanding the geographical and physical conditions to which I briefly referred and which differentiate them from other countries and which require the maintenance of powerful navies in the absence of international arrangements for a limitation of armaments, have exhibited a sincere desire to join with the United States and the other nations of the world to bring about not alone a naval holiday, but world disarmament.

During the debate upon the naval bill in the closing hours of the last session of Congress I called attention to the fact that the belligerent attitude which we were assuming, and the enormous appropriations which were being made for naval purposes, would revive the waning navalistic spirit in both Great Britain and Japan, and would develop a sentiment more or less insistent that the naval programs of those nations should be revised and immediate steps taken to strengthen the navies of each nation. It seemed to me certain that if the United States continued its 1916 program and supplemented that with a broad and comprehensive program for airplanes and plane carriers and submarines, Japan and Great Britain would be compelled by public sentiment to increase their naval expenditures and embark upon a construction policy.

The predictions which I made have been realized in part. Since the adjournment of Congress Great Britain has modified her program. Demands were made that capital ships should be constructed to meet the naval program of our country. A few days ago I invited attention to a discussion which occurred on the 17th of March of this year in regard to Great Britain's naval program. Sir James Craig, the parliamentary secretary of the Admiralty, submitted estimates calling for the construction of four capital ships "embodying the lessons of the late war," and also for the construction of a submarine and mine layer "embodying the latest developments in these craft and layer "embodying the latest developments in these craft and a number of experimental features." Information of which we are in possession reveals the fact that these four capital ships are to be larger than the Hood and each is to have a 55,000-ton displacement. They are also to carry 20-inch guns and have a speed in excess of any war vessels now being constructed. It would seem that they are an answer to the challenge of our 1916 program. Nearly six years have elapsed since Great Britain laid the keel of a capital ship. During that time she has completed but one, the *Hood*, and signified her purpose to carry out the plan suggested by the treaty of Versailles and join with the world in naval disarmament. Her statesmen and her parliamentary leaders declared their desire to cooperate with the United States and with all nations in accomplishing this world reform.

In the naval estimates submitted some months ago in Parliament, Great Britain, though some complaint was made because no appropriation was carried for new capital-ship construction, resisted all appeals for the construction of such ships and has materially reduced her naval budget, but when we announced in the closing hours of the last session of Congress our determination to drive through this program, and when Senators declared that war was imminent between the United States and Japan, and statements were made in our country that Great Britain was a menace to this Republic, public opinion in Great Britain forced the parliamentary leaders to a reconsideration of their former estimates; and so, within the past few days, as I have indicated, new estimates have been introduced calling for an appropriation of £2,500,000 for the super Hood ships, the construction of which is to commence next year.

In the debate upon the estimates, one of the speakers referred to the fact that Great Britain had to take into consideration that by 1925 the United States would have built a fleet which would make obsolete all battleships of the English fleet with the exception of the Hood. The debate in Parliament, as well as the discussions occurring in the press and throughout Great Britain, incontrovertibly established the fact that our naval program is responsible for the purpose of Great Britain to build super Hoods, which, when constructed, will render our costly Navy obsolete.

During the debate Mr. Asquith, the former premier, referred to the competitive shipbuilding of the past. He referred to the two-power standard, declaring it to be unsound and unscientific, and then stated that he approved of a frank and friendly discussion with other powers for a limitation of armaments. He quoted the words of the first lord of the Admiralty in his official report of March 17, 1920, wherein he said:

If there is to be emulation between, for instance, the United States of America and ourselves, let it be in the direction of reducing the ample margin of naval strength which we each possess over all other

I might say, in passing, that the debate disclosed the fact that Great Britain is retiring most of her warships, so that she will have only 16 capital ships in commission and 14 in reserve, each of which is becoming every day more and more obsolete. Sir Edward Carson, joining in the debate, referred to our naval program and to the fact that the United States will have 18 capital ships of what are called the post-Jutland class by 1925, whereas Great Britain would have but 1, unless the new program calling for 4 super Hoods should be carried out.

Let me add, Mr. President, that the whole debate seemed to pivot upon the action of the United States. We declared for navalism, and forced Great Britain to revise her estimates and prepare for the construction of more warships. While all who referred to the subject declared that it was impossible that any war should occur between Great Britain and the United States, and all indicated a sincere desire for the maintenance of the most cordial relations between the two nations, nevertheless the debate revealed the fact, as I interpret it, that our determination to build a new battle fleet at a cost, directly or indirectly, of at least one and one-half billions of dollars was responsible for Great Britain's revised policy which called for the construction of only four additional capital ships,

I might add in this connection that Rear Admiral Adair, who played a conspicuous part in the naval operations during the Great War, declared that the strength of the navy does not depend only on battleships; "that the German battleships, twothirds only of the strength of ours, caused the whole of our battle fleet, with its enormous flotilla and enormous number of skilled men, to be locked up in the North Sea for four years' a far weaker fleet absolutely "contained," as the expression goes, the stronger. Lord Curzon stated that two nations were formidable naval competitors, and were "rapidly arming to the

That reveals how our example is regarded in other countries. He did not mention the two nations, but unmistakably alluded to them. He referred to the fact that our country had made it clear "that whatever is done"—by way of arriving at some understanding on the subject of shipbuilding—" will not affect the construction of the ships that are now being built. All that she is prepared to do is to talk about the future after those ships are built.'

Senators have said, as I remember the debate, that we would talk about disarmament when the 1916 program was completed. Can we complain if other nations regard such statements as a

challenge and as proof of a disinclination to enter into international agreements to secure world peace and end competitive armament?

Mr. President, Lord Curzon has accurately stated the situation of the navalists in the United States. Many of them talk about disarmament or an international agreement to prevent naval competition, but it is only talk so far as the United States is to be affected, and the 1916 program is to be driven through and completed before our country will consent to any reduction of naval armament or restriction of naval competition. It is manifest from the debate that Lord Curzon and others were unable to reconcile our professed desire for world disarmament with the feverish haste with which we are building battleships and completing a naval program that will provide the United States with the most powerful navy in the world. How insincere and hypocritical our professions and conduct must appear to those nations which are earnestly striving to end naval competition and secure a reduction of ail forms of armament; and no doubt these professions are less defensible when followed by statements so frequently made by public officials and responsible political leaders in our country to the effect that we will only talk about disarmament and will enter into no agreement to secure disarmament or a reduction of military and naval preparations until our Government has completed a naval program the cost of which will be approximately one and one-half billion dollars, and which will result in insuring the United States dominancy upon the seas.

Mr. Prettyman, who occupied a high position in the Admiralty, and who is one of Great Britain's ablest statesmen, declared that everybody will agree that-

Agreement and international arrangement is far better than building one against another.

He added:

If the United States of America and the Government of this country can come to any arrangement by which competition in building can be avoided, it will not be opposed but most heartily welcomed in every part of this House; but if any such arrangement is impossible, it is impossible for us to say simply because we trust and believe in the continued friendship of the United States or any country that we can allow them to have a navy to which our navy would be manifestly interior.

He made it clear in his speech, however, that the practical question before Parliament, in view of the determination of the United States to have a powerful navy, "definitely more powerful than Great Eritain's Navy," was whether from a purely defensive point of view Great Britain should not engage in further naval shipbuilding.

Lord Northcliffe has asked for disarmament, and says:

Why should the nations waste thousands of millions on practically useless battleships, about the future utility of which the best experts are now violently divided?

Mr. Walter H. Long, first lord of the British Admiralty, recently said:

In my speech on the estimates in the House of Commons this year, I expressed the hope that any competition of the future would be in reduction, not in increase, of armaments. My board and the Government showed their sincerity by bringing forward no building program. We even did not finish the ships then and now under construction.

The fact is that the British naval program contemplated the completion of but a few auxiliary craft, the cost of which would be inconsiderable, but, as I have indicated, the navalistic spirit of the United States has constrained the British Admiralty to revise their estimates and recommend an appropriation of £2,500,000 for the laying of the keels of four capital ships during the year of 1922.

We have held the control of the seas to the advantage of the world and to the securing of peace for over 300 years. We are an island power, entirely dependent upon the outside world for our supplies of all kinds; we must have a navy capable of maintaining our ocean highways. We have had different standards. Our strength was at one time superior to the three next strongest powers, then to the two; now all that we are suggesting is that our strength be equal to the next power. Is not this proof of our desire for general reductions of

I have here numerous statements from writers and statesmen of Great Britain showing that it is the desire of the British Empire to avoid further naval rivalry and to aid in bringing about world-wide naval and military disarmament. I repeat, Great Britain has extended to us the hand of hospitality and sought an agreement that would relieve her as well as this Nation from competitive warship building; but we have repulsed her advances, and, as I have repeatedly said, have announced to the world our purpose to have the most powerful navy in the world, Indeed, it is not certain that our Navy now, ineffective and imperfect as it is in some branches, is not more powerful than Great Britain's Navy, and, as everyone knows, it is more than double the tonnage of the Japanese Navy, and measured by all proper standards is more than twice as strong and powerful

and efficient as the Japanese Navy. In a statement submitted by Secretary Daniels in January he credited to Great Britain a tonnage greatly in excess of that which she actually possesses, During the war Great Britain lost out of her fighting fleet over 600,000 tons. Among the ships lost were 2 battle cruisers and the superbattle cruiser Queen Mary; 13 battleships, including the 23,000-ton dreadnaught Audacious; 10 armored cruisers; 9 light cruisers; 67 destroyers; 52 submarines; and 6 monitors. The loss of auxiliaries to the navy, including many ships of from twelve to eighteen thousand tons, brought the total loss to the navy of Great Britain to approximately three-fourths of a million Notwithstanding these great losses, England built no capital ships and is building none now, and after the war she struck off from her active list practically the whole of her big fleet of prewar dreadnaught battleships, her armored cruisers, her protected cuisers, and a large number of destroyers, submarines, and other smaller craft, the list totaling 150 ships.

If our Navy Department had pursued the same sensible and rational policy, our naval expenses would have been reduced, and the personnel of the Navy could have been reduced to at

least 100,000 men.

These British vessels to which I have referred have been either retired, sold, or broken up. Moreover, the British Admiralty have tentatively condemned all capital ships not armed with guns of 12-inch caliber or more, as a result of which some of her dreadnaughts which are armed with 12-inch guns have been withdrawn from what might be called the active list, and are employed as practice ships or for gun-training purposes. She has abandoned a number of her docks, reduced the personnel of the navy, and introduced economies which might commend themselves to officials of our Navy Department.

Permit me to further reply to the suggestions of the Senator

from Washington [Mr. Poindexter] in regard to Japan. I clipped from the paper this morning the following:

SAYS TOKYO WILL FOLLOW LEAD IN DISARMAMENT—LEADER OF DIET PARTY SAYS OTHER NATIONS OF GREATER POWER MUST TAKE INITIATIVE.

SAN FRANCISCO, May 30.

Japan is in favor of disarmament, since the fulfillment of the naval program is imposing heavy tax burdens on the people, but other nations of greater power must take the initiative, R. Nakanishi, leader of the Japanese Diet party, now visiting the United States, told at a luncheon here. The party was greeted by Maj. Gen. Charles H. Muir, commanding the Ninth Army Corps Area; Rear Admiral A. S. Halstead, commanding the twelfth naval district; Mayor Rolph's secretary; and other civic and military notables.

"Japan wants peace in the Orient," Mr. Nakanishi said. "We feel the military burden heavily, but we feel we can not suggest disarmament first, as that would be usurping the prerogative of other nations more entitled to make such declarations."

The party is here to study economic, immigration, and other conditions.

I might say, parenthetically, however, that Count Ishii and other Japanese statesmen, including Baron Hayashi, to whom I shall refer in a moment, have taken the initiative, and more than a year ago announced their desire for naval disarmament.

I appreciate that in discussing the Japanese situation one is liable to be misunderstood and his motives aspersed. It has become fashionable in some parts of the United States to indulge in unrestrained condemnation of the Japanese Government and the Japanese people. There are some in our midst whose prejudices are so intense as to prevent them, in my opinion, from reaching just or safe conclusions. It is regrettable that statements should be made and published calculated to in-flame resentments upon the part of both Americans and Japanese and to disturb the cordial relations which should exist between the two Governments and their people. And it is likewise true that in Japan there is a military and jingo party and elements that seek to incense the Japanese people against the United States.

I feel sure, however, that the overwhelming majority of the American people sincerely desire the welfare of Japan and the prosperity of her people. They recognize the fine qualities and remarkable genius of the Japanese race and are filled with admiration at the wonderful progress which has been made by this people within half a century. The American people will welcome every movement that will tend to promote cordial relations between this Republic and the Japanese nation.

The charge so often made against the American people that they lack idealism and are devoted to the mechanical and material things of life is not just. This Republic was a protest against reactionism, against stagnant or decadent policies and a blighting philosophy which influenced the lives of the people. This Republic was dedicated to liberty, and the American people have sought to maintain political and civil liberty and industrial have sought to maintain political and civil liberty and industrial freedom. They have hoped that their love of liberty and their ideals would lead to world freedom and progress and would be an example to other nations, so that everywhere there would be myriads of hands to hold aloft the torch that lights the way for humanity. And so, while there are reactionary forces in the

land, and some whose materialism blinds them to the duties of the hour and the mission of this Nation among the peoples of the world, the American people as a whole entertain sincere friendship for the people of the Orient and for the millions who live under Japan's progressive Government.

Of course, there are racial differences between the Anglo-Saxons and the inhabitants of Japan, and the economic situation in Japan is such as to emphasize those conditions. But the fact that there are differences, ethnological and otherwise, should only strengthen the determination of the patriotic people of the United States, as well as Japan, to maintain amicable relations between them and to prevent misunderstandings or controversies which might be a menace to their peace.

I have no sympathy with the cries of braggarts, whether in this or other lands, or the efforts of intemperate and radical elements who seek to keep alive hatreds and antipathies among nations. Such conduct is most reprehensible and betrays a lack of loyalty and true patriotic devotion to one's country. Loyalty to the United States is best evidenced by efforts to cultivate fraternal relations between it and all other nations.

There is peace psychology as well as war psychology, and as hatreds and venom affect the lives of individuals, they likewise

influence the conduct of nations.

The war with Germany is over. We should put behind us so far as possible the animosities of the war and go forth with faith in humanity and charity for all, seeking to bind up the wounds of men and nations and to establish justice and righteousness in all the world.

Let me read a sentence uttered by Mr. Roosevelt in July, 1918: Japan is playing a great part in the civilized world; a good understanding between her and the United States is essential to the international progress, and it is a grave offense against the United States for any man by word or deed to jeopardize this good understanding.

Mr. Henry W. Taft stated, in a reprint of articles published in the New York Times of June 26 to 29, inclusive, 1920-

That there was a friendly attitude upon the part of the Japanese people and their leading statesmen to the United States.

I ought to add that Mr. Taft, Mr. Vanderlip, and other eminent Americans visited Japan and were afforded full opportunity to study the Japanese people and learn of their views and the policy of their Government.

He referred to the fact that-

Despite the complications arising from bolshevism, the disordered conditions in Manchuria and Mongolia, and the strong position occupied by Japan in the Orient, the Liberal Party was gaining ascendancy in political affairs.

He stated that he found-

No substantial basis for an apprehension of war between the two countries, and that the statements periodically occurring in our sensational press upon this subject appeared to me to be utterly without foundation.

He also stated that investigations made led to the conclusion that the military preparations being made by Japan were defensive in character and were no more elaborate than the exposed position of Japan in the Pacific Ocean made reasonably necessary. There is no party in Japan which, from the standpoint either of inclination or of national policy, seriously contemplates war with America. All organized political parties seem to agree that the cultivation of cordial relations with this country

is the best public policy for Japan.

On the 3d of February of this year, in the Japanese House of Representatives, reference was made to the action of Great Britain in having suspended her scheme of naval construction after the war, "but she is again discussing a big naval expansion program, being influenced by the American naval extension

As I have repeatedly stated, the naval policy of the United States determines the naval policy of other nations—particularly Great Britain and Japan. What I have quoted corroborates my expressions and indicates that the naval expansion provided under the 1916 program is responsible for Great Britain's modified naval policy. And, of course, it reacts powerfully upon Japan. When we talk of war with Japan and concentrate our fleet of warships in the Pacific and construct naval bases on our west coast, it need not occasion surprise if such a course arouses fear or resentment, or both, in Japan. And yet I know our sincere desire is for peace and the maintenance of the most cordial relations with our transpacific neigh-

Mr. SHORTRIDGE. Mr. President-

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from California?

Mr. KING. I yield.

Mr. SHORTRIDGE. Can the Senator give us any authoritative information as to the attitude of Japan concerning laws passed by the Legislature of California in respect to the owner-ship of real property? Will not the Senator give us information on that point in the course of his discussion of the pending bill, and also what I may term authoritative information in regard to Japan's attitude touching our legislation in respect to the Hawaiian Islands and the Japanese population there? If the Senator would do so, I should feel under great obligations to him.

Mr. KING. Mr. President, I shall attempt to answer the questions of the able Senator from California, although frankness compels me to say that my sources of information may not be regarded by him as authentic and my reply may prove insufficient.

My information, in the main, is derived from the public press, from statements made to me by representative Americans who have recently visited in Japan, from articles and books written by Americans and others concerning Japan and her people, as well as statements submitted by leading Japanese statesmen and publicists. I have also had access to the writings of Japanese and the translations of numerous articles from leading Japanese newspapers, both those supporting the Government as well as those of the opposition party. I have availed myself of such opportunities as the State Department afforded to learn the Japanese situation, and have endeavored in every possible way to keep in touch with conditions in Japan, and particularly as they might affect the United States and other countries.

I think I can state with confidence that the attitude of Japan toward the United States with respect to anti-Japanese legislation in the United States is but little different from Japan's position in 1914, when legislation was proposed in one or more States aimed at Japanese residing in the United States. That legislation provoked some criticism and more or less of resentent in Japan, and representations were made to the State Department by the Japanese Government, but, as I am advised, they were couched in most respectful language and were free

from offensive or improper suggestions.

The legislation recently enacted in California aimed at the Japanese has not resulted in any protests from the Japanese Government and, so far as I can learn, has not been the occasion of any diplomatic negotiations. I have seen statements which indicate that portions of the Japanese press and some Japanese statesmen feel that the legislation was unfair and unduly discriminatory against the Japanese. Expressions of regret have been voiced by the Japanese, but the criticisms, so far as I have been able to learn, have been temperate and entirely within legitimate and proper limits.

The Hawaiian Legislature recently enacted a law which I am advised related rather directly to the Japanese, but it provoked no criticism in Japan, and it has not aroused opposition upon the part of the Japanese residing in Hawaii. This legislation related to the curriculum for the schools, and, while I am not very familiar with the scope of the act, my impression is that it sought to suppress the use of the Japanese language,

or at least to exclude it from the schools.

Another measure passed by the Hawaiian Legislature required that there should be filed with the attorney general translations of the contents of all foreign-language newspapers, together with affidavits as to the accuracy and correctness of such translations. This legislation was confessedly, I am told, aimed at Japanese newspapers. But this law has occasioned no protests from the Japanese in Hawaii, nor has the Japanese Government made any representations in relation thereto.

I think, Mr. President, that I am well within the bounds of truth when I say that the relations between this Government and the Japanese Government are friendly, and that there is no justification for these constant assertions that war with them is imminent or even probable. I think it may be said, however, that many of the Japanese people feel that this Government has not treated Japan as fairly and justly as it has other nations. I have no doubt but that there is a feeling in Japan that we have discriminated against the Japanese. I believe that Japanese statesmen, as well as the Japanese people generally, have suffered a keen disappointment at the attitude assumed, particularly by the United States, as well as some other nations, toward the question of racial equality. There is no doubt but what the Japanese hoped and doubtless many believed that their services in the war and their participation with the allied nations would give them a higher standing among the powers of the earth and would contribute to the removal of the racial impediments which tend to separate the Orient from the Occident.

The Japanese Government answered its treaty obligations in a highly commendable way, and exhibited a regard for the sanctity of treaties which would have done justice to the proudest and most punctilious of nations. It is quite possible that the Japanese people feel aggrieved, if not somewhat humil-

iated, because of the attitude of the United States and other nations toward them.

But many eminent men in Japan, as well as a portion of the press, recognize that there are such wide differences between America and Japan, and the peoples of these two nations, growing largely if not entirely out of economic and industrial conditions, that it is the part of wisdom to perceive the true situation and recognize such differences, and with forbearance, genuine toleration, and friendship, remove every possible source of irritation and unitedly act in the interest of uninterrupted peace.

While recognizing that there are racial differences between America and Japan, our Government and the American people should treat with the utmost respect and the highest consideration all other nations and peoples, regardless of racial or economic conditions. We can not pursue a selfish and cynical policy in dealing with other nations, nor can we assume that arrogant and supercilious attitude which will inevitably provoke resentments and bitter international controversies.

The Orient is not only an old world, but it is a new world, and in its mighty recesses are potentialities for good or for evil which can not escape the cognizance of the people of other

lands.

It has been said by one writer that the nineteenth century contained much discussion concerning the breaking up of China, and "the European nations were like huge birds of prey around a moribund carcass, ever ready to dismember China and apportion it among triumphant European nations. The shock resulting from the Japanese war aroused China to the dangers before her. The Manchu Court, reactionary and oppressive, wavered, but in the end reforms came, and the republican revolution prevailed. Japan feels vital interest in China, not only because of her legitimate desires for expansion, but as the result of such apprehension as a near neighbor with

400,000,000 of people would create."

Japan has signified her sympathy with European and Anglo-Saxon ideals and has earnestly sought for a comity, American and European in extent. As stated by the writer just quoted, China has excited the cupidity of European nations and has been the field of European exploitations. Can it be said that European and Christian nations have manifested toward the Orient and her teeming millions that spirit of charity and justice and fair dealing which should be the basis of all in-ternational relations? The nations upon this hemisphere, as well as European nations, must treat with the highest consideration, and in harmony with the finest precepts and standards of justice, the nations and people of Asia. Japan and China must be made to realize that this Nation and the European nations are interested in their welfare and progress, and that no invasion of their territory or abridgment of their liberties will be tolerated by the nations upon this continent or in European lands. People of Asia must be made to realize that the white races do not covet their territory or seek to exploit their peoples. There must be no pressure from the outside to consolidate the Asiatic peoples. They should be free from external forces and be permitted to pursue their own lines of development unafraid and free from any menacing forces, military or economic.

Our policy toward Japan and the Orient must be such as to inspire the confidence of the people in those lands and to furnish convincing proof that we are their true friends and are solicitous for their moral and political and economic advancement. I repeat, there must be no pressure from Europe or America upon Japan and China. While there can properly be an Asiatic comity, there must not be an Asiatic bloc formed in self-defense because of real or fancied aggressions by this Nation or European powers. It would be an evil, indeed a tragedy the consequences of which no one can foretell, if the people of the Orient should be driven together for mutual protection and for either defensive or offensive operations.

How important it is that there shall be formed a league or union of all the nations of the world. Such a union would not, of course, extinguish racial or ethnological differences any more than it could obliterate physical boundaries, but it could powerfully affect the mental processes and intellectual perceptions of the people. Indeed, it would make more homogeneous all of the peoples of the earth and remove many of the causes provocative of war and disturbing to the prosperity and peace of the world.

There must be no European bloc or American league or Asiatic league of nations. Seas may divide and rivers and mountains may separate nations, but there must be developed an international conscience, an international code, an international spirit of fellowship and affection which, binding together the

peoples of the world, will make possible that brighter day when justice and righteousness will rule in the hearts of men and determine the conduct of nations.

The questions of the Senator from California have led to this diversion, and I now return to the matter which I was then discussing. I was quoting from a translation of a recent speech delivered by a leading Japanese statesman in the Japanese Diet.

The speaker further said:

We can but regard this state of things with great dismay in view of the disastrous consequences of the European war from which the world is now suffering.

Mr. Hamajuchi, a Japanese statesman of high standing, discussed the Japanese naval policy and indicated that it was dependent upon the naval policy of the United States. He referred to the Borah resolution, calling for a conference of certain powers to secure disarmament, and said that the telegrams "are conflicting as to the reception accorded the proposal to reduce armaments." The debates in the British Parliament and in the Japanese Diet prove the deep interest which English and Japanese statesmen have in the naval policy of the United States and demonstrate that any plan to prevent competitive armament would be welcomed by those nations. The discussions in both of these legislative bodies reveal how welcome would be the word that America wished to cooperate with the naval powers of the earth to end the rivalry which is now occasioning distrust and imposing unbearable financial burdens.

Mr. Hamajuchi seems unable to learn what disposition will be made of the Borah resolution. Perhaps he is in the same situation as many Senators. I think some of us are unable to determine what reception will finally be accorded it or what its final end will be. We have been advised from time to time that it was not in harmony with the policy of the President; that any declaration by Congress upon the question of disarmament was regarded as an invasion of Executive prerogatives. Earlier in the debate some of us criticized this attitude and insisted that either branch of Congress had the right to express its views, by resolution or otherwise, upon this vitally important question. Following these criticisms of the alleged attitude of the administration, assurances were given by the Senator from Maine [Mr. HALE] that there would be no opposition from the Executive to the Borah resolution. I venture the prediction that it will not reach the President in its present form. The influences which will modify the resolution as it was offered by the Senator from Idaho will not be so hidden and obscure as to prevent their discernment by those seeking to learn the truth.

But I return to this Japanese statesman from whom I was quoting:

Some reports speak of it as if it was approved by the Senate, while other reports suggest its defeat.

The discussion revealed the intense interest which Japan felt in our naval policy, because of its influence upon their present and future naval policy. Reference was made to the statement of Baron Hayashi, the ambassador to Great Britain, who stated that the attitude of the Japanese Government would be determined after the true intentions of the British and American Governments had been ascertained. I might say in passing that Baron Hayashi had stated that in the event of an agreement the powers concerned, including Japan, could reduce their present armaments by 50 per cent. The same speaker, Mr. Hamajuchi, further stated:

I am not blind to the necessity of some naval expansion in case America, for instance, pushes forward with her gigantic naval expansion scheme. This is simply a hypothesis for argument's sake, and I do not for a moment suggest an outbreak of war between Japan and America, which have been on very friendly terms for the past 50 years. In my opinion, there is no need for America to expand her Navy, and, as a matter of fact, that country is pushing forward her naval expansion scheme with all earnestness. With America in this mood, Japan will be called upon to attend to an expansion of her naval strength, but Japan's financial resources do not allow her permanently to compete with that country in naval construction.

Senators will observe that Japan's naval plans rest upon our course. The "pushing forward" of our gigantic naval "expansion" scheme constrains Japanese statesmen to support a plan for naval expansion. It must be remembered, however, that Japan has built but few vessels for many years, and the plan under which she is now operating was devised more than 10 years ago.

Flushed with victory over Russia and fearing attacks from Germany, or perhaps other European nations which were seeking spheres of influence in China, and apprehending a recrudescence of Russian strength and power, Japan announced a naval policy known as the "eight-eight"—eight battleships and eight cruisers. Ten years ago she began on that program, and has proceeded slowly, so that at the present time but a small part of that program has been completed.

Mr. Ozaki, one of the liberal statesmen of Japan, is carrying on an active campaign throughout Japan in favor, not of a reduction in naval armament but of complete disarmament. He declares that naval armaments should be reduced by agreement with the United States and Great Britain and military armaments regulated and retrenched under the covenant of the League of Nations. But he further argues that even though no understanding can be reached with the United States and Great Britain, yet the position of Japan is such that there is nothing to prevent her from retrenching at her discretion and without conferring with any other power.

The Chuo, a recognized Government organ, states that the United States is perhaps in the best position to make the pro-

posal for restriction of armaments-

but she is bent on providing herself with the strongest armaments in the world. While she was a third or fourth naval power in the world before the war, she now aims at outmatching Great Britain herself and monopolizing sea power on earth. So she will never agree to the proposal of retrenching the Navy on the standard obtaining before the war, though financial difficulties may oblige her to modify her scheme to some extent.

The sentiment in Japan seems very strong in favor of reducing the military strength and limiting naval armament. Again, I repeat, our example in demanding the most powerful Navy in the world reacts unfavorably upon Japanese statesmen and undoubtedly causes apprehension in the minds of many of the Japanese people. Unquestionably a social revolution is taking place in Japan. During the reorganization of Japan under the Samurai, during the past 50 years, unquestionably Nippon's career was deeply tinted with the color of militarism, but the evolution new going on is wringing power from the aristicratic branch of the Government and transferring it to the bourgeoisie. A demand for suffrage, for the improvement of women, for radical social reforms, together with the implanting of democratic ideals, are working remarkable changes in Japanese life and in Japanese thought. Knowledge is being acquired by the masses, and with its acquisition the military caste is losing favor, and the desire for peace and world relationship is strengthened. Carl Marx insisted that militarism and capitalism were one and inseparable. This is disproven in Japan; as there has been an increase in the number of those acquiring property, the spirit of militarism has declined. This was Spencer's philosophy, and he insisted that militarism and capitalism were opposite forces and adversely related.

The Senator from Washington, as I recall, referred to the cost of battleships in Japan, and indicated that Japan could construct them at a very much less figure than they could be built for in the United States. It must be remembered that Japan obtains her supplies of pig iron largely from England and the United States. In 1914 China supplied Japan with 60,000 tons; England, 100,000 tons; and the United States, 100,000 tons. We supplied 30,000 tons to Japan during last year. We exported, in 1919, to Japan more than 606,000 gross tons, consisting principally of iron and steel products. The high prices of commodities employed in the construction of her war vessels brings the cost of construction to a figure nearly as great as that obtaining in the United States.

Mr. Y. Ishikawa, one of the important figures in Japan, in a recent article written by him, states:

Japan is no more militaristic than America is. The insularity of her position, not to speak of the unstable and chaotic conditions prevalent in the Far East, sufficiently justifies her armament, while the recent naval and military policies of America should on account of the natural barriers and the arms of defense already in existence before the war, is practically immune from an invasion even by the strongest of the powers, may be a luxury and not so easy of explanation.

He refers to the criticism of Japan because of her territorial acquisitions, and says that they are a mere trifle compared with those of the United States in the American Continent, the Atlantic and the Pacific Oceans, and he notes that none of Japan's wars was waged for the purpose of conquest. He refers to the fact that Japan has been made cognizant that the Japanese were not welcome in the United States. Denied admission to the westward and southward, they regard Asia as the only field for their activities.

Viscount Kaneko, in an article appearing in the Yomiuri, under date of August 20, 1920, states that—

Japan could not attack America and would be unable to land marines in San Francisco.

He inquires:

How will Japan transport the millions of soldiers needed to make the landing of the marines effective? How will she send provisions? It is altogether an impossibility. Moreover, even if Japan's Army should occupy a portion of the western coast of the American Continent, the body of the United States will not be greatly hurt. Thus, it is plain that a war between Japan and America will not accomplish its final purpose, and because of its utter uselessness will not be waged. War is a great crime. \* \* \* History says that Japanese-American rela-

tions are inseparable, yet to-day, to my sorrow, there are some Americans who disregard this history and misunderstand the millions of Japanese and try to destroy the friendly relations between the two countries.

Baron Sakatani, in the same paper, refers to the part played by America in awakening Japan from her slumber and states that the Great War operated to draw together Japan, the United States, and Great Britain and to make them the three pillars in the Orient, in America, and in Europe, respectively, of the world's peace. With the fulfillment of this great mission as their common goal, these three powers are bound to cooperate and help.

I have here articles written by many of the leading statesmen and publicists of Japan, all of which reveal a sincere friendship for this country and an earnest desire for the continuation of friendly relations between the United States and Japan. Senators will recall the eloquent message sent by the Emperor of Japan upon the occasion of the signing of the treaty of Versailles. He spoke for world peace and applauded the beneficent purposes of the League of Nations and regarded it as an instrument for the promotion of concord and the abolition

We are constantly told of Japan's naval expenditures. impression is sought to be conveyed that she is spending sums in excess of those devoted by the United States for the con-

struction of her Navy.

I have before me the report of the department of finance printed by the Japanese Government in 1919. On page 26 is a statement of the expenditures made by the Government for all purposes from 1906 to 1920; although the last two years named are estimates. I made some inquiry, however, and found that the figures stated in the report are within the limits of the estimates submitted. For the fiscal year 1907-8 Japan's expenditures for her navy were only 71,000,000 yen, that would be approximately \$35,000,000. This amount was not increased materially for any fiscal year until 1916-17. In that year the amount expended for the navy was 116,000,000 yen. be remembered that this was the aggregate of all costs incurred in construction and in maintenance. In 1917-18 Japan was in the war and her naval expenditures reached 161,000,000 yen; 1918-19, 183,000,000 yen.

Senators will recall that costs, wages, and prices advanced in Japan as they did elsewhere, and notwithstanding the enormous advance in costs her total naval expenditures, including construction and the maintenance of her navy, Pacific and in European waters, were only 161,000,000 yen in

Japan expended in 1919-20 240,000,000 yen, and for the year 1920-21 my information is that, notwithstanding the increased cost of materials and labor in Japan, her total expenditures for maintenance and construction will not exceed 250,000,000 yen, or about \$125,000,000. Yet we are called upon to expend \$500,-000,000, and those who demand this huge sum refer to Japan's naval budget as justification for our expenditures and the expressed purpose to maintain the most powerful navy in the world.

Where do we find justification for these enormous appropria-tions carried in the pending bill? Every military and naval expert concedes the impossibility of the invasion of the United

The able Senator from Wisconsin [Mr. LA FOLLETTE], in an exhaustive discussion of this question, presented that phase of the matter and demonstrated incontestably the truth of the statement which I have just made. Admiral Sims, as well as other naval experts, have testified to the impossibility of Great Britain, Japan, or any other nation landing troops upon our shores. They can not build navies sufficiently strong to even

approach our shores.

Great Britain with her powerful navy, supplemented by the ships which were sent overseas, was unable to effect a landing upon Belgian soil or to reach the ports of the enemy. Why are we building the most powerful Navy in the world? Is it for offensive purposes? If so, who are our enemies? At whom do we propose to strike? What success would we have in landing troops upon the shores of Japan? We might send an armada across the Pacific, but with the shores of Japan infested with mines and submarines and her ability to fill the air with aircraft, our vessels could not reach her harbors and our troops

would be unable to land upon her shores.

It has truly been said that "the day of the small nation has come." The submarine, notwithstanding the stubborn insistence of the advocates of the capital ship, has become a shield and protection for the small nation, and a defensive weapon that arms the weak where the strong seek invasion. But I shall recur to this subject a little later in my remarks.

[At this point Mr. King yielded the floor for the day.]

Wednesday, June 1, 1921. NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

The VICE PRESIDENT. The pending question is on the amendment offered by the Senator from Utah [Mr. KING].

Mr. KING. At the hour of adjournment yesterday I was speaking of submarines and their vital importance in any future naval contests. I have listened in vain for reasons justifying affirmative action with respect to the measure now before us. It can truthfully be charged that I have during this debate reiterated, perhaps in such a manner as to cause exasperation, some of the points which I have been attempting to make. I have challenged the wisdom of the 1915 program and have insisted that its unmodified execution is the acme of waste and folly and will tend to perpetuate the system of competitive armament and place the United States in a reactionary attitude and subject her to the criticism of being an obstacle to international disarmament. I have also stated that the 1915 program ignored the lessons of the war and the importance of the threeplane navy, and exhibited a dogged and irrational devotion to the capital ship.

And the proponents of this bill seem utterly indifferent to its enormous cost, to the present indebtedness of our country, and to the additional burdens which their naval policy will impose upon the taxpayers of our country. The United States is now owing approximately \$24,000,000,000, and its budget for the coming year, in my opinion, will call for a revenue of more than \$5,000,-000,000, and in all likelihood the national expenditures will reach the appalling figure of \$7,000,000,000. Comparisons are often made between the national expenses of the United States and those of other nations. The full facts are not always told. Many nations have but one budget, and the national expenses comprise practically the entire governmental burdens placed upon the people, aside, perhaps, from purely municipal taxation. But in this Republic the national expenses comprise but a part of the total expenses resulting from the processes of govern-We have 48 republics within the Federal Government, and each of these sovereign States is required to meet the ordinary expenses of an independent nation, except those relating to the maintenance of the Army and Navy and what might be denominated international obligations. The bonded indebtedness of the 48 States is very great, running into the hundreds of millions of dollars. The municipalities, counties, school districts, irrigation, paving, and road districts have outstanding bonds and obligations totaling hundreds of millions of dollars. And the private indebtedness of the United States, notwithstanding the wealth of our country, is almost beyond computation.

The Federal, State, and private banks have extended credit until the obligations due them reach into the billions. Wherever we turn, the words "debt" and "taxation" are indelibly stamped upon the brows of people as well as upon the economic and business features of the Nation. Factories have closed. mines have shut down, our foreign trade has been reduced to such low levels as to threaten the Nation with an industrial collapse, millions of men are out of employment, and in every part of the land fear and distrust exist as to the industrial stability of the country. And yet, with this tragic picture before us, we continue to appropriate billions and further add to

the burdens and difficulties of the people.

Pledged to economy, to retrenchment, to the restoration of business, if not to prewar conditions at least to normal and rational standards, the party in power rushes recklessly forward in a mad riot of extravagance and inefficiency. No promised reforms have been projected or inaugurated. No economies have been substituted. War legislation is continued or reproduced, and every movement looking to world peace, to the reduction of naval armament and the overthrow of militarism, encounters the most stubborn resistance from the leaders of the majority party and, indeed, from the administration itself.

The farmers and many business industries require capital, and yet it is proposed that we divert by taxation from the channels of trade and commerce and business from five to seven billions of dollars for the coming year, the greater portion of which will be devoted to military and naval preparations and to meet obligations which resulted from the world conflict.

Those who are supporting this bill will not contend that our territory is threatened or that any nation or any combination of nations dream of attacking this Republic. Everywhere nations are looking to the United States to lead the way for peace. The people in all parts of the world turn their eyes to America, as the faithful Mohammedan turns his gaze to the holy city of Mecca. This Republic seems to be a beacon light whose rays shine out upon the troubled waters of the world to guide through the troubled seas and into harbors of safety the sorrowing and distracted nations of the earth. What is the justification for this tremendous naval and military budget? How can we justify spending a billion dollars during the coming

year for the Army and the Navy?

When Germany was preparing, both upon the land and upon the sea, for the titanic conflict which the Pan-German forces and the Kaiser projected, she never expended in any year a sum so stupendous as that which we are asked to appropriate for the coming fiscal year. My recollection is that Germany's entire appropriation, both for her army and her navy, for the fiscal year preceding the Great War did not exceed \$294,000,000, and during that year Germany was preparing for the Great War which was soon to break upon the world. Her troops were being massed, her navy was being brought to the highest stage of perfection, and everything which was deemed necessary to develop the greatest fighting machine the world has ever seen was being done. And yet, as stated, the entire military and naval budget was less than \$300,000,000.

Admiral von Tirpitz sought to construct the most powerful navy in the world, and the German Government placed at his disposal whatever sums he required to accomplish his purpose. And yet, in building Germany's mighty navy she never expended

to exceed \$111,000,000 in any single year.

Great Britain's maximum naval expenditures before the war never exceeded \$224,000,000, and yet with the world impoverished, and, indeed, bankrupt, we are commanded to increase our naval appropriations far beyond any figure ever reached before we entered the war.

The largest amount for the Navy ever expended by the United States in any year prior to our entry into the World War was \$149,000,000. In 1915-16 our entire naval appropriation was

\$144,000,000.

I ask Senators to listen to the figures which I shall submit showing our naval expenditures for a number of years. Omitting odd figures and giving only the round numbers, they are as follows:

All appropriations for the Navy, both for construction and	\$13,000,000
for maintenance, in 1880 amounted to	
1890	22, 000, 000
1900	55, 000, 000
1903	82, 000, 000
1908	97, 000, 000
1910	123, 000, 000
1914	139, 000, 000
1916	155, 000, 000

After entering the war, in 1917, the personnel of the Navy was greatly increased, until at one time there were approximately 550,000 men in the Navy and in the Marine Corps, and, of course, the war greatly increased naval expenses because of the immense field in which our Navy operated and the vast work which it was called upon to perform.

The regular naval appropriation for 1917 was \$257,000,000. Of course, there were other amounts appropriated in what

might be denominated special naval bills.

But it has been argued that the United States possesses a merchant marine, and therefore must have a Navy greater than any power in the world in order that it may be protected. The theory of some persons seems to be that a battleship must accompany every vessel engaged in commerce. We have nearly 1.700 ships in our merchant marine, and there are thousands of ships, owned by Americans and American corporations, carrying our products to other parts of the world and bringing from other lands commodities in part payment therefor. should be noted, however, that the party in power is committed to a policy which will destroy our foreign commerce, and already American ships which should be carrying our surplus products to other lands are locked in harbors deteriorating in quality and

diminishing in value.

Out of the 1,700 ships owned by the Government, built as a part of our merchant marine, less than half of them left their harbors, and of those that have been commissioned for commercial purposes more than 50 per cent have been but intermittently

No nation developed her foreign commerce as rapidly as did Germany during the 25 years preceding the war, and her commerce grew without a navy. German commodities were sold in every port of the world and German warships were not needed for German products to find purchasers in the greatest commercial nations of the world, as well as the remotest and most unimportant islands of the sea.

Americans found no obstacles to foreign trade except such as they themselves created. From 1865 until quite recently America had an insignificant Navy, and yet our foreign commerce from 1865 until our entrance into the World War developed in a most phenomenal way. It is true perhaps not more than 13 per cent of our exports and imports were carried in American ships, but nevertheless American goods and Ameri-

can agricultural products were carried to all parts of the world. We needed no Navy in order to sell our goods. The world wanted our products, and battleships were not required for their

transportation or to aid in their sale.

Norway and Holland developed a maritime trade that brought prosperity to their people. They have not been interested for many years in navies. They were seeking markets and build-ing merchant ships. War vessels they did not regard as important in the extension of their commerce. And the South American nations have developed a very important foreign trade. Their products of the value of hundreds of millions of dollars are annually exported to Europe and to other nations, and they purchase from other nations commodities and raw materials of immense value. They are not interested in war vessels and do not accept the fallacious view that fighting ships will give them foreign trade. The money which would be wasted in battleships and in navies is spent in the development of their country and in the promotion of domestic and foreign commerce.

Senators know that Great Britain's naval supremacy gave her no advantage over Germany or other nations in promoting trade with other countries. The merchant ships of Germany and of other lands reached the same ports as did the merchant ships of Great Britain and traded under the same terms of equality, whether in British ports or in the harbors of other nations.

I repeat, Why billions for fighting ships? If we are not intending war or are not expecting an attack from other nations, and if our trade and commerce can be promoted without battleships, why are we appropriating these enormous sums and wasting hundreds of millions which should be employed in channels which will result in increased prosperity for the American

As I have stated, there are those who affect to believe that when we have the most powerful Navy in the world we will be in a superior position to insist upon suspending naval competition and to urge world disarmament. Even if that were true, it does not justify expenditures which, if disarmament comes, must be wholly 'rasted, and which will constrain other nations to engage in competition, fearing that some sinister motive lurks behind our naval policy. But, to my mind, it betrays a lack of knowledge concerning human psychology to advance the position just referred to. If we insist upon being the first naval power before agreeing to a limitation of armament, other nations will be suspicious of our negotiations to secure disarmament, and will seek pretexts to delay the completion of such negotiations, during which time they will attempt to strengthen their naval and military forces. Our refusal to meet invita-tions extended, coupled with a feverish haste to complete a naval program that will give us nearly a thousand fighting ships, will prove disturbing to the nations that want peace, and will furnish ground for suspicion as to the rectitude and sincerity of our conduct.

I return to the subject of my amendment. If it should be adopted and the rest of the 1916 program completed, the United States would still have by far the most powerful Navy in the So that if we are seeking naval supremacy for the United States, it could be achieved though my amendment were adopted. The refusal to adopt this amendment would rather indicate a purpose to construct a Navy which would be overwhelmingly superior to that of any other nation and possibly as powerful as that of Great Britain and Japan combined. This statement, however, does not take into account the recent estimates of Great Britain, which, as I have stated, were caused by the belligerent naval program which we have announced to the world. The completion of the six battleships and one battle cruiser and the balance of the 1916 program, together with the auxiliary ships called for in the present bill, will give to the United States the most powerful Navy the world has ever seen, and yet by modifying the 1916 program it will save the taxpayers of our country approximately \$400,000,000. Indeed, it is thought by some competent experts that the amount

saved will be in excess of that amount.

It may be somewhat illogical to contend for an international agreement to prevent competitive naval building and yet favor a proposition which involves the completion of additional battleships. I call attention, however, to the fact that the war vessels provided for in the 1916 program, and upon which more than five hundred millions have been expended, and which are approaching completion, could with propriety be finished, and no reasonable objection could be made thereto by those nations with whom we desire to associate in an agreement for ultimate disarmament. But a different situation is presented when demand is made for the completion of the entire 1916 program; and to construct ships the keels of which have been but recently laid, and upon which but a small amount has been expended, can fairly be regarded as a challenge to the naval powers of the world and is tantamount to a repudiation of the proposal that the great powers should unite to secure world disarmament.

Aside from this question there is the practical and financial question to be considered. Already our conduct has provoked Great Britain to adopt plans, as I stated yesterday, for the construction of four super Hoods. As I have indicated, our battleships will be absolutely impotent in contact with these powerful warships. If all the vessels of the 1916 program were completed, they would be powerless against the super Hoods, and we are drawing Great Britain into a policy which will call for their completion by the time the 1916 program is finished. Why increase the number of obsolete ships which we will have in 1925 or 1927, when the super Hoods are completed? If this rivalry is to continue, then it is folly for us to complete the second group of battleships and the battle cruisers, with the exception, perhaps, of one or two. Upon this second group of battleships and battle cruisers we have expended but a few It would be far better to sustain a complete million dollars. loss of the amount thus far expended upon these ships than to complete them, only to discover their uselessness when they are commissioned. We will have enough second-class battleships if we complete the first group to which I have referred. It is supreme folly to construct further ships upon the old lines and of the old type in the light of the knowledge which we now have as to the policy and purpose of Great Britain. If this program of naval competition is to be continued, the wise and prudent course would be to complete the five battleships which are approaching completion and suspend work upon the remaining five battle cruisers and employ the sum thus saved upon new types which meet the superior strength of the super Hoods.

It will be contended that the course which I recommend will entail great loss; that contracts have been let for the battleships and battle cruisers the suspension of work upon which I have urged. First, let me say that I think Congress was derelict in its duty in not modifying the act which provided for the 1916 program. When we entered the war, but little had been done in the execution of this program. It was the duty of Congress to have immediately modified the program. It was the duty of the Navy Department, in my opinion, to have advised Congress of the necessity and wisdom of modifying that program. Senators knew, as did naval officers, that the experiences and lessons of the war could not be fully applied if the 1916 program were hurried to completion. Naval officers must have known that with the development of the submarine and the airplane and the mines and poison gases naval vessels of the pre-Jutland type would be feeble defenses in the face of warships that reflected all the lessons of the war. The Navy Department knew that Great Britain and France and Italy ceased the construction of capital ships after the torpedo and the submarine and the airplane had demonstrated their importance in haval warfare; and yet Congress did nothing to halt or modify that program, and the Navy Department failed to make suitable recommendations in connection therewith.

Admiral Sims has criticized the report of the General Board of the Navy which calls for the completion of the 1916 program. He states that the report is very largely mistaken; that it looks "very much like a report the arguments of which are drawn up to prove what they originally believed." His statement is a caustic criticism of the report of the General Board which recommends the completion of the 1916 program. But because we have been delinquent in the past, and notwithstanding the failure of the Navy Department to recommend a rational plan and a suitable modification of an archaic and inadequate program, we should make amends so far as possible; and that can be done if we cease work upon the battleships and the battle cruisers named in the amendment which I have offered. But it may be said, they can be converted into war vessels of the super Hood type.

It is possible that some of these projected vessels might be employed for some other purposes, but there are decided limitations to the changes which may be made in war vessels, even though but little work has been done upon them. They might be converted into airplane carriers; but to complete them as capital ships, knowing that they will be obsolete when completed, shows a stubborn adherence to a fatuous policy which scarcely does credit to its supporters. Moreover, as I have stated, the determination to complete the 1916 program in its entirety will be regarded as a challenge to competitive armament, and will provoke resentment both in the Orient and in Europe. If we should narrow our program to the completion of the first group of capital ships and such smaller auxiliary ships are are called for in the 1916 program, there could be no criticism upon the part of other nations, nor would they say that we were seeking naval supremacy or offering a challenge to the naval powers of the world. It would bring reassurance

to other nations and smooth the way to an international understanding or agreement looking to world disarmament.

Perhaps that which has been expended would not be entirely lost. The ships might now be fashioned, because so little has been done upon them, into craft for commercial purposes. It will be remembered that upon one of these ships the amount expended is less than 2 per cent of the cost. Undoubtedly there would be some temporary loss if suspension of work should now occur. Admiral Coontz indicated in his testimony that the contracts for the construction of these ships have in the main been—

Let to big concerns \* \* and the greatest loss would be in the holding up of the contracts \* \* \*. I understand that a number of our biggest concerns are practically depending upon these to tide them over until they get more work, and that would be practically the principal effect of it.

In other words, if there should be a suspension of work upon those ships mentioned in my amendment, the principal effect would be that the "big concerns" which are relying upon the Government to furnish them "work to tide them over" might sustain some loss of profits. Of course, the Government must deal fairly with all persons and carry out its contractual obligations. But some of these ships are being constructed in Government yards, and those constructed in private yards are being built under contracts which provide that the contractors shall receive a certain per cent by way of profit, based upon the cost of the ships. Undoubtedly, if the ships are completed, the builders will receive larger commissions. The contracts are fashioned somewhat upon the theory of the cost-plus contracts, so prevalent during the war and which have been the prolific source of waste and extravagance. The Government has the right to cease work upon these vessels and no legal or moral obligation would be violated; so there can be no sound or valid reason urged against suspension of construction, based upon the theory that such a course would involve a violation of a contract.

We know that the corporations which have built battleships and warcraft for the United States have made enormous profits; indeed, in many instances the builders have been profiteers. I confess that while in my opinion those who are building these war vessels are in no position to complain if work upon the ships should cease, the remarkable solicitude which is sometimes exhibited for some of these corporations which have profited so much in the construction of armor plate, munitions of war, and war vessels excites a feeling of surprise.

The situation demands an exhibition of greater concern for the people who pay the taxes, and for the Government which is too often the victim of raids and exploitation. Corporations have been building warships at enormous profits, and their profits will be diminished if my amendment were to prevail; but, as the admiral says, the "probable principal effect" of suspension will be a loss of profits to such corporations. But there would be compensation in that event, even though at a later period new contracts for construction were required. These contracts have been let upon either war price levels or upon price standards but slightly below those existing during the war. We all know that steel was too high. We all know that the prices paid for steel and other commodities during the war period and at the time when these contracts were entered into were entirely too high. There must be a reduction. Moreover, the contracts were based upon wage standards of the war period. Wages will fall, and if war vessels must be built, there is no question but that they can be constructed at lower prices than those called for in the contracts under which these vessels are being built.

But, Mr. President, there is another phase of this question which demands consideration. The war has taught the limitation of capital ships in naval warfare and the vital importance of submarines, aircraft, and mines, and torpedoes, and poison gas. The 1916 program was a pre-Jutland program. It called for vessels of the pre-Jutland type. That is the reason I say it is archaic and the capital ships provided for will be obsolete when completed. The strongest defender of the capital ship is compelled to concede its impotency as a fighting ship unless it has a flotilla of auxiliary and other craft for its protection. If the defense of our coast is what we desire, but few battleships are needed. If a navy for offensive purposes is required, we must have those fighting forces and instrumentalities which the war has brought into such remarkable prominence.

Instead of expending between four hundred and five hundred millions upon the battleships and battle cruisers mentioned in my amendment, and work upon which I urge should be suspended, I would devote the sum, or a portion of it, in the event of our inability to secure an international agreement for a limitation of armaments, to the construction of two or more ships of the super *Hood* type and a considerable portion to the

construction of a higher and better type of submarine than that which we possess, and the construction of airplanes and airplane carriers and the production and development of tor-

pedoes and poisonous gases.

There is in Great Britain to-day a violent controversy between the Admiralty and naval experts as to the value of the capital ship and as to the future of naval warfare. Rear Admiral S. S. Hall, one of the most eminent naval officers and experts, in a letter to the London Times January 10 of this year

My argument is that there is no such thing now as a capital ship; the present so-called capital ship is a fraud. She is certainly the most powerful surface ship, and in the last war our grand fleet was the dominating factor, if you like, but it was certainly not the arbiter of the sea conflict. The vital sea conflict that went on without ceasing certainly for two years was a submarine war on our trade. It very nearly succeeded, and the grand fleet took no part in it. It was checked by various other means, and because of the reasons I have given, which can not occur again; but it was never stopped, and a very large submarine fleet was in course of preparation when the enemy suffered military defeat.

The advent of submarines inevitably produces a condition of stalemates at sea; you can never insure clearing the sea of submarines, and, therefore, attacks on trade will persist, whether you annihilate the enemy's surface fleet, distantly blockade it, as in the last war, or even if he has none at all.

He denounces the policy of "holstering up of the so-called

He denounces the policy of "bolstering up of the so-called capital ship," and insists that there should be a navy more mobile and economical, "available for attack or defense and not equipped purely for a battle which may never take place and which will be indecisive if it does."

Sir Percy Scott, to whom the Senator from Washington referred the other day, is regarded by naval authorities the world over as one of the most eminent in his line. In a letter to the

London Times on January 8 of this year he said:

I have been able publicly to ask the question, What is the use of a battleship? This question I ask in perfect sincerity, and I ask it for the benefit of the nation, because I think we ought to have an answer before we build any more battleships. I have been trying to answer it for about eight years, but under the altered conditions of naval warfare I can not see what rôle the battleship can play in future wars, and I have not been able to find anyone who can tell me.

Sir Percy Scott further states:

In trying to arrive at the utility of the superdreadnaughts we must bear in mind that the earliest date on which the first one could be completed is the summer of 1923, and we must consider what improvements will possibly be made in the new weapons during that time. One thing that I think we can make sure of is that all sea-girt countries will secure themselves against attack by building submarines and airplanes, and that they will devise a torpedo carrying a charge of T. N. T. sufficient to blow the bottom out of our £9,000,000 battleships.

Admiral Freemantle, another distinguished naval officer of Great Britain, in a letter to the same paper under date of January 3, states:

I certainly would not advocate a program of £9,000,000 battleships in competition with America, but I would urge every recourse to experiments both with aircraft and submarines.

Admiral Sir Rother Grant, in a letter to the same paper under date of December 29, 1920, states that "the embarkation on a program of huge and costly capital ships is to be deprecated," and charges that "it is at least doubtful that money spent on capital ships at the present time is wisely spent."

Sir Percy Scott, in replying to an inquiry, states that-

The German fleet locked itself up in the harbor for fear of submarines, but if the war had gone on a little longer this fleet in the supposed safe harbor would have probably suffered very much, not from our battleships but from torpedoes dropped from airplanes. We were, unfortunately, a little late in having this new arm ready.

Commander W. P. Koe, in a letter to the same paper under date of December 22, 1920, states:

In this "great ship" business, with its rumors of stupendous craft armed with gigantic guns and protected with tremendous armor, costing untold millions of pounds apiece, it certainly looks very much as if our old friends, the "materialists," had gained the upper hand in the inner council of the staff, though the inference may seem hardly justifiable to those who are not thoroughly conversant with the internal economy of the staff and know little of the characters and idiosyncrasies of the body of officers composing it.

Commander J. Honner, in a letter dated December 20, 1920, states:

Do not use up financial resources in £8,000,000 ships when you can reconstruct at least eight ships fit for all service at the present for the same amount. Spend all that can be got on the ribs of the backbone. I venture to think that such a policy will keep us in the first place of the first-class naval powers—whatever the cost, a position the Empire will not tolerate the loss of.

A flag officer, writing to the Times under date of December 16, 1920, declares that-

The degradation of the battleship from her former pride of place as the supreme fighting integer of a fleet has been steady and progressive ever since the invention of the Whitehead torpedo. \* \* \* Then came the submarine, and with its introduction the battleship became just as much afraid of being outside her base in the day as in the night. When she ventured into the North Sea at all in the late war, she rushed about at full speed, in constant apprehension of this new and invisible danger, and hurried back to shelter without delay when her immediate duty at sea was over. A hundred years ago the ship of the line would heave-to close off an enemy's port and lie there for days, so

long as it was not a lee shore. Nowadays the vicinity of an enemy's port is the last place her successor is ever to be found.

We are constantly being told as a reason for building more of them that the capital ship was the foundation of our sea power in the late war. So she was, but only because the enemy's sea power took the same form. If the Germans had devoted the forty millions which they spent on this class of vessel to constructing submarines instead, they might have possessed some three or four hundred of all sorts and sizes of the latter, in addition to the few that they did possess, and in that case Great Britain and her allies would most certainly have gone under.

Other naval officers have given the same testimony, and attributed the triumph ultimately of the allied and associated powers to the failure of Germany to devote more of her resources to the construction of submarines.

Capt. W. H. Sayres declares that-

From present experience, ultimately the submarine will be developed to such a pitch of perfection that no purely surface-bound craft will be able to face it in war.

Rear Admiral Hall, in a letter to the same paper, dated December 14, states:

I claim that a naval policy based upon aircraft and submarines affords us the only hope of protecting our trade—the main purpose of our fleet—and that such policy will save us many millions on other estimates besides the naval ones, and will insure us a reasonable hope of command of the air in the next war, without which all effort will be

He further states that Lord Jellicoe declared that-

By reason of the submarine campaign in the last war we were closer to ruin than we have been for 200 years.

The same officer says:

The same officer says:

It is my firm belief, and that of many others, that had Germany employed her submarine torpedo vessels against our surface war fleet and equipped a proper submarine cruiser fleet for a war on commerce she would have won the war. Our enormous auxiliary patrols, consisting of weakly-armed vessels spread out without support, would have been rapidly wiped out in detail, and it would have been impossible to find protection for our convoys, which would have had to be universal and open to attack all over the world. A submarine cruiser of about 3,000 tons can be given a sea endurance of 50,000 miles and six months.

In 1914, which was before the present development of the submarine, Sir Percy Scott, the greatest English naval expert, wrote to the Times and emphasized the importance of submarines and aircraft in naval warfare. He said:

(1) That these weapons had entirely revolutionized naval warfare.
(2) That if we were at war with a country within striking distance of submarines, battleships on the high seas would be in great danger.
(3) That if we went to war we should probably lock our ships up in a safe harbor, and that the enemy would do the same.

This statement was prophetic, for that is precisely what Great Britain and Germany did.

(4) That no fleet could be hidden from the airman's eye.
(5) That submarines could deliver a deadly attack in broad daylight.
(6) That battleships could not bombard an enemy's port if it was protected by submarines.
(7) That the enemy's submarines would come to our coasts and de-

stroy everything they could.
(8) That the submarine had driven the battleship from the ocean.

That remarkable prophecy was made in 1914. The develop-ments since that time vindicated the prescience of that distinguished naval officer. He foreshadowed the importance of the submarine, but the British Admiralty resisted his views and sought to weaken his position. Naval boards unfortunately clung to obsolete types and seem irresponsive to the progressive

movements and the new developments in naval warfare. I might say it is to be regretted that they were not more fully

accepted by our Navy Department.

He also declared that-

The introduction of the vessels that swim under water has, in my opinion, entirely done away with the utility of the ships that swim on the top of the water. \* \* With a flotilla of submarines \* \* \* I would undertake to get \* \* \* into any harbor and sink or materially damage all the ships in that harbor. If, by submarines, we close the egress of the North Sea and Mediterranean, it is difficult to see how our commerce can be much interfered with.

I have said in this discussion that I was in favor of a modern and an efficient Navy, and I have insisted that the 1916 program would provide an archaic and obsolete Navy. I have contended that if no international agreement for disarmament is reached, that we should have the most efficient Navy in the world. I believe that the submarine is a most important factor in naval warfare and that its importance has not been sufficiently recognized by the Admiralty of Great Britain or the naval authorities in the United States. Perhaps the natural conservatism of the Navy to which Admiral Sims referred constitutes the raison d'être for their attitude. In testifying before the House Naval Affairs Committee on the 4th of February of this year Admiral Sims, referring to this opposition to the submarine, said, speaking of our Navy and of the English officers:

Nobody in the Navy, or rather no admiralty or any such body, understood the submarine and its qualifications in 1914. \* \* \* I looked up the records of the reports of boards and of the principal European officers and of some American officers, and I did not find anything enthusiastically in favor of submarines. On the centrary, I found almost universal condemnation of the submarine. According to those reports, it was a thing that could perform "circus stunts in fair

weather." \* \* When the Audacious was torpedoed off the northwest coast of Ireland the British Admiralty made a minute investigation of the western coast of Ireland and of Scotland to see where the submarine's base was. \* \* Much less did they imagine that they could operate at a distance of 300 miles off the western coast of Ireland and the larger ones even remain three months in the neighborhood of the Azores. \* \* That remarkable man, Von Tirpitz, insisted on building 800-ton submarines so they could go to sea. He said that they could go to sea, and he sent a dozen of them into the North Sea, where they stayed for two weeks and came back in good condition. They knew that they could do that at a time when we did not know it.

Speaking of aviation, he said that-

If a battle should take place to-morrow involving the British Fleet, believe that aviation would be of more than equal value with the

I referred to the expert testimony concerning the inability of an attacking fleet to reach our shores. Admiral Sims testified before the Senate committee that-

No battleship can approach any coast, even with bombing planes, if the country has an adequate air force to wipe out the enemy air force.

He further declared that-

We ought not to spend one cent for fortification unless it is for fortification for the purpose of assisting the fleet.

Let me add that I hope when the Appropriations Committee reports the fortification bill, carrying, as it usually does, millions of dollars, they will remember the testimony of Admiral Sims, and I hope the Senate will heed this testimony and reduce the amount of appropriation usually carried for fortification purposes.

He made it clear in his testimony that by reason of the submarine and the airplane and the new developments in war that the capital ship is not the important factor in naval war-

fare that it formerly was. He testified that-

Great Britain with all ber force could not attack this coast without a base on this side to operate from. She has not a single ship that can come across the seas and get back again, let alone stay here without

He referred to the airplanes and the submarines developed by the European nations and stated that-

The airplanes that they developed on the other side in many respects are vastly superior to anything we have over here. I can almost say that ours are ludicrously inferior.

He referred to a metal plane purchased from a German company, and the German plane carried a thousand pounds of mail from Long Island to Washington and expended 7 pounds of gasoline, whereas the American plane with 2 engines, each of 400 horsepower, was to carry 800 pounds of mail over the same route, and it used 56 pounds of gasoline. The German plane had only 160 horsepower. He also states that all of the submarines built on the other side are very much superior to ours. There is no question about that in spite of what any official reports may say.

Those are the words of Admiral Sims. The Senator from Massachusetts [Mr. Lodge], at the time Admiral Sims gave that testimony, inquired whether they were superior to those we are now building, and in reply Admiral Sims said:

They are superior to those we are now building.

Mr. President, I have consumed more time than I had intended to occupy, and therefore will but briefly refer to what might be denominated the mechanical aspects of our submarines and airplanes. Admiral Fullam has directed attention to the nature of our submarines and their imperfections. My information is that the criticisms of Admiral Fullam are entirely justified. Indeed, I think he has not revealed all of the weaknesses of our undersea craft. In my opinion we should suspend further work upon submarines until a full and complete investigation is made of the defects of those which we have and the weaknesses of those which are being constructed. I think that all fair and expert testimony will establish the fact that our submarines are not comparable to those constructed by Germany, and the testimony seems to be beyond question that our airplanes are inferior to those built by Germany and perhaps by other European nations.

Only a day or two ago a great tragedy occurred and the lives of seven splendid men were lost. This and many other fatalities should arouse Congress to the necessity of making radical changes in dealing with the broad subject of aviation. There must be an entirely different policy adopted not only with respect to the construction of lighter-than-air craft for fighting purposes, both upon land and upon sea, but in respect to the control of the entire subject. There must be coordination and the various aviation activities consolidated and brought under

unified control.

We have spent \$130,000,000 for submarines and have but one submarine ready for sea service with the fleet. We have had so many investigations that perhaps Congress and this country are tired at the very suggestions of further investigations of executive agencies and departments, but I submit that there should be a thorough and exhaustive investigation not only of

the policy and activities of the Government with respect to aviation but also concerning its submarine program, and particularly the character of the submarines which have been and are now being constructed. We are now building a large number of submarines at Portsmouth, and the Electric Boat Co. is building for the Government some at Quincy and at San Francisco. Many of the submarines constructed by the Electric Boat Co. have been defective and the machinery placed therein has not been satisfactory.

The present bill carries several million dollars to "reengine" some of these submarines. I have here a list of the submarines under construction which ought to have been completed in 1919. It is impossible to determine when they will be completed. The machinery in some has been so imperfect as to prevent the use of the submarines, and many of them are still tied to the Many of the types known as the S-3 have had numerous difficulties with their engines. Some have shown their inutility when submerged because of the lack of stability and the improper arrangement and size of the rudders. Notwithstanding the defects in this type, 30 additional submarines similar to the S-1 type have been ordered from the Electric Boat Co. Defects in the propelling engines are manifest, and the power of many of them is wholly inadequate.

There are approximately 166 submarines built or in process of construction. Many are of the old type and are suitable only for harbor defense. Of the latter class, there are 16 of the old type, having a surface displacement of 450 tons. There are 27 of the R class, of about 500 tons displacement, and 12 of the S class, of 800 tons displacement. The T class comprises boats of 1,200 tons displacement. As I understand, two of this class have been delivered; the third is being constructed. There are three of the V class. They are of 2,000 tons displacement, There are six vessels of this type authorized but have not been contracted for. Bids, I am advised, were requested a year ago. The Lake Co. has built a few boats which are very satisfactory.

Speaking of the submarines, the Washington Post in its issue of the 20th of May of this year states that nearly 50 submarines are carried in the second-line list, and that there are also a large number of minor vessels rated as of little military value. In my opinion the submarine branch of the Navy Department has suffered from multiplication of authority. There has been no unified or centralized control, and the morale has suffered, and more or less of confusion, if not of demoralization, in all branches connected with the devising and production of submarines has existed. I believe that too little attention has been paid to the practical men and to officers who have had experience with submarines. There has been a disinclination to accept the suggestions of those who have seen service, with the result that there has been no progressive development. Conflicts over jurisdiction between the various bureaus that have been concerned in the final production of submarines have occurred and designs have been constantly changed, resulting in delay and unnecessary cost.

In some cases scores if not hundreds of changes have been made after construction has been begun on the boats. This has resulted in delay and multiplied the costs. Often new boats have been tied to the docks in navy yards for most of the period of six months between the preliminary acceptance trials and the final trials. Alterations and repairs became necessary because of defects, and the boats were thus held at the docks instead of cruising at sea in order that their capabilities might be discovered. My information is that often work well advanced has been turned out and replaced by new designs which in turn have been removed only to be supplanted by the original mechanism. Defects exist not only in engines but on some of the boats the motors, periscopes, and torpedo tubes are unsatisfactory. There have been failures of steering gears as a result of which the safety of the boats and their crew has been jeopardized. It is claimed by some that the double-hull submarines designed by the Government lack stability for safe submerging operations. It is known that the S-5 was lost off Delaware Capes. A number of boats now under construction at Portsmouth Navy Yard will be delayed two years after the time limit of their completion because of defective engines. Some of the boats are of a type which is dependable for coast defense; but they can not be of service at sea or for offensive work. The limited radius of action prohibits operation at any considerable distance from their base. Moreover, the torpedo tubes are too small compared with later types. I have referred to the 12-S type, 800-ton boats, built at the Portsmouth Navy Yard, of Government design. I believe that a comparison of the boats with the original designs will show remarkable dissimilarity.

I appreciate that between the time of designing the boat and building it the progress of naval construction would materially advance, occasioning important changes, but an examination of these boats and the changes from the original design would seem to indicate a lack of definite policy or design at the outset, and it is claimed that the excessive costs and the great amount of time consumed in their construction has resulted from the lack of an accepted and completed design. It is also contended that some of these boats are too unstable for safety and have a narrow margin of safety in reserve bouyancy. All of the boats of this type are underpowered and are exceedingly slow and possess impaired maneuvering ability. The engines are of a type not up to specifications and have been rerated, a lower horsepower being affixed than that designed, and in their operations now there has been a reduction of revolutions and power. The boats possessing the Nelsco engines have been unsatisfactory from an engineering point of view. They are useless as fleet submarines and I think the engineering record will reveal serious imperfections in their engines.

There are no mine-laying submarines and but one competent for fleet service. I repeat that an investigation should be immediately undertaken, of the entire submarine situation. I hope that the Committee on Naval Affairs will, at an early date, make an exhaustive inquiry into this important matter. If it does not do so, I shall feel warranted in offering a resolution asking for such investigation.

There are other matters in connection with the Navy and our naval policy which deserve consideration, but I shall omit their

discussion at this time and soon yield the floor.

We spent between 1884 and 1920, more than \$6,000,000,000 for our Navy and within a few years it will be entirely obsolete. The cost of building and maintaining a Navy will be infinitely greater in the future than in the past. The battleship South Carolina, which was built in 1910, when completed cost but \$6,000,000 and the Indiana but three millions. Twenty-three battleships built between 1895 and 1908 cost \$139,000,000 only. But the 12 battleships which we are now projecting and the six battle cruisers called for in the program under consideration, with the necessary auxiliary ships, will cost in excess of \$1,000,000,000. Military and naval appropriations under modern conditions are so stupendous that few can appreciate them, and all bow beneath their crushing weight. All the wars of the world, from 1793 to 1860, cost but \$9,243,000,000, and all the wars of the world from 1861 to 1910 cost \$14,000,000,000. The direct financial charges of the World War will exceed \$200, 000,000,000. The Revolutionary War cost but \$170,000,000, and the War of 1812 but \$119,624,000. The Mexican War, important as it was, called for an appropriation of \$173,298,000. For the Civil War, the United States appropriated \$3,478,000,000. These sums are insignificant measured by our financial contributions to the great World War, and they are unimportant in comparison with the military and naval budget which will be required in the United States within the next few years if we are to persist in the policy which seems to find support in administra-

I protest, Mr. President, against this policy and against this wanton waste which finds expression in this bill,

We are daily called upon to appropriate millions of dollars. The administration which was pledged to economy seems utterly unable to meet the demands for Government aid or to limit appropriations within safe and rational limits. I can not understand the callous indifference of those charged with authority in the presence of the economic and financial dangers which are menacing the Republic. The professions so loudly made by Republican leaders in behalf of retrenchment and economy seem insincere in the light of the appropriations almost daily made

by Congress and approved by the administration.

Nor does the party in power offer any plan to raise revenue to meet these constantly increasing appropriations. There seems to be an utter absence of statesmanship and competency to meet the pressing problems of the hour. On the 26th of last month the finance committee was considering an important measure, and a Mr. Miller was giving testimony. A Senator asked the witness whether he believed that taxes would be less than at present, and the witness replied: "I am very much afraid it can not be done, Senator." My distinguished colleague [Mr. Smoot] then stated, "Let me say to you frankly, that I think they will be increased." Mr. Miller then remarked, "I am sorry to hear it," and the senior Senator from Utah [Mr. Smoot], added, "I am sorry to say it." And this reply provoked Mr. Miller to remark, "I am not so terribly surprised."

So, Mr. President, we are promised not only no reduction of taxation but an increase in the burdens of the people. The eloquent campaign speeches delivered by the President and the Republican statesmen and orators—that from the staggering burdens the people would be relieved, and that retrenchment and economy and efficient administration would follow a Republican

victory—have proven to be only preelection promises. Were they made only for the purpose of securing victory? They were idle promises—empty promises. And Republican leaders are now confessing their inability to reduce taxes, and, indeed, proclaim that they will be increased.

The American people were taken up into a high mountain by Republican leaders and promised the rich valleys and the green fields below and unexampled prosperity if they would only fall down and worship at the shrine of the Republican Party. The deceived electorate are now awakening from this enchanted spell cast upon them, and as their eyes are opened to the true situation and they are permitted to realize what is actually in store for them they perceive how great has been their folly and how perfidious has been the course of their betrayers.

They were promised that the Government would take its hands off from business and that the currents of our industry and economic life would be permitted to flow uninterrupted throughout the land, bringing vigor and life and prosperity to every community and to every home. The disillusionment has come. A financial crisis has resulted from a Republican victory. Business is stagnant and the dread specter of complete financial dis-

aster hovers over the land.

I regret, Mr. President, the serious conditions now confronting the American people. Democrat as I am, I hoped that the Republican Party would pursue a wise and prudent course and execute policies that would make for the advancement and prosperity of the people. I can not rejoice in the discomfiture which has come to the Republican Party, nor does it give me pleasure to learn that throughout the land under Republican administration there is want and industrial disaster. I should rejoice if prosperity should shine upon all. I should welcome the triumph of foreign policies, even though conceived and executed by a Republican administration, that would tend to world fellowship and to the promotion of the happiness and peace of this great Nation. I shall be glad to support Republicans if they will offer policies, economic, political, or otherwise, that will meet the situation and bring relief to the people of this Nation and to the world.

There are questions that rise above parties, and issues so great as to even outrun national lines and comprehend other

peoples and other lands.

If the Republican Party will present comprehensive measures and bring to us policies which will give us domestic peace and prosperity and establish a true international spirit, they will receive not only sympathetic but active support upon this side of the aisle. The Democratic Party is confident of the ultimate triumph of its faith and believes that only through the principles of that party can this Nation realize the ideals and purposes of the fathers; but notwithstanding that faith, it will give loyal support to the party in power if it will sincerely, effectively, and patriotically address itself to a solution of the important and vital problems now confronting the Nation.

For days efforts have been made to reduce the appropriations demanded by the bill before us. The advocates of the bill have resisted these efforts and success has crowned their labors. The forces of the administration appear to be united in defending this bill. They will consent to no amendments, and they present a solid wall in opposing every attack made upon it. And the same may be said of substantially all measures which have been brought before us calling for appropriations and for the expansion of the authority and power of the executive de-

partments of the Government.

Mr. President, no argument which can be made will influence the advocates of this naval program. It will be jammed through the Senate by administration forces. Appeals here for economy and for a course that will conduce to world peace are all in vain. But there is a higher court. There are other judges, and to that court and to those judges we shall appeal. The American people, awakened to the dangers before them, will reverse the action of the Senate and this administration. They will prove that their vision is broader and their judgment sounder and their leadership surer.

Mr. DIAL. Mr. President, the pending naval appropriation bill has been before the Senate for a long time, and I know the Senator in charge of the bill is anxious to have it come to a vote. So I am going to detain the Senate only for a few minutes. I merely desire to address my remarks to the question of reconsidering the action by which provision for continuing the building of the dry dock at Charleston, S. C., was

denied a place in the bill.

I was very much surprised the other day when the Senator from Wisconsin [Mr. La Follette] referred to some remarks which had been made or were alleged to have been made by my predecessor, Senator Tillman. Those remarks were alleged to have been made in 1899 and in 1909; but it is hardly neces-

sary for me to say that Senator Tillman did not believe in, encourage, or countenance "stealing" by anyone nor for any purpose, by any section or for any section. The expressions quoted by the Senator from Wisconsin were merely his blunt way of expressing his views of so-called pork-barrel legislation. The remarks of the Senator from Wisconsin are unkind, uncalled for, out of place, and are a gratuitous insult to the memory of a Senator who served in this body with distinguished ability and fidelity for over 20 years. Such remarks can not dim the memory of one who was so well known to a large majority of the Members of this body with whom he served, nor can it injure his record in the eyes of the country at large. The remarks of Senator Tillman showed to what extent factionalism and sectionalism were injuriously carried, and if one will study those remarks it will be seen that he was pleading against sectionalism and merely for justice. The grave should be left in peace.

Mr. President, I hope that the Senators who did not hear the speech of my colleague [Mr. SMITH] have at least read it. I feel that, if they have informed themselves, there will be no opposition to continuing the appropriation for the dry dock at Charleston which was made in 1918.

A great deal of misapprehension exists as to the cost of the dry dock at Charleston and as to the dredging necessary to make the dry dock accessible. I am not going to repeat all the figures which my colleague gave to the Senate, but those figures informed us that below Cape Hatteras, for a distance of about 2,000 miles, there are only two small dry docks, one at Charleston and one at New Orleans, and the latter one only a floating dock, whereas above Cape Hatteras, a distance of some 800 miles, there are 18 dry docks. I leave it to the good judgment of the Senate to say whether that is a fair distribution of the facilities that the Government ought to have. There is not a dry dock below Cape Hatteras anywhere near large enough to take care of the largest ships of the Navy.

Some misapprehension also exists as to the cost of the dredging, and some figures which have been presented to the Senate very misleading. I am also indebted to my colleague for the figures which I am about to quote. To go back a little, I do not claim to be an expert in the shipping business, and I must say that at first when I heard of the large figures in connection with the dredging I thought there must be some mistake about them. To a layman it would seem that a dry dock should be built near the ocean, where it could be readily accessible to vessels of the Navy. That would be the first impression we would have, but my colleague has furnished us figures showing that at Boston it is necessary to dredge for a distance of 7.5 miles, and the estimated cost of a 35-foot channel is \$7,994,000. The estimated cost of the Broad Sound 40-foot channel at Boston, 2 miles in length, is \$1,545,000.

Even at New York, where the distance from the navy yard to the sea is 24 miles, the cost of the dredging is estimated at \$60,000,000. At Philadelphia the estimated cost of dredging is \$10,920,000, and the length of the channel to the sea is 63 miles. At Norfolk, Va., which we thought was right on the ocean, the length of the channel is 11.75 miles, and the estimated cost of dredging is \$4,039,000. At Charleston, the length of the channel is 15.5 miles, and the cost of dredging is estimated at \$3,770,000, of which \$995,296.49 has already been expended, and there are now existing contracts for \$434,042.52.

It thus appears that over one-third of the cost of the dredging at Charleston has already been expended, and contracts exist calling for the expenditure of a considerable sum more. So, resident, we see that not only at Charleston, but at every place where we have a dry dock there is a tremendous expense involved for dredging; Charleston, therefore, being no exception to the rule.

Not only that, but I want again to call the attention of the Senate to the fact that the Government owns magnificent terminals up the river beyond the dry dock at Charleston, so that it is necessary for the dredging to be done in order to secure the full use of those terminals. My recollection is that the Government has spent \$17,000,000 in building those terminals, which, it is said, are as fine as any terminals on the eastern coast. So, it seems to me, Mr. President, that the question of a dry dock at Charleston should be considered upon its merits, and that there should be no politics in it whatever.

Some remarks have been made about my vote on this bill. The House appropriated under the bill passed by it about \$400,000,000 to continue the naval program and to support the Navy for the ensuing fiscal year. The Senate committee has reported amendments to the bill, adding about \$100,000,000. voted for all that the House recommended, but have consistently voted against the increases proposed by the Senate committee. It is a mere question of opinion as to the size of the Navy we ought to have, but I deny that I am in favor of an inadequate Navy. I believe we should have a Navy commensurate with the interests, the power, and the dignity of the United States until disarmament can be brought about.

But it is a relative term here, whether there is an appropriation of \$400,000,000 or \$500,000,000. To my mind \$400,000,000 is an enormous sum, and it does not mean that those who vote for that are in favor of a small Navy. The taxpayers of this country are entitled to at least some consideration.

I do not see any end to this expense of building navies, if we are going to keep on, unless we can get some agreement with the world to disarm. Assuming that we could build a greater navy than any other nation in the world, that would not give us supremacy of the sea, because we know that other countries could combine; and therefore we could not stop short of having a navy larger than all the other countries in the world combined if we expected to control the sea by force.

When we see the figures on the chart on the wall which some one has been kind enough to furnish, I think it is time for us to stop, look, and listen" about the taxes of the people of this country. When we view that red circle over there, and when we see that out of every dollar of taxes that the people of this country pay, 92.83 per cent goes to pay for past wars and preparation for future wars, to my mind it is time for us to call a halt.

Mr. President, I desire to introduce the figures of that chart in my remarks, showing where the balance of the dollar goes.

The VICE PRESIDENT. Without objection, it will be so

ordered.

The matter referred to is as follows:

War:	er cent.
Present	69.81 $25.02$
Legislative, executive, and judicial	92. 83 3. 19 1. 01 2. 97

Mr. DIAL. Mr. President, as I said before, this question should be decided upon its merits. I am as much in favor of economy as any man can consistently be, together with a view to efficiency in our Government. I try to vote that way; but I can not see any use in having ships unless we have some place to take care of and to repair them. It is about as much folly as buying automobiles and leaving them out in the weather. A ship might get injured in the southern waters, and before it could be towed to a dry dock it might sink. We certainly need some place below Hatteras where the largest ships of the Navy can be taken care of.

If this can be called pork-barrel legislation, as some try to dub it, I must say that the South is not even getting the feet of the porker. We do not get much of the hair, even. In this bill the House provides \$40,000 for the continuation of dredging in Charleston, and the Senate, notwithstanding it has increased the appropriation something like \$100,000,000, has not added one cent for that port. It reminds me of the Negro preacher. He preached a sermon one night, and he told his congregation that he had been preaching to them for about two years, drawing a small salary, doing the best he could to lead them in the right way, but now he said he had something else to talk about; he was going to talk about his pay. He said: "You know that I haven't been getting much pay here. It's true that when some of you farmers kill a hog you send me the feet, but hereafter I 'spec's to eat some of that hog higher up." So I think it is time now that the Republicans were giving us a little bit more of this pork, if they want to call it pork. Certainly we have not had much of it in the past, nor can we be dubbed pork-barrel grafters.

While the Senator from Wisconsin [Mr. Lenroot] was talk-

ing so much about economy—so much opposed to this development in Charleston—I could not help thinking about the time when this last war broke out. I do not like to mention these things. I was reminded about the action of the boys in Union County, my adjoining county at home. When they called for soldiers that county furnished its quota from the volunteers. It was the first county in the United States, according to my recollection, that kept up its volunteer quota. Not only that, Mr. President, but when we remember the distribution of the congressional medals of honor, I believe only 52 of those were awarded, and my recollection is that the soldiers of South Carolina received 6 of those. The soldiers of that State were awarded more medals for bravery (notwithstanding we have a small population) than the soldiers of any other State in the

Not only that, Mr. President, but here for the last year or two, when we have been importuned for bonuses, and when there has been a great propaganda going over the country trying to bring pressure to bear upon Congress to vote bonuses for all soldiers who served in the late war, the South Carolina branch of the American Legion is the only branch in the United States that passed resolutions condemning the practice of bom-barding Congress. That action entitles the State of South Carolina to fair consideration and to just and honest considera-tion at the hands of the majority of the Senate, and the members of the South Carolina branch of the American Legion deserve the applause of the people of the whole United States for their dignified, manly, and patriotic acts. Their example both in war and in peace could well be emulated.

I know the Senate is tired and wants to vote on this bill, and do not propose to detain you longer; but I am going to leave this matter to the fair judgment of the majority of the Senate. I hope they have posted themselves better since their vote the other day, and I confidently believe that they will award us justice. I will say to them that in case another war breaks out, notwithstanding we have been neglected here in this way, they will find us doing our duty, as we did in the last war.

The VICE PRESIDENT. The question is on agreeing to the

amendment of the Senator from Utah.

Mr. KING. Mr. President, out of deference to the views of a number of Senators, I desire to divide my motion, and will therefore withdraw the original amendment and offer it in two forms. The first amendment I tender and ask the Secretary to

The VICE PRESIDENT. The amendment will be stated. The Assistant Secretary. On page 51, after the word "constructed," at the end of line 26, it is proposed to insert:

And excepting also battleships Nos. 49, 50, 51, 52, 53, and 54.

Mr. KING. Before a vote is taken, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll. The roll was called, and the following Senators answered to their names:

Ashurst McCormick Simmons Harris Borah Broussard Calder Capper Culberson Harrison Heffin Smith Smoot McCumber McKellar Hitchcock Moses Nelson Newberry Stanfield Jones, Wash. Kellegg Kendrick Kenyon Keyes Sutherland Swanson Trammell Underwood Walsh, Mass. Warren Watson Ga Curtis Dial Norbeck Oddie Ernst Penrose Pittman King Ladd La Follette Fernald Watson, Ga. Watson, Ind. Fletcher Poindexter Pomerene Sheppard Shortridge Gerry Wolcott Hale Lenroot Lodge Harreld

Mr. STANFIELD. I desire to announce that the Senator from Michigan [Mr. Townsend] is detained in attendance upon a committee.

Mr. CAPPER. The Senator from Nebraska [Mr. Norris] is detained from the Senate on account of a meeting of the Committee on Agriculture.

The VICE PRESIDENT: Fifty-five Senators having an-

swered to their names, a quorum is present.

The question is on agreeing to the amendment offered by the

Senator from Utah [Mr. King], which will be stated.

The Assistant Secretary. On page 51, line 26, after the word "constructed," insert "nor on battle cruisers Nos. 1, 2, 4, 5, or 6 or upon battleships Nos. 4, 50, 51, 52, 53, or 54," so that if amended it will read:

Total increase of the Navy heretofore authorized, \$90,000,000: Provided, That no part of this appropriation can be expended except on vessels now being constructed, nor on battle cruisers Nos. 1, 2, 4, 5, or 6 or upon battleships Nos. 49, 50, 51, 52, 53, or 54.

The amendment was rejected.

Mr. KING. I offer the amendment which I send to the desk. The VICE PRESIDENT. The Secretary will state the amendment.

The Assistant Secretary. On page 51, line 26, after the word "constructed," insert:

And excepting also battle cruisers Nos. 1, 2, 4, 5, and 6.

The amendment was rejected.

The bill was reported to the Senate as amended.

The VICE PRESIDENT. The question is on concurring in the amendments made as in Committee of the Whole, except the two heretofore reserved for a separate vote in the Senate.

Mr. SMITH. Mr. President, in accordance with my previous announcement, I would like to have the Senate consider the amendment found on page 23 of the bill, referring to the Charleston proposition, and I ask for a vote on that amendment. It is not necessary for me to restate to the Senate what

I have already stated, and I will not take up the time of the Senate for that purpose.

Mr. CURTIS. Under the rules are we not required to pass first on concurring in the amendments made as in Committee of the Whole.

The VICE PRESIDENT. That is the procedure we are following. The question is on concurring in the amendments made in Committee of the Whole, excepting the two which were reserved, and this is not one of them.

Mr. SMITH. Does the Chair mean that we will vote first on those which have not been objected to, and then that this item will come up after those have been disposed of?

The VICE PRESIDENT. Did the Senator reserve this amendment in Committee of the Whole for a separate vote in the Senate?

Mr. SMITE. Under the rules of the Senate it was not necessary to reserve the amendment for a separate vote. under the impression that in my remarks last Frida I had made that announcement, but it seems that it was not noted by the clerks at the desk.

The VICE PRESIDENT. Is there any objection to considering this amendment as reserved for a separate vote?

Mr. POINDEXTER. It was not reserved, but in view of the request of the Senator from South Carolina for a separate vote on it, I shall not object.

The VICE PRESIDENT. It will be considered as reserved. Mr. SMITH. I hope that my friends in the Senate will vote "nay" on concurring in the amcadment, so that the matter will

be left in statu quo.

The VICE PRESIDENT. The question is on concurring in the other amendments.

Mr. KING. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Utah will state his parliamentary inquiry.

Mr. KING. Was a separate vote reserved on the personnel feature of the bill?

The VICE PRESIDENT. The Secretary will state what amendments were reserved for a separate vote in the Senate.

The Assistant Secretary. The only amendments reserved were, first, on page 22, line 6, by the Senator from Utah [Mr. KING], the amendment proposing to strike out "\$7,500,000" and to insert "\$9,000,000." The other amendment reserved was regarding section 18, which was added to the bill as in Committee of the Whole, and now there is a reservation as to page 23, line 13, the Charleston (S. C.) Navy Yard proposition.

Mr. KING. I was under the impression that the Senator from Wisconsin [Mr. Lenroot] had reserved a separate vote upon the personnel proposition. If he had not done so, I should have made such a reservation. If that has not been done, I ask that a separate vote may be had in the Senate upon that amendment.

The VICE PRESIDENT. Is there any objection?

Mr. POINDEXTER. We had a roll call upon that, and I object.

The VICE PRESIDENT. The question, first, is on concurring in the amendments not reserved.

Mr. KING. As I understand the statement just made by the Chair, if that vote shall prevail it will include the personnel item, and in order to avoid acquiescence in the action of the committee on it I move that a separate vote be taken upon the personnel provision of the bill.

Mr. POINDEXTER. I make a point of order against the motion. The bill is now in the Senate, and no reservation was made of that amendment for a separate vote.

Mr. KING. It is my understanding that you do not need in Committee of the Whole to make a reservation, that you have the right under the rules to ask for a separate vote in the

Mr. BORAH. Mr. President, the amendment touching the subject of the personnel is a Senate committee amendment. It is an increase of the item as it came over from the House. Would it be necessary, therefore, in order to have a vote upon it, to make a reservation? What we desire is a separate vote on the question of personnel, and as that was a Senate committee amendment, increasing the amount beyond that which was provided for by the House, I presume we are entitled to a separate vote in the Senate without having made a reservation.

The VICE PRESIDENT. Will the Senator from Utah specifically name the amendment, so that the Chair can recog-

It is the amendment referring to increasing the Mr. KING. personnel of the Navy from 100,000 to 120,000.

Mr. POINDEXTER. There is no such provision in the bill,

Mr. President. There is no provision in the bill fixing the per-

sonnel. That is only affected by the amount of the appro-

Mr. UNDERWOOD. Mr. President, if the Senator will allow me, the amendment was to increase the amount of the appropriation. It did not apply to men. I am with the Senator from Washington on this question. I voted with him before, and intend to vote with him now, and I have no doubt the Senate will renew its former action and sustain the amendment. I think, however, that if Senators on this side desire to have a separate vote they ought to be allowed to have it.

Mr. BORAH. The amendment touching the question of personnel is found on page 30, in line 22. The question is upon the increase of the appropriation from \$72,000,000 to \$87,000,000,

and upon that we desire a separate vote.

Mr. POINDEXTER. Mr. President, in the first place, before acting upon the request for a unanimous-consent agreement. I should like to understand what the ruling of the Chair is as to the status of amendments agreed to in Committee of the Whole and of which no reservation was made.

Mr. LODGE. Mr. President, of course any Senator can ask for a separate vote on any amendment, whether a committee amendment or any other. All that is done by a reservation is to keep it from being concurred in en bloc.

The VICE PRESIDENT. The Senator from Massachusetts

has correctly stated the rule. Mr. POINDEXTER. Then the request of the Senator from

Idaho for unanimous consent is not necessary.

The VICE PRESIDENT. It is not. The first question, then, is on concurring in the personnel amendment, which the Secre-

The Assistant Secretary. On page 30, line 22, the committee propose, and it was agreed to in Committee of the Whole, to strike out "\$72,421,647" and in lieu to insert "\$87,798,447."

The VICE PRESIDENT. The question is on concurring in the amendment just stated.

Mr. BORAH. On that I ask for the yeas and nays.

The yeas and nays-were ordered, and the Assistant Secretary

proceeded to call the roll.

Mr. DIAL (when his name was called). I have a pair with the senior Senator from Colorado [Mr. Phipps], and in his absence I withhold my vote.

Mr. FERNALD (when his name was called). I have a general pair with the senior Senator from New Mexico [Mr. Jones]. I transfer that pair to the senior Senator from New York [Mr. WADSWORTH] and vote "yea."

Mr. McKELLAR (when his name was called). I am paired with the junior Senator from Ohio [Mr. WILLIS], but on this question in Committee of the Whole he voted "nay," and as I expect to vote "nay" I shall vote. I vote "nay."

Mr. GERRY (when Mr. Robinson's name was called). I desire to announce the absence of the Senator from Arkansas

[Mr. Robinson] on account of illness in his family.

Mr. WARREN (when his name was called). I have a general pair with the junior Senator from North Carolina [Mr. Over-MAN]. Not knowing how he would vote, in his absence I withhold my vote.

The roll call was concluded.

Mr. ASHURST. I wish to announce that the junior Senator from Arkansas [Mr. Caraway] is absent on business of the Senate.

Mr. TRAMMELL (after having voted in the negative). When I voted I failed to note the absence of my pair. I am paired with the Senator from Rhode Island [Mr. Colt]. absence I transfer my pair to the senior Senator from Missouri [Mr. REED] and let my vote stand.

Mr. GLASS. I have a general pair with the senior Senator from Vermont [Mr. DILLINGHAM]. In his absence I withhold

my vote. If permitted to vote, I would vote "nay."

Mr. FLETCHER (after having voted in the affirmative). have already voted, but I wish to announce my general pair with the Senator from Delaware [Mr. Ball], who I am informed would vote the same way I have voted. Therefore I shall let my vote stand.

Mr. SUTHERLAND. I have a general pair with the senior Senator from Arkansas [Mr. Robinson]. I transfer that pair to the junior Senator from Pennsylvania [Mr. Knox] and vote

"yea."

Mr. GLASS. I find that I may transfer my pair with the senior Senator from Vermont [Mr. DILLINGHAM] to the senior Senator from Texas [Mr. Culberson]. I make that transfer and vote "nay."

Mr. CURTIS. I wish to announce the following pairs:

The senior Senator from New Jersey [Mr. Frelinghuysen] with the Senator from Montana [Mr. Walsh];

The junior Senator from New Jersey [Mr. EDGE] with the senior Senator from Oklahoma [Mr. Owen];

The Senator from Illinois [Mr. McKinley] with the Senator from Arkansas [Mr. CARAWAY]

The Senator from Indiana [Mr. New] with the Senator from Tennessee [Mr. SHIELDS]; and

The Senator from Connecticut [Mr. McLean] with the Senator from Montana [Mr. MYERS].

The result was announced—yeas 38, nays 24, as follows:

YEAS-38. Fletcher Ashurst Moses Stanfield Nelson Newberry Oddie Brandegee Broussard Gerry Gooding Hale Sterling Sutherland Bursum Swanson Underwood Walsh, Mass. Jones, Wash. Penrose Pittman Calder Jones, Wasi Kellogg Keyes Lodge McCormick McCumber Cameron Curtis Elkins Poindexter Watson, Ind. Shortridge Smith Welcott Ernst Fernald Smoot NAYS-24. Heflin Hitchcock Kendrick Kenyon La Follette McKellar Borah Simmons Stanley Townsend Capper Glass Norbeck Harreld Harris Harrison Norris Pomerene Sheppard Trammell Watson, Ga. Williams Kin Ladd NOT VOTING-34. Frelinghuysen Ball New Johnson Jones, N. Mex. Spencer Wadsworth Walsh, Mont. Warren Weller Caraway Colt Nicholson Overman Owen Page Phipps Ransdell Culberson Knox Lenroot McKinley McLean McNary Cummins Dial Dillingham Willis Edge France

So the amendment made as in Committee of the Whole was concurred in.

Robinson

The VICE PRESIDENT. The next amendment reserved will be stated.

The Assistant Secretary. The next amendment reserved for a separate vote will be found on page 22, line 6, where, on the report of the committee, the Senate, as in Committee of the Whole, struck out "\$7,500,000" and inserted "\$9,000,000" under the heading "Maintenance, Bureau of Yards and Docks."

The amendment was concurred in.

The VICE PRESIDENT. The next amendment reserved will be stated.

The Assistant Secretary. The next amendment reserved for a separate vote is the amendment adding a new section to the bill known as section 18.

Mr. POINDEXTER. Mr. President, that is the amendment offered by the Senator from Tennessee [Mr. McKellar], which authorizes the reinstatement in the Naval Academy of 110 midshipmen, in case they shall be reappointed, who have been separated from the academy on account of deficiencies in their I hope the amendment will be defeated.

The VICE PRESIDENT. The question is on concurring in the amendment. [Putting the question.] The noes have it.

Mr. McKELLAR. I demand the yeas and nays.

The yeas and navs were not ordered. The amendment was nonconcurred in.

The VICE PRESIDENT. The next amendment reserved will be stated.

The Assistant Secretary. The next amendment reserved for a separate vote is known as the Charleston, S. C., Navy Yard amendment, inserting, on page 23, the following:

The expenditure of the appropriation of \$1,150,000 for the construction of a large dry dock, navy yard, Charleston, S. C., continued in the naval appropriation act for the fiscal year 1919, approved July 1, 1918, is hereby suspended until July 1, 1924.

Mr. SMITH. I merely wish to say that I hope my friends in the Senate will nonconcur in that amendment,

Mr. POINDEXTER. In order to have no misunderstanding, I should state that this is not the amendment of the Senator from South Carolina. It is the amendment of the Committee on Naval Affairs, and the Senator from South Carolina is opposing it.

Mr. LA FOLLETTE. On this question I call for the yeas and

The yeas and nays were not ordered.

The amendment was nonconcurred in.

The VICE PRESIDENT. The question is on concurring in the amendments made as in Committee of the Whole which were not reserved for a separate vote.

The amendments were concurred in.

Mr. POINDEXTER. Mr. President, I now offer the amendment originally printed in the bill at page 37, lines 17 to 21,

which was stricken out upon a point of order made in Committhe of the Whole. I offer it now as an amendment to be inserted at the place where it was originally printed.

The VICE PRESIDENT. The amendment will be stated.

The Assistant Secretary. Insert in the bill at page 37, after

line 16, a new paragraph, to read as follows:

The statutory limit of \$300,000 for repairs and changes to capital ships of the Navy as provided in the act making appropriations for the naval service for the fiscal year ending June 30, 1917, approved August 29, 1916, is hereby changed to \$500,000.

The amendment was agreed to.

Mr. SIMMONS. Mr. President, on May 27, last Friday, my colleague [Mr. Overman], who is absent from the city at present, offered an amendment which was, upon objection made by the Senator from Washington [Mr. Poindexter], held to be out of order. I have been handed an amendment which accomplishes the same purpose that my colleague had in view, and which it is claimed removes the objection offered by the Senator from Washington. I was requested to offer that amendment, and I do so out of courtesy to my colleague. I am not familiar with the question, and am offering it simply as a matter of

courtesy to him.

The VICE PRESIDENT. The Secretary will report the

The Assistant Secretary. On page 28, after line 8, insert:

The Assistant Secretary. On page 25, after line 5, lisert:

Provided, That no part of any sum appropriated by this act shall
be used for the purpose of paying the salary or the back pay of any
officer in any branch of the Navy for any period of service for which he
has heretofore been paid in the rank or rating he then held and whose
claim for the salary and back pay of his present rank rests on the fact
that his appointment and promotion antedated the act on whose provisions the legality of his antedated commissions were based, unless and
until the Secretary of the Navy shall first refer the legality of any
such antedated commission to which his attention may be called to the
highest legal authority to which he may so refer under existing law.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from North Carolina?

Mr. POINDEXTER. Mr. President, I make the point of order against the amendment on the ground that it is general legislation, that it changes existing law, and is, therefore, not in order on an appropriation bill. In substance it is the same as the amendment offered by the junior Senator from North Carolina [Mr. Overman], to which a point of order was made, which point of order was sustained. There have been some slight changes made in the language of the amendment as now presented, but not affecting the ground upon which the point of order was based.

Practically the only change made in the amendment is that instead of subjecting the appointments to the review of the Comptroller of the Treasury it subjects them to the review of "the highest legal authority to which he may so refer under existing law." Requiring appointments to be referred to any Requiring appointments to be referred to any legal authority, conferring the power to review nominations for commissions in the Navy which are made by the President of the United States, is a change of existing law, and, in my opinion, is unconstitutional. I make that point of order also, if it may be made, or I point out, at least, that the attempt to restrict the authority of the President of the United States to make appointments for commissions in the Navy is unconstitutional, that it is a change in existing law, and is not in order

upon an appropriation bill.

Mr. SIMMONS. Mr. President, I am under the impression that the Senator from Washington misunderstands the purpose and the effect of the amendment. I think probably when the amendment was ruled out on a point of order on Friday last there was a misunderstanding on the part of the Chair also as to the purpose and effect of the amendment. I do not claim to be familiar with the circumstances which call for the amendment, but upon an examination of the Record I discover from the statements of the junior Senator from North Carolina [Mr. Overman] this state of facts: We have been called upon very frequently to confirm en bloc a large number of Army and Navy appointments based upon the assurance-given, of course, always in good faith by Senators in charge of such confirmations-that the appointments were regular. It seems to have transpired with respect to several such nominations so confirmed en bloc that some of the appointments antedated, in one case to the extent of four years, the law upon which promotions were based. In that way such officers are enabled to draw back pay upon a basis which does not in fact exist. The sole purpose of the amendment is to have some sort of an investigation for the purpose of protecting the Government against paying such salaries and back pay in the case of officers who are not entitled in law to receive them.

I do not conceive, Mr. President, that this is new legislation, that being the ground upon which the Senator from Washington bases his objection. It is a mere limitation proposed to be put upon legislation embodied in the pending bill. It does not

undertake to negative or to nullify any provision of the present law; it does not undertake to provide any new statutory enactment or regulation; but it simply provides that if certain confirmations shall be found to be irregular and promotions have been granted which were not based upon and not authorized by the law under which the officers were promoted, the Secretary of the Navy shall institute such investigation as may be proper and necessary for the purpose of ascertaining the facts and protecting the Treasury against the payment of such unjust and unearned salaries.

I trust that the Senator from Washington will not insist upon the point of order, and, if he does so, I hope the Chair will overrule the point of order. I think that clearly it is not new legislation. There is a clear distinction made in the rules of both Houses between new legislation and limitations upon legislation, and I think that distinction is made in this amendment. I rather think that was also true of the original amendment, but surely it is so of the pending amendment.

I hope the Senator from Washington will withdraw his objection and will permit the amendment at least to go to confer-

ence, where he may investigate the matter.

If it shall appear by reason of our effort here to save time by the confirmation of a mass of nominations en bloc that a mistake was made, and, as the result of the mistake, the Treasury of the United States will have to pay out money to some officer who is not entitled to it, does not the Senator think that we ought at least to investigate the matter before we finally dispose of the amendment? If he permits it to go to conference he can make inquiries of the Navy Department; and if the Navy Department shall say that there is no foundation for this amendment to rest upon, then the conferees will simply eliminate it; that will be all; but if it is found that the statement of the junior Senator from North Carolina with reference to some of the nominations is true, and that they are sometimes antedated four years beyond the time that they should have been dated, and, as a result of that, officers are entitled to draw back pay, based upon new commissions during that period of time instead of the pay that they were entitled to under the old commissions, that is a matter which should be corrected. The back pay should be based upon the new commission only from the date that that commission could legally issue and not be antedated back, as appears to have been the case in at least one instance, four years.

Mr. POINDEXTER. Mr. President, this amendment does not relate only to back pay; it prohibits the payment of salaries or

Mr. SIMMONS. Exactly. If the officer is not entitled to it,

he will be prohibited from receiving it.

Mr. POINDEXTER. If the Senator will pardon me for just a moment—I listened patiently to his statement—I have no objection to a most thorough investigation into this matter. there is any charge of impropriety on the part of the President of the United States in making appointments in the Navy, it ought to be investigated; but I am not in favor of undertaking to put the President of the United States under the supervision of some petty officer, vaguely referred to here as "the highest legal authority" to which it may be referred, which, I suppose, means the Attorney General.

The President can refer such matters to the Attorney General if he chooses; but to require that these appointments shall, as a matter of law, be subjected to the opinion of the Attorney General as to whether or not the President is acting within his rights seems to me to establish a situation which is entirely unreasonable and impracticable and ought not to be established. It changes the existing law in that respect, and I insist upon my point of order.

I will say to the Senator, so far as I have any connection with the matter as a member of the Committee on Naval Affairs, that if he or his colleague will report to the committee any impropriety or irregularity in any matter of this kind I will take every step that is possible, so far as the committee is

concerned, to investigate it. Mr. SIMMONS. I think the Senator is wholly wrong in saying that there is any purpose or that the amendment would have the effect of invalidating an appointment made by the

President. That is not the purpose of it. Mr. POINDEXTER. It would prohibit the payment of the

salary

Mr. SIMMONS. The purpose only goes to the question of salaries and back pay. Nobody would contend that we could in this way nullify an appointment by the President. Clearly, that would be, if that were the intent or purpose, new legislattion and obnoxious, therefore, to the point of order the Senator has made; but here the sole purpose is to protect the Government as to the salary and back pay of officers; it is merely a

limitation upon the legislation; it does not affect, it was not intended to affect, and can not affect, the validity of the confirmation of appointments.

The VICE PRESIDENT. The Chair rules that the point of

order is well taken.

Mr. LA FOLLETTE. Mr. President, I have some amendments which I wish to offer, but before offering the amendments I ask permission to have printed in connection with my remarks some clippings which I have bearing upon the question of disarmament. To save time I will ask to have them printed without reading.

The VICE PRESIDENT. Without objection, they will be

printed in the RECORD.

The clippings referred to are as follows:

THE SENATE AND THE PEOPLE.

The senate is out of touch with the people. The harmony which prevalled during the war has been lost in these last few months of the peace, and to-day the thought and purpose of the Senate and of the people are flowing along two widely diverging channels. This division is due to public recognition of the needless scale of naval expenditure. The people who pay the taxes have learned to their amazement that last year out of every dollar of Government expenditure. 92 cents was spent in liquidating past wars and making ready for those of the future; and they have told the Senate in unmistakable fashion that Government expenditures must be reduced and that to their thinking the most effective and immediate, way to set about this is to cut down the military budgets. In spite of the fact that the Navy bill, as passed by the House, called for \$400,000,000, or two-and-a-half times the peace time expenditure before the war, the Senate wishes to add \$100,000,000 to that huge sum; so that, to-day if you please, after two-and-a-half years of peace, and with no possible enemy in sight; the Senate is seeking to burden our already overburdened country by imposing upon it an expenditure for the Navy for one single year, of about half a billion dollars.

The President has stated on various occasions that he is in favor of an international conference to secure a reduction of naval expenditures. The people of the United States have noted with deep satisfaction that the spokesmen for leading naval powers have welcomed this suggestion of our President, and they are curious to know why in the world the invitation has not been sent out. For answer they are told by various Senators that naval economy is an idle dream and that a conference just now to promote all-around retrenchment would be "premature"—premature for some mysterious reason which the public is not allowed to know.

The public, however, has a perfect right to make its own guess, and its guess is that the Senate is determined to jam through the construction of the whole of

Senator Borah has the people behind him in his plea for an immediate international conference. The Senate should act accordingly,

[From the New York Times, May 19, 1921.]

[From the New York Times, May 19, 1921.]

[From an address by M. Carey Thomas, president of Bryn Mawr, at a meeting of American college women at Carnegie Hall, New York.]

\* \* We women can and must stop war. Unless we stop it no one will stop it. Why should we bear children to perish in indescribable torture? Why should we spend laborious days to make a world better that is to go up in flames?

Our peace program must be written in the laws of the world without a moment's delay. We must demand of Governments, under pain of revolution and overthrow, instant disarmament.

[Associated Press dispatch printed in the New York Times, Sunday, May 22, 1921.]

TOKYO, May 21.

People of Japan have shown themselves to be in favor of restriction of armaments, it was declared yesterday by Mme. Ozaki, wife of Yukio Ozaki, leader in the campaign against militarism in Japan. Her statement was based upon the results of a post-card vote taken in cities where M. Ozaki has spoken recently in his campaign against armaments.

"The facts are interesting and I think American characteristics."

armaments.

"The facts are interesting, and I think Americans should know about them," said Mme. Ozaki. "My husband resumed his lectures recently in the chief towns in the north of Japan, speaking in 15 cities in asmany days. At each meeting post cards were given out by which his auditors might express their views, and so far, out of 16,000 cards received, 93 per cent are in favor of an arrangement looking to disarrament. Five per cent are against such an agreement and the rest are uncertain. Votes from the cities of Kanazawa, Toshima-gawa, and Fukul are just coming in, and, if anything, the results are more conclusive than ever in support of my husband's principles. He is going to the city of Hokkaido next month, intending to remain there for 10 days."

The new Women's Peace Society, dedicated to furthering the peace movement especially by the promotion of an understanding between the United States, and Japan, held a meeting to-day. Mme. Ozaki employed in any manner to coerce or any pecuniary claim of any kind, class, or na firm, or corporation, or to enforce any claim of concession for or on behalf of any private of composition to the United States, and Japan on national policies.

Newspapers are continuing their advocacy of an armament agreement between the United States and Japan on national policies.

They declare that the two nations should hold a preliminary conference, believing that if an accord is reached concerning the policies to be pursued in the Pacific question the relative naval strength of the two nations can be left to experts.

[From an address by Mrs. Carrie Chapman Catt at the convention of the National Women Voters' League, in Cleveland, from an Associated Press dispatch printed in the Washington Post on Thursday, April 14, 1921.

The people in this room to-night could put an end to war. There isn't an audience in the world that won't applaud him who talks of world peace. Everybody wants it, and everyone does nothing.

We are the appointed leaders. It isn't possible for us to see the horrors of the other side. We go on daily living in a paradise while tragic Europe tries to gather its ruins together.

We have waited too long, and we will get another war by waiting. Let us make a resolution to-night; let us consecrate ourselves to put war out of this world. It is necessary that we rise out of shallow partisanship, that we act as women. Let us tell Mr. Harding and the Senate that we expect action. Let us be silent no more! Let us join hands with everyone who wants to put this terrible war business out of the world. Men were born by instinct to slay. It seems to me God is giving a call to the women of the world to come forward, to stay the hand of men, to say, "No; you shall no longer kill your fellow men."

### [From the Scientific American, May 14, 1921.] WHO IS DELAYING DISARMAMENT?

There can be no question whatever that the country at large was dumfounded to learn, as it did a few months ago, that over 90 per cent of the current national expenditures are to cover the cost of wars that have occurred in the past and that may occur in the future. It was this material fact as much as, and perhaps more than, the moral aspects of the question that produced the practically universal demand for a reduction of mayal and military estimates.

In response to the taxpayers, the Government, through its various representatives from the President down, has stated during the past few weeks that we must at any cost complete the three-year program, including the six ships of the Indiana class, although these last will cost about \$250,000,000. At the same time, in answer to the wide-spread desire of American citizens that our President should take the lead in calling a conference to discuss disarmament, the people have been told that we can not afford to undertake disarmament alone, and that the President must be given time for due consideration of this matter before calling such a conference. Meanwhile Congress is voting that we spend about \$400,000,000,000, for this year alone, upon our Nayy.

that the President must be given time for due consideration of this matter before calling such a conference. Meanwhile Congress is voting that we spend about \$400,000,000, for this year alone, upon our Navy.

The astounding thing about the statement that we can not consent to disarm until other naval powers agree to do so with us is that the only other naval power that has hitherto surpassed us in strength not only commenced disarmament more than two years ago but has carried the thing to such an extent that, first, it is questionable whether to-day she equals us in the power of her first fighting line; second, it is certain that if we complete our three-year program in its entirety our Navy will exceed the British Navy in capital strength by at least 30 per cent; and, third, if we also round out our Navy, which will be a comparatively inexpensive thing to do, we shall exceed that navy in actual material strength by at least 50 per cent.

Startling facts, but true; for we must remember that the British first-line ships are obsolescent to-day, being with one exception from 5 to 9 years old, and that by the time the 17 capital ships which we have under construction are completed, the finest of her ships will be from 8 to 12 years old. The question which we wish to ask Congress on behalf of the people of the United States who wish for economy is, Why is it that, in making these Government statements that we must go slowly in calling for a conference of disarmament; no acknowledgment whatsoever is made of the fact that the biggest navy in the world has already made this enormous stride in this very direction? Surely this is a fact pregnant with meaning, upon which the people of America have a perfect right to be informed.

That we are not unduly stressing a minor point, but that we are laying our hand upon a most significant and elemental fact, is proved by the reply to a question raised in the British House of Commons on April 13 as to the number of vessels that had been removed from the naval lists of Japan, the

Mr. LA FOLLETTE: Mr. President, I have three or four amendments which I wish to offer and upon which I should like to have the yeas and nays. If I could be accorded a roll call on each of the amendments, I would be willing to forego their discussion. I send the first amendment to the Secretary's

The VICE PRESIDENT. The amendment will be stated.

The Reading Clerk. At the end of the bill it is proposed to add a new section, to be numbered section 18, as follows:

Provided, That no battleship, battle cruiser, scout cruiser, torpedo-boat destroyer, submarine, or airplane carrier herein appropriated for shall be employed in any manner to coerce or compel the collection of any pecuniary claim of any kind, class, or nature, of any individual, firm, or corporation, or to enforce any claim of right to any grant or concession for or on behalf of any private citizen, copartnership, or corporation of the United States.

Mr. LA FOLLETTE. Mr. President, at this point I ask for

Mr. POINDEXTER. Mr. President, in the performance of the task of looking after the bill I am compelled to make a point of order against the amendment, for the reason that it changes existing law and puts a limitation upon the use of the naval forces of the United States, contrary to present law. I assume that that must be admitted; otherwise there would be no ostensible purpose in offering the amendment, if it were merely a repetition of existing law. I therefore make the point of order that it is not in order upon an appropriation bill.

Mr. BORAH. Mr. President, I ask to have the amendment

again read.

The PRESIDING OFFICER (Mr. SHORTEDGE in the chair). The Secretary will again state the amendment.

The reading clerk restated the amendment.

Mr. LA FOLLETTE. Mr. President, if the Chair will permit me. I should like to call the attention of the present occupant of the chair to the ruling of Vice President Marshall upon this same amendment, which I proffered to the naval appropriation bill on July 19, 1916, and I should like to read the announcement of the decision of the Vice President upon the amendment which I offered at that time. This amendment is in form the same as the amendment then offered.

I read from page 114 of Gilfry's Precedents, printed and known as Volume II, Supplement to Senate Document No. 1123,

Sixty-second Congress, third session, dated 1919:

Mr. La Follette offered the following amendment: On page 172, line 13, after the word "paid," insert a colon and the following proviso: "Provided. That no battleship, battle cruiser, scout cruiser, torpedoboat destroyer, or submarine herein appropriated for, shall be employed in any manner to coerce or compel the collection of any pecuniary claim of any kind, class, or nature, or to enforce any claim of right to any grant or concession for or on behalf of any private citizen, copartnership, or corporation of the United States against the Government of Mexico or of any Central or South American Government."

I have omitted the limitation following the words "United States" in the amendment as I have proposed it, but no one will contend that that in any way changes the parliamentary status of my amendment.

I continue to read from that page:

Mr. La Follette. Mr. President, I offer that amendment at this

time.

Mr. Brandegee. I make a point of order against the amendment, that it is in violation of the rule which prohibits legislation upon an appropriation bill.

The Vice President (Mr. Marshall). The Chair is inclined to believe that if there can be a limitation upon an appropriation for the purposes for which the appropriation may be made there may be also a limitation upon the use of the article provided for in the appropriation. The Chair believes it is simply a limitation upon the bill and is not general legislation.

The Chair has listened to a good deal of discussion that has gone on during the progress of the bill with reference to the President of the United States being the Commander in Chief of the Army and Navy of the United States, as though the Congress of the United States had no power or authority whatever over the creation of an Army or the creation of a Navy, or any power with regard to determining anything that the Army or Navy should or should not do. There have been views expressed here that the President of the United States, can do anything he pleases with the Army and the Navy of the United States. The Chair does not know whether he has that power or not, but the Chair is clearly of the opinion that the Congress of the United States could provide if it chose for a Navy the sole purpose of which should be to guard the Panama Canal, or to create a Navy to guard the harbor of New York; it could create a Navy for the Atlantic or for the Pacific.

Clearly, in the mind of the Chair, it is not general legislation at all. It is simply a declaration, if the Senate wants to make it, that these battleships and battle cruisers shall not be employed for certain purposes. If the President of the United States has no power or authority to use any of the vessels of the United States to coerce or compel the collection of any pecuniary claim of any kind, class, or nature, or to enforce any claim of right to any grant or concession for or on behalf of any private citizen, copartmenship, or corporation of the United States against the Government of Mexico or against any Central or South American Government, this does not change it. If he has the power he can use whatever of the Navy there is now for that purpose. But the Chair is clearly of the opinion that if the Congress of the United States wants to prevent the use of these vessels for this purpose it has the right to do so, and it is not general legislation but a limitation upon the bill.

Mr. President, that decision is squarely in point. It is a

Mr. President, that decision is squarely in point. It is a decision of the Vice President. It is the latest decision made upon that point; and if there is anything binding in the precedents of the Senate, it settles the question which has been raised by the Senator from Washington, acting chairman of the Committee on Naval Affairs.

For the present that is all I care to say.

Mr. POINDEXTER. Mr. President, I have not the advantage of being able to turn to the volume that the Senator from Wisconsin has quoted. The volume that I have does not contain that reference.

Mr. LA FOLLETTE. Would the Senator like to have this volume? I have read from page 114 of "Gilfry's Precedents and Decisions on Points of Order, United States Senate, Sixtythird to Sixty-fifth Congresses, inclusive."

Mr. POINDEXTER. I thank the Senator. I have just been sent a copy from the desk.

This amendment is clearly, in my opinion, Mr. President, legislation which goes beyond a mere limitation upon the appropriation contained in this bill, even though that, if it applied, would make it in order.

The amendment provides-

That no battleship, battle cruiser, scout cruiser, torpedo-boat de-stroyer, submarine, or airplane carrier herein appropriated for shall be employed in any manner to coerce or compel the collection of any necuniary claim. pecuniary claim-

And so forth. Practically the whole Navy is herein appropriated for. The entire 1916 program is herein appropriated for, but these are only additional appropriations to those that have been made heretofore, and the vessels are in such a stage of construction that it will be necessary to make appropriations hereafter. So that this amendment, if it were adopted, would not only prevent and paralyze the executive branch of the Government in using the results of the appropriations contained in this bill for the purposes prohibited in the amendment, but it would have the same effect as to the appropriations contained in many bills passed in previous years and those that will be passed hereafter, because it is a continuing provision and is

not by any means limited to the next-fiscal year.

My opinion is that the amendment is a most radical and far-reaching change in the existing law. The Army and Navy of the United States are back of the judicial processes and the governmental decrees of the Nation, and the purpose of maintaining them is to enforce the decrees of our various tribunals and to carry out the policies of the Government when they have been established through the proper agencies dealing with those various subjects. To undertake by a sweeping, unlimited provision to provide that the Nation's Commander in Chief, acting under the laws and under the Constitution, can not use the Navy of the United States because it happens to be appropriated for in part by this bill for the purpose of protecting the rights of our citizens, of enforcing those claims which in the carrying out of the policies of the Government may have been recognized by our Government as legitimate claims against some foreign Government or the nationals of some foreign country, subverts the existing law, to say nothing of changing it.

I fail to see how we can escape the conclusion that the amendment is subject to a point of order as general legislation, changing existing laws, and therefore can not be attached to an appropriation bill; and the circumstances which I have pointed out were not adverted to by the Chair in the previous ruling which has been cited by the Senator from Wisconsin.

Mr. LA FOLLETTE. Mr. President, they were taken into consideration by the Presiding Officer, and an amendment proposed by the Senator from Nebraska, which will be found cited in the same volume, which made the limitation a general one upon both the Army and the Navy, was held by the Vice President to be out of order and to be general legislation because it applied generally to the Army and the Navy. This distinction has always been preserved with regard to amendments of appropriation bills, that any amendment which imposed a limitation upon the appropriation should be in order, and the Chair can readily see the reason for the distinction.

The great danger which it was necessary to guard against in the rules was the enlargement of appropriations in appropriation bills, and therefore, in framing the rule, and in the precedents which were established from time to time, beginning at a very early date-it can be traced down through all of the decisions-it was found to be a sound practice to receive amendments to appropriation bills which cut off or limited the ap-

propriations.

Therefore there grew up a long line of precedents which made amendments to appropriation bills limiting or restricting the appropriations in order, as against the enlargement of appropriations by amendment on general appropriation bills; and. Mr. President, I undertake to say that there can be no precedent found which contradicts, distinguishes, or in any way impinges upon or weakens the precedent which the Vice President wrote into the decisions of the Senate in 1916, when precisely the same amendment which is now before the Senate was offered to a pending appropriation bill.

The PRESIDING OFFICER (Mr. SHORTRIDGE in the chair).

The present occupant of the chair has very great respect for precedents if the reasons given appear sound. The Chair also has very great respect for the opinions of the Senators who have spoken on this question; but with great deference to the precedents cited—and both are in mind—and with great respect for the opinions of Senators, the Chair thinks the point of order is well taken. It would serve no good purpose to enlarge and give reasons for this opinion. In a word, it is thought that the proposed amendment is most general in its scope and purpose; that in effect it amends or suspends or subverts many laws, and is general legislation. The Chair so holds. The point of order is well taken.

The bill is still in the Senate and open to amendment. there are no further amendments the question is, Shall the amendments be engrossed and the bill be read a third time?

Mr. LENROOT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

McKellar Stanley Sutherland Swanson Warren Borah Calder Heflin Moses Newberry Nicholson Norbeck Oddie Poindexter Sheppard Shortridge Smoot Stanfield Jones, Wash. Kellogg Kendrick Capper Curtis Watson, Ga. Watson, Ind. Willis Wolcott Keyes Ladd La Follette Dillingham Elkins Gerry Gooding Hale Harreld Lenroot McCormick McCumber

The PRESIDING OFFICER. Forty-one Senators having answered to their names, a quorum is not present. The Secretary will call the names of the absent Senators.

The reading clerk called the names of the absent Senators, and Mr. Kenyon and Mr. PITTMAN answered to their names when called.

Mr. HITCHCOCK, Mr. TOWNSEND, Mr. MYERS, Mr. KING, Mr. WALSH of Montana, Mr. UNDERWOOD, and Mr. CAMERON entered the Chamber and answered to their names,

The PRESIDING OFFICER. Fifty Senators having an-

swered to their names, a quorum is present.

Mr. LA FOLLETTE. Mr. President, in further commemoration of the ruling that has just been made, and that this day may be marked as a sort of milestone in the parliamentary history of the Senate, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The Secretary will state the amendment.

The READING CLERK. Add at the end of the bill a new section, as follows:

as follows:

Sec. 18. That no battleship, battle cruiser, scout cruiser, torpedobat destroyer, submarine, or airplane carrier herein appropriated for shall be employed in any manner to coerce or compel the collection of any pecuniary claim of any kind, class, or nature of any individual, firm, or corporation, or to enforce any claim of right to any grant or concession for or on behalf of any private citizen, copartnership, or corporation of the United States against a foreign Government unless and until the claimant shall have been denied a judicial determination of his claim by such foreign Government.

Mr. POLYDEY TEP. Mr. President I make the point of order.

Mr. POINDEXTER. Mr. President, I make the point of order that the proposed amendment changes existing law and is general legislation, not in order upon an appropriation bill.

Mr. LA FOLLETTE. I beg leave to cite the decision of former Vice President Marshall, rendered on the date which I have already stated, July 19, 1916, at page 114 of Gilfry's Precedents, in support of the amendment being in order at this time. I take the ruling of the Chair.

The PRESIDING OFFICER. The present occupant of the chair is very firmly of the opinion that the point of order is well taken. In order that the ruling may be historic, it might be proper to give some reasons for the ruling; but the present occupant of the chair thinks that the amendment proposed by the Senator from Wisconsin can be easily differentiated from the amendment which brought about the ruling of the former Vice President, for whose opinion the present occupant of the chair has very profound respect. The point of order is well taken.

Mr. LA FOLLETTE. In view of the fact that the amendment which I have offered is in the same language as the amendment upon which the former Vice President ruled, I find it somewhat difficult to apply the reasoning of the present occupant of the chair, but I take the opportunity to offer another amendment, which I now send to the desk.

The PRESIDING OFFICER. The amendment will be stated. The READING CLERK. At the end of the bill add a new section, section 18, to read as follows:

That no battleship, battle cruiser, scout cruiser, torpedo-boat destroyer, submarine, or airplane carrier herein appropriated for shall be employed in any manner to coerce or compel the collection of any pecuniary claim of any kind, class, or nature of any individual, firm, or corporation or to enforce any claim of right to any grant or concession for or on behalf of any private citizen, copartnership, or corporation of the United States where such claim is merely contractual, or where the claim is of a speculative character, or where the foreign sovereignty appealed to denies the validity of the claim.

Mr. POINDEXTER. Mr. President, I make the point of order that the amendment proposed, if agreed to, would change existing law; that it is general legislation; in fact, I may say that it would subvert, if enacted, the entire constitutional arrangements of the Government of the United States. It is not in order upon an appropriation bill.

Mr. LA FOLLETTE. I should like to say that it is in perfect harmony and consonance with the decisions of the Department of State, which I have here before me. The distinguished acting chairman of the Committee on Naval Affairs is manifestly quite misled and quite uninformed as to the character of the amendment. However, I take the ruling of the Chair upon it.

The PRESIDING OFFICER. The Chair is of the opinion and holds that the point of order is well taken.

Mr. I.A FOLLETTE. I now offer another amendment, which I send to the desk

The PRESIDING OFFICER. The amendment will be reported.

The READING CLERK. Add a new section at the end of the bill, section 18, to read as follows:

SEC. 18. That no battleship, battle cruiser, scout cruiser, torpedo-boat destroyer, submarine, or airplane carrier herein appropriated for shall be employed in any manner to coerce or compel the modification of the constitution or the laws of any foreign Government which deprives such foreign Government of its sovereign right of exclusive jurisdiction over its own territory.

Mr. POINDEXTER. The amendment, of course, would have the effect, in so far as enactment of law by Congress could have effect upon the future course of the Government of the United States, of preventing the Navy of the United States from being used in a war against a foreign country in case we should become involved in war for the purposes prohibited by the amendment, which are very frequently the cause of war. I sincerely trust, as every other man of reason does, I believe, that we shall not become engaged in any such difficulties with any foreign country, but it is to guard against that very thing that the Navy is established.

I make the point of order that the proposed amendment changes existing law and is general legislation not in order upon an appropriation bill, and that it is subject to the rule which the Chair has already laid down with reference to three separate amendments which have just previously been offered by the Senator from Wisconsin.

Mr. LA FOLLETTE. I cite, in support of the amendment which I have offered, the ruling of Vice President Marshall on the 19th of July, 1916, and the long line of precedents in support of amendments limiting appropriations upon appropriation bills which have invariably been followed.

The PRESIDING OFFICER. The Chair thinks the point of order is well taken, and so rules.

Mr. LA FOLLETTE. I now offer another amendment which shall send to the desk. I call attention of the Senate to the fact that it has been placed in evidence before the Senate in the course of the debate upon the pending appropriation bill that officers of the Navy and officers of the Army have, while drawing salaries from the Federal Government, accepted positions with armor-plate manufacturers or munition manufacturers who have contractual relations with the Federal Government, and that acting in the position of an employee of these private munition manufacturers and at the same time drawing salaries from the Federal Government, giving them influence and access to the department, these officers have been able to serve in that dual capacity to the very great advantage of the munition makers and armor-plate ring, of the existence of which I have in the course of this debate furnished abundant evidence to the Senate.

I offer the amendment which I send to the desk. It is a limitation upon the appropriation.

The PRESIDING OFFICER. The proposed amendment will

be stated.

The READING CLERK. At the end of the bill add a new section, section 18, to read as follows:

No money appropriated in this act shall be available or shall be paid to any member of the Navy on the active or retired list who shall be, either directly or indirectly, connected with or in the employ of individuals, copartnerships, or corporations which are engaged in the manufacture of supplies, ordnance, or materials of any kind which the Government shall purchase, or which submit bids or proposals therefor, or have or offer to have any contractual relations for the furnishing of supplies, ordnance, and materials to the Government.

Mr. POINDEXTER. Mr. President, the existing law provides as follows-and I am reading from Twenty-ninth Statutes at Large, page 361:

That hereafter no payment shall be made from appropriations made by Congress to any officer in the Navy or Marine Corps on the active or retired list—

That is better language than the language used in the amendment offered, which refers to them as members of the Navy

Mr. LA FOLLETTE. That is not the language. guage of the amendment I have offered is "any officer"

Mr. POINDEXTER. I was just going by what the Secretary read. Continuing the reading of the statute

Mr. LA FOLLETTE. My amendment reads, "That hereafter no officer of the Army or Navy." If it does not, I should like to have it corrected.

Mr. POINDEXTER, I should like to know who has the

Mr. LA FOLLETTE. I have not yet yielded the floor. Mr. POINDEXTER. Very well.

Mr. LA FOLLETTE. I wish to correct my amendment. have the printed amendment before me that I sent to the Secretary's desk, providing "That hereafter no officer of the Army or Navy," and so forth. I now yield the floor. I think I have my amendment as I wish to present it to the Senate.

Mr. POINDEXTER. Continuing the reading of the statute: While such officer is employed, after June 30, 1897, by any person or company furnishing naval supplies or war materials to the Government, and such employment is hereby made unlawful after said date.

That statute applied not only to the appropriation bill of that year but it was a continuing statute and is in effect today and now prohibits and makes unlawful, and consequently subject to criminal prosecution, those things which the Senator from Wisconsin said have been pointed out during the debate. Unfortunately

Mr. LA FOLLETTE. May I interrupt to inquire the date of

Mr. POINDEXTER. The date of it is 1896.
Mr. LA FOLLETTE. Yes. Will the Senator permit me to make a statement in this connection?

Mr. POINDEXTER. I prefer, if the Senator will allow me, to conclude. I shall conclude in just a moment.

Mr. LA FOLLETTE. I shall be very glad to follow the

Mr. POINDEXTER. Continuing, I was about to state that the statute which I have just rend is now in effect and makes unlawful, and consequently under other statutes subject to criminal prosecution, any such actions as those which have been stated by the Senator from Wisconsin to have been taken by officers of the Navy. I think the law ought to be enforced. any of the officers have been guilty of violation of the law, they ought to have been prosecuted.

It seems to me that the amendment which is offered by the Senator from Wisconsin is a mere repetition of existing law, but I shall not make a point of order against it, and so far as I may I accept the amendment. I shall vote for it, and I have

no objection to it.

Mr. LA FOLLETTE. I was aware of the existence of the provision to which the Senator has called attention. I was aware of another thing that I think perhaps he may have overlooked if it ever came to his knowledge, and that is, with that provision standing in the law, the Senate confirmed and put at the head of the Ordnance Department a man who was an active officer in the Army at the time and who at the same time was the patentee of an important mechanical invention, a disappearing gun carriage, and who had contractual relations with

the Bethlehem Steel Co. on that patent.

The Senate Military Affairs Committee, with that provision standing on the statute books, reported against his confirmation, but, Mr. President, influences which are all-potent in some places in this country were sufficient to lead the Senate, in the face of that recommendation, to confirm that appointment and to install that man in that position. He held it for years, and I think has only recently been retired. So I thought it might be wholesome to reenact it and put it into an appropriation bill. I do not know that it will have any effect upon the Senate in the future any more than it had in the past. The Senate has a way of doing what it pleases, deciding what it pleases, making what precedents it pleases, changing parliamentary law as it pleases. It finds a way to do so when the reasons are weighty enough to bring about such a result; but, at the same time, I thought it might be worth while again to write it into the law. Therefore I offer the amendment. It is no more subject to a point of order than the other amendments which I have offered. Like the other amendments, it is a limitation upon the appropriation.

Mr. WALSH of Montana. Mr. President, the amendment offered by the Senator from Wisconsin simply prohibits the

payment of any portion of the appropriation.

Mr. LA FOLLETTE. It does not fix any penalty.

Mr. WALSH of Montana. It is to be regretted that provision is not made for imposing a penalty.

Mr. LA FOLLETTE. I shall be very glad to accept such an amendment if the Senator from Montana will propose one, but. if the Senator will permit me, I am inclined to think that the milder the amendment is the greater the likelihood that it will be enforced.

Mr. WALSH of Montana. I did not intend that anything that I said should be considered to be by way of criticism of the amendment offered by the Senator. I simply rose to call attention to the statute which was referred to by the Senator from Washington [Mr. Poindexter]. The association of an officer with any organization which is engaged in selling supplies to the Navy is in the highest degree reprehensible and ought to be penal offense. Apparently, however, the statute to which the Senator calls our attention merely declares the act to be unlawful. I was under the impression, as the Senator has asserted, that all acts declared in the statute to be unlawful were misdemeanors and punishable as such; but I examined the matter some time ago very diligently to find some such general provision in the statute, and I was not able to find it. Therefore question the statement.

Mr. POINDEXTER. My impression was that there was a general statute to that effect.

Mr. WALSH of Montana. I was of the same impression.

Mr. POINDEXTER. But I shall not assert that positively, because I have not sufficiently investigated the matter.

Mr. WALSH of Montana. I merely call the attention of the Senate to the matter. I think that undoubtedly Congress intended to make the act a penal offense by declaring it to be unlawful, and it ought to be made a penal offense, but in view of the language used I question whether it is so. It is a matter which I think ought to engage the attention of the Naval Affairs Committee of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin [Mr.

LA FOLLETTEL

The amendment was agreed to.

The PRESIDING OFFICER. The bill is still before the Senate, and open to further amendment.

Mr. KING. I offer the amendment which I send to the desk. The PRESIDING OFFICER. The amendment proposed by the Senator from Utah will be stated.

The READING CLERK. It is proposed to amend section 1 by adding, after the word "constructed," in line 26, page 51, the following:

Provided further. That no part of this appropriation shall be expended on any of the capital ships now being constructed that are less than one-third completed until and unless the plans and specifications therefor are so revised as to provide for armament which shall at least be equal to that planned for the most powerful type of vessel projected or in process of construction in other countries.

Mr. KING. Just a word, Mr. President. It is apparent that the Senate intends to force through the 1916 naval program. Attention has been called to the fact that our naval policy has caused a revision of the British naval policy and that Great Britain next year will begin the construction of four vessels larger than those provided for in our program. It must be apparent, therefore, if we are to have a proper Navy, one that is modern and adequate, that armament should be provided that will make our vessels as powerful as those of any other country. It would be absurd to complete the 1916 program only to have obsolete vessels. The ships now being built, which are not nearly completed, may be conformed to a type and possibly may be so changed as that they may have armament, including guns, to make them equal to the most powerful vessels afloat. If we are to continue the competitive policy with other nations, and if there is to be continued this militaristic spirit which has too often controlled nations in the past, then I believe that we should build a fighting navy-one that meets the highest standard of efficiency and modernness. I am for an adequate navy-not an obsolete, inefficient, and antiquated one.

Mr. POINDEXTER. Mr. President, this amendment is along the line of several other amendments which have been offered by the Senator from Utah and rejected by the Senate looking toward the discontinuance of work upon the capital ships which are now under construction. The amendment provides that upon all of the capital ships that are less than one-third completed-and there are quite a number in that category-the moneys appropriated in this bill shall not be available for a continuance of work unless their plans and designs shall be so changed as to make them at least equal to the most powerful type of vessel projected or in process of construction in any

other country.

Of course, Mr. President, the Senate and House of Representatives and the very able and noted naval constructors of the United States, who are at the head, I may say, of that profession, perhaps, want to get out of this construction program the best ships that it is possible to get, the most powerful and the most modern; but to undertake by legislation to say that if a ship is one-third or slightly less than one-third completed the work upon it shall be discontinued unless the plans are changed to make it equal to the most powerful ship afloat, would be to accomplish the very object which was the purpose of other amendments which have been offered by the Senator from Utah and to scrap a large part of our naval program. I do not know whether what the Senator proposes is possible in the case of a ship that is one-third completed. We do not know, in fact, no one has complete information as to the exact nature and power of the most modern and most powerful ships that are being projected and are being completed by other countries.

It has never been the policy of Congress, because it has never been practicable, and it is not practicable now, to undertake to lay down by law the details of the armor or the armament or the type or the design of ships for which it has provided. Such matters have always been left to the executive branch of the Government, because in their nature they are such as to require executive action; they must be left to the scientists, to the professional men. To change the policy now would have the same result in loss and injury to the Government that has prevented Congress in all the appropriation bills which it has passed in former years from putting into them any such limitation upon the discretion of the technical officers having charge of the

expenditure of the funds appropriated.

Mr. KING. Mr. President, it would have been wise if there had been legislation in the past which imposed upon the Executive the duty when appropriations were made for the construction of battleships or other fighting ships to compel the naval authorities in the executive department to build the I called best battleships and the best naval vessels afloat. attention in the debate this mornin; to the fact that for years after the Monitor had been invented, which made the wooden ship absolutely useless, we continued to build wooden ships. I also showed that after the first dreadnaught, which was the invention of Lord Fisher, had been brought into commission by the English Government, we built a great number of battleships which were of no practical value and indeed were obsolete. It has been shown during this debate that, driven by our feverish haste to force through a policy calling fo: 156 ships, Great Britain will lay down next year four super Hoods each one of which will have a tonnage of 55,000 and will be more powerful than any vessel in the American Navy. Knowing that fact and having information that Great Britain has ships carrying 18-inch guns and will build warships carrying 20-inch guns, we propose to build archaic types that have only 16-inch guns and which will be inadequate to meet the British ships.

The amendment which I have suggested perhaps should not embrace ships which are more than 30 per cent completed. The argument of my learned friend from Washington would be potential and perhaps persuasive if I had attempted by my amendment to include all battleships in process of construction; but I have purposely drawn the line—perhaps it is an arbitrary one—at 30 per cent. Obviously these ships upon which only 30 per cent or less of the work has been performed can be changed or modified and if not they ought to be, so that they may when completed be the equal of ships of other nations. I do not hope, however, for this amendment to prevail, because the Senate has shown—and I say it with the utmost kindness—a blind obstinacy in its devotion to the 1915 pro-

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Mr. POMERENE. The 1916 program.

Mr. KING. My friend the Senator from Ohio says the "1916 program"; but it was devised in 1915 and crystallized into law in 1916—which when it is completed will furnish us obsolete ships.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Utah.

The amendment was rejected.

Mr. KING. I offer the amendment which I send to the desk. The PRESIDING OFFICER. The amendment will be stated. The Reading Clerk. On page 51, line 26, after the word "constructed," it is proposed to insert the following:

And provided further, That no part of this appropriation shall be expended on battleships No. 49, No. 50, No. 51, or No. 52, or upon battle cruisers No. 2 or No. 4, until it is demonstrated by adequate sea tests of battleship No. 45 that the propelling machinery projected for such vessels will produce the maximum battle speed contemplated in the plans and contracts for the construction of such vessels, and until such fact is certified to the Navy Department by the President of the United States.

Mr. KING. Mr. President, in the discussion a few days ago I called attention to the fact that the electric drive of the battle-ship Tennessee had occasioned some trouble; that, notwith-standing the fact that the Tennessee was commissioned a year ago, there were major defects in the machinery which had prevented the acceptance of the ship, or, at least, had prevented the final test from being made until a few days ago. My information is that we are constructing other ships of the same type and with the same type of electric drive. If the drive is defective, if the machinery in the Tennessee possesses infirmities so vital as to require one year after it was commissioned to demonstrate whether or not it would be accepted, it seems to me wise to prescribe that no machinery of the same character shall be put into other vessels until the President shall certify that after test they will attain the maximum strength for which the contract calls.

Mr. POINDEXTER. Mr. President, I trust this amendment will be voted down. It is subject to the same objections that

were pointed out to the last amendment.

As to the *Tennessee*, since the debate on the subject the other day I have received information that the *Tennessee* has not only complied with all of the requirements laid down for her construction but that she has surprised them, and probably there is no ship afloat in the world to-day that is superior to that vessel. She is fully equipped, fully prepared for every service for which she was constructed, and I hope the amendment will be rejected.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Utah [Mr. King].

The amendment was rejected.

Mr. KING. I offer the amendment which I send to the desk. The PRESIDING OFFICER. The amendment will be stated. The Reading Clerk. On page 51, line 26, after the word "constructed," it is proposed to add the following words:

And provided further, That no part of this appropriation shall be expended upon battle cruisers No. 1, No. 2, No. 3, No. 4, No. 5, or No. 6, or upon battleships No. 53 or No. 54 until and unless the specifications of such vessels are revised to provide guns of equal caliber and projection to the best guns being provided for the naval vessels of any other country.

Mr. KING. Mr. President, of course this amendment, as well as others which seek to limit appropriations or change the bill, will be voted down. We profess devotion to a naval policy which will give us a well-balanced and efficient Navy, and yet, with the knowledge that one other nation has guns of greater strength than those which we possess and those which we propose to place upon the vessels which we are to build at a cost of hundreds of millions, we blindly follow a program antiquated and infirm, and refuse to adopt any suggestion to modernize it and make it an adequate Navy.

I repeat that this amendment is merely for the purpose of giving us, if we are to have a Navy, as good guns, as powerful guns, as any navy afloat. Of course the Senate will vote it down. It has already shown that it desires an old-fashioned

Navy, not a modern one.

Mr. POINDEXTER. Mr. President, there are many things besides caliber that affect the efficiency of guns; and the fact that the amendment is drawn in this form—probably none of us here could draw it any better than the Senator from Utah has drawn it—indicates how incompetent Members of the Senate who have not studied ordnance and guns would be in undertaking to define the specifications of the great guns of the American fleet. We have to judge by results, and we know and believe that the guns which have been produced by the Navy Department are the equal of those of any other navy in the world; and of course the Navy Department are going to provide for these ships the most efficient guns that it is possible to manufacture. To limit them, and prescribe their discretion and authority by a crudely drawn amendment of this kind, would defeat the very purpose which the Senator from Utah has in mind.

Mr. KING. Mr. President, if the Senator from Washington has in view any other characteristics or attributes of the guns which would add to their efficiency and make them stronger, I shall be glad to have him add them to the amendment; but heretofore the test of the strength of guns was the caliber. We had 8-inch guns and 6-inch guns and 4-inch guns and 10-inch guns and 12-inch guns, and when we reached the 16-inch gun many naval constructors thought that the ne plus ultra had been attained; but we have information that Great Britain has an 18-inch gun and projects 20-inch guns. If the test of the strength of the gun is the caliber, obviously the 20-inch gun or the 18-inch gun would be better than the 16-inch gun. This amendment, if adopted, would not be satisfied by the construction of guns which had as great caliber as the guns of other nations if they were, notwithstanding that fact, inferior thereto.

The amendment calls for guns as strong and effective as those of the most powerful navy in the world. If the Senate does not want the most powerful guns in the world, but wants the obsolete Navy of 1916, of course it will vote down my amend-

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Utah, which has been stated.

The amendment was rejected.

Mr. KING. Mr. President, I am tempted to offer a number of amendments, but shall refrain, to carry into effect some suggestions made by competent naval men. In order, however, that the matter may be called to the attention of the Navy, and with the hope that some improvement may there be noted, I will briefly call attention to one or two of such suggestions.

It has been suggested that appropriations for the increase of the Navy shall be expended, as far as practicable, so as to make the vessels authorized in the 1916 naval program equal or superior to the best being provided by other nations, and in order to accomplish that result the suggestion is made that the Secretary of the Navy be required to appoint from officers in sea service on vessels of the most serviceable character special boards to investigate and recommend such changes as may be

found necessary and practicable.

We know, Mr. President, that the men who serve with the submarines are better able to determine their serviceability and their efficiency than some who spend all their time on shore. In my opinion it would be for the advantage of the Navy if this suggestion were carried out and special boards were appointed to investigate and recommend such changes as may be found necessary and practicable, the boards to be appointed from persons who have had practical experience, each board to consist of three officers, one from each grade that operates the type of vessel before the board.

All officers appointed to such boards should have records of practical experience of at least two years' sea service on a vessel of the type before the board. Can anybody object to

this suggestion?

The board should consist of members to be equally divided among the various classes of officers who operate a vessel of the type which is before the board for consideration and adoption. It is suggested that there be attached to each board one or two naval constructors and one or two engineering officers especially experienced in the designing and construction of the type of vessel which is before the board for adoption.

It is further suggested that civilian experts from plants constructing vessels of the type before the board shall be permitted to appear and submit their views and make suggestions and

recommendations.

The suggestion is further made that the Secretary of the Navy, in his discretion, based upon investigations to be made, and when the reasons for such course are strong and convincing, be authorized to suspend construction upon some of the vessels authorized, making proper and exhaustive reports to Congress.

I shall not offer any amendment embodying these suggestions, but hope that they will receive due consideration at the hands

of the naval authorities.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.
The PRESIDING OFFICER. The bill having been read three times, the question is, Shall it pass?

Mr. LA FOLLETTE. I ask for a roll call on the passage of the bill.

The PRESIDING OFFICER. The Senator from Wisconsin asks for the yeas and nays. Is the request seconded?

The yeas and nays were ordered.

Mr. BORAH. Mr. President, I desire to say just a word in regard to my vote on the bill. I think perhaps this is the first instance in my service here in which I have felt disposed to say anything merely in explanation of my vote. I generally permit my vote to speak for itself.

Mr. President, I am going to vote for the passage of the bill, although I do so feeling very certain that it carries a much larger appropriation than is justified. I think the House bill itself carried a very large appropriation, ample, if not more than ample, for any provision which it is necessary to make at this time for the maintenance of the Navy. I feel, therefore, perfectly convinced that the items which have been added by the Senate can not be in reason or in justice to the taxpayers of the country sustained, and if the bill stood upon the question of appropriations I should unhesitatingly vote against it. But there has been added to the bill an amendment which

covers a proposition in which I feel a very deep interest and concerning which I have a great hope, perhaps a greater hope than most of my colleagues. It is natural for one who has been peculiarly identified with a measure to expect more from it than those who have not been. If I felt that this amendment which I have offered, and which has been adopted, were clearly out of trouble, I should not feel so hesitant about voting against the bill.

I know, however, that there is still much opposition to the amendment, or to the cause, and I do not feel that I can cast my vote in a way which could be construed under any circumstances as a lack of faith in the amendment or as an impairment of what I consider to be its real worth and merit. I do not mean to say, when I intimate that there may be objections to the amendment, that they are in the Senate or that they will be upon the part of the conferees of the Senate, but there may possibly come objection from other sources. I want to be in a position where nothing will militate against the most extreme and determined measures to preserve this amendment just as it has been written into the bill. I prefer, therefore, and think it is my duty to vote for the bill, notwithstanding I believe the appropriations are too large. I believe the cause of disarmament the most vital issue in the cause of world peace and absorbed the cause of world peace and absorbed the cause of world peace and absorbed to the cause of world peace and absorbed to the cause of the c lutely necessary to relieve the people from economic ruin. Feeling thus, I so vote.

Mr. POMERENE. Mr. President, I feel that I am in somewhat the position of the Senator from Idaho, when he says he is usually content to let his vote speak for itself. If I voted for this bill, I would be voting for a large amount of new construction which my soul protests against at this time. If I vote against the bill, then I am voting against some items for the proper maintenance of a proper Navy, and that is regrettable. But I am compelled to vote either for or against the bill, and I propose to vote against it. At the same time, I want it understood, as I stated a moment ago, that I am in

favor of a proper Navy at any and all times.

I recognize the value of the so-called Borah amendment. I think it is the best paragraph in the bill. If I could have my way, except for the matters of maintenance, I would strike out everything else in the bill except that paragraph. But I do not think my vote on the bill itself will be misconstrued when citizens have before them the Borah amendment and know what the Senate did regarding it. I remember that but two weeks ago there seemed to be an unalterable, irresistible opposition to the Borah amendment, and at last it vanished like mist before the morning sun, and there was not a Senator here who was willing to have his vote recorded against the Borah amendment.

It may be that it will do no good. I hope it will. I hope the President will take up the subject of disarmament at once and in earnest. I do not like to say anything which may seem to reflect upon any Member of the Senate, but when I have before me the record of this country upon the subject of disarmament, I can not help but think that at this moment, when we seek, as we do by this bill, to add \$100,000,000 to the House bill, we are exercising bad faith not only toward the world but toward the

American people.

In this day perhaps one ought not to refer to the treaty of Versailles, but I remember that for months and months it was discussed in the Senate, and I remember, too, that in the covenant for a league of nations was a declaration in favor of the reduction of armaments and a pledge by the signatory powers that some plan of disarmament should be devised. That scheme was approved by 42 nations, and in all of the discussion in the Senate, covering a period of months, there was not one word uttered, as I now recall, against that provision of the treaty. But ever since its discussion there has been a concerted effort here by a majority of the Senate, and I do not mean to say they are all on the other side of the Chamber, in favor of continued armament. Instead of disarmament, we are to have more armament, with the added burdens of taxation to our people.

The program of 1916, as I understand, was to cost a billion dollars. I may not be entirely accurate in this statement, but as I understand it, about \$500,000,000 has already been expended upon that program, and because of the increased price of material and labor it is estimated that it will require \$640,-

000,000 more to complete the program.

I wonder how we can go to the taxpayers of this country and say we are consistent, after our professions in favor of economy and in favor of disarmament, if we shall at this time add a hundred million dollars to the House bill and seek to carry out the original program of 1916, which was adopted in time of war. Maybe other Senators can reconcile themselves to that . position. I can not.

It seems to me there is only one course for me to pursue, and that is to make my protest at this time as earnest and as strong as I can make it against these added expenditures.

There is no Senator here who can say that there is no prospect of getting into an agreement. In my judgment, if the United States would take the first step, Great Britain and Japan, before the sun went down, would indorse our position and be glad to meet us at least halfway.

Mr. WATSON of Georgia. Mr. President, in view of the fact that I part company with my friend the Senator from Idaho [Mr. Borah], I think it is proper that I should state my reasons.

When his amendment was first proposed, he knows I was one of its first friends, and he knows I stood ready to advocate it at any time when it seemed probable that my voice would add

to its strength and assist its passage.

But, Mr. President, the consideration of this bill has gone on from day to day and from week to week, and almost without exception the efforts of those who tried to remember the interests of the common people, who have to foot the bill for this enormous navy, and whatever it may draw after it, have been voted down with a relentless regularity, and no effort whatever made by those who tried to speak for those people, interpreting their voice as rendered at the ballot box last November, could reach the majority in this Chamber.

Mr. President, who framed the bill which came over from the House? A lot of schoolboys? A lot of triflers? A lot of men with a pitchfork or a number of pitchforks, throwing a bill together hastily and without consideration? Mr. President, that bill was framed with as great a degree of care as could have attended the framing of the Senate bill. Sagacious men were at the head of the committee which framed it. The very party which speaks to us in one voice from the House of Representatives speaks to us with another voice from the Senate.

Did not Mr. Mondell, leader of the House, and those who worked with him seek expert advice? Did they not carefully weigh every need of this country? They say they did; the presumption is they did; we know that they did. They come here and say, "Give us \$400,000,000 and we will be answerable on the frontier, whether upon the land or upon the deep."

Why should we not take their word, as well as the word of the leader of the Naval Affairs Committee of the Senate? From what source is our danger to come? What are we afraid

of? Of whom are we afraid?

The names of Japan and Great Britain have been flung back and forth in this debate like red flags before the eyes of an infuriated bull. Everything calculated to irritate, to provoke, to have a dare come answering dare, has been used in this debate.

It is true I voted for the amendment relating to the Charleston Navy Yard. It gives the bill a more national character. It shows that the bill is not sectional. I stand by that vote, and will defend it before my people. Charleston is a point of the greatest strategic value in the case of any future war. I have waived the point that the port of Brunswick, in the State of Georgia, begged the committee, begged the Government, to deepen the bar 400 feet wide and to channel from the ocean to one of the finest harbors in the world. The Chief of Engineers, Mr. President, urgently recommended the consideration of that harbor. The demand was brought down to a request for \$200,000 to complete a dredge to clean out that channel and throw the sifting sands aside. That request for two years has knocked at the national door, and it has been scorned.

I have no request in that regard. A later time will give me the opportunity to make it. But, if I may do so without offense, I again warn Senators that there are people at home who will speak again next year, and those who have to face those people next year had better remember what those people

said last year.

A scant seven months has passed since the voice of the people was heard, and now, Mr. President, we find a forgetfulness of the distress of the people, with wheat selling below the cost of production; half the loaf stricken from the hand of the laboring man as he carries it to his mouth; the farmer abandoning his farm; mules worth \$200 a year or so ago selling for \$15 to \$20; a bale of cotton not paying for the fertilizer which produced it, to say nothing of the labor, the support of the family, the support of the farm, the taxes, the interest on the money invested, a bale of cotton selling below the cost of the ton of fertilizer used in producing it.

And now we have the Comptroller of the Currency giving out an interview in the Washington Herald of last Thursday, in which he virtually said that hard times are good for the people. How much harder does he want them to get, in God's name? Hard times are good for the people, Mr. Crissinger virtually said in that interview. Have they been hard for him? Are they hard for officeholders generally? A man boosted to high office, drawing a big salary, with a staff of employees to wait upon him, does not hear the cry from the farm, the forge, the

wheat field, the cotton field; from the machine shop, from the printing shop, and from every other field of industry.

Mr. President, I am willing to vote for the bill as it came from the House. Further than that I can not conscientiously go, and I must vote against it although I seem to vote against the amendment of my friend the Senator from Idaho [Mr. Borah]. I wish I could put as much confidence in what is going to be done under that amendment as he seems to. I am not so sure but that we are playing a game of diplomacy in this matter and that the amendment, upon which the House of Representatives has not acted, will turn to ashes upon his lips.

Mr. HITCHCOCK. Mr. President, I have heretofore stated that if the additional \$100,000,000, or any considerable part of it, were added to the bill as passed by the House, I should vote

against the bill, and I propose to do so.

I can not look upon the financial situation of the United States with any degree of equanimity. I can not look upon the reckless extravagance of this Congress with any degree of patience. You, the dominant party in the Congress, made a promise to the people for economy. Perhaps you received more votes at the last election arising out of the discontent of the people of the United States because of the serious burden of taxes than from any other single cause. To some extent the taxes of which the people then complained were necessary. They grew out of the war. There is not, however, three years after the war any excuse in my opinion for the reckless purpose of Congress to continue and even to increase this tremendous burden upon the American people.

Why not go back to the period before the war, when we appropriated \$100,000,000 for the Army and \$123,000,000 for the Navy? Why not make an effort to go back, as people in their private life and in their business enterprises are now making to get back to normal conditions? Instead of that you propose an appropriation for the Army of \$336,000,000, as against \$100,000,000 before the war. You propose an appropriation for the Navy of \$500,000,000, as against \$120,000,000 before the war. You propose aggregate taxes levied by this Congress upon the American people approximating \$4,500,000,000, as against something like \$600,000,000 or \$700,000,000 before the war.

Must Congress, charged with the responsibility to the American people, go on thus recklessly in these after-the-war days without any effort to come back to the normal? I warn you, Senators, that we have a different condition from what we had immediately following the war. When business was buoyant, when men were employed, when wages were high, when profits were large, it was comparatively easy then to levy high taxes upon the American people. But you are confronted by a different situation to-day, and you will be confronted by a different situation for some time if this method of procedure continues.

Business is depressed. In many lines profits are wiped out. Agriculture is practically prostrate because the farmers, North and South, and in the West particularly, are being compelled to sell the products of their soil and of their toil at less than it cost to produce them, and they have little prospect of better prices. Manufacturing institutions are running on one-third time, and millions of men are out of work. The copper mines of the country, that produce great surplus supplies of copper to sell to the rest of the world, are closed and hundreds of thousands of their employees have nothing to do. The railroads that you have sought by taxing the American people to put into a prosperous or semiprosperous condition are on the ragged edge of bankruptcy with their business to-day.

Our commerce, our export trade, is falling off at the rate of \$100,000,000 a month, as compared with a year ago. Our imports are falling off at about the same rate. International commerce, that makes a nation great and powerful and rich, is undergoing a tremendous decline. The banks of the country have staggered through a period of stress and storm at the expense of their customers by denying them needed credit. Now, in the face of all this, you propose to levy upon the American people taxes exceeding \$4,000,000,000, and a large part of it in

preparing for a war that you know is not to come.

Our country now has a debt twenty-four times as large as it had five years ago. The interest upon that debt costs the American people as much as the whole appropriations of Congress amounted to before the war. In addition to that, we have hanging over the country a floating debt of \$2,000,000,000, and the Treasury Department does not know what to do with it. It can not be paid off. It can hardly be funded, because to borrow the money on bonds issued by the Government would probably involve paying 5½ per cent interest, and that will still more depreciate the value of the Liberty bonds outstanding. The Government to-day is borrowing money at 5½ per cent interest.

A few days ago we noticed in the press that the British treasury had notified the administrative offices of the British Government that they must in the coming year reduce their expenditures 20 per cent. Why? Because the British Government felt that it had reached the limit and could not levy another penny upon the British people, and it had to pay to the Government of the United States \$230,000,000 a year beginning January 1 for interest on its debt. Why can not our Government take some such example as is set by the British Government and reduce the expenses and the costs of government?

Mr. President, I realize that Congress is not the only offender. When I spoke a few days ago I referred to my own State and the extravagance, the wicked, wasteful extravagance, of the legislature that has just adjourned there. Since that time I have sent out to get the actual figures, and they illustrate what State legislatures of the United States are doing following the lead of the Congress of the United States. Let me read the figures, and I shall then ask to put them in the Record in tabulated form.

The legislature just adjourned in Nebraska appropriated for the next two years \$30,091,333; two years ago the appropriation was \$20,031,757; two years before that it was \$9,694,181. So it runs back, blennium by blennium, to 1907, when it was only \$4,367,000. What has been going on in Nebraska is the same thing that has been going on here, the swelling year by year of appropriations for pieces of extravagance at the expense of the taxpayers.

I say to you, Senators, that there is an issue growing in the land to which people who operate the Government will have to pay some attention. The people of the United States, regardless of whether they want disarmament or preparation for war, object to having the Government transposed into a devouring monster to eat up the subsistence of the people. You have a people for whom you are legislating now who are going to have a hard enough time during the next two years in any event. As a further protest against the extravagance represented in the pending bill and represented in other bills I am going to vote against the bill, not because I do not want a reasonable Navy but because to vote against it is the only way for a Senator to make emphatic the protest that he feels in his heart against the extravagance.

I ask to have inserted in the Record the tabulated statement to which I have referred.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Legislative appropriations-Nebraska.

Session.	Total appropriations.	Amount raised by direct taxation.	Amount raised by fees and other sources, not direct.
1907	\$4, 367, 257 5, 203, 754	\$4,033,090 4,660,048	\$334, 167 543, 706
1911 1913	6, 184, 553 8, 852, 108 9, 139, 290	5, 575, 478 8, 155, 077 8, 253, 765	609, 075 697, 031 885, 525
1915 1917 1919 1921	9, 694, 181 20, 031, 757 30, 091, 333	8, 604, 042 17, 044, 182 25, 492, 057	1, 090, 139 3, 987, 575 4, 599, 276

Mr. KING. Mr. President, I move that the bill under consideration be recommitted to the Committee on Naval Affairs with instructions that there shall be deducted from the general total \$200,000,000

Mr. WARREN. Mr. President, I wish to make an inquiry. I understand the measure has reached the point of a vote upon its final passage. A yea-and-nay vote was demanded and ordered, but before that name was called this discussion occurred. I depth if it is a proper time to move its recommitment.

doubt if it is a proper time to move its recommitment.

Mr. KING. My brief examination of the authorities, in view of the status of the bill in its process of going to final passage, led me to the conclusion that the motion is in order. The question of the final passage of the bill had been suggested, and, as I recall, one Senator had asked for the yeas and nays. Pending that some one secured the floor. My understanding was that not until the roll has been proceeded with would the motion be not in order, but in the present status it is in order.

not in order, but in the present status it is in order.

Mr. LENROOT. I may call the Chair's attention to Rule
XXII, which clearly makes a motion to recommit in order at
any time while a question is pending prior to the roll call.

The VICE PRESIDENT. The Chair rules that the motion is

The VICE PRESIDENT. The Chair rules that the motion is in order. The question is on the motion of the Senator from Utah to recommit the hill.

Utah to recommit the bill.

Mr. HEFLIN. Mr. President, I do not believe that the world will ever have such an opportunity again to do something of a substantial nature for the future peace of the world. I believe that if the time is ever to come when some big nation should take the lead, not merely in talking about the future peace of

the world but in doing something that looks toward its accomplishment, that time is now.

The old world is in the throes of a very distressing financial condition. Millions of her young men have been murdered and millions more are crippled and unable to do much work in the way of supporting themselves.

I repeat what I said here on a former occasion, more than half the wealth of the habitable globe has been expended in four years' time in a war, the most cruel and brutal that ever cursed the world. And yet here we are in the aftermath of that war, when the allied nations owe us \$10,000,000,000, when the public debt piled upon the backs of the American people runs into the billions, when depressing conditions are prostrating the agricultural sections of the West and the South, when factories are closing down, mines are put out of commission, and 2,000,000 men are walking the streets begging for work to obtain bread and meat for themselves and families, adding to the House naval bill of \$400,000,000 the sum of \$100,000,000 more.

naval bill of \$400,000,000 the sum of \$100,000,000 more.

Senators, why are we doing that? When the war was raging and the Commander in Chief of the Army and Navy called upon Congress to put the Navy in order, we opened the public Treasury and expended millions and even hundreds of millions of dollars; we built the best Navy in the world in some respects, and to-day it is second only to that of Great Britain in size and an improvement over hers in many particulars. We are ready now to defend our interests under any emergency that may arise, and yet we are adding to the House bill for naval purposes \$100,000,000 more. Why are we doing it, I ask again? Mr. President, I want to keep faith with the boys who sleep in France; I want to keep faith with the 4,000,000 who put on the uniform of our country, 2,000,000 of whom went to France, and the others were here at home in training camps ready to go.

We told them that their sacrifice was to put down war and to prevent the recurrence of any other such war. We told those boys, when they were on the firing line, giving up their lives and shedding their blood, that we were going to begin a world movement for disarmament and would commence at once a campaign for a world-wide reduction in armament, and yet here we are breaking faith with the living and the dead who fought in that war and breaking faith with the American fathers and mothers who gave their sons and their substance to win that war.

who gave their sons and their substance to win that war.

What are we doing to promote peace in the world? We have adopted an amendment calling Great Britain and Japan to join with us in discussing the matter of cutting down armaments; and yet in the very bill which carries that amendment we are piling up millions of dollars to build more armament.

I call upon this body to keep faith with the living and the dead; I call upon this body to have respect for those whose purse strings were unloosed to provide the enormous amount of money needed for conducting the war to a successful conclusion. I call on you to give some consideration to the overburdened taxpayers of America who have got to pay the public debt.

The Senator from Utah [Mr. Smoot], in one of the hearings the other day, when something was said about reducing taxes, expressed the opinion that Federal taxes would be increased. That is not what Senators on the other side said on the hustings in the campaign last fall. They said they were going to reduce taxes; that they were going to cut down expenses; but here they are increasing taxes and increasing expenditures without any good reason or public necessity for doing so.

Who do the Senators think will believe that we are in danger of being attacked by any foreign nation within the next five years? Think of it. In a time like this \$100,000,000 added to the House naval bill. Senators, you will not be able to convince the taxpayers nor the boys who have worn the uniform; you will not be able to convince anybody except those who are going to profit financially by the expenditure of the American taxpayers' money. In what way are we justified in taking such a step at this time?

Why not stop for a little while and say to the world, "We are not expending a dollar for additional armament. We have only got what we were compelled to build in order to put down the enemy of mankind. We want to prevent the recurrence of another such war, and in order that there may be a beginning in the matter we propose to lead in the movement. We are not going to do anything in naval construction this year. If you want to go into this world peace arrangement with us, if you are really in earnest, follow our example. If you do not, after we discontinue our program for a year, should you drive us to the building of more armament, and we see that we have got it to do as a matter of self-defense, we will do it."

Now is the time for the biggest Nation on the globe, the richest Nation in the world to take the lead in the matter of reducing the size of national armament.

Mr. President, I favor the provisions in the pending bill that care for the upkeep of the Navy; I am in favor of the provisions that take care of the running expenses of the Navy; I voted for those provisions when the bill was before the Senate as in Committee of the Whole. I am in favor of the resolution of the Senator from Idaho [Mr. BORAH], which provides for a step toward reduction in armament, but it does not go far enough.

But I can not vote for the whole bill as now presented without indorsing the unjust and unnecessary provisions that carry a hundred million dollars of unwarranted appropriations. I want my Government to set the example and lead the nations out of the quagmire of the wilderness, where evil propagandists hatch out big armaments in the hotbed and breeding place of

The VICE PRESIDENT. The question is on the motion of

the Senator from Utah [Mr. King].

Mr. KING. I desire to perfect my motion and, with the permission of the Chair, I will restate it. I move that the bill be recommitted to the Committee on Naval Affairs with instructions to report it back with a reduction of \$100,000,000. That would cut down the amount proposed to be carried in the bill substantially to the sum appropriated by the bill as it came from the other House.

The VICE PRESIDENT. The question is on the motion of the Senator from Utah. [Putting the question.] By the sound

the noes have it.

Mr. KING. I call for the yeas and nays.

The yeas and nays were ordered, and the reading clerk pro-

ceeded to call the roll.

Mr. FLETCHER (when his name was called). I have a general pair with the Senator from Delaware [Mr. Ball], who is absent. I understand, however, that if present he would vote as I intend to vote on this question. Therefore I feel at liberty to vote, and vote "nay."

Mr. McKINLEY (when his name was called). I have a pair

with the junior Senator from Arkansas [Mr. Caraway], which I transfer to the junior Senator from Maryland [Mr. WELLER], and vote "nay."

Mr. MYERS (when his name was called). I have a pair with the Senator from Connecticut [Mr. McLean], who is absent. Being unable to secure a transfer, I withhold my vote.

Mr. HEFLIN (when Mr. Robinson's name was called). I desire to announce that the Senator from Arkansas [Mr. Robinson's name was called). sire to announce that the Senator from Making son] is absent on account of serious illness in his family.

Making

Mr. SUTHERLAND (when his name was called). the same announcement as on the previous vote with reference to my pair and its transfer, I vote "nay."

Mr. WALSH of Montana (when his name was called). have a general pair with the Senator from New Jersey [Mr. Frelinghuysen]. I understand, however, that if he were present he would vote as I intend to vote. I, accordingly, feel at liberty to vote, and vote "nay."

Mr. WARREN (when his name was called). nounce my pair with the junior Senator from North Carolina

Mr. WILLIAMS (when his name was called). First transferring my pair with the senior Senator from Pennsylvania [Mr. Peneose], who is unfortunately not present, to the Senator from Louisiana [Mr. Ransdell], I vote "yea."

Mr. WOLCOTT (when his name was called). I have a pair

with the Senator from Indiana [Mr. Watson], who is not in the Chamber. I am therefore not at liberty to vote, and with-

hold my vote.

The roll call was concluded.

Mr. FERNALD. I transfer my pair with the senior Senator from New Mexico [Mr. Jones] to the senior Senator from New York [Mr. WADSWORTH] and vote "nay."

Mr. SIMMONS. I desire to announce that my colleague is unavoidably absent. He is paired with the Senator from

Wyoming [Mr. WARREN].

Mr. REED. On this vote I am paired with the Senator from Connecticut [Mr. Brandegee], but I understand that if he were present he would vote as I intend to vote, and therefore I am at liberty to vote. I vote "nay."

Mr. GERRY. I desire to announce that the Senator from Arkansas [Mr. Caraway] is absent on business of the Senate.

Mr. CURTIS. I desire to announce that the Senator from New Jersey [Mr. Edge] is paired with the Senator from Oklahoma [Mr. Owen], and the Senator from Indiana [Mr. New] is paired with the Senator from Tennessee [Mr. Shields].

The result was announced—yeas 25, nays 43, as follows: YEAS—25.

	A AMARO AU.		
Ashurst Borah Capper	Cummins Dial Glass	Harris Harrison Heffin	Hitchcock Kendrick Kenyon

King Ladd La Follette Lenroot	McKellar Norbeck Norris Pomerele	Sheppard Stanley Townsend Watson, Ga.	Williams
	NA	YS-43.	
Broussard Bursum Calder Cameron Curtis Dillingham Elkins Ernst Fernald Fertcher Gerry	Gooding Hale Harreld Jones, Wash. Kellogg Keyes Lodge McCormick McCumber McKinley Moses	Nelson Newberry Nicholson Oddie Phipps Pittman Poindexter Reed Shortridge Simmons Smith	Smoot Stanfield Sterling Sutherland Swanson Trammell Underwood Walsh, Mass. Walsh, Mont.
	NOT V	OTING-28.	
Ball Brandegee Caraway Colt Culberson Edge France	Frelinghuysen Johnson Jones, N. Mex. Knox McLean McNary Myers	New Overman Owen Page Penrose Ransdell Robinson	Shields Spencer Wadsworth Warren Watson, Ind. Weller Wolcott

So the Senate refused to recommit the bill to the Committee on Naval Affairs.

The VICE PRESIDENT. The question is on the passage of the bill, on which the yeas and nays have been requested and ordered. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. FERNALD (when his name was called). Making the same announcement as before, I vote "yea."

Mr. FLETCHER (when his name was called). Making the same announcement as before as to my pair, I vote "yea."

Mr. CURTIS (when Mr. Johnson's name was called). have been requested to announce the absence of the Senator from California and to say that if he were present he would vote " yea.'

Mr. McKINLEY (when his name was called). I am paired with the junior Senator from Arkansas [Mr. Caraway]. I transfer that pair to the senior Senator from California [Mr. Johnson] and will vote. I vote "yea."

Mr. MYERS (when his name was called). I have a pair with the Senator from Connecticut [Mr. McLean], who is absent, but on this question I am at liberty to vote. I vote "yea."

Mr. SIMMONS (when Mr. OVERMAN'S name was called). wish to announce again the unavoidable absence from the city of my colleague [Mr. Overman]. If he were present and at liberty to vote, he would vote "yea." He is, however, paired with the Senator from Wyoming [Mr. WARREN]

Mr. REED (when his name was called). Making the same announcement as on the last roll call—that is, that I am paired with the Senator from Connecticut [Mr. Brandegee], who, I understand, would vote as I shall vote-I vote "yea."

Mr. SUTHERLAND (when his name was called). Making the same announcement as before with respect to my pair. I vote "yea.'

Mr. WALSH of Montana (when his name was called). Repeating the announcement made by me concerning my pair on the previous roll call, I vote "yea."

Mr. WARREN (when his name was called). As I have announced, I am paired with the Senator from North Carolina [Mr. Overman], but on the assurance of his colleague that he would vote as I shall vote, I vote "yea."

Mr. WOLCOTT (when his name was called). I have a pair with the Senator from Indiana [Mr. Warson]. I am advised that if he were present he would vote as I shall vote, and I therefore vote "yea."

Mr. TRAMMELL. I have a pair with the Senator from Rhode Island [Mr. Colt]. In his absence I transfer that pair to the Senator from Texas [Mr. Culberson] and will vote. vote "nav.

Mr. BRANDEGEE. I have a pair with the Senator from Missouri [Mr. Reed], but he has voted, and I therefore vote

Mr. CURTIS. I have been requested to announce that the Senator from New Jersey [Mr. Edge] is paired with the Senator from Oklahoma [Mr. OWEN] and that the Senator from Indiana [Mr. New] is paired with the Senator from Tennessee [Mr. SHIELDS 1.

The result was announced—yeas 54, nays 17, as follows:

YEAS-54.			
Ashurst Borah Brandegee Broussard Bursum Calder Cameron Cummins Curtis Dillingham	Ernst Fernald Fletcher Gerry Gooding Hale Harreld Jones, Wash, Kellogg Kendrick	Kenyon Keyes Ladd Lodge McCormick McCumber McKellar McKinley McNary MoNary	Myers Nelson Newberry Nicholson Oddie Phipps Pittman Poindexter Reed Shortridge

Simmons Smith Smoot Stanfield	Sterling Sutherland Swanson Townsend	Underwood Walsh, Mass. Walsh, Mont. Warren	Willis Wolcott
	NA	YS—17.	
Capper Dial Glass Harris Harrison	Heflin Hitchcock King La Follette Lenroot	Norbeck Norris Pomerene Sheppard Stanley	Trammell Watson, Ga.
	NOT V	OTING-25.	
Ball Caraway Colt Culberson Edge Elkins France	Frelinghuysen Johnson Jones, N. Mex. Knox McLean New Overman	Owen Page Penrose Ransdell Robinson Shields Spencer	Wadsworth Watson, Ind. Weller Williams

So the bill was passed.

Mr. POINDEXTER. I move that the Senate request a conference with the House of Representatives upon the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. Poindexter, Mr. Hale, and Mr. Swanson conferees on the part of the Senate.

### CONFIRMATION OF ENSIGNS.

Mr. POINDEXTER. Mr. President, I have just received a statement from the Navy Department, which was delayed in reaching the appointment officer of the Bureau of Navigation, that Midshipmen Faine, Meredith, Brandt, Farrell, Hyatt, and Thompson have successfully completed the course at the Naval Academy and will graduate on the 2d of June with the rest of The Secretary of the Navy, it is stated, would their class. appreciate it if the nominations of these midshipmen with the rank of ensign could be confirmed to-day, so that their commissions as ensigns may be handed to them along with those of their classmates to-morrow, immediately after graduation. It would be quite an unfortunate thing for these young men if they did not receive their commissions along with the rest of their

Mr. KING. May I inquire of the Senator if we could not, in executive session-

Mr. POINDEXTER. I was going to ask unanimous consent to consider the nominations as in executive session.

Mr. KING. I have no objection.

The VICE PRESIDENT. It can be done in open session if there is no objection.

Mr. UNDERWOOD. Mr. President, I was interrupted, and I

did not hear the request.

Mr. POINDEXTER. The request was for unanimous consent to act upon the nominations sent in by the President of six midshipmen whose names have been omitted from the list, and who have graduated with their class, and who should receive their commissions with the rest of the class.

Mr. LODGE. Mr. President, if the Senator will allow me— of course I approve of it and I shall vote for it; there will be no objection, I know; but I think it is better to do executive busi-

ness in executive session.

Mr. UNDERWOOD. I was going to ask whether the nominations had gone to the calendar.

Mr. POINDEXTER. No; they have not gone to the calendar. There is somewhat of an emergency.

Mr. LODGE. It is necessary to act on them because they graduate to-morrow.

Mr. POINDEXTER. They graduate to-morrow, and it was

for that reason that I brought up the matter.

Mr. UNDERWOOD. Mr. President, as the Senator knows, I have raised objections to the confirmation of nominations until they first appear on the calendar, so that notice may be given. But in a case of this kind, where their commissions will go to them as a matter of course, as they are graduated and there can be no question about their confirmation, I think it is an exception to the rule, and I have no objection,

Mr. POINDEXTER. I ask unanimous consent, as in open executive session, that the nominations be confirmed.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read the names.

The Assistant Secretary read as follows:

Buell F. Brandt, Leo B. Farrell, Elisha E. Meredith, Cecil Faine, Delwyn Hyatt, Julius L. Thompson.

The VICE PRESIDENT. The question is, Does the Senate advise and consent to the appointments? [Putting the question.] The Secate advises and consents.

Mr. POINDEXTER. I ask that the President be notified. The VICE PRESIDENT. The President will be notified.

### DEFICIENCY APPROPRIATIONS.

Mr. WARREN. Mr. President, I move that the Senate proceed to the consideration of House bill 6300, the second deficiency appropriation bill.

Mr. KING. May I inquire of the Senator if he proposes going further to-day than the formal reading of the bill?

Mr. WARREN. After the bill is taken up, I shall answer the Senator's question.

The VICE PRESIDENT. The Senator from Wyoming moves that the Senate proceed to the consideration of House bill 6300, the second deficiency appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6300) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. WARREN. I ask that the formal reading of the bill be dispensed with, and that the bill first be read for amendments, the amendments of the committee to be first acted upon. I will say to the Senator from Utah that if any amendments come up in the early consideration of the bill which he or others wish to have laid aside until a later time, I shall not

I wish the Senator would, after the formal reading, let the bill go over until to-morrow, so that we may have a chance to examine it. Many of us have not had an opportunity to even read it, as it has just been printed and placed upon the desks of Senators. I understand there are provisions in the bill not for deficits, although the bill is denominated a "deficiency bill." The bill, as I understand, projects itself into next year, and carries appropriations which, if proper, should have been in the regular appropriation bills heretofore submitted and acted upon.

Mr. WARREN. I have said to the Senator that such amendments will be laid over until to-morrow if he or any other Senator objects. I ask that the formal reading of the bill be dispensed with and that the Senate committee amendments be first considered

The VICE PRESIDENT. Is there objection to the request of the Senator from Wyoming? The Chair hears none, and the bill will be read for action on committee amendments.

Mr. KING. Do I understand the position of the Senator from Wyoming to be that the Senate amendments will be disposed of before other amendments are considered?

Mr. WARREN. Senate amendments will be disposed of first, in the usual way, and then the bill will be open to amendment offered by any Senator.

The Assistant Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, on page 2, after line 14, to insert the following:

## BUREAU OF EFFICIENCY.

To enable the Bureau of Efficiency to perform the duties imposed upon it by the legislative, executive, and judicial appropriation act for the fiscal year 1921, \$10,000.

Mr. KING. I ask that that may go over.

The VICE PRESIDENT. On objection, the amendment will be passed over temporarily.

The reading of the bill was resumed.

The next amendment of the committee was, on page 2, after line 23, under the heading "Civil Service Commission," to insert:

The Secretary of War is authorized and directed to transfer, without payment therefor, to the Civil Service Commission one motor-propelled passenger-carrying vehicle.

Mr. KING. I ask that that may go over.
The VICE PRESIDENT. On objection, the amendment will be passed over temporarily.

The next amendment was, on page 3, to strike out lines 18 to 22, inclusive, as follows:

Rent Commission: For an additional amount for salaries and expenses authorized by section 103, Title II, of "The food control and the District of Columbia rents act," approved October 22, 1919, \$15,000, to centinue available during the life of the commission.

Mr. KING. I ask that that may go over.

Mr. WARREN. I wish to say at this point that some of these items which are stricken out are merely stricken out at this point and reinserted later in the bill under a section which has reference to the 1922 appropriations. So that may be passed over and the subject matter may be agreed to when reached again in the latter part of the bill. I think the subject matter should be agreed to when we taken it up later on, but that the committee amendment at this point should be agreed to now. Mr. KING. With that understanding, I have no objection.

The VICE PRESIDENT. The objection is withdrawn, and the question is on agreeing to the committee amendment.

The amendment was agreed to.

The reading of the bill was continued to line 25, page 5, the end of the items under the heading "Public schools.

Mr. HARRISON. I want to ask the chairman of the committee, and perhaps more properly the Senator from Kansas [Mr. Curtis], a question in regard to this. I understood there was to be a provision, which may appear in the bill later on, because I have not read the bill, to take care of the school situation here, touching the school buildings and grounds.

Mr. WARREN. There is a line of amendments for school buildings, grounds, and so forth, amounting to more than a million and a half dollars, which is inserted in the bill later on, on page 76.

Mr. HARRISON. Very well.

The reading of the bill was continued.

The next amendment was, on page 6, line 7, under the item, "Fire department, for contingent expenses," etc., to strike out "\$2,500" and insert in lieu thereof "\$4,000."

The amendment was agreed to.

The next amendment was, on page 6, line 8, under the item "For fuel, fire department," to strike out "\$2,500" and insert in lieu thereof "\$4,000."

Mr. KING. May I inquire of the Senator whether these are augmentations of former appropriations?

Mr. WARREN. In the regular appropriation bill we appropriated what we thought was sufficient for fuel, but the increases in prices for fuel have exhausted the funds and left the authorities without the money to pay for coal the balance of the year. It is the usual deficiency. It is authorized under the law, and it is common in these particular cases.

Mr. KING. May I inquire of the Senator from Wyoming if there has not been heretofore a deficiency bill which was pre-

sumed to care for this particular item?

Mr. WARREN. There has not been. We had a first deficiency bill, which the Senator probably noticed was very small, and pertained mainly to the conduct of the House and Senate, for mileage, for employees, and so forth. Perhaps the Senator has in mind the regular bill for 1922, which was passed in the winter.

Mr. KING. Yes; I had that in mind. Mr. WARREN. That is not applicable until after the 1st day of July, and this is to bring these matters up to the 1st of July. Mr. SMOOT. This is a real deficiency.

Mr. WARREN. It is a real deficiency which has been incurred. Perhaps every dollar of the appropriations will be

exhausted by the end of the present month.

Mr. KING. As I understand, though, there are items in this bill which are anticipatory; that is to say, appropriations have been made for the next fiscal year, and it is now determined by some officials of the departments that those appropriations were not adequate, and they are asking for deficiencies or enlarged

appropriations now.

Mr. WARREN. I think I ought to say to the Senator at this point that the history of these estimates is something like this:

After a very severe cutting of appropriations, and the assembling of this Congress in this session, the first 14 days produced upward of \$230,000,000 in estimates; for which we were requested to appropriate. The flood was so large that I felt it necessary, as chairman of the Committee on Appropriations of the Senate, to call the attention of the President to it, and the President either had already or did then call the attention of the heads of the departments to the matter, and there has been a gradual drying up, if I may use that term, of the estimates since that time, so that the estimates probably do not reach far above \$250,000,000.

In the meantime the House sent us this bill covering a trifle over \$100,000,000. Intermingled in the bill were various items for 1922. The Appropriations Committee of the Senate saw fit to separate the items, so that the Senate might at a glance know exactly what was done and could take such course as they saw fit as to these two branches of the bill. So that all the items in the first part of this bill, up to about page 75, are genuine deficiencies, and, so far as I know, are deficiencies under the law, because the law prescribes that the President and the Cabinet officers may exercise their judgment in authorizing deficiencies to save life or property, or to meet emergencies and laws of various kinds.

The amount in the bill as it came to us was something over \$75,000,000 of genuine deficiencies and something over \$24,000,-000 for things we could consider as necessary appropriations for the year commencing July 1, 1921. The Senate committee has acted upon both the 1921 and 1922 items, in approval or disapproval. We have added some \$53,000,000 to what the House

appropriated, \$50,000,000 of which is one item which is added to the appropriations for shipping.

On the other hand, the items cut out do not appear here, because we have to put in on the Senate side judgments and audited claims, which amount to some millions of dollars. It is always our duty to include those, and the better time to include them is in the last deficiency bill of the fiscal year.

That is the history of the appropriations in this bill as they will appear, and the Senator, if he wishes to devote his attention strictly or largely to those appropriations for 1922, will find them from page 74 of the print to the end of the bill.

Mr. KING. Mr. President, just a word, and what I say now is more properly addressed to the Senate when we come to consider the new items to which the Senator has referred, and I use the expression "new items" in contradistinction to deficiency items.

I can not yet understand the reason for not including those items in the appropriation bills which we have heretofore passed and which were presumed to meet the requirements of the Government for the next fiscal year. If it has already been discovered before we enter upon the next fiscal year that appropriations were not sufficiently large or were not adequate we could deal with that question before the expiration of the year and before deficiencies have been created. It looks to me as if it were an invitation for departments which have received appropriations in the last bills to exceed those appropriations and to incur deficits or to lay foundations for appeals to Congress for additional appropriations.

Of course I would not suggest to the distinguished chairman of the committee, because I know his honor and his rectitude, that when he reported the appropriation bills for the next fiscal year he subtracted from them, or rather failed to include therein, items which were legitimate and should have been added, in order to give the appearance of economy, with the expectation of subsequently submitting supplemental bills or asking for deficiency appropriations. Of course, it is possible that additional information has come to the Committee on Appropriations since those bills were reported and passed, which would warrant even at this premature period an increase in the amounts heretofore appropriated, but I submit that it would have been better, as I now see the case, to have waited until next year to see how far the appropriations made would legitimately and properly meet the expenses of the various departments.

Mr. WARREN. Let me say to the distinguished Senator from Utah, whose remarks I value because his ideas on this particular question are not so far from my own, that there are various reasons, and they will be stated as debate occurs upon the different subjects. For instance, we have the public debt, that we have previously provided for by large appropriations in bulk. They have out of that lump sum paid certain salaries and employed certain men, and expenses have been taken care of in that way. In the meantime, when it comes to the 1st day of July, that provision will no longer be effective and it must be considered differently if we wish to carry out the plan that we have had before us for some years to do away, as far as possible, with lump-sum appropriations and to get the employees of the Government on the rolls and reclassified in order that, to some extent, they may know their duties and perform them economically and efficiently. Hence, in that matter there will appear what will seem, until explained, to be the employment of more men and the payment of additional salaries in the Treasury Department; but the provision simply means they are transferred from one fund to another.

We come to another department of the Treasury, the office of the comptroller. I wish to say with reference to that office. and if I am wrong in what I say I wish to be corrected before we finish with the bill—and I feel sure that the Senator from Virginia [Mr. Glass], ex-Sécretary of the Treasury, will make any correction necessary-that during the occupancy of that office by Mr. John Skelton Williams I do not recall that we increased by one dollar the appropriations as they were at the commencement of his term of office for any department. We allowed him no more employees. We did not increase the salaries there as we did in other departments.

When the present comptroller takes charge of the office he takes it with a line of employees that have been detailed to him from other departments. In those other departments we have cut them down by the hundreds and even by the thousands, and these employees go out on the 1st day of July, if not before. In that one bureau 56 men go out on the 1st day of July. Hence we could not very well wait in a case like that until we get into the next year to learn the necessities, because the necessities are right here staring us in the face. Therefore we must provide for them, not putting it under the heading of a

deficiency, but, as this committee has done, putting it under the head of emergencies, if you please, so that we may consider each one on its merits.

Mr. HARRISON. May I ask the Senator a question? Of course a deficiency bill is supposed to take care of deficiencies. May I ask the distinguished Senator from Wyoming if there is any appropriation in the pending deficiency bill to pay the salaries of offices that have been created by law recently, which is not for a deficiency, but to provide for some appropriation for the year 1922?

Mr. WARREN. How am I to understand the Senator from

Mississippi about that?

Mr. HARRISON. I understand a deficiency bill is to take care of deficiencies that exist. Is there any part of the approprintion carried in the pending deficiency bill to provide for the salary of some office that has been recently created by law and which is not a deficiency, but is an appropriation for salaries for the fiscal year 1922?

Mr. WARREN. I will say to the Senator, yes. It is in fact a deficiency if a day or two before we may adjourn a session of Congress in which we are to appropriate for certain salaries we create an office and provide a salary but do not pay it. Until that salary is paid it is a deficiency.

Mr. HARRISON. I do not understand the Senator to mean that an appropriation is to be carried in the bill for the salary of some officer from July 1, 1921, to July 1, 1922. Is that to be

carried in the bill? Is that a deficiency?

Mr. WARREN. Oh, no. I supposed the Senator had reference to a particular case. If he would name the individuals he has in mind I could meet his question. Perhaps the Senator may mean the Assistant Secretary of the Treasury?

Mr. HARRISON. Of course, I am not a member of the Com-

mittee on Appropriations.

Mr. WARREN. The Assistant Secretary of War, under the law, is now drawing \$10,000 a year. Under the provisions of the legislative and judicial appropriation bill the House provided \$5,000 and the Senate increased it to \$10,000. The Senate in conference on that bill had to leave the amount appropriated for salary \$5,000. In the pending bill we are undertaking to provide that after the 1st of July the salary shall be \$10,000, for that is what it is entitled to be under the law.

Mr. HARRISON. Then in this bill there are appropriations carried to pay the salaries of men for the fiscal year 1922 which

are not now a deficiency.

Mr. WARREN. I know of nothing of that kind in the first section of the bill.

Mr. HARRISON. The Senator does not?

Mr. HARRISON. Ine Selator does not?

Mr. WARREN. No.

Mr. HARRISON. In other words, all the appropriations that are carried in this bill are for genuine deficiencies?

Mr. WARREN. Those that are carried in the first section of

the bill.

Mr. HARRISON. I am not confining my suggestion to any one section of the bill. I am confining it to the whole bill. Are there any appropriations carried in this deficiency bill for salaries for the fiscal year 1922 which are not classed as a deficiency?

Mr. WARREN. There are.

Mr. HARRISON. In what amount? Mr. WARREN. We will approach them from time to time, as they are in each case carried under a heading that shows exactly what they are and that they will continue for 1922.

Mr. HARRISON. May I ask why—— Mr. WARREN. Just let me finish, please. In the first place, if the bill passed Congress too late to provide for it in another session, then we ought to take care of it here before the 1st of July, of course. On the other hand, in the case I have just mentioned, where a lump sum was appropriated in connection with the public debt, employing a large line of employees, if legislation heretofore adopted provides that it shall cease in the form in which it has been carried on heretofore and up to the 1st of July, we have to provide for taking over the necessary employees, and that has been done in this bill, as the

Senator will observe.

Mr. HARRISON. Is that not exceptional? Is that following the general practice of the Congress in providing for salaries

of employees that are not deficiencies?

Mr. WARREN. I will say to the Senator from Mississippi that when he talks about ordinary times he must remember that we have extraordinary times now and have had for a number of years, since at least the commencement of the war. During the war Senators on both sides of the Chamber, as well as Members of the House, were standing strictly by the Com-mander in Chief of the Army and Navy, the President of the

United States, and these matters came to the Committee on Appropriations as deficiencies ad libitum, as something necessary, and immediately necessary, and we passed upon them as

Undoubtedly that has brought about the habit of depending more or less upon getting into deficiency appropriation bills those things which ought to wait for the regular appropriation bills, and for that reason the committee has undertaken as nearly as it can to separate and, furthermore, to clean up that situation so that deficiency bills may again get back to the basis of the deficiency bills of years ago, when they provided strictly only for what was short under the appropriations that we made and was called for by the proper authorities.

Mr. SMOOT. Mr. President, may I suggest to the Senator that when we reach the emergency appropriations if there is any question arises in the Senator's mind as to why those items should be in this bill the members of the committee will gladly state to the Senate the reasons why they are thus incorporated.

I will say to the Senator that, for instance, on page 90 is an item involving the Department of the Interior. That is a case exactly such as was referred to by the Senator from Mis-Ordinarily it should not be in a deficiency approsissippi. priation bill, and we have not put it in the bill as a deficiency, but we have put it in as an emergency, and this is the reason why. There may be other reasons for all the others, but in this particular case we have added \$65,600. The reason for that is that we passed the oil leasing bill a short time ago, and that has thrown upon the Department of the Interior an immense amount of additional work. Since the passage of that bill we have collected nearly \$9,000,000 of royalties. We have not given the Interior Department a single, solitary extra employee because of that law. Applications for leases have piled up in the Interior Department, and the people who are making applications for leases to go on and prospect for oil have been waiting months in and months out, and unless we give the department new employees to make examination of the leases and get them into form and have them executed the Government of the United States will be in a position to say and will be compelled to say to all those applicants for permits to prospect for oil and gas and phosphate and all the minerals named in the bill, "We can not pass upon your lease, nor can you get it until we can take the leases up in their regular order, and it may be months before that can be done."

Mr. HARRISON. What I am trying to get at is whether or not there are any new offices recently created by law that are provided for in the bill for 1922 that should not be classed as

deficiency appropriations.

Mr. SMOOT. I will say to the Senator that this is one of them.

Mr. HARRISON. Yes.

Mr. SMOOT. The reason for that-

Mr. HARRISON. What is the amount which is appropriated in the pending bill for salaries for new offices during the year 1922?

Mr. SMOOT. The amount is very small, I will say to the Senator.

Mr. HARRISON. But it will total probably \$100,000?

Mr. SMOOT. Yes; a little over that,

Mr. WARREN. Will the Senator yield to me?
Mr. HARRISON. I yield to the Senator from Wyoming.

Mr. WARREN. It may be said that there will be separated from the service on the 1st day of July, under bills which have previously passed Congress, hundreds-yes, thousands-of employees; but in some cases, as has been well explained by those who are responsible in the other House for the failure to appropriate for them, it has been found necessary to provide for a few of them under the provisions of this bill. If the Senator from Mississippi had been observant of the progress of the pending bill through the other House, he would have found that the head of the subcommittee there, Representative Wood, who had charge of the legislative, executive, and judicial appropriation bill, said that in framing the bill and in contesting with conferees against their wish not to cut so closely, he had stated that he was of the opinion that it was better to cut severely and to let the departments figure on how many employees they could dispose of before the last month of the year came; and then, if there were any instances in which it could be shown that a department was short of men, as in the case of which the Senator from Utah [Mr. Smoot] has just spoken, they should be taken care of in the deficiency bill or in some other bill. The other House has seen fit to add these provisions to this deficiency bill as it has come to us.

Mr. HARRISON. I am glad to hear the chairman of the Committee on Appropriations putting the blame on the other House for providing in a deficiency appropriation bill for the salaries of additional employees of the Federal Government for the year 1922.

Mr. WARREN. I can not allow the Senator from Mississippi to put me in the position of blaming the other House. I am simply stating the facts. We are under our rules not supposed to criticize the other House.

Mr. HARRISON. I understand that. The Senator from Wyoming, then, does not blame the other House for creating under the bill additional places for employees, which will impose a burden of \$97,000 upon the people of the country in additional taxes. However, what I am curious to know is whether or not the Appropriations Committee of the Senate has added to the appropriations as proposed by the bill as it came from the other House for the pay of additional employees whose places have been created by law. Has there been any addition made to the appropriations for that purpose?

Mr. SMOOT. None of which I am aware, I will say to the

Senator from Mississippi.

Mr. HARRISON. None at all?

Mr. SMOOT. I hardly think the statement of the Senator from Mississippi in reference to the extra employees involving an additional expenditure upon the Government of \$97,000 is fair.

Mr. HARRISON. I asked were there any additional em-

ployees:

Mr. SMOOT. I will say to the Senator that if the offices which are created in this bill did not bring to the Government of the United States many times over the amount the Government pays the employees they would not be provided for in the bill. I think the Senator will bear me out in saying that I am not in the habit of voting money to increase the number of employees in the Government service.

Mr. HARRISON. I know that nobody will charge the Senator with that, although I see in the bill that provision is made

for a public building at Salt Lake City, Utah.

Mr. SMOOT. In behalf of that item I will say to the Senator from Mississippi that all he has got to do is to object to it, and it will go out.

Mr. HARRISON. I have not objected to it.

Mr. SMOOT. But when the Senator from Mississippi understands the reason why provision for that building is made in the bill I am sure he will not object to it.

Mr. HARRISON. I am sure the Senator from Utah has good reason for it and persuaded the committee that the provision

was just and right.

Mr. SMOOT. So far as I am concerned, the item may go out. Mr. HARRISON. But I desire to ask the Senator from Utah, who is a Senator of long experience in this body and a legislator of great ability and powerful influence, has he ever before observed salaries provided for employees for years that are to come, as they are provided for in the pending bill, and then for such appropriations to be classed as deficiencies?

Mr. SMOOT. I have observed that many times, Mr. Presi-

dent.

Mr. HARRISON. I understand the Senator states that that has been the practice in the past; but may I ask the Senator from Utah, as an experienced legislator and a wise Senator, if he does not think that that practice ought to stop?

Mr. SMOOT. Except in cases where such action is not only absolutely an advantage to the people of the country but for the benefit of the Treasury of the United States, I would oppose the practice of appropriating money for a coming fiscal year in a deficiency appropriation bill.

Mr. HARRISON. May I ask the Senator from Utah and the Senator from Wyoming if they agree that the expression I shall now read and which is contained in the address of the present President of the United States was a wise utterance? Said President Harding:

At this point let me say that too much stress can not be laid on the fact that eternal vigilance is the price of economy and efficiency. Nothing is easier in a Government establishment than to continue in existence offices, positions, employments, once created. It requires persistence, determined stony-hearted devotion to the public interest. There must be sacrifice of the interests of the place holder, whose only reason for keeping his position is that he wants the salary.

Do the Senators agree with that sentiment? Mr. WARREN. Is the Senator from Mississippi addressing

Mr. HARRISON. I am addressing both of the Senators. Mr. WARREN. I do not like that method of procedure.

Mr. HARRISON. I will say I addressed my inquiry to both the distinguished Senator from Wyoming and the distinguished Senator from Utah.

Mr. WARREN. I should first like to answer the question

how many employees have we added to those which are provided for in the pending bill by the other House? There only two instances in this bill, and no more, if I understand the bill-and I think I do-in which the Senate committee proposed to increase the number of employees which were provided by the other House; but in no case have we gone beyond the estimates. One instance is in connection with the Land Office, to cover the purpose which the Senator from Utah has well explained.

We have also provided for certain employees who are needed in the comptroller's office, as to whom a part of the explanation is that 56 employees have to go out because of the reduction in the number of employees which we have heretofore made in the several departments. I think, however, it would be preferableand I think the Senator would agree with me-when we come to items such as the last one to take up each item by itself, as we have the evidence at hand to show why the particular item was inserted.

As to the matter of struggling against deficiencies, the Appropriations Committee has always endeavored to prevent them. During the World War the Appropriations Committee, as the Senator knows, was oftentimes compelled to act with haste, and we may have become to some extent looser than we ought to be; but there have been always extreme cases which made it necessary to insert in deficiency bills items for the next fiscal year. Now, in the line of reform, if that is what the Senator is pointing out-

Mr. HARRISON. No; I am not a reformer, I will say to the Senator from Wyoming. I merely like, when men say they are going to cut down offices and save expense and cut down taxes to the people, to see them keep faith; but it seems that in this bill there is an additional burden of \$97,000 imposed because of appropriations for additional offices, carried in the form of deficiencies, although they are not deficiencies, but are provided for the next fiscal year.

Mr. WARREN. Has the Senator read the bill? Mr. HARRISON. Yes; I have read it hurriedly; it was only

reported on the 31st of May.

Mr. WARREN. Has the Senator read the bills heretofore passed in which thousands of employees were eliminated? Has he read the evidence that came before the Committee on Appro-

Mr. HARRISON. When was it printed? I can not read it

until it is printed and handed to us.

Mr. WARREN. The evidence was printed some weeks ago, and the Senator could read the proceedings from day to day in the House when the pending bill was being considered there.

Mr. HARRISON. I am not on that committee, and I will never be on the committee, because they will not put me on the committee; they do not think I am good enough, perhaps, to be on that committee, and I can not get a copy of the hearings until it is printed. I notice that this bill was reported only on the 31st of May, and there is no way of reading it until it is reported and is printed. I am merely making inquiry of the distinguished Senators who are familiar with the facts, so that I may ascertain just what it is proposed to do.

Mr. WARREN. The Senator thinks we are familiar with the

facts?

Mr. HARRISON. I know the Senator is familiar with them. Mr. WARREN. I will say to the Senator that I would rather take these matters up item by item as we go along.

Mr. HARRISON. I am trying to elicit the views of the

Mr. LODGE. If the Senator will allow me a moment, I would suggest to the Senator that there is no difficulty or secrecy about the hearings.

Mr. HARRISON. I did not say they were secret.

Mr. LODGE. I asked a page to get me a copy, and he obtained it for me in about a minute.

Mr. HARRISON. I did not say there was anything secret about them; they are not like the executive sessions of the Senate. I wish the executive sessions of the Senate were as open as the sessions of the Appropriations Committee.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. HARRISON. I yield. Mr. McKELLAR. If the Senator will allow me, a very hasty recapitulation of the bill from page 82 to the end of the bill indicates that there is added for new officers and employees a total of something like \$326,486, instead of \$97,000.

Mr. WARREN. The Senator from Tennessee is entirely mis-

taken, as will be shown later.

Mr. HARRISON. I was mistaken in putting it at one-third of what it should have been. Now, I ask the Senator from propounded a moment ago, which was, if I understood it aright, Wyoming this question: In connection with the creation of new

offices is not an appropriation of \$6,000 provided in this bill for commissioner of public debt for the year 1922?

Mr. WARREN. The same official has been employed heretofore and has been paid the same amount under a lump sum, as I have stated to the Senate.

Mr. HARRISON. But the appropriation carried in this bill is

for the year 1922.

Mr. WARREN. That is very true; but the salary is provided for up to the first of the year from a lump-sum appropriation, as is indicated by the bill itself.

Mr. HARRISON. The first of what year?

Mr. WARREN. The first of the coming fiscal year.

Mr. HARRISON. The 1st of July?

Mr. WARREN. Yes. Mr. HARRISON. So we are providing for a salary of \$6,000 for the commissioner of public debt from the 1st of July, 1921, to the 1st of July, 1922, which is not a deficiency-in fact, no deficiency exists.

Mr. WARREN. I have stated several times that there are matters of that kind included in the bill, but they do not involve

the creation of new offices or any additional expense.

Mr. HARRISON. I ask the Senator about the commissioner

of accounts and deposits?

Mr. WARREN. The same statement applies as to that officer. Mr. HARRISON. The sum of \$6,000 is provided for that official. I understand the Senator to say that the same explanation applies in that case?

Mr. WARREN. Exactly the same. Mr. HARRISON. The appropriation is for his salary from the 1st of July, 1921, to the 1st of July, 1922? Mr. WARREN. Yes.

Mr. HARRISON. Has it ever been carried in a deficiency bill heretofore before a deficiency was created?

Mr. WARREN. Oh, Mr. President, the Senator ought not to ask a question like that.

Mr. HARRISON. Why not? I never can find out unless I

Mr. WARREN. When we appropriate a million dollars in a lump sum to carry on a certain work there is no necessity to appropriate an additional sum to provide for it; nor is there a deficiency asked for; but when it comes to the time when the lump-sum appropriation is exhausted, inasmuch as we have repealed the law under which salaries could be provided from the lump-sum appropriation and employees could be paid, we have included these employees in stated places and at stated salaries, and they are retained in the service at the same rate as heretofore. There is one salary here—and I wish to inform the Senator of it, so that he may make the most of it

Mr. HARRISON. I do not want to make the most of it.

Mr. WARREN. I refer to undersecretary for the Treasury. I may say that he takes the place of other employees, and the change is in the line of economy. A similar provision was placed in the bill in the House, but it went out on a point of order. We have reinstated that item.

Mr. HARRISON. I wish to ask about other offices provided for in the bill. There is a commissioner of accounts and deposits at \$6,000. The same proposition is involved in that case, I presume. Then there is the division of deposits, with a chief of division at \$3,500. No doubt the same facts apply to him, do they not?

Mr. WARREN. Yes. Mr. HARRISON. Then the appropriation is for the salary of this gentleman for the year 1922

Mr. SMOOT. Mr. President, that salary has been appropriated for heretofore.

Mr. HARRISON. I understand.

Mr. SMOOT. It has been paid out of the sum appropriated for "expenses of loans." Now, we are going to provide for the office under the commissioner of the public debt and appropriate direct for the salaries of the employees during the fiscal year 1922. The provision reads:

For the salaries of officers and employees during the fiscal year 1922 at annual rates as follows (now being paid from the appropriation "Expenses of loans").

We make here specific appropriations for them.

Mr. HARRISON. Why was it not carried in one of the gen-

eral appropriation bills?

Mr. SMOOT. It was carried in a lump-sum appropriation, as the Senator from Wyoming has stated, in the legislative appropriation bill. Now, however, we specifically provide that the amounts shall not hereafter be paid from the lump-sum appropriation for "Expenses of loans," but we name the offices and appropriate for them. That is what we are going to do in the future, if we can.

Mr. HARRISON. And the same statement applies to the "assistant chief of division at \$2,500; clerks—one at \$2,250, one \$2,000, one \$1,800, one \$1,600, one \$1,400; messenger, \$840; assistant messenger, \$720; in all \$16,610 "?

That is in the Division of Deposits. Those items cover salaries from the 1st of July, 1921, to the 1st of July, 1922, and yet they are placed in a deficiency appropriation bill. Is not that correct?

Mr. SMOOT. That is correct, but there are certain increases,

I will say to the Senator.

Mr. HARRISON. Touching the Division of Bookkeeping and Warrants, there is an appropriation carried in this bill-

For the force to be transferred to this division on account of the transfer of duties from the Division of Public Moneys, at annual rates of compensation during the fiscal year 1922, as follows.

The bill provides an assistant chief of division at \$2,500. That is for his salary from the 1st of July, 1921, to the 1st of July, 1922. That is correct, is it not?

WARREN. It is stated specifically in the provision which the Senator has read that that is a transfer of the force. Mr. HARRISON. Yes; but the item provides for salaries for

1922, which is not a deficiency.

Mr. SMOOT. The legislative appropriation bill that passed Congress provided for this appropriation.

Mr. HARRISON. What are we appropriating it again for? Mr. SMOOT. Because, instead of a lump sum, we are appro-

priating straight here, and it will not be paid from the lump

Mr. HARRISON. What is going to be done with the lump sum which was appropriated to pay these particular officers,

Mr. SMOOT. Why, it goes into the Treasury. Mr. HARRISON. Does it go back, or will it be spent for other employees?

Mr. SMOOT. No; it can not be.
Mr. HARRISON. Why can it not be? If it is a lump sum, why can it not be expended by the men in charge of it? The Senator smiles; but may I ask the Senator, if it is a lump-sum appropriation appropriated to the Division of Bookkeeping and Warrants, whatever that may be, have they not a right to spend that money during the fiscal year 1921?

Mr. SMOOT. They could, but they will not. Mr. HARRISON. The Senator has more faith in some of them than I have; so they can spend it if they want to. It may be, therefore, that the Government is appropriating money twice here for these officers. Is not that true?

Mr. WARREN. Mr. President, the Senator should not ask a question of that kind. The lump sum is appropriated for the

year ending the 30th of June.

Mr. HARRISON. Yes. Now, no matter what money they have left, Mr. WARREN. when the end of June comes that draws the line, because we have stated in our legislation that it shall end then. Now, of course, those men will be paid up until that time from that appropriation

Mr. HARRISON. Does the Senator mean the 30th of June.

1921, or 1922?
Mr. WARREN. As the Senator has stated, and as the chairman of this committee has admitted time and time again, there are in this bill these items for 1922; but the particular items that the Senator is asking about do not increase the expense of the Government and do not make new places as far as expenses are concerned. They simply provide appropriations under laws that we have passed.

Mr. HARRISON. But the Senator from Utah said that this appropriation had been made in a lump sum. Now the Senator from Wyoming says it has not been made in a lump sum except

up to June 30, 1921.

Mr. WARREN. It is made in a lump sum for the year 1921; and as to what is not so used at the end of 1921, that is the end of it.

Mr. HARRISON. Yes; so now we are making an additional

Mr. WARREN. No; we are not doing anything of the kind.

We make an appropriation for 1922.

Mr. SMOOT. What the Senator wanted to have said was that it was two appropriations. You can not transfer the employees without transferring the amount of the appropriation, and that is what it says. If it is \$16,610, it specifically states what the employees are and the amount that is to be transferred, and that is the only way in which they can get the money to pay these employees under the commissioner of the public debt that are now paid from the expenses of loans.

Mr. HARRISON. And the Senator does not think that that division could expend that amount of money that had been appropriated for in the other bill in the lump-sum appropriation?

Mr. SMOOT. It is transferred to the new account. Mr. HARRISON. So it can not be spent again?

Mr. SMOOT. It can not be spent twice. Mr. HARRISON. All right. That is the best explanation the

Senator has made.

Mr. LENROOT. Mr. President, may I ask the Senator from Utah a question? There is no transfer in this language. This is an additional appropriation, in addition to whatever may have been appropriated under the lump sum.

Mr. HARRISON. That is the way I figured it.

Mr. SMOOT. It says here:

For the salaries of officers and employees during the fiscal year 922 at annual rates as follows (now being paid from the appropriation Expenses of loans"):

Mr. LENROOT. Yes; but that is not any transfer of funds

Mr. SMOOT. .It says here: "In all, \$16,610," and that will be transferred out of the appropriation.

Mr. LENROOT. No; not under that language.

Mr. SMOOT. Then they could not pay anything, if it is not. Mr. LENROOT. This is an additional appropriation of that amount.

Mr. SMOOT. But it is a transfer of an amount,

Mr. LENROOT. No; there is no transfer.
Mr. HARRISON. It is the force that is to be transferred.

Mr. SMOOT. Then there is no other appropriation made for

them, is there?

Mr. HARRISON. There was a lump-sum appropriation made for that force before it had been transferred. Now we are appropriating an additional amount, and we will hear of the great saving of the party that is now in power, and you will be credited with that. I will ask the Senator from Utah, is that just right?

Mr. WARREN. Mr. President, if the Senator will allow me, I expected the Senator from Mississippi, because I know him so well and he is so agreeable always, to raise a fog on this matter, simply to get some political talk out of it.

Mr. HARRISON. No; I am not talking politics. Mr. WARREN. Let me say to the Senator that the chance is open for him; but these appropriations made for 1922 were made after the Republicans had the majority in the Senate and House, and so, if they cut too close, they cut in their own cloth, and it can not be said that they cut against the Democratic Party and in favor of the Republicans.

Mr. HARRISON. Why does the Senator say that the chance

is open to the Senator from Mississippi?

Mr. WARREN. Because I have never known an opportunity to come along for him to get in a political argument when he did not diligently take advantage of it.

Mr. HARRISON. I am not talking politics now.

Mr. WARREN. Of course I honor him, and I must not only honor him but respect and admire him accordingly.

Mr. HARRISON. I want to ask the Senator from Wyominghe and I get along very well together-a question. I notice in the amendment with regard to the General Land Office here:

For additional employees during the fiscal year 1922 at annual rates of compensation as follows: Law examiners—4 at \$2,000 each, 8 at \$1,800 each, 20 at \$1,600 each; 8 clerks at \$1,400 each; in all, \$65,500.

That is to provide for the salaries of these places from July 1, 1921, to July 1, 1922, is it not? And that was carried in the lump-sum appropriation in the other bill?

Mr. WARREN. It was not carried at all.

Mr. HARRISON. That never has been carried?

Mr. WARREN. They did not have the employees. We have cut down that department with others heretofore very mate-Then came this legislation which the Senator has stated, and these oil leases—I have given it some consideration my-self—are piled up there by the hundreds. The moment that those leases are signed and issued the Government gets its royalty and money comes in; so that, as a matter of fact, it is one of the appropriations that bring not only the same money in return but a hundred times as much.

Mr. HARRISON. So, as I understand the Senator, these places were cut out in the other bill—is that right—which

effected an apparent saving?

Mr. WARREN. Not these particular places, because the Senator will see

Mr. HARRISON. Well, some other places were cut out.

Mr. WARREN. These and many more were cut out.

Mr. HARRISON. They were cut down?
Mr. WARREN. Not in the last bill, but they were cut down

in preceding bills, three or four of them.

Mr. HARRISON. And so the report went to the country that there was going to be a saving effected in the cutting out of some useless places, and now we walk back up the hill and we put in 4 places at \$2,000 each, 8 at \$1,800 each, 20 at \$1,600 each, and 8 at \$1,400 each. That is the way I understand this to be.

Mr. WARREN. Does the Senator think those salaries for those lawyers are too much?

Mr. HARRISON. Oh, no; but what I can not understand exactly is that you cut out some places and attempt to get the credit for cutting out useless places, and then the first chance you get after doing that you put in some new places, as I have read here from this amendment.

Mr. McKELLAR. Mr. President, will the Senator yield to me to ask the Senator from Wyoming if all of these places are under the civil service? I notice that there are several hundred places created in the bill. Are they all under the civil

service, or not?

Mr. WARREN. Oh, yes; so far as the laws require. Mr. McKELLAR. All of them are?

Mr. WARREN. Oh, yes. Mr. SMOOT. Mr. President-

Mr. HARRISON. May I ask a question before the Senator from Utah goes on? What difference does the civil service make in the firing of employees? They pay no attention to the spirit or letter of the civil-service act touching apportionments. They can fire all from the State of Tennessee and retain all from the State of Ohio.

Mr. SMOOT. I will say to the Senator that there is no need of calling attention to the fact that on the 1st day of July thousands of employees will be separated from the Government service; and that has been taking place right along, I will say to the Senator, for months past. I have here the report of the commission. I will go back to October, say.

During the month of October, 1920, there was a decrease in

the employees in the Government service of 516.

For the month of November, 1920, there was a decrease in the employees in the Government service of 701.

In the month of December, 1920, there was a decrease in the employees in the Government service of 986.

In the month of January, 1921, there was a decrease in the employees in the Government service of 513.

In the month of March, 1921, there was a decrease in the employees in the Government service of 611.

In the month of April, 1921, there was a decrease in the

employees in the Government service of 680.

Mr. President, every month since last October there has been, on an average, a decrease in the employees in the Government service of over 700. Now, if the Senator thinks that because of the fact that there are 20 or 30 employees added to a department of our Government because of legislation that was passed, that is an increase in the number of employees, he is mistaken. I have not with me at my desk now the decreases which took place before this, but at this time, on the 1st day of June, there are over 400 less employees in the War Risk Insurance Bureau than there were last month.

Mr. HARRISON. Does not the Senator think there ought to

be a great reduction in those forces?

Mr. SMOOT. Yes.

Mr. HARRISON. Those forces were built up under war conditions.

Mr. SMOOT. Yes.

Mr, HARRISON. And there should be a great reduction.

Mr. SMOOT. In the War Risk Bureau there were over 19,000 employees during the war. To-day there are less than 5,000; and there are too many now, I will say to the Senator from Mississippi.

Mr. HARRISON. Yes: I think so.

Mr. SMOOT. And they will be cut down. In the general appropriations that were made, we have not provided for the same number of employees for 1922.

Mr. GLASS. Mr. President, I think the Senator is a little inaccurate in his statement that there were ever 19,000 employees in the War Risk Insurance Bureau.

Mr. SMOOT. I think it was a little over 19,000; I will say 19,483, if I remember correctly.

Mr. GLASS. I do not think the Senator is correct. Mr. SMOOT. I think I can show the Senator the correct. I think I can show the Senator the exact number from the time I began to keep track of the number of employees. I think it was 19,483 at one time.

Mr. GLASS. I think perhaps when the Senator examines his figures he may be able to curtail it by three, anyway.

Mr. SMOOT. What does the Senator say it was? Mr. GLASS. As I recall, the peak of employment showed something less than 15,000 employees.

Mr. SMOOT. Oh, well, the Senator does not remember it correctly; I am sure of that. Mr. McKELLAR. Mr. President, will the Senator from Mis-

sissippi yield? Mr. HARRISON. Yes; I yield. Mr. McKELLAR. I want to call the Senator's attention to page 86 of the bill, the amendment with regard to the War Risk Insurance Bureau, where it provides-

That no person shall be employed hereunder at a rate of compensation exceeding \$1,800 per annum except the following: Three at not exceeding \$7,500 each—

That is the same as a Senator's salary.

Mr. SMOOT. That is the same as the law is to-day.

Mr. McKELLAR. Then why change it? [Reading:]

Nine at not exceeding \$5,000 each, 28 at not exceeding \$4,500 each, 36 at not exceeding \$4,000 each, 42 at not exceeding \$3,500 each, 49 at not exceeding \$3,000 each, 68 at not exceeding \$2,500 each, and 215 at not exceeding \$2,000 each.

It just strikes me that that looks like an increase.

Mr. WARREN. Mr. President, will the Senator allow me? It does not increase the appropriation one penny.

Mr. McKELLAR. I understand that, but it does allow the salaries to be increased.

Mr. WARREN. It does. Mr. McKELLAR. It does that.

Mr. SMOOT. In some cases.

Mr. McKELLAR. I imagine that that is the purpose of it; and I just wanted to say that so far as economy in the employment of persons by the Government is concerned, this bill does not look as if it is even tending that way, judging from those

Mr. SMOOT. If Col. Forbes, the head of the bureau, tells the committee the truth-and I have every reason to believe that he does—as soon as this provision comes along there will be a great saving of money at the War Risk Bureau, and that is what it is put in here for.

Mr. McKELLAR. Of course, if you can save money by increasing salaries, why, then, money can be saved; but my understanding of arithmetic is that when you pay a great number of employees very much larger salaries it is not a saving, though I may be mistaken about it.

Mr. SMOOT. The Senator does not know the facts, or he would not make that statement about arithmetic. If you can give a man a salary of \$3,500 and have him do the exact work that is being done to-day for \$6,000, there is a saving, is there not?

Mr. McKELLAR. Mr. President, that may be so, but-

Mr. SMOOT. Well, that is exactly the case here.

Mr. McKELLAR. This provides for an increase in these salaries, and I want to ask the Senator this question.

That is the result of it.

Mr. McKELLAR. Do you make the office statutory when you provide for it in this way? You make the salaries statutory, do you not?

Mr. SMOOT. No; the statutory salaries are only up to \$1,800.

They apply only to clerks.

Mr. McKELLAR. What does the increase in these salaries mean? What would be the total number of clerks? It looks as if there are something over 40 whose salaries are greater I figure the number at about 400.

Mr. SMOOT. There are not 400.

Mr. McKELLAR. Can the Senator give us any information as to what the increase in salaries would be for over 400 clerks?

Mr. SMOOT. There are not increases for 400 clerks, Mr. McKELLAR. I have just figured it up. It is just a little over 400.

Mr. SMOOT. That is mentioned here; but the Senator has not figured up how many are taken care of at exactly the same

rates by existing law.

Mr. GLASS. If the Senator from Utah will permit me, the item is very easy of explanation. The Director of the War Risk Insurance Bureau represented to the committee that by getting a higher class of men for these major positions, for which he must necessarily pay higher salaries than have hitherto prevailed, he could rid the bureau of quite a number of inferior men, produce a very much greater efficiency in the administration of the bureau, and not increase the sum total

of the appropriation a dollar.

Mr. McKELLAR. Mr. President, how can that be done when
the civil-service rolls are closed at this time? They are not adding names to the lists, and necessarily the more efficient help must come out of the bureau. Does the Senator mean to say that Col. Forbes said that he was going to take the same employees, or certain of the same employees, and by paying them larger salaries make them more efficient? I do not know how he could accomplish it otherwise, because they have to come from the Civil Service Commission, as the Senator from

Wyoming has said, and we know that is the law. Mr. GLASS. There is such a thing possible as making a man more efficient by paying him a larger salary. I have known it to be done.

Mr. McKELLAR. The times are few and far between.

Mr. GLASS. As a matter of fact, there are very few people in the War Risk Bureau who are getting an excessive salary. That is an institution which does more business in the aggregate than the five great insurance companies of this country, and yet there are men there doing devoted work for the Government who are not getting the wages of an elevator boy.

Mr. WARREN. This is only a raise of salaries for 3 per cent of the men; it is for less than three men out of a hundred.

Mr. McKELLAR. It may be entirely all right, but I just wanted an explanation. I know the men there in the War Risk Insurance Bureau are trying faithfully to do their duty. think they are doing it now, with their present salaries. If their salaries ought to be raised, that is another thing. merely call attention to the fact that the raising of salaries at

this time is not in the line of economy.

Mr. SMOOT. I will ask the Senator to consider the provision that there shall be three at not exceeding \$7,500. That is the law to-day. There is no increase of the \$7,500 salaries at all. Take the next one, nine at not exceeding \$5,000. To-day there are five, and there is an increase of four in the number who are to draw up to \$5,000. That is, they are authorized to pay that number of employees in the War Risk Bureau up to \$5,000nine of them. The Senator says there are 215 clerks at not exceeding \$2,000 provided for, and he thinks that is a large number. But there are about 187 of them to-day, and there is only the difference between that number and 215. As the Senator from Wyoming has said, it is only an increase of about 3 per

cent, or a little less than that. Mr GLASS. Mr. President, if I may interrupt the Senator from Mississippi [Mr. Harrison] for just a word, I respectfully submit that we are not making progress on the bill by this sort of criticism at this time. If anybody wants to know, these items, beginning with line 9, on page 75, down to the end of the chapter, are irregular. The committee has not sought to conceal that fact. They came over from the House embodied in a deficiency appropriation bill. The Senate committee was so averse to that sort of procedure that it would have liked to strike them out altogether, but representations were made to the committee as to the urgent necessity for most of the appropriations. So the committee adopted the scheme of segregating all items that were not actual deficiencies under the head of emergencies.

When we reach that section of the bill, if any Senator objects to any one of the appropriations upon the merits of the case he is at liberty to make a point of order, and out it will go.

That is all there is to it.

Mr. HARRISON. I thank the Senator. I am just trying to ascertain whether or not I should make points of order when we get to that, and I want to ask the Senator from Utah or the Senator from Wyoming a question in this regard. I notice that for additional employees in the Bureau of Foreign and Domestic Commerce during the fiscal year 1922 the annual rates of compensation are as follows: Two assistant directors, at \$4,000 each; expert on commercial laws in foreign countries, \$4,000. Are those new places, or is that just the salary already provided?

Mr. WARREN. If the Senator will designate whom he is asking, I shall endeavor to answer. I do not believe I care to answer a question asked of two Senators simultaneously. If it is a question propounded to me, I shall endeavor to answer it.

Mr. HARRISON. I ask the Senator from Wyoming or the Senator from Utah, either one. The salaries that are provided are for two assistant directors at \$4,000 each, and an expert on commercial laws in foreign countries, at \$4,000. Are those

new places?

Mr. WARREN. They are new so far as they are designated in the bill for 1922, but are provided for at present, as the others have been, under lump sums. Let me say in that connection, on the subject which the Senator had up last, as to the Treasury, that there was a cut from \$12,000,000 to \$3,-Then at the end of the year was a termination of doing business that way, and we have taken up probably a lesser number and at a lesser expense, in providing for this division for 1922, than they have had since the peak of the appropriations in the war times. Yet the work of the Secretary of the Treasury and that department is immense to-day, as the Senator knows, because of the great foreign debt, which must be put in shape. Then there is the collection from the railroads of their loans; there are the short-term bonds, all of which must be taken up, and other provisions made, and matters of that kind. As a matter of fact, we have not increased the appropriations at all, but have decreased; but it is handled now in a way which makes it possible for us to check it up at any time It is stabilized now, in a way, sufficiently, so that we felt we could do it.

Mr. HARRISON. But this is to provide salaries for these places for 1921 and 1922?

Mr. WARREN. It is. Mr. HARRISON. The Senator agrees with the Senator from Virginia that the Senate Committee on Appropriations did not agree with the House Appropriations Committee in the insertion of these items, and was very much opposed to them, but did reclassify them and put them under the emergency provisions of the bill?

Mr. WARREN. We have classified them there, but nevertheless they are House items, and I very much doubt whether there is any Senate rule under which we can throw out a direct appropriation put in by the House on a point of order.

Mr. HARRISON. The Senate does throw out items put in by the House, does it not?

Mr. WARREN. They go to conference, and the conferees settle the differences between the two Houses.

Mr. HARRISON. But you throw them out? Mr. WARREN. Not on points of order.

Mr. HARRISON. No; but I mean in the committee. committee could have thrown out all these items if they had not agreed to them?

Mr. WARREN. Yes; and the Senate can throw them out if

they wish.

Mr. HARRISON. But the Senate committee, as I understand it, thought that the House Appropriations Committee should not have incorporated them in this bill, because they were not deficiencies?

Mr. WARREN. They should have provided for them, but we thought they should have put them, as we did, under a different

heading; that is all.

Mr. HARRISON. But the Senate committee did strike out the item of \$250,000 under the Foreign and Domestic Commerce

Bureau, did they not?

Mr. WARREN. We struck it out in one place and inserted it in another. That is often done, simply changing the paragraph

Mr. HARRISON. In other words, it shows a saving of

\$250,000 here and adds it in another place.

Mr. GLASS. Mr. President, I do not think the Senator ought to asperse the committee in any such way as that, attributing to it a thimblerigging process. The committee has not done any-The committee has been absolutely frank thing of that sort. with the Senate.

Mr. WARREN. Absolutely; and those things are introduced

in this manner so that the Senate can see them readily.

Mr. GLASS. I did not undertake to say that the committee had not agreed upon the merits of these various propositions. We did deprecate the processes which were adopted in the other House of including in a deficiency bill things that were not deficiencies. If I may make a representation to the Senator from Mississippi of one item here

Mr. McKELLAR. What page?

Mr. GLASS. Page 85, in the item appropriation for the office of the Comptroller of the Currency. It was frankly stated to the committee that owing to the utter antipathy of Congress toward the former incumbent of that office—which, incidentally, I do not undertake to justify, but totally disagree with—the office had been starved for nearly eight years, and the only way the work of the office could be done was to have clerks assigned from other branches of the Treasury Department. the recommendations of the respective Secretaries of the Treasury were regarded, owing to the dislike here on the hill to the incumbent of the office.

Now, this surplus of clerks in other branches of the Treasury, or, more correctly speaking, those clerks who at times would have sufficient leisure to devote their activities to the business of the comptroller's office, are largely being dropped, and some provision must be made now for the continuance of the business of that office, and the only way to make it is to appropriate for it. I am not saying that it should have been done in this way, but it ought to be done in some way; otherwise the business of the comptroller's office will be damaged and the public interest hurt.

Mr. WARREN. The Senator has exactly stated the case. Mr. HARRISON. I am very glad the provision is made for those employees, then, under those circumstances. I am merely trying to get information about the bill. The Senator from Wyoming said that the \$250,000 appropriation that was carried for the Bureau of Foreign and Domestic Commerce had been eliminated in one place but placed in another place. On what page of the bill is it provided for?

Mr. SMOOT. On page 93, where it is provided:

Export industries: To enable the Bureau of Foreign and Domestic Commerce to investigate and report on domestic and foreign problems relating to the production, distribution, and marketing, in so far as they relate to the important export industries of the United States,

including personal services in the District of Columbia and elsewhere, including Latin America and the Far East, and all necessary incidental expenses connected therewith, fiscal year 1922, \$250,000.

Mr. HARRISON. It is in the exact wording in which it appeared in the bill, is it not?

Mr. SMOOT. Yes.

Mr. HARRISON. It is just placed under the emergency item,

Mr. SMOOT. That is all.

Mr. HARRISON. Ordinarily that provision would not be carried in a deficiency bill?

Mr. SMOOT. No.
Mr. HARRISON. Because it is not a deficiency. Ordinarily, if we were following the rules of the Congress, both the Senate and the House, it would go in the legislative appropriation bill, would it not?

Mr. SMOOT. Yes.

Mr. HARRISON. So it is not a deficiency at all?

Mr. SMOOT. That is true.

Mr. HARRISON. The sum of \$250,000 of the appropriation of the million dollars for the Bureau of the Census for the fiscal year 1922 is transferred over to the Bureau of Standards, as the Senator from Utah says. Is that correct?

Mr. WARREN. If the Senator will allow me, he is opening up a subject that requires some discussion. The Senator from Massachusetts [Mr. Lodge] desires an executive session. I should be glad to lay aside the bill temporarily for that purpose.

Mr. HARRISON. I merely wish to say, before the Senate goes into executive session, that we have just voted on the naval appropriation bill that carried \$495,000,000. That was passed by a vote of 54 to 17. There were five of the majority party who voted against that enormous and stupendous appropriation. The next bill taken up is the deficiency appropriation bill, which Senators in charge of the bill say carries with it appropriations for jobs for the year 1922 that are not deficiencies, carries with it appropriations for various things that are not deficiencies, carries with it appropriations for increased salaries for Government employees. It seems to me that it is not keeping the faith and it is not keeping the pledges that they made to the American people that they were going to cut down appropriations and economize in the matter of useless jobs in the Government serv-

Mr. LODGE. Sixty million dollars that they are carrying in the bill is to pay for the extravagances which the Senator's party pushed us into in connection with the Shipping Board.

Mr. HARRISON. I did not understand the Senator.

Mr. LODGE. I will try to make it clear. I said that \$60,000,-000 of the amount carried in the pending bill is for expenses bequeathed to us by the Senator's party in connection with the Shipping Board.

Mr. WARREN. It is over \$100,000,000.

Mr. LODGE. It is \$100,000,000, the chairman of the committee informs me; and the Senator from Mississippi is fretting over these little salaries when we are trying to clear off that vast amount of debt and mismanagement left by the Senator's party for us to take care of.

Mr. HARRISON. Yes; to provide for the head of the Standard Oil Co. or the United States Steel Corporation as president of the Shipping Board. But the Senator from Mas-achusetts did not understand that what I am complaining about is that in one bill they try to cut out a lot of useless jobs and in the next bill they increase salaries and create jobs.

Mr. LODGE. I understood what the Senator said. He said it over fifteen or twenty times.

Mr. HARRISON. Very well.

## EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Thursday, June 2, 1921, at 12 o'clock meridian.

## NOMINATIONS.

Executive nominations received by the Senate June 1 (legislative day of May 31), 1921.

## GOVERNOR OF ALASKA.

Scott C. Bone, of New York, to be governor of Alaska, vice Thomas Riggs, resigned.

UNITED STATES ATTORNEY, DISTRICT OF UTAH.

Charles M. Morris, of Utah, to be United States attorney, district of Utah, vice Isaac B. Evans, resigned, effective June 1, SUPERINTENDENT OF THE MINT, SAN FRANCISCO, CALIF.

Michael J. Kelly, of Oakland, Calif., to be superintendent of the mint of the United States at San Francisco, Calif., in place of Thaddeus W. H. Shanahan.

## COLLECTORS OF INTERNAL REVENUE.

DISTRICT OF CONNECTICUT.

Robert O. Eaton, of North Haven, Conn., to be collector of internal revenue for the district of Connecticut, in place of James J. Walsh.

#### DISTRICT OF MAINE.

Frank J. Ham, of Augusta, Me., to be collector of internal revenue for the district of Maine, in place of Leon O. Tebbetts.

#### DISTRICT OF WYOMING.

Marshall S. Reynolds, of Kemmerer, Wyo., to be collector of internal revenue for the district of Wyoming, in place of Leslie A. Miller, resigned.

RECEIVER OF PUBLIC MONEYS, MONTROSE, COLO.

Galen C. Pond, of Montrose, Colo., to be receiver of public moneys at Montrose, Colo., vice George W. Bruce, whose term will expire June 24, 1921.

## UNITED STATES NAVY.

The following-named midshipmen to be ensigns in the Navy from the 3d day of June, 1921:

Buell F. Brandt. Leo B. Farrell. Elisha E. Meredith.

Cecil Faine. Delwyn Hyatt. Julius L. Thompson.

#### MARINE CORPS.

Patrick W. Guilfoyle to be a captain in the Marine Corps from the 4th day of June, 1920.

James M. White to be a second lieutenant in the Marine Corps from the 4th day of June, 1920.

### CONFIRMATIONS.

Executive nominations confirmed by the Senate June 1 (legislative day of May 31), 1921

UNITED STATES ATTORNEY.

William Hayward, for southern district of New York.

UNITED STATES MARSHALS.

Edward Rustad, for district of Minnesota. Benjamin E. Dyson, for southern district of Florida. Hugh L. Patton, for district of Wyoming.

UNITED STATES NAVY.

To be ensigns.

Buell F. Brandt. Leo B. Farrell. Elisha E. Meredith.

Cecil Faine. Delwyn Hyatt. Julius L. Thompson.

# HOUSE OF REPRESENTATIVES.

WEDNESDAY, June 1, 1921.

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, offered the following prayer:

Almighty God, unto whom all hearts are open, all desires grow, and from whom no secrets are hid, cleanse the thoughts of our hearts by the inspiration of Thy Holy Spirit, that we may perfectly love Thee and worthily magnify Thy holy name. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

## THE LATE CHIEF JUSTICE WHITE.

Mr. DUPRÉ. Mr. Speaker, I ask unanimous consent to insert in the RECORD the remarks of Mr. Justice McKenna, Presiding Justice of the Supreme Court of the United States, at the meeting of the court on yesterday in connection with the death of late Chief Justice.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to insert in the Record the remarks of Mr. Justice McKenna in connection with the death of the late Chief Justice White. Is there objection?

There was no objection.

Following are the remarks referred to:

"Gentlemen of the Bar: This empty chair, and the sombre drapery upon it, announce that since the last sitting of the Court

a grievous affliction has come to the country and to us-an affliction which to some of us, and, it may be, to all of us, can never have complete solace. A great life has ceased to exist, one replete with achievements—achievements in many fields of endeavor, all typical and demonstrative of ability and merit, of which, to adopt the words of another, 'it would be difficult to say anything that would transcend the bounds of a just and decorous eulogy.' Eulogy, however, will be the purpose and appointment of another time, and of other lips than mine. To mine now is the humbler and sadder deputation to express the sorrow of my brethren and myself at the death of our Chief Justice. But, expressing a more poignant and personal sorrow. may I not say, at the death of our associate in duties, our companion in council, our friend and intimate. He was all of these to us, and by them animated and directed our work; his precedence veiled under a considerate courtesy, our intercourse with him made a real enjoyment. I use the word 'enjoyment' because I speak in retrospection-speak of a time upon which sorrow had not cast its shadow.

I hope I shall be pardoned these personal considerations. do not overlook or underestimate the greater abilities that attracted the Nation's commendation in his life, and has caused the Nation's sorrow in his death-a sorrow in which we participate. But his faculties need not be distinguished; they were comprehensive in their action, had connection and purpose, were as manifest in private life as in official life.

"In private life he was a gentleman in the best sense of that much abused word. He was considerately kind and courteous, and not in passing show, for he was incapable of artifice or

dissimulation.

In official life he had a high and earnest sense of duty, and duty to a judge has a special incentive; its object is justice, and justice to the fullness of its definition, 'the constant and perpetual wish to render to every man his rights.' This wish was ever in the Chief Justice's mind-its insistent motive and ani-And in this duty to individual serious questions came, mation. questions of the validity of laws and executive acts and the ordination of the powers of the United States and the States, granted or reserved to them respectively by the Constitution. To the questions thus presented the Chief Justice directed a consideration proportioned to their immediate and ultimate effect, the public welfare depending upon them. He realized. as all of us must realize, that the necessity of passing upon them marks the place and power of the Federal judiciary in our scheme of Government—the condition, it may be, of its stability and permanence, preserving always the splendid conception of the Constitution--one sovereignty constituted of many-it being supreme within the sphere of its powers, they being supreme within the sphere of their powers, resulting in governments, national and State, competent to encounter and resolve the problems incident to or emergent in the lives and affairs of a people.

"This is of the past in barest outline-what of the future? Anticipating it, I see no shadow on his fame, no lessening of his example nor of the impression his life and services have made upon the country. I venture comparisons. I make full concession of the recognized and illustrious merit of those who have preceded him. I make full admission, in assured prophecy, of the abilities of those who will succeed him, yet, considering his qualities and their exercises, I dare to say that, as he has attained, he will forever keep a distinct eminence among the Chief

Justices of the United States,

"In testimony of his worth, in tribute and respect to his memory, the court will adjourn until to-morrow at 12 o'clock."

## THE PRESIDENT'S ADDRESS AT ARLINGTON.

Mr. MONDELL. Mr. Speaker, I asked unanimous consent on yesterday to insert in the RECORD the President's address at Arlington on Memorial Day. I did not have yesterday an authentic copy of the address. I ask that I may insert the address in the RECORD of to-day.

Mr. GARNER. The gentleman already has permission to insert it in the RECORD.

Mr. MONDELL. That permission holds; but I desire to place

it in the body of the RECORD at this time. Mr. GARNER. The gentleman wants to put it in the RECORD

at this point?

Mr. MONDELL. Yes.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to place the President's address in the Record at this point. Is there objection?

There was no objection.

Following is the President's address delivered at Arlington Memorial Day:

"We are met on sacred soil to-day for a solemn hour of sacrament and consecration. But the soil whence we come is itself sanctified through the sacrifices of those who lie here. Wherever our flag flies within the boundaries of the Republic, it is over lands whose freedom and security have been wrought through these sacrifices.

'It is the privilege of this company to utter our tribute of love and gratitude in this sacristy of beauty within the sight of the National Capital. But others, no less devout, will assemble all over our land and other lands, under foreign skies and among alien peoples, to pay like tribute of love and memory. There is no discordant note in the hymn of gratitude. With old wounds healed and a new generation's offerings on the altars of our patriotism, there is no sectionalism in our memorial. Among the murmurings of grief is the swelling concord of union, and the dominant note is our faith in the Re-

## " MANY TONGUES, MANY RACES.

"It will be a tribute to-day spoken in many tongues and by diverse races. Wherever men are free they are wont to give thought to our country's service in freedom's cause. men may but aspire to a freedom not yet achieved, their instinct turns the eye and the thought of hope this way, and they pray that their cause may gain our approbation. They know that we have never drawn the sword of oppression, that we have not sought what was not our own, nor taken all that we might have claimed. They have seen our protecting arm stretched over the outposts of liberty on every continent.

For more than a century our plighted word warned tyranny from half the world; then, when the gauge was taken up by mad ambition, men felt the blow that arm could strike when freedom answered in its utmost might. Across the seas we sent our hosts of liberty's sons, commissioned 'to redress the eternal scales.' To-day the sons and daughters of other lands to which they gave their all are placing with loving hands their laurels on American graves not less reverently than we are doing here.

## " NOW AN INTERNATIONAL DAY.

"To me no thought comes with more of inspiration than this, that now our Memorial Day is become an international occasion; that it calls upon the fortunate free of many lands and countries to help in its observance; and that equally to them and us it is a reminder of our common troth to civilization, humanity, and everlasting justice.

"There are gathered here the ashes of a great army of those who fought in the struggle which preserved our Union and insured our high place in the community of nations. Our debt to them will never be paid, but we can come, for them and for ourselves, on this national commemoration day to attest our veneration and undying love. They rendered a service greater than they knew, for they saved our Nation to the cause of human freedom and paved the way to that power and influence which enabled it to play its part in behalf of all mankind in the time of supreme crisis of the world.

We will not overappraise their sacrifice if we say that had they failed their failure would have so weakened the forces of liberty and enlightenment that these would have been doomed. in the more recent world trial, to failure and defeat. A divided America would have been incapable of the effort that was demanded to hold our present-day civilization secure. The heroic dead, for whom the day was originated, preserved the ark of the covenant of union and nationality, and in that service they made possible the exalted place so recently won for our country.

"Our own generation will not perform a part worthy of its heritage if we do less than our very utmost to preserve that which they made possible for us to possess. Nay, more, we shall not be our most and best at home if we do not resolve for all time that the differences which brought us to civil conflict were due to ambiguities in our Union and the disputes between two schools of political thought, and when we made the Union indissoluble and the Nation supreme we left our people one flag, one purpose, one pride, and one destiny.

## "LOYALTY TO SELF FIRST,

"In such a view we must see that our opportunity to be useful to mankind at large depends first on being loyal to ourselves. No ideal of generosity to all men can justify neglect first to make ourselves strong, firm, secure, in behalf of our own people. We can not hope to discharge the wider responsibilities if we have not first proved our capacity to meet the narrower ones. It is our wish to be useful in the greater realms, but if we are to do so we must have no question of our devotion to the great principles for which these gave their lives in the struggle which saved the Union and rededicated it forever to liberty. I counsel

measure of its performance we will find the true gauge of our capacity to be helpful to others.

It is a good thing to come to this consecrated place and renew the pledges of our loyalty to those whose patriotism gave us our strength and opportunity. They did not know, they could not know, for what greater things they were laying the foundations. Yet their instinct led them to the judgment that their first duty was to preserve the institution of popular rule, of national solidarity.

#### " FOUGHT TO MAINTAIN UNION.

"They did not enter upon the war among the primary purpose to end the institution of human slavery. Wor-"They did not enter upon the war among the States with thy as that might have been, their inspiration was higher. sought first to maintain the Union, to keep it a power for the advancement of America and humanity, confident that if they won all other rightful things in due time would be achieved. They were right then; in the end slavery received its decree of banishment from this continent, and at last from the world.

"But let me repeat, that great achievement for humanity was not the aim with which they entered upon our internecine trouble. They were called to prevent secession, to save the national unity. They believed that the institutions of this country were good; that they deserved to be preserved; that they were worth supreme effort, even all of life itself. In making that effort and that sacrifice, they did far more than save what had already been gained; they made possible for slavery to be ended forever.

### "KILLED DIVINE RIGHT TO RULE.

"It was the same in the more recent war of the free peoples against the autocracies of the world. In its beginnings men fought to protect that which they already had. Their countries' lives were at stake; their rights as free men were menaced; and for these they went forth to battle. There was no thought of crusading for the freedom of a world, of emancipating distant peoples, of rendering a noble service to the enemy who had attacked them. They had no time and small disposition to indulge altruisms.

Yet, as in the case of our Civil War, they won far more than they had sought in the beginning. They won for themselves their homes, their countries; and in doing so they destroyed well-nigh the last intrenchments of the mistaken doctrine of divine right to rule. They gained the victory for their own grateful countries, and with it they won, for those whom they defeated, the opportunity of establishing free institutions, of planting democracies where absolutism held sway, of making the people supreme.

# "FREEDOM OFFERED TO FOE.

"True, they were able only to afford opportunity for the great advance. They could not force free institutions upon the crushed and broken enemy; they could not insure that those institutions would be permanent even if experimentally adopted. Freedom is not to be crowded upon those who will not have it; but the privilege of adopting and having and enjoying it that privilege was opened wide to the vanquished communities which had sought to take it from others. We do not yet know certainly whether the defeated and unwilling beneficiaries will be able to grasp this boon. We can not tell whether they will pay the price required to maintain the freedom to which the door has been opened. We do know, and we take pride, that our sons and brothers afforded them the opportunity.

## "NATION'S WEALTH IN SOULS.

"Thus we see that, whether in our civil struggle or in the World War, the triumph of the right inevitably implies gains that sweep far beyond the immediate issue. Those heroes of the Civil War who sleep about us here wrote that lesson in symbols of blood and fire where all men might read. And they did yet more. They taught the lesson of a great community making its fight for freedom and exclusive business of the whole Never before had there been an example, on such a scale, of the entire human and industrial power of a people being cast into the common cause. Wars had largely been professional affairs, in the hands of trained people, waged by conscripts whose knowledge or concern for the cause they served was of necessity limited and doubtful.

"Here was found a nation which for four years gave its very all of human resource, of industrial power, of faith in its mission and its future, in order that it might maintain an ideal. It accomplished much which experts and econor ists de-cried as the impossible. It defied the edict that economic ex-haustion and financial disabilities must prevent a decisive victory. It demonstrated that the wealth and resources of a no selfishness, no little Americanism, no mere parochialism, nation lie not in acres and bushels, in bank balances and ton-when I urge that our first duty is to our own, and that in the nages, in taxable wealth and going business, but rather in the nation lie not in acres and bushels, in bank balances and tonsinews and souls of its inspired people. And therein the example of our fraternal struggle taught the lesson which later moved agonized civilization to reject an indecisive peace.

" MUST KEEP WHAT MEN WON.

"So much, and vastly more, we owe of debt to these who won the peace of union and liberty. It is a debt that has not yet been discharged in `ull, a debt on which every succeeding gen-eration can hope only to pay its installment; for it obligates us and those after us to maintain for this people the high estate which they established. We never will yield aught of what they won for us. Forbidden by the law of life and institution, we can not stand still. We must always move forward along the upward path: they marked for us. No less is possible unless we could repudiate the debt they laid upon us, whose convenant they sealed in their blood.

Thus appraising and this acknowledging our responsibility, we will do well to consider the particular burdens it lays upon We look about us on a world troubled and torn groping for a way back to light and opportunity. We find ourselves, as a people, occupying a place of vast responsibility in that world. We stand among the leaders to whom it looks for guidance and direction. We are blessed with wealth and with the instit 1tions of freedom, with the magnificent tradition that comes to us from those whom to-day we honor. We can not evade, if we would, for mankind is fallen on times when there is no hope for it if some communities seek isolation while others indulge unrestrained ambition for empire. Civilization must disaster if there shall be denial either of common responsibility or of essential equality among sovereign States and persons.

"THE DISCIPLINE OF PEACE.

"We have heard much about the danger of winning the war and losing the peace. But is there not, in the example of those who made the ultimate sacrifice, a lofty inspiration to the same singleness of purpose, the same readiness to sink individual for the sake of general good, that moved them? Though they were not trained to military forms and evolutions, yet they learned to stand together in unbroken line, to move as unities, to forget the individual for the sake of the mass. Surely there is no reason why peace may not achieve discipline, unification, directness of purpose as war does. It requires the same submergence of selfish ends, the same relinquishment of the merely personal gratifications, the same regard for the common interest. I am not counseling surrendered independ-Our maintained freedom is the source of our might. ence. Only the American conscience may command this Republic.

'It is, indeed, a very different matter to achieve the discipline that peace commands. There is not the urge of instant danger, the rigor of authority to overcome that danger. It is needful to bring into subjugation the thoughtless mind, the indulgent disposition, the easy quest of pleasure, the lust of gains, the aspiration for power and personal satisfaction. is required to substitute saving for thoughtless spending, thrift for waste, unceasing productive effort for the simple expedient of spending the shortest time and least energy on the job.

"RESOLUTE PATRIOTISM HOUR'S NEED.

"During the war, when we were all intent on the great business of winning, we saw this discipline established in mine, factory, and farm occupations. We worried not a little about how extravagant we were; but, on the other hand, we all turned in and worked, and we made those years of the war period marvels of productiveness, despite that millions of workers were in the uniform and other millions were engaged in the special industries which war necessitated. With the return of peace this industrial discipline was thrown aside, not only in our own country but in every country that was in the war. A breakdown of morale accompanied it, and we find ourselves halting when we ought to move forward. We need a patriotism resolute in peace as well as a patriotism aflame in war.

"Nowhere were men prepared to cope with the new problem of peace; nowhere were they less prepared than in this country. But if we had failed to set up the machinery for liquidation of war conditions, we nevertheless came out with our producing organization less wrenched and shaken than was that of the European countries. Our soil had not been invaded; our people had not suffered the physical privations which were visited upon great communities elsewhere. We came forth with better credit, sounder currency, and a ratio of debt far less than those of either allied or enemy States.

## " FOUND SOUL OF AMERICA.

"Though our sorrows seemed measureless, we were more lightly touched, and for griefs incurable there was compensation. We found the soul of America; we have the reborn spirit of the Republic.

"I know the aching hearts. It requires nearness to measure the burden of grief. Only a few days ago I saw more than 5,000 flag-draped coffins, tenanted with their heroic dead. Theirs was mute eloquence in protesting war, theirs was the supreme appeal for war's avoidance. The way to preserve honor without material waste and the costlier human sacrifice would be the surpassing memorial tribute.

We may not bestow it to-day, but we may fittingly resolve that the influence and example of our America shall point the

way to such lofty achievement.

" WILL HOLD TORCH SAFE AND ALOFT."

"In the inspirations that we may gain through to-day's con-templation of the deeds of these, our heroes of all our wars, we are called to look toward to-morrow's obligations. Our country has never failed to measure up to the demands presented to it in behalf of humanity, and it never will. When it ceases to meet these drafts, it will no longer be our country; it will be, if that time ever comes, the wretched and decaying memorial of another civilization which has crumbled, of another ideal which has failed, of another ambition for men's happiness which somehow has gone awry.

"We feel, aye, in our hearts we know, that ours is not to be We believe that the torch will flame more brightly in our hands, that we will hold it safe and high aloft, and that its light will help, at least, to point the way for humanity on the path of safety and in the task of building for all time."

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed resolution of the following title, in which the concurrence of the House of Representatives was requested:

#### Senate concurrent resolution 4.

Senate concurrent resolution 4.

Resolved by the Senate (the House of Representatives concurring),
That a joint commission is hereby created, to be known as the "Joint
Commission of Agricultural Inquiry," which shall consist of five Senators to be appointed by the President of the Senate and five Representatives to be appointed by the Speaker.

Said commission shall investigate and report to the Congress within
40 days after the passage of this resolution upon the following subjects:
1. The causes of the present condition of agriculture.
2. The cause of the difference between the prices of agricultural
products paid to the producer and the ultimate cost to the consumer.
3. The comparative condition of industries other than agricultural
products to such products,
5. The banking and financial resources and credits of the country,
especially as affecting agricultural credits.
6. The marketing and transportation facilities of the country.

The commission shall include in its report recommendations for legislation which in its opinion will tend to remedy existing conditions, and
shall specifically report upon the limitations of the powers of Congress
in enacting relief legislation.

The commission shall elect its chairman, and vacancies occurring in
the membership of the commission shall be filled in the same manner as
the original appointments.

the original appointments.

# SENATE CONCURRENT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, the following concurrent resolution was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

## Senate concurrent resolution 4.

Senate concurrent resolution 4.

Resolved by the Senate (the House of Representatives concurring),
That a joint commission is hereby created, to be known as the "Joint Commission of Agricultural Inquiry," which shall consist of five Senators to be appointed by the President of the Senate and five Representatives to be appointed by the Speaker.

Said commission shall investigate and report to the Congress within 90 days after the passage of this resolution upon the following subjects:

1. The causes of the present condition of agriculture.

2. The cause of the difference between the prices of agricultural products paid to the producer and the ultimate cost to the consumer.

3. The comparative condition of industries other than agricultural products to such products.

4. The relation of prices of commodities other than agricultural products to such products.

5. The banking and financial resources and credits of the country, especially as affecting agricultural credits.

6. The marketing and transportation facilities of the country.

The commission shall include in its report recommendations for legislation which in its opinion will tend to remedy existing conditions, and shall specifically report upon the limitations of the powers of Congress in enacting relief legislation.

The commission shall elect its chairman, and vacancies occurring in the membership of the commission shall be filled in the same manner as the original appointments.

To the Committee on Rules.

## CALENDAR WEDNESDAY.

To-day is Calendar Wednesday. The SPEAKER.

Mr. WINSLOW. Mr. Speaker, on the last Calendar Wednesday, among bills from the Committee on Interstate and Foreign Commerce I called up House joint resolution 31. To-day I would like to withdraw the request to have that resolution considered and to call up the bill H. R. 6567 from the House Calendar.

The SPEAKER. The gentleman withdraws the motion he made last Wednesday and calls up the bill indicated.

Mr. WALSH. He did not make any motion on last Wednes-It was a Union Calendar bill, and the House would automatically go into the Committee of the Whole House on the state of the Union for its consideration. The gentleman is not obliged to withdraw that, because it can be considered some

other day, if he so desires,

Mr. STAFFORD. Mr. Speaker, the situation suggested by the gentleman from Massachusetts [Mr. Walsh] would be an anomaly if the House on motion of the gentleman from Massachusetts [Mr. Winslow] on the last Calendar Wednesday had resolved itself into Committee of the Whole House on the state of the Union for the consideration of a certain measure. bill to-day would naturally be the unfinished business, and you would have to have some such request as that of the gentle-man from Massachusetts [Mr. Winslow] to set it aside.

Mr. WALSH. The gentleman from Masachusetts [Mr. Wins-Low] could call up another bill to-day if he so desired. The

other matter might still be pending.

CONSOLIDATION OF TELEPHONE SYSTEMS.

The SPEAKER. There would be no difference in the result. The Clerk will report the bill indicated.

The Clerk read as follows:

A bill (H. R. 6567) to amend section 407 of the transportation act of 1920.

A bill (H. R. 6567) to amend section 407 of the transportation act of 1920 be, and it is hereby, amended by adding thereto a new paragraph designated as paragraph (9), as follows:

"(9) Upon application of one or more telephone companies for authority to consolidate their properties or a part thereof into a single company, or for authority for one or more such companies to acquire the whole or any part of the property of another telephone company or other telephone companies or the control thereof by the purchase of securities or by lease or in any other like manner, when such consolidated company would be subject to this act, the commission shall fix a time and place for a public hearing upon such application and shall thereupon give reasonable notice in writing to the governor of each of the States in which the physical property affected, or any part thereof, is situated, and to the State public service commission or other regulatory body, if any, having jurisdiction over telephone companies, and to such other persons as it may deem advisable. After such public hearing, if the commission finds that the proposed consolidation, acquisition, or control will be of advantage to the persons to whom service is to be rendered and in the public interest, it is hereby authorized to enter an order approving and authorizing the proposed transaction; and thereupon any act or acts of Congress making the proposed transaction unlawful shall not apply. Nothing in this paragraph contained shall be construed as in any wise limiting or restricting the powers of the several States as now existing to control and regulate telephone companies."

With a committee amendment, as follows:

Amend, page 2, line 12, by striking out "it is hereby authorized to enter an order approving and authorizing the proposed transaction" and inserting "it shall certify to that effect."

The SPEAKER. The gentleman from Massachusetts is recognized.

Mr. WINSLOW. Mr. Speaker, as I understand it, the rule covering the consideration of this bill accords to those in opposition one hour's time.

The SPEAKER. No; the Chair thinks not. It is subject to the ordinary rules of the House. The gentleman has one hour, at the conclusion of which he may move the previous question. If not, he would have the right to recognize somebody or make

Mr. WINSLOW. Mr. Speaker and gentlemen of the House, this bill is very interesting. It appeals to everyone who uses the telephone in this country, whether for ordinary communica-tion purposes or for commercial purposes. The bill was brought to the attention of the committee by those representing a very large majority of the so-called independent telephone companies

of the United States.

To sum it up briefly, I can say to you that those companies, broadly speaking, have found themselves in a very unhappy situation. Many of them—the great majority of them—are skating on very thin ice in respect of their financial operations. As the result their service is being interfered with, their credit greatly impaired, and they have represented to the committee personally and officially that if the opportunity to sell or con-solidate is not afforded to them they are liable to go through the condition of bankruptcy or receivership, and so forth, and have a consequent interruption of the service that they ought to render their subscribers.

In order, then, to protect the service in other communities and to guarantee as far as they may the integrity and value of investments made in these many companies, of which there are thousands, they have come to Congress and asked relief. That proposed relief has taken shape in this bill, H. R. 6567. In order that you may have a detailed statement as to the matters of law and various other features in connection with the formation of the bill, its legislative standing, and so forth,

subcommittee which reviewed the bill, to make an explanation to the House, and I will accord to him 15 minutes.

Mr. GARNER. Before the gentleman does that, will be yield for a question?

Mr. WINSLOW. I will be very glad to yield to the gentleman from Texas.

Mr. GARNER. On page 2, beginning with line 14, I find this language:

and thereupon any act or acts of Congress making the proposed transaction unlawful shall not apply. Nothing in this paragraph contained shall be construed as in any wise limiting or restricting the powers of the several States as now existing to control and regulate telephone

You do not intend in this proposed language to prevent the Congress in the future from enacting any legislation that may affect these companies, do you?

Mr. GRAHAM of Illinois. If the gentleman will yield to me, I will answer that.

Mr. WINSLOW. I yield to the gentleman from Illinois. Mr. GRAHAM of Illinois. There is no such intention.

could not be construed in that way. The SPEAKER. The gentleman from Illinois [Mr. Graham]

is recognized for 15 minutes.

Mr. GRAHAM of Illinois. Mr. Speaker and gentlemen of the House, in my judgment this bill is necessary for several reasons. It may not be generally appreciated—I will confess it was not appreciated by me until I became conversant with the facts that the consolidation of telephone companies in the United States is prohibited not only by the language of the Clayton Antitrust Act but probably by the language of the Sherman Antitrust Act, and that to-day in the United States it is impossible for any telephone companies which do an interstate business to lawfully consolidate their properties. This is due principally to the language of the Clayton Antitrust Act, to which I shall call attention briefly. Section 7 of that act, being the act of October 15, 1914, provides, in part-

That no corporation engaged in commerce shall acquire, directly or indirectly, the whole or any part of the stock or other share capital of any other corporation engaged also in commerce where the effect of such acquisition may be to substantially lessen competition between the corporation whose stock is so acquired and the corporation making the acquisition, or to restrain such commerce in any section or community or tend to create a monopoly of any kind of commerce.

The provisions of the Sherman Antitrust Act which have been held to apply to consolidations of telephone companies are as follows:

Every contract, combination in the form of trust or otherwise, or conspiracy in restraint of trade or commerce among the several States or with foreign nations is hereby declared to be illegal.

Every person who shall make any such contract or engage in any such combination or conspiracy shall be deemed guilty of a misde-

meanor and punished accordingly.

Under this section of the Sherman Antitrust Act it is a peculiar fact that the courts of the United States have rendered entirely differing decisions as to the legal effect of it. For instance, in the courts of Ohio it has been held that companies that have made exclusive contracts with each other for a period of 99 years have done so in violation of the provisions of the Sherman Antitrust Act, while in North Dakota it has been held on an almost identical state of facts that such combinations or consolidations do not violate the spirit of the Sherman Anti-trust Act. (United States Tel. Co. v. Central Union Tel. Co., 202 Fed. Rep., 66; Pacific T. & T. Co. v. Anderson, 196 Fed. Rep., 699.) So there is great uncertainty in the minds of lawyers all over the country as to just how far there can be consolidation of telephone interests without violating the provisions of the Sherman Antitrust Act. It is absolutely certain that section 7 of the Clayton antitrust law prohibits the union of companies that are doing an interstate telephone business.

Now, the result of that has been that all over the country there have been duplications of telephone service. From 1895, which was about the earliest year in which there was any considerable telephone service in this country, up to about 1910, may be called the formative or constructive period of telephone service in the United States. From that time on the field for possible service has been pretty well saturated with telephones, and to-day I think I am stating the opinion of most men who have carefully considered the matter, that it is believed to be better policy to have one telephone system in a community that serves all the people, even though it may be at an advanced rate, properly regulated by State boards or commissions, than it is to have two competing telephone systems. There is nothing more exasperating, nothing that annoys the ordinary business man or the ordinary person more than to have two competing local telephone systems, so that he must have in his house It will be my pleasure to ask the gentleman from Illinois [Mr. and in his office two telephones, on neither one of which he can Graham], representing the committee, and chairman of the

It will be noted that this bill has been prepared with great care to guard the interests of the States. Forty-five States in the Union have public utility commissions. Three Stateswhich I think are Texas, Iowa, and Delaware-have no jurisdiction over telephone companies through public utility commissions

Mr. MADDEN. Will my colleague yield?

Mr. GRAHAM of Illinois.

Mr. GRAHAM of Illinois. Yes. Mr. MADDEN. While this bill seems to guard the rights of the people under State regulation, it does not appear anywhere to provide for any Federal regulation, and I assume that we are dealing with the interstate transmission of news or information, or whatever you may call it.

Mr. GRAHAM of Illinois. Yes.

Mr. MADDEN. Certainly if we are authorizing the consolidation of these companies we are doing it because such consolidation at present violates Federal law. Are we the Federal laws loose after the passage of this bill? Are we to turn all

Mr. GRAHAM of Illinois. No; I am glad the gentleman has asked this question, as it gives me an opportunity to explain that phase of the bill. The bill does not authorize the consolidation of telephone companies at all. It gives no authority for them to consolidate. In many States, in the gentleman's own State and my State, the consolidation of telephone companies is prohibited by law unless the consent of the State public utilities commission is obtained. That is true in many States of the Union. You will notice in the report filed with the bill a digest of the laws of the various States of the Union. You will observe by this bill, on page 2, that no authority is given to authorize a consolidation.

This is what is done:

After such public hearing, if the commission finds that the proposed consolidation, acquisition, or control will be of advantage to the persons to whom service is to be rendered and in the public interest, it shall certify to that effect; and thereupon any act or acts of Congress making the proposed transaction unlawful shall not apply.

Now, an amendment will be offered striking out this language, "it is hereby authorized to enter an order approving and authorizing the proposed transaction" and inserting this language,

"it shall certify to that effect."

So that, finally, after the Interstate Commerce Commission has made the findings, that it will be to the advantage of the persons to whom service is to be rendered and in the public interest, it shall make a certificate to that effect.

Mr. GARNER. Will the gentleman yield?

Mr. GRAHAM of Illinois. Yes.

Mr. GARNER. I was just talking to a member of the committee, the gentleman from Mississippi [Mr. Johnson], as to what this means. The gentleman says it means the Interstate Commerce Commission and the gentleman from Mississippi says that that is a mistake. I would like to know what commission it refers to.

Mr. GRAHAM of Illinois. The only commission referred to is the Interstate Commerce Commission. There can be no other commission referred to, because the gentleman from Texas will understand that this act simply is to raise the bars of the Clayton and Sherman Antitrust Acts so that, other things being all right, they may consolidate and not incur the penalty of those particular laws.

Mr. JONES of Texas. Will the gentleman yield?

Mr. GRAHAM of Illinois. I will.

Mr. JONES of Texas. I notice the language in the bill says: And thereupon any act or acts of Congress making the proposed transaction unlawful shall not apply.

That means apply to the transaction? Mr. GRAHAM of Illinois. Yes.

Mr. JONES of Texas. Ought not the language to be amended so as to say "apply to such transactions"?

Mr. GRAHAM of Illinois. The gentleman means it would be

a more grammatical construction?

Mr. JONES of Texas. The way it is written it might mean that it applied to the general law-that is, that the general law would not apply.

Mr. GRAHAM of Illinois. No; the laws prohibiting consolidation would not apply; there are only two laws that seek to

Mr. JONES of Texas. So that there can be no doubt about

it, why not insert the language "to such transactions," so that it would read "shall not apply to such transactions"?

Mr. GRAHAM of Illinois. Then you would have to remove the language "proposed transactions." That may be an advisable thing to do, but I am not sure. Let me again state briefly the substance of the act. It does not authorize a con-solidation; it does not authorize the purchase or sale of one telephone company to another; it does not authorize the acquisition of a majority of the stock of another company; it simply

states that two telephone companies which do an interstate commerce business may make an application to the Interstate Commerce Commission and may have a hearing, after notice to the State authorities, and if the Interstate Commerce Commission is of the opinion, after the hearing, that it would be to the public interest and best good of the community, they may make a certificate to that effect, and thereupon the provisions of the Sherman antitrust law and the Clayton Act shall not apply, and they can make the consolidation so far as the Federal laws are concerned.

Mr. MADDEN. Was there anybody speaking for the public

in favor of this bill?

Mr. GRAHAM of Illinois. Yes; we had quite an extensive hearing before our subcommittee and the Senate subcommittee. The hearings are here and can be had by Members of the House.

Mr. GARNER. Will the gentleman yield?

Mr. GRAHAM of Illinois. Certainly.
Mr. GARNER. Does the gentleman know of any other case or of any law that has ever been passed by Congress, or in any State in the Union, that authorizes a commission to set aside the provisions of law?

Mr. GRAHAM of Illinois. I do not know of any other law that has authorized the commission to do it, but I know that we

have done it here in this House.

Mr. GARNER. Oh, yes; but we are the lawmaking body. If I understand the real essence of this bill, it is this: That it authorizes the Interstate Commerce Commission in connection with the State commission to set aside the provisions of the Clayton Act and the Sherman antitrust law.

Mr. GRAHAM of Illinois. The State commission has nothing

to do with it so far as we are concerned.

Mr. GARNER. Well, cut that out. It authorizes the Inter-state Commerce Commission to set aside the provisions of the Clayton Act and the Sherman antitrust law.

Mr. GRAHAM of Illinois. That is true. Mr. DENISON. Will the gentleman yield? Mr. GRAHAM of Illinois. Certainly.

Mr. DENISON. I do not think that statement is accurate. This law does not authorize the Interstate Commerce Commission to set aside the Clayton Act or the Sherman antitrust law. This act itself sets aside the Clayton Act and the Sherman antitrust law on the findings of fact by the commission.

Mr. GRAHAM of Illinois. I think that is a more proper way

Mr. DENISON. We are not authorizing the commission to set aside the law, but their findings of a certain state of facts under this law sets aside the Sherman law and the Clayton

Mr. GRAHAM of Illinois. Is there anybody in the House who believes that competing telephone companies are a good thing? Mr. MADDEN. Will the gentleman let me answer that question?

Mr. GRAHAM of Illinois. Yes.

Mr. MADDEN. I do not suppose there are. The only question that arises here is as to the wisdom of rehabilitating property of people who went into a business without any solicitation on the part of anybody, but did it on their own judgment. We are reviving the value, or, in other words, guaranteeing them against loss by this legislation.

Mr. GRAHAM of Illinois. No; we are not guaranteeing them against loss, because there would not be any more value after this act was passed than before, except that the value that is in the property could be gotten out. Their securities would be

worth something.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. GRAHAM of Illinois. Yes.
Mr. GARNER. Let us state a concrete illustration. Suppose there is a city of 100,000 people which has two telephone systems-

Mr. GRAHAM of Illinois. Take the city of St. Louis, for ex-

mple. That has two systems.

Mr. GARNER. Take any city the gentleman desires. One company buys out the other, and they levy a rate against the people for the service they are rendering. They take into consideration the cost of their plant in making that rate, and the State commission takes that into consideration in permitting the rate. So, as the gentleman from Illinois [Mr. Madden] has suggested, you are only laying the foundation for the sell-ing out of these properties and levying upon the people in the respective communities a sufficient toll to make them profitable.

Mr. GRAHAM of Illinois. I do not agree with the gentleman at all, but I will say this, that so far as the money that is invested in telephone companies or any other company is concerned—and there have been \$350,000,000 invested in independent companies throughout the United States and approximately \$1,250,000,000 of money invested in the Bell systemsthat money has been properly invested, and it occurs to me that the people who invest it ought to be permitted to have the same right to sell their property or to realize from their investment that a man does who owns a farm or anything else. of the present laws prohibiting the using of such companies is to make it practically impossible for any telephone system anywhere in the country-and there are 12 of the large cities in the country that have competing telephone systems-to improve their service. It is impossible for them to get the money to rebuild their systems, and it is practically impossible for them to bond their properties and sell the bonds.

Mr. GARNER. The gentleman in making that argument only

confirms what I say.

Mr. GRAHAM of Illinois. Yes.

Mr. GARNER. Under present conditions the gentleman says it is impossible to get capital to make these properties profitable.

Mr. GRAHAM of Illinois. Yes.

Mr. GARNER. And he proposes a bill now that will do away with the inhibition against their consolidation and aid their consolidation, and he makes both of them profitable by levying on the people of their respective communities a sufficient toll to pay interest upon the bonded indebtedness.

Mr. GRAHAM of Illinois. That does not follow, because, after all, the regulation of the charge that shall be made on the people is a regulation that is made by the public utility bodies of the various States-a right which they exercise now, and a right

which they will retain after the passage of this act. The SPEAKER. The time of the gentleman from Illinois

has expired.

Mr. GRAHAM of Illinois. Mr. Speaker, I will ask the gentleman from Massachusetts to yield me five minutes more.

Mr. WINSLOW. I yield the gentleman five minutes more.

Mr. FESS. Mr. Speaker, will the gentleman yield?

Mr. GRAHAM of Illinois. Yes.

Mr. FESS. I want to preface my question by saying that I am in sympathy with what the gentleman wants to do, but there are questions that come up in my mind such as that suggested by the gentleman from Texas [Mr. GARNER]. In my home there are two telephones. One of them will go out when this legislation is passed, because our town people want this done. We expect the cost of service to be less, because we are paying two companies now, and later on one company will do it all, and I think that the one company which will do it all will be paid a little more than it is now being paid.

Mr. GRAHAM of Illinois. It ought to be. Mr. FESS. But likely not as much as the public pays now, and with a good deal less inconvenience; but what guarantee have we that when the competition is done away with the

public will not be defrauded?

Mr. GRAHAM of Illinois. The only guarantee is the guarantee that the State laws give the people. After all, the regula-tion of the local charges in the State of Ohio, where there has been more telephone trouble than in any other State in the Union, is up to the State public utilities commission and the legislature. Every right which the State has now with respect to consolidations and to regulate rates it will have after this bill is passed, but if the State felt it advisable through the legislature or the public utilities commission to authorize the consolidation of certain companies, at the present time they could not do it because of the Clayton Antitrust Act, and for that reason it seems to me to be entirely proper that in a proper case where it is presented to the Interstate Commerce Commission that we ought to be able to lift the ban so that the State may authorize this if it is desired to do so.

The gentleman from Illinois [Mr. Madden] asked Mr. FESS. what control we would still retain by the Federal Government, if any. That is the thing I want to know. I believe that the current of the whole industrial world is toward concentration, and I think we have got to recognize it, but I do want to

maintain control.

Mr. GRAHAM of Illinois. Let me answer the question of the gentleman from Illinois [Mr. MADDEN], which I perhaps should have done before more fully. Under the transportation act of 1920 the gentleman from Ohio will remember that the transmission of intelligence by wire or wireless was, so far as I know, for the first time brought within the letter of a Federal statute. The gentleman will find in Title IV of the amendment to the interstate commerce act, in the transportation act of 1920, the statement that one of the things that comes within the purview of that act is the transmission of intelligence by wire or wireless. That act also gives to the Interstate Commerce Commission, under the general designation of common carrier,

powers over telephone companies, and I ask the gentleman to observe the language:

The term "common carrier" as used in this act shall include all pipeline companies, telegraph, telephone, and cable companies operating by wire or wireless.

This is the situation as it will exist if this bill becomes a law. The inhibition of the antitrust acts will be lifted in certain cases, there being retained, however, in the Federal Government the right to regulate interstate commerce in telephone messages as to rates and service under the general powers granted by the transportation act. I have no doubt about that.

Mr. FESS. That answers the question.

Mr. McKENZIE. Mr. Speaker, will the gentleman yield?

Mr. GRAHAM of Illinois. Yes.

Mr. McKENZIE. As I understand it, telephone companies engaged in interstate business are looked upon as public-service corporations and are under the control of the Interstate Commerce Commission?

Mr. GRAHAM of Illinois. Absolutely. Mr. McKENZIE. To fix the rates?

Mr. GRAHAM of Illinois. Yes.

Mr. McKENZIE. I notice in the bill that it is provided that after a hearing, if it is found that it would be to the advantage of the people who use these telephones, then the Interstate Commerce Commission may permit the consolidation.

Mr. GRAHAM of Illinois. That language is somewhat

changed.

Mr. McKENZIE. That is practically what it means. not make it compulsory and compel them to consolidate if it is

for the interest of the people?

Mr. GRAHAM of Illinois. In answer to that question, let me say that a very remarkable situation exists in some of the States of the Union. The gentleman will find in the report that consolidations are compulsory in some States.

Some States provide by law that they must be consolidated,

while in the State of South Dakota, for instance, and in the State of Mississippi consolidations are prohibited by law.

The SPEAKER. The time of the gentleman has expired.

Mr. WINSLOW. Mr. Speaker, it is apparent that there will be considerable interest in this bill. I ask unanimous consent to have the time for debate extended an extra hour.

Mr. BARKLEY. Mr. Speaker, reserving the right to object, does the gentleman propose in that request to have control of

the entire two hours by himself?

Mr. WINSLOW. I do not care about that. Mr. BARKLEY. I find there are two or three gentlemen over here who want to speak who will not get time within the

Mr. WINSLOW. I will be very glad to yield to anybody.
Mr. BARKLEY. It is entirely agreeable if the gentleman controls the time.

Mr. WINSLOW. Will the gentleman take half an hour and control it?

Mr. BARKLEY. I do not care; but I want to be sure that two or three gentlemen on this side will have an opportunity to speak.

Mr. WINSLOW. It will afford me great pleasure to yield

time to the gentleman right away.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that the time be extended one hour. there objection? [After a pause.] The Chair hears none.

Mr. WINSLOW. I will yield 15 minutes additional to the

gentleman from Illinois.

Mr. CHINDBLOM. Will the gentleman from Illinois yield for a question?

Mr. GRAHAM of Illinois. Yes; I will yield. Mr. CHINDBLOM. While I am never anxious to extend Government control to private business, I want to ask whether the committee had considered the question of providing that the Interstate Commerce Commission, in addition to certifying to the desirability of a consolidation might also fix terms and conditions under which that consolidation might take place?

Mr. GRAHAM of Illinois. Yes; the committee considered it. I think I am not betraying any confidence when I say one member of the committee very earnestly argued that there ought to be a limitation, that the Interstate Commerce Commission ought to be able to place a limitation upon its act; that is, that it would lift the bar if the companies would do certain things.

Mr. CHINDBLOM. Yes.

Mr. GRAHAM of Illinois. Here is the trouble we got into: We discussed that quite thoroughly, and it was the judgment of the committee that if we did that we might possibly trench upon the jurisdiction of the States which we desired to keep absolute in these matters. So we thought it better to not put in

language of that kind and limit the commission to either lift the bar or leave it on.

Mr. CHINDBLOM. If the gentleman will permit another interruption. I see the full force of that. Now, in reference to the suggestion of the gentleman from Texas [Mr. GARNER] that perhaps the consolidation might result in the assumption of too much of a bonded indebtedness by the consolidating com-

Mr. GRAHAM of Illinois. Gentlemen of the House, let me say to you that if there is anything wrong about this bill I am the first man in this House who wants to know it. I think it is a good bill and ought to be the law, but if there is anyone who has a doubt about it I hope they will state it here publicly and vigorously, that it may be fully discussed.

Mr. GARNER. Will the gentleman yield?

Mr. GRAHAM of Illinois. I had yielded to the gentlemen from Illinois.

Mr. CHINDBLOM. I had begun to say that I was much impressed with the suggestion of the gentleman from Texas [Mr. GARNER] that the consolidation might result in the assumption of too large a bonded indebtedness by the consolidating company, and for that reason it occurred to me that perhaps the bill might have provided that the consolidation might take place under conditions and terms to be fixed by the Interstate Commerce Commission. However, such a situation might be remedied even under the terms of the bill because the Interstate Commerce Commission might refuse to certify, and it might become apparent to the parties interested that if they wanted the certification of the Interstate Commerce Commission they must comply with its terms, a different situation than that which they first presented, so perhaps the matter can be handled in that way

Mr. GARNER. Will the gentleman yield? Mr. GRAHAM of Illinois. I will yield.

Mr. GARNER. If I understood the opening remarks of the gentleman from Massachusetts, this bill in no way interferes with the rights of the States to control telephone companies going into their respective States.

Mr. GRAHAM of Illinois. Absolutely.

Mr. GARNER. Now let me illustrate if I may. Let us suppose the State of Missouri, which the gentleman took for an example awhile ago, had a State commission which had control of telephone companies. It also had a law prohibiting the consolidation of telephone companies within that State. Under this act the Interstate Commerce Commission certified that it was for the benefit of the community to consolidate-

Mr. GRAHAM of Illinois. Yes.

Mr. GARNER. And the State Commission of Missouri agreed that the certificate was in accord with their views. Would they have the right under this law to consolidate lines entering Missouri from some other State?

Mr. GRAHAM of Illinois. No. I am sure of that.

Mr. GARNER. That is a debatable question, and I asked my colleague from Texas [Mr. RAYBURN], in whose judgment I have a great deal of confidence— Mr. GRAHAM of Illinois. So have I.

Mr. GARNER. I want to be sure it is the judgment of this committee, and I wondered what to do, whether I should follow the judgment of the gentleman who drew the bill or the one in whom I have a great deal of confidence, they disagreeing on that question.

Mr. GRAHAM of Illinois. I have a very high regard for the judgment of the gentleman's colleague from Texas [Mr. RAY-I think no man on our committee has a better grasp of these things, and I defer very largely to his judgment if he has that opinion, but I have in my hand the opinion of a very distinguished gentleman to the contrary, which I shall hereafter read to the House.

Mr. MADDEN. Let me ask the gentleman one question right in this connection. Do not the lines in any State either come from or go to some other State?

from or go to some other State?

Mr. GRAHAM of Illinois. That is a very peculiar thing. They do not. There are lines in Kansas—

Mr. MADDEN. The intelligence which they convey does.

Mr. GRAHAM of Illinois. No. There are many independent telephone companies in Kansas that do not get any place outside of town. They are absolutely local. Mr. Hoch, of Kansas,

will perhaps take the floor and discuss that. Mr. MADDEN. But when they consolidate that will not be

Mr. GRAHAM of Illinois. When they consolidate they are under the transportation act and under the Clayton Antitrust

Let me read the statement of the Attorney General, that

of the bill, and I have his answer here, in which he acknowledges receipt of it, and in which he further says:

You will appreciate, of course, that it is not the province of the Department of Justice to pass upon the advisability of pending legislation. The policy to be pursued in matters of legislation belongs wholly to Congress. If, however, it is the purpose of your letter to obtain the opinion of the Department of Justice on the legal status of the bill, there is no reason why I should not give you an opinion on such a matter.

matter.

I have therefore given consideration to the provisions of the bill and beg to advise you that in my judgment it contains all proper and necessary provisions to safeguard the interests of the public in cases of consolidation, merger, or acquisition of the property or control of one telephone company by another. It leaves State legislation and control over this subject wholly unaffected, and confers upon the futerstate Commerce Commission authority to approve such consolidation or acquisition only when the same is found "to be of advantage to the persons to whom service is to be rendered and in the public interest." I should further advise you that at the present time there is no provision of law by which such consolidation or acquisition can be made by companies doing an interstate business without seeming to be in violation of the Federal antitrust laws.

Mr. GARNER. I submit to the gentleman that he does not answer the question that I put.

Mr. GRAHAM of Illinois. Perhaps I have failed to catch the meaning of the gentleman from Texas.

Mr. GARNER. I asked the gentleman this question. I put a hypothetical case to him, that in the State of Missouri they had a commission whose duty it was to regulate telephone exchanges; they also had upon the statute books in Missouri a statute prohibiting the consolidation of telephone companies within that State. Now, you pass this law, and the Interstate Commerce Commission certifies that it is in the interest of the public to consolidate a line running through the State or from that State into another State, and the commission of Missouri agrees that that is in the interest of the public. Can it be done?

Mr. GRAHAM of Illinois. Why, if the Missouri commission agrees to it, and the Missouri commission is authorized by the laws of the State of Missouri to agree

Mr. GARNER. You are putting it differently. I ask you if it can be done?

Mr. GRAHAM of Illinois. If it is in conformity with the

laws of the State of Missouri.

Mr. GARNER. I did not ask the gentleman that. Here is the State commission. You say nothing about the laws of the State. Here is the State commission created by the law. Here is a law that says whether it is in the interest of the community to consolidate a line, and the commission certifies it is but there is a statute in Missouri prohibiting lines, within the State only, of being consolidated. Would they have the right under this law to consolidate?

Mr. GRAHAM of Illinois. The question the gentlemat asks answers itself. The question he asks states absolutely bapossible conditions. Here is what he says: He says that 'he law of Missouri prohibits the consolidation, and irrespective of this law the public utilities commission of the State says hey can do it. Then the question is: Can they do it? Wh; if the laws of Missouri prohibit the consolidation, it is prohibited irrespective of what the State public utilities commission has

Mr. GARNER. The gentleman does not get my question. Mr. GRAHAM of Illinois. I get it clearly enough.

Mr. GARNER. I will ask for five minutes, and I taink I will demonstrate to the committee or the membership here now that the gentleman does not understand it.

Mr. BARKLEY. I understand Congress could enact a law permitting the consolidation of interstate telephone companies, irrespective of a State law on the subject that would specifically provide that it would nullify the act of Congress that permitted consolidation of telephone companies. This bill does not do that. It relieves the telephone companies from prosecution under the Federal statute, and to be free from any State law that does exist.

Mr. CLOUSE. The power delegated to Congress under the Constitution gives it the power to regulate interstate commerce, gives it the power to regulate the messages over telephone wires,

so that the law of the State would be repealed by implication.

Mr. BARKLEY. The Interstate Commerce Commission has
certain jurisdiction over telephone and telegraph messages that go back and forth between the States. That is a regulation of service and not a combination of the agencies of the service. The State of Missouri has a law which prevents even the State commission of Missouri from making such regulations. The State of Missouri can not make such an objection unless it nullifies the State laws.

Mr. CLOUSE. Now, the other point I wanted to know about is this—I am interested in this, because I have the same conditions prevailing in my section. The question I want to get clear may give some light on this. I wrote him and sent him a copy in my mind is: If Congress passes a law regulating interstate

communication, would not that law of itself repeal any law of the State to the contrary?

Mr. BARKLEY. I do not think so.

Mr. GRAHAM of Illinois. How could it do so? The powers of the Congress are limited by the constitutional provision. can only legislate in regard to things within our constitutional powers. The powers of the States as to local telephone business are preserved by this bill. The question as to whether they are yielded to any extent by the provision of the transportation act of 1920 is another question, and it is now being de-termined in the courts. Just how far the Interstate Commerce Commission can go in regulating the private local business of a telephone exchange that has an interstate connection is a mooted question, and is now being tested judicially. I do not believe, let me say, that the Supreme Court will ever hold that the interstate commerce powers of the Interstate Commerce Commission extend so far as to regulate local business in a local telephone exchange. As a matter of fact, the Interstate Commerce Commission itself, in the only decision it has ever rendered on this, has so held. You will observe that the distinction between telephone business and telegraph and railroad business is very wide. They do not have any apparent similarity. The only reason that the Interstate Commerce Commission has any jurisdiction at all over the telephone business is that communication between States is held to be interstate commerce

The SPEAKER. The time of the gentleman has again ex-

Mr. WINSLOW. Mr. Speaker, I yield 10 minutes to the gentleman from Mississippi [Mr. Johnson].

Mr. GRAHAM of Illinois. Mr. Speaker, I ask unanimous con-

sent to revise and extend my remarks.

The SPEAKER. The gentleman from Illinois asks unanimous consent to revise and extend his remarks.

jection? [After a pause.] The Chair hears none.

Mr. JOHNSON of Mississippi. Mr. Speaker, I am very reluctant to oppose this bill, for the reason that as a member of the Committee on Interstate and Foreign Commerce, the committee that reported the bill to the House, I am the only member opposing the bill. I always like to agree with my fellow committeemen when I can conscientiously do so, but in this case I do not feel I would be true to my constituents, and I know I would not be true to myself, unless I voiced my disapproval of this bill.

Now, what is the bill before the House? It is simply this: It nullifies the Clayton Antitrust Act in so far as it relates to telephone companies combining or acquiring the property of a competing company. It takes from the State the right to regulate and control the telephone companies. It authorizes an interstate telephone company to acquire an intrastate telephone company, thereby making both subject to the rules and regula-

tions of the Interstate Commerce Commission.

It disguises one of its real purposes in this: It provides, before the Interstate Commerce Commission passes upon the advisability of consolidation of two or more telephone companies or the advisability of one telephone company acquiring property or securities of another, the Interstate Commerce Commission shall serve notice upon the governors of the several States and the public utility regulatory body of its intention; but whether the governor of a State or the regulatory body of the public utilities commission protests or agrees it matters not.

The Interstate Commerce Commission is authorized to certify its findings that it would be in the interest of the public for one telephone company to be allowed to purchase the other telephone company, and the people are left without remedy to

prevent it.

Why are telephone companies established? It is for the private gain of those who establish them, for public service and convenience. It is said that to do away with competition will

make rates for service cheaper.

A gentleman lobbying for the passage of this bill, who claimed to be an owner of independent telephone lines, came to my office, and in discussing this bill said, although he "was anxious to have the bill passed and believed it would be for the best interest of the people to pass the bill, that the public need not expect any cheaper rates, but as the companies grew and more switchboards were put in the charges would also grow.'

So I say to you gentlemen, and especially to the gentleman from Ohio [Mr. Fess], who inquired of Mr. Graham of Illinois regarding the rates, that you need not expect any cheaper rates, for the public most assuredly will pay more instead of less.

In my State the constitution and State laws forbid the doing

of the thing that is authorized by this bill.

The Bell Telephone Co. acquired the Home Telephone Co. in my State, and immediately became very autocratic, independent

of the public, and unreasonable. My State has recently been subjected to some unpleasant publicity on account of the Bell Telephone Co.'s action in procuring the authorization to raise rates for telephone service, amounting almost to a

Mr. GRAHAM of Illinois. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Mississippi. Yes, with pleasure. Mr. GRAHAM of Illinois. Is it not true that in the State of Mississippi both the constitution and the law forbid consoli-

Mr. JOHNSON of Mississippi. It is.

Mr. GRAHAM of Illinois. And the scandal brought about was because your attorney general, Mr. Collins, now a Member of Congress, prosecuted these companies, as I understand, for unlawfully consolidating and had them punished for it.

is how the scandal arose, is it not?

Mr. JOHNSON of Mississippi. Oh, no; that might have been one of the scandals, but the one about which the people are complaining has been more recent. It has to do with the raising of the telephone rates in the State of Mississippi very recently. There were mass meetings held over the State as a protest against the raise and the circumstances surrounding the action of those who raised the rates, and the matter finally found its way into the courts of the country, where the telephone company is temporarily restrained from raising the rates.

It will not do to give one company a monopoly; it matters not if its business is transmitting intelligence by telephone or The Bell Telephone Co., as I said a few moments ago, owns the Western Union Telegraph Co., and the Western Union Telegraph Co. does 85 per cent of the telegraph business in the United States. Only last week this Congress, at the request of Secretary of State Hughes, was called upon to pass a bill to prohibit the Western Union Telegraph Co. from landing a cable at Miami, Fla., which it was undertaking to do in violation of the Government's order not to do. It was necessary for the Navy Department to send battleships to Miami to prevent this corporation from violating the order.

The telegraph companies and the telephone companies have grown to such proportions in this country that they defy the law, and you are here to-day, by this bill, taking from the people about the only protection they have against this gigantic

But, Mr. Speaker, it has only been a few months since the Republican Congress enacted what is known as the Cummins-Esch railroad bill. You robbed the people of \$600,000,000 in that bill by guaranteeing 6 per cent dividends on the investments of the railroad companies. As a matter of fact, the railroad companies have received dividends on millions of dollars of watered stock, to the great detriment of the taxpaying public.

The railroad bill has already returned to damn you, and unless you Republicans who passed the bill do something for the relief of the people they are going to put you out. The rates are too high; they are oppressive; they are unreasonable. No wonder there is a business stagnation all over the whole United States, and no wonder there are millions of people out of em-

ployment.

Almost every mail brings to my office protests from the farmers and shippers all over the country against the Cummins-Esch bill. They say that freight rates are so high they can not ship their products. It costs more to ship a box of lemons from the extreme western part of the United States to New York than the lemons will bring on the market. Citrus fruit shipped from Florida to some sections of the United States can not be sold for as much on the market as the freight charges. The Agricultural Department of the United States said some weeks ago that millions of bushels of grain were piled up in the West on account of the high railroad rates. The farmers and cattle raisers are protesting daily to us, urging that relief be given them; but their voice goes unheeded by the majority party that is absolutely in control of Congress.

The present bill authorizes one telephone company to buy up all the independent telephone companies in the United States, and when they do buy them up and show to the Interstate Commerce Commission that they can not operate them without a loss, every reasonable man knows that the company will be authorized to suspend the operation on the small lines, and the

people will be without service.

Now, here you come with another proposition, which within a few months will see this great monopoly coming to Congress as a public-service corporation, declaring that they can not make a reasonable return on their money invested; and you who are so sympathetic with the poor, oppressed billion dollar corporations will be ready to vote a 6 per cent guaranty to them.

Mr. LAYTON. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Mississippi. I yield to the gentleman from

Mr. LAYTON. In effect this bill will accomplish this: It will nullify the Clayton Antitrust Act and will allow the States to become the prey of the vast capital of that particular telephone company that wants to make a monopoly of the whole business.

Mr. JOHNSON of Mississippi. That is very true. Mr. Speaker, instead of authorizing a monopoly such as this bill will authorize, we ought to be doing something to cause the enforcement of the laws that are already on our statute books against existing trusts and combines that are new preying upon the people. I trust this bill will be defeated. [Applause.]
Mr. WINSLOW. I yield 20 minutes to the gentleman from

Alabama [Mr. HUDDLESTON].

The SPEAKER pro tempore. The gentleman from Alabama

is recognized for 20 minutes.

Mr. HUDDLESTON. Mr. Speaker, the object of this bill is to authorize the consolidation of telephone companies engaged in interstate business, which is now forbidden by the Clayton Antitrust Act. It is to except telephone companies from the prohibition against consolidation contained in the Clayton Antitrust Act. That is its sole purpose. That is all that the committee believes it will accomplish.

The Clayton Antitrust Act was designed to prevent monopoly. It was to force competition. It did not recognize natural monopolies. It did not recognize existing monopolies. That act proceeded upon the theory that business interests can be compelled by law to compete. At the time that act was passed it spoke a sentiment which perhaps might reasonably have obtained in this country in 1890 or thereabouts. Perhaps at that time anyone would have been warranted in believing that competition could be forced—that monopoly might be prevented by law. Any such idea in 1921 is wholly untenable.

Any man of observation is bound to recognize that there are certain natural monopolies. There are also monopolies which exist as a matter of fact. There are monopolies which ought to exist in the interest of economy and good service in the public welfare, monopolies which must be promoted instead of being forbidden. The telephone business is one of these. Legitimate consolidation will promote economy. It will promote service. It is foolish to talk about competition in the transmission of intelligence by telephone. It is silly to believe that there can be real competition either in service or in charges.

Mr. GARNER. Will the gentleman yield?

Mr. HUDDLESTON. I will ask the gentleman to wait until

I have completed my statement.

If it were possible for a man who wanted to use a telephone line to look up and speak to the wire and have his message carried by that means there might be competition. But there must be a telephone in his house or office. There must be a connecbe a telephone in his house or office. There must be a connection with the main line. The main line must have terminals. It must have all the facilities for the transmission of the message

Mr. JOHNSON of Mississippi. Will the gentleman yield?
Mr. HUDDLESTON. I prefer not to yield until I have completed my statement. I ask not to be interrupted. Let me say here, gentlemen, that 99 per cent of the interruptions on this floor serve no useful purpose. They merely serve to divert the speaker, to cause him to digress. If he has anything to say, let him say it; interruptions never get anything out of him and do not afford anything in themselves. They are usually made to criticize some statement which the speaker makes or to confuse him or to exploit the views of the Member who interrupts. Yielding to interruptions is not a matter of courtesy at all; it is just a question of common sense. I trust that the two gentle-men who have sought to interrupt me will understand that there is nothing personal whatever in my declination to be interrupted.

Competition in the telephone business is absolutely impossible; that fact is recognized by the men who are in the business. In the hearings that were held on this bill we had some gentlemen before the subcommittee who were versed in this business. One of them was Mr. F. B. MacKinnon, of Chicago, president of the United States Independent Telephone Association, composed of practically all the independent telephone lines in the United States. I asked him a few questions, among which were the

following. I said:

To what extent is there competition in the telephone business now? Mr. MacKinnon. There are about 1,000 cities in the United States now that have two exchanges.

I asked:

That does not necessarily mean competition?

He replied:

Not in all those places,

I asked:

Is there any place where you know that actual competition exists—I mean in the matter of prices or charges for the service rendered?

Inasmuch as rates are regulated by the State authorities, the competi-tion which is produced by rates and service has been entirely removed.

Mr. GRAHAM then asked:

There are some places in your State, and I know of one—my own home town—where one company has one rate and another company has another rate, both fixed by the public service commission.

Mr. MacKinnon, Yes,

I then asked:

That does not necessarily imply competition. One service may be of less value than the other.

He said:

Yes. In some cases rates are fixed upon the value of the property.

I asked:

Fixed upon the extent to which they are in a position to serve?

He said:

Yes.

I said:

I said:

I am curious to know whether there is anywhere actual competition?

Mr. Mackinnon. I do not think there is in the sense that we formerly used the expression. That matter is practically regulated by the regulatory bodies. Whereas this rule of the State commission granting a lower rate for one exchange in the same town than is granted the other exchange produces a certain amount of competition, yet we are obliged to admit that the rate is fixed by the commission based upon certain elements they are required to consider.

Representative Huddleston. At the present time we have proceeded in matters affecting public utilities on the theory that there would be and is competition. You propose now by this bill to recognize the fact that there is no possibility of competition under present economic and social conditions?

Mr. Mackinnon. That is really our theory.

Of course, there is no competition in the telephone business. There can be no competition, and we ought to recognize that fact. Consolidation means economy, and it means service. Some gentlemen object and say it will mean increased rates and poor service. I have no doubt that consolidations which have eliminated telephone competition in the past have resulted in that, but that was a fault in the regulation of the monopoly.

Now I come to what I wanted to say, and that is this: The thing that the American Congress ought to do is to recognize that certain monopolies are inevitable, and that certain monopolies now actually exist, and others will and ought to exist, and should proceed to regulate those monopolies so as to get reasonable prices and good service for the people. Let us face the future and not the past. Let us live in the present and not in a time 40 years ago; let us deal with modern conditions and not with ancient history. This bill proceeds along that line.

Now, the gentleman from Mississippi [Mr. Johnson] is mistaken in thinking that I give this bill my unqualified approval. I do not; I think the bill ought to be amended. I think it permits the taking over of telephone properties under much too favorable conditions to the consolidating companies. I want to call attention to that phase of it.

This bill provides that-

after hearings by the Interstate Commerce Commission, if the commission finds that the proposed consolidation, acquisition, or control will be of advantage to the persons to whom the service is to be rendered, and in the public interest, it shall certify to that fact and thereupon any act or acts of Congress making the proposed transaction unlawful shall not apply.

Gentlemen will note that the Interstate Commerce Commission is not authorized to attach any conditions to certification. The commission sits as a jury and its findings of fact are confined to two points only-first, that the consolidation will be of advantage to the persons to whom service is to be rendered, and, second, that it is in the public interest. Having found those facts in the affirmative, the commission is bound to certify to those facts, and the consolidation is effected-that is to say, the prohibition against it carried by the antitrust act is removed.

I mailtain that the commission should be authorized to attach conditions upon which consolidations may be effected. There are possibilities in the law which will enable the consolidated company to evade the obligations and duties of the company which it takes over and in a way that we ought not to permit. Perhaps my illustration may not be very apt, but let us assume that the company which is consolidated with another company has given a mortgage upon its property and that those securities are outstanding. Of course the security is of no value unless the concern is a going concern. If it abandons its business, if it ceases its activities, and there is no way by which their resumption can be compelled, it may simply walk off and leave its obligations and mortgage practically valueless in the hands of holders who retain merely the physical property—wires, poles, and so forth. The going concern no longer exists; its good will, established custom, and much which gave value to its securities has disappeared. A concern finding it to its interest to take that course may sell its entire stock to a competing company which may thereupon eliminate competition by simply abandoning the operations of the absorbed company and leave the mortgagee to take over the physical property and do whatever he likes with it. That is a course that ought not to be allowed. The stockholders of a concern ought not to be permitted to manipulate its property in a way to derive a benefit from it and at the same time defeat its creditors.

Let me state another case. Suppose a weak company has obtained a franchise from a city with an agreement that it shall maintain for free municipal use a number of telephones, or that it shall do some other act of benefit to the municipality. Under this bill a company desiring to absorb that company may purchase its physical property, its telephone lines and exchanges, take them over, and relieve it of its contracts because there will be no way to enforce them. They consist merely of a contract which might be called an inchoative obligation or duty, and no court could award damages for breach of such a contract as that.

There is no way by which the physical properties of the corporation can be subjected to secure it. Therefore this concern may be able to walk off, leave their obligations, and save them-

selves when they have made a bad trade.

Now, the remedy I would suggest for that kind of a situation is—well, I would be drastic about it. I would require the consolidated company to assume all of the duties and obligations of the company that it swallows up. If the big concern swallows the little one, it ought to take it rattles, fangs, and all, and should not be permitted to select out the more digestible parts

and leave the balance for the public.

If that remedy is considered too drastic, I would suggest that at least we authorize the Interstate Commerce Commission to attach such reasonable conditions to the consolidation as will protect the interests of innocent parties. Surely there should be some protection for those having an interest in these concerns who do not come within the two classes mentioned in this bill. Of course, the "public interest" is always served by consolidation. It takes away an element of doubt and uncertainty. It facilitates service, and, of course, it is always to the advantage of the users of telephones when they can get the same service over one line instead of two. Therefore in practically every case that will be brought before the commission those conditions will be complied with, and the commission will be bound to effectuate the consolidation. Abuses will creep in and astute financiers will find ways in which to benefit themselves.

Mr. BANKHEAD. Mr. Speaker, the gentleman realizes that probably there will be no opportunity offered for amendment in this bill. Does the gentleman think the bill is properly safeguarded to protect the public interest in the event his suggested

amendments are not adopted?

Mr. HUDDLESTON. No; I do not; but I consider the bill as it stands a step in the right direction. I shall not vote against the bill if it is not amended, but I think it ought to be amended.

The SPEAKER pro tempore (Mr. Longworth). The time of

the gentleman from Alabama has expired.

Mr. HUDDLESTON. Will the gentleman yield me a few minutes more?

Mr. WINSLOW. Mr. Speaker, I yield 10 minutes more to the

gentleman from Alabama.

Mr. HUDDLESTON. Mr. Speaker, I wish to dwell further upon a fundamental principle to which I have already referred. American industry has proceeded through various stages of development. We had an era when competition actually existed in all lines, even in the railroad business. At that time there was honest competition and an honest effort to get business through price and service. That was the time of the small business man. It was a time when men willing to compete should have been protected and safeguarded by law and public sentiment. There was at that time no such vast aggregations of corporate wealth as make monopoly possible. Men did not have the financial strength and had not learned how to combine so as to hold an entire industry in the hands of a few. There was then no need for regulation. Regulation is never needed when there is competition, when there is no monopoly. That was the time when laws should have been passed forbidding monopolies and protecting men from unfair competition,

We have long passed that early stage in American industry, at least so far as many of the more wealthy and profitable industries are concerned. We are now in a second stage, the stage of monopolies. We are in the monopoly era, when competition is throttled by the might of wealth and combination. We are

in the era of the Meat Packers' Trust, of the Steel Trust, of the Standard Oil Trust, of the Woolens Trust, of monopolies in a multitude of the things of common use, of the things which are practically necessaries of life to the Nation. In these lines of business there is no longer any competition either in price or service. The aim of these monopolists is not merely to get the most for the least return, but to grind the face of labor into the dust and to claim for themselves all that is best in our social and economic life.

These monopolies actually exist. They can not be broken up by law, because they are stronger than the law. Indeed, to destroy them would work a substantial economic harm. monopolies, as might be said, are the product of our civilization. They are the industrial form which our civilization has taken. To destroy them would be to fly in the face of conditions of gradual growth and of business ideals which are the fruit of the times. Yet we find men battling against all the tides of economic and social development, trying to force the monopolists to compete-think of it-to compete with themselves. men battle against all the elements of reason and experience, but I sympathize with them. They see the harm that unrestraised monopoly may do. They see how vast fortunes are being gathered, how profiteering flourishes, how the very lifeblood of the masses is being sucked away. They see how our ideals are being undermined. I sympathize with these men in their efforts against the monopolies, yet I realize that they are behind the times.

The Sherman Act served a useful purpose in its day, and so, no doubt, the Clayton Antitrust Act yet serves, as applied to some businesses; but in the main, laws forbidding monopolies and trusts are no longer applicable. They do not fit modern conditions. Their enforcement has become a farce. The authorities can not, indeed they dare not, enforce antitrust laws, because to actually destroy the trusts would leave a condition

of economic chaos.

THOROUGHGOING REGULATION THE REMEDY.

Congress has already come to recognize that monopolies in some things can not be prevented. Witness the packers' bill, which the House is now considering. Witness railroad consolidation authorized by the Esch-Cummins Act. We are entering upon an era of regulation, an era which recognizes monopolies, because without monopolies there is no occasion for regulation. It behooves us to look present conditions squarely in the face and to see and know things as they actually are. must recognize that monopolies exist in certain great lines of industry and business, and that they ought to exist, for economic laws demand that they should exist. We should therefore proceed with courage and determination to see to it that these monopolies perform their proper functions in our economic life, that they do not oppress the people, that prices are fair, that profits are not unreasonable, and that people get what they pay for. In short, we must proceed to regulate the monopolies, to regulate them in a thoroughgoing manner, and to protect the people from their exactions.

It is foolish for us longer to dream that we live in a time of competition and, proceeding upon that theory, to legislate against men forming combinations. The combinations are already formed. The monopolies are here now. The theories of competition which our fathers held must be modified to meet modern conditions. We must accept the things that are and proceed upon a course of rigorous regulation. The sooner such a policy is adopted the sooner the people will be given relief. We must not dream on of competition while monopolists gather what little remains of our natural resources and suck away

what little there is left of economic independence.

So far as many industries are concerned, steel, iron, coal, foodstuffs, clothing, oil, glass, and many other necessaries, American industry has passed through the era of competition and is now in the era of monopoly. We should deal with it as such. We must regulate monopoly by law. I do not doubt that our efforts at regulation will be stoutly resisted. Captains of industry and finance do not merely deal in commodities and securities—they deal in men. They control not merely our economic life—they mold society to their will and dominate public opinion and through it our political life. In regulating monopolies we will have to meet them not merely in enforcing the laws but in making the laws and even in the forums of justice in construing the laws. They will dodge and evade, and the best talent of the country will serve them, but the patriotism and good faith of the American people must be found sufficient to the task of mastering them.

LAST STAND TO SAVE EXISTING SYSTEM.

If we fail in our efforts to regulate monopolies and to secure justice for all with protection of the people from oppression, there remains but one other remedy. Regulation is our last stand for the existing economic system. We have found that

our laws will not prevent the forming of combinations and the creation of monopolies. We must now give ourselves unreserve edly to the task of regulating them. If we fail, there is only one thing left to which resort may be made. If we can not regulate monopolies, then we must own them.

I warn the monopolists that if they desire to save our present system they must submit to regulation, to effective and thoroughgoing regulation which will leave no opportunity for rapacity and oppression. They must submit, for if we do not succeed in regulating monopolies, the only choice remaining will be between their ownership of the public and public ownership of the monopolies. I do not favor the extension of public ownership into industry if it can be avoided, but if I must take the choice between the monopolies owning the Government and the Government owning the monopolies, I shall not hesitate to accept the latter.

Will the monopolists be good? I wonder if they have got sense enough to be good. They have the strength of giants—will they use it like giants? Perhaps they can defeat regulation, but they can not stay the tide of resentment which will follow upon its defeat.

The SPEAKER pro tempore. The time of the gentleman from Alabama has again expired.

Mr. WINSLOW. Mr. Speaker, I yield 10 minutes to the

gentleman from Kentucky [Mr. BARKLEY].

Mr. BARKLEY. Mr. Speaker, a bill of this kind naturally arouses apprehension or misapprehension on the part of men who habitually shy at the word "monopoly." I have done my share of shying at that word myself, and I have not outgrown the tendency, but there are some features about the bill now under consideration which I think need not cause any fear among those who have looked with a good deal of apprehension

upon any sort of monopoly.

About 15 years ago there began a great development of independent telephone systems throughout the United States. That development was brought about by reason of discontent and dissatisfaction on the part of the people with the service which was being rendered by the so-called Bell system, and by efforts of the Bell system to act in a very tyrannical and despotic way in communities where the people had no right to a voice in the regulation of telephone facilities; so that now there are in the United States nearly twice as many independent telephone exchanges as there are Bell telephone exchanges. There are about 8,000 Bell telephone exchanges in the United States. A majority of the subscribers of the Bell Telephone Co. live in the 12 largest cities of the country.

Mr. GARNER. The Bell Telephone, as I understand it, does

business in practically every State in the Union.

Mr. BARKLEY. Practically every State; yes. There are more than 15,000 independent telephone exchanges in the United States, some of them, of course, in the larger cities, but a majority of them out in the country, in rural communities and in more or less moderate-sized cities. There was a legitimate reason for the springing up of all of these independent companies 15 or 20 years ago, because the one great company undertook to ride roughshod over the people. At that time there was no regulatory power in the States to prevent the roughshod riding of the Bell Telephone Co. over the people, but during the period from 1910 to 1915, and even later, nearly every State in the Union either created a new commission or empowered a commission already existing to regulate telephone rates, so that now we have 45 or 46 States out of the 48 which have conferred upon their public-service commissions the power to regulate telephone rates just as they regulate railroad rates and other rates that are charged by public utility corporations. Not only that, but the time has come in this country when there is no more money being invested in independent telephone systems, and, practically speaking, there is no new money being invested in any kind of telephone systems anywhere in the country. The conditions which formerly existed have undergone a considerable change, because all the States except one or two have the power to regulate rates and service given to the people by the telephone companies, and the independent companies have themselves recognized that the time has come when there should be more or less consolidation. That does not mean that the Bell Telephone Co. is going to gobble up all of the independent companies. The result has been that there have been many consolidations already, but in many States independent lines have taken over the Bell Telephone lines and are giving service, which is being regulated by the public-service commissions of the States. It is the purpose of those interested in the independent lines, as stated by representatives of the independent lines, to take over the Bell Telephone companies in communities where the independent companies are better equipped to take over the l

service and to give better service to the people, while in other communities where the Bell Telephone Co. is equipped to take over the independent lines they will do so, so that there will not be a universal monopoly existing all over the United States controlled by the Bell system, but there will be a unification of service in different localities, in some places the business being taken over by the Bell Co. and in others by the independent companies.

I do not construe this law to mean that there is any power whatever taken from the State commissions. I think the Congress has the power to take it away from them in so far as it regulates interstate commerce. I may not be entirely in harmony with certain old-fashioned ideas. It may be that I am trespassing perilously upon the doctrine of federalism in what I am about to say, but I believe the power of the Congress to regulate interstate commerce and the instrumentalities of interstate commerce is supreme wherever it undertakes to exercise that power.

Mr. GARNER. Will the gentleman yield?

Mr. BARKLEY. I will. Mr. GARNER. Let me illustrate, if I may, to see whether it takes away from the States any of the powers they now have. The Bell telephone system does business in nearly every State in the Union, as I understand. Suppose they desired to take over a plant in Kansas. This bill would require you to give notice to every governor in every State in the Union, hold a hearing, and if there was a single statute in any single State in the Union that prohibited the Bell Telephone Co. doing business in that State from consolidating with other companies you could not possibly consolidate, because the Bell Telephone Co. does business in every State in the Union.

Mr. BARKLEY. Well, I do not see why that fact militates

against the operation of the State law whether it is favoring

consolidation or prohibiting consolidation.

Mr. GARNER. I put the case in Kansas. If the Bell Telephone Co. proposed to take over the stock or the physical property of a telephone exchange in Kansas, they give notice to every governor in the United States that it proposes to do that and have a public hearing, and if any one of those State commissions refuse to give its permission, then they would not be able to accomplish that fact.

Mr. BARKLEY. I do not agree with the gentleman's con-

struction of the law at all.

Mr. GARNER. Those are the terms, and that is what I

wanted to bring out.

Mr. BARKLEY. If the State of Kansas, in which the telephone lines are being taken over by the Bell company, grants its consent to a consolidation, then this law takes it out of Federal jurisdiction. If they refuse to grant its consent, then the Bell Telephone Co. can not take over the stock of the independent line in Kansas.

Mr. GARNER. Here is the point: The gentleman lives in Kentucky. The Bell Telephone Co. does business in Kentucky. It is interested in the Bell Telephone Co., and under this law it has the right to say whether or not it shall take over the

Kansas concern.

Mr. BARKLEY. No—
Mr. GARNER. Yes, sir.
Mr. BARKLEY. I did not grasp the gentleman's point. I do not agree that is true. The mere fact that notice to appear is required and served upon the governor and the State commission does not give them the right to protest, so far as the law is concerned, but to come before the commission and appear at a hearing and testify as to whether it is in the interest of the subscribers and public policy that the consolidation should occur. But if the Interstate Commerce Commission, after hearing these 48 governors—who in all probability will never appear should find that the consolidation is in the interest of the subscribers and in the interest of public policy and certifies to that effect, in spite of that they could not buy stock in Kansas unless the law of Kansas and the State commission of Kansas gave consent to do so. In other words, this bill provides that there is no law upon the statutes of the United States that would prevent the consolidation wherever the Interstate Commerce Commission certifies that that consolidation is in the interest of the public and subscribers.

Mr. LONDON. Will the gentleman yield?
Mr. GARNER. Will the gentleman yield?
Mr. BARKLEY. I will yield to the gentleman from New

York, who has been on his feet for some time.

Mr. LONDON. Is not the intention of the law that the consent of the governors should be required only so far as the corporation which is to be absorbed is concerned? In other words, if it is a corporation that is to be absorbed by the Bell Telephone Co., the law does not require the giving of notice to the

governors of every State where the Bell Telephone Co. is doing business but requires the consent of the governor of the State

Mr. BARKLEY. That is true.

That is my construction of the law.

Mr. LONDON. That is my construction of the WALSH. Will the gentleman yield?

Mr. BARKLEY. That is the object of the law.
Mr. GARNER, But you do not say that in the law.
Mr. BARKLEY. The gentleman, I think, is putting a very

strict construction on the act.

Mr. GARNER. Will the gentleman give me some time to read

what the law says?

The SPEAKER pro tempore (Mr. Longworth). The time of the gentleman has expired.

Mr. BARKLEY. May I have some more time? Mr. WINSLOW. I can not arrange it; I am very sorry,

Mr. HUDDLESTON. Mr. Speaker, I ask leave to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection? [After a

pause.] The Chair hears none.

Mr. WINSLOW. Mr. Speaker, I yield 10 minutes to the gen-

tleman from Ohio [Mr. BURTON].

Mr. BURTON. Mr. Speaker, I am strongly in favor of the passage of this bill, and that not merely because the initiative for it comes from Ohio. Public utilities are or should be under an entirely different set of rules from ordinary investments of capital. They are naturally monopolies. It is desirable that one consolidated organization should occupy one field. A failure to recognize that fundamental economic fact has cost this

country billions of dollars.

In about the year 1880 there was the strongest movement for competing railway lines. The New York, West Shore & Buffalo Railway was projected and built from New York to Buffalo, and the New York, Chicago & St. Louis Railway from No service could be performed by either of Buffalo to Chicago. those two lines which might not properly have been taken care of by railroads already existing by extending their facilities or by additional trackage. In the first case the company which already had the field met the new line with sharp competition. For a considerable time the rate from Buffalo to New York on passenger traffic was a cent a mile, and the New York, West Shore & Buffalo was practically driven into bankruptcy. other line was purchased soon after its operation commenced in order to prevent competition. The New York, Chicago & St. Louis Railway is for miles so close to the Lake Shore that you can flip a copper from one track to the other. Those who called upon the farmers to obtain the right of way said to them, will have competing lines and you can reach Cleveland or Buffalo more cheaply." What was the result? In three years the roads were under the same control and the farmer was disappointed. Two competing public utilities occupying the same field lead inevitably to one of two results-higher cost to patrons or to inefficiency.

It has been said here by the gentleman from Mississippi that such consolidation of telephone lines as is contemplated by this bill would cause higher rates. Why, Mr. Speaker, it is simply demonstrable that it will not lead to higher rates.

Mr. JOHNSON of Mississippi. Will the gentleman yield for

Mr. BURTON. I have very little time.

Mr. JOHNSON of Mississippi. Just one question. The gentleman from Texas who was here lobbying for the bill and who represented the large number of independent companies

Mr. BURTON. I heard the gentleman's statement. Mr. JOHNSON of Mississippi (continuing). Came to my office and said that he would be frank with me, and stated that it would cost more.

Mr. BURTON. Let us consider that proposition a minute.

As it is now there are duplicate exchanges, duplicate conduits in which the wires are carried, a double force, a double cost to the public, not only by reason of the larger expense of maintaining two systems and providing a return upon them, but also because those who desire the largest and best facilities must have two phones. Do away with those duplicate exchanges, do away with the other duplication in the overhead, and it inevitably diminishes the cost of maintenance. And if any public utilities commission does its duty and maintains a proper harmony between the cost to the service company and the charge to the public, it must inevitably lower the rates. It is true there are some factors at work now in the way of increased cost of labor and material which may cause many to seek higher figures, but that does not interfere with the general rule.

In regard to the telephones, as I have said, you have the exchanges, each of them; they build their separate lines and

put up separate poles and have separate power plants. The

result is a very largely increased expense.

Now, the public have some rights in this matter. It is a very great inconvenience to the public, because patrons must have two telephones. They will be distinguished from each other. One will have a call or sound like the rattle of a rattlesnake, and the other perhaps will sound like the note of a bird. patron goes to the phone and tries to answer the one he thinks has called, or he wishes to call some person. He looks into the first telephone index and does not find the name. Then he must search through the second telephone index to find it there. If he does not find it in either, he has the idea that maybe there are three telephone companies, or he is still on the track of ascertaining where it is to be found.

I wish to impress upon the Members of the House this great general fact, that competition, at least in public utilities, has reached its limit, has been exaggerated as a creative or helpful force. Of course the strictest regulation must be had in regard to charges, in regard to service, in regard to every other feature in which the public is interested. Why, I think one of the wisest bits of legislation that has been enacted here for some time was the authorization of the consolidation of railroad systems under the Esch-Cummins Act. Whether there were some unfavorable features in the act or not, that certainly was an excellent one. Always bear in mind, I say again, that there must be regulation, and the larger the organization becomes and the greater the power it has, the more it should submit to the control of the State, because otherwise a corporation might assume so prominent a position that it might even overshadow the State itself.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. BURTON. Yes.

Mr. RANKIN. I happen to live in a district that is covered by two telephone companies, and the very reverse of the gentleman's statement has been our experience. Now, in the first place, you take the Cumberland, which is a branch of the Bell Telephone Co. If this bill passes I have no doubt but that this other company will be absorbed. At present you have to put in your application months ahead, and up to recently we had to pay them \$4 or \$5 to put in a telephone. Before we had the competition which we have to-day in the town the service was nothing to compare with what it is to-day.

Mr. BURTON. It was not as good?

Mr. RANKIN. Absolutely not. Mr. BURTON. Then your public service commission failed,

and failed most woefully in its duty.

Mr. RANKIN. It puts the town absolutely in the control of the Bell Telephone Co.

Mr. BURTON. I do not wish to impugn the State authorities anywhere, but the State authorities there were certainly lacking in their duty in that respect.

Mr. RANKIN. That is exactly the result,

Mr. BURTON. The gentleman from Texas [Mr. GARNER] speaks of the danger that charges will not be controlled. This bill is an amendment to the interstate commerce act, and the Interstate Commerce Commission has full control over rates. We are creating the same rule here as that which prevails between railroads that are intrastate and interstate, and that is the natural development in the control of all public utilities.

In this connection I wish to mention a paragraph from an address by Mr. Gladstone in the House of Commons so long ago as 1844 which I came across some years ago. may be said of his views on home rule for Ireland or Egypt. or anything of that kind, Mr. Gladstone was a great financier, and his crowning distinction was in the budgets when he was chancellor of the exchequer. He was the first public man whom I recollect to call attention to the futility of the idea. that competition would help the public. The proposition was made for a parallel railroad. He said there was much capital The proposition was to invest in railways, and that naturally investors would build competing lines, but he did not think the people would be benefited thereby, and he closed with a quotation that he attributed to Mr. Fox—"Breves inimicitiae; amicitiae sempiternae," "animosities and quarrels are brief; friendships are eternal."

He maintained it was the tendency for companies to maintain sharp competition for a while, and then come to the conclusion, What is the use in all this? Either the more powerful absorbed the weaker or the two came to an understanding by which they maintained the same rates.

Let me point out-I can not do it too frequently-the difference between ordinary industrial enterprises and public utilities. As suggested by the gentleman from New York [Mr. Cockran], you might as well have two independent fire departments as two independent telephone companies. In my own State I think a very serious blunder was made. There was

an electric illuminating company, and there was a proposition that a public plant be established. A smaller plant was estab-Now, if it had been provided that light should be furnished exclusively by the city, that would have been a different proposition; but what was the result? The second was a mere pin prick in the first. [Applause.]
The SPEAKER pro tempore (Mr. STAFFERD). The time of the

gentleman from Ohio has expired.

Mr. WINSLOW. Mr. Speaker, I yield 10 minutes to the gentleman from Missouri [Mr. HAWES].

The SPEAKER pro tempore. The gentleman from Missouri

is recognized for 10 minutes.

Mr. HAWES. Mr. Speaker, the discussion on this bill has drifted away from its one object. This bill was given careful consideration by the joint committee of the House and Senate. The hearings extended not only to the Bell Co. and the independent companies but, in addition, various commercial organizations were heard; and before I gave my personal indorsement to the bill I inquired from my home community, and the chamber of commerce and real estate exchanges both gave it their indorsement.

It is not my understanding that this bill takes away from a State any power that it now has to regulate telephone companies, nor does it increase that power, nor does it take from the Interstate Commerce Commission any power that it possesses, nor does it add any power to that commission.

Gentlemen who have been discussing interference with the control of the States evidently have not read the last paragraph

in this bill, which says:

Nothing in this paragraph contained shall be construed as in any wise limiting or restricting the powers of the several States as now existing to control and regulate telephone companies.

As the gentleman from Ohio [Mr. Burron] pointed out, there was a period of competition with the established company—the Bell Telephone Co. Independent companies grew up. Competition in many cases was not a success. It did not serve the community well, and the companies themselves are suffering.

There is but one object in this bill. That is to permit a telephone company to sell its property or buy the property of

another company.

The matter of rates and the matter of centrel are retained in the States and the Interstate Commerce Commission now, and will be retained after this bill becomes a law. We found in our hearings that various local civic organizations were demanding this bill because the competing lines occupied much of . the street-two lines of conduits and two lines of telephone Public service with competing lines demanded that wires. each public office should have two telephones. Now, if a community desires to do away with that under this bill, they can This bill restores to the States some measure of local vernment. To-day in the State of Missouri our governor self-government. and our commission might want a consolidation of the companies. Public sentiment might be strongly behind it. Public interest might indorse it, but they are prevented by a national law from doing a thing that the people of the State may want This restores to each community local control and retains in the Interstate Commerce Commission that degree of national control which is salutary for these great corporations. We must remember, gentlemen, that interstate messages, as I understand, approximate only 15 or 20 per cent and intrastate messages, which will be controlled by our local agencies of government, make up 80 or 85 per cent. I have heard from my home city and I listened to delegations from other States, delegations of men who were not interested in these public utilities, either directly or indirectly, but they had in mind public service, and they all favored the passage of this bill.

This bill does but one thing. It permits the consolidation of telephone companies, provided the consolidation is approved by the local commissions of the States; and answering the gentleman from Texas, who inquired if a State law prohibited such consolidation could it be made under this act, I answer

unhesitatingly no.

The SPEAKER pro tempore. The time of the gentleman has expired

Mr. WINSLOW. I yield five minutes to the gentleman from Indiana [Mr. SANDERS].

Mr. SANDERS of Indiana. Mr. Speaker, the gentleman from Missouri has very clearly stated the objects and purposes of this bill. Under the provisions of the laws of the United States it is unlawful for the telephone companies to form combinations that might be monopolistic in character. This law is for the sole and avowed purpose of permitting consolidations which would be unlawful under the present law. It has no other purpose. It does not go into the realm of regulation at all. They are not compelled to come to the Interstate Commerce Commission for consolidation under this act. They merely are permitted I now existing in any State regulatory body to control or regu-

to come to the Interstate Commerce Commission and make an application for the consolidation, so that if the Interstate Commerce Commission considers it to the interest of the public, the Interstate Commerce Commission shall so make a finding, and then they shall not be subject to the laws of the United States respecting the preventing of monopolies.

Of course, the provisions of our laws respecting monopolies were made for the purpose of permitting competition. Everyone who has happened to have the misfortune to live in a fairly large-sized city where they have two telephone systems understands thoroughly how the disadvantages of two telephone systems outweigh the advantages of competition. I am not led to believe that we do not have any advantages by competition in the telephone service. I think we do have some advantages. There is the advantage of competition in service. If there are two competing companies each one will be more alert to give efficient service. That is some advantage. But the great disadvantage of being compelled to keep two telephone systems installed in every large office and place of business, the great disadvantage of having to do the uneconomic thing of paying the expense of maintaining two competing systems, entirely outweighs any advantage in having the competition; so that this bill simply recognizes what has been recognized by many people for a long time, that it will be beneficial to have a monopoly so far as telephone systems are concerned, in view of the fact that we have State regulatory bodies which prescribe the rates and the terms of service.

Mr. HILL. Will the gentleman yield?

Mr. SANDERS of Indiana. I yield to the gentleman from Maryland.

Mr. HILL. Under the present law does the Interstate Commerce Commission have any jurisdiction to fix or regulate in-

terstate telephone rates?

Mr. SANDERS of Indiana. The present law requires that those rates be reasonable. The transportation act does not give the same regulatory powers to the commission with respect to telephones that it does with respect to railroads.

Mr. HILL. Is it the gentleman's view that this changes that

in any way

Mr. SANDERS of Indiana. No.

Mr. GRAHAM of Illinois. Let me supplement that. The transportation act makes telephone companies common carriers and brings them within that act so that rates can be regulated if they are unreasonable.

Mr. HILL. But it is not done by this act.

Mr. GRAHAM of Illinois. No.

Mr. SANDERS of Indiana. The rates can be regulated, and if an unreasonable rate is charged it can be remedied by an application to the Interstate Commerce Commission; but I meant to say that the interstate commerce act did not give the commission the power to prescribe rates and require the filing of schedules in the same manner as is required of the railroads.

Mr. GRAHAM of Illinois. But it has the power, like a public service commission, to declare an interstate rate unrea-

sonable?

Mr. SANDERS of Indiana. Yes. This does not affect the powers of the Interstate Commerce Commission at all. not affect the powers of the States at all. It merely wipes out the laws with reference to monopoly whenever the commission finds that the consolidation will be of advantage to the public.

The SPEAKER pro tempore. The time of the gentleman

has expired.

Mr. WINSLOW. I yield five minutes to the gentleman from

Kansas [Mr. Hoch].

Mr. HOCH. Mr. Speaker, the gentleman from Indiana [Mr. Sanders] has just spoken with reference to the feature of this matter that I intended to discuss briefly. May I reemphasize what he has said? The gentleman from Texas [Mr. Garner] has repeatedly referred this afternoon to the case of a consolidation involving an interstate company and an intrastate company. Now, whatever power there is at present in the States to control either an intrastate or an interstate company is retained after this bill is passed. This bill does not interfere in any particular with the jurisdiction either of the State regulatory body or of the Interstate Commerce Commission. That certainly ought to be understood by anyone upon a careful reading of this bill. Now, I do not know to what extent the State may have, as the gentleman from Texas seems to think, some power over interstate companies. There is still a twilight zone there, and the clear lines of demarcation are still to be drawn. But whatever power the States now have they retain after the passage of this bill. The terms of the bill guard that as completely as words can do it. Let me say it again, for I am surprised at the contention of some gentlemen. This bill does not take away in the slightest degree any power

late any company, interstate or intrastate, either in rates, service, or otherwise. Neither does the bill extend or widen in any particular the present jurisdiction of the Interstate Commerce Commission over telephone companies, State or interstate. All that this bill does is to provide that in cases where companies desire to consolidate, and the consolidated company would be an interstate company and therefore to an extent under the jurisdiction of the Federal Government, and when after full hearing by the Interstate Commerce Commission it appears that the consolidation would be in the public interest, the commission may make a finding which would bar prosecu-tions for violations of Federal law against consolidations. That is all this does. This does not force any consolidation, it does not compel any company, either interstate or intrastate, to sell or buy, does not interfere with the free right of consolidating or not consolidating. Nor does it waive any State laws, civil or criminal. That is the heart of this proposition. It does not change the jurisdiction, State or Federal, in any way whatever. If I thought that it did, if I thought that it gave to the Interstate Commerce Commission any power over an intrastate company which it does not now possess, I would not favor this bill. I do not think any of the illustrations given in an effort to show otherwise touch the situation at all.

There is not a line in the bill that can be construed in any way as extending the power of the Federal Government over intrastate companies. It may be true that ultimately there will be numerically more companies which are interstate companies than prior to the passage of the bill. For instance, if you have a company purely intrastate and across the State line there is another company purely intrastate, and these two companies desire to consolidate, and it is in the interest of the communities and of the service that they be permitted to do so, when they have consolidated they become an interstate company. That is true. The moment they become an interstate company they come under the jurisdiction of the Federal Government to the extent that the present law gives jurisdiction. But that effect is not brought about by this legislation; it is the result of the general power of the Federal Government over interstate companies and of the law enacted under that power. In other words it might be that by preventing their being any interstate companies at all, we might prevent the Federal Government from exercising any jurisdiction. Is there anyone here who thinks no telephone company should be permitted to do an interstate business, to be an interstate company? Of course not. And yet that is where the argument made by several gentlemen leads. The only way we can prevent jurisdiction of the Federal Government is to prevent existence of interstate business.

Mr. GRAHAM of Illinois. If they should do that now, consolidate and do business across the interstate line, they would

violate the law.

Mr. HOCH. Certainly, if the consolidation was of a nature to violate the Clayton antitrust law. But this has nothing to do with the regulation of rates or the operation of the power that now exists in the States.

Mr. HUDSPETH. Will the gentleman yield?

Mr. HOCH. Yes.

Mr. HUDSPETH. Suppose a company makes an application to the Interstate Commerce Commission and the commission says you are entitled to consolidate, but the State law says that

they can not consolidate?

Mr. HOCH. Certainly they could not consolidate. If any valid State law prevents consolidation, they could no more consolidate after this law is passed than they could before it is passed. Read the last sentence of the bill. And I may say, as a member of the committee which conducted hearings on this proposition and reports this bill out, that local and independent telephone companies showed equal or greater interest in behalf of the measure than did the Bell Co. The measure is in the public interest. Where there are two telephone companies in a community and they both desire to consolidate and the community which bears the burden of a double system desires it, and the State law does not prevent it, why should they be prevented from consolidating by a Federal statute? This law, of course, only applies where both desire to consolidate. Under the present law if a local company wishes to purchase the local exchange of an interstate company it can not do so, even though the State commission sanctions, for fear of violating a Federal statute, There must, of course, always be rigid regulation of rates and service in the protection of the public. That is up to the State commissions to the extent of their power and to the Interstate Commerce Commission to the extent of its power. The power of neither in that regard is affected in any way by this legisla-[Applause.

The SPEAKER pro tempore (Mr. Stafford). The time of

the gentleman from Kansas has expired.

Mr. WINSLOW. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The SPEAKER pro tempore. The question is on the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question now is on the committee amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, line 12, strike out the following language: "It is hereby authorized to enter an order approving and authorizing the proposed transaction" and insert in lieu thereof the words "it shall certify to that effect."

The committee amendment was agreed to.
The SPEAKER pro tempore. The question is on the third reading and engrossment of the bill.

The bill was ordered to be engrossed and read a third time. and was read the third time.

Mr. JONES of Texas. Mr. Speaker, I have a motion to recommit

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. JONES of Texas. In its present form I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Jones of Texas offers a motion to recommit the bill to the Committee on Interstate and Foreign Commerce with instructions to report the same back to the House forthwith, with the following amendment: Add at the end of the bill the following: "Nothing in this act shall be construed as in any way affecting existing State laws nor as authorizing consolidation or acquisition in States in which the laws thereof forbid consolidation and acquisition."

Mr. WINSLOW. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. Winslow) there were 31 ayes and 68 noes.

Mr. JOHNSON of Mississippi. Mr. Speaker, I demand the yeas and nays, and pending that I make the point of no quorum.

The SPEAKER pro tempore. Obviously there is no quorum present.

Mr. WALSH. A parliamentary inquiry, Mr. Speaker.
The SPEAKER pro tempore. The gentleman will state it.

Mr. WALSH. The gentleman from Mississippi having demanded the yeas and nays, and pending his demand made a point of no quorum, does he get an automatic vote on the question which is pending?

The SPEAKER pro tempore. The question will be first on

ordering the yeas and nays.

Mr. JOHNSON of Mississippi. Mr. Speaker, I ask unanimous consent to withdraw my demand for the yeas and nays, and

make the point of no quorum.

Mr. BLANTON. Mr. Speaker, it has been the universal ruling that where the House has divided and a Member calls for the yeas and nays, and pending that makes the point of no quorum, that it results in an automatic vote. That has been the universal custom.

Mr. WALSH. It has not been the universal custom; it has

been the Texas custom.

Mr. BLANTON. It is a custom that has been followed by the gentleman from Massachusetts.

The SPEAKER pro tempore. The Chair will state that if the gentleman from Mississippi [Mr. Johnson] had stated that he made the point of no quorum on the vote just had there would have been an automatic call, but now the gentleman withdraws his demand for the yeas and nays, and the Chair understands that he makes the point of no quorum on the vote

Mr. WALSH. How can he do that, the Chair having declared

there is no quorum present?

The SPEAKER pro tempore. The Chair had declared that no quorum is present, and the only thing for the House to do is to develop a quorum. The question will then be on the demand of the gentleman from Mississippi to take the vote by the yeas and nays.

Mr. WINGO. Mr. Speaker, will the Chair hear me for a moment?

The SPEAKER pro tempore. Certainly.

Mr. WINGO. The demand for the yeas and nays was incidental to the question pending before the House. That is, the House was dividing. The yeas and nays is a manner of divid-Whenever a quorum fails, while the House is dividing, whether it be on a viva voce vote, on tellers, or by a rising vote, the House is still dividing. That is all that the House is doing, and it occurred to me that if the House is dividing and the point of no quorum is made, that whenever the vote is taken it should be a vote upon the question upon which the House is

The SPEAKER pro tempore. The Chair will state the parliamentary status. The House divided on the motion to recommit. The Chair announced that the vote showed that the motion was lost. The gentleman from Mississippi thereupon demanded that the vote be taken by the yeas and nays, and pending that made the point of no quorum. The Chair desires to follow the long line of practice of the House, realizing that it is in the interest of expedition in roll calls to vote automatically on the question on which the House was dividing at the time the point of no quorum was made. The Chair therefore reverses the decision which he made a moment ago and holds that the vote will be taken automatically on the motion to recommit. The Door-keeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll. The question is on the motion to recommit.

The question was taken; and there were-yeas 97, nays 195,

not voting 139, as follows:

### YEAS-97.

Evans Favrot Fisher Fulmer Lankford Larsen, Ga. Layton Rankin Rucker Sanders, Tex. Sandlin Sinclair Almon Aswell Bankhead Lazaro Linthicum Black Garner Stafford Steagall Stedman Bland, Va. Blanton Garrett, Tex. Goldsborough Logan Lowrey Lyon
McClintic
McCormick
McDuffie
Mansfield
Martin
Mead
Nalson A I Hammer Hardy, Tex. Hayden Herrick Box Brand Briggs Buchanan Stoll Sumners, Tex. Swank Thomas
Tillman
Tyson
Vinson
Voigt
Ward, N. C. Bulwinkle Byrnes, S. C. Byrns, Tenn. Huddleston Hudspeth Humphreys Jacoway
James, Mich.
James, Va.
Johnson, Miss.
Jones, Tex.
Keller
King Nelson, A. P. Nelson, J. M. O'Connor Collier Collins Connally, Tex, Davis, Tenn. O'Connor Oliver Overstreet Padgett Parrish Pou Quin Raker Weaver Wilson Wingo Deal Dominick Doughton Dowell Drewry Knight Kunz Lampert Wright Driver Dupré Lanham

#### Ramseyer NAYS-195.

Lee, N. Y. Little London Ackerman Andrews Anthony Riddick Roach Robertson Edmonds Elliott Luce Robertson
Luce Robsion
Lularing Rosenbloom
McFadden Rossdale
McLaughlin, Mich.Rouse
McLaughlin, Pa. Sanders, Ind.
McLaughlin, Pa. Sanders, N. Y.
McPherson Schall
MacGregor. Scott, Mich.
Madden Scott, Tenn.
Magee Shaw
Maloney Shreve
Mapes Siegel
Merritt Sinnott
Michaelson Slemp
Michaelson Slemp
Michener Smith
Mills Speaks
Montoya Sproul
Moore, Ill. Steenerson
Moorgan Stiness Robsion Rosenbloom Rossdale Appleby Arentz Atkeson Bacharach Elston Luce Fairchild Faust Fenn Barbour Barkley Fess Fitzgerald Beedy Free Freeman French Frothingham Begg Benham Bird Bland, Ind. Gernerd Gilbert Goodykoontz Boles Bond Gorman Graham, Ill. Graham, Pa. Green, Iowa Greene, Mass. Greene, Vt. Griest Hardy Colo Brennan Gorman Breiman Britten Brooks, Ill. Brooks, Pa. Brown, Tenn. Burke Burroughs Hardy, Colo. Haugen Hawes Morgan
Mott
Mudd
Murphy
Newton, Minn.
Newton, Mo.
Nolan
Norton Burtnes Burton Butler Stiness Summers, Wash. Sweet Cable Havs Swing Hersey Hickey Hill Hoch Taylor, Tenn. Ten Eyck Thompson Tincher Campbell, Kans. Cannon Chalmers Chandler, N. Y. Chindblom Hoch
Hull
Ireland
Johnson, Ky.
Johnson, S. Dak.
Jones, Pa.
Kelly, Pa.
Kendall
Ketcham
Kinkald
Kissel
Kline, N. Y.
Kline, Fa.
Knutson
Kopp Norton Oldfield Olpp Osborne Tinkham Christopherson Treadway Clague Clouse Cockran Underhili Vaile Vare Volstead Paige Parker, N. J. Parker, N. Y. Patterson, Mo. Colton Connell Connolly, Pa. Walsh Walters Webster Perkins Petersen Porter Curry Wheeler White, Kans. Winslow Woodruff Dale Dallinger Purnell Radcliffe Ransley Darrow Davis, Minn. Rayburn Reber Reece Rhodes Ricketts Denison Kopp Woodyard Wyant Dickinson Dunbar Dunn Kraus Larson, Minn. Lawrence Leatherwood Young Zihlman

NOT VOTING-139.

Anderson

Blakeney

Ansorge Bell Bixler

Browne, Wis. Burdick Clarke, N. Y. Classon Cramton Crisp Crowther Cullen Campbell, Pa. Cantrill Carew Codd Cole Cooper, Ohio Cooper, Wis. Copley Coughlin Dempsey Drane Echols Fairfield Carter Chandler, Okla. Clark, Fla.

Montague
Moore, Va.
Moores, Ind.
Morin
O'Brien
Ogden
Park, Ga.
Parks, Ark.
Patterson, N. J.
Perlman
Peters
Pringey
Rainey, Ala.
Rainey, Ill.
Reavis Fields Fish Jefferis Johnson, Wash. Kahn Kearns Kelley, Mich. Kennedy Flood Focht Fordney Foster Kennedy Kiess Kincheloe Kindred Kirkpatrick Kitchin Frear Fuller Funk Gahn Gallivan Garrett, Tenn. Kitchin Kleczka Kreider Langley Lea, Calif. Lee, Ga. Lehlbach Lineberger Longworth Gensman Reavis Reed, N. Y. Reed, W. Va. Riordan Gould Griffin Hadley Harrison Longworth Lufkin McArthur McKenzie McSwain Mann Mason Millspaugh Mondell Rodenberg Harrison
Hawley
Hicks
Himes
Hogan
Houghton
Hukriede
Husted
Hutchinson Rogers Rose Ryan Sabath Sears Shelton Sisson Smithwick

Snyder Stevenson Strong, Kans. Strong, Pa. Sullivan Tague Taylor, Ark. Taylor, Colo. Taylor, N. J. Temple Tilson Tilson Timberlake Towner Towner
Upshaw
Vestal
Volk
Ward, N. Y.
Wason
Watson
White, Me.
Williams
Williamson
Wood, Ind.
Woods, Va.
Wurzbach Wurzbach

So the motion to recommit was rejected. The Clerk announced the following pairs:

Mr. Clark of Florida (for) with Mr. Langley (against).

Mr. CRISP (for) with Mr. FOSTER (against).

Until further notice:

Mr. TIMBERLAKE with Mr. KITCHIN. Mr. MILLSPAUGH with Mr. SISSON.

Mr. Browne of Wisconsin with Mr. O'BRIEN.

Mr. White of Maine with Mr. Carew. Mr. Coughlin with Mr. Drane.

Mr. KENNEDY with Mr. SABATH.

Mr. HICKS with Mr. GALLIVAN. Mr. Ansorge with Mr. Sears.

Mr. FULLER with Mr. McSwain.

Mr. Wurzbach with Mr. Bell. Mr. Crowther with Mr. Haerison. Mr. Hukriede with Mr. Kincheloe.

Mr. Reed of West Virginia with Mr. Taylor of Arkansas.
Mr. Reaves with Mr. Garrett of Tennessee.
Mr. Clarke of New York with Mr. Bowling.
Mr. Kearns with Mr. Sullivan.

Mr. Volk with Mr. Rainey of Alabama.

Mr. Shelton with Mr. Fields.

Mr. Lineberger with Mr. Brinson.

Mr. Copp with Mr. Lea of California.

Mr. KREIDER with Mr. UPSHAW.

Mr. REED of New York with Mr. STEVENSON.

Mr. Perlman with Mr. Park of Georgia.

Mr. Echols with Mr. CANTRILL.

Mr. CRAMTON with Mr. PARKS of Arkansas.

Mr. Bixler with Mr. Campbell of Pennsylvania.
Mr. Blakeney with Mr. Lee of Georgia.

Mr. Chandler of Oklahoma with Mr. Griffin.
Mr. Focht with Mr. Riordan.
Mr. Glynn with Mr. Woods of Virginia.
Mr. Houghton with Mr. Rainey of Illinois.

Mr. HUTCHINSON with Mr. MONTAGUE.

Mr. Lehlbach with Mr. Smithwick. Mr. Mondell with Mr. Tague.

Mr. Patterson of New Jersey with Mr. Taylor of Colorado.

Mr. TAYLOR of New Jersey with Mr. Cullen.

Mr. Towner with Mr. Flood.

Mr. KIRKPATRICK with Mr. KINDRED.

Mr. WILLIAMS with Mr. MOORE of Virginia.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. Stafford). A quorum is present. The Doorkeeper will open the doors. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. Winslow, a motion to reconsider the vote by which the bill was passed was laid on the table.

### CHANGING NAME OF GRAND RIVER TO COLORADO RIVER.

Mr. WINSLOW. Mr. Speaker, by direction of the Committee on Interstate and Foreign Commerce I call up House joint reso-Intion 32

The SPEAKER. The Clerk will report the joint resolution. The Clerk read as follows:

Joint resolution to change the name of the Grand River in Colorado and Utah to the Colorado River.

Whereas the Colorado River, which traverses or forms the boundaries of the States of Utah, Arizona, Nevada, and California, is formed by the junction of the Grand and Green Rivers, in the State of Utah; and

Whereas the Colorado River was discovered in the year 1540 and was given various names until about 1620, when it was definitely named the Rio Colorado of the West, and has ever since been known throughout the world as the Colorado River; while the two main forks of the Colorado River were not discovered until about the year 1776 and were given some 8 or 10 different names during the following 50 years, when they finally became generally known as the Grand and Green Rivers; and

geren Rivers; and

Whereas the so-called Grand River is and always has been in reality and by official measurement the main stream and principal source of water supply of the said Colorado River, and historically and for every other reason should have been originally named and ever since known as the Colorado River throughout its entire length from its source in the Rocky Mountain National Park in the State of Colorado to its confluence with the Green River in Utah, and thence to its mouth in the Gulf of California; and

Whereas by the act of Congress approved February 28, 1861, providing for the organization of the Territory of Colorado, the Territory was named Colorado "for the reason that the Colorado River arose in its mountains and there was a peculiar fitness in the name," and also because "the name Colorado is more appropriate and more harmonious and is the handsomest name that could be given to any Territory or State" (Congressional Globe, Feb. 4, 1861, vol. 31, pt. 2, 36th Cong., 2d sess., pp. 729 and 766, and Hall's History of Colorado, vol. 1, p. 258); and

Whereas the Legislature of the State of Colorado by unanimous vote of both the senate and house of representatives of the twenty-third general assembly has recently passed the following bill:

"A bill concerning the change of the name of the Grand River to

"A bill concerning the change of the name of the Grand River to the Colorado River.

the Colorado River.

"Be it enacted by the General Assembly of the State of Colorado, That the name of the Grand River in Colorado is hereby changed to the Colorado River, by which name said river shall hereafter be known, from its source to where it crosses the western boundary of the State of Colorado.

"Sec. 2. The change of the name of said river shall in nowise affect the rights of this State, or of any county, municipality, corporation, association, or person; and all laws, records, surveys, maps, and other public or private documents of every kind and nature in which the said river is mentioned or referred to under or by the name of the Grand River shall hereafter refer to the same river and with the same purport and effect under and by the name of the Colorado River";

Thich act was approved by the governor and became a law of the

Which act was approved by the governor and became a law of that State on March 24, 1921: Therefore be it

State on March 24, 1921: Therefore be it

Resolved, etc., That from and after the passage of this act the river heretofore known as the Grand River, from its source in the Rocky Mountain National Park in Colorado to the point where it joins the Green River in the State of Utah and forms the Colorado River, shall be known and designated on the public records as the Colorado River, shall be known and designated on the public records as the Colorado River, Sec. 2. That the change in the name of said river shall in nowise affect the rights of the State of Colorado, the State of Utah, or of any county, municipality, corporation, association, or person; and all records, surveys, maps, and public documents of the United States in which said river is mentioned or referred to under the name of the Grand River shail be held to refer to the said river under and by the name of the Colorado River.

Mr. WINSLOW. Mr. Speaker, I yield 20 minutes to the gentleman from Illinois [Mr. Denison].

Mr. DENISON. Mr. Speaker, this resolution was introduced in the Sixty-sixth Congress by the gentleman from Colorado [Mr. TAYLOR], who is especially interested in the subject in-The gentleman from Colorado hapcluded in the resolution. pens to be ill to-day and is not able to be here, and for that reason I shall make a brief statement explaining the resolution. If he were here, he would be asked to make that statement, This resolution simply has the effect of changing the name of the Grand River, which is in the State of Colorado and partly in the State of Utah, to the Colorado River. The Colorado River is formed in the State of Utah by the junction of the Grand River and the Green River. The Grand River, which is the eastern branch, rises in the Rocky Mountain National Park in the State of Colorado, flows in a southwesterly direction, and in the eastern part of Utah it forms a junction with the Green River, which comes in from the north, and from the point of junction it is called the Colorado River. This Colorado River is an international and an interstate stream. When the gentleman from Colorado introduced the resolution in the Sixty-sixth Congress he submitted it to the Secretary of the Interior for a report as to whether or not it would meet with the approval of the Department of the Interior, and also asked the department for a report on the question as to whether or not the Congress could properly exercise this jurisdiction, or whether it should more properly be left to the action of the legislatures of the two States of Colorado and Utah, which are the two States which are immediately concerned. The Secretary of the Interior, addressing the committee by letter, stated that the bill met the approval of the department and that it was proper for the Congress to assume jurisdiction and change the name of the river, if it was desired to be done, rather than the legislatures of the two States, because the Grand River as well as the Colorado River is an interstate stream and the Federal Government has jurisdiction over it, as it has over all navigable waters of the country. I want to say that during this year the Legislature of the State of Colorado has considered a similar resolution changing the name of the Grand River to the name of the Colorado River, and the act has passed the Colorado Legislature and has been approved by the governor

of that State, so that now the Grand River, or that part of the Grand River which is entirely within the State of Colorado, by the action of the State of Colorado, has been actually changed to the name of the Colorado River. But there is a distance of about 80 miles, I believe, of the Grand River which is in the State of Utah, extending from the line between the States of Utah and Colorado to the junction, which is still known as the Grand River. Now, the purpose of this resolution is to change the name of the entire branch of the Grand River to that of the Colorado River by action of the Congress.

Mr. STAFFORD. Will the gentleman yield?

Mr. DENISON. I will yield.

Mr. STAFFORD. Mr. Speaker, I do not know what the purpose of the chairman of the committee is, whether he intends to move the previous question on the bill, but I wish to inquire of the gentleman who reported the bill whether he thinks it is good legislative form to incorporate into permanent law a preamble which covers more pages than the resolution itself, including the bill passed by the Legislature of Colorado?

Mr. DENISON. Mr. Speaker, I will say to the gentleman from Wisconsin that it is my intention, if the chairman does not do so, to move to strike out the preamble. When the bill which was introduced in the Sixty-sixth Congress was acted upon by the Committee on Interstate and Foreign Commerce and ordered reported out at that time the committee itself amended the bill by striking out the preamble. This time it overlooked that, and I presume the chairman intends to move to strike it out here on the floor; if he does not I shall, if he will permit me to do so. Now, the Colorado River was discovered by the early Spanish explorers, I think, in 1546, and it was known for a period of 50 years by various names. Finally it became definitely known as the Rio Colorado. They did not know its source at that time. Its source was unknown, and was unknown for a period of some 200 years after that. Finally various explorers going up into the interior discovered the river now known as the Grand River, in the State of Colorado, and also discovered the river now known as the Green River, in the State of Utah. It was not known at that time that those rivers joined together and formed what was farther down known as the Colorado River, so that one of them came to be known as the Grand River and the other as the Green River. The Grand River, it is said, is the larger of the two branches; that is, it is broader, and about 60 per cent of the water that goes to make up the Colorado River comes from the Grand River, which drains all of the western part of the State of Colorada, although the Green River is the longest. I understand that the matter has also been presented to the Legislature of the State of Utah, and at the last session of the Legislature of the State of Utah a resolution changing the name of the Grand River to that of the Colorado was referred to one of the members of the State legislature who lived in that part of the State of Utah through which the Grand River runs.

It was referred to that member for consideration and report, and while it was under consideration by him he was suddenly taken ill and died, and the legislature adjourned before any action was had on the resolution. It will now be, I think, two years before the Legislature of Utah will be again in session. So it is desirable that action be taken on this matter as soon as possible, inasmuch as Colorado has already acted on the part of

the river which is entirely within that State.

The Colorado River was by the treaty with Mexico, known as the treaty of Guadaloupe-Hidalgo, I believe, recognized as an international stream, because it flows down through the Republic of Mexico, and was designated a navigable stream, and I think there is no question but that it is a navigable stream and is therefore under the jurisdiction of the Congress. And inasmuch as the people of Colorado want this name changed, largely for sentimental reasons, and inasmuch as there are no objections, so far as we have been advised, from the people of Utah or from any of the departments of the Federal Government, the committee thought we ought to grant the wishes of the people of Colorado and change the name of the Grand River to the Colorado River.

Mr. BUTLER. Everything the gentleman says is interesting, but I was wondering how we got the jurisdiction. Congress does not name the rivers. It did not name the Mississippi. shall certainly vote to change the name of the stream as the gentleman recommends, as it is all right; but I was wondering by what right we could do this.

Mr. DENISON. I will state to my friend from Pennsylvania that under the Constitution Congress has complete jurisdiction over this river, because it is an interstate navigable river. If you grant that, then it must follow that we have the right to change the name.

Mr. BUTLER. It is a navigable stream? Mr. DENISON. It is a navigable stream.

Mr. BUTLER. And runs across State lines?

Mr. DENISON. Yes; and it also is an international stream. It runs across into the Republic of Mexico.

Mr. Speaker, Congress has on one other occasion changed by law the name of one of the rivers of the country. Some time during the fifties. I think it was, the name of a river in the State of Minnesota was by act of Congress changed to the name Minnesota River. The Colorado River is one of the grandest and most beautiful rivers in the world. The scenery along the Grand Canyon and other reaches of that river is unsurpassed in grandeur anywhere in the world. The State of Colorado, one of our greatest and most scenic States, was named by Congress from that great river. Your committee thought it appropriate that the name of the Grand River, which has its source in and receives the larger part of the water supply for the Colorado River from the State of Colorado, should be changed to the Colorado River. I hope the resolution may pass.

Mr. Speaker, I now yield back the remainder of my time. The SPEAKER pro tempore. The gentleman yields back eight minutes of time.

Mr. WINSLOW. Mr. Speaker, I yield one minute to the

gentleman from Indiana [Mr. SANDERS].

Mr. SANDERS of Indiana. Mr. Speaker, the gentleman from Colorado [Mr. TAYLOR], who is the author of this bill, is ill and unable to be present to-day. He has worked for a long time to secure the passage of the bill, and I should like to ask that unanimous consent be given to him to extend his remarks in the RECORD in reference to it.

The SPEAKER pro tempore. The gentleman from Indiana asks unanimous consent that the gentleman from Colorado have permission to extend his remarks in the Record in reference to this bill. Is there objection? [After a pause.] The Chair hears none.

Mr. JOHNSON of Mississippi. Mr. Speaker, I make the same

request on the bill that has just been passed.

The SPEAKER pro tempore. The gentleman from Mississippi [Mr. Johnson] asks unanimous consent to extend his remarks on the telephone bill just passed. Is there objection? [After a pause.] The Chair hears none. Mr. WINSLOW. Mr. Speake

Mr. Speaker, if there is no one who cares

to speak on the subject-

Mr. TINCHER. I would like to ask a question of the gen-

tleman from Illinois [Mr. Denison].

The SPEAKER pro tempore. How much time does the gentleman from Massachusetts yield to the gentleman from Illinois?

Mr. WINSLOW. Five minutes.

The SPEAKER pro tempore. The gentleman from Illinois is recognized for five minutes.

[Mr. DENNISON addressed the House. See Appendix.]

Mr. ARENTZ. Mr. Speaker, will the gentleman yield? Mr. DENISON. Yes.

Mr. ARENTZ. Has the gentleman ever heard of the League of the Southwest?

Mr. DENISON. No. Mr. ARENTZ. The League of the Southwest, I may say, is an organization of the Western States which has to do with the development of the Colorado River, and while we were on the subject of the Colorado River I thought I might mention this The League of the Southwest contemplates the ultimate construction at Boulder Canyon, on the Colorado River, near Las Vegas, a 700-foot dam, which would irrigate approximately 3,000,000 acres in Arizona and Nevada, and develop sufficient power to electrify the Santa Fe and Salt Lake routes for several hundred miles, and to make Los Angeles and other points in southern California, as well as southern Nevada, an industrial center.

Well, I think there are great possibilities Mr. DENISON.

there, and I hope that will be done.

Mr. WINSLOW. Mr. Speaker, I move the previous question on the resolution and all amendments thereto to final passage.

Mr. SINNOTT. Mr. Speaker, will the gentleman yield for a

The SPEAKER pro tempore. Does the gentleman from Massachusetts withhold his motion?

Mr. WINSLOW. Yes.
Mr. SINNOTT. I want to know why this was introduced as a resolution and not as a bill?
Mr. WINSLOW. I do not know.
Mr. SINNOTT. I happened to look into that matter a week or so ago, and I noticed that a number of years ago in the Senate that subject had been investigated and the practice of senate that subject had been investigated and the practice of passing legislation through the instrumentality of a resolution was greatly condemned over in the Senate, as it causes a great many complications when you come to amend one of these reso-

lutions. I thought probably the chairman had some particular

reason for making it a resolution.

Mr. WINSLOW. The resolution came to the committee through Col. Taylor, and it was discussed in the committee and reported to the House in regular order.

Mr. BUTLER. If the gentleman from Oregon will take the time to tell us what sort of measures should be headed "resolutions" and what sort should be headed "bills," we would be very glad. I have worked at that question for many moons.

Mr. BRIGGS. Mr. Speaker, may I ask the chairman of the committee a question?

The SPEAKER pro tempore. Does the gentleman from Massachusetts yield?

Mr. WINSLOW. Yes. Mr. BRIGGS. I thought the gentleman from Massachusetts was going to offer an amendment to strike out the preamble to the resolution.

Mr. WINSLOW. That is right. Mr. Speaker, I withdraw that motion and will first make the motion to strike out the preamble of the resolution. I thank the gentleman from Texas.

The SPEAKER pro tempore. The gentleman from Massachusetts moves to strike out the preamble of the resolution. The question is on agreeing to that motion.

The motion was agreed to.

Mr. WINSLOW. Now, Mr. Speaker, I move the previous question on the resolution and all amendments thereto.

The SPEAKER pro tempore. The gentleman from Massachusetts moves the previous question on the resolution and all amendments thereto.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. Winslow, a motion to reconsider the last vote was laid on the table.

BRIDGE ACROSS THE ALLEGHENY RIVER, PA.

Mr. WINSLOW. Mr. Speaker, by direction of the Committee on Interstate and Foreign Commerce I call from the Union Calendar the bill H. R. 5616.

The SPEAKER pro tempore. The gentleman from Massachusetts calls up the bill H. R. 5616, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 5616) granting the consent of Congress to the commissioners of Venango County, their successors and assigns, to construct a bridge across the Allegheny River, in the State of Pennsylvania.

a bridge across the Allegheny River, in the State of Pennsylvania.

Be it enacted, etc., That the consent of Congress is hereby granted to the commissioners of Venango County, Pa., and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Allegheny River, at a point suitable to the interests of navigation, at Oil City, Pa., connecting Petroleum Street, on the south side of the river, with North Petroleum Street, on the north side of the river, in the county of Venango, in the State of Pennsylvania, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With a committee amendment, as follows:

Amend, page 1, line 4, after the word "county," by inserting the word "Pennsylvania."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. Without objection, the bill will be considered as having been ordered to be engrossed and read a third time, and passed.

There was no objection.

The SPEAKER pro tempore. Without objection, it will be considered that the gentleman from Massachusetts has moved to reconsider the last vote and lay that motion on the table.

Mr. BLANTON. Mr. Speaker, in the interest of orderly procedure, I raise an objection against that method of passing a bill.

The SPEAKER pro tempore. The gentleman from Texas objects. The practice was established some time ago in regard to bills on the Unanimous Consent Calendar not objected to. The gentleman has the right to object, and the Chair recognizes his right to ask that the House proceed under the formal rules of the House. The question is on the engrossment and third reading of the bill.

Mr. BUTLER. Mr. Speaker, did not the Chair declare the bill passed? That is a parliamentary question. Technically, has not the bill been passed? Did not the Chair declare the bill to

The SPEAKER pro tempore. The Chair stated that without

objection it would be considered as passed.

Mr. BUTLER. That is different. The SPEAKER pro tempore. The gentleman from Texas raises an objection to a method that has long been in use in the annals of the House. But it is his right. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time,

and was read the third time.

The SPEAKER pro tempore. The question is on the passage

The question was taken, and the bill was passed.

On motion of Mr. Winslow, a motion to reconsider the last vote was laid on the table.

BRIDGE ACROSS DES MOINES RIVER AT DUMAS, MO.

Mr. WINSLOW. Mr. Speaker, by direction of the Committee on Interstate and Foreign Commerce I call up bill S. 1154.

The SPEAKER pro tempore. The gentleman from Massachusetts calls up the bill S. 1154, which the Clerk will report. The Clerk read as follows:

A bill (S. 1154) for the construction of a bridge across the Des Moines River at or near the city of Dumas, Mo.

Be it enacted, etc., That the Atchison, Topeka & Santa Fe Railway Co., its successors and assigns, be, and the same is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Des Moines River, at a point suitable to the interests of navigation, at or near Dumas, Mo., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the

third time, and passed.

The SPEAKER pro tempore. Without objection, the gentleman from Massachusetts will be considered as having moved to reconsider the last vote and to lay that motion on the table.

There was no objection.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted-To Mr. McDuffie, for June 2, to attend United States Naval Academy graduation exercises.

To Mr. OLIVER, for June 2, to attend United States Naval Academy graduation exercises.

To Mr. LEE of Georgia, for June 2, to attend United States Naval Academy graduation exercises.

To Mr. Moore of Virginia (at the request of Mr. Bland of Virginia), on account of sickness.

## ADJOURNMENT.

Mr. WINSLOW. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 15 minutes p. m.) the House adjourned until Thursday, June 2, 1921, at 12 o'clock noon.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. MORIN, from the Committee on Military Affairs, to which was referred the bill (S. 1358) to provide for maintaining the Corps of Cadets at the United States Military Academy at its maximum authorized strength, and for other purposes, reported the same with an amendment, accompanied by a report (No. 121), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

### REPORT OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were

severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. DRIVER, from the Committee on the Public Lands, to which was referred the bill (H. R. 2865) authorizing the Secretary of the Interior to sell and patent to J. D. Calhoun, of Lincoln Parish, La., certain lands, reported the same without umendment, accompanied by a report (No. 122), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 2866) authorizing the Secretary of the Interior to sell and patent to parties named herein certain lands in Louisiana, reported the same without amendment, accompanied by a report (No. 123), which said bill and report were referred to the Private Calendar.

Mr. SINNOTT, from the Committee on the Public Lands, to which was referred the bill (H. R. 5684) to authorize the purchase by the city of Medford, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, I

1916, reported the same with an amendment, accompanied by a report (No. 124), which said bill and report were referred to the Private Calendar.

#### CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on War Claims was discharged from consideration of the bill (H. R. 6333) for the relief of the estate of George B. Chase, deceased, and the same was referred to the Committee on Claims.

# PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Miss ROBERTSON: A bill (H. R. 6741) to provide for the construction of a military road at the United States cemetery at Fort Gibson, Okla.; to the Committee on Military Affairs, By Mr. HAWES: A bill (H. R. 6742) to provide for the ap-

pointment of an additional judge of the District Court of the United States for the Eastern District of Missouri; to the Committee on the Judiciary.

By Mr. WEAVER: A bill (H. R. 6743) amending chapter 209, Thirty-Seventh Statutes, approved July 6, 1912, relating to the Olmstead lands in North Carolina; to the Committee on Agriculture.

By Mr. JACOWAY: A bill (H. R. 6744) to amend for the period of one year section 22 of the interstate commerce act; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 6745) to amend the interstate commerce act; to the Committee on Interstate and Foreign Commerce.

By Mr. MASON: A bill (H. R. 6746) for the payment of certain claims against the Choctaw Indians enrolled as Mississippi Choctaws; to the Committee on Indian Affairs.

Also, a bill (H. R. 6747) to prevent running of statute of limitations as to actions for injuries by carriers; to the Committee on Interstate and Foreign Commerce.

By Mr. BROOKS of Illinois: A bill (H. R. 6748) to amend an act entitled "An act to incorporate the National Education Association of the United States," approved June 30, 1906, as amended by an act approved May 13, 1920; to the Committee on

By Mr. KAHN: A bill (H. R. 6749) to authorize the Secretary War to make and receive conveyances effecting an exchange of title to the railroad rights of way at Camp Henry Knox, Ky.,

and for other purposes; to the Committee on Military Affairs.

By Mr. WEBSTER: A bill (H. R. 6750) for the consolidation of forest lands within the Wenatchee National Forest, State of Washington, and for other purposes; to the Committee on the Public Lands.

By Mr. PARRISH: A bill (H. R. 6751) granting allowances for rent, fuel, and light to postmasters of the fourth class, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. VOLSTEAD: A bill (H. R. 6752) supplemental to the national prohibition act; to the Committee on the Judiciary.

By Mr. FULMER: A bill (H. R. 6753) to establish and promote the use of the official cotton standards of the United States in interstate and foreign commerce; to prevent deception therein and provide for the proper application of such stand-

ards; and for other purposes; to the Committee on Agriculture. By Mr. SCOTT of Michigan: A bill (H. R. 6754) to amend sections 2, 13, and 14 of an act entitled "An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion, and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea," approved March 4, 1915; to the Committee on the Merchant Marine and Fisheries.

By Mr. APPLEBY: Joint resolution (H. J. Res. 139) proposing an amendment to the Constitution of the United States; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. PORTER: Joint resolution (H. J. Res. 140) terminating the state of war between the Imperial German Government and the United States of America, and between the Imperial and Royal Austro-Hungarian Government and the United States of America; to the Committee on Foreign Affairs,

By Mr. BARBOUR: Memorial of the Legislature of the State of California, urging an appropriation for the development of Artillery and Cavalry horses; to the Committee on Military Affairs

By Mr. CARTER: Memorial of the Legislature of the State of Oklahoma, expressing confidence in the government of President Obregon, of the Republic of Mexico; to the Committee on Foreign Affairs.

### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions

were introduced and severally referred as follows:

By Mr. BYRNS of Tennessee: A bill (H. R. 6755) granting a pension to Chlora Wible; to the Committee on Invalid Pen-

By Mr. FULLER: A bill (H. R. 6756) granting a pension to Martin Egeness; to the Committee on Invalid Pensions

By Mr. GAHN: A bill (H. R. 6757) for the relief of E. A.

Schwarzenberg; to the Committee on War Claims.

By Mr. GRAHAM of Illinois: A bill (H. R. 6758) granting a pension to Mary E. Spencer; to the Committee on Invalid Pen-

Also, a bill (H. R. 6759) granting an increase of pension to Andrew J. Leonard; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 6760) granting a pension to Alex H. Burns; to the Committee on Pensions.

Also, a bill (H. R, 6761) granting a pension to Curt T. Spicer;

to the Committee on Pensions, By Mr. MAPES: A bill (H. R. 6762) authorizing the Secretary of War to donate to the city of Zeeland, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ROSSDALE: A bill (H. R. 6763) for the relief of Jennie Dunn; to the Committee on Claims.

By Mr. STEENERSON: A bill (H. R. 6764) granting an increase of pension to Mary Oakes Weatherhead; to the Committee on Invalid Pensions

By Mr. UNDERHILL: A bill (H. R. 6765) for the relief of

Frank Williams; to the Committee on Claims.

By Mr. WILLIAMS: A bill (H. R. 6766) granting an increase of pension to Nancy A. Young; to the Committee on Invalid

### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1018. By Mr. BARBOUR: Petition of the Kings County Chamber of Commerce, Hansford, Calif., urging reconsidera-tion of the transportation act of 1920; to the Committee on Interstate and Foreign Commerce. Also, petition of the Tulare County Building and Trades Council of Visalia, Calif., opposed to the turnover sales tax; to the Committee on Ways and Also, petition of the Italian Vineyard Co., of San Bernardino County, Calif., urging appropriation for the purchase of the experiment vineyards near Fresno and Oakville, Calif.; to the Committee on Appropriations. Also, petition of the Women's Auxiliary, Tulare Post, No. 15, American Legion, of Tulare, Calif., urging relief for the disabled soldiers. petition indorsing the program asked by the American Legion; to the Committee on Interstate and Foreign Commerce.

1019. By Mr. DALLINGER: Petition of citizens of Massachusetts favoring the recognition of the republic of Ireland;

to the Committee on Foreign Affairs.

1020. By Mr. GOODYKOONTZ: Petition of Hon, James H. Stewart, commissioner of agriculture of West Virginia, opposed to the passage of House bill 3154; to the Committee on Agricul-

1021. By Mr. PETERS: Petition of Arthur Chadbourne and 55 others, residents of the State of Maine, relative to the enactment of tariff laws; to the Committee on Ways and Means

1022. By Mr. RAKER: Resolution indorsing House bill 12788, Sixty-sixth Congress (now House bill 4383), by University Book Club, Los Angeles, Calif.; to the Committee on Indian Affairs. 1023. By Mr. SIEGEL: Petition of the New York State So-

ciety for the city of New York, urging relief for the disabled soldiers; to the Committee on Interstate and Foreign Commerce.

## SENATE.

## THURSDAY, June 2, 1921.

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father and our God, we recognize the flight of time. Scarce do we welcome a month than we are ready to say farewell. We pray Thee that we may recognize the opportunities given to us as the days fly swiftly by. Help us to honor Thee with the best that there is in us, to the glory of Thy great name. Through Jesus Christ our Lord. Amen.

# MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Over-

bridge across the Des Moines River at or near the city of Dumas. Mo.

The message also announced that the House had passed bills and a joint resolution of the following titles, in which it requested the concurrence of the Senate:

H. R. 5616. An act granting the consent of Congress to the commissioners of Venango County, their successors and assigns, to construct a bridge across the Allegheny River, in the State of Pennsylvania;

H. R. 6320. An act to regulate interstate and foreign commerce in live stock, live-stock products, dairy products, poultry, poultry products, and eggs, and for other purposes;

H. R. 6567. An act to amend section 407 of the transportation act of 1920; and

H. J. Res. 32. Joint resolution to change the name of the Grand River in Colorade and Utah to the Colorado River.

#### THE JOURNAL-CONFIRMATION OF ENSIGNS.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Tuesday, May 31, 1921.

Mr. CURTIS. I ask unanimous consent to dispense with the further reading of the Journal.

Mr. NORRIS. Mr. President, I desire to have the Journal read.

The VICE PRESIDENT. There is objection, and the Journal will be read.

Mr. NORRIS. I do not care for the reading of the entire Journal, but there is one particular item, in regard to the confirmation of certain nominations in open executive session, and desire to know whether it is noted in the Journal.

The VICE PRESIDENT. That part of the Journal will be

The reading clerk read the following entry in the Journal of yesterday's proceedings:

#### CALENDAR DAY OF JUNE 1.

#### CONFIRMATION OF ENSIGNS IN THE NAVY.

On motion by Mr. Poindexter, and by unanimous consent, the Senate proceeded to consider, as in open executive session, the nominations of Midshipmen Buell F. Brandt, Leo R. Farrell, Elisha E. Meredith, Cecil Faine, Delwyn Hyatt, Julius L. Thompson to be ensigns in the

Resolved, That the Senate advise and consent to said nominations.

Resolved, That the Secretary notify the President of the United States thereof.

Mr. NORRIS. So far as I am concerned I have no objection to dispensing with the reading of the rest of the Journal.

The VICE PRESIDENT. Without objection, the reading of

the Journal will be dispensed with and the Journal will be approved. The Chair hears no objection.

Mr. NORRIS. Mr. President, I wish to say that the Journal shows that the Senate yesterday in open session, right in the presence of the whole world, confirmed six nominations. I was present when that occurred, but it was so shocking that I was rendered practically speechless at the time, and I had to have time to think about it in order to realize just what had hap-

Only a few days ago, when we were locked up in executive session, we were told that the custom of confirming nominations behind closed doors and in secret was one of the ancient cornerstones of senatorial procedure; that that custom had hair on it a hundred years old; and now here comes the Senate and with one fell swoop bobs that hair off shorter than a modern society woman's dress

It is remarkable that we should so ruthlessly set aside one of the ancient customs that are looked upon with such reverence in this Chamber. Mr. President, I am shocked. I was humiliated yesterday to think that the Senate would do it. I really thought that when we awoke this morning the senatorial ship would be sunk and that the country would be ruined. And yet here we are still alive. I wonder if we realize what a dangerous proposition we are engaged in. We have always been told that the safety of good government depends upon the secrecy of the Senate in passing upon the nominations of the President, and here, without any consideration, we have broken that ancient rule.

Mr. President, think what might occur. If we are not going to have secret sessions to pass on these nominations, how are we going to make good the promises that we make before election to give men offices for certain things they might do? I use it only as an illustration and it never has happened, of course, but it might very well happen that in a presidential campaign there might be a presidential primary in some States and, again using it only as an illustration, perhaps in North Carolina, where men were bound in a certain way and they violate their pledges and then are given positions and the hue, its enrolling clerk, announced that the House had passed Senate comes to confirm them, if we establish the precedent of without amendment the bill (S. 1154) for the construction of a considering such matters in open public session the whole country would find out all about these things. Pray God, Mr. Presi-

dent, what are we coming to?

Mr. NELSON. Mr. President, I wish to suggest to the Senator from Nebraska that probably we owe it to the fact that the men whom we confirmed were young men and we therefore felt that they were entitled to confirmation in that way.

Mr. NORRIS. That may be.

JUDGMENT IN FAVOR OF EASTERN TRANSPORTATION CO. (S. DOC. NO. 31).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a record of the judgment rendered against the United States by the United States District Court for the Eastern District of Virginia in favor of the Eastern Transportation Co. in the sum of \$28,080.32, which was referred to the Committee on Appropriations and ordered to be printed.

JUDGMENT IN FAVOR OF THE ARUNDEL SAND & GRAVEL CORPORATION (S. DOC. NO. 32).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a record of the judgment rendered against the United States by the United States District Court for the Eastern District of Virginia in favor of the Arundel Sand & Gravel Corporation in the sum of \$7,153.61, which was referred to the Committee on Appropriations and ordered to be printed.

#### HOUSE BILLS REFERRED.

The following bills and joint resolution were severally read twice by title and referred as indicated below:

H. R. 5616. An act granting the consent of Congress to the commissioners of Venango County, their successors and assigns, to construct a bridge across the Allegheny River, in the

State of Pennsylvania; to the Committee on Commerce. H. R. 6320. An act to regulate interstate and foreign commerce in live stock, live-stock products, dairy products, poultry, poultry products, and eggs, and for other purposes; to the Committee on Agriculture and Forestry.

H. R. 6567. An act to amend section 407 of the transportation act of 1920; to the Committee on Interstate Commerce.

H. J. Res. 32. Joint resolution to change the name of the Grand River in Colorado and Utah to the Colorado River; to the Committee on Commerce.

### CONSOLIDATION OF TELEPHONE COMPANIES.

The bill (H. R. 6567) to amend section 407 of the transportation act of 1920 was read twice by its title and referred to the Committee on Interstate Commerce.

Mr. POMERENE. I am authorized by the Committee on Interstate Commerce to report favorably the bill which has just been laid before the Senate and to recommend its passage.

I ask for its present consideration.

The VICE PRESIDENT. Is there objection to the present consideration?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as fol-

lows:

Be it enacted, etc., That section 407 of the transportation act of 1920 be, and it is hereby, amended by adding thereto a new paragraph designated as paragraph (9), as follows:

"(9) Upon application of one or more telephone companies for authority to consolidate their properties or a part thereof into a single company, or for authority for one or more such companies to acquire the whole or any part of the property of another telephone company or other telephone companies or the control thereof by the purchase of securities or by lease or in any other like manner, when such consolidated company would be subject to this act, the commission shall fix a time and place for a public hearing upon such application and shall thereupon give reasonable notice in writing to the governor of each of the States in which the physical property affected, or any part thereof, is situated, and to the State public service commission or other regulatory body, if any, having jurisdiction over telephone companies, and to such other persons as it may deem advisable. After such public hearing, if the commission finds that the proposed consolidation, acquisition, or control will be of advantage to the persons to whom service is to be rendered and in the public interest, it shall certify to that effect; and thereupon any act or acts of Congress making the proposed transaction unlawful shall not apply. Nothing in this paragraph contained shall be construed as in any wise limiting or restricting the powers of the several States as now existing to control and regulate telephone companies."

The VICE PRESIDENT. If there is no amendment as in Committee of the Whole, the bill will be reported to the

The bill was reported to the Senate without amendment,

ordered to a third reading, read the third time, and passed.

Mr. POMERENE. I have before me a brief report which was made on Senate bill 1313 to amend section 407 of the transportation act of 1920, which is identically the same bill as the one just passed, except that a very minor amendment

was made in the House. I ask for the information of Senators that the brief report be incorporated in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

that the brief report be incorporated in the Recons.

There being no objection, the report was ordered to be printed in the Recons, as follows:

Mr. Pomerers, from the Committee on Interstate Commerce, submitted the following report to accompany S. 1313: more submitted the following report to accompany S. 1313: more submitted the following report to accompany S. 1313: more submitted the following report to accompany S. 1313: more submitted the following report of the transportation act of 1920 be and it is heart of the following considered the same, report favorably thereon with the recommendation that the bill do pass with an amendment.

Strike out all after the enacting clause and insert the following:

"That section 407 of the transportation act of 1920 be, and it is heart of the following the submitted as the following that the following th

Mr. POMERENE. Also in the same connection I move that the bill (S. 1313) to amend section 407 of the transportation act of 1920 be taken from the calendar and indefinitely postponed.

The motion was agreed to.

### PETITIONS AND MEMORIALS.

Mr. SHORTRIDGE. Mr. President, I have here certain duly certified joint resolutions passed by the Legislature of California bearing upon matters of public interest, and I ask that they be appropriately referred and printed in the RECORD.

The resolutions were referred as indicated.

To the Committee on Immigration:

LEGISLATIVE DEPARTMENT, STATE OF CALIFORNIA,

FORTY-FOURTH SESSION,
Assembly Chamber, April 29, 1921.
Assembly joint resolution 6, relative to enemy aliens.

Whereas many enemy aliens claimed and secured exemption from service during the recent war and continued in business while citizens and others were rendering valiant service to our country; and

Whereas it is inimical to the best interests of the United States to permit these enemy aliens either to acquire citizenship or to receive the benefits and privileges of residing longer within our borders: Now, therefore, be it

\*Resolved by the assembly and senate jointly, That the Legislature of the State of California hereby memorializes the Congress of the United States to adopt appropriate legislation denying the privilege of naturalization to said enemy aliens, and providing for their deportation to the land of their birth; and be it further

\*Resolved\*, That duly authenticated copies of these resolutions be transmitted to each of our Senators and Representatives in Congress and to the Secretary of the Department of Labor of the United States.

\*Adopted by the California Legislature at the forty-fourth session, ending April 29, 1921.

\*Attest:

\*\*Jerome B. Kavanaugh\*,

JEROME B. KAVANAUGH, Chief Clerk of the Assembly.

JEROME B. KAVAVAUGH, Chief Clerk of the Assembly.

To the Committee on Privileges and Elections:

Legislative Department, State of California, Forty-fourth Session, Assembly Chamber, April 29, 1921.

Assembly Chamber, April 29, 1921.

Assembly Chamber, April 29, 1921.

Assembly Joint resolution 7, relative to a direct primary for the selection of presidential candidates.

Be it resolved by the assembly and the senate jointly, That the Legislature of the State of California hereby memorializes the Congress of the United States to enact a presidential primary act that will provide for the nomination of all party candidates on the same day in all the States; and be it further

Resolved, That California's Senators and Representatives in Congress be, and they are hereby, requested and urged to use their utmost endeavor to secure the enactment of such a measure; and be it further

Hesolved, That a copy of these resolutions be forwarded by the chief clerk of the assembly to the President of the Senate of the United States, the Speaker of the House of Representatives, and to each of California's Senators and Representatives in Congress.

Adopted by the California Legislature at the forty-fourth session, ending April 29, 1921.

Attest:

Jerome B. Kavavaugh,

Ordered to lie on the table:

Legislative Department, State of California, Forty-fourth Session, Assembly Chamber, April 29, 1921.

Assembly Chamber, April 29, 1921.

Assembly joint resolution 10, relative to the naval construction program of the United States.

Whereas the Congress of the United States has adopted a program for the establishment of an American Navy capable of affording the greatest measure of protection to American commerce, American life, and American principles, and to maintain our national independence within our own control; and

Whereas they are now building under various stages of completion in the private and Government shipbuilding yards of the United States, by the authority of Congress, 11 dreadnaughts, 6 double cruisers, 10 scout cruisers, 11 miscellaneous ships, 45 destroyers, and 47 submarines, the final completion of which will make the American Navy second to none on earth; and

Resolved by the assembly and the senate jointly. That the Legislature

second to none on earth; and Resolved by the assembly and the senate jointly. That the Legislature of the State of California hereby urges upon the Congress of the United States the necessity of continuing under its present program for naval construction and of strengthening the fortifications on the Pacific coast, and that the clerk of the assembly and the secretary of the senate, respectively, be, and they are hereby, directed to send a copy of this resolution to the Senators and Representatives of California at Washington, D. C.

Adopted by the California Legislature at the forty-fourth session, ending April 29, 1921.

Attest:

Jerome B. Kavanaugh,

JEROME B. KAVANAUGH, Chief Clerk of the Assembly.

To the Committee on Agriculture and Forestry:

LEGISLATIVE DEPARTMENT, STATE OF CALIFORNIA, FORTY-FOURTH SESSION, Assembly Chamber, April 29, 1921.

Assembly joint resolution 11, relative to the use of airplanes in forest-fire protection.

fire protection.

Whereas the loss of timber through forest fires in California and other Western States is detrimental to the public welfare and threatens the permanency of our principal manufacturing industry; and whereas the use of airplanes furnished by the War Department for patrol of forested areas in California and Oregon throughout the past season aided materially in the work of forest protection; and Whereas the Air Service has outlined a plan for air patrol of the forested areas in the States of California, Oregon, Washington, Idaho, Montana, and western Wyoming; and Whereas the States above mentioned embrace some 80,000,000 acres of Government land and centain fully one-half of all the standing merchantable timber in the United States: Now, therefore, be it

Resolved by the assembly and senate jointly, That the Legislature of the State of California memorializes the Representatives and Senators from California to use their best endeavors to secure approval of the recommendations of the Air Service for patrol of our forests by airplanes during the fire season of 1921, and also to provide the Federal Forest Service with necessary funds to enable proper cooperation with the Air Service in order that the maximum benefit be secured through such patrol; and be it further

Resolved, That the chief clerk of the assembly be, and he is hereby, directed to forward copies of this resolution to the President of the Senate of the United States and the Speaker of the House of Representatives, and to each of California's Senators and Representatives in

Congress.

Adopted by the California Legislature at the forty-fourth session, ending April 29, 1921.

Attest:

LEBOME B. KAYANAUGH.

JEROME B. KAVANAUGH, Chief Clerk of the Assembly.

To the Committee on Public Lands and Surveys:

LEGISLATIVE DEPARTMENT, STATE OF CALIFORNIA, FORTY-FOURTH SESSION, Assembly Chamber, April 29, 1921.

Assembly joint resolution 17, relative to the compensation of counties containing land in national forest reserves exempt from local taxation.

Whereas by national law and under national regulations many thousand acres of land in California have been placed in national forests; and Whereas the counties in which such lands are situated derive no revenue therefrom in the form of taxation, yet give the same fire, police, and health protection; and Whereas these national forests are set apart for the use and enjoyment of all of the people of the United States: Therefore be it

of all of the people of the United States: Therefore be it

Resolved by the assembly and senate jointly. That it is just and
equitable that the National Government recompense the counties in
which such lands are situated by reason of the inability of these counties
to secure revenue therefrom in the form of taxation; and be it further
Resolved, That the Senators and Representatives from California in
Congress be memorialized to use their influence to secure the enactment
of such national laws as will secure to the counties affected just compensation in this matter; and be it further
Resolved, That the clerk of the assembly be, and he hereby is, directed
to forward copies of these resolutions to the Secretary of Agriculture
of the United States and to each Member of the Congress of the United
States from the State of California.

Adopted by the California Legislature at the forty-fourth session,
ending April 29, 1921.

Attest:

Jerome B. Kavanaugh,
Chief Clerk of the Assembly

JEROME B. KAVANAUGH, Chief Clerk of the Assembly.

To the Committee on Indian Affairs:

LEGISLATIVE DEPARTMENT, STATE OF CALIFORNIA, FORTY-FOURTH SESSION, Assembly Chamber, April 29, 1921.

Assembly joint resolution 24, relative to needy Indians within the State of California.

Assembly Joint resolution 24, relative to needy Indians within the State of California.

Whereas there are within the borders of the State of California approximately 20,000 Indians on land of little or no value, of whom at least 4,000 are without any land or homes, and furthermore, there are about 4,000 Indian children of school age of whom 2,500 are without any land or homes, and no ensiderable number of the Indian population are without necessary food, shelter, and medical attendance; and
Whereas the National Government through a duly authorized commission in the years 1851 and 1852 negotiated 18 separate treaties with the Indians of this State, and secured the signatures of 401 Indian chiefs and heudmen to said treaties, agreed to reserve for them in perpetuity about 7,500,000 acres of land and to pay said Indians approximately \$1,500,000 in sundry goods for the other lands they agreed to cede to the United States and to provide them with sufficient educational and agricultural instruction, and the facilities necessary therefor; and
Whereas the National Government has so signally falled to keep faith with these defenseless people, as provided for in said treaties or to compensate them for any of their rights in land or to provide rot tem educationally or otherwise, in accordance with its policy adhered to everywhere eise; and
Whereas the massing of these Indians in thinly populated districts makes provision for them at, the expense of their white neighbors, under the prevalent school and pauper laws of the State an unfair, inequitable, and intolerable burden; and
Whereas it has been the general policy of the National Government to assume the care and education of the Indians, yet it has not always been practicable or for the best interests of their white neighbors, under the prevalent school and pauper laws of the State of California (Inc.) has already been approved by the State legislature and by congressional and administratives in Congress be, and are hereby, urged to path of the purchase of dequate and

JEROME B. KAVANAUGH, Chief Clerk of the Assembly.

To the Committee on the Judiciary:

Legislative Department, State of California,
FORTY-FOURTH Session,
Assembly Chamber, April 29, 1921.

Assembly joint resolution 30, relative to the adoption of the metric system by the Congress of the United States as the legal standards of weights and measures after a transition period of 10 years, as proposed in bills now before Congress.

Whereas there is in the United States a deplorable lack of uniformity in weights and measures, and the units used are unscientific, cumbersome, and unrelated, constituting an actual hindrance to education, Industry, world trade, and the activities of daily life; and

Whereas the metric system of weights and measures is a decimal system, simple, logical, and easy to use, so that its adoption will result in an incalculable saving in time and energy; and Whereas the metric system has been adopted by the vast majority of enlightened nations, and its adoption by the United States is calculated to promote friendly relations and commerce with all the world;

whereas the State of California, by reason of its great commercial and industrial activities, is vitally interested, both as a State and in behalf of its citizens, in the speedy adoption of world-wide uniform standards of weights and measures: Now, therefore, be it

\*Resolved\*, That the Assembly of the State of California respectfully nrges that the units of the metric system be adopted by the Congress of the United States as the legal standards of weights and measures after a transition period of 10 years, as proposed in bills now before Congress; and be it further

\*Resolved\*, That copies hereof be forwarded to the President of the United States of America and to the Senators and Representatives of the State of California in the Congress of the United States.

\*Adopted by the California Legislature at the forty-fourth session, ending April 29, 1921.

\*Attest:

\*\*Jerome B. Kayanaugh\*,

JEROME B. KAVANAUGH, Chief Clerk of the Assembly.

. To the Committee on Interstate Commerce:

LEGISLATIVE DEPARTMENT, STATE OF CALIFORNIA,
FORTY-FOURTH SESSION,
Assembly Chamber, April 29, 1921.

Assembly joint resolution 31, relative to revision of the Federal transportation act of 1920 to establish a just and equitable rule

of rate making.

Whereas by section 422 of the transportation act, 1920, amending the interstate commerce act by adding section 15a thereto, the Congress of the United States prescribed a rule of rate making whereby the Interstate Commerce Commission shall fix rates so that carriers as a whole will under honest, efficient, and economic management and reasonable expenditures for maintenance of ways, structures, and equipment earn an aggregate annual net railway operating income of 6 per cent upon the aggregate value of railway property held for and used in the service of transportation; and

Whereas said transportation act as now framed applies to and assures a 6 per cent income return to all railway properties, regardless of whether or not said property was reasonably acquired for, or properly applied to, transportation uses; and

Whereas such rule of rate making in effect guarantees to carriers

erly applied to, transportation uses; and
Whereas such rule of rate making in effect guarantees to carriers
annual net earnings and removes the incentive for efficiencies in
operation and economy in expenditures; and
Whereas such rule of rate making imposes upon shippers and the public
an excessive transportation burden, making it impossible for producers to market their products and destroying the value of producing properties, especially agricultural and horticultural lands,
and has in its operation wholly failed to accomplish any beneficial
results for the carriers, but on the contrary has been detrimental to
the interests of producers and the public at large: Now, therefore,
be it

Resolved by the assembly and senate, jointly, That the Legislature of the State of California at its forty-fourth session petitions the Congress of the United States to reconsider the transportation act of 1920, and urges Congress to eliminate the objectionable features herein pointed out, and to grant a rate structure that will not place a false earning power on a large fictitious railroad capital, the payment of which is stifling to industries of the Pacific coast; and be it further

which is stilling to industries of the Pacific coast; and be it further Resolved. That a copy of this joint resolution be sent to the President of the United States, to the Interstate Commerce Commission, to the members of the Committee on Commerce of the Senate, and to the members of the Committee on Interstate and Foreign Commerce of the House of Representatives, to the governors of each of the Western States, and to each Member of the Senate and House of Representatives of the United States from the State of California.

Adopted by the California Legislature at the forty-fourth session, ending April 29, 1921.

Attest:

JEROME B. KAVANAUGH, Chief Clerk of the Assembly.

To the Committee on Military Affairs:

LEGISLATIVE DEPARTMENT,
STATE OF CALIFORNIA,
FORTY-FOURTH SESSION,
Senate Chamber, Sacramento.

To the honorable Secretary of War, the chairman of the Committee on Military Affairs in the House of Representatives, the chairman of the Committee on Military Affairs in the United States Senate, and to each of California's Senators and Representatives in Congress:

Pursuant to the provisions of senate joint resolution No. 16, adopted by the Legislature of the State of California at the forty-fourth session, I am sending you herewith a copy thereof, reading as follows:

"Chapter 77, senate joint resolution 16, relative to remount appropriations.

"Whereas during the World War a shortage of proper type of Cavalry and riding horses in the United States was most noticeable, not only to our Army but to all other nations who attempted to secure them in the United States;

"Whereas a misconception exists in no small degree that horses are no longer needed in warfare and that Cavalry has been rendered

"Whereas this statement is in error on the face of it, the number of animals used per man in the World War being almost identical with the number used in the Civil War; Therefore be it

"Resolved by the senate (the assembly concurring), That we ask that the remount appropriation as presented to Congress in the sum of \$250,000 be adopted without reduction, to the end that the growing of proper horses for Artillery and Cavalry purposes may be increased; and be it further

"Resolved, That the secretary of the senate be, and she hereby is, instructed to forward copies of these resolutions to the honorable States interfering with the British Government or any other

Secretary of the House of Representations in the House of Representatives in Congress.

"C. C. Young, "President of the Senate.

"Henry W. Wright, "Speaker of the Assembly."

"Speaker of the Assembly."

"And The Congress."

"And The Congres Secretary of War, the chairman of the Committee on Military Affairs in the House of Representatives, the chairman of the Committee on Military Affairs in the United States Senate, and to each of California's

"Speaker of the Assembly.

"Martin C. Madsen,
"Private Secretary to the Governor.
"Frank C. Jordan,
"Secretary of State."

And hereby certify that the same was duly filed with the secretary of state on May 11, 1921.

GRACE S. STOERMER, Secretary of the Senate.

Mr. LODGE presented resolutions of the Massachusetts State Council, Knights of Columbus, and the City Council of the City of Lawrence, Mass., favoring the recognition by the United States of the republic of Ireland, which were referred to the Committee on Foreign Relations.

Mr. WARREN presented three telegrams in the nature of memorials from George P. Heuell, of Cokeville; James A. Bennett, of Rawlins; and J. A. Senn, of Douglas, all in the State of Wyoming, remonstrating against a proposed tariff of \$10 per ton on amorphous graphite, which were referred to the Committee on Finance.

Mr. WILLIS presented a resolution of the Ohio State Council. Knights of Columbus, favoring the recognition by the United States of the republic of Ireland, which was referred to the Committee on Foreign Relations.

Mr. LADD presented a resolution of Victoria Rebekah Lodge No. 105, of Deering, N. Dak., favoring the enactment of legislation to create a department of education, which was referred to the Committee on Education and Labor.

He also presented a resolution of the North Dakota State Federation of Labor, of Grand Forks, N. Dak., favoring the enactment of legislation providing adequate relief for disabled ex-service men, which was referred to the Committee on Finance.

Mr. HARRIS presented letters in the nature of petitions from Burke County Chamber of Commerce, of Waynesboro; Kiwanis Club, of Savannah; commissioners of Chatham County and ex officio judges, of Savannah; commissioners of roads and revenues of Dougherty County; and board of county commissioners of roads and revenues of Early County, all in the State of Georgia, praying for the enactment of legislation for the continuance of Federal aid in highway construction, which were referred to the Committee on Post Offices and Post Roads.

Mr. CAPPER presented a resolution of Brotherhood of Rail-

way and Steamship Clerks, of Chanute, Kans., protesting against the enactment of legislation repealing the excess-profits tax and substituting therefor a sales or turnover tax, which was referred to the Committee on Finance.

He also presented a resolution of the Franklin Local Farmers' Union, of Geneseo, Kans., favoring the enactment of legislation to prohibit gambling in grain and other agricultural products, which was referred to the Committee on Agriculture and Forestry.

He also presented petitions of sundry citizens of Iowa City, Iowa; Franklin County Farm Bureau, of Columbus, Ohio; National Association of the Merchant Tailors of America, of Philadelphia, Pa.; the Chamber of Commerce of Portsmouth, Ohio; and sundry citizens of Cincinnati, Ohio, Richmond, Ind., Newport, Ky., Norwood, Ohio, Louisville, Ky., and New York City, N. Y., praying for the enactment of the so-called truthin-fabric bill, which were referred to the Committee on Interstate Commerce.

He also presented four resolutions of sundry citizens of Cherryvale and Independence, Kans., favoring the enactment of legislation for the recognition of the Irish republic, which were referred to the Committee on Foreign Relations.

He also presented a petition of the First Christian Church of Emporia, Kans., praying for a reduction in armaments, which was referred to the Committee on Foreign Relations.

Mr. SUTHERLAND presented four petitions of sundry citi-

zens of Lewisburg, Clintonville, Algonquin, Tallmansville, Buckhannon, Ramsey, Jinkey, and Victor, all in the State of West Virginia, praying for the enactment of legislation to prohibit gambling in grain and other agricultural products, which were referred to the Committee on Agriculture and Forestry.

Mr. KELLOGG presented a petition of sundry citizens of St. Charles, Minn., praying for the recognition by the United States of the Irish republic, which was referred to the Committee on

Foreign Relations. He also presented a memorial of sundry citizens of St. Cloud, Government in the administration of those affairs exclusively within their own jurisdiction, etc., which was referred to the

Committee on Foreign Relations.

He also presented three petitions of sundry citizens of Donaldson, Kennedy, Stephen, Alden, Vemdale, and Staples, all in the State of Minnesota, praying for the enactment of legislation to prohibit gambling in grain and other agricultural products, which were referred to the Committee on Agriculture and Forestry.

He also presented a memorandum in relation to the case of East Galicia, favoring the recognition by the United States of East Galicia (along with northern Bukowina) as an independent State, the West Ukrainian republic, which was referred to the Committee on Foreign Relations.

He also presented a resolution of the Legislature of Minnesota, which was referred to the Committee on Finance, as follows:

Resolution memorializing the Congress of the United States to remedy the conditions existing with respect to the rehabilitation of disabled ex-service men.

the conditions existing with respect to the rehabilitation of disabled ex-service men.

Whereas the United States of America has a duty, first, to furnish adequate medical, surgical, and hospital treatment to its ex-service men who need it; second, to train the disabled in as far as possible to overcome the vocational handicap that their disability imposes upon them; third, to compensate the disabled in so far as is possible by cash payments for the financial loss their disability occasions them and their dependents; and

Whereas the United States, liberal and generous in its provisions for the disabled who gave their health and strength in their country's service in the late war, has failed in a large measure, through legislative and administrative deficiencies, to make these provisions available in this, that while in the rehabilitation of a disabled man there are three needs—medical treatment, vocational training, and financial support—and while recognizing these three needs the Government has overlooked the fact that they are the simultaneous needs of one man, and not of three different men, or of one man at three different times, and has given the problem over to three agencies—the Public Health Service, for treatment; the Federal Board of Vocational Education, for training; the Bureau of War Risk Insurance, for financial support—each agency an institution complete in itself and each administratively independent of the other two, and all by force of circumstances exercising functions they were not intended to exercise; and Whereas, as a result, there has been unintentional administrative chaos, duplication, wasted energy, and conflict which has resulted in thousands of disabled were in need of hospitalization, unable to secure treatment on account of lack of adequate hospital facilities, and an unusual amount of hardship and inability to secure treatment by thousands of disabled men in need of hospitalization, unable to secure treatment on account of lack of adequate hospital facilities, and an unusual amo

ington: Now therefore be it

Resolved by the House of Representatives of the State of Minnesota (the Senate concurring), That the Congress of the United States of America be, and the same is hereby, urgently petitioned and requested to take such measures as may be necessary, first, to provide adequate care and hospitalization for the disabled ex-service men of America; second, to provide for the consolidation of the three agencies now dealing with the disabled ex-service men; third, to decentralize the administration of the agencies dealing with the disabled ex-service men; be it further Resolved, That a duly authenticated copy of this resolution be transmitted to the Speaker of the House of Representatives of the United States; that another be transmitted to the President of the Senate and Congress of the United States, and also that copies be sent to each representative of the State of Minnesota in the United States Senate and House of Representatives.

W. I. Nolan,

ntatives.

W. I. Nolan,

Speaker of the House of Representatives.

Louis L. Collins,

President of the Senate.

Passed the house of representatives April 5, 1921.
OSCAR ARNESON,
Chief Clerk, House of Representatives.

Passed the senate April 10, 1921.

GEO. W. PEACHEY, Secretary of the Senate.

Approved April 21, 1921.

J. A. O. PREUS, Governor.

Filed April 22, 1921.

MIKE HOLM, Secretary of State.

I, Mike Holm, secretary of state of the State of Minnesota, and keeper of the great seal, do hereby certify that the above is a true and correct copy of H. F. No. 1038, as shown by the records in my office.

[SEAL.] Secretary of State.

Mr. KELLOGG presented a resolution of the Legislature of Minnesota, which was referred to the Committee on Interstate Commerce, as follows:

concurrent resolution memorializing Congress of the United States to nullify certain orders of the Interstate Commerce Commission affecting intrastate railroad rates and to amend the act to regulate commerce so as to render such orders in the future impossible.

Whereas in the so-called Esch-Pomerene bill to amend the act to regulate commerce it was provided that the Interstate Commerce Commission should have authority to make such orders as might in its judgment tend to remove any undue burden upon interstate or foreign

commerce; and

Whereas there was widespread apprehension, both in Congress and with the public generally, that the inclusion of such a provision would almost, if not critically, eliminate State control of intrastate railroad rates, for the renson that the commission might decide that any intrastate rates upon a lower basis than corresponding interstate rates would constitute such undue burden; and

Whereas after much debate upon the question, both in committee and upon the floor of the House of Representatives, it was decided that such objectionable provision should be, and the same was, stricken out of the bill; and
Whereas the Interstate Commerce Commission has, since the passage of the transportation act, 1920, interpreted section 13 (4) of the act to regulate commerce to confer upon it the same power over intrastate rates which it was feared would result had said undue-burden clause been included; and, purporting to act under the authority of said section, the commission has already made orders purporting to change entire systems of intrastate rates in the States of New York, Illinois, Minnesota, and Wisconsin, and has many similar proceedings now pending before it; and
Whereas the reasons given by the commission for the orders in question would apply wherever intrastate rates are upon a lower basis than the corresponding interstate rates, so that under its interpretation of said section 13(4) the legislatures of the several States have been deprived of substantially all power to regulate intrastate rates; and
Whereas the construction placed upon said section is not only in contravention of the tenth amendment to the Constitution of the United States but is directly contrary to the will of Congress as evidenced by its action when it removed said undue-burden clause from the Esch-Pomerene bill: Wherefore it is

\*\*Resolved by the House of Representatives of the State of Minnesota (the Senate concurring). That the Congress of the United States be, and it is hereby, respectfully and earnestly petitioned to take such action as will nullify the orders of the Interstate Commerce Commission hereinabove mentioned and to so amend the act to regulate commerce as to render such orders impossible in the future.

\*\*W.I. Nolan\*\*, \*\*Speaker of the House of Representatives.\*\*

Speaker of the House of Representatives.
Louis L. Collins,
President of the Senate.

Passed the house of representatives January 20, 1921.

OSCAR ARNESON,

Chief Clerk House of Representatives.

Passed the senate April 6, 1921.

GEO. W. PEACHEY, Secretary of the Senate.

Approved April 8, 1921.

J. A. O. PREUS, Governor.

Filed April 8, 1921.

MIKE HOLM, Secretary of State.

I, Mike Holm, secretary of state of the State of Minnesota and keeper of the great seal, do hereby certify that the above is a true and correct copy of H. F. No. 154, as shown by the records in my office.

[SEAL.] Secretary of State.

Mr. KELLOGG presented a resolution of the Legislature of Minnesota, which was referred to the Committee on Immigration, as follows:

A resolution memorializing the Congress of the United States to suspend immigration until a selective system of immigration be established.

immigration until a selective system of immigration be established. Whereas the extreme and unusual conditions brought about by the World War have caused millions of aliens to seek admission to the United States in the hope that they may be able here to improve economic conditions; and Whereas under the present property, and literacy qualifications many undesirable persons are admitted to our shores who have no object in view other than to take advantage of the many opportunities offered by our institutions, without any intention of assuming any of the duties and responsibilities of American citizenship: Now, therefore, be it

fore, be it

Resolved by the House of Representatives of the State of Minnesota (the Senate concurring), That the Senate and House of Representatives of the United States be, and they hereby are, urged to pass a measure by the terms of which all immigration shall cease for a period of one year, or until such a time as national legislation can be adopted that will bring about a selective system of immigration and cause this selection to be made before taking passage to a port of entry in the United States; and be it further

Resolved, That a copy of these resolutions be sent to each Member of the United States Senate and House of Representatives from Minnesota.

W. I. NOLAN,

Speaker of the House of Representatives.

LOUIS L. COLLINS,

President of the Senate.

Passed the house of representatives January 27, 1921.

Passed the house of representatives January 27, 1921.

OSCAR ARNESON,

Chief Clerk House of Representatives.

Passed the senate April 6, 1921.

GEO. W. PEACHEY, Secretary of the Senate.

Approved, April 8, 1921.

Filed April 8, 1921.

J. A. O. PREUS, Governor. MIKE HOLM, Secretary of State.

I. Mike Holm, secretary of state of the State of Minnesota and keeper of the great seal, do hereby certify that the above is a true and correct copy of H. F. No. 244, as shown by the records in my office.

MIKE HOLM, Secretary of State.

### ENFORCEMENT OF PROHIBITION.

Mr. McKELLAR. I ask unanimous consent to have printed in the RECORD a petition of the Southern Baptist convention, held in Chattanooga, Tenn., May 16, praying for a more rigid enforcement of the present laws on prohibition.

There being no objection, the petition was ordered to be

printed in the RECORD, as follows:

"The Southern Baptist convention, composed of over 5,000 messengers, representing a constituency of more than 3,000,000 white Baptists, in convention assembled at Chattanooga, Tenn., May 16, 1921, memorialize the United States Government to wipe out 'moonshining' and 'bootlegging' in the United States of America. The illegal manufacture and sale of 'white lightning' decrease the efficiency and available supply of labor, impairs health, and even kills, lowers morals, leads to violation of law and the destruction of life and property. whether this can be done unless the penalty is made more drastic and prison sentence made mandatory instead of being left optional with the judge."

#### REPORTS OF COMMITTEES,

Mr. STANLEY, from the Committee on Patents, to which was referred the bill (S. 1838) to amend section 4887 of the Revised Statutes relating to patents, reported it without amendment.

Mr. SHORTRIDGE, from the Committee on the Judiciary, to which was referred the bill (S. 1804) to protect the interest of innocent third persons in property which is used in the unlawful conveyance of goods or commodities, reported it with amendments and submitted a report (No. 88) thereon.

Mr. JONES of Washington, from the Committee on the District of Columbia, to which was referred the bill (S. 1855) to save daylight in the District of Columbia, reported it with an amendment and submitted a report (No. 89) thereon.

Mr. POMERENE, from the Committee on the District of Columbia, to which was referred the bill (S. 1033) regulating the issuance of checks, drafts, and orders for the payment of money within the District of Columbia, reported it with an amendment and submitted a report (No. 90) thereon.

### CHANGE OF REFERENCE.

On motion of Mr. Jones of Washington, the Committee of Commerce, to which were referred the following bills, was discharged from their further consideration and they were thereupon referred to the Committee on Interstate Commerce:

S. 574. A bill to amend an act entitled "An act to save daylight and to provide standard time for the United States,"

amended; and

S. 1887. A bill to protect interstate commerce in foods, drugs, and medicines, and to extend the provisions of the food and drugs act of June 30, 1906.

### BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows

By Mr. KELLOGG (by request):

A bill (S. 1943) providing for the better protection of aliens and for the enforcement of their treaty rights; to the Committee on Foreign Relations.

By Mr. WARREN: A bill (S. 1944) incorporating the Lighthouses for the Blind; to the Committee on the Judiciary.

By Mr. WILLIS:

A bill (S. 1945) to reimburse the Navajo Timber Co. of Delaware for a deposit made to cover the purchase of timber (with accompanying papers); to the Committee on Claims.

By Mr. KENYON:

A bill (S. 1946) to amend an act entitled "An act to provide for the establishment of Federal reserve banks, to furnish an elastic currency, to afford means of rediscounting commercial paper, to establish a more effective supervision of banking in the United States, and for other purposes," approved December 23, 1913; to the Committee on Banking and Currency.

By Mr. SHORTRIDGE:

A bill (S. 1947) to provide for the disposition of revenues from national parks, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. MYERS:

A bill (S. 1948) to regulate the conducting of business in the District of Columbia on Sunday; to the Committee on the District of Columbia.

By Mr. CAMERON:

A bill (S. 1949) to permit adjustment of conflicting claims to certain lands in Mohave County, Ariz.; to the Committee on Public Lands and Surveys.

By Mr. BRANDEGEE:

A bill (S. 1950) to enlarge the area of lands authorized to be taken for the reclamation of the Anacostia River Flats; to the Committee on the Library.

By Mr. GLASS:

A bill (S. 1951) for the relief of John Hickson, jr. (with accompanying papers); to the Committee on Claims. By Mr. NELSON:

A bill (S. 1952) to appoint Col. W. P. Richardson, United States Army, retired, to the grade of brigadier general on the retired list; to the Committee on Military Affairs.

By Mr. WADSWORTH:

A joint resolution (S. J. Res. 66) to repeal that part of the act of Congress approved February 28, 1920, which provides for the sale of Camp Eustis, Va.; to the Committee on Military Affairs.

#### COMMISSARY PRIVILEGES TO CIVILIAN EMPLOYEES.

Mr. FLETCHER submitted an amendment intended to be proposed by him to the bill (S. 1023) permitting certain employees of the Government to purchase supplies from the commissary stores of the Army and Navy, which was referred to the Committee on Military Affairs and ordered to be printed.

### AMENDMENT TO ARMY APPROPRIATION BILL.

Mr. PHIPPS submitted an amendment intended to be proposed by him to the Army appropriation bill, which was ordered to lie on the table and to be printed, as follows

On page 34, line 19, after the word "sell" insert the following: "or to dispose of by transfer to the Department of Agriculture under existing laws, for its own use and the use of the several States, in road work and maintenance of roads."

#### UNITED STATES SHIPPING BOARD.

Mr. KING. I submit a resolution which I ask may be read and lie on the table.

The resolution (S. Res. 83) was read and ordered to lie on the table, as follows:

Resolved, That the United States Shipping Board be, and is hereby, directed to furnish to the Senate the following full and complete information upon the following matters, to wit:

1. Amount of money advanced to companies or individuals operating allocated chine.

Amount of money advanced to companies or individuals operating allocated ships.
 The compensation paid companies or individuals operating allocated ships.
 The total amounts received and disbursed by such companies and individuals operating allocated ships.
 The number of allocated ships operated by the Shipping Board in competition with those purchased from the board by private companies.

4. The number of allocated ships operated by the Shipping Board in competition with those purchased from the board by private companies.

5. Names of all persons or corporations to whom ships have been allocated, and the number of ships allocated to such persons and corporations, respectively.

6. The number of ships chartered to persons or corporations, and if none have been chartered the reasons why ships have not been chartered as required by law.

7. The number of ships sold, together with the amounts received from the sale thereof, and also the number of contracts for the sale of ships outstanding, with the status of each; the number of ships placed in the hands of receivers, and the reason therefor; also the cost to the Government in operating said ships while in the hands of the receivers, together with the cost of the receiverships; the amounts paid for counsel and attorney fees in receivership proceedings, and to whom said amounts were paid; also whether liabilities have been incurred for counsel or attorney fees in said receiver or other proceedings of the Shipping Board or the United States Shipping Board Fleet Corporation for which liability attaches to either the Shipping Board or said corporation.

8. The amount received from the United States by the Shipping Board and the United States Shipping Board Fleet Corporation.

S. The amount received from the United States by the Shipping Board and the United States Shipping Board Fleet Corporation.

9. The amount received by the Shipping Board or said corporation from the sale of ships, material, and all other forms of property dis-

from the sale of ships, material, and all other forms of property disposed of.

10. The total amount received by said corporation from all sources, the kind, character, and value of property on hand and owned by said corporation and said Shipping Board.

11. The liabilities, actual or contingent, of said Shipping Board or said corporation, and the nature and cause of such liabilities.

12. The number of agencies established in countries other than the United States, and the number of offices maintained in said countries, with the number of employees therein.

## DANISH STEAMSHIP "FLYNDERBORG."

Mr. President, I ask unanimous consent for the present consideration of Senate bill 997. I presume there will be no discussion on the bill, and if there shall be, I will withdraw it. The bill passed at the last session of the Senate, but was not passed by the other House. I think there is no opposition to the bill.

The VICE PRESIDENT. The title of the bill for which the Senator from South Carolina asks consideration will be stated.

The Assistant Secretary. A bill (S. 997) conferring jurisdiction upon the United States District Court for the Eastern District of South Carolina to hear and determine the claim of the owners of the Danish steamship Flynderborg against the United States, and for other purposes.

The VICE PRESIDENT. Is there objection to the immediate

consideration of the bill?

Mr. LODGE. Mr. President, I should like to know what is the object of the bill for which the Senator from South Carolina asks consideration.

Mr. NELSON. Mr. President, I desire briefly to explain the bill.

Mr. KING. I desire to object to the consideration of the bill at this time.

Mr. NELSON. If the Senator will allow me before he makes objection to the consideration of the bill, I desire to make a statement as to its object.

Mr. KING. I withhold the objection.

Mr. NELSON. Mr. President, the bill covers a case for damages growing out of a collision between a Government ship and the Danish ship named. There is now no method by which in this country the owners of the Danish vessel may go into court in order to secure compensation for such damages as they may have sustained. In somewhat similar instances bills have been presented to Congress and passed after having been reported upon by the Committee on Claims, allowing such claims. This This bill permits the claimants to go into the Court of Claims and have their case adjudicated upon the principles of admiralty Under such procedure the basis of compensation is entirely different from that which governs the actions of Congress. In admiralty law, if both vessels in collision are at fault, the damages are apportioned. Ordinarily in the case of a claim for damages reported favorably by the Committee on Claims we allow the entire claim and can give no consideration to the question whether or not the damages ought to be apportioned. bill simply proposes to allow the claimants to go into the Court of Claims. While litigants may go into the Court of Claims in all actions growing out of contracts, either express or implied, in actions of tort no one can sue the United States in the Court of Claims.

I desire further to say to the Senator from Utah that the method here proposed is more equitable, more just to the United States, and protects the United States better than to allow compensation under a bill reported from the Committee on Claims, as has sometimes been the practice in the past.

Mr. KING. Is not the Senator from Minnesota in error in

stating that this bill proposes to give jurisdiction to the Court of Claims? My understanding of the measure, as I heard the title read, was that it proposes to give jurisdiction to the district court in South Carolina.

Mr. NELSON. The Senator is correct. It is proposed to confer on the district court in South Carolina jurisdiction of I said "Court of Claims" inadvertently.

Mr. KING. If I understand the bill, I have no objection to the matter being submitted to the Court of Claims; but I invite the Senator's attention to the fact that if we permit the United States to be sued at any place in the United States, or in every place in the United States, pretty soon we shall be dragging the officials of the Government around and they will be compelled, for the purpose of defending the Government, to go into every part of the United States, and take the archives and the records of the Government with them. The cost of such procedure would be enormous, and the inconvenience to the Government, of course, must be obvious to the Senator from Minnesota and to everyone else.

Mr. NELSON. Mr. President, if my good friend will allow me, he refers to a bill that is pending here to amend the law giving jurisdiction to the district courts in the case of claims against the Government exceeding \$10,000. Under the present law the district courts have jurisdiction of all such cases not exceeding \$10,000 in amount. If they involve more than \$10,000, the claimant must go into the Court of Claims. The bill to which I refer has been reported from the Committee on the Judiciary and is now on the calendar. It proposes to increase the jurisdiction of the district courts to cases involving not exceeding \$50,000.

Mr. KING. I am familiar with the bill to which the Senator refers, and I am opposed to it.

Mr. NELSON. That bill relates to cases growing out of con-In respect to this case, it is an action of marine tort, and the bill simply confers jurisdiction on the district court of the United States in the district of South Carolina, where the tort occurred, and where the evidence is at hand. In all other civilized maritime countries there is a method by which, when such accidents occur, the admiralty may immediately settle the case and pay the damages, if any there be. We had one case in this country some years ago, however, in which a collision occurred and damage resulted to a foreign ship where eight years expired before those suffering from the collision obtained compensation, a thing which never could occur under any other Government.

Mr. WARREN. Mr. President, I desire to ask what is the present order of business?

The VICE PRESIDENT. The order of business is concurrent or other resolutions.

Mr. NELSON. A request has been made by the Senator from South Carolina [Mr. DIAL] for unanimous consent for the consideration of the bill on which I have been speaking.

The VICE PRESIDENT. There has been such a request for unanimous consent.

Mr. NELSON. I trust the Senator from Wyoming will not object to the present consideration of the bill.

Mr. WARREN. The Senate has a prescribed method of procedure, and I prefer that that method be pursued.

I regret very much to object to the consideration of the bill.

Mr. DIAL. I withdraw the request for the consideration of the bill, Mr. President.

The VICE PRESIDENT. Does the Senator from Wyoming call for the regular order?

Mr. DIAL. I merely desire to repeat that the bill for which I have asked consideration passed the Senate at the last session. I do not desire, however, to take up the time of the Senate now in a discussion in reference to the bill, and I withdraw my request for its consideration.

The VICE PRESIDENT. Is there objection to the present consideration of the bill named by the Senator from South

Mr. KING. I have objected to the consideration of the bill. but the request for its consideration has been withdrawn by the Senator from South Carolina.

### AMENDMENT OF FEDERAL FARM LOAN ACT.

The VICE PRESIDENT. Morning business is closed.

Mr. CURTIS. I ask unanimous consent for the present consideration of Calendar No. 74, being the bill (S. 1837) to amend section 32 of the act of Congress approved July 17, 1916, known as the Federal farm loan act. This is the bill I explained the other day as being an emergency matter, recommended by the Farm Loan Board and by the Secretary of the Treasury

The VICE PRESIDENT. Is there objection to the present

consideration of the bill?

Mr. KING. I ask that the bill may be read.

The bill was read, as follows:

The bill was read, as follows:

Be it enacted, etc., That section 32 of the act of Congress approved July 17, 1916, known as the Federal farm loan act, be amended to read as follows:

"Sec. 32. That the Secretary of the Treasury is authorized, in his discretion, upon the request of the Federal Farm Loan Board, to make deposits for the temporary use of any Federal land bank, out of any money in the Treasury not otherwise appropriated. Such Federal land bank shall issue to the Secretary of the Treasury a certificate of indebtedness for any such deposit, bearing a rate of interest not exceeding by more than one-half of 1 per cent per annum the rate borne by the last bond issue of the bank receiving such deposit, to be secured by farm loan bonds or other collateral, to the satisfaction of the Secretary of the Treasury. Any such certificate shall be redeemed and paid by such land bank at the discretion of the Secretary of the Treasury. The aggregate of all sums so deposited by the Secretary of the Treasury shall not exceed the sum of \$50,000,000 at any one time."

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. CALDER. Mr. President, I am not quite clear just what the bill really means. Will the Senator make an explanation of it?

Mr. CURTIS. Mr. President, as I said a moment ago, this bill is an emergency measure asked for by the Farm Loan Board and by the Secretary of the Treasury. Under existing law the amount of money that can be used for this purpose is limited to \$6,000,000. It has been impossible for the farm loan banks, with a limit of \$6,000,000, to secure enough loans to use as a basis for a bond issue. They say that the use of \$50,000,000 will enable them to accumulate a sufficient number of farm mortgages to use as a basis for a bond issue.

Mr. CALDER. Will the Senator from Kansas advise me whether under the bill the farm land banks can pay a higher

rate of interest than that provided by present law?

Mr. CURTIS. They can not. The bill provides that the Federal land bank shall pay interest on the Government deposit "not exceeding by more than one-half of 1 per cent per annum the rate borne by the last bond issue of the bank receiving such deposit."

Mr. SMOOT. Mr. President, I am not going to object to the consideration of the bill now. I simply wish to say what the result of the bill will be. When the Federal farm loan act was passed section 32 of the act provided for a revolving fund of \$6,000,000. This bill increases that revolving fund to \$50,-000,000. Again, it provides:

Such Federal land banks shall issue to the Secretary of the Treasury a certificate of indebtedness for any such deposit, bearing a rate of interest not exceeding by more than one-half of 1 per cent per annum the rate borne by the last bond issue of the banks receiving such deposit.

I think, if this bill becomes a law, that the Federal land banks will come to Congress in a very little while and ask that the rate of interest be increased, because the rate of one-half of 1 per cent is not sufficient to pay the expenses of doing business. I have no doubt that that will be the next step if this bill becomes a law.

Again, Mr. President, this is an increase of the capital of the bank. We thought, of course, at the time, they having a right

to issue bonds and sell them on the market at 5 per cent, that the Government of the United States certainly would not have to furnish more than \$6,000,000 capital. This simply means that \$44,000,000 more of the Government's money will be used as capital for those banks. This may be, perhaps, just as good a way to advance that additional amount of money as any other suggested plan that has come before the Senate.

I had hoped that the Federal land bank would go on and run under the existing law. If the Federal land bank can not sell bonds exempt from all taxation at a rate of interest of 5 per cent, I hardly think it is worth while now to undertake to increase the capital stock of the bank with the avowed purpose

of allowing the one-half of 1 per cent.

Mr. GLASS. At a rate of 51 per cent, I will say to the The law was recently amended so as to permit that.

Mr. SMOOT. Yes; as the Senator suggests, even at 51 per

cent.

Mr. CURTIS. Mr. President, the Farm Loan Board are now selling their bonds and have sold about \$36,000,000 of the \$40,-000,000 authorized. They state in a letter to me that they are not able to issue any more bonds because they have not the collateral in the shape of mortgages to put behind such an issue, and that is what they want this additional money to be used The Government will lose no money whatever. It is simply a loan, or an advance, in the discretion of the Secretary, to the Federal land banks, and is bound to come back. security is the very best; and if there is a class of people on earth needing relief now it is the farmers of this country. They have suffered more in the last two years, perhaps, than

any other class in the country.

Mr. SMOOT. Mr. President, I want everything done within reason to assist the farmer; there is not any doubt about that; but this bill, if it becomes a law, is not going to be amended in the future. It is to be on the statute books, in my opinion, without any change for years and years to come, with the exception of an increase of interest rate. I do not want to go into the result of this legislation and what has been made under the 5 per cent rate, and now we are authorizing 51 per cent. I recognize, however, that the Congress is going to do something to assist the farmers, and I do not know how many more bills will come before the Senate for this purpose; and if any bill is to pass. I think myself that the pending one is the best one of I think, however, that when this bill is passed the other bills that have been reported will also be passed, and I do not know just where the end is going to be. As I say, I am not going to object now to the consideration of this bill.

The VICE PRESIDENT. Is there objection to the present

consideration of the bill?

Mr. FLETCHER. Mr. President, I have no objection at all. I think it ought to pass. I want to say, with reference to the remarks of the Senator from Utah, that one reason why this situation was brought about, the cause of this situation, the litigation that was instituted attacking the constitutionality of the farm loan act, and thereby suspending the operations of the Farm Loan Board for practically 18 months. reason why they have not got the mortgages to which the Senator from Kansas refers to offer at this time. I think myself that the board ought to have gone on receiving applications for loans and passing on loans and getting ready for the time when the act was sustained by the courts; but that would have been a chance. Suppose the act had been declared unconstitutional? Then all their work would have gone for naught.

Mr. SMOOT. Even before the Supreme Court decided that the act was constitutional, I think the Federal Farm Loan Board had passed upon loans to the amount of \$67,000,000, and approved the same. I should like to ask the Senator from Vir-

ginia if that is not the fact?

Mr. FLETCHER. I think all those that have been approved have been closed.

Mr. GLASS. There are accumulated loans that have been examined and approved in the aggregate to the amount of

Mr. SMOOT. Yes; I am quite sure of it. I was positive

that I was not wrong.

Mr. FLETCHER. There is no doubt about that; and they have not the money to meet them.

Mr. SMOOT. Well, Mr. President, this is not going to do not. We authorized them to sell bonds for that purpose.

Mr. FLETCHER. Precisely.

Mr. SMOOT. And there is no doubt but that they can sell those bonds. Now, I do not like to pass a bill with any camouflage about it. I know what the object of the bill is, and the Senators ought to know, and let us have no mistaken idea of trying to make an excuse that is not really the reason for its pas-

sage. I think myself that the bill will give the board a wider latitude, and perhaps for the present it needs it. Therefore,

as I say, I am not going to object.

Mr. KENYON. Mr. President, I should like to ask the Senator from Utah about another bill which in a way is a companion piece to this bill. The Banking and Currency Committee has reported out a bill to increase the interest rate of bonds issued under the Federal farm loan act to 51 per cent and providing that no higher rate shall be charged the farmer. I should like to ask the Senator if he will have any objection to

taking up that bill?

Mr. SMOOT. I will say to the Senator that when that bill comes up for consideration it simply means this: The joint-stock land banks are the father of the bill. It is not the Federal Farm Loan Board at all. The joint-stock land banks now come here and tell Congress that if we will increase the rate of interest on their bonds up to 51 instead of 5 per cent, they will do the business for one-half of 1 per cent. Mr. President, the object of the legislation is for these joint-stock land banks to get established more firmly in the different parts of the country, thinking by doing so that Senators and Congressmen will cease their efforts to repeal the privilege the joint-stock land banks now enjoy of issuing bonds exempt from all forms of taxation.

Mr. KENYON. If the bonds are to be floated and the system made a success at all, it can not be done with a 5 per cent bond in competition with all the tax-exempt bonds in the United States. It is a question of destroying the system or of so increasing the rates that they can operate.

Mr. SMOOT. I will say to the Senator that the Federal Farm Loan Board can sell their 5 per cent bonds to-day.

Mr. KENYON. They are having a very hard time to do it. Mr. SMOOT. Capt. Smith did not tell me that the other day when I was talking to him about the sale.

Mr. KENYON. It has taken an intensive campaign, arranged

long beforehand, to do it.

Mr. SMOOT. The bonds at 5 per cent will sell if any bond will.

Mr. KENYON. I think the people who are back of it are trying to do something for the agricultural situation in the country. I think that is the real motive. It may be that when there was 1 per cent to do business on they could make money; but they can not do it on the one-half of 1 per cent, and the farmers will pay no more.

Mr. SMOOT. No; and they will be back here asking that the interest be increased one-half of 1 per cent, so as to make the interest to be collected from the farmers 61 per cent-

Mr. KENYON. We may be past the financial difficulty that exists now when they do ask for any such thing, but that is borrowing trouble before we get to it. We are in trouble now. Let us try to get out.

Mr. SMOOT. But I think they can get out of it without the

passage of the other bill.

Mr. KENYON. Without the passage of the bill providing for

an increase of one-half of 1 per cent?

Mr. SMOOT. Yes; absolutely. I want to say to the Senator that the Federal Farm Loan Board never brought that idea to Congress.

Mr. KENYON. The Federal Farm Loan Board is not opposing it, nor is the Secretary of the Treasury.

Mr. SMOOT. Well, why should they, as far as that is concerned?

Mr. KENYON. I do not see why anyone should in the present situation of the farmer.

Mr. SMOOT. Of course, the only reason why I opposed it was that we might just as well take both steps at once, because we have got to take them in the end. The joint-stock land banks in the West have guaranteed in several cases to loan money at a discount of 2½ per cent to certain institutions if they would start the joint-stock land banks. Gentlemen interested in joint-stock land banks went into my State and offered to start two of such banks and guaranteed that the loans would be discounted 21 per cent, and the Federal board said they could not do it under the law, and prevented it.

Mr. KENYON. They will not make any money.

Mr. SMOOT. They can not do it at one-half of 1 per cent, and they only want to get such banks established in numbers so that the Congress of the United States will never take the exemption privilege away from them.

Mr KENYON. Ordinarily, of course, a person would think that; but I know certain men who are interested in joint-stock land banks whose only interest now is not to make any money but to help poor farmers out of the financial difficulties in which they are. I know that. I know some of these men.
Mr. SMOOT. The Senator may think that is the case—

Mr. KENYON. I know it.

Mr. SMOOT. I think myself that if I were going into any business I should like to go into a joint-stock land bank, if I knew the exemption privilege would continue, and that I, as an individual stockholder, should have the privilege of issuing bonds exempt from all forms of taxation—city, county, State, school, and National taxes of all kinds. Why, it is a privilege that never ought to be granted to any other agency than the Government of the United States; and I want to make the prediction that unless before many years elapse the tax-exempt privilege is repealed as far as the joint-stock land banks are concerned, the Federal farm-loan banks will play second fiddle to the joint-stock land banks. They will either dominate the money market for the farmers or the Federal loan banks will.

Mr. KENYON. If you are going to repeal the tax-exemption privilege as to anything, why not repeal it as to all, and have a constitutional amendment to stop it as far as the States are concerned? Let us not begin now on the things that particularly affect agriculture. I think the day is coming when we

will have to get rid of these tax-exempt securities. Mr. SMOOT. I think we ought to begin on those exemptions

enjoyed by private individuals.

Mr. KENYON. Let us not begin where it affects the class of people in this country who are suffering more than any other because of the stringency of the times.

Mr. SMOOT. I do not think they are suffering any more

than many of the other industries of the country.

Mr. KENYON. There is not an industry in the country that is suffering as the agricultural industry is.

Mr. SMOOT. I can name them by the dozen.

Mr. KENYON. The Senator can name them, but-

Mr. SMOOT. I know it. There is not any question about it. Mr. KENYON. I do not want to interfere with the passage of the Senator's bill. I think it is a good bill, and I will stop the discussion so far as I am concerned.

Mr. SIMMONS. Let us pass the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. GLASS. Mr. President, I note from the RECORD that action on this measure was postponed on day before yesterday, and there was given as a reason the fact that I was not in the Chamber, the implication being that I would object. I do not intend to object, because the responsibility is not mine. assume that the reason of the postponement was my wellknown aversion to legislation that carries unusual and special privileges, as this bill does, undoubtedly. In fact it is unprecedented. It authorizes the Secretary of the Treasury to loan public funds, raised by taxation from the people, to banks, upon no other security than the bank's note, its certificate of indebtedness, something that was never done before in the history of the banking business of the country.

Nor am I able to agree that there is an emergency. lieve that the farm loan bonds, totally exempt from all taxation, are perhaps the best security in the country. They can easily be sold if the effort is made to sell them, and they have recently been sold in the aggregate of almost \$40,000,000. those bonds can not be put on the market under the circumstances, I shall despair of the ultimate success of the

farm loan banking system.

But I am not going to object to the immediate consideration of the bill, because the responsibility is not mine.

Mr. SMOOT. It simply means that it is virtually call money at 5 per cent interest, because they can sell the bonds at any time at present and within a few years at a premium.

Mr. KING. I would like to ask the Senator from Kansas

whether there is any limitation upon the amount of money which may be extracted from the Treasury of the United States by the terms of the bill?

Mr. CURTIS. There is. They are now authorized to use \$6,000,000, and under the bill they may use, if they have the proper loans to put in, up to \$50,000,000.

Mr. KING. Is it a revolving fund?

Mr. CURTIS. No; the revolving fund plan was turned down, and this was recommended in its place. It is recommended by the Secretary of the Treasury and all the members of the Farm Loan Board.

Mr. SMOOT. The Senator from Kansas says they are authorized to use the money if the leans can be made. The bill authorizes the Secretary of the Treasury to deposit the money in the banks and the banks do not give any security at all, just as the Senator from Virginia said. They simply take the obligation of the bank, Mr. President, and the bank then is supposed to make the loans.

Mr. CURTIS. The farm loan banks of course have the mortgages as security, and the limitation placed upon the lury." Whenever he calls for it it must be paid.

amount which may be loaned on any one farm makes the loan absolutely secure, as was well said by the Senator from Ala-

bama the other day.

Mr. UNDERWOOD Mr. President, as I understand this bill, the language might be construed to mean that we shall first advance the money and get the bends afterwards; but I think that is technical. I do not see any difference, in my construction of the bill, between it and what was done within the last two months, when the Government of the United States advanced its credit to the extent of a hundred million dollars for these farm loan bonds in order to relieve the distressed condition in the agricultural communities.

It may be said that we are going a long way when we are allowing the Federal credit to be used in private endeavor. But, Mr. President, this has ceased to be a private concern. The Government of the United States has organized a farm loan board, and under that board it has authorized the establishment of farm loan banks. They are Government controlled banks, carrying out a Government purpose, and there is no question about the security they take. I have heard no man, in Congress or out of it, question the validity of the securities which are taken by these banks.

Right now the agricultural interests of America are greatly distressed. Many proposals have been made to relieve the situation. Some of those proposals I consider to be wild and unsound, and I have not been able to support them; but when it comes to the proposal to do what we did a few months ago, to do what is contemplated by our own law, to enable the agricultural interests of America to obtain loans with cheap money, to improve the agricultural conditions, it seems to me that now is the most opportune time to relieve the distressed agricultural conditions, if we can do so in this way.

As far as I am able to observe, I do not think the Govern-

ment of the United States stands in danger of losing a penny. Every dollar that may be advanced now will be returned as soon as the country reacts from the present panic condition, for we might as well recognize what we are facing. The country is practically in a panic to-day. This panic is not going to last forever, and as soon as the country reacts from panic conditions, there is no questions but that there will be ample market for the sale by the Government of these bonds they are taking over now, and the money will go back into the Treasury without loss to anyone. So it seems to me that this is a conservative handling of a distressed condition.

Mr. GLASS. Mr. President, I am not going to be put in the attitude of hostility to this measure, but I think we ought to keep the RECORD correct. The Senator from Alabama, in my belief, is totally mistaken in saying that we have ever done this

before.

Mr. UNDERWOOD. I want to assure the Senator that I know where he and I differ in our viewpoints on this matter. I know the Senator's viewpoint as to what we are doing is not mine, but to my mind I do not see the difference. I know the Senator does, but I see no difference.

Mr. GLASS. I believe there is a very great difference. What we did a few months ago was to authorize the Secretary of the Treasury to buy outright not less than \$200,000,000 worth of farm loan bonds, and the only justification on earth for that action was that the Government itself had paralyzed the farm loan system for a period of more than 14 months by the failure of the Supreme Court of the United States to decide the litigation before it. So the activities of the entire system all over the country had been terminated, and we authorized the Government, because of its dereliction, to buy outright a certain amount of farm loan bonds. There is not any case on record, and no one can cite a case where we have embodied, as a permanent part of the statutes of the country, an authorization to the Secretary of the Treasury to lend the public funds to a bank upon evidence of indebtedness.

Mr. SMOOT. That is all there is to it.
Mr. KING. Mr. President, I would like to ask the Senator from Kansas whether this act expires by limitation when it

serves what he conceives to be an emergency?

Mr. CURTIS. The act authorizes the Secretary of the Treasury in his discretion, upon the request of the Farm Loan Board, to make deposits for the temporary use of any Federal land bank in an aggregate of all sums so deposited not to exceed The existing law limits the amount to six millions, which does not enable the board to secure enough mortgages for a basis of a bond issue. The limitation is on the dollars and-

Mr. FLETCHER. The Senator will recall that the bill provides that "any such certificate shall be redeemed and paid by such land bank at the discretion of the Secretary of the Treas-

Mr. CURTIS. And in addition to the provision referred to by the Senator from Florida, the issuance of them is also in his discretion.

Mr. President, the condition of the agriculturists of the United States is such as to command the sympathy of all. They have sustained great losses as the result of the rapid decline in prices of farm products. Unquestionably this decline brought agricultural products to levels far below the cost of production, and entailed heavy losses upon agriculturists in nearly, if not every, part of our country.

Other industries have likewise suffered. In the West most of the mines have been closed and thousands of employees are without employment. They are traveling from State to State seeking work, but are unable to obtain it. Many corporations and individuals engaged in mining operations have sustained serious losses, and many have been brought to the verge of bankruptcy. The situation of the mining industry is most seri-

ous, indeed.

The cattle and sheep men have sustained stupendous losses, and many of them have been forced into bankruptcy. manufacturing interests in the United States have not escaped disasters, and millions of laboring men are now without em-This situation is most serious, and reveals an industrial condition almost without parallel. Our resources are inexhaustible and our wealth, real and potential, is greater than any nation in the world. Our circulating medium is larger than ever before, and the nations of the world are eager to purchase our surplus products, both manufactured and raw.

It is not my purpose to analyze the causes producing the economic collapse which has come to our Nation, or to point out what I believe to be suitable and proper remedies in order that we may obtain amelioration from present financial and

economic ills.

I shall not oppose the pending bill. Indeed, under all the circumstances I shall vote for it. I do so, however, with deep apprehension and with a conviction more or less settled of its inutility, and its danger, because it will be regarded as a precedent for measures which will, if adopted, produce evil consequences

Legislators can not, when called upon to support proposed measures, look only at the present. Opportunism unfortunately too often accompanies legislation. We are prone to seize upon any plan which promises temporary and immediate relief from dangers or adverse financial conditions. We seek to isolate our acts from the future and affect to believe that they will become encysted and thus be wholly unrelated to the industrial, political, or economic life and conditions of the future. The truth, however, is that the present is largely the parent of the future, and present legislative acts will be dissolubly connected

with the future.

Legislation enacted in war times unfortunately is appealed to in support of measures sought to be enacted in peace times. Many people protested against war-time legislation and insisted upon the immediate return to peace conditions. Indeed, one of the issues in the last campaign grew out of the fact that certain war-time legislation was not promptly repealed by the party in power when the armistice was signed. And yet many who clamored for the repeal of such legislation and denounced the party then in power because of its maintaining in peace time legislation enacted during the war are not only resisting the repeal of such as still exist upon the statute books but are seeking the reproduction of measures which were enacted during the war and could only be justified because of war condi-

It requires time to emerge from the atmosphere of war and to appreciate the fact that this is a Government of law and that there are limitations upon the Federal Government. During war times the Government exercises great power and its authority is almost absolute. We get into the habit of looking to it for all things, and when peace comes it is difficult to break away from such habits. A spirit of dependence has been developed, and the Government is often called upon to assume paternal control and exercise paternalistic authority and by legislative fiat dissipate economic and industrial ills. We must learn the lesson sooner or later that prosperity, progress, and freedom do not come from governments; they spring from the people themselves. A larger spirit of independence and self-reliance must be developed. Salvation is from the people, not from the Government.

There have been too many economic fallacies projected in the

past and their advocates are legion to-day.

A large number of American people clamored for years for the unlimited issue of greenbacks, or other forms of paper money. There was a belief that the printing press could cure our financial ills, that if hundreds of millions of dollars of

irredeemable paper money were put into circulation prosperity would come. There are too many demands now being made upon the Government, and its authority is invoked where the Constitution is silent or contains prohibitions, and efforts are made to draw it into fields of activity where it has no authority to enter.

This legislation, I am afraid, will be regarded as a precedent for future demands to supply credit, and indeed funds, when any industry is jeopardized or any section or class is threatened with financial reverses or possible ruin. It will be contended that if the Government may supply money to meet agricultural demands it should supply credit or funds to all other industries or classes where industrial paralysis exists or is threatened, or serious financial troubles are imminent. Many even now regard the Treasury of the United States as a perennial fountain to which all may come for financial relief.

In European nations demands are being made for credits, and also for paper issues by the Governments, and in many instances, where these demands have been acceded to, the further inflation of the currency has resulted and the credits ex-tended have been the basis of still further inflations, thus producing greater evils and contributing in a marked degree to the suffering and financial disorders already existing.

As stated, the agricultural situation is so serious as to warrant the Government pressing to the limit its constitutional authority. I sincerely hope that this measure may be productive of good, and that my apprehensions that it may be regarded as a precedent for unsound and dangerous legislation may prove to be unfounded.

Mr. POMERENE. Mr. President, I can not agree with my friend that this is going to prove a dangerous precedent. We would not do this promiscuously, but in years gone by we have constantly been depositing Federal funds in banks here in the East and in the large financial centers, and much of it was deposited, in years gone by, without any interest at all.

Six or seven years ago the Secretary of the Treasury, Mr.

McAdoo, deposited our fund. in the western banks to help the moving of the crop. This is simply going to help temporarily the financing of the farmers of the country. There can not be any question about the securities, it seems to me. that these farm-loan bonds were a choice investment prior to the time when the Government rather preempted the money market, and now we are borrowing large sums of money on temporary certificates at 53 per cent, I am told. But the time will soon come, I dare say, when the money market will be improved, and these bonds will be sold, and the farmers will in that way be helped. I regard this only as a temporary expedient, and I believe it is a wise measure to pass.

Mr. GLASS. Of course, the Senator from Ohio knows that

under existing law the Secretary of the Treasury is abundantly authorized to deposit other millions of dollars to-day in western banks, the only difference being that those banks would be required to furnish United States bonds as security for the loans.

The VICE PRESIDENT. Is there objection to the request of the Senator from Kansas for the present consideration of the

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1837) to amend section 32 of the act of Congress approved July 17, 1916, known as the Federal farm loan act, and it was read, as follows:

Be it enacted, etc., That section 32 of the act of Congress approved July 17, 1916, known as the Federal farm loan act, be amended to read as follows:

"Sec. 32. That the Secretary of the Treasury is authorized, in his discretion, upon the request of the Federal Farm Loan Board, to make deposits for the temporary use of any Federal land bank, out of any money in the Treasury not otherwise appropriated. Such Federal land bank shall issue to the Secretary of the Treasury a certificate of indebtedness for any such deposit, bearing a rate of interest not exceeding by more than one-half of 1 per cent per annum the rate borne by the last bond issue of the bank receiving such deposit, to be secured by farm-loan bonds or other collateral, to the satisfaction of the Secretary of the Treasury. Any such certificate shall be redeemed and paid by such land bank at the discretion of the Secretary of the Treasury shall not exceed the sum of \$50,000,000 at any one time."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CIVILIAN EMPLOYEES KILLED OR INJURED ABROAD.

Mr. WARREN obtained the floor.

Mr. UNDERWOOD. If the Senator will yield to me for a moment

I yield to the Senator from Alabama.

Mr. UNDERWOOD. I wish to say that the morning hour expired a little prematurely, before I got the typewritten copy of the report which I desire to submit.

From the Committee on Expenditures in the Executive Departments I report back favorably without amendment the bill (S. 1911) to amend an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, and I submit a report (No. 91) thereon.

The bill is simply this:

A number of Federal employees during the war served with the Expeditionary Forces of the Government. Under the compensation act passed some years ago by Congress employees who suffer injuries in the Federal service are entitled to compensation, to be fixed by the Compensation Commission. The powers of that commission are broad enough, in my judgment and in the judgment of those with whom I have consulted, to take care of employees who were injured in serving with the Expeditionary Forces in the war, but the limitation of the law required that minor injuries should be reported within 60 days. and death within a year, and as these men were serving abroad necessarily the time expired before they could bring the matter to the attention of the commission. The bill merely amends section 20 of the compensation act by allowing the men, within the discretion of the commission, the right to file their claims within a year.

Mr. SMOOT. Does not the bill also provide that if the disability or death was the result of injury sustained in the period of the Great War and arising out of conditions due to the war, the commission may do certain things? Does not that take in

a new class of claims for injury?

Mr. UNDERWOOD. I am not so advised by the commission. The present law is broad enough to cover the situation. However, if it is not, when a man may fall in an elevator in the Capitol at Washington and break his leg or break his neck and be able to present his claim to the Compensation Commission, but if he is serving his country in the front line and falls into an enemy shell hole and gets killed, to say that a claim can not be presented to the commission, it seems to me, is a very strange position for any great government to take.

Mr. WARREN. Of course, the Senator knows that an appropriation bill has precedence over any other bill that is called up. However, if the Senator thinks his bill can be passed without consuming very much time, I do not wish to interfere.

Mr. UNDERWOOD. If it can not, I shall not press it. Senator's deficiency appropriation bill is not in order until the morning hour has expired.

Mr. WARREN. Nor is the bill of the Senator from Alabama. Mr. UNDERWOOD. I know; but it is usual until the morning hour has expired to permit morning business to go on until 2 o'clock

Mr. WARREN. If the Senator thinks he can conclude with-

out consuming too much time, I will yield.

Mr. SMOOT. Any clerk in the service during the war, if he went out and got on a drunk and received disability or death, could then be taken care of under the provisions of the bill just the same as a soldier.

Mr. UNDERWOOD. No; that is not true.

Mr. SMOOT. I do not know why it is not true. It is provided here:

If the disability or death was the result of injuries sustained in the period of the Great War, and arising out of conditions due to the war, the commission may for any reasonable cause shown allow original claims to be made at any time within one year after the passage of

That means that in the past they have had 60 days' time to make these claims, while under the provisions of the bill they would have one year after its passage.

In other words, anyone who has received a disability or death from any cause arising out of the conditions due to the war shall have the same privileges as one who was in the war and

received his disability in line of duty.

In considering pension bills we have always been very careful to provide that injuries should have been received actually in line of duty. The Senator will remember one bill considered by the Senate; the bill passed the Senate, however, when I was out of the Chamber. It was a case where there were two officers who were on a drunken spree over in Virginia and ran into a tree and were killed. The Senate actually passed a bill providing a pension for the dependents of those two officers.

Mr. UNDERWOOD. I am not interrupting the Senator now, because I presume, of course, he will allow me to have an opportunity to correct him after this statement he has made. have studied the proposition and the Senator has not, but I do not wish to interrupt him in his statement. I merely desire the privilege of stating the facts when he gets through,

Mr. SMOOT. Then I ask that the bill may go over until I do get further facts, if I have not enough now. I certainly object at this time unless amendments are agreed to.

The VICE PRESIDENT. The Chair understands that the Senator from Utah objects to the present consideration of the

Mr. UNDERWOOD. I ask that it may go to the calendar, but I ask recognition, because I wish to discuss the question. I do not wish the RECORD to go out in the condition it is in now. I do not like to interfere with the desire of the Senator from Wyoming to proceed with the consideration of the deficiency appropriation bill, but I do feel that I would be doing this case an injustice if I did not speak about it at this time.

Mr. WARREN. May I ask the Senator to yield to allow me

to call up the deficiency appropriation bill?

Mr. UNDERWOOD. Certainly; I have no objection to the

Senator calling the bill up.

Mr. WARREN. I move that the Senate proceed to the consideration of House bill 6300, the deficiency appropriation bill.

The motion was agreed to.
Mr. UNDERWOOD. Mr. President, the reason why I am going to delay the Senate now is that I can not afford to allow the statement of the Senator from Utah [Mr. Smoot] to go out in the RECORD uncontradicted. I know the mental attitude of the Senator from Utah in reference to claims against the Government for injuries in the Great War. I am not critical of the Senator's position, because he is entitled to it. I know that it is not one particular case that affects the Senator, but that he is earnestly and honestly trying to do what he considers his duty to take care of the Treasury of the United States. He imagines if the door is opened to the payment of claims of civilian employees who served on the Expeditionary Forces during the Great War that it is going to make a great burden on the Treasury of the United States, and therefore he stands in the way of them.

I realize the stress of the Government. I do not think the financial condition of the Government of the United States has at any time in its history been any more serious than it is today. I recognize that. I stand with the desire of the Senator from Utah to protect the Treasury, and, as far as I can, legitimately and honestly and fairly, I propose to do so. are some matters that rise beyond the question of dollars and cents. There are some obligations that the American people have to meet first, that have to be paid first and recognized first if we propose to continue as a Government that lives up to the high ideals which we have inherited from the past.

Mr. SMOOT. Mr. President—
The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from Alabama yield to the Senator from Utah?

Mr. UNDERWOOD. I yield.

Mr. SMOOT. I recognize exactly what the Senator has said, and I fully agree with him, but I think in a case of that kind there ought to be a special bill for the party and he ought to be paid in the same way that we have paid pensions under special bills in the past.

Mr. UNDERWOOD. I know the Senator thinks that way and I am going to refer to it before I get through this morning. I do not propose to let this measure be choked to death. The Senate of the United States has got to do what is just by the men who gave their lives for their country, who were behind the firing line, even if they were not in a soldier's uniform. It is going to do what is just or vote it down, or it is going to

hear from me repeatedly on the subject.

I am aware of the Senator's suggestion that in individual cases we may bring in a special pension bill to pay the civil employees who lost their lives or sacrificed their health in the Great War. I know in that way, where there is sufficient political influence behind the claim, sufficient energy shown in the pushing of it, that some men may get justice or something that approximates justice. But if we adopt that plan we will find that one man with great political influence will probably be paid a very large sum of money, and the next man with a lack of political influence will be paid a very small sum of money or get nothing at all. That is not abstract justice. That was the condition that confronted the Government of the United States for many years in reference to injuries happening to civil employees, and the Senator from Utah knows it. One of the reasons why the Senator himself supported the employees compensation bill was because under that law it fixed a regular compensation for every class of injury and provided for a tribunal that could reconcile its judgment and pass on each case of an injured employee. Congress passed the bill.

The Government of the United States has abandoned the old theory that the Senator from Utah now wishes to invoke that in each case of injury the applicant should come here on bended knee asking as a supplicant for his rights to be compensated for the injuries that he suffered during the war. I think the first great obligation that this Government owes to anyone and to everyone is to take care of the wounded and disabled soldiers in the Great War and pay their wives and children a fair compensation where they have died.

I am not here advecating money to be paid to well men, to men who can take care of themselves. The men who lost their lives and their limbs in defense of their country are entitled to consideration, and although there are Senators here who for the purpose of protecting the Treasury of the United States against the consideration of legitimate claims against it, desire to draw a distinction between the man who served in uniform as a soldier and the man who rendered equally necessary and efficient service as a civilian employee serving with the Expeditionary Forces abroad, I can not see the distinction.

If my son served with the front-line troops in the face of the enemy and was injured and your son served with the postal employees in identically the same location at the front line and a shell explodes and injures both, I do not see where the distinction can be drawn between the man who is serving in uniform and the man who is serving by his side as a civilian employee, a volunteer who went at the call of his Government to render service that had to be rendered and which was just as necessary as the service of the soldier which had to be performed.

Mr. President, some time ago I introduced a bill proposing to amend the war risk insurance act in order to enable injured civilian employees to initiate claims; not to pay them, not to give them any money, but merely to give them a chance to go before a tribunal of the Government and establish a righteous claim if they had one. As soon as the matter came before the Senate the leaders of the Republican Party stood here in solid phalanx combating the proposition. I finally got the bill to the Committee on Post Offices and Post Roads, and there it is today, no action having been taken upon it. The Senator from Utah [Mr. Smoot] was one of those who stood here insisting that such civilian employees of the Government should have no claim which the Government had a right to respect; that payment for such injuries would endanger the Treasury of the United States.

Then, Mr. President, I went into the question further. We have a law upon the statute books providing compensation for employees of the United States suffering from injuries received whilst in the performance of their duties. I thought that if under the present statute we could not relieve the situation, could not relieve the suffering of women and children whose husbands and fathers have died on the front line, legislation looking to that end should be enacted. I know of a case where a civilian employee with the Expeditionary Forces in Siberia was under fire as much as were the troops themselves, where he lost his life serving with the troops, although he only bore a civil commission from the Post Office Department. His wife and child are in absolute distress. There are hundreds of other cases of that kind. That man gave his life in the service of his country. I repeat, we have a law on the statute books which provides compensation for employees of the United States suffering from injuries incurred whilst in the performance of their duties.

It is a good law, a proper law, and a law with exact limitations. I introduced an amendment to that law proposing to amend it in only one particular. I did not introduce that amendment until I had consulted the Compensation Commission having charge of such matters, and I was advised by that commission that in cases of the kind referred to employees of the Federal Government serving with the Expeditionary Forces were entitled to compensation for injuries suffered whilst in the performance of their duty just as if they had received their injuries while serving at home, but that the law required such a claim to be made within 60 days for a minor injury, and within a year in the event of death; and that compensation in such cases had not been allowed because the claims had not been filed within the prescribed time.

The Republican Party, through its leaders, proposes to stand here and block this proposition. I would not say that if this were the first attempt that had been made along this line. The Senate knows that I have been pursuing this matter for months and that every time the effort has been made the block has been interposed. If that policy is continued, I propose that this matter shall hang around the neck of the Republican Party until justice is done. There is not any use of trying to avoid this proposition. Senators on the other side have got to take the responsibility or they have got to vote on the matter.

How can we expect a man in France or Siberia, who received injury in one of those far-off countries, who may have been carried to a hospital, was practically unknown, to file within 60 days back here in the United States notice of his injury? If he were killed his family might have notice of the fact that he had died, but how could they go to Siberia or to France in order to ascertain the cause of his death or whether

it had happened under circumstances which brought the case within the terms of the act?

I have been advised that the only thing that stands in the way of affording this proposed relief is the fact that the time for giving notice in these cases has expired. All I am proposing to do is to extend the time and to give these people an additional year within which they may file notice of their claims. I have not proposed otherwise to amend the law.

Senators say it is all right for a man who operates an elevator in the Capitol if it falls with him and breaks his leg or break his neck to come before the compensation commission and get \$66 a month. That is the aggregate that he can get.

Mr. SMOOT. He would get one year's pay under the law.
Mr. UNDERWOOD. The Senator is not advised about the law. I have studied the law and I had advice from the commission. I know the Senator assumes he knows what the law is, but I have a letter which may give him some information and which I will read to the Senator before I get through, because I intend to occupy some time in connection with this matter now and in the future.

I was saying that if a civil employee is operating an elevator and the elevator falls and breaks his leg or breaks his neck the law provides—and the Senator from Utah supported and advocated the law—that that man shall have an opportunity, not to come here as a suppliant to the Congress but, as a matter of right, to go before the United States Compensation Commission and to have redress, to have his case determined, and, if he has a proper and just cause, he or his family shall receive compensation for the injury. Now, forsooth, in the case of some men who were asked to serve as civilian employees with the Army abroad the Senator from Utah thinks it is his conscientious duty to stand here as a block. If a man breaks his neck on an elevator at home, he can be paid by the Government of the United States, but if a German shell were to blow a civilian employee out of existence because he dared face the firing line abroad, the Government of the United States owes that man no duty; he is a part of the waste of war.

I do not say that the Senator has intentionally misinterpreted the amendment to the law which I have proposed, but he undoubtedly misinterpreted it in his statement this morning; and I do not propose to allow that misinterpretation to stand in the RECORD without being corrected.

Mr. President, I have a copy of the text of the compensation act as passed by the Congress. The first section of that act reads as follows:

That the United States shall pay compensation as hereinafter specified for the disability or death of an employee resulting from a personal injury sustained while in the performance of his duty, but no compensation shall be paid if the injury or death is caused by the willful misconduct of the employee or by the employee's intention to bring about the injury or death of himself or of another, or if intoxication of the injured employee is the proximate cause of the injury or death.

That is the first clause of the employees' compensation act: and yet the Senator from Utah this morning, within the hour, has likened the cases to which I have referred to the case cited by him of two Army officers who went out and got drunk, ran into a tree, and were killed—putting these men who were heroes, if men's personal actions can make them heroes, on the plane of drunken men.

Mr. SMOOT. I did not put them on that plane.

Mr. UNDERWOOD. That is what the Senator's illustration did.

Mr. SMOOT. I simply said that could happen:

Mr. UNDERWOOD. I am showing the Senator now that it can not happen. The law expressly says that it shall not happen. That is the law that I am amending, and the only amendment I make to it is to add, at the end of section 20 of the law, the following. I had better read the whole paragraph and then what is added to it.

Mr. GLASS. What page is it?

Mr. UNDERWOOD. Page 5, section 20. It reads as follows: That all original claims for compensation for disability shall be made within 60 days after the injury. All original claims for compensation for death shall be made within one year after the death. For any reasonable cause shown the commission may allow original claims for compensation for disability to be made at any time within one year.

In other words, as the law now stands it gives a year for filing all claims. It gives the right to file minor claims within 60 days and claims for death within a year; but for reasonable cause shown the commission is allowed to permit the filing of any of these claims within a year. At the end of that paragraph the bill which I have introduced and have reported to the Senate this morning adds the following:

If the disability or death was the result of an injury sustained during the period of the Great War and arising out of conditions due to the war, the commission may for any reasonable cause shown allow original claims to be made at any time within one year after the passage of this act.

And yet the Senator from Utah seeks to have the country think that that amends the basis of the claim! I do not wish to stress the Senator's conclusion too greatly, because I realize that he was only reading this clause for the first time and probably had not had a chance to analyze it, but to say that a clause in a bill specifying the cases in which the time of limitation can be extended amounts to an amendment of the governing clauses of this law is so absurd that it is hard to see how a man can reach such a conclusion.

The Senator's objection to this bill is that he says that in it I am attempting to broaden the law so that these claims will have to be paid to any man who served with the Expeditionary Forces abroad or in this country. I think the Senator is right, that it extends the statute of limitations to those abroad or in

this country, and rightly so.

There should be no discrimination in the matter; but it is only the statute of limitations that is being extended. It is simply an absurd proposition to say that this amendment fixes a different status for filing a claim. The paragraph is about the limitations of time within which a claim must be filed. The time has expired for these boys who served their country abroad, who served with the armies. Those who served with the armies here on the continental soil of the United States, I have no doubt, where they have claims, have already filed them, but what I am trying to relieve is the statute of limitations against the filing of claims by men serving on the front

Now, listen to this again, remembering that section 20 is about the limitation of time within which a claim must be filed. Mr. SMOOT. Mr. President, will the Senator limit his bill to men on the firing line?

Mr. UNDERWOOD. As far as I am concerned, I am perfectly willing to limit it to the men who served with the Ex-

peditionary Forces abroad.

Mr. SMOOT. I will say to the Senator that I have no objection at all to the bill if it applies to a man on the front who was really injured by the explosion of a shell, or by dropping into a shell hole while on duty.

Mr. UNDERWOOD. I think it is proper to have the bill read as it is, and apply to those here or abroad; but if the Senator is willing to withdraw his objection and let this justice be done this morning, I am willing to amend it so that it will

read "with the Expeditionary Forces abroad."

Mr. SMOOT. I will say to the Senator that I am perfectly willing to do that; but it does seem to me that where a clerk goes over to France and spends his time in Paris, as many of them did, never got outside of the city, and never took a chance any more than a clerk took a chance in this country, if he received a little injury I do not think he ought to be treated in any different way than a clerk that sits in a swivel chair here in the District of Columbia.

Mr. UNDERWOOD. He will not be. I am not seekin do that. That is just what I am telling the Senator. I am not seeking to

Senator has not got the attitude of this matter.

Mr. SMOOT. If the Senator will let this bill go over, I will

go over the matter with him carefully, and I think we can agree to an amendment that I will not object to at all.

Mr. UNDERWOOD. If I have to fight this thing through, I am going to fight. If the Senator is willing to let it go through this morning, if he wants to limit it to men who were in the foreign service, I am willing to limit it and let the bill go through; but if I have got to go to the calendar and fight, I am going to fight and keep on fighting.

Mr. SMOOT. I have no objection to the Senator doing that, of course. That is his right. Now, I am going to ask the Sena-

tor a question.

Mr. UNDERWOOD. All right.

Mr. SMOOT. Does the Senator really think that those clerks who were in Paris, and never went outside of Paris, ought to have any consideration shown them in the amendment offered by the Senator, and does he not think that they would have?

Mr. UNDERWOOD. If they come within the first section of the law, they would have a year in which to file their claims.

That is all they would have.

Mr. SMOOT. A year after the passage of this bill.

Mr. UNDERWOOD. That is what they would have, a year after the passage of this bill. The first section of this compensation act says:

That the United States shall pay compensation as hereinafter specified for the disability or death of an employee resulting from a personal injury sustained while in the performance of his duty, but no compensation shall be paid if the injury or death is caused by the willful misconduct of the employee or by the employee's intention to bring about the injury or death of himself or of another, or if intoxication of the injured employee is the proximate cause of the injury or death.

That is the law in reference to the man in the swivel chair in this Capital, and there is no reason why it should not be the law in reference to a man in a swivel chair in Paris; and, as a matter of fact, these accidents did not happen to the men in the swivel chairs in Paris. There might be an exceptional case, of

Mr. SMOOT. There may be cases of that kind.

Mr. UNDERWOOD. Oh, well, there may; but it is absurd to stop the cases of hundreds of men who really received injuries on the front line under the fire of the enemy's guns because some man in a swivel chair in Paris might have fallen out of it.

Mr. WADSWORTH. Mr. President, does the Senator say there were hundreds of them?

Mr. UNDERWOOD. Well, I suppose there may be, I do not know of more than probably 100 myself.

Mr. WADSWORTH. In what capacity were they serving, may I ask the Senator?

Mr. UNDERWOOD. I got my information about this, as to the capacity in which they served, from the United States Compensation Commission. They say that among the services that may be affected by this amendment are the civil employees engaged in the Army transportation service-

Mr. SMOOT. That is true, too.
Mr. UNDERWOOD. That is true. If the Senator objects to those men who were on the firing line in the transportation

service coming within the scope of this act—
Mr. SMOOT. I do not object. I think it is proper and right that those engaged in the transportation service should be taken

care of.

Mr. UNDERWOOD. They go on to say that it may include the construction work of the Army Quatermaster's Department abroad, railway construction, postal employees, and civilians attached to hospitals and camps serving with the Armies of the United States.

Mr. SMOOT. I should like to have every one of them put in the bill and specifically mentioned, and I should not object to

it a moment—not a single one of them.

Mr. UNDERWOOD. That is what I am advised that this amendment will reach. The Senator, though, sought to point

out this morning-

Mr. SMOOT. One other thing before the Senator leaves this subject. The only reason why I referred to the two officers being killed by running into a tree on a drunken spree was the very fact that the law was against such a thing, and yet the Senate passed a bill covering it.

Mr. UNDERWOOD. That was because we passed a private The Senator this morning advised us to pass private bills in this case, and said that if we did we would pass bills of that kind to take care of drunken men, like the Senate did before but what I am advocating is that we shall pass a general bill putting everybody on the same footing, and doing justice to all.

Mr. SMOOT. So am I, to make everybody equal; but in my

opinion this would not do it. Mr. UNDERWOOD. Why not?

Mr. SMOOT. For instance, you can amend the bill so as to take in the very classes that the commission recommend, and those are the only classes that the Senator desires to cover.

Mr. UNDERWOOD. They are the only classes that I have in mind, I am free to say; but I want the Senator to understand that I am not trying to amend the workmen's compensation act of the Government of the United States except in a single particular, and that is to extend the statute of limitations that prevents their filing their claims. I am not trying to I am not trying to give the family of a man who lost broaden it. his life behind the front lines from an enemy shell any more than you are willing to give the family of a man who lost his life because an elevator fell in the Capitol. I am not asking anything more; but these men who did give their lives on the front line are entitled to that much, and you are denying it.

Mr. SMOOT. Does the Senator know whether or not they carried insurance?

Mr. UNDERWOOD. If they carried insurance, it was their private fortune. They were not allowed to carry Government insurance under the war risk insurance act.

Mr. SMOOT. Why not?

Mr. UNDERWOOD. Because they did not come within the terms of it. As the Senator knows, I tried to get a bill through here some time ago to bring them within the terms of the act, and the Senator was one that objected to it.

Mr. SMOOT. That was because of the fact that they had not

carried the insurance, not because of the fact that they could

not have carried the insurance.

Mr. UNDERWOOD. But these men were not within the terms of the act and could not carry insurance. Of course, they may have had private insurance; I do not know about that. Most of them probably did not. Some of them perhaps did; but if so, it was under their personal contracts.

Mr. SMOOT. Absolutely. Nobody would object to that at all. I had reference entirely to the Government insurance under

the war risk act.

Mr. President, as far as I am personally concerned, the only thing I had in mind in objecting to this provision was that it would affect a large number, and also would apply to the clerks who served only in the United States. I have no objection to it if that class is excepted; and if the Senator does not think there are very many who will be involved I shall not object to his amendment if it is restricted to those who served abroad.

Mr. UNDERWOOD. I am perfectly willing to amend it so that it shall include only men serving abroad. I do not like to restrict it to the particular class the commission has set out, because we might do a very grave injustice to somebody we may

have left out

Mr. SMOOT. I can not think of any; but, of course, there may be.

Mr. UNDERWOOD. The beneficiaries would be few in number, and why should we not do it?

Mr. SMOOT. Really, the recommendation of the commission as correct. Nobody could object to that.

was correct.

Mr. UNDERWOOD. Then, if the Senator is willing to accept this amendment, I again ask unanimous consent that the bill be taken up and passed. I am willing that the bill should be amended so as to read:

If the disability or death was the result of an injury sustained during the period of the Great War, and arising out of conditions due to the war, by employees serving with the Army of the United States on foreign soil, the commission may for any reasonable cause—

And so forth.

Mr. SMOOT. I have no objection to that.

Mr. WALSH of Massachusetts. Why should the bill be limited to persons serving on foreign soil? Why should not a man who was injured while working in an American camp be

compensated?

Mr. UNDERWOOD. I would prefer to leave it as it is, but the men who were serving here on American soil had their rights under the act. They were at home, and they had their 60 days to make claim for injury, and there was a year in which claims for their deaths might be filed.

Mr. SMOOT. And they all knew it.

Mr. UNDERWOOD. Whereas the men who were on foreign soil were absolutely deprived of any opportunity.

Mr. SMOOT. I think there is a great difference.

Mr. UNDERWOOD. I am perfectly willing to suggest this amendment, and I ask unanimous consent for the present consideration of the bill with an amendment as follows, after the word "claims," on page 2, line 4, that there be inserted the words "of certain employees of the Expeditionary Forces of the United States serving outside of the territory of the United

Mr. WARREN. Mr. President, of course, objection having been made, the bill went back to the calendar. Now the Senator wishes to call it up again from the calendar for further consideration while the deficiency bill is under consideration.

will not object if it does not lead to further debate.

The PRESIDING OFFICER (Mr. Bursum in the chair). The Senator from Alabama asks unanimous consent to have taken up for immediate consideration Senate bill 1911. Is there

objection? There being no objection, the Senate, as in Committee of the Whole, proceeded to the consideration of the bill (S. 1911) to amend an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916.

Mr. UNDERWOOD. Now, I move the amendment which I suggested a few moments ago.

The PRESIDING OFFICER. The Secretary will state the amendment.

The Reading Clerk. The Senator from Alabama proposes to amend, on page 2, line 4, by inserting after the word "claims" the words "of certain employees of the Expenditonary Forces of the United States serving outside of the territory of the United States," so as to make the bill read:

Be it enacted, etc., That the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, be amended as follows:

"Sec. 20. That all original claims for compensation for disability shall be made within 60 days after the injury. All original claims for compensation for death shall be made within one year after the

death. For any reasonable cause shown the commission may allow original claims for compensation for disability to be made at any time within one year. If the disability or death was the result of an injury sustained during the period of the Great War, and arising out of conditions due to the war, the commission may for any reasonable cause shown allow original claims of certain employees of the Expeditionary Forces of the United States serving outside of the territory of the United States to be made at any time within one year after the passage of this act."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### DEFICIENCY APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6300) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes.

The PRESIDING OFFICER. The Secretary will continue

the reading of the bill.

Mr. KING. Mr. President, I may be detained from the Senate on official business a little later this afternoon, when we reach the appropriation asked for the Shipping Board, and if the chairman of the committee having this bill in charge does not object, I should like to make a few observations now upon that phase of the bill, which will save any discussion of it later by me if I should happen to be here when we reach it.

Mr. WARREN. Under ordinary circumstances I should ask that we proceed to take the bill up and read it through for action on the committee amendments, but I wish to accommodate the Senator, and I will not object to his speaking at this

time on the matter to which he refers.

Mr. KING. Mr. President, I shall not make any motion in regard to this matter, either now or later, but I shall object to the appropriation of any amount whatever for the Shipping Board until certain information has been furnished. I want to indulge in a short discussion of the Shipping Board, however, and of some of its delinquencies and its activities.

Mr. SMOOT. Before the Senator proceeds, may I ask him if he still has objection to the appropriation of \$10,000 for the

Bureau of Efficiency?

Mr. KING. No; I have investigated that item and I have no objection to it.

Mr. SMOOT. Will the Senator allow it to be agreed to now?

I have no objection. Mr. KING.

Mr. WARREN. In that same connection, there were one or two other amendments which went over until to-day. I presume the Senator would not object to the allowance for a motor vehicle for the War Department and certain other small matters

Mr. KING. I think that is a very bad practice. I think those vehicles ought to be sold, and if these organizations are en-

titled to vehicles, let them purchase them.

Mr. WARREN. We are not able to bring that about. secured the passage of a law looking to that end, but it was immediately repealed by the passage of a bill reported from another committee. I do not know whether the Senator from Utah was one of those who voted to repeal it or not.

Mr. KING. No; I was not. Mr. WARREN. These are minor matters, and they are of

such a class that the sales will amount to very little.

Mr. KING. I have read substantially all of the testimony taken by the House committee, and every word of the testimony taken before the Senate committee, and, calling attention to one item, the one for \$5,000 for the Alien Property Custodian, I am opposed to that absolutely. The testimony showed that the only purpose of having an automobile under that office is to bring the Alien Property Custodian down to his business in the morning

Mr. WARREN. These amendments which the Senator asked to have go over until to-day relate to only small matters, and as he said he was going to be away, I thought we might go

back to them.

Mr. KING. I think when I am absent from the Chamber the Senator will be able to get through these amendments without any difficulty.

Mr. WARREN. I am inclined to help the Senator all I

Mr. SMOOT. I did not want to take advantage of the Senator, and that is why I brought up the Bureau of Efficiency amendment

Mr. WARREN. I will say to the Senator that he can start with the \$4,000,000,000 we have already put into the Shipping Board, by direct appropriation, and then add all the money they have made by the sale of ships.

Mr. KING. I am going into that in a few moments.

Mr. SMOOT. I understand the Senator has no objection to agreeing to the appropriation of \$10,000 for the Bureau of

Efficiency, as set out on page 2.

Mr. KING. It may be agreed to, as far as I am concerned.

The PRESIDING OFFICER. The Secretary will state the amendment referred to.

The READING CLIMK. On page 2, lines 15 to 18, inclusive, the committee proposes to insert the following paragraph:

BUREAU OF EFFICIENCY.

To enable the Bureau of Efficiency to perform the duties imposed upon it by the legislative, executive, and judicial appropriation act for the fiscal year 1921, \$10,000.

The amendment was agreed to.

Mr. KING. Mr. President, during the morning hour I offered a resolution which was read and is now upon the table to be called up at any time. It directs the Shipping Board to report to the Senate concerning a number of matters relating to the activities of the board. It particularly asks for information as to the amount of money advanced to companies operating allocated ships, the compensation paid to such companies, the receipts from such companies, and the amount paid to them by the Shipping Board to cover the losses resulting from the operation of Government-owned ships. The resolution also asks information concerning the number of ships sold, together with the amounts received from the sale of the same, the number of ships now in the hands of the receivers, the amount received from the sale of materials and other property disposed of by the Shipping Board, the total amount of property on hand and owned by the Emergency Fleet Corporation and by the Shipping Board, and the liabilities, contingent and otherwise, of the Shipping Board and the Emergency Fleet Corporation. My purpose, Mr. President, in offering the resolution is to obtain full information concerning the work of the Shipping Board, the reason for the losses resulting from its labors, and the manner in which it is discharging the important responsibilities resting upon it. My information is that the corporation is as wasteful and inefficient now as in the past; that its methods of conducting business are as archaic and as unsatisfactory as during the rush and congestion of the war.

After considerable investigation I am convinced that the billions spent by the Government have been and will be largely dissipated and that out of the tremendous expenditures there

can be realized but an inconsiderable sum.

We have not completed, nor do we have, an adequate mer-The vessels owned by the Government are, in chant marine. the main, inferior and not capable because of the types, imperfect construction, faulty machinery, and so forth, of competing with modern and properly built and economically constructed ships for ocean commerce. I appreciate that the needs of the Nation during the war were such as to call for the most feverish haste in ship construction and that waste and extravagance were inevitable. Shipyards sprang into being overnight and incompetent men were charged with responsibilities for which they were unfit. Shipbuilders were needed and our country was lacking in the technical skill required for economical and We labored under many disadvantages proper shipbuilding. and must be ready to accept material losses and to regard them as a part of the war expenditures.

War produces waste. The cannon and guns produced at enormous cost are soon cast into the scrap heap, and vessels imperatively needed for the transportation of troops and supplies, built under conditions that forbade economies and efficiency and the proper standard of workmanship, as well as design, could not even approximate in worth and value those which are built under normal conditions. We know that the prices of materials of every kind, as well as the wages paid to those engaged in ship construction, reached unparalleled heights, and contributed to the huge total which the Government was compelled to pay for the ships which are now con-

trolled by the Shipping Board.

But after taking into account all these factors which minimize any charges which might be made and extenuate in every possible way, the record of the Shipping Board and the Emergency Fleet Corporation is not one of which we can be proud, and, indeed, in my opinion, is such as to call for severe criticism. Here and there are bright spots in this record, but in the main but little can be said by way of praise and much is justified by way of condemnation.

At this point I desire to speak in high terms of praise of the work of Judge Payne, who for a short time held an important place with the Shipping Board. He found chaos and confusion worse confounded and an orgy of reckless waste and extravagance. He addressed himself with courage, and ability of the highest order, to a rectification of the awful conditions existing, and sought to rescue the Shipping Board and the Emergency

Fleet Corporation from the pit into which it had fallen. It was most unfortunate for the country that Judge Payne was called from this great work to which he had so resolutely dedicated himself. As Senators know, he succeeded the late Franklin K. Lane as Secretary of the Interior, and in that important department of the Government he rendered most conspicuous and valuable service.

It was thought that after the armistice the Shipping Board, relieved from the pressure and tension which war operations produced, would extricate itself from the frightful situation in which incompetency and haste and extravagance had placed it, and that a wise and prudent course would be pursued, which might make amends, at least in part, for the faults and mistakes of the past. But unfortunately the expectations of those who gave the matter attention and who were sincerely desirous of the success of the Shipping Board and the development of a strong and modern merchant marine, have not been realized; and the fortunes of the Shipping Board and the Emergency Fleet Corporation are now at as low an ebb as it is possible to conceive of. Billions have been sacrificed and yet disaster and bankruptcy await the Shipping Board and the Emergency Fleet Corporation.

Immediately after the armistice I urged members of the Commerce Committee of the Senate to enact legislation that would deal with this important question in a rational and progressive manner. I felt that if the vast sums expended were lost and that out of these tremendous appropriations an efficient and modern merchant marine were not developed, the country would manifest its disapproval and Congress would receive condemnation at the hands of the people. Months elapsed before a law was passed, and the law which was finally passed was, in my opinion, defective, and contained provisions and limitations which would operate against the successful development of an American merchant marine. Whether the law is wise and satisfactory or possesses inherent defects this must be conceded. We have spent billions and are each month losing millions, and there is no immediate prospect of either a suitable merchant marine or relief from the frightful burdens which the deficits resulting from operating the ships owned by the Government creates.

Our appropriations for the Shipping Board and Emergency Fleet Corporation are as follows: In 1917, for the Shipping Board \$100,000 and for the Emergency Fleet Corporation \$50, 000,000; in 1918, \$517,500 for the Shipping Board and \$1,400,-000,000 for the Emergency Fleet Corporation; in 1919 the Government appropriated \$842,500 for the Shipping Board and \$1,806,701,000 for the Emergency Fleet Corporation-a later appropriation of \$500,000 was also made to the corporation: in 1920, \$772,986 was appropriated for the Shipping Board and \$336,000,000 for the Emergency Fleet Corporation; in 1921 the Shipping Board received \$400,000 and the Emergency Fleet Corporation \$36,852,000; for 1922 the appropriations, including those carried by the pending deficiency bill, is \$459,000 for the Shipping Board and \$75,000,000 for the Emergency Fleet Corporation.

We have directly appropriated \$3,091,986 for the Shipping Board and \$3,365,053,000 for the Emergency Fleet Corporation. This, however, is not the end of the chapter. The Shipping Board and the corporation have been authorized to sell ships, and a number have been disposed of for cash and notes with adequate security. Seventy-two million dollars have been received in cash from the sale of ships and \$40,000,000 from sale of materials and other personal property which had come into the hands of the Shipping Board. These amounts have been

expended by the Shipping Board.

In addition, it has received millions of dollars in notes and other securities and, as I am advised, has either employed these in its operations or holds them as a part of its assets. In addition, Mr. President, \$182,000,000 have been received in cash from the operation of ships controlled by the Shipping This amount has also been expended by it in ship construction and in its operations. Instead of the amounts received by it from operation and from the sale of property, it has devoted the sum to cover its enormous budget and to meet its My information is that the Shipping Board growing deficits. also received \$112,000,000 from the War Department that likewise has been expended by the Shipping Board. I think it can be established that there have come into the hands of the Shipping Board and the Emergency Fleet Corporation more than three and three-fourths billions of dollars.

It seems incredible that a sum so stupendous has been expended by the Shipping Board and the Emergency Fleet Cor-But we would be reconciled to this expenditure if adequate results had been obtained. We have approximately vessels of a dead-weight tonnage of 11,000,000 tons. There are approximately 1,400 steel, 300 wooden, and 7 con-The concrete and wooden vessels are an absolute and total loss. In the recent testimony of Admiral Benson before the Senate committee, he spoke about "hiring" some one to take the wooden vessels out to sea and sink them. The concrete vessels have all been wrecked, and no doubt it would be a saving to the Government if the wooden ships were to be towed out to sea and sunk.

The Shipping Board, in my opinion, was delinquent in its duty in failing to sell some of its wooden ships when it had an opportunity. Immediately following the war it could have sold a considerable number of wooden ships at a price of approximately \$30 per ton. For some reason no sales were made, and the opportunity for sale soon passed away. The wooden ships now are locked in the harbors, costing the Government enormous sums each month for care, insurance, and other expenses.

Other infirmities are apparent. It is discovered that they are too fragile for the machinery. They leak and give every evidence of being poorly constructed. Of the steel vessels, Admiral Benson testified that 706 were in operation. He ought to have added that many of them are operated intermittently. is that some are in service for a considerable part of the time, but many are in service only a portion of the time. To-day a large number of the 700 steel ships are inactive and 260 are tied up at the wharves and are not utilized for any purpose. It would be more economical for the Government if all were tied up. I was told to-day by one of the officials that whenever ships were withdrawn from service the losses from operating the ships were reduced.

No one knows the amount which the Government is losing monthly in its effort to operate the ships controlled by the Shipping Board. It has been said that the Government is losing a million dollars a day. I do not think that the loss is so great. I believe, however, an exhaustive and accurate examination of the operations of the Shipping Board and the Emergency Fleet Corporation will demonstrate that the losses are from \$12,000,000 to \$15,000,000 per month. In the past they have at various times exceeded that amount.

And it must be remembered that the ships are constantly deteriorating in value and that the Government is receiving no interest upon the three and three-fourths billions of dollars which it has invested as capital. It is only a question of a few years when the ships will be of but little if any value, so that there is no very satisfactory evidence that the Government will ever obtain returns of any consequence for the tremendous outlay which it has made. I have made considerable inquiry, and from all that I can learn all of the ships now owned by the Government, controlled by the Shipping Board, would not exceed in value \$750,000,000. The ledger would therefore to-day show expenditures of approximately \$3,750,000,000, and there would be assets resulting from these expenditures of approximately \$750,000,000.

The steel vessels are divided into two classes, coal burners and oil burners. The oil burners constitute about 33 per cent of the entire number. Senators, of course, are informed as to the fact that the coal-burning ships are less valuable than the oil burners, and that the cost of operating the former is very much greater than that incurred in operating the oil-burning

About 150 of the steel ships were constructed on the Lakes, at points remote from the ocean. In order to reach the sea they were, after construction, sawn asunder and in this fragmentary form they were conveyed to the high seas. These ships, of course, are inferior, impaired in strength, and of but little value. It is doubtful whether they could be sold for more than \$20 or \$30 per ton.

Let me add in passing that some of the ships constructed by the Government cost as much as \$300 per ton, and ships produced at this huge figure could not be sold to-day for more than \$35 to \$55 per ton. A number of the steel ships have a tonnage

of from 5,000 to 7,000 tons.

The manner of their construction and the type followed make them unsatisfactory ships and very costly to operate. It will be impossible for them to operate as economically as vessels of better type, such as are owned by corporations engaged in ocean commerce. Many of the hulls of the type of which I am now speaking leak, and the water-tube boilers are imperfect and unsatisfactory.

We have heard a great deal of Hog Island and of the investigation that was conducted by Congress concerning the building activities at that yard. The evidence seemed to establish that there was inexcusable extravagance, if not criminal waste. Most of the ships constructed at Hog Island are defective. It will be impossible for most of the ships owned by the Govern-

ment to be operated in competition with those of higher standards owned and operated by private corporations. In fairness, I should state that, generally speaking, the ships built by the Bethlehem Steel Corporation, the Union Iron Works Co., and the Sun Ship Co., at Chester, Pa., and the Newport News Co. were of a far higher grade, than any of the boats built at other places and now owned by the Government,

I have conversed with a number of persons who have traveled upon the Shipping Board vessels and the testimony is substantially unanimous that many of the ships are poorly built and that the hulls of many are so defective that they constantly leak and that in general they can not be called first class or high

standard vessels

There is another question which I wish to briefly allude to. The act under which the Shipping Board is now operating was designed, so those who were advocating it contended, to place in the hands of private corporations or individuals at the earliest possible moment the ships built under the direction of the Shipping Board. The Senator from Washington [Mr. Jones], the chairman of the Commerce Committee, appreciated, I believe, that governmental operation meant extravagance, waste, and failure. That has usually been the result where the Governmental operation meant extravagance, waste, and ment attempted to parallel activities which properly come within the sphere of private endeavor.

Mr. JONES of Washington, Mr. President— Mr. KING. I yield to the Senator from Washington.

Mr. JONES of Washington. May I suggest to the Senator that the first section of the act declared that very policy, that this shipping should be ultimately privately owned and operated.

Mr. KING. The Senator is right. Let me read the words of the section, which I have before me. Section 1 of the marine

act of 1920 provides that:

It is hereby declared to be the policy of the United States to do whatever may be necessary to develop and encourage the maintenance of such a marine, and, in so far as may not be inconsistent with the express provisions of this act, the United States Shipping Board shall, in the disposition of vessels and shipping property as hereinafter provided, in the making of rules and regulations, and in the administration of the shipping laws keep always in view this purpose and object as a primary end to be obtained.

Mr. JONES of Washington. If the Senator will read immediately preceding that, he will find the declaration with reference to private ownership.

Mr. KING. The first part of the paragraph reads:

That it is necessary for the national defense and for the proper growth of its foreign and domestic commerce that the United States shall have a merchant marine with the best equipped and most suitable types of vessels sufficient to carry the greater portion of its commerce and serve as a naval or military auxiliary in time of war or national emergency, ultimately to be owned and operated privately by citizens of the United States. of the United States

The Senator will remember that during the discussion of the bill objections that I urged against it rose out of the fact that I was afraid an interpretation would be placed upon this section. as well as other sections of the bill, by those charged with the duty of executing the law that would prevent the sale of the ships

to individuals or corporations.

I believe that the measure gave too much discretion to the Shipping Board and officials of the Government who would be charged with carrying out the terms of the bill, and that they would exercise the discretion not in the interest of private ownership, but of governmental ownership and control and operation of the ships. Knowing the usual disposition of officials in executive departments of the Government to increase executive control and to arrogate greater power to executive instrumentalities and agencies, I felt that there would be a strong disposition to keep the ships under Government control and operation and to interpose obstacles of every form to the sale to individuals or private corporations in order that they might be operated by agencies other than Government.

Mr. JONES of Washington. Mr. President

Mr. KING. I yield.

Mr. JONES of Washington. I know that that is true, but the Senator from Utah will also remember that another Senator on his side of the Chamber, the former Senator from Idaho, Mr. Nugent, protested against the passage of the bill because it made it too easy to dispose of and to sell the ships.

Mr. KING. Well, Mr. President, that merely illustrates the

diversity of opinion existing not only upon both sides of the aisle but among Senators on the same side of the Chamber.

Section 7 of the act provides:

The board is authorized to sell, and if a satisfactory sale can not be made, to charter such of the vessels referred to in section 4 of this act, or otherwise acquired by the board, as will meet these requirements to responsible persons, who are citizens of the United States, who agree to establish and maintain such lines upon such terms of payment and other conditions as the board may deem just and necessary, and if no such citizen can be secured to supply such service by the

purchase or charter of vessels on terms satisfactory to the board, the board shall operate vessels on such line until business is developed so that such vessels may be sold on satisfactory terms and the service maintained, or unless it shall appear within a reasonable time that such line can not be made self-sustaining.

Mr. President, I regard the act as a mandate to the board to sell the ships as soon as possible to private individuals or corporations for private operation under the American flag. Unfortunately, those charged with enforcing the law have given every possible intendment to the statute in hostility to what I

regard its plain import to be.

Mr. President, I charge that many of the officials of the Shipping Board have deliberately attempted to prevent these ships from passing into the hands of private ownership. The Division of Operations has in the main been in the hands of incompetent persons, many of whom have been hostile to private ownership and private operation. They have, in my opinion, sought to prevent sales being made and have delayed from time to time when sales could have been made, giving pretexts for their actions which I submit can not, in the light of all the facts, prove satisfactory. It seems clear that the purpose has been to retain the ships to be owned and operated by the Government, and to create obstacles that would excuse their sale for private ownership and private operation.

Of course, the more ships owned and operated by the Government the more jobs there would be for the thousands of employees in the Shipping Board and in the Emergency Fleet Corporation. I regard it as a shame and a disgrace that so many thousands of persons have found refuge in these organizations. Not only in the United States has this great army of employees of the Shipping Board and Emergency Fleet Corporation been found but battalions and companies and brigades can be found in many parts of the world.

Judge Payne when he came into the Shipping Board speedily saw the waste and inefficiency and the useless and dead timber in the various branches of the service, and he promptly brought about reforms and separated hundreds of individuals from the service. If he had been there a little longer the heads of thousands of employees would have fallen into the basket. But the Government is still paying for an army of employees. To what extent the present acting member of the board is responsible I shall leave others to say. But there seems to be a determination not to disturb what is called the "organization." It seems that the "Navy" idea prevails—to maintain an "organization" whether there is anything for the organization to do or not. The Shipping Board is now opening up new offices in various parts of the United States, though by so doing it increases the deficit and multiplies the number of employees. Whether it is greatly increasing the personnel at the present time I am unable to state.

I repeat that opportunities which have been afforded to sell-vessels have not been taken advantage of, as a result of which the Government has this great fleet, much of which is utterly valueless and none of it profitable, with the ships deteriorating and the Government receiving nothing by way of interest on its huge investment. Its assets are shrinking and deficits piling up, to be met by taxes imposed upon the people.

Under the provisions of the section of the statute just referred to the board has been derelict in its duty. It should have sold more of the ships, and where it was unable to sell it should have chartered, as the statute contemplated. It seems to have been more interested in retaining the ships and adopting a policy of "allocation." The ships now operated are not operated directly by the board, but through corporations to whom the ships have been allocated. My information is that about 150 agents or corporations are the beneficiaries of this allocation policy. Of that number, 25 seem to have received special consideration. I will not say that they have been specially favored, but they have had allocated to them some of the best ships and a greater number of ships.

This policy does not seem to have justified its adoption. Let it be understood that those who have received these ships have not been required to put up any capital or make any advancements. They have invested no money, but the ships have been turned over to them, and in some instances the Shipping Board has advanced all the costs and money called for in a preliminary way. These agents who have obtained these ships under this allocation policy receive a flat commission of 5 per cent on all outgoing cargoes. They also receive  $2\frac{1}{2}$  per cent on all incoming cargoes. They incur no obligation whatever and are free from any llability, and without investing any capital they receive these large commissions. It is somewhat difficult to perceive what advantage there is to the Government by interposing these agencies. The Government runs all the risks, furnishes the ships, pays all expenses, and the corporations obtain these large commissions for being "allocatees."

It is obvious that the commissions of these corporations must be enormous. It will be observed that this policy perpetuates the Fleet Corporation and the Shipping Board. It delays the transfer of the ships to private ownership but it makes the Government the insurer and the loser and private corporations, without risks, the gainers and profiteers.

The policy in my opinion is reprehensible. The board should have sold the ships or chartered them. Moreover, Mr. President, as I am advised, there are two or three corporations that have most excellent routes and the very best of the ships, some of which at least private persons desired to purchase. Several months ago I offered a resolution asking for information as to why ships were not sold to those who desired to purchase them. I had information then and talked with one or more members of the Shipping Board in relation thereto, to the effect that parties in Los Angeles desired to purchase three ships. They were not sold to these parties, notwithstanding their offer was an advantageous one to the Government. But the ships were allocated to a corporation of whom it can be said that there was no discrimination against it.

At a later date I shall ask consideration of the resolution to which I have just referred. I shall attempt to ascertain why these three ships were not sold and why the corporation to which I have referred is now operating them at a loss to the Government and with no risk to the corporation. It is my opinion, Mr. President, that ships have been allocated without regard to the public welfare or to efficiency and proper operation and in total disregard of the rights of the public.

There is another phase of this matter which I desire to mention, relating to the modus operandi of the board where sales have been made. In some instances where the vessels had been sold, the vendees have attempted to build up a trade. They have expended their time, made heavy investments, and were, in good faith, attempting to develop a merchant marine. were putting in their money and giving their time and their energies to this legitimate enterprise. It would have been supposed that the Shipping Board would have encouraged these persons and corporations; that it would have aided in every proper way their enterprise, but the reverse has been true. The Shipping Board allocated to corporations other vessels knowing, and indeed intending, that they should parallel the same routes as those being established by private ownership and enter into active competition with the individuals and corporations who, in good faith, had purchased ships from the Government and were spending their time and money to build up a profitable business.

It is apparent that governmental policy of this character would prove disastrous to private operation. If individuals or corporations purchase vessels from the Government, they have a right to expect that the Government will not, immediately at least, enter into competition with them, relying upon the taxpayers of the country to pay the deficits caused by driving to the wall and bankruptcy those to whom they had sold Government It would be different if the Government or those to whom it allocated ships engaged in competition based upon service and upon cheaper rates, depending upon their ability and their superior service to win success. But when the Shipping Board delivers ships to corporations, knowing that they will be run at a loss and that these corporations will make large profits and that the Government will have to meet the losses, and that such operation will drive to disaster corporations which purchased ships from the Government and in good faith attempted to build up an ocean commerce, then I submit that a wrong has been done. I protest this prostitution of the power and authority possessed by the board, and I protest against further burdening taxpayers of the United States to maintain such an iniquitous and indefensible policy.

Let me illustrate the situation. Individuals form a corporation and purchase one or more ships from the Government, paying the initial amounts required by the Government, giving such security to the board for deferred payments as is required. The corporation maps out its route, acquires docks or docking privileges and incurs heavy expenses in starting its new enterprise. The Shipping Board thereupon allocates to a corporation one or more ships, and this corporation parallels the route or routes of the private corporation purchasing from the Government. It incurs no liability; it operates at a loss, knowing that the Government, through the Shipping Board, will pay the loss; and it makes its 5 per cent profit upon all outgoing tonnage and 2½ per cent on all incoming tonnage.

Such competition is unfair, dishonest, and the taxpayers of our country are now called upon to support this indefensible method of procedure. The result has been that individuals who in good faith invested large sums in the purchase of ships have been driven into bankruptcy and the Government has seized the ships

because of default in meeting deferred payments, and these ships have passed to receivers who have operated them at great expense to the Government, all of which the taxpayers are called

upon to pay

The resolution which I offered this morning refers to the question of receivership. My information is that one firm of attorneys has handled 8 or 10 receiverships and have been paid already \$70,000 in cash, the taxpayers of the Government having to pay it, and they have claims against the Government for additional fees. I know who these attorneys are, but my resolution asks for full information. The situation needs clarifying. I want to know whether any persons connected with these receivership proceedings have been or are now in the employ of the Shipping Board of the United States. I want a full investigation of this particular activity of the Shipping Board; that is, its sale of ships to individuals, its driving them by competition into bankruptcy, its forcing of purchasers into the hands of receivers, and I want to know the cost of these receivership proceedings, who got the money, and, generally, full information in regard to the entire matter.

I should say, in passing, that when the ships were taken over from the purchasers by the Shipping Board it knew that costs would immediately result to the Government. It would have been better to have left the purchasers in possession of the ships, notwithstanding deferred payments, because they might in time have worked out their plans and paid for the ships, and in the meantime the Government would have been relieved from the burdens which immediately follow when possession of ships is assumed.

The policy of the board, Mr. President, seems to have been one designed to discourage the successful liquidation by the board of the vast property committed to its care, to prevent private ownership or operation, and to maintain undisturbed the Division of Operations, which is culpable in the highest degree in its pernicious system of allocations and its destructive methods.

Mr. President, there is another matter to which I desire to refer. The price of the ships sold has been fixed without regard to the factors of market value specified in section 5 of the act, and the contracts have been loaded down with conditions so burdensome as to make their performance by the purchasers well nigh impossible.

It has recently been said that one of the first duties of the new board will be to take from those who have purchased, because of their inability to make payments, the ships which they have contracted for. The Government by going into competition with the purchasers through its allocating organizations has, of course, made it impossible for them to make profits and, having been driven practically out of the business, the plan now is to take the property away from them and place it in the hands of these "allocating" specialists, who will make large profits, and the Government will be called upon to meet the constant deficits created by them. The fair and prudent course would be to permit the purchasing corporations to continue to operate them under the best terms and arrangements possible until they can meet their obligations to the Government. It is certain that while they are operating the ships there will be no losses to be met by the United States. If the board seizes the ships and assumes control, immediately the Government is compelled to meet all costs resulting from such possession or operation which may be attempted.

A pertinent matter is called to my mind-a matter which Senators will recall: Judge Payne offered for sale a number of ships which we had acquired from Germany. provoked a storm of criticism. It was alleged that he was selling them for \$29,000,000 when their value was at least \$75,000,000. What was the result? An injunction was obtained and subsequently dissolved. The opportunity to sell was lost, and the boats have cost the Government millions since, and it would be impossible to sell them to-day for \$12,000,000. Payne appreciated the situation and was attempting to sell ships which he believed would soon be unsalable, and at a price which was fair to the Government. The United States still has the ships; it is expending millions in their upkeep and maintenance and attempted operation. My information is that it will be impossible to sell them for more than \$12,000,000.

Mr. President, there is another matter which I wish to mention and which has been an impediment to the sale of the ships

held by the Shipping Board.

One of the terms which has been attached to the contracts of sale-and I desire the attention of the Senator from Washington [Mr. Jones]-requires that insurance shall be taken out in the manner prescribed by the Shipping Board. I want to invite the Senator's attention to the fact that the Shipping

Board has compelled the purchasers to take out their insurance with the American Marine Insurance Syndicate, whose officers in the main are interested in the old steamship companies, which are either directly or indirectly controlled, some of them at least, by interests other than American interests, and the rates of insurance have been unusually high.

This syndicate exercises a virtual monopoly in the American marine insurance market, and it exacts from the purchasers and the board requires it-an insurance premium of from 5 per cent to 5% per cent on the valuation of \$165 to \$185 per ton. It is obvious what the effect is. The market value of ships to-day is from \$20 to \$65 a ton. None of the ships sold by the to-day is from \$20 to \$65 a ton. Shipping Board would bring \$65 per ton, and yet the purchasers have been compelled to take out insurance with this insurance monopoly, and pay from 5 to 5% per cent upon the valuation of \$165 to \$185 a ton. It is manifest that private persons or corporations, those who own their own ships without obligation or liability to the Government, and are in a position to negotiate their own insurance, can secure rates much lower.

The result is that the purchasers of ship tonnage are compelled to pay, even though they load their vessels, from 15 to 25 per cent of their gross operating revenue as insurance premiums. This is such a heavy burden that it makes successes in operation difficult, if not impossible, no matter what economies are practiced and skill observed. It is an unfair advantage and burden, and seems to be aimed at the destruction of those corporations that purchase boats from the Government and attempt to build up an American merchant marine.

The sales contract further requires the purchaser to pay 5 per cent interest on the unpaid balance of the purchase price of the vessels and to set upon its books a depreciation charge of 5 per cent, based upon this same excessive valuation.

The sales contract further provides that in the operation of purchased vessels the purchaser agrees to observe and maintain all conference rates which may be either promulgated or approved by the board. In other words, the whole sales policy is one designed to make it impossible for the purchaser to operate his vessels at a profit, with the result that public confidence in marine securities will be absolutely destroyed and investors in these securities will lose every dollar invested.

Mr. President, I am opposed to the appropriation which is carried in this bill. I think it is time for Congress to cease meeting these deficits and encouraging extravagance and incompetency in these organizations which have already proven so expensive to the Government and the American taxpayers.

Admiral Benson contends that further sums are required to build ships now in process of construction. It is known that when the ships are completed they can not be sold, in some instances at least, for the amounts required to build them. are being built upon war contracts at prices exceedingly high. and when completed there will be no market; or if a market is secured, at prices which will not reimburse the Government for the amounts required for the completion of the ships. It would seem that the wise and prudent thing to do is to cease construction, at least until there can be a reorganization of the board and a policy adopted which will end for all time the wicked waste and criminal extravagance that have attended the administration of the Shipping Board and the Emergency Fleet Corporation during the greater part of their existence. I suggest, Mr. President, that if the Government is to pursue the policy of establishing a merchant marine, it may be required to adopt a course something along these lines:

(a) Amortize its vessels down to the present world-market valuation.

(b) Permit the operator upon his own responsibility and with his own resources to build up effective organizations.

(c) Eliminate the present erroneous conditions interposed by the board in their sales contracts.

(d) If the American marine insurance monopoly is to be continued as an agency, compel them to insure upon a reasonable basis.

(e) Let the board in the exercises of its regulatory power prosecute all carriers who by any device are violating the rebate and discrimination of the shipping act.

Wherever the Government desires to establish a trade route that is at present unattractive to private capital and it desires to allocate vessels to place upon such a berth, let the vessels be allocated to reliable companies, who are undertaking in good faith to purchase Government tonnage.

Mr. President, at a later date, when the resolution which I have offered to-day is up for consideration, I shall submit further observations in regard to the Shipping Board, the Emergency Fleet Corporation, and the course which should be pursued by the Government.

#### THE MERCHANT MARINE.

The VICE PRESIDENT laid before the Senate a communication from the Chairman of the United States Shipping Board, transmitting a further reply in detail to Senate resolution No. 413, dated December 27, 1920, relative to moneys appropriated, profits, capital, number and description of vessels, system of accounting, contracts of operation, number of employees, etc., covering transactions of the Shipping Board and the Emergency Fleet Corporation from September 7, 1916, to February 28, 1921, which was referred to the Committee on Commerce.

Mr. WARREN. Mr. President, what is the opinion of the Chair as to the immediate disposition of this report? Is it in

The VICE PRESIDENT. It is not in printed form.

Mr. WARREN. I take it that it should go to the Committee on Appropriations and be printed; but since the distinguished Senator from Utah [Mr. King] is seemingly so vitally interested in it, and since he has introduced this morning a resolution concerning it, may I ask the Senator whether he desires to consult it immediately?

Mr. KING. Oh, no. The report just submitted was in response to a resolution, as I understand, offered by the Senator from New Jersey [Mr. Edge]. As the Secretary has read the extent of the report, it does not reach the questions which I have suggested in the resolution which I have offered.

Mr. KENYON. I should like to ask the Senator what it does cover? Is it a list of the employees and their salaries?

Mr. KING. A list of the employees and the number of ships, and some unimportant matters. It does not reach the questions that will enable us to determine what ought to be done

Mr. KENYON. Is it a list of the employees and their salaries? Are they included there?

Mr. KING. No; I think not. There may be a list, but I do not think it is a list of the employees.

Mr. WARREN. Perhaps, like the shipping, it is surplusage over and above what the Senator required in his resolution, and what the Senator to my right wishes to add to the salary list, and so on.

Mr. KENYON. I do not want to add anything to the salary I want to take away some of them.

Mr. WARREN. I am willing that the Senator shall make the amount expended by the Shipping Board go as high as the flights of fancy will permit, because you can hardly go above the actual fact of the amount of money taken out of the Treasury; but what I should like to establish before we get through is what we are going to do with these many hundreds of ships that we can not even turn loose and abandon, because we would be liable for damages if they should drift out into the harbor or anywhere and cause damage through collision or other mishap.

We can not burn them up, because they will endanger some surrounding property. In this condition, after expending nearly \$4,000,000,000 of good money, what shall we do with the product of it? Shall we undertake to save it?

In this bill there are one hundred and eleven million eight hundred and some odd thousand dollars appropriated for the various purposes that were stated, that it is promised will finish all the ships that are to be finished and put in order those that are out of order; and that, with the amount that is due, is to cancel the indebtedness, and so forth, so that we may then have in the clear the product of all of this money, the combina-tion that men and circumstances have constructed into shipping.

The Senator from Utah will remember that on the part of the Republicans-I do not like to bring in politics, except that we have to state what man or what party does this or does thatfor many years the Senate and House made efforts to build up a merchant marine. A merchant marine was believed by those on this side to be something valuable enough so that we might do as other countries did to some extent, provide mail subsidies or a price for carrying the mail that would really amount to some small subsidy. When the other party took charge, they concluded that it was better to build this merchant marine, and, of course, then both parties were equally guilty in the prosecution. It was war time, and we had to have ships; we had to get our troops over, and so forth. We have expended three or four billion dollars for these ships, approximately four billions. It is a question now as to what we shall do with them,

As I say, we are in a position where we can not let go if we want to, without large expense, and the committee believed that it is worth this one more trial to appropriate this hundred and odd million dollars-I do not know that we shall get

through conference or get off this floor with that much-to try to save whatever is left of this four or five billion dollar expenditure.

Mr. KING. Mr. President, may I say to the Senator that he is spending money to complete ships which, when completed, can not be sold to cover the amount which we are now asked to appropriate?

Mr. WARREN. If the Senator will permit me, I made the inquiry that I did with regard to the Edge report that just came in so that he might have the benefit of it if he wished; but I understand that the committee that reported the resolution believes the report ought to be printed, and unless the Chair has other views I suggest that it be printed and sent to the Committee on Appropriations.

#### DEFICIENCY APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6300) making appropriations to supply deficiencies in appropriations for the fiscal year ending

June 30, 1921, and prior fiscal years, and for other purposes.

Mr. WARREN. Mr. President, I ask that the amendment passed over on page 2, under the heading "Civil Service Commission," be now taken up.
The VICE PRESIDENT.

The Secretary will state the amendment.

The Reading Clerk. On page 22, lines 24 to 26, inclusive, the committee proposes to insert the following paragraph:

The Secretary of War is authorized and directed to transfer, without payment therefor, to the Civil Service Commission one motor-propelled passenger-carrying vehicle.

Mr. KING. Mr. President, how many vehicles have they? Mr. WARREN. I am not certain that they have any, and I know they are not overstocked, because sometimes they come here on foot to do business with the committee. I am informed that they have none at the present time, and that was my impression

Mr. KING. I am rather surprised, because from all I can learn we are furnishing vehicles to the Alien Property Custodian, who must be brought down to his office every morning in an automobile, and to other employees of the Government. I objected, it would be on the ground that there was discrimination and that we had better take care of them all.

The amendment was agreed to.

The reading of the bill was continued, as follows:

# HEALTH DEPARTMENT.

For enforcement of the provisions of an act to prevent the spread of contagious diseases in the District of Columbia, approved March 3, 1897, and an act for the prevention of scarlet fever, diphtheria, measles, whooping cough, chicken pox, epidemic cerebrospinal meningitis, and typhoid fever in the District of Columbia, approved February 9, 1907, and an act to provide for registration of all cases of tuberculosis in the District of Columbia, for free examination of sputum in suspected cases, and for preventing the spread of tuberculosis in said District of Columbia, approved May 13, 1908, under the direction of the health officer of said District, etc., including the same objects specified under this head in the District of Columbia appropriation act for the fiscal year 1921, \$6,000: Provided, That the limitation of \$25,000 in such act on the employment of personal services from the appropriation for this purpose is increased to \$31,000.

Mr. KING. I would like to know whether this is a deficit

Mr. KING. I would like to know whether this is a deficit or whether it is an increase in the appropriation for the next fiscal year; and if it is a deficit, why it was created; and if it is an increase in appropriation, why it was not embraced in the general appropriation bill when it received consideration at the hands of the Senate.

Mr. WARREN. It is to make good a shortage which was occasioned by outbreaks that were unexpected. In fact, in appropriating a round sum for the Health Service, various things must be taken into consideration as likely to happen. The service may have to overrun slightly the amounts we appropriate.

Mr. KING. My recollection is that we made special appropriations for these unexpected epidemics and outbreaks, though I do not remember whether they were carried in deficiency bills or not.

Mr. WARREN. This is for the District of Columbia, and I do not believe we have made any extra appropriation for that.

The reading of the bill was resumed.

The next amendment was, on page 7, line 20, after the word "supplies," to strike out "for the fiscal years that follow" and to insert "\$1,000," so as to read:

Municipal court: For contingent expenses, including books, law books, books of reference, fuel, light, telephone, blanks, dockets, and all other necessary miscellaneous items and supplies, \$1,000.

Mr. WARREN. Mr. President, the balance of that municipal court item is stricken out there and transferred to another place in the bill.

The amendment was agreed to.

The next amendment was, under the subhead "Municipal on page 7, after line 21, to strike out: "For 1921, \$1,000."

The amendment was agreed to.

The next amendment was, on page 7, after line 22, to strike out: "For 1922, \$1,000."

The amendment was agreed to.

The next amendment was, on page 7, after line 23, to strike

For additional employees from June 1, 1921, to June 30, 1922, inclusive, at annual rates of compensation as follows: Jury clerk, \$1,600; 4 enrolling clerks, at \$1,600 each; stenographer and typist, \$1,400; in all, \$10,183.34.

The amendment was agreed to.

The next amendment was, on page 8, after line 2, to strike

For compensation of jurors from June 1, 1921, to June 30, 1922, \$10,000.

The amendment was agreed to.

The next amendment was, on page 8, after line 4, to strike oat:

For lodging, meals, and accommodations for jurors and deputy United States marshals, while in attendance upon them, when ordered by the court, from June 1, 1921, to June 30, 1922, \$100.

The amendment was agreed to.

The next amendment was, on page 8, after line 8, to strike out:

For alterations and repairs to buildings, \$1,000, to continue available until June 30, 1922,

The amendment was agreed to.

The next amendment was, on page 8, after line 10, to strike ont:

For furniture and equipment, \$1,200, to continue available until June 30, 1922.

The amendment was agreed to.

The reading was continued to line 26, page 9, the last paragraph read being as follows:

Miscellaneous expenses: For such miscellaneous expenses as may be authorized by the Attorney General for the Supreme Court of the District of Columbia and its officers, including the furnishing and collecting of evidence where the United States is or may be a party in interest, including also such expenses other than for personal services as may be authorized by the Attorney General for the Court of Appeals, District of Columbia, \$5,000.

Mr. KING. If I understand the provisions on this page correctly, they all relate to the fiscal year 1921?

WARREN. Nineteen hundred and twenty-one; and let me further assure the Senator that until we reach page 75 every item is for a deficiency for 1921.

Mr. KING. This is a deficiency? Mr. WARREN. This is a deficiency.

Mr. KING. May I inquire of the Senator whether, after investigation, he is convinced that those deficiencies are authorized or warranted?

Mr. WARREN. Otherwise we should not have included them in the bill.

Mr. KING. I know the devotion of the Senator to economy, but I can not understand how there could be a deficiency in that one item of \$40,000, because we made very liberal appropriations

last year. Mr. WARREN. No; we did not make very liberal appropria-tions for this city. We cut down very materially, and the city, as the Senator knows, is part of our Government, and pays 50 or 60 per cent of the expenses, and the commissioners have the power, of course, to come to us for these deficiencies. They make very careful estimates, and the items are well proven. Since the war and the return of the soldiers, and since the change in labor conditions, which has thrown men out of employment, there has been a great transient population in Washington. As the Senator knows, this is a sort of Mecca, especially so for the men who were in the service, and they must be taken care of.

Mr. KING. Just a word. Of course, the Senator did not mean to be offensive by the rather abrupt and curt way in which he interrupted my statement. Notwithstanding the position of the Senator, I do affirm that we were liberal in the appropria-tions for the District of Columbia. I can not carry the figures in my head, but I know that in 1918 the appropriations for the District of Columbia were less than \$17,000,000. The following year they were increased, and last year they were more than \$23,000,000, and this year approximately \$24,000,000. So that we have been increasing them by leaps and bounds. Instead of being niggardly, we have been prodigal in the grants which have been made to the District.

Mr. WARREN. The Senator undoubtedly believes he is

correct, but the facts do not justify his statement.

Mr. KING. If the Senator will pardon me, the facts do justify the statement that we made the appropriations which I have stated, and the facts do justify the statement I made that we have been prodigal and not niggardly.

Mr. WARREN. That there was appropriated \$23,000,000

and something?

Mr. KING. Approximately that. Mr. WARREN. It was approximately a long way less than that. In fact, some \$4,000,000 less.

Mr. KING. I will get the figures and verify that.

Mr. WARREN. If I made any curt reply to the Senator, I beg his pardon. But I receive some curt replies from the Senator, which I take as his manner, and as I know he is a friend, I take no offense.

Mr. KING. I suppose that ends the controversy.

The reading of the bill was resumed.

The next amendment was, under the subhead "Judgments," on page 11, line 8, after the numerals "66," to insert "and Senate Document No. 24"; and in line 10, after the word "Congress," to strike out "\$21,909.91" and to insert "\$22,709.91," so as to read:

For payment of judgments, including costs, rendered against the District of Columbia, as set forth in House Documents Nos. 6, 18, and 66 and Senate Document No. 24 of the Sixty-Seventh Congress, \$22,709.91, together with a further sum to pay the interest at not exceeding 4 per cent per annum on such judgments, as provided by law, from the date the same became due until the date of payment.

The amendment was agreed to.

The next amendment was, on page 13, after line 14, to strike out "Sixty per cent of the foregoing sums for the District of Columbia shall be paid out of the revenues of the District of Columbia and 40 per cent out of the Treasury of the United States," and in lieu to insert:

Sixty per cent of the foregoing sums for the District of Columbia for the service of the fiscal year ending June 30, 1921, shall be paid out of the revenues of the District of Columbia and 40 per cent out of the Treasury of the United States; and such sums as relate to the fiscal year 1920, and prior fiscal years, shall be paid 50 per cent out of the revenues of the District of Columbia and 50 per cent out of the Treasury of the United States.

The amendment was agreed to.

The reading of the bill was continued, as follows:

FEDERAL BOARD FOR VOCATIONAL EDUCATION.

Vocational rehabilitation: For an additional amount for carrying out the provisions of the act entitled "An act to provide for the vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended, etc., including the same objects specified under this head in the sundry civil appropriation act for the fiscal year 1921, \$15,000,000.

Mr. WARREN. I have here a committee amendment that will carry out the requirements of the board, which has adopted resolutions at its meetings requesting this legislation. I send the amendment to the desk.

The VICE PRESIDENT. The amendment will be stated. The READING CLERK. On page 14, after line 10 and after the

numerals "\$15,000,000," insert the following proviso:

Provided, That payments for the support and maintenance of persons dependent upon any trainee of the board as provided by section 2 of the act may, in the discretion of the board, be paid either direct to such dependent or dependents or to the trainee upon whom they are dependent: And provided further, That any person entitled under the provisions of the vocational rehabilitation act, as amended, to take vocational training must make application therefor within 18 months from the date of the approval of this act.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. McKELLAR. May I ask the chairman of the committee if he would object if I ask unanimous consent to read the bill merely for committee amendments? Why should we not read the bill just for committee amendments first?

Mr. WARREN. If the Senator would like to have the whole

of the bill read-

Mr. McKELLAR. The whole of the bill is being read-that is, the House provisions as well as the Senate committee amendments. I am suggesting that it may be read for committee amendments only.

Mr. WARREN. I did not make that request. I asked that the formal reading of the bill might be dispensed with.

Mr. McKELLAR. Of course, if the Senator objects, I shall

not make the request.

Mr. WARREN. I shall not object, but I wish to explain why I did not ask it. The Senator from Utah [Mr. King] and others requested that it should be read in full, and so I did not go further than to assent. Mr. McKELLAR. I ask unanimous consent that the bill may

be read for committee amendments only.

Mr. SMOOT. That is, just the committee amendments?

Mr. McKELLAR.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The next amendment was, on page 14, after line 10, to strike

FEDERAL POWER COMMISSION.

Not exceeding \$5,000 of the appropriation of \$100,000 for the Federal Power Commission, contained in the sundry civil appropriation act for the fiscal year 1922, may be used for necessary printing and binding.

The amendment was agreed to.

The next amendment was, on page 14, after line 15, to insert: INTERSTATE COMMERCE COMMISSION.

For payment to Henry Jones Ford, on account of services rendered as Interstate Commerce Commissioner from June 11, 1920, to March 4, 1921, \$8,800.

The amendment was agreed to.

The next amendment was, on page 16, after line 18, to strike

For the completion of vessels now under construction, fiscal year 1922, \$25,000,000.

The amendment was agreed to.

The next amendment was, under the heading "Treasury Department," on page 17, after line 17, to strike out:

OFFICE OF THE SECRETARY.

For the salaries of officers and employees during the fiscal year 1922 t annual rates as follows (now being paid from the appropriation Expenses of loans"):

For the salaries of officers and employees during the fiscal year 1922 at annual rates as follows (now being paid from the appropriation "Expenses of loans"):

Commissioner of the Public Debt, \$6,000;

Commissioner of Accounts and Deposits, \$6,000;

Division of Deposits: Chief of division, \$3,500; assistant chief of division, \$2,500; clerks—1 \$2,250, 1 \$2,000, 1 \$1,800, 1 \$1,600, 1 \$1,400; messenger, \$840; assistant messenger, \$720; in all, \$16,610.

Division of Bookkeeping and Warrants: For the force to be transferred to this division on account of the transfer of duties from the Division of Public Moneys, at annual rates of compensation during the fiscal year 1922, as follows: Assistant chief of division, \$2,500; clerks—2 at \$2,000 each, 3 at \$1,800 each, 3 at \$1,600 each, 2 at \$1,400 each, 2 at \$1,400 each, 2 at \$1,200 each; 2 messengers, at \$840 each; assistant messenger, \$720; in all, \$24,300.

For expenses incident to the discharge of the duties imposed upon the Secretary of the Treasury by the transportation act, 1920, and the Federal control act approved March 21, 1918, as amended, and for expenses arising in connection with loans and credits to foreign Governments under the Liberty loan acts and the Victory Liberty loan act and in connection with credits granted or conditions entered into under the act providing for the relief of populations in Europe and contiguous countries, including personal services in the District of Columbia, fiscal year 1922, \$25,000.

The appropriation for "Expenses of loans," contained in the legislative, executive, and judicial appropriation act for the fiscal year 1922, is hereby made available for expenditures in the office of the commissioner of the public debt and for expenditures in the Post Office Department in connection with the distribution, sale, and keeping of accounts of war savings and thrift stamps, as provided in the deficiency appropriation act approved November 4, 1918. The appropriation for "Expenses of loans" contained in section 8 of the first Liberty bon

The amendment was agreed to.

The next amendment was, on page 19, after line 17, to strike

OFFICE OF COMPTROLLER OF THE CURRENCY,

For expenses of Federal reserve and national currency (to be reimbursed by the Federal reserve and national banks): For additional employees during the fiscal year 1922 at annual rates of compensation as follows: Clerk-counters—3 at \$1,400 each, 3 at \$1,200 each; 7 counters at \$1,000 each; in all, \$14,800.

The amendment was agreed to.

The next amendment was, on page 20, after line 9, to strike

For the enforcement of the national prohibition act during the fiscal year ending June 30, 1921, \$200,000.

The amendment was agreed to.

The next amendment was, on page 20, after line 11, to insert:

For expenses to enforce the provisions of the "national prohibition act" and the act entitled "An act to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon, all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or cocoa leaves, their salts, derivatives, or preparations, and for other purposes," approved December 17, 1914, as amended by the "revenue act of 1918," including the same objects specified under this head in the legislative, executive, and judicial appropriation act for the fiscal year 1921, \$200,000.

The amendment was agreed to.

The next amendment was, under the subhead of "Bureau of War Risk Insurance," on page 21, after line 3, to strike out:

The third proviso of the paragraph making appropriations for the Bureau of War Risk Insurance, as contained in the legislative, executive, and judicial appropriation act for the fiscal year 1922, is hereby amended to read as follows: "Provided further, That no person shall over of the property.

be employed hereunder at a rate of compensation exceeding \$1,800 per annum except the following: Three at not exceeding \$7,500 each, 9 at not exceeding \$5,000 each, 28 at not exceeding \$4,500 each, 36 at not exceeding \$4,000 each, 42 at not exceeding \$3,500 each, 49 at not exceeding \$3,000 each, 68 at not exceeding \$2,500 each, and 215 at not exceeding \$2,000 each.

The amendment was agreed to.

Mr. WARREN. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. On page 22, in line 8, after the word the" where it occurs the first time, insert the words "War and Navy Departments and the," so that the clause will read:

The total amount appropriated by the said act shall be available for the purposes specified in the said act and allotments may be made from said amount at the discretion of the Secretary of the Treasury to the War and Navy Departments and the Board of Managers of the National Home for Disabled Volunteer Soldiers to be transferred to its credit and disbursed by it under the approval and direction of the Secretary of the Treasury for the purposes of the said act.

The amendment was agreed to.

The next amendment of the committee was, under the sub-head "Public buildings," on page 22, after line 17, to strike

New York, N. Y., quarantine station: For improvements, including the water-supply system, power plant, and additional barracks, \$500,000, to continue available during the fiscal year 1922.

Mr. WADSWORTH. Mr. President, I shall have to confess my disappointment that the Committee on Appropriations saw fit to strike out the provision for the improvement of the quaran-

tine station at New York. The matter is one—
Mr. WARREN. May I explain a little why that is cut out so the Senator may know better how to direct his remarks?

Mr. WADSWORTH. Certainly.

Mr. WARREN. The only information we had was the evidence taken by the House committee. It developed that the number of immigrants received had been very large at times, and especially before the law was recently passed curtailing immigration, and that it has very sensibly decreased since. It is noticeable that at New York and Boston, where no one questions the necessity of having ample facilities, there seemed to be the building of new barracks included. When the bill was before the House committee that feature seemed to have been rather emphasized, because in the great rush of immigration they have had to use even some boats for additional space for the care of the immigrants while entering the country.

Of course, Philadelphia and Baltimore were also asking for something. In those cities at that time there was an average of about one a day during the year. For that reason it was thought best to strike out this item and let it go to confer-

ence and get further information on the matter.

I will say on the part of the committee that there is no disposition to curtail the real needs for the present year for this purpose. If the Senator will pardon me still further, an idea prevailed something like this—and the Senator can set me right if I am in error: We passed a bill some 10 or 15 years ago providing that the United States should take over and pay for all of these quarantine stations. At the time Mr. Fitzgerald was chairman of the House committee and I happened to be chairman of the Senate committee. As I said, that was some 10 years or more ago. Mr. Fitzgerald opposed that idea. He said it was a money-making affair for New York. Some others were objecting in the same way with reference to Baltimore and other places.

However, the stations were finally purchased, and it was after that time—and that is why I wish the Senator to explain-and because we passed a law empowering and perhaps compelling us to take them over and did not proceed to take them over for a number of years that they were allowed to greatly depreciate and therefore throw the entire deterioration of 10 years on the Government. I think more particularly involved was the fact that they were inclined to think there were more buildings called for than were necessary. We deemed it best to strike out the provision and let it go to conference, so whatever information the Senator can give us we shall be glad to have. I shall also ask the Senator from Massachusetts [Mr.

Lodge] to tell us about the proposition at Boston. Mr. WADSWORTH. The only item of which I have any real knowledge is the New York quarantine station item. The agreement for the taking over of the New York quarantine station by the Federal Government was reached about five years The New York State government, through appropriate officials, met a commission appointed, as I recollect, by the Secretary of the Treasury-arbitrators in a sense-and came to a rather prompt agreement as to the value of the property. New York Legislature passed an act authorizing the turning

At about that time and shortly after this agreement was arrived at as to value I introduced, I am sure for the first time, an amendment to one of the appropriation bills-I think the sundry civil appropriation bill-appropriating the sum which had been agreed upon by the Federal and State authorities. That amendment, as I recollect, failed in the House largely, if I am not mistaken, on account of the opposition of Mr. Fitzgerald, of Brooklyn, who from the beginning had opposed the entire policy of taking over the stations along the coast and

making them national institutions.

Of course, the agreement was reached in accordance with the law, and the agreement was satisfactory to both State and National Governments, but a delay of five years has occurred since the agreement was reached. It is very easy to see that after the Federal and State Governments had reached an agreement as to the amount which the State should be paid under the statute which authorized such an agreement and such a transfer, that the State should not thereafter spend money on new construction at the New York quarantine station. It would be folly to expect a government or a corporation or a person that was about to surrender title to property to continue to spend money upon it in the matter of construction, so that accounts, in part at least, for the present condition of the quarantine station at New York, which was taken over, as I recollect, on March 1 of this year, only three months ago, all this time having intervened through no fault of New York, through no fault of the Treasury Department, but through the fault of the Congress.

Mr. BRANDEGEE. Mr. President-

Mr. WADSWORTH. I yield to the Senator from Connecticut.

Mr. BRANDEGEE. The Senator speaks of an agreement. He has stated that the amendment which he introduced to an appropriation bill authorized the Federal Government to take over the quarantine station, and that the New York Legislature authorized the conveyance of it, but was there an agreement by the proper authorities, agents of both Governments, that

the Federal Government would take it over?

Mr. WADSWORTH. The law referred to by the Senator from Wyoming was passed 10 or 15 years ago, laying down the policy that the Federal Government would purchase these institutions from the several States, agreements as to price to be entered into by the respective Governments. From time to time quarantine station after quarantine station on both coasts was picked up by the Federal Government and paid for through appropriations made in accordance with the agree-

Mr. BRANDEGEE. Of what did the agreement consist? In other words, I am trying to find out whether there was a contract between the Federal Government and the State government, because, as the Senator stated it, he only speaks of an act of the Federal Government authorizing it to be done.

Mr. WARREN. Probably it was an appraisal.

Mr. WADSWORTH. Yes.
Mr. BRANDEGEE. Did both parties agree to the appraisal? Mr. WADSWORTH. They were both parties to the agree-

Mr. BRANDEGEE. But was there a contract that the Federal Government would take the property at the appraisal

Mr. WADSWORTH. No; there was not a contract that the Federal Government must take it.

Mr. BRANDEGEE. That is what I mean.

WADSWORTH. But of course the Federal Government joined in the appraisal and came to the agreement with the State on the faith of the law which had laid down the policy that when Congress appropriated the money from time to time the stations would be taken over.

Mr. BRANDEGEE. What I am trying to elucidate is

whether the Federal Government made a contract from which it can not recede or whether it simply declared a policy which

Congress is at liberty to change now.

Mr. WADSWORTH. The Federal Government made no contract and this appropriation is not to pay for the quarantine station.

Mr. BRANDEGEE. I understand it is for the maintenance

Mr. WADSWORTH. For the improvement of it.

Mr. BRANDEGEE. I understand that, but is the title still as a matter of fact in the State of New York?

Mr. WADSWORTH. It is in the Federal Government. Mr. BRANDEGEE. They have taken title?

Mr. WADSWORTH. Yes; and they paid for it, and I was explaining that so great was the delay in getting the money appropriated to take over the property that the institution had gone downhill in condition because, as I said a moment ago,

we could not very well expect the State of New York to continue to spend money in new construction at the quarantine station when they knew at any moment the Federal Government would take it over at the agreed price.

Mr. BRANDEGEE. If the Federal Government now owns the property and it needs repairs, of course the Government

either has to repair it or let it go to rack and ruin.

Mr. WADSWORTH. That is the point, and the Committee on Appropriations has stricken out the item for repairs.

Mr. BRANDEGEE. I understand the matter now.

Mr. WADSWORTH. I understand the spirit in which the chairman of the committee has approached the proposition, and if everything were certain in this life as to what conferees would do, I would be perfectly willing for it to go to conerence. This, however, is a matter of vast importance.

Mr. BRANDEGEE. If it is simply desired that the matter

shall go to conference, the Senate could slightly reduce the appropriation carried by the House provision. That would appropriation carried by the House provision. throw it into conference without cutting the provision entirely

out of the bill.

Mr. WADSWORTH. Yes.

Mr. WARREN. I was just about to ask a question, because I know the sincerity with which the Senator from New York approaches these questions, and I am sure his opinion is the same as mine, that necessary repairs should be made.

Mr. WADSWORTH. We must provide for them. Mr. WARREN. But the appropriation of \$500,000 was predicated quite largely upon the typhus fever scare.

Mr. LODGE. I will say to the Senator that was not merely scare. There were a number of cases of typhus at Boston. Mr. WARREN. There was a scare, and the existence of

typhus was a fact also, of course.

Mr. WADSWORTH. Typhus also got into the city of New

Mr. LODGE. It got into the city of Boston. Mr. WARREN. This item includes a water-supply system, power plant, additional barracks, and so forth. I should like the Senator from New York to pass upon the question whether it would not serve all purposes to settle the matter here, and

cut the appropriation of \$500,000 to some extent?

Mr. WADSWORTH. As to the items which the Senator from Wyoming [Mr. Warren] has mentioned, I desire to say that there certainly exists a most peculiar situation at the quarantine in New York. The water for that place has to be towed to it in barges. The station is on Staten Island. There is no water supply on the island available at the present time for the use of the quarantine station, which actually is the greatest quarantine station on the continent, one which on occasions has to shelter from 2,000 to 4,000 incoming immigrants, who have been in contact with typhus or smallpox or yellow fever, or whatever the disease may be. The water for the use of the quarantine station has to be towed in tank barges down the bay to Staten Island and pumped out of the barges. One of the items which are included in the \$500,000 proposed to be appropriated is to extend a certain pipe line across Staten Island, which will bring the water supply directly to the station from an entirely reliable source. It costs the Government \$40,000 a year to tow tank barges which are filled with water down there. The officials of the quarantine station estimate that the building of a pipe line for that purpose would save \$40,000 in one year.

Mr. WARREN. And the cost of its construction would be

Mr. WADSWORTH. It would be \$50,000.

Mr. WARREN. That would be the cost of the pipe line? Mr. LODGE. That would be the cost of the pipe line.

Mr. WADSWORTH. That is as I recall it. Mr. LODGE. That is correct.

Mr. WADSWORTH. So we should save \$40,000 for the first year and every year thereafter by comparison. It seems to me ridiculous that the water supply for a great quarantine station should have to be towed in tanks many miles down New York

As to the barracks, the Senator from Wyoming has probably learned from the House hearings that they have had extreme difficulty there; they have even had to resort to the use of some old hulks.

Mr. WARREN. Yes; we have had all that testimony before us. The only question as to the item in relation to the barracks and not putting it in was the doubt as to whether the condition referred to is now continuing.

Mr. WADSWORTH. The statement of the officials as to that matter is that they expect the condition to continue for many years to come.

Mr. WARREN. Very well.

Mr. WADSWORTH. The medical profession as well as the public health officers are really very much alarmed at the state of affairs there. Every now and then they have to unload 2,000 immigrants from one ship, and they have only beds for 1,200, and only then can they use the 1,200 beds at the quarantine station if the 1,200 are equally divided as to sex. They want beds The present barracks are utterly inadequate, because, as every Senator knows, there are some occasions when six or seven or eight immigrant-carrying ships, with from 15,000 to 20,000 immigrants, come into New York Harbor in one To have barracks ashore for the immigrants who have been in contact with typhus or smallpox capable of taking care of only 1,200 means that they have to hold ships in the bay and keep all those immigrants huddled together on the ships.

Under such circumstances it is perfectly hopeless to try to keep them away from contact with any considerable number of their fellows who may be infected with contagious diseases. Indeed, I think a case occurred at Boston where they had to hold a ship which was full of immigrants for 21 days.

Mr. LODGE. That is true.

Mr. WADSWORTH. The result was that 60 of those poor immigrants contracted typhus. Had the officials been able to put them ashore, to segregate those with typhus or smallpox or yellow fever or whatever the disease with which they were infected might have been, the remainder would not have suf-

Mr. LODGE. Will the Senator allow me to interrupt him?

Mr. WADSWORTH. Certainly.
Mr. LODGE. In the instance to which the Senator from New York has referred there were 21 cases of typhus on two ships. There was no place on shore to which the immigrants could be taken, so they had to be kept on the ships. The result was that the 21 cases increased in the days they were held there to the number of 60 of what is called secondary typhus. Typhus fever is a very dangerous disease.

Mr. WADSWORTH. It is a terrible infliction to impose upon those innocent people merely because we have not facili-

ties for taking care of them.

Mr. WARREN. Upon the statements which the Senator from New York makes, I will ask that the amendment be disagreed to.

Mr. WADSWORTH. Very well. Mr. WARREN. But in that same connection I desire to say that it is very evident to my mind that if the conditions existing at Boston are anywhere near like those at New York an appropriation for the Boston quarantine station should also be made. The Senator from Massachusetts, I assume, can inform us about the condition at Boston?

Mr. LODGE. I can state the Boston case very briefly. Of course, the number of immigrants that come to Boston is very small compared with those who come to New York, but Boston is the second immigration port in the United States. The Public Health Service estimated that there was needed for the Boston quarantine station an appropriation of \$384,000. The other House, however, cut that sum down to \$150,000. The people of Boston were very anxious to have the appropriation increased, but I declined to attempt to secure any increase whatever, because I knew how important it was to keep the appropriations for this year as low as possible. I did not go before the Senate committee or ask for any increase. I let the matter stand as it was fixed in the House appropriation, which was less than half of what had been estimated for. I was not notified that the committee of the Senate proposed cutting the appropriation out, so I had no opportunity to appear before the committee in reference to the matter. I only yesterday learned by telegram from Boston that the appropriation had been stricken out.

It put me in the rather awkward position of appearing to have neglected it, which I certainly had not done, but I did not want to increase the appropriation allowed by the House, which, I repeat, was less than half of that which was asked for by the department.

The situation at Boston is very much like that at New York. Some years ago the Government took over the quarantine station, and, as Dr. Cumming says, they were old buildings, which had not been kept up, for the same reason as that stated by the

Senator from New York as being applicable to the buildings at the quarantine station in New York.

The facts as to the quarantine station in Boston happened to be very fully discussed in the House hearings. Immigration to the port of Boston has been increasing, owing to the fact that some new steamboat lines have been established and other new lines are anticipated. I should like to read what Dr. Creel said in reply to a question about dormitory facilities. The question was asked, "What barracks capacity have you there now?" The reply was, "One thousand five hundred." Then Dr. Creel said:

The dormitory facilities are sufficient for 1,500 if they could be fully utilized, but this situation has developed in regard to that matter: A number of ships that have been coming in have been required to be detained and the passengers taken off of them, and after being deloused detained for 12 days on account of exposure to typhus. In other cases it is sufficient to simply delouse the passengers and pass them on, but if the 1,500 beds were occupied there is not sufficient space to handle the delousing of these passengers that are going through. In other words, at least one-third of the dormitory space must be utilized as temporary barracks for the delousing of these people that are not going to be detained but simply deloused and passed on through. So that has cut down our barracks space practically to a capacity of 1,000 beds.

Further on Dr. Creel says:

This construction project would probably not be completed before next l. We anticipate a probable lull in the situation this summer—

That is owing to the immigration legislation recently enacted-

You might get a better understanding of the situation, Mr. Chairman, if I point out that most of the quarantine stations now under the control of the Government were taken over from the various city and State governments, and for the most part were constructed 20, 30, or 40 years ago. At the time they were established they were probably sufficient for the purposes, but there has been a considerable change since then. In 1890 if a transatlantic ship came to Boston with 500 immigrants it was considered to be a "bumper" load. Now we not infrequently have 2,000 at quarantine, and we have to take off the immigrants from the ships and crowd them into small space or hold up the ship. We had the steamship San Giusto arrive from Trieste with several cases of typhus. We did not have sufficient facilities for the isolation of those passengers ashore and they had to be held on the vessel in the stream. The result was that the steamship San Giusto and the steamship President Wilson had between them about 60 cases of typhus. If we had had the facilities for isolation on shore and adequate disinfecting equipment, it would not have been necessary to hold up the vessels nor would there have been so many secondary cases. The San Giusto was held up for 21 days. If we had had facilities on shore, we could have released the vessels. The entire quarantine procedure has been revolutionized. Formerly, if a vessel had cases of typhus or yellow fever or plague, it necessitated holding up that vessel until the disease apparently had burned itself out.

Last year 49,000 immigrants came in at Boston, and in pre-

Last year 49,000 immigrants came in at Boston, and in prewar times the average number of immigrants entering the port of Boston was 80,322.

Mr. President, I am not going into the other details, but there is no question that a large body of immigrants enter at the port of Boston, nor is there any doubt of the utter inadequacy of the protection against disease afforded by the present facilities there.

Mr. WARREN. Mr. President, if the Senator will allow me, I feel satisfied that the committee will join me in asking to have the item restored, but I should like to ask if the Senator knows whether fees are collected there as they are in New York; and if so, if they are turned into the Treasury.

Mr. LODGE. Fees are collected at Boston, and last year they amounted to \$48,000.

Mr. WARREN. Those fees go into the Treasury as miscellaneous receipts?

Mr. LODGE. I take it so. Mr. WARREN. I judge so. I desire to say while the subject is up that a little further on we will come to a provision contained in the House text of the bill, which reads as follows:

On and after July 1, 1921, the Secretary of the Treasury is authorized and directed to promulgate such a schedule of fees to be charged vessels at each of the national quarantine stations as will be fair and reasonable for the services rendered by each station: Provided, That this authority shall not be applicable to any quarantine station where the fees are now fixed by law.

Mr. LODGE. They have been fixed at some stations, but not at all.

Mr. WARREN. They have been fixed at New York and Boston?

Mr. LODGE. I have read from the testimony that they are fixed at Boston and that there were collected there last year \$48,000 in fees, paying more than half the expenses of the station. I sincerely hope the chairman of the committee and the Senate will consent that the amendment be disagreed to. The amount authorized by the House is moderate, and the need is very great indeed. My colleague, I know, has been informed about it as I have, and knows how great the need is there, and that we are asking nothing unreasonable in requesting that the House provision be left in the bill.

Mr. CALDER addressed the Chair.

Mr. WARREN. Mr. President, if the Senator will allow me a moment, I am about to ask that the Senate disagree to the amendments as to the three quarantine station items; but I do not wish to cut off the Senator from New York or any other Senator who may desire to address the Senate in connection with them.

Mr. CALDER. Mr. President, my colleague [Mr. Wads-WORTH | has so well covered the subject that I hesitate to occupy any time of the Senate to discuss it further, but I wish to have it appear in the RECORD that the commissioner of health of the city of New York has appealed to the Senators from the State of New York to assist in having this provision carried in the bill. The estimate of his department for the New York quarantine station was \$740,000. I think all of that sum ought to have been allowed, but at least the \$500,000 carried in the bill

should be granted.

May I add, Mr. President, in connection with what the Senator from Massachusetts has stated concerning receipts of quarantine stations, that for the month of March, the first month that the Federal Government had control of the station at New York, the receipts at that quarantine station were \$118,000. The cost of maintaining it was \$63,000. The profit of the station at the city of New York for the month of March was \$60,000. The testimony indicates that if the barracks had been in condition, if we had provided for the things asked for in this bill, the profit would have been at least \$30,000 more; so that in a very few months these things will all be paid for if these improvements and necessities are allowed.

Mr. LODGE. Mr. President, I have had many telegrams on this subject, but this telegram from the mayor of Boston I think I ought to read so that it may be in the RECORD. He says

I ought to read so that it may be in the Record. He says:

I am amazed at press report that appropriation item of \$150,000 for the quarantine station at Boston is to be eliminated. It is unnecessary for me to detail the natural advantages of the port of Boston. The facts which form the basis of the request for the appropriation were carefully collected by the national public health officials, the Department of Labor, and the Boston Chamber of Commerce. I trust that you and your colleague, Senator Walsh, will take immediate and appropriate action to have restored the item above referred to, so that New England business will not continue to suffer because of the Federal Government's failure to appropriate adequate quarantine facilities. facilities.

Andrew J. Peters, Mayor of Boston.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. WARREN. I ask to have the same action taken with regard to the two following amendments.

The VICE PRESIDENT. The amendments will be stated.

The next amendment was, on page 22, after line 21, to strike

Baltimore, Md., Quarantine Station: For improvements, including chuliding of wharves, to continue available during the fiscal year rebuilding of 1922, \$25,000.

The amendment was rejected.

The next amendment was, at the top of page 23, to strike out:

Boston, Mass., Quarantine Station: For improvements, including additional barracks, \$150,000, to continue available during the fiscal year 1922.

The amendment was rejected.

The next amendment of the Committee on Appropriations was, under the head "Public buildings," on page 24, line 11, to increase the appropriation for operating supplies from \$350,000 to \$650,000.

The amendment was agreed to.

The next amendment was, under the subhead "Public Health Service," on page 24, after line 22, to strike out:

On and after July 1, 1921, the Secretary of the Treasury is authorized and directed to promulgate such a schedule of fees to be charged vessels at each of the national quarantine stations as will be fair and reasonable for the services rendered by each station: Provided, That this authority shall not be applicable to any quarantine station where the fees are now fixed by law.

The amendment was agreed to.

Mr. WARREN. Mr. President, I have a committee amendment here that I wish to have inserted at this point, after line 4, on page 25.

VICE PRESIDENT. The amendment will be stated.

The Reading Clerk. On page 25, after line 4, it is proposed to insert the following:

Unexpended balances: Such amounts of the unexpended balances of the appropriations chargeable with the settlement of claims resulting from the suspension or termination of contracts or other procurement obligations of the War Department, consequent upon the suspension of hostilities, and with the adjustment of claims under the act entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes," approved March 2, 1919, shall remain upon the books of the Treasury to the credit of the respective appropriations and be available for similar purposes until June 30, 1922, and said amounts shall also be available for such personal services in the District of Columbia and elsewhere as in the discretion of the Secretary of War are necessary to properly protect the interests of the United States in making such settlements and adjustments: Provided, That no part of said amounts shall be used to pay any claims arising out of any contract or other obligation unless such contract or obligation was entered into subsequently to April 6, 1917, and prior to November 12, 1918.

Mr. UNDERWOOD. I ask the Senator to let that amendment go over for a moment or two. I should like to read it. I could not catch its meaning from the reading.

The VICE PRESIDENT. Without objection, the amendment

will be passed over temporarily.

The next amendment of the Committee on Appropriations was, under the head "War Department," on page 26, after line 5, to insert:

Chickamauga and Chattanooga National Military Park: For cost of examination and preparation of report upon the improvement and maintenance of the Government boulevard on Missionary Ridge, in the Chickamauga and Chattanooga National Military Park, as directed in an act approved February 2, 1921, \$500.

The amendment was agreed to.

The next amendment was, on page 26, after line 11, to strike

Shiloh National Military Park: For continuing the establishment of the park, including the same objects specified under this head in the sundry civil appropriation act for the fiscal year 1922, \$3,000.

Mr. McKELLAR. Mr. President, I desire to call the attention of the chairman of the committee to this item, which is stricken out by the committee:

Shiloh National Military Park: For continuing the establishment of the park, including the same objects specified under this head in the sundry civil appropriation act for the fiscal year 1922, \$3,000.

A member of the House Appropriations Committee told me this morning that the reason why this amount was put in by the House was that when the sundry civil bill was being considered by the House committee the committee was informed that a member of the Shiloh Park Board had died, and therefore that the amount of his salary, \$3,000, would not have to be appropriated for the ensuing year, and that on the statement that the \$3,000 salary had been included in this appropriation the committee reduced the sundry civil appropriation that much; but afterwards it was ascertained by the committee, as a result of proof before the House committee, that this salary did not come out of the sum appropriated for the Shiloh Park Commission under that item in the sundry civil bill, and therefore the House restored the amount, it not being the intention of the House to cut down the amount from what it was the last year. I wondered if those facts came before the Senator's committee; and if they did, can not this item be restored?

Mr. WARREN. It came before the committee and was considered, and there is perhaps an uncertainty on the subject. My remembrance of the affair, and that of the other members of the Senate committee, so far as I am informed, is that we undertook to cut the appropriation for that park for maintenance, as we did many others, to the extent of \$3,000. At the same time and that was agreed to by both Houses-we provided that the death of the man receiving \$3,000 should render this place

vacant, and there seemed to be no necessity for filling it.

Mr. McKELLAR. I will say to the Senator that under the law it is provided that these places shall not be filled; but the point I make is that the salary of the park commissioner did not come out of the sundry civil appropriation, which was reduced erroneously on the theory that the salary of this park commissioner came out of it.

Mr. WARREN. The Senator's point is, Did we take out \$3,000 twice where it was intended once? If the Senator is willing to let it go to conference, upon proof that it is taken out twice it certainly will be restored.

Mr. McKELLAR. Of course, I hope the conferees will do that. I should very, very much prefer, though, if the Senator is willing, just to let the amendment be rejected. I hope he will do that; but if the Senator is not willing to do that—

Mr. WARREN. The point is that it takes it out of conference if I agree to that. If I should show to the House that the Senate was right, undoubtedly they would agree to it; but if the Senator is right, and his information is correct, certainly it will be restored.

Mr. McKELLAR. It will be restored in conference?

Mr. WARREN. It will. Mr. McKELLAR. That will be entirely satisfactory.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, on page 26, after line 15, to strike out:

Barracks and quarters, insular possessions: The unobligated balance of the appropriation for continuing construction of the necessary accommodations for the Seacoast Artillery and for temporary cantonments for overseas garrisons in the Philippine Islands, contained in the fortification appropriation act for the fiscal year 1921, is continued and made available for the same purposes until June 30, 1922.

The amendment was agreed to.

The next amendment was, on page 26, after line 22, to strike out :

Engineer Department: The sum of \$110,000 of the unexpended amount of the appropriation "Engineer operations in the field, 1919," shall remain upon the books of the Treasury to the credit of this appropriation until June 30, 1922, to permit payments to be made to the Pittsburgh Plate Glass Co. for searchlight mirrors under its contract therefor dated July 30, 1918.

The amendment was agreed to.

The next amendment was, under the head "Department of Justice," on page 27, after line 20, to strike out:

For the purchase of an automobile for the official use of the Attorney General, in exchange for old car now in use, \$6,857.

Mr. WARREN. I ask that that amendment be rejected. The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. WADSWORTH. Mr. President, this is an exceedingly small matter; but do I understand that the old car, when it is sold, involves turning the receipts into the Treasury as miscellaneous receipts?

Mr. WARREN. I presume that in the trading which we have authorized heretofore in such matters of repairs and exchange, they would have liberty to turn in the old machine. I will say to the Senator that this old machine is an old Hudson, over 3 years old, and almost worthless.

Mr. WADSWORTH. I was just wondering whether the

\$6,857 includes

Mr. SMOOT. That is the balance over whatever we get for

The next amendment of the Committee on Appropriations was, under the head "United States courts," on page 29, after line 14, to strike out "For 1921, \$150,000," so as to read:

For assistants to the Attorney General and to United States district attorneys employed by the Attorney General to aid in special cases, and for payment of foreign counsel employed by the Attorney General in special cases (such counsel shall not be required to take oath of office in accordance with section 366, Revised Statutes of the United States), to be available for expenditure in the District of Columbia, for the fiscal years that follow:

For 1919, \$300.

Mr. WARREN. I desire to have that committee amendment rejected, on evidence that has come to the committee since it considered the bill.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was rejected.

The next amendment of the Committee on Appropriations was, under the head "Postal Service," on page 33, after line 22, to insert:

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL.

For the operation and maintenance of the aeroplane mail service between New York and San Francisco, including the same objects specified under this head in the Post Office appropriation act for the fiscal year 1921, \$125,000.

The amendment was agreed to.

Mr. WARREN. Mr. President, on page 35, line 9, I move to strike out the word "Navy" and insert the word "Treasury." The VICE PRESIDENT. The amendment will be stated.

The Reading Clerk. On page 35, line 9, it is proposed to strike out the word "Navy" and insert in lieu thereof the word "Treasury," so that, if amended, it will read:

The Secretary of the Treasury is authorized to pay to Mrs. T. E. S. Cates, out of any funds in the Treasury not otherwise appropriated, the sum of \$63 for rent of quarters furnished to Lieuts. James E. Maher and L. E. Myers of the United States Navy while on submarine

The amendment was agreed to.

The next amendment was, under the head "Department of

the Interior," on page 37, after line 23, to strike out:

General Land Office: For additional employees during the fiscal year 1922 at annual rates of compensation as follows: Law examiners—2 at \$2,000 each, 4 at \$1,800 each, 10 at \$1,600 each; 4 clerks at \$1,400 each; in all, \$32,800.

The amendment was agreed to.

The next amendment was, on page 38, at the end of line 15, to strike out "\$5,000" and to insert "\$10,156," so as to read:

PUBLIC LANDS SERVICE.

FOR the protection of the so-called Oregon & California Railroad lands and Coos Bay Wagon Road lands: To enable the Secretary of the Interior, with the cooperation of the Secretary of Agriculture or otherwise, as in his judgment may be most advisable, to establish and maintain a patrol to prevent trespass and to guard against and check fires upon the lands revested in the United States by the act approved June 9, 1916, and the lands known as the Coos Bay Wagon Road lands involved in the case of Southern Oregon Co. v. United States (No. 2711, in the Circuit Court of Appeals of the Ninth Circuit), \$10,156.

The amendment was agreed to.

The next amendment was, on page 38, after line 15, to strike

For furniture and filing cases, \$10,000, to continue available during the fiscal year 1922.

The amendment was agreed to.

The next amendment was, on page 38, after line 18, to strike out:

BUREAU OF MINES.

For inquiries and scientific and technologic investigations concerning the mining, preparation, treatment, and utilization of heavy clay products, cement, feldspar, slate, and other nonmetallics; including all equipment, supplies, expenses of travel, and subsistence; fiscal year 1922, \$35,000: Provided, That no part thereof may be used for investigation in behalf of any private party.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Animal Industry," on page 42, line 21, after the word "cattle," to strike out "to be"; and in line 22, after the word "during," to strike out "the remainder of," so as to read:

General expenses, Bureau of Animal Industry: To enable the Bureau of Animal Industry, Department of Agriculture, to perform the duties imposed upon it by the Agricultural appropriation act approved May 31, 1920, for the payment of indemnities on account of cattle slaughtered during the current fiscal year, in connection with the eradication of tuberculosis from animals, \$405,000.

The amendment was agreed to.

The next amendment was, at the top of page 43, to insert:

The Secretary of Agriculture is authorized to pay to Peter G. Ten Eyck, from the appropriation "Meat inspection, Bureau of Animal Industry, 1921," the sum of \$84, representing rent remaining unpaid by the Department of Agriculture for the use and occupancy of a room in the Spencer-Trask Building, Albany, N. Y., from and including November 1, 1920, to February 28, 1921, the provisions of section 114 of the Penal Code notwithstanding.

The amendment was agreed to.

The next amendment was, under the subhend "Forest Service," on page 43, after line 12, to strike out:

Olympic National Forest: The unexpended balance of the appropriation of \$100,000 for emergency expenditures incident to the disposal of wind-thrown and intermingled or adjoining timber on the Olympic National Forest and for emergency measures necessary to protect from fire the timber on the Olympic National Forest, made in the deficiency appropriation act approved March 1, 1921, is reappropriated and made available for the same purposes during the fiscal year 1922.

The amendment was agreed to.

The next amendment was, at the top of page 44, to strike

To enable the Secretary of Agriculture to pay all necessary expenses, including labor and material, involved in consolidating the addressing, duplicating, and mailing work of the Department of Agriculture in the District of Columbia, \$5,000, to remain available during the fiscal year 1922.

The amendment was agreed to.

Mr. PHIPPS. Mr. President, on page 44, line 15, I move that the dollar sign be inserted before the numerals "5,000."

The amendment was agreed to.

The next amendment was, under the head "Department of Commerce," on page 44, line 15, after the numerals "\$5,000," to strike out "to continue available during the fiscal year 1922," so as to read:

### STEAMBOAT-INSPECTION SERVICE.

Contingent expenses: For fees to witnesses; traveling and other expenses when on official business of the Supervising Inspector General, Deputy Supervising Inspector General, supervising inspectors, traveling inspectors, local and assistant inspectors, and cierks; instruments, furniture, stationery, janitor service, and every other thing necessary to carry into effect the provisions of Title 52, Revised Statutes, \$5,000.

The amendment was agreed to.

The next amendment was, on page 44, after line 15, to strike

## BUREAU OF NAVIGATION.

Wireless communication laws: To enable the Secretary of Commerce to enforce the acts of Congress "to require apparatus and operators for radio communication on certain ocean steamers" and "to regulate radio communication," etc., including the same objects specified under this head in the legislative, executive, and judicial appropriation act for the fiscal year 1922, \$20,000; and the amount which may be expended during such fiscal year for salaries of employees in the District of Columbia is increased from \$8,400 to \$10,900.

The amendment was agreed to.

The next amendment was, at the top of page 45, under the subhead "Bureau of Fisheries," after line 1, to strike out:

Steamer Gannet: Master, \$1,400; engineer, \$1,200; fireman, \$840; 2 seamen at \$780 each; in all, fiscal year 1922, \$5,000.

The amendment was agreed to.

The next amendment was, on page 45, after line 4, to strike

Steamer Phalarope: Master, \$1,500; engineer, \$1,200; fireman, \$78 2 seamen at \$810 each; cook, \$870; in all, fiscal year 1922, \$5,970.

The amendment was agreed to.

The next amendment was, on page 45, after line 15, to strike out:

BUREAU OF FOREIGN AND DOMESTIC COMMERCE,

Salaries: For additional employees during the fiscal year 1922 at annual rates of compensation as follows: Two assistant directors, at \$4,000 each; expert on commercial laws in foreign countries, \$4,000; in all, \$12,000.

The amendment was agreed to.

The next amendment was, on page 45, after line 20, to strike out:

Promoting commerce: Not more than four trade commissioners employed under the appropriation for "Promoting commerce, Department of Commerce, fiscal year 1922." may be recalled from their foreign posts and assigned to duty in the Department of Commerce.

The amendment was agreed to.

The next amendment was, at the top of page 46, to strike out:

To enable the Bureau of Foreign and Domestic Commerce to investigate and report on domestic as well as foreign problems relating to the production, distribution, and marketing in so far as they relate to the important export industries of the United States, including personal services in the District of Columbia and elsewhere, and all necessary incidental expenses connected therewith, fiscal year 1922, \$250,000.

The amendment was agreed to.

The next amendment was, on page 46, after line 8, to strike

#### BUREAU OF STANDARDS.

The sum of \$250,000 of the appropriation of \$1,000,000 for the Bureau of the Census for the fiscal year 1922 is transferred to the Bureau of Standards and made available during that fiscal year for the following purposes and in the following amounts, respectively.

The amendment was agreed to.

The next amendment was, on page 46, after line 14, to strike

For continuation of the investigation of structural materials, such as stone, clays, cement, etc., including personal services in the District of Columbia and in the field, \$50,000.

The amendment was agreed to.

The next amendment was, on page 46, after line 18, to strike out:

For technical investigations in cooperation with the industries upon fundamental problems involved in industrial development following the war, with a view to assisting in the permanent establishment of the new American industries developed during the war, including personal services in the District of Columbia and elsewhere, \$100,000.

The amendment was agreed to.

The next amendment was, at the top of page 47, to strike out:

To enable the Bureau of Standards to cooperate with Government departments, engineers, and manufacturers in the establishment of standards, methods of testing, and inspection of instruments, equipment, tools, and electrical and mechanical devices used in the industries and by the Government, including the practical specification for quality and performance of such devices, and the formulation of methods of inspection, laboratory, and service tests, including personal services in the District of Columbia and in the field, \$100,000.

The amendment was agreed to.

The next amendment was, under the head "Department of Labor," on page 47, after line 10, to insert:

### IMMIGRATION SERVICE.

For enforcement of the laws regulating the immigration of aliens into the United States, including the same objects specified under this head in the sundry civil appropriation act for the fiscal year 1921, \$488,-\$31.53.

The amendment was agreed to.

The next amendment was, under the head "Legislative," on page 48, after line 4, to insert:

The statement of appropriations, etc., for the third session of the Sixty-sixth Congress shall include the Army, naval, and second deficiency appropriation acts passed during the first session of the Sixty-seventh Congress, and all other appropriations made at the latter session shall be compiled and published with the statement of appropriations for the second session of the Sixty-seventh Congress.

The amendment was agreed to.

The next amendment was, on page 48, after line 17, to insert: SENATE.

To enable the Secretary of the Senate to pay from the appropriation, "For compensation of officers, clerks, messengers, and others" for the fiscal year 1921, to Austin Jackson for services rendered as assistant clerk to the Hon. Tasker L. Oddie, Senator from the State of Nevada, at the rate of \$1,500 per annum from March 4, 1921, to March 20, 1921, both dates inclusive.

The amendment was agreed to.

Mr. WARREN. I offer the amendment which I send to the

The VICE PRESIDENT. The Secretary will state the amendment.

The Reading Clerk. On page 48, after line 25, insert the following:

Contingent expenses: For maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the office of the Secretary and Sergeant at Arms, \$500, or so much thereof as may be necessary.

For fuel, oil, cotton waste, and advertising, exclusive of labor, \$250.

The amendment was agreed to.

The next amendment was, at the top of page 49, to insert:

Senate Office Building: For maintenance, miscellaneous items, and supplies, and for all necessary personal and other services for the care and operation of the Senate Office Building, under the direction and supervision of the Senate Committee on Rules, \$16,245.

The amendment was agreed to.

The next amendment was, under the subhead "House of Representatives," on page 49, after line 10, to strike out:

Office of Doorkeeper: For folding speeches and pamphlets, at a rate not exceeding \$1 per thousand, \$8,000, to continue available during the fiscal year 1922; and the appropriation for the purpose contained in the third deficiency act, fiscal year 1920, is continued and made available during the fiscal year 1922.

The amendment was agreed to.

The next amendment was, on page 49, after line 16, to strike out:

Committee employees: For an assistant clerk at \$4,000 and four assistant clerks at \$3,000 each, for the Committee on Appropriations, fiscal year 1922, \$16,000.

The amendment was agreed to.

The next amendment was, on page 49, after line 19, to strike out:

Office of the Sergeant at Arms: For six policemen for the House Office Building, at the rate of \$1,050 each, during the fiscal year 1922, \$6,300.

The amendment was agreed to.

The next amendment was, under the head "Government Printing Office," on page 50, after line 11, to insert:

Holidays: To enable the Public Printer to comply with the provisions of the law granting holidays and the Executive order granting holidays with pay to the employees of the Government Printing Office, \$16,883.63.

The amendment was agreed to. Mr. WARREN. Mr. President, I wish to offer the following amendment.

The VICE PRESIDENT. The Secretary will state the amend-

The Reading Clerk. On page 50, after line 19, insert the following:

The Secretary of War is authorized and directed to transfer, without payment therefor, to the Government Printing Office one motor-propelled passenger-carrying vehicle.

Mr. WADSWORTH. Mr. President, this brings up one of the questions which the Military Affairs Committee has been struggling with for two years. The committee, in reporting the Army appropriation bill, struck out a provision which the House had inserted for the transfer of six motor trucks to the Department of the Interior. The Senator has now offered an amendment to transfer one motor truck to the Government Printing Office. I would like to say to the Senator from Wyoming that the Army is now short 1,500 trucks, contrary to the usual assumption.

Mr. WARREN. The Senator will notice that this happens to be a passenger-carrying vehicle.

Mr. WADSWORTH. They are also short 489 passenger-

carrying vehicles.

Mr. WARREN. That is the kind they want. Mr. WADSWORTH. They will take any kind they can get, if you give them to them for nothing.

Mr. WARREN. How many are they short? The Senator is

providing in his bill to sell some.

Mr. WADSWORTH. Ten thousand trucks and two thousand passenger vehicles. Of course, one truck is not going to make a great deal of difference, but the Military Affairs Committee has laid down a straight law on this subject, to govern itself, of course, not to govern the Senate, that the War Department will not distribute free of charge any more trucks, because it absolutely has not the trucks to distribute. I can not help making this little protest, although it is only one truck.

Mr. WARREN. I want to say to the Senator from New York, who will soon have charge of the Army appropriation bill on the floor, that this matter of motors and automobiles has been a troublesome one to me, and I succeeded in having the Committee on Appropriations take steps to stop any of these motor vehicles being turned over to any department of the Government unless paid for at their value; and as to the others, that they should sell them, as they are now proposing to do. We put it into an appropriation bill, but nobody made a point of order and it went through.

One morning some weeks later I did not happen to go to the meeting of the Committee on Military Affairs and that committee took up the matter and immediately reported a provision to repeal that law. So we are right where we were before, and these motors have been given away by the thousands, not singly but by thousands, to the Post Office Department and the Agricultural Department. It is all wrong, of course. But this one, it seemed to me, to be used by the Government itself for its own particular purposes, did not make it very much worse. So I hope the amendment will be agreed to. I am not sure they will get the car. I hope that when the Senator brings in his appropriation bill he will authorize the sale of these vehicles.

Mr. WADSWORTH. Does not the Senator think this should be confined to a passenger-carrying motor vehicle which is surplus? The amendment reads as follows:

The Secretary of War is authorized and directed to transfer, without payment therefor—

Of course, that always goes in, "without payment therefor "

to the Government Printing Office one motor-propelled passenger-carrying vehicle.

That is mandatory upon the Secretary of War. They are short 489. This will make them short 490.

Mr. WARREN. Not if the Senator amends it as I have asked

Mr. WADSWORTH. I will be perfectly frank with the Sena-r. If you put in the phrase "which is surplus and not needed," it will be a car that would not travel at all, because that is all they have left, junk.

Mr. WARREN. How many thousands are there remaining?

Mr. WADSWORTH. Just about 4,000 of different kinds of motor vehicles. I shall not object to this, but I simply wanted to say that I did not want it as a precedent when the Army

bill is taken up.

Mr. KING. This bill, as I recall, carries provisions for the transfer of quite a number of vehicles in the same way, all of which would be subtracted from the War Department.

Mr. WADSWORTH. I wish the Senator would call my

attention to the provisions.

Mr. KING. I have one in mind for the Alien Property Custodian, and there are quite a number which I do not carry in my mind now. I am sure there must be half a dozen or more which this bill attempts to dispose of and wrench from the control of the department with which the Senator is so

closely identified.

WADSWORTH. Mr. President, the appetite for these cars is something astounding. Word goes around that the War Department has some cars, and everybody immediately wants them for nothing, and one department chief will call on me and say "Can't you direct the Secretary of War to give me six cars, just give them to me?" The Post Office Department sent me a letter this morning asking that they be given 2,000 cars for nothing. This is just for one car for the Government Printing Office. I understand the Alien Property Custodian is going to get in on this.

Mr. KING. The Civil Service Commission gets one, as will

Mr. WADSWORTH. Of course, they are on a higher plane than other officials, and perhaps they ought to be treated differently

Mr. McKELLAR. Is not that a division of the spoils of

war among all of the departments?

Mr. WADSWORTH. The trouble is that the War Department can not deliver them when it is short such a large number.

I agree with the Senator about it. Mr. McKELLAR.

Mr. WADSWORTH. May I ask the Senator from Utah or the Senator from Wyoming how many cars this bill takes away from the War Department mandatorily?

I should say four or five, possibly six. Mr. WARREN.

Mr. SMOOT. Two.
Mr. WARREN. I am speaking now of the one here, then there were two in the first part of the bill, and I understand

one toward the end.

Mr. KING. I suggest to the Senator from New York that he move to reconsider the provision relating to the Civil Service Commission. I think under his statement we ought not to enact legislation which takes from the War Department those cars which it needs. It would simply mean that the War Department will ask for appropriations to go out and purchase new trucks and new cars, and we will be expending much more than we otherwise would expend.

Mr. WADSWORTH. That is exactly what will happen.

The VICE PRESIDENT. The question is on the amendment.

Mr. KING. Let the amendment be stated again.

The VICE PRESIDENT. The Secretary will state the amendment.

The Assistant Secretary. On page 50, after line 19, insert the following words:

The Secretary of War is authorized and directed to transfer, without payment therefor, to the Government Printing Office one motor-propelled passenger-carrying vehicle.

Mr. KING. I think that we should vote that down, in the light of the statement of the Senator from New York, and that the chairman of the committee ought to join in the request.

Mr. WADSWORTH. I move to amend that amendment by adding the words "if such vehicle can be furnished from surplus stores not needed by the War Department.

Mr. SMOOT. I think if we are going to defeat it at all we had better defeat it right out, and take it out of the bill, rather than accept an amendment which we really know would defeat it.

Mr. McKELLAR. I think there was some surplus, and that

probably it would be all right to accept the amendment.

Mr. KING. I would like to ask the Senator from New York, in view of what the Senator from Tennessee just said, if there

is any question about the War Department needing all of the motor vehicles they now have?

Mr. WADSWORTH. There is not the slightest question.
Mr. McKELLAR. I think the Senator from New York will bear me out in the statement I made, that there are a number of vehicles declared surplus which must be disposed of by July 1, as I recall. Is that correct? Mr. WADSWORTH. Yes.

Mr. McKELLAR. I merely suggested to the Senator from Utah that perhaps the amendment as amended by the Senator from New York will carry out his purpose, because I am not sure that the whole number has yet been disposed of. I do not know whether they have been or not. Has the Senator from New York any information on that?

Mr. WADSWORTH. No; but nearly all have been dis-

posed of.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from New York to the committee amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. KING. Mr. President, has the Senator from Wyoming any objection to recurring to page 2, while we are talking about automobiles, to the provision found in lines 24, 25, and 26, authorizing the Secretary of War to transfer to the Civil Service Commission a vehicle, so that I may offer to that provision, in order that we may be consistent, an amendment similar to that just adopted by the Senate with respect to the provision relating to the Government Printing Office?

Mr. WARREN. If the Senator from New York is right about it, and it really would mean a machine that would be of no service, it would simply leave the Civil Service Commission, from whom we constantly ask advice, and who heartily favor us, with no car at all, and they have asked for only one.

Mr. KING. I think they do better service if they do not

Mr. WARREN. Possibly so; but if they are compelled to walk instead of ride we shall have to have more clerks.

The whole thing has gotten almost to the degree of the The whole transaction and the whole origin and the whole matter of the treatment of the automobiles has been a will-o'-the-wisp for the different departments to chase after. Mr. WADSWORTH. I agree with the Senator on that.

Mr. WARREN. To say that the Civil Service Commission, which really has Senators as well as Representatives politically in its pocket as to power, can not have one puny little automobile, when the Post Office Department and the Department of Agriculture have had many thousands of automobiles and trucks, is a matter the Senator must determine for himself. If the Senator is really vindictive enough, although he never seems that way, to desire to impose upon the Civil Service Commission, I shall not contest it; but I am sorry he feels that he ought to offer the amendment.

Mr. KING. Having such high regard for the civil service, I offer the amendment. I think it will do better service without

the automobile than with it.

The VICE PRESIDENT. Without objection, the vote by which the amendment was agreed to will be reconsidered. Mr. WARREN. I am not objecting to reconsideration of it.

The VICE PRESIDENT. The proposed amendment to the amendment will be stated.

The Assistant Secretary. Add at the end of the amendment, on page 2, after the word "vehicle," in line 26, the words "if such vehicle can be obtained from surplus stores not needed by the War Department," so the amendment as amended will read:

The Secretary of War is authorized and directed to transfer, without payment therefor, to the Civil Service Commission one motor-propelled passenger-carrying vehicle, if such vehicle can be obtained from surplus stores not needed by the War Department.

Mr. WARREN. Now, let me ask, while we have an abundant attendance of Senators, that when the Senator from New York [Mr. Wadsworth] brings before the Senate the Army appropriation bill and proposes to close this whole automobile matter, as I understand he does, Senators will all vote with him and see that the matter is passed beyond this absolutely ridiculous and ludicrous position in which we have been in connection with this matter.

The VICE PRESIDENT. Without objection, the amendment to the amendment is agreed to, and the amendment as amended

is agreed to.

The next amendment was, under the subhead "Public print-

ing and binding," on page 50, after line 23, to strike out:

For printing and binding for the Smithsonian Institution, including \$5,000 for the annual reports of the American Historical Association, \$41,702.70, to continue available during the fiscal year 1922.

The amendment was agreed to.

The next amendment was, on page 51, after line 13, to strike

For printing and binding for the Department of Agriculture, \$125,000, to continue available during the fiscal year 1922.

The amendment was agreed to.

The next amendment was, under the head "Judgments, United States courts," on page 53, after line 2, to insert:

For payment of the judgments rendered against the United States by the United States District Court for the Eastern District of South Carolina and certified to Congress by the Attorney General in Senate Document No. 17 of the present session, \$440,000, together with a sufficient sum to pay interest thereon at the legal rate per annum from May 3, 1921, to the date this appropriation is made.

Mr. WADSWORTH. May I ask what that judgment was?

Mr. WARREN. That is a judgment in settlement of accounts. Mr. WADSWORTH. Does the Senator happen to remember whether this involves the land upon which the Army supply base at Charleston is situated?

Mr. WARREN. I will ask the Senator from Virginia [Mr. Glass] if he can give us that information. The judgment is for

\$440,000.

Mr. GLASS. They were consent judgments.

Mr. WADSWORTH. I was asking, may I say to the Senator from Virginia, whether the \$440,000 was to cover the payment for land upon which stands, in part at least, the Army supply base at Charleston.

Mr. GLASS. I think that is what it is for. I will say to the Senator that I have not a great deal of familiarity with it, further than to know that these are consent judgments, judgments agreed to by the Government, and it has been usual always to include those in the deficiency appropriation bill.

Mr. DIAL. Mr. President, I will say that it does cover the There were several judgments; not one, but land referred to.

three judgments in all, I think.

Mr. WARREN. If the Senator will look on page 2 of the document which he has in his hand, he will see the information given there, I believe.

Mr. DIAL. These were consent judgments entered by the court.

Mr. WADSWORTH. I do not question the obligation of the United States in this case, but I wish to ask the chairman or some other member of the committee whether or not this completes the purchase of land upon which the Charleston supply base is built?

Mr. WARREN. I am not able to tell the Senator. Perhaps one of the Senators from South Carolina can tell him.

Mr. WADSWORTH. Because if it does, it ends the chapter of what, in my judgment, has been one of the most extraordinary expenditures resulting in the most useless facility for the Government that has come out of the war. I only hope it is the last of them. I think we spent \$16,000,000 in building the Army supply base at Charleston, part of it upon land which was not paid for. The amount appropriated in this item is in payment of a judgment for it. Sixteen million dollars' worth of docks and buildings stand there and not one ton of supplies was ever shipped from that place or ever can be.

Mr. DIAL. Oh, I beg the Senator's pardon! Mr. WADSWORTH. This is even higher up the river than

Mr. DIAL. It is a little above the navy yard. A great deal of shipping has been carried on from there. There were 50,000 soldiers landed at that place when they came back from France, so my friend from New York is entirely mistaken about that. To further answer the question, my information is that there is one other small judgment involved there. Whether there are any more or not I do not know. I think there is one very

small judgment yet to come in.

Mr. SMITH. Mr. President, I think the committee had sufficient ground upon which to base this, aside from the judgment of the court, but the statement of the Senator from New York is another evidence of the fact that conditions down in that section of the country are not even understood, because they are not thoroughly investigated. I think that in the transportation of the troops from abroad to this country, taking into consideration the number and the time of their disembarkation there, the record was broken at Charleston. Ships drawing the maximum depth that that channel would allow were brought in, the soldiers were disembarked, unloaded on the magnificent terminals that had been furnished by the Government, and distributed to the different sections of the country from which they came, all in less time and at less expense than at any other place on the entire Atlantic seaboard.

In addition to that, I wish to say that vast tons of supplies were handled through those terminals, as the records will disclose. It was the remount station as well.

Mr. WADSWORTH. Before the armistice?

Mr. SMITH. Yes: before the armistice.

Mr. WADSWORTH. That is news to me. Mr. SMITH. The Senator should look up the record.

addition to that the Senator said this is even farther up than the navy yard. A committee of experts located the navy yard where it was because the docks and the city were only 7 miles from the open sea, and on account of the magnificent conformation of that bay and the two estuaries, the Cooper and the Ashley Rivers. They had their choice of sites clear up to where they put it, and they put it at that point to be out of the range of the big guns that naval vessels might carry, where the yard would be landlocked and away from the danger of assault. According to every admiral who has studied the situation it has no superior on the whole Atlantic seaboard.

We could legislate here for the interests of the country at large with a great deal more benefit to the country if we would study the resources of the country as a whole and not look at

it from a sectional standpoint.

The PRESIDING OFFICER (Mr. Curtis in the chair). The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. WARREN. We have a couple of other judgments, it seems, and in connection with them I offer the amendment which I now send to the desk.

Mr. FLETCHER. May I ask the Senator a question regarding the item passed on page 51, for printing and binding for the Agricultural Department? Does that appear anywhere else, or does this do away with it entirely?

Mr. WARREN. That is simply transferred, and we will come

to it later in the bill.

The PRESIDING OFFICER. The amendment offered by the Senator from Wyoming will be stated.

The Assistant Secretary. On page 53, after line 9, insert the following:

For payment of the judgment rendered against the United States by the District Court of the United States for the Eastern District of Vir-ginia sitting in admiralty, and certified to Congress by the Attorney General in Senate Documents Nos. 31 and 32 of the present session, under the Navy Department, \$35,233.93.

The amendment was agreed to.

The next amendment was, under the head "Judgments, Court of Claims," on page 53, line 13, after the numeral "77," to insert "and Senate Document No. 26," so as to read:

For payment of the judgments rendered by the Court of Claims and reported to Congress during the present session in House Document No. 77 and Senate Document No. 26, namely:

The amendment was agreed to.

The next amendment was, on page 53, line 16, to increase the appropriation for payment of judgments rendered by the Court of Claims under the War Department from "\$13,463.68" to "\$157,071."

The amendment was agreed to.

The next amendment was, on page 53, line 18, to increase the total for payment of judgments rendered by the Court of Claims from "\$17,579.46" to "\$161,186.78."

The amendment was agreed to.

The next amendment was, on page 65, after line 3, to insert the following additional section:

# AUDITED CLAIMS.

SEC. 3. That for the payment of the following claims, certified to be due by the several accounting officers of the Treasury Department under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874, and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1918 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the act of July 7, 1884, as fully set forth in Senate Document No. 27, reported to Congress at its present session, there is appropriated as follows:

CLAIMS ALLOWED BY THE AUDITOR FOR THE TREASURY DEPARTMENT.

CLAIMS ALLOWED BY THE AUDITOR FOR THE TREASURY DEPARTMENT.

For collecting the revenue from customs, 38 cents.

For freight, transportation, etc., Public Health Service, \$45.76.

For freight, transportation, etc., Public Health Service, 1920, \$128.31.

For maintenance, Hygienic Laboratory, Public Health Service, \$53.01.

For care of seamen, etc., Public Health Service, \$50.

For control of biologic products, Public Health Service, \$17.49.

For field investigations of public health, 1919, \$71.77.

For collecting the war revenue, \$124.05.

For refunding internal revenue collections, \$50.

For payment of judgments against internal revenue officers, \$1,219.87.

For materials and miscellaneous expenses, Bureau of Engraving and Printing, \$123.03.

For Coast Guard, \$240.43.

For operating supplies for public buildings, \$7.50.

For mechanical equipment for public buildings, \$24.56.

CLAIMS ALLOWED BY THE AUDITOR FOR THE WAR DEPARTMENT.

CLAIMS ALLOWED BY THE AUDITOR FOR THE WAR DEPARTMENT.

For increase of compensation, Military Establishment, \$65.79.
For registration and selection for military service, \$433.35.
For contingencies, Military Intelligence Division, General Staff Corps, 1920, \$31,594.72.
For pay ste of the Army \$55,000.79

For pay, etc., of the Army, \$25,809.73. For arrears of pay, bounty, etc. (certified claims), 1921, \$85.40.

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For supplies, services, and transportation, Quartermaster Corps, $1.811.71.

For Medical and Hospital Department, $10.95.

For engineer depots, 1919, $15.282.47.

For headstones for graves of soldiers, $2.40.

For pay of Military Academy, $4.24.
                    CLAIMS ALLOWED BY THE AUDITOR FOR THE NAVY DEPARTMENT.
   For contingent and miscellaneous expenses, Naval Observatory, $2.71. For contingent expenses, Navy Department, $293.60. For pay, miscellaneous, $210. For pay, Marine Corps, $755.01. For maintenance, quartermaster's department, Marine Corps, $1,432.74.
             1,432.74. For contingent, Marine Corps, $363.65.
For contingent, Marine Corps, $363.65.
For ransportation, Bureau of Navigation, $1.64.
For outfits on first enlistment, Bureau of Navigation, $41.88.
For pay of the Navy, $4,456.37.
For provisions, Navy, Bureau of Supplies and Accounts, $271.49.
For maintenance, Bureau of Supplies and Accounts, $5 cents.
For freight, Bureau of Supplies and Accounts, $2,269.39.
For engineering, Bureau of Steam Engineering, $1,888.
For fuel and transportation, Bureau of Supplies and Accounts, $87.50.
    For
$387.50.
    For fuel and transportation, Bureau of Supplies and Accounts, 1919, $61,347.34.
              For fuel and transportation, Bureau of Supplies and Accounts, 1920,
    $1,000.
              CLAIMS ALLOWED BY THE AUDITOR FOR THE INTERIOR DEPARTMENT.
    For salaries and expenses, employees' retirement act, Bureau of Pensions, 1921, $350.32.
   sions, 1921, $350.32.
For public use of inventions and defending suits, Patent Office, 1921, $138.15.
For Capitol Building and repairs, 1921, $3.25.
For medical relief in Alaska, 1919, $60.
For Lafayette National Park, 1920, $806.05.
For Geological Survey, 85 cents.
For investigating mine accidents, Bureau of Mines, $3.78.
For testing fuel, Bureau of Mines, $4.21.
For operating mine rescue cars, Bureau of Mines, $1.46.
For investigations, petroleum and natural gas, Bureau of Mines, 87 cents.
For investigations, petroleum and natural gas, Buleau $7 cents.

For relieving distress and prevention, etc., of diseases among Indians, $7.26.

For additional support, Indian schools, $4.71.

For Indian schools, support, $13.38.

For Indian school and agency buildings, $291.96.

For general expenses, Indian Service, 20 cents.

For telegraphing and telephoning, Indian Service, 1919, $1.53.

For industry among Indians, $43.75.

For support of Indians in Arizona and New Mexico, 1920, $1,351.54.

For support of Indians in Arizona and New Mexico, $33.35.

For Indian school, Kickapoo Reservation, Kansas, repairs and improvements, $1.96.

For Indian school, Lawrence, Kans., repairs and improvements, 35
            For Indian school, Pipestone, Minn., repairs and improvements, 88
 For Indian school, Pipestone, Minn., repairs and improvements, so cents.

For Indian school, Pipestone, Minn., heating plant, $1.73.

For support of Indians, Fort Belknap Agency, Mont., $18.74.

For Indian school, Genoa, Nebr., repairs and improvements, $15.13.

For Indian school, Albuquerque, N. Mex., repairs and improvements, $11.27.

For Indian school, Santa Fe, N. Mex., repairs and improvements, $16.71.

For Indian school, Santa Fe, N. Mex., repairs and improvements.
   For Indian school, Santa Fe, N. Mex., repairs and improvements, 1920, $672.45.

For Indian school, Cherokee, N. C., 1920, $16.64.

For support of Indians, Fort Berthold Agency, N. Dak., 1920, $4.99.

For Indian school, Bismarck, N. Dak., repairs and improvements, $6.74.

For Indian school, Bismarck, N. Dak., repairs and improvements, $6.74.
  For Indian school, Fort Totten, N. Dak., repairs and improvements, $165.88.
For Indian school, Fort Totten, N. Dak., 1920, $30.31.
For Indian school, Fort Totten, N. Dak., 1921, $2,259.70.
For Indian school, Wahpeton, N. Dak., repairs and improvements, $47.63.
$47.63.
For Indian school, Wahpeton, N. Dak., repairs and improvements, 1920, $7.90.
For Indian school, Wahpeton, N. Dak., 1921, $1,426.77.
For support of Pawnees, schools, Oklahoma, $1.39.
For Indian school, Chilocco, Okla., repairs and improvements, $193.30.
For Cherokee Orphan Training School, Five Civilized Tribes, Oklahoma, repairs and improvements, $17.10.
For support of Sioux of different tribes, subsistence and civilization, South Dakota, $2.33.
For Indian school, Flandreau, S. Dak., repairs and improvements, $93.39.
For Indian school, Plante S. Dak.
 For
$132.01.
                               Indian school, Pierre, S. Dak., repairs and improvements,
           For Indian school, Rapid City, S. Dak., repairs and improvements,
For Indian school, Rapid City, S. Dak., repairs and improvements, 77 cents.

For Indian school, Rapid City, S. Dak., 1921, $1,514.38.

For Indian school, Rapid City, S. Dak., $2.72.

For asylum for insane Indians, Canton, S. Dak., $2.72.

For education, Sioux Nation, South Dakota, $26.19.

For Toppenish and Simcoe Creek irrigation project, Yakima Reservation, Wash, (reimbursable), 1920, $1,155.71.

For Indian school, Hayward, Wis., repairs and improvements, $36.73.

For Indian school, Tomah, Wis., $4.04.

For Indian school, Shoshone Reservation, Wyo., repairs and improvements, $1.10.
  ALAIMS ALLOWED BY THE AUDITOR FOR STATE AND OTHER DEPARTMENTS. For national security and defense, Executive, $92.70. For transportation of diplomatic and consular officers, $313. For transportation of diplomatic and consular officers, 1919, $2,276.16. For relaries of secretaries, Diplomatic Service, $106.67. For contingent expenses, foreign missions, $93.32. For galaries, Consular Service, $58.63. For allowances for clerks at consulates, $560.42. For salaries, consular assistants, $301.52. For contingent expenses, United States consulates, $284.42. For relief and protection of American seamen, 1920, $1,661.52.
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For salaries and expenses, United States Food Administration, $16.53, For library, Department of Agriculture, $45.13.
For miscellaneous expenses, Department of Agriculture, $2.23.
For general expenses, Bureau of Animal Industry, $102.63.
For meat inspection, Bureau of Animal Industry, $25.75.
For general expenses, Bureau of Plant Industry, $21.53.
For stimulating agriculture and facilitating distribution of products, 820.63.
     For general expenses, Bureau of Chemistry, $3.60.
For general expenses, Bureau of Biological Survey, 40 cents.
For general expenses, Office of Public Roads and Rural Engineering,
     For general expenses, Bureau of Markets, 35 cents.
For general expenses, Bureau of Crop Estimates, 75 cents.
For enforcement of the United States grain standards act, 94 cents.
For general expenses, Federal Horticultural Board, $17.79.
For experiments and demonstrations in live-stock production, 30
    nts.

For promoting commerce, Department of Commerce, $2.01.

For gauge standardization, Bureau of Standards, $20.15.

For testing structural materials, Bureau of Standards, $93.60.

For party expenses, Coast and Geodetic Survey, $9.58.

For general expenses, Lighthouse Service, $87.20.

For miscellaneous expenses, Bureau of Fisheries, 40 cents.

For national security and defense, Department of Labor, $1.

For expenses of regulating immigration, $1.84.

For miscellaneous expenses, Bureau of Naturalization, $1.98.

For general expenses, Children's Bureau, $46.80.

For salaries, fees, and expenses of marshals, United States courts, 22.70.
 For
$62.70.
For salaries and expenses of district attorneys, United States courts, $171.69.
    For fees of commissioners, United States courts, 1920, $5,167.37, For fees of jurors, United States courts, $12. For support of prisoners, United States courts, $67.80. For support of prisoners, United States courts, 1919, $637.25.
 CLAIMS ALLOWED BY THE AUDITOR FOR THE POST OFFICE DEPARTMENT.
    For railroad transportation, $5,448.85.
For indemnities, domestic and international mall, $24.80.
For star route service, $66.17.
For shipment of supplies, $36.08.
For rent, light, and fuel, $363.33.
For Railway Mall Service, salaries, $36.29.
For clerks, third-class post offices, $42.
For compensation of postmasters, $19.24.
For unusual conditions at post offices, $500.
Total audited claims, section 3, $182,270.48.
Mr. KING. Mr. President, I invite the attention of the chairman of the committee to lines 21, 22, and 23 on page 66, the first item of contingencies $31,594.72, then for pay of
 Army $25,809, and then an item for arrears; on the next page
 for supplies, services, and transportation $1,811; also the item
in line 4, page 67, for engineer depots $15,282.47. May I inquire how it is that these large amounts are presented at
this time? Are they for deficits of preceding years?

Mr. WARREN. They are, and I think I can explain in a
few words. Some departments of the Government, for instance, the War Department, have accounts that are for indebtedness incurred at a very distant point and it takes months
                          Some departments of the Government, for in-
before these accounts get to headquarters. In the meantime
the committees have reported and Congress has passed the ap-
 propriations for the year. July 1 comes and there are a few
 thousand dollars left in a given account; that sum goes back
into the Treasury, but the voucher is later received and is
perfectly correct. The indebtedness was incurred during the
year for which the money was appropriated; the money has
 been appropriated with which to meet it; but, under the law,
it has gone back into the Treasury. Then come these audited claims, which have for us the same or nearly the same sig-
nificance as the judgment of the court.

The Senator will find before we conclude the consideration
of the bill a matter of sixty-odd thousand dollars, as I recall,
of audited claims under the Post Office Department.
auditor of that department has been there for a long time
and has taken care of his duties in a very satisfactory manner. So far as I recall, in all the years that I have known of his
service he has never asked for a deficiency until this year.
The reason for that has been that heretofore he could calculate
from the run of the accounts, how much the expenditures at
distant points would be, and, while the accounts would not
come in until the year following, they were calculated for in
the year for which the appropriations were made.
    Now, however, comes the budget bill that does away with all
of the auditors and provides for a comptroller to handle the
matter. These items embrace various accounts which are per-
fectly lawful and for which there is money left from the 1921
appropriation. Again, the existence of certain conditions has
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this year caused an increased expenditure in that department, as in the case of the telephone, for instance. The departments have had their former contracts, and their instruments have been placed; but the Public Utilities Commission has come along and increased the charges by a considerable percentage. Of course, these audited claims have to be paid. They are always examined, and I think, with one or two exceptions, we have never found anything but a very correct statement of accounts

under the law.

The VICE PRESIDENT. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. McKELLAR. Mr. President, we come now to the emergency appropriations, beginning on page 75, and I rise for the purpose of calling the attention of the Senate to what is being done in the way of increases in the clerical force for the ensuing year. Our good friends on the other side of the aisle have had a great deal to say about economy, but I find that there are provided for in the pending bill 580 clerks additional to those previously employed. In some of these cases, as in the Bureau of War Risk Insurance, the clerks' salaries are increased. There are, I think, as nearly as I can figure, 138 or 140 additional clerks.

Mr. WARREN. Will the Senator allow me to interrupt him? Mr. McKELLAR. In just one moment. The total additional amount for clerk hire appropriated in the bill, according to the figures that I have hastily made while we were considering it. is \$300,790.

Now I yield to the Senator from Wyoming.

Mr. WARREN. Of course, I do not want to interrupt the Senator, if he wishes to make a speech.

Mr. McKELLAR. I shall be delighted to yield to the Senator. I am not going to make a speech.

Mr. WARREN. But the statement the Senator makes is entirely erroneous.

Mr. McKELLAR. Then I should like to have it corrected to whatever extent it is erroneous.

Mr. WARREN. I shall be very glad to correct the Senator as we go along, but I will correct the Senator now far enough to say, in view of his remarks as to the War Risk Bureau, that

there is not a single clerk added in that bureau,
Mr. McKELLAR. I will make that exception, but the Sena-

tor is mistaken.

Mr. WARREN. Then, coming to the Treasury proper, there is not a single clerk added there nor a single dollar more of salary, except, as stated the other day, for those who are put into the office of the Comptroller of the Currency.

Mr. McKELLAR. I want to read from the bill, if the Senator

will merely permit me.

Mr. GLASS. If the Senator will permit me to interrupt right there, I desire to say that practically we are not adding any clerks in the office of the Comptroller of the Currency.

Mr. WARREN. Really we are not.
Mr. GLASS. I say "practically."
Mr. WARREN. We are not doing so in this bill; and that is where the Senator from Tennessee makes his mistake. This bill looks as though we were making additions; but as a matter of fact, we are simply providing in the bill for clerks who have

been taken away from some other place.

Mr. McKELLAR. Mr. President, I can very easily show how clearly mistaken the chairman of the committee is about this matter. We have made appropriations for all the departments for the fiscal year ending July 1, 1922; those bills have all gone through. The appropriations to which I refer in the pending bill are emergency appropriations for clerk hire. I find that for the State Department in this bill there is appropriated \$57,820; for the Treasury Department there are items of \$10,000, \$12,000, \$16,610, \$11,380, \$4,800, \$24,300; in the comptroller's office there are items of \$37,880 and \$14,800; in the General Land Office there is an item of \$65,600; in the Bureau of Fisheries there are items for \$2,500, \$5,000, and \$5,970; in the Department of Commerce there are items for \$12,000 and \$2,100; in the Civil Service Commission there is an item of \$3,000; in the Rent Commission there is an item of \$15,000; or a total—I do not claim to be absolutely accurate, for I have made my calculations very hastily while we were considering the bill—of \$300,790 for clerk hire which is appropriated in the bill over and above what has already been appropriated for the fiscal year ending June 30, 1922.

I call attention to this fact for the purpose of showing just what is being done. It may be necessary, according to the views of the majority, for they have control and they are going to pass the bill. The only thing that I can do is to call attention to it. I do not think, however, we ought to be told very much about Republican economy when we are increasing the number of clerks—and nearly every one of them is to be employed here in Washington—and are increasing the appropria-

tion for clerk hire \$300,790.

Let me call attention to an article from the New York Herald of to-day. I am not going to read the whole article, but I am going to ask unanimous consent to make it a part of my marks because I should like to have it go in the RECORD. I do wish to call attention to the following statement from the article:

One of the greatest abuses of public funds is in the bewildering maze of Government activities purporting to aid soldiers who have fought in the war. Because it is possible on sentimental grounds to put through appropriations for such activities, hundreds of thousands of dollars are thrown away in the duplication of services by boards and bureaus, with the net result that the soldiers actually do not get anything like the benefit they would receive if the expenditures were cut in half and the money efficiently administered under some central authority.

But there are numerous other activities having nothing to do with war work, and these bureaus and boards are scattered throughout the Government departments. Their personnel runs into the thousands, but the cost of their operations far exceeds the sums paid in salaries. They are appropriated for not only directly but indirectly, and it is therefore impossible to trace their expenses except in a limited number of cases. How they account for many millions of dollars can be seen from the size of the sundry civil appropriation bill and the legislative appropriation bill for the fiscal year 1922, compared with 1914.

		1922	1914
Sundry civil Legislative.	 	 \$384,196,760 110,345,018	\$106,749,532 35,172,434
	2000	 494, 541, 778	141,921,966

I call the special attention of my friends on the other side to this article appearing in one of their own party papers of to-day, the New York Herald:

These two bills embrace appropriations that can not be included under other heads, but as a general rule they provide for the payment of personnel. Actual expenses of bureau and board operations are provided in other bills, although these two carry some such provisions. The net increase in the amounts carried by the two bills in 1922 is \$353,000,000 over the 1914 figures.

Then I call the especial attention of the Senators to the way in which it is done, as it is set out in this article. I do not know who wrote the article; that fact does not appear on its face; but, as I have stated, it is published in the New York Herald, and it is well worthy of the careful consideration of every Member of the Senate, and especially of my Republican friends, who are advocating economy but are not practicing it. I ask unanimous consent that the entire article be incorporated in the RECORD at this point.

The PRESIDING OFFICER (Mr. McNary in the chair).

Without objection, it is so ordered.

The article referred to is as follows:

[From the New York Herald, Thursday, June 2, 1921.]

EXAMAZING WASTE IN USELESS BUREAUS—EXPERTS FIND CHANCES FOR UNITED STATES TO RETRENCH AND IMPROVE SERVICE—MAY REACH A BILLION—NEW ACTIVITIES COST MORE THAN ENTIRE GOVERNMENT OUTGO BEFORE THE WAR—AX SIMPLY MUST BE USED—LARGE SUMS LOST IN DUPLICATION OF INEFFECTUAL EFFORTS TO AID VETS.

[Herewith is published another of the series of articles by the New York Herald, including the present-day expenses of the Washington Government and the problems of taxation. The articles will be continued through this week.]

[Special dispatch to the New York Herald.]

[Special dispatch to the New York Herald.]

New York Herald Bureau,
Washington, D. C., June 1.

Where Government begins and where it ends is a question which if
properly answered would help roll up savings of hundreds of millions
of dollars in the swollen Federal expenditures which at present are
kept at an abnormal figure by the thousands of political bloodsuckers
attached to the public pay roll. The war furnished an excuse for
starting innumerable bureaus and commissions under the Government,
and now, almost three years after the armistice, fully half a billion
and possibly as much as a billion dollars a year still flows out of the
Public Treasury to keep up these war activities.

One of the greatest abuses of public funds is in the bewildering
maze of Government activities purporting to aid soldiers who fought
in the war. Because it is possible on sentimental grounds to put
through appropriations for such activities, hundreds of thousands of
dollars are thrown away in the duplication of services by boards and
bureaus, with the net result that the soldiers actually do not get anything like the benefit they would receive if the expenditures were cut
in half and the money efficiently administered under some central
authority.

But there are numerous other activities baring pothing to do with

in half and the money efficiently administered under some central authority.

But there are numerous other activities having nothing to do with war work, and these bureaus and boards are scattered throughout the Government departments. Their personnel runs into the thousands, but the cost of their operations far exceeds the sums paid in salaries. They are appropriated for not only directly but indirectly, and it is therefore impossible to trace their expenses except in a limited number of cases. How they account for many millions of dollars can be seen from the size of the sundry civil appropriation bill and the legislative appropriation bill for the fiscal year 1922, compared with 1914:

	1922	1914
Sundry civil	\$384, 196, 760 110, 345, 018	\$106, 749, 532 35, 172, 431
	491, 511, 778	141,921,936

#### CHIEFLY PERSONNEL PAYMENTS.

These two bills embrace appropriations that can not be included under other heads, but as a general rule they provide for the payment of personnel. Actual expenses of bureau and board operations are provided in other bills, although these two carry some such provisions,

The net increase in the amounts carried by the two bills in 1922 is \$353,000,000 over the 1914 figure. So far as it is possible to segregate the various appropriations and compare them, the following table shows where the increases come in:

	1922	1914
SUNDRY CIVIL BILL.		
War risk insurance	\$158, 000, 000	
Public Health Service:	4100,000,000	
Pay of medical officers	1,020,000	\$597,640
Assistants	300,000	200,000
Other employees	840,000	477,000
Freight	55, 000	30,000
Fuel, light, etc	135, 000	70,000
ruei, agui, etc		
Supplies	85,000	45, 000
Hygienic Laboratory	50,000	20,000
Marine hospitals		245, 000
Other treatment	220,000	126,000
Other hospitals	4, 080, 000	
Quarantine service	350,000	169,000
Prevention epidemics	\$00,000	200,000
Field investigations	300,000	200,000
Interstate quarantine service	25, 000	
	50,000	
Rural sanitation		
Biologic products, serums, etc.	50,000	
Venereal diseases	200,000	!
Alien Property Custodian	375,000	***************************************
Alien Property Custodian. Employees' Compensation Commission.	1, 944, 940	
Vocational education	65, 000, 000	
Federal Trade Commission	9, 000, 000	
Rail Labor Board	370,000	
Shipping Board	459,000	
Emergency Fleet Corporation	55, 000, 000	
United States Handing Companyion	1, 110, 000	
United States Housing Corporation		
Employment service	225, 000	***************************************
Public printing	7, 300, 000	5, 100, 000
LEGISLATIVE BILL.		
Department of Labor.	140, 380	42, 300
	241, 000	166, 000
Labor statistics		
Children's Bureau	271,000	25, 640
Women's Bureau	75,000	
Expenses of loans	3, 750, 000	************
War Risk Bureau	7, 400, 400	
Farm Loan Bureau	245, 220	
Air Service	350,000	
	312, 041, 940	7, 713, 580
	7, 713, 580	
Net increase	804, 328, 360	

The balance of the increase of \$353,000,000 in these two bills is contained in various minor appropriations carried in such a way as to make it impossible to compare them with the 1914 bill. It should be understood that the bureaus and commissions supported by the above appropriations also draw funds from other bills and other departments. For instance, the Public Health Service, besides the elaborate funds provided above, is specially considered in the section of the sundry civil bill setting apart funds for the Panama Canal. In that section an additional \$850,000 is set apart for the use of the Health Service.

SHOWS ONLY PART OF FUNDS.

The Air Service has an appropriation under the military act for \$33,000,000. War Risk, in addition to the above, is authorized to obtain further funds under the Treasury bill. Special authorization for almost all the other activities are contained in one or another of the departmental bills, so the above increase of \$304,325,360 shows only part of what is spent. It is estimated that from \$300,000,000 to \$700,000,000 additional is obtained under other bills to keep these boards and bureaus in operation.

There is no specific way to reduce these expenditures except to go at them with an ax and hack them down to something like their proper level. This is not a simple task. Neither is it an impossible one, Here, as in the Army and Navy appropriations, and in fact in nearly every one of the appropriation bills, there are political obstacles to combat. But the astounding increase in extra governmental activities makes it imperative that political considerations take second place to economy.

makes it imperative that political considerations take second place to economy.

In 1914 the total cost of running the Government was \$1,000,000,000,000. Of this amount \$700,000,000 was devoted to the primary functions of the Government and was expended on the legislative, executive, judicial, diplomatic, public works, development, and educational activities. In 1922 the Government will spend at least \$5,000,000,000, and of this sum only about the same amount as in 1914 will be devoted to the Government's primary functions. The balance of more than \$4,000,000,000, after deducting \$1,000,000,000 for interest on the public debt, another billion for special obligations growing out of the war, and still another billion for Army and Navy, will still leave a full billion for activities which the Government, even in 1914 when a surplus of cash was available, would not have thought of taking up.

There is no denying the truth that government is an experiment and that it must keep pace with the times. This statement was made by Representative Good, chairman of the Appropriations Committee, to explain the continuance of so many boards and bureaus whose present usefulness is far outweighed by the need for economy. Mr. Good has the unenviable job of trying to reduce appropriations, and it is only natural that he should have found an explanation for the cuts he was not able to make in the face of great political opposition and lacking the solid support of the public. But even if government is an experiment, there seems to be no plausible reason, so far as can be judged from actual results, for extending the experiment in these times so that the cost of new activities is as much as the whole cost of the Government before the war.

Mr. McKELLAR. Everybody knows that the war necessi-

Mr. McKELLAR. Everybody knows that the war necessitated the employment of many more employees than are necessary in peace times; some have been separated from the service; but we are providing in this bill for 140 more, and if we count those in the Bureau of War Risk Insurance, for 580 more.

The bill also proposes to increase the salaries of some of those in the War Risk Insurance Bureau. While salaries and wages are going down all over the country and the products of the farm are selling at a vastly reduced price, our good friends on the other side are raising the salaries of Government employees and adding to the number of employees already working for the Government.

It may be right, but I do not agree to it; I do not subscribe to it. I wish it were so that I could prevent it; but we are in the minority and there is no chance of preventing it. Our Republican friends are going to carry it through. I do not, however, want to hear any more talk about economy. At any rate, if we hear it we must take it with a grain of allowance when we find that instead of economizing they are adding to the expenditures of the Government right along; as, for instance, in this bill, by an appropriation of over \$300,000 for more clerk hire for the year 1922.

Mr. SMOOT. Mr. President, I wish to say in passing that it is all well enough for our Democratic friends to make statements such as that the Senator from Tennessee has just made. The statement made by him is not based upon the facts in the case, however, but upon what he thinks the facts to be.

Mr. McKELLAR. If the Senator from Utah takes issue with my statement, I will ask the Senator if he will allow me to in-

Mr. SMOOT. If the Senator will wait until I get through, he may ask me any question he desires,

Mr. McKELLAR. But the Senator has just made a statement that is not fair. I have read from the bill which has been reported out of the committee.

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Tennessee?

Mr. SMOOT. I will ask the Senator to wait a moment.

The PRESIDING OFFICER. The Senator from Utah refuses to yield at this time.

Mr. SMOOT. I will tell the Senator that the statement he has made does not conform to the facts in the case.

The Senator says that we are not decreasing the number

of employees in the departments, but increasing them.
Mr. McKELLAR. Oh, no, Mr. President. Now, the Senator has misrepresented my position. I never made any such statement as that.

The PRESIDING OFFICER. Does the Senator yield?
Mr. SMOOT. Then what was the Senator talking about the increasing of employees for?

Mr. McKELLAR. I said that this bill provided for 138 additional clerks and an additional clerk hire of \$300,000 over and above what was appropriated for 1922. I ask the Senator from Utah if that is not a fact?

Mr. SMOOT. No, Mr. President; even that is not a fact. We have had a very, very unwise and indefensible practice in this Government of late of detailing employees out of one department into another. I have complained of it time and time again upon the floor of the Senate.

We find that as high as 67 employees have been detailed from different departments of the Government to another department of the Government. I never believed in it. I have criticized it in the past and we have stopped it in this bill; and as far as I am concerned, if it does not cease from now on, I am going to introduce a bill and see if it can not be put through Congress preventing such a thing being done.

There is no need of my standing here and telling the Senate the numbers that have been detailed in the different departments. One of the cases was referred to by the Senator from Virginia [Mr. Glass] yesterday, in the comptroller's office. Many of the employees in the Water Power Commission were detailed to that commission in the past. In fact, the only appropriation that was made for some time was for the engineer in charge and general expenses, and many employees under him were detailed from some other department. I took the position a year ago that wherever there was a detail made from any department in this Government we would cut out that many employees from that particular department, and that we would give them only the employees that worked within the depart-

Mr. WILLIAMS. Well, have you done that in this bill?

Mr. SMOOT. That is what this bill is for, and that is what a great many of these employees are for.

Mr. WILLIAMS. Have you cut them out, I mean?

Mr. SMOOT. Yes; we have cut them out, and there are to be none detailed.

Mr. WILLIAMS. I know; but you gave notice a year ago that if they were detailed you were going to cut out that many Have you cut them out in this bill?

Mr. SMOOT. We cut them out in the legislative appropriation bill as it passed at the last session of Congress, but we did not provide in that bill for employees to take the place of the other employees that were prevented from further detail.

I will say to the Senator that I know that the employees of the Government have not been decreased as fast as they ought

to have been

Mr. McKELLAR. I am greatly obliged to the Senator for that admission.

I am perfectly willing to say that; and I want Mr. SMOOT. to say again what I have said upon the floor of the Senate so many times, that they never will be decreased as long as we

will appropriate for them.

Mr. McKELLAR. I am glad to be confirmed by the Senator. Mr. SMOOT. I want to say to the Senator that in October last there was a decrease in the number of employees of the Government here in the District of Columbia of 516. month of December there was a decrease of 956. In the month of January of this year there was a decrease of 513. In the month of March there was a decrease of 611. In the month of April there was a decrease of 680. I wish it were twice that number; and let me say to the Senator now that for the month of June and for the month of July he will find out that the decrease will be over a thousand each month. It will be over 1,000, or 2,000 for the months of June and July, and I hope that it will be continued right along until instead of eighty-odd thouand employees in the District we will have them down to 50,000 or 60,000, and that is ample to do the work in the Dis-

Mr. McKELLAR. Mr. President, in order that there may not be any doubt at all about the facts, I am going to read some of these clerks that are provided for. I do not want to have any dispute about the facts.

I call attention first to No. 1, the Undersecretary of the Treas-

ury, page 82.

Mr. SMOOT. Does the Senator know what the Undersecretary is? The Undersecretary provided for here is to take the place of two Secretaries that we have in the past made appro-

priations for.

Mr. McKELLAR. What I am complaining of is that all the appropriation bills for 1922, except the military appropriation bill, have been passed. All these matters have been passed upon and fixed by this Congress or the last Congress. This is an additional appropriation for clerk hire or secretary hire, the first one, and that is what I am saying-that it is increasing the appropriations that we have already made for the next year.

I continue to read:

No. 2 is the commissioner of public debt. No. 3 is the commissioner of accounts and deposits.

Then, again, in the Division of Deposits, No. 4 is the chief of division, \$3,500.

Mr. SMOOT. Does the Senator say that that is in addition

to the employees already provided for?

Mr. McKELLAR. I say that it is an additional salary to employees. This money has not been appropriated before. this bill is not passed, it will not provide for the payment of

this salary to this employee.

Mr. SMOOT. Mr. President, what is the use of my standing here upon the floor of the Senate and correcting the Senator when he positively says here that it is an additional number of employees to that which was appropriated for before? This is nothing but simply a transfer of the account to pay employees individually provided for instead of a lump sum.

Mr. McKELLAR. Mr. President, where is that lump sum taken out of the funds already appropriated? I ask the Senator just to explain where it is. The Senator can explain it. He knows it. Where is it taken out? Is it taken from the other appropriation? The Senator does not reply. Why, the Senator knows that these clerks provided here are in addition to the clerks that we have now, and there can not be any doubt about it.

Mr. SMOOT. The Senator does not know any such thing, and the money will never go out of the Treasury of the United

States.

Mr. McKELLAR. I read where we appropriated it out of the Treasury of the United States. If it does not go out of the Treasury of the United States, it will be because the House of Representatives does not agree to it.

Mr. WARREN. Mr. President-

Mr. McKELLAR. I am counting now. I made a statement about this matter, and I am just counting up the number, if the Senator will pardon me.

There is the Chief of the Division of Deposits, \$3,500; assistant chief of division, \$2,500; clerks—one \$2,250, one \$2,000, one \$1,800, one \$1,600, one \$1,400; messenger, \$840; assistant messenger, \$720; in all, \$16,610.

That is on page 83.

Division of Printing and Stationery: Clerks-one \$1,400, one \$1,200, one \$1,000, one \$900; multigraph operators—one \$1,200, one \$1,000; skilled laborer, \$840; four laborers, at \$720 each; two messenger boys, at \$480 each; in all, \$11,380 additional appropriated out of the Treasury.

The appropriations have been made for these departments, Here are specific clerks provided for. Here are specific amounts appropriated for. They are additional appropriations from the

Mr. WARREN. Now, Mr. President, if the Senator will yield

Mr. McKELLAR. I yield to the Senator.

Mr. WARREN. I beg the Senator's pardon for interrupting.

Mr. McKELLAR. I yield to the Senator.

Mr. WARREN. I understand that the Senator wants to speak from the record, and so forth; but a moment ago he spoke about an appropriation in a lump sum to pay these men in the Treasury Department. Here is \$12,456,000 appropriated for taking care of the expense of loans during the year 1921; and, of course, it expires on the 30th of this month, and the men who were employed under that lump sum-the lump sum is not again appropriated—have to be placed under some other line of appropriation.

Mr. McKELLAR. Ah! Now the Senator admits what I have said. He said that these lump-sum appropriations have not been made. The Congress has heretofore made all the appropriations that were necessary for 1922, and the result is that certain clerks in the various departments want to be retained there, and in order to be retained there they have to have money appropriated for them. The Senator talks about paying this money out of lump-sum appropriations. I call his attention to the very first section of the bill, in which-

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated.

It does not come out of lump sums at all. It comes out of the Treasury of the United States. It is in addition to the sums that are already appropriated for 1922.

But I continue, inasmuch as a question of fact is brought up

about this matter:

Division of Mail and Files: Distributing clerk, \$1,400; reading and routing clerk, \$1,400; assistant file clerk, \$1,100; assistant mail messenger, \$900; in all, \$4,800.

Is it possible to say that those men are going to stay there unless this appropriation is made? Why, of course they are not going to stay in the employ of the Government. talking about cutting down the expenses of clerk hire here in Washington, and boasting about it. I say you are not doing it. I say you are adding to what has already been done by Congress. The Senator from Utah says, "Why, we will decrease. We will decrease 1,000 clerks on the 1st of July"; and there are 580 of that number of 1,000 that are appropriated for in this bill.

Mr. SMOOT. The Senator should not make any such state-

ment as that.

Mr. McKELLAR. But that is the truth and the fact about it.

Mr. SMOOT. Where does the Senator get the number? Mr. McKELLAR. Here it is: If these appropriations are not made, according to the statement made by the Senator from Wyoming [Mr. Warren] a few minutes ago, 580 of these clerks, carrying a salary list of over \$300,000, must necessarily be separated from the service. If you pass this bill, as you will do, those 580 clerks will stay on the rolls at the salaries fixed in this bill. That is the plain fact about it.

Mr. SMOOT. The Senator figures how many for the War

Risk Bureau?

Mr. McKELLAR. I have not got to the War Risk Bureau yet. I say there are 138 here, and I hope the Senator will allow me to prove beyond the shadow of a doubt on the record, even if I can not prove it to the Senator, that I am absolutely right when I say that there are 138 additional clerks paid out of this appropriation that is called an emergency appropriation. We are told that it is an emergency! Why, I suspect it is. It is an emergency in this way: There are a number of those who are in the departments that your party want to keep there, and you have provided in this bill so that they may be kept there.

Mr. SMOOT. Mr. President, I shall not interrupt the Senator again. I know that he wants to make a political speech to use at home, and I have no objection at all to it, but I simply said what I did say for the RECORD.

Mr. McKELLAR. Mr. President, I do not think this is a political speech. This is a speech on economy. I think there are a lot of Republicans who do not approve of this kind of economy-talking about cutting off a lot of clerks and putting them all back on an emergency bill. Think of it! "This is an emergency matter. We must do it. We must pay these men. Congress has cut them down a thousand," according to the Senator from Utah. "Congress has already cut down the number out of lump-sum appropriations by reducing lump-sum appropriations to the number of a thousand. We have got to save 580 of them. There are 580 of them that need looking after. We have got to save them, and we put it in here as an emergency matter."

I continue to read:

Division of bookkeeping and warrants: For the force to be transferred to this division on account of the transfer of duties from the division of public moneys, at annual rates of compensation during the fiscal year 1922, as follows: Assistant chief of division, \$2,500; clerks—2 at \$2,000 each, 3 at \$1,800 each, 3 at \$1,600 each, 2 at \$1,400 each, 2 at \$1,200 each; 2 messengers at \$840 each; assistant messenger, \$720; in all, \$24,300.

Now I come to the office of the Comptroller of the Currency. That has been explained. I have nothing to say about it, except that there are provided for in this bill 38 additional clerks in that office, for which there are appropriated two sums, \$37,880 and \$14,800.

In the Bureau of War Risk Insurance they are paid out of a lump sum, it seems. They are not paid from a statutory roll. There is a lump sum already provided for these employees. These boys in the Bureau of War Risk Insurance seem to have ample funds there to pay.

Indeed, they seem to have more than is necessary, because while they do not put on new clerks in the War Risk Bureau, they have raised the salaries several hundred thousand dollars. I have not the figures exactly, but I will get them and put them in the RECORD, or anyone can make the calculation by looking at page 86 of the bill.

Now, Mr. President, I turn to the Department of the Interior, General Land Office, and find a provision for additional employees during the fiscal year ending 1922 at annual rates of compensation as follows: Law examiners, 4 at \$2,000; 8 at \$1,800; 20 at \$1,600; 8 clerks at \$1,400; in all, \$65,600.

In the Bureau of Fisheries there is provision for 1 at \$2,500,

1 at \$1,400, 1 at \$1,200, 1 at \$840, 1 at \$780; in all, \$5,000. Steamer *Phalarope*: Master, \$1,500; engineer, \$1,200; fireman, \$780; two seamen at \$810 each; cook, \$870; in all, fiscal year 1922, \$5,970.

Bureau of Foreign and Domestic Commerce: Two assistant directors and an expert on commercial laws in foreign countries at \$4,000 each; in all, \$12,000.

The total of all these, exclusive of the War Risk Insurance Bureau, in which the salaries are only raised, is 140, and with those where the salaries are raised they provide for clerks numbering, directly or indirectly, 580, with an appropriation far in excess of \$300,000.

Mr. President, this may be economy, but I think it indicates that platform pledges and campaign pledges do not always tally with what is done afterwards. At all events, these are emergency employees. Just think of it, that here in Washington we have to stop in the middle of a special session, called, by the way, to consider tariff legislation and financial legislation, none of which seems to have gotten anywhere up to date, in a session called for those two special purposes, instead of doing that we are considering emergency legislation to get enough clerks to perform the requisite clerical services in peace times. I respectfully submit that is not economy.

Mr. WARREN. I ask that the clerk transfer the amendment

adopted awhile ago, on page 27, to page 89.

The VICE PRESIDENT. The Secretary will state the amendment.

The READING CLERK. Insert on page 89, after line 7, the

Unexpended balances.

Mr. LENROOT. Is that the amendment referred to by the Senator from Alabama?

Mr. WARREN. The one he wanted to look over. Mr. LENROOT. Before that is adopted, I would like to ask why that comes in this bill, why it is not properly a matter to be dealt with by the Committee on Military Affairs?

Mr. WARREN. It does not refer to anything that is ever

considered by the Committee on Military Affairs. It is an extension from one year to the next of appropriations already made.

Mr. LENROOT. The Military Affairs Committee have considered it, and have acted on it in one respect.

Mr. WARREN. In what respect?

Mr. LENROOT. In limiting the amounts of unexpended balances in one item of appropriation, one of the largest unexpended balances, and has limited the amount which can be used.

Mr. WARREN. This is for some claims which are being settled at this time. It does not provide for anything else.

Mr. LENROOT. Yes; but I do not believe we ought, without

specific information, make all unexpended balances available from year to year without knowing anything about it. There is nothing in the hearings upon this subject. I just examined them. In the Military Affairs Committee we went into it somewhat and we found the estimated obligations unpaid in one appropriation, and we have provided a limitation of the amount that can be used for that purpose; but, as I understood the amendment, this provides unlimited sums which can be used for personal services.

Mr. WARREN. Only \$250,000.
Mr. LENROOT. Mr. President, it seems to me this properly belongs in the Army appropriation bill. It is a matter which should be dealt with in that bill, and not in this one, and inasmuch as the Army bill will be considered immediately following this one, I think the Senator will not insist upon this

amendment being considered now. Mr. WARREN. The Senator k The Senator knows very well that I am a member of the Military Affairs Committee, as he is, and I am a member of the Committee on Appropriations, and have been a member of both committees for a very long time. Deficiencies always have gone to the Committee on Appropriations.

Mr. LENROOT. This is a surplus.

Mr. WARREN. No.
Mr. LENROOT. It is a surplus and would go back into the

Treasury except for this legislation.

Mr. WARREN. It has been heretofore appropriated to pay for certain claims. The claims were presented to the Government in a way that made it impossible to settle them without very great investigation. For instance, there were claims for patents and things of that kind. Their number is now down to something over a hundred. There are tremendous claims, but they are being handled by the proper branch of the Government, and if we do not expend this it will simply mean that we shall have to treat those individually as they come up in the list of claims, or we shall have to let them go to the courts, and the judgments will be far larger than we will pay now.

Mr. LENROOT. That is hardly correct, because in the Army bill we do make express provision for either seven and a half or ten million dollars, to remain available for the very purpose for which this amendment seeks to make this available.

Mr. WARREN. The Senator must remember that this is

made according to law.

Mr. LENROOT. The point is, Mr. President, if in the Army appropriation bill we have taken care of this matter the Senator will not insist that we should carry over all unexpended balances of appropriations heretofore made to cover a case that has already been covered in another bill.

The Senator ought to know that I have read Mr. WARREN. the other bill and know its terms, and I say to him that I think they do not clash with each other. I have no reason for asking to have the jurisdiction of that committee infringed upon any more than I would to ask that the jurisdiction of this committee be infringed upon. But in looking the matter over with me, I am sure that the Senator would decide that the jurisdiction lies with the Committee on Appropriations.

Mr. LENROOT. Mr. President, perhaps that is so, but I can not, at this time at least, concur with that statement, because the Committee on Military Affairs has dealt with this very subject in the bill that is now upon the calendar.

Mr. WARREN. Of course, the Senator thinks it has, but I think the opposite. Let the matter go over for the present, if the Senator desires.

Mr. LENROOT. I would like to have it go over for the

present.
The VICE PRESIDENT. The amendment will be passed over temporarily.

The next amendment was, on page 75, after line 8, to insert:

EMERGENCIES.

SEC. 4. For emergency appropriations and purposes as follows: CIVIL SERVICE COMMISSION.

For travel, printing, stationery, contingent expenses, additional employees, and other necessary expenses of examinations, fiscal year 1922, \$100,000: Provided, That no person shall be employed hereunder at a rate of compensation exceeding \$1,800 per annum, except one at \$3,000.

The amendment was agreed to.

The next amendment was, on page 75, after line 17, to insert: DISTRICT OF COLUMBIA.

GENERAL EXPENSES.

Rent commission: For an additional amount for salaries and expenses authorized by section 103, Title II, of "The food control and the District of Columbia rents act," approved October 22, 1919, fiscal years 1921 and 1922, \$15,000.

The amendment was agreed to.

The next amendment was, at the top of page 76, to insert:

Buildings and grounds: For the erection of an 8-room extensible building on the site in the immediate vicinity of the Mott School, For the erection of the Mott School,

For the purchase of additional land adjoining the John Eaton School, \$12,000

For the purchase of additional land adjoining the John Eaton School, \$12,000:

For the erection of an 8-room addition to the John Eaton School, \$140,000;

For beginning the erection of a junior high school north of Taylor Street and east of Fourteenth Street, on the land now owned by the District of Columbia, \$100,000, and the commissioners are authorized to enter into contract or contracts for said building at a cost not to exceed \$300,000;

For the purchase of a site for a junior high-school building in the vicinity of the Gage, Emery, and Eckington Schools, \$50,000;

For beginning the erection of a junior high school on the site in the vicinity of the Gage, Emery, and Eckington Schools, \$100,000, and the commissioners are authorized to enter into contract or contracts for said building at a cost not to exceed \$300,000;

For a new site in the vicinity of the Smothers School, \$5,000;

For the erection of a 4-room building on the site to be purchased in the vicinity of the Smothers School to replace the Smothers School, \$70,000;

For the purchase of a site for a 16-room extensible building in the

\$70,000;
For the purchase of a site for a 16-room extensible building in the vicinity of and north of Lincoln Park, \$30,000;
For the erection of an S-room extensible building on the site to be purchased in the vicinity of and north of Lincoln Park, \$140,000;
For the erection of a 4-room addition to the Monroe School, \$75,000;
For the purchase of a site adjoining the Lovejoy School, \$6,500;
For the purchase of a site west of Sixteenth Street NW., in the Ingleside section, \$40,000;
For the purchase of land adjoining the Phillips School, \$9,000;
For the purchase of a site for a 16-room building adjoining the Buchanan School, \$30,000;
For the erection of an S-room extensible building adjoining the Buchanan School, \$140,000;
For the purchase of a new site in the vicinity of the Bell School, \$20,000;
For the erection of an S-room building on the site to be purchased in

For the erection of an S-room building on the site to be purchased in the immediate vicinity of the Bell School, to ultimately replace the Bell School, \$140,000;
For the erection of a building for the care of tubercular pupils, \$150,000;

For the purchase of additional land north of the Hayes School, \$20,000; For the purchase of additional land north of the Hayes School, \$20,000; For the purchase of land adjoining the Armstrong Manual Training School, \$20,000; For the purchase of additional land north of the Hayes School, \$5000.

For the purchase of additional land north of the Hayes School, \$5,000; For the purchase of additional land adjoining the Emery School,

\$8,000; For the purchase of additional land adjoining the Peabody School, \$20,000; For the purchase of additional land adjoining the Adams School,

For the purchase of additional land adjoining the Adams School, \$15,000; For the purchase of additional land adjoining the Webb School, \$1,500; For the purchase of additional land adjoining the Harrison School, \$15,000; in all, fiscal year 1922, \$1,539,000, to be disbursed and accounted for as "Buildings and grounds, public schools," and for that purpose shall constitute one fund.

Mr. CURTIS. Mr. President, on line 14, page 78, I ask to have the amount changed from \$15,000 to \$20,000, to correspond with the estimate. I may say that the \$15,000 was recommended by the subcommittee, but after investigation we decided that the amount should be raised to \$20,000.

The VICE PRESIDENT. The Secretary will state the

amendment to the amendment.

The Reading Clerk. On page 78, line 14, strike out "\$15,000" and insert in lieu thereof "\$20,000," so as to read:

For the purchase of additional land adjoining the Adams School, \$20,000.

The amendment to the amendment was agreed to.

Mr. CURTIS. Then let the total be corrected in line 18. The VICE PRESIDENT. The Secretary will state

The Secretary will state the amendment to the amendment.

The READING CLERK. On page 78, line 18, strike out "\$1,539,000" and insert in lieu thereof "\$1,544,000." The READING CLERK,

The amendment to the amendment was agreed to.

Mr. CURTIS. Now I offer the amendment which I send to the desk, to be inserted after line 21, at the end of the amendment. The VICE PRESIDENT. The Secretary will state the amendment to the amendment.

The Reading Clerk. On page 78, after line 21, insert:

The Reading Clerk. On page 18, after line 21, lisert.

Free Public Library: For the purchase of a site for a branch of the free Public Library in the southeastern section of the District of Columbia, \$10,000, or so much thereof as may be necessary, and authority is hereby conferred upon the Commissioners of the District of Columbia to accept from the Carnegie Corporation of New York not less than \$50,000 for purpose of erecting a suitable branch library building on such a site, subject to the approval of said commissioners and the board of library trustees. Authority is hereby conferred upon a commission

to consist of the Engineer Commissioner of the District of Columbia, the president of the board of library trustees, and the chairman of the committee on branch libraries of the library trustees to supervise the erection of said branch library building, \$10,000.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 78, after line 21, to insert: COURTS.

Municipal court: For contingent expenses, including books, law books, books of reference, fuel, light, telephone, blanks, dockets, and all other necessary miscellaneous items and supplies, fiscal year 1922, \$1,000.

For additional employees from June 1, 1921, to June 30, 1922, inclusive, at annual rates of compensations as follows: Jury clerk, \$1,600; four enrolling clerks, at \$1,600 each; stenographer and typist, \$1,400; in all, \$10,183.34.

For compensation of jurors from June 1, 1921, to June 30, 1922, \$10,000.

For lodging, meals, and accommodations for jurors and deputy United States marshals, while in attendance upon them, when ordered by the court, from June 1, 1921, to June 30, 1922, \$100.

For alterations and repairs to building, fiscal years 1921 and 1922, \$1,000.

\$1,000.

For furniture and equipment, fiscal years 1921 and 1922, \$1,200.

Sixty per cent of the sums contained in this section for the District of Columbia shall be paid out of the revenues of the District of Columbia and 40 per cent out of the Treasury of the United States, except the sums under the heading "Public schools, buildings and grounds," which shall be paid one half out of the revenues of the District of Columbia and the other half out of the Treasury of the United States.

The amendment was agreed to.

The next amendment was, at the top of page 80, to insert:

FEDERAL POWER COMMISSION

Not exceeding \$5,000 of the appropriation of \$100,000 for the Federal Power Commission, contained in the sundry civil appropriation act for the fiscal year 1922, may be used for necessary printing and binding.

The amendment was agreed to.

The next amendment was, on page 80, after line 5, to insert:

INTERDEPARTMENTAL SOCIAL HYGIENE BOARD.

INTERDEPARTMENTAL SOCIAL HYGIENE BOARD.

The duties and powers conferred upon the Interdepartmental Social Hygiene Board by Chapter XV of the Army appropriation act approved July 9, 1918, with respect to the expenditure of the appropriations made therein, are extended and made applicable to the appropriations for similar purposes made in this act.

For expenses of the board, including personal services in the District of Columbia and elsewhere, books of reference and periodicals, printing and binding, traveling, and other necessary expenses, fiscal year 1922, \$25,000.

For assisting the States in protecting the military and naval forces of the United States against venereal diseases, fiscal year 1922, \$200,000: Provided, That no part of this sum shall be expended in assisting reformatories, detention homes, hospitals, or other similar institutions in the maintenance of venereally infected persons.

For allotment to the various States for the prevention, treatment, and control of venereal diseases, fiscal year 1922, \$200,000: Provided, That the sum of \$5,000 shall be first allotted from this appropriation to each State that satisfies the conditions and regulations governing this appropriation and the remainder of this appropriation shall then be allotted to each State in the proportion which its population bears to the population of the continental United States, exclusive of Alaska and the Canal Zone, in conformity with the conditions and regulations governing such allotments.

In all, Interdepartmental Social Hygiene Board, \$425,000.

Mr. WARREN. Let this amendment go over.

Mr. WARREN. Let this amendment go over.

The VICE PRESIDENT. The amendment will be passed

over temporarily.

Mr. GLASS. Mr. President, reverting a moment to the remarks of the Senator from Tennessee [Mr. McKellar], I have no comment to make upon his criticism further than that in large degree it is technical rather than real, and that is true especially with reference to the office of the Comptroller of the Currency

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. GLASS. Certainly.

Mr. McKELLAR. The Senator says it is technical rather than real.

Mr. GLASS. Not altogether, I will say.

Mr. McKELLAR. Certainly it is real that the bill appropriates a little more than \$300,000 for clerk hire for next year over what has already been appropriated. Is not that correct?

Mr. GLASS. Undoubtedly or the bill would not be here.

We said that when we brought it here.

Mr. McKELLAR. My statement was that the committee had reported a bill and the Senate was about to pass it, carrying a little over \$300,000 for clerk hire that was not carried in the ordinary appropriation bills, and that they were adding to the clerical force here in the city of Washington.

Mr. GLASS. Undoubtedly we are making appropriations

here that were not contained in the regular appropriation bills for the fiscal year ending June 30, 1922, otherwise we would

Mr. McKELLAR. If the Senator will yield again, my understanding of a deficiency bill is that it is to make provision—
Mr. GLASS. The Senator's understanding of a deficiency

bill is my understanding of a deficiency bill, but these are not

Mr. McKELLAR. Well!

Mr. GLASS. Of course, they are not. The committee thinks

they are emergency appropriations.

Referring again to the comptroller's office, at the risk of repeating myself I desire to say that the force there is not for practical purposes increased. It has been the policy hitherto to detail clerks from other bureaus to the office of the Comptroller of the Currency. The departments will be so greatly reduced at the end of this fiscal year that that will not be feas ible, and it never ought to have been done at any time. The Comptroller of the Currency for the past eight years ought to have been treated fairly if not liberally in these matters. If we are to continue the business of the office of the Comptroller of the Currency, we have got to appropriate for the clerks permanently who hitherto have been utilized in that way.

When Sir Hubert speaks, whether it be in criticism or in commendation or in citation of a fact, that usually is the end of it; but when on yesterday the distinguished Senator from Utah [Mr. Smoot] insisted that there used to be more than 19,000 employees of the War Risk Insurance Bureau, I hesitatingly and mildly undertook to question the accuracy of his statement and said I thought not, but the Senator persisted and was so certain as that he was able to give me the exact number as 19,483. I appealed to him to drop at least three of the number,

but he would not do that.

By reference to the report of the Secretary of the Treasury for 1920 I find that the maximum number of persons employed at any one time during the fiscal year was 15,480, and I had that number in mind when I made the assertion, or rather, when I ventured to express the belief that the number of employees in the War Risk Insurance Bureau had never exceeded 15,000. As a matter of fact, the greatest number of employees of the War Risk Bureau at any time since the establishment of the bureau was 17,336, so that the Senator from Utah, on whose capabilities as a statistician we all so often rely, was mistaken in the number by more than 2,000.

Mr. SMOOT. I said to the Senator that as I remembered it was 19.483. I sent down to the bureau to find out and received a detailed statement that I now have in my office. The Senator has said, of course, that the highest number was 17,300.

Mr. GLASS. The Secretary of the Treasury said that in his

official report.

Mr. SMOOT. Of course, the Senator yesterday stated it was less than 15,000.

Mr. GLASS. I said about 15,000. Mr. SMOOT. Less than 15,000.

Mr. GLASS. But I was not so confident that I could name the number to a fractional point as the Senator was. The Senator just made a mistake of 2,100, that is all.

Mr. SMOOT. I think I can furnish the information from the

bureau itself, and I have written the bureau to get it.

Mr. GLASS. There is the official information. The matter is of no consequence, but being a new Member of this body I did not wish to get the reputation at the very outset of ques-tioning the assertions made by the veteran Members of the body without some basis for it.

Mr. SMOOT. The Senator from Tennessee [Mr. McKellar] hardly thought there had been any reduction to speak of in any department.

Mr. GLASS. The number had been reduced from 17,336 before I left the Treasury to a little in excess of 7,000.

Mr. McKELLAR. I merely wish to make this suggestion, if the Senator will allow me to interrupt, that I hope the figures of my good friend the Senator from Utah which he gave this afternoon in reference to the pending bill will be found to be more accurate than his figures on yesterday afternoon as to the number of employees in the War Risk Insurance Bureau. We all know how busy and active the Senator from Utah always is, and it is no wonder that he gets figures mixed up, having so many matters to come before him in his official capacity. However, he gets very much mixed up in his figures at times and is very much mixed in his figures with reference to the pending

Mr. SMOOT. I recognize, of course, that some Senators do not give any time at all to the matter of figures, and yet they can find fault with those who do. However, they were not my figures that I gave this afternoon. They were the figures of the Civil Service Commission, and if the Senator desires to see the reports I shall hand them to him.

Mr. McKELLAR. I should be very glad to look them over.

Mr. SMOOT. I hand them to the Senator now. Mr. GLASS. Mr. President, I apologize for precipitating the discussion of an inconsequential matter.

EXECUTIVE SESSION.

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

#### RECESS

Mr. CURTIS. I move that the Senate take a recess until noon to-morrow.

The motion was agreed to; and (at 5 o'clock and 12 minutes p. m.) the Senate took a recess until to-morrow, Friday, June 3, 1921, at 12 o'clock meridian.

#### NOMINATIONS.

Executive nominations received by the Senate June 2, 1921. GOVERNOR OF HAWAII.

Wallace R. Farrington, of Honolulu, Hawaii, to be governor of Hawaii, vice George J. McCarthy, resigned.

JUDGE OF CIRCUIT COURT, THIRD CIRCUIT, HAWAIL.

James Wesley Thompson, of Kailua, Hawaii, to be judge of the circuirt court, third circuit, Territory of Hawaii. A reappointment, his term having expired.

DEPARTMENT OF COMMERCE.

UNITED STATES COAST AND GEODETIC SURVEY.

Hydrographic and geodetic engineer with relative rank of lieutenant in the Navy.

Edgar Herbert Bernstein, of Virginia, vice F. G. Engle, pro-

Benjamin Friedenberg, of New York, vice E. B Latham, deceased.

#### CONFIRMATIONS.

Executive nominations confirmed by the Senate June 2, 1921. DIPLOMATIC AND CONSULAR SERVICE.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY TO CHINA. Jacob Gould Schurman.

UNITED STATES CIRCUIT JUDGE.

Edmund Waddill, jr., for fourth judicial circuit.

UNITED STATES DISTRICT JUDGE.

D. Lawrence Groner, for eastern district of Virginia.

# HOUSE OF REPRESENTATIVES.

THURSDAY, June 2, 1921.

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our blessed heavenly Father, Thou art the bread of life and all the material wonders that it suggests. After these forms have yielded us their bounties and their beauties help us to realize that behind them all is something full of infinite glory and mercy. Beyond the sacred page of Nature help us to see God with a compelling reverence and gratitude, for-

"Back of the loaf is the wholesome flour, And back of the flour is the mill,

And back of the mill are the wheat and the shower, The sun and the Father's will.'

Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

### ALIEN LAND LAWS.

Mr. FESS. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. The gentleman from Ohio asks unanimous consent to proceed for one minute. Is there objection?

There was no objection.

Mr. FESS. Mr. Speaker, our colleague, the gentleman from California [Mr. Curry], has prepared a manuscript of the alien land laws of the various States of the United States. I have looked over the manuscript, and if I had prepared it myself I would think it was a very fine piece of work. I believe it ought to be printed as a House document. I think it is invaluable for reference work, and I ask unanimous consent that it be printed as a House document within the \$500 limit. I have received the estimate, and we can get a little below a thousand for \$500. A thousand would cost \$580.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the document referred to be printed as a House document. Is there objection?

There was no objection.

TAXATION.

Mr. KELLER. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to address the House for two minutes. Is there objection?

There was no objection.

Mr. KELLER. I ask unanimous consent, Mr. Speaker, to extend my remarks in the RECORD.

Mr. ASWELL. On what subject? Mr. KELLER. On revenue bills that I have introduced to-day.

Mr. ASWELL. I do not object. Mr. KELLER. Mr. Speaker, I have introduced four bills. The first bill repeals all existing transportation and sales taxes except those on tobacco, distilled spirits, oleomargarine, habit-forming drugs, and products of child labor. The bill also repeals the excess-profits tax and the 10 per cent tax on the incomes of corporations.

The second bill amends the income tax law so as to distinguish between "earned" and "unearned" income. The tax on "unearned" income, together with the supertaxes, is retained, but the tax on "earned" incomes is cut in two.
"Earned" income is defined as income derived from per-

sonal services or from business personally conducted.
"Unearned" income is defined as income derived from rents of land or other property; interest on mortgages, notes, or bonds; dividends on shares of stock whether in the form of money or stock dividends; and from any source other than the labor, skill, or business or industry personally conducted of the person receiving the income.

The third bill amends the inheritance tax. Beginning with estates of \$20,000 to \$35,000 there is a tax of 1 per cent; \$35,000 to \$50,000, 2 per cent; \$50,000 to \$150,000, 4 per cent; \$150,000 to \$250,000, 6 per cent. The taxes then graduate on an increased scale until the point of \$100,000,000 is reached, after

which the tax is 90 per cent.

The fourth bill provides for a tax of 1 per cent on land values in excess of \$10,000 after exempting buildings and improvements, and in the case of farms, cost of clearing, draining, and maintenance of fertility. This bill aims to tax monopoly holders of natural resources, valuable "sites" in cities, and the holding of land out of use. The exemptions are so applied to farms as to exempt from taxation, according to my estimate, approximately 98 per cent of all actual farmers.

The four bills are sponsored by the Committee on Manufacturers and Merchants, a national association of business men, of which Otto Cullman, 1346 Altgeld Street, Chicago, is chairman; and by the Farmers' Federal Tax League, of which Lieut. Gov. George F. Cummings, of Madison, Wis., is president.

Accompanying the bills I present a budget showing that the three bills, together with customs and other miscellaneous revenue, will raise funds sufficient to meet the Government budget and in addition provide a sinking fund which would pay off the Government debt in 30 years. In a statement to the press I said:

My revenue program will relieve producing business of \$1,730,000,000 annually and the people of from three to five times this amount in inflated living costs.

I am in favor of the removal of all taxes on business and industry, including the excess-profits tax and the corporation income tax, but only on condition that my revenue program is accepted in its entirety. If my new revenue bills are rejected, I will withdraw my amendments repealing the corporation taxes.

Mr. GARNER. Will the gentleman yield?
Mr. KELLER, I will.

Mr. GARNER. Has this inspiration come to the gentleman

since the Republican conference last night?

Mr. KELLER. Mr. Speaker, I have been working on this proposition for two months with some of the ablest experts in the United States preparing a statement of this kind. have taken the estimates of some of the experts in the House, especially the chairman of the Committee on Appropriations in regard to the budget and the tentative budget estimate and of men who have made a study of the revenue bills in the past. I have a very complete prepared statement which I shall submit in the extension of my remarks.

The SPEAKER. Is there objection to the request of the gentleman to extend his remarks in the RECORD?

There was no objection.

JOHN P. BRACKEN.

The SPEAKER laid before the House a memorial from John P. Bracken, praying admission as a Member of the House of Representatives as a Congressman at large from the State of

Pennsylvania, which was referred to the Committee on Elections No. 2.

FLORENCE E. WEAKLEY.

Mr. IRELAND. Mr. Speaker, I call up a privileged resolution from the Committee on Accounts.

The Clerk read as follows:

House resolution 87.

Resolved, That there shall be paid, out of the contingent fund of the House, to Florence E. Weakley, sister of Alvin Weakley, late an employee of the House of Representatives, a sum equal to six months of his compensation as such employee, and an additional amount, not exceeding \$250, to defray the expenses of the funeral of said Alvin Weakley.

Mr. IRELAND. Mr. Speaker, this is the usual resolution for the dependents of a deceased employee, and all the precautions usually taken have been taken.

The SPEAKER. The question is on agreeing to the resolu-

The resolution was agreed to.

J. C. MEHRKENS.

Mr. IRELAND. Mr. Speaker, I call up House resolution 88 from the Committee on Accounts.

The Clerk read as follows:

House resolution 88.

Resolved, That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, to J. C. Mehrkens, clerk to the late Hon. William H. Frankhauser, a Representative in Congress from Michigan at the time of his death, May 9, 1921, the sum of \$186.66, being an amount equal to one month's salary of a clerk of a Representative in Congress.

Mr. IRELAND. Mr. Speaker, that is the usual resolution. Mr. GARNER. Will the gentleman yield?

Mr. IRELAND. Yes. Mr. GARNER. I believe this is to pay the clerk of a Member who never had been in attendance on the House of Representatives. Did he have a clerk designated on the roll?

Mr. IRELAND. We are so informed. The clerk was the same one who served his predecessor, and had been in attendance, even though the late Member he served had not.

Mr. GARNER. That is not the question. I ask whether or not the clerk's name was on the roll as required by law?

Mr. IRELAND. Certainly; else we would not have considered the resolution.

Mr. GARNER. Is this a unanimous report of the Committee on Accounts?

Mr. IRELAND. It is; as I now recall the action.

The SPEAKER. The question is on agreeing to the resolu-

The resolution was agreed to. .

ASSISTANT CLERK, COMMITTEE ON ENROLLED BILLS.

Mr. IRELAND. Mr. Speaker, I present the following privileged resolution which I send to the desk and ask to have read. The Clerk read as follows:

House resolution 55.

Resolved, That the chairman of the Committee on Enrolled Bills be authorized to appoint an assistant clerk to the Committee on Enrolled Bills, who shall receive compensation at the rate of \$6 per diem during the sessions of the Sixty-seventh Congress, to be paid out of the contingent fund of the House, payment to commence from the date such clerk entered upon the performance of his duties, which shall be ascertained and evidenced by the certificate of the chairman of said committee.

Mr. IRELAND. Mr. Speaker, I move the adoption of the resolution.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. Yes.

Mr. GARNER. Is this the resolution that comes up each Congress

Mr. IRELAND. Yes.
Mr. GARNER. Why do we not make this permanent law?
Mr. IRELAND. I think we should. I do not know why it has not been attended to before. It is something that we have to do each Congress, and this clerk has been at work ever since the beginning of the session. It is due to the negligence of the chairman of the Committee on Accounts that this has not been presented before.

Mr. GARNER. Does the gentleman contemplate looking after the matter and seeing that it does become permanent

law?

Mr. IRELAND. I suggested it before, and that is about all I can do.

Mr. GARNER. Whose fault is it that it does not become per-

manent law? Mr. IRELAND. I do not know that anyone is particularly at fault; but it might be taken up by the Committee on Appropriations and a permanent assistant clerk granted the Committee on Enrolled Bills.

The SPEAKER. The question is on agreeing to the resolu-

The resolution was agreed to.

CLERK TO COMMITTEE ON MILEAGE.

Mr. IRELAND. Mr. Speaker, I present the following privileged resolution, which I send to the desk and ask to have read. The Clerk read as follows:

House resolution 91.

Resolved, That the Committee on Mileage be, and is hereby, authorized to hire a clerk for the said committee for a period of two months during the first and second sessions of the Sixty-seventh Congress, compensation of the said clerk to be paid out of the contingent fund of the House of Representatives at the rate of \$125 per month.

Mr. IRELAND. Mr. Speaker, I move the adoption of the resolution.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

CLERK TO COMMITTEE ON EXPENDITURES IN WAR DEPARTMENT.

Mr. IRELAND. Mr. Speaker, I present the following privileged resolution which I send to the desk and ask to have

The Clerk read as follows:

House resolution 85.

Resolved, That the Committee on Expenditures in the War Department be, and is hereby, allowed a clerk at a salary at the rate of \$1,500 per annum for the first session of the Sixty-seventh Congress, to be paid out of the contingent fund of the House.

Mr. IRELAND. Mr. Speaker, this is a relic of the last Congress, inherited from the Special Committee on Expenditures in the War Department. The committee needs this clerk. There is an accumulation of correspondence on hand and the committee convinced the Committee on Accounts that they are entitled to this consideration.

Mr. CONNALLY of Texas. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. Yes.

Mr. CONNALLY of Texas. Has this committee met during this Congress?

Mr. IRELAND. I am not sure about that.

Mr. CONNALLY of Texas. Is this the same committee that met so frequently in the last Congress?

Mr. IRELAND. No. The personnel of the committee is different.

Mr. CONNALLY of Texas. Is this committee provided with an attorney or counsel?

Mr. IRELAND. I hardly think so. The SPEAKER. The question is on agreeing to the resolu-

The resolution was agreed to.

#### HOUSE RESTAURANT.

Mr. IRELAND. Mr. Speaker, I present the following privileged resolution, which I send to the desk and ask to have read. The Clerk read as follows:

### House resolution 99.

Resolved. That there shall be paid out of the contingent fund of the House such sums as may be necessary to make such alterations and improvements of the rooms occupied by the restaurant of the House of Representatives, and to reequip the restaurant with sanitary fixtures and utensils as may, in the judgment of the Committee on Accounts, be deemed advisable and necessary; and until otherwise ordered by the House the management of the House Restaurant and all matters connected therewith shall be under the direction of the Committee on

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield for a moment before the vote is taken on this resolution?

Mr. IRELAND. Yes.
Mr. GARRETT of Tennessee. It is my impression that the control of this restaurant has heretofore been with another committee of the House. Is that correct; and if so, has it been by law or by resolution?

Mr. IRELAND. I think it has always been under the control of the Speaker. That is my understanding,

Mr. KING. Mr. Speaker, will the gentleman yield? Mr. IRELAND. Yes. I think I should state that I believe on very good authority that the Speaker desires to be relieved of this control.

Mr. KING. I am certainly in hearty sympathy with this resolution. I did not notice anything in the resolution about whether or not there would be any improvement in the food furnished by the restaurant.

Mr. IRELAND. I hope there will be.

Mr. KING. The gentleman could not give us any line on the change to be made in the character of food, in regard, say, to half and half and crackers?

Mr. BARKLEY. I suppose any sort of change would be an

advantage, would it not?

Mr. IRELAND. Mr. Speaker, I think I should take a moment, not to attempt to answer the facetious remarks of the gentlemen, but to assure the House that the plans under way we are hopeful will meet with the approval of the House when consummated. It is impossible to attend to these matters or for Members to expect any permanent improvement prior to the vacation that the House may take late in the summer. The restaurant, and the kitchens especially, are in such ill repair that it would entirely disorganize things to even attempt the work while the House is in session. The service in the restaurant, poor as it is at present, would have to be discontinued entirely, and I imagine Members would prefer what they are getting to nothing. Members should not hope for any improvement until after the vacation.

Mr. KINCHELOE. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. Yes.

Mr. KINCHELOE. I am not asking this question facetiously, but for information. Is it not a fact that under the Democratic administration and also under the Republican administration, and, in fact, practically ever since the House Office Building has been constructed, the running of this restaurant has been a matter of patronage? Does not the man who runs it get it as a matter of patronage? I do not mean now any more than under the Democratic administratiton.

Mr. IRELAND. I do not believe so.

Mr. KINCHELOE. The reason I asked that is this: I have been informed that it is a matter of patronage and that some Republican is now running it; that he receives it as a matter of patronage, the same as some Democrat did when the Democrats were in control. I have been further informed that he is furnished his light, his space, his dishes, his linen, his heat all free, and at the same time, as the gentleman knows, we are paying as much as or more here than we would in any firstclass restaurant down town.

Mr. IRELAND. That is absolutely correct, save as to the matter of patronage. I think the gentleman is misinformed in

respect to that.

Mr. CHINDBLOM. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. Yes.
Mr. CHINDBLOM. Under this resolution, as I understand it, the control of the restaurant will immediately go to the Committee on Accounts. Mr. IRELAND. Yes.

Yes.

Mr. CHINDBLOM. I hope the gentleman will not banish all hope of any improvement of any sort until after the vacation.

Mr. IRELAND. If the gentleman were familiar with the conditions I do not believe he would expect any improvement with the present arrangement.

Mr. KINCHELOE. The gentleman says that he does not be-lieve that it is under patronage. Is it not a fact that whoever has it is furnished the things that I have enumerated absolutely free?

Mr. IRELAND. Yes; that has always been the custom.
Mr. KINCHELOE. The gentleman knows that we pay as much for what we get here as we would at a first-class restaurant down town.

Mr. IRELAND. There is no excuse for the prices charged, in consideration of the service.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, will the gentleman yield? Mr. IRELAND. Yes.

Mr. McLAUGHLIN of Michigan. I wish to say that the restaurant has not been under patronage, and nobody connected with it is under patronage. I speak as a member of the patronage committee. It has never had anything to do with the restaurant.

Mr. ASWELL. Mr. Speaker, will the gentleman yield?
Mr. IRELAND. Yes.
Mr. ASWELL. In the deficiency appropriation bill which we passed the other day there was carried an item for this, and now this resolution proposes to take it out of the contingent fund. Is this the same item that the deficiency bill carried the other day

Mr. IRELAND. Yes. Mr. ASWELL. Can the gentleman inform the House whether it is contemplated to put the waiters on the pay roll under this new plan?

Mr. IRELAND. Well, that is not a matter that has as yet been considered.

Mr. ASWELL. But does the gentleman think that it is likely to be?

Mr. IRELAND. I suppose the gentleman sought to inquire whether we shall pursue the same policy now employed by the Senate?

Mr. ASWELL. Yes.

Mr. IRELAND. That has not been decided. Mr. BLANTON. Will the gentleman yield?

Mr. IRELAND. Certainly.

Mr. BLANTON. The gentleman when he first arose said he was not going to indulge in any facetiousness. If he was not, I would like to ask the gentleman what he is doing when he referred to a possible recess during the summer? It occurred to me it could not be anything but facetiousness.

Mr. ANDREWS. Will the gentleman yield?

Mr. IRELAND. I will.

Mr. ANDREWS. Will this act of confiscation cast any reflec-

tion upon the Speaker?

Mr. IRELAND. Save a commendable one, I think not.

The SPEAKER. The question is on agreeing to the reso-

The question was taken, and the resolution was agreed to.

#### PACKERS BILL.

The SPEAKER. The unfinished business is the so-called packers' bill, on which a third reading had been ordered. Does the gentleman from Texas still desire a reading of the engrossed bill?

Mr. BLANTON. I do not. The bill was read a third time.

The SPEAKER. The question is on the passage of the bill. Mr. JONES of Texas. Mr. Speaker, I have a motion to recommit.

The SPEAKER. The Clerk will report the motion to recom-

The Clerk read as follows:

Mr. Jones of Texas moves to recommit the bill to the Committee on Agriculture with instructions to report the same back to the House forthwith with the following amendment: On page 22, line 1, strike out all of section 311.

Mr. HAUGEN. Mr. Speaker, on that I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Texas to recommit the bill with instructions.

The question was taken, and the Speaker announced the noes seemed to have it.

On a division (demanded by Mr. Jones of Texas) there -ayes 34, noes 127.

Mr. JONES of Texas. Mr. Speaker, I make the point of order

that there is no quorum present. The SPEAKER. It is clear there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will

notify absent Members, and the Clerk will call the roll. The question was taken; and there were—yeas 71, nays 258, answered "present" 7, not voting 95, as follows:

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Andrews	Burtness Burton Butler Cable Campbell, Kans. Chalmers Chindblom Christopherson	Driver	Gernerd
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Arentz		Dunn	Gorman
Aswell		Echols	Graham, III.
Barbour		Edmonds	Green, Iowa
Barkley		Elliott	Greene, Mass.
Beck		Ellis	Greene, Vt.
Beedy		Elston	Griest
Begg	Clarke, N. Y.	Fairchild	Hadley
Benham	Classon	Faust	Hardy, Colo.
Bird	Clouse	Fenn	Haugen
Blakeney	Codd	Fess	Hawley
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Bowers	Curry	Fordney	Hicks
Brennan	Dale	Foster	Hill
Britten	Dallinger	Frear	Himes
Brooks, Ill.	Darrow	French	Hoch
Brooks, Pa.	Davis, Minn. Denison Dickinson Dowell	Frothingham	Houghton
Brown, Tenn.		Fulmer	Huddleston
Barke		Funk	Huli
Burroughs		Gensman	Ireland

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ones, Pa.	McLaughlin, P
Kearns	MacGregor
Keller	Madden
Kelley, Mich.	Magee
Kelly, Pa.	Maloney
Kendall	Mapes
Kennedy	Martin -
Ketcham	Mason
Cincheloe	Merritt
King	Michener
Kinkaid	Miller
Cirkpatrick	Mills
Kissel	Mondell
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night	Moore, Ohio
Inight Inutson	Morgan
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Craus	Mott
unz	Mudd
ampert	Murphy
ankford	Nelson, A. P.
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ea, Calif.	Newton, Mo. Nolan
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ee, N. Y.	Norton O'Connor
ehlbach	Ogden
inthicum	Oldfald
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ufkin	Park, Ga.
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	Rossdale
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	Rucker
	Sanders, Ind. Sanders, N. Y.
	Schall
	Scott, Mich.
	Scott, Tenn.
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#### ANSWEREI

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Ansorge Anthony Atkeson Bankhead Bell Bixler Bowling Brinson Browne, Wis. Burdick Campbell, Pa. Cantrill Carew Chandler, N. Y. Chandler, Okla. Cole Cooper, Wis. Copley Coughlin Cramton Cramton Crisp Crowther Cullen Dempsey	Drane Fairfield Fields Flood Free Fuller Gahn Glynn Goldsborough Good Goodykoontz Graham, Pa. Griffin Harrison Hogan Hukriede Husted Hutchinson Kahn Kiess Kindred Kitchin Kreider Langley	Lee, Ga. Lineberger MeArthur McDuffie McSwain Mann Michaelson Millspaugh Moore, Va. Moores, Ind. Oliver Paige Patterson, Mo. Perkins Peters Pou Rainey, Aln. Rainey, Ill. Reavis Reber Reed, N. V. Reed, W. Va. Ryan Sabath	Sears Shelton Sisson Sisson Slemp Snell Stephens Strong, Pa. Sullivan Sumners, Tex. Tague Taylor, Colo. Taylor, N. J. Temple Thomas Tilson Timberlake Volk Wason White, Me. Wise Woods, Va. Wurzbach Yates

So the motion to recommit was rejected. The Clerk announced the following pairs: Until further notice:

Mr. Langley with Mr. Clark of Florida.

Mr. Patterson of Missouri with Mr. Kindred.

Mr. CANNON with Mr. TAGUE.

Mr. McKenzie with Mr. Lee of Georgia.

Mr. Free with Mr. Sears.

Mr. PERKINS with Mr. THOMAS.

Mr. TIMBERLAKE with Mr. HARRISON.

Mr. GOODYKOONTZ WITH Mr. BELL

Mr. REED of New York with Mr. WISE.

Mr. GLYNN with Mr. OLIVER.

Mr. McPherson with Mr. Floop. Mr. Reavis with Mr. Moore of Virginia.

Mr. Hukriede with Mr. Sisson. Mr. Paige with Mr. Cantrill.

Mr. Wurzbach with Mr. Carew. Mr. Moores of Indiana with Mr. Woods of Virginia.

Mr. McArthur with Mr. Kitchin.

Mr. Ansorge with Mr. McDuffie, Mr. LINEBERGER with Mr. RAINEY of Illinois.

Mr. BIXLER with Mr. SULLIVAN.

Mr. SHELTON with Mr. CRISP.

Mr. Snell with Mr. Pou. Mr. Anthony with Mr. Taylor of Colorado.

Mr. Atkeson with Mr. Sumners of Texas.

Mr. Browne of Wisconsin with Mr. Sabath.

Mr. CHANDLER of Oklahoma with Mr. GRIFFIN. Mr. HUTCHINSON with Mr. BANKHEAD.

Mr. STEPHENS with Mr. BRINSON.

Mr. MILLSPAUGH with Mr. DRANE.

Mr. REBER with Mr. RAINEY of Alabama.

Mr. WASON with Mr. BOWLING.

Mr. TAYLOR of New Jersey with Mr. FIELDS.

Mr. WHITE of Maine with Mr. CULLEN.

Mr. Coughlin with Mr. McSwain.

Mr. Volk with Mr. Goldsborough.

Mr. Graham of Pennsylvania with Mr. Campbell of Pennsyl-

The result of the vote was announced as above recorded.

The SPEAKER. The Doorkeeper will open the doors. The

question is on the passage of the bill.

The question was taken, and the Speaker announced that the

aves seemed to have it.

Mr. HAUGEN. Mr. Speaker, I demand a division. Mr. BLANTON. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were refused.

Mr. BLACK. Mr. Speaker, I make the point of no quorum. The SPEAKER. The gentleman from Texas makes the point of no quorum. The Chair will count. [After counting.] It is clear that there is a quorum present.

So the bill was passed.

On motion of Mr. HAUGEN, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted-

To Mr. Moore of Virginia (at the request of Mr. Bland of Virginia), for the day, on account of sickness.

To Mr. Brand, for one week, on account of important busi-

#### EXTENSION OF REMARKS.

Mr. BECK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the packer bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

### VETERANS' BUREAU.

Mr. WINSLOW. Mr. Speaker, by virtue of permission granted by the House to the effect that the bill H. R. 6611 should be considered immediately after the conclusion of the consideration of the packers bill, so called, I desire to call that

The SPEAKER. The bill is on the Union Calendar, is it not?
Mr. WINSLOW. Mr. Speaker, I move that the House resolve
itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 6611.

Perhaps it would be well to make arrangements as to time and a division of it. I would suggest that the time for debate be divided equally between the gentleman from Kentucky [Mr. BARKLEY], representing his side of the House, and myself, representing this side of the House.

The SPEAKER. Is there any agreement as to the amount of

Mr. WINSLOW. The committee feels that all of to-day is likely to be consumed in general debate on this bill. Unless it should appear that there is not sufficient interest to take all the time which the day might afford, I think it would be fair to have in mind that all of this day will be devoted to the consideration of the bill in general debate.

The SPEAKER. Does the gentleman make that as a request? Mr. WINSLOW. No. Mr. BARKLEY. If arrangement as to division of the time is agreed upon, it ought to be done in the House, inasmuch as that arrangement can not be made in the Committee of the

Mr. WINSLOW. I would like to have permission to have the

time equally divided, as already indicated.

The SPEAKER. When the request was first made it was that half of the time be controlled by the gentleman from Kentucky [Mr. BARKLEY] and half by the gentleman from Massachusetts [Mr. Winslow]. Is there objection? [After a pause.] The Chair hears none. The question is on the motion of the gentleman that the House resolve itself into the Committee of the Whole House on the state of the Union.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 6611) to establish in the Treasury Department a veterans' bureau and to improve the facilities and service of such bureau, and further to amend and modify the war risk insurance act, with Mr. Anderson in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill

H. R. 6611, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 6611) to establish in the Treasury Department a veterans' bureau and to improve the facilities and service of such bureau, and further to amend and modify the war risk insurance act.

Mr. WINSLOW. Mr. Chairman, I would ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. WINSLOW. Mr. Chairman and gentlemen of the committee, this bill probably interests more people of the country than any other subject for legislation that we have before us. Since the establishment of the War Risk Insurance Bureau and the subsequent establishment of the Public Health Service for the benefit of soldiers, and the Federal Board for Vocational Education, it has been clearly apparent to everybody who has had to do with soldier life in any of its phases that there has been no proper, well-organized department for handling the interests of the soldiers. Out of that situation there came some months ago a clear recognition of the fact that something should be done which would make the care of soldier matters more complete and a system established which would approach efficiency if one could be devised.

This bill represents the best thought which the Committee on Interstate and Foreign Commerce has been able to obtain, either as a result of its own inquiries and investigations or in consequence of testimony submitted by various people and organizations most interested. It will be no misstatement to assert that the four great institutions of the country which are most particularly concerned in the management of soldier matters have agreed, as near as any set of organizations or people ever can agree, on this bill as probably being the most complete and serviceable legislation that can be passed. I hardly think that any member of the Committee on Interstate and Foreign Commerce would assume to claim that every provision of the bill is complete and perfect. It would be exceedingly difficult to reconcile the expediency and the views of three of four huge departments, such as are interested in this matter, so thoroughly as not to have a hint or a doubt standing out somewhere.

I might say the fundamental interest in this matter is represented by the legislative committee of the World War soldiers of this country. That committee contributed through the head of the legion, its counsel, and others the best opinions they had. While not being technical to the very last degree, I feel warranted in saying that this bill bears the stamp of very general approval on the part of the legislative committee of the legion. It also has been approved, as finally as a bill could be, by those representing the expert applied interests of the War Risk Insurance Bureau, the Public Health Service, and the Federal Board for Vocational Education. So we come before you with four great elements which ought to be regarded as having the most interest in this matter agreeing on this bill, namely, the legion, through its legislative committee, the War Risk Insurance Bureau, the Public Health Service, and the Federal Board for Vocational Education.

I do not mean to take any time on the sentimental features of the soldier interests covered by this bill. We all have our sympathetic feelings toward them and want to do everything we can for them, but I do not feel that this bill offers a very fitting opportunity for running off into the realms of sentiment and tears.

It is a straight up-and-down business proposition, and it should be so regarded, and I hope it will be regarded in debate as a business consideration.

Mr. BLAND of Indiana. Mr. Chairman, will the gentleman yield at this point?

Mr. WINSLOW. Certainly.

Mr. BLAND of Indiana. With reference to section 1 of the bill, I notice at the top of the page that the Director of War Risk Insurance is definitely abolished. Further down I note that the functions and duties and powers of the Bureau of War Risk Insurance are taken over, and also the functions, duties, and powers conferred upon the Board of Vocational Education are transferred to the director. Does the gentleman interpret the act to mean that the Board of Vocational Education will cease to exist as far as soldier activities are

concerned upon the passage of this law?

Mr. WINSLOW. If the gentleman from Indiana will kindly indulge me, I shall not undertake to escape his question, but to make a statement that the work of describing the purposes of this bill and of discussing primarily and in the first instance the various features of it has been accorded to its author, Mr. Sweet, to whom I shall yield immediately, and it will be

his pleasure and opportunity to answer every question which

may be presented to him.

With that brief statement, Mr. Chairman, I yield an hour to the gentleman from Iowa [Mr. Sweet], the author of the bal and the chairman of the subcommittee which gave it particular consideration. [Applause.]
The CHAIRMAN. The gentleman from Iowa [Mr. Sweet]

is recognized for an hour.

Mr. SWEET. Mr. Chairman, I will say that in the first instance I wish to go over the legislation that has been passed for the benefit of the disabled ex-service men of this country, and then follow with a brief analysis of each section of the bill,

and during that time I desire not to be interrupted.

Mr. Chairman, addressing the wounded soldiers at Walter Reed Hospital, President Harding expressed the wish that "by the wave of some magic wand the maimed might be restored, but that since this was impossible the next best thing was for the Republic to prove its gratitude to the soldiers by restoring them to a condition in which they may live as happily as possible." And he added, "I know this thought is in the heart of the Congress, and I can assure you that it is in the heart of the Executive, and, more, I know it is in the heart of the people of this country.

The present Executive of the Nation has stated the matter clearly and forcefully. The attitude of Congress without regard to party or politics has been to deal fairly and sympathetically in the enactment of legislation for the benefit of the disabled ex-

service men of the country.

The demobilization of a great army of over 4,000,000 men is as great a question as the mobilization and organization of that

The restoration of our country following a mighty war, the return of men to the avocations of peace, the binding up of the Nation's wounds, the proper care of the orphans and widows of those who bore the brunt of battle, the care and treatment of those who are maimed and who are suffering from diseases and ailments that were contracted while in the service, the proper hospitalization of the Nation's wards, the rehabilitation of men and fitting them as far as it is possible to take part again in the ordinary affairs of life, the restoration of the impaired intellects of men and bringing them back to themselves and to their relatives and friends, the banishment of the phantoms of the mind, the inculcation of love of country and a genuine desire for the established order of things-these are some of the things to be accomplished.

It is important that every citizen should understand clearly his relations to his Government, notwithstanding the horrors of war and the uncertainties and difficulties to be encountered during the years following the war. Let those who took part in the great struggle know that we as a free and liberty-loving people are proud of the services that they rendered and that it is our desire not only to honor them but to treat them, in so far

as it may be possible, with exact justice.

We want them to realize that this is the best Government on earth. We want them through all the years to come to stand for law and order and great ideals of the Republic. In short, so that they will be at all times in heart and mind for the

Republic and not against it.

In view of the many things that have been said, either truthfully or untruthfully, relative to what the Nation has been doing for the benefit of ex-service men, it might be well to review briefly the legislation that has been enacted by Congress during the war and since the war in the interests of those who

participated in that great conflict.

War was declared on April 6, 1917. Within the short space of four months thereafter the Committee on Interstate and Foreign Commerce of the House was considering legislation for the immediate benefit of the dependents of those who were to be-come a part of the Military Establishment of the Government and engage in the World War; for the benefit of the dependents of those who would in all probability make the supreme sacrifice; for the benefit of those who would be maimed, their bodies torn by shot and shell or ravaged by disease; for the benefit of those whose nerves would be shattered or intellects dethroned as a result of the hardships they must endure, the dangers they must pass through, the ordeals they must encounter, and the horrors they must experience in taking part in the activities of

a relentless warfare. On October 6, 1917, just six months after the war began, Congress passed what should be known as the Rayburn bill. This legislation was largely due to the activities of Mr. Rayburn as a Member of Congress. The bill was divided into four parts: Article I, administration; Article II, allotment and allowance; Article III, compensation; Article IV, war-risk insurance.

Up to March 31, 1921, the operating expenses or administra-tion expenses of the Bureau of War Risk Insurance had amounted to about \$42,000,000.

During the war, under the provisions of the act, the soldier was permitted to allot a certain portion of his pay, and to the amount allotted the Government added an allowance. On March 31, 1921, the total disbursements for allotments and allowances amounted to about \$572,262,333.59, of which amount the allotments were \$296,251,306.59, and the Government allowances on the same date amounted to \$276,011,027.

On March 31, 1921, 599,239 claims for compensation had been filed. Of this number 380,484 were allowed and 197,144 dis-

allowed.

On March 31, 1921, the total disbursements for compensation amounted to \$202,995,308.29.

On March 31, 1921, there were approximately 405,674 war risk term insurance policies, amounting to \$3,000,114,937, in force. This includes 322,115 policies carried for men out of the service and approximately 83,559 policies carried by men still in the

On March 31, 1921, the actual disbursements in the payment of war risk term insurance awards amounted to \$198,405,907.95. The total amount of liability, however, involved in war risk insurance claims, upon which payments are now being made, amounts to \$1,190,996,727.63. The payment of this amount is extended over a period of nearly 20 years.

On March 31, 1921, the United States Government life insurance policies issued as a result of the conversion of yearly renewable term insurance to persons insured, numbered 277,890, and amounted to \$916,112,000. The Treasury Department has announced a dividend of not less than \$1 per thousand of United

States Government life insurance.

The total number of United States Government life insurance claims received to March 31, 1921, was 993. Of this number, 451 have been allowed and 150 disallowed. On March 31, 1921, monthly payments were being made on 273 claims. On March 31, 1921, the total amount disbursed in payment of awards was \$1,211,425,78.

Recapitulation.

Operating and administration expenses	\$42,000,000.00
Government allowances	276, 011, 027, 00 202, 995, 308, 29
Compensation Term insurance, actual disbursements	198, 405, 907, 95
United States Government life insurance	1, 211, 425, 78
United States Government life insurance	1, 411, 140. 10

720, 623, 669, 02

That at the present time the Government owes for insurance claims pending \$1,190,996,727.63, the payment of which extends over a period of nearly 20 years.

The Government of the United States distributed to 2,135,465 dependents of soldiers \$276,011,027 in practically two years. It distributed this sum to the dependents of those who were fighting the Nation's battles.

Through allotments of soldiers the Government has also disbursed \$296,251,306.59 to approximately 2,135,465 dependents of

soldiers.

That on December 24, 1919, Congress passed what was known as the Sweet bill, which practically trebled the amount of compensation to be paid the disabled ex-service men of the country. Under the retroactive features of the bill, which related to compensation, there was disbursed by the War Risk Insurance Bureau, within a period of 100 days after the law went into effect. about \$31,000,000. The insurance features were also liberalized and made more workable,

This bill also made provision for furnishing to the disabled ex-service men, in addition to the compensation provided for them, such reasonable governmental, medical, surgical, and hospital services, supplies, artificial limbs, trusses, and similar appliances as the Director of the War Risk Insurance Bureau might determine to be useful and reasonably necessary. Under this provision the United States Government, in addition to compensation, assumed the obligation of furnishing men who had been disabled hospital care and treatment in order that they might be put back into ordinary life in the best condition possible. In order to carry out the provisions of the law relative to furnishing hospital treatment and care to the disabled soldiers, \$46,000,000 was appropriated for the fiscal year ending June 30, 1921, and \$33,000,000 has been appropriated for the fiscal year ending June 30, 1922.

On March 4, 1921, in furtherance of the hospitalization plan

and for the purpose of giving the disabled soldiers proper care and treatment, Congress passed what was known as the Langley bill, appropriating \$18.600,000, \$12,500,000 for the construction of hospitals, and \$6,100,000 to be used in remodeling or ex-

tending existing plants.

In the sundry civil bill which passed Congress on June 5, 1920, the National Homes for Disabled Volunteer Soldiers were made accessible to the wounded and disabled veterans of the World War, and appropriations were made by Congress for the purpose of making the act effective. About 4,000 of the veterans of the World War at present are being taken care of at these homes.

On June 27, 1918, Congress passed what was known as the Fess bill, to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes. Under the terms of this act the disabled ex-service men of the World War receive vocational training. During the time that they are taking vocational training the Fess bill pro-

vided that each person shall receive \$80 per month.

On July 11, 1919, Congress passed what was known as the Darrow bill, which provided that every person pursuing a course of vocational training should receive \$80 per month for a single man, without dependents, or for a man with dependents \$100 per month, plus the several sums prescribed as family allowances under section 204 of article 2 of the war risk insurance act. In other words, every person taking vocational training would receive at least \$80 per month, and if he had dependents, he might receive as much as \$132.50 per month, provided he had a wife and two children, with \$5 per month for each additional child. In other words, while the soldier is getting vocational training free he is paid \$80 per month and his family is being liberally assisted by the Government.

On March 1, 1921, the vocational board had spent \$89,521,414.24 since the passage of the rehabilitation act on June 17, 1918. Of this amount \$68,000,000 has been spent in direct allowances for maintenance of the men themselves. The overhead for the entire time since the organization of the rehabilitation work, including rent, office equipment, and supplies, salaries, printing, travel, and subsistence of employees, telephone, and telegraph, and so forth, was approximately 14 per cent, or \$12,532,997.99.

On March 3, 1921, Congress passed what was known as the Wason bill for the purpose of improving the facilities and service of the Bureau of War Risk Insurance, and further amending and modifying the war risk insurance act. This bill was not signed by President Wilson. The Wason bill carried an appropriation of \$1,000,000 for the purpose of establishing regional offices and suboffices throughout the United States.

The Government of the United States, for allowance, allotment, compensation, hospitalization, vocational training, on March 31, 1921, had appropriated \$1,454,877,527.49. On March 31, 1921, it had expended for the above purposes \$1,099,514,252.23. In addition to that the Government also constructed what is known as the Arlington Building at a cost of \$4,454,048.53, including cost of land, where the activities of the Bureau of War Risk Insurance have been carried on in the District of Columbia.

The following statements in regard to allotments, allowances, compensation, insurance, hospitalization, and vocational training may be of interest to the Members of the House, and for that reason they are set forth at length herein.

# ALLOTMENTS AND ALLOWANCES.

No applications for military and naval family allowances have been received since March 4, 1921, this having been discontinued by an act of Congress. The payment of family allowance will be discontinued on and after July 31, 1921.

On March 31 there were 456 employees engaged in this work in the Bureau of War Risk Insurance. Their present duties include the regular monthly payment upon 75,405 active accounts, together with the final adjustment of many accounts upon which payments are not being made at present. While the number of employees engaged in this work will be greatly decreased on and after July 31, there will still be many settlements to be adjusted after that date, which it is estimated will require the services of a portion of the present personnel. In order to take care of the marked increase of work in the compensation and insurance-claims division, such of the remainder as are necessary are being transferred as fast as possible, and any surplus will be released.

#### Allotments and allowances Mar. 31, 1921.

	1, 684, 275 2, 135, 465 2, 031, 206 104, 259 75, 405
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Total disbursements for allotments and allowances to date	\$572, 262, 333, 59
Allotments \$296, 251, 306, 59	
Allowances 276, 011, 027, 00 Monthly disbursements, March, 1921	2, 319, 352, 74
WAR RISK TERM INSURANCE.	

There were approximately 405,674 war risk term insurance policies, amounting to \$3,114,937,000, in force on March 31, 1921. This includes 322,115 policies carried by men out of service and approximately 83,559 policies carried by men still in the service.

The average number of reinstatements received during the past year has been in excess of 9,000 per month. A total of \$362,471,569.03 has been received in premiums upon term insurance. Actual disbursements in the payment of war risk term insurance awards amounts to \$198,405,907.95; the total amount of the liability, however, involved in war risk insurance claims upon which payments are now being made amounts to \$1,190,996,727.63.

War risk term insurance Mar. 31, 1921.	
Applications received to date	4, 670, 499
Applications received during year, March, 1920, to	
April, 1921	53, 901
Total amount reinstatements to date	\$1, 573, 816, 000
Number and amount of reinstatements monthly:	
January, 1921, 12,358 \$92,006,500	
February, 9,182 66, 634, 500 March, 6,528 45, 815, 500	
Number and amount of premium remittances monthly	
(direct to bureau):	
January, 1921, 289,363 \$2,083,452,33	
February, 284,359 1,700,589.40	
March, 317,722 1,954,634.46	
Total amount premiums deposited in Treasury	\$362, 471, 569
From War Department \$272, 311, 683, 42	
From Navy Department 32, 938, 506. 90 From United States Public	
Health Service 220 90	
Direct to bureau 57, 221, 147, 81	CONTRACTOR OF THE
Health Service 230. 90 Direct to bureau 57, 221, 147. 81 Number of policies and amount of insurance in force:	
In service (estimated), 83,559	931, 114, 900
Out of service, 322,115	2, 583, 822, 500
Total active, March 31, 1921, 405,674	3, 114, 937, 000
WAR RISK TERM INSURANCE CLAIMS.	The Little Littl

The total number of war risk term insurance claims filed from the beginning of the bureau to March 31, 1921, was 153,207. Of this number, 138,822 have been allowed and 8,019 disallowed. Current monthly payments of awards were being made upon 134,453 claims on March 31. This includes 130,061 death claims and 3,792 disability claims. The total amount disbursed in the payment of claims was \$198,405,907.95. The amount disbursed in payment of monthly awards in the month of March, 1921, was \$8,256,244.10.

#### War risk term insurance claims, Mar. 31, 1921,

On to 100 and	150 005
Claims filed to date	152, 207 138, 822
Claims allowed	138, 822
Death 133, 988	
Disability 4, 834	8, 019
	8,019
Disability 315	# ngg
Claims pending	5, 366 134, 453
Claims active	134, 433
Death 130, 661	
Disability 3, 792	
Claims closed (death of beneficiary, no dependency,	4 990
claimant not eligible)	4, 369
Claims filed monthly, March, 1921	2, 109
Commuted value of claims allowed to date	
Commuted value of active claims, Mar. 31, 1921	
Total amount disbursed to date	
Monthly disbursements, March, 1921	\$8, 256, 244, 10

#### UNITED STATES GOVERNMENT LIEE INSURANCE.

United States Government life insurance policies issued as a result of the conversion of war risk term insurance to permanent insurance numbered 277,890 and amounted to \$916,112,000 on March 31. The average number of converted policies issued per month has been in excess of 14,000, although for the month of March records show 7,809; this number naturally varies from month to month. The largest number of policies issued in any one month during the past year was 21,278 in September, 1920

The Treasury Department has announced a dividend of not less than \$1 per thousand on United States Government life insurance.

#### United States Government life insurance, Mar. 31, 1921,

Applications approved to date Total amount applications approved to date	\$916, 112, 000
Applications approved during March, 1921	7, 809 4, 309
Total number reinstatements to date	25, 518 \$26, 334, 117, 96
Amount received in premiums during March, 1921	\$2, 032, 358. 98

Analysis of approved applications:  20-payment life, 83,197  20-year endowment, 123,269  Ordinary life, 37,960  30-year endowment, 14,336  Endowment at 62, 11,171  30-payment life, 7,957	\$329, 563, 000 281, 182, 500 159, 669, 000 57, 256, 500 50, 505, 500 37, 935, 500
Total, 277,890	916, 112, 000
Number of policies and amount of insurance in force (estimated):  In service, 41,660	137, 340, 000 671, 598, 000 808, 938, 000
The total number of United States life-insuraceived to April 1 was 993. Of this number 421 hay	nce claims re-

The total number of United States life-insurance claims received to April 1 was 993. Of this number 421 have been allowed and 150 disallowed. Monthly payments were being made on 273 claims on March 31, 1921. The total amount disbursed in payment of awards was \$1,211,425,78 on March 31. The monthly disbursements for March, 1921, were \$289,248.52.

United States Government life-insurance claims, Mar. 31, 1921.

Claims filed to date	
Claims allowed:	
Disability 32	150
Claims disallowed111	130
Disability39 Claims pending (108 claims being paid under term in-	
surance)	422
Claims active242	273
Disability 31	
Claims filed monthly, March, 1921	\$1, 855, 000, 00
Total disbursoments to date	\$1, 211, 425, 78
Monthly disbursements, March, 1921UNITED STATES GOVERNMENT LIFE INSURANCE I	
UNITED STATES GOVERNMENT LIFE INSURANCE I	UND.

All United States Government life insurance premiums are credited to a fund or appropriation known as the United States Government life insurance fund, out of which all claims, loans, and cash surrenders are paid. This fund, which includes both premiums and the interest on investments, amounted to \$26,409,544.22 on March 31, 1921.

#### PENDING COMPENSATION CLAIMS.

There were 93,613 claims pending on March 31, 1921, of which an analysis has been made showing the length of time pending and the reason for the delay for each claim. This analysis reveals the fact that of the number pending 25,229 were awaiting claimant's proof in the form of affidavits; 3,751 were awaiting official information from the War and Navy Departments to connect the disability with service; 9,466 were awaiting the report of physical examination; and 865 were pending because claimants were located in foreign countries. No claim is disallowed until it is reasonably certain that everything has been done to enable the claimant to present a valid claim.

(Important for above. The balance of the claims not explained are so recent that they are pending for several of the reasons.)

#### AWARDING OF COMPENSATION CLAIMS.

On March 31, 1921, there were 228 claims examiners. The question is often asked, "How many claims can an examiner award per day?" This can not be answered by stating a fixed number because no two claims are alike. The work of a claims examiner might well be compared to that of a judge, whose cases are all different, especially as regards amount of time required. Each day adds to the difficulty of adjudicating the new claims which the bureau receives, numbering approximately 900 per day, because of the difficulty in connecting the claimant's disability with his service record, which is required by law before an award can be made. Thus a claim must be kept pending until its validity can be established.

#### COMPENSATION CLAIMS.

To April 1, 1921, 599,239 claims for compensation had been is estimated. Of this number, 380,484 were allowed and 197,142 dis-

allowed. Monthly payments were being made on 199,011 claims on March 31, of which number 46,196 were claims for death and 152,815 were claims for disability. During the past year the number of claims filed monthly has averaged more than 18,000. The largest number, 22,209, was filed during March, 1921. The total disbursements for compensation amounted to \$202,995,308.29 on March 31, 1921. Disbursements for the month of March, 1921, were \$9,778,623.59.

Compensation claims, Mar. 31, 1921.	moz au
Claims filed to dateClaims allowed	599, 239 308, 484
Death 50, 696 Disability 257, 788 Claims disallowed	197, 142
Death 95, 858 Disability 101, 284	191, 142
Claims pendingClaims active	93, 613 199, 011
Death 46, 196 Disability 152, 815	
Claims closed—death of beneficiary, no dependency, claimant not eligible————————————————————————————————————	109, 473 22, 209
Total disbursements to date	

#### MEDICAL DIVISION.

The number of examinations of claimants for compensation, including reexaminations, totaled 777,511 on March 31, 1921. During the past six months the number of cases referred monthly to the district supervisors of the United States Public Health Service for examination has averaged 45,000. The total number of admittance cards issued for hospital treatment to April 1 was 119,679. Of this number 60,525 were for the United States Public Health Service hospitals, and 59,154 for hospitals of the War and Navy Department, the soldiers' homes, and private contract hospitals. The number remaining in hospitals, both private and Government, on March 31, 1921, was 25,144.

#### Medical division, Mar. 31, 1921.

Total number examinations to date (including reexamina-	777 511
tions) Total admissions to hospitals to date. Admitted to United States Public Health Serv-	119, 679
ice hospitals 60, 525 Admitted to all other hospitals 59, 154	
Cases referred monthly to United States Public Health Service district supervisors for examination:	
October, 1920	43, 164
November December	39, 969 37, 971
January, 1921	45, 446
February	47, 398 42, 909
Cases acted upon monthly in division:	
October, 1920 November	114, 862
December	94, 123
January, 1921February	
March	

# HOSPITAL REPORT.

Number of War Risk Insurance Bureau patients receiving hospital treatment as of Mar. 31, 1921.

	Number.			
Nature of treatment.	In Gov- ernment hospitals.	Other institutions.	Total,	
Tuberculosis . Neuropsychiatric . General and surgical .	6,542 3,525 5,970	3, 521 3, 422 2, 164	10, 063 6, 947 8, 134	
Total	16,037	9,107	25, 144	

# Prosthetics.

Total number of artificial limbs supplied by the Bureau of War Risk Insurance to date, 4,655.

## HOSPITAL FUND ALLOTMENTS AND EXPENDITURES.

Out of the original appropriation of \$46,000,000 for the hospitalization of war-risk insurance beneficiaries, \$33,607,668 has been allotted to the Bureau of Public Health Service, soldiers' homes, and the hospitals of the Army and Navy Departments. Disbursements by the bureau out of this fund on that date amounted to \$1,476,539, leaving a balance of \$10,915,793 for future expenditures.

According to the disbursements of the past three quarters of this fiscal year out of the fund for hospital and medical cure, it is estimated that there will be a deficit of \$8,710,272 on June 20, 1021

Hospital fund allotments and expenditures, Mar. 31, 1921.

Appropriation.		Expenditures as of Mar. 31, 1921.	
Purpose.	Amount.	Allotment.	Disburse- ment.
Medical care			
Soldiers' homes		5, 070, 000 100, 000 73, 368	
Transportation			\$653, 834. 07 219, 828. 31 427, 050. 56 76, 363. 11
Medical and surgical. Supplies Hospital services. Burial awards.			69, 341. 52 5, 091. 80 25, 029. 56
Total		33, 607, 668	1, 476, 539.00

Balance, \$10,915,793.

Hospital fund balances versus requirements, Mar. 31, 1921. [Estimated disbursements through June 30, 1921.]

Agent.	Amount.
Bureau of War Risk Insurance. United States Public Health Service.	\$4,265,461 14,000,000
Soldiers' homes.  War Department.  Navy Department.	1,240,000 120,604
Total Balance available as of Mar. 31, 1921.	19,626,065 10,915,793
Estimated deficit.	8,710,272
United States Public Health Service allotments: First quarter. Second quarter. Third quarter. Fourth quarter.	\$8, 971, 250 8, 243, 050 11, 156, 000 14, 000, 000
Total	42, 364, 300

BUREAU PERSONNEL.

During the past fiscal year there has been a decided decrease in the personnel of the bureau, until March 31, 1921, the total number of employees was 5,745. The largest number of employees enrolled since the beginning of the 1920 fiscal year was 15,102 on July 31, 1919.

Bureau personnel, monthly comparison.

Division.	July 31, 1919.	Nov. 30, 1920.	Dec. 31, 1920.	Jan. 31, 1921.	Feb. 28, 1921.	Mar. 31, 1921.
Accounting	2,224					
Aetuarial	632	******				*******
Administration	671			******		
Allotment and allowance	2,658	503	480	496	483	456
Chief clerks	37	456	413	402	399	397
claims	1,581	1,127	1,079	1,081	1,086	923
Detail roll	263	142	143	137	140	148
	200	251	244	244	246	422
Finance	5, 139	2,271	2,040	2,027	1,993	1,957
Insurance	0, 100	243	233	232	232	233
Investigation field service	406	104	102	104	105	104
Legal	300	145	128	114	111	106
Liaison	10	8	8	7	7	700
	274	430	417	464	491	529
Medical Personnel	179	192	155	111	107	100
Receipts and disbursements	978	440	422	373	369	365
Special service	4					
Total	15, 102	6,312	5, 864	5,792	5,769	5,745

Continuing appropriations versus disbursements, Mar. 31, 1921.

Appropriations	Disbursements as of Mar. 31, 1921.		Balance.	
Purpose.	pose. Amount. Amount. Per ce		Per cent.	
Military and naval family allowance	\$298, 615, 000, 00 318, 110, 000, 00 272, 150, 000, 00 385, 471, 569, 03 46, 000, 000, 00 26, 409, 544, 22	\$276, 011, 027. 00 286, 251, 306. 59 202, 995, 308. 29 198, 405, 907. 95 35, 084, 207. 00 1, 245, 081. 16	75	\$22,603,973.00 21,858,693.41 69,154,691.71 187,065,661.08 10,915,793.00 25,164,463.06
Total	1, 346, 756, 113. 25	1, 009, 992, 837. 99		336, 763, 275. 26

Salaries and expenses, appropriations versus disbursements, as of Mar. 31, 1921.

Appropriations for 1921.		Disbursements as of Mar. 31, 1921.		AHALL L	
Purpose.	Amount.	Amount.	Per cent disbursed.	Balance.	
Salaries and wages	\$8,500,000.00	\$6, 348, 192, 06	75	\$2, 151, 807. 94	
Stationery and minor office supplies Miscellaneous expenses	500, 000. 00 50, 000. 00	104, 001. 01 32, 738. 97	20 70	395, 998, 99 17, 261, 03	
Printing and binding Furniture and equipment Traveling expenses	559, 000, 00 200, 000, 00 15, 000, 00	139, 703, 36 158, 058, 38 10, 547, 12	70 25 80 70	419, 296, 64 41, 941, 62 4, 452, 88	
Field work and branch offices. Motor vehicles	500, 000. 00 400. 00	402, 625, 17 312, 76	80 78	97, 374. 83 87. 24	
Total	10, 324, 400. 00	7, 196, 178. 83		3, 128, 221. 17	

#### VOCATIONAL TRAINING.

The Federal Board for Vocational Education has a central office in Washington, 14 district offices, and 137 local offices throughout the country. The central office exercises general supervision over the work throughout the country, audits, approves, and pays all bills, defines policies, entertains and passes on appeals regarding eligibility and character of training.

The district office exercises general supervision over the district, gathers information which will establish eligibility of men for training, rates men as being eligible or ineligible for training, approves training arrangements, makes contracts with institutions for training, and has charge of the general follow-up of all men in training.

The local office, in charge of a local supervisor, is charged with the responsibility of entering men who are declared eligible into training and giving such men such personal service and help as is necessary and possible and of getting men who have been trained back into employment at the completion of their training.

The net registration of men whose eligibility for training is being investigated is increasing at the rate of 16,000 per month. The number pending final decision on April 1 was 26,000, less than twice the number of the increase per month. The chief causes why these are pending are, first, the board is unable on the basis of the evidence at hand to connect the present claimed disability with military service; and second, it is unable to get accurate and satisfactory medical information from certain parts of the country as quickly as is desirable. There is no delay in awarding training to men who are obviously disabled and whose disability can be traced to the service. A large number of men, however, who were discharged with no disability are now claiming disability, and it is difficult to always establish connection of the present claimed disability with the service.

The first 2,000 men who were rehabilitated went into 153 different kinds of employment at an average annual wage of \$1,463.33. The average prewar wage of the same men was \$1,072.71. In reading the above figures, however, it must be borne in mind that before the war these men were physically sound and the annual wage given was at the end of their prewar employment, while they are now entering employment physically disabled and the wage given is that which they are earning at the beginning of their post-war employment. These men also received varying amounts of compensation from the Bureau of War Risk Insurance in addition to the \$1,463.33 annual wage.

The board is using about 2,000 schools and 8,000 plants and factories in retraining men. It is the policy of the board to use regularly established educational institutions rather than establish and maintain another system of education in America.

Congress has allowed the board to use its discretion in fixing 62 salaries in excess of \$2,500 per annum. The board has fixed the maximum amount allowed in 21 instances and is paying less than the maximum allowed in 41.

Reports from schools and colleges throughout the country show that approximately 90 per cent of the men in training are making good. The 10 per cent who are not making good are the ones usually heard from rather than the 90 per cent who are making good. Practically all of the 90 per cent believe in the Government and in what it is doing in the retraining of men who have vocational handicaps.

The Benevolent and Protective Order of Elks furnished a revolving fund to loan men money to tide them over until their first pay check came from the Government. The original fund was \$200,000. The total amount loaned up to March 1, 1921, was \$636,596.48. Up to that date there had been repaid \$581,095.94, or about 91 per cent of the total amount loaned. It

should be remembered that the Elks had no way to collect this money except by appealing to the honesty of the man and his ability to pay. It is a remarkable record.

Men going into training throughout the country receive their first pay check within 20 days from the time they enter training.

The heard is paying all man in training every 15 days.

The board is paying all men in training every 15 days.

As of March 1, 1921, approximately 15 per cent of the men in training in section 2 were in training in prevocational or tryout courses, not occupational therapy; 34 per cent were in trade and industrial courses; 24 per cent in business and commercial courses; 12 per cent in agriculture; and 14 per cent in professional courses.

The board is giving prevocational or vocational training in practically all hospitals where disabled men are being sent by the Bureau of War Risk Insurance. The last report shows

9,000 men in training in 122 hospitals.

Up to March 1, 1921, the board had spent \$89,521,414.24, since the passage of the rehabilitation act on June 17, 1918, two and a half years ago. Of this \$68,000,000 has been spent in direct allowances for maintenance to the men themselves. The overhead for the entire time since the organization of the rehabilitation work, which includes rent, office equipment and supplies, salaries, printing, travel and subsistence of employees, telephone and telegraph, etc., was approximately 14 per cent. This overhead has decreased to less than 8 per cent in the month of March, 1921, during which month the total expenditures were \$11,044,330.13, of which \$8,250,000 went directly to the men themselves for maintenance.

It may be interesting to compare the Civil War with the World War, as to number of troops, number of deaths, and number of wounded.

In the Civil War there were 2,772,408 Union troops engaged.

In the World War there were 4,800,000 soldiers, sailors, and marines engaged.

Total men went overseas 2	, 000, ( , 086, ( , 390, (	000
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According to a statistical summary made by Col. Leonard P. Ayres, chief of the statistical branch, General Staff, and published by him on August 1, 1919, the following statements are made relative to the World War:

American battle deaths Americans wounded overseas Americans died from disease	
Total deaths in the World War	115, 500

The number of casualties in the Volunteer and Regular Armies of the United States during the war of 1861–1865, according to a statement prepared by The Adjutant General's office, was as follows:

Killed in battle		
Died from other causes-accidents, murders, Confederate	199, 720	
prisons, etc	40, 154	

According to a statement made in the annual report of the Secretary of War for the fiscal year ending June 30, 1920, the total number of wounded in the Civil War was 246,712; in the World War, 224,089.

Total deaths\_

Approximately 3,350,000 men were demobilized, and the records of 3,154,676 have been examined. Ninety-three and seventenths per cent were discharged with none or less than 10 per cent disability; 5.3 per cent were reported to the War Risk Insurance Bureau with a disability of 10 per cent or more; 1 per cent were held either on account of disease requiring further treatment to obtain the maximum improvement, and for other purposes.

Amount paid to pensioners of the United States Government from 1790 to 1919, inclusive, as shown by a report of the Commissioner of Pensions to the Secretary of the Interior for the fiscal year ending June 30, 1919, not including pensions paid to World War veterans, as follows:

War of the Revolution War of 1812	\$70, 000, 000. 00 46, 049, 268, 15
Indian wars	16, 705, 750. 41
War with Mexico	52, 906, 295, 05 5, 299, 859, 509, 39
War with Spain and Philippine Insurrection————————————————————————————————————	65, 211, 665, 71 50, 242, 190, 99
Unclassified	16, 508, 447. 41

5, 617, 483, 127, 1

The following statement taken from the same report of the Commissioner of Pensions shows the disbursements for pensions

and for the maintaining of the pension system from 1866 to 1919, inclusive:

Fiscal year.	Paid as pen- sions.	Cost, mainte- nance, and ex- penses.	Total.	Number of pensioners.
1866	\$15, 450, 549. 88	\$407, 165, 00	\$15 857 714 88	126, 722
1867	20, 784, 789, 69	490, 977. 35	\$15, 857, 714. 88 21, 275, 767. 04	155, 474
1868	23, 101, 509, 36	553, 020, 34	23, 654, 529, 70	169, 643
1869	28, 513, 247. 27	564, 526, 81	29, 077, 774. 08	187, 963
1870	29, 351, 488, 78	600, 997. 86	29, 952, 486, 64	198, 686
1871	29, 351, 488. 78 28, 518, 792. 62	863, 079, 00	29, 381, 871. 62	207, 495
1872	29, 752, 746. 81	951, 253, 00	30, 703, 999, 81	232, 229
1873	26, 982, 063. 89	1,003,200.64	27, 985, 264. 53	238, 411
1874	30, 208, 778. 99	966, 794. 13	31, 173, 573, 12	236, 241
1875	29, 270, 404. 76	982, 695. 35	30, 253, 100, 11	234, 821
1876	27, 936, 209. 53	1, 015, 078.81	28, 951, 288, 34	232, 137
1877	28, 182, 821.72	1,034,459,33	29, 217, 281. 05	232, 104
1878	28, 788, 009. 44	1,032,500.09 837,734.14 935,027.28	27, 818, 509. 53	223, 998
1879	33, 664, 428. 92	837, 734.14	34, 502, 163, 06	242,755
1880	56, 689, 229, 08	935, 027. 28	57, 624, 256. 36	250, 802
1881	50, 583, 405. 35	1,072,059.64	51, 655, 464. 99	268, 830
1882	54, 313, 172. 05	1, 466, 236.01	55, 779, 408.06	285, 697
1883	60, 427, 573. 81	2, 591, 648. 29	63, 019, 222, 10	303, 658
1884	57, 912, 387. 47	2, 835, 181.00	60, 747, 568. 47	322,750 345,125
1885	65, 171, 937. 12	3,392,576.34	68, 564, 513. 46	345, 125
1886	64,091,142.90	3, 245, 016. 61	67, 336, 159, 51	365,783
1887	73, 752, 997. 08	3, 753, 400. 91	77, 503, 397, 99	406,007
1888	78, 950, 501.67	3, 515, 057. 27	82, 465, 558, 94	452, 557
889	88, 842, 720, 58	3, 466, 968, 40	92, 309, 688, 98	489, 725
890	106, 093, 850. 39	3, 526, 382, 13	109, 620, 232, 52	537, 944
891	117, 312, 690. 50	4,700,636.44	109, 620, 232, 52 122, 013, 326, 94	676, 160
892	139, 394, 147. 11	4, 898, 665, 80	144, 292, 812, 91	876,068
893	156, 906, 637. 94	4, 867, 734, 42	161, 774, 372, 36 143, 950, 702, 48	966,012
894	139, 985, 726, 17 139, 812, 294, 30	3, 963, 976, 31	143, 950, 702, 48	969, 544
895	139, 812, 294, 30	4, 338, 020, 21	144, 150, 314. 51	970, 524
1896	138, 220, 704, 46	3, 991, 375. 61	142, 212, 080. 07	970,678
1897	139, 949, 717. 35	3,987,783.07 4,114,091.46	143, 937, 500. 42 148, 765, 971. 28	976, 014 993, 714
1898	144, 651, 879. 80	4, 114, 091. 46		993,714
1899	138, 355, 052. 95	4, 147, 517. 73	142, 502, 570. 68	991, 519
1900	138, 462, 130. 65	3,841,706.74 3,868,795.44	142, 303, 887. 39	993, 592
1901	138, 531, 483. 84	3, 868, 795. 44	142, 400, 279. 28	997,735
1902	137, 504, 267, 99	0,001,010.00	141, 335, 646. 95	999, 446
1903	137, 759, 653. 71	3,993,216.79	141,752,870.50	996, 545
1904	141,093,571.49	3,849,366.25	144, 942, 937. 74	994, 762
1906	141, 142, 861. 33 139, 000, 288. 25	3,721,832.82	144, 864, 694. 15	998, 441
1907	138, 155, 412. 46	3,523,269.51	142, 523, 557. 76	985, 971
908	153, 093, 086. 27	3,309,110.44	141, 464, 522. 90	967,371
1909	161, 973, 703. 77	2,800,963.36	155, 894, 049, 63	951, 687
1910	159, 974, 056, 08	2,852,583.73	164, 826, 287, 50	946, 194 921, 083
1911	157, 325, 160. 35	2,657,673.88 2,517,127.06	162, 631, 729, 94 159, 842, 287, 41	892, 098
1912	152, 986, 433, 72	2, 448, 857. 31	155, 435, 291, 03	860, 294
1913	174, 171, 660, 80	2,543,246.59	176, 714, 907. 39	820, 200
914	172, 417, 546. 26	2,066,507.15	174, 484, 053. 41	785, 239
915	165, 518, 266. 14	1,779,860.30	167, 298, 126, 44	748, 147
916	159, 155, 089, 92	1,656,722.33	160, 811, 812, 25	709, 572
917	160, 895, 053. 94	1 582 854 08	162 457 909 90	73, 111
918	179, 835, 328. 75	1,562,854.96 1,527,615.61	162, 457, 908. 90 181, 362, 944. 36	546, 895
1919	222, 159, 292. 70	1, 433, 191. 67	223, 592, 484. 37	624, 427
Total	5,521,074,958.16	135, 898, 717. 66	5, 656, 973, 675. 82	

An examination of this statement will show that in 1866 the Government paid \$15,450,549.88 as pensions to 126,722 persons. In 1876 the Government paid \$27,936,000 as pensions to 232,137 persons. In 1886 the United States Government paid \$64,091,000 as pensions to 365,783 persons. In 1896 the United States Government paid \$138,220,000 as pensions to 970,678 persons. In 1906 the United States Government paid \$139,000,000 to 985,971 persons. In 1916 the United States Government paid \$159,-155,000 as pensions to 709,572 persons. In 1919 the United States Government paid \$222,159,000 as pensions to 624,427 persons.

The largest number of pensioners in any one year since 1866 and up to the present time was in 1902, when the number reached 999,446.

The largest amount of money paid pensioners in any one year since 1866 and up to the present time was during the year 1919, when it amounted to over \$222,000,000.

In 1920 the amount paid by the United States Government as pensions was \$213,295,000 to 592,190 persons.

BUREAU OF WAR RISK INSURANCE.

The total number of war-risk insurance claims filed from the beginning of the bureau to March 31, 1921, was 153,207; of this number 138,822 have been allowed. The sum of \$198,405,907.95 has been paid to 138,822 persons since the beginning of the bureau and up to March 31, 1921.

The total amount of United States Government life insurance claims allowed to date are 421—death 389, disability 32. The sum of \$1,211,425.78 has been paid to 421 persons on United States Government life insurance policies from the beginning of the bureau up to March 31, 1921.

Up to March 31, 1921, there have been filed with the bureau 599,239 compensation claims. Of this number 308,484 were

allowed and 197,142 disallowed. The sum of \$202,995,308.29 has been paid as compensation to 308,484 persons.

	Recapitulation.
. 138, 822	Persons receiving war risk term insurance
421	Persons receiving United States Government life insur- ance
308, 484	Persons receiving compensation under war risk insurance act
447, 727	Total
. \$198, 405, 907. 95	Total amount of money paid out on policies of war risk term insurance
1, 211, 425, 78	Total amount of money paid out on United States Government life insurance
202, 995, 308, 29	Amount of compensation paid out by the Bureau of War Risk Insurance to Mar. 31, 1921
402, 612, 642, 02	Total

#### HOSPITALIZATION.

The number of examinations of claimants for compensation, including reexaminations, totaled 777,511 on March 31, 1921. The total number of admittance cards issued for hospital treatment to April 1 was 119,679. Of this number 60,525 were for the United States Public Health Service hospitals, 59,154 for hospitals of the War and Navy Departments, the soldiers' homes and private contract hospitals.

The number remaining in hospitals, both private and Government, on March 31, 1921, was 25,144. It is reported that cases for hospitalization are increasing at the rate of about 1,000 per month and that the demand for hospitalization will probably reach the peak in about five or six years and then will gradually decline, and that in the course of 25 or 30 years the hospitalization program will be practically completed.

It will always be necessary, of course, to furnish care and treatment to certain of the disabled ex-service men, but this will be carried on in Government hospitals and soldiers' homes.

In the sundry civil appropriation act making appropriations for expenses of the Government for the fiscal year ending June 30, 1922, and other purposes, which was approved March 4, 1921, \$33,000,000 was appropriated for medical and hospital services.

ing June 30, 1921.  Deficit for year ending June 30, 1921 (second deficiency bill passed House on May 26, 1921, carrying this	\$46, 000, 000
amount)	8, 710, 272
Appropriated for medical and hospital services for year	
ending June 30, 1922	33, 000, 000
For construction of hospitals carried in Langley bill For remodeling or extending existing plants, carried in	12, 500, 000
Langley bill	6, 100, 000
Total	106, 310, 272
VOCATIONAL TRAINING.	
As of April 1, 1921, there were—	
Eligible for section 2 training:	
For whom training is feasible	114, 584

VOCATIONAL TRAINING.	100
As of April 1, 1921, there were—	
For whom training is not feasible at present time Eligible for section 3 training: Compensation already awarded Pending award of compensation	114, 584 30, 875 80, 075 9, 962
As of April 1, 1921, the following numbers had entered	train-
ing:	
Section 2 (with pay)	81, 481 10, 496 89

Total	92,	000
There were in training on April 1, 1921:		
ection 2		552 117 54
make1	77	799

The above figures show that while the total eligible for section 2 for whom training was feasible was 114,584, that 81,481 had entered training, leaving a difference of 33,103. On March 15 the districts reported that 5,467 men who were eligible for section 2 training had declined to accept and that 15,402 had deferred their training until a later date. The others had been offered training if they would accept it. The Government is ready when the man is found and is ready.

On March 15, 3,123 men are reported as having completed training and 7,370 as having discontinued. Approximately 50 per cent of the latter have entered employment as a result of training, this in addition to the 3,123 definitely reported as rehabilitated or completed; 723 have died while in training.

Up to March 1, 1921, the board has spent \$89,521,414.24 since the passage of the rehabilitation act on June 17, 1918, two and a half years ago.

The second deficiency appropriation bill, which passed the House on May 26, 1921, for the fiscal year ending June 30, 1921, carried an appropriation of \$15,000,000 for vocational training.

I wish to make the following general observations: All the above legislation was passed by Congress before the World War was legally ended. All the above legislation was initiated and passed by the House.

It is the first time in the history of our country that general pension legislation has been passed during the war. General pension legislation heretofore has been enacted after the war. It is the first time in the history of our Government that allowances have been paid to the dependents of soldiers while they were actually engaged in the war. It is the first time that our Government has granted war-risk insurance to soldiers engaged in war. It is the first time that our Government or any other Government, so far as I know, has granted free hospitalization to disabled ex-service men. It is the first time in the history of our Government or any other Government that vocational training has been granted free to disabled ex-service men. It is the first time in the history of our Government that ex-service men, while they were receiving free vocational training, also received \$80 per month, and in addition thereto their families have received liberal allowances for their maintenance and support during the period of such training. Never before in our history has our Government granted more liberal compensation or pensions to disabled ex-service men than is now provided in the laws passed by Congress for the benefit of the disabled men of the World War.

I submit the foregoing facts for your candid consideration. I have endeavored to state them fairly and impartially. I do not believe that it can be seriously contended that Congress has been remiss in its duty to the Nation's defenders. I do not believe that the House of Representatives can be charged with indifference as to the claims of those who are entitled to assistance from the Government because of misfortunes that befell them on account of their service in the World War. I also know that it is not the intention of the Members of Congress to falter in their efforts to pass proper legislation to accomplish and carry out the great program that it had inaugurated in regard to compensation, insurance, hospitalization, and vocational training.

"A nation that will not defend its defenders and protect its protectors is a disgrace to the map of the world." [Applause.]

Every important witness that came before our committee when we were considering the legislation that is now before the House stated without hesitation that they had no criticism of Congress or its Members for the legislation that had been passed. Their criticism went to the administration of the laws passed by Congress. Their criticism was of the agencies that were furnishing the service to the disabled veterans of the World War.

The legislation that we are now considering is presented for the purpose of curing, if possible, the defects in the administration of the laws passed by Congress, so that the ex-service men will speedily receive the benefits to which Congress believes they are justly and honestly entitled.

The bill has received careful consideration and everyone who has been interested in this legislation has had an opportunity to come before the committee and make such statement as he desired. The hearings began last January on what was known as the Rogers bill and other bills, and continued up to May 4, 1921. The whole committee gave the bill six days' consideration in executive session.

It is not claimed by those who are supporting this legislation that it will cure all defects in the administration of the laws passed by Congress for the benefit of disabled ex-service men.

In my judgment the time has come when those who are administering the agencies for the benefit of disabled ex-service men must display some backbone. In other words, the administration must not be invertebrate.

Compensation and insurance claims should be passed upon carefully. There must be some stability about the decisions rendered. The Government must be protected and the disabled ex-service men must be protected.

It is hoped by those who are sponsoring this legislation that it will have a tendency to make the ex-service men feel that the Government is endeavoring to treat them fairly and justly.

I now wish to take up and briefly analyze each section of the bill.

It may be generally stated that the first 14 sections of the bill provide for the establishment in the Treasury Department of a new bureau, to be known as the veterans' bureau, the director of which shall be an Assistant Secretary of the Treasury.

which shall be an Assistant Secretary of the Treasury.

The first 14 sections of the bill provide for the consolidation into one bureau in the Treasury Department the Bureau of War Risk Insurance, the Rehabilitation Division of the Federal Board for Vocational Education, and so much of the Public Health Service as relates to the examination, assignment to hospitals, and welfare of persons who served in the World War and are now or have been patients of the Bureau of War Risk

Insurance or of the Rehabilitation Division of the Federal Board for Vocational Education.

It is the opinion of your committee, and in fact every committee that has examined into the governmental agencies established for the benefit of the disabled ex-service men of the country, that the service to be rendered should be unified and brought under the control of one bureau.

Complaints were made to your committee that delays in allotment, allowance, compensation, and insurance claims were largely due to the manner in which these agencies have been administered; that there is too much red tape and division of authority.

The consolidation of these agencies, it is believed, will bring about a more thorough business organization and will greatly add to the efficiency of the service to be rendered to disabled ex-service men. At the head of the bureau is a director, who will be responsible for the organization of the bureau, and who will have complete supervision and control over the property and personnel, and who will have authority to adopt rules and regulations for the carrying out of the purposes of the act.

Every business organization is largely dependent upon its management for success. In fact, it has been said that 95 per cent of the success of a business enterprise is founded upon management. The form of government of every business concern is a monarchy in which practically all power is vested in one man or set of men; an oligarchy, so to speak, of kindred spirits

It has been estimated that the governmental agencies for the benefit of ex-service men are expending about \$1,000,000 per day. This large sum is distributed daily by these agencies in the form of allowances, compensation, insurance, prosthetic appliances, hospitalization, vocational training, administration, and in other ways.

The complaints coming to your committee have not been as to laws that have been passed by Congress for the disabled exservice men or neglect of Congress to pass proper laws, but as to the manner in which they have been administered. It is believed by your committee that when these agencies are consolidated, as provided in the bill, that the disabled exservice men of the country will receive a more expeditious handling and careful consideration of their compensation and attention, hos-

pitalization, and vocational training.

The bill makes provision, in addition to the centralization at Washington, for the decentralization in the field. Provision is made for the establishment of 14 regional offices and such suboffices, not exceeding 50 in number, as may be deemed necessary by the director, in the best interests of the work committed to the veterans' bureau and to carry out the purposes of this act. At these regional offices all the work of receiving applications, hearing complaints, holding examinations, passing on awards, and other routine work and investigations will be made for the proper and expeditious determination of compensation and insurance claims and the furnishing of hospital care and vocational training and other benefits to which the exservice men are justly entitled under the laws passed by Congress. Each of said regional offices would be administratively complete in itself for its territory.

The suboffices will be auxiliary to the regional offices and shall have such powers as may be delegated to them by the director, except to make compensation and insurance awards and to grant vocational training.

The bureau would thus be completely decentralized, except for the general administration and final accounting. The original records of all activities concerned would remain in Washington, while copies or working cards would be retained at the various regional offices and suboffices.

There would be no division of responsibility or authority, which has been the source of the large number of complaints regarding the Government's present handling of the problems of the ex-service men. In each regional office the men in charge will be responsible for maintaining proper and economic service, and examinations for awards, for making payments, for hospitalization, vocational training, and all other matters involved.

All questions, in so far as possible, will be settled at the point of origin, near, or in the presence of the men concerned, doing away with the necessity of all the intermediary personnel and equipment now required.

Appeals undoubtedly will be possible from the regional offices to the office at Washington and, if necessary, subject to final

review by the director.

All original papers will be kept on file at Washington, after being checked onto the individual working cards in the regional offices and suboffices.

The Arlington Building will house completely all of the central office activities.

The director will have complete responsibility for the proper administration of the central office at Washington and all the regional offices and suboffices throughout the country. He will be responsible for the organization of the bureau and will have the power and authority to bring to his assistance such medical advisers and technical experts as will be necessary to meet all administrative problems and intelligently perfect and establish a thoroughgoing business administration of all these governmental agencies established for the benefit of disabled ex-service men.

Section 1 of the bill provides for the establishment in the Treasury Department of a bureau to be known as the veterans' bureau, the director of which shall be an Assistant Secretary of the Treasury in addition to those otherwise provided by law, and shall receive a salary at the rate of \$10,000 per annum. The powers and duties pertaining to the office of the Director of the Bureau of War Risk Insurance are transferred to the director of the veterans' bureau. It is also provided that there shall be included on the technical and administrative staff of the director such staff officers, experts, and assistants as the director shall prescribe. There shall be in the veterans' bureau such sections and subdivisions thereof as the director shall prescribe.

Section 2 provides that the director, subject to the general direction of the Secretary of the Treasury, shall administer, execute, and enforce the provisions of this act, and for that purpose shall have full power and authority to make rules and regulations not inconsistent with the provisions of this act, but which are necessary or appropriate to carry out its purposes, and shall decide all questions arising under this act, except as otherwise provided.

Section 3 provides that the functions, powers, and duties conferred by existing law upon the Bureau of War Risk Insurance and the Rehabilitation Division of the Federal Board for Vocational Education be transferred to and made a part of the veterans' bureau.

Section 4 provides for the transfer to the veterans' bureau of all personnel, facilities, property, and equipment, including leases, contracts, and other obligations and instrumentalities of all the aforesaid agencies referred to in section 3 of the bill, including all that part of the United States Public Health Service which relates to the examination and assignment to hospitals of persons who are now or have been patients or beneficiaries of the Bureau of War Risk Insurance and the Rehabilitation Division of the Federal Board for Vocational Education, and as described and provided in a written order of the Treasury Department issued and signed by the Secretary of the Treasury on April 19, 1921, and designated "Order relative to the transfer of certain activities of the United States Public Health Service, relating to the Bureau of War Risk Insurance, including the trainees of the Rehabilitation Division of the Federal Board for Vocational Education."

Such a transfer would involve one class of personnel which now has a right to certain rank, grade, pay, and allowances, and a right to certain rules of promotion; this class is the commissioned personnel of the United States Public Health Service. It is a class of men by themselves, composed exclusively of expert physicians and surgeons, and its personnel will not be in conflict as to character of work or as to essentials of school preparation with any other personnel, inasmuch as this section provides that all personnel performing the same or similar duties shall be maintained under the same rules as to rank and grade, pay and allowances and promotion.

Section 5 provides for the transfer to the veterans' bureau of all records, files, documents, correspondence, and other papers relating to the service rendered or to be rendered by the United States Public Health Service in the medical examination and assignment to hospitals of persons who served in the World War and who are now or have been patients or beneficiaries of the aforesaid agencies referred to in section 3 of this bill.

Section 5 also provides for the transfer to the Veteran's Bureau of all records, files, documents, correspondence, and other papers in the possession of the Bureau of War Risk Insurance and those which as a result of the administration of the act of June 27, 1918, and amendments thereto are in the possession of the Rehabilitation Division of the Federal Board for Vocational Education.

Section 6: This is the decentralization section, providing for a central office in the District of Columbia, and 14 regional offices and not to exceed 50 suboffices, as are required, to carry on the work. Such regional offices may exercise such powers for hearing complaints and for examining, rating, and awarding compensation claims, granting medical, surgical, dental, and hospital care, convalescent care, and necessary and reasonabla aftercare, making insurance awards, granting vocational training, and all other matters delegated to them by the director as

could be performed lawfully under this act by the central office. Such suboffices shall have such powers as may be delegated to them by the director except to make compensation and insur-

ance awards, and to grant vocational training.

Section 7: This section makes the beneficiaries of the Bureau of War Risk Insurance and the Rehabilitation Division of the Federal Board for Vocational Education, the beneficiaries of the veterans' bureau.

Section 8: This section transfers to the new bureau the funds heretofore appropriated for the use of the bureau which are by this act consolidated in the one bureau.

Section 9 places under the direction of the bureau the responsibility for the proper examination, medical care, treatment, hospitalization, dispensary and convalescent care, necessary and reasonable aftercare, welfare of, nursing, vocational training, and such other services as may be necessary in carrying out the purposes of this act.

The director is authorized to utilize the now existing or future facilities of the United States Public Health Service, the War Department, the Navy Department, the Interior Department, and the National Homes for Disabled Volunteer Soldiers, and such other governmental facilities as will be made available for the purposes set forth in this act. The aforesaid governmental agencies are authorized and directed to furnish such facilities, including personnel, equipment, medical, surgical, and hospital services, as the director may deem necessary and advisable. In order to standardize the character of the examination, medical care and treatment, hospitalization, nursing, vocational training, and other services as may be necessary for the beneficiaries of this act, the director shall maintain an inspection service for the purpose of ascertaining whether the beneficiaries of this act are receiving the proper hospitalization, care, and

In the event that there is not sufficient governmental hospital and other facilities for the proper medical care and treatment of beneficiaries under this act the director may recommend to the Secretary of the Treasury the further improvement or extension of existing governmental facilities or the acquiring of additional facilities in the form of new structures, and such permanent equipment when so acquired shall become a part of the existing agencies of the Government, including the War Department, Navy Department, Interior Department, Treasury Department, and National Homes for Disabled Volunteer Sol-

This section also provides that the director may contract with State, municipal, or private hospitals for such medical, surgical. and hospital services and supplies as may be required, and such contracts may be made for the period of not exceeding 10 years and may be for the use of a ward or other hospital unit, or on such other basis as may be in the best interests of the beneficiaries under this act.

Section 10 provides that for the purpose of this act the director is authorized to detail from time to time clerks or persons employed in the bureau, to make examinations into the merits of compensation and insurance claims, and to aid in the preparation, presentation, or examination of such claims. Any such persons so detailed shall have the power to administer oaths, take affidavits, and certify to the correctness of papers and documents pertaining to the administration of this act.

It frequently occurs that it is necessary for field representatives to obtain affidavits for the purpose of determining the accuracy and justice of claims presented, or to obtain true copies of official papers, for which payment is now made by the Government. This section would authorize such representatives as would be designated by the director to examine persons, to take affidavits or statements under oath, and the Government would thus be relieved of this added inconvenience and ex-

Section 11 provides that the director of the veterans bureau is authorized to make such rules and regulations as may be deemed necessary in order to promote good conduct on the part of persons who are receiving care or treatment in hospitals, homes, or institutions as patients of said bureau during their stay in such hospitals, homes, or institutions. Penalties for the breach of such rules and regulations may extend to a forfeiture by the offender of such portion of the compensation payable to him, not exceeding three-fourths of the monthly installments per month for three months, for a breach com-mitted while receiving treatment in such hospital, home, or institution as may be prescribed by such rules and regulations. This provision is placed in the law for the purpose of maintaining discipline among the patients who are receiving care or treatment in the hospitals as patients of the veterans' bureau.

bureau as inmates of hospitals may allot portions of their compensation to any person or persons they may direct. It also makes provision for depositing with the Secretary of the Treasury a certain amount of their compensation which may draw interest at the rate of 31 per cent per annum, payable for no period, however, of less than six months.

Sections 202 and 203 of the war risk insurance act provide that an enlisted man subject to such conditions and limitations as may be prescribed under regulations to be made by the Secretary of War and the Secretary of the Navy, respectively, may allot any portion or portions of his monthly pay, after the compulsory allotment is made, to such person or persons as he may direct, and that in case one-half of the enlisted man's monthly pay is not allotted the regulations may require that any proportion of such one-half that is not allotted shall be deposited to the credit of the enlisted man and bear interest at the same rate as United States bonds bear for the same period.

There are now no existing provisions of law which permit patients of the Bureau of War Risk Insurance who are inmates of a hospital and who in most instances are receiving a monthly sum of compensation greater in amount than their former pay as enlisted men to allot their compensation, or if they do not desire to use the money while they are being cared for in the Government hospital, to leave the compensation to their credit with the United States at interest. It seems highly desirable to authorize a procedure in cases of compensation similar to that previously authorized in case of pay. Aside from the great inconvenience it affords to the war-risk beneficiaries, in many cases it is found to be desirable from the standpoint of the Government, because in practice the monthly payment of the full compensation in cash to the inmates of a large hospital frequently results in an extravagant and immediate disposition of the money by the patients in ways which seem to give them small practical benefit and which result in weakening the morale and general discipline of the hospital. If the inmates are permitted and encouraged either to allot their compensation or to leave it, this situation would perhaps not arise.

The CHAIRMAN. The time of the gentleman from Iowa

has expired.

Mr. SANDERS of Indiana. Does the gentleman wish additional time?

Mr. SWEET. Yes.

Mr. SANDERS of Indiana. How much time does the gentleman want?

Mr. SWEET. I would be glad to have 15 minutes. Mr. SANDERS of Indiana. Mr. Chairman, I yield 15 minutes now, and if the gentleman needs more time I will yield to him again.

The CHAIRMAN. The gentleman from Iowa is recognized

for 15 minutes more.

Mr. SWEET. Section 13 provides, in addition to the care, treatment, and appliances now authorized by law, that the veterans bureau shall furnish, without charge therefor, hospital, dental, medical, surgical, and convalescent care and treatment and prosthetic appliances for any honorably discharged commissioned officer or enlisted man or any member of the Army Nurse Corps (female) or of the Navy Nurse Corps (female) disabled by reason of any wound or injury received or disease contracted, or by reason of any aggravation of a preexisting injury or disease while in the service of the United States on or after April 6, 1917, provided that the application for such care, treatment, and appliances shall be made within one year from the date of his discharge from the service or from the date this act goes into effect, whichever is the later.

Section 14 provides that the director shall file with the Clerk of the House and the Secretary of the Senate on the first day of the next regular session after this act takes effect an itemized account of all expenditures made under this act, including names, classifications, and salaries of all staff officers, experts, assistants, and employees. The director is also required thereafter to make a report to Congress of his doings under this act for the preceding fiscal year.

This section was placed in the bill so that Congress might obtain full information as to the manner and extent of the organization of the new bureau under the provisions of this act.

Section 15 provides that as to converted insurance the cash surrender value thereof, if any, on the date of discharge or dismissal shall be paid the insured if living and if dead to the designated beneficiary.

Under section 29 of the war-risk insurance act a person discharged from the military or naval forces for desertion, mutiny, treason, or spying, and so forth, loses all his rights to insurance and compensation. In compensation and yearly renewable term Section 12 provides that the patients or beneficiaries of the insurance, where there is not a vested or property right, this seems veterans' bureau who are receiving treatment through such the premium rates are fixed so that the insured secures a certain cash surrender value in his policy as time goes on. It is believed that to attempt to cancel his right to this cash surrender value would be in violation of the constitutional injunction against deprivation of property without due process of law and contrary to accepted jurisprudence. Accordingly this section would give such a person his cash surrender value, his property right to his insurance.

Section 16 makes provision for the benefit of those who applied for enlistment or enrollment in the military or naval forces and who were accepted provisionally and directed or ordered to the camp, post, station, or other place for final acceptance in such service. Such persons shall be considered to be in active service during the period while they are complying with such order or direction and during such compliance and until their final acceptance or rejection for enlistment or enrollment into the military or naval forces and shall be entitled to the compensation and insurance benefits of the war-risk insurance act.

Provision has heretofore been made for those who were "inducted into the service by the local draft board after the 6th day of April, 1917, and before the 11th day of November, 1918, who while in such service and before being accepted and enrolled for active military or naval service becomes totally or permanently disabled or dies without having applied for insurance shall be deemed to have applied for and to have been granted insurance payable to such person during his life in monthly installments of \$25 each."

Provision is also made that any insurance application made by a person after induction by a local draft board, but before being accepted and enrolled for active service, shall be deemed valid.

Section 16 of the bill extends the benefits of the war risk insurance act under certain conditions to the men who voluntarily applied for enlistment in the military or naval forces and were accepted provisionally.

Section 17 of the act relieves the bureau from the recovery of allotments and allowances erroneously paid, except where it is shown that the person receiving the allowance does not bear the relationship to the enlisted man which is required by the war risk insurance act, and except also in cases of manifest fraud.

The Treadway amendment exonerated the bureau from the obligation of recovering allotment and allowance payments to dependents when investigation disclosed that the condition of dependency has changed, without notice to the bureau.

There are, however, many other contingencies which the Treadway amendment does not cover wherein it seems desirable as a matter of policy and as a matter of equity that the bureau be not obliged to make further recoveries. For example, the dependents of soldiers are not entitled under the law to payments of allotment and allowance for any period after his death or for any period of more than one month after his discharge. Because of tardy receipt of advice as to these happenings the bureau has in a great many instances made overpayments through lack of this information. When a soldier was killed in battle, frequently many months elapsed before official and final notification of the fact arrived. In addition to cases of this sort, where the bureau was not advised of a change in the status of the soldier, there were of necessity many cases where the bureau has not received prompt information as to the change of status of an allottee. The marriage of a minor child, the divorce of a wife, the death of an allottee, or the discontinuance by the soldier of his class B allotment all involve, under the law, an immediate suspension of the award. Because of inevitable delay in receipt of information and the time required for the necessary administrative action a great many payments have been continued beyond the period author-

In view of the expense to the Government of endeavoring to make further collections of overpayments of the kind above outlined and in view of the hardship such a procedure generally entails to persons who have received the overpayments, many of whom are now unable to make restitution and most of whom accepted the payments in perfect good faith, recovery should not be sought except where the person has received an allowance through fraud or where a person does not bear the relationship to the enlisted man required by the war risk insurance act.

Section 18 provides not only that compensation shall be paid to the commissioned officer or enlisted man or his dependents in case of death or disability, but compensation may be paid the commissioned officer or enlisted man or his dependents for an aggravation of a disability existing prior to examination,

acceptance, and enrollment for service, when such aggravation was suffered and contracted in line of duty on and after April 6, 1917.

Section 300 of the war risk insurance act, as amended December 24, 1919, provides that any person who was admitted into the service should, by reason of that fact, be regarded as in sound health.

Many men were taken into service in whom diseases or defects were not detected at time of examination, but which were brought rapidly to head when the arduous work of training It may be that during an emergency when men were drafted into the service the attitude of regarding all accepted men as sound was justified, but it has caused the payment of a large amount of money and it seems doubtful if this policy should be continued hereafter, while voluntary enlistments are accepted, for the tendency will be to encourage the enlistment of men with known latent diseases and defects so that they may shift the care of these diseases and defects upon the Government, where it does not belong. To correct this, section 18 would amend section 300 of the war risk insurance act to provide that in the case of persons discharged after passage of this act the presumption of soundness would not exist automatically and that persons thereafter entering the military or naval service should be compensable only for such diseases or injuries or aggravations thereof as are actually suffered in the military or naval service; excepting that persons taken into service on or before the armistice and who have not yet been discharged shall continue to be held to have been in sound health at entrance.

Under the act as it now stands all the compensation payments, including the amount granted to ex-service persons and the amount granted their beneficiaries, either wife, children, or parents, must be given to the man, except where his wife or children are living apart from him, when it may be apportioned. There are many instances of dependent parents whose ex-service children are mentally incompetent, and in their case there is a great deal of difficulty in having the extra amounts payable under the law for such dependent parents reach the persons for whom they are intended. This amendment also permits separation of the award so that the portion for parents may be sent to them where such division of payments is deemed necessary.

Section 19 is to clarify section 305 of the war risk insurance act, which does not now set forth clearly when an increase in award made upon revision shall take effect.

Section 305 of the war risk insurance act of October 6, 1917, permits the bureau, acting upon its own motion or upon application, to revise an award previously made in accordance with the facts found and to increase or diminish such award. The section is not sufficiently clear as to whether an increase of the award made upon revision may be made to correspond with the date of the increased physical disability of the soldier in accordance with the true state of facts, or whether the increased award can be effective only from the date on which the new revised award is made.

It is highly desirable that it be made clear, because it would be inequitable to the ex-service men if the bureau were estopped in making its reratings from giving a rating corresponding both in degree of disability and in date of the inception of the disability or the increased disability in accordance with the true facts of each individual case. This is especially true because in the past it has been necessary in handling thousands of cases to make a preliminary award, despite the fact that complete data was not in hand, when the data available clearly indicated that the claimant had suffered some disability. Furthermore, in many ailments, such as tuberculosis and mental and nervous diseases, it is frequently impossible to fix with precision the exact degree of disability until experience and treatment have revealed the patient's true condition. Experience has taught that many ratings made pursuant to the incomplete examinations of physicians throughout the country have been found in practice to be inaccurate and consequently unfair to the claimant, who is properly entitled under the war risk insurance act to compensation for the true degree of disability without being penalized for errors in diagnosis, inadequacy of medical evidence submitted, and administrative delays or errors arising in part from the large number of cases under consideration.

Section 20 extends the period for obtaining a certificate from the director to the effect that the injured person at the time of his discharge or resignation was suffering from injury likely

to result in death or disability.

It further provides for the extension of the period during which such certificate may be obtained for one year after the passage of this act. Under the law as it now stands the disabled person has one year from the date of discharge in which to obtain such certificate.

A large number of ex-service men, through ignorance of their rights or knowledge of how to proceed, have failed to procure the certificate of disability provided for in section 306 of the war risk insurance act. That act provided that such certificate must be obtained within one year from discharge. Members in the House and Senate have declared this time is too short, and experience has shown that this view is correct.

Section 21 is an amendment to subsection 2 of section 313 of the war risk insurance act by adding thereto subsection 2a.

The veterans' bureau is authorized to pay the beneficiary or other person or persons in whose name an action may have been commenced or prosecuted fees and mileage the same as is now paid the witnesses in the United States court in going to, remaining at, and returning from the place of trial without regard to the court where the action is brought.

It is also provided in this section that in all cases of assignment of causes of action under section 313, whether the assignment be heretofore or hereafter made, where it shall appear to the director to be to the best interests of the person so to do, the director acting in the name of the United States, may assign the cause of action back to the beneficiary or his personal representative

Section 22 provides that where a beneficiary at the time of designation by the insured is within the permitted class of beneficiaries and is the designated beneficiary at the time of the maturity of the insurance, because of the death of the insured, such beneficiary shall be deemed to be within the permitted class, even though the status of such beneficiary shall have been changed.

In practice it has frequently occurred that the insured in his lifetime has designated a person who was then in the permitted class, such for example as a stepmother. Subsequent events occurring before the death of the insured, as the death of the insured's father, without issue, technically changed the status of the stepmother, so that at the time of the death of the insured she is not, under the law as interpreted by the Attorney General in an opinion of June 21, 1920, still legally his stepmother. It therefore becomes impossible to make an award to her at the insured's death.

Section 22 is placed in the bill to remedy this situation, which results in the defeat of the clearly expressed intent of the insured as to the person to receive his insurance.

Section 23 provides that in cases where the insured whose yearly renewable term insurance has matured by reason of total permanent disability is found to be no longer totally and permanently disabled and where the insured is required under regulations to renew payment of premiums on said term insurance, and where this contingency has extended beyond the five-year period during which said yearly renewable term insurance otherwise must be converted, there shall be given such insured an additional period of two years from the date on which he is required to renew payment of premiums in which to convert said term insurance, as hereinbefore provided.

Section 24 is practically the same as section 6 of the Wason bill, which passed the House and Senate. Any person holding term insurance may convert this into United States Government life insurance without medical examination, whereupon all death claims must be paid out of the converted or United States Government life insurance fund. This fund is made up wholly from premiums paid by the insured ex-service persons on their converted insurance. It follows that if a soldier disabled by cause of the hazards of war converts his term insurance and dies as a result of the war hazard, under present circumstances this payment is not borne by the United States as the act provided, but instead is shifted to the United States Government life insurance fund. Thus the burden of excess mortality is borne by premiums collected from those persons whose health was not impaired, and it is not borne by the Government as originally provided.

Section 25 provides for cases where the estate of the insured would escheat under the laws of the place of his residence; the insurance shall not be paid to the estate of the insured, but shall escheat to the United States and shall be credited to the United States Government life insurance fund, or military and naval insurance appropriation, as may be proper.

In some States the law would cause the United States Government to pay to the State government insurance for which there were no living beneficiaries. This section is to avoid the practice of paying these funds to the State treasury under these circumstances.

Section 26 for the first time makes provision for the reinstatement of lapsed insurance under certain conditions. Heretofore the question of the reinstatement of lapsed insurance has been a matter entirely under the rules and regulations of the War Risk Insurance Bureau. The question is simply this: Shall persons suffering from injury or disease resulting from the World War, who are not permanently and totally disabled, be permitted to reinstate their lapsed or canceled term insurance or Government life insurance—converted insurance—providing they conform to all the rules, regulations, and requirements relative to the reinstatement, except as to the condition of their health? Your committee, after due consideration, thought it advisable to make this a matter of legislation rather than for departmental regulations.

The CHAIRMAN. The time of the gentleman from Iowa has again expired.

Mr. SANDERS of Indiana. Mr. Chairman, I yield to the gentleman five minutes more.

The CHAIRMAN. The gentleman from Iowa is recognized for five minutes more.

Mr. SWEET. It would appear to be equitable and fair when it is remembered that as a matter of fact in most of the instances the reason the disabled soldier failed to keep up his insurance was that he was short of funds and it took the Government some time to investigate and grant his compensation and that because of this financial stringency he allowed his insurance to lapse.

Section 26 provides, however, that before reinstatement can be accomplished by the applicant he shall be required to pay all back monthly premiums which would have become payable if such insurance had not lapsed.

Section 27 is practically the same as section 5 of the Wason bill as it passed the House and Senate, which relieved from the payment of premiums on yearly renewable term insurance men whose physical condition was such that they could not earn their own livelihood during the period of such inability. This section, however, made this relief rather more general than the evident intent of Congress in creating the original act. It is believed that such relief should be granted ex-service persons while they actually are in a hospital and thus are unable to work, and to persons while they are rated temporarily totally disabled.

Section 27 is the same as section 5 of the Wason bill, excepting that it applied to converted insurance as well as yearly renewable term insurance, and the provision in regard to relief from the payment of premiums by those who are receiving vocational training is stricken out.

Section 28 provides that the Postmaster General is authorized to receive premiums on yearly renewable term insurance and United States Government life insurance—converted insurance—and act for and turn over to the Secretary of the Treasury the money so received. He is also authorized to receive and transmit to the veterans' bureau applications for converted insurance and applications for reinstatement of lapsed insurance. This is to be done under such rules and regulations as the Secretary of the Treasury and the Postmaster General may prescribe.

Every soldier, sailor, and marine who desires to pay insurance premiums or desires to make an application for reinstatement of lapsed insurance or for converted insurance may go to the post office at the place of his residence and the post-master will receive the insurance premiums and give him a receipt therefor, and his application for reinstatement or for converted insurance will be transmitted immediately to the veterans' bureau.

Section 29 provides that, subject to the provisions of section 29 of the war risk insurance act and amendments thereto, policies of insurance heretofore or hereafter issued in accordance with article 4 of the war risk insurance act shall be incontestable after six months from the date of issuance or reinstatement except for fraud or nonpayment of premiums.

It is the opinion of your committee that a provision of this kind placed in the law would add stability to the policies issued or hereafter issued by the Government and give assurance that only in case of fraud or nonpayment of premiums would payment of the insurance be denied. A provision similar to this is usually found in the policies issued by private companies and has been found to be mutually beneficial to all concerned.

Representatives of the Treasury Department, the Bureau of War Risk Insurance, the United States Public Health Service, and the Rehabilitation Division of the Federal Board for Vocational Education, and certain Members of Congress appeared before your committee during the hearings and approved, in principle, if not technically, without exception, the consolidation of all agencies of the Government for the benefit of the disabled ex-service men of this country and the proposed amendments to the war risk insurance act.

This, I believe, completes a rather careful analysis of the provisions of this bill, and I trust that they will meet with

the approval of the Members of the House.

I trust that it will be of benefit to the director of the new bureau and his assistants in the administration of the law and that it will prove to be of inestimable benefit to those who are deeply interested in this class of legislation and to those who rendered valiant service to their country during the great crisis in world affairs. [Applause.]

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. SWEET. Yes.

Mr. FESS. On page 5, section 6, I notice that you retain the central office in the District of Columbia and the 14 regional offices, but you limit the suboffices to not over 50.

Mr. SWEET. That is true.

Mr. FESS. The board now in operation has 140 suboffices, with 9 more authorized to be appointed. I presume that-

Mr. SWEET. What are the powers exercised by these suboffices, may I ask the gentleman from Ohio? What are they doing now? What I am getting at is the extent of the work they are doing. In other words, what powers are they exercising at the present time?

Mr. FESS. First, to ascertain whether an applicant is igible to training. That is the first. Second, making the eligible to training. necessary examination for the qualifications or as to the character of training that the party is seeking, and then placing

him in it.

Mr. SWEET. Do all of these suboffices pass upon the question of vocational training?

Mr. FESS. Yes.

Mr. SWEET. All over the United States?
Mr. FESS. Yes. If my friend will recall, when there was such a storm of complaint against the board we found by calling service men here in an examination that ran through from March to May that nearly all the complaints were that too much power was centralized in Washington, and that it ought to be decentralized, so that the final findings could be made elsewhere than here in Washington. Since doing that I do not think there has been very much complaint.

Now, the question with me is whether the committee went into this sufficiently. I am wholly in sympathy with the measure. Our committee recommended as one of its recommendations that this decentralization be effected. But the question is whether you have gone into it to see if we could do away with 100 of these subdivisions. You have limited it to 50, and

we have now 140.

Mr. NEWTON of Minnesota. Mr. Chairman, will the gentleman from Iowa yield there, in order that I may ask a question of the gentleman from Ohio [Mr. Fess]?

Mr. SWEET. Yes. Mr. NEWTON of Minnesota. Do I understand the gentleman to say that these subofficers working under the rehabilitation division of the central board grant training, or merely conduct examinations and make recommendations?

Mr. FESS. They make recommendations. The final decision in case of dispute is always made there.

Mr. NEWTON of Minnesota. If there is a dispute, the final decision is made in Washington?

Mr. FESS. No; I think not. Mr. NEWTON of Minnesota. My experience with a case is that where the district at Minneapolis has passed upon a man and approved him, they have submitted the papers to Wash-

ington, and-Mr. FESS. That was not a recent case, was it?

Mr. NEWTON of Minnesota. That was within the last two months or six weeks.

Mr. FESS. That was the source of complaint that was quite general against the rehabilitation work, that everything had to be done at Washington, and the recommendation was made that they be decentralized, and that the decentralization take the form of district offices, and then, under the district offices, sub-

Mr. NEWTON of Minnesota. It is news to me that any office outside of the central office in Washington actually awarded training.

Mr. FESS. Where there is a dispute that must be submitted to a final tribunal, that is always at Washington.

Mr. NEWTON of Minnesota. You mean, then, that if the facts are rather close the board out in the country does not care to assume responsibility, and will submit it to Washington?

Mr. FESS. They will submit it to the regional office, and the regional office, can give final judgment or can submit it to

the Washington office.

Mr. NEWTON of Minnesota. That has not been my experience, and it is news to me.

Mr. FESS. My suggestion is that if we can do without so many suboffices it would really be an advantage, but I want to make sure that that has been gone into so as not to deprive this work of its effectiveness as it has been running the last year.

Mr. SWEET. I will say to the gentleman from Ohio that after we had reported this bill, which was about six days ago, Mr. Lamkin called me on the phone and stated that they had at the present time 138 what might be termed suboffices.

Mr. FESS. One hundred and forty.
Mr. SWEET. I said to him, "I wish you would write me a letter explaining this situation, and also stating whether or not it would hamper in any way the work that you are now performing at these suboffices." He has not written the letter as yet, but I believe that I will receive it within the next 24 hours. So this is a matter perhaps that ought to be gone into to some extent, but the members of your committee are satisfied that where we make provision for 14 regional offices and not to exceed 50 suboffices, all this work can be thus thoroughly organized. And I want to say that I have no tendency to hamper the work of hospitalization, or vocational training, or anything of that kind.

Mr. FESS. I am sure of that.

Mr. SWEET. But, on the other hand, I think the gentleman from Ohio will agree with me that in establishing these regional offices and suboffices we ought to name the limit and the

number that may be established.

Mr. FESS. The gentleman from Ohio agrees with the gentleman from Iowa on that, that wherever they are not needed for the effectiveness of the work they ought to be abandoned; and while it will require the dismissal of the office force of a great number of suboffices, if it can be done without danger I want it done. In Ohio there is one of these suboffices at Cincinnati, another at Columbus, another at Cleveland, another at Toledo, and another at Dayton. I am quite familiar with the Ohio situation and with the Indiana situation. I am not satisfied in my own mind that it would be safe to concentrate all of that work in Ohio in one office. I am seriously in doubt about that. I think it could come nearer being done now than it could a year ago, the work is advanced so well; but I wanted to be sure that the committee had had its attention called to that,

Mr. RAYBURN. Will the gentleman yield in that connec-

tion?

Mr. SWEET. Certainly.

Mr. RAYBURN. Did not the committee go very thoroughly into this matter, and was it not very thoroughly of the opinion that 14 regional offices and 50 suboffices were enough?

Mr. SWEET. That was what the committee determined after

thorough consideration.

Mr. RAYBURN. And were not the committee very much of this opinion, that there ought to be no one who would have the power or the authority to go out and indiscriminately establish regional or suboffices?

Mr. SWEET. That is true.
Mr. RAYBURN. And that there certainly ought to be a limit to the number both of the regional and the suboffices?

Mr. SWEET. Section 6 of the bill provides that the director shall be the one to determine in regard to the establishment of the regional offices and of the suboffices,

The CHAIRMAN. The time of the gentleman has again expired.

Mr. KINDRED. I ask unanimous consent that the time of the gentleman be extended-

The CHAIRMAN. Under the agreement the time is in the control of the gentleman from Massachusetts [Mr. Winslow] and the gentleman from Kentucky [Mr. BARKLEY].

Mr. WINSLOW. I yield to the gentleman 10 minutes mo Mr. ROGERS. Will the gentleman yield for a question? I yield to the gentleman 10 minutes more.

Mr. SWEET. Certainly.

Mr. ROGERS. Referring again to that same section 6, the decentralizing section, which I think is one of the most important and useful in the bill, that section provides that the regional offices as distinguished from the suboffice shall exercise such powers for examining, rating, and awarding compensation claims, and so forth, as could be exercised by the central office.

Mr. SWEET. That is true.

Mr. ROGERS. As I caught the observations of the gentleman

from Iowa on that section he suggested that the jackets in the particular compensation claims would be retained here in Washington. Is that the fact?

Mr. SWEET. The original papers will probably be sent on here to Washington.

Mr. ROGERS. By the claimant?
Mr. SWEET. Not by the claimant, but by the regional office. Mr. ROGERS. After the regional office has completed its

Mr. SWEET. After the regional office has completed the examination and made the award.

Mr. ROGERS. May I ask why, in the gentleman's opinion, it would be desirable for the papers in a given case to be passed on to Washington instead of being retained in the office in the district where the claimant resides?

Mr. SWEET. The situation is simply this: The whole matter will be under the direction, supervision, and control of the They can be left in the regional office or they can be sent on to Washington. It is a matter of judgment and business administration.

Mr. ROGERS. And the gentleman does not intend to express his view that it will be necessary under the law to send these papers on to Washington?

Mr. SWEET. No; my expression did not go to the necessity My statement simply went to the effect that we are placing the matter of control, management, supervision, and organization under the director of this bureau.

Mr. ROGERS. My impression would be, except in the case of an appeal or a transfer of residence, it would be the smoother thing for the jacket to be held in the office that has the power to make the award and had made the award, and it would be only an exceptional case that it ought to come to Washington. The purpose of the gentleman is to avoid centralization, and in so far as that can be achieved I think it is essential that it should be achieved.

Mr. HILL. Will the gentleman yield?

Mr. SWEET. I will,

Mr. HILL. I want to ask a question along that same line. I understand under section 6 that the director has full power to make what regulations he deems best, and that there may be-outside of Washington, at least-14 points that have full and complete power to do everything that can be done in Washington.

Mr. SWEET. The director can delegate to these 14 regional

offices such power as he deems proper.

Mr. HILL. He may delegate to the 14 regional offices as full powers as can be exercised in Washington.

Mr. SWEET. He can.

Mr. HILL. And thus there will be 15 points in the United States that can exercise full powers.

Mr. SWEET. Yes

Mr. WALSH. Will the gentleman yield?

Mr. SWEET. I will yield to the gentleman from Massa-

Mr. WALSH. Are the provisions in the bill introduced by the gentleman from New Hampshire [Mr. Wason] incorporated in this measure?

Mr. SWEET. Mr. WALSH. Bodily?

Mr. SWEET. In some instances word for word.

That bill provided for the establishing out-Mr. WALSH. side of Washington of offices with jurisdiction to pass upon these matters

Mr. SWEET. Section 1 of the Wason bill is the one which established 14 regional offices and such suboffices as may be necessary in the proper administration of the act. Section 6 in this bill takes the place of section 1 of the original Wason

Mr. WALSH. Does the gentleman and the committee feel that the setting up of 14 offices at various points throughout the country is going to tend to more efficient and prompt action on these matters that come under their jurisdiction?

Mr. SWEET. That was the opinion of the committee after

careful consideration.

Mr. WALSH. That with 14 different offices miles from the central director, with jurisdiction to pass on all sorts of claims, you will encourage uniformity of decision on questions and promote speed in the transaction of business?

Mr. SWEET. It was believed that if it was decentralized

you could get more efficient service than we get at the present

Mr. WALSH. I think if the gentleman is here a few years from now the committee had better be ready to consider legislation undoing this plan, for that will have to be done.

Mr. SWEET. Let me ask the gentleman from Massachusetts is he in favor of the present inefficient service being con-

tinued?

Mr. WALSH. There has always been room for improvement in the service down there, of course, but it seems to me that when we legislate on a subject we ought to legislate in a manner not to permit more opportunities for inefficiency, but to restrict the opportunities for it. By this bill you have 14 opportunities for inefficiency where you have 1 now.

Mr. SWEET. Does not the gentleman from Massachusetts realize that when you get out nearer to the men who are to receive these services the whole matter can be considered better than it can here?

Mr. WALSH. You have had a number of different kinds of rulings and interpretations, and now you are multiplying that

by 14.

Mr. SANDERS of Indiana. As a matter of fact, under the present system, one man does not pass upon all the claims any-

Mr. SWEET. Certainly not. Mr. SANDERS of Indiana. After the provision for 14 regional directors there will be no more minds passing on the different matters or questions than there are at present, only they will be located in different places.

Mr. STAFFORD. There will be 14 different heads.

Mr. SANDERS of Indiana. Not at all; there is but one head, and that will be the director of the Bureau of War Risk Insurance in Washington. No one pretends that one director passes on all the matters now.

OHINDBLOM. Will the gentleman yield?

Mr. SWEET. I will.

Mr. CHINDBLOM. Did I understand the gentleman from Iowa correctly as saying that the regional offices will exercise the various powers in the event that they are delegated by the director to do so?

Mr. SWEET. Yes; if he so directs.

Mr. CHINDBLOM. I do not think the effect of section 6 is that the regional offices shall get their authority from the direction of the control of the contro tor to exercise these powers. It seems to me that the act itself gives the regional offices the right to exercise the power. I call attention to line 20, page 5: "and all other matters delegated to them by the director as could be performed lawfully under this act by the central office." These words relate to all other matters in addition to those not enumerated. As to the suboffices, they shall have such power as is delegated by the director. But I do not think, as I read the section, that there shall be any delegation by the director to the regional offices.

Mr. SWEET. I think the gentleman misreads section 6.
Mr. DENISON. I think the part of the sentence preceding

that expresses the intention.

Mr. CHINDBLOM. The whole sentence reads as follows:

Such regional offices may exercise such powers for hearing complaints and for examining, rating, and awarding compensation claims, granting medical, surgical, dental, and hospital care, convalescent care, and necessary and reasonable aftercare, making insurance awards, granting vocational training, and all other matters delegated to them by the director as could be performed lawfully under this act by the central office.

Is not that an authority in this law to the regional office to perform these acts?

Mr. SWEET. That is true.

Mr. KINDRED. Mr. Chairman, will the gentleman yield?

Mr. SWEET. Yes.

Mr. KINDRED. I listened intently to the gentleman's statement of the provisions of the bill, thinking that I might hear something which would relate to what I think is a fundamental

The CHAIRMAN. The time of the gentleman from Iowa has again expired.

Mr. WINSLOW. Mr. Chairman, I yield 30 minutes more to

the gentleman from Iowa.

Mr. KINDRED. Mr. Chairman, I refer now to the matter of medical examinations by the medical boards. That is a fundamental matter to the claimant. I have had claimants and I pre-sume other Members have had, the basis of whose disability arose after their discharge or after the 12 months' period provided for.

Mr. SWEET. And they had not obtained a certificate.

Mr. KINDRED. What I want to get at is this: It is such an important matter in my mind that I hoped it would be made a matter of legislative regulation as well as departmental regulation. In other words, the boards of review ought to be provided for as fully as possible, since the medical findings are so fundamental to the whole system, and particularly fundamental to the rights of the claimants.

Mr. SWEET. Provision is made in this bill extending the period when one who has been disabled may obtain a certificate. In other words, we extend that period for one year from the date of the passage of this act. Under the present law it is one year from the date of his discharge, and we extend it one year from the date of his discharge or one year from the passage of this act, whichever is the later.

Mr. KINDRED. The only question there is that there are certain very insidious diseases, the basis for which exists even before the year's time, and the full symptoms of which develop

after the year's time. That would give the claimant no opportunity for justice

Mr. SWEET. This opens it up, so that he will have an op-

portunity.

Mr. KINDRED. Is the interest of the claimant in these cases fully safeguarded by providing every possible medical board of

Mr. SWEET. We have extended the time for one year from the passage of this act, so that everyone who has been disabled, who can trace that disability back to his active service, may have an opportunity to file a certificate and preserve his rights.

Mr. KINDRED. That would include most cases, but I fear

it would not include all.

Mr. BLAND of Indiana. Mr. Chairman, will the gentleman yield?

Mr. BLAND of Indiana. It occurs to me that section 11 might be subject to a very bad interpretation. That provides the penalty that may be applied to a boy who violates a rule prescribed by the director.

Mr. SWEET. Yes; that is the section put in there for disci-

nline

Mr. BLAND of Indiana. Will the gentleman tell me who is

to determine when the boy has violated the rules?

Mr. SWEET. The director is authorized to prescribe the rules and regulations, and in these rules and regulations he probably will designate the person or persons who will pass on the question of whether the boy has violated the rules of the

Mr. BLAND of Indiana. Suppose he would prescribe that an Army hospital had the right to determine that question, and the boy would get into the hands of a drum-head court.

Mr. SWEET. There is a possibility of that, but so many instances were called to our attention in which young men who were in the hospital and receiving compensation-we will say \$80 a month or more-would go down town without leave, become intoxicated, and upon their return would make trouble at the hospital and destroy the good order of the hospital. We concluded some provision of this kind should be included in the bill.

Mr. BLAND of Indiana. Would the gentleman have any objection to making that specific by saying that the director must pass upon this violation, and that the boy may have an appeal to the Secretary of the Treasury? That would safeguard the boy from getting into the hands of some one who might ride him to death and take away three-fourths of his money for three months.

Mr. SWEET. Of course, I do not want any injustice done

to anyone in the hospital.

Mr. BLAND of Indiana. Does not the gentleman think that

amendment would take care of that situation?

Mr. SWEET. I think the gentleman is going too far, for the reason that the director has a good many things to look after now, and if every one of these cases for an infraction of hospital discipline were presented to him, he would be doing nothing else

Mr. BLAND of Indiana. Does the gentleman think the boy

should have a right to an appeal in that case?

Mr. SWEET. I think there would be no harm in an appeal. Mr. ANDREWS. Would it not be necessary to locate disciplinary officer in the hospital itself instead of going a long distance away for somebody else to administer discipline?

Mr. SWEET. We have left that to be established under proper rules and regulations prescribed by the director.

Mr. BLAND of Indiana. In doing so does the gentleman not think the boy is liable to get into the hands of those who will ride him and punish him?

Mr. SWEET. I think if we have the right man as director there will be no trouble.

Mr. BLAND of Indiana. I do not think it ought to be left to any one man's discretion.

Mr. RHODES. Mr. Chairman, will the gentleman yield? Mr. SWEET. Yes.

Mr. RHODES. I listened with unusual interest to what the gentleman had to say in explanation of the bill, and I was endeavoring to see whether or not the bill would reach a certain class of cases which I think are very meritorious. For instance, we will say that an honorably discharged soldier dies within four months after his discharge, that he had a \$10,000 insurance policy, but had paid no premium between the date of his discharge and the date of his death. The Government, we will say, owed the soldier the \$60 bonus. I understand that under existing law the bonus due the soldier could not be applied toward the payment of his premium,

Mr. SWEET. That is true at the present time.

Mr. RHODES. I want to know if there is any provision in this proposed legislation that would reach a case of that character?

Mr. SWEET. There is not. Mr. RHODES. Does not the Does not the gentleman believe, as a matter of equity and right, that the law ought to provide that whatever funds may be due the soldier should be applied on the premium due to discharge and arrearage there might be on account of his failure to pay the insurance premium?

Mr. SWEET. On its face the gentleman's proposition would

seem to be equitable.

Mr. NEWTON of Minnesota. Mr. Chairman, let me suggest to the gentleman from Missouri that this \$60 bonus which the Government has belongs to the soldier and is his property. What right has the Government to take that money which belongs to the service man and, without his consent or authority, apply it on an insurance premium that is due to the Government, providing the service man desires to keep up his insurance, which he has let lapse?

Mr. RHODES. The same right that the Government had to retain from his monthly pay a sufficient sum to make the pay-

ments during his service.

Mr. NEWTON of Minnesota. That is an entirely different situation. Here is a man who has received a discharge. He has a credit of money due him from the Government which belongs to him, and to him alone.

Now, if you give the authoritiy to take that money and apply it to his insurance premium, do not you think that when the man heard of it that he could not come in and recover all of this bonus, disregarding the application the Government had made?

Mr. RHODES. I concede that under the law that is true, and that is the thing about which I complain. I insist that the proposed legislation should make provision for just such cases as a matter of equity which are not reached under existing law or by this bill.

Mr. NEWTON of Minnesota. But the moment you follow out your suggestion you make compulsory insurance, and you compel a man, providing the Government happens to be owing

money, to carry his insurance.

Mr. RHODES. It does nothing more than this, that it reaches rare cases which should be met, and I know of no way in which that situation can be met except through this proposed legislation.

Mr. SWEET. I will say, further, that when this question came up in the first instance the Government did apply the bonus in the payment of back premiums where he had allowed his insurance policy to lapse, and, following the line of thought as suggested by the gentleman from Minnesota, they afterwards reversed their position, so that at present if a boy is entitled to a bonus that bonus is not applied toward the payment of his insurance premium to keep the insurance from lapsing.

Mr. RHODES. But your committee did consider this ques-

tion in the preparation of this bill.

Mr. SWEET. Yes; this matter was gone over. In fact, it has been up a number of times in connection with this legislation. It came up during the consideration of the Wason bill.

Mr. ROBSION. Will the gentleman yield for a question?

Mr. SWEET. I will yield.

Mr. ROBSION. Going back to section 11 in reference to the proposition of penalties. Now, if the soldier has been awarded a compensation, does the gentleman think we have the right and power to say that some doctor or some attendant can take that compensation from him because he violated some rule of the institution? Upon what theory of law can you take the soldier's compensation?

Mr. SWEET. We are in this situation: The Government is furnishing free hospitalization and, of course, the compensation is a gratuity; it is a donation from the Government to the

soldier.

Mr. ROBSION. It is provided by law because of injuries he has received

Mr. SWEET. Every one who is confined in a hospital is there for his betterment, and for the betterment of the others. Now, in order that they should have proper discipline, in order that they may get the best out of whatever there is in the hospital, this provision is put into the bill.

Mr. ROBSION. But he is entitled to his compensation under the law when it is awarded to him, and if he is taking treatment and violates the rules of the institution would not the proper penalty be that he would be denied the use of the institution, but when you take his compensation, many times will not you take it

away from his wife and children?

Mr. SWEET. What the gentleman has suggested is just what happens now. For instance, a man is in a hospital. He is not required to stay there. Now, you may say to him if he does not conduct himself properly, "You leave the hospital." Now, I do not want the hospital authorities to say to a young man who is disabled and who may be impaired in intellect and does not rise to the standard of a reasonable man, I do not want the hospital authorities to say to him, "Get out of here." I want the fellow to stay there, and for them to have supervision over him while he is at the hospital, and we put this provision in the bill for the purpose of maintaining, if possible, correct discipline in the

Mr. ROBSION. But if he was suffering from an impairment of mind and is not his normal self, then what authority of justice or law is there to take from him his compensation un-

der those conditions?

Mr. SWEET. It is just a matter of discipline; that is all. Mr. ROBSION. But has the Congress the power to take from a man compensation when it has once been established

and allowed by law because of his conduct?

Mr. SWEET. As a parallel case, at the homes for soldiers of the Civil War, Congress has directed in certain cases that the money be sent direct to the homes and the authorities at the homes withhold part of it for a time. Perhaps they do not penalize him-

Mr. ROBSION. But they do hold it out until he recovers and then turn it over to him, but here we are taking it away

Mr. BLAND of Indiana. If the gentleman will yield again, I can understand why there should be some penalty and I agree that it would be a proper penalty to take away a gratuity given to him if he has violated the rules and regulations, but the point I am complaining about is that the bill ought to provide who is to pass upon the question of whether he has violated the rules and regulations or not. I do not want the man to become a victim to some one who has got it in for him, and I think it is the duty of the Congress to say that he not only should have the right to have his case reviewed by the director, but that the Secretary of the Treasury should review it upon application made. I think the boys' interests should be safeguarded, because the gentleman knows what trouble we have had with these hospitals in reference to these boys kept in them. They go there to secure special treatment and they have to depend upon somebody else's care for their treatment, and I think it ought to be provided here that no hospital attendant or school-teacher could pass upon a proposition so vital to his future without there being a higher authority pass upon it.

Mr. RANKIN. Would not the director of the veterans' bureau or the Secretary of the Treasury have the right, at any rate as this bill stands, to review any act of a subordinate in

charge?

Mr. SWEET. Certainly, under rules and regulations.

Mr. BLAND of Indiana. It is true that under this law he might make an order that for infractions of the rule a certain person should pass upon him. But suppose he did not do it? I think this law should safeguard his interest and say that he has the right to have the director or the Secretary of the Treas-

ury to pass upon that.

Mr. SWEET. I will say to the gentleman from Indiana that the committee went over this very carefully, and a number of the members expressed themselves just as the gentleman has expressed himself in a way, but after we had gone over it thoroughly we all came to the conclusion that the safe way was to leave it in the hands of the director, who would prescribe the rules and regulations that should govern the discipline in the hospital. I think, I will say to the gentleman from Indiana, that that is fully taken care of in the bill, and I believe he will

come to that conclusion upon reflection.

Mr. HILL. This provision practically creates a petty court, which is about the same thing as a summary court-martial, absolutely necessary for local discipline, and it has somewhat the same provision in limiting the forfeiture to a certain proportion of the man's pay. Now, there is the same right in Congress to provide a forfeiture as a penalty as there is for Congress to provide articles of war for the forfeiture of a soldier's pay, and therefore this would seem to be a perfectly legal and proper thing, and an absolutely necessary thing in order to maintain discipline in the hospitals. It would seem, in accordance with all the general legal rulings on such matters, that this being practically a disciplinary court the power that appoints the court necessarily has the power of review, and that the director would have some one in his office who would review these cases as a division commander or a corps commander has to review all summary court-martial cases in the Army. So there can be no injustice created, and there is always the right of appeal. It is absolutely necessary in order to keep discipline in these hospitals.

Mr. RANKIN. Will the gentleman yield?

Mr. SWEET. Yes.

Mr. RANKIN. There would be this difference: Any appeal a man in the military service would make to the War Department or Congress would have to go through military channels, but in this case a man could appeal to his Congressman or to the director of the bureau or to the Treasury Department, either one. I think the probability of an injustice such as contemplated by the gentleman is remote.

Mr. HILL. I agree with the gentleman entirely on that. It is a much wider power of appeal than exists in the summary

Mr. SANDERS of Indiana. As I understand it, this provision was put in the bill because of the desire of the great body of soldiers who were in the hospitals. They wanted discipline, and the penalties can not go beyond depriving the patient of a certain proportion of his compensation.

Mr. HILL. For three months; that is all.

Mr. SWEET. And only a certain portion of that. And, so far as the right to appeal to the Secretary of the Treasury is concerned, I think section 2 of the bill gives such general powers to the Secretary of the Treasury that, if there should be grave injustice, the Secretary of the Treasury could change any ruling that had been made by any subordinate or by the director, for that matter

Mr. BLAND of Indiana. It is my contention that if the boy is drawing \$100 per month that \$75 a month for three months should not be taken away from him on the say-so of some little petty officer down there at the hospital or school. In other words, the pay ought not to stop at that time. The director or the Secretary of the Treasury should pass on it before it was stopped, because you might seriously inconvenience or handicap a soldier when he was entirely without fault if they did not do so.

Mr. SWEET. I will say to the gentleman from Indiana that there is no question but that the director under the general power that is granted him in this act can change his rules and

can go over all these cases.

Mr. BLAND of Indiana. But originally who has to pass on the violation?

Mr. SWEET. As provided in the rules and regulations? Mr. BLAND of Indiana. You necessarily presume that the hospital authority will do so unless you prescribe otherwise.

Mr. SWEET. I presume that under the rules and regulations perfected by the director he will probably designate some one, either in his office or in some hospital, or wherever it may be necessary, to pass upon these matters. In other words, this whole question is left within the discretion of the director, and I think it is a safe place to leave it.

Mr. ROGERS. Will the gentleman yield? Mr. SWEET. I will.

Mr. ROGERS. I would like to make two inquiries, if the gentleman will permit, about section 4 of the bill. In the first place, section 4 provides in substance that all personnel of the three existing agencies should be and "are hereby transferred to and made a part of the veterans' bureau." I had hoped that one result of the passage of this bill, or the bringing into one agency the three agencies which are now in existence, would be to make possible a very material reduction of the personnel. And yet this provision seems to imply that all personnel is to be and must be transferred. Is that the intention of the gentleman, and if it is the intention, does the gentleman assume that thereafter there will be an immediate scaling down?

Mr. SWEET. That matter will be wholly within the power of the director. Of course, at the present time in order to make the proper transfer you have got to transfer all the personnel, facilities, and property. You can not say that this fellow is transferred or that fellow is transferred. It was necessary to transfer the whole personnel of the War Risk Insurance Bureau. As to the question of cutting down the personnel, that is a mat-

ter to be taken care of afterwards.

Mr. ROGERS. I frankly was afraid if the transfer was once made it would then, because of the civil-service laws, and so forth, be very difficult for the director of the new bureau to make the reduction, and it seems to me you could meet that condition by eliminating the requirement that all the personnel should be transferred. Of course, you can not legislate in this bill who shall be taken and who shall be left, but you can say that only the personnel which, in the discretion of the director, is necessary for the new bureau shall be transferred.

That, in other words, is my suggestion as to the change in this

section 4

Mr. SWEET. Yes; but that is not a matter to be put into the law. That is a matter of administration when the time comes. I do not think he will have any trouble in getting rid of the personnel if he so desires.

Mr. ROGERS. I do not know. This language, as it stands, requires that all the personnel shall be transferred. It seems to me that in line with the very generous measure of authority that is given to the director of the bureau throughout the hill you may here also give him a degree of elasticity and permit him to transfer such part of the personnel as he finds the new work which he would undertake would require.

Mr. SANDERS of Indiana. Mr. Chairman, I was going to

suggest, if the gentleman will permit-

Mr. SWEET. I yield to the gentleman from Indiana.

Mr. SANDERS of Indiana. That this same act gives the veterans' bureau all the authority and power that the other Mr. SANDERS of Indiana. bureaus now have, so that when we transfer the power we transfer the power of all those other bureaus, and specifically in this section we give the authority to the director, subject to such change of designation and organization as he may deem necessary in carrying out the provisions of this act. We abolish the Bureau of War Risk Insurance, so that if we do not transfer the personnel they would be out of the service. If we transfer them, there is nothing to prevent the director, on the first day of coming into office, from letting out a thousand employees

Mr. SWEET. Yes. In that connection I will say to the gentleman from Massachusetts [Mr. Rogens] that in the latter part of section 1 he will find that while it does not answer his

question directly, yet it says

There shall be included on the technical and administrative staff of the director such staff officers, experts, and assistants as the director shall prescribe.

So that the director has the whole question for determination and everything pertaining to the organization of the bureau in his power, and if he sees fit to discharge them all, he can do so.

Mr. ROGERS. My question was asked in connection with the idea to bring out the view of the committee, that there is no vested right in the jobs among the 7,000 men, women, and children who are engaged on this work

Mr. SWEET. No. There is no intention of legislating a man

into a job.

Mr. ROGERS. In section 4 there is a reference to an order signed by the Secretary of the Treasury on April 19, 1921, quoting the designation of that order. That same reference is found in section 5.

Mr. SWEET. Yes. Mr. ROGERS. It seems to me a rather unusual procedure to incorporate, by reference in an act of Congress, a mere order of

Mr. SWEET. I may say right there, so that the gentleman will get the right view of it, that we are transferring property, and as to just what property is transferred is a difficult matter of description; but this order had been issued by the Treasury Department making the transfer of this property, so that the gentleman, if he will read the section carefully, will see that it is really a description of the property transferred. We are not incorporating an order into law, but we are merely referring to the terms of that order as descriptive of the property.

Mr. ROGERS. If the gentleman will permit, suppose that 10 years from now a person is reading this act and passing upon its provisions and he finds a reference to an order of the Secretary of the Treasury of such and such a date. That order was probably a public order but not of a documentary or permanent

character, such as he would find in a law library.

Mr. SWEET. Oh, it can be found anywhere. It is a Treasury decision, and all Treasury decisions are published and bound.

Mr. ROGERS. But it does not have the sanction of Congress

as an act

Mr. SWEET. That is true.

Mr. ROGERS. Would it not be possible for the gentleman to incorporate in his remarks the exact text of that order?

Mr. SWEET. Yes. I have the order right here. Mr. ROGERS. It seems to me that would give the order a

little additional solemnity and no more than it needs.

Mr. SWEET. I shall be glad to publish that as a part of my

The Treasury Department order is as follows:

Order relative to the transfer of certain activities of the United States Public Health Service relating to beneficiaries of the Bureau of War Risk Insurance, including trainees of the Rehabilitation Division of the Federal Board for Vocational Education, to the Bureau of War Risk Insurance.]

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY, Washington, April 19, 1921.

To the Surgeon General and medical officers of the United States Public Health Service, Director of Burcau of War Risk Insurance, and others concerned:

1. All of the activities of the United States Public Health Service, with the exception of such hospitals and dispensaries as are operated by that service, in so far as they affect the beneficiaries of the Bureau of War Risk Insurance, including trainees under the Rehabilitation of the United States Public Health Service, with the exception of such hospitals and dispensaries as are operated to the Rehabilitation of the Rehabilitation of

tion Division of the Federal Board for Vocational Education, are hereby transferred to the Bureau of War Risk Insurance, and the Director of the Bureau of War Risk Insurance is hereby directed to assume and administer such activities and shall hereafter be responsible for the examination, hospitalization, and proper and satisfactory medical care and treatment, including supplies, for the said beneficiaries.

2. Personnel: (a) Such regular and reserve commissioned officers of the United States Public Health Service concerned in or with the activities to be assumed and administered by the Bureau of War Risk Insurance are hereby detailed and assigned for duty to and shall be under the direction and subject to the orders of the Director of the Bureau of War Risk Insurance. Such officers shall be immediately notified of such detail by the Surgeon General of the United States Public Health Service. As soon as practicable the regular commissioned officers will be released from duty with the Bureau of War Risk Insurance. In the event that the services of any reserve commissioned officer shall become unnecessary the Surgeon General of the Public Health Service shall be so advised.

(b) All personnel of the United States Public Health Service other than that mentioned in paragraph (a) who are employed in the District of Columbia and elsewhere and who are engaged in the activities to be assumed by the Bureau of War Risk Insurance are hereby transferred to and shall be carried in the rolls of the Bureau of War Risk Insurance.

3. All papers, records, files, documents, and correspondence of the United States Public Health Service portaining to the activities to be assumed by the Bureau of War Risk Insurance, together with all facilities, including vehicles and other equipment, now on hand and in use by the United States Public Health Service for the administration and execution of such activities, shall be delivered into the custody of the Director of the Bureau of War Risk Insurance.

4. The offices and buildings now occup

A. W. Mellon, Secretary of the Treasury.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. SWEET. Yes.

Mr. McKENZIE. I would like to ask the gentleman from Iowa one question in regard to section 1, where it says the director shall have power to appoint these experts, and so forth. I want to know whether or not you expect that he shall have the power to fix the salaries of these people that he appoints?

Mr. SWEET. In a general way I think he will have the power to fix the salaries, yet it will be with such restrictions as have been placed in the appropriation bills passed by Con-We make reference to that in another section. gentleman from Illinois is probably aware of the fact that in regard to the War Risk Insurance Bureau the Committee on Appropriations has made provision for so many men at \$2,000, so many men at \$1,800, and so forth. Now, the provisions in the appropriation bills are applicable to the new bureau.

The CHAIRMAN. The time of the gentleman from Iowa has

again expired.

Mr. WINSLOW. Does the gentleman desire to proceed

Mr. SWEET. Yes; I would like to proceed for two minutes. Mr. WINSLOW. Mr. Chairman, I yield five minutes more to the gentleman.

The CHAIRMAN. The gentleman from Iowa is recognized for five minutes more.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. SWEET. Yes.

Mr. FESS. I would like to have the gentleman's attention to page 3, line 17, where it is proposed to transfer the Rehabilitation Division of the Federal Board for Vocational Education. There are two activities under the Federal board in this rehabilitation. One is rehabilitation of disabled soldiers and the other is the rehabilitation of the industrial cripple. The industrial cripple is rehabilitated in cooperation with the various State compensation commissions. That ought to remain with the Federal board, and I think the gentleman would want the rehabilitation only of the disabled soldiers. It could easily be corrected by the insertion of the words "of the disabled soldiers" after the word "rehabilitation," making it "the rehabilitation of the disabled soldiers' division of the Federal Board for Vocational Education." That puts this rehabilitation of the soldier into this veterans' bureau, but not the disabled industrial cripple.

Mr. SWEET. That which we propose to transfer by this act was defined in the act of June 27, 1918, and the amendments thereto. That was the gentleman's own bill, as I recol-

Mr. FESS. Yes.

Mr. SWEET. And that was spoken of as the rehabilitation act, so that that which we propose to transfer refers to the act which the gentleman introduced and which passed the Congress and was approved June 27, 1918.

Mr. FESS. I understand that the gentleman does not mean to place in the veterans' bureau the rehabilitation of the indus-

Mr. SWEET. We do not; and we are not doing it here, as I understand it.

Mr. FESS. I think you are.

Mr. SWEET. I shall be glad to confer with the gentleman from Ohio, who is very familiar with this subject, and if any amendment is necessary I will agree to it, because the intention of your committee is simply to take over the rehabilitation in so far as it affects soldiers, sailors, and marines

Mr. FESS. That is right. Now, will the gentleman answer

a question for information?

Mr. SWEET. Certainly. Mr. FESS. I notice that this bill amends the war risk insurance act in several items.

Mr. SWEET. Yes; that is true.

Mr. FESS. Have you amended the rehabilitation act anywhere?

Mr. SWEET. No; we have not, except in so far as reference is made in this bill, including in this consolidation the rehabilitation of soldiers, sailors, and marines.

Mr. FESS. That rehabilitation does not extend to the American boys who enlisted in the Canadian Army and then afterwards were discharged, of course, as soldiers in Canada? They are not eligible to training under the rehabilitation act?

Mr. SWEET. No; that is true.

You have not included them? Mr. FESS.

Mr. SWEET. No; we have not. I realize that situation.

Mr. FESS. They ought to be included. Mr. SWEET, Under the reciprocal provisions of the war risk insurance act, of course, a man who fought in the Canadian Army would be entitled to the benefits of the war risk insurance

Mr. FESS. Yes; and he ought to be entitled to training,

Mr. KELLY of Pennsylvania. In that connection I will ask the gentleman what records are kept by the Board of Vocational Education on the individual who receives the training?

Mr. SWEET. Does the gentleman mean to refer to section 4? Mr. KELLY of Pennsylvania. Section 4. What, at the present time, is the record?

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. KELLY of Pennsylvania. I ask unanimous consent that the gentleman's time be extended.

The CHAIRMAN. The time for debate has been fixed by the House and is under the control of the gentleman from Massachusetts [Mr. Winslow] and the gentleman from Kentucky [Mr. BARKLEY

Mr. SWEET. I have no more time. I would be glad to answer if I had more time. [Applause.]

#### MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed with amendments the bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes, had requested a conference with the House of Representatives upon the bill and amendments, and had appointed Mr. Poindexter, Mr. Hale, and Mr. Swanson as the conferees on the part of the Senate.

# VETERANS' BUREAU.

The committee resumed its session.

Mr. BARKLEY. I yield 20 minutes to the gentleman from Mississippi [Mr. Johnson], a member of the committee.

The CHAIRMAN. The gentleman from Mississippi Johnson] is recognized for 20 minutes. [Applause.]

Mr. JOHNSON of Mississippi. Mr. Chairman and gentlemen of the House, the bill before the House for consideration seeks to provide adequate relief for the ex-service men and amends in many respects legislation enacted by Congress shortly after the war between Germany and the United States began.

Congress very wisely provided insurance for the soldiers of the United States. Experience with the soldiers of former wars suggested the wisdom of life insurance written by the United States Government. The old pension system was, for reasons I

know not, for many years almost a national scandal.

When this Government passed the selective draft law it did not ask the soldiers if they wanted to go to war; it did not ask them if they preferred to leave their happy homes and families to go into distant countries among strangers, fighting for freedom and civilization; it did not ask them if they would be content to leave their property and business behind. The Gov-ernment said: "You must go and risk your lives fighting to save this country."

They went. The result of their going is known to every country in the world. Many of them never returned. Many will never return. The mangled forms of many of the soldiers have been brought back to this country and now sleep in the bosom of their motherland.

These boys left dependents, left loved ones to be cared for. Many other soldiers returned broken in health; many returned maimed and wounded. They must be cared for. When they entered the war we promised them we would care for their dependents. We urged them to take no thought of the care and support of their families, for they were told by this Govern-

ment that their loved ones would be cared for. We established the Bureau of War Risk Insurance for the purpose of insuring the lives of the soldiers for the benefit of those dependent upon them. We established the Federal Board for Vocational Training for disabled soldiers. The name of the board clearly indicates the purpose for which it was established. We created the Rehabilitation Division of the United States Public Health Service for the benefit of disabled sol-This Government has through these agencies undertaken to administer to the needs of the soldiers. has been charged by people all over the United States that the administration has not been efficient, that soldiers have suffered because of the inefficiency; that there has been too much 'red tape" and too much shifting of responsibility to others; that it has taken too long to obtain results. In the meantime the soldier who made application for compensation or training has been the one to suffer.

Congress has always been ready to respond to the appeal of the soldiers, and it has been made known to Congress that these conditions about which I have spoken do exist; and, therefore, Congress by this bill is seeking to correct the conditions, to centralize the authority in one man, to clothe him with full power to make regulations, appoint subordinate officers, and to give him wide latitude in the administration of this act, charging him with responsibility for the intelligent administration of the provisions of the act.

I call your attention to some of the most salient features of the bill:

It is proposed by this bill to merge the Bureau of War Risk Insurance, the Federal Board for Vocational Training, and the Rehabilitation Division of the Public Health Service into one bureau, to be known as the veterans' bureau.

The compensation of the director will be \$10,000 yearly. The director is authorized to establish a central office in the District of Columbia and not more than 14 regional offices and such suboffices, not exceeding 50 in number, within the territory of the United States and its outlying possessions as may be deemed necessary by him.

Such regional offices are given powers for hearing complaints, examining, rating, and awarding compensation claims, granting medical, surgical, dental, and hospital care, convalescent care, and necessary and reasonable aftercare, making insurance awards, granting vocational training, and all other matters delegated to them by the director as could be performed lawfully under this act by the central office.

All moneys heretofore appropriated for the Bureau of War Risk Insurance, the Federal Board for Vocational Training, and the Rehabilitation Division of the Public Health Service are made available for the veterans' bureau.

This bill makes the director responsible for the proper examination, medical care, hospitalization, necessary and reasonable aftercare, rehabilitation, and vocational training of the ex-service men, and it gives to him authority to utilize the now existing or future facilities of the Public Health Service, War Department, Navy Department, Interior Department, and National Home for Disabled Soldiers, and such other governmental facilities and services as may be available. Such governmental agencies are authorized and directed to furnish such facilities, including personnel, equipment, medical, surgical, and hospital services and supplies as the director considers necessary. The director is required to standardize the character of the examination for hospitalization, vocational training, and so forth, and to maintain an inspection service with authority to examine all facilities and services utilized in the administration of the veterans' bureau.

In event the director is of the opinion that the facilities for hospitalization and medical care are insufficient he is required to make arrangements for further hospitalization, care, and treatment of the soldiers. The director is authorized to contract with State, municipal, or private hospitals for such medical, surgical, and hospital services and supplies as he may deem necessary

Full authority is given the director to detail from time to time clerks or persons employed in the veterans' bureau to

make examination into the merits of compensation and insurance claims. He is given authority to make such rules and regulations as he deems necessary in order to promote good conduct on the part of the soldiers who are receiving medical

treatment and hospitalization.

The bill provides that the veterans' bureau shall furnish without charge therefor hospital, dental, medical, surgical, and convalescent care and treatment and prosthetic appliances for any honorably discharged officer or enlisted man, or any member of the Army Nurse Corps or of the Navy Nurse Corps, disabled by reason of wound or injuries received, or disease contracted, or by reason of any aggravation of a preexisting injury or disease while in the service of the United States on or after April 6, 1917, and in line of duty, not caused by willful misconduct. Applications for such treatment shall be made within one year from date this act goes into effect.

The director is given full authority to investigate the case of any soldier and increase or diminish the award as the facts in the case may justify. The bureau may at any time upon its own application review an award and may diminish or increase the compensation previously awarded in proportion to the de-

gree of the disabilty.

The director is authorized to make provisions whereby the premiums on yearly renewal term insurance and United States Government insurance may be waived and the insurance deemed not to lapse in the case of those who are confined in a hospital under said bureau for a compensable disability during period while so confined; and those who are rated as temporarily or totally disabled by reason of disability or disease, entitling them to compensation, during the period of such disability and while so rated.

Another important feature of this bill gives to the policyholder an incontestable policy after six months from date of issue, or reinstatement, except for fraud or nonpayment of

premiums.

Now, Mr. Chairman, this bill appears to be unusually liberal, but in our committee during consideration of legislation affecting the soldiers we have solved all doubt in favor of the exservice men.

Already this Government has spent in compensation to World War veterans up to May 1 a total of \$213,155,178; for settlement of war-time-term-insurance policies, \$206,830,533; for settlement of converted policies, \$1,492,323; a grand total of \$421,478,034, expended by the Bureau of War Risk Insurance alone. The Federal Board for Vocational Training, which had enrolled a total of 97,645 men up to May 1, had spent approximately \$111,460,363, 70 per cent of which went to the soldiers as payments in addition to expenses of training. On May 14 the United States Public Health Service reported that 23,159 ex-service men were receiving treatment in hospitals.

The Congress of the United States has not refused to vote whatever was requested of them for the support and care of the sick and disabled soldiers, and if this bill is properly administered we will take care of every sick or disabled soldier in the United States. So far as I am concerned, Mr. Chairman, my limit in taking care of these disabled soldiers will be the ability of the Government to pay. We promised these boys when they were going away that we would take care of them and their loved ones; we said to them that when you return nothing will be too good for you, and while you are away we will take care

of your dependents.

Now, hundreds of thousands of those boys have returned to their homes, some crippled, some blind, some deaf, some maimed, and hundreds of thousands diseased and incapacitated. When those soldiers were in the trenches and at the battle front fighting for freedom and civilization, and enduring the hardships of war, there were millions at home accumulating wealth and enjoying the comforts of home. Twenty-three thousand new millionaires were made during the war; hundreds of thousands of people accumulated wealth; but the soldier accumulated nothing but vermin upon his body in the trenches and suffered hardships and disease. He lay in the hospitals of pain. He was subjected to military discipline in France the like of which he had never seen in America.

Are these men to be compensated for saving this country? Are they entitled to any reward for saving all the wealth and the liberty of our people? Is America to forget their deeds of heroism? Will she be ungrateful to her soldiers who saved her? America may be forgetful at times, but she has never been ungrateful. The people will not stand for the soldiers to be neglected, and they do not care how much money is spent in taking care of these boys if it is judiciously spent and if the soldiers get the real benefit of the money.

Mr. Chairman, it ill becomes those who have not fought the

plain at expense. On Memorial Day men and women all over America and on the battle fields of France, with loving hands and tear-stained cheeks, decorated the graves of our heroic dead. This is a very beautiful sentiment. We must never forget our dead who paid their lives to time and mortal custom for the preservation of our liberty, but it is more important that we remember the living than the dead.

Let us remember the crippled, blind, and diseased soldiers we have seen in the hospitals and on the streets. Let our memory run back to our districts and see the country boy, perhaps the only dependence of some old mother or father, sitting around his home, afflicted with tuberculosis contracted in the Army or suffering from some other disease as deadly. Who caused it? He was not the author of his own misfortune. Those higher in authority brought this about, and he should not be held responsible for it. Let the Government answer by taking care of this boy and his dependents.

With respect to war, justice can never be done until those who make the wars have to fight. I hope the time will come when the man or the men who bring about a war will suffer the penalty consequent to war. The men who have been making wars for all these centuries never go about them. They make the war; they make the peace; the poor soldier fights and dies,

and in millions of cases he knows not why.

Mr. Chairman, I am very proud to be a member of the committee that reported this bill to the House. I hope it will be adopted as it has been reported. If it is written into a law and properly administered, the soldiers will have no cause to complain that this Government, for which they offered their lives, is ungrateful.

Let us do our duty by these soldiers fearlessly, regardless of criticism, to the end that we may preserve for this Government the priceless patriotism possessed by these soldiers when this country was imperiled. [Applause.]

Mr. Chairman, I yield back the remainder of my time. The CHAIRMAN. The gentleman from Mississippi yields

back the remainder of his time.

Mr. BARKLEY. I yield 15 minutes to the gentleman from Texas [Mr. Black].

The CHAIRMAN. The gentleman from Texas [Mr. Black]

is recognized for 15 minutes. [Applause.]

Mr. BLACK. Mr. Chairman, I shall support the soldiers' relief bill now under consideration, which provides for a consolidation of the bureaus and departments having to do with the relief of our ex-service men, and I take it that there is very little, if any, opposition to the bill, taken as a whole. Of course, the House may find it advisable to make some amendments to perfect the bill. I have not taken the floor at this time to discuss the particular measure under consideration, but another subject, which I think is of very great importance to the country at the present time.

The press dispatches of yesterday carried information as to the wage decision of the Railroad Labor Board which will be put into effect July 1. It is stated that the reduction will amount to an average of about 12 per cent from present levels and will amount to an annual reduction in the railway pay roll

of about \$400,000,000.

I can very easily see why the employees, as a rule, should be perfectly satisfied with the decision, because it will still leave them something more than \$200,000,000 of the salary increase which was given them in July, 1920. I can see why the railroad owners for the most part will be satisfied with the decision, no doubt some of them even more so than they would have been if a greater reduction had been made. For with only this reduction of 12 per cent in their pay roll they can with considerable plausibility argue against any horizontal decrease in freight and passenger rates and contend for the system of treating each commodity separately, as now seems to be their disposition, and that reductions be made only in certain particular cases

The public, however, in my judgment, have reasonable cause to complain at this proposed decision of the Railroad Labor Board. It seems to me that the people had a right to expect that the entire increase of July, 1920, would be rescinded and leave as still existing the increases which were given to railroad employees during the period of Government control. The average increases in compensation to railroad employees, as stated by Director General Walker D. Hines in one of the hearings, during the period of Government control was 52 per cent. I think that most of the public are perfectly willing that the employees shall continue to receive that increase. But they also believe that, in view of the radical readjustment in prices of most commodities and in the rate of wages paid to men employed in other industries, the railroad employees have no battles and endured hardships, but who made money, to com- right to expect to retain more than the increases which were granted during the period of Government control and should be willing to relinquish all the increase which they received by reason of the decision of the Railroad Labor Board of July, 1920.

On April 1, 1921, the index figure of farm products was 58.3 per cent lower than a year ago, 48.6 per cent lower than two years ago, and 27.6 per cent lower than the average on April 1 of the past 10 years. Every thinking Member of this House knows that this present unbalanced condition between agriculture and some of these other basic industries like railroad transportation and steel can not continue without serious and lasting harm to the country. Either farm products and other raw material must rise to the level of manufactures, transportation, and wages paid in these favored industries, or the latter must come down to the level of the farmer, or they must all meet on some intermediate level. The latter thing is what will probably happen. Farm products will advance from their present low level, which in nearly all cases is below the cost of production, and these other things like railroad transportation and coal and steel which have not responded to the general decline are bound to come down to more intermediate levels.

I am not contending that railroad wages should do more than that. I am not contending that they should go back to prewar standards. To do so would work an injustice. Other things have not come down in proportion to the figures which I have cited as to the decline in farmers' products. But I do contend that the cost of living has come down much more than 12 per cent since July, 1920, and that therefore the decision of the Railroad Labor Board is unfair to the public and will not place upon the railroad employees their fair part of the burden of readjustment of prices so necessary for a return of normal prosperity. In fact, no burden at all, because their wages with the 12 per cent reduction will still buy more goods and commodities than in July, 1920, when the decision of the Railroad Labor Board was made.

Mr. TINCHER rose.

Mr. BLACK. If my friend will forbear with me until I have finished my statement, then I will be glad to yield for any

question and will answer it if I can.

Just a few days ago I phoned the Bureau of Labor Statistics of the Department of Labor and asked for information as to what had been the decline in the cost of living since the decision of the Railroad Labor Board in July, 1920. The reply was that the retail cost of foodstuffs had declined 30½ per cent since that time. That figures on clothing, house rent, and miscellaneous items had not yet been completed, but would be available shortly. In fact, I telephoned the same bureau to-day, and the chief said that this information would be available at the end of this week and given out to the public—probably on Saturday. I dare say that it will show that there has been a decline of at least 20 per rent in the general cost of living, including all the items used to make up the Bureau of Labor's index number. And it must be remembered that neither the railroads nor their employees have contributed anything toward bringing about this decline. Their compensation is still on the high war levels. In my judgment it is getting high time they were doing their part, and I think the general public are feeling that way about it.

Another unfair and discriminatory part of this proposed decision of the Railroad Labor Board, as reported in the press, to which I most emphatically object, is that the reduction is made to fall more heavily on the unskilled labor than on the skilled. For instance, the press dispatches say that the reduction for section men is 18 per cent, and shop crafts 9 per cent, while the train-service men, that is to say, the higher-paid

employees, are cut approximately 7 per cent.

I am not complaining that the wages of the unskilled labor is reduced in this proposed decision to a greater amount than is justified by present conditions, because, indeed, I think that part of the decision is reasonable enough in view of the figures as to the cost of living which I have just cited. What I am contending, though, is that the higher-paid employees should have been reduced in the same proportion and if they had been the total amount of the reduction would be in the neighborhood of \$600,000,000 instead of \$400,000,000, as it is announced it will be. In other words, should practically eliminate increases granted in July, 1920. With a reduction of that kind, and other economies which the railroads can and should be compelled to make, I think the Interstate Commerce Commission would be perfectly justified in ordering without delay a horizontal decrease of at least 15 per cent in rates and then make thereafter such other adjustments in particular commodity rates as might be just and proper in particular cases. Anything less than a 15 per cent reduction in rates will afford the public no substantial relief. It is quite evident that there is going to be a strenuous effort on the part of some of the leading railroad

executives to resist any horizontal lowering of rates. In this attitude, I think they are making a serious mistake from more than one standpoint. I am no railroad baiter. I have always tried to be fair to the railroads just as I have always tried to be fair to all other legitimate interests, and as one who still wants to be fair I make this statement:

The railroad executives had better be spending their time and energies in an effort to bring about economies in operation which will make possible a substantial horizontal decrease in rates, rather than in using their efforts to resist such decrease. The public are not expecting that rates go back to prewar levels, any more than they are expecting wages to go back to prewar levels, for they know that the same reasons which would make unfair the one will make unfair the other. But they are expecting that rates shall reach a more intermediate level than they are at present, just as they expect railroad wages to reach a more intermediate level. They have a right to expect that much, and they are not going to be satisfied with anything less. They ought not to be.

As a Member of Congress seeking to represent the general public, I am not going to cease my efforts until the people get this measure of relief to which they are justly entitled. [Applause.]

Now I yield to the gentleman from Kansas.

Mr. TINCHER. I should like to get the gentleman's opinion, from his examination of this subject, whether it is sound for this Government to maintain a Railroad Labor Board to fix wages and the Interstate Commerce Commission to fix rates?

Mr. BLACK. My answer to that is that I think events are demonstrating that undoubtedly there ought to be some coordination between the two bodies, because it is absolutely essential to good administration that the tribunal that has the responsibility of providing the finances ought to have some say-so as to the expenditure, and therein seems to be the difficulty in the present situation. I think we must have some tribunal to deal with the labor question, and perhaps a board like the Labor Board is the best way, but I believe its work will have to be coordinated in some way with the Interstate Commerce Commission.

The CHAIRMAN. The time of the gentleman has expired. Mr. FESS. I would like to ask the gentleman a question.

Mr. BARKLEY. Does the gentleman desire any more time?
Mr. BLACK. Yes; I will be glad to have time to answer the question of my friend from Ohio, Mr. Fess.

Mr. BARKLEY. I yield five minutes more to the gentleman from Texas.

Mr. FESS. I am always informed when the gentleman speaks, as is every Member of the House. I have enjoyed what he said to-day. This is the thing that distresses me: The farmers' products have to take the course of the law of supply and demand. On the other hand, the cost of operation of the railroads is partially governmental, in that rates are fixed and also wages may be fixed. How are we going ever to secure equilibrium in industry with the Government fixing the scale of cost of production in one great line while all other lines of industry of the country are outside of Government control?

Mr. BLACK. I will undertake to answer that, if the gentleman will permit, by making a statement which I feel sure he

will agree with

A study of the history of public utilities will show that the rates that public utilities charge being regulated by Government commissions and Government authority always go up more slowly than commodity prices advance. That has been the universal history of public utilities so far as I know. And it is perfectly natural that the same reason should cause them to come down more slowly. I have not expected and do not now expect that railroad rates and railroad wages will be deflated as rapidly as farm products have been deflated, because it would throw the entire transportation system of the United States into utter and complete chaos if that should happen. Hard as the lot of the farmer has been during this period of falling prices, he would not want rates fixed so low as to throw the railroads into bankruptcy. My contention is that the present situation is so apparent and speaks so loudly for itself that it is perfectly absurd for any one to contend to keep transportation rates and transportation costs upon the high war level when everything else is taking substantial declines. The public must have some else is taking substantial declines. relief within a reasonable time; and if we can not get it through the proper action of the regulatory bodies which Congress has heretofore established, then Congress must do it by some new

enactment of law of its own.

Mr. HUDSPETH. Will the gentleman yield?

Mr. BLACK. I will yield to my colleague.

Mr. HLACK. I will yield to my colleague.

Mr. HUDSPETH. I notice where Senator Capper stated that a farmer shipped a carload of cabbage to Chicago and they drew upon him for \$58 freight. The receipts of the cabbage did not pay the freight. Has my colleague thrown out any

scheme of legislation whereby we can reduce the freight rates, which are prohibitive to the shipping of commodities from Texas?

Mr. BLACK. I am trying to suggest the only scheme that I know of which will afford any relief, and that is to reduce the operating cost and then compel a reduction in rates. In 1917 the entire wage pay roll of the railroads of the United States was \$1,739,000,000. Whereas in 1920 the wage pay roll was \$3,800,000,000, which was within \$200,000,000 of every dollar the railroads took in from every source in 1917. Of course, reduction in wages is not the only economy in operation cost which can and should be put into effect. But it is certainly one important item which can not be overlooked if the public gets any relief.

Mr. BURKE. Will the gentleman yield?

Mr. BLACK. I will yield to my friend from Pennsylvania. Mr. BURKE. Has the gentleman figured out what it costs to pay an entire crew on a 100-mile division for eight hours?

Mr. BLACK. No: I have not undertaken to go into those details, because I do not profess to be an expert in railroad opera-tions, but the figures I have given show that if there is any reduction in freight rates there must be a substantial reduction in the aggregate pay roll which, as I have stated, for 1920 amounted to \$3,800,000,000, or within \$200,000,000 of every cent the railroads took in from every source in 1917. Can the gentleman from Pennsylvania suggest any way by which we can reduce rates without a substantial reduction of the pay roll? And if he can, I would like the information.

Mr. BURKE. The gentleman stated that the board granted a

\$600,000,000 increase in July, 1920. Is that true?

Mr. BLACK. It will run about \$625,000,000 annually.
Mr. BURKE. How much increase of freight rates did the Interstate Commerce Commission grant the railroads for the

Mr. BLACK. It was different for the different groups, but the total amount of the increased rates in dollars amounted to more than \$1,000,000,000 per annum, and let me call this fact to the gentleman's attention.

The CHAIRMAN. The time of the gentleman from Texas has expired

Mr. BARKLEY. I yield to the gentleman from Texas five minutes more.

Mr. BLACK. I want to answer the gentleman's inquiry, because I anticipated he would ask the question. When the Government turned the railroads back to their owners it was after an aggregate loss in the operation of them of \$1,200,000,000, according to the recent statement of Director General Davis, Therefore we had an average monthly loss in operation of \$50,000,000, and therefore some provision had to be made to give the roads rates which would enable them to operate without loss, because they had no Treasury of the United States to fall back upon, as the Railroad Administration had. Therefore when the Interstate Commerce Commission came to fix the rates after the roads had been returned to their owners they not only had to provide for the increase awarded by the Railroad Labor Board but they also had to provide rates which would absorb the Government deficit.

Mr. BURKE. Is it the gentleman's intention to take from the railroads \$1,000,000,000 if you take the proportional amount

of wages in their decrease?

Mr. BLACK. The gentleman heard what I said, I am sure, and it was this: That if the Railroad Labor Board would rescind the entire increase of July, 1920, which aggregated more than \$600,000,000 per annum, that the Interstate Commerce Comprission, in my judgment, would be justified in immediately ordering a decrease in the freight rates of 15 per cent, which would save the public more than \$900,000,000 a year.

Mr. BURKE. I think I caught that, but I failed to get the fact that the gentleman wanted to reduce the billion-dollar

Mr. BLACK. It was plainly stated, and I think the gentleman understands; and if he has any other inquiry I would like to have him make it, and if I can answer it I will be glad to do so.

Mr. BURKE. I would like to ask the gentleman if he voted

for the Webster amendment to the railroad bill.

Mr. BLACK. The Webster amendment was not voted upon. A substitute was offered by Mr. Anderson, of Minnesota, and I voted against his substitute. The gentleman would be justified in construing that a vote in favor of the Webster amendment.

Mr. BURKE. That was to regulate the workingmen.

Mr. BLACK. It was to prevent strikes, which, in my judgment, it is just as important to labor to have prevented as any other part of the public.

Mr. BURKE. Did the gentleman vote for the packer bill?

Mr. BLACK. I did not, and I stated very fully in a speech which I made on the floor of the House why I was not going to vote for it. The gentleman does not find me side-stepping a vote on any public question. I am ready to take my responsibility any time and give an account to my constituents.

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. BLACK. Yes.

Mr. SANDERS of Indiana. I want to suggest to the gentleman that a reduction of 15 per cent in freight rates might permit the railroads to carry more freight and thus increase the business, and it would not necessarily mean a decrease in the yield to the railroads.

Mr. BLACK. I think the gentleman is exactly correct about that and such situation should be fully considered by the Interstate Commerce Commission in determining what horizontal de-

crease in rates is proper and possible.

Mr. MEAD. Will the gentleman yield?
Mr. BLACK. Certainly.
Mr. MEAD. In order to bring out more strikingly the suggestion that this decrease in freight rates is necessary and is warranted, I would like to say that the railroads—and I think investigation will bring out the point—had their pay rolls padded during the time the Government controlled the railroads. I can safely say that in the terminal near my home they had an unwarranted number of supervising officials drawing large salaries who have since been dismissed from the service, dismissed the day that the railroads went under private control. In addition, the railroad companies have started a propaganda to abrogate the full crew. In Pennsylvania alone I understand they will dismiss some 2,000 employees absolutely needed for the safety of the traveling public.

Mr. BLACK. It is all right for the gentleman to make the statement and I have no objection to his making it, but I do not think his statement relates to the subject that I was undertaking to discuss, to wit, the looking upon the freight rate situation as a whole and the urgent necessity of bringing about such economy as will not only justify but make it obligatory on the Interstate Commerce Commission to give the public the relief to which it is entitled. As to the charges the gentleman from New York makes I do not profess to have any personal knowledge about it, and, therefore, I would say neither yea nor nay as to what the gentleman said. I suggest that the gentleman might well place those facts before the Interstate Commerce Commission to be considered by it in settling with the railroads, [Applause.]
Mr. SANDERS of Indiana. Mr. Chairman, I yield 15 min-

utes to the gentleman from Ohio [Mr. Fess].

Mr. FESS. Mr. Chairman, the bill that has been reported and is now before the committee is really in response to considerable agitation. Last year general charges were made against the rehabilitation work of the Federal board which reached the situation finally in the House where an investigation of the work of the Federal board was ordered by resolution of the House. That investigation was conducted, as Members will recall, by the Committee on Education. The report of the investigation was brief, but the hearings were very voluminous, covering some thousand pages. Before the committee came many interested people, including members of the disabled group from various districts where the rehabilitation work was being carried on. We found that these complaints were almost entirely confined to delay and confusion growing out of three departments operating independently. For example, if a man wanted to take advantage of the rehabilitation act under the old law, he must have been discharged with his compensation fixed by the War Risk Insurance Bureau, dependent upon his disability. Therefore we could not determine the eligible men until they had received their rating for compensation. The War Risk Insurance Bureau got so congested and so far behind with its work that it caused a great number of applicants to wait, and wait interminably, to get a decision from the board whether they could be trained or not. This protracted delay was the source of great dissatisfaction among the disabled men. Then there was another very unfortunate feature. When the man would go before the public-health officer to ascertain his condition under proper medical examination, he had to go to still another bureau. It was not infrequent that these functions of the Government would be located in different parts of the city where the examination was being carried on. The formality of waiting turn from office to office was troublesome. We found that there was some foundation for this great distress upon the part of the applicant. One of the first things that was done to remedy the situation was to place the office of the public health in the some building with the Rehabilitation Division of the Vocational Board.

That, of course, could not be done with the War Risk Insurance Bureau, because that operated from this point at Washington which was without these regional districts such as the Vocational Board had and such as are provided in this bill. We then finally passed through the House and the Senate an amendatory act, which permitted the Vocational Board to give final judgment without waiting for the decision of the War Insurance Bureau. That remedied the situation largely as to rehabilitation but not as to compensation. Still we could not concentrate responsibility for this work. The Committee on Education after going over all of the facts made several recommendations to Congress, and one of the recommendations was to centralize this work by placing the rehabilitation work under the same department with the War Risk Insurance Bureau and the Public Health Bureau. The War Risk Insurance Bureau was under the Treasury Department and the Public Health was under the Treasury Department, while the Vocational Rehabilitation was under an independent board. It was partly education, and education was under the Interior Department. The committee did not specify in its recommendations to place it under the Department of the Treasury, nor under the Department of the Interior, but recommended that these three be concentrated and placed under one department. So much for the necessity of centralization of authority. When the Hughes Commission made its investigation of the work of the War Risk Insurance Bureau, the Members here will recall that the recommendation was to decentralize the administration of that work-it was all done here at Washington-so that in various districts final decisions could be rendered without having to bring them all here, where the work was months behind.

Mr. BRIGGS. Mr. Chairman, will the gentleman yield? Mr. FESS. Yes.

Mr. BRIGGS. In the investigation which the gentleman conducted into the operation of the Federal rehabilitation act, the gentleman discovered, I am sure, just what effect the decentralization had had in that bureau; that is, decentralizing it so as to establish its operation in the hands of local agencies subordinate to the central body in Washington. I wish the gentleman would tell the committee just what success they had as compared with their previous experience, both as to expedition and the satisfactory character of these adjustments.

Mr. FESS. In the expedition of decision we saved an immense amount of lost motion. We got the decision quickly and without any inconvenience to the applicant. I can truthfully say that the decentralization into the 14 districts with the various suboffices under the 14 districts simply did wonders in removing complaint that was theretofore quite general.

Mr. BRIGGS. I was informed by a member of the vocational board that these regional agencies were able to act on a man's claim in 24 to 48 hours after he had his discharge; that the application was made there to the authorities in the Federal vocational board and he was sent up to the next floor to be examined by the medical officers, and they were able to act on his claim at once without referring it to Washington unless there was some data to be obtained from The Adjutant General's Office if he did not have his discharge.

Mr. FESS. In a general way the gentleman's information is correct. I do not know about the 24 hours, but it is true that the saving of time in transmitting the evidence from a distant point to Washington, to be probably confused with many others, created such a delay that when it could be done at the point of examination it saved the time greatly, as anyone could see, and most of the former complaints were discontinued.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. FESS. Yes.

Mr. ROGERS. I did not hear the gentleman answer this exact question. Does the gentleman know what the practice of the Federal board has been in respect to keeping at the local office the jacket in the case of a particular applicant for vocational training?

Mr. FESS. I understand it is kept at the local office up to

at least the time the trainee is discharged.

Mr. ROGERS. So that unless there is an appeal or some peculiar conditions the papers in a man's case never go to Washington at all.

Mr. FESS. I so understand it. Mr. ROGERS. Does not the gentleman think that possibly the enormous improvement which we have all noted with gratification in the handling of problems by the Federal board is very largely due to that one circumstance?

Mr. FESS. I certainly think that is true.

Mr. FESS.

Mr. ROGERS. I hope the same analogy will be applied to the new bureau.

Mr. FESS. That is really why I asked for time. seemed to be some objection to the provision for decentralizing this work into the 14 regional districts. That is the chief virtue of this legislation. It seems to me that is the meat in the coconut. It is the one thing that removed the various complaints of the rehabilitation work.

As to section 6 I am thoroughly in accord with the desire of the committee if we can reduce the 140 suboffices now in operation in the rehabilitation work to 50, but I frankly state to you that I am fearful of the effect of that. I want to make sure that the dropping of 100 offices will not harm the work. I am thinking of Ohio, for example. We have one of these suboffices in Cleveland, a city of three-quarters of a million people, and there are a number of persons in that city who are beneficiaries of that work. Then there is another office at Cincinnati, at the other diagonal point of the State. There is another office at Toledo, and one in the central portion of the State at Columbus, and then one at Dayton.

The Dayton office is only about 65 or 70 miles from Columbus. and about 65 from the Cincinnati office. I do not believe, as I now see it, that it would be quite safe to go upon a basis that we could reduce these five offices to one or two. Frankly, I am perfectly willing to do it if it can be done safely. I may be mistaken in this matter. I do not have the same fear the gentle-man from Illinois [Mr. McKenzie] had when he said that if you transferred all of this personnel over under a new department you have retained these persons permanently in office. have not that fear. I think the gentleman from Indiana [Mr. SANDERS] explained that fully, that it does not perpetuate the personnel. We have the power to reduce it to any degree at any time. I do not think that is to be feared, but I do want to know whether the work of a State like Ohio, that is done in five suboffices, can safely be done in one or two at the present time. That I hope will be looked at very carefully before the bill becomes a law.

Mr. NORTON. The fact is that I was informed within the last month that where it took a fellow two or three weeks they will guarantee that an ordinary person can get through in

Mr. FESS. It is expeditious, of course. I want to call atten-on also to this item on page 3. My friend, the chairman of the tion also to this item on page 3. subdivision of the committee, thinks the words in line 17, habilitation Division of the Federal Board for Vocational Education," applies only to the disabled soldiers act. I think that he is mistaken there, but, on the other hand, I think it is broad enough to take in rehabilitation of the industrial cripples, which is a separate bill, and, while it is not an amendment to this bill, yet it is called a rehabilitation act.

Mr. BRIGGS. Does the gentleman refer to the Federal Employees' Compensation Commission?

Mr. FESS. Yes. It will not do to mix the two, nor does the committee want to do that. The rehabilitation of the disabled soldier is really a Federal function, while the rehabilitation of industrial cripples is a cooperative function between the Federal Government and the States. That is being done in cooperation with the State compensation commissions, and we should not mix them up in that way.

Mr. SWEET. The act to which the gentleman refers is not an amendment, but is what is known as the rehabilitation act. It is a separate act. Now the truth is that which we transfer here is simply what is known as the Rehabilitation Division of the Vocational Education, and we refer to it by date, June 27, 1918, so it seems to me that the present provision expresses just what we intend. Of course, there is no intention on the part of the committee to include that other act.

Mr. FESS. The gentleman thinks that is identified sufficiently?

Mr. SWEET. I think so.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FESS. May I have one minute?

Mr. SANDERS of Indiana. I yield the gentleman one minute.

Mr. FESS. The Committee on Education has before it now a bill called the public-welfare bill. The Committee on Education and Labor of the Senate has the same bill, which proposes to establish a new department with four subdivisions, and one of those subdivisions is this veterans' administration. This bill now before us fixes the veterans' service administration under the Treasury Department. If the public welfare bill goes through, it will transfer this when it becomes a law to the public welfare division, consequently this measure is not in opposition, and I am for this bill, although this is not the same as the other bill I have introduced.

Mr. CANNON. I am for it for another reason.

The CHAIRMAN. The time of the gentleman has expired. Mr. BARKLEY. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. MEAD].

Mr. MEAD. Mr. Chairman, while we were discussing transportation a few moments ago it occurred to me it would be proper at this time to bring up a question bearing directly on the transportation problem of the country. I am speaking of the report that will in the near future be submitted to the Congress by the International Joint Commission, as I understand that report will come during the life of the present Congress. The International Joint Commission, as you know, was authorized by the last Congress to investigate the practicability of the construction of a ship canal connecting the Great Lakes with the Atlantic Ocean by way of the St. Lawrence River. I shall oppose it, because I am not in favor of building a canal, by using the public moneys, which when built will serve no necessary purpose. Ninetenths of this improvement will be in the Dominion of Canada and will tend to build up that country's ports to the detriment of our own. I am opposed to it because it will take, as I understand it from an unofficial report, approximately \$1,400,000,000 to construct this ship canal, and in addition to that it will cost upward of \$12,000,000 per foot to deepen the existing channels and canals of the Great Lakes, and it will then cost about \$500,000 a year to maintain each additional foot of depth which must be maintained in order that ocean vessels be allowed to navigate the Lakes. So that altogether this so-called ship canal will require a huge expenditure of public money.

Now, then, in view of the fact that every river and harbor in the United States along the Atlantic coast and along the Gulf coast and Pacific coast, as well as the harbors on the Great Lakes, are in need of improvement, and these improvements have already been approved, and because of the present and necessary desire of economy, I think the use of the public moneys ought to be directed to the improvement of our own existing rivers, canals, and harbors, and not for the construction of a canal in a foreign country. The United States Board of Engineers reported to Congress that upward of \$78,000,000 is needed now to carry forward projects partially completed and others already approved. Next year a still greater demand will be made for river and harbor improvement. At a recent session of the River and Harbor Congress it was stated by the representatives of the Mississippi Valley that a billion dollars would be required to carry on river and harbor improvement wholly within the country. The elaborate annual report of the Chief of Engineers will show where such appropriations are needed. There is hardly a river or a port from Maine to Florida, along the Gulf, along the Great Lakes, or on our western coast but that needs Federal appropriations to complete projects already approved, and some of them have already been started and should be completed.

My friends, if we decide to approve the report of the International Joint Commission, and if this canal is finally constructed, there is a question in my mind as to whether or not it will ever be used for a ship canal. Personally, I do not believe it ever will. I believe it will be a competing barge canal to that barge canal built already in New York and built by American money.

In one of the reports of the Board of Engineers we find the following:

If a ship canal were built, the business thereon would not be done in large lake or ocean vessels, but in barges and boats, which could be equally well accommodated in a canal of much less size.

The Roosevelt commission of 1900, headed by Gen. Francis V. Greene, made a thorough investigation of the subject of a ship canal between the Great Lakes and the ocean, and in its report stated:

"There are certain insuperable difficulties in the way of such a canal ever being a success, no matter by whom constructed. It is intended to be used by vessels which can navigate the ocean, the canal, and the Lakes. We do not believe that such vessels can be constructed so as to be economically a commercial success. The ocean vessel is built to withstand the fierce storms of the Atlantic and costs in its most modern type about \$71 per ton of carrying capacity. The vessel that can navigate the Lakes is built to withstand less frequent and dangerous storms; it has less draft on account of the smaller depth of the harbors on the Lakes, and is built much less substantially; its cost is about \$36 per ton of carrying capacity. The cost of a canal fleet, consisting of a steamer and three consorts, with a total capacity of 3,900 tons, according to figures furnished us by boat builders, will be \$28,500, or \$7.31 per ton."

This shows that the vessel that is a success upon the ocean will never be made a commercial success upon the Lakes or upon the canals connecting the Lakes with each other and with the ocean.

Another objection to the construction of this ship canal is that after we get it built with America's money it can be used only a part of the year. Navigation is closed in that far-distant northland about six months of the year, according to the severity of the season. It is a very dangerous river to navigate; on account of the ice and tempestuous weather and fogs no insurance can be given to any boat after the 1st of November until the summer again comes around.

I could read a long list of major disasters that occurred in

the Atlantic just outside of the gulf, but in the river itself. In 1914 the Canadian Pacific liner Empress of Ireland was in collision with the collier Storstad in the St. Lawrence River and sank in 20 minutes, and unward of 1,000 lives were lost. That is just one of a great number of major disasters that occurred in the St. Lawrence River, and furnishes evidence of the dangers of navigation there. Capt. Kendall, captain of one of these vessels, said, when the disaster was investigated, that it was very foggy, and although the officers of both vessels saw each other approaching, the fog settled down so suddenly that they were lost to each other's view and the collision occurred.

The St. Lawrence, as the result of many other disasters, has become known as the "graveyard of the Atlantic." You will remember the *Titanic* disaster. That occurred just outside of the Gulf of St. Lawrence, where those great fields of icebergs make navigation dangerous. It is in the direct line of all vessels making from European ports to the mouth of the St. Lawrence. And therefore, as a result of the dangers incident to its navigation, and because of the river being closed for a great part of the year, I feel those are additional reasons why America's money should not be expended in such an enterprise.

Another objection to it is that it is wholly within Canadian territory, except about one-tenth of its distance. The only way that could be overcome would be by ceding to the United States Government at least one shore line of this river, such as was done in the building of several European canals, or in the ceding of one-half the Canal Zone, as was done in the case of the Panama Canal. Some arrangement should be made by international agreements along these lines before we seriously consider the proposition. One of the arguments presented by those in favor of the canal is that the needs of commerce warrant its construction. But, my friends, I understand from the reports, which I will submit later, from the Department of Commerce and the War Department that less than 10,000,000 tons of Great Lake tonnage reaches the seaboard each year.

The CHAIRMAN. The time of the gentleman has expired. Mr. MEAD. I ask for two minutes more.

Mr. BARKLEY. I yield two minutes more to the gentleman. The CHAIRMAN. The gentleman is recognized for two minutes more.

Mr. MEAD. I have a telegram here from the New York State engineer who has supervision over the New York Barge Canal, recently completed, in which he informs me that the maximum carrying capacity of the new barge canal under normal conditions will be 20,000,000 tons, or twice the tonnage that reaches the seaboard of the Great Lakes. So the needs of commerce will be abundantly cared for by the present barge

Now, then, I believe that as the result of the construction of the great barge canal by the State of New York, which will cost the people approximately \$200,000,000, and the building of 50 or more great terminals, now nearly completed, as well as the construction of State-owned elevators at Oswego and New York City, just ordered by the recent legislature, we will have there one of the finest canal systems in all the world, capable of handling twice the tonnage of the Great Lakes, and a canal which will be all-American, a canal which will tend to build up American seaports, a canal which will tend to build up this great Nation.

I am not in favor of diverting our trade and building up the ports of Montreal and Ottawa when we can invest our money and spend our time in building up such ports as Boston, New York, Philadelphia, Baltimore, Savannah, New Orleans, and others, as well as the ports on the Pacific coast. I believe, my friends, we shall be making a serious mistake and a bad investment by considering favorably the building of this so-called St. Lawrence ship canal. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. WINSLOW. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. Denison].

The CHAIRMAN. The gentleman from Illinois is recognized for 10 minutes.

Mr. DENISON. Mr. Chairman, I want to make some general observations in view of some of the statements that were made by the gentleman from Ohio [Mr. FESS]. As a preface, I wanted to say that the bill now under consideration represents, of course, the unanimous views of the committee that reported it, The committee gave it very tedious and very careful consideration, and I want to say that I think the House is under a debt of gratitude to the subcommittee which conducted the hearings and labored very strenuously in the preparation of this bill. There was a great deal of work involved in it. The members of that subcommittee, as I remember it, were members of the comthe St. Lawrence River-not the Gulf of St. Lawrence, or not in mittee during the war, and they have made a study of this whole

subject from the beginning of this character of legislation; and not only the full committee, but the House, is indebted to the subcommittee for the careful work which they did in connection

with the consideration of this legislation.

I also want to express appreciation of the clear explanation of the bill which the chairman of the subcommittee [Mr. Sweet] has given on the floor this afternoon, particularly of that part of his remarks which reviewed the entire legislation of Congress with reference to our soldiers of the World War, both during their service and since their discharge. There have been a great many complaints made, I am sure, to all of us about the treatment of the soldiers, the veterans; and sometimes it seems that those who complain are unable or else are unwilling to properly discriminate and place the blame where it belongs. They blame Congress for the faults of those who have been charged with the administration of the law. I feel that the gentleman from Iowa [Mr. Sweet] has made a complete and clear presentation of what Congress has done, and I am sure that Congress itself has done everything that we could do to afford every relief and every consideration that could have been given by legislation to the veterans of the war.

Now, while this bill has the unanimous approval of the committee, yet, as a matter of course, it does not represent the individual views of every member of the committee; that is, all of its provisions do not represent the individual views of all the members of the committee. It is the consensus of the views of

the committee, the best that we could all agree upon.

There is one section of the bill that I want to speak about particularly, and that is the section referred to by the gentle-man from Ohio [Mr. Fess]. I refer to the provision of the bill which provides for decentralizing the activities of the veterans' bureau. I am going to support the bill. I think it is going to accomplish a great deal of good, but I am not convinced in my own mind that this decentralizing of the bureau is going to be a good thing. I think there ought to be a decentralization of certain of the activities of these various bureaus which will be combined in the veterans' bureau, but I doubt in my own mind the wisdom of decentralizing final action in the rating of disability, in the final adjustment of claims, and in the final settlement of insurance, and so forth.

I think it would be a good thing if we could have more of these suboffices referred to by the gentleman from Ohio [Mr. FESS] than is provided for in the bill; but I do not think the regional offices ought to have the final powers that are conferred upon them by this bill. For instance, I think it would be a good thing to have a greater number than 50 of these suboffices, which should have power, for example, to hear complaints and make examinations or even ratings, as far as that is concerned, and to grant medical, surgical, or dental care, or even hospital care and convalescent care, as it is called in the bill. But I am afraid it is going to be a mistake to allow so many different offices, scattered all over this country, to make final adjustments and come to final decisions on these important questions, I am afraid it is going to result in a lack of uniformity in the administration of the law. I do not care how essentially valuable a particular legislation may be, if it is not uniformly administered there is going to be endless complaint.

You will no doubt remember, when we passed the draft law and provided for local draft boards all over the United States. under the first regulations of the War Department the draft law was not administered in the same manner in hardly any two parts of the United States, and that was the main cause of complaint against the draft law. Men were treated differently by different boards. It was because of lack of uniformity in its administration. One policy was being put into effect by one draft board, and in another district—close to it, possibly—an entirely different policy was being followed by another board. Now, I am afraid that there is going to be a lack of uniformity in the final determination of these questions that will come up, because of the divided authority, and my judgment now is that it will not be very many years until Congress will amend this law and repeal this provision. We have already done that very

thing with reference to the Pension Bureau.

First, there came a demand for a decentralizing of the Pension Bureau, and Congress, yielding to the demand, established pension agencies in various central cities throughout the United States and put high-salaried officers in charge of them. After-Congress repealed that law and brought those offices back into Washington, and I am afraid we are going to have the same experience in the administration of this law. The history of that legislation is quite interesting. The old soldiers themselves became dissatisfied with the delays and inefficiency of the Pension Bureau, due to divided authority, and they demanded a recentralizing of the bureau. The House passed a bill for that purpose, but it could not pass the Senate. The appointment | men entitled to relief?

of the numerous regional pension officials was senatorial patronage. And the House had to pass the bill either three or four times, I am informed, before the Senate would yield and approve it. Finally, the law was passed and the regional pension offices were abolished. History may repeat itself with the legislation now under consideration.

I believe there ought to be a decentralizing of certain parts of the administration of the veterans' bureau. It will expedite the business of the bureau and be a great help and convenience

to both the veterans and the Government.

But I doubt the wisdom of dividing or decentralizing the authority to make final adjustments and decisions. I fear there will result serious delays and lack of uniformity in administering the law.

Mr. GARRETT of Texas. Will the gentleman yield there?

Mr. DENISON. Yes.

Mr. GARRETT of Texas. I think I understood the chairman of the subcommittee in his argument to say that all of these regional suboffices would be governed by rules and regulations inaugurated by the director, and from that I concluded that the same rules and regulations would be in force all over the country, and that each suboffice would be governed by the same rules and regulations as the others, and therefore necessarily would be bound to reach the same conclusion concerning the same subject matter.

Mr. DENISON, I am glad the gentleman from Texas mentioned that, because I was coming right to that when he inter-

rupted me.

All of the local draft boards under the draft law were supposed to be governed by rules and regulations issued by the Judge Advocate General, but they nearly all administered the law differently. Regulations are not always what they should be. Besides, under this bill the regional offices will operate

under the law and not under regulations.

But let me call the attention of the committee to this: If I understood the gentleman from Iowa [Mr. Sweet] correctly, I do not think we have expressed in section 6 of the bill the proposed plan as he understands it. If you will examine section 6 carefully, you will see that it authorizes these regional offices to exercise all the powers that the central office can exercise, and they do not depend upon any direction or regulation of the

director for their power.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WINSLOW. I yield to the gentleman five minutes more.

Mr. DENISON. If the gentleman from Iowa [Mr. Sweet] will read that sentence in section 6 again carefully, I am sure he will agree with me that this section confers upon the regional offices all those powers which the central office possesses, and, therefore, they can do anything, without regard to any directions or regulations from the director, that the central office can do.

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. SANDERS of Indiana. I was going to call the gentleman's attention to section 2 which provides that-

The director, subject to the general direction of the Secretary of the Treasury, shall administer, execute, and enforce the provisions of this act, and for that purpose shall have full power and authority to make rules and regulations not inconsistent with the provisions of this act but which are necessary or appropriate to carry out its purposes and shall decide all questions arising under this act except as otherwise pro-

Now, my notion is that the regulations would govern notwithstanding the specific provision of section 6. So far as I am concerned—I can not speak for the committee—it is my understanding that the regulations of the director reach clear on down through the suboffices. If that is not the proper language, I would be quite willing to make such changes as would bring that about.

Mr. DENISON. I want to call the gentleman's attention to the language right here in section 2, which he has just quoted: shall have full power and authority to make rules and regulations not inconsistent with the provisions of this act but which are necessary or appropriate to carry out its purposes, and shall decide all questions arising under this act except as otherwise provided herein.

He can not make any regulations or rules which would be inconsistent with the other provisions of the act. That is what I am talking about. One of the other provisions is in section 6, and that expressly confers the same authority on the regional offices that is conferred upon the central office.

Mr. BRIGGS. Will the gentleman yield? Mr. DENISON. I will.

Mr. BRIGGS. Does the gentleman think that if those regional offices are only to have the privilege of making recommendations to the central office it is going to obviate the evils and difficulties now being encountered and experienced by the

Mr. DENISON. We might not be able to perform all the duties as quickly, but there are other things to be considered

in a great law of this kind besides mere speed.

Mr. BRIGGS. Does not the gentleman think, if a man is suffering for his pension in order to receive proper attention in the way of food, raiment and treatment, that if he does not get it within a reasonable time he may not need it later? There have been cases within my knowledge where a man has had to wait six months to get his claim acted on. In one case the man died, but fortunately he undertook to get his insurance reinstated and did it on his own certificate, and so forth, but now his certificate is being questioned by the insurance bureau on the ground that he did not have medical examination, and that if he did it might have shown that he was not in as good health when he got it as he thought he was.

Mr. DENISON. Such delays are inexcusable, of course, and most all of us could call attention to special cases that have come within our observation. But by this bill we are trying to remedy those evils and extend the bureau's activities out into all parts of the country, so that it will be in more intimate touch with the needs of the veterans. The suboffices ought to be so numerous that they could be conveniently reached by all of the veterans, and they ought to have the power to make examinations and investigations and recommendations.

what I am thinking of-

Mr. BRIGGS. Does not the gentleman think that the regional offices can pass the allowance under certain standards prescribed by the bureau just as efficiently as the surgeons or officials can

do it here in Washington?

They have to take the same written examination from the field that the regional board would have before them, and they are congested to the extent that they have recently had 60,000 cases unacted upon in the Bureau of War Risk Insurance. And they could not find the papers for days and could not locate the jackets

Mr. DENISON. That is purely the fault of the administration; if they had as many officers to attend to the matter as we provide in this bill, they could have done the work promptly.

Mr. BRIGGS. They claim that is the fault of Congress, because they have not given them enough to do the business.

Mr. BARKLEY. This bill provides for the very thing the

gentleman is talking about.

Mr. BRIGGS. But the gentleman from Illinois is questioning the advisability of giving these regional officers the power of

Mr. BARKLEY. No; he was referring to the subofficers. He is not objecting to the regional officers.

Mr. SANDERS of Indiana. I want to make a suggestion in reference to the regional officers.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. WINSLOW. I yield to the gentleman from Illinois two

Mr. DENISON. I yield to the gentleman from Indiana for a

Mr. SANDERS of Indiana. Although the final adjudication is now made in the city of Washington, as a matter of fact the adjudications are made by various examiners, and no one mind passes on them all; so, in creating the regional boards, permitting final adjudication by the different regional boards is a

matter of geography rather than a matter of definition.

Mr. DENISON. You might say the same thing about every other Government activity. Take the Federal Reserve Board, for example. You might say that we ought to authorize all the regional reserve boards over the United States to have final authority about the Federal reserve act. You could make that same observation with reference to every governmental

Mr. FESS. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. FESS. I think the gentleman has in mind the possibility of some confusion arising out of the lack of uniformity in administration. I think that is possible.

Mr. DENISON. Yes; that is what I had in mind. Mr. FESS. The main point is that there is such a conges-

tion here, when it is all done at Washington, that the beneficiaries, scattered all over the United States, as in the rehabilitation work, could not be given expeditious action, and if you have a regional board somewhere near where they are located. instead of getting the cases lost over here in Washington, you would have precisely the result we had in the rehabilitation work, namely, expeditious final decisions. I admit that in the regional offices they do have these three functions of awarding compensation, making insurance awards, and granting vocational training. That is exactly what should be done at the

regional office, and that is precisely what the bill means to do. That is the purpose of it.

Mr. DENISON. I know that.

Mr. FESS. And I do not believe my friend's fears are well

grounded.

Mr. DENISON. I understand that is what the bill does, and I am going to support it, because I am going to yield my judgment to what I consider may be the better judgment of the subcommittee and of the other members of the committee. Then, this policy of decentralization is advocated by the legion organization, and there seems to be a general sentiment for it. It has been recommended by the Hughes Commission and by others, and I am going to support it, because whenever I find my views are out of harmony with those of so many others I think, perhaps, that I am wrong. But I merely desired to express my apprehension that by dividing the final authority in the administration of this great and important Government service among the various regional offices there may result a lack of uniformity in the treatment of the veterans and their dependents and a cumbersome, expensive, and persistent bureaucracy which will sooner or later make necessary the repeal of this feature of the legislation.

Mr. WINSLOW. Mr. Chairman, I move that the committee

do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. Anderson, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 6611) to establish in the Treasury Department a veterans' bureau, and had come to no resolution thereon.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted— To Mr. Graham of Illinois, for 10 days, on account of important business.

To Mr. Taylor of Tennessee, for one week, on account of

important business.

#### EXTENSION OF REMARKS.

Mr. SWEET. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

## ADJOURNMENT.

Mr. WINSLOW. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 1 minute p. m.) the House adjourned until to-morrow, Friday, June 3, 1921, at 12 o'clock noon.

# EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

149. A letter from the Secretary of War, transmitting condemnation proceedings in connection with the acquisition of land for Camp Benning, Ga. (H. Doc. No. 90); to the Committees on Appropriations and Military Affairs.

150. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, together with a report of Maj. R. Park, Corps of Engineers, on a preliminary examination of Columbia River between Chinook, Wash., and the head of Sand Island; to the Committee on Rivers and Harbors.

151. A letter from the Acting Secretary of the Navy, transmitting a tentative draft of a bill authorizing certain officers on the retired list of the Navy and Marine Corps to receive pay in accordance with their rank as now shown by the records of the Navy Department; to the Committee on Naval Affairs.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows

Mr. DYER, from the Committee on the Judiciary, to which was referred the bill (S. 78) authorizing the appointment of an additional judge for the district of North Dakota, reported the same without amendment, accompanied by a report (No. 130), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. VOLSTEAD, from the Committee on the Judiciary, to which was referred the bill (H. R. 6752) supplemental to the national prohibition act, reported the same with amendments, accompanied by a report (No. 133), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GOODYKOONTZ, from the Committee on the Judiciary, to which was referred the bill (S. 694) providing for the appointment of an additional district judge for the southern judicial district of the State of West Virginia, reported the same without amendment, accompanied by a report (No. 134), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

# REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. GLYNN, from the Committee on Claims, to which was referred the bill (H. R. 5775) for the relief of Liberty loan subscribers of the North Penn Bank, of Philadelphia, Pa.; Santa Rosa National Bank, Santa Rosa, Calif.; and Mineral City Bank, Mineral City, Ohio, reported the same with an amendment, accompanied by a report (No. 132), which said bill and report were referred to the Private Calendar.

# PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. KELLER: A bill (H. R. 6767) to abolish war profits and corporation income taxes, and to abolish certain excise taxes, transportation taxes, taxes on admissions and dues, and for other purposes; to the Committee on Ways and Means.

Also, a bill (H. R. 6768) to amend section 401 of Title IV of the revenue act of 1918; to the Committee on Ways and Means.

Also, a bill (H. R. 6769) to amend section 1 of Title II of the revenue act of 1918, and amending section 211 of said act by prescribing different rates of taxation for earned and unearned incomes, and for other purposes; to the Committee on Ways and Means.

By Mr. PATTERSON of Missouri: A bill (H. R. 6770) to increase the appropriation heretofore made for the erection of a public building at Fayette, Mo.; to the Committee on Appropriations

Also, a bill (H. R. 6771) to provide for the erection of a public building at Sedalia, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. SUTHERLAND: A bill (H. R. 6772) to authorize the expenditure of the sum of \$100,000 heretofore appropriated for the erection of a United States post office, courthouse, and jail at Cordova, Alaska, by the act approved March 4, 1913, for the erection of a United States courthouse and jail at Cordova, Alaska; to the Committee on Public Buildings and Grounds.

By Mr. KELLER: A bill (H. R. 6773) to levy an excise tax upon the privilege of the use and enjoyment of large land holdings, based upon their unimproved value; to the Committee on Ways and Means.

By Mr. NEWTON of Minnesota: A bill (H. R. 6774) declaring the battle field of Yorktown, Va., a national military park, upon the acquisition of the site at a cost of not exceeding \$100,000; to the Committee on Military Affairs.

By Mr. EDMONDS: A bill (H. R. 6775) to regulate marine insurance in the District of Columbia; to the Committee on the District of Columbia.

By Mr. McFADDEN: A bill (H. R. 6776) to amend sections 1 to 7, inclusive, of the act of July 12, 1882; to the Committee on Banking and Currency.

By Mr. WOODYARD: A bill (H. R. 6777) granting the consent of Congress to the Huntington & Ohio Bridge Co. to construct, maintain, and operate a highway and street railway toll bridge across the Ohio River between the city of Huntington, W. Va., and a point opposite, in the State of Ohio; to the Committee on Interstate and Foreign Commerce.

By Mr. FOCHT (by request of the District Commissioners): A bill (H. R. 6778) to provide for the appointment of the members of the board of education of the District of Columbia; to the Committee on the District of Columbia.

By Mr. McFADDEN; A bill (H. R. 6779) to encourage bank deposits by nonresident foreign corporations and nonresident alien individuals, and for other purposes; to the Committee on Ways and Means.

By Mr. JACOWAY: A bill (H. R. 6780) to amend for the period of one year section 22 of the interstate commerce act; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENBLOOM: A bill (H. R. 6781) to amend and reenact section 1318 of the act entitled "An act making appropriations for the support of the Military Academy for the fiscal

year ending June 30, 1921, and for other purposes," approved March 30, 1920; to the Committee on Military Affairs

March 30, 1920; to the Committee on Military Affairs.

By Mr. LITTLE: Joint resolution (H. J. Res. 141) authorizing the President to prevent excessive importations to escape taxes about to go into effect; to the Committee on Ways and Means.

By the SPEAKER (by request): Memorial of the Legislature of the Territory of Alaska urging that Federal aid may be extended to this Territory to maintain continuous and reliable routes of transportation at such cost to the public as would tend to revive the vanishing industries of the Territory; to the Committee on the Territories.

Also (by request), memorial of the Legislature of the Territory of Alaska regarding radio stations in Alaska; to the Committee on the Merchant Marine and Fisheries.

Also (by request), memorial of the Legislature of the Territory of Alaska, urging an appropriation for the reconnaissance and survey of the region north of the Endicott Mountains and extending along the northern or arctic slope of the Territory; to the Committee on Appropriations.

Also (by request), memorial of the Legislature of the Territory of Alaska, urging that 25 per cent of the net sum derived from the fur seal industry be paid into the general fund of the Territory of Alaska; to the Committee on Ways and Means.

Also (by request), memorial of the Legislature of the Territory of Alaska, urging the leasing of certain small islands in Alaska for fox and cattle farming; to the Committee on the Public Lands.

Also (by request), memorial of the Legislature of the Territory of Alaska, regarding pulp-wood timber in Alaska; to the Committee on the Territories.

Also (by request), memorial of the Legislature of the Territory of Alaska urging an appropriation sufficient to pay the salaries and expenses of three or more additional mining engineers to work in Alaska under the direction of the United States Bureau of Mines; to the Committee on Appropriations.

Also (by request), memorial of the Legislature of the Territory of Alaska urging Federal aid be given to the town of Seward, Alaska, to the extent of the sum of \$100,000, to be expended in public works seeking to protect the lives, property, and railroad property from the ravages of Lowell Creek; to the Committee on the Territories.

Also (by request), memorial of the Legislature of the Territory of Alaska urging that immediate steps be taken for the abrogation of the present control system and for the establishment of an asylum and sanitarium for the insane in the Territory of Alaska; to the Committee on the Territories.

Also (by request), memorial of the Legislature of the Territory of Alaska urging Congress to place the control of the fishing business of Alaska in the hands and under the control of the Legislature of the Territory of Alaska; to the Committee on the Merchant Marine and Fisheries.

Also (by request), memorial of the Legislature of the Territory of Alaska urging that steps be taken to install a cable of sufficient efficiency to provide for present and future needs; to the Committee on the Territories.

Also (by request), memorial of the Legislature of the Territory of Alaska urging sufficient sums be appropriated for the equipment of a safety station in the mining section of Alaska; to the Committee on Mines and Mining.

Also (by request), memorial of the Legislature of the Territory of Alaska urging adequate and dependable ocean transportation for ores and other Alaska products to market within the United States; to the Committee on the Merchant Marine and Fisheries.

Also (by request), memorial of the Legislature of the Territory of Alaska urging an appropriation of \$955,000 for construction, repair, and maintenance of military and post roads, bridges, and trails in Alaska; to the Committee on Appropriations.

Also (by request), memorial of the Legislature of the Territory of Alaska regarding the mining claims in Alaska; to the Committee on Mines and Mining.

Also (by request), memorial of the Legislature of the Territory of Hawaii, urging the passage of the franchise of the Honolulu Rapid Transit & Land Co.; to the Committee on the

Also (by request), memorial of the Legislature of the State of Oklahoma, congratulating the people of Mexico upon the new era of peace and prosperity and friendly relationships which have been established under the leadership of President Obregon; to the Committee on Foreign Affairs.

By Mr. KAHN: Memorial of the Legislature of the State of California relative to remount appropriation; to the Committee on Military Affairs.

### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CHANDLER of Oklahoma: A bill (H. R. 6782) for the relief of Claude C. Brogden; to the Committee on War Claims

By Mr. CROWTHER: A bill (H. R. 6783) granting an increase of pension to Alfred Ashton; to the Committee on Pen-

By Mr. DEAL: A bill (H. R. 6784) for the relief of the Fred E. Jones Dredging Co.; to the Committee on Claims.

By Mr. FESS: A bill (H. R. 6785) granting a pension to Alta A. Roush; to the Committee on Invalid Pensions.

By Mr. FISH: A bill (H. R. 6786) authorizing the Secretary of War to donate to the town of Millbrook, in the State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FOSTER: A bill (H. R. 6787) granting a pension to Margaret J. Ewers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6788) granting a pension to Mary Jane

Howell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6789) granting a pension to Sarah E. Morrill; to the Committee on Invalid Pensions.

By Mr. GAHN: A bill (H. R. 6790) granting a pension to Jay W. Ducatt; to the Committee on Pensions.

By Mr. HICKEY: A bill (H. R. 6791) granting a pension to Emma Chandonia; to the Committee on Invalid Pensions.

By Mr. HOGAN: A bill (H. R. 6792) for the relief of the owner of the steamship Urubambra; to the Committee on Claims.

By Mr. JACOWAY: A bill (H. R. 6793) making eligible for retirement under the same conditions as now provided for officers of the Regular Army, Lieut. Leonard C. Boyd, an officer of the United States Army during the World War, who incurred physical disability in line of duty; to the Committee

on Military Affairs.

By Mr. KEARNS: A bill (H. R. 6794) granting a pension to Cora C. Prickett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6795) granting a pension to Ida J. Mc-

Math; to the Committee on Invalid Pensions.

By Mr. LONGWORTH: A bill (H. R. 6796) authorizing the Secretary of War to donate to Kennedy Heights, Ohio, one German cannon or fieldpiece; to the Committee on Military

Also, a bill (H. R. 6797) granting a pension to Wallace M. Davis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6798) granting an increase of pension to little Van Bibber; to the Committee on Invalid Pensions. By Mr. MERRITT: A bill (H. R. 6799) granting an increase

of pension to Vivian Powers; to the Committee on Pensions. By Mr. PATTERSON of Missouri: A bill (H. R. 6800) to carry into effect the findings of the Court of Claims in the case

of Thomas A. Wakefield; to the Committee on Claims. By Mr. RUCKER: A bill (H. R. 6801) granting a pension to Anna Myers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6802) granting a pension to Nettie Myers; to the Committee on Invalid Pensions.

By Mr SANDERS of Indiana: A bill (H, R. 6803) granting a pension to Lydia A. Keller; to the Committee on Invalid

By Mr. SANDERS of New York: A bill (H. R. 6804) granting a pension to William S. Wilson; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1024. By Mr. ARENTZ: Petition of the Reno Chamber of Commerce, of Reno, Nev., protesting against the further extension of the time limit of completing the assessment work on mining claims and favoring the changing of the permanent time to July 1; to the Committee on Mines and Mining.

1025. By Mr. BARBOUR: Petition of the Hanford (Calif.) Board of Trade, urging reconsideration of the transportation act of 1921; to the Committee on Interstate and Foreign Com-

1026. By Mr. BYRNS of Tennessee: Papers to accompany House bill 6755, granting a pension to Chlora Wible; to the

Committee on Invalid Pensions. 1027. By Mr. CHALMERS: Resolution for relief of the disabled soldiers adopted by the Oak Harbor Business Men's Association, Oak Harbor, Ohio; to the Committee on Interstate and Foreign Commerce.

1028. Also, resolution for the relief of the disabled soldiers adopted by Company D, Second Infantry, Ohio National Guard, Oak Harbor, Ohio; to the Committee on Interstate and Foreign Commerce.

1029. Also, resolution for relief of the disabled soldiers adopted by the Literary and Social Club of Oak Harbor, Ohio; to the Committee on Interstate and Foreign Commerce.

1030. Also, petition of General Bates Camp, No. 64, Department of Ohio, United Spanish War Veterans, in favor of the Knutson bill (H. R. 4); to the Committee on Pensions.

1031. By Mr. CRAMTON: Resolution of Marlette Post, No. 162, American Legion, Marlette, Mich., indorsing the program of legislation asked by the American Legion of the Sixty-seventh Congress in the interest of the disabled veterans of America; to the Committee on Interstate and Foreign Commerce.

1032. By Mr. CURRY: Petition of the Contra Costa County

Farm Bureau, Concord, Calif., favoring certain legislation for the relief of disabled service men of the recent war; to the Committee on Interstate and Foreign Commerce

1033. Also, petition of the Lions Club, Sacramento, Calif., favoring certain legislation for the relief of disabled service men of the recent war; to the Committee on Interstate and

Foreign Commerce. 1034. Also, petition of Henry McNamara Post, No. 29, American Legion, Martinez, Calif., favoring certain legislation for the relief of disabled service men of the recent war; to the

Committee on Interstate and Foreign Commerce 1035. By Mr. DALLINGER: Petitions of Church of the First Parish in Cambridge, Mass., and churches of Newton, Mass., urging international conference favoring disarmament; to the

Committee on Foreign Affairs. 1036. By Mr. FENN: Petition by Auxiliary Tomalonis Hall Post, No. 84, American Legion, Simsbury, Conn., asking for relief of disabled soldiers; to the Committee on Interstate and Foreign Commerce.

1037. By Mr. FROTHINGHAM: Petition of the Women's Auxiliary of the George S. Shepard Post, No. 7, American Legion, of North Easton, Mass., urging relief for the disabled soldiers; to the Committee on Interstate and Foreign Commerce.

1038. By the SPEAKER (by request): Petition of convention of the diocese of central New York, of the Protestant Episcopal Church, urging international disarmament; to the Committee on Foreign Affairs.

1039. Also (by request), petition of Lake Placid Post, No. 325, American Legion, also fathers, mothers, sisters, children, and friends of said post, urging Congress to pass measures adopted by the American Legion; to the Committee on Interstate and Foreign Commerce.

1040. Also (by request), petition of citizens of the second congressional district of the State of Kansas, urging recognition for the republic of Ireland; to the Committee on Foreign Af-

1041. By Mr. KISSEL: Petitions of William Dawson, John T. MacEvoy, Nicholas M. Marron, and Catherine, E. A., and John Tumulty, all of Brooklyn, N. Y., urging the recognition of the Irish republic; to the Committee on Foreign Affairs.

1042. Also, petition of Harold A. Sinclair, delft gelatines, New York City, relative to certain sections in new tariff law; to the Committee on Ways and Means.

1043. By Mr. MEAD: Petition of the Broadway Finance Corporation, Buffalo, N. Y., relative to soldiers' bonus; to the Committee on Interstate and Foreign Commerce. Also petition of the Metropolitan Lodge, No. 598, Brotherhood of Railway Trainmen, New York City, relative to the sales tax, etc.; to the Committee on Ways and Means. Also petition of E. M. Statler Hotel Co., relative to the revision of the taxes; to the Committee on Ways and Means.

1044. Also, petition of the Edward I. Tinkham Post, No. 598, American Legion, New York City, for the relief of the disabled soldiers; to the Committee on Interstate and Foreign Commerce.

petition of the Buffalo (N. Y.) Chamber of 1045. Also. Commerce, relative to the transportation act of 1921; to the Committee on Interstate and Foreign Commerce.

1046. By Mr. ROSSDALE: Petition of Creston Avenue Baptist Church, 2391 Grand Concourse, Bronx, New York City, favoring world peace and urging an international conference for the promotion of same; to the Committee on Foreign Affairs.

1047. By Mr. SANDERS of New York: Petition of the congregation of the Lake Avenue Baptist Church, of Rochester, N. Y., urging the President and Congress to bring about a conference of nations to seek an agreement to mutual reduction of armament; to the Committee on Foreign Affairs.

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1048. By Mr. WATSON: Petition of the Searles Memorial Episcopal Methodist Church, Pottstown, Pa.; the Edgewood Grange, No. 688, Yardley, Pa.; the Women's Christian Tem-perance Union, Quakertown, Pa.; and community mass meeting held in the city hall, Norristown, Pa., favoring international conference for disarmalent; to the Committee on Foreign Affairs.

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1049. By Mr. YATES: Petition of Bryan Hutchinson, of Joliet, Ill., urging the passage of the Smith-Towner educational bill; to the Committee on Education.

### SENATE.

# FRIDAY, June 3, 1921.

(Legislative day of Thursday, June 2, 1921.)

The Senate met at 12 o'clock meridian, on the expiration of the rece

Mr. WARREN. Mr. President, I suggest the absence of a

The PRESIDENT pro tempore. The Secretary will call the

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Gerry	McCumber	Smith
Ball	Gooding	McKellar	Smoot
Brandegee	Hale	McKinley	Spencer
Broussard	Harreld	McNary	Townsend
Bursum	Harris	Moses	Trammell
Calder	Jones, Wash.	Nelson	Underwood
Capper	Kellogg	Newberry	Wadsworth
Culberson .	Kendrick	Nicholson	Walsh, Mass.
Cummins	Kenyon	Oddie	Warren
Curtis	Keyes	Phipps	Watson, Ga.
Dial	Knox	Poindexter	Willis
Dillingham	La Follette	Pomerene	Wolcott
Edge	Lenroot	Sheppard	
Ernst	Lodge	Shortridge	
Fletcher	McCormick	Simmons	

Mr. CAPPER. I wish to announce that the Senator from South Dakota [Mr. Norbeck], the Senator from North Dakota [Mr. Ladd], and the Senator from Nebraska [Mr. Norris] are in attendance upon a hearing before the Committee on Agriculture

and Forestry.

Mr. UNDERWOOD. I desire to announce that the senior Senator from Arkansas [Mr. Robinson] is absent on account of illness in his family.

I wish also to announce that the Senator from Louisiana [Mr. RANSDELL] and the junior Senator from Arkansas [Mr. Cara-WAY] are absent on business of the Senate, and that my colleague [Mr. Heflin] is absent on public business.

The PRESIDENT pro tempore. Fifty-seven Senators have answered to their names. There is a quorum present.

# PETITIONS AND MEMORIALS.

Mr. MOSES presented a petition of sundry citizens of Hanover, N. H., praying that the United States advise the allied powers that it looks to them to stop the Turkish destruction of Christian peoples, and that any financial assistance be withheld from the said powers until this has been done, which was referred to the Committee on Foreign Relations.

Mr. LODGE presented four petitions of sundry citizens of Boston, Somerville, Cambridge, West Roxbury, Brighton, Chelsea, Wollaston, Tufts College, Chestnut Hill, Malden, and Brookline, all in the State of Massachusetts, praying that an international conference be called for the purpose of considering the question of world disarmament, which were referred to the Committee on Foreign Relations.

He also presented a petition of the Ukrainian National Committee, John Haniak, president, and sundry other citizens of Pittsburgh, Pa., praying that the Government of the United States recognize Eastern Galicia and Great Ukraine as independent States—the Ukrainian National Republic—and that the United States send to East Galicia an American commis-sion, including an American citizen of Ukrainian descent, to investigate alleged atrocities committed upon the Ukrainians in East Galicia, Cholm, Wolyn, and Podlasic by Polish civil and military authorities, etc., which was referred to the Committee on Foreign Relations.

Mr. KNOX presented two petitions of sundry citizens of Philadelphia and Pittsburgh, both in the State of Pennsylvania, praying for the enactment of legislation for the recognition of the republic of Ireland, which were referred to the Committee on Foreign Relations.

United States of the republic of Ireland, and calling upon all Americans to intensify their efforts to strengthen and perpetuate the liberty of the United States to the end that they alone may not continue to enjoy its blessings, but that through America like liberty may come to all peoples oppressed in every land, which was referred to the Committee on Foreign Relations.

He also presented two petitions of sundry citizens of Venango, Cambridge Springs, Salemville, Bakers Summit, and New Enterprise, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit gambling in grain and other agricultural products, which were referred to the Committee on Agriculture and Forestry.

He also presented petitions of the Mutual Building and Loan Association, of Erie; (3) of Wharton Building Associations, of Philadelphia; and Decatur Building Association, of Frankford, all in the State of Pennsylvania, praying for the enactment of legislation exempting domestic building and loan associations from income tax where the income derived by a member from savings in shares does not exceed \$500, which were referred to the Committee on Finance.

He also presented 16 resolutions of Tioga No. 2 Building Association, of Philadelphia; Hermann Building and Loan Association No. 2, of Philadelphia; New Columbia Building and Loan Association, of Philadelphia; John Sobieski Building and Loan Association, of Philadelphia; Linwood Building-Loan Association, of Chester; Acorn Building Association, of Philadelphia; Red Star Building and Loan Association, of Philadelphia; Home Life Building Association, of Philadelphia; Hermann Building and Loan Association No. 1, of Philadelphia; Beaver County Building and Loan Association, of New Brighton; First Philadelphia Building and Loan Association, of Philadelphia; Third Hermann Building Association, of Philadelphia; Singers' Building Association, of Philadelphia; Punxsutawney Business Men's Association, of Punxsutawney; Reform Germantown Avenue Building and Loan Association, of Philadelphia; and Philadelphia Produce Exchange, of Philadelphia, all in the State of Pennsylvania, favoring the enactment of legislation exempting domestic building and loan associations from income tax where the income derived by a member from savings in shares does not exceed \$500, which were referred to the Committee on Finance.

He also presented 44 resolutions of Joseph Vasella Post, No. 277, American Legion, of Philadelphia; Board of Commerce of Butler; Chamber of Commerce of Reading; Prince Forbes Post, No. 7, American Legion, of Philadelphia; William T. Shetzline Post, No. 96, American Legion, of Philadelphia; Oak Lane Post, No. 263, American Legion, of Philadelphia; Women's Auxiliary Union Donald T. Shenton Post, No. 130, of Philadelphia; Women's Auxiliary Unit of Henry S. Schmidt Post, No. 189, of Philadelphia; William D. Oxley Post, No. 133, American Legion, of Tacony; Herbert Warriner Post, No. 70, American Legion, of Philadelphia; Captain W. M. Gearty Post, No. 315, American Legion, of Philadelphia; Overbrook Post, No. 562, American Legion, of Philadelphia; Post No. 396, American Legion, of Philadelphia; Brean McCracken Post, No. 297, American Legion, of Philadelphia; Post No. 61, American Legion, of Philadelphia; Henry L. Schmidt Post, No. 189, American Legion, of Phila-delphia; Howard C. McCall Post, No. 20, American Legion, of Philadelphia; Furznan-Bennicker Post, No. 188, American Legion, of Philadelphia; Naval Post, No. 197, American Legion, of Philadelphia; Lawrence E. Delaney Post, No. 26, American Legion, of Philadelphia; Tioga Post, No. 319, American Legion, of Philadelphia; Helen Fairchild Post, No. 412, American Legion, of Philadelphia; Shubin Buchsbaum Post, No. 95, American Legion, of Philadelphia; Lieutenant Joseph S. Ferguson Post, No. 333, American Legion, of Philadelphia; William P. Roche Post, No. 21, American Legion, of Philadelphia; Women's Auxiliary to Post No. 299, American Legion, of Sharon; Women's Auxiliary Champaign Post, No. 84, of Wellsboro; Triumph Circle, No. 101, Protected Home Circle, of Pittsburgh; Women's Auxiliary Unit Milton LaFayette Bishop Post, No. 301, American Legion, of Connellsville; Chamber of Commerce of Beaver Falls; Young Women's Christian Association of Hazleton; Chamber of Commerce of Gettysburg; School Principals' Association of Williamsport; Rotary Club of Scranton; Women's Auxiliary McDermott Post, No. 452, American Legion. of Mildred; Women's Auxiliary Unit William Harry Davidson Post, No. 114, of Vandergrift; Insurance Federation of Penn-sylvania, of Philadelphia; Women's Auxiliary Unit Sewickley Valley Post, No. 4, American Legion, of Sewickley; Women's Auxiliary Unit Jones-Conner Post, No. 402, of East Brady; He also presented a resolution adopted at a meeting of women voters of Allegheny County, Pa., signed by Mary V. Barr, chairlady resolution committee, favoring the recognition by the 230, American Legion, of Wilmerding; Central Labor Union of Punxsutawney; Philadelphia Furniture and Bedding Manufacturers' Association of Philadelphia; and Women's Auxiliary to American Legion, of Meadville, all in the State of Pennsylvania, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which were referred to the Com-

Mr. TOWNSEND presented a resolution of Lodge No. 460 United Brotherhood of Maintenance-of-Way Employees and Railway Shop Laborers, of Grand Rapids, Mich., protesting against the repeal of the excess-profits tax law and the substitution therefor of a sales or turnover tax, which was referred to the Committee on Finance.

He also presented a resolution adopted by the Grand Rapids (Mich.) Music Dealers' Association, favoring the abolition of the excess profits and so-called war-time excise taxes and the substitution therefor of a sales tax, which was referred to the Committee on Finance.

He also presented resolutions of Zenith Lodge, No. 33, Knights of Pythias, of Ishpeming; Rotary Club of Kalamazoo; Exchange Club, of Kalamazoo; Joseph B. Westerdy Post, American Legion, of Kalamazoo; Lions Club, of Ishpeming; Marlette Post, No. 162, of Marlette; Women's Auxiliary, Alfred Erickson Post, No. 128, of Hancock; Lions Club, of Lansing; Women's Auxiliary Unit, No. 176, American Legion, of Clinton; and Wyandotte Council, No. 1802, Knights of Columbus, of Wyandotte Clinton; and Council No. 1802, Knights of Columbus, of Wyandotte Clinton; and Council No. 1802, Knights of Columbus, of Wyandotte Clinton; and Council No. 1802, Knights of Columbus, of Wyandotte Clinton; and Council No. 1802, Knights of Columbus, of Wyandotte Clinton; and Council No. 1802, Knights of Columbus, of Wyandotte Clinton; and Council No. 1802, Knights of Columbus, of Wyandotte Clinton; and Council No. 1802, Knights of Columbus, of Wyandotte Clinton; and Council No. 1802, Knights of Columbus, of Wyandotte Clinton; and Council No. 1802, Knights of Columbus, of Wyandotte Clinton; and Clinton dotte, all in the State of Michigan, favoring the enactment of legislation providing adequate relief for disabled ex-service men, which were referred to the Committee on Finance.

He also presented a resolution adopted at the annual meeting of the Michigan Antituberculosis Association, May, 1921, favoring the enactment of legislation to create a department of public welfare, which was referred to the Committee on Education and Labor.

He also presented a resolution adopted at a meeting of Lithuanians residing in Grand Rapids, Mich., both aliens and citizens of the United States, favoring the granting of independence to Lithuania, with its capital at Vilno, which was referred to the Committee on Foreign Relations.

#### RESOLUTIONS ON SPEECH OF AMBASSADOR HARVEY.

Mr. DIAL. I ask unanimous consent to have printed in the RECORD resolutions adopted by the American Legion Post, No. 28, of Spartanburg, S. C., on the recent speech of George Harvey

The PRESIDENT pro tempore. Without objection, the resolutions will be referred to the Committee on Foreign Relations and printe as requested.

The resolutions are as follows:

THE AMERICAN LEGION, SOUTH CAROLINA POST, NO. 28, Spartanburg, S. C.

Whereas the American ambassador to Great Britain, George Harvey, has proclaimed to the world that America entered the World War through fear and selfishness, and laggardly at that; and Whereas we feel that such an expression is a disgrace to Americanism: Therefore be it

Therefore be it

Resolved, That Spartanburg Post, No. 28, American Legion, resents individually and collectively this base slander upon American patriotism, and we condemn in unmeasured terms this un-American, unpatriotic, and callous utterance of an accredited representative of the United States. We feel that the young men of America, who through love of country and for the cause of righteousness and justice, as well as the preservation of Christian civilization, offered their all upon their country's altar, do not deserve this uncalled-for, ill-advised, and untimely utterance from one who was not in the war, and whose expression, if true, would reduce their patriotic services to base, ignoble selfishness, and cowardice.

Resolved further, That such slanderous, malign, and false statements, if unchallenged by those who bore the brunt of battle and whose spark of patriotism was kindled for a cause they thought to be right, will in the future dwarf American patriotic impulses and reflect discredit in the eyes of the world upon American manhood; be if further

Resolved, That we request an expression from our Chief Executive and from the Secretary of State as to their approval or disapproval of their accredited representative's utterance.

Resolved further, That these resolutions be forwarded to the State commander of the American Legion, with request that they be forwarded by him to the national headquarters. American Legion, for publication in the Legion Monthly, and that copies be sent to the President of the United States, the Secretary of State, and George Harvey.

#### LESTER A. ROCKWELL.

Mr. MYERS, from the Committee on Military Affairs, to which was referred the bill (S. 63) for the relief of Lester A. Rockwell, reported it without amendment, and submitted a report (No. 92) thereon.

#### BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows

By Mr. McCORMICK: A bill (S. 1953) to bring about the centralization of Government purchases, to create the bureau of supply, and for other | Board.

purposes: to the Committee on Expenditures in the Executive Departments.

By Mr. WILLIS: A bill (S. 1954) granting a pension to William E. Quinn (with accompanying papers); to the Committee on Pensions, By Mr. SPENCER:

A bill (S. 1955) to amend title 9, section 900, paragraph (8), of the act entitled "An act to provide revenue, and for other purposes," approved February 24, 1919; to the Committee on Finance.

By Mr. SMOOT:

A joint resolution (S. J. Res. 67) stating the true meaning and intent of the provisions relating to the erection and use of the George Washington Memorial Building in the act entitled "An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improve-ment of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes," approved March 4, 1913, as amended; to the Committee on Appropriations.

#### AMENDMENT TO ARMY APPROPRIATION BILL,

Mr. McCORMICK submitted an amendment to be proposed by him to the Army appropriation bill, which was ordered to lie on the table and to be printed, as follows:

the table and to be printed, as follows:

On page 89, after line 17, add a new section to read as follows:

SEC. 3. Sections 17 and 18 of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, as amended by sections 17 and 18 of the act of June 4, 1920, entitled "An act to amend an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes, approved June 3, 1916, and to establish military justice," are amended to read as follows:

"SEC. 17. Infantry: The Infantry shall consist of 1 chief of Infantry with the rank of major general, 4,200 officers in grades from colonel to second lieutenant, inclusive, and 110,000 enlisted men, organized into such Infantry units as the President may direct: Provided, That after January 1, 1922, there shall be in such units not less than four regiments the enlisted personnel of which shall be composed exclusively of colored men. Hereafter all tank units shall form a part of the Infantry.

"SEC. 18. Cavalry: The Cavalry shall consists of 1 chief of Cavalry with the rank of major general, 950 officers in grades from colonel to second lieutenant, inclusive, and 20,000 enlisted men, organized into Cavalry units as the President may direct: Provided, That after January 1, 1922, there shall be in such units not less than four regiments the enlisted personnel of which shall be composed exclusively of colored men."

#### DEFICIENCY APPROPRIATIONS.

Mr. WARREN. I ask that the deficiency appropriation bill may be proceeded with at the point reached when we suspended its consideration yesterday

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6300) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes.

The PRESIDENT pro tempore. The next amendment of the

Committee on Appropriations will be stated.

The READING CLERK. The next amendment of the committee is, on page 80, after line 5, to insert under the heading "Interdepartmental social hygiene board"

Mr. WARREN. A Senator now absent has asked that this amendment may go over for the present. So it may be temporarily passed over if there is no objection.

The PRESIDENT pro tempore. It will be temporarily passed over.

The next amendment was, on page 81, after line 9, to insert: SHIPPING BOARD.

EMERGENCY SHIPPING FUND.

For additional amount required for "the expenses of the United States Shipping Board Emergency Fleet Corporation during the fiscal year ending June 30, 1922, for administrative purposes, the payment of claims arising from the cancellation of contracts, damage charges and miscellaneous adjustments, maintenance and operation of vessels, the completion of vessels now under construction, and for carrying out the provisions of an act entitled 'An act to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes,' approved June 5, 1920." \$75,000,000: Provided, That the provision contained in the sundry civil act approved March 4, 1921, authorizing \$55,000,000 to be used for the expenses of the Fleet Corporation from certain specific sources is hereby amended so as to provide that said sum may be derived from any income received by the Fleet Corporation during the fiscal year ending June 30, 1922.

Mr. KENYON. Mr. President I had intended to discuss the

Mr. KENYON. Mr. President, I had intended to discuss this amendment possibly at some length, but I am not going to do so. I wish to take merely a few moments to call attention to the situation as to our shipping interests and some of the reasons that are making it very difficult to develop and maintain our merchant marine. I think there are two fundamental things that enter into the proposition. One is the extravagance which has taken place in the operations and the work of the Shipping

There have been, it seems to me, extravagance and a waste of the people's money that is absolutely criminal. I do not know just where the responsibility rests, but if the American people are to carry the burden of the loss in building up a merchant marine that loss must be made as small as possible. It has been variously estimated that we are losing in the operation of our merchant marine from \$500,000 to \$1,000,000 a day. The extravagance has had something to do with it.

The second point that troubles me is that the American people do not seem willing to support their merchant marine. Prominent Americans are traveling on British boats and shipping their goods on British boats. We have a slogan that we see with reference to our American boats, "Ship and sail under the Stars and Stripes," but when our ambassador comes back from Britain he travels on a British boat; when our ambassador goes to Britain he travels on a British boat; when American consuls go abroad, they travel on British boats. Some prominent Americans who have been connected with the Shipping Board, and who have been preaching the doctrine to the American people of standing by American ships, travel on British boats. I do not know, if the American people are not willing to give their support by shipping and sailing under the Stars and Stripes, how we are ever going to build up a merchant marine.

I believe that we have got to carry the loss. We can not give up the American merchant marine. We have started into this activity; our hand is to the plow, or, rather, the bow; we can not turn back; but the American people are going to begin to inquire about this awful extravagance, and they may demand that we give up the experiment of trying to have a merchant marine. However, if we are going to have it, let us cut down the cost, the necessary loss-and there will be a necessary loss.

I have in my hand a list of the officers and employees of the Shipping Board. I am not going particularly to charge up to the last administration the facts disclosed; but the present administration is surely not responsible for the situation as to the outrageous salaries and outrageous expenses. I hope that we shall soon have a Shipping Board that will go to the bottom of this situation and cut the salary list to the bone. The salaries which are paid to counsel and assistant counsel and to great numbers of officers of the Shipping Board make the salaries of Senators and Representatives look almost pitiful.

For instance, I refer to the law division. The general counsel of the law division receives a salary of \$10,000 a year; special assistant to the general counsel receives a salary of \$7,500. The acting admiralty counsel receives a salary of \$6,000; the nautical adviser receives a salary of \$5,000; and there is another counsel with a salary of \$6,000. I started to count these officers, but the list is long. I think, however, there must be 25 or 30 assistant counsel with salaries running all the way from \$6,500 per annum down to \$3,000 per annum.

There are other assistant counsel in the New York offices. Then there is a long list of attorneys. It can not be that all of these offices and officers are essential to carry on the work of the Shipping Board.

There is the division of insurance, with a director of insurance at a salary of \$7,200 per annum, and large numbers of assistants. There is a division of regulations, which regulates rates and practices of interstate water carriers, with an examiner in charge, with a large salary, and two assistant examiners. There is also an examiner's office under the division of insurance, with a chief pay roll examiner receiving a salary of \$5,000, and a number of assistants.

There is a division of industrial relations, with a director receiving a salary of \$10,000 and a number of assistants. There is also a construction claims board, with a director receiving a salary of \$10,000 per annum, and three members receiving a salary of \$8,500 apiece, and another member who receives a salary of \$10,000.

There is a treasurer's office, with a treasurer receiving a salary of \$10,000 per annum, an assistant treasurer who receives \$6,000 per annum, an assistant to the treasurers with a large salary, and chief clerks and clerks and assistant clerks and subassistant clerks.

Now, listen to this: There is the comptroller's office, with a general comptroller, who receives a salary of \$15,000 a year, which is twice the salary of a United States Senator. There is an assistant general comptroller, who receives a salary of \$8,500 a year; a deputy general comptroller, with a salary of \$10,000 a year; another deputy general comptroller who receives a salary of \$10,000 a year; a special deputy comptroller \$10,000 a year; another deputy general comptroller who receives a salary of \$10,000 a year; a special deputy comptroller who receives \$10,000 a year; a special assistant who receives \$4.800; a chief accountant who receives \$7,500; and a chief traveling auditor who receives \$7,000. So the salaries go in the

comptroller's office, aggregating the sum of nearly \$100,000 a year.

Then there is a ship sales division, with a manager drawing \$7,500 a year; a consulting engineer, \$5,000; an insurance adviser who is paid on a per diem basis; an advertising department manager at a high salary.

Then there is the division of operation, with an assistant director drawing a salary of \$9,500 a year. In that division the salaries aggregate \$137,000 a year. Mr. President, no private business could be run as the Shipping Board has been conducted.

Then there is a supply and sales division with a director drawing a salary of \$10,000, an assistant director, assistant counsel, assistant staff manager, and so forth, with salaries in that department aggregating \$90,000 a year.

In the division of construction and repair there is an assistant to the director, with a salary of \$10,000 a year; a manager of construction, with a salary of \$9,000 a year; two assistants— 1 at \$7,500 a year and 1 at \$7,000. So the whole list of salaries runs.

I do not know whether I shall put the entire list in the RECORD.

Mr. SMOOT. I think the Senator ought to put it in the RECORD as a part of his remarks.

Mr. KENYON. It is merely a question of the expense of

Mr. SMOOT. The list is not very long. I have a copy of it in my office, and I think that it ought to be put in the RECORD for the benefit of Senators.

Mr. KENYON. Then I ask, Mr. President, to insert in the RECORD the list of officers, solicitors, assistant solicitors, treasurers, and so forth, and their salaries in so far as I have been able to ascertain them and note them in pencil opposite their names, as they have been furnished to me.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The list referred to is as follows:

W. S. Benson, chairman Assistant to chairman, Robert Dean Assistant to chairman, Richard H. Bailey Assistant to chairman, M. W. Bowen Assistant to chairman, A. B. Clements Clerk to chairman, Francis T. Underwood		\$12,000 10,000 6,000 7,500 4,800 3,000
	Total	43, 300

# SECRETARY'S OFFICE. (Executive and administrative office of the board.) (Executive and administrative of Secretary, John J. Flaherty—Assistant secretary, J. Pierson James—Chief clerk, Maurice J. Pierce——Assistant to secretary, C. P. Kremer—Reporter, R. V. Windquist—Reporter, Adolph Amende—Minute clerk, Caroline D. Flanner—Custodian, John A. Lutz—Duplicating division, F. Geillinger—Office supply division, Charles Holmes—Files division, Valentine G. Bretzer—Mails division, Edward T. Dillon—Library section, Rilla M. Hanke——— 5, 000 4, 200 3, 000 3, 000 2, 700 3, 000 2, 700 3, 000 2, 700 4, 500 000 700 500 700

ry	section,	Rilla	M.	Hauke	20	160
	Cotal				42, 9	960

1	LAW DIVISION.	
1	(Advises other departments of the board on all legal matter	8.1
1		10,000
1	General counsel, Edward M. Hyzer Special assistant to general counsel, John S. Stover	7, 500
1	special assistant to general counsel, John S. Stover	
1	Acting admiralty counsel, Gien R. Shider	6,000
1	Acting admiralty counsel, Glen R. Snider Assistant admiralty counsel, New York office, W. D. Conrad. Nautical adviser, W. K. Hill	
1	Nautical adviser, W. K. Hill	5,000
ì	Counsel, Harry F. Helwig	6, 000
ļ	Assistant counsel, W. W. Nottingham	4, 500
1	Assistant counsel, George F. Wells	5, 000
ı	Assistant counsel, William Y. C. Anderson	6, 500
3	Assistant counsel, G. Raymond Conybeare	5,000
3	Assistant counsel, George C. Carvey	5, 000
3	Assistant counsel, Arthur H. Deibert	3, 600
ì	Assistant counsel, Robert P. Donehoo	4,000
ı	Assistant counsel, Cam D. Dorsey	6, 000
1	Assistant counsel, Rowland S. H. Dyer	5, 400
١	Assistant counsel, Donald S. Edmonds	6, 500
1	Assistant counsel, Henry J. Gibbons	5, 400
1	Assistant counsel, Eldred E. Jacobsen	5, 400
1	Assistant counsel, Frank J. KellyAssistant counsel, Paul W. Knox	3,000
1	Assistant counsel, Paul W. Knox	4, 500
i	Assistant counsel, Joseph McCormack	6, 000
1	Assistant counsel William T. Sabine, Ir.	6,000
	Assistant counsel, Charles O. Shaw.	4,000
	Assistant counsel, Charles O. Shaw	3, 600
1	Assistant counsel, John A. Tyson	6,000
ı	Assistant counsel Eugene R West	6,600
	Assistant counsel, New York office, E. L. Sutton	3,000
1	Assistant counsel, New York office, John G. Poore.	WEST
	Andatant commed New York office H D Crean	
Į	Assistant counsel, New York office, E. H. Henderson.	

Attorney, Arthur M. Boal.  Attorney, William R. Fitch.  Attorney, Willis E. Monty.  Attorney, Walter L. Berry.  Attorney, Chester J. Gerkin.  Attorney, Jerry C. Massey.  Attorney, Corral H. Hunt.  Attorney, Charles T. Rippy.  Attorney, Edgar T. Fell.  Managing clark Sarah L. McGyneg.	\$3,900 3,900	DIVISION OF OPERATIONS.  (General supervision of operations of Shipping Board and requisitioned
Attorney, Willis E. Monty Attorney, Walter L. Berry Attorney, Chester J. Gerkin	3, 600 3, 600	vesels)
Attorney, Jerry C. Massey Attorney, Corral H. Hunt	3, 600 3, 500	Director, Paul Foley, detail (resigned).   Assistant director, W. B. Keene (acting)   \$9,500
Attorney, Charles T. Rippy Attorney, Edgar T. Fell. Managing clerk, Sarah L. McQueen.	2, 400	Staff assistant, A. B. Garges 5,000 Executive assistant Everett W Hawkins 4 800
RECRUITING SERVICE, 45 BROADWAY, NEW YORK CITY.		Examiner, Clifford P. Cowen       3, 300         Examiner, Elbert C. Gearhart       3, 000         Manager, contract bureau, Ulric J. Gendron       6, 000         Assistant manager, Hugh G. Buhrman       4, 800
Director, Capt. Irving L. Evans. Assistant to director, E. D. Warner.	201	Manager, contract bureau, Ulric J. Gendron 6,000 Assistant manager, Hugh G. Buhrman 4,800
DIVISION OF REGULATIONS.  (Regulates rates and practices of interstate water carrier		Assistant manager, Charles A. Hynes 5,000
Examiner in charge, Henry E. Manghum  Examiner, Elmer E. Rogers  Examiner, C. O. Arthur	\$4,000	
		Manager, traffic department, Fred L. Murphy 7, 590 Assistant to manager, J. E. Andrews 4, 800 Examiner, Walter B. Castonguay 3, 600 Chief clerk, Reginald Yauch 3,000
DIVISION OF INSURANCE.	8,800	Assistant in charge trades, rates, and claims, J. Harvey Felton. 6,000
(Advises and makes recommendations to the board on all ques lating to marine, war risk, protection, and indemnity insura	nce )	Assistant head, Ömor J. Ruch.       5, 100         Trade supervisor, Howard Hardiman.       4, 800         Trade supervisor, Robert S. Hawkins.       2, 400         Head, rate branch, Abner C. Jackson, jr.       3, 900         Assistant to head, rate branch, P. J. Gavin.       2, 700         Head, claims branch, John F. Gehan.       3, 690         In charge allocation and assignments, Alexander A. Tennant.       6, 000         Head, allocation branch, Henry P. Annewalt.       4, 800         Head, assignment branch, C. H. Willingham.       4, 290         Assistant head, allocation branch, Ferdinand M. Darr.       2, 400         Correspondence clerk, William C. Gray.       2, 400
Director of insurance, Bryan K. Ogden Assistant to director, Samuel Peacock Assistant to director, James O. Porter Assistant to director, Joseph E. Sharkey Chief protection and indemnity section, Walter C. Kerrigan Office assistant, Milton J. Landvolgt Section head, James Delaney	\$7, 200 3, 600	Trade supervisor, Robert S. Hawkins         2,400           Head, rate branch, Abner C. Jackson, fr         3,900           Assistant to head, rate branch, P. J. Gavin         2,700           Head, claims branch, John F. Gehan         3,600
Assistant to director, James O. PorterAssistant to director, Joseph E. Sharkey	3,600	Head, claims branch, John F. Gehan 3, 600 In charge allocation and assignments, Alexander A. Tennant 6, 000
Office assistant, Milton J. Landvoigt	2,400	Head, allocation branch, Henry P. Annewalt 4, 800 Head, assignment branch, C. H. Willingham 4, 200
Total		Assistant head, allocation branch, Ferdinand M. Darr 2, 400 Correspondence clerk, William C. Gray 2, 400
CHIEF PAY BOLL EXAMINER'S OFFICE.		Total 137, 100 NEW YORK OFFICE, CONSTRUCTION DIVISION, NORTH ATLANTIC DISTRICT,
Chief pay roll examiner, Fred T. Newell Personnel officer, E. J. Skidmore Pay roll branch, E. M. Dew Assistant, Edward M. Anderson Senior clerk, D. M. Luddy	3,000	45 BROADWAY. Assistant district manager, F. B. Cole.
Assistant, Edward M. Anderson	2, 400 2, 400	District comptroller, E. E. MacNary. District pay-roll examiner, H. R. Phillips.
Total		PHILADELPHIA, CONSTRUCTION DIVISION, DELAWARE RIVER DISTRICT, 140 NORTH BROAD STREET.
Division of industrial relations.  Director, Darragh Delancey	10, 000	District manager, G. K. Nichols. District comptroller, A. J. Paynter.
Director, Darragh Delancey Assistant to director, J. C. Jenkins Assistant to director, Edith L. Foote Chief clerk, Mary E. Minick	6, 000 2, 400	District pay-roll examiner, A. R. Miller.
		BALTIMORE, CONSTRUCTION DIVISION, MIDDLE ATLANTIC DISTRICT, 907 LEXINGTON BUILDING.
CONSTRUCTION CLAIMS BOARD.		District manager, Joseph T. Martin. District comptroller, John F. Overend. District pay-roll examiner, C. H. Burns.
Chairman, James Talbert Member, H. G. Skinner	10,000 8,500	NEW ORLEANS, CONSTRUCTION DIVISION, SOUTHERN DISTRICT, HIBERNIA BUILDING.
Member, E. T. Wright  Member, Darragh Delancey  Member George Terrill	10,000	District manager D T Williams
Member, H. G. Skinner  Member, D. T. Wright  Member, Darragh Delancey  Member, George Terrill  Secretary, J. C. Snowden  Chief clerk, Joel N. Morris	6,000	District comptroller, C. M. Hughes. District pay-roll examiner, J. F. Keenan.
Total		SAN FRANCISCO, CONSTRUCTION DIVISION, SOUTHERN PACIFIC DISTRICT, 360 PINE STREET.
Treasurer, R. W. Bolling	10,000	District manager, W. Chisholm. District comptroller, Frank J. Brandt. District pay-roll examiner, Earl L. Cotton.
Treasurer, R. W. Bolling Assistant treasurer, H. M. Luckett Assistant to treasurer, E. J. Fitzgerald Assistant to treasurer, E. A. Coleman	6, 000 3, 900	PORTLAND, CONSTRUCTION DIVISION, OREGON DISTRICT, NORTHWESTERN BANK BUILDING.
Chief cierk, collection bureau, Chester Mercury	3, 600	Assistant district manager, J. W. Hall. District comptroller, J. L. Kennedy.
Chief clerk, construction, B. R. Wylie Chief clerk, operations, R. N. Hicks		District pay-roll examiner, J. M. Kimmel.  NEWARK, CONSTRUCTION DIVISION, SUBMARINE BOAT CORPORATION—NEW
• TotalDISBURSING OFFICE.	35, 560	JERSEY, POST OFFICE BOX NO. 456, NEWARK BAY SHIFYARD. District pay-roll examiner, John Sanders, jr.
Assistant disbursing officer, William S. Woods.		NEW YORK OFFICE, DIVISION OF OPERATIONS, NORTH ATLANTIC DISTRICT
General comptroller, Alonzo Tweedale Assistant general comptroller, O. B. Bidwell, jr Deputy general comptroller, operations, H. J. Cronin. Deputy general comptroller, construction, Winfield McKeen Special deputy, Tilden Adamson Special assistant, A. L. Cunningham Executive assistant, Geoffrey Creyke Chief control accountant, H. T. Fielding Chief trayeling auditor, J. Y. Richardson Assistant auditor of operations, Raymond F. Tallman Examiner, John J. Keenan Assistant chief accountant, C. J. Anderson	15, 000	District director, George W. Sterling. District comptroller, Thomas J. Miggins.
Deputy general comptroller, operations, H. J. Cronin———————————————————————————————————	10,000	District pay roll examiner, H. R. Phillips.  Marine department, P. J. Murphy.
Special deputy, Tilden Adamson Special assistant, A. L. Cunningham	10,000	BOSTON, DIVISION OF OPERATIONS, NEW ENGLAND DISTRICT, 148 STATE STREET,
Executive assistant, Geoffrey Creyke Chief control accountant, H. T. Fielding	4, 800 7, 500	District director, P. H. Lacy. District comptroller, Myron C. Baker.
Assistant auditor of operations, Raymond F. Tallman	4,000	District agent, Halifax, Nova Scotia, C. S. Nye. District agent, Portland. Me., W. I. Locke. District agent, Sydney, Nova Scotia, F. D. Upper.
Assistant chief accountant, C. J. Anderson	4,000	PHILADELPHIA, DIVISION OF OPERATIONS, PHILADELPHIA DISTRICT, 140
TotalSHIP SALES DIVISION.	89, 800	NORTH BROAD STREET.  District director, Joseph E. Gately.  District comptroller, Harry S. Brown.
Manager, J. Harry Philbin Assistant, George C. Wrenn	7, 500 3, 600	District pay roll examiner, A. R. Miller.  BALTIMORE, DIVISION OF OPERATIONS, BALTIMORE DISTRICT, M. & M. T.
PORT FACILITIES COMMISSION. Chief engineer, Capt. F. T. Chambers.		BUILDING.
OFFICE OF CONSULTING ENGINEER.		District director, W. W. Tingle, District comptroller, R. W. McConnochie, District pay roll examiner, C. H. Burns.
Consulting engineer, M. M. Hoffman	5, 000	NORFOLK, DIVISION OF OPERATIONS, SOUTH ATLANTIC DISTRICT, FLATIRON BUILDING.
Insurance adviser, Solomon Huebnerper day	20	District director, W. E. Griffith. District comptroller, L. A. Sherwood.
Manager, Herman LaueAssistant, John Marscher, jr.	4, 200	District pay roll examiner, Hugh Stanley Hope. District director, Savannah, George J. Santa Cruz (Whitaker and St.
Assistant, John Marscher, jr. REORGANIZATION COMMITTEE.		Julian Streets).  NEW ORLEANS, DIVISION OF OPERATIONS, GULF DISTRICT, HIBERNIA
Examiner, F. C. Dolcater, INVESTIGATING DEPARTMENT,		BUILDING. District director, John Quinn. District comptroller, T. E. Perkins.
Manager, Frank Burke Division of Transportation and Housing Operations,	4, 500	District director, John Quinn. District comptroller, T. E. Perkins. District pay roll examiner, J. F. Keenan. District agent, Galveston, Tex., C. H. Marshall, District agent, Pensacola, Fla., R. A. Hyer. District agent, Mobile, Ala., Elmo L. Davison.
Manager, William Towers.		District agent, Pensacola, Fla., R. A. Hyer. District agent, Mobile, Ala., Elmo L. Davison,

BAN FRANCISCO, DIVISION OF OPERATIONS, NORTH PACIFIC COAST DISTRICT,	SHIP CONSTRUCTION SECTION.
369 PINE STREET,	Assistant in charge of wood ship construction, H. D. Moses \$6,500 Assistant in charge of steel ship construction, P. J. Duff 5,000
District director, H. H. Ebey. District comptroller, C. H. Georg.	Staff assistant, A. R. Noyes 4, 200
District pay roll examiner, Earl L. Cotton.	Staff assistant, S. R. Smith 3,000 Head of changes and extras branch, Clifton Yeomans 5,000
SEATTLE, DIVISION OF OPERATIONS, SOUTH PACIFIC COAST DISTRICT, 607 SECURITIES BUILDING.	Head of records branch, C. S. McCollum 3, 900
District director, D. W. Burchard.	Total 27, 600
District new roll aversings C S Roberts	YARDS AND DOCKS SECTION.
District agent, Portland, Oreg., J. W. Crichton (501 Northwestern Bank Building).	Head, Peter Berg 5,000
SUPPLY AND SALES DIVISION, WASHINGTON, D. C.	TECHNICAL DEPARTMENT (PHILADELPHIA).
Director, H. B. Miller\$10,000	Technical manager, A. Conti.
Director, H. B. Miller \$10,000 Assistant director, J. B. Barton 4,200 Assistant counsel, J. C. Carmichael 5,600 Assistant counsel, J. C. Carmichael 5,000	Head of engineering section, F. Gentles, Head of hull section, R. A. Smith
	TECHNICAL DEPARTMENT (NEW YORK BRANCH).
Manager werehouse and sales denartment (). (i. Thompson 8, 000	Head of technical repairs section, C. B. Groff 4,500
To the W. D. Pulaban 4 500	REPAIR DEPARTMENT (45 BROADWAY, NEW YORK).
Haad lumber branch, sales section, Fred Patchell 0,000	Manager of repairs, Commander V. V. Woodward, United States
Assistant head, H. E. Richardson 3,000 Head bull branch, sales section, B. M. Bruce 3,300	Navy. Assistant manager of repairs, J. J. Eason
Head hull branch, sales section, B. M. Bruce 3, 300 Head plant disposal branch, sales section, J. L. Hyde 3, 600 Head warehouse and inventory section, H. P. Curtis 5,000	DRANCH OFFICE SECTION.
Head warehouse and inventory section, H. P. Curtis	Manager of branch offices, F. Walsh 6,000
Hard records carties E O Brett 4,500	Traveling inspector, F. E. Ames 4,500 PASSENGER-SHIP SECTION.
Assistant to manager, C. L. Schneider 3, 600	Chief inencetor Robert Igenh ir
Chief clerk, H. H. Freeman 2, 400 4, 500	TURBLE SECTION.
	Chief turbine engineer, H. B. Taylor.
Head procurement section, G. F. Head traffic section, H. B. Bolton 3, 300 Head ship supplies section, J. A. Egleston 4, 000	NEW YORK MANAGER'S SECTION,
Total 90,000	Chief turbine engineer, H. B. Taylor.  NEW YORK MANAGER'S SECTION.  Local manager, A. D. Ells
PHILADELPHIA, DIVISION OF SUPPLY AND SALES, 140 NORTH BROAD STREET,	CLERICAL AND STENOGRAPHIC SECTION.
District director, R. I. Laggren.	Chief clerk, F. B. Mullins.
Executive assistant, H. Miller Loney, jr.	DISTRICT ORGANIZATION.
NEW ORLEANS, DIVISION OF SUPPLY AND SALES, HIBERNIA BUILDING.	NEW ENGLAND DISTRICT (45 BROAD STREET, BOSTON, MASS.).
District director, H. R. Dillingham.	District manager, Alex McGregor, Assistant district manager, M. M. Dickey.
Assistant district director, J. M. Clack.	Local manager (Portland Me. 36 Exchange Street), L. M. King.
PORTLAND, DIVISION OF SUPPLY AND SALES, NORTHWESTERN BANK BUILDING.	Local manager (Providence, R. I., 32 West Minster Street), G. A. D'Ehrle.
District director, T. G. Baird.	Local manager (Halifax, Nova Scotia, Furness With Building), J. M.
Assistant district director, J. H. Wood. Assistant district director, Tacoma, Wash., R. D. Caney.	Dodge. NORTH ATLANTIC DISTRICT (45 BROADWAY, NEW YORK).
Assistant district director, San Francisco, Calif., D. H. Meisenbach.	District manager, Commander V. V. Woodward, United States Navy.
NEW YORK, DIVISION OF SUPPLY AND SALES, 45 BROADWAY.	Assistant district manager (repairs), J. J. Eason.
Staff assistant in charge of New York office, K. W. Massey.	Assistant district manager (construction), F. B. Cole, Chief clerk, Alice Cox.
HOG ISLAND, DIVISION OF SUPPLY AND SALES, HOG ISLAND, PA.	DELAWARE RIVER DISTRICT (140 NORTH BROAD STREET, PHILADELPHIA, PA.).
Special representative, Frederic Morris.	Dietriet manager G K Nichols.
WILSON POINT, DIVISION OF SUPPLY AND SALES, SOUTH NORWALK, CONN.	Assistant district manager (construction), F. W. Grogan.
Special representative, J. L. Eason.	District plant engineer, A. C. Freeman, jr. Staff assistant, W. W. Hardwick.
METUCHEN, DIVISION OF SUPPLY AND SALES, METUCHEN, N. J.	Staff assistant, W. W. Hardwick. Chief clerk, F. J. Lynch. (page 207 Chestnut Street), I. B. Morris
Special representative, C. J. Schuster.	Assistant district manager (repairs, 807 Chestnut Street), J. B. Morris.  Agency yards.
EUROPEAN DIVISION, LONDON. (No. 8 Grosvenor Gardens, London, England.)	AMERICAN INTERNATIONAL SHIPBUILDING CORPORATION, HOG ISLAND, PA.
Special commissioner, Frank E. Ferris.	Authorized representative Frederick Morris.
Assistant district comptroller, P. R. Everett,	Assistant authorized representative, J. W. Fenton.
Assistant to commissioner, J. H. Bacon. Assistant to commissioner, W. C. Mack.	MERCHANT SHIPBUILDING CORPORATION, BRISTOL, PA.
Secretary H. Murphy.	Authorized representative, L. C. Robertson. Assistant authorized representative, E. C. Killin.
	Resident engineer, H. W. Fans.
Director for Spain and Portugal, P. de M. Botts. Director of European division of operations, H. T. Morse. Director of traffic, division of operations, T. Winchester.	MIDDLE ATLANTIC DISTRICT (COCA-COLA BUILDING, BALTIMORE, MD.).
Director of traffic, division of operations, T. Winchester.	District manager, Joseph T. Martin. Assistant district manager (construction), D. G. Anderson.
District director for British Isles, W. F. Purdy.	
District director for Copenhagen, J. G. Ulrik.	District plant engineer, E. W. Clarke.
Director of traffic, division of operations, T. Winchester.  Manager of European division of supply and sales, F. M. Rayburn.  District director for British Isles, W. F. Purdy.  District director for Copenhagen, J. G. Ulrik.  District director, Rotterdam, I. Sealby.  District director, Paris, W. S. Olsen.  District director, Egypt, J. H. Turner.	District plant engineer, E. W. Clarke. Local manager (Baltimore), William Tinsley. Assistant district manager (repairs, Norfolk, Va., Flatiron Building),
District director, Egypt, J. H. Turner. District director, Constantinople, A. Chester.	G. F. Blair. Local manager (Norfolk, Flatiron Building), J. E. Hoover.
Legal advisor, L. E. Anderson.	Local manager (Wilmington & Charleston, Equitable Building), r. B.
Disbursing officer, W. L. Slattery.	Taylor, Local manager (Savannah, Savannah Bank Trust Building), S. A.
OFFICIAL DIRECTORY, DIVISION OF CONSTRUCTION AND REPAIRS. (Home office 140 North Broad Street, Philadelphia, Pa.)	Tohnson
DIRECTOR'S OFFICE (PHILADELPHIA).	Local manager (Jacksonville, 522 Graham Building), T. G. Munro.  GULF DISTRICT (JAHNCKE BUILDING, NEW ORLEANS, LA.).
Director of Construction and Repairs, Commander R. D. Gate-	District manager, D. T. Williams.
	Assistant district manager, W. A. Ridout.  Executive assistant, G. O. Gammon, W. P. Harner
Executive assistant to the director, W. J. Bollenbeck	Executive assistant, G. O. Gammon.  Posicion representative (concrete section), W. R. Harper.
DIRECTOR'S OFFICE (45 BROADWAY, NEW YORK).	Resident representative (concrete section), W. R. Harper, Local manager (Galveston, Sealy Building), F. R. C. Brown, Local manager (Mobile, Emanuel Building), G. K. Miller,
total to disease W T Brown 10,000	Local manager (Mobile, Emanuel Bullding), G. K. Miller.
Assistant to director, N. D. Tanner 3, 900 Secretary to director, C. A. Greaser 2, 700	CONSTRUCTION (JACKSONVILLE, HEARD BUILDING).  Resident representative (concrete section), H. Stock.
becretary to director, C. M. Greastrand	Senior engineer, M. E. Emanuel.
Total 16, 600	PACIFIC DISTRICT (369 PINE STREET, SAN FRANCISCO, CALIF.).
DIRECTOR'S OFFICE (1319 F STREET, WASHINGTON, D. C.)	District manager, William Chisholm.
Staff assistant and Washington representative, S. C. Cross 2, 400	Executive assistant, J. W. Ferguson.
GENERAL OFFICE (PHILADELPHIA).	Staff assistant, W. R. Elliott,
Office manager, J. R. Simpson.	District manager, William Chisholm. Assistant district manager, R. J. Chapman. Executive assistant, J. W. Ferguson. Staff assistant, W. R. Elliott. Chief clerk, J. E. Wilson. Local manager (San Francisco), R. H. Gunzel. Local manager (San Pedro, 207 Ferl Building), F. S. Dupuy. Local manager (Portland, Northwestern Bank Building), F. B. Pape. Local manager (Seattle, Securities Building), J. Bullock.
CONSTRUCTION DEPARTMENT (PHILADELPHIA).	Local manager (San Pedro, 207 Ferl Building), F. S. Dupuy,
Assistant manager of construction, J. S. Stull 7,000	Local manager (Seattle, Securities Building), J. Bullock.
Assistant to manager of construction, A. V. Bouillon 7,500	CONSTRUCTION (SEATTLE, WASH., SECURITIES BUILDING).
Manager of construction, T, D. Pitts 9,000 Assistant manager of construction, J. S. Stull 7,000 Assistant to manager of construction, A. V. Bouillon 7,500 Assistant to manager of construction, W. B. Beebe 7,000 Assistant to manager of construction, F. B. Worden 5,500	Assistant to assistant district manager, A. R. Lintner, Executive assistant, R. L. Dyer,
Total 36, 000	Chief clerk, C. E. Pike.

THE PERSON OF TH

CREGON DISTRICT (NORTHWESTERN BANK BUILDING, PORTLAND, OREG.).

District manager, L. J. Wentworth. Assistant district manager, J. W. Hall. Executive assistant, C. L. Florence.

SPECIAL YARD, SUBMARINE BOAT CORPORATION (NEWARK, N. J.). Authorized representative, J. Sanders, jr.

Mr. SMITH. Mr. President, I should like to ask the Senator if he has computed the total of the overhead charges, including salaries and the pay of employees engaged by the Shipping Board?

Mr. KENYON. No; I have not; I was not able to total them up as I have not information as to all of the salaries. The list to which I have referred embraces only the officers, but in the book I have here, comprising some 60 or 70 pages closely typed, is a list of the employees. Their salaries are not given.

Mr. POMERENE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Iowa vield to the Senator from Ohio?

Mr. KENYON. I yield.

Mr. POMERENE. The Senator referred a moment ago to the fact that Americans are not using American ships. Several weeks ago I was furnished information to the effect the Shipping Board made freight rates from Hamburg, Germany, to the Argentine on United States vessels which were less than the rates for similar cargoes to American merchants from New York to the same ports in the Argentine.

Mr. KENYON. Will the Senator please state that again? I

lost the beginning of his statement.

Mr. POMERENE. The rates made by the United States Shipping Board for cargoes on United States vessels from Hamburg, Germany, to ports in the Argentine were less than the rates on United States ships from New York to the same ports in the Argentine for the same character of merchandise. The justification in the mind of the Shipping Board, I understand, seems to be that they want to get some of the carrying trade from Germany, but I do not quite understand why those rates should be less than the rates for our own manufacturers to the same ports. It is a very gross discrimination against our own business men.

Mr. SMITH. May I ask the Senator from Ohio, with the permission of the Senator from Iowa, if he has made inquiry whether a profit was derived on the shipments from Germany to the Argentine, or whether the Shipping Board had carried the cargoes at a loss or with just an even break, in order to establish the business?

Mr. POMERENE. No. Mr. President; I took this matter up with the Shipping Board and they promised to make an in-

vestigation. I have not had any report upon it since.

Mr. SMITH. I thought, perhaps, we might find, as we have in connection with some other of our governmental activities, that under certain laws we perform for foreigners certain services cheaper than we perform them for our own, and recoup ourselves by charging our own people higher rates than we charge the foreigners.

Mr. POINDEXTER. Mr. President-

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Washington?

Mr. KENYON. I yield. Mr. POINDEXTER. I want to ask the Senator from Ohio if in investigating the particular matter to which he has just referred he ascertained whether or not the agent of the United States Shipping Board in Hamburg was a German or an Englishman or an American?

Mr. POMERENE. No, Mr. President; I know nothing about that. This matter was called to my attention by manufacturers

of enamel ware who live and do business in Ohio.

Mr. POINDEXTER. Of course, if we had a German agent for the Shipping Board in Hamburg he would be very much interested in making low rates for German shippers. asked the question because of the fact which I ascertained to exist some time ago-whether it has been remedied or changed at the present time I do not know-that, for instance, at Valencia, one of the important ports of Spain, where United States ships frequently call, the agent of the United States Shipping Board is the British consul. Although we have a consul there, they prefer to have a British consul to represent the Shipping Board; and, in view of the fact that many British ships are competing with the American ships at that port, it can readily be seen what the result will be.

Mr. SMOOT. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Iowa yleld to the Senator from Utah?

Mr. KENYON. I yield.

Mr. SMOOT. So that American citizens who read the Record may be able to make comparisons as to the salaries paid to an auditor in the Shipping Board and the salaries paid to the

auditors in the other departments, I want to call attention to what is paid to the Auditor for the War Department. salary is \$4,000, not \$15,000, as the auditor of the Shipping Board is paid. The salary of the chiefs of division is \$2,500, instead of \$10,000. The salary of the Auditor for the Navy Department is \$4,000. The salary of the Auditor for the Interior Department is \$4,000. There is not an auditor in the Government service, with the exception of the Auditor for the Post Office Department, who receives \$5,000, whose salary is above \$4,000; and yet we are paying the auditor of the Shipping Board \$15,000 per annum.

Mr. KENYON. I understand, and I think an investigation would show it, and I am arguing for an investigation, that one of the assistant auditors is a chauffeur for one of the gentlemen drawing one of these large salaries. The whole thing ought

to be investigated and the light thrown into it.

I have referred to some of the larger extravagances, and if Senators would look over the hearings of the House committee they would find that this thing has been reeking with graft, if the witnesses there are to be believed; but there are many small things and small extravagances. On one day I find nearly two pages of printing bills and vouchers, a list of vouchers running up, I should judge, between forty and fifty thousand dollars just one day of printing.

I think an investigation such as has been proposed by the Senator from Utah [Mr. King] would show the most flagrant abuse of the franking privilege; and while that may be a small matter, it is one of the little holes where the money is running

Mr. SMOOT. The Senator refers to the franking privilege. want to correct him and say that the Government of the United States has to pay for it.

Mr. KENYON. I meant as far as they are concerned. The

Government is paying for these things.

I have here copies of some telegrams sent out by various gentlemen connected with the Shipping Board. I will not use their names, but I should like to see them in the investigation.

Here is a telegram, for instance, sent to some young lady down in Virginia:

Can not get down until Tuesday morning, Hotel Fairfax, 8.30.

That little message cost the Government only 25 cents. I do not know what it cost otherwise.

Here is another one:

Children go off Friday 3 o'clock, Dr., So-and-So. Shall follow Satur-ty unless I stop at Joplin.

That cost 25 cents.

Here is another one charged to the Government:

Please mail three blank checks to Shoreham Hotel. Missed Norfolk at. Go down Friday night.

Here is another one, advising some lady of traveling down another evening.

Mr. BORAH. Read it. Mr. KENYON. I think I will not read that one.

Here is another mighty message, sent at the expense of the Government:

Leave door open. Will be home about midnight to-night. (Signed) Ed.

Mr. McCORMICK. Where is that from, Mr. President?

Mr. KENYON. It is charged to the United States Shipping Board. These gentlemen are interested, some of them, not only in leaving the door open but in leaving the door open to the Federal Treasury.

These are small matters, of course.

Mr. SMITH. That telegram is from where to where? Mr. KENYON. The Senator can take it and see. Here is another one, charged up to the Government, from the United States Shipping Board, Princeton, N. J., to New York:

Very sorry, but oversold for Yale game,

The Government is apparently paying for messages to secure tickets for football games!

There are other messages, advising that checks had been received. I should like to see the light turned in on the way the Government money has been used in the larger matters and in the small matters. I am just presenting these as samples, There will be hundreds of them found if we can get an investi-

Mr. POINDEXTER. Mr. President, did the Senator ever inquire into the present expenses and number of employees of the famous Hog Island shipyard?

Mr. KENYON. In the list I put in this morning the officers

are given, but not the employees

Mr. POINDEXTER. Does the Senator remember how many there are?

Mr. KENYON. No; I do not.

Mr. POINDEXTER. My information is that there are something like 60 officers there, and about 40 employees under them; that practically all of the officers have automobiles at the expense of the Government, and many of them chauffeurs at the expense of the Government, besides personal clerks and secreteries. I am informed that there are about 40 men at work there.

Mr. KENYON. Oh, yes. It is not any wonder that the effort to get a merchant marine in this country has met with so

many discouragements.

Mr. JONES of Washington. Mr. President, will the Senator permit me just a moment? My colleague referred to a matter that I took up with the Shipping Board some little time ago, and inquired of them in reference to it. I did not think about its coming up this morning, so I have not the letter here; but I will say to my colleague and to the Senate that in a letter, I think from Admiral Benson, he showed that while there is a condition that probably needs correcting, it is not anything like so bad as has been reported.

Mr. KENYON. I hope not.

Mr. POINDEXTER. The report that I received I referred to my colleague, and I suppose—

Mr. JONES of Washington. I took it up and submitted it to Admiral Benson.

Mr. SMOOT. I will say to the Senator from Washington that I think if they were not kept at Hog Island, they would be brought down here to Washington anyhow.

Mr. KENYON. Of course a good deal of this that came out in the House hearings is old matter; but it seems to me it was not followed up sufficiently, and that we should follow it up by this resolution, and do that before we condemn the effort to have a merchant marine.

On page 1805, Part V, of the House hearings, Mr. Richardson, on the stand, speaking of the work of the subcontractor, Savs:

He would perform the work, usually, at a profit of 50 plus 10, or in case of a lump sum he would allow himself a profit of 50 per cent, according to the statements of some of the contractors, add 25 per cent for acts of God or unforeseen exigencies, pass the bill on back to the middleman, who would add his profit of approximately 25 per cent, pass the bill on back to the contractors, who would pass it on back to the Shipping Board auditor, who would approve the prices, and the bill would be paid by the operator.

The Chairman. Now, you have specific instances of that?

Mr. Richardson. Yes, sir.

The Chairman. Do you know of any instances where any refund has been made?

Mr. RICHARDSON. Yes, sir; in the case of W. P. Wilkins, \$5,000;

numerous other cases.

The Chairman, Subparagraph (e), "Corruption of United States Shipping Board Emergency Fleet Corporation employees and officials,"

Shipping Board Emergency Fleet Corporation employees and omclais, page 15.

Mr. RICHARDSON. Yes, sir.

The CHAIRMAN. Have you knowledge of that existing?

Mr. RICHARDSON. Yes, sir.

The CHAIRMAN. Without citing the specific instances at this time, will you state how it was accomplished?

Mr. RICHARDSON. In some cases by outright bribery, by money. In some cases, as in Norfolk, by the gifts of stock in the company. In other cases by the promise of positions, which were later given. In still other cases by the promise of money, which was never paid, but was promised.

The CHAIRMAN. By whom were these bribes or this corruption given

or exercised?

Mr. RICHARDSON. In some cases by a contractor seeking to buy materials from the Fleet Corporation; in other cases by repairmen seeking to get improper work passed or improper payrolls passed or improper bills approved by auditors and paid. A great deal of the bribery was in the form of whisky at \$25 a quart.

And so on all through these hearings-launching parties, gifts of silverware to wives of inspectors, every kind of cheap graft that has gone on.

Mr. EDGE. Mr. President, may I interrupt the Senator? The PRESIDENT pro tempore. Does the Senator from Iowa

yield to the Senator from New Jersey?

Mr. KENYON. Yes.

Mr. EDGE. The Senator refers to a resolution. Is there a

resolution pending providing for an inquiry?

Mr. KENYON. The Senator from Utah [Mr. King] on yesterday introduced a resolution asking for an investigation.

Mr. EDGE. Has that resolution been considered? Has it been passed?

Mr. KENYON. It has gone to the committee. Oh, no; it has not been passed. It has been referred to a committee.

Mr. EDGE. Can the Senator advise me offhand whether the resolution provides for consideration of the possibilities of really administering a governmental-owned merchant marine, as well as going into this terrible history of the past?

Mr. KENYON. I am somewhat doubtful about that. Mr. EDGE. While there is absolutely no question, as was developed by the House hearings, that committees could investigate and have sensational results daily, founded on fact, it seems to me that what the American people are particularly

interested in is whether or not, with this three and a half billion dollar expenditure—which represents a present inventory value of less than a billion, meaning that we would have to write off in the ordinary business way over two billion dollars to-day if we looked at it as it certainly exists-it is practical to have the merchant marine administered by the Government under existing laws.

If a resolution is pending looking to an investigation I sincerely hope it will be reported by the committee in a form that will include an examination into the fundamental fact as to whether it is possible to maintain and administer a merchant marine at the present rate of loss, as the Senator has developed. of from half a million to a million dollars a day in overhead expenses.

With a tonnage which is admitted to be about 650,000,000, at a value of something in the neighborhood of \$700,000,000, in two years, going along on the present basis, we would have absolutely no inventory or valuation. As the Senator from Wyoming [Mr. Warren] very aptly stated yesterday in considering this resolution, we had better burn the ships, sink the ships, or do something, if it does not impede navigation, and we are not liable under the law, rather than deliberately go along in such a way that an ordinary computation of figures shows that we will simply wipe out the entire three and a half billions in two years' time.

Mr. KENYON. I agree with the Senator; but does he not think it important, in finding out whether we can carry on a merchant marine and in forming the judgment of the American people on that question, that they shall know how the money has been spent? You could not carry on a merchant marine, the way the money has been spent, if \$20 gold pieces grew on trees, ready to pluck them off; so that that does enter

into the whole matter.

Mr. EDGE. I admit, Mr. President, that it is always a beneficial object lesson, in considering future administration and policy, to be able to show up the fallacies of the past, if they exist; but I think these things are very generally admitted. I think that the facts have been brought out almost sufficiently in the House investigation; and while to an extent we are all ready to be charitable and charge up some of those mistakes and extravagances to war necessities, I think we should think a great deal more of the future.

If it is the wisdom of Congress to provide sufficient appropriations to continue the merchant marine, it probably should be based on a new policy of administration for the future, and consideration should be given by the proper committee, the Committee on Commerce, to a policy for the future.

Personally, I am not particularly interested in all these difficulties of the past, or these salaries. Since the Senator has asked the question, I would rather see a man have a salary of \$10,000 a year, an admitted expert in his work, than to have two or three War Department auditors, perhaps, at \$4,000 a year; and it is admitted that in some of the older departments of the Government we have many more employees than are necessary

Mr. KENYON. If he accomplishes the results.

Mr. EDGE. If he accomplishes the results. A business man at the head of the Shipping Board, with an investment of three and a half billien dollars, must have men who are able to do the work, and I would rather see one man at \$10,000 on that board than four at \$3,000, or whatever the amounts might be.

Mr. KENYON. If they did the work and brought the re-

marine has not had a fair trial.

Mr. BORAH. Mr. President, I am not entirely familiar with this subject, and I should like to ask the Senator a question. Who is responsible for the derelictions to which the Senator has been calling attention? How can it happen, and is there anything being provided in the way of preventives for the future?

Mr. KENYON. How can it happen, as the testimony shows, that some inspector is presented with an automobile by the establishments which may be doing the work? Things of that nature have taken place, just a looseness and a dishonesty on the part of the people who do that kind of thing. That sort of thing exists in the world.

Mr. BORAH. Does not the whole thing resolve itself into the question whether or not we can get honest and efficient men to administer this situation?

Mr. KENYON. I think it does. If we can get an efficient man to take hold of this and clean out the grafters and spend the money in such a way as to make a public dollar go nearly as far as a private dollar goes, then there would be a fair chance.

Mr. BORAH. Who constitutes the Shipping Board now?

Mr. KENYON. There is no Shipping Board.

Mr. SMOOT. Admiral Benson.
Mr. KENYON. There is only one man, practically, on the Shipping Board now. I saw by the papers that the appointments were to be made to-day, but I do not know anything about it.

Mr. BORAH. Are we appropriating money for nobody to spend?

Mr. KENYON. This is a deficiency appropriation of \$75,-000,000, a large part of which has been spent.

Mr. SMOOT. Nearly all of it has been spent.

Mr. WARREN. There is \$25,000,000 appropriated at one in the bill, and then at another place, which we have already passed, there is \$36,000,000.

Mr. KENYON. How much has been spent? How much is

purely a deficiency appropriation?

Mr. WARREN. In presenting estimates for deficiencies they reckon up to June 30, and the House concluded, from the testimony given before the House committee, that they could get along up to the 30th of June, or nearly so, if given thirty-six million and some odd thousand dollars for one part of the industry and \$25,000,000 for another. The Senate committee has simply added \$50,000,000.

The Senator and others will notice that in the testimony they claim, it is doubtful whether with only this sixty-odd million they can run up to that time, and they figured they would be left without a dollar of funds to do business with, and on a market that was flat with some unfinished ships; that it was impossible to sell anything, any item of material or shipping, and that they must have, as working capital, something to carry them over

the first of the year and to get straightened up.

As the Senator knows, this board went all to pieces, and the President asked Admiral Benson, who was a retired naval officer, to keep charge of it, and to go on until there could be a filling in of the places on the board. It seems that the President has taken a great deal of time, and justly so, to get a board which may cooperate and may reorganize this institution to a certain extent.

Mr. POINDEXTER. Mr. President-

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Washington?

Mr. KENYON. I yield,

Mr. POINDEXTER. I want to ask the Senator from Wyoming what period of time is covered by this deficiency provided for in this bill?

Mr. WARREN. It is a deficiency covering the year 1921. I can not give the Senator the months or the dates.

Mr. POINDEXTER. The Senator does not know how long it takes to accumulate a deficiency of \$75,000,000?

Mr. WARREN. It does not take very long, if we may judge

by some experiences in the past.

Mr. POINDEXTER. The Senator from Iowa suggests to me three months' time. At that rate the Shipping Board is quite an expensive institution, if you add to the appropriations which have already been made a deficiency of \$75,000,000 every

I have talked with some men familiar with the affairs of the Shipping Board, in whose statements I have considerable confidence, and they inform me that in the accumulated interest accruing from day to day upon claims which are owed by the Shipping Board to contractors and others, which they positively refuse to settle or liquidate, in the deterioration of ships, and in the losses in the operation of ships, the United States Government is suffering a loss of anywhere from a million dollars a day, as a minimum, up to three or four million dollars

Mr. WARREN. I am not disposed to go into that statement, but I will ask the Senator in return, what are you going to do What are you going to do with the Shipping Board?

Mr. POINDEXTER. If I had anything to do with it, would wipe the Shipping Board out of existence and appoint some director, some one man, with undivided authority under the law, to liquidate its affairs.

Mr. WARREN. How is he going to liquidate them? Mr. POINDEXTER. By getting rid of these ships.

Mr. WARREN. He can not get rid of them, even at \$500 apiece, as the testimony of Admiral Benson shows.

Mr. POINDEXTER. There are about 40 wooden ships, con-

structed by the Shipping Board at an enormous cost, up in Union Lake.

Mr. WARREN. No; we have 272 ships, and a lot of hulls besides; but they have sold a few of the hulls.

Mr. CALDER. If I had my way about it, I would sink them l. They ought to be sunk. We would save money for the Government if that were done.

Mr. POINDEXTER, Mr. WARREN, and Mr. JONES of Washington addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Iowa yield to all these Senators?

Mr. KENYON. I yield to all of them, but I yield to the Senator from Washington [Mr. Poindexter] first.

Mr. POINDEXTER. I only wanted to complete the sentence I started, as to an example I have seen showing the need for some action in closing up at least part of the business of the

Shipping Board.

There is a great fleet of wooden ships in Union Lake, which is a small lake in the city of Seattle. Shortly after they were built they were anchored in that lake. I think that has been about two years ago now. They were built at enormous expense, and I think there are something like 40 of them. They have simply been riding at anchor there in that lake for two years, and I suppose unless somebody comes along who realizes the advisability of doing something with them, they will be kept there until they fall to pieces from rot.

Mr. JONES of Washington and Mr. WARREN rose.

The PRESIDENT pro tempore. Does the Senator from Iowa yield, and if so to whom?

Mr. KENYON. I yield to the Senator from Washington, who was on the floor.

Mr. WARREN. If the Senator from Washington will pardon me just a moment, I want to give his colleague the figures regarding the question he asked. This is the testimony of Admiral Benson before the Senate committee when he was asked how far they were running behind now. He said he supposed they would run behind less hereafter. The amount they are running behind at the present time, he says, is between four and five million a month.

Mr. POINDEXTER. There are many things he did not take

into account.

Mr. JONES of Washington. Mr. President, I hope that we will not allow our indignation at what appears to be reckless extravagance, and possibly even worse than that, warp our judgment as to what we really ought to do in the situation which confronts us. I am not going to take the time of the Senator from Iowa-

Mr. KENYON. I just want a moment more, and then the

Senator can take the floor.

Mr. JONES of Washington. I merely want to call attention to the facts with reference to this alleged deficiency. House provided \$36,000,000, in round numbers, for what is called a deficiency for the present year. But that is to complete or carry on the construction of ships which are now under way.

Mr. WARREN. And nearly finished.

Mr. JONES of Washington. And nearly finished. These are contracts which were not canceled, because, when the matter came up, it was considered that it would mean a greater loss to the Government to cancel the contracts than to carry them Of course, nobody could foresee all the conditions which confront us now. Our hindsight is always better than our foresight, and I am not here to criticize the people who passed upon this question. But that is what the first \$36,000,000 is for, and the \$25,000,000 additional which the House provided in the bill is not a deficiency and is not to take care of the operation of ships, but it is to carry on the construction of these ships in the year 1922.

The Senate committee have divided it. We left thirty-six million to carry on the construction this year, and then we put the other under the head of emergencies, and added to it what we thought ought to be allowed in order to carry on the

ships.

I thought I ought to make that statement.

I am much obliged to the Senator. I have Mr. KENYON. about completed my statement, Mr. President. I rose merely to make the two points I have tried to make. I want to see this go on if it possibly can. I want to see our flag on every sea, and I want a great merchant marine. I think it is necessary for the future progress and prosperity of our Nation. But unless these expenses can be cut, the American people are not going to stand for this kind of a proposition. That is why I am urging this investigation and this cutting down of these wasteful expenditures.

The second point I tried to make was that unless the American people themselves are willing to stand behind a merchant marine, to patronize American boats, ship in American bottoms, and sail under the Stars and Stripes, giving the merchant marine that great moral impetus, patriotic impulse, you can not

build up a merchant marine.

In that line I want to have read as a part of my remarks an article published in one of the Washington papers a few days ATMID HAY BY

The PRESIDENT pro tempore. The Secretary will read as requested.

The Assistant Secretary read as follows:

"United States Ships Slighted, Say Board Heads-Have Black-list Naming Government Officials Who Prefer Competing

"The Shipping Board is considering asking President Harding to direct Government officials to travel on American ships,

it was learned yesterday.

The board is spending thousands of dollars in national advertising bearing the slogan. 'Ship and sail under the Stars and But shipping news reports indicate this injunction is not being observed by those who could do most to further the board's ambition for building up the American merchant marine.

"A tabulation of recent sailings, privately referred to by Shipping Board officials as 'the blacklist,' bears many names of officials high in diplomatic ranks who have chosen to use British and other foreign ships in traveling to their posts.

"HARVEY ON BLACKLIST.

"Prominent on the list is the name of Col. George Harvey, newly appointed ambassador to the Court of St. James. for England on the Aquitania, of the British Cunard Line. The Old North State, one of America's newest and finest passengercarrying liners, sailed on the same day.

"Also included is the name of John Barton Payne, former Secretary of the Interior, who, while Chairman of the Shipping Board before entering the Cabinet, was particularly emphatic in his assertions that Americans should support their own mer-

chant marine.

"YOUNG ROOSEVELT, TOO.

"Another name which has caused Shipping Board officials to express surprise and regret is that of Kermit Roosevelt, who, with his brother Archie, sailed on the Aquitania with Col. Har-Young Roosevelt not only is head of a shipping company but also the operator of several Shipping Board vessels which have been allocated to his company.

"Although Admiral Benson would make no comment for publication on the defection of prominent Americans from his request, it is no secret that he is both surprised and indignant.

"In discussing privately the latest of the board's worries, officials pointed out that in only one respect could foreign passenger vessels be conceded to possess an advantage over American ships. The latter are equally as speedy, fully as well appointed, and in many instances derive the benefits of more recent construction.

"Prohibition alone is the distinguishing feature, it was stated, but, of course, no one presumes to even intimate this distinction has any influence upon prominent Americans in select-

ing a foreign ship."

Mr. FLETCHER. Mr. President, it has been claimed that the matter of prohibition cuts quite a figure with some people traveling across the ocean. I am inclined to think that perhaps more people will be attracted to ships where there is prohibition than will be induced to go on ships because there is no prohibition in force on the ships. So perhaps the thing offsets itself in that respect.

Mr. KENYON. I wish to testify from observation only that as to at least one of the American ships it is not dry. I think none of them are dry, so the Senator's argument does not apply.

Mr. FLETCHER. Perhaps some people did not quite under-

stand that when they engaged their transportation. In any event there may be some reason for this sort of practice, or what appears to be a practice, on the part of some Americans. Sometimes people can not get accommodations on American There are times when people have to sail within certain limits, and my information is that the ships going across the ocean now are crowded, and that coming back they are largely crowded. It is very difficult to engage transportation unless one does so months in advance, and it is possible that these distinguished gentlemen were unable to get accommodations on American ships, because those ships were fully booked at the time they applied for accommodations.

That is about the only respect, as I am informed, in which shipping is doing well—that is, the passenger businesscharges are pretty high, too, according to my information. There ought to be money in the transportation business so far as passenger carriers are concerned, but we do know that our foreign trade has fallen off enormously, and that our ships have to go with cargoes and return very often without cargoes, and that there is not money now being earned in the shipping business so far as the transportation of commodities is concerned. The freight carriers, generally, are not doing a profitable business at present. There are exceptions, but cargo carriers are not enjoying the rich harvest they did during the World War.

There are a great many ships laid up. Many people who bought ships from the Shipping Board months ago at something like \$200 a ton were utterly unable to carry out their contracts and threw the ships back on the Shipping Board. Some of themare claiming that they ought to be reimbursed the amount of the advances made on account of those purchases, because the price and values have gone down so much. We can build ships now much more cheaply than we could a few years ago. Ships are being constructed, it is claimed, now at \$175 a ton that formerly cost \$210 or \$220 a ton.

The situation has materially changed from that which existed before the war and, of course, during the war. During the war there were excessively high rates. Some people made as much as the value of the ship on one journey, one turn around, one voyage. Again, in one instance the Shipping Board made \$450,000 net on one voyage of one ship built by the Shipping Board and in another instance nearly \$500,000 net. Now they are losing money. The operating expenses are high, the cargoes are lacking. They can not get the kind of cargoes they would like to have, that would pay the best rates and give the best return. They are doing the best they can, but the business is demoralized. Commerce has been disorganized, particularly our foreign trade, very largely, and the Shipping Board has been losing money—not only the Shipping Board but operators generally. Shipowners have been losing money as to freight-carrying ships.

I realize that there has been an enormous waste in connection with the building of the merchant marine. In 1914 we had 2,200,000 tons of shipping under the American flag. That was the total number of tons then under the American flag, exclusive, of course, of the coastwise and Great Lakes ships. We now have 12,400,000 tons under the American flag.

Mr. POMERENE. That does not include the Lakes? Mr. FLETCHER. I am speaking of overseas shipping. I am not referring to coastwise shipping, but only to overseas shipping.

A large portion of that tonnage is tied up and out of business, because the business is not there. Recently I had a statement bearing on that subject, and while perhaps it is not entirely appropriate at this time to go into that question fully,

yet this might be somewhat enlightening.

We have 1,388 steel steamers, 981 of which are oil burners and the balance coal burners. There are 978 in active service and 251 tied up. Vessels of many private owners are tied up in many instances. The business is not there at present, but the Vessels of many private owners are tied up in business will return. All the wooden ships are tied up-269. The chairman of the committee said 271, but my memorandum states that there are 269. There have been sold 439 ships by the Shipping Board. They have advertised ships and are offering them for sale, but they find no bidders now. As I said a while ago, they did sell some of those ships, but the purchasers have turned them back and refused to take them, because they claim that they can buy ships now at a good deal less; and, of course, they can do that, and so they can not afford to go on with their contract to buy the ships.

There is no question but that the merchant marine is just as essential to the prosperity and progress of the country as any enterprise upon which we can engage. It is essential for the national defense. Merchant ships are just as necessary in the national defense as are dreadnaughts, cruisers, torpedo boats, and torpedo-boat destroyers. If the Great War taught us any lesson at all it is the lesson that England could never have waged, much less won, the war even with our help and the help

of other countries without her merchant ships.

She lost in one quarter 12,000,000 tons of her merchant ships and she was within a month almost of absolute collapse by reason of the depredations of the submarines. But we began our building program, and we were finally able to build them faster than the Germans could sink them. We built some of the ships at enormous cost, I grant you, accompanied with great waste, because we had to sacrifice economy for speed. The world's cry was for ships, and we proceeded to build the ships.

We need those ships now not only for our commerce but we need them as necessary in every war for national defense. have to have the merchant ships to transport our commerce and carry our supplies and move our men and our munitions and

our material requirements generally.

Mr. HITCHCOCK. Will the Senator state what will cause restoration of commerce to bring activity to those ships again? Mr. FLETCHER. Of course, I am hoping that eventually we will approach somewhere near what has been designated in high places as a status of normalcy; at any rate, that there will be a readjustment of world affairs and that after a while Europe will get on her feet, the world will recover from its

present illness, people will get sane again, and we will all move forward. I will say to the Senator that, for instance, if we look back in history to the years following Waterloo in 1815, there was another period when all Europe was disturbed as practically she is to-day. It took about 12 years to recover from that condition and for Europe to get rehabilitated or steadied and in position to go ahead again. The inevitable consequences of the mighty shock and destruction of such a deadly conflict can not be recovered from in a year or two. Quite a little time, depending on the extent of the upheaval, is required.

Mr. HITCHCOCK. Does the Senator think the enactment of the proposed high tariff with barriers against trade with other countries will improve the business of this merchant marine

Mr. FLETCHER. I think it is most unfortunate for us to take a minute in considering the tariff question at this time, because the conditions of the world are too unsettled and too changeable. They are changing and shifting from day to day. We do not need tariff legislation now, and I think it would be a mistake to enact a permanent tariff law at this time because of those changing conditions.

Mr. HITCHCOCK. The Senator understands that that is the program of the administration and that Congress proposes to enact a high protective tariff for the purpose of erecting trade barriers against commerce with other countries.

Mr. FLETCHER. Of course if that is done it is going to limit our trade. It will undoubtedly reduce importations. It will lessen the power of Europe to recover because Europe can not pay us in gold the debt she owes us. She can only pay that debt in goods, in commodities, very largely.

Mr. HITCHCOCK. Yet we are proposing in this bill to appropriate something like \$100,000,000 for the building or the completion of ships which will be still more idle after a high

protective tariff measure is enacted by Congress.

Mr. FLETCHER. I still have hopes that the tariff legislation will not be of such a character as to prohibit the importation of foreign goods.

Mr. HITCHCOCK. I compliment the Senator on his great

Mr. FLETCHER. I hope that before such a tariff law is actually put upon the statute books the people ci the country will realize the unwisdom of making duties so high as to keep out importations to that extent. It will have a bad effect in any case, in my judgment; but, as I said, world conditions are so changeable and so chifting from day to day that it seems to me it is not an opportune time to enact any permaner' legislation of that character now. However, I still hope that the manufacturers, those engaged in agriculture and the various other industries of the country, will be able to see that we can not dispose of our goods and our products in foreign markets unless we take goods in exchange for those products to a large extent, and that they will insist that there shall not be imposed such duties as will exclude from this country foreign commodities and products.

While I admit that all this extravagance that has been talked about is very disturbing, and of course no one can excuse it, still there are conditions, it seems to me, that ought to be taken into consideration. Those are not traceable to the Shipping Board. There have been some reckless, careless, neglectful transactions on the part of some clerk here and yonder. Perhaps the chief of the particular division or bureau or enterprise in which he is employed ought to be held responsible for it, but because some clerk sends a foolish telegram and charges it to the Government, is that any reason for condemning a great institution such as the Shipping Board ought to be and in my judgment has been? There have been occurrences of that which we can not excuse and those implicated of course ought to be dismissed from the service, and we ought to get down to an economical basis and have those people go to work, and limit their expenditures to legitimate purposes and con-

duct affairs on strict business lines.

On the other hand there have been very great disadvantages under which the Shipping Board has labored. In the first place, it was complained at the time that the President failed to appoint members of the Shipping Board as promptly as they should have been appointed. There was delay in that instance, and before the Shipping Board got fairly functioning two members resigned and two other members had to be put on. was again delay in filling the board. Soon after that had happened, and before the board got a thorough grasp of the whole condition and began operating successfully, there were other resignations. The board has been changing in that way from time to time ever since it was first organized. I do not mean to criticize anybody, for I can understand the difficulty the President has had in finding the right men for those important positions; but I had hoped when the President took hold in March, we having failed to confirm the other members of the Shipping Board who had been appointed by the last administration, that we should have here the first week of the session nominations for the Shipping Board; but from March 4 until to-day, June 3, practically three months, we have been without a Shipping Board. How can we expect a wise and judicious and efficient administration of a great board under circumstances such as those?

The chairman of the board is acting under some sort of an executive order from the President. I do not know whether there is any law for that, but I rather question it. We have, however, no Shipping Board, and I doubt if there is any authority to do anything anywhere, so far as that organization is concerned. We are, as it were, using a strong-arm method and trying to save the situation as best we may. It is a pity that such a condition has existed.

Mr. EDGE. Mr. President-

The PRESIDING OFFICER (Mr. Harris in the chair). Does the Senator from Florida yield to the Senator from New Jersey? Mr. FLETCHER. I yield to the Senator.

Mr. EDGE. I simply desire to suggest to the Sénator from Florida that I am sure he will agree, relying on information afforded us by the public press, that the present President of the United States has certainly been using every possible endeavor to find the best equipped men, so far as their past business association and success are concerned, apparently, in order that the very mistakes-if they have been mistakes-of the past may be corrected. I am sure the Senator will admit from following the public prints that the President has been making most unusual efforts in order to try to bring to the service of the Government the strongest and best-equipped men whom it is possible to locate.

Mr. FLETCHER. I believe that: I think it has been the President's aim and effort to find the right men to put in charge of this great work. I have said I realized his difficulties in that respect; but I am stating it as a fact that the conditions which I have pointed out have existed almost from the beginning of the life of the organization. Consequently there has been more or less of looseness, of demoralization in the actual administration of the affairs of the Shipping Board, I hope that we shall get away from that; but I do not want to see the

Shipping Board go down.

If we do not now establish an American merchant marine, adequate to serve this country, to serve the commerce and the industry of the United States, so that we shall never again be a beggar of ships, a fettered and embargoed trafficker on the seas, I do not know that time will ever arrive when we may do it. Unless we do it now, we shall never in our lifetime see a decent American merchant marine. It will not do to cripple the Shipping Board by failing to take care of these necessary expenditures, these deficiencies, these items for which they have already made contracts and incurred obligations in order to enable them to complete the ships which are from 80 to 90 per cent finished. We do not want to sacrifice those ships. It will not do to compel the Shipping Board to put upon the auction block 1,676 merchant ships and to let them go to the highest Those 1,676 merchant ships aggregate 10,837,000 tons bidder. of shipping. We should not put them up at auction and let them go. Who would get them? Three or four operators; merely a handful of big operating companies would own the merchant ships of the United States, which we have built with the people's money. The people of the United States bought Liberty bonds, paid for them, and a considerable portion of the proceeds of those bonds went into the construction of these ships, at a cost of three billion seven hundred odd million

Mr. WATSON of Georgia. Mr. President-

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Georgia?

Mr. FLETCHER. I want to complete my statement by saying that these ships belong to the people of the United States. We have no business to throw them away or to sacrifice them. Now I yield to the Senator from Georgia.

Mr. WATSON of Georgia. Would the Senator from Florida be kind enough to give us his idea as to why American enterprise does not take the direction of going "down to the sea in Why is it that private individual enterprise in Amer-

ica does not take that direction?

Mr. FLETCHER. It has not done so heretofore, Mr. President, I think, largely because our attention has been directed to the development of this great country of ours, and there was more profit and greater prospects of gain on land than on the sea. There is not any question, however, that there has been profit in shipping. The British people have made money in their shipping enterprises; the people of every other maritime nation have made money in that way; there is money in the business. Of course, it takes a good deal of capital to build or acquire and operate ships. It is not a business which requires only small capital.

Mr. WATSON of Georgia. Mr. President, will the Senator allow me to ask him another question?

Mr. FLETCHER. I will; certainly

Mr. WATSON of Georgia. Would the Senator be in favor of allowing American enterprise to buy ships wherever it can buy them and give them the protection of the American flag on the high seas?

Mr. FLETCHER. As I understand the Senator's question, I am in favor of that absolutely. Let Americans buy ships wherever they will. I want to encourage American enterprise; I do not mean to discourage American enterprise in this venture at all; but we have reached a point in this country where American enterprise has utterly failed to supply this great need; we have for 50 years been endeavoring to encourage private enterprise to build ships; but we only had, in 1914, 2,200,000 tons of shipping under our flag, which was 4,000,000 tons less than we had in 1861. The American merchant marine was going back; we were losing our status on the seas; we were not increasing our merchant marine at all; private enterprise failed us absolutely; so that there was nothing to do but for the Government to build ships, and we went in and built them. We built them with the people's money; the people own them; we have no right to scrap them, and we must not scrap them. We must manage so that we can place them in the hands of private enterprise wherever there is opportunity to do so without absolutely giving them away or selling them for a song. I am willing to encourage private enterprise.

But, Mr. President, the intimation is here that the Government is incapable of operating merchant ships; that the Government is not fit or competent to conduct an enterprise of this kind. The Senator will recall that when during the World War there was a question of insuring hulls and cargoes on the high seas, and private companies were appealed to to furnish insurance, they said, "We can not do it"; and they themselves came down to Washington and appealed to the Government to establish the Bureau of War Risk Insurance in order that their ships and their cargoes might be insured on the ocean. The Government took that action and made money out of it.

Mr. WATSON of Georgia. Mr. President, I should like to ask the Senator from Florida another question, if he will permit me. Is it not his understanding that in order to have American registry and the protection of the American flag the ship itself must be built on this side of the water; and whether it is not his understanding that the so-called foreign ships which carry a large share of our foreign commerce are owned by American citizens in New York and elsewhere?

Mr. FLETCHER. That was the case very largely before 1914; but we have provided in the law now that these ships may only be sold to American citizens until we exhaust the home market. We have granted some authority now to offer them to foreign markets if they can not be sold here; but the ships that are sold now must fly the American flag and be owned by American citizens. It is true, as the Senator suggests, that in 1914 American capital was invested to the extent of some \$100,000,000 in ships flying foreign flags and that situation continues to-day. It is also true that only ships built in American yards could obtain American registry. We modified that law in 1914. It was originally enacted to help build up Ameri-can yards and promote the shipbuilding industry. Its effect was to discourage American ownership and American shipping. Since August 8, 1914, foreign-built vessels may have American registry for foreign trade if American owned. In certain instances they may be admitted to the coastwise trade also.

Mr. President, I utterly repudiate the notion that necessarily the Government is unfit, incompetent, and incapable of operating merchant ships; that necessarily there is going to be failure; that there must be rascality and graft and dishonesty and waste and failure finally in the operation of the ships if the Government undertakes that task. I would much rather see the ships operated by private enterprise than for the Government to undertake that business, if it can be done, so as to save these ships for American owners and for the American flag, for the benefit of American commerce and American industry; again say that there is absolutely no necessity for failure if the Government itself undertakes to operate the ships. Australia is operating her merchant marine now and operates it quite successfully; Canada is doing so; the Government of the United States has been operating a line quite successfully from New York to Panama for years, and is operating it now, right bring.

alongside of privately owned ships. England is operating her telephones, telegraphs, and cables successfully and is doing that right alongside of private enterprise, and is operating also some ships right alongside of private enterprise. There is no reason why this Government can not operate its ships without any serious loss—there may be a temporary loss here and there until the time arrives when we can dispose of them upon a fair, just, and proper basis and have them go then into the hands of private owners, but always flying our flag and owned by American citizens.

It is said that the wooden ship is a total failure. The Senator from Washington [Mr. POINDEXTER] has referred to the number of wooden ships tied up in Seattle Harbor going to destruction. Of course the steamers of wooden construction have not been profitable ships. They were built as an emergency matter. We had to build them quickly and fast, and build them out of anything we could. There was a time in those days when I should have been willing, if I could not have gotten anything else to build ships with, to build them out of gold in order to take supplies to our 2,000,000 men in Europe, rather than have them starve or suffer. We had to build the ships, and build them in the quickest way we could. We had to build them out of anything we could get hold of that would be serviceable; and they did serve a purpose, too. Many of these ships have carried cargoes around the world. They are not as profitable as some other types, but they are not wholly useless,

I wrote the other day to the Oregon Pine Co. (Inc.), of Portland, Oreg., and inquired about one of these Ferris-type wooden ships which that company bought from the Shipping Board. They paid some \$40,000 for the ship, and they converted her into a six-masted schooner. They said:

In reply to your letter of May 3, requesting information as to the value of converted Ferris-type ships, we are pleased to inform you that during the early part of 1920 we purchased from the Emergency Fleet Corporation two hulls, known as the "Peninsula type." These two hulls we converted into six-masted schooners, and placed them in the lumber-carrying service between the Columbia River and Australia. These ships have proven to be splendid sailers, and, with the stability of shipping rates, will prove a profitable investment to their owners. Wwwill be pleased to give you were information should it so please.

will be pleased to give you more information should it so please

This letter is dated May 9, 1921. That is what can be done with these wooden ships. They can be converted into sailers. They are less expensive to operate. We do not need fast, rapid transit across the ocean so much now. Take the machinery out of them and convert them into sailers. They are proving profitable. Every experiment made with them has do nonstrated that, and this is a direct statement of a concern that took two of them and used them in that way.

I have another letter here from W. L. Comyn & Co., of San Francisco. They say that the Anne Comyn is the only ship that has so far completed a round trip. She was one of these wooden steamers converted into a sailing vessel, and she made on that

trip \$43,547.54 net profit.

So the experience thus far is that these wooden ships are not worthless. There is no need to say that the money that has been put into those ships has been wasted and thrown away. They can be sold and converted into sailers and operated profitably in carrying lumber and other freight of that sort.

Perhaps it is not quite in order now to discuss gene. ally the operations of the Shipping Board as to constructing and handling and allocating these ships. Many of the questions propounded in the resolution offered by the Senator from Utah can be very readily answered. I have already answered some of them in these remarks. I have no objection to any inquiry you want to make about the Shipping Board and its transactions, but we do not get very far in these investigations. The Commerce Committee, year before last, spent some six months investigating the Shipping Board and trying to encourage particularly the construction of ships at that time. The House committee has made an extended investigation of the Shipping Board.

We find these items of recklessness and extravagance and waste here and there, but what we want to do is to get the Shipping Board on its feet. Let us have a Shipping Board, You have none now. You have not had any for some time past-practically for a year. Let us get it established, and when that is done there is no reason why we can not, through that board, operate these ships in such a way as will not only not harm private enterprise and private lines but will encourage rather than otherwise those lines, open up new routes of trade, and carry our flag to every port in Christendom; and that should be done. Now is the opportune time to do it. We do not need to, and we could not if we wanted to, dispose of these ships or the material on hand at anything like what it should

Some mention has been made of high salaries. I do not know what date that applies to. Will the Senator state whether those high salaries are being paid to-day, or are they salaries that were paid some time ago? I have been assured by the chairman of the board that the expenses of the Shipping Board recently have been reduced some seven or eight million dollars per annum, and that that reduction is continuing. I will ask the Senator whether that salary list is a list up to date or whether it applies to some months ago?

Mr. KENYON. I am not going to say, in view of the Senator's statement, that it is up to date. It is up to some months ago. If the reductions have been made, they have been made

recently, and perhaps they have. I hope they have.

Mr. FLETCHER. I know that it is the purpose and the effort of the chairman at the present time to reduce expenses all along the line, the high salaries as well as the number of employees, and I am sure he has been doing that, as far as it was possible to do it; but there are conditions-such, for instance, as those at Hog Island-which can not be avoided. Some mention was made of the salaries paid at Hog Island and the number of employees there. That is a great storage depot-storage for ships and storage for supplies-and there are supplies and materials stored on Hog Island that cost the Shipping Board \$40,000,000. They can not sell this material now, It can be sold ultimately. It consists in great part of steel plates and machinery. A lot of that material was brought there when the contract was let to build 35 "B" boats, as they termed them, 8,000-ton cargo carriers. They afterwards abandoned that contract entirely, and none of those boats were built there; consequently that material, which had already been or-dered, is lying there now at Hog Island. It is not going to rust or rot. It will be salable and there will be a market for it, but it must be taken care of in the meantime.

One hundred and twenty-two ships were built at Hog Island, and their record has been superb as far as their performance is concerned. I merely mention that. The Shipping Board undoubtedly has material of this kind at other places over the country, but you can not sell that material just at the moment. That, however, is no reason why we should refuse to maintain the Shipping Board and compel it to wind up its affairs and throw upon the market all the material and all the ships under

its control.

Mr. EDGE. Mr. President, I do not entirely agree with the optimism of the Senator from Florida [Mr. Fletcher] as to the possibility of complete success under governmental management in the administration of a merchant marine. However, I do not greatly disagree with him on the absolute necessity of maintaining a merchant marine; and I appreciate thoroughly and well understand how Senators who, because of other responsibilities and other committee assignments, are not entirely familiar with the details of the Shipping Board's activities as coming before the Committee on Commerce, of which I have the honor of being a member, when they hear of these \$100,000,000 deficiency appropriations, would feel very reluctant to support them, and they would naturally develop a line of debate and discussion such as we have had this morning.

I agree thoroughly with the Senator from Florida that it would be a great mistake, absolutely beyond any correction, if we should dispose of the merchant marine in any way excepting by chartering or allocating it to going concerns in this country, under the American flag, with a certain amount of proper supervision over their activities. That, however, is not We are not meeting that particular responsibility to-day. We are considering a request for a very large deficiency appropriation; and, as I stated, I can well understand the feeling of opposition and censure and criticism that such an appropriation would develop when we recognize the apparent failure of the merchant marine under existing conditions.

Senators should know, the country should know, as accurately as it is possible to secure the information, why it is necessary to ask, on the basis of the requests before us, for from two hundred to three hundred million dollars a year for the merchant marine in the way of a deficit; that is, that much in addition to their income from operation. It is relatively the greatest expense that the Government is facing, because, of course, with the Army and the Navy we actually have no income. From the merchant marine we have a tremendous income, and this amount of from two to three hundred million dollars represents purely

a deficit over and above the income.

I believe we perhaps have been somewhat neglectful in not securing real information. We should not simply make investigations which bring out errors of the past in this or that or any other individual cases, but we have not secured, as far as it

tion and administration, so that the American people and the Congress will understand the necessity for these deficiency appropriations. As I understand, they must be granted or the Shipping Board will be absolutely compelled to close its doors: but I think we should have more detailed information as to what the future prospects are and the policy of administration, rather than bothering very much with the water that has gone over the dam and bringing out failures and mistakes of policy in the past. They may in some way help us to avoid a recurrence of the same conditions in the future; but it is my judgment that in the investigations of the House committee, which extended over a period of a number of months, they certainly endeavored to secure all the information that they could, meeting almost daily. The results of that investigation appeared in practically all the newspapers of the country; and I should very much regret to see the Senate start again on that type of an investigation as a solution of the problems of the merchant marine and its policy. As I said, I think the American people want to know what the future holds forth and what we can promise them in a continuation of these very large appropriations in order to maintain that service.

Mr. McKELLAR. Mr. President-

The VICE PRESIDENT. Does the Senator yield to the Senator from Tennessee?

Mr. EDGE. I yield.

Mr. McKELLAR. Does not the Senator think that the most needful thing to do with the shipping problem right now is to have a strictly first-class board appointed, or reappointed, however that may be; get the board organized and at work, and then aid that board in making the shipping business a success?

Mr. EDGE. Certainly, Mr. President; there can not be any question as to that. I remarked, in interrupting the Senator from Florida, I think while the Senator from Tennessee was out of the Chamber, that I think we must admit that the President is certainly making every effort to secure the services of the best type of men, in order that the very best possible business experience can be enlisted in the service of the Government. It is a matter of great regret to every American, I am sure, to know, as they must know by following the accounts in the public press, of the lack of success in the one or two efforts the President has made to secure the type of men who, through experience in the past, could carry out the big contracts and handle the big problems to be solved, as near as it is humanly possible to find them. It is a matter of great regret that up to the present moment apparently he has been unsuccessful.

But my remarks, Mr. President, are directed mainly to the resolution now pending, offered by the Senator from Utah [Mr. King] yesterday, of which I have a copy here. It requests information of the same old character, as to liabilities, actual or contingent, of the Shipping Board, and as to ships chartered,

and where chartered, and so forth.

Only yesterday, following, I am informed, the work of a number of auditors at the department covering a period of several months, we received a report from the Shipping Board, a very voluminous report, of some two or three hundred pages. It was in response to a resolution I had introduced in the last Congress, and I have had an opportunity of only glancing over it. It is a public document, and it is my judgment that the report is a most comprehensive one. I believe it covers largely all that is requested by the pending resolution. Certainly the main features are covered by this report.

If a resolution were introduced to authorize the Senate Commerce Committee, or a subcommittee, to make an inquiry as to future prospects, future policies, and matters relating to the actual administration of the merchant marine, so that the country could get it perhaps a little more clearly, I think such

a resolution would probably be entirely in order.

In the meantime I do hope that the appropriation, which is the direct business before the Senate, will be allowed. I know it is hard, in a way, to defend a business which shows a continuing deficit, but, as has been stated before by other Senators, we all appreciate the present business depression; we all know perfectly well that it is absolutely impossible to liquidate the merchant marine to-day and receive anything that would be even worth while. Any board ordered to liquidate it to-day would receive proper censure, in my judgment, all over the country, for selling the ships at such prices as they would have to take at this time. It can not be liquidated now. There is a certain amount of what may be termed junk, the wooden ships, and ships that never will be used, which I think could be sold at auction, and we might as well sell them to-day. I do not think it would be bad business judgment to do so.

any other individual cases, but we have not secured, as far as it is possible to secure them, the plans of the Shipping Board, or that part of the Shipping Board that remains, for future opera-1 of real going ships, modern ships, which can be administered

at a profit when business conditions are near normal, preferably under private control, and the Government's responsibility

is to adopt a definite policy for their future conduct.

The other problem of the Shipping Board is the problem of liquidation. That part of the fleet represents an output of millions for which we can probably receive but a few hundred thousand to-day, and then retain the ships which are worth

The two responsibilities are absolutely distinct. I question very much whether the new Shipping Board should connect

those two responsibilities at all.

I believe it would be very good business to put the matter of liquidation in the hands of professional liquidators to get clear of the useless ships at the earliest possible moment in the best possible way, definitely deciding what part of the assets are not useful for any future operation. Do not have the useless ships so directly connected with the operation of a going concern that they hold it back continuously by the tremendous depreciation cost and charge on capital that is naturally considered when

operating as one activity.

So, Mr. President, recognizing thoroughly the reason for criticism, and that it is justified, I sincerely hope that we will not get entirely discouraged. It is too great an asset in times of war or in times of general business development; it is too important, in my judgment, as a means through which we can finally, whatever our tariff policy is, dispose of our surplus products; and let me say right here that as we do not have a market for our surplus products in this country, and we do not have a method of transporting them, then America can not, in my judgment, return to a full degree of prosperity, because we stimulated production and development in this country because of the war to such an extent that we can not be prosperous to a full measure of prosperity by simply confining our business to ourselves. When I speak of surplus products, I mean the difference between what we consume at home and what we must find a market for abroad.

There can not be any question but that we must look at the merchant marine, then, to some extent as a liability, as it must be and will be, I am afraid, for years, so far as its actual cost of operation is concerned; but we must look upon it to some extent as one of those necessary auxiliaries to the general develop-

ment of the prosperity of the country.

Mr. CALDER. Mr. President, I do not know that I can add to the statements which have been made by the Senator from Florida [Mr. Fletcher] and the Senator from New Jersey [Mr. Edge]. We have this great fleet of worthless wooden ships on our hands. At the close of the war, when the armistice was signed, we made the great mistake of not cutting off at once our entire shipbuilding program. But the last administration and the Shipping Board talked of balancing the fleet, and Congress advanced large sums of money for that purpose, and to-day we have uncompleted ships on the ways to finish for which we are obligated to spend many million dollars. That policy was wrong, but it is water that has passed over the dam, and we are through with it. This side of the Chamber can not be charged with the shipbuilding program during the war and the years immediately following the war.

If I had my way, I would either sink the wooden ships, and do away with the expense of looking after them, or I would put them up at auction, and let anyone have them who would

take them away, if only for firewood.

We have of course this great fleet of steel vessels, most of them, in fact very nearly all of them, useful ocean carriers. Somehow, some way, we must develop a means of utilizing them for the benefit of the country and, as the Senator from New

Jersey said, carrying our surplus products overseas.

Mr. President, this great fleet of ocean vessels served a useful purpose in the war. We took over and completed a great many ships for which contracts were made by individuals before we started our shipbuilding program. In addition, many ships were built by the Government itself which were used in the latter days of the war. We do not talk of loss in the ordnance we shot away, nor in money spent in the aircraft program, and it does seem to me that we can properly charge a good portion of the shipbuilding to the cost of the war.

Another phase of the situation most men have lost sight of is that in the years 1919 and 1920 we carried a tremendous trade overseas, and a big commerce was carried back to us. Mr. President, that business was carried in the main by vessels flying the American flag, which were constructed and owned by the Shipping Board. I believe a careful analysis of the facts will show that those ships nearly paid for themselves in the

two years I have referred to. So, after all, the thing is not as bad as it seems to be. We have not been a shipping people in the last half century. Until

the Civil War, we carried most of our overseas trade in American bottoms; but our merchant marine then gradually declined, until at the beginning of the Great War we carried less than 10 per cent in our own ships. Now we have vessels enough to carry 60 or 70 per cent of our commerce, if business were normal again, and this fleet were in operation.

For my part, I am quite sure that when we get this thing balanced up, dispose of the vessels which are useless, and get the thing organized in a business way again, that if we hope to operate this fleet in the interest of the American people, in the interest of the American manufacturer and farmer, we will have to give some Government assistance to it, despite all we

have spent already.

As I see it, when you consider all the elements entering into the cost of building and operating vessels, we can not hope to conduct an American merchant marine under present conditions in competition with Great Britain unless we give some sort of

direct or indirect Government aid to them.

Mr. JONES of Washington. Mr. President, in the last two or three weeks we have heard a great deal of talk about the necessity for preparedness in this country and what we lost at the beginning of the war and during the war because we were not prepared. In my judgment, Mr. President, we are paying the cost of unpreparedness now. We were unprepared with a merchant marine when the war opened, which has brought the results we have had pointed out to us to-day. An adequate merchant marine is, in my judgment, just as essential and just as necessary for our national defense in time of war as our battleships or any other part of the Navy, as was suggested by the Senator from Florida [Mr. FLETCHER].

So it seems to me that that should be taken into account when we come to consider the requests for appropriations or action necessary for the building up of the merchant marine. It is true that we have appropriated a large sum of money: it is true that we have spent a large sum of money for the building up of our merchant marine. It was considered absolutely necessary at the time. Congress deemed it necessary. We did not have the ships. We had to have them. There was only one way to get them, and that was to build them; and they could not be built without money, and money could not be gotten without appropriations, and so we appropriated the money. The Government built ships not primarily for commercial purposes but to meet the war emergency and the war necessity. As has been suggested, those ships were not constructed as they would have been constructed and as they should have been constructed for purely commercial purposes. They were built in a hurry and, as I said, built to meet that particular emergency.

We are going to lose a whole lot of money; that is, we will not recover a great deal of the money that we spent, but how much money do we ever recover from our naval ships? How much money will we recover of the appropriations that were made for the building of battleships and all that sort of thing? None at all. What aid will those ships be to us in times of peace except as a preparation for war? None at all. Our merchant ships are about the only legacy that came to us from the war that may be of some substantial benefit to us in time of peace. Those ships are not valueless now when the war is over. They will be of tremendous value to the people of the country and the commerce of the country, the wealth and prosperity of the country, in time of peace if properly handled

and developed.

Mr. President, I agree with the Senator from New Jersey [Mr. Edge] that the past is gone and that much of the criticism which might be made about the past would better be left unsaid. I am satisfied that there was a great deal of incompetency and a great deal of waste in the conduct of governmental affairs during the war. This was true not alone of the building of ships by the Shipping Board but of the other governmental agencies. I am satisfied that there was some corruption in connection with these things, but such things are inevitable in the conduct of war. We can not avoid them and they can not be avoided by pointing them out and criticizing them. I simply accepted them as actually existing and taking place and as past.

We must look to the future if we build up our American merchant marine. As the Senator from New Jersey said, that is what the American people are looking for us to do. They are not looking for us to go back into the past, trying to dig up something wrong or some improvident expenditure or some mistake or even some corruption, but they are expecting us to correct the mistakes and the errors of the past by doing the right and proper thing in the future.

I commend the efforts of the President to secure the proper men for the Shipping Board. I hope we will soon have a rear to the second of the particular

Shipping Board that will take hold of the situation and eradicate the evils that are existent there, that will correct these things, and that will give the people of the country a real, genuine business administration of affairs, and do everything in their power toward the development and maintenance and building up of the American merchant marine, and make it what the people of the country would like to have it be-getting it, as soon as possible and as soon as practicable, consistent with the public welfare, in the hands of private operators and private

It has been said that we have appropriated and spent a great deal of money, and that we have to face a loss for a great deal of the cost of the ships, but there are some things that we are There are some benefits that have come to us overlooking. that apparently we do not take into account.

When the war began we were carrying in our ships only about 9 per cent of our foreign commerce. In April last we carried 37 per cent of our imports in American ships and 40 per cent of our exports in American ships. That means a great deal. I am not going into details with reference to it at this time. It is a matter of saving millions to our own people, of preserving and developing the markets for our own people, and all that sort of thing, as well as the employment of our own labor, our own seamen, and our own captains. In other words, we are to-day with this fleet of ours, under the adverse conditions that confront us, carrying four times as much of our foreign commerce as our ships carried at the outbreak of the war.

The Senator from New Jersey was mistaken, I think, in his idea that what we are appropriating for in the pending bill is to take care of deficits. That is hardly correct. What we are appropriating for in the bill is, first, to take care of the construction cost of completed ships that it has been deemed wiser to complete than to cancel the contracts, because it must not be forgotten that those ships were under contract, and that if the contracts were broken by the Government the contractors have their claims and have to be compensated for damages, and so forth. This was all taken into account, and it was decided wiser to complete the ships than to abandon the contracts and pay the damages. Sixty-one million dollars of the money to be appropriated in the bill is to complete those contracts; in other words, to carry on the construction of the ships.

Of course, it may be said, Why complete the ships that we can not use? This must be considered, that the ships that are on the ways when completed will be about the best ships we will have. As the Senator from Florida [Mr. Fletcher] said, the present conditions in the business world are not going to continue indefinitely. They may continue for some little time, but they will get better. Demands for shipping transportation will be greater when the trade and business between our country and the other countries of the world are developed, as they must develop when the world begins to recover from the tremendous catastrophe through which we have passed. Then will the demand for ships increase; then will they become profitable-I hope and I believe they will-and then those ships will be among the best of our fleet and will be of great benefit to our people and our merchant marine.

I think the expenditure of the money under the circumstances is fully justified. It may have been wiser to have canceled the contracts when the armistice was signed, but that is in the past. They were not canceled, and I do not blame the men who were in authority because they did not cancel them. I know the consideration that they gave to those matters. I had occasion to appear before them with reference to many of those things, and I know that they gave these subjects very careful consideration. I believe that they acted patriotically and for what they believed to be the best interest of the country when they said that certain contracts shall be canceled and certain other contracts shall be carried out. As I said a while ago, our hind-sight is much better than our foresight. They acted according to their best judgment upon the situation that then confronted them. I believe that events will show in the future that they acted wisely and that in the end we will get back the money we are expending for the completion of those contracts.

The other part of the appropriation, which will add largely to the increase of \$50,000,000, is for several different purposes. There are claims for millions of dollars pending before the Shipping Board. Many of them have already been practically adjusted and they have determined the just amounts that are due. These are honest, valid claims of business men who entered into the enterprises at the request of the Government in the emergency that confronted us and they are entitled to consideration. Their claims should be settled as soon as they can agree upon what is due. So far as the Government is concerned, it can settle many of those claims upon a far better basis to itself now than if it forces those men to go into the

Court of Claims or into the courts for a final adjudication. We know how it is in a business transaction, especially if a man is confronted with business needs that he feels he must meet or go into bankruptcy, that he will settle a claim for cash at a much lower basis than he would settle for if forced into the courts and to a final adjudication there.

Admiral Benson estimated in his testimony that there are \$30,000,000 or \$40,000,000 that is actually due to claimants growing out of contracts in connection with shipping that the Government can settle and adjust, if permitted to do it and if it had the money to pay what it finally agrees should be paid, upon a much lower basis than if the claimants are forced to go into court. A good part of this money is included here for the purpose of enabling the Government to adjust those claims upon what it considers a fair and just basis.

Of course, if the Government and the representatives of the claimant can not agree upon what is a fair and just settlement then they will have to go into the Court of Claims. Senator referred to one claim where he said there were some differences of opinion as to the principles that should be carried out in settlement of the claims, and stated that he believed that if those parties went into court they would probably recover from the Government four or five million dollars, but that the claim could be settled just as satisfactorily, if the Government was in position to pay whatever they finally agreed to pay, for about \$3,000,000. I do not myself believe in the Government using its power to compel its citizens to take less than is justly due them upon their claims, but I do recognize that those things can be handled in a businesslike way in a spirit of adjustment and compromise, and that claimants will be glad to accept a cash payment of a much lower amount than probably they think they are justly entitled to, according to the best principles that they think should be applied. A part of this appropriation is to enable the Shipping Board to adjust these matters in that Way

The other part is to take care, of course, of possible deficits in operating the ships until the present business depression is tided over. Admiral Benson places the responsibility squarely upon Congress. It is up to us to say whether we will do what is necessary to maintain our ships in carrying the commerce that they ought to carry during this period. Admiral Benson came before the committee and said:

If you do not make this appropriation, our ships will have to stop running, because now they are not paying their operating expenses, taking them as a whole. Some ships are paying expenses. Some routes are paying expenses. The great majority, however, at the present time are not doing it.

The Senator from Florida said they are confronted with the same situation that confronts private owners. Some private ships have been tied up. Other ships are being run at a loss, the losses paid from the profits made by those shipowners during the war when they did make enormous profits. Remember this, that \$185,000,000 put into the construction of our ships came out of the profits on our ships that had been completed. To-day when our ships are meeting with adversity, is it for us to say that they have to run and pay their expenses out of their own receipts or that they must be laid up, tied up even in our ports, tied up even in ports across the sea, because they have not the money to pay the seamen or to pay whatever charges accrue against them there?

There is the proposition that Admiral Benson put up to the committee. The committee felt that it could discharge this responsibility only by providing what was considered necessary to keep these ships running. I am glad to see that, while recognizing the unfortunate situation, the sentiment of the Senate is that we shall discharge this responsibility, that we shall provide the money, that we shall keep these ships going, and provide for our commerce until it is demonstrated that we can not maintain a merchant marine.

Mr. SIMMONS. Mr. President—
The PRESIDING OFFICER (Mr. Ladd in the chair). the Senator from Washington yield to the Senator from North Carolina?

Mr. JONES of Washington. I yield to the Senator.

Mr. SIMMONS. The ships under the control of the Shipping Board are not the only ships that are now being operated at a loss, are they?

Mr. JONES of Washington. Not at all. I have just said that many of the private owners had tied up some of their ships; they are running their ships at a loss, and are making up the loss out of the profits that they made during the war.

Mr. SIMMONS. Ships that are under other flags, as well as

those which are under the American flag, are losing money?

Mr. JONES of Washington. Certainly. The best information I can get—I can not get absolute information, of course—is that of the British shipping, six or seven or eight hundred

ships are to-day tied up. The situation that confronts us in the shipping world is just like the situation that confronts business in various lines at different times. Agriculture has its periods of depression; it is suffering a period of depression now; and yet, because of that depression, will anybody urge that we should abandon agriculture? Not at all. We want to encourage the farmers and help them keep on until better times come, as better times will surely come. A man who is running a store when business depression comes in the commercial world does not close his store unless he is forced to do so. He will run it at a loss and tide over the depression, if possible; and many of them do so. That is what we have got to do with our shipping.

Mr. President, just a word further. Things have been practically drifting for a year with the Shipping Board. It is no wonder that it is in a chaotic condition; it is no wonder that Senators can find things that are bad and distressing there. We can not expect men to do the best and to do the right thing in many cases under such conditions as have been confronting the Shipping Board. As a matter of fact, we have not had any Shipping Board for a year. The merchant marine act was passed on June

5, 1920, and we have not yet a Shipping Board.
What I want to see is a good Shipping Board appointed. Then I want to see them get down to business and carry out the law which Congress has passed. Wherever they may find that it is deficient let them recommend to Congress the change that should be made and Congress will make it. Let the Shipping Board keep its eye firmly upon the purposes declared in that act to be accomplished, and then, Mr. President, instead of trying to find prohibitions against doing the things that ought to be done let them look with a friendly eye within the purpose of that act for authority to do the things that ought to be done. In my judgment they will find authority in that act to do practically everything that they may deem necessary to be done in order to carry on this great enterprise and to build up the merchant marine. I have seen many objections raised and many suggestions made that this authority should be given or that authority should be given, when, as a matter of fact, the authority is contained in the terms of the law.

Mr. LA FOLLETTE. Mr. President-

Mr. JONES of Washington. I yield to the Senator from Wisconsin.

Mr. LA FOLLETTE. In some testimony recently given by the president of the Southern Pacific Railroad Co. before the Committee on Interstate Commerce a criticism was made of the practices of the Shipping Board in the employment of agents under contract for running their vessels. I should like to direct the attention of the Senator from Washington to that matter and to read from that testimony three or four lines descriptive of the practice of the Shipping Board as testified to by Mr. Kruttschnitt. He speaks of the system as being very wasteful, and I remember that his criticism is in agreement with the criticism made by a former member of the Shipping Board and presented to the Senate by the distinguished chair-man of the Committee on Commerce. Mr. Kruttschnitt in his testimony says:

The practice of the Shipping Board is to turn these vessels over to agents to operate them at the expense of the Shipping Board, who receive for their service 5 per cent of the gross receipts. They are relieved of obligations to show any net return, to pay overhead expenses, or a return on the property investment; so that all incentives to conservative rate making and efficiency of management are absent. The agents' compensation is in no wise affected by rising costs, increased operating expenses, or losses. Their whole aim is to increase gross earnings, as thereby they increase their profits. Indeed, the terms of the contract, as may be well understood, encourage extravagance and waste.

Mr. President, I am informed-and I believe on reliable authority-that the policy described here has been very rigidly adhered to by the Shipping Board and is the policy which prevails at this time; that it would have been possible for the Shipping Board to have chartered these vessels under contracts or charters which would have insured a return upon their operation; indeed, I have been informed that the Shipping Board has refused the applications of shippers to charter as many as 50 or 60 vessels at one time and have strictly adhered to the policy of turning these vessels over to agents under the system which Mr. Kruttschnitt criticizes.

In that connection, if I am not overtaxing the patience of the Senator, I should like to call his attention to the statement of Mr. Joseph N. Teal, a member of the board, which the Senator will well remember, because he presented it to the Senate, and to read a paragraph from it descriptive of the system to which I have referred. Mr. Teal says:

General cargo carriers are operated under what is termed the M. O. 4 agreement, adopted October 16, 1920, and made retroactive to March 1, 1920. Under this agreement the operator is appointed and termed "the agent." His duties are to manage, operate, and conduct the business of such vessels as may be assigned to him by the Shipping

Board, acting for the United States, the board being represented by the Emergency Fleet Corporation. The agent is to man, equip, supply, and pay for accounts of the corporation the cost thereof, and all other costs and expenses incident to management and operation and generally look after the business, care for, and manage the vessels assigned to him for operation.

As compensation for services rendered the agent receives a commission of from 2½ to 5 per cent on gross receipts from freight and certain other revenues. Generally the compensation is 10 per cent on gross passenger and excess-baggage revenue. Provision is made for per diem compensation under certain conditions named in the contract and for 2½ to 5 per cent of salvage earned. The foregoing is substantially the compensation provided for in the contract.

The agent's compensation is not affected by additional cost, increased expense, or loss. His percentage is based on the gross earnings, and to the extent that he increases the gross he increases his profit. Having no interest in keeping down expenses there is no incentive for the agent to make any particular effort to economize. Indeed, the terms of the contract tend to encourage extravagance—and worse. Practices have been uncovered in several instances where, through controlled companies, having to do with furnishing ship supplies, loading and discharging, etc., expenses have been unduly and improperly increased. While every effort is made to watch expenditures, doing its best, the board is at a great disadvantage.

Mr. President, I should like to ask the Senator if he knowsand I can think of no Member of the Senate who would have a wider or more accurate knowledge on the subject-whether this appropriation will be expended in continuing the same practices which Mr. Teal, a member of the board, criticized, and which on their very face, it seems to me, open the way to a most waste-

ful expenditure of the public money

Mr. JONES of Washington. I will say I hope not. The mat-ter referred to will have to be dealt with by the new Shipping Board, and they will deal with that situation and get rid of it, for, as a general policy, it seems to me there is no way of defending it. It is very much like the cost-plus contracts about which we heard so much during the war, and does, as Mr. Teal says, encourage waste and extravagance, if not something worse. It is one of the problems the Shipping Board must deal with. The success or failure of the law and of the merchant marine depends upon the Shipping Board. If it does not take the right action, things will go wrong; if it tries to do the right thing and does reasonably the right thing, practices like that to which the Senator from Wisconsin has referred will be done away with; but that is the only way it can be done.

Mr. LA FOLLETTE. It is not one of the minor things. Mr. JONES of Washington. I appreciate that it is a very important matter.

Mr. LA FOLLETTE. It is the broad working policy upon which the whole business has been conducted, as I understand. Mr. JONES of Washington. It is tremendously important,

and I can not see any justification for it as a general policy. Of course, I can conceive that in some particular instance, in some particular trade it would be wise to encourage the running of ships in that trade for a time by a system such as has been referred to; but, as a general policy, I can not see anything to defend it. I know that prior to the passage of the act of 1920 the Shipping Board itself recognized this situation and was trying to work out contracts under which our ships could be handled that would furnish an incentive to the operator of the ship to run it economically, not only for himself but for the Government. At one time I understood the board had such a contract worked out. I know Chairman Payne told me they had practically worked out a new contract, a new policy; but some new members of the board were appointed and took their places, and apparently as soon as a new man comes in they have got to overturn everything that has been done theretofore and try to do something new. I heard of one contract for the operation of ships being practically completed, and then in a short time I understood that that had all been turned over and they were trying to get up another. So things went on until finally we had no board, and the policy was continued. I hope that will be one of the practices to be done away with by the new board.

Mr. WALSH of Montana. Mr. President-

Mr. JONES of Washington. I yield. Mr. WALSH of Montana. I was curious to know, if the Senator from Washington could tell us, what the conditions were that ever prompted the adoption of such a policy, and particularly, if there was some peculiar condition that prompted it, what reasons are urged for its continuance, as against the policy of chartering the vessels at a figure that will make some return to the Government?

Mr. JONES of Washington. Mr. President, I did not sit with the Shipping Board in its study and work over this matter. The board spent a whole lot of time in its consideration.

Mr. WALSH of Montana. I will say to the Senator that I

can very readily understand that if they desired to start up a trade with certain localities, and no one was willing to charter a ship for that trade, and it seemed desirable to promote that trade, a policy of this kind might be instituted; but as soon as some one comes along who is willing to charter a ship for the trade it seems to me there would be no longer any justification in their continuing the policy, and I was curious to know what reason could be advanced for continuing it.

Mr. JONES of Washington. I think in the first instance it probably grew out of the abnormal conditions that brought such tremendous profits from the operation of ships, and they found that by giving a certain percentage they would get far more return to the Shipping Board than on a purely charter basis. Now, that is a surmise.

Mr. WALSH of Montana. That is to say, the business being profitable, the board thought it a more advisable policy to get the profits for the Government rather than to let the profits go to the charterer.

Mr. JONES of Washington. Yes.

Mr. WALSH of Montana. And in some way or other the

policy was continued.

Mr. JONES of Washington. Yes; and then there were changes on the board, and they could not get it worked out. remember, while things were going on so well, that under this very plan a Government ship made over \$800,000 for the Government on one voyage-over \$800,000! Why, we made profits on our ships of over \$185,000,000, which went into the construc-

Mr. WALSH of Montana. It seems to have been a fairly commendable policy when business was good, but a question-

able one when business is bad.

Mr. JONES of Washington. Probably when business bad they could not make the change; they probably could not get people who wanted to charter vessels then, and in order to keep them running they probably had to offer this induce-

Mr. DIAL. Mr. President—
The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from South Carolina?

Mr. JONES of Washington. I do.

Mr. DIAL. I should like to ask the Senator if it is true that one reason why the operation of the ships is not more profitable is because there is an unjust and unreasonable law regulating the operation of the ships? I have heard that contention made.

Mr. JONES of Washington. All sorts of claims are made, of course, with reference to our laws, and everything else. Many people have claimed that our navigation laws interfere with the operation of our ships. I think they do to a very great extent; and yet many objections that have been urged have been shown to have been actually taken care of by laws passed by Congress. The Senator from Florida [Mr. Fletcher], when he was chairman of the Commerce Committee, submitted to the Department of Commerce specific objections that were made by shipping people to our navigation laws, and the department showed that in nearly every case those objections had been taken care of by legislation. I have not any doubt, however, that there are many things in our navigation laws that ought to be corrected; and I want to say to the Senator that after the merchant marine act was passed I urged the Shipping Board to start upon a revision and codification of the navigation laws, with a view to getting a recommendation to send to Congress to correct inequalities and injustices, and all that sort of thing. They assured me that they would start upon that work, and since then they have assured me that the work is going on; and I hope we shall have in the not distant future a codification of our navigation laws proposed to Congress, so that we can remove many of these inequalities and injustices and handicaps, if they exist.

Mr. DIAL. If they exist, I think we ought to correct them,

and I hope we shall.

Mr. JONES of Washington. Mr. President, I have nothing more to say, except that there is not a more difficult problem which this administration faces than the merchant-marine problem. There is not a more difficult thing to work out than the development of an adequate merchant marine. If the Shipping Board that is appointed can not do it and does not do it, then the American people will despair of a merchant marine. If Congress is not prepared to do what is necessary and pay the cost, then we might as well abandon the sea.

The handicaps that confront us are tremendous. There is not any question about the fact that our competitors want to keep us off the sea. They will do everything they can to keep us off the sea. I do not utter that in criticism. I do not blame them. It is a business proposition with them. It is a matter of self-interest. I simply hope that we shall take a leaf out of their book, and that the American people will back up the

President of the United States in his declaration in his message to Congress that we are determined to have an American merchant marine; but, Mr. President, we can not get it by words, by declarations. We have got to pay the price.

The PRESIDING OFFICER. The question is on the amend-

ment of the committee.

The amendment was agreed to.

Mr. LENROOT. Mr. President, I was absent from the Chamber a moment ago. I ask unanimous consent that the action on the amendment be reconsidered, so that I may offer an amendment to it.

The PRESIDING OFFICER. Is there objection to the reconsideration? The Chair hears none, and it is reconsidered.

Mr. LENROOT. I offer the amendment which I send to the

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The Reading Clerk. On page 82, line 5, after the numerals "1922" and before the period, it is proposed to insert a colon and the following proviso:

Provided further, That the Fleet Corporation is hereby directed to sell at private sale or public auction before October 1, 1921, all wooden ships not otherwise disposed of, constructed by it or under its direction, or by or under the direction of the United States Shipping Board.

Mr. WARREN. Mr. President, I am inclined to think that the law already provides for that, but I am not going to object to the amendment. I think perhaps it may do good in speeding up the work; at least, I hope it may.

Mr. JONES of Washington. Mr. President, I do not see anything improper about that amendment. As the chairman says, I am satisfied that the board have this authority now; I do not think there can be any question about it; but apparently they do not see fit to exercise it. So far as the wooden ships are concerned, everybody concedes that they are really a liability instead of any possible asset, and I see no objection to the adoption of the amendment.

Mr. SMOOT. Mr. President, I certainly shall not object to the amendment; but I simply want to say that if the information I have received is correct, the Shipping Board has been trying for the last two years to sell the 6 miles of wooden ships down here in the James River. I understand that they offered the whole bunch of them, two hundred and thirty-odd vessels, for \$100,000, and they could not get it. cut down to \$40,000, so I have been told, and they could not get it. If anything comes from this, well and good; but I do know that they have been trying to dispose of the ships, if my information is correct.

Mr. McKELLAR. Mr. President, have the wooden ships out in Washington and on the Pacific coast been sold?

Mr. SMOOT. No; they are in the same situation with the

Mr. LENROOT. Mr. President, just a word in reference to the amendment. This applies only to the wooden ships, which it is conceded are of no value to the Government and can not be sold for operation. I am very frank to say that under this amendment they will be sold as junk, but by getting rid of them the Government will save from thirty to forty thousand dollars a month in taking care of them. That is where the dollars a month in taking care of them. That is where the advantage to the Government will lie in the adoption of this amendment. As to their having authority to sell, I am inclined to agree with the chairman; but, whether or not they have authority at present, the fact is that they are not selling them,

and this amendment will result in their disposition.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The Secretary will state the next amendment of the committee.

The next amendment was, on page 82, after line 5, to insert: DEPARTMENT OF STATE.

Passport bureaus: For salaries and expenses of maintenance of passport bureaus, fiscal year 1922, as follows:
At New York, N. Y., \$20,820.
At San Francisco, Calif., \$7,500.
At Chicago, Ill., \$17,500.
At Seattle, Wash., \$4,500.
At New Orleans, La., \$7,500, In all, \$57,820.

The amendment was agreed to.

Mr. SHORTRIDGE. Mr. President, in order that the Senate and the House may have the benefit of his views on this subject, I offer and ask to have printed in the Record a letter addressed to me by the Secretary of State.

Mr. WARREN. It applies to this amendment, does it? Mr. SHORTRIDGE. Yes, sir.

The PRESIDING OFFICER, Without objection, it is so

Mr. WARREN. Let the letter come in at the conclusion of the consideration of all amendments under this head.

The lefter is as follows:

DEPARTMENT OF STATE, Washington, May 20, 1921.

The Hon. Samuel M. Shorthdge, United States Schate

United States Scnate.

SIR: In response to your secretary's recent oral request for information relative to the desirability of securing appropriations for the continuance of the passport bureaus at New York and San Francisco, with the possible establishment of additional bureaus at other important centers, I am now pleased to inform you that estimates for this purpose have been forwarded to the Secretary of the Treasury for transmission to the Congress.

In order that you may properly judge of the relative cost of maintenance, as compared with the revenue of these bureaus, your attention is directed to the following tabulation, which shows the estimated number of applications to be taken and the cost of maintenance of each bureau. Perhaps the most striking feature in this connection, as you will observe, is the fact that the fees derived from the taking of passport applications at all of the bureaus would amount to as much as or more than their cost of maintenance. In other words, they may be considered as self-sustaining.

Location of bureau.	Number of applica- tions (at \$1 each).	Cost.
New York San Francisco Chicago Seattle. New Orleans	41, 094 5, 109 5, 600 1, 200 5, 000	\$20,820 7,500 17,500 4,500 7,500

The figures given for the number of applications executed at New York and San Francisco are based upon receipts from those offices during the past year. The figures given for Chicago are believed to be accurate within 100 or 200. The figures for Scattle and New Orleans are estimates. When the New York office was established it handled only about 50 to 75 cases a day. The office now normally executes 150 applications per day. At the present time the number is running over 200 daily. In the year following the establishment of the agency at San Francisco the number of applications increased about 100 per cent. There is, therefore, no reason to doubt that the receipts from the cities in which agencies are proposed will materially increase above the present average receipts from those cities. If the bureaus now established in New York and San Francisco are abolished, the major portion of the fees received through those offices will be lost to the Government, the reason for this being that the taking of applications for passports would devolve to a considerable degree upon clerks of State courts, who retain the fees for executing applications for passports would devolve to a considerable degree upon clerks of State courts, who retain the fees for executing applications for passports.

It may be remarked that no provision has been made for a bureau at Key West, Fla., as the Cuban Legation has informed this department that no passports are now required for Americans entering Cuba from the United States.

You are aware of the great convenience to the public afforded by these agencies where timely information regarding the requirements of foreign Governments is given out by specialized officials, and where it is possible to assemble all essential documents relating to the proof of nationality and the right of the applicant to possess an American passport. Confusion and the loss of time are the inevitable result of intrusting such work to the clerks of courts, who are not specialized on the subject and from whom applicati

The PRESIDING OFFICER. The Secretary will state the next amendment of the committee.

The next amendment was, on page 82, after line 14, to insert:

TREASURY DEPARTMENT.

OFFICE OF THE SECRETARY

OFFICE OF THE SECRETARY.

Undersecretary of the Treasury, to be nominated by the President and appointed by him, by and with the advice and consent of the Senate, who shall receive compensation at the rate of \$10,000 per annum and shall perform such duties in the office of the Secretary of the Treasury as may be prescribed by the Secretary or by law, and under the provisions of section 177, Revised Statutes, in case of the death, resignation, absence, or sickness of the Secretary of the Treasury, shall perform the duties of the Secretary until a successor is appointed or such absence or sickness shall cease, fiscal year 1922, \$10,000.

For the salaries of officers and employees during the fiscal year 1922 at annual rates as follows (now being paid from the appropriation "Expenses of loans"):

Commissioner of Accounts and Deposits, \$6,000;
Commissioner of Accounts and Deposits, \$6,000;
Division of Deposits: Chief of division, \$3,500; assistant chief of division, \$2,500; clerks—1 \$2,250, 1 \$2,000, 1 \$1,800, 1 \$1,600, 1 \$1,400; messenger, \$840; assistant messenger, \$720; in all, \$16,610;
Division of Printing and Stationery: Clerks—1 \$1,400, 1 \$1,200, 1 \$1,000; skilled laborer, \$840; 4 laborers, at \$720 each; 2 messenger boys, at \$480 each; in all, \$11,380;

Division of Mail and Files: Distributing clerk, \$1,400; reading and routing clerk, \$1,400; assistant file clerk, \$1,100; assistant mail messenger, \$900; in all, \$4,800;

Division of Bookkeeping and Warrants: For the force to be transferred to this division on account of the transfer of duties from the Division of Public Moneys, at annual rates of compensation during the fiscal year 1922, as follows: Assistant rates of division, \$2,500, clerks—2 at \$2,000 each, 3 at \$1,800 each, 3 at \$1,600 each, 2 at \$1,400 each, 2 at \$1,200 each, 2 at

Mr. LENROOT. Mr. President, the other day there was some discussion about this amendment. At the time the Senator from Utah stated that, as he understood it, it did not involve any new appropriation, but was a transfer from the appropria-tion under the head "Expenses of loans" made in the legislative, executive, and judicial appropriation bill. In that bill there was appropriated for the next fiscal year, under the head of "Expenses of loans," \$3,750,000. I want to ask the chairman of the committee whether there is any reason why these items should not be payable from that appropriation? I am not suggesting now anything except to make them payable out of that appropriation of \$3,750,000.

Mr. WARREN. They are payable, of course, out of any sum

that is appropriated for the purpose.

Mr. LENROOT. This makes a new appropriation.
Mr. WARREN. They are now being paid from the appro-

priation "Expenses of loans."

Mr. LENROOT. This says "now being paid," but they will not hereafter be paid, under this language, out of that appro-

Mr. WARREN. They should be paid under the new appropriation. If the Senator is talking about an amendment, I have not seen the amendment.

Mr. LENROOT. I was going to suggest to strike out "now being paid" and to insert "payable."

Mr. SMOOT. I see no objection to that; but the explanation is that there is little difference in the salaries from those provided in the law.

Mr. LENROOT. I am not raising any question about that, Mr. SMOOT. I see no objection to the amendment to the amendment.

Mr. WARREN. You can not say "payable from the appropriation 'Expenses of loans,'" and so forth. I am inclined to think the effect of that would be to leave these men unpaid, But if the Senator insists upon the amendment we can get more information in conference about it.

Mr. LENROOT. I feel very clear that it would make it payable out of this appropriation instead of out of a new one. offer the amendment to the amendment on line 4, page 83, which I send to the desk.

The VICE PRESIDENT. The Secretary will state the amendment to the amendment.

The Reading Clerk. On page 83, line 4, strike out the parentheses and also the words "now being paid," and insert the word "payable," so as to read:

For the salaries of officers and employees during the fiscal year 1922 at annual rates as follows, payable from the appropriation "Expenses of loans."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 85, after line 8, to insert:

OFFICE OF THE COMPTROLLER OF THE CURRENCY.

For salaries, fiscal year 1922, at annual rates of compensation as follows: Clerks—4 at \$2,000 each, 4 at \$1,800 each, 4 at \$1,600 each, 5 at \$1,400 each; clerk-counters—2 at \$1,400 each, 4 at \$1,200 each; 2 messengers at \$840 each; in all, \$37,880.

For compensation, in addition to that carried therefor in the legislative, executive, and judicial appropriation act for the fiscal year 1922, as follows: Deputy comptroller, \$500; deputy comptroller, \$500; chief clerk, \$500; in all, \$1,500.

For expenses of Federal reserve and national currency (to be reimbursed by the Federal reserve and national banks): For additional employees during the fiscal year 1922 at annual rates of compensation as follows: Clerk-counters—3 at \$1,400 each, 3 at \$1,200 each; 7 counters at \$1,000 each; in all, \$14,800.

The Comptroller of the Currency may designate a national bank examiner to act as chief of the examining division in his office.

The amendment was agreed to.

The next amendment was, at the top of page 80, to insert:

OFFICE OF AUDITOR FOR THE POST OFFICE DEPARTMENT.

The unencumbered balances in the appropriations for compensation of employees to audit the accounts and vouchers of the Postal Service in the fiscal years 1920 and 1921 are reappropriated and made available during the fiscal year 1922. And not exceeding \$975 per annum may be expended out of the appropriation for contingent and miscellaneous expenses for rental of telephones in the fiscal years 1921 and 1922.

The amendment was agreed to.

The next amendment was, on page 86, after line 9, to insert:

BUREAU OF WAR RISK INSURANCE.

The third provise of the paragraph making appropriations for the Bureau of War Risk Insurance, as contained in the legislative, executive, and judicial appropriation act for the fiscal year 1922, is hereby amended to read as follows: "Provided further, That no person shall be employed hereunder at a rate of compensation exceeding \$1,800 per annum except the following: Three at not exceeding \$7,500 each, 9 at not exceeding \$5,000 each, 28 at not exceeding \$4,500 each, 36 at not exceeding \$3,000 each, 42 at not exceeding \$3,500 each, 49 at not exceeding \$3,000 each, 68 at not exceeding \$2,500 each, and 215 at not exceeding \$2,000 each."

Mr. McKELLAR. Mr. President, when this matter came up yesterday afternoon I did not have information as to the exact facts, but I have it now, and I wish to give it to the Senate.

The proviso on page 86, lines 15 to 23, inclusive, is a sub-

stitute for this proviso in the legislative, executive, and judicial appropriation act which was approved on March 3, 1921:

Provided further. That no person shall be employed hereunder at a rate of compensation exceeding \$1,800 per annum except the following: Three at not exceeding \$7,500 each, 5 at not exceeding \$5,000 each, 16 at not exceeding \$4,500 each, 20 at not exceeding \$4,000 each, 16 at not exceeding \$3,500 each, 26 at not exceeding \$3,000 each, 30 at not exceeding \$2,500 each, and 150 at not exceeding \$2,000 each.

I call the attention of the Senate to the fact that that was approved on March 3, 1921, just 90 days ago. Now I read, along with that proviso, which is the present law, the modification provided in this bill:

Provided further, That no person shall be employed hereunder at a rate of compensation exceeding \$1,800 per annum except the following: Three at not exceeding \$7,500 each, 9 at not exceeding \$5,000 each, 28 at not exceeding \$4,500 each, 36 at not exceeding \$4,000 each, 42 at not exceeding \$3,500 each, 49 at not exceeding \$3,000 each, 68 at not exceeding \$2,000 each, 68 at not exceeding \$2,000 each.

I call the attention of the Senate to the further fact that the difference between the two provisos, or the difference between the law as it is and as it will be amended when this is adopted, as it will be adopted, is to increase the salaries of the following employees

Four at \$5,000 each, an increase of \$3,200 each, or a total increase of \$12,800

Twelve at \$4,500 each, an increase of \$2,700 each, or a total increase of \$32,400;

Sixteen at \$4,000 each, an increase of \$2,200 each, or a total increase of \$35,200:

Thirty-two at \$3,500 each, an increase of \$1,700 each, or a total increase of \$54,400:

Twenty-three at \$3,000 each, an increase of \$1,200 each, or a total increase of \$27,600:

Thirty-eight at \$2,500 each, an increase of \$700 each, or a total increase of \$26,600;

Sixty-five at \$2,000 each, an increase of \$200 each, or a total increase of \$13,000;

Making a total increase of salary for these specific employees, 190 of them, of \$199,000.

The comment that was made yesterday was that these salaries come out of a lump-sum appropriation of \$6,000,000 in the bill approved on March 3, and the Senator from Utah told us, and there is no doubt about it being correct, that they are separating some of them from the service. But you are fixing in this law 190 places for all time, at an increase of \$199,000 a year after this year. And permit me to say that the present employees in the War Risk Bureau are drawing war salaries. I do not believe that anybody can say that during the war the employees of the War Risk Bureau, or any other bureau in the city of Washington as a general thing, have not received fair compensation. They have received war compensation. They are receiving war compensation now. Yet, under the terms of this amendment these 190 employees will receive \$199,000 out of this lump-sum appropriation this year, which they would not receive but for this amendment. Next year, of course, we

will have to appropriate \$199,000 again for this purpose.

Mr. WARREN. Will the Senator allow me to remind him that these are not statutory places, and never have been, because

we appropriate a lump sum for them, and tell them how they can divide it:

Mr. McKELLAR. I know, but why separate the little fellows from their positions and use the money to increase the salaries of the higher-ups, who already get good war salaries? If there is any economy in that, if that is the idea of economy in this body, I am frank to say that I am unable to understand economy.

It is true, as was stated here yesterday, that this increase of salaries is paid out of money that is already appropriated, the \$6,000,000. It is true we have already appropriated the \$6,000,-000. Ninety days ago we thought the salaries were high enough, and we thought the appropriation then made would be ample, and hoped we might save some, but if we are going to increase the salaries of the men who are left there, I do not see that there will be much use cutting them off.

Mr. SMOOT. Mr. President, I will say just a word in connection with this provision.

In the first place, this applies only for the year. It is not, as the Senator stated, for all time.

Mr. McKELLAR. I just want to ask the Senator if it is possible that if we fix the salaries of these 190 employees this year we will take the increases away from them next year? If so, why are we raising the salaries this year? Everything is going down now. All the products of the farm and industry are going down. Foodstuffs are going down. Why increase the salaries for just one year?

Mr. SMOOT. Mr. President, we are in hopes that we will not require the services of all of them the coming year. not say whether they will all be dispensed with or not, but we hope that a great part of them will be. There is an increased pay for 184 clerks at \$500, which makes but \$92,000; that is all that could be involved if every single cent were paid over and above what was provided for in the legislative bill when that was enacted into law. But the new director thinks that if we increase these salaries he will be able to dispense with a large number of clerks, and I may say that they have been dispensing with many during the month of May.

Mr. President, this is supposed to save money for the Government in the end. I can not say whether the director is going to do what he promised the committee he would do or not, but I certainly expect him to do it, and I certainly hope he will; and I really have confidence that he is going to do it, I will say to the Senator from Tennessee. The fact that we appropriate for one year does not mean that it is going to be repeated.

I can say to the Senator that we had appropriations a year ago in the War Department in which the same kind of provision was made, and this coming year there will not be one of them employed because of the fact that the work has been completed and we have not had to appropriate for those employees for the coming year. I hope to see the greater part of hese employees not appropriated for when the next appropriation bill comes before us, because I think more than likely the work they are wanted for will be such that they will not be required after the end of the first of the year.

Let me tell the Senator another thing. At the beginning of

the month of May there were 90,000 applications from soldiers unacted upon in the War Risk Bureau, making claims for disabiilties and for allowances. They had piled up in the department there until there were 90,000 at the beginning of the month of May

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. SMOOT. I yield.

Mr. McKELLAR. If that is the case-and I do not doubt the Senator's statement-then is it not an unwise thing to cut off or reduce the number of employees we have there now and increase the salaries of 190 of them to the extent of \$199,000? Could we not use that \$199,000 better by keeping some of these experienced employees there to do the work?

Mr. SMOOT. That is just what the amendment does, I will say to the Senator. The employees who are being discharged from the War Risk Bureau now are in other divisions. division that is being provided for is away behind in its work, but there are other divisions in the War Risk Bureau that have more employees than they ought to have. It is for the purpose of getting the right class of men there to do the work that we are making this appropriation for the one year. I know if the Senator from Tennessee understood it he would never object to it for a minute.

Mr. McKELLAR. I think the Senator ought to get a pretty good class of employees at the salaries that are to be increased, ranging all the way from \$2,000 up to that of a United States Senator. You ought to get a very excellent class of employees for those salaries.

I will say this to the Senator, that if he can add this \$199,000 to these 190 employees he will not get any better service from those men next year than he had last year, or practically the same. Why do I say that? It is because we all know that clerical salaries that were being paid during the war were so much better than they could go outside and get that they would stay there and hold on to those salaries as long as they can. My question is, Why raise salaries now? Every business institution in the country is reducing salaries or wants to reduce them, yet it is proposed to come here in a Government departand appropriate additional money, in the first place, for additional employees at this time in a sum in excess of \$300,000, and then add \$199,000 to that for increases, in all, about half a million dollars added to the taxes that the American people ave to pay. It seems to me it is going a little too far.

Mr. SMOOT. I do not wish to say anything further than this:

It takes a first-class man to pass upon these applications that come from all sections of the country. When a decision is reached it means, in many cases, that the Government of the United States will be called upon to pay \$100 a month to the applicant as long as he lives. It is impossible to get a man at \$1,500 or \$1,600 a year to do that kind of work in a proper way. I know the Senator from Tennessee would not leave it in the hands of that kind of an employee. What we desire to do is to get some men there who have had experience and know something about the question of insurance, the kind of policies that are carried in all sorts of insurance companies, the allowances that are made, what degree of disability there is, and so forth. We can not have every Tom, Dick, and Harry passing upon questions of that importance.

When the bill passes I hope that the 90,000 applications not now acted on or that were not acted on on the 1st day of May will begin to be reduced very rapidly indeed. I understand they will be reduced 10,000 during the month of June and then in July will follow a still further reduction. If a soldier is entitled to compensation for disability of any kind his application ought to be acted upon and he ought to get whatever compensation he is entitled to at as early a date as possible.

Mr. McKELLAR. As a member of the committee, has it been represented to the Senator from Utah or to the committee that any of the 190 employees who are provided with increased salaries in the bill have notified the Government that they will not continue in the service at their present salaries?

Mr. SMOOT. I do not think one of them has done so; but there are others who will have to be advanced or secured from

Mr. McKELLAR. I did not so understand it. I had understood the idea is to get rid of the present civil-service employees and get others in.

Mr. SMOOT Oh, no; the Senator is mistaken.

Mr. McKELLAR. As I understood the Senator from Wyoming yesterday when I asked the question whether or not that would be done, he said no; that the men now in the department would be retained there.

Mr. SMOOT. The Senator asked if these were under the civil service and the Senator from Wyoming answered yes.

Mr. WARREN. I said yes, so far as the law provided that they should be

Mr. McKELLAR. Does the Senator mean that they are

going to discharge the present employees?

Mr. SMOOT. No; we are not going to discharge men there who can do the work, not a single one of them; but we are going to have some more men who can do the work in the way in which it ought to be done until we get these applications acted upon

Mr. McKELLAR. The Senator is going outside of the civil service?

Mr. SMOOT. Not necessarily.

Mr. McKELLAR. I just want to find out what the pur-

Mr. SMOOT. It is not necessary to go outside of the civil

Mr. McKELLAR. Then you are going into other departments and induce clerks there, by reason of the larger salaries to be paid in this department, to come into this department? I just desire to know what the Senator's purpose is.

Mr. SMOOT. I will say to the Senator that there is no man in any other department who can do this work who is not already receiving a salary equal to what these salaries will be. These salaries are not changing existing law.

Mr. McKELLAR. I know that. Mr. SMOOT. That is all there is to it. We have to have the increase in numbers if we are going to get the applications acted on. So far as I am personally concerned the applications are going to be acted upon just as quickly as possible.

Mr. McKELLAR. I want to get the correct information. I do not know about it, and I am in the dark about it at present. Here are 190 employees, and by this bill the bureau is authorized to give 190 employees or additional employees to that number these salaries of \$5,000, \$4,500, \$4,000, \$3,500, \$3,000, \$2,500, and \$2,000. As I said yesterday, the idea is to increase the salaries of those 190 employees so as to get better service. To-day the Senator has said, as I understand him, that the idea is to go out somewhere else and bring in other employees.

Mr. SMOOT. If they can not get them within the department. Let me say to the Senator that we may have, for instance, an employee in one of the other divisions of the War Risk Insurance Bureau. Suppose he is drawing \$1,800, and he can do the work that is being done by an employee of this particular division who is getting \$2,000. The Senator does not think the man taken from the other division, now getting \$1,800, should come in and at that same salary do the work for which other employees are receiving \$2,000?

Mr. McKELLAR. I do not think so. Mr. SMOOT. More than likely, I will say to the Senator, about all of the increases will be made in that way. They will be promotions of men who have demonstrated to the Director of the War Risk Bureau that they are capable of properly doing the work, because they have done good work in the past, because of the experience they have had which enables them to do this particular work.

Mr. McKELLAR. Perhaps I can get at it in this way. How many of the 190 employees come under the civil service law?

Mr. SMOOT. I can not tell. I think they will all come under the civil service law. There may be some one we will pay who will receive \$5,000 who might not come under the civil service law, but in such a case an order would be issued by the President setting the civil-service examination aside, but I doubt if there will be any case of that kind.

Mr. McKELLAR. Are all of the employees under the civil

service?

Mr. SMOOT. I will say to the Senator that all the employees of the Government in the District of Columbia, unless it is specifically provided otherwise, come within the civil-service

Mr. McKELLAR. If they come under the civil service law, and the Civil Service Commission is not permitting any new examinations to be held, then the only way an outsider could come in and be employed would be by an Executive order of the President.

Mr. SMOOT. Yes.

Mr. McKELLAR. As I understood the Senator, the law blankets them all.

Mr. SMOOT. I have not looked it up, but I think the Senator from Wyoming was perfectly correct in the statement he made.

Mr. McKELLAR. That they were all under the civil service? Mr. SMOOT. Yes. This is the proposition, and the Senator can find out from the Civil Service Commission if he wishes to telephone to them. Wherever there is a provision made for the employment of men or women in the District of Columbia, and there is no specific mention in the law as to whether they shall fall within the civil service law or not, they then come under the civil service act.

Mr. McKELLAR. Mr. President, I hope that civil-service employees will be put into these positions. The reason why I say that is because it is very remarkable that the Senate and the House have agreed within 90 days as to the number of employees and the salaries they should receive. It is passing strange to one just looking at it that these 190 positions should be created, most of them of very considerable importance, with salaries increased from \$1,800 to \$5,000. Here are the cases of 190 employees in the War Risk Bureau, and it is such a peculiar situation, and I do not think a good reason has been given for it. But, of course, the Senate is in the hands of our friends on the other side of the aisle, and they have control of legislation, and they can put it in. I do not subscribe to it; I do not think it is necessary to increase the salaries in this remarkable way at this time.

The VICE PRESIDENT. The question is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

Mr. POMERENE. Mr. President, before proceeding further wish to say that I am compelled to leave the Chamber, and I wish to ask the chairman of the committee a question before doing so. On yesterday the Senate agreed to a committee amendment, as I understand, appearing on page 38, beginning with line 20. I wish to ask the chairman of the committee a question about it.

The House text provides for an appropriation of \$35,000 "for inquiries and scientific and technological investigations concerning the mining, preparation, treatment, and utilization of heavy clay products, cement, feldspar, slate, and other non-metallics," and so forth.

I know that some of the people who are largely engaged in the manufacture of clay products are very much interested in this matter, and I frankly say that I am very much impressed that a very useful service could be rendered by this department or some other department in taking up the investigation of the subject. I think we all realize that the clay manufactured products are being constantly developed, and I regret exceedingly that this provision was stricken out on yesterday. May I inquire if the Senate amendment was agreed to? I wish to know the reason why, if it was agreed to.

Mr. WARREN. I will state to the Senator that there is no prejudice against the work being done, but there is in the Bureau of Standards an organization of the same kind for the same purpose. The committee have an amendment which will later be proposed to bring it about. If it will help the Senator,

I shall be glad to read that amendment now.

Mr. POMERENE. I would be very glad, because I am com-

pelled to leave the Chamber for a little while.

Mr. WARREN. In order that others may know how it will read, if the amendment is adopted which I have in my hand, I will read it:

For continuation of the investigation of structural materials, such as stone, clays, cement, etc., including personal services in the District of Columbia and in the field, \$50,000.

It is proposed then to add the following:

Provided, That as much of this sum as may be necessary shall be used to collect and disseminate such scientific, practical, and statistical information as may be procured showing or tending to show approved methods in building, planning, and construction, standardization and adaptability of structural units, including farm buildings, building materials, and codes, economy in the manufacture and utilization of building materials and supplies, and such other matters as may tend to encourage, improve, and cheapen construction and housing.

I may say that the provision concerning the Bureau of Standards is not new; it is a transfer of an appropriation made for the Census Bureau. In the meantime the Committee on Commerce has had referred to it a bill, and I think it has been reported and is on the calendar, which relates to this matter in some respects. In consultation with the chairman of that committee, and with the Senator from New York [Mr. CALDER], who, as we know, has been greatly interested in the subject, and has at great expense produced much information concerning the building situation, it was concluded that the same object would be covered without allowing the particular sum allowed by the House to the Bureau of Mines. Hence the item was stricken out by action of the committee in its consideration of the subject.

Mr. POMERENE. Mr. President, if I may intrude further, I notice that there is a difference in the phraseology, so far as the materials are concerned in these two paragraphs. Would there be any objection to inserting in the second paragraph the

materials which are designated on page 38?

Mr. WARREN. I shall be able to answer the Senator in a moment, as soon as I find the point in the bill to which he refers. Mr. POMERENE. For instance, the clause on page 38 uses the words "feldspar, slate, and other nonmetallics.

Mr. WARREN. The Senator from Ohio merely wants to add

the name of other materials?

Mr. POMERENE. That was the thought. Personally, I am disposed to think that what the chairman of the committee has in mind will cover what is provided for on page 38, but it seems to me if that phraseology was merely transposed it would be proper. I do not know why this authority ought to be given to the Bureau of Mines rather than to the Bureau of Standards.

Mr. WARREN. The investigation is already being conducted by the Bureau of Standards, and I think the Senator from Ohio wants to join other Senators in eradicating duplication so far

as we can

Mr. POMERENE. I have no objection to that; in fact, if it is going to avoid duplication, that, of course, is what we all

Mr. WARREN. That is what we are striving to do. I have no objection to the kind of amendment which the Senator from Ohio proposes to offer; that is, to the clause which he suggests being added to the amendment on page 93.

Mr. POMERENE. If the amendment on page 93 may be so modified as to include all of the materials covered by the provision on page 38, that would meet my thought about it.

Mr. WARREN. If I understand the Senator correctly, he

may offer the amendment, and we shall adjust the language afterwards.

Mr. SMOOT. I think the words "and so forth" cover what the Senator from Ohio has in mind.

Mr. POMERENE. I think "and so forth" is a very unfortunate expression. Do I understand that the Senator from Wyoming is not ready to take the matter up now?

Mr. WARREN. Entirely so, in the manner the Senator suggests. We have not passed upon the amendment on page 93, but we did pass upon the amendment on page 38, striking out the House provision; but if it is desired to introduce the new matter, including the articles which the Senator has mentioned. then there will be nothing to do but for him to offer an amendment and have a vote upon it.

Mr. POMERENE. If the Senator desires to go on with something else, I shall meanwhile try to formulate the amendment so as to make it harmonize with what the chairman intends to

Mr. SMOOT. I suggest to the Senator from Ohio that he

merely add "feldspar and slate."

Mr. WARREN. Of course, the Senator from Ohio understands that my statement is merely the word of the chairman of the committee; but I dare say that the Senate will not object, though I think he should ask unanimous consent.

Mr. POMERENE. Let me call the attention of the chairman and other Senators to the language on page 93, where it reads:

For continuation of the investigation of structural materials-

And so forth. On page 38 provision is made for "investigations concerning the mining, preparation, treatment, and utilization of heavy clay products, cement, feldspar, slate, and other nonmetallics." Does the chairman of the committee construe Does the chairman of the committee construe the word "investigations" to embrace the subjects of "mining, preparation," and so forth?

Mr. UNDERWOOD. Mr. President, if the Senator will allow me to make a suggestion, I desire to say that I do not think that the proposed amendment is going to meet what he has in mind at all. The Bureau of Standards is making a certain investi-gation here in Washington in reference to clays, stones, and

cement for certain purposes.

The Bureau of Mines, out in the field in their experimental stations, are pursuing investigations relating in a way to the same materials, as I understand, but it is a very different investigation, conducted along different lines, from a different angle, with a different objective in view. Of course, to change the language on page 93 might broaden the scope of the provision there, but it is not going to change the investigation that is now in progress by the Bureau of Standards. The elimination of the language on page 38 in reference to the Bureau of Mines is going to take away the money and stop their present work. So, if the Senator will allow me, I do not think the amendment, although he may propose to change the language so as to cover the same subject, will accomplish his object. The work in progress is different, although involving the same materials. The result will be that the change of language will not affect the situation. It will permit the Bureau of Standards to pursue its present investigations of these materials for particular purposes and with the objective they have in mind, which is a different objective from that of the Bureau of Mines, although they are dealing with the same materials.

Mr. CURTIS. Mr. President, I will ask the Senator from Ohio and the Senator from Alabama if they do not believe that if the provision is left in the bill for the Bureau of Mines the operations of that bureau ought to cease when they get the clay to the top of the ground, and then let the Bureau of Standards, in the Department of Commerce, proceed with the desired

investigations?

Mr. UNDERWOOD. The investigations of these two bureaus are so different that to adopt the amendment proposed by the Senator from Ohio would be the same thing as to say, for instance, in the case of flour, one cooking teacher was teaching a class how to make bread and another was teaching a class how to make cake, that one of the classes should stop, and that the one that was making cake should get the information from the teacher who was making bread. Of course, these two investigations relate to the same raw materials; but the Bureau of Standards is conducting, for one purpose, an investigation looking to the use of the materials for construction purposes, while the Bureau of Mines is conducting an investigation for the purpose of developing the facts as to the production of these materials and the future market for their sale.

Mr. CURTIS. That is the point I had in mind. Mr. UNDERWOOD. They are not interlocked.

Mr. CURTIS. If the Senator will notice, on page 38, line 22, under the heading of the Bureau of Mines the word "utilization" is used. That, of course, covers what is intended by the other amendment. I suggest to the Senator that when the two provisions were being considered in the committee the Secretary of Commerce was asked if he would not consult the Secretary

of the Interior and see if they could not work this matter out

so there would be no duplication.

Mr. UNDERWOOD. I am not questioning the Senator's suggestion that the two provisions relate to the same materials; but the class of investigation is different. I am not complain-

Mr. WARREN. Will the Senator permit me to interrupt him before he proceeds further?

Mr. UNDERWOOD. Yes.

Mr. WARREN. When the question came up there were two opinions in the committee concerning it. There was no insistence concerning the matter from the Secretary of Commerce and the Director of the Bureau of Standards, Dr. Stratton, both of whom were present; and after we had heard them the proposition was made by a committeeman that we should eliminate the provision on page 38, because they agreed, as the Senator from Kansas has stated, that the question would be taken up with the other department, and they would let us know before our Senate and House conference concerning it. Now, when we consent to the insertion of some additional words in provisions on page 93, I suggest that the other provision should also be left in because it is a House provision, and before the bill gets through conference we are bound to hear whatever report may be made as the result of the consultation referred to, which, in my judgment, will be along the line that the Senator from Alabama has indicated in his remarks.

Mr. UNDERWOOD. That is the reason I have not said anything about striking out the House item. The Senate committee have stricken out the House language, and have made the appropriation for the Bureau of Standards. If the House insists on its provision in regard to the Bureau of Mines the mat-

ter would still be before the conference committee.

If my colleague from Ohio will pardon me for saying so, thought that he was misinterpreting the question as to whether the language suggested would provide for carrying on the same investigations. I repeat the investigations are entirely separate and distinct.

Mr. POMERENE. I was simply anxious that the investiga-tions be continued. I was not perfectly clear about it, because my attention was only called to the matter late yesterday after-I was going to offer the suggestion, on page 93, line 20, to strike out the words "and so forth," and to insert in lieu thereof the words "feldspar, slate, and other nonmetallics."

If that amendment is adopted, then the question can be taken up in conference between the Senate and the House; they can work out the amendment on page 93 and the amendment on page 38 so that there will be no conflict, and we can get the benefit of any proper appropriation that may be necessary.

Mr. WARREN. My attention was diverted for a moment.

Will the Senator repeat his suggestion?

Mr. POMERENE. I suggest an amendment, on page 93, line 20, to strike out the words "and so forth" and to insert in lieu thereof the words "feldspar, slate, and other nonmetallics." That will authorize the Bureau of Standards to make such investigations as it may be desirable for them to make.

Mr. WARREN. So far as the chairman of the committee is

concerned, he accepts the amendment.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The READING CLERK. On page 93, after line 12, the committee propose to insert the following amendment:

#### BUREAU OF STANDARDS.

The sum of \$250,000 of the appropriation of \$1,000,000 for the Bureau of the Census for the fiscal year 1922 is transferred to the Bureau of Standards and made available during that fiscal year for the following purposes and in the following amounts, respectively:

For continuation of the investigation of structural materials, such as stone, clays, cement, and so forth, including personal services in the District of Columbia and in the field, \$50,000.

For technical investigations in cooperation with the industries upon fundamental problems involved in industrial development following the war, with a view to assisting in the permanent establishment of the new American industries developed during the war, including personal services in the District of Columbia and elsewhere, \$100,000.

To enable the Bureau of Standards to cooperate with Government departments, engineers, and manufacturers in the establishment of standards, methods of testing, and inspection of instruments, equipment, tools, and electrical and mechanical devices used in the Industries and by the Government, including the practical specification for quality and performance of such devices, and the formulation of methods of inspection, laboratory, and service tests, including personal services in the District of Columbia and in the field, \$100,000.

It is proposed to amend the committee amendment on page 93,

It is proposed to amend the committee amendment on page 93, line 20, by striking out the words "and so forth" and inserting the words "feldspar, slate, and other nonmetallics."

The amendment to the amendment was agreed to.

Mr. POMERENE. I assume that the chairman of the committee intends to offer the other amendments to that paragraph which we had in mind.

Mr. WARREN. In order to accommodate the Senator, as I understand he will shortly be compelled to leave the Chamber, may turn forward in the bill, although there are quite a number of items still unfinished on the intervening pages, as the matter is under consideration, I will follow up the amendment the Senator has offered by the one which I send to the desk, which is a committee amendment.

The VICE PRESIDENT. The amendment to the amendment

will be stated.

The Reading Clerk. On page 93, after line 22, it is proposed to insert the following:

Provided, That as much of this sum as necessary shall be used to collect and disseminate such scientific, practical, and statistical information as may be procured, showing or tending to show approved methods in building, planning, and construction, standardization, and adaptability of structural units, including farm buildings, building materials, and codes, economy in the manufacture and utilization of building materials, and supplies, and such other matters as may tend to encourage, improve, and cheapen construction and housing.

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on Appropriations was, on page 86, after line 23, to insert:

#### PUBLIC BUILDINGS.

Salt Lake City, Utah, purchase of property: For the purchase of property adjoining the Federal building at Salt Lake City, Utah, fiscal year 1922, \$60,000.

Wilmington, N. C., customhouse and appraisers' stores building: The Secretary of the Treasury is authorized and empowered to acquire, by purchase, condemnation, or otherwise, certain additional land across the alley which joins the east side or rear of the present site of the customhouse, appraisers' stores, etc., building at Wilmington, N. C., as an addition to said present site, and to pay for such additional land from the unencumbered balance of the appropriations heretofore made for the acquisition of a site and the erection of the customhouse, appraisers' stores, etc., building in said city.

The amendment was agreed to.

The next amendment was, on page 87, after line 12, to in-

#### PUBLIC HEALTH SERVICE.

On and after July 1, 1921, the Secretary of the Treasury is authorized and directed to promulgate such a schedule of fees to be charged vessels at each of the national quarantine stations as will be fair and reasonable for the services rendered by each station: Provided, That this authority shall not be applicable to any quarantine station where the fees are now fixed by law.

The amendment was agreed to.

The next amendment was, on page 87, after line 20, to in-

#### WAR DEPARTMENT.

Sert:

WAR DEPARTMENT.

Office of the Secretary; For additional amount required for the salary of the Assistant Secretary of War in accordance with section 5a of the act "To amend an act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, and to establish military justice," iscal year 1922, \$5,000.

Barracks and quarters, insular possessions: The unobligated balance of the appropriation for continuing construction of the necessary accommodations for the Seacoast Artillery and for temporary cantonments for overseas garrisons in the Philippine Islands, contained in the fortification appropriation act for the fiscal year 1921, is continued and made available for the same purposes until June 30, 1922. Water system, Schofield Barracks, Hawaii: For installation of a pipe line to replace the present water main from Koolau Reservoir to Schofield Barracks, fiscal year 1922, \$600,000.

Engineer Department: The sum of \$110,000 of the unexpended amount of the appropriation "Engineer operations in the field, 1919," shall remain upon the books of the Treasury to the credit of this appropriation until June 30, 1922, to permit payments to be made to the Pittsburgh Plate Glass Co. for searchlight mirrors under its contract therefor dated July 30, 1918.

Quartermaster Corps: To complete the acquisition of land required for the Infantry School at Camp Benning, Ga., there may be expended from the appropriation "General appropriations, Quartermaster Corps," for the fiscal year 1919, the sum of \$400,000, which amount shall be in addition to the sum of \$515,252, the expenditure of which for the same purpose was authorized by the act approved February 28, 1920, entitled "An act to amend the Army appropriation work at certain military posts, and for other purposes." The said sum of \$400,000 herein authorized to be expended shall remain on the books of the Treasury to the credit of the appropriation "General appropriations, Quartermaster Corps, 1919,"

The amendment was agreed to.

Mr. WARREN. Mr. President, right at that point there' should be inserted the amendment as to unexpended balances that was laid over yesterday. It has been read, and is all ready to be agreed to. It need not be read again.

The amendment is as follows:

The amendment is as follows:

On page 89, after line 7, insert the following:

"Unexpended balances: Such amounts of the unexpended balances of the appropriations chargeable with the settlement of claims resulting from the suspension or termination of contracts or other procurement obligations of the War Department, consequent upon the suspension of hostilities, and with the adjustment of claims under the act entitled 'An act to provide relief in cases of confracts connected with he prosecution of the war, and for other purposes,' approved March 2, 1919, shall remain upon the books of the Treasury to the credit of the respec-

tive appropriations and be available for similar purposes until June 30, 1922, and said amounts not to exceed \$250,000, shall also be available for such personal services in the District of Columbia and elsewhere as in the discretion of the Secretary of War are necessary to properly protect the interests of the United States in making such settlements and adjustments: Provided, That no part of said amounts shall be used to pay any claims arising out of any contract or other obligation unless such contract or obligation was entered into subsequently to April 6, 1917, and prior to November 12, 1918."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.
The VICE PRESIDENT. The Secretary will state the next amendment of the committee.

The next amendment was, on page 89, after line 7, to insert:

POSTAL SERVICE.

OUT OF THE POSTAL REVENUES.

Office of the Second Assistant Postmaster General.

The Post Office Operatment is authorized to settle claims for damages to persons or private property resulting from the operation of aircraft in the Air Mail Service, in amounts of not more than \$250, after each such claim shall have been substantiated by an investigation by post-office inspectors and approved by the Postmaster General, and for the payment of such claims there is hereby appropriated for the fiscal year 1922 the sum of \$35,000.

Mr. WARREN. Mr. President, the amendment which has just been read comes to us as a new matter and comes to us as relating to the Air Mail Service, but it calls to the attention of the committee the fact that in the War Department, the Navy Department, and some others we provide that these small damages—not exceeding, say, \$500—may be investigated and settled by the departments. Otherwise we have a line of claims that come before the Committee on Claims and before the Appropriations Committee, oftentimes with the feeling on the part of the injured party that we shall cut them down, and consequently the amounts are made larger than if cash settlement were offered immediately. So in the War Department and in the other departments, one at a time, we have provided that they may be settled up to a certain amount and this saves much money. Therefore I am going to send to the desk, in place of that amendment, a more comprehensive amendment which will give the Post Office Department the authority to settle those small claims, up to not exceeding \$500 each, after they have been thoroughly examined.

I offer this amendment as a substitute for the one that has just been read.

The VICE PRESIDENT. The amendment proposed by the Senator from Wyoming will be stated.

The READING CLERK. In lieu of the committee amendment as printed in the bill, it is proposed to insert the following:

When any damage is done to person or property by or through the operation of the Post Office Department in any branch of its service, and such damage is found by the Postmaster General, upon investigation, to be a proper charge against the United States, the Postmaster General is hereby invested with power to adjust and settle any claim for such damage when his award for such damage in any case does not exceed \$500; and the sum of \$35,000 is hereby appropriated for the fiscal year 1922 to carry out the provisions of this paragraph.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.
The VICE PRESIDENT. The Secretary will state the next amendment of the committee.

The next amendment was, on page 89, after line 19, to insert:

For two delegates to the Pan-American Postal Congress, Buenos Aires, Argentina, to be appointed by the Postmaster General from the Post Office Department, to be expended in the discretion of the Postmaster General and to be accounted for on his certificate, which certified the shall be conclusive on the accounting officers of the United States, fiscal year 1922, \$5,000.

Mr. SMOOT. Mr. President, I am not going to make a point of order against this amendment; but, just for the RECORD, I wish to state that I have been opposed and am now opposed to

all kinds of appropriations for this purpose.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, at the top of page 90, to insert:

#### DEPARTMENT OF THE INTERIOR

General Land Office: For additional employees during the fiscal year 1922 at annual rates of compensation as follows: Law examiners—4 at \$2,000 each, 8 at \$1,800 each, 20 at \$1,600 each; 8 clerks at \$1,400 each; in all, \$65,600.

The amendment was agreed to.

The next amendment was, on page 90, after line 6, to insert:

PATENT OFFICE.

For furniture and filing cases, \$10,000, fiscal years 1921 and 1922. The amendment was agreed to.

The next amendment was, on page 90, after line 9, to insert: DEPARTMENT OF AGRICULTURE.

POREST SERVICE

Olympic National Forest: The unexpended balance of the appropriation of \$100,000 for emergency expenditures incident to the disposal of wind-thrown and intermingled or adjoining timber on the Olympic National Forest and for emergency measures necessary to protect from fire the timber on the Olympic National Forest, made in the deficiency appropriation act approved March 1, 1921, is reappropriated and made available for the same purposes during the fiscal year 1922.

The amendment was agreed to.

The next amendment was, on page 90, after line 20, to insert:

MISCELLANEOUS EXPENSES.

To enable the Secretary of Agriculture to pay all necessary expenses, including labor and material, involved in consolidating the addressing, duplicating, and mailing work of the Department of Agriculture in the District of Columbia, fiscal years 1921 and 1922, \$5.000.

The amendment was agreed to.

The next amendment was, at the top of page 91, to insert:

DEPARTMENT OF COMMERCE

BUREAU OF NAVIGATION.

Wireless communication laws: To enable the Secretary of Commerce to enforce the acts of Congress "to require apparatus and operators for radio communication on certain ocean steamers." and "to regulate radio communication." etc., including the same objects specified under this head in the legislative, executive, and judicial appropriation act for the fiscal year 1922, \$20,000; and the amount which may be expended during such fiscal year for salaries of employees in the District of Columbia is increased from \$8,400 to \$10,900.

The amendment was agreed to.

The next amendment was, on page 91, after line 12, to insert:

BUREAU OF FISHERIES.

Expenses of advisory committee: For the expenses of an advisory committee of not to exceed two members from the Atlantic coast, two members from the Pacific coast, and four members from the inland waters, Great Lakes, and Alaskan sections of the United States, to be designated from time to time by the Secretary of Commerce, to consist of men preminently identified with the various branches of the fishery industry, qualified in aquatic research, and experienced in fish culture, who shall visit the Bureau of Fisheries at such times as the Secretary of Commerce may deem necessary and report to the Secretary of Commerce on the condition and needs of the service, the members to serve without compensation, but to be paid the actual expenses incurred in attending the meetings, fiscal year 1922, \$2,500.

Steamer Gannet: Master, \$1.400; engineer, \$1,200; fireman, \$840; 2 seamen at \$780 each; in all, fiscal year 1922, \$5,000.

Steamer Phalarope: Master, \$1,500; engineer, \$1,200; fireman, \$780; 2 seamen at \$810 each; cook, \$870; in all, fiscal year 1922, \$5,970.

The amendment was agreed to.

The next amendment was, on page 92, after line 8, to insert:

BUREAU OF FOREIGN AND DOMESTIC COMMERCE.

Salaries: For additional employees during the fiscal year 1922 at annual rates of compensation as follows: Two assistant directors, at \$4,000 each; expert on commercial laws in foreign countries, \$4,000; in all, \$12,000.

Promoting commerce: Not more than four trade commissioners employed under the appropriation for "Promoting commerce, Department of Commerce, fiscal year 1922." may be recalled from their foreign posts and assigned to duty in the Department of Commerce.

Not more than \$25,000 of the appropriation for "Promoting commerce, Department of Commerce, fiscal year 1922." may be used for personal services in Washington, D. C.

Commercial attachés: The appropriation for "Commercial attachés, fiscal year 1922." shall be available for the compensation of a clerk or clerks for each commercial attaché at the rate of not to exceed \$2,500 per annum for each person so employed. And not to exceed \$2,500 per annum for each person so employed. And not to exceed two commercial attachés employed under said appropriation may be recalled from their foreign posts and assigned for duty in the Department of Commerce without loss of salary.

Export industries: To enable the Bureau of Foreign and Domestic Commerce to investigate and report on domestic and foreign problems relating to the production, distribution, and marketing in so far as they relate to the important export industries of the United States, including Latin America and the Far East, and all necessary incidental expenses connected therewith, fiscal year 1922, \$250,000.

The amendment was agreed to.

The amendment was agreed to.

The next amendment was, on page 94, after line 12, to insert:

LEGISLATIVE.

SENATE.

Committee employee: For an assistant clerk to the Committee on Finance, fiscal year 1922, \$2,100.

The amendment was agreed to.

The next amendment was, on page 94, after line 16, to insert:

HOUSE OF REPRESENTATIVES.

Office of the Doorkeeper: For folding speeches and pamphlets, at a rate not exceeding \$1 per thousand, fiscal years 1921 and 1922, \$8,000, and the appropriation for this purpose contained in the third deficiency act, fiscal year 1920, is continued and made available during the fiscal year 1922.

year 1922. Committee employees: For an assistant clerk at \$4,000 and four assistant clerks at \$3,000 each, for the Committee on Appropriations, fiscal year 1922, \$16,000.

Office of the Sergeant at Arms: For six policemen for the House Office Building, at the rate of \$1,050 each, during the fiscal year 1922, \$6,300.

The amendment was agreed to.

The next amendment was, on page 95, after line 3, to insert:

GOVERNMENT PRINTING OFFICE.

PUBLIC PRINTING AND BINDING.

For printing and binding for the Smithsonian Institution, including \$26,702.70 for the National Museum, \$10,000 for the Bureau of American Ethnology, and \$5,000 for the Annual Reports of the American Historical Association, fiscal years 1921 and 1922, \$41,702.70.

For printing and binding for the Department of Agriculture, fiscal years 1921 and 1922, \$125,000.

In order to keep the expenditures within or under the appropriations for the fiscal year 1922 for printing and binding, the heads of the various executive departments and Government establishments are hereby authorized to discontinue the printing of any annual or special reports under their respective jurisdiction: Provided, That where the printing of said reports is discontinued the original copy thereof shall be kept on file in the offices of the heads of the respective departments or Government establishments for public inspection.

The amendment was agreed to.

The amendment was agreed to.

The next amendment was, on page 95, line 22, to change the section number from "3" to "5," so as to read:

Sec. 5. That this act hereafter may be referred to as the "second deficiency act, fiscal year 1921."

The amendment was agreed to.

The VICE PRESIDENT. The Secretary will state the amendment passed over.

The READING CLERK. The amendment passed over is, on page 80, after line 5, to insert:

INTERDEPARTMENTAL SOCIAL HYGIENE BOARD.

INTERDEPARTMENTAL SOCIAL HYGIENE BOARD.

The duties and powers conferred upon the Interdepartmental Social Hygiene Board by Chapter XV of the Army appropriation act approved July 9, 1918, with respect to the expenditure of the appropriations made therein, are extended and made applicable to the appropriations for similar purposes made in this act.

For expenses of the board, including personal services in the District of Columbia and elsewhere, books of reference and periodicals, printing and binding, traveling, and other necessary expenses, fiscal year 1922, \$25,000.

For assisting the States in protecting the military and naval forces of the United States against venereal diseases, fiscal year 1922, \$200,000: Provided, That no part of this sum shall be expended in assisting reformatories, detention homes, hospitals, or other similar institutions in the maintenance of venereally infected persons.

For allotment to the various States for the prevention, treatment, and control of venereal diseases, fiscal year 1922, \$200,000: Provided, That the sum of \$5,000 shall be first allotted from this appropriation to each State that satisfies the conditions and regulations governing this appropriation and the remainder of this appropriation shall then be allotted to each State in the proportion which its population bears to the population of the continental United States, exclusive of Alaska and the Canal Zone, in conformity with the conditions and regulations governing such allotments.

In all, Interdepartmental Social Hygiene Board, \$425,000.

The VICE PRESIDENT. The question is on agreeing to the

The VICE PRESIDENT. The question is on agreeing to the amendment.

Mr. WARREN. Mr. President, that amendment was passed over yesterday because the junior Senator from Utah [Mr. King] was not present; but the last thing before he and I left the Chamber last night I had a conversation with him, in which he stated that he did not know certainly whether he should object to it or not. He is not here, and of course we must finish the bill. I trust that the amendment will be agreed to.

The VICE PRESIDENT. The question is on agreeing to the

amendment.

The amendment was agreed to.
Mr. WARREN. Mr. President, I have here an amendment as a matter of appropriation to carry out a law that has already been passed, but passed too late for its inclusion in the regular line of appropriation, where it properly belongs. It is really a deficiency, therefore, and I send it to the desk. It is authorized

The VICE PRESIDENT. The amendment will be stated.

The Reading Clerk. On page 43, after line 25, it is proposed to add the following:

For the purchase, as authorized by law, of not to exceed 20 acres of land occupied by the Department of Agriculture's experiment vineyard near Fresno, Calif., now maintained under contract with the owners of said land, \$12,000.

For the purchase, as authorized by law, of not to exceed 20 acres of land occupied by the Department of Agriculture's experiment vineyard near Oakville, Calif., now maintained under contract with the owners of said land, \$15,000.

Mr. WADSWORTH. Mr. President, what sort of vineyard is this?

Mr. WARREN. The Secretary of Agriculture was authorized to purchase this land. I have here the act on the subject.
Mr. McCORMICK. For what purpose?

WARREN. I will send up the act, so that it may be It is very short. This is a fulfillment of the law. If Mr. WARREN. the Senator wishes to know whether or not it ought to have been done, I shall have to pass that question.

Mr. WADSWORTH. A good many people have a good deal of curiosity about these vineyards.

Mr. WARREN. It is undoubtedly to carry on the scientific work of the Agricultural Department, and for that purpose it is necessary to have land there, investigators, and so forth.

The READING CLERK. The act approved March 2, 1921, reads as follows:

Be it enacted, etc., That the Secretary of Agriculture be, and he is hereby, authorized to purchase and acquire the lands occupied by the department's experiment vineyards near Fresno and Oakville, Calif., now maintained under contracts with the owners of said lands: Provided, That the land purchased for the Fresno vineyards shall not exceed 20 acres at a cost not to exceed \$12,000 and for the Oakville vineyard not to exceed 20 acres at a cost not to exceed \$15,000.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. McCORMICK. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The Reading Clerk. On page 86, after line 23, it is proposed to insert the following-

Mr. STANLEY. Mr. President-

Mr. WARREN. Mr. President, before the Senator presents his amendment I desire to say that I have looked over the amendment the Senator from Illinois has presented and also a similar one presented by the two Senators from Kentucky. They are undoubtedly necessary to complete those hospitals to take care of the disabled soldiers. It is against every rule of appropriations to offer them in this way, without estimates, and so forth, but I shall not object, as the chairman of the committee, provided the Senators will in each case ask unanimous consent of the Senate, and the Senate will give that consent. They are not in order, of course, upon this bill.

Mr. McCORMICK. Mr. President, I recognize, as do the

Senators from Kentucky, that if objection were made, the amendments would not be in order.

Mr. GLASS. Mr. President, I suggest that the amendments be read to the Senate. We do not know what the amendments are which are being discussed.

Mr. McCORMICK. Let the amendments be read, and then I

will proceed.

The VICE PRESIDENT. The Secretary will read the proposed amendments for the information of the Senate.

The Reading Clerk. The Senator from Illinois [Mr. Mc-

Cormick] moves to insert, following line 23 on page 86:

CHICAGO, ILL., BROADVIEW HOSPITAL

CHICAGO, ILL., BROADVIEW HOSPITAL.

For recreation building, walks, and roads, water-softening apparatus, additional water supply, planting and improving of grounds, and for superintendence and technical services necessary for said work at customary rates of compensation to be employed within or without the District of Columbia and without regard to civil-service rules and regulations at a limit of cost not to exceed \$500,000: Provided, That the expenditures for such superintendence and technical services shall not exceed 3 per cent of the total amount expended hereunder: And provided further, That in carrying the foregoing authorization into effect the Secretary is hereby authorized, in his discretion, to enter into contracts or to employ labor and purchase materials in the open market, all of said work to be performed under the supervision and direction of the Secretary of the Treasury.

The Senator from Kentucky [Mr. STANLEY] proposes the following amendment, to follow the amendment offered by the Senator from Illinois:

DAWSON SPRINGS (KY.) SANATORIUM.

DAWSON SPRINGS (KY.) SANATORIUM.

To enable the Secretary of the Treasury to cause the principal buildings for the Dawson Springs (Ky.) Sanatorium to be erected of fire-proof construction and as originally designed, \$750,000, and the limit of cost heretofore fixed for said sanatorium is hereby increased from \$1,500,000 to \$2,250,000: Provided, That from and after the passage of this act the completion of the buildings and approaches for said sanatorium shall be under the supervision and direction of the Supervising Architect of the Treasury, the compensation of the superintendent of construction and such technical and clerical assistance as may be necessarily employed in the superintendence of the completion of said buildings and approaches to be chargeable to the appropriation for the field force of the office of the Supervising Architect.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Illinois.

Mr. GLASS. I'believe the Senator from Illinois desired to make some statement with respect to the proposed amendment.

Mr. McCORMICK. Mr. President, I wish to explain that the appropriation for the Broadview Hospital, provided for in my amendment, is based on estimates of the Assistant Secretary of the Treasury as necessary principally for the construction of a recreation hall and the planting of the grounds, together with the laying of the necessary walks.

When the Assistant Secretary in charge of the War Risk Insurance and the hospital service examined the Broadview Hospital and grounds he called into conference some architects of standing and a committee of citizens who were interested in the completion of the hospital and the improvement of the grounds as necessary for the comfort of the men, the hospital itself being completed, or substantially completed. The architects and the landscape authorities submitted figures upon which this estimate of \$500,000 for the Broadview Hospital is based.

The Public Lands Committee of the House has reported a bill authorizing that this work be done, and authorizing at the same time the work contemplated in the amendment offered by the Senator from Kentucky [Mr. STANLEY]; but, of course, unless an appropriation can be made through this bill the work can not go forward now, and there will be delay, and probably long delay, in making the buildings and grounds ready for the use

We should not have offered these amendemnts if we had not deemed it urgent to complete these buildings in order that men who to-day are in private hospitals, and even on county poor farms, may be brought together under one roof directly to be cared for by the Federal Government.

Mr. GLASS. Mr. President, may I ask the Senator from Illinois what assurance he has, if any, that this appropriation will not be exceeded, or that further appropriations for this project will not be asked for?

Mr. McCORMICK. Mr. President, I have no other assurance than that which the Senators from Kentucky have, the estimate of the Assistant Secretary of the Treasury to whom has been confided the responsibility of the care of the men dis-

abled during the war. I have sought no other.

Mr. GLASS. Mr. President, of course, the Senator knows that this amendment is not in order on the pending bill, and that a point of order would lie against it. I do not know that I shall make the point of order; I am rather undisposed to do it; but I want to say, before the amendment is acted on, that more of mystery has attended this Broadview Hospital at Chicago than has been attached to the mystery of the Man in the Iron Mask or the authorship of the Letters of Junius. Nobody has ever been able to tell the Congress what it all means.

It is an ungracious task, ordinarily, to say, "I told you so," but in view of the fact that there has been a good deal of misdirected, if not malicious, criticism of the Secretary of the Treasury with respect to this hospital, I want to recall the fact that when the original appropriation of \$3,000,000 was made the committees of Congress were very definitely and repeatedly assured that not another dollar would be asked for, and when the Secretary of the Treasury, under the statute, undertook to impose the limitations and requirements of the law, he was accused of delaying a necessary structure, and the representation was made that if the Secretary of the Treasury would withdraw his objections, or, more accurately, if the Secretary of the Treasury would proceed contrary to law rather than in compliance with the statute, the building would be completed in 90 days and occupied by soldiers in distress and under disability.

The Secretary of the Treasury had prepared a contract in accordance with the statute, which the owner of this property refused to sign, and a few days thereafter he came to the committees of Congress, through his attorney, and had the appropriation increased from \$3,000,000 to \$3,400,000. And now I want to bring to the Senate what was said on that occasion,

Mr. McKELLAR. What date was that? Mr. GLASS. March 2, 1920. The then Senator from Colorado, Mr. Thomas, interrupting the chairman of the Appropriations Committee, on March 2, 1920, said:

tions Committee, on March 2, 1920, said;

I wish to ask the Senator whether this additional appropriation of \$400,000, making a total of \$3,400,000, will represent all the moneys to be invested in this building and grounds? In other words, does the \$3,400,000 complete the project?

Mr. Warren. It does.

Mr. Thomas. Will the Government hereafter be compelled to make other appropriations to finish the building?

Mr. Warren. I will say to the Senator that I would not be standing here saying one word about that hospital if the committee had not had that brought in such shape that it is an absolute closure, and the \$400,000 is intended more as an insurance than a possible expenditure; but the contract they have agreed to sign, and the only contract which the present Secretary of the Treasury says he will sign, will cover that, so that there can be no contingency whatever on account of God, man, or the elements which shall prevent the completion of the building on the part of the contractors and former owners inside of the \$3,400,000, and they will be under heavy bond.

The definite and repeated promise was that if we would make that addition to the appropriation the building would be completed within 90 days and occupied. It is not complete to-day and it will not be completed within the next 90 days and ready for occupancy.

I refer to a prediction I made on that occasion. I said:

I make the prediction here and now that before you shall have gotten a hospital there suitable for the effective care of patients you must appropriate other large sums; and before we shall have a real modern plant we must expend from \$1,000,000 to \$2,500,000 more.

Mr. Warren. That may be the Senator's opinion. It is not mine.

Mr. WILLIAMS. I want to ask the Senator whether, in the provision now submitted to the Senate, it is provided that no further appropriation shall be made for this particular service?

Mr. Warren. It provides that it shall be finished completely.

Mr. President, I hesitate to make reference to what was said on that occasion, because I am perfectly confident that the

chairman of the Appropriations Committee thought he was right and that I was wrong, and I have such great respect for his judgment and such attachment to him personally that I would not want to say a word that would embarrass him now. But I do not like this Broadview Hospital project in any of its The Government should have done what it was adfeatures vised to do at the time—it should have appropriated a sufficient amount of money for an up-to-date, modern hospital, which would have been completed before now and occupied by soldiers in distress. We are not only now called upon to appropriate an additional \$500,000, but when that shall have been done we will not have a hospital fit for occupancy. We shall have to expend from half a million to a million dollars additional, or it may be more, to furnish the hospital, and the whole thing has gone on in this unbusinesslike, slipshod way, with the accretions of other appropriations.

As I said, the whole thing has been a mystery from beginning to end, and the chairman of the Appropriations Committee does not now know and can not know, as no Senator can know, what will be the end of it.

I shall not object to the amendment, and I shall not object only because possible delay may involve further distress to disabled soldiers.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Illinois [Mr. Mc-CORMICK ].

The amendment was agreed to.

The VICE PRESIDENT. The question is now on agreeing to the amendment offered by the Senator from Kentucky [Mr. STANLEY 1.

The amendment was agreed to.

Mr. BROUSSARD. Mr. President, I propose the amendment which I now send to the desk.

The VICE PRESIDENT. The amendment will be stated, The Reading Clerk. On page 29, after line 4, insert under subhead "Judicial":

To pay the widow of Edward Douglass White, recently Chief Justice of the United States, \$15,000.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the junior Senator from Louisiana.

Mr. WARREN. Mr. President, I wish to say that this is

usually done. We have heretofore made similar appropriations the same as we do for families of deceased Senators. I have a particular interest in this amendment, although it is offered by a Member from the floor, because of the long service of the former Senator whose widow this will benefit and for many other reasons.

I first met Chief Justice White on the 27th of May, 1863, 58 years ago, in battle at Port Hudson, where he was on one side of the fortifications and I on the other. He was then a first lieutenant, I a noncommissioned officer. He was but a boy in years, like myself. He was in the service of the Confederate States, I with the Union forces. After the close of the war his services were given to his State or the United States almost without interval.

The next time I met Chief Justice White was here on the floor of the Senate, where he served as a Senator with great distinction. He was appointed from the floor of the Senate to the Supreme Court of the United States by President Cleveland, and considerably later on I with others, especially the Senators from Louisiana, asked the then President of the United States to raise his rank and make him the Chief Justice of the United States, although there was no precedent therefor. He alone enjoyed that remarkable distinction. So, during all his life long his services were given to his State and country. His loyalty and Americanism were never questioned.

With all that long public service and while he may leave some fortune, it is hardly the correct thing for us to do less for his family than we have done for others. Therefore I hope the Senate will unanimously indorse the amendment offered by the Senator from Louisiana [Mr. Broussard].

The amendment was agreed to.

Mr. CALDER. Mr. President, I offer the amendment which send to the Secretary's desk.

The VICE PRESIDENT. The amendment will be stated.

The VICE PRESIDENT. The amendment will be stated. The Reading Clerk. On page 90, after line 26, insert: That the Secretary of Agriculture, in cooperation with the State agricultural colleges and experiment stations and the United States Council of the World's Poultry Congress and other organizations, be, and he hereby is, authorized on behalf of the United States to make suitable exhibits at the World's Poultry Congress of the International Association of Poultry Instructors and Investigators, to be held at The Hagne, Holland, September 6 to 13, 1921, and there is hereby authorized to be appropriated for this purpose, out of any money in the Treasury not otherwise appropriated, the sum of \$15,000, fiscal years 1921 and 1922, to be expended by the Secretary of Agriculture, under such regulations as he shall prescribe, for the preparation, assembling,

transportation, maintenance, and demonstration of the exhibits, which exhibits upon their return to the United States shall be the property of the United States and remain under the control of the Department of Agriculture. And the Secretary of Agriculture is also authorized to select and, out of the appropriation authorized hereunder, defray the expenses of three delegates who are officials or employees of the Department of Agriculture to attend the said congress and of investigating and reporting, in connection with said congress, on poultry conditions and methods of poultry production and marketing.

Mr. WARREN. Mr. President, I wish to say that it breaks my heart to deny the Senator from New York any of the amendments which he has offered from time to time. Furthermore, it breaks whatever I have left of my heart to do anything against the farmers and the farming industry, because my life is that of a farmer. However, we have had so many matters come before the committee for consideration that the committee has instructed me to recognize only those that came in proper order and to insist that the members of the committee should have what they had the right to have—the opportunity to say yea or nay upon any such matters. Therefore I shall be compelled to make a point of order against the proposed amendment, notwithstanding I know the earnestness of the Senator from New York, as well as that of one or two Members of the House from that State. I shall not ask that the point be ruled upon until the Senator has an opportunity to be heard on his amendment.

Mr. CALDER. Mr. President, I understand that the Secretary of Agriculture has written the chairman of the Committee on Appropriations urging that this appropriation be allowed. The amendment provides that the Department of Agriculture in cooperation with our State agricultural colleges shall have an exhibit at the International Poultry Congress. It is something which will be of national interest. There is no politics We produce in this country over a billion dollars worth of poultry products each year. We have encouraged the International Congress and it seems to me at the one time when it is to be held abroad we very properly ought to be represented. I hope the Senator from Wyoming will not insist upon the point of order.

Mr. WARREN. I am very sorry, but I shall have to insist upon it.

The VICE PRESIDENT. The point of order is sustained. Mr. SMOOT. Mr. President, I offer the amendment which

I send to the desk.

The VICE PRESIDENT. The amendment will be stated. The READING CLERK. On page 89, after line 7, insert:

Ogden Arsenal, Utah: Of the \$5,000,000 which the Chief of Ordnance, United States Army, was authorized in the second deficiency act, approved March 6, 1920, to expend during the fiscal year 1921 for the construction of storage facilities for ammunition and components thereof, \$100,000 is hereby made available during the fiscal year 1922 for the development of a water supply for Ogden Arsenal, Utah: Provided, That not to exceed \$30,000 of the amount herein made available for this purpose may be expended for the purchase of such land and water rights as may be necessary to provide a suitable water supply for Ogden Arsenal.

Mr. SMOOT. I ask that a letter from the Secretary of War be inserted in the RECORD stating the reasons why the amendment ought to be agreed to.

Mr. WARREN. Let it be read. Mr. SMOOT. It is not an appropriation that is called for, I will say to the Senator from Wyoming.

The VICE PRESIDENT. The letter will be read, as requested.

The reading clerk read the letter, as follows:

The reading

Hon. Francis E. Warren,

Chairman Senate Appropriations Committee,

United States Senate, Washington, D. C.

United States Senate, washington, D. C. Chairman Senate Appropriations Committee,
United States Senate, Washington, D. C.

My Dear Senator: The second deficiency act, approved March 6, 1920, authorizes the construction of permanent storage facilities for ammunition and components at Ogden, Utah, and Savanna Proving Ground, and the expenditure during the fiscal year 1921 of \$5,000,000 for this purpose, including \$96,000 for the purchase of land near Ogden. The construction of the establishment near Ogden. Utah, known as Ogden Arsenal, is nearly completed, with the exception of the development of a water supply. The original plans for this arsenal contemplated the drilling of a deep well on the reservation and the installation of necessary pumps and equipment.

A thorough investigation, which has just been concluded, has developed the fact that a deep well which would cost about \$65,000 might strike only salt water or might possibly be dry. On the other hand, there is a spring which would provide an excellent, adequate, and sure supply of water for the arsenal, located about 4 miles from and considerably above the reservation. The land and water right to this spring can be secured for not more than \$30,000. Due to much lower maintenance costs, the utilization of this spring would be more economical in the end than the drilling of the well.

The amount of money, \$96,000, authorized for the purchase of land was nearly all required for acquirement of the arsenal reservation, and it is therefore necessary to secure legislative authority to expend not to exceed \$30,000 for the purchase of land and water right from \$100,000 held for the development of the water supply. Furthermore, since this \$100,000 reverts to the Treasury on July 1, 1921, it is necessary that authority also be obtained making this balance available during the fiscal year 1922 for the construction of the pipe line.

The following item will give the necessary authority:

"Of the \$5,000,000 which the Chief of Ordnance, United States Army, was authorized in the second deficiency act, approved March 6, 1920, to expend during the fiscal year 1921 for the construction of storage facilities for ammunition and components thereof, \$100,000 is hereby made available during the fiscal year 1922 for the development of a water supply for Ogden Arsenal, Utah: Provided, That not to exceed \$30,000 of the amount herein made available for this purpose may be expended for the purchase of such land and water rights as may be necessary to provide a suitable water supply for Ogden Arsenal."

It is requested that the above item be included in the deficiency bill now pending before passage.

Sincerely, yours,

JOHN W. Weeks, Secretary of War.

Sincerely, yours,

JOHN W. WEEKS, Secretary of War.

Mr. WARREN. I merely desired to know whether the work was near completion.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Utah.

The amendment was agreed to.

Mr. SMOOT. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated. The Reading Clerk. At the proper place under the subhead "Public Buildings Commission" insert:

The accounting officers of the Treasury are authorized to credit to the account of the disbursing officer of the Public Buildings Commission the sum of \$354.51 heretofore expended for the repair and upkeep of an automobile, and charge the same to the appropriation for the Public Buildings Commission.

Mr. SMOOT. Mr. President, two years ago there was \$10,000 appropriated for the Public Buildings Commission. Last summer the commission obtained an automobile from the United States Housing Commission for use on official business. It was in such condition that it cost \$354.51 to have it repaired. When the bill was presented and the claim was made for it by the commission, the auditor called attention to the fact that the law provides that no money shall be expended by any Government agency for the purchase, repair, or maintenance of an automobile unless specifically provided for.

I will state that we ran the automobile for a few months and decided that we did not want it at all, and returned it to the Housing Commission. The amendment simply authorizes the payment out of the \$10,000 appropriated for the Public Buildings Commission of \$354.51, expended for the repair of the automobile.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Utah.

The amendment was agreed to.

Mr. McNARY. Mr. President, I move to reconsider the vote by which the Senate struck out of the bill, on page 38, the provision with reference to the Bureau of Mines.

Mr. WARREN. If the Senator will allow me, I think he was not in the Chamber when that matter was discussed a while ago. It was settled in this way: That on motion of the Senator from Ohio [Mr. Pomerene] there were several words put over in another place where the Bureau of Standards is charged with the investigation of the matter under consideration.

I stated then, as I wish to state now, that it is a House proposition and was cut out in the Senate committee because it was thought that it was duplicating the work. I wish to say to the Senator that on further consideration of the remarks made by other Senators, especially the Senator from Alabama [Mr. UNDERWOOD], I stated that more than likely the conferees who will have charge of it would restore it. We shall look it up, and I am very certain that the Senator will be satisfied with the outcome.

Mr. McNARY. May I ask the chairman of the committee if it included the word "cement"?

Mr. WARREN. Oh, yes.

Mr. McNARY. The reason why I speak of the matter is because of a letter that I have just received from Secretary of the Interior Fall.

Mr. WARREN. Yes; a similar letter came to me not four

minutes ago.

Mr. McNARY. It seems to be very important that the matter should be cared for.

Mr. WARREN. Since the Senator has made the motion, I will ask to have the letter from Secretary Fall placed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SECRETARY OF THE INTERIOR, Washington, June 3, 1921.

Hon. FRANCIS E. WARREN,

Hon. Francis E. Waren,

Chairman Committee on Appropriations,

United States Senate.

My Dear Senator: My attention has been called to the fact that your committee struck from the deficiency appropriation bill an item on page 38 of the printed bill, under the head of "Bureau of Mines." This item provided \$35,000 for scientific and technologic investications concerning the mining, preparation, treatment, and utilization of heavy clay products, cement, feldspar, slate, and other nonmetallies.

I consider the appropriation really necessary for one of the pur-

poses mentioned in the bill particularly; that is, for investigation of cement costs, etc.

The Government of the United States is, as you know, a large purchaser and user of cement, particularly through the Reclamation Bureau of this department. The annual report of the Reclamation Service discloses the fact that up to June 30, 1920, this bureau alone used 3,000,000 barrels of cement.

Last year construction was quite limited, and yet we used 38,183 barrels, which cost us, without freight, \$162,557, and the freight upon which was \$32,038. Further examination of the tables before me will show that cement purchased at approximately the same time from the same contractor, for use on different projects, varies in price materially.

me will show that cement purchased at approximately the same time from the same contractor, for use on different projects, varies in price materially.

Personal experience has led me to understand that there is an undoubted agreement between many of the cement producers as to territory and an agreement for noncompetition between them in such territories; for example, at one point in my State 116 miles from a cement plant at El Paso, the prices furnished by the cement factory at El Paso and the cement companies at Kansas City, Mo., are exactly the same from year to year and day to day. Prices for shipment to this point will not be quoted you at Kansas City or at El Paso, but the only quotations which you can get are for the cement delivery or price for the same, in one instance with a haul of 116 miles, and in the other, of approximately 700 miles.

As the Government itself is such a heavy purchaser of cement for use in this one department alone, it would appear to be a very material benefit to us to ascertain the costs at different points in the United States at which we are purchasing cement for use upon the different projects.

This matter has been before the public in other forms, and, as you are aware, many of the cement manufacturers are under criminal indictment, and as we were informed yesterday, a civil suit has also been filed against them.

This was my purpose in recommending this particular appropriation, and I am much in hopes that upon reconsideration you will accept an amendment replacing this item in the bill. I am sending a copy of this communication to Senator McNary, chairman of the Senate Committee on Irrigation.

As you know, proposed bills are now before the Senate and the House providing for some method of largely increasing reclamation development within the next few years.

Very sincerely, yours,

Albert B. Fall.

Mr. WARREN. I will now ask that the action of the Senate

ALBERT B. FALL.

Mr. WARREN. I will now ask that the action of the Senate may be reconsidered, in order that I may move a disagreement to the Senate committee amendment, so that it may be put back in its place, and that will end the matter.

The VICE PRESIDENT. Without objection, the vote by which the amendment was agreed to will be reconsidered. question now is on agreeing to the amendment, which will be

The READING CLERK. On page 38 the committee propose to strike out lines 19 to 26 in the following words:

BUREAU OF MINES.

For inquiries and scientific and technologic investigations concerning the mining, preparation, treatment, and utilization of heavy clay products, cement, feldspar, slate, and other nonmetallics; including all equipment, supplies, expenses of travel and subsistence; fiscal year 1922, \$35,000: Provided, That no part thereof may be used for investigation in behalf of any private party.

The amendment was rejected.

Mr. WARREN. I believe that completes the committee amendments.

Mr. CURTIS. Mr. President, as a part of my remarks I ask leave to have printed in the RECORD the law prohibiting deficiencies in the various departments, except under certain circumstances. The Cabinet officers are all new appointees, and I believe that if they will read the law we shall in future have fewer estimates for deficiencies. Up to the present time there have been sent to the Senate and to the House estimates for \$222,000,000 of deficiencies.

I will state that a good many years ago the custom became almost universal of sending to Congress estimates for deficiencies, and in consequence the law which I ask to have printed in the RECORD was enacted. After that deficiency appropriations almost disappeared from our statutes, but during the World War conditions were such that the practice was resumed. I hope now, however, the war being over, that the departments will obey the law and cease sending in estimates for

deficiency appropriations.

In this connection I desire to say that I hope the chairman of the Committee on Appropriations will notify the chairman of the Committee on Appropriations of the other House that in the next deficiency appropriation bill which is to be sent over here from that body it is expected that all items which should be covered by the regular appropriation bills will be eliminated. The pending deficiency bill as it came here from the House carried \$76,000,000 of deficiencies and \$24,000,000, in round numbers, of regular appropriations, which should have been carried in other measures. Some of the members of the Senate Committee on Appropriations were in favor of eliminating those items, and if it had not been for the emergency which existed in some cases I believe that action would have been taken. However, the committee, instead of carrying those appropria-

tions into the body of the bill, transferred them to the end of the bill and placed them under the head of "Emergencies." think that Congress ought to limit deficiency appropriation bills to deficiencies and carry in the regular appropriation bills the items which properly belong in those bills.

I thought it proper that I should make these remarks, and I now ask to have the law to which I have referred printed in

the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered. The law referred to is as follows:

DEFICIENCIES IN APPROPRIATIONS PROHIBITED—VOLUNTARY SERVICES FORBIDDEN.

No executive department or other Government establishment of the United States shall expend in any one fiscal year any sum in excess of appropriations made by Congress for that fiscal year or involve the Government in any contract or other obligation for the future payment of money in excess of such appropriations, unless such contract or obligation is authorized by law. Nor shall any department or any officer of the Government accept voluntary service for the Government or employ personal service in excess of that authorized by law, except in cases of sudden emergency involving the loss of human life or the destruction of property. All appropriations made for contingent expenses or other general purposes, except appropriations made in fulfillment of contract obligations expressly authorized by law, or for objects required or authorized by law without reference to the amounts annually appropriated therefor, shall, on or before the beginning of each fiscal year, be so apportioned by monthly or other allotments as to prevent expenditures in one portion of the year which may necessitate deficiency or additional appropriations to complete the service of the fiscal year for which said appropriations are made; and all such apportionments shall be adhered to and shall not be waived or modified except upon the happening of some extraordinary emergency or unusual circumstance which could not be anticipated at the time of making such apportionment, but this provision shall not apply to the contingent appropriations of the Senate or House of Representatives; and in case said apportionments are waived or modified as herein provided, the same shall be waived or modified in writing by the head of such executive department or other Government establishment having control of the expenditure, and the reasons therefor shall be fully set forth in each particular case and communicated to Congress in connection with each particular case and communicated to Congress in connection with each particular case and communicated to Congres

Mr. WARREN. Mr. President, the remarks of my colleague on the committee, the Senator from Kansas [Mr. Curtis], are very timely; I agree with him perfectly; but I think, under the existing situation, a few words from me become necessary, explanatory of the reasons why that condition arose.

The Senate Committee on Appropriations has for many years fought against large deficiency appropriations where they were unnecessary; but, of course, with the privileges which the heads of departments have and the uncertainties as to some of the appropriations, we could not, without doing violent injus-tice, entirely eliminate deficiency appropriations. Eight years ago there came a change of administration, which created certain disturbances such as always follow a change of administration, either way. Following that almost immediately came the shadow of war and then actual war.

My idea-and I think it is the idea of others-is that in war time in order to win it is necessary that there shall be coordination and quick action, and that only one person may properly be regarded as the head of the Army and Navy. Therefore, under then existing circumstances and with the idea of winning the war, whatever the cost, knowing that it was necessary to win it quickly or that it would bankrupt us, points of order were not raised and precedents were not cited, as would have been done under different conditions. A bill would come before the Committee on Appropriations in connection with which requests would be presented for appropriations, which we would then provide for; but a month later perhaps some emergency would arise or there would be a new requirement, and those needing additional appropriations would go to some other committee-the Committee on Military Affairs or the Committee on Naval Affairs, or to almost any other committee—and present their demands. So we said no to nothing which seemed to tend to a successful prosecution of the war.

Since the war we find we have an immense hangover. We have claims presented from every direction. We have more than \$300,000,000 of claims on account of patents alone in one department, that of the Attorney General. We have also hundreds of millions of dollars of claims before other departments. Some of these matters have come up unexpectedly, and they require examination; but a deficiency appropriation is required to cover items which were not expected. That has led to confusion.

Then, to make "confusion worse confounded," the other House changed its rules, as it had a perfect right to do, of course, and I speak with perfect respect of that matter. They took the consideration of appropriation bills away from several committees and put them all back under one committee. One committee may perform that task, and in ordinary conditions it would be a great economy to have appropriations so handled; but when one committee undertakes that work it requires-and that is especially true in a short session—the appointment of subcommittees upon which the entire committee may fully de-When the subcommittee makes its report as to a special line of appropriation it is hardly possible for the full committee to give very much time to the consideration of that report.

After the war, when we were burdened with thousands, and I had almost said millions, of employees-certainly with many more than were necessary—certain subcommittees of the Committee on Appropriations of the other House—for instance, the subcommittee on the legislative, executive, and judicial appropriation bill—reported in favor of making certain reductions here and there in the number of employees. They did that, perhaps, without accurate information, having in mind the fact that those who are employed hesitate about losing their employment, and the chiefs are very likely to protect their employees, without regard to the Treasury of the United States. Hence the chairman of the subcommittee on the legislative, executive, and judicial appropriation bill of the House Committee on Appropriations, when these deficiency items were presented and when the additions which are not properly deficiencies for the year 1922 were inserted in the bill, stated that in preparing the regular appropriation bill he was conscious of having, perhaps, cut out more than in some cases was necessary, but after making two or three efforts without a sufficient response and action on the part of the several departments, he would undertake to cut low enough, with the idea that if the number of employees of some of the departments was reduced more than should have been the case we should hear from them, as, of course, his experience in legislation showed him was always the

It has developed that some employees who were not appropriated for were needed. Hence the subcommittee in charge of the deficiency appropriation bill at the other end of the Capitol took the matter up, and while they did not place the items in a separate category, as the Senate committee has done, they were considered on the floor by the full membership and were adopted there.

It is true, almost without exception, that the sum total of the items passed by the House is the same as that incorporated in the bill by the Senate committee. We have stricken some out and others have been inserted. It is true that in one or two of the departments we have added to the number of employees, especially in the office of the Comptroller of the Currency. That has been done for reasons that have been explained on this side of the Chamber and also by the Senator from Virginia [Mr. GLASS] on the other side.

Now, as we are emerging from all the troubles incident to the recent war, we ought to go back to the old system of appropriating in the regular bills sufficient, but not too much, to carry on the necessary work of the Government, and then hold the departments and everyone else to the law and to the rules regarding deficiency appropriations.

To show that the Senate Committee on Appropriations has been keenly alive to the situation and extremely anxious for reformation, I will say that the chairman of that committee addressed a letter to the President of the United States within two weeks after the assembling of the present Congress, which I shall insert at this point as a part of my remarks, together with a copy of the letter sent by the President to the heads of the various departments and establishments in consequence:

APRIL 26, 1921.

DEAR MR. PRESIDENT: I desire to call your attention to a matter which to me seems of great importance, namely, the manner of submission to Congress of deficiency estimates by the various departments and Government establishments.

mission to Congress of deficiency estimates by the various departments and Government establishments.

There have been many abuses along this line in the past, and now, after only 14 days of this session, deficiency estimates amounting to \$215,891,228.62, contained in 36 different House documents, have been submitted to Congress for its consideration, and more are coming.

There is no question about estimates for strictly legal deficiencies submitted in accordance with the antideficiency provisions of law; but not all of these sums are of this character. I notice that some are for new work entirely and have no place whatsoever on deficiency bills. The items appearing to be for the fiscal year 1922, which does not begin until July 1, 1921, amount to \$136,789,393.34. They should not come before us as deficiencies for the year 1921.

I am a believer in economy in national expenditures, in which belief I feel sure you sympathize. The one thing leading most directly to desired results in economy is teamwork between the legislative and executive branches of the Government.

It would seem that heads of departments and Government establishments and officers of the Government charged with the responsibility of submission of estimates should be held to a strict accountability. Now that the war is over, there seems to be little excuse for the various departments and establishments not conducting their expenditures more nearly within their appropriations.

nearly within their appropriations,

I am calling this matter to your attention because I realize that you are anxious to hold the appropriations down to the lowest amounts consistent with good administration.

Very respectfully, yours,

F. E. WARREN, Chairman,

APRIL 30, 1921.

My Dear Mr. Secretary: I am in receipt of a letter from Chairman Warren, of the Senate Committee on Appropriations, calling my attention to the fact that estimates now before the Congress call for approximately \$216,000,000 of deficiency appropriations, and that the estimated deficiencies will run very much beyond that sum. I do not know of any more dangerous tendency in the administration of governmental departments, and I am very sure that we can never fix ourselves firmly on a basis of economy until the departments are conducted within the provisions made by Congress.

I wish you would call this matter to the attention of the various bureau chiefs so that a like situation will not be reported in future.

Sincerely, yours,

Sincerely, yours,

WARREN G. HARDING.

Thus it will be seen that the Senate committee has been very much alive to the situation; that the President of the United States is responsive and has mapped out for his executive heads a line of conduct in keeping with the law and the desires of

Mr. HARRIS. Mr. President, I desire to occupy the time of the Senate for just a moment to call attention to a certain feature of the pending bill. We have appropriated for many different departments and bureaus in the way of deficiency appropriations, but in the case of the Census Bureau we are taking from that bureau \$250,000 that has been left over from the appropriations allotted to them for carrying on the work with which they have been intrusted. I am informed that nearly a million dollars appropriated for completion of the census work will be turned back into the Treasury July 1. I may say that the work of that bureau is more advanced than it ever was before following the taking of the decennial census, although the census was taken when salaries were higher than at any previous era. Mr. Rogers is an able, practical business man who has made a great success in life as a citizen and public official. Before assuming the duties as Director of the Census he had distinguished himself as a member of the railroad commission of the State of North Carolina.

I wish to say, as a former Director of the Census and on this account interested in the work of the bureau, that no man ever did more faithful work in this position than Mr. Rogers, the former director, and his assistant, Mr. Steuart, who has succeeded Mr. Rogers in that position. I should like to say that while I regret that politics changed the Director of the Census, President Harding, in my judgment, selected the ablest and best-informed Republican to direct that work, and I believe the record of Mr. Steuart will so demonstrate. While I was Director of the Census Bureau Mr. Steuart was Chief of the Division of Manufactures, and in my connection with the different departments and bureaus of the Government I never came in contact with a more efficient, able, or conscientious official. I am glad to state here that the employees of the bureau have done efficient work at all times and yet they have much of the time been underpaid. We hear much criticism in Congress about extravagance and inefficiency in the Government service, but this can not be truthfully said of the employees or officials of the Census Bureau.

The VICE PRESIDENT. The bill is still before the Senate as in Committee of the Whole and open to amendment. If there be no further amendments, the bill will be reported to the

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. WARREN. The Senate has now passed the deficiency appropriation bill, and has made various additions and amendments to the bill as agreed to by the House. I move that the Senate request a conference with the House on the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. Warren, Mr. Curtis, and Mr. Glass conferees on the part of the Senate.

# ARMY APPROPRIATIONS.

Mr. WADSWORTH. I move that the Senate proceed to the consideration of House bill 5010, being the Army appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 5010) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes, which had been reported from the Committee on Military Affairs with amend-

PORTRAIT OF PRESIDENT JACKSON.

Mr. McKELLAR. Mr. President, will the Senator from New York yield to me to prefer a request for unanimous consent?

Mr. WADSWORTH, I yield,

Mr. McKELLAR. Several days ago my colleague, the senior Senator from Tennessee [Mr. Shields], submitted and had referred to the Committee to Audit and Control the Contingent Expenses of the Senate a resolution providing for the purchase of a portrait of former President Jackson to be hung at a suitable place in the Capitol. That committee has passed favorably upon the appropriation and the resolution is on the calendar, but it is desired to refer it also to the Committee on the Library. I therefore ask unanimous consent for the immediate consideration of the resolution.

Mr. LODGE. It will have to go to the Committee on the Library before being considered by the Senate. Mr. McKELLAR. It is intended that it shall go to the Com-

mittee on the Library.

Mr. LODGE. The motion, then, is to refer it to the Commit-

tee on the Library?

Mr. McKELLAR. To refer it to the Committee on the Library; that is all that is proposed. I ask unanimous consent that the pending business be temporarily laid aside so that that may be done

The VICE PRESIDENT. Is there any objection? The Chair

hears none.

Mr. McKELLAR. The resolution is No. 75 on the calendar.

Mr. LODGE. Mr. President, I do not understand that the motion is to consider and agree to the resolution. If it is, I object. I think the resolution ought to go to the Committee on the Library and be considered there.

Mr. McKELLAR. That is exactly what is proposed. It was first referred to the Committee to Audit and Control the Contingent Expenses of the Senate for recommendation as to the expenditure from the contingent fund of \$1,100 to purchase the portrait.

Mr. LODGE. If the motion is to refer the resolution to the Library Committee I have no objection to it, of course

Mr. McKELLAR. That is the motion I desire to make. Mr. LODGE. The resolution comes from the Committee to Audit and Control the Contingent Expenses of the Senate?

Mr. McKELLAR. It does.

Mr. LODGE. And the Senator desires to take it from the calendar and refer it to the Committee on the Library

Mr. McKELLAR. And refer it, as reported by the Committee to Audit and Control the Contingent Expenses of the Senate, to the Committee on the Library.

The VICE PRESIDENT. Is there objection? The Chair

hears none, and it is so ordered.

#### EXECUTIVE SESSION.

Mr. LODGE. I understand that the Senator from New York does not intend to go on with the Army bill to-night.

Mr. WADSWORTH. No; Mr. President, I do not. Mr. LODGE. Therefore I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

# ADJOURNMENT TO MONDAY.

Mr. LODGE. I move that the Senate adjourn until Monday at 12 o'clock noon.

The motion was agreed to; and (at 4 o'clock and 35 minutes m.) the Senate adjourned until Monday, June 6, 1921, at 12 o'clock meridian.

#### CONFIRMATIONS.

Executive nominations confirmed by the Senate June 3 (legislative day of June 2), 1921.

# MINT SERVICE.

SUPERINTENDENT OF MINT, SAN FRANCISCO, CALIF. Michael J. Kelly.

> INTERNAL REVENUE SERVICE. COLLECTORS OF INTERNAL REVENUE.

Robert O. Eaton, for district of Connecticut. Frank J. Ham, for district of Maine Marshall S. Reynolds, for district of Wyoming.

# HOUSE OF REPRESENTATIVES.

FRIDAY, June 3, 1921.

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O God, make us to feel that Thou art our Father, full of grace and truth. How we thank Thee to-day for the bright summer time. The orchards are budding, the fields are promising, the flowers are blooming, the birds are singing, the waters rippling, and on the upland and lowland the sunlight is smiling with beauty everywhere. O make us to feel its glory and its power, and bless our spirits with these delights and growths and keep them in the sweetness of a gladsome summer time. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and

### NAVAL APPROPRIATION BILL.

Mr. KELLEY of Michigan. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 4803, the naval appropriation bill, to disagree to all the Senate amendments, and agree to the conference asked for by the Senate.

The SPEAKER. The gentleman from Michigan asks unanimous consent to take from the Speaker's table the naval appropriation bill, to disagree to all the Senate amendments, and agree to the conference asked for by the Senate. Is there ob-

jection?

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, I wish to submit a parliamentary inquiry. If this agreement be made, will it be in order, as a matter of parliamentary right, for me to be recognized to offer an amendment to instruct the conferees upon one phase of this matter? Now, if the Speaker will hear me a minute-

The SPEAKER. The Chair will be glad to hear the gentle-

Mr. GARRETT of Tennessee. On December 20, 1913, the House had under consideration a currency bill with Senate amendments, or, I think, it was just one amendment-that is, the Senate struck out all after the enacting clause and inserted a new bill as one amendment. There was a motion made in the House to concur in the amendment. That was voted down, Thereupon the gentleman from Virginia [Mr. Glass] asked that the conference requested by the Senate be agreed to. Whereupon Mr. Mann made a parliamentary inquiry, and said:

upon Mr. Mann made a parliamentary inquiry, and said:

Mr. Mann. Mr. Speaker, a parliamentary inquiry.

The Speaker. The gentleman will state it.

Mr. Mann. Would it be in order at this time to offer a motion to instruct the conferees before the conference asked for by the Senate has been agreed to, or would that motion have to come afterwards? At the proper time I desire to make that motion.

The Speaker. It would come after the agreement for the conference and before the conference are announced.

Mr. Glass. Mr. Speaker, I desire to move that the House agree to the request for the conference asked for by the Senate.

The Speaker. The gentleman from Virginia moves that the House agree to the conference on this bill asked for by the Senate. Without objection, the conference is agreed to. [After a pause.] The Chair hears none.

Mr. Mann. Mr. Speaker, I offer the following privileged motion.

The Speaker. The Clerk will report the motion.

Mr. KELLEY of Michigan. Mr. Speaker, may I ask the gen-

Mr. KELLEY of Michigan. Mr. Speaker, may I ask the gentleman from Tennessee upon what phase of the bill he desires to

Mr. GARRETT of Tennessee. . Upon the Borah amendment. Mr. KELLEY of Michigan. I will say to the gentleman from Tennessee that is a matter of legislation upon which the conferees could not be instructed under the rules, because it would have to come back to the House to be voted upon anyhow. could not agree to it in conference but must bring it to the House.

Mr. GARRETT of Tennessee. They would not have to come back to the House before disagreeing to it.
Mr. MONDELL. Will the gentleman yield?

Mr. GARRETT of Tennessee. If I have the floor. I do not mean to intimate it is the intention of the conferees to disagree to it, but some time the House will have to vote upon the proposition, and it seems to me now is as good a time as any.

Mr. MONDELL. Will the gentleman yield?

Mr. GARRETT of Tennessee. Certainly.
Mr. MONDELL. Would it not be entirely satisfactory if it were agreed that before any action is taken on that matter the House be allowed to vote on it?

Mr. Speaker, I should prefer Mr. GARRETT of Tennessee. to make a motion now to instruct the conferees.

Mr. WALSH. Will the gentleman yield?

Mr. GARRETT of Tennessee. If I have the floor.

Mr. WALSH. Do I understand the gentleman from Tennessee to say that the conferees could disagree to the legislation in the bill without coming back to the House under the new rule?

Mr. GARRETT of Tennessee. They could not agree to it

without coming back to the House.

Mr. WALSH. The conferees can not take any action with

reference to that under the new rule—
Mr. GARRETT of Tennessee. The new rule says they shall not agree to any legislation put on in violation of the House rules without receiving instruction from the House so to do. They could disagree and the Senate conferees could recede.

Mr. GARNER. May I ask the gentleman a question, if the gentleman from Tennessee will give me his attention? I do not know what his motion will be, but as I recall the proceedings in the Senate this so-called Borah amendment was agreed to by unanimous consent. It may be possible to agree to it in the House by unanimous consent.

Mr. KELLEY of Michigan. I will say to the gentleman from Texas that the Borah amendment, of course, will be brought to the House at the proper time. No introductions are necessary

to accomplish that.

Mr. GARNER. What would the gentleman say to disagreeing to all the Senate amendments except the so-called Borah amendment and agree to that amendment by unanimous consent? You can do anything in the House by unanimous consent.

Mr. KELLEY of Michigan. I think it is best to go to conference on the entire bill, inasmuch as the House understands that this amendment will be brought back for action by the House. There is no disposition in any quarter to have the Senate conferees recede as to this amendment.

Mr. GARNER. Will the gentleman yield?

Mr. KELLEY of Michigan. I will.

Mr. GARNER. I merely want to ascertain what the unanimity of opinion is in this House or in the Senate.

Mr. MONDELL. I will say very frankly to the gentleman from Texas [Mr. GARNER], who winks as he speaks, that there could not be an agreement to the Borah amendment by unanimous consent. I do not think the gentleman from Texas is himself in favor of recommending action to the President on the question of calling a conference on disarmament in the narrow and restricted way that the Borah amendment does. If we are to act in that matter, and I think we should, we should act not merely in concert with one or two nations that may arrogate to themselves supremacy in the world, but after full and free conference with the nations of the world having considerable war establishments, and, furthermore, when the question of the limitation of armaments is considered it should be considered with a view of limiting armaments on land as well When the nations consider the question of naval establishments they should consider the question of limitation or reduction of naval establishments, and not merely the reduction of programs as the Borah amendment provides. I do not think that after consideration the gentleman from Texas [Mr. GARNER] himself will desire this question be entered upon in the narrow, restricted, and unsatisfactory way that the Borah amendment provides.

I recall that when this bill was under con-Mr. GARNER. sideration in the House the gentleman from Wyoming did not want to consider it in the broadest conception or narrowest con-

ception either.

Mr. MONDELL. In the proper way and at the proper time I

desired it considered.

Mr. GARNER. But it did go to another body, and that body did consider this matter in a narrow and restricted way. should rather have the method that is in the bill, the Borah amendment, than not to have any disarmament resolution at all.

Mr. MONDELL. Will the gentleman yield? Mr. GARNER. I will.

Mr MONDELL. The gentleman knows perfectly well that he and the other Members of the House will have an opportunity to vote on this matter before it is disposed of.

Mr. GARNER. I hope so. Mr. MONDELL. It would be very easy to have an agree-

ment on that proposition.

Mr. KELLEY of Michigan. Just a moment. It is very clear te me that the motion, if it is made—I do not understand that it has been made yet—to instruct the conferees to agree to legislation inserted in the bill by the Senate would be in violation of the rules of the House. The conferees would have no authority to agree to legislation put on the bill in the Senate, under our new rule.

Mr. OLDFIELD. Will the gentleman yie Mr. KELLEY of Michigan. I will yield. Will the gentleman yield?

Mr. OLDFIELD. I would like to ask the gentleman from Michigan a question. I want to ask—and I would like to make

the same inquiry of the gentleman from Wyoming-this question: The two gentlemen are in favor of broadening this Borah resolution to include disarmament on land as well as on the

Mr. KELLEY of Michigan. I will say to the gentleman that I have not consulted with the other gentlemen who will be conferees with me on this bill, and therefore I do not know what their attitude would be-the distinguished gentleman from Alabama [Mr. OLIVER] and the gentleman from Tennessee [Mr. BYRNS]. I have always been in the habit whenever I have had anything to do with the management of a measure of taking the views of the minority members into account and not making up my mind until opportunity for united action had been given. And so it seems to me, with the understanding that the House at the proper time will have opportunity to vote on the Borah amendment, the bill should go to conference without instructions of any kind.

Mr. OLDFIELD. I am very anxious, I will say to the gentleman, to vote on the Borah amendment without any additional amendment for this reason: If you put disarmament on land as well as on sea in this thing, you are liable to kill both propositions. And I think there are a good many people in the country that would like to kill any sort of disarmament. I do not

want to see them put together.

Mr. KELLEY of Michigan. I think the House can trust the conferees to bring this matter about in a proper form. I think the gentleman from Arkansas knows the membership of the committee on conference and has complete confidence in it.

Mr. OLDFIELD. Absolutely.

Mr. KELLEY of Michigan. And there is no disposition anywhere to prevent the House from expressing its will on the subject. That being the case, why not follow the usual practice of allowing the conferees to go to conference unhampered?

Mr. OLDFIELD. Personally I feel that both of these propositions, the proposition to disarm on the seas and the proposition to disarm on the land, throughout the world, each of them, ought to stand on its own merits, because I believe there will be a division there, and if you vote for them together it is likely to kill both. I want to see both progress.

I know the question of taxation is the great question in this country, and we can not have reduction of taxation unless we have reduction of armament, and if we can not get both we ought to take one. Therefore, whenever the time comes I want

both to stand on their own merits.

Mr. KELLEY of Michigan. The House is not losing anything. It will be only a few days until this whole matter will be back here from the conference. No advantage will be lost, I will say to the gentleman. Why should the conferees, the three Republicans and the two Democrats who will sit on this conference. be hampered or restricted in any way by action of the House at this time when, as a matter of fact, this must of necessity come back under the rules within a few days to be acted on by the

Mr. GARRETT of Tennessee. The motion that I shall offer will, if adopted, not eliminate this question from consideration by the conferees in its entirety. It will instruct the conferees to

agree to the amendment with an amendment. Mr. KELLEY of Michigan. We could not do that, under the rules of the House. The conferees would have no jurisdiction to agree to a legislative proposal of this kind under the rules. We must bring it back.

The SPEAKER. The Chair understands the gentleman now to say what the Chair did not understand him to say at first. He does not simply wish to instruct to agree, but to agree with

an amendment?

Mr. GARRETT of Tennessee. Yes. That is my theory of the parliamentary situation. If the House should disagree to all the Senate amendments and agree to the conference, I do not myself believe that it would then be in order to move to instruct them to agree to a specific amendment, because that would be undoing exactly what the House had a moment before done, namely, disagree. But I do think unquestionably, under the precedents I have cited, that it is in order to instruct them to agree to the amendment with an amendment.

Mr. TOWNER. Mr. Speaker, I hope the gentleman from Tennessee will not press that motion. I believe when it is thoroughly understood the House will feel that they ought to leave the matter entirely open to the conferees. Let me suggest to the gentleman that there is a rapid change of sentiment going on with regard to the Borah amendment, and that the people of the country understand, as they are beginning to understand now, that the Borah amendment is merely a restriction on

existing programs; that it is not complete, that it will not effect what the people desire and what we all desire, I hope, namely, to secure a national agreement for the reduction of armament,

not for the Navy alone and not with three powers alone but with all the world and with regard to all military burdens. The people of the country demand that there should be a reduction not only of navies but of armies.

Mr. WINGO. Mr. Speaker, will the gentleman yield?

Mr. TOWNER. Yes. Mr. WINGO. This is a naval bill. How are you going to make in order an agreement for a reduction of the Army on the

Mr. TOWNER. The amendment has little to do with the Navy. It proposes that there shall be a reduction in the programs of three nations. That is the basis and strength of it.

Mr. WINGO. The gentleman thinks that the point of order would not be well taken, but that the general question is one of armament, and that having covered one phase of it, we cover all

Mr. TOWNER. Yes. That is what I believe the people desire.

Mr. WINGO. I agree with the gentleman's parliamentary interpretation, but I do not agree with his position.

Mr. KELLEY of Michigan. Mr. Speaker, I will modify my request to the House. I ask unanimous consent that we take the bill from the Speaker's table, disagree to the amendments made by the Senate, and agree to the conference, and ask that the conferees be permitted to go to the conference without

The SPEAKER. That is the same. The gentleman asks unanimous consent to take the bill from the Speaker's table, disagree to all the Senate amendments, and that the conferees be not instructed.

Mr. GARRETT of Tennessee. I object to the latter part, Mr. Speaker.

The SPEAKER. The gentleman from Tennessee objects.

Mr. GARRETT of Tennessee. I did not object to the first part of the request.

The SPEAKER. The gentleman has withdrawn that.

Mr. GARRETT of Tennessee. Has the gentleman also withdrawn his first request?

Mr. KELLEY of Michigan. My first request was dual.

Mr. OLDFIELD. Mr. Speaker, a parliamentary inquiry. The SPEAKER. The gentleman will state it. Mr. OLDFIELD. Would it be in order at this time to instruct the conferees to agree to the Borah amendment?

The SPEAKER. Certainly it would not,

#### EXTENSION OF REMARKS.

Mr. HICKEY. Mr. Speaker, I ask unanimous consent to have inserted in the RECORD an address delivered by Prof. Irving J. Fisher, of Yale University, before the Stable Money

The SPEAKER. The gentleman from Indiana asks unanimous consent to insert in the Record an address delivered by Prof. Irving J. Fisher, of Yale University, before the Stable Is there objection? Money League.

Mr. RAYBURN. I object.
The SPEAKER. Objection is made.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted-

To Mr. Fenn, for one week, on account of important busi-

To Mr. TAYLOR of Colorado (at the request of Mr. VAILE), indefinitely, on account of illness.

# VETERANS' BUREAU.

Mr. WINSLOW. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 6611.

The motion was agreed to.

The SPEAKER. The gentleman from Minnesota [Mr. Anderson] will please take the chair.

#### ADJOURNMENT OVER UNTIL MONDAY.

Mr. MONDELL. Mr. Speaker, will it be in order now by unanimous consent to prefer a unanimous-consent request as in

The SPEAKER. It might be done by unanimous consent. Mr. MONDELL. I ask unanimous consent that when we

adjourn to-day we adjourn until Monday.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that when the House adjourns to-day it adjourn until Monday.

Mr. DUNBAR. Reserving the right to object, Mr. Speaker, ordinarily this is the day for the consideration of the Private Calendar. There is some very important business on the Private Calendar, which had to give way for the consideration of the bill before us. Why could not the day have been devoted to the consideration of bills on the Private Calendar and the House continue in session to-morrow, and then consider the bill that is before us to-day?

Mr. KING. Mr. Speaker, will the gentleman yield there for a question?

Mr. DUNBAR. Yes.

Mr. KING. What legislation does the gentleman refer to? Mr. DUNBAR. I have reference to legislation where a man paid into the United States Treasury

Mr. MONDELL. The gentleman has reference to claims

Mr. DUNBAR. I have.

Mr. MONDELL. I hope we shall be able to reach claims bills on the Private Calendar in due time, but it seems to me we should dispose of these very important public bills first.

Mr. DUNBAR. I agree with the gentleman; but we could dispose of this very important business to-morrow, and we could

have considered the Private Calendar to-day.

Mr. MONDELL. Mr. Speaker, I am always here; I am never away. I am perfectly willing, so far as I am concerned, to sit to-morrow. I shall be here and be at work. But many of the committees have been denied the privilege of sitting during the sessions of the House. Much committee work needs to be done. Many Members have been in constant attendance in the House during this hot weather. They need time to catch up with their correspondence and attend to matters that it is very important in the interest of their constituents they should give attention to.

I think the great majority of the Members believe that it would be well during the summer to establish the rule, and unless the condition of the public business forbids, to adhere to the rule of adjourning over Saturday each week. [Applause.]

Mr. DUNBAR. Can the gentleman indicate when he thinks

the Private Calendar will have a day?

Mr. MONDELL. I can not say how soon, but as the gentleman knows I am one of those who believe that bills on the Private Calendar are entitled to prompt consideration by the House, and as promptly as possible I trust we shall consider these bills.

Mr. DUNBAR. I will not object this time, but in the future I will object, unless the Private Calendar has a day.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming?

Mr. RAYBURN. I do not like to object to any procedure for which the majority leader asks unanimous consent, but we have a bill before us; and everybody connected with it, the Bureau of War Risk Insurance, the Vocational Rehabilitation Board, the Public Health Service, the American Legion, and the disabled soldiers say is of the most vital importance that it be enacted into law at once.

Mr. MONDELL. I heartily agree with the gentleman.
Mr. RAYBURN. And I had much rather that we should go ahead to-morrow and try to finish this bill, which I believe we could do.

Mr. MONDELL. I agree with the gentleman as to the importance of the legislation, and if I believed that by remaining in session to-morrow we would advance the final enactment of the legislation by one day, I should certainly want to continue

Mr. RAYBURN. It may become very important at some future time.

Mr. MONDELL. I doubt if it would expedite the passage of the bill if we were to remain in session to-morrow.

Mr. POU. With the gentleman's kind permission, there is also another matter of world-wide importance, and that is the making of peace with Germany. Possibly that might be ratified to-morrow. We have had the repeated assurance of the President that he is ready with pen in hand to sign it. Why not continue in session to-morrow and consider that?

Mr. MONDELL. I will say frankly to the gentleman that at the request of many Members, including Members on the minority side, we thought it best to give reasonable advance notice as to the time when the peace resolution would be taken up, and, Providence permitting, we expect that it will be taken up next Thursday.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming that when the House adjourns to-day it adjourn to meet on Monday next?

There was no objection.

### VETERANS' BUREAU.

The House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 6611) to establish in the Treasury Department a veterans' bureau and to improve the facilities and

service of such bureau, and further to amend and modify the war risk insurance act, with Mr. Anderson in the chair.
Mr. BARKLEY. Mr. Chairman, when I have occupied 30

minutes I wish the Chair would notify me.

Gentlemen of the House, I do not hope to add very much to the very lucid discussion of this bill which was engaged in yesterday by the gentleman from Iowa [Mr. Sweet], but I do desire to call attention to some of the features of this legislation and some of the reasons why its very speedy enactment is desirable.

All the activities of the United States Government, so far as ex-service men are concerned, have been established by Congress more or less by piecemeal. They have been a sort of fungous growth upon other acts which had already been put into effect. For instance, the original bill passed granting compensation and providing for allotments and allowances and for Government insurance of men in the service was not passed as an independent act, but was an amendment to a law already in existence known as the war risk insurance law, which had been provided for by Congress to take care of the insurance upon vessels and cargoes upon the high seas which were unable to obtain insurance from private companies. These subjects were wholly unrelated; but in view of the fact that a war risk insurance act was already in force, it was thought by Congress and by the committee that it would be more convenient simply to amend the law already in existence known as the war risk insurance act than it would be to pass an independent act and perhaps call it by some similar name, so that the war risk insurance act as it applies to ex-service men is an amendment to the original war risk insurance act passed by Congress before we made any provision for compensation, allotments, and insur-

The same is true of the vocational rehabilitation act, of which I think the gentleman from Ohio [Mr. FESS] was the author. We had already enacted a law providing for vocational training under a Federal Board for Vocational Education.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. BARKLEY. I yield to the gentleman from Minnesota.

Mr. NEWTON of Minnesota. I think, if the gentleman will recall, he is mistaken about the vocational rehabilitation act for industrial cripples. I think he will find that that succeeded the service men's act rather than preceded it. As I recall it, the industrial bill was passed in the fall of 1919 and the soldier act in June, 1918.

Mr. BARKLEY. I think the gentleman is correct about that. At any rate, the two subjects were grafted onto each other, although they were unrelated except in so far as rehabilitation

is concerned.

The same is true of the activities of the Public Health Service. I do not recall that there has been a specific act passed by Congress since the war started amending the Public Health Service act as it was originally enacted, but in all these bills which we have passed affecting ex-service men we have made it possible for the Bureau of War Risk Insurance and for the Vocational Education Board to make use of the Public Health Service in all matters that pertained to the examination and hospitalization of the ex-service men.

The bill which we are now considering undertakes to do what everybody in the Government, with very few exceptions, and what the ex-service men themselves and what Members of Congress have realized for a long time ought to be done, and what in all probability would have been done in the beginning if we had had more time to deliberate and could have foreseen the

conditions which have existed.

There never was any logic, and there is still less logic now, in having the benefits to which the men are entitled scattered among three different departments of the United States Government. When we think about it and try to account for some of the inefficiencies and inexcusable delays that have occurred in these departments I marvel that there has been as much efficiency as there has been; when you consider that if a man needed to be hospitalized he had to go to the Public Health Service, that if he needed compensation for some injury he had to go to the War Risk Bureau, and if he needed vocational training and rehabilitation on account of the particular injury for which he was being hospitalized and compensated he had to go to an entirely different bureau of the Government

Will the gentleman yield?

Mr. BARKLEY. I will.

Has the gentleman received a communication from Col. Galbraith on behalf of the American Legion calling attention to the fact that the proposed amendment to the Sweet bill will do away with the provision for this decentralization?

Mr. BARKLEY. Yes; I have received it, and I suppose other Members have received it, and I am going to discuss that ques-

tion a little later, if the gentleman will permit.

Now, what has been demanded on the part of everybody concerned in the welfare of the ex-service men has been that there should be one bureau-one department-that has charge of every function of the United States Government dealing with the welfare and training, the rehabilitation, the hospitalization, the compensation, and insurance of all the men and women who are subject to the provisions of the law.

I do not desire to take the time of this House in recounting individual instances in which injustice has resulted by reason of the division of authority. Every Member here has had numerous cases called to his attention, and one of the reasons urged by the Bureau of War Risk Insurance and by the American Legion, which has been very enthusiastic and active in urging this legislation, has been that many mistakes that were made by the men and by the bureaus dealing with them occurred from the fact that these men had been scattered all over the United States.

The Government sent forms which were to be filled out by them, or affidavits to be executed by them, in order that they might present claims for compensation or for insurance or for vocational training to the proper bureau of the Government. When these affidavits or papers come in, whatever might be their form or nature, the bureau in Washington discovers that there has been a mistake made. The form had not been filled out correctly or some essential information had been omitted which made it impossible for the department to pass on the claim and make the award.

The board or bureau writes back to the man and advises him of the mistake that has been made or the deficiency in the evidence which has been submitted, and consequently there is a long line of correspondence between the soldier in California or Vermont or elsewhere and the Bureau of War Risk Insurance, if it is compensation or insurance, and the Federal board, if it is a matter of vocational training. So that we have one enterprise, one service, one function of the United States Government dealing with some man who, when he takes it up with Washington, finds that it is a hydra-headed institution, and when he has taken it up with one head he does not know whether it is the right head or whether he should take it up with all three branches.

This bill seeks to do what in all probability would have been done in the beginning if we had had proper time to deliberate. It abolishes the War Risk Insurance Bureau, it abolishes the Rehabilitation Section of the Board for Vocational Education so far as it affects the ex-service men, and it abolishes the Public Health Service in so far as it affects the examination and passing upon the claims of individual soldiers. All these functions are to be consolidated, not coordinated, but consolidated under one bureau which shall hereafter be known as the veterans' bureau, at the head of which will be a director.

I think we can not fail to recognize the magnitude of the task which is incumbent on the Government of the United States with reference to the treatment of our ex-service men. were more than 5,000,000 men in the United States Army and Navy and Marine Corps and other branches of the service who may become entitled to treatment by the bureau when it shall be established. During the Civil War there were something more than 2,400,000 men in the United States Army. the first 25 years after the Civil War the peak was not reached in the consideration of claims of various kinds that occurred during the Civil War. In other words, the peak of all claims that were filed, of one kind and another, by Federal soldiers as the result of the Civil War was not reached until 25 years had elapsed after the close of that war. And at the end of 36 years from the close of the Civil War there had been 579,115 invalid claims allowed by the United States Government for men who served in the Union Army during the four years of the Civil War.

At the same rate for the Army of more than 5,000,000 men, by the year 1956, which would be 35 years from now, there would be 1,209,950 disability claims allowed by the veterans' bureau for men in service of the United States during the recent war.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. BARKLEY. Certainly.

Mr. GREENE of Vermont. Does not the gentleman think that possibly, in view of legislation that was made for the World War veterans, the peak may be reached earlier?

Mr. BARKLEY. I think it will.
Mr. GREENE of Vermont. In other words, that we have anticipated the probabilities of the situation?

Mr. BARKLEY. Some authorities in the Public Health Service and Vocational Board and War Risk Bureau think that the peak will be reached at some period from 5 to 10 years from now.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield in that connection?

Mr. BARKLEY. Yes.

Mr. BANKHEAD. A certain general of the Public Health Service testified before the Joint Committee on Education a few days ago that in his judgment the peak of restoration for physical disability as far as hospitalization is concerned would be received probably by the year 1998

be reached probably by the year 1926.

Mr. BARKLEY. Yes. That is five years from now. There have already been treated by the Public Health Service of the United States up to May 1, 150,000 men. There have been what the Bureau of Public Health calls 9,000,000 hospital relief days granted to ex-service men by the Public Health Service.

Mr. GREENE of Vermont. Since when?

Mr. BARKLEY. Since they began hospital treatment under the various laws which have been passed by Congress for the benefit of the service men. In addition to that there have been also 1,200,000 days of what they call out-patients' treatmentmen who call on the Public Health officers in their various offices and receive treatment just as I would go to a doctor's office to get treatment if I had an ailment. There have been 1,000,000 medical examinations made by the Bureau of Public Health Service up to the 1st day of May of this year, and on the 21st day of May there were in the Public Health Service hospitals of the United States 16,185 men. In addition to that there were about 10,000 men under the jurisdiction of the Public Health Service in other hospitals of a private and public nature. So that on the 21st of May of this year under the Public Health Service in hospitals, either public or private, being treated by this service, there were 26,000 ex-service men, and the number applying to the Public Health Service for treatment is increasing at the rate of about 1,000 a month. That will give us some idea of the magnitude of this proposition from the mere standpoint of the treatment of the ex-service men by the Public Health Service either in hospitals or in a private capacity.

On the 1st day of May there were in the Vocational Rehabilitation Section, as applied to the ex-service man, actually in training, 72,056, under section 2, and a total of 86,860 men had entered section 2 training since the passage of the law. The number who had entered training on the 1st day of May, 1921, under section 3 was 10,698. There were 87 who had come under the Elks' fund, which was provided for by the Benevolent and Protective Order of Elks, a fund of \$250,000, which was advanced to ex-service men to enable them to receive treatment; but that was discontinued on the 1st day of March and is not longer available. The number in training under section 3 on May 1 was 7,958. The number of men on May 1 eligible for training under section 2 was 124,948, and the number eligible but for whom training is not feasible was 18,219. That means that their cases have already been passed upon and that they are eligible for training. They have had their cases submitted, but for one reason or another, either by reason of ill health or other circumstances, training is not feasible. Many of these men are suffering from tuberculosis and are unable to undergo training provided for by the Federal board. There are 18,219 The number of men eligible for training under section of them. 3 of the Vocational Board on May 1 was 82,818, and there were in training 7,958. The number of men who have declined training as of May 1 was 5,982, and the number who postponed training for one reason or another was 19,433. The number whose training has been completed as of May 1 was 3,562. The number whose training has been discontinued as of May 1 was 2,565. The number whose training had been interrupted for one reason or another-some of them received employment and had gone out in order to make money to tide them over-was 7,994. number of men who died while undergoing training was 883, and the total number who had applied in one form or another for training under the Federal board as of May 15 was 357,877.

When you consider the number of treatments which have been given by the Public Health Service, as I recounted them a moment ago, and the number of men now in hospitals under the care of the Public Health Service, the number of treatments that have been given to men either in hospitals or in private capacities, and the number of applications that are being filed every month for hospital treatment, and considering that up to May 15 of this year there have been more than 350,000 applications for vocational training under the Federal board, gentlemen will get some idea of the magnitude of the

task which now confronts the people of the United States and the Government of the United States in dealing with the exservice men, and this does not take into account the number being compensated and insured under the Bureau of War Risk Insurance.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. FESS. As I understand the figures, there are 72,000 who are eligible under section 3 and only 7,000 have entered. Section 3 does not pay allowance fees. The question was raised and has been strongly recommended that we eliminate section 3 altogether and include all applicants under section 3 the same as under section 2.

Mr. BARKLEY. That suggestion has been made, and while I have not gone into the matter deeply I am inclined to favor that amendment to the law, because it is true that in all probability there are many men who are not able to qualify under section 2, because the board can not find that they are not able to perform some gainful occupation, because many of them have been engaged in occupations that did not require great physical effort and they have been able to go back to those occupations, and where that is true the board declines to grant training under section 2. Yet nobody can tell when in the future the particular disability under which the man is suffering—although it may not deprive him of his occupation now-may deprive him of that occupation. It may occur two years or five years or any other period from now. The injury from which he suffers may make it wholly impossible for him to perform all of the duties of his lifetime occupation in the future, and certainly think the Federal board ought to have the power under these circumstances to grant men training under section 2 of

Mr. FESS. The criticism is against the law and is not against the Federal board.

Mr. BARKLEY. No. I am inclined to think that the Federal board has in many cases construed section 2 liberally, and I am not surprised if they have permitted their humanity to allow them to be very liberal and in some cases have stretched the law a bit in order to grant section 2 training to these men, and I think in every such case it has been justified.

Mr. FESS. Our committee passed favorably upon this sort of

measure last session.

Mr. BARKLEY. Yes.

Mr. FROTHINGHAM. Mr. Chairman, will the gentleman yield?

Mr. BARKLEY, Yes.

Mr. FROTHINGHAM. Along the line of hospitalization in section 9, does that put all these hospitals under the War Department, the Navy Department, and the Interior Department under this bill?

Mr. BARKLEY. No.

Mr. FROTHINGHAM. It says he is authorized to utilize the now existing or future facilities, and then it says they must furnish such facilities as the director may deem necessary. My question is whether he is to be the final arbiter?

Mr. BARKLEY. The hospitals which are in the Army, Navy, and Interior Department are not to be under the jurisdiction of the veterans' bureau, but wherever the hospitals of the United States Government, either under the Public Health Service or under the veterans' bureau, are not sufficient to care for the men under the jurisdiction of the veterans' bureau, the director is authorized to utilize any other hospital facilities in any Government department—that is, the War, Navy, or Interior Department—but whenever a patient is put in these hospitals he is under the jurisdiction of the department which has control of the hospital, except that the director, of course, is presumed in advance to make regulations and to make agreements with the hospitals how they are to be cared for. But the hospital itself remains under the jurisdiction of the War, Navy, or the Interior, as the case may be.

Mr. FROTHINGHAM. Will the gentleman yield for another question?

Mr. BARKLEY. I will yield further to the gentleman.

Mr. FROTHINGHAM. I possibly did not make my question clear. What I meant was in case the hospital authorities of the Navy or the War Department said they had no room for these men, who is to determine—

Mr. BARKLEY. Section 9 does not give the director any power to commandeer hospitals that are under the Army or the Navy. It simply authorizes him to make use of such Navy and Army facilities as are available, and, of course, that is to be done by agreement with the department. It is upon a request for hospital service made by the director.

Mr. FROTHINGHAM. May I ask the gentleman's attention? I am all for this bill-

Mr. BARKLEY. I understand.

Mr. FROTHINGHAM. It further says "and such governmental agencies are hereby authorized and directed to furnish such facilities," and so forth, "as the director may deem neces-What I wanted to bring out was that if there were any doubt as to the ultimate authority here it might be a good idea to clear it up, and it seemed to me there was a doubt.

Mr. BARKLEY. Of course, if there are vacant hospitals under the War Department and the Secretary of War arbitrarily refused to put them at the disposal of the veterans' bureau, that would be an arbitrary action which I think could be cured by an order from the President himself, if necessary. If the veterans' bureau made a request for certain hospital space in the Navy Department, and they had no available space, and they made such a report to that effect, this law was not intended to give the director power to go and take it anyway. These departments are supposed to cooperate with one another, and we undertake to make these hospital facilities available to the veterans' bureau whenever needed, and I think it may be expected that the heads of the departments affected will work in harmony with respect to that matter,

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. BARKLEY. I do.
Mr. SUMMERS of Washington. It seems to me the question raised by the gentleman to my right is no more violent assumption than the thing we have been going through as in the case where the Army had barracks, for instance, that had not been occupied for 10 years or more, still they would not relinquish them for hospital purposes. If it is assumed that the War Department will more readily yield a portion of the hospitals which are now occupied than to yield barracks which have not been occupied for 10 years and for which it has no plans for

further occupancy, that is a question.

Mr. BARKLEY. Well, this law specifically authorizes the director to call for this hospital service, and if any department should arbitrarily refuse to comply with such request, it would be a recalcitrant department in refusing to comply with a reasonable request when there was no reasonable ground for

refusing

Mr. SUMMERS of Washington. That is just what happened in the case to which I referred, and I can name an instance, if the gentleman wishes.

Mr. BARKLEY. I do not want to take up too much time

on this matter.

Mr. SUMMERS of Washington. Request was twice made, but they could not get them to make a transfer. It was only by

act of Congress that we got those barracks,

Mr. BARKLEY. Congress can not make a transfer in this case by act of Congress, because we can not see far enough in the future to foretell what Army and Navy hospital facilities will be needed, but we are giving the director power to call upon the Army and Navy for these hospital facilities, and then if the Army and Navy should refuse, I think the President could order the Secretary of War to grant such facilities.

Mr. SUMMERS of Washington. This debate ought to make

The CHAIRMAN. The time of the gentleman has expired. Mr. BARKLEY. I will yield myself 15 minutes additional. Mr. ROGERS. Will the gentleman yield for a question?

Mr. BARKLEY. I will yield to the gentleman from Massa-

Mr. ROGERS. Assume that the Secretary of War, having control over certain hospitals, as a measure of protection against a possible epidemic or anything of the kind, thought he ought to have a margin of 50 per cent reserve of vacant beds in order to take care of possible future emergencies. Suppose, on the other hand, the director of the veterans' bureau thought that that margin was unreasonable and they could not get Is it the view of the gentleman from Kentucky, who has had much to do with the framing of this bill, that that controversy would be settled by the President of the United

Mr. BARKLEY, I think he could settle it. Of course, it is a rather violent assumption, I think, to say that either the director of the bureau or the Secretary of War would be un-reasonably arbitrary about the matter. I concede the director has no power to go there and take by force of arms any hospital beds that may be under the jurisdiction of the War Department, and I do not know of any law that we could enact that would empower the director forcibly and physically to take any hospital that is under the jurisdiction of the War Department.

Mr. ROGERS. The War Department is directed to furnish such hospital equipment, and so forth, as the director may deem necessary. In other words, it seems to me the authority. is with the director, and you take it away altogether, in case of controversy, from the Secretary of War in a case of that

Mr. BARKLEY. If there were available beds and hospitals, the demand of the director would be paramount to the arbitrary refusal of the Secretary of War, but if the Secretary of War in good faith reported he had no hospitals available or that he could not dispose of men in hospitals and put them somewhere else in order to make room for patients of the veterans' bureau, I do not think this law would confer on him absolute power to go and take them anyway.

Mr. ROGERS. I am afraid the law does that thing; that is,

it enables the director to rob Peter to pay Paul,

Mr. BARKLEY. You have got to construe this with a reasonable degree of assurance that the War Department and the bureau will act in harmony and with reason. arbitrary refusal on the part of the Secretary of War to grant hospital facilities where they existed would give the power to take them, or take some action on the part of somebody, either by prosecution of the delinquency of the officer who made the refusal or otherwise.

Mr. ROGERS. The controversy is founded on good faith on

each side.

Mr. BARKLEY. But the gentleman will recognize that Congress can pass no act that will bring these proprieties about or guarantee against controversy.

Mr. BANKHEAD. Will the gentleman from Kentucky yield? Mr. BARKLEY. I will yield to the gentleman from Alabama. Mr. BANKHEAD. In my experience a great deal of delay with these cases has been caused by reference by the Bureau of War Risk Insurance to The Adjutant General's office to secure the military record of these men. Has any provision been made in the pending bill to facilitate the disposition of these War Department records for the benefit of the new director in order to save time in reference to the military records of these dis-

abled men, and if so, what?

Mr. BARKLEY. The bill does not contain any provision so far as the War Department is concerned with reference to these records. Of course the gentleman will realize that the only place under the Government now where the military record of any ex-soldier of any war is kept is in the War Department. The Pension Bureau is compelled under the law as it exists now, and as it has always existed heretofore, to refer to The Adjutant General's office in order to get the military record of any soldier in the Civil War or any other war. It might be a good thing for convenience if there were some provision by which the military records of all the men in the World War were turned over to the Bureau of War Risk Insurance. But the gentleman will recognize the fact that that would entail a lot of unnecessary work, because the bureau and the War Department can not know in advance who is going to make a claim under the law, either for compensation or hospitalization, or insurance, or anything else, and in order to give the bureau the benefit of these records without asking the War Department for them it would be necessary to file with the bureau copies of the records of all the soldiers of the war for the benefit of only those who will apply for assistance.

Mr. BANKHEAD. I appreciate the difficulties in the proposition, but when you decentralize an existing agency and distribute it into 14 State agencies, I feel that you are going to have a great deal of delay in consulting the records in The Adju-

tant General's office.

Mr. BARKLEY. I desire to refer to another thing in connection with the war risk insurance laws.

Mr. WILLIAMSON. Will the gentleman yield?

Mr. BARKLEY. I will,

Mr. WILLIAMSON. There was a great deal of discussion a couple of months ago about centralizing the hospitalization service here at Washington. Was that gone into by your committee? Is it the idea to distribute this hospitalization in the neighborhood of where the soldiers are, and where they need assistance of this kind, or is it your intention to centralize the hospitalization?

Mr. BARKLEY. There is no intention to centralize the hospitalization, so far as Washington is concerned. You realize that these ex-service men are scattered all over the United States in about twelve hundred or thirteen hundred different hospitals or institutions. Not only are they in hospitals, but some of them are in county institutions-not very many, but some have been. In some cases they have been placed in care of the county almshouses. Now, the object of this bill and the

veterans' bureau is not to keep the men in twelve hundred or thirteen hundred hospitals, but to centralize them as much as they can, allowing the men to be hospitalized as near to their homes as is possible and practical. I want to say right here that I do not think any Government anywhere ought to suffer one of its ex-service men who has been injured in the war to be placed in a county almshouse in order that he may receive any sort of treatment. It has not been the fault of Congress; it has not been the fault of any of these bureaus that it has been done; it has been the fault of a system that was created in a hurry when we were in the midst of war. And I want to say this for the War Risk Insurance Bureau and for the Federal Board for Vocational Education and the Publie Health Service, that I think, considering the limitations and division of authority, they have done wonderfully well in most cases in providing accommodations under the law for the men.

Mr. DENISON. The statement of the gentleman from Kentucky just now arouses my interest and has been somewhat shocking to me. What evidence have you of the fact that any of the disabled veterans were put in these almshouses: would be glad if the gentleman from Kentucky would inform the House where that took place, who were put there, and who put them there, in order to see if we can find who is responsi-

Mr. BARKLEY. I am unable to give the specific cases. But it was asserted on the floor of the Senate a number of times that that has been the case, and it has been stated frequently elsewhere. I know that men have been placed out in State asylums who were suffering from mental derangement due to the war.

They have been placed in insane asylums by arrangement between the Public Health Service or the Bureau of War Risk and the State which operated the asylum. Men have been placed at St. Elizabeths Asylum out here in the District of Columbia.

Mr. DENISON. There is no other proper place to put men who are mentally deranged except in an institution of that kind. This bill provides that if there are no Federal institutions of that kind available, then the director of the veterans' bureau is authorized to make arrangements with State and county institutions and get the use of those very institutions.

Mr. BARKLEY. I do not claim the Government can establish all of its own insane asylums, but still I think it is a reasonable statement to make that men who have been suffering not merely from mental derangements that would entitled them to be sent to an asylum or to such institutions controlled by the States, but men suffering from physical ailments have been placed in those institutions, and I think the gentleman will recall a good deal of indignation on the part of ex-service men and others interested in their welfare because men have been placed in those institutions who ought to have been placed in hospitals for the physical treatment of men, and not for their mental treatment. I am not undertaking to arraign the bureaus, but trying to show that all the institutions necessary for the mental, physical, and financial care of these men ought to be combined under one head.

Mr. KINDRED. Mr. Chairman, will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. KINDRED. The gentleman does not advocate that the Government should own all the hospitals for the insane, does he? Mr. BARKLEY. I do not, but under this bill they could do

Mr. KINDRED. Does not the gentleman think that there will be more uniformity and efficiency of treatment and better results and higher standards, of which the ex-service men will get the benefit, if the United States Government does own and control the asylums?

Yes; I think that would probably be true, Mr. BARKLEY. although it would be physically impracticable for the Government to own or to build all the hospitals that may be needed for the ex-service men in the future, because if the Government did that it would come into possession of a lot of extra hospitals and have them on its hands when they are not needed, and if some private or State institutions are well equipped for the care of these men there is no objection to an arrangement being made between the Federal Government and the States to provide for their treatment. But I can not work myself up to believe that these men ought to be farmed out at so much per head per day to every kind of outside institutions.

Mr. KINDRED. Is not that a good argument in favor of the Government owning such institutions?

Mr. BARKLEY. It may own some, but perhaps not enough to care for all those who need treatment at present. But they should be placed in suitable and well-equipped institutions.

Mr. KINDRED. Are not all the existing institutions of that character that are controlled by the States and cities now so overcrowded that the ex-service men can not receive proper treatment in them?

Mr. BARKLEY. Well, in some sections of the country that is probably true.

Mr. SPROUL. Mr. Chairman, will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. SPROUL. I can probably answer my colleague's question that was asked a moment ago, if there are any cases of exsoldiers now being taken care of in county institutions. I want to tell of one institution in Illinois, the Oak Forest County institution. When I left there some months before it had 14 tuberculosis cases in that county. Of course, they were taken care of by the Federal Government, but it was in a county institution that they were being cared for. The boys objected to it. While they were getting good treatment there, still they did not like the idea that their friends were being taken care of in a county institution.

Mr. DENISON. Mr. Chairman, will the gentleman yield?
Mr. BARKLEY. Yes.
Mr. DENISON. I may have misunderstood as to exactly what the gentleman meant by the term "county almshouse" when he used that expression.

Mr. BARKLEY. I will say to the gentleman that that is an old-fashioned expression that has been changed recently. I think they do not now call them "almshouses" but "county sanitariums.'

Mr. DENISON. I had the idea in my mind, when I heard the gentleman make his remarks, that he had reference to an ordinary almshouse or poorhouse, and I was shocked at the statement he made, and I thought that he meant that these men were put there by their friends and that it was because this Government would not take care of them.

Mr. BARKLEY. The gentleman will realize that the word "almshouse" may have been injudiciously used, but it is really the truth, because in connection with the county aimshouse, which we used to call "the poorhouse," and which is now called the "county sanitarium," they have in many counties added a tuberculosis ward to the county sanitarium. But as the poet Says

You may break, you may shatter the vase if you will, But the scent of the roses will hang round it still.

It is still an almshouse, and the county poor go there by order of the court, and the ex-service men have been placed in those institutions that are called "sanitariums," and they and their friends have objected to that.

Mr. SWEET. I may say that in sending them there they have not been sent as paupers, but the Government is paying

for their care and treatment.

Mr. BARKLEY. Yes. They have not been sent there as charges upon the county, but the effect is just the same. effect in going there is just the same, whether the United States is paying for it or the county.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. BARKLEY. Yes. Mr. FESS. I think the idea which the gentlemen of the House got from the statement of the gentleman is that the Government was neglecting these men, and that they had become wards of the county.

Mr. BARKLEY. No. What I meant was that there ought to be institutions of a high character in the United States where the Government could place these men without putting on them the stigma of being treated or trained or maintained in a county institution.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. BARKLEY. Yes. Mr. SNYDER. I think the gentleman has the wrong idea about these county asylums and tubercular hospitals. In my own State every county must have its tubercular hospital. In my own county we have erected one with a sanitarium at a cost of \$350,000. I recently made arrangements with the War Department so that we can get forty-odd tents to accommodate additional patients, and many of them are such men as you are talking about, for whom the Government is paying \$20 a week. They do not understand that they are going to a county almshouse. It is a high-class county institution.

Mr. BARKLEY. It may be a high-class county institution, but that is not true in all the States.

Mr. SNYDER. The patients pay, and can be forced to pay. And that is a very proper thing. It permits the soldier to have proper attention nearer home than he would have if he were carried away to some distant institution. There are two sides to this question, and I think they ought to be understood.

Mr. BARKLEY. There are many institutions of this character where men are perfectly willing to go, but they ought not to be compelled to go to institutions whose chief function is to

minister to the poor of the county.

Mr. SNYDER. Another thing, if the gentleman will permit. There have been cases where soldiers and sailors have had to go to almshouses for treatment because there were no other places for them to go in the immediate locality.

Mr. BARKLEY. In those particular cases they did not go under the orders of the United States Government.

Mr. SNYDER. But sometimes they have gone on account of the laxity and slowness of your War Risk Bureau in taking up cases to which their attention has been called.

Mr. BARKLEY. A lot of things have had to be done in the past that we hope will never have to be done again.

Mr. SNYDER. I agree with the gentleman.
Mr. BARKLEY. And that is the reason we are here with the bill, to make it unnecessary in the future to do things which were done before.

Mr. SNYDER. I hope it will work out that way. Mr. MacGREGOR. Will the gentleman yield?

Mr. BARKLEY. I yield to the gentleman from New York.

Mr. MACGREGOR. I have a very high regard for the gentleman's opinion. I should like to ask him about this. One of the criticisms has been that the Public Health Service has failed to function in connection with the War Risk Insurance It seems to me that the provision in the first bill, H. R. 3, was much more effective than the provision in the bill that is now under consideration. Can the gentleman give any information as to the degree to which the Public Health Service under this bill will be under the direction of the director of the veterans' bureau, so far as the care and attention of the

men is concerned?

The director of the veterans' bureau is re-Mr. BARKLEY. quired to make regulations under which these men are to be hospitalized. Now the hospitals of the United States are put under the jurisdiction of the Public Health Service. We do not in this bill seek to rob the Public Health Service of the control of the hospital itself. Of course, when the men are placed there under orders of the director of the veterans' bureau they will be under the care, jurisdiction, and control of the Public Health Service, in so far as the actual hospitalization is concerned, subject to the regulations for the proper care of these men that may be made under the jurisdiction of the veterans' bureau. Now, the complaint heretofore has not been so much as to the treatment that the men have received after they got into the hospitals. The complaint has been that they were not properly placed there, or that the public-health examiners out over the country have not been as diligent as they might be in some cases in sending the examination papers to the bureau to be passed upon. But I do not recall that there has been any widespread complaint against the treatment these men have received after they have been placed in the hospitals under the jurisdiction of the Public Health Service. Has the gentleman from Iowa [Mr. Sweer], who is the author of this bill, received any very widespread complaints as to the treatment of the men after they have been placed in the hospitals?

Mr. SWEET. I have not, after they have been admitted to

Mr. BARKLEY. The trouble has been heretofore the delay and the confusion and the uncertainty, after men made application for hospitalization, up to the time they were placed in the hospitals; and I think the Public Health Service is of such a character and I think it has stamped itself upon the Government of the United States as being of that character of efficiency, so far as the operation of the hospitals themselves is concerned, that there will be no complaint against the Public Health Service, so far as the treatment of these men is concerned, after they are placed in the Government hospitals.

Mr. MacGREGOR. When a man needs treatment he has not got to be examined by the examiner of the Public Health Service and wait months and months before he gets into the hospital?

Mr. BARKLEY. The Public Health Service does not get control of him or have anything to do with his examination until after he is put in the hospital by the veterans' bureau.

Mr. SWEET. Not until after his assignment to the hospital

by the veterans' bureau.

Mr. BARKLEY. All the preliminary steps are taken by the new veterans' bureau, and the Public Health Service comes

into play after the man has been assigned by the bureau to a

particular hospital for treatment.

Mr. SWEET. And right in that connection, the new veterans' bureau follows up the matter by way of inspection, and if the man does not receive proper treatment the veterans' bureau has the right to take that man and place him in some other hospital and give him the treatment to which he is justly entitled.

Mr. BARKLEY. Yes. Mr. KINDRED. If the gentleman will permit me, I wish to say that I have had unusual facilities to investigate personally the wonderfully efficient work of the Public Health Service, and I not only wish to indorse unqualifiedly what the gentleman from Kentucky [Mr. BARKLEY] has said with reference to the admirable achievements of this service, but I wish to ask if it is not true that the Public Health Service has laid the foundation for any development of this work which may take place in the future?

Mr. BARKLEY. I think that is correct.
Mr. ROGERS. Will the gentleman yield?
Mr. BARKLEY. I yield to the gentleman from Massachu-

Mr. ROGERS. Along the line of the inquiries that the gentleman has just been dealing with, I have read section 4 to mean that all present public hospitals would be transferred bodily to the veterans' bureau, and that after that transfer had been completed and patients assigned to those hospitals the care and treatment of the occupants would in all respects be under the control of the veterans' bureau and its staff. Am I incorrect in that?

Mr. BARKLEY. The gentleman is not correct about that. It is not the object of the bill to attempt to turn over bodily the

physical property of the hospitals.

Mr. ROGERS. The gentleman will observe that the language

All property and equipment, including leases, contracts, and other obligations of the United States Public Health Service, are hereby transferred to and made a part of the veterans' bureau under the control, management, and operation of the director.

Mr. BARKLEY. The part of the language that applies to the Public Health Service is described in the order issued by the Secretary of the Treasury April 19, 1921. It is only that lan-

guage included in the order of the Secretary.

There is one other thing I desire to call attention to, and I ask not to be interrupted until I complete my statement about that. I think sooner or later the Congress will have to codify the laws with reference to the war-risk insurance and vocational train-If a soldier tries to find out what the law is as to warrisk insurance, he must read six different pamphlets embodying five or six amendments before he knows what the law is, and then he can not be certain but must consult the bureau and ask how it has been interpreted. The same is true about the voca-tional training laws. I think the committee that reported this bill and Congress will have in the very near future to bring in a bill to codify, unify, and consolidate all the laws on the statute books with respect to the treatment and care of the ex-service men, so that when a man desires to find out what his rights are he will not have to wade through the acts of several Congresses to find out what the law is.

Now, I want to take a few moments in reference to decentralization provided for in this bill. The great complaint which has come to all of us in the past has been that a man did not know whether his rights were to be passed upon by the War Risk Insurance Bureau, the Public Health Service, or the Vocational Board. They would write to one bureau and perhaps would not receive an answer for a month. They would write to another bureau and receive a reply saying it was not within their jurisdiction but within the jurisdiction of some other bureau. So I think that 75 per cent of the criticism which has been heaped upon the various functions and 75 per cent of the delays have been caused by this division of the service in Wash-

ington.

The time that was lost, the slack that was created by reason of the fact that men did not know where to apply for a remedy, and by reason of frequently applying to the wrong place and getting no information at all, or if they did get any it was wrong information, was what caused much of the complaint. So that the demand has been that the bureaus not only be consolidated in Washington but that they be decentralized out in the field. The reason that has been urged for that has been that there would be somebody in the field who would come in personal contact with the claimant, whether it be for hospitalization, compensation, insurance, or vocational training. We have provided in this bill for what the War Risk Insurance Bureau has asked for, what the American Legion has asked for, and what the organization of disabled soldiers has asked for-the decentralization creating 14 regional bureaus out in the field. We have given the regional officers power to act finally upon all kinds of claims. If there is an office in Cincinnati it may act finally on every claim for compensation, insurance, or vocational training or for hospitalization. Of course, it is not intended that the office here in Washington shall become merely a bureau for the purpose of preserving the papers. The law places on the director primary responsibility for enforcing the act. It makes the director primarily responsible for seeing that all the provisions for the rights of these ex-service men are granted to them under the law, and it provides also that the 14 regional offices shall have not only power to pass finally upon all claims but such other powers as may be delegated to them by the director here in the central office. There must be uniformity among the regional offices, and the regulations for the regional offices must be provided by the central office created in the city of Washington.

Mr. MASON. Will the gentleman yield?

Mr. BARKLEY. I will yield to the gentleman.
Mr. MASON. The gentleman was speaking just now of the power of the regional offices. I am informed that the full committee struck out of the report from the subcommittee a provision whereby the regional offices would have the power to pass upon these applications for insurance, vocational education, and training, which seems to be very unsatisfactory to those in the association.

Mr. BARKLEY. The gentleman is mistaken in one respect. The committee left with the regional offices full power to act finally in all cases, but it did eliminate from the bill as reported by the subcommittee a provision which gave the suboffices power to act finally on claims for compensation, insurance, and vocational training. I will say that the reason why that was eliminated was this: I think there is a mistaken idea about the speed that will be brought about by allowing suboffices to have final jurisdiction. If they have final jurisdiction, there is no reason for having regional offices, because if a suboffice can pass finally on a claim there is no reason why it could not be sent directly to the bureau in Washington. There would be no reason for delay in reporting to the regional office and have it lay there for a number of days or weeks and then have the regional office report to Washington before the man could be paid. Now, here we have left with the regional office full power to pass finally upon all these claims. I do not think anybody can contend successfully or wisely that every agent of the bureau who is sent out to examine a case and report about it, and every employee who may be in the field, should have the right to make a final award. If that was true, an examiner who goes to the home to find out some information as to the degree of disability would have the right to make an award on the spot. But all checks must be issued in Washington; no matter how many suboffices or regional offices you have, the checks will be issued in the city of Washington. The bill provides that the suboffices shall perform all the duties delegated to them by the director, except to make final awards of compensation, insurance, and vocational training. They can grant hospitalization and do any other thing that may be preliminary to the granting of compensation, insurance, or training.

Mr. MASON. This is a new question to me, and I have been

approached upon the subject only this morning, but will it not really add to the delay and red tape that may be applied in

delaying action on these cases?

Mr. BARKLEY. The gentleman has asked the question that has bothered a good many of us, and I am going to be frank to say that if every application for compensation or any other right that a man is entitled to must be passed on by a cumbersome suboffice, where there must be a board of experts, if they are given the right to pass finally, which will consider the evidence, and then there is delay in the suboffice, and it is passed up to the regional office for review, where there will have to be another board of experts to review it, and if it is to be delayed there and then sent to Washington before the man is paid, I think in all probability there will be more red tape created than we are undertaking to do away with in this bill: but what we are seeking to do is to have a force of men in the field who can come in close contact with these men, help them in advice, furnish them papers and forms of every kind, and assist them in filling them out, and then have the regional board in the particular section of the country empowered to pass on the claim, so that the man will know without needless delay that he is to receive either compensation, training, or hospitalization, as the case may be.

Mr. SANDERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. BARKLEY. Yes,

Mr. SANDERS of Indiana. I would suggest that the gentleman from Illinois [Mr. Mason] probably obtained his information from a letter that was sent to the Members of Congress by the national commander, Mr. Galbraith, and it might be well to state that the national commander was inaccurate in his statement of the provisions of section 6, because there had been a tentative change made, and he got the language of the tentative change, and he does not state in his letter accurately the provisions of section 6.

Mr. BARKLEY. I do not recall exactly the language of the letter.

Mr. SANDERS of Indiana. The facts are that we limited the jurisdiction of the suboffices, and the jurisdiction of the regional office remains.

Mr. BARKLEY. That is not quite accurate. We limited the jurisdiction of the suboffices in three instances. They can not make a final award for insurance, compensation, or vocational training, but they can act finally on hospitalization or any other thing that the director may delegate to them except these three things. It is my hope that that will work in the interest of speed. I think those who desire final action in all cases by these local suboffices will find that there would be more delay than under the bill as we have reported it, because I assume no one would confer upon every employee who happens to be in a suboffice or upon any examiner in the field the right to pass finally on these claims without having them reviewed somewhere. If they are to be reviewed anywhere, they ought to be reviewed in the regional office which has general supervision and jurisdiction over the suboffices within the particular regions, and I think that the creation of the suboffices with power to aid the men, with power to help them fill out their papers, to give them information and help, and come in close contact with them and make recommendations to the regional board, so that the regional board may act finally, will bring about more speed and satisfaction than any other system that we have been able to devise.

Mr. SANDERS of Indiana. I quite agree with my colleague, but I think it ought to be called to the attention of the House that the letter of Mr. Galbraith inadvertently does not state the facts accurately

Mr. BARKLEY. I read the letter hurriedly this morning, and I want to say that I think Col. Galbraith is acting in entire good faith.

Mr. SANDERS of Indiana. I am sure he is. Mr. BARKLEY. When the Wason bill was passed in the last Congress, providing for regional and suboffices, there was no such jurisdiction conferred upon the suboffices as that of passing finally on all claims, and at that time that provision was not requested. I remember the testimony of the Director of the Bureau of War Risk Insurance and all of the men who came before our committee, urging the decentralization system, the creation of 14 regional offices, and suboffices, and the belief was that it afforded an agency that would come in direct contact with the men and would do away with the unnecessary delay caused by mistakes made that were sent into Washington, which had to be sent back to the men, to be corrected, before they could have their claims passed upon.

Mr. MacGREGOR. Mr. Chairman, will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. MACGREGOR. Is there a right of appeal from these

regional offices to Washington?

Mr. BARKLEY. Yes. Every man who has been given compensation, hospitalization, or vocational training, and every man who has been refused either of these benefits, can appeal his case to the director in Washington.

Mr. MacGREGOR. I think we want somebody here, where we can get him by the neck, and not have him away off in New

York or some other place.

Mr. BARKLEY. Otherwise you would have 14 different standards of compensation in the various districts. There must be a uniform system, and it will be operated under general rules and regulations that will be promulgated by the director in Washington.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. BARKLEY. Yes. Mr. McKENZIE. I am satisfied that every man in the House is in sympathy with the purpose of the committee in trying to get speedy action, but I question very much whether we will get it by this system of decentralization unless there is some direction to the director to detail men from the office here who have had experience to the various substations. If we are going to continue the force that we have down here now, that is partially trained, and then create 14 additional offices and fill those offices with untrained men and women, I can see where the soldier will not get any relief.

Mr. BARKLEY. I would say to the gentleman that this bill gives the director carte blanche, so far as that is concerned. The personnel of the present bureau is turned over to the new bureau, and he is not limited in this bill as to the number of employees or as to the skill of the employees or as to the compensation which he is to pay them. We have given him absolute jurisdiction over the employment of experts and the employees of the bureau, and also have given him authority to fix their compensation.

Mr. McKENZIE. If the gentleman will permit, it seems to me that the Members of Congress who have had the experience which we have had in the past are quite competent to direct the director, no matter how great a man he may be, to use some

of the men who have had experience.

Mr. BARKLEY. I do not know whether we could direct him to use Bill Jones by name in this bill, but he has the power to use Bill Jones if Bill Jones is a good man, or the power to fire him if he is a bad man. There are no doubt a lot of men and women who ought to be kept and no doubt there are a number who ought to be done away with, and the director will have absolute authority in respect to that.

Mr. PARKER of New Jersey. Mr. Chairman, will the gentle-

man yield?

Mr. BARKLEY. Yes.

Mr. PARKER of New Jersey. I spent four days on the passage of the war risk act.

Mr. BARKLEY. The gentleman spent it very ably and it

was of great advantage.

Mr. PARKER of New Jersey. What I want to ask it this: can see the absolute advantage of the field force in getting information, but what advantage is there, after the field force have the information, in not sending it to the department here in Washington and having all the regional departments, if you please, right here where we can get at them?

Mr. BARKLEY. The proposed advantage of that is this The regional office will be in close contact with all of the field men gathering information. When they have gathered the information they can send it to the regional office more rapidly

than to Washington.

Mr. PARKER of New Jersey. How? Does not the mail

come here as quickly as anywhere else?

Mr. BARKLEY. What we are trying to do is to humanize the service and bring the official functions of the Government into as close personal contact with the men as possible.

Mr. PARKER of New Jersey. When you have done that, have not you taken away close personal contact from all inquiry by the Member of Congress so that when he asks some-thing about any case he is told, "Wait until we get a report

from the regional office"?

Mr. BARKLEY. I think probably there will be more delay on the part of the Member of Congress obtaining information in a given case, but only about one out of every thousand cases is ever brought to our attention; and all the other nine hundred and ninety-nine are expedited by reason of this

Mr. PARKER of New Jersey. Will it speed it up when every final award will have to be sent to Washington and reviewed

Mr. BARKLEY. There will be no review, except the award will be sent here for the purpose of payment and to keep the record of the files in Washington. The man will be notified of

the award there from the regional office.

Mr. HUDSPETH. Will the gentleman yield?

Mr. BARKLEY. I will.

Mr. HUDSPETH. I am sure the gentleman has studied this bill. I find now they are distributing these tubercular soldiers throughout the West, and orders come for them to be transferred to some other place. Many of them in my district have flooded me with telegrams asking where under the terms of this bill the disposition of that matter will be. Is it in the director or is it put under the regional head of that division?

Mr. BARKLEY. Well, of course it will be under the general direction of the director under the regional office in that section That is, they will have the power under regulaof the country. tions from the director here to take this man out of one hospital and put him in another if they see fit. The subofficers can do that because they will have jurisdiction to grant hospitalization. In other words the suboffice in the State of Texas—there might be more than one-but, however many there may be, they will have jurisdiction finally to pass upon the cases of hospitalization, and they can remove a man from one place to another, If they think he does not receive the kind of treatment in one place they can send him somewhere else.

Mr. HUDSPETH. Will their decision be final in the matter? Mr. BARKLEY. If the soldier is dissatisfied he can appeal to the regional office, and if he is dissatisfied with that he can appeal to the director here in Washington.

Mr. RHODES. Will the gentleman yield for a question?

Mr. BARKLEY. I will yield.

Mr. RHODES. The gentleman from Indiana [Mr. Sanders] a few moments ago stated that Mr. Galbraith was inaccurate in his reference to an amendment to section 6 of the present bill. I have Mr. Galbraith's letter before me, and it makes this statement, "except to make compensation and insurance awards and grant vocational training." I will say to the gentleman that these are the exact words that appear in section 6 of the pending

Mr. BARKLEY. Yes. Mr. RHODES. In fact it would appear when you divest the field office of the authority to do these three things there would not be much left for it to do.

Mr. BARKLEY. I do not care to get into a controversy as to the interpretation of the letter of Mr. Galbraith. I have not compared his letter with section 6 of the various bills. But I am sure if he has made any inaccurate reference as the gentleman from Indiana [Mr. Sanders] contends, it was uninten-

Mr. SANDERS of Indiana. If the gentleman will permit, I took the trouble this morning to compare the section which Mr. Galbraith suggests in his letter with the section in here. It is not the same section. Mr. Galbraith is in entire good faith with regard to the matter because the section as it appeared at one time when we were working on it was the one given to him. It appeared in H. R. 3, a bill introduced by Mr. Sweet.
Mr. BARKLEY. That is in reference to House bill No. 3,

which was the original bill introduced by the gentleman from

Iowa at the beginning of this session.

Mr. SANDERS of Indiana. But does the letter refer

Mr. RHODES. The language as referred to by the gentleman from Indiana is correctly stated.

Mr. BARKLEY. I think perhaps everybody will be able to

interpret Mr. Galbraith's letter.
Mr. SANDERS of Indiana. Inasmuch as this is a question of accuracy, I would like to be accurate.

Mr. RHODES. I have both the letter and section before me. Mr. Galbraith does not object to section 6 as it appears in the original bill No. 3, and neither does he object to that portion of section 6 in the present bill, but he objects to the amendment which has been added to section 6, which divests the field office of the very thing which of necessity it should do.

Mr. SANDERS of Indiana. I hope the gentleman from Kentucky [Mr. Barkley] will not be impatient, because I want to

get this straightened out at the present time.

Mr. BARKLEY. I will not, but I fear the House may become impatient because of my taking so much time. I yield to the gentleman. I hope the gentleman will go ahead.

Mr. SANDERS of Indiana. It is only for the sake of accu-And if the gentleman will be kind enough to look at the present bill, H. R. 6611, while I read, I think he will see that it is not accurately reported. Here is the language in the letter.

Mr. RHODES. I have it before me.

Mr. SANDERS of Indiana. Look at the bill. I will read the language of his letter:

That the director shall establish a central office in Washington, D. C., and not more than 14 regional offices and such suboffices within the territory of the United States and its outlying possessions as may be deemed necessary by him and in the best interests of the work committed to the veterans' bureau and to carry out the purposes of this act.

Mr. RHODES. That is all right,

Mr. SANDERS of Indiana. That is not what I am asking the gentleman. The language of the letter is not the same as the language of the bill.

Mr. RHODES. And Mr. Galbraith has not quoted that language as a matter of objection, but he says he is in favor of

that language and objects to the following language.

Mr. SANDERS of Indiana. But what I am saying is this, that Mr. Galbraith in his letter quotes section 6 in full, and he does not quote section 6 as it appears in the bill under consideration, but as it appeared in H. R. 3, which is not here. gentleman agrees with me that the language which I read from the letter is not the language that is in the bill?

Mr. RHODES. Does the gentleman agree with me? Mr. SANDERS of Indiana. Does the gentleman agree with that proposition?

Mr. RHODES. That portion of it? Mr. SANDERS of Indiana. Mr. RHODES. I agree with it.

Mr. SANDERS of Indiana. And he further goes on with this

Any such regional office or suboffice may exercise such powers, includ-g the establishment of agencies for hearing complaints and for examining, rating-

Is the gentleman following the bill?

Mr. RHODES. Yes: I have it before me.

Mr. SANDERS of Indiana. And it goes on to say:

and awarding compensation claims; granting medical, surgical, dental, and hospital care, convalescent care, insurance awards, pension awards, and all other matters delegated to these agencies by the director as could be performed lawfully under this act by the central office.

The gentleman does not contend that the language I have read from the Galbraith letter is the same language in the bill?

Mr. RHODES. Not the same identical language.

Mr. SANDERS of Indiana. I merely said this, that Mr. Galbraith's quotation of this was inadvertently inaccurate. I did not mean to cast any reflection on it at all. He was here when we had in the bill what appeared in his letter, and we changed it, and the only difference now is in the suboffices, in that we limit them to 50 and limit their jurisdiction. The regional offices are given the jurisdiction that Mr. Galbraith wants. do not contend that the bill complies with his wishes. It may not. It limits the jurisdiction of the suboffices. They do not pass finally on three different matters. I just wanted to make myself clear.

Mr. FROTHINGHAM. I think that is substantially correct. Mr. RHODES. The three particular things the gentleman mentions are the things that ought to be left in the bill.

Mr. BARKLEY. Personally I think it fair to Mr. Galbraith to say that he feels that the suboffices should have final jurisdiction in all cases if the director delegates it to them. what he undertakes to set forth in his letter.

Mr. RHODES. That is correct.

Mr. FROTHINGHAM. That is what I wanted to bring out in order to elucidate this matter, because Col. Taylor was talk-

ing with me over the telephone this morning.

Mr. BARKLEY. The confusion arises through this fact: At the beginning of this Congress the gentleman from Iowa introduced a bill known as H. R. 3. That is the bill, I think, that Mr. Galbraith refers to in discussing section 6. Later on he introduced another bill, H. R. 6047, which was the result of the deliberations of the subcommittee. Now, this bill that we are considering is the third bill, and which is the bill reported by the full committee.

I apologize to the Members of the House for taking so much time. I am sure that there will be no serious opposition to this measure as a whole, and I express the hope which the committee entertains that after it is enacted and is in operation there will be no just cause for complaint against the new agency which we set up to minister to the needs of all the exservice men who may come within its provisions. This much they are entitled to as a matter of right. We can not do less without failing to meet the requirements of the people and of a just and honorable Government. [Applause.]

Mr. WINSLOW. Mr. Chairman, I yield to the gentleman from

New York [Mr. HICKS].

Mr. HICKS. Mr. Speaker, I doubt if there are any measures now pending in Congress more worthy of enactment, or more deserving in purpose, than the bill now under consideration providing for the centralization under one responsible head of the War Risk Insurance Bureau, the rehabilitation division of the Federal Board for Vocational Education, and that portion of the Public Health Service which deals with the ex-service

At the outset let me quote from Col. Cholmeley-Jones in his report to the Secretary of the Treasury on this matter:

Experience has demonstrated very clearly that it is unsatisfactory to the ex-service men and women, and to the Government alike, to separately administer several distinct services to ex-service men and women. Beyond all question it would be to the mutual advantage of the Government and to its beneficiaries if Congress would consolidate all Federal agencies dealing with ex-service men and women, centralizing responsible authority, appropriations, and disbursements.

I will not review the obligation of the Federal Government to those men and women who formed that vast Army of vicpatriotic Americans, who rendered service at the hour of their Nation's need; neither will I recount the deeds of heroism and sacrifice made by them in defense of flag and The history of their achievements is an inspiration and a heritage for those who follow after. They have done their part. It is for us now to do ours. The pledge we made these men was the promise that the disabled and the dependents of those who laid down their lives should be cared for properly and generously. That was the intention of Congress; that was the intention of the American people. It was not to be an act of charity; God forbid that this great Nation will ever feel for a come a decrease in the number of patients in our military hos-

moment that its defenders are to be considered from that standpoint. These men ask not for alms, but for justice: not for sympathy but for the fulfillment of an agreement, and if men and women ever deserved the gratitude and the generous consideration of our Republic these men and women

Abraham Lincoln touched the true note in his second inaugural address when he spoke of the obligation due those who had borne the shock of the conflict. In that great document he

With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the Nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan, to do all which may achieve and cherish a just and a lasting peace among ourselves and with all nations.

When that utterance was delivered the Civil War was drawing to a close, and Lincoln with prophetic wisdom saw clearly the problems that awaited the disabled veterans and those dependent upon them. Now, more than two years after the termination of another great conflict, we are confronted with problems relating to the service men of this war.

It was and is the purpose of the Federal Government to provide amply for these men. Laws were enacted to carry out this expressed desire, and money was appropriated, but it is evident that the machinery set up to carry out the will of the people is not running smoothly, and therefore should be over-hauled, repaired, or replaced. There has been no controversy hauled, repaired, or replaced. over the fact that the most complete assistance should be granted the disabled and the diseased veterans. Everyone with a heart in his breast, every true American who appreciates valor and sacrifices, agrees to that proposition. The complaints which have been made have not been uttered against the laws passed by Congress for the relief of the disabled ex-service men, nor directed against any neglect of Congress to pass proper laws, but they have been leveled against the manner in which the laws have been carried out and the agencies administered. The delays in making allotments and in adjusting allowance, compensation, and insurance claims have been caused largely by too much red tape and too broad a division of authority.

Testimony discloses that the bureaus created for the benefit of the ex-service men have not functioned properly, and it is the hope and belief of those who are familiar with the subject that under the operation of the veterans' bureau the disabled ex-service men of the country will receive a more expeditious handling and careful consideration of their claims; that they will receive better care, hospitalization, and vocational training.

At a convention of the American Legion, held in Cleveland last September, the following recommendation was passed:

As the work of the Government agencies was being reviewed by our committee and the resolutions presented were being considered, the thought which impressed itself most upon the minds of the committee was the necessity of unifying the efforts of all agencies dealing with the welfare of the disabled ex-service persons. Duplication of effort by Government agencies, differences of opinion, pride of accomplishment, and at times misunderstanding, without one head passing final judgment, is detrimental to the best interests of the ex-service man whom the Government is trying to help. We can not conceive of a greater accomplishment for the American Legion than the securing of the passage of a law which will unify the efforts of all of the governmental

The bill now under consideration seeks to relieve the situa-

tion by accomplishing the following purposes:

1. The consolidation of the Government agencies which have to do with the disabled veterans into one bureau in the Department of the Treasury. This means the War Risk Insurance Bureau, which looks after the compensation of the disabled; the Federal Board for Vocational Education, which seeks to train the disabled to play their parts in the workaday world again; and the Public Health Service, which looks after the ills of these men.

2. The erection of sufficient hospitals to care for the men who

need medical attention.

3. The enactment of legislation providing for the establishment of 14 regional branches of the new central bureau and as many suboffices, not exceeding 50, as may be needed. It makes possible the payment of premiums on the Government insurance through any post office and relieves from the payment of pre-miums on their Government insurance all disabled men in hospitals or taking vocational training and all disabled men temporarily unable to follow any gainful occupation. The bill also extends the time in which ex-service men who have less than 10 per cent disability may apply for hospital treatment from one year after discharge to one year after the passage of the act.

The impression was prevalent that with demobilization would

pitals, but from facts disclosed the tide is evidently running in the opposite direction, and it is predicted that in the very near future there will be 30,000 men, or perhaps 50,000 men, who will need medical attention. The problem of caring for the former service man during the next decade, at least, is one that instead of subsiding will grow with years, for it is estimated that the peak will not be reached until 1926. Comparisons are both interesting and useful, and what has occurred in the past is frequently an index of what may be expected in the future. For the 2,400,000 men who served in the Union Army during the Civil War 579,115 invalid claims were allowed in the 36 years following that conflict. If the ratio holds good for the 4,764,071 veterans of the recent war, then by 1954, 1,200,000 claims for disabled veterans should be granted these younger veterans

On January 1, 1921, the Surgeon General of the Public Health Service stated that there were 19,019 disabled ex-service men under treatment as patients of the Bureau of War Risk Insur-He stated that 10,000 additional beds in hospitals are urgently needed for the care of tubercular and mental diseases. Owing to the lack of hospital facilities service men have been placed in State insane asylums in wards with the criminal and pauper insane. Others have been sent to county institutions for the poor, while others have been sent to crowded private institutions. These conditions must be corrected at once and additional hospitals must be provided. I desire to quote an interesting statement made recently by Dr. Salmon before the Committee on Interstate and Foreign Commerce, which is illuminating and should correct certain unfortunate and unfounded impressions:

There is an impression in some quarters that a great horde of exservice men, some of them seriously sick and some of them slightly sick, are throwing themselves upon the Government to receive the hospital care or compensation, or both. I think every person in this room will be surprised to know the actual proportion of the 4,600,000 discharged ex-service men who are now receiving treatment in any kind of Government hospital or in any hospital at Government expense is just 1 to 230 of that great army of men. In France on the day of the armistice 1 man in 10 of the whole American Expeditionary Forces was in a hospital. At Harvard University to-day 1 man in 50, either in his room or in hospital, is cared for by doctors and nurses. So this army of ex-soldiers, far from throwing themselves upon the Government in great numbers, are for the most part finding their treatment elsewhere.

Realizing the scope of the problem that confronts us we must rehearse certain facts and figures. Figures are dry reading but they sometimes tell graphic tales. For instance, 641,000 men who donned the uniform of the United States during the war hold discharges which indicate various degrees of disability. Already 268,802 of these men have been judged 10 per cent or more disabled and entitled to compensation under the war risk insurance act. More than 125,000 of them have been pronounced vocationally handicapped, and 60,000 of them are re-ceiving vocational training from the Government.

It is estimated that 80,000 men with disabilities traceable to their service have asked and received hospital treatment from the Government. It is said that 5,000 enter the hospitals every month, against 3,500 who leave the hospitals—an increase of 1,500 men seeking hospital treatment every 30 days.

The disabilities of the men have been classified to a considerable extent. Of the 641,000 discharged with disabilities, 46,310 have been classed as tubercular, 76,588 as mental and nervous cases, 75,000 as surgical, 62,869 as eye, ear, nose, and throat cases, 22,847 as miscellaneous, and 229,388 as medical. The rest have not been classified.

I will not recount the tragic cases that have come under my personal notice where neglect, indifference, or delay has caused hardship and suffering. I regret to say that they have been numerous, and bitterness and resentment has naturally resulted. At least half the work of my office is devoted to straightening out the tangles and delays which have worked against the exservice men. It is a pleasure for me to do what I can for these veterans, and from my own personal knowledge I am convinced that there is serious need of readjustment, and therefore, Mr. Chairman, I give my indorsement to the bill now under consideration.

Mr. WINSLOW. Mr. Chairman, I yield 20 minutes to the gentleman from Kentucky [Mr. Robsion].

The CHAIRMAN. The gentleman from Kentucky is recog-

nized for 20 minutes.

Mr. ROBSION. Mr. Chairman, at this point I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Kentucky asks

unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. ROBSION. Mr. Chairman, I have listened closely to a

reported this bill, who have explained this bill in detail. The committee has given months of patient effort and investigation to this measure. This bill as a whole, I am sure, represents in a general way the combined best thought of the men who represent the ex-service men of the World War-the officers who have been administering the laws relating to the hospitalization, compensation, and insurance and the rehabilitation of the exservice men-as well as the best thought of this committee and many persons interested in the ex-service men, who appeared before the committee and testified. While the bill may not be perfect, yet we feel that it will mean a great improvement in the service rendered to the soldiers. I favor the bill, but I should also like to see some two or three amendments adopted when the bill is taken up for the consideration of amendments. I favor amending section 6 as suggested by Col. Galbraith, jr., national commander of the American Legion, and shall support a further amendment which proposes to cut out that section giving the right to hospital officers or others to take away as much as three-fourths of the compensation awarded to a soldier for the infraction of any of the rules of the hospital. This clause should be cut out. We have no right to take away the compensation of any soldier for merely disobeying some rules of a hospital.

I wish to congratulate Mr. Sweet and other members of his committee for their great service to the soldiers in this measure. Under the existing laws the work of hospitalization, compensation, and the vocational training and rehabilitation of disabled World War soldiers is under separate bureaus or departments. This has led to much confusion, delay, and injustice to This bill consolidates all of the Government's acthese boys. tivities in behalf of the World War soldier under what is termed a veterans' bureau in the Treasury Department. The head of this bureau will be an Assistant Secretary of the Treasury.

While the disabled soldiers and their dependents have met with many hardships and delays in securing their rights, the Congress has felt all along that the country owes to these boys a debt of gratitude which can not be fully repaid. We are all proud of their services, and Congress has from time to time without stint provided funds and means to aid our boys in such a way as the soldiers of no other war in our country have been cared for, and going far beyond the aid given to the disabled soldiers of any country engaged in the World War. stance, for allotments and allowances, compensation, and insurance the Government has paid out under appropriation of Congress up to March 31, 1921, more than \$700,000,000, and the Congress has appropriated and provided for allowances, allotments, compensation, hospitalization, vocational training up to March 31, 1921, \$1,454,877,507.49; but with this staggering sum we find thousands of soldiers who have not been provided with adequate hospital treatment and thousands of worthy soldiers who have not yet received compensation and many thousands of other soldiers who have not been admitted to vocational train-

There has been a falling down in the Public Health Service, in the Bureau of War Risk, and the Board for Vocational Training. Adequate funds have been provided by Congress. We feel that the fault lies largely with those administering the law. Of course, the fact that all of these activities have been more or less separated must account for some of the delay. bill will consolidate all of these activities, make for efficiency, and give quicker and better service to the soldiers. It must be the earnest desire of every loyal American to see adequate hospital treatment provided and given to every disabled soldier who needs it and desires it, and that compensation be awarded without stint to every boy who suffered injury or contracted a disability in the service, and that, if he desires, he be given opportunity at once to take vocational training that he may rehabilitate himself. I am for this bill because I feel that it will bring about this happy state of affairs.

## HEART AS WELL AS HEAD SHOULD FUNCTION

In a very brief period of time we demobilized about 4,000,000 men. About 600,000 of these soldiers were discharged having some character or other of disability. Their certificates of dis-charge show this. Thousands of others whose certificates of discharge make no mention of disabilities were in fact at the time disabled. Many of them, in order to get out, stated and had the surgeon state that they were in good health and all right. Their certificates of discharge state that they were in good health at the time of discharge. Thousands of others appeared to be in good health at the time of their discharge, but the seed of disease had been planted in their system, and after reaching home they find themselves developing rheumatism, number of splendid speeches by members of the committee that luberculosis, or many other forms of disease. In the beginning the Bureau of War Risk Insurance was liberal enough in practically all of the cases. We were just coming out of war and still had the war spell of gratitude upon us. I am afraid that we are becoming sensitive on the question of expenses and

taxes and perhaps more or less "hard boiled."

I sometimes feel that the rules and regulations established by the Bureau of War Risk Insurance have been made too exacting. It is too difficult for a disabled soldier to prove his case. He is often required to furnish the affidavits of comrades, whose names or present whereabouts are unknown to him. He can not furnish these, and his claim is denied. I think the Government should secure such information if it is necessary, because the Government has the names of all of the persons with whom the soldier served and has the means to locate them and get this information. Again, we find many of the decisions of the Bureau of War Risk denying compensation for many important disabilities, claiming that the soldier had the disability before he entered the service. Every soldier was examined several times before he was finally accepted. After the Government accepted him as a sound, able-bodied man and put him into hard service it should be estopped from claiming that the boy was disabled at the time he entered the service. If he was reported sound at the time he entered the service and came out disabled or now has a disability that can be shown with reasonable clearness to have originated in the service, he should be awarded compensation. We are advised by persons connected with the Bureau of War Risk Insurance that the claims of about 7 men out of 10 are being rejected.

About 650,000 have filed claims. Something like 300,000 have been awarded compensation, about 200,000 have been denied compensation, and about 100,000 claims have not been passed upon. Hair-splitting technicalities should not be employed in passing on these claims. The hard-and-fast rules of insurance companies used in adjusting claims should find no place in passing upon the claims of the disabled soldiers. The doubt should

be resolved in favor of the soldiers.

The people of the United States will never be able to fully repay the debt of gratitude to these disabled heroes, and in passing on disabled soldiers' cases for compensation, hospital treatment, or vocational training the heart'should be permitted to function freely as well as the mind. A broad humanity, generous sympathy, and a deep feeling of gratitude should be in the mind and heart of every man and woman who undertakes to administer these laws for these disabled boys. There has been too much delay. We have positive evidence of many disabled soldiers who have become insane or who have taken their own lives while striving to break through the endless red tape separating them from the benefits that the Congress has provided for them.

## THE MONEY MUST GO TO THE SOLDIERS.

Our Committee on Education more than a year ago investigated by resolution of Congress the Federal board as it relates to vocational training and rehabilitation of disabled soldiers. That investigation covered several weeks. We had before our committee perhaps more than 100 witnesses, men and women in every walk of life. Although Congress had appropriated millions to rehabilitate our disabled boys, I was astounded to learn that our disabled boys were in a measure depending upon the Elks, the Red Cross, and similar institutions to take care of them through the long delay in getting action on their cases. We found in that board a man issuing what is known as the "hard-boiled" order. He has given instructions to his sub-ordinates, in passing on the disabled soldiers' cases, to not permit the heart to function, but for the head alone to function. Under such instructions and directions many disabled soldiers were denied their rights. In our opinion every charge that had been made against the board was fully sustained.

I believed then and believe now that the men at the head of the Vocational Education Board have never sensed this great problem, and I feel sure that if you read all of the testimony, including the men at the head of that board, you will also be convinced of that fact. The board was inefficient, extravagant,

and had grossly neglected the disabled soldiers.

Gentlemen of the House, do you realize when the 1st of July, 1921, comes we shall have appropriated and expended to rehabilitate by giving vocational training to the disabled soldiers of this country \$145,000,000? What has been the result? I am strong for rehabilitation. The first speech I made on the floor of this House was in support of a bill reported to the House by our Committee on Education increasing the pay to \$80 per month for single men and \$100 per month with allowance for de-pendents for married men while taking this training, and later on our committee reported a bill, and I voted for the amend-

ment that increased this sum, allowing single men \$100 per month and married men \$120 per month, with additional allowance for their dependents, while taking the training. I said two years ago that, in my judgment, one of the very greatest thoughts of the century was the purpose of America to reclaim and rehabilitate her disabled soldiers.

THE BENEFITS OF THIS LAW SHOULD BE ENLARGED AND EXTENDED.

The present law provides that no disabled soldier may receive the benefits of this law unless his disability incurred in the service or aggravated by the service amounts to a vocational handicap. If it does, he is entitled to what is known as section 2 training—that is, he will receive pay while taking the training-but if it does not, he can only receive section 3 training; that is, the books and tuition, and so forth. Now, I am in favor of wiping out the distinction between section 2 and section 3 training and give training with pay for all disabled soldiers now entitled to receive section 2 and section 3 training. But what have we done with the \$145,000,000? We began this work about three years ago.

Only about half of the men entitled to section 2 training have been placed for training and are now in training. About 72,000 are taking training under section 2, with pay, and about 10,000 are taking training under section 3, without pay. Of course, the purpose of appropriating and spending this one hundred and forty-five million during the past three years was to educate and train in some trade or vocation the disabled soldiers. Now, what has this board accomplished? On page 101 of the hearings on the second deficiency appropriation bill we find this statement, issued by Mr. Uel W. Lamkin, director, on May 4, 1921:

It is the opinion of us who are familiar with the situation there are approximately 3,000 men gone into employment on account of their training and are, therefore, rehabilitated, although the definite reports are not yet in the central office of Washington, and so were not included in this statement.

It is claimed in other statements from the board that something like 3,000 men have been rehabilitated. Mr. Lamkin merely expresses the opinion that approximately 3,000 men have gone into employment on account of their training and are, therefore, rehabilitated. He does not state that 3,000 men have been rehabilitated and have therefore gone into employment. One hundred and forty-five million dollars spent and merely expressing an opinion. After three years of effort to rehabilitate perhaps 3,000 men have been trained. That means about \$45,000 for every soldier that is turned out trained. Of course, other soldiers are taking the training.

What was spent in April, 1921, for this work? Something like \$11,000,000. Less than \$8,000,000 of this sum was paid to the boys. About three millions were used up for salaries and other expenses.

Mr. FESS. The gentleman is mistaken; the overhead expense is only 7 per cent.

Mr. ROBSION. I have heard that, but that is not true. Laughter.] Listen to this: On page 108 of these hearings, Mr. Lamkin stated that the training pay roll for the last half of April, 1921, was about \$4,000,000. Double that and it makes eight million, and the greater part of the balance of the eleven million for April goes to take care of employees. We have spent and will spend by the 1st of July one hundred and fortyfive million, and we have provided \$120,000,000 for this work for next year, making \$265,000,000 in all, and it is the belief of many well-informed persons that this work of rehabilitation for our disabled soldiers will in all amount to as much as \$1,000,000,000 before it is concluded.

## \$7,500 TO \$10,000 PER DISABLED MAN.

You mark what I say, that if this work is continued to be carried on as at present, that this Government could give every disabled soldier who completes this training from \$7,500 to \$10,000 in cash, and then more soldiers would get this sum of money than soldiers will be rehabilitated under the law as administered by the present board. What I mean to say is that the Government could save money by paying each soldier who will be rehabilitated under this board \$7,500 to \$10,000 in cash, rather than have him rehabilitated in the way and manner the work is carried on, and then save money, because in that event the soldier would get the money and it would not go to an army of civilian employees or to schools and institutions which I shall refer to, and it would be better for the soldiers.

Mr. FESS. Will the gentleman yield? Mr. ROBSION. I yield to the gentleman from Ohio.

Mr. FESS. My friend says it means \$45,000 per soldier.

Mr. ROBSION. No; I did not say that. I said if they are correct in their opinion that 3,000 soldiers have been fully rehabilitated, then, so far as the number who have been rehabilitated are concerned, the Government has spent \$45,000 for each soldier who has been rehabilitated. We all know that other soldiers are in training.

Mr, FESS. I am sure that my friend does not want to leave

a wrong impression. Mr. ROBSION. Certainly not.

Mr. FESS. There are in training now 80,000, in round numbers, and there are a little over 3,000 who have gone out and

completed the training. Mr. ROBSION. The gentleman has no authority for making the statement that they have been completely trained.

Mr. FESS. This law was signed in June, 1918. It was not in operation until late in the fall of that year, and it takes two years to train a man. Does the gentleman think it is proper to make the statement that it costs \$45,000 per soldier, when most of them are yet in training?

Mr. ROBSION. Has not the gentleman heard my statement? Mr. FESS. I beg the gentleman's pardon; I just came in.

Mr. ROBSION. The gentleman has no authority for saying that 3,000 men have been trained and rehabilitated. Mr. Lamkin himself says that, in his opinion, 3,000 have quit and gone into employment and therefore are rehabilitated.

Mr. FESS. Over 7,000 have finished their work, and 3,000

have quit the work before they finished.

Mr. ROBSION. The gentleman from Ohio is undertaking to give figures as to the men who are rehabilitated. Mr. Lamkin says they have not got them in the central office.

Mr. FESS. Does my friend want this House and the country to believe that there have not been more than 3,000 soldiers

Mr. ROBSION. I do not think there have been 3,000 men trained. In going through my district and over the country I have been deeply interested in this problem, and I have never yet run across a disabled soldier who has been rehabilitated by this board. If the gentleman from Ohio has run across any such disabled soldier, I want him to state his name and give his place of residence.

Mr. SWEET. Will the gentleman yield?

Mr. ROBSION. Yes.

Mr. SWEET. In the statement made by Mr. Lamkin on March 31, 1921, he said:

On March 15, 3,123 men are reported as completed training and 7,307 as having been discontinued. Approximately 50 per cent of the latter have entered employment as a result of training. These are in addition to the 3,123 definitely reported as rahabilitated or completed. Seven hundred and twenty-three have died while in training.

Mr. ROBSION. The gentleman has his figures crossed. has been my experience when you undertake to reconcile the figures and reports given out by the Federal board you find yourself in a maze of confusion.

Mr. BARKLEY. Will the gentleman yield?
Mr. ROBSION. I do not want to yield all of my time.
Mr. BARKLEY. I do not want to use it all, but I do not want the gentleman to make a mistake. Mr. Lamkin told me that the number who had completed training on May 1 was 3,562. The number who have discontinued training is 3,565, and the number who had their training interrupted was 7,994. There are now in training under section 2, 72,000, and under 10,000, making 82,000 in all.

Mr. ROBSION. Mr. Fess, Mr. Sweet, and yourself have all interrupted me and have given statements issued by Mr. Lamkin, and it seems to me that he has given each one of you a different set of figures. I stated if you relied upon the figures issued by this board you would find yourself in a wilderness and maze of confusion. The gentleman represents a great district in Kentucky, where there are many disabled soldiers. Does he know of one soldier in his district that has been rehabilitated? If he does, give his name and post-office address, and if any Member on the floor of this House knows of any soldier who has been rehabilitated, although we have spent \$145,000,000, I should like to have his name and post-office address

Mr. BARKLEY. I have not been traveling around down

there to find out.

Mr. ROBSION. I have been, and I am now deeply concerned to know if any disabled soldier in my district or elsewhere has been rehabilitated, and I would like to have this Federal board

furnish Congress with a list of names and post-office addresses of persons whom they claim to have rehabilitated.

Mr. BARKLEY. I do not know if any of them have completed their training or not, but I know that scores of them from my district are getting the training and will finish soon,

Mr. BANKHEAD. Does not my friend think one of the troubles about not knowing who have finished their training is that when they have finished they do not sit down and write to their Congressman?

Mr. ROBSION. I should think the Federal board would Under the law when the training stops the pay stops.

Mr. BARKLEY. You can get this information from Mr. Lamkin, if you ask for it.

Mr. ROBSION. In answering the gentleman from Kentucky [Mr. Barkley], if you think money has not been thrown out by the shovelful, I want to point out a few of the things which developed in our investigation of this Federal board. Over in Pittsburgh there was a school-teacher whose name was Boland. He got a contract from the Federal board to start a school for these disabled soldiers in Pittsburgh. He had no buildings and had no equipment, but he got a contract from the Federal board, in which they agreed to furnish to him 150 soldiers and pay him the tuition, \$35 per month per man, and furnish all necessary supplies in addition to the tuition, and if they sent him over 150 soldiers he was to receive \$30 per month for each. At the time of our investigation he had 500 of our soldier boys in his little school, and we were paying him \$15,000 per month as tuition and furnishing the supplies. At that time we had soldier boys taking training in about 2,000 schools in the United States, but this school-teacher in Pittsburgh, with no school at all when he made the contract, had more students than any other school or great university in America.

The Government has placed about 75 of these disabled beys at the University of Kentucky, and about 48 of them at Berea Each of these schools have millions invested in buildings and equipment. Each school has a great corps of teachers. We paid the University of Kentucky \$5 per month for tuition and Berea College \$3.50 per month for tuition, but the schoolteacher in Pittsburgh had 500 of our boys at \$30 per month. In our report of the investigation of this board we condemned the Boland contract, but I understand the board has continued it and has established similar private schools throughout the

· I AM FOR THE SOLDIERS.

We found that a certain Jew tailoring company in New York had assigned to it 30 disabled soldiers, and we paid to this tailoring company for so-called instruction \$1,050 per month when the boys were doing ordinary work and were practically receiving no instruction. These things are going on all over The soldiers are not getting what they ought to the country. have out of these millions appropriated by Congress. not go too strong for me when it comes to appropriating money to help the soldiers. I want this vocational training law broadened so it will take in every soldier who has 10 per cent disability. I have been fighting all along for the bonus bill and shall continue to do so. I feel that Congress will not do its full duty toward the soldier until this bonus or adjusted pay bill is passed. I want the soldiers of America to get the benefit of this money.

Mr. RANKIN. Will the gentleman yield? Mr. ROBSION. Yes.

Mr. RANKIN. I do not know anything about the Boland school, but I want to ask about the universities and colleges the gentleman has mentioned. As a matter of fact, a man who enters one of these institutions has to be a graduate of a high

Mr. ROBSION. That depends on the work he takes.
Mr. RANKIN. Practically all of the institutions and practically every university in the United States requires that the applicant for entry be a graduate of a high school.

Mr. ROBSION. Yes; but these colleges and universities all over the country have been forming classes to take care of the soldier boys. We have about 80,000 boys going to school. Does not the gentleman think that arrangements could be made at these colleges and universities to give the boys instruction, rather than making arrangements with a school-teacher in Pittsburgh, who had no school or equipment at the time the contract was made?

Mr. RANKIN. I said I did not knew anything about the school-teacher in Pittsburgh, but if the board has arranged to establish schools that are fitted for the training of these boys, where they can go and start and move along together, I can not see anything wrong with that.

Mr. ROBSION. Certainly I want proper arrangements made to take care of the boys, but I want the arrangements made with the schools, colleges, and universities with ample equipment and an able corps of teachers, and where we can get the instruction at from \$3.50 to \$10 per month, instead of turning over an army of boys to a school-teacher in Pittsburgh with no school and pay him \$30 per month per man and furnish the supplies for him.

Mr. RANKIN. I said I know nothing about the Boland school, but I do say that every man of ordinary intelligence knows that you can not jerk a man up because he was in the service and put him in any class and expect him to

go on.

Mr. ROBSION. Out of these 80,000 that we are sending to school we could form classes, which has been done, of such sizes as might be proper in any of the schools or colleges of the country. I am objecting to paying these enormous sums to fellows like Boland when we could get better service for our soldiers at less than one-fifth the cost. The burden of my statement is, we have spent \$145,000,000, and an army of office-holders and fellows like Boland are receiving too much of this money and too little of it is going to the soldiers.

Mr. RANKIN. The gentleman has not shown where there is anything wrong with any of these transactions, except the

Boland school.

Mr. ROBSION. I have not had the time, and neither will I have the time; but I should like to know if the gentleman from Mississippi approves the Boland contract? This fellow Boland was receiving about \$2,700 per year as a school-teacher in Pittsburgh, and under this contract he was receiving \$15,000 per month as tuition and the Government furnishing the supplies. Boland made a nice little fortune in one year out of the money we appropriated for the soldiers.

Mr. RANKIN. I said I know nothing about the Pittsburgh school, but the gentleman is reflecting on these other schools

without citing any facts to back it up.

A PART OF THE WILSON ADMINISTRATION.

Mr. ROBSION. This Federal board was appointed and kept in office, and are still in office, under the Wilson appointment. The present administration has not yet appointed men to take charge of this board and is not responsible for the conditions about which I have spoken. I call attention to these matters to show the necessity of the transfer of this department and to consolidate it under the Treasury Department, so the soldiers may get real service and the benefit of the money. President Harding appointed a commission which has rendered very valuable service to the soldiers in the Bureau of War Risk and the Public Health Service. New life has been given to both of these departments, and when all of these soldier activities are consolidated under this veterans' bureau, and the work is decentralized, and the benefits of these laws are brought home to the soldiers, we expect to see a large improvement in the service rendered to the soldiers, and, with this belief, I am for this bill. [Applause.]

Mr. WINSLOW. Mr. Chairman, I yield five minutes to the

gentleman from Massachusetts [Mr. Rogers].

Mr. ROGERS. Mr. Chairman, I desire at this time to bring to the attention of the members of the committee in charge of this measure an amendment, which I shall offer at the proper place in the bill when it is read for amendment under the five-minute rule. I know, as we all know, that it is not easy to get an amendment adopted to a bill of this kind without the sanction of the committee, and I desire, if I may prefer the request, that gentlemen on the committee will give this matter some attention, so that they may be prepared to accept it when the time comes.

Gentlemen will remember that it was just six months to a day after the declaration of war before the original war risk insurance law was enacted and became effective. In that period of six months there were 39 men who became totally and permanently disabled as a result of their war service. They have established the fact of total and permanent disability on the one hand and of service origin on the

other.

Out of the hosts of men whom we sent forth into the war there are only 39 who were wholly incapacitated before the war risk insurance law became effective. Those men, of course, could not apply for insurance because Government insurance had not then been inaugurated. Congress in subsequent legislation recognized the unfairness of cutting off those men, when they had had no opportunity to apply for insurance, and provided that they should be entitled to automatic insurance at the rate of \$25 a month. That is the equivalent of about \$4,000 worth of insurance. This provision was certainly a step in the right direction, but my suggestion is that it was not sufficiently generous. My amendment will be to the effect that each of those \$9 men, totally and permanently disabled, with a disability of service origin, be deemed entitled to automatic insurance in the sum of \$10,000.

Why should we do that? Why should we give these soldiers this gratuity? Because every one of those men would almost certainly have applied for \$10,000 of insurance if the law had then been effective, so as to permit their doing so. According to the figures in the World Almanac, there were 4,764,071 men enrolled in the American military service throughout the entire period of the war. According to the files of the War Risk Bureau, 4,631,993 actually took out insurance. In other words, over 97 per cent of all of the men in the military and naval service took out insurance. The presumption as to those 39 who went into the war early and who saw their duty among the first is that they would have taken out insurance if they had had the opportunity. Gentlemen are familiar with the additional fact as to the very large average amount of insurance that was taken out. The average insurance policy of our service men was just short of \$9,000.

We may, without being very generous, presume that each of those 39 men would not only have taken out insurance but would have taken out a policy in the sum of \$10,000. Therefore I hope that Congress, recognizing the needs of these brave men who went forth early and who were maimed for life, will give them the benefit of the protection now, in their misery, of \$10,000 of

insurance

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WINSLOW. Mr. Chairman, I yield five minutes more to the gentleman.

Mr. NEWTON of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. Yes.

Mr. NEWTON of Minnesota. Will the gentleman tell the House the nature of these disabilities and how they were received, bearing in mind that the war risk act took effect just six months after we went into the war, on October 6, 1917.

Mr. ROGERS. It was six months after we entered the war before the war risk insurance act took effect. In the meantime we had sent many troops to France. At least three of the cases with which I am familiar among those 39 are men who were hopelessly and permanently injured as a result of the explosion of a bomb in their training area in France.

Mr. NEWTON of Minnesota. So that while the disability was due to service origin, it was not due to being in combat?

Mr. ROGERS. I think it was in October that our troops actually engaged in combat. That is my recollection about it. But, of course, the gentleman does not mean to distinguish between disability of service origin received in actual combat, on the one hand, and in the training area in France or in this country, on the other.

Mr. NEWTON of Minnesota. Oh, no. I offered the amendment which made this retroactive at the time we passed the Sweet amendment, two years ago.

Mr. ROGERS. So as to give automatic insurance in these cases?

Mr. NEWTON of Minnesota. Yes.

Mr. ROGERS. Of course, I think that was a step in the right direction, and my quarrel at the moment is between giving the equivalent of \$4,000 of automatic insurance instead of the \$10,000, which it seems to me those men ought to have.

Mr. NEWTON of Minnesota. Of course, this is contract in-

Mr. ROGERS. Yes; but the gentleman's own amendment recognizes the propriety, as far as Congress can recognize the propriety, of giving automatic insurance in the cases of men who could not take out insurance because the law was not then in effect.

Mr. NEWTON of Minnesota. Was this presented to the committee at the hearings?

Mr. ROGERS. It was presented to the chairman of the subcommittee. Of course, I have no information whether he was able to present it either to the full committee or the subcommittee.

I yield back the remainder of my time.

Mr. WINSLOW. Mr. Chairman, I yield 10 minutes to the

gentleman from Minnesota [Mr. KNUTSON].

Mr. KNUTSON. Mr. Chairman, of the numerous measures that have been brought before Congress in the way of legislation affecting the veterans of the World War, especially those who have been disabled, none can compare in importance with the bill we now have under consideration. As I understand this measure, it proposes to merge the War Risk Insurance Bureau, the Federal Board for Vocational Training, and the Rehabilitation Division of the Public Health Service into one bureau, to be known as the veterans' bureau.

I do not suppose there is a Member of this body who has not had scores of cases up with these several bureaus in behalf of

soldiers who were disabled in the late war,

We have all become impressed with the necessity for consolidating the various bureaus which have to do with the rehabilitation of those who were wounded and crippled while serving their country. Handling matters for ex-soldiers who have been wounded and crippled is to-day a fine art. I am frank to confess I do not know all the necessary procedure to bring some of the cases that have been called to my attention to a settlement.

Some of my experiences with such cases have been almost heart-breaking. In trying to adjust them so that the applicant could either secure adequate compensation or vocational training, I have had to go from bureau to bureau, back and forth, like a shuttlecock. Where an adjustment should only have required a few days, or at the most two or three weeks, it has taken months. Papers and documents have become mislaid or actually lost, putting the applicants to unnecessary delay, expense, and mental anguish. This bill will correct the evils of the present system in a great measure. Its author has given much time and thought in its preparation, the committee has done likewise, and it is my sincere hope that it will speedily become a law.

I believe that there is a misapprehension in regard to this legislation existing in certain quarters. In this morning's mail I received a communication, as I presume all other Members of Congress did, from Col. F. W. Galbraith, jr., national com-mander of the American Legion. Among other things, Mr.

Galbraith says in his letter:

Extensive hearings have been held on this bill. Every witness appearing before the House committee urged decentralization of the activities so that the proposed veterans bureau might establish a well-organized regional and suboffice in personal contact with the claimants as near their source as practicable.

Mr. Galbraith quotes section 6 in full, and then goes on and Savs:

This section was reported favorably by the subcommittee but amended by the Committee of the Whole in the following language:
"Except to make compensation and insurance awards and grant vocational training."

Mr. FISH. Will the distinguished gentleman from Minne-

Mr. KNUTSON. I will yield to my good friend from New

Mr. FISH. The gentleman from Minnesota has referred to a letter of Col. Galbraith, and as that letter reads it implies that the regional boards have not been given the power to award compensation. This letter would confuse the minds of those Members of Congress who had not studied this question if they did not appreciate the fact that inadvertently Mr. Galbraith is referring to a different bill, and this particular bill does give full power to the regional boards. What Col. Galbraith is driving at is to give this same power to the substations. I imagine that is the personal opinion of Col. Galbraith. He does not state in this letter that it is the opinion of the American Legion. In the last few minutes I have taken occasion to ask a number of ex-service men whether they were in favor of giving this power to the substations, and all of them agreed that it would be a very dangerous power to hand out to men receiving salaries of between \$1,500 and \$2,000 and permit them thereby to make awards amounting to thousands of dollars, so I think we must take this letter as a personal letter and not as a letter representing the entire American Legion composed of over 2,000,000 men. The Republican whip [Mr. Knurson] has always taken a real and active interest in all measures for the welfare of ex-service men, and I am only too glad to cooperate with him.

Mr. KNUTSON. I am glad that the gentleman from New

York has made that statement.

Mr. BLANTON. Will the gentleman yield?
Mr. KNUTSON. I am sorry, but I have only get a minute

or two remaining.

The gentleman from New York [Mr. Fish] has a most distinguished war record. He stands high in the councils of the American Legion, and I am glad that he has taken it upon himself to explain the position of the American Legion on this proposition. It would be unfortunate if the contention of Col. Galbraith were to become generally accepted throughout the country as the proper one. I am satisfied that the bill H. R. 6611 is as good as it is possible to devise. bill shows a great deal of care and study on the part of the committee, and I know its passage will be hailed by every disabled, yes, every service man and every friend of the service man with delight and approbation. I yield back the remainder of my time. [Applause.]

#### MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 1837. An act to amend section 32 of the act of Congress approved July 17, 1916, known as the Federal farm loan act;

S. 1911. An act to amend an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916.

The message also announced that the Senate had passed without amendment the bill (H. R. 6567) to amend section 407 of the transportation act of 1920.

#### VETERANS' BUREAU.

The committee resumed its session.

Mr. RAYBURN. Mr. Chairman, I yield 15 minutes to the gentleman from California [Mr. LEA].

Mr. LEA of California. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. LEA of California. Mr. Chairman, I do not want to discuss the question before the House without recognizing the services of the chairman of the subcommittee [Mr. Sweet]. He has been uniformly courteous, untiringly industrious, and always able in his work. I believe Congress and the country should recognize his splendid service that is largely responsible for this bill

The legislation we have before us is founded upon the experience of the last three years as well as the changed conditions that have occurred since the original legislation was adopted. The war risk insurance act was adopted in October, 1917. At that time the men to whom it applied were in the Army and The importance of decentralization as a readily accessible. part of the system of soldier relief was not then necessary and was not recognized.

Eight months later, in June, 1918, the vocational education act, providing for vocational training, was passed, and the same condition existed at that time. The men to whom it applied were not scattered throughout 3,000,000 homes of this country, but were then practically all in the Army. They constituted a distinct group not then closely associated with the beneficiaries of the war risk insurance act. To a large extent the same was true as to the beneficiaries of the act of March 3, 1919, providing for medical and hospital care for the service men of the World War. Since those acts were originally passed we have had the advantage of much experience. Those measures blazed the trail of legislation, but now we legislate with the knowledge of practical experience. We have a better conception of the need and the magnitude of the soldier relief efforts to which our country is committed.

Let me call your attention to just a few brief facts tending to show the extent of that responsibility. The War Risk Bureau has dealt with 4,900,000 insurance applications and 600,000 compensation claims. One hundred and fifty thousand insurance claims have been presented. One hundred and nine-teen thousand men have passed through these hospitals. Seven hundred and seventy thousand medical examinations have been During the last six months there has been an average of 45,000 references for examination a month to the medical service. Ninety-two thousand men have entered medical training courses, and over \$1,000,000,000 has been spent. And yet we are in the initial stages of this great effort of the United States to take care of its disabled ex-service men.

The dissatisfaction and partial failure that have attended the efforts of the Government to extend these relief measures to our disabled soldiers are matters of deep concern. This legislation is intended to remedy the errors that have been made, so far as that can be accomplished by legislation. But to-day I would call the attention of Congress to this fact: This bill affords only a partial remedy and can only partly eliminate complaints. To a large degree the complaints and the failures that have occurred are inherent in the situation. It has been utterly impossible, with the vast number of applications under these three service divisions of the Government for the last two or three years, for the work to be accomplished by hastily organized forces without much disappointment and much complaint. In the very nature of things there will always be much complaint. The Dawes Commission considered the unsatisfac-

tory conditions which are proposed to be relieved by this bill. Among other things, the Dawes Commission states:

It can not be too strongly emphasized that the present deplorable failure on the part of the Government to properly care for the disabled veterans is due in large part to an imperfect organization of governmental effort. There is no one in control of the whole situation. Indemental effort. There is no one in control of the whole situation. Independent agencies, by mutual agreement, now endeavor to coordinate their action, but in such efforts the joint action is too often modified by minor considerations, and there is always lacking that complete cooperation which is incident to a powerful superimposed authority. No emergency of war itself was greater than is the emergency which confronts the Nation in its duty to care for those disabled in its service and now neglected.

4. Not unwillingness to serve or reluctance to cooperate, but divergent provisions of laws and limitations placed by legal decisions, have prevented effective coordination in these three respective services.

5. Limitations in the interest of presumed economy have been placed upon the authority of those responsible for these Government agencies in the employment of personnel, both as to number and quality. This has operated to the serious embarrassment of the various agencies engaged, in obtaining and retaining the quality of personnel upon which the efficiency of their departments depends.

6. Lack of provision for hospital construction to provide facilities commensurate with the proved and declared needs of the immediate future and for some years to come has been of such a degree as to prevent even the most willing cooperation among Government departments from providing hospital and medical care so distributed as to place and quality of service to accommodate the invalid wards of the Nation. It is clear that although additional beds in hospitals maintained by the several departments of the Government are available, complete use of them has not been possible by reason of certain fundamental limitations, chief of which is the lack of legal authority to secure adequate medical, nursing, and other hospital personnel.

This bill gives the director practically unlimited power to choose personnel and determine their salaries. In that way it is thought that by giving unlimited power and responsibility to the director we will lay the foundation on which a successful organization can be built. Later on, perhaps, Congress may properly want to make limitations on the personnel and expenditure of funds, such as now prevail as to other Government agencies. By refusing to make such limitations in the or-ganizing period of this new bureau we have sought to relieve Congress of the criticism heretofore directed against it, that by unreasonable restraints we have crippled the administration of soldier relief measures.

Three principal causes of complaint have been asserted against these soldier relief agencies. These charges are, first, delay in securing awards and payments; second, dissatisfaction with awards made; and third, insufficient and unsatisfactory hospital

At the present time, on the average, it takes 90 days from the time the application is filed until an award is made. There the time the application is filed until an award is made. is an inherent difficulty in this situation that legislation can not The practical situation is this: The soldier entirely remove. was disabled or sick. He thought his ailment due to the service. He went to his local physician, who perhaps referred him to the United States Government. He wrote to Washington for information. He received a letter and a copy of the law, which he did not understand. He wrote back for a blank application. Necessarily he must furnish proof to justify the Government payment he seeks. He filled out the application and made his When it reached Washington it was found incomplete and had to be returned for further revision. All the while mistakes and delays have occurred. He becomes disgusted and perhaps disheartened with the delay and details that Government practice has developed as "safeguards" to the spending of public money. To him these alleged safeguards become unnecessary "red tape." So a big portion of all complaints have originated because of the time required for the service men to put in an acceptable claim. The greatest good that this act can accomplish, in my judgment, is to facilitate the effort of the soldier in presenting his claim and securing prompt action by the bureau.

Mr. HUDSPETH. The gentleman stated it takes now 90 days from the date of his application to get his award. How

much will it be expedited under this bill?

Mr. LEA of California. I can not state any specific limit. It will be expedited by getting the soldier's application in intelligent form at an early date. When the application is made, if we have the system adopted by this bill, the suboffice will help him to make his application. The delay of sending his application to Washington before a mistake is found will be eliminated. The regional office will make an award, and then it will be referred to Washington, with a right of review, for payment or other relief. It is entirely possible we would save time and other relief. It is entirely possible we would save time and expense if we cut out the power of the regional office to make awards, and left that power vested at Washington solely. In that case the suboffices and regional offices would be purely

agencies to facilitate the prompt and proper presentation of the claims of service and ex-service men.

They must have power, however, to make awards on hospital claims, which require immediate action on the ground, and I believe the bill properly confers that authority on the regional and suboffices. I look with apprehension upon a vast system of offices and machinery as a probable source of expense, inharmony of administration, and unbusinesslike methods. I prefer that suboffices be kept to the minimum, and that field agents assist the soldier and investigate his case in his own home and community. In that way, more promptly and at less expense, the soldier's case can receive due attention.

The next source of complaint is on account of disapproval of awards made. The litigant who goes to court and secures an adverse or unsatisfactory judgment is sure to complain. Unquestionably unjust and insufficient awards have been made and just awards have been denounced. That is one of the inherent weaknesses of the system, and must be recognized as a condition that to some degree, unfortunately, will always prevail.

The third of the three great causes of complaints has been due to insufficient and unsatisfactory hospital accommodations. most pressing need of the soldiers is hospitalization and immediate treatment. Delay in the treatment of a disease may have the tendency in the end to make a soldier's condition more distressing and the obligation on the United States greater. There has always been manifested in Congress a hesitancy about a great hospitalization plan. There has been a fear that if we engage in the expenditure of large sums of money for hospitals that will take a long time to complete, eventually, after the hospitals are completed, the peak of the need will have passed, and we will find millions and millions of dollars tied up in hospitals that can not be used. In 1918 the War Risk Insurance Bureau, through the Secretary of the Treasury, presented to Congress a report as to hospital needs for our ex-service men.

At that time it was estimated that within two years there would be a need of 30,650 beds. There were then provisions for 7,200 beds, and the recommendation was made to Congress that to supply 23,400 beds an appropriation of \$85,000,000 should be Secretary GLASS in that report stated:

It is not possible for me to state whether or not the estimates as submitted by the Surgeon General of the Public Health Service are even approximately correct, but I feel sure that there is an urgent necessity for the enactment of some legislation providing additional hospital and out-patient facilities for the Public Health Service in order to meet the obligations of the Government to patients of the War Risk Insurance Bureau, I would therefore urge upon you the necessity of an early consideration of these needs by Congress.

Congress proceeded to the consideration of that question, with the result that on the 3d day of March, 1919, an act was passed appropriating something over \$9,000,000 for the acquirement of hospitals throughout the country. But the law at that time adopted placed unfortunate limitations on the expenditure of the money and provided that camp hospitals of the Army should be used. These camp hospitals were to a large extent used in the expenditure of that fund. In 1919 the Public Health Service reported in reference to camp hospitals as follows:

reported in reference to camp hospitals as follows:

It was stated many times to Congress during the enactment of the legislation that the service did not believe that eamp base hospitals were suited to its needs, either in point of construction or geographical location. Experience has proven the correctness of these statements. The Public Health Service has taken over these camp base hospitals as directed by Congress, and after earnest efforts to operate them on a satisfactory and economic basis has been compelled to abandon all but two as entirely unsuited to the needs of the situation. Sick and disabled soldiers, sailors, and marines have manifested a strong disinclination to accept treatment at these places, in spite of the effort on the part of the Public Health Service to make them attractive and to adminiser them as civil institutions. As a result it is probable that a considerable number of men are not now accepting hospital treatment and are suffering injury thereby.

Tardily two years later, an the 3d day of March of this year.

Tardily two years later, on the 3d day of March of this year, Congress next appropriated for hospitals. I understand there are now appropriations aggregating about \$79,000,000 to provide for hospitals during this and the next fiscal year.

But the situation to-day is this: There are 26,000 men in these hospitals. The net number is increasing at the rate of 1,000 a month. The Surgeon General tells us there are 10,000 men in those hospitals to-day who are in unsatisfactory beds.

We still have a hospital problem. It is going to be here good many years, and a good deal longer than we expected.

ing of new hospitals only as necessity shall require. We also recognize that to meet this great emergency now before us a hospital building program is a necessity that must be entered

upon with decisive energy.

Mr. RAYBURN. Mr. Chairman, I yield 10 minutes to the gentleman from Mississippi [Mr. RANKIN].

The CHAIRMAN. The gentleman from Mississippi is recognized for 10 minutes.

Mr. RANKIN. Mr. Chairman, I ask unanimous consent to

revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. RANKIN. Mr. Chairman, it has now been more than two and a half years since the signing of the armistice, and practically three years have elapsed since the Battle of Chateau-Thierry—the first noted engagement of American troops in the World War, wherein our boys turned the tide of battle, won for themselves immortal renown, and possibly saved the civilization of the world. [Applause.] It checked the advance of the German hordes in their last drive for Paris, and will probably go down in history as the turning point in the greatest conflict the world has ever seen. It was followed by other engagements, in all of which the American soldiers routed the enemy at practically every point, until finally the opposition capitulated and the contest was brought to a victorious conclusion. [Applause.]

Although two and a half years have passed away, and the noble achievements of those boys have grown brighter with each passing month, yet, strange to say, some of those men who were injured in that service have not been adequately

cared for.

I can not say that Congress itself has been negligent in looking after these disabled soldiers who were maimed, wounded, or disabled, but I do think there have been delays and possibly neglects on the part of others charged with specific duties relating to the care and treatment of these men, which I believe it is the duty of Congress to look after. I shall therefore support this bill for the relief of these young men, and I sincerely trust that after it has been amended so as to cure its present defects it may speedily become the law of the land. God forbid that America should ever forget or neglect her duty to those brave boys who gave their health, their limbs, or their lives in defense of their country during the dark and perilous hours of war! [Applause.]

The first and most apparent amendment necessary, in my judgment, is to eliminate that portion of the bill providing for the establishment of 14 regional bureaus instead of having one central bureau, and then I would favor creating as many substations as are necessary to do the work required; for, in my humble opinion, increasing these bureaus, or, rather, tearing the one bureau up into 14 branches and scattering them out over the United States, will remove the cases of those boys who are asking for relief from the immediate supervision of Congress and thereby render it much more difficult for the soldier to get prompt relief. So long as these records are here in Washington, where the Congressman can go himself and personally investigate the records, there is far less danger of unnecessary delay than there will be when these records are removed to the 14 corners of the United States. I believe that every Congressman owes a duty to these disabled soldiers, and I am unwilling to vote to remove these records so far from Washington that our efforts in their behalf may thereby be rendered less effective than they are under present conditions.

Let me give you an illustration of how these regional bureaus will hamper us in our earnest efforts to assist these injured boys: I have a meritorious claim, in my opinion, of a soldier who went to France and was badly wounded, and who has been attempting for months to get relief. His case is indeed pitiable, and every effort has been made by the Red Cross, the American Legion, and other benevolent organizations to get his claim adjusted. When I came to Congress they appealed to me to take the case in hand and see what could be done. I wrote several letters to the Bureau of War Risk Insurance, and received prompt answers telling me what had been done, and from those answers it looks as if he had no right to com-plain. But I discovered that there was some mistake about the number of the claim, and went down to the Bureau of War Risk Insurance and spent some time looking the case up; and when I found it I saw that his papers had been filed with the claim of another man of the same name but from a different section of the country, and that the letters we had been receiving relative to what was being done for him were based on the record of another man, and the other man was getting attention

while my claimant was being overlooked.

I am also interested in that provision of this measure which relates to the soldiers' insurance. I am in favor of that clause of the bill, but I believe it should be strengthened.

It has been my contention all along that the Government ought to have automatically insured every man for \$5,000 or \$10,000 during the time he was in the service. I did not think then, nor do I think now, that it was right to take the cost of carrying his insurance out of the soldier's pay, thereby cutting down his meager salary, which was already far, far below the wages then being received by laborers in civil life, many of whom were doing infinitely lighter work than these boys were and at the same time putting in shorter hours. Not only that, but I believe that every one of these men who so desires should have his insurance reinstated; and I am not sure if it would not have been better for all concerned for the Government to have carried every man's insurance for him for three or five years after the termination of his military service. If that had been done, in my opinion, there would not have been all these appeals for adjusted compensation.

There has been some criticism of the educational institutions that are being maintained for the benefit of these injured boys, but I think a great deal of that criticism is unjust. I think a majority of these institutions, and especially those that have been established purposely for the benefit of these disabled soldiers, have done the very best they could under the cir-

comstances

Mr. FESS. Will the gentleman yield?

Mr. RANKIN. Yes.

Mr. FESS. Earlier in the day the gentleman from Mississippi asked a question as to the kind of education given by the various universities, and so on. I think his question was very pertinent. I have refreshed my mind on the Boland investigation. We had before us Dr. Connelley, former dean of the Carnegie Institute of Technology, at Pittsburgh. He says;

The school in Allegheny is, I consider, one of the best schools, because it has a soul in it, Mr. Chairman. The boys who come to that school are illiterate in their own language. They have undeveloped minds. The war made it possible for them to realize, after giving their service to their country, that there was something for them in life. The colleges of to-day can not train, and will not train, the kind of boys that are being trained at that school, because there is the college atmosphere, the university atmosphere, which is such that unless you have a certain training, a certain preparation, you will not get in with the kind of training necessary to bring you up to where you would want to be as a mechanic or vocational man, due to their curriculum.

Then he goes on to say that if it had not been for this particular institution that the Federal board organized there, taking from the public-school system this man Boland who had charge of all the industrial work in the city of Pittsburgh, these persons could not have been admitted. While I think that there may have been an undue amount in the way of tuition, I do not think the criticism that was made on the floor, brought out by the gentleman's question, was quite justified.

Mr. RANKIN. Let me ask the gentleman from Ohio this

question: He has been engaged in college work, has he not?

Mr. FESS. Most of my life.

Mr. RANKIN. About what percentage of students graduate from the high school?

Mr. FESS. Probably less than 7 per cent. Mr. RANKIN. Seven out of every hundred?

Mr. FESS. Yes.

Mr. RANKIN. Now, in order to enter and to keep pace with students in the average college is it not necessary to be a graduate of a high school?

Mr. FESS. You can not enter a first-grade university with-

out the equivalent of four years in the high school.

Mr. RANKIN. These boys, most of them, want to take up some kind of vocational work, do they not, some form of mechanical work, such as automobile work, electrical work, and so forth, and to receive such training as will enable them to hold down positions of that character? Mr. FESS. That is true.

Mr. RANKIN. That is the point I was trying to bring out in my colloquy with the gentleman from Kentucky [Mr. Robsion] earlier in the day, to which the gentleman from Ohio [Mr. Fess] has reference.

Mr. FESS. I meant to compliment the gentleman from

Mississippi on his question.

Mr. RANKIN. You take these boys who are used to doing manual labor, on the farm or in the factory, practically all of whom are above 21 years of age, and some of whom have not passed the fifth grade in school-

Mr. FESS. And some can not read.

Mr. RANKIN. And some of whom can not read, and put them in the University of Ohio, Texas, Michigan, or Mississippi, and expect them to do effective work along with those students who have had high-school training and other advantages, and instead of conferring a favor on the disabled ex-soldier you often do him an injustice. But if you will take them and put them in these institutions especially established for them and peculiarly fitted to meet their requirements, where they may start off together, under teachers who have their interests at heart, who can sympathize with and lead them along, they will do far better work, and it will be better for all concerned. And I think I speak the sentiments of a vast majority of the ex-service men. [Applause.]
I know there are some people who say that a great many of

the claims filed by these boys for compensation are not just, and there may be some that might fall within that class. But who is to be the judge? Certainly not the uninformed individual who makes the criticism and who possibly knows nothing

about the case.

It should be remembered by the man who charges improper motives to these unfortunate boys who file their claims for assistance that there has never been an army that was subjected to so many weakening influences upon the human system. In the first place, the training was of the most intensive character, which of itself left the body in such a condition that when the soldier was discharged and ceased to take these violent exercises the physical reaction that necessarily followed often disclosed some weakness developed in the service that rendered him incapable of pursuing his prewar avocation. All of them were vaccinated for smallpox and typhoid fever, and a great many of them were given serums for other similar diseases; and all of these tended to weaken the system in one way Thousands of them had influenza, one of the most insidious maladies that ever crept into the human body, and as a result a great many of them have developed tuberculosis. man never knows to what extent the "flu" has affected him nor how long it will take for the results to develop. And yet some people think that if a man was not disabled at the very moment he was discharged he is not entitled to relief at the hands of the Government, and a degree of proof is often required to substantiate his claim that renders it impossible for him to secure the relief to which he is clearly entitled.

Mr. ARENTZ. Does not the gentleman think that every claimant should be considered as having a just claim rather than being put in the position of being guilty of trying to get

something for nothing?

Mr. RANKIN. I think so; or he should, at least, be given the benefit of the doubt. I thank the gentleman from Nevada for the suggestion. I have in mind a case such as he describes, of a woman whose husband died some time ago as a result, as she contends, of injuries sustained or disease contracted while he was in the service. She says he went into the Army a strong man; that the physicians of his community who knew him say that, so far as they know, he had never suffered any disability up to the time of his enlistment. He came home from the Army in February, and during the month of March following two of these physicians were called to see him and they found that he had contracted Bright's disease, from which he finally died, leaving his wife and child without means of support.

ound that he had contracted Bright's disease, from which he mally died, leaving his wife and child without means of upport.

The Bureau of War Risk Insurance informs this woman that he has not furnished sufficient evidence to connect her hus and's death with his service in the Army. He is no longer ere to testify in his own behalf or to furnish the affidavits equired, and the widow, who lives away out in the country, as to go out and get such evidence as she may be able to secure do show that his death resulted from a disease contracted in the of duty. They are trying her case just as if she were a laintiff demanding a judgment and as if she stood charged with he burden of proof to make out her claim by a preponderance of the evidence, if not beyond a reasonable doubt.

I say that in a case of this kind the claimant should be given he benefit of the doubt.

Probably by pursuing this policy the Government might pay claim occasionally that ought not to be recognized, but it would be better to take that chance than it would to run the isk of not doing justice to the family of a man who paid the upreme penalty or to the man himself who suffered a disbility in the service of his country. [Applause.]

The CHAIRMAN. The time of the gentleman from Missishipli has expired.

Mr. BARKLEY. Mr. Chairman, I yield to the gentleman from Jexas.

The SPEAKER. The gentleman from Texas [Mr. Garrett]. she has not furnished sufficient evidence to connect her husband's death with his service in the Army. He is no longer here to testify in his own behalf or to furnish the affidavits required, and the widow, who lives away out in the country, has to go out and get such evidence as she may be able to secure to show that his death resulted from a disease contracted in line of duty. They are trying her case just as if she were a plaintiff demanding a judgment and as if she stood charged with the burden of proof to make out her claim by a preponderance

of the evidence, if not beyond a reasonable doubt.

the benefit of the doubt.

a claim occasionally that ought not to be recognized, but it would be better to take that chance than it would to run the risk of not doing justice to the family of a man who paid the supreme penalty or to the man himself who suffered a disability in the service of his country. [Applause.]

The CHAIRMAN. The time of the gentleman from Missis-

sippi has expired.

Mr. BARKLEY. Mr. Chairman, I yield to the gentleman from Texas.

Mr. GARRETT of Texas. Mr. Chairman, the consideration of the present bill, "To establish in the Treasury Department a veterans' bureau and to improve the facilities and service of such bureau," brings to our minds sacred and hallowed memo-Those of us who were Members of the Sixty-fifth Congress are forcibly reminded of the awful consequences that followed the vote we cast for the passage of the resolution on the 6th day of April, 1917, declaring that a state of war existed between these United States and the Imperial German Government.

The whole-hearted manner in which the American soldier answered the call of his country-his unswerving devotion to duty, the sacrifices he made, whether fighting on some far-flung battle line in Flanders land or enduring the privations and hardships of camp life at home-will give him a place in the military history of the world that will be a marvel to future

generations.

Mr. Chairman, now that the war is over-and God forbid that we shall ever look upon the like again-and our soldiers, sailors, and marines having discharged their full duty to their country and their fellow men, it does seem to me that the Congress should hasten to render full service to every disabled exservice man and their dependents by an early passage of this additional helpful legislation.

The bill under consideration, Mr. Chairman, is intended to give prompt relief to ex-service men by cutting out much red tape and consolidating the Bureau of War Risk Insurance, the Federal Board for Vocational Training, and the Rehabilitation Division of the Public Health Service into one bureau, which is

to be fittingly called the "veterans' bureau."

I shall give this legislation my whole-hearted support, because I think something needs to be done speedily to cut out all the red tape that stands in the way of relief for our ex-service men in receiving promptly just compensation, vocational training, hospital care, rehabilitation, and other relief that Congress intended by former laws they should have without delay.

Our soldiers did not use any red tape to delay their entry into the service of their Government in an hour of p: 1, and the Government should not permit the use of red tape to prevent full and prompt justice being done them in an hour

of need.

Mr. Chairman, it was not my purpose to deliver a speech on this subject at this time, more than to voice my approval of this legislation, and, as one who was denied the privilege of being a soldier, to publicly declare my deep appreciation, and that of my country, for the patriotic services rendered to all mankind by our fearless soldiers, sailors, and marines in the World War.

Having said this in support of the pending bill, I wish, under permission to extend my remarks, to call attention of the House to a telegram recently sent President Harding by Col. Lindsey Blayney, of Houston, Tex., which I believe will be of concern to every ex-service man as well as all other patriotic Americans, protesting against a speech recently delivered by Ambassador Harvey on Pilgrims' Day in London, and an interview in connection therewith as published in an article in the Houston Post of May 23, 1921. The article is as follows:

COL. BLAYNEY IN PROTEST TO HARDING SAYS HARVEY BESMIRCHES AMERICAN FLAG.

"My conscience would never have been clear if I had not sent it. I should have sent it if I had been the only person in the country to feel as I do. If I do say it myself, few people have a greater right than I to protest. I do not protest as a member of either political party, but as an American who lived long in Europe during my student days, long before the world realized the bigness of heart of my native land. How often and how deeply I deplored the misconceptions I heard and read in foreign countries regarding the true idealism of America! We were generally recognized as mere money makers and braggarts—a Nation practically devoid of higher idealism—worshipers solely of the god, almighty dollar, in the temple of Mammon. Through those long years how I longed for the time to come when Europe would finally appreciate the real greatness of heart of America.

"That longed-for and happiest day of my life came at last in France during the war, when I read in a great neutral continental daily in glaring headlines the title, 'The Veritable Idealism of the United States of America!" It was a splendid editorial, showing historically how we had always been an idealistic people, and regretting that our great characteristics of heart and of mind had been misunderstood so long abroad.

"And now one thoughtless testless American nut suddenly in a high." And now one thoughtless testless American nut suddenly in a high."

abroad.

"And now one thoughtless, tactless American, put suddenly in a high position of responsibility in Europe, where he does not belong, destroys at one fell blow—not the League of Nations; I am not thinking of that—but a thing that is vastly more precious to us—the noble edifice of world respect for American humanitarianism and high sense of moral responsibility built by the hands and hearts, and in the hopes and dreams of countless millions of Americans, from pioneer days to the present present.

"My poor protest, even the protest of millions of Americans, can not undo the handiwork of this great American cynic.

"It is inexpressibly regrettable."

Mr. Chairman, in this connection I also wish to place in the RECORD two editorials which recently appeared in the Houston Chronicle, entitled "What's what, according to Harvey," and "Harvey's provincialism"; also two editorials recently appearing in the Houston Post, entitled "Col. Blayney's protest" and "Ambassador Harvey's ungracious speech," and a poem, "Harvey," by Judd Mortimer Lewis, of Houston, Tex.

[From the Houston Chronicle, May 21, 1921.]

WHAT'S WHAT, ACCORDING TO HARVEY.

WHAT'S WHAT, ACCORDING TO HARVEY.

Arthur Brisbane once said that Col. George Harvey had lost all his sense of illusionment up in Meecham, Vt.

That was when the colonel was lambasting Roosevelt and Arthur viewed him as a congenial spirit.

Times change, but not the man who loses his sense of illusionment. The colonel is still at it, lambasting the leadership of those who follow the promise of a broadened vision.

It was all a dream, he assures the English people; America had no ideals in the war but to save herself and serve her own interests.

It is reported that the English people are inclined to speculate on the real meaning of such a message, and well they may.

We shall probably do some speculating ourselves before all the echoes die away.

dle away.

A war debt of \$30,000,000,000, 50,000 young men asleep in France, and quite a number of derelicts to be taken care of—some will say that if we wanted to play safe and further our own interests it might have been done in a cheaper way; and if that is all we have accomplished, the price is far too great.

It is exactly true that we fought to make no nation great at Germany's expense, but it is also exactly true that we fought to make all nations safer.

many's expense, but it is also exactly true that we longift to make an nations safer.

Sir Auckland Geddes said, when he was in Houston, that Germany was defeated and punished, not as a matter of vengeance, but to discourage other nations from pursuing a similar course.

America had some such thought as that in mind.

The talk of making victory the basis for a league of nations was not all bonds.

The talk of making victory the basis for a league of nations was not all bunk.

The thought of proving that no nation could attempt to impose its ambition on the world by force without getting into serious difficulties had quite an influence with the American people.

This country was not aroused by fear of immediate danger.

This country does not feel right now that it is unable to defend itself against a combined Europe.

There was something bigger and better than alarm on its own account that induced this country to enter the war.

Col. Harvey, and those like him, may be able to take advantage of a natural reaction and block the nobler purpose temporarily, but theirs is bound to be a transient influence.

After such voluntary sacrifices in a distant place and for a purpose which loomed far ahead on the heights of altruism it was only logical that the American people should react to a moment of self-centered blues, but the sacrifices and the purpose will presently emerge and be more thoroughly appreciated.

Col. Harvey voices the pessimism of passing fatigue, nothing more.

It is unfortunate that, holding such an important diplomatic position, he should have made such a useless blunder.

It is to be hoped that other peoples will not take it too seriously. It does not represent the basic American attitude at all.

The United States still stands for the sanctity of treaties, for a new international order, for limited armaments, for the rule of justice, and all the other spiritual dynamics which must be applied to world affairs, just as they must be applied to individual affairs, if the race as a whole is to improve.

## [From the Houston Chronicle.] HARVEY'S PROVINCIALISM.

We do not know how the British really feel about Col. George Harvey's recent ebullition. They are too polite to make other than complimentary, or cautious, observations.

To us in America, however, and especially after taking time to think it over, it sounds crude, provincial, and countrified.

In the first place, it indicates little concern about international problems.

In the second place, it is not only replete with expressions that eulogize a narrow, selfish, conceited national attitude but contains much superfluous information with regard to domestic politics.

In the third place, it rings with a pessimistic, sneering tone with regard to those aims and motives which, however they may turn out, inspired millions of people to forget themselves for a great sacrifice.

What Col. Harvey really did was first to present his credentials as a good Republican and then expose the most seamy side of American politics.

One wonders if he were using some leftover editorial copy which had been prepared for his defunct weekly, or whether he was merely endeavoring to gain the spotlight by defying every diplomatic tradition.

Certainly there was nothing hopeful, helpful, or reassuring in what he said.

One can not review his cryptic and rather incoherent remarks without gaining the impression that he employed the occasion to give one last sneer at President Wilson.

This might have been allowable for an editor writing in the name of a political clique and to entertain an assorted group of readers, but for the American ambassador to Great Britain it was certainly inappropriate and out of place.

Fortunately, and as we have suggested on more than one occasion, diplomatic representatives do not make the relations between or among countries.

diplomatic representatives do not make the relations between a countries.

Unfortunately, however, they sometimes play an important part in disturbing those relations.

Under present conditions most European nations are willing to swallow anything rather than offend the United States.

We imagine that it made the British public gulp to swallow what Col. Harvey said. It certainly has left us with a choking sensation from Eastport, Me., to Santa Barbara, Calif.

# [From the Houston Post, May 24, 1921.]

## COL. BLAYNEY'S PROTEST.

Col. Blayney, of Rice Institute, undoubtedly voices the sentiment of the great majority of those who served in the great struggle for humanity and civilization when he indignantly protests to the President against the false and sordid statements uttered by Ambassador Harvey in his first speech in London.

Cynics and partisans who remained at home picking flaws with the work of those on the firing line may have possessed so little soul as to behold in the action of America going to the rescue of democratic civilization nothing more than a movement to protect our own selfish interests, but such a view will find small acceptance among those who abandoned every personal interest at home and offered themselves unreservedly for service in the cause.

As a matter of fact, if the motive mentioned by Mr. Harvey had been the only one prompting America's entrance into the war, America would not have gone in when she did, for at that time there was no apprehension in the country that this Nation was in actual danger.

That being the case, the ambassador's statement was a reflection upon every volunteer and every man who willingly answered the draft call, and as a distinguished speaker said in a recent national gathering, if Mr. Harvey spoke truly "tens of thousands of American boys died under false pretenses."

It has been apparent ever since the Republican campaign started that

It has been apparent ever since the Republican campaign started that one of its main objects was to "deflate" the idealism that gripped the people before and during the war. The Harvey speech was in accord with that program outlined long ago by the sordid and selfish interests that schemed for political power, and naturally it is agreeable to at least a part of official Washington. But it will be resented in every circle of the plain people, where service was held up as a badge of honor, and where self-sacrifice was exalted as a personal and national little. virtue.

Despite the combination of political circumstances that put Mr. Harding in the White House, the American people have not repudiated the war, and he and his spiteful ambassador to the Court of St. James will hear more from the people in the future about this gross misrepresentation of their motives.

## [From the Houston Post, May 22, 1921.] AMBASSADOR HARVEY'S UNGRACIOUS SPEECH.

Ambassador Harvey's speech before the Pilgrims' Society in London was perhaps a vigorous outline of what is destined to prove the foreign policy of the United States under Mr. Harding's administration, but it was certainly a gratuitous, ungracious, and outrageous misstatement of the policies of this Government during Mr. Wilson's administration.

Mr. Harvey, having never been in any sense a spokesman of President Wilson, or of the Democratic Congress which declared war in response to President Wilson's initiative, and having been at the time war was declared opposed both to Mr. Wilson and the Democratic administration, had no right to interpret their policies or motives. As an interpreter, he should confine himself to the administration of which he is a part.

In declaring that no altruistic consideration urged the United States.

an interpreter, he should confine himself to the administration of which he is a part.

In declaring that no altruistic consideration urged the United States to war, Mr. Harvey speaks with culpable indifference to the facts. Long before the President's address to Congress of April 2, 1917, a deliverance that history will record as the noblest expression of a nation's purpose ever delivered to Congress by an American President, American idealism was at work among the people, and trending to the magnificent culmination of April 6, 1917.

As a matter of fact, the United States did not go to war to save itself. The country was not conscious of any grave peril to its own existence. It realized with a growing indignation, as German ruthlessness increased, how disastrous a German triumph would prove for all mankind, and from the violation of Belgium to the sinking of the Lusitania the President was at times sharply criticized for not taking positive action.

In all the correspondence between this Government and the Imperial German Government, the idealism of this country was emphatically expressed. It was in the ultimatum which admonished Germany that a repetition of its sinking ships without warning would be regarded as an offense for which it would be held to "strict accountability."

And when Germany finally announced its intention to resume its policy of sinking unarmed merchant or passenger ships without warning, the Nation answered with war.

The American ambassador to London is an able man of many admirable characteristics, but it is exceedingly unfortunate, both for him and the Nation, that in his present important office he can not restrain his impulse to vent his personal hatred of Mr. Wilson, not that it

injures Mr. Wilson, for it does not. It does, however, injure Ambassador Harvey and places the Nation before the world in a sorry light.

The idealism of the Nation expressed in its emancipation of Cuba, in its refusal to accept a share of the Boxer indemnity from China, in throwing its weight into the Great War for the defense of civilization, in its refusal to participate in indemnities, in its contribution of hundreds of millions to relieve the distress of the war-crushed peoples of Europe—even those of its former antagonists—speaks for itself, and the outstanding facts can never be refuted by an embittered personal enemy of Mr. Wilson, bearing for the time the commission of the Nation to a foreign diplomatic post.

President Harding would not make any mistake by cautioning his ambassador to the Court of St. James to be more prudent of speech in attempting to speak the mind of the United States and to keep his personal hatreds to himself.

#### HARVEY.

[By Judd Mortimer Lewis, Houston, Tex.]

They died for all humanity, as died the Nazarene; They gave their youth and gave their lives, with all that such things

mean;
They gave up years of loving, gave up walks in meadowlands,
Gave up sweethearts with tear-dimmed eyes, gave tender clasping hands,
Gave rose embowered cottages, the patter of wee feet,
Necklacing baby arms, gave all that makes the old world sweet,
That others after them might have these things. For an ideal
They, singing, marched into death's jaws—died on the foeman's steel.

They died for all humanity—gave all they had to give,
That the world's mothers might be safe, that little ones might live
Safe from oppression for all time—and they were glad to die;
Glad to leave blossomed fields for death; to fold their hands and lie
In zinc-lined coffins on the piers of this their native land;
But we, who loved and gave them up, have the right to demand
That while our coffined dead come home where we stand sorrowing
The world shall not be told they died for any selfish thing!

Whence comes the vast assurance that inspires this man to stand Big with his small conceit and so malign his native land?
This pigmy man cast in a mold too narrow and too mean To comprehend their sacrifice, to stand with visage lean Above our dead whose sacrifice achieved its splendid goal, And hold them up for measurement beside his shriveled soul? But the ideals of our dead are ours—we shan't forget!
And Harvey's words make them more grand, and make him smaller yet.

Mr. Chairman, I do not believe the cold, sordid, unpatriotic reason given by Mr. Harvey for our entry into the World War will find lodgment in the hearts of true Americans—there are those of us who have a broader vision of American ideals. point with pride to the history of our great Nation in her dealings with other nations, and the many unselfish sacrifices our soldiers and citizens have made in the past, of lives and money, in order that other peoples might have guaranteed to them the inalienable right of life, liberty, and the pursuit of happiness, and enjoy the blessings of a free and independent people.

Mr. Chairman, I also wish to place in the RECORD the following protest of the members of the Herbert D. Dunlavey Post, No. 581, Veterans of Foreign Wars, of Houston, Tex., against the uncalled for and inexcusable remarks of Ambassador Harvey on the cause of our entry into the World War. The article is as follows:

HOUSTON VETERANS DENOUNCE HARVEY'S ADDRESS ON WAR-RESOLUTION WILL BE SENT TO HARDING, UNITED STATES AMBASSADOR, AND WILL BOTHERS.

Members of the Herbert D. Dunlavey Post, No. 581, Veterans of Foreign Wars, at a meeting held at their club rooms Wednesday night, made a complete disclaimer of statements made by American Ambassador Harvey at the Court of St. James, declaring that "having fought in the Great War of civilization on foreign soil and hostile waters, we feel we are in better mind to know the principles for which we fought than this American ambassador, who occupied a swivel chair during that war, within the safe limits of the United States."

# HARVEY'S STATEMENT.

The remarks to which these veterans of numerous wars took exception, they stated in their resolution to be as follows:

"Not a few remain convinced that we—America—sent our young men across to save this country—England—France and Italy. This is not a fact. We sent them solely to save the United States of America, and most reluctantly and laggardly at that. We were not too proud to fight—whatever that may mean. We were afraid not to fight. That is the real truth of the matter."

## STATE THEIR POSITION.

The resolution says: The resolution says:

"We now declare in unmistakable terms that we fought for the following principles and objects, all of which were well known at the time and none of which we have now forgotten, namely:

"We fought for outraged women.

"We fought for martyred nurses.

"We fought for crucified nuns.

"We fought for innocent civilians, shot down for loyalty to their

"We fought for innocent civilians, shot down for loyalty to their country.

"We fought for little children with hands and arms missing.

"We fought for nameless and numberless mutilated soldiers,

"We fought for innocent thousands upon the bottom of the sea.

"We fought for Belgium, outraged and desecrated as no nation in the previous history of the world has been.

"We fought for France, that nation of heroes, bled white defending civilization against the power of the beast,

"We fought for England, which chose the path of honor, black-tinted with despair, when the little nation she had sworn to defend was set upon by a wild beast,

"We fought for Italy, which took up the cause of right against the power of wrong, terrible though she knew the cost must be.

"We fought for the defense of those principles of human liberty which were laid down nineteen centuries ago by the first great Teacher and Preacher of human rights, the Man of Galilee.

"We fought for democracy against autocracy.

"We fought to banish forever from the face of the earth the hideous greed of Teutonic kaiserism, in order that the world might be made a decent place to live in and that civilization might not perisn.

"All these things we fought for; and we disclaim and resent the efforts of anyone, of whatever party or creed, to belittle our efforts and deeds and to assign to us a selfish and cowardly reason for fighting in our righteous anger and in that wonderful fighting spirit of 1917."

Mr. RAYBURN. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. Briggs].

Mr. BRIGGS. Mr. Chairman and gentlemen of the committee, I think this bill is probably one of the most constructive measures that this Congress will enact, because it means the elimination, I hope, in greatest measure of the red tape and difficulties which ex-service men are encountering in securing the relief to which they are entitled. This measure for the first time confers upon one direct head of the several relief agencies control of all branches upon which the proper functioning of this work depends and consolidates such relief in one bureau. Everyone knows in our contact with this subject of compensation, insurance, and vocational education the difficulties that have been and are still encountered, though in justice to all it must be said that there has been a decided improvement in the work of these various relief agencies even under the existing The Rehabilitation Division of the Federal Board for system. Vocational Education has shown a most marked improvement because of its policy of decentralization, which has enabled it to act directly and finally through regional offices upon the claims of applicants without having to refer the cases to Washington, except in instances where the records of The Adjutant General of the Army had to be consulted for further information regarding the service and condition of an applicant during the war period. In fact, the results and experience of the Vocational Board in decentralizing its activities have shown so marked an improvement over the methods of the Bureau of War Risk Insurance without such decentralization that. the extension of decentralization to all relief agencies, as contemplated in the pending bill, indicates clearly that claimants will have far better and more expeditious action upon their claims.

This measure may not eliminate all difficulties and delays, but it is a long step in the right direction, and should, if rightly interpreted and administered, provide machinery for prompt consideration and final and just action upon the claims of the vast army of disabled veterans of the World War.

I am inclined to think that the powers vested in the director of the veterans' bureau are unnecessarily broad, but the committee reporting this bill, after an extended and careful hearing, having unanimously recommended such authority, so as to give the director the most ample power to organize the bureau in a way that will result in the greatest efficiency and economy, I shall yield to the judgment of the committee, so that there may be no excuse for failure to give the ex-service men and their dependents the consideration and attention which they and their claims deserve.

It may not be amiss in this connection to call attention to just what extent Congress has made provision for the disabled veterans of the World War.

Of course, everyone knows of the enactment of the war risk act during the administration of President Wilson, which for the first time in the history of this Republic made provision for Government aid in the form of allowances which were added to the allotments made by the men in the service for the support and care of their dependents.

The act, moreover, providing compensation payable to both the soldier, sailor, or marine and his dependents in the event of disability or injury sustained by the former by reason of such service. But that was not all which that great law provided. For the first time also in the history of this country, or probably any other country, it insured the life of the soldier, sailor, or marine against all battle risks as well as other risks incident to the service which resulted fatally. Such insurance, which could not be obtained from any regular insurance company on account of the great risk involved, was provided by the Government not only far below actual cost but, under certain circumstances and within a certain limited time, was even granted automatically, without any cost to the service man at all.

In addition to the war risk act, the same Congress passed the vocational act, which provided for the education and training of disabled soldiers, sailors, and marines at Government expense;

and where such disability was of a serious character made further provision for payment of so-called "training pay" to cover their support and maintenance while such disabled veterans were taking the course of education provided. This action by the Government was also unprecedented in the history of the United States and was a further recognition of the value of the service performed by the veteran and the obligation of his

country to him for his aid.

Since the passage of the original acts referred to, it is further well known that the amount of compensation under the war risk act, as well as the amount of training pay under the vocational act, has been from time to time materially increased, and the scope of the laws considerably extended and liberalized; until to-day the compensation provided under the war risk act ranges, in cases of temporary total disability, as high as \$80 a month for single men and \$90 a month for married men with no children, on down to such lesser sums as are payable under the act for partial disability. Where the man has children and other dependents an additional amount is allowed, and also where the disability is total and permanent. Under the provisions of the vocational act, training pay ranges as high as from \$100 to \$120 per month, with additional allowance for dependents; the amount receivable in each case being based upon the severity of the injury or disability of the ex-service man. Under all of these provisions for the care and relief of disabled veterans and their dependents, the Government has already paid out, up to March 31, 1921, over \$800,000,000, in addition to over \$296,000,000 paid out for allotments.

Such disbursements to March 31, 1921, being as follows:

Operating and administration expenses	\$42, 000, 000. 00 276, 011, 027. 00
Compensation Term insurance, actual disbursements	202, 995, 308, 29 198, 405, 907, 95
United States Government life insurance	1, 211, 425, 78 89, 521, 414, 24

810, 145, 083, 26

The above figures do not include all the appropriations which Congress has made for such purposes and which are yet unex-

It may be further stated that wherever it appears that more money is needed Congress is always ready and willing to pro-

The question presented, therefore, is why do not such disabled veterans and their dependents secure aid more promptly and with less red tape and endless and often fruitless effort? The answer is that it is by reason of faulty administration brought about largely through the overwhelming task confronting the war relief agencies, confusion, and mistakes or omissions in the service records, as well as in the lack of coordination of the relief agencies under one head and the inadequacy of the administrative system to meet the demands upon it.

It has not been as much the fault of the war relief agencies as it has been of the system under which they have worked.

The authority was practically divided between these three independent organizations whose functions were closely related, indeed, were interrelated; but with no power in any one of them to exercise final authority over the other. No matter how prompt and efficient one might be in dealing with a case, it could go only so far and no farther; and if the other agency did not pick up the work where the other stopped, the matter was not only apt to be delayed but often misplaced or forgotten.

In my own experience I have often had the same case up with the three separate organizations—the Vocational Board, the Public Health Service, and the Bureau of War Risk Insurance as well as the soldier himself, all at the same time, in an effort get either compensation or vocational training for the dis-

abled veteran, and to get it as quickly as possible.

Time and time again I have been struck with the number of physical examinations required of applicants for relief by both the Vocational Board and the Bureau of War Risk Insurance. One bureau or agency would endeavor to show that it was not its fault, but the fault of another agency or bureau upon which it had to depend for the necessary information or action, and would assure you that there was no way by which it could do any more to expedite action upon the claim if the other bureau or agency could not be required to cooperate.

I want to call attention, briefly, to some of the delays and difficulties encountered under the present system.

In the first place, if you secured an examination of a soldier for compensation, such examination would not be accepted as the basis of an award for vocational education. He had to be examined all over again. If he obtained vocational training, but had to discontinue it through ill health, or after completion of training, he had to be examined again by the War Risk Bureau or Public Health Service to determine to what extent

he should get compensation. The unfortunate part about it was, and is now, that when these men are given training in class 2 they do not come out of the vocational training with any presumption that their disability, which admitted them to the training, still obtains, but come out very often with the presumption that they have been cured physically because they have been equipped mentally by the education that the Government has given them in the training school. It has often come to my attention that men who came out from under the Vocational Board, drawing \$80 or \$100 a month, depending upon whether they were single or married, have frequently been given only a 10 per cent compensation rating, getting \$8 a month and some-times a little more. They start out with a handicap of being regarded as cured physically because they have been educated mentally, and they have to go through a long experience of delay in the Public Health Service, or did, until such work was actually put under the War Risk Bureau by the recent order of the Secretary of the Treasury, standing examination and reexamination, getting up affidavits again from every source to make out their claim, until to-day the office of a Representative or a Senator of the United States has almost become a law office handling these claims much as any law office in the United States would be required to do. The services of the Congressman are rendered in his official capacity, and of course are without any compensation other than that he receives in his representative capacity as a Representative or a Senator of the United States.

He is only too glad to be able to render the service to those who served their country so valiantly and well, but in behalf of the disabled veteran it can not be but remarked that the growing difficulty of establishing the right to relief by claimants seems often made unnecessarily complex and difficult, and the claimant is too often subjected to rigid requirements of proof which ought not fairly to be expected of him and which he often

can not meet, however deserving his case may be.

Let me cite an instance. A soldier in being moved from one camp to another contracted while in the Army a severe cold, which attacked his lungs. He received treatment, and when discharged was given a health rating as good. But the soldier continued to fail slowly, and finally had to give up his job and be sent to Arizona to be treated for tuberculosis. He made application for compensation and filed four affidavits from comrades who knew his condition while in the Army, but he was not able to produce any expert evidence of his condition after his discharge until such time as he wrote to the Army surgeon for a copy of his old prescription to get relief from the disease that was taking his strength away and slowly but surely making a chronic invalid of him. The Army surgeon replied that he could not refill the prescription, but felt sure the United States Public Health Service would probably help him. The man was examined and found to have tuberculosis and unable to work any longer, although he had a wife and four small children, one baby scarcely 2 months old, dependent upon him. soldier must remain in the hospital for treatment while his wife and children are destitute and living on public charity. pensation thus far has been refused by the Bureau of War Risk Insurance, and it seems doubtful that it will ever be allowed. Yet what jury in the land would doubt that this ex-service man, whose record showed him to be strong and healthy when he entered the Army, contracted his disability while in the service?

The bureau contends the evidence is insufficient to connect up his present condition with any sickness or disease of service origin, although the man himself and his family, the American Legion post, and the examining doctor of the Public Health Service all assert that the complaint is one originating while in the service. The bureau argues that he waited too long to seek relief, but surely the Government ought not to penalize the soldier because he tried to overcome the effects of a disability incurred in the service and finally had to succumb.

Illustrating another case of delay and hardship, it came to my attention, and it is doubtless one instance of many, that a patient waited for six months in a long endless effort to get There was not any denial of the fact that he compensation. was injured, there was no denial that he was entitled to some compensation, but the question seemed to be the extent which he should receive it. In the meantime he had allowed his insurance to lapse. Evidently the Red Cross or somebody had told him that under the law he was not required to take a medical examination; he was entitled to be reinstated on his own certificate that he was in as good health as he was when discharged. The man died about three months afterwards, The War Risk Bureau advised that he had been reinstated. They accepted premiums from the man, but now they are resisting the payment of the insurance on the ground that they

do not believe that he was in as good physical condition when reinstated as he was when he was discharged. Of course, there is no way on earth to establish that fact as conclusively as it could be established if they demanded a physical examination by a physician at the time the ex-service man's insurance is reinstated; but the law did not require it in this case. Even then the man had a physical examination by the bureau or Public Health Service in connection with his claim for compensation pending at the time. I say that if the provision that Congress made for reinstatement of the applicant upon his own certificate of good health, where he honestly believed that he was in as good health at the time he is reinstated as he was when he was discharged, is not worth the paper it is written on, it ought to be taken off the statute books and ought not to be allowed to mislead the ex-service men any longer.

I believe the people of the United States generally, and I

know the people of my district do, want the disabled ex-service men to get the benefit of a liberal construction of the law. They desire that the act should be liberally construed in favor of the veteran rather than against him; and I am glad to say that in my experience in handling many hundreds of claims for veterans that the Bureau of War Risk Insurance until recently has, in many instances, been inclined to so construe the law.

The tendency now, however, seems to be to demand a greater measure of proof in connecting up the present disability and condition of a soldier with service origin. Of course, if the man suffers from gunshot or bayonet wound with a shattered limb the difficulty is not so great; but where the soldier was gassed in action or suffered disability through disease or sickness the developments from such complaints may be slow in reaching a stage of serious illness, and if the evidence is too exacting for the man to obtain, he must go without relief.

Mr. BOWLING. Will the gentleman yield? Mr. BRIGGS. I will.

Mr. BOWLING. I apprehend that the gentleman has given this matter very careful study, but I want to ask if it is contemplated in this bill that through the regional offices and the suboffices investigation and examination shall be made of these applicants and their applications on the ground, or will it have to be done somewhat as has been done before by affidavits filed

in the regional office or the suboffice?

Mr. BRIGGS. As I understand it, it will have to be done as it is being done now, with this exception: It will be done through the 14 regional offices instead of directly here with the central bureau in Washington. I understand that you will have to get up the same class of evidence, but the nearer home you bring those officials to the soldier the better able are you to get a prompt and equitable adjustment of the claims of those Very frequently the men, if they are not too far away from these relief agencies, can go there themselves, and if they can not they can make arrangements to send some one there for them, and if not able to do that, then those officials who are located near there have a better knowledge of local conditions, as well as a better knowledge of the men themselves, and can better pass upon their cases. Take an insurance policy to be adjusted. The beneficiary dies before the insured and the latter dies without naming another beneficiary.

The law provides that the insurance shall be regarded as personal property and shall descend according to the laws of the State where the insured resided. That is not always an easy matter to be determined in Washington. It requires an endless amount of red tape and work. Through my office I have had several such cases recently. The amounts were small when apportioned among the heirs. In one case I think there was 70 cents a month apportioned to some children. I know that I have devoted a great deal of technical skill and hard work in connection with those policies of insurance in an effort to have the claims thereunder adjusted. What did the bureau require? It required an application, first, from the boy's father, and there was an endless lot of red tape in connection with that. After several applications had been made out and that appeared settled, they wanted to know all of the nieces and aunts and uncles and brothers and sisters and grandfathers and great grandfathers on either side. After that had been supplied as far as possible, they found that all who were entitled to inherit under the law of the State were the surviving father and the brothers and sisters of the deceased, as the man had left no wife or children. Then after the heirship had been determined, the proceedings had to be started all over again on a brand new application form which every heir must execute and file in the office before any action can be taken. Such delays seem inex-

Under the pending bill not only will the present relief organizations be combined under one directing head with final author-

ity, but the functions of such bureau should be performed with far more efficiency and promptness through the 14 regional offices created by the bill. Each of such offices will have final authority to pass upon every man's claim, and it will not be necessary to have them all come to Washington for final consideration, as must be done now.

In addition to the regional offices there will be created 50 suboffices, which will have the power to investigate and generally aid in the disposition of such claims, except that they will not have the power to make awards. Personally I am inclined to feel that with one so-called suboffice located in each State it would be as well able to make awards as a regional office, and this view seemed to be entertained by the subcommittee framing the bill, though the full committee voted the recommendation down. It may not be possible for all to agree as to the best method of correcting the faults of the present system, but I believe that all the Members of this Congress have deeply at heart the interests of the disabled ex-service men of this country and want to provide them at the earliest time possible with the relief for which Congress has made provision.

The country will never be able to repay these men and their comrades for the sacrifices which they made and the heroism which they displayed. Their fame will grow as the years pass on, and the living, along with the heroic dead, will forever be held in treasured memory by a grateful and devoted country.

Mr. LEA of California. Mr. Chairman, I yield 10 minutes to

the gentleman from Texas [Mr. BLANTON]

Mr. BLANTON. Mr. Chairman, it ought to be the easiest matter in the world for the department to keep tab on all of the correspondence that relates to any particular soldier, whether it is for compensation or insurance or any other right that he may have under the law with respect to his service, because each soldier has a particular serial number, and the very first thing that the department asks for when that soldier either on his own behalf or through some one else writes the department is for his serial number. Yet the records concerning a soldier are not kept together under that serial number. That is one of the reasons that has caused delay more than all others put together. Go down here to this big war risk insurance building and you will find three different sets of files for every single soldier. On one floor you will find a file relating to allotments and allowances with respect to a particular soldier. On another floor you will find an insurance file with respect to that particular soldier, and on another floor compensation, and so on. And his claim is given a number distinct from his serial number. Then down in another bureau you will find his record with respect to his right to rehabilitation, and then concerning all of these rights to get his health report, until recently, you had to go to the Public Health Service in another part of Wash-I am glad that there is to be a consolidation of all of these different bureaus as proposed under this bill, and I do hope that the very first thing the director of the new bureau does will be to consolidate all of the records pertaining to any particular soldier and keep them in one file under his serial number. Then when that soldier's rights concerning any matter to which he is entitled are in question it will not take a clerk more than two minutes to go to that serial number and find out every single bit of correspondence with respect to the soldier.

It is not only true in my district, but in every district you will find soldiers suffering with tuberculosis in the last stages who have not had even a definite reply as yet to communications sent in six months ago. Go down and try to get that letter that you have written in respect to any of these cases. and you find that letter on one floor, or on the next floor, or the next floor, in one of the several files kept. If they would keep this one particular record concerning every single right the soldier has under his service in just one file under his serial number, all of these matters of delay would be avoided.

Then again take a man who entered the service, who was examined by physicians and given a good bill of health, pro-nounced in good condition physically, that he was in such condition that the Army or the Navy would take him into the service, and suppose he went to France, and did service, and came home, and then found himself afflicted with tuberculosis, and gets into a hospital, and makes a claim for compensation. The bureau demands of that man that he make proof, conclusive, by the evidence of persons who were with him in the war that he contracted the disease during his service in the How can they do that?

Their friends and companions, their buddies, who served with them, are scattered over the country; they do not know

where they are; they have lost track of them, and it is impossible to get the proof. Are those men to be denied their rights and their compensation? I know of lots of men in the State of Texas to-day from other States in hospitals down there, who have appealed to me for redress here in the departments, whose claims for compensation have been denied, who have furnished the department with certificates of doctors who examined them when they entered the service, showing that they were in first-class physical condition when they entered the service, showing they served in France, and then showing now since they have come home that they are afflicted with tuberculosis, and some of them in the last stages, and yet the department has turned them down on the matter of compensation

Mr. DENISON. What does the department expect these comrades to testify to in respect to the tubercular condition?

Mr. BLANTON. God only knows what they expect. I have

taken the position with the Director of the War Risk Insurance Bureau that any man who can show that he entered the service in good physical condition, that he has been abroad and served his country in France and comes home and finds himself afflicted with tuberculosis, is, ipso facto, entitled to compensation.

Mr. DENISON. I think the gentleman is right with respect to a disease such as tuberculosis. Is the gentleman positive in his statement that the department demands that sort

Mr. BLANTON. I have case after case pending down there where they have demanded that the soldier furnish information from buddies directly on the point that he acquired this disease through his service in France.

Mr. DENISON. I should think that is a pretty difficult

Mr. BLANTON. It is almost impossible to do it, and ought

not to be required by this Government,
Mr. SANDERS of Indiana. I quite agree with the gentle-

man that that is the view the bureau takes of it

Mr. BLANTON. Well, does the gentleman think it is right? Mr. SANDERS of Indiana. Well, I think, so far as the bureau's construction of the law passed by the Congress of the United States is concerned, it is correct; and I think that we ought to be very careful in criticizing a bureau for complying with the law which we passed. For instance, I think, under the terms of this act, it is incumbent upon the soldier to prove that his disability is due to service origin. The mere fact that he served in the Army and that he now is disabled or diseased is not necessarily proof in itself, and I think without some provision in the law that the Bureau of War Risk Insurance would not be justified in holding that all the soldier needs in the way of proof was that he was in the Army and in good health when he left the Army and now is diseased. I should say on the question of tuberculosis, unless in the law we say that when a man shall be found to be suffering from tuberculosis when he was discharged from the Army sound that that therefore should be complete proof, I do not think the Bureau of War Risk Insurance would be justified in saying he is. What should be in the law is another question.

Mr. BLANTON. In the winter of 1917, during the first year of our entry into the war, at Camp Bowie, Tex., and at Camp Travis, Tex., during the month of December I think there were about 4,000 service men in the hospitals at those camps, many of them suffering from pneumonia, if you please, by reason of being exposed to the weather. They did not have sufficient blankets, they did not have sufficient tentage, they did not have sufficient covering against the terrible weather that we had down there that year. They went into the hospitals and they recovered temporarily and were sent to France and they came back. They have developed tuberculosis in the meantime, many of them, and when they show that they were accepted in the Army, that they were then in first-class health, that they did service in France, and they now have tuberculosis, and they swear that it was caused by being exposed to the weather during that service, what more should the department

Mr. SANDERS of Indiana. The gentleman is presenting an entirely different case from what he presented before. The gentleman is now presenting an evidentiary fact which might well lead the Bureau of War Risk Insurance to conclude that service in the war was the occasion for the disease from which he is now suffering. I should think if it were based upon the fact which the gentleman recited it would be sufficient evidentiary fact to lead the bureau to conclude that his war service caused the disease, but the gentleman's first proposition—
The CHAIRMAN. The time of the gentleman has expired.

Mr. BLANTON. May I have five additional minutes? Mr. LEA of California. I yield the gentleman five additional

minutes

Mr. SANDERS of Indiana. The gentleman's first proposition was a bald proposition that the Bureau of War Risk Insurance ought to find from two evidentiary facts that the soldier was entitled to the benefits of the law. The first evidentiary fact— I will make it as short as possible—is that the soldier was discharged sound. The second fact was that at the present

Mr. BLANTON. I regret I can not yield further.

Mr. SANDERS of Indiana (continuing). He was suffering from tuberculosis. I say those two facts are not sufficient under

the present law.

Mr. BLANTON. Here are the facts. First that the soldier entered the service sound. He had no tuberculosis in his familythat is, he did not inherit it; that he did service in France; that he came home and has developed tuberculosis since-that is, he finds himself afflicted with tuberculosis. He sends in his own affidavit, which is all he can procure, that he was exposed to the weather during his service, which resulted in his affliction. What more should any bureau require of any ex-service man? Now, I mentioned the hospital conditions in Texas merely to show that there might have been just such conditions in other States with respect to other places where men are now claiming compensation by reason of tuberculosis.

Mr. BRIGGS. Will the gentleman yield? Mr. BLANTON. Yes.

Mr. BRIGGS. I just want to ask the gentleman if he does not think it would be well to provide in this law that the claim of the soldier should be liberally construed in his favor, rather than construed against him, and would it not be well to give some latitude to the War Risk Bureau, or to this new veterans' bureau which we are about to create, for this reason? Owing to the lapse of time between their discharge and the development of many of these complaints, ex-service men and their dependents have to go without compensation, although it may be indisputably known by the men themselves and apparent from all the facts and circumstances in the case that the disability is a result of their service.

Mr. SWEET. I want to call the attention of the gentleman from Texas to section 300 now existing in the law, which provides as follows: "For death or disability resulting from personal injury suffered or disease contracted in the line of duty by any commissioned officer or enlisted man," compensation is granted.

Now, under section 18 of the bill that we are now considering, section 300 is amended to read:

For death or disability resulting from personal injury suffered or disease contracted in the line of duty on or after April 6, 1917, or for an aggravation of a disability existing prior to examination, acceptance, and enrollment for service, when such aggravation was suffered and contracted in the line of duty.

Mr. BLANTON. I think that is a splendid provision, and I am glad the committee put it in, for this reason: A man might have been threatened with a certain disease which, if he had not entered the service and been subjected to exposure, he would have overcome by reason of his physical condition, and yet by reason of his service it was aggravated to a degree that he could

not overcome it. I am glad that provision is in the bill.

Mr. RANKIN. I want to say to the gentleman from Indiana that the records of a man's discharge paper ought not to be

taken as evidence against him,
Mr. BLANTON. I regret that I can not yield any further.
The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. LEA of California. I yield one minute more to the gentleman.

Mr. RANKIN. Will the gentleman yield?
Mr. BLANTON. If the gentleman will yield me two minutes, will be glad to yield to the gentleman. Mr. LEA of California. I am sorry I can not yield more than

Mr. BLANTON. In conclusion I want to say this, that I think the War Risk Insurance Bureau, where there is any doubt at all, ought to be careful, but they ought not to be so careful that they will become "hard-boiled" toward the soldiers of the country whom we forced into the war in defense of this country. They must resolve every single doubt, where there is any doubt, in favor of the soldier when he makes out a prima facie case. And I think there have been men who have dled in hospitals in the last six months largely by reason of disappointment that has come to them in waiting, waiting, and waiting upon their Gov-ernment, and because of these bureau delays and red tape have

lost patience and have not had any more strength to fight the disease afflicting them.

Mr. WINSLOW. Mr. Chairman, I yield to the gentleman from Ohio [Mr. CABLE].

Mr. CABLE. Mr. Chairman, under the Federal Board for Vocational Training there are 137 local offices. Under section 6 of the proposed bill this number will be reduced to about 50.

There is no question but what this bill should and will pass the House. It seeks to reorganize the Bureau of War Risk Insurance, Rehabilitation Division of the Federal Board for Vocational Education, and part of the Public Health Service, affecting persons who served in the World War by consolidating these three into one bureau known as the veterans' bureau in the Treasury Department. By decentralizing the War Risk Insurance it is thought to serve the soldiers, particularly the disabled ex-service man, more efficiently and quicker. It is desired under this bill to settle, so far as possible, in the presence of the men themselves all questions in which they are primarily concerned.

I desire to direct my attention particularly to section 6 of the bill, which provides for the establishment of a central office in the District of Columbia, not more than 14 regional offices, and such suboffices, not exceeding 50 in number, within the territory of the United States and its outlying possessions. This system is, no doubt, based upon the present system used by the Federal Board for Vocational Training in the Division of Vocational Rehabilitation. Under the Federal board there are now 14 district offices: Boston, New York, Philadelphia, Baltimore, Atlanta, New Orleans, Cincinnati, Chicago, St. Louis, Minneapolis, Denver, San Francisco, Seattle, and Dallas.

So also the United States Public Health Service has 14 offices within the territory of the United States, and I am advised that the National Red Cross also has 14 offices

The idea of this district office is to come as close to the soldier and his needs as possible. Under the Federal Board for Vocational Training there are 137 local offices, while in this bill it is sought to reduce the number of local offices, or as called by this bill suboffices, to not less than 50. The number of these local offices under the Federal board, according to States, is as follows:

4	Nebraska 3
2	Nevada1
2	Montana1
6	New Hampshire1
3	New Jersey 3
3	New Mexico 1
1	New York 9
1	North Carolina1
î	North Dakota 1
3	Ohio5
2	Oklahoma4
5	Oregon2
3	Rhode Island1
2	Pennsylvania8
3	South Carolina 1
3	South Dakota 1
3	Tennessee 3
1	Texas9
3	Utah1
1	Virginia 3
3	Washington 4
4	West Virginia 3
5	Wisconsin 4
1	Wyoming 2
	4 2 2 6 3 8 1 1 1 3 2 5 3 2 3 3 3 1 3 1 3 4 5 1

For example, in Texas there are 9 local offices, in Pennsylvania 8, in New York 9, in California 6. Under this proposed bill it is doubtful if there would be exceeding one office in any of these States. In Ohio, for example, there are 5: Toledo, Cleveland, Columbus, Dayton, and Cincinnati.

Section 6, if enacted, would only permit one, or at most two, offices for the entire State of Ohio. In Indiana, Kentucky, and Ohio there are 11 suboffices, and there are at the present time 6,500 soldiers taking vocational training in these three Statesapproximately 2,500 in Ohio. A consolidation of these five Ohio offices into one, or at most two, offices would mean their supervision of these 2,500 soldiers taking vocational training. I direct your attention to a statement furnished me by Mr. Lamkin, Director of the Federal Board for Vocational Education, showing the service rendered in one of these local offices from March 15 to March 28, 1921, amounting to 394 personal

interviews, covering the foll	OWII	ig subjects:	
Report on statusLoan	28 20 19	Help with affidavits Dependency claims Home visit for information Change of course Trouble with wife Nurse or doctor for trainee's	98665
Appeal Compensation troubles Medical care. Pay check lost Money trouble in family. Information for retraining	15 14 13 10	wifeOther filness at homeInsuranceTransportationAffidavit for funeral expenses	333312

	2   Get statement from employer_ 1 2   Help with income tax 1 2   Help to reimburse medical ex- 1   pense_ 1
Maintenance Copy of discharge Correction of discharge Get out of jail Hurry medical report	Report on family's welfare 1 Get service record 1 Get living quarters 1 Help for cripple 1 Make man pay dependency
Passport to Poland Slacker list	money 2 Total 394

Under the bill the object of these suboffices is as follows:

The suboffices shall have such power as may be delegated to them by the director, except to make compensation on insurance awards and to grant vocational training.

The present duties of the suboffices, as was well explained yesterday by the gentleman from Iowa, are:

The local office in charge of a local supervisor is charged with the responsibility of entering men who are declared eligible into training and giving such men such personal service and help as is necessary and possible, and of getting men who have been trained back into employment at the completion of their training.

The net registration of men whose eligibility for training is being investigated is increasing at the rate of 16,000 per month. The number pending final decision on April 1 was 26,000, less than twice the number of the increase per month.

Ohio stands fourth on the list in the number of soldiers furnished during the recent war, the number being exceeded only by New York, Pennsylvania, and Illinois. There are over 200,000 of these veterans within the State. Mr. Lamkin advises me that it would not be possible for one local office, no matter how many employees there would be in that office, to properly care for the soldiers within the State.

The War Risk Insurance under this act is decentralized, but the vocational training and the Public Health Service, instead of being decentralized, will be centralized in event the number of offices in Ohio and other States are reduced.

One of two things must result, either that the soldiers must travel to some centralized point in the State of Ohio and the other large States of the Union to obtain their information, or they will not receive the aid that they otherwise would from these local offices throughout the State.

I therefore recommend for your consideration when paragraph 6 is reached in the bill that that portion of the section limiting the number of suboffices to 50 be amended by increasing the number so as to properly carry on the work now being carried on by the Federal board, so that this bill will carry out the desired purpose of its author and the committee, namely, quick adjustment of claims for all soldiers without delay through local offices. By local offices I mean five for the soldiers of the State of Ohio and a like proportionate number in other States.

Mr. WINSLOW. Mr. Chairman; I yield to the gentleman

from Connecticut [Mr. Merritt].

Mr. MERRITT. Mr. Chairman, I do not mean to interfere

with the very interesting discussion on the provisions of this bill. At the start I may not seem to speak directly on the question, but I think I can give the committee some information with regard to a service which has already produced many wounded soldiers and which in time of peace is perhaps the most hazardous service either in the Army or Navy. I refer, of course, to the Air Service.

I have been more inclined to bring this information to the attention of the committee in view of the most distressing accident that happened during the past week, causing the death of a number of people and almost causing the death, as you know, of two of the most distinguished Members of this House. The information I shall give has to do with an invention which, if it will do what its inventor thinks it will do, and which two experts who will be quoted here think it will do, will make a great advance in the safety of this service. This invention has to do with giving airplanes what is called initial stability, so if the control is let go they will not side slip, they will not dive, they will not turn over, but they will come right side up, and if they come down they will come down straight. Therefore, with this preface I will read a letter from an inventor who has been devoting years and all his fortune to this service:

BRIDGEPORT, CONN., June 1, 1921.

Hon. Schuyler Merritt, Washington, D. C.

DEAR SIR: In answer to your request that I send you a copy of Mr. Howell's letter I am embodying it herein:

THE AERONAUTICAL SOCIETY OF AMERICA (INC.), New York, May 10, 1921.

Mr. Christopher J. Lake, Bridgeport, Conn.

Bridgeport, Conn.

Dear Mr. Lake: The deplorable condition of aeronautics and aviation in America brings a blush of shame to anyone having the interests of the further progress in this science and art at heart, and I am taking the extreme liberty of writing you at this time in the hope that some measure may be taken to place aviation on a sane and sensible foundation.

Knowing of your very intensive engineering efforts as applied to aviation, it is my candid opinion that it is about time you came out of your shell and tell about the result of your work.

As your sole effort has been confined very consistently to the production of an airplane with inherent stability, why don't you call attention to the fact that your efforts have simply been to do what was found necessary to be done with the submarine? That is, to so stabilize it as to prevent the so-called accidents that persist with the airplane just as they persisted with the submarine, in which you had so great a part in making stable.

Won't you please understand that my interest in this matter is prompted solely from a desire to see this wonderful art progress in America where, above all other places, it should progress? And if I have been somewhat abrupt in my request I know that you will overlook it in view of the many years of earnest effort I have devoted to promulgating the science of aeronautics and aviation.

Very truly, yours,

THE ARRONAUTICAL SOCIETY OF AMERICA,

THE AERONAUTICAL SOCIETY OF AMERICA, C. W. HOWELL, President.

The Aeronautical Society of America, C. W. Howell, President.

Previous to "confining my efforts to the production of an airplane with inherent stability" I had spent many years of prodigious labors with my son, Simon Lake, in trying out and determining actual, practical, every-minute stability to his submarine boat, which was accomplished day after day and nights regardless of equinoctial storms, on and under rough or smooth waters of the Chesapeake, Hampton Roads, Atlantic Ocean, New York Harbor, Hell Gate, Long Island Sound, and without the loss of a life, boat, or a serious accident. Thus the old unstable submarines were eliminated from diving to destruction with serious loss of lives and the world was given a practical and safe submarine for underwater navigation for all time.

Subsequent thereto I confined my efforts to provide an airplane inherently stable, and with the application of greater power, ways, and means, I succeeded in producing an airplane with every-second stability, which always applies of its own volition unless the operator intervenes and forces his own greater control to dominate, when he becomes the responsible head, as per certification of Mr. Storrs herein given.

Therefore there can be no possible controversy as to the fundamental value of striving for the development of the airplane for war purposes both on land and sea, and there should be no question that the United States should stand idly by and neglect its development for all purposes while other nations are engaged more actively than ever in seeking for its perfection and adaptation to a greater and ever-increasing variety of uses. And its development must specifically include a more stable and safe machine for practical commercial purposes as well if the United States is to hold its proper place in commercial rivalry.

The development of the airplane thus far has been hastened primarily for war purposes, with speed as the primarily include a more stable and safe machine for practical commercial purposes as well if the United

accidents to the diving submarines and loss of life, and was one of the principal difficulties to overcome before these boats became successful.

The first device which overcame this instability of submarines was the invention of my son Simon Lake, and was embodied in the Lake submarines after we had spent years of practical experimentation. The Germans were the first to appreciate the importance of these Lake stabilizing inventions, and to adopt them in their own submarines, much to the disadvantage of their enemies. I may say, so that the lay mind may understand, that the war type of the German submarine was of the Lake type, as also were the later type of the United States submarines made by the Lake Co. They descend vertically on an even keel, thus safeguarding the occupants.

I call your attention to the fact that, although in a denser medium, the condition of a submarine in water is substantially the same as an airplane in the air, i. e., they must be both supported in a flexing, varying medium which does not give a rigid support in water or in the air; as, for example, a railway train is supported on its rails, an automobile on the road, but a submerged boat must be supported until it strikes the bottom, or the airplane until it strikes the earth, unless a counteracting means be employed which is termed "stabilization," and which is the crux of their success or failure.

It must, I think, be obvious to any mind, whether trained to aeronautics or not, that for any purpose, assuming that it does not interfere with the use of its principal purpose (and the Lake does not), the stability of an airplane against turning over or diving would be of tremendous advantage.

Briefly, the deplorable condition of aviation is due not so much to the many mistakes of aviators or pilots as to the fact that in its evolution rivalry, exhibition stunting, the fascination for great and greater speed has influenced design to a point where the airplane must be operated by most skillful men, but the most skillful men fall when th

explanatory:
"With pleasure I recommend the design and performance of the airplane invented by Christopher J. Lake, and I hereby affirm that I

personally tested out said airplane under various conditions and have flown it many times.

"The Lake airplane will rise from the ground or water and fly on an even keel and return thereto by simply varying the speed and without manipulation of controls by the operator, due to its inherent stability. Nevertheless, the operator may at will change and direct the angle of flight with perfect flexibility to ascend or descend within determinable and safe limits, beyond which a machine can not go into a dangerous nose dive, tail spin, plunge, or fall.

"The machine maneuvers easily and beautifully, and is under perfect control of the operator, and without wing warps, ailerons, or other auxiliary or complicating devices for stabilizing. All these features were tested out and performed the work for which they were designed. In all of the experimental tests and flights there was no one injured, and no machine wrecked, which is a remarkable record. "John C. B. Storrs."

The fact that Mr. Storrs learned to fly one of the first Eleriot mono-

and no machine wrecked, which is a remarkable record.

"John C. B. Storrs."

The fact that Mr. Storrs learned to fly one of the first Bleriot monoplanes imported into this country, and afterwards constructed and flew three others of similar type, lends weight to his statement.

Millions of people in private and public capacities are groping for a light to show them the goal of the airplane's marvelous promise.

I have groped my way through its dim and uncharted path, on which I entered against warnings and protests, but with a compelling hope beyond my power to resist, just as I now find myself unable to resist the unique appeal of Mr. Howell to "come out of my shell," and which appeal is being supplemented by others—flyers, engineers, and practical men who sense its paramount importance. "Tis said there are ninety-nine wrong ways to one right way, so let us hope the ninety-nine have been proven wrong in order that the right way may now have a chance to reach the public ear.

The extreme exigency of the present situation in aviation demands serious consideration and early action by the Government, which is able to apply the remedy.

The many persons now privately and governmentally connected with the airplane in its various complications overlook or fail to realize—as they did in the submarine parallel—that fundamental changes must be made in the system, types, and construction of the present unstable machines before practical success can be achieved, and you can undoubtedly render a splendid service to the cause of aviation and the advancement of the greatest means of locomotion known to man by presenting the herein-contained facts to Congress.

Thanking you in advance, I am,

Very truly, yours,

Christopher J. Lake.

Now, gentlemen, I have taken the time to read this because

Now, gentlemen, I have taken the time to read this because I want all you gentlemen of influence who are interested in and know that such an invention has been made, when you come in contact with the various services, to make this fact known, so that the services may at least inquire of the inventor and ascertain whether he has what he thinks he has.

Mr. DENISON. Will the gentleman yield?

Mr. MERRITT. I will.

I did not hear the first part of the remarks Mr. DENISON. of the gentleman from Connecticut. Did the gentleman state that this invention has already been used on airplanes

Mr. MERRITT. It has. A machine embodying it has been flown repeatedly, and the results he sets forth have been accomplished and are certified by the last writer whose communication I read, the operator who flew in the machine.

Mr. DENISON. Does the gentleman have any information about it in order to give us some idea of what the nature of

the invention is?

Mr. MERRITT. I have not; no; only as to the results. [Applause.]

Mr. WINSLOW. Mr. Chairman, I yield 10 minutes to the

gentleman from Missouri [Mr. Rhodes].

Mr. RHODES, Mr. Chairman and gentlemen of the committee, before beginning my remarks I first wish to address myself to the colloquy that occurred between the gentleman from Indiana [Mr. Sanders] and myself a few minutes ago. Those of you who were present will recall that reference was made by the gentleman from Indiana to the Galbraith letter. I concede that that portion of the Galbraith letter that was read by the gentleman from Indiana, as stated by him, did not correctly state the facts. Therefore, the gentleman was fully justified in making the statement that he made.

But I also wish to say that there is another part of the Galbraith letter to which I had reference when I challenged the statement of the gentleman from Indiana, which I still insist is correct. So, in concluding upon the proposition, let me say that the gentleman was correct in what he said and I was correct in what I said, because he referred to one part of the

letter and I happened to refer to another part.

But, however that may be, I know this House is in earnest in wanting to do something to promote the welfare of the returned soldier. I have made it my business to carefully examine every paragraph and every sentence in this bill, and I listened with unusual interest to the gentleman from Iowa [Mr. Sweet] on yesterday, when he so ably, so earnestly, and so thoroughly explained the purposes of the measure. And I want to say here and now that I shall cheerfully support the bill.

But there are a few things about this bill to which I wish to call attention. It is my chief purpose at this time to give notice to the House that when the bill is reached under the 5-minute

rule I shall offer an amendment to section 404. I wish to refer now to the situation that was developed in the course of some questions that I asked the gentleman from Iowa [Mr. Sweet] I stated to him a hypothetical case, based upon this state of facts: In my district a boy who did overseas service was honorably discharged. At the expiration of four months from that time he died. At the time of his discharge he had in effect \$10,000 insurance, but it so happened in this case, as in many others, that this boy did not continue to pay his insurance premiums. Therefore at the time of his death he was in arrears for four months' premiums, in the aggregate sum of about \$28. The further fact is that there was due this boy the \$60 bonus. That \$60 was never paid, and at the time of his death the Government of the United States owed the boy more money than the boy owed the Government on account of his failure to pay the insurance premiums.

The gentleman from Minnesota [Mr. Newton] volunteered the suggestion, when I stated the proposition to the gentleman from Iowa yesterday, that under existing law the beneficiary under that insurance policy, who was the deceased soldier's father, was not entitled to the insurance for the reason that the \$60 bonus was in the nature of a gratuity, contending it was the boy's individual property, and therefore under existing law it could not be legally applied toward the discharge of the

premium.

In that statement, Mr. Chairman, I concur, and that is the exact situation about which I am complaining. But I wish to call the attention of the gentleman from Minnesota and of the gentleman from Iowa to this further fact: I was not satisfied with that explanation, which I concede was a correct statement of the law, and so this morning I called up the legal department of the Bureau of War Risk Insurance, and was informed that prior to September 14, 1920, under the construction and application of sections 402, 403, and 404, of the war risk insurance act, they did apply in such cases bonus money toward

the discharge of unpaid premiums.

I submit, Mr. Chairman, if it was right prior to the rendering of that decision by the Comptroller of the Treasury, prior to September 14, 1920, the same principle should be applied to-day. And as a further justification for my contention that the law should be amended so as to meet this exceptional situation, I want to say to the gentleman in charge of the bill that I was informed this morning that only about 60 cases in all the United States have arisen of this character. Therefore I say, gentlemen, as a matter of equity, as a matter of good conscience, as a matter of right, and as a matter of patriotic duty, it is your duty and mine to see to it now and before this bill shall have been enacted into law that we liberalize this section of the act in order that it may meet this extraordinary and meritorious class of

Mr. NEWTON of Minnesota. Mr. Chairman, will the gentle-

Mr. RHODES.

Mr. NEWTON of Minnesota. In the case the gentleman has in mind, did the soldier write to the bureau or to the Government and ask them to apply the bonus in payment of the premium?

Mr. RHODES. I am not advised as to that, and that would be immaterial, because I assume in the soldier's application for insurance he stated whether or not he wanted his money to be applied toward the discharge of his premiums.

Mr. NEWTON of Minnesota. It seems to me that that would

be very material. That is my judgment.

Mr. RHODES. I will yield to the gentleman sufficient time

to state the materiality of that proposition.

Mr. NEWTON of Minnesota. If the soldier asked the Government to apply the money which the Government was owing to him in payment of insurance premiums, the Government ought to pay it, or they could go to court and compel it to pay.
Mr. RHODES. The Government was bound only up

The Government was bound only upon what was contained in the application, and subsequent requests could

not modify the contract of insurance.

Mr. NEWTON of Minnesota. Oh, but the written order of the soldier to apply the debt to the payment of the premium cer-

tainly would make it a legal obligation.

Mr. RHODES. Does the gentleman mean to say that under the law upon such a request, either verbal or in writing, that the insurance contract would have been modified to the extent that the bonus could have been applied?

The CHAIRMAN. The time of the gentleman from Missouri

has expired

Mr. RHODES. Would the gentleman from Massachusetts

yield me two minutes more? Mr. WINSLOW. Yes. Mr. Chairman, I yield to the gentleman two minutes more.

The CHAIRMAN. The gentleman from Missouri is recognized for two minutes more.

Mr. NEWTON of Minnesota. I mean to say this, that the Government is the insuring party, and the Government having the money in its possession belonging to the insured, if the insured asked to have that obligation transferred and applied

to the premiums, the Government would be held.

Mr. RHODES. Very well. I want to say this in conclusion. that regardless of what the cold, legal facts may be, and with all due regard to the opinion of my distinguished friend from Minnesota, I again repeat that in equity and in good conscience it is the duty of the Congress to see that in all cases where the Government owes the soldier more money than the soldier owes the Government, that such money, whether it be the \$60 bonus or money arising from pay, or any other source, the same should be applied toward the discharge of the premium.

Mr. SANDERS of Indiana. Mr. Chairman, will the gentleman

yield for a question?

Mr. RHODES. I will, if it is not too long.

Mr. SANDERS of Indiana. This soldier had the right to let the insurance lapse if he wanted to. That is to say, he could say, "I do not need the insurance any longer," or something of that kind.

Mr. RHODES. Yes; and the Government ought to have the right to apply the bonus due the soldier to the discharge of the

insurance premiums.

Mr. SANDERS of Indiana. But if we gave him the right to let his insurance lapse, is it right for the Government to say, "This is \$60 in fee simple that we give him and yet we are going to use that and make him keep up the insurance"?

Mr. RHODES. That is rather a technical question.

Mr. CANNON. Uncle Sam had the \$60.

Mr. SANDERS of Indiana. Uncle Sam had the \$60 and the

soldier was entitled to it.

Mr. RHODES. I can not yield further. I want to call attention to the inconsistency of the facts upon which the comptroller based his opinion of September 14, 1920, and the case I cite. He cites a case in which the bonus money was paid the soldier after the insurance had lapsed, and upon that ground held that the Government was not bound. In the case I cite it was never paid. The department says there are about 60 known cases in the United States in which the bonus money was never paid, and that between February 24, 1919, the effective date of the bonus act, and September 14, 1920, the date of the decision of the Comptroller of the Treasury, the bonus money was so applied.

In how many of the 60 cases that the gentleman speaks of had the soldiers allowed their policies to lapse?

Mr. RHODES. In all of them, as I understood it.
Mr. SWEET. And those are the only cases reported to the

gentleman? Mr. RHODES. Those are the only cases similar to the case that I have submitted to the department. I say in all such cases the soldier should be given the benefit of the most liberal construction of the war risk insurance laws.

Mr. WINSLOW. I yield 15 minutes to the gentleman from

South Dakota [Mr. Johnson]. [Applause.]

Mr. JOHNSON of South Dakota. Mr. Chairman, any member of the Committee on Interstate and Foreign Commerce or Member of this body, or person connected with an executive department of the Government, or any other individual who has ever had anything to do either with the preparation or the passage of the bill H. R. 6611, ought to receive the thanks of every exservice man. I do not rise so much to discuss the merits of the bili-because the measure speaks for itself-as to try to give all the credit I can to the Members of this body and others who have really worked for the ex-service man and have given him, in my opinion, the best measure that has passed the House since the beginning of the late war with Germany. you have read the papers in the last few months you will find that many men are already beginning to claim credit for this measure, credit that is due to the members of the executive departments, beginning with the present President of the United States and ending with the Members of Congress and the committee who drew this bill.

This measure has been before the House in many ways for It was under consideration for months by the executive committee and the legislative committee of the American Legion. Few other measures have had the cooperation of the Executive, the legislative, and the soldiers' organizations as this has had. I think it speaks well for the future of the United States when we see the President of the United States and the Congress of the United States working together in the harmony that ought to exist between that man and those

bodies. Much credit belongs to the President for his insistence in seeing that we secure legislation of this sort. All the initiative did not come from him. I know that the rules of this body provide that no man shall discuss that which has occurred in a committee, and I shall not attempt to do so, but there is nothing to prevent me or any other man, even if he is a Member of Congress, from giving the facts with which he is acquainted with

reference to legislation.

I want to say that this bill was prepared in large part during the last Congress, and much of the credit for that belongs to the members of the Interstate and Foreign Commerce Committee, to the President of the United States, before he assumed that office, and to the commander of the American Legion, F. W. Galbraith. The distinguished chairman of the Committee on Interstate and Foreign Commerce, Mr. Winslow; his predecessor, Hon. John J. Esch, of Wisconsin; the distinguished gentleman from Iowa, Mr. Burton E. Sweet; the distinguished gentleman from Texas, Mr. Sam Rayburn, met with the commander of the American Legion and others who were interested in securing this kind of legislation and prepared the outline of it, together with other members of the Interstate and Foreign Commerce Committee and other Members of this House, so that it could be brought before this body and so that when it comes up for passage tomorrow or Monday it can receive the unanimous vote of the House. It will be the only legislation of its kind that has been brought before the House for some time that every man will favor in every essential particular. I am going to ask unanimous consent to extend my remarks in the Record by inserting the names of the Committee on Interstate and Foreign Commerce who have given such wonderful service to the ex-service men and at the same time have protected the Government in every possible way. And I want to say that as one service man, expressing the opinion of many others, every man who might possibly be affected by this bill will remember the work that was done by this committee of the House. [Applause.] The CHAIRMAN. The gentleman from South Dakota asks

unanimous consent to extend his remarks in the Record.

there objection?

There was no objection.

Mr. JOHNSON of South Dakota. The members of the Committee on Interstate and Foreign Commerce are as follows:

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE (67TH CONG., 1ST SESS.)

Samuel E. Winslow (chairman Massachusetts.
James S. Parker, New York.
Burton E. Sweet, Iowa.
Walter R. Stiness, Rhode Island.
John G. Cooper, Ohio.
Edward E. Denison, Illinois.
Everett Sanders, Indiana.
Schuyler Merritt, Connecticut.
J. Stanley Webster, Washington.
Evan J. Jones, Pennsylvania.
Carl E. Mapes, Michigan. Winslow (chairman),

William J. Graham, Illinois. Sherman Burroughs, Sherman E. Burroughs, Hampshire.
Walter H. Newton, Minnesota.
Homer Hoch, Kansas.
Alben W. Barkley, Kentucky.
Sam Rayburn, Texas.
George Huddleston, Alabama.
Clarence F. Lea, California.
Paul B. Johnson, Mississippi.
Harry B. Hawes, Missouri.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE (66TH CONG., 3D SESS.)

John J. Esch, Wisconsin. Edward L. Hamilton, Michigan. Samuel E. Winslow, Massachusetts. setts.
James S. Parker, New York.
Burton E. Sweet, Iowa.
Walter R. Stiness, Rhode Island.
John G. Cooper, Ohio.
Franklin F. Ellsworth, Minnesota.
Edward E. Denison, Illinois,
Everett Sanders, Indiana.

Schuyler Merritt. Connecticut.
J. Stanley Webster, Washington.
Evan J. Jones, Pennsylvania.
Thetus W. Sims, Tennessee.
Frank E. Doremus, Michigan.
Alben W. Barkley, Kentucky.
Sam Rayburn, Texas.
Andrew J. Montague, Virginia.
Charles P. Coady, Maryland.
Arthur G. Dewalt, Pennsylvania,
Jared Y. Sanders, Louisiana.

Mr. WINSLOW. Mr. Chairman, it is my desire to yield five minutes to the gentleman from Pennsylvania [Mr. Burke] if he is present. He does not seem to be. I also wish to yield 10 minutes to the gentleman from New York [Mr. London] if he is present. He does not seem to be. I desire to yield to the gentleman from Iowa [Mr. RAMSEYER], but he is not present. yield five minutes to the gentleman from New York [Mr. ROSSDALE

Mr. ROSSDALE. Mr. Chairman and gentlemen of the House, I rise in support of this measure to establish a veterans' bureau. It fills a long-felt want and is of urgent necessity. bers of this House are familiar with the conditions that surround those ex-soldiers whose necessities compel them to do business with the War Risk Insurance Bureau and the Public Health Service of the Treasury Department. We have all had first-hand experience with these cases, and I believe that this bill gives us the much-needed remedial legislation that will do away with and avoid the present intolerable conditions.

It is for us to take care of and to provide for the living-for those who in the war were maimed, injured, or incapacitated. The memory of those who served and who made the supreme sac-

rifice in the World War will be kept bright and fresh forevermore by the people. But it is the duty of this Congress, which duty I am glad this Congress is performing, to provide the legislation that will give our soldier boys the requisite departmental conditions that they require; that will give them the benefits of hospitalization where they need it, and provides for the coordination of bureaus to prevent overlapping, and which will avoid the immense amount of governmental red tape and confusion which resulted from the conflict of various bureaus in charge.

In The Bronx and all over the country there are thousands of ex-soldiers who are constantly applying to the local War Risk Insurance Bureau, and who are subjected to delays and in-consistencies of departmental rulings, which create conditions of almost unbelievable trouble and annoyance. I might state in that connection the case of a neighbor of mine who went to France, served throughout the war, was gassed severely, came back, and contracted tuberculosis. There was no one in all the different bureaus that said the man was not entitled to compensation for hospital maintenance; indeed, warrants had been drawn by different officials in the Public Health Service, and he had been shifted from one hospital to another. He is now out in Arizona, and through the charity of the proprietors of a sanitarium in that city, to which the boy had run away from unspeakable conditions at another hospital, he was kept seven months, and the payment for hospital care to which the boy was entitled had been withheld from him, not because anyone or any department disputed the fact that he was entitled to it, but because they did not get three bureaus that had jurisdiction to work together. This bill, I am happy to say, will remedy any such conditions and prevent their recurrence.

In my district on last Saturday we dedicated 946 tablets to the memory of the soldier boys of The Bronx who made the supreme sacrifice in the World War, and I request, Mr. Chairman, that I may have unanimous consent to include in the RECORD the names of these 946 boys, the names of The Bronx list, who died for our country, and also to extend my remarks in connection therewith.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

Mr. GARRETT of Tennessee. Reserving the right to object, I understand the request is to print the names of a large number of soldiers from a certain section who lost their lives in the war.

Mr. ROSSDALE. Who made the supreme sacrifice in the World War.

Mr. GARRETT of Tennessee. Of course, that presents a very delicate matter to make an objection to, but I will leave it to the judgment of my friend who makes the request as to whether or not he will insist upon it. There were about a hundred thousand who lost their lives in the war, and it might seem a discrimination that the names of some should be printed in the Record and not the others. I believe, on reflection, my friend will see the unwisdom of pressing that request.

Mr. ROSSDALE. Ordinarily there would be, but I would like to call attention to the fact that in my city there occurred a touching and unusual scene in connection with this dedication. Along that great highway the Grand Boulevard and Concourse, where the trees are planted for miles, tablets have been set on which were placed the individual names of each one of these boys, with appropriate ceremony, by the American Legion. These tableted trees were given over to the loving care and re-

membrance of the people of our city.

Mr. GARRETT of Tennessee. That is true also of Sixteenth Street in this city. I hope the gentleman will not make that request. It seems to me that it is a discrimination to take a few names and publish them.

Mr. ROSSDALE. If the gentleman wishes me to withdraw the request to publish these names I will do so.

The CHAIRMAN. The gentleman from New York withdraws

Mr. ROSSDALE. I ask unanimous consent to extend my remarks in the RECORD, not including the names.

The CHAIRMAN. Is there objection to that request?

There was no objection.

Mr. WINSLOW. Mr. Chairman, I yield five minutes to the gentleman from Maryland [Mr. HILL]

Mr. HILL. Mr. Chairman and members of the committee, I have listened with very great interest to the remarks upon this bill from both sides of the House, and especially to the very clear and very comprehensive and entirely convincing summary

of the present conditions from the gentleman from Iowa [Mr. SWEET], the author of this bill. There is no question but that in this House we are all for the bill. The only possible question is on the working out of the details which will give the best possible administration. We have all realized the delays which have been caused, not by any intention on the part of this country, not by any intention on the part of the administra-tion, but entirely because of the uncoordinated facilities for doing the work in which we all believe. There has been considerable discussion on section 6 in reference to the number of bureaus but that matter will be taken up more fully under the five-minute rule, and I shall not make any remarks on that at the present

My purpose in speaking on this bill is to say to the House that it is the sort of a bill in which there is an entire unanimity of opinion. The last war brought a certain new element back to this country, and as I have listened here in this House to the discussion of the elements of this bill I have been reminded of that verse which so wonderfully typifies the reborn America as it emerged from the last great struggle. If I recollect it correctly, it is this:

Here's to the Blue of the wind-swept North
When we meet on the fields of France.
May the spirit of Grant be with them
When the sons of the North advance.
Here's to the Gray of the sun-kissed South
When we meet on the fields of France.
May the spirit of Lee be with them
When the sons of the South advance.
And here's to the Blue and the Gray as one
When we meet on the fields of France.
May the spirit of God be with them
When the sons of the Flag advance.

[Applause.]

I think one of the most wonderful things I have seen in this Congress is the expression of that feeling in this country, reuniting all the sons of the flag, whether they come from the land of the blue or the land of the gray, as they fought for this Nation in this last war. [Applause.]

Mr. WINSLOW. Mr. Chairman, I do not see the gentleman from New York [Mr. Fish] in the Chamber, to whom I promised to yield 20 minutes.

The CHAIRMAN. Does the gentleman from Massachusetts or the gentleman from Kentucky desire to yield further? If not, the Clerk will read

The Clerk read as follows:

Be it enacted, etc.-

## TITLE I .- VETERANS' BUREAU.

SECTION 1. There is hereby established in the Treasury Department bureau to be known as the veterans' bureau, the director of which hall be an Assistant Secretary of the Treasury, in addition to those therwise provided by law, and shall receive a salary at the rate of 10 000 per annum

shall be an Assistant Secretary of the Treasury, in addition to those otherwise provided by law, and shall receive a salary at the rate of \$10,000 per annum.

The word "director," as hereinafter used in this act, shall mean the director of the veterans' bureau.

The powers and duties pertaining to the office of the Director of the Bureau of War Risk Insurance are hereby transferred to the director of the veterans' bureau and the office of the Director of the Bureau of War Risk Insurance is hereby abolished.

There shall be included on the technical and administrative staff of the director such staff officers, experts, and assistants as the director shall prescribe; that there shall be in the veterans' bureau such sections and subdivisions thereof as the director shall prescribe.

Mr. WINSLOW. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. Anderson, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 6611, had come to no resolution thereon.

## LEAVE OF ABSENCE.

By unanimous consent, Mr. MILLS was granted leave of absence, for two days, on account of important business.

# EXTENSION OF REMARKS.

Mr. BARKLEY. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made to-day on this bill.

The SPEAKER. Is there objection? [After a pause.] Chair hears none.

# ENROLLED BILLS SIGNED.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 6567. An act to amend section 407 of the transportation act of 1920.

#### SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 1837. An act to amend section 32 of an act of Congress approved July 17, 1916, known as the Federal farm loan act; to

the Committee on Banking and Currency.

S. 1911. An act to amend an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916; to the Committee on the Judiciary.

## ORDER OF BUSINESS ON MONDAY.

Mr. CHINDBLOM. Mr. Speaker, may I submit a parliamentary inquiry? Under the order for the consideration of the bill H. R. 6611, I presume there is no question as to the order of business on Monday, which is suspension and unanimousconsent day, and that will be the order of business notwithstanding the order made in reference to this bill.

The SPEAKER. The Chair thinks so.
Mr. WINSLOW. That means that this bill will be considered

further on Tuesday. The SPEAKER. The SPEAKER. Unless the unanimous-consent business should be completed on Monday. If it is completed, then this bill would be in order. The Chair has not examined the calendar, but understands there is a considerable amount of business on the calendar.

#### ADJOURNMENT.

Mr. WINSLOW. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 32 minutes p. m.), under its previous order, the House adjourned until Monday, June 6, 1921, at 12 o'clock noon.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. BOIES, from the Committee on the Judiciary, to which was referred the bill (H. R. 6648) authorizing the appointment of an additional judge for the district of Minnesota, reported the same without amendment, accompanied by a report (No. 135), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

# PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ROSSDALE: A bill (H. R. 6805) to amend an act entitled "An act for the retirement of employees in the classified civil service, and for other purposes"; to the Committee on Reform in the Civil Service.

By Mr. SHREVE: A bill (H. R. 6806) amending the revenue act of 1918; to the Committee on Ways and Means.

By Mr. MERRITT: A bill (H. R. 6807) to provide for the purchase of a site and the erection of a public building thereon at Ridgefield, in the State of Connecticut; to the Committee on Public Buildings and Grounds.

By Mr. SNYDER: A bill (H. R. 6808) providing for the erection of a wooden pile bridge between Beechwood and Curtis Point, Me.; to the Committee on Interstate and Foreign Com-

By Mr. HUDSPETH: A bill (H. R. 6809) granting the consent of Congress to the city of El Paso, Tex., to construct a bridge across the Rio Grande River within or near the city limits of El Paso, Tex., such construction to be made with the consent and cooperation of the Republic of Mexico; to the Committee on Interstate and Foreign Commerce.

By Mr. KREIDER: A bill (H. R. 6810) for the purchase of a site and the erection thereon of a public building at Middletown, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6811) authorizing payment for damage to township roads by United States troops while encamped at Camp Meade during the War with Spain; to the Committee on

By Mr. CHANDLER of Oklahoma: A bill (H. R. 6812) amending section 22 of the act of May 2, 1890 (26 Stat., p. 81), authorizing the town of Ralston, Okla., successor of Riverside, Okla., to sell and convey certain lands set apart for park and school purposes; to the Committee on the Public Lands.

By Mr. KREIDER: A bill (H. R. 6813) prohibiting fraud

upon the public by making or disseminating false statements or

assertions concerning any merchandise, commodities, securities, or services, and providing penalties for the violation thereof; to the Committee on the Judiciary.

By Mr. KRAUS: A bill (H. R. 6814) to authorize the construction of a dam across the Wabash River at Huntington,

Ind.; to the Committee on Interstate and Foreign Commerce.

By Mr. MALONEY: A bill (H. R. 6815) to authorize the President of the United States to appoint Waldo E. Chapman an officer of the United States Army; to the Committee on Military

By Mr. LAZARO (by request): A bill (H. R. 6816) to make more definite the act limiting land suits: to the Committee on the Public Lands.

By Mr. SCOTT of Michigan: A bill (H. R. 6817) to authorize the Secretary of the Interior to issue patent in fee simple to the State of Michigan of a certain described tract of land to be used as a game refuge; to the Committee on the Public Lands.

By Mr. ROACH: A bill (H. R. 6818) for the relief of Leon Carrington Hall; to the Committee on Military Affairs.

By Mr. RYAN: A bill (H. R. 6819) relating to hotel charges in the District of Columbia; to the Committee on the District of

By Mr. BECK: A bill (H. R. 6820) defining "imitation evaporated milk" and also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of imitation evaporated milk; to the Committee on Ways and

By Mr. MONDELL: A bill (H. R. 6821) to permit a compact or agreement between the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming respecting the disposition and apportionment of the waters of the Colorado River, and for other purposes; to the Committee on the Judi-

By Mr. FROTHINGHAM: A bill (H. R. 6822) to provide for the promotion of the senior major general on the active list of the United States Army, and for other purposes; to the Com-

mittee on Military Affairs.

By Mr. KAHN: Joint resolution (H. J. Res. 142) stating the true meaning and intent of the provisions relating to the erection and use of the George Washington Memorial Building in the act entitled "An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes," approved March 4, 1913, as amended; to the Committee on Public Buildings and Grounds.

By Mr. VOLK: Resolution (H. Res. 105) authorizing the appointment of a committee of five Members of the House of Representatives to investigate certain charges of the New York American against the American Red Cross in New York, and for other purposes; to the Committee on Rules.

By Mr. VOLSTEAD: Resolution (H. Res. 106) for the immediate consideration of House bill 6752, a bill to amend the

national prohibition act; to the Committee on Rules.

By Mr. BARBOUR: Memorial of the Legislature of the State of California, relative to the cooperation of the Federal Government in securing foreign sources of supply for the petroleum industry; to the Committee on Interstate and Foreign Com-

# PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANSORGE: A bill (H. R. 6823) for the relief of

Emma H. Ridley; to the Committee on Claims.

By Mr. CHANDLER of Oklahoma: A bill (H. R. 6824) authorizing the Secretary of War to donate to the city of Pawnee, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CLARKE of New York: A bill (H. R. 6825) authorizing the Secretary of War to donate to the city of Walton, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6826) authorizing the Secretary of War to donate to the city of Oneonta, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DRANE: A bill (H. R. 6827) authorizing the Secre-

tary of War to donate to the city of St. Petersburg, Fla., one German cannon or fieldpiece; to the Committee on Military

By Mr. DUNBAR: A bill (H. R. 6828) granting a pension to Jennie Yarbough; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6829) granting a pension to Martha J. Hazelwood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6830) granting a pension to Sarah E. Allen; to the Committee on Invalid Pensions.

By Mr. ELLIOTT: A bill (H. R. 6831) granting an increase of pension to James F. Dakins; to the Committee on Pensions. By Mr. HARDY of Texas: A bill (H. R. 6832) granting six months' pay to Anton Kunz, father of Joseph Anthony Kunz, deceased, machinist's mate, first class, United States Navy, in active service; to the Committee on Naval Affairs.

By Mr. HAWLEY: A bill (H. R. 6833) granting an increase of pension to Elizabeth J. Batchelor; to the Committee on Invalid Pensions.

By Mr. HILL: A bill (H. R. 6834) for the relief of the Occident Perpetual Building and Loan Association, of Baltimore, Md.; to the Committee on Claims.

By Mr. KINKAID: A bill (H. R. 6835) granting a pension to Angus Hays; to the Committee on Pensions.

By Mr. KRAUS: A bill (H. R. 6836) for the relief of Ralph R. Cloud; to the Committee on Military Affairs.

By Mr. KREIDER: A bill (H. R. 6837) authorizing the Secretary of War to donate to the borough of Mechanicsburg, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6838) authorizing the Secretary of War to donate to the city of Lebanon, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6839) authorizing the Secretary of War to donate to the city of Harrisburg, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6840) authorizing the Secretary of War to donate to the city of Lykens, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6841) authorizing the Secretary of War to donate to the city of Linglestown, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military

Also, a bill (H. R. 6842) authorizing the Secretary of War to donate to the town of Wiconisco, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military

Also, a bill (H. R. 6843) authorizing the Secretary of War to donate to the city of Carlisle, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6844) authorizing the Secretary of War to

donate to the borough of Middletown, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Militury Affairs.

Also, a bill (H. R. 6845) authorizing the Secretary of War to donate to the borough of Millersburg, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military

Also, a bill (H. R. 6846) authorizing the Secretary of War to donate to the borough of Hummelstown, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military

Also, a bill (H. R. 6847) authorizing the Secretary of War to donate to the borough of Shippensburg, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6848) to remove the charge of desertion from the military record of John F. Kelly; to the Committee on Military Affairs.

Also, a bill (H. R. 6849) granting an increase of pension to Benjamin Cornman; to the Committee on Invalid Pensions.

By Mr. McLAUGHLIN of Michigan: A bill (H. R. 6850) granting an increase of pension to John Baker; to the Committee on Invalid Pensions,

By Mr. MERRITT: A bill (H. R. 6851) for the relief of Francis M. Johnston; to the Committee on Claims.

By Mr. MILLS: A bill (H. R. 6852) to carry out the findings

of the Court of Claims in the case of the Commercial Pacific Cable Co.; to the Committee on Claims.

By Mr. MOORES of Indiana: A bill (H. R. 6853) granting pension to Henrietta Argadine; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6854) for the correction of the military record of George Openshaw; to the Committee on Military

By Mr. MURPHY: A bill (H. R. 6855) granting a pension to Palmer L. Dawson; to the Committee on Invalid Pensions.

By Mr. SHREVE: A bill (H. R. 6856) granting a pension to George H. Dearborn; to the Committee on Invalid Pensions. By Mr. TINKHAM: A bill (H. R. 6857) granting a pension

to John S. Dodge; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6858) granting a pension to Richard R. Hill; to the Committee on Invalid Pensions.

By Mr. WARD of North Carolina: A bill (H. R. 6859) to provide for a survey by the Board of Engineers for Rivers and Harbors of Pocahunt Creek, Camden County, N. C., with a view to its improvement for navigation; to the Committee on Rivers and Harbors.

By Mr. WYANT: A bill (H. R. 6860) for the relief of John R.

Campbell: to the Committee on Claims.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid

on the Clerk's desk and referred as follows:

1050. By Mr. BARBOUR: Petition of Fresno Lodge, No. 1156, United Brotherhood of Maintenance of Way and Railway Shop Laborers, protesting against the so-called sales tax, etc., and against the repeal of the excess-profits tax; to the Committee on Ways and Means.

1051. By Mr. BRIGGS: Petition of San Antonio Chamber of Commerce, San Antonio, Tex., urging official recognition of the present Government of the Republic of Mexico; to the Commit-

tee on Foreign Affairs.

1052. Also, petition of Mr. John R. Owens, editor Trinity Tribune, Trinity, Tex., opposing any repeal of present zone postage law; to the Committee on the Post Office and Post Roads.

1053. Also, petition of the State federation of labor requesting passage of Nolan minimum wage bill; to the Committee on Labor.

1054. By Mr. BURTNESS: Petition of the directors of North Dakota American Association for the recognition of the Irish

republic; to the Committee on Foreign Affairs.

1055. By Mr. CONNOLLY of Pennsylvania: Petition of the Robert Blum Building Association, of Philadelphia, Pa., indorsing an amendment to the revenue law exempting from taxation income received from building and loan associations to the amount of \$500; to the Committee on Ways and Means.

1056. Also, petition of the Vici Building & Loan Association, of Philadelphia, Pa., favoring the proposed amendment to the revenue law exempting from taxation income received from building and loan associations to the amount of \$500; to the

Committee on Ways and Means.

1057. Also, petition of the New Columbia Building & Loan Association, of Philadelphia, Pa., favoring an amendment to the revenue law exempting from taxation income from building and loan associations to the amount of \$500; to the Committee on Ways and Means.

1058. Also, petition of the Hermann Building & Loan Association, No. 2, of Philadelphia, Pa., favoring the proposed amendment to the revenue law exemption from taxation income received from building and loan associations to the amount of

\$500; to the Committee on Ways and Means. 1059. By Mr. DRANE: Petition of the Rotary Club of Tampa, Fla., relative to the establishment of a national park in central

Florida: to the Committee on the Public Lands.

1060. By Mr. CULLEN: Petition of the New York Society of New York, indorsing the legislation asked by the American Legion relative to disabled soldiers, sailors, and marines of America; to the Committee on Interstate and Foreign Com-

1061. By Mr. GOLDSBOROUGH: Petitions of the executive committee of Talbot Post, No. 70, the American Legion, of Easton, Md., and the Chamber of Commerce of Salisbury, Md., urging favorable action on the legislation asked by the American Legion for disabled ex-service men; to the Committee on Interstate and Foreign Commerce.

1062. Also, petitions of Nottingham Quarterly Meeting of Friends, Darlington, Md., and Woman's Christian Temperance Union of Baltimore City, Md., in favor of limitation of armament and an international conference for such limitation; to the Committee on Naval Affairs,

1063. By Mr. KISSEL: Petition of New York Society for the City of New York, urging relief of World War veterans; to

the Committee on Interstate and Foreign Commerce.

1064. Also, petition of Abena M. Sullivan, Thomas P. Kiernon, B. M. Laughlin, Patrick J. Boylan, Patrick J. Connors, J. M. Ginley, Mary C. Haggarty, Charles P. Haggarty, and John J. Haggarty, all of Brooklyn, N. Y., urging the recognition of the Irish republic; to the Committee on Foreign Affairs.

1065. By Mr. KNUTSON: Petition of William Taylor, Angus, Nebr., favoring the passage of House bill 5; to the Committee

1066. Also, petitions of Gen. Bates Camp, No. 64, Department of Ohio, United Spanish War Veterans, Toledo, Ohio; 44 members of Allen M. Osborn Camp, No. 1, United Spanish War Veterans, New Haven Conn.; Col. Theodore Roosevelt Post, No. 7, United Spanish War Veterans, Philadelphia, Pa.;

Albert Jackel, New York City; V. F. Schaeffer, Bridgeport, Conn.; Roosevelt Camp, No. 9, United Spanish War Veterans, Los Angeles, Calif.; Othelia Hutchinson, past department president auxiliary of the United Spanish War Veterans, Eau Claire, Wis.; Taylor-Higgins Camp, No. 11, United Spanish War Veterans, Norfolk, Va.; Lulu J. Shakespeare, Everett, Wash.; William Hessey, Bridgeport, Conn.; William Jacoby, Bridgeport, Conn.; Josephine McNally, past president department of Michigan auxiliary, United Spanish War Veterans, Saginaw, Mich.; and Joseph J. Boyne, Bridgeport, Conn., favoring the passage of House bill 4; to the Committee on Pensions. 1067. By Mr. MALONEY: Petition of the National Order

of the Daughters of Isabella of Massachusetts, urging the recognition of the republic of Ireland; to the Committee on

Foreign Affairs.

1068. By Mr. RAKER: Petition of Weed Post, No. 71, American Legion, Weed, Calif., indorsing the American Legion project of t gram of legislative relief; to the Committee on Ways and Means. Also, petition of California Products Co., Fresno, Calif., indorsing House bill 2486, and urging its passage; to the Committee on Ways and Means. Also, petition of Italian Vineyard Co. of San Bernardino County, of Guasti, Calif., urging the purchase and equipment of experimental vineyards in the State of California; to the Committee on Appropria-

1069. Also, petition of Kings County Chamber of Commerce, urging amendment of the transportation act of 1920; to the Committee on Interstate and Foreign Commerce. Also, petition of San Pedro Chamber of Commerce, urging adequate provision for naval bases on the Pacific coast; to the Committee on Naval Affairs. Also, petition of Roy C. Barmore, of Newcastle, Calif., urging support of increased pay for rural letter carriers; to the Committee on the Post Office and Post Roads. Also, petition of Clifford Coggins, of El Centro, Calif., urging passage of the Smith-Towner bill; to the Committee on Education.

1070. Also, petition of Society of Sons of the Revolution, in the State of California, protesting against the removal of any portion of the Pacific Fleet from that coast; to the Committee on Naval Affairs. Also, petition of the Daily Pajaronian, protesting against any repeal of the postal-zone system; to the Committee on the Post Office and Post Roads. Also, petition of San Francisco Chamber of Commerce, protesting House bill 46; to the Committee on Interstate and Foreign Also, petition of San Francisco Chamber of Com-Commerce. merce, urging development of Alaska; to the Committee on the Territories.

1071. Also, petition of A. W. and C. S. Rice, of Newcastle, Calif., urging exemption of Mexican graphite from a tariff of \$10 per ton; to the Committee on Ways and Means. Also, petition of C. L. Best Tractor Co., of San Leandro, Calif., protesting against further distribution of tractors to States for road work; to the Committee on Roads. Also, petition of California Highway Commission urging support of Senator Phipps's bill (S. 1072); to the Committee on Roads. Also, petition of Meek-Mercantile Co., of Camptonville, Calif., urging the 1-cent dropletter postal rate; to the Committee on the Post Office and Post

1072. By Mr. REBER: Petition of the Central Building Association, of Pottsville, Pa., relative to amending the revenue act of 1918; to the Committee on Ways and Means.

1073. By Mr. SINCLAIR: Petition of the State directorate of the North Dakota American Association for the Recognition of the Irish Republic; to the Committee on Foreign Affairs

1074. Also, petition of Victoria Rebekah Lodge, No. 105, Deering, N. Dak., indorsing the Smith-Towner bill; to the Committee on Education.

1075. Also, telegram from General Custer Council, American Association for the Recognition of the Irish Republic, Mandan, N. Dak., protesting against the United States joining international council with England; to the Committee on Foreign Affairs.

1076. Also, letter from Rev. R. T. Fulton, of N. Dak., on behalf of some 650 citizens of Kenmare, Edson, and Ambrose, N. Dak., urging disarmament; to the Committee on Naval Affairs.

1077. By Mr. SNYDER: Petition of Utica (N. Y.) Association of Credit Men, indorsing the action of the national association of that body in its efforts to secure enactment of its views

regarding Federal taxes; to the Committee on Ways and Means, 1078. By Mr. TEMPLE: Petition of M. J. Bishop, Beaver, Pa., in support of House bill 172, for the relief of Philippine Scout officers; to the Committee on Military Affairs.

1079. Also, petition of the Elliott-Blair Steel Co., New Castle,

Pa., protesting against the enactment of House bill 10, providing

for the metric system of weights and measures; to the Com-

mittee on Coinage, Weights, and Measures.

1080. Also, petition of William L. Marshall, William M. Taylor, and Charles L. Dice, of Enon Valley, Pa., in support of the scale of compensation prepared by the National Rural Letter Convicts. Association to the Committee on the Post Office and Carriers' Association; to the Committee on the Post Office and

1081. By Mr. TINKHAM: Petition of the National Order of the Daughters of Isabella, of Massachusetts, favoring the recognition of the republic of Ireland; to the Committee on Foreign

1082. Also, petition of the Massachusetts Federated League

of Colored Clubs, relative to the disfranchisement of Negro citizens in the South; to the Committee on the Census.

1083. By Mr. YATES: Petition of R. I. Ogle, sales agent for Patton-Pitcairn Division, Chicago, Ill., protesting against House bill 5632; to the Committee on the Judiciary.

1084. By Mr. YOUNG: Letter in the nature of a petition from John J. Kelly, of Dickinson, N. Dak., praying for the

recognition of the independence of the Irish republic; to the Committee on Foreign Affairs.

1085. Also, telegram in the nature of a memorial from General Custer Council, American Association for Recognition of Irish Republic, of Mandan, N. Dak., remonstrating against America joining international council with England; to the Committee on Foreign Affairs.

1086. Also, letter in the nature of a petition from William P. Kingnette, of Jamestown, N. Dak., praying for the enactment of legislation to permit the sale of light wines and beer; to the

Committee on the Judiciary.

1087. Also, resolution of Victoria Rebekah Lodge, No. 105, of Deering, N. Dak., favoring the passage of the so-called Smith-Towner bill, to create a department of education, etc.; to the

1088. Also, letter in the nature of a memorial from Rev. W. S. Ditzen, of Willow City, N. Dak., remonstrating against the passage of the so-called Smith-Towner educational bill; to the